

117TH CONGRESS }
1st Session

HOUSE OF REPRESENTATIVES

{ REPORT
117-___

**AMERICAN RESCUE PLAN
ACT OF 2021**

—————
R E P O R T

OF THE

**COMMITTEE ON THE BUDGET
HOUSE OF REPRESENTATIVES**

TO ACCOMPANY

H.R. _____

together with

_____ VIEWS



FEBRUARY __, 2021.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

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WASHINGTON : 2021

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AMERICAN RESCUE PLAN ACT OF 2021

FEBRUARY __, 2021.—Committed to the Committee of the Whole House on the State
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MR. YARMUTH, from the Committee on the Budget,
submitted the following

R E P O R T

together with

_____ VIEWS

[To accompany H.R. ____]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Budget, to whom reconciliation recommendations were submitted pursuant to title II of S. Con. Res. 5, the concurrent resolution on the budget for fiscal year 2021, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

INTRODUCTION BY THE COMMITTEE ON THE BUDGET

It has been roughly one year since the first COVID-19 case was diagnosed in the United States. Our nation is struggling to endure the unrelenting devastation spawned by the pandemic and corresponding economic fallout. The need for bold, compassionate, and aggressive action remains unparalleled and undeniable.

THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2021 PAVED THE WAY FOR THE AMERICAN RESCUE PLAN

The 2021 budget resolution (S. Con. Res. 5) laid the groundwork for bold action by providing the option of using the budget reconciliation process to deliver crucial relief to the American people and achieve the goals of President Biden's American Rescue Plan. This reconciliation bill is the next step toward implementing the plan.

Budget reconciliation has been used by Democrats and Republicans over the past four decades for a variety of purposes, including reducing the deficit, expanding access to health coverage, restricting eligibility and benefits in safety-net programs, and handing out deficit-increasing GOP tax cuts heavily weighted to the wealthy. There is nothing inherently partisan about using budget reconciliation to move legislation forward. Many past budget reconciliation bills had bipartisan support; some did not. Using the reconciliation process does not preclude reaching a bipartisan agreement on a COVID-19 relief package, but it doesn't require it either. This process can help ensure that Congress can move forward and meet the country's needs. Without reconciliation, the bold action outlined by the President could languish indefinitely in the Senate, putting the health and well-being of millions of American families at risk. This is not an acceptable option.

Congress must act expeditiously to enact the American Rescue Plan Act and help workers, families, communities, and small businesses survive these crises.

LIVES AND LIVELIHOODS ARE AT STAKE

The coronavirus pandemic and economic crisis are destroying lives and livelihoods across the country. Tens of millions of Americans have been infected and nearly half a million have died – with almost one-fifth of deaths occurring last month alone. Our economy has faced lows unseen since the Great Depression. And our most vulnerable communities are forced to bear the brunt of these twin crises as underlying health and economic inequities grow worse.

This recovery is sputtering, painful, and the most unequal on record. Already, there are two stories of recovery in America right now as underlying racial, wealth, social, and gender disparities are exacerbated by the pandemic, increasing the divergence between wealthier and poorer Americans. In fact, workers making over \$60,000 a year have seen their employment rates *increase* by nearly 3 percent since February 2020, while employment rates for workers making less than \$27,000 have *decreased* by more than 20 percent. The American people cannot afford any more delays. Millions of Americans remain out of work, forced to leave their careers as entire industries crumble. Women – especially mothers and women of color – are exiting the workforce at alarming rates, eight out of ten minority-owned businesses are on the brink of closure, and without intervention, vital unemployment benefits are set to expire for more than 11.4 million workers in just a few short weeks.

(1)

In homes across America, food insecurity is climbing. Nearly 24 million Americans are going hungry and as many as 12 million children live in a household without enough food. Widespread school closures threaten to derail our children's education, with students of color experiencing learning loss at a higher rate than their white peers. And 30 to 40 million Americans are living under the threat of eviction because they cannot afford to pay their rent.

The public health and economic crises are inextricably tied. We cannot rescue our economy without first containing the virus. Congress passed bipartisan legislation that provided help. But these short-term measures have not been enough to respond to a pandemic that has been ongoing for a year. Additional humanitarian relief and economic support are needed, and the American people cannot afford delay. Absent additional government assistance, the economic and public health crises will worsen in the months ahead; schools will not be able to safely reopen; vaccination rates will remain far too low; and more Americans will needlessly suffer.

THE AMERICAN RESCUE PLAN ACT OF 2021

President Biden's American Rescue Plan takes a multipronged approach to tackle the public health and economic crises resulting from the COVID-19 pandemic. This ambitious \$1.9 trillion plan provides the resources needed to change the direction of the pandemic and spur an inclusive and strong economic recovery. With the American Rescue Plan Act, we will:

Beat the virus and safely reopen schools. The plan will mount a national vaccination program that includes setting up community vaccination sites nationwide. It will also take complementary measures to combat the virus, including scaling up testing and tracing, addressing shortages of personal protective equipment and other critical supplies, investing in high-quality treatments, and addressing health care disparities. The plan will also make the investments necessary to safely reopen schools.

Deliver immediate relief to working families bearing the brunt of the crisis. The plan will increase direct assistance to households in need across America by \$1,400 per person, bringing the total (including the \$600 down payment enacted in December) to \$2,000. The plan will also provide direct housing and nutrition assistance to families struggling to get by, expand access to safe and reliable child care and affordable health care, extend and expand unemployment insurance so American workers can pay their bills, and give families with children as well as childless workers a boost through enhanced tax credits. The plan will also give 27 million workers a raise by increasing the federal minimum wage. These measures will not only ensure working families can make ends meet now but will also help to generate an inclusive economic recovery, rather than a recovery that leaves behind millions of Americans.

Support communities struggling with the economic fallout. The plan will provide crucial support for the hardest-hit small businesses, especially those owned by entrepreneurs who have experienced systemic discrimination, with Economic Injury Disaster Loan (EIDL) grants, expanded Paycheck Protection Program (PPP) eligibility, and more. The plan also provides crucial resources to protect the jobs of first responders, frontline public health workers, teachers, transit workers, and other essential workers that all Americans depend on.

WEAK SUPPORT WILL SOW A WEAK RECOVERY

Responses to past crises have made it clear that doing too little will cost us far more. Recessions can lead to permanent economic losses and reduced opportunity, and our economy still bears scars from

insufficient support during the Great Recession. The relief Congress has provided to date has been instrumental in staving off an even more destructive downturn. However, because of the one-two punch of an economic crisis fueled by a health crisis, more must be done to safeguard Americans' health and economic security through this prolonged downturn. Our nation and our economy cannot wait for the aggressive, bold relief included in the American Rescue Plan Act.

Without the American Rescue Plan Act, CBO estimates real GDP will not recover to its pre-pandemic projection until 2025. That is four years of the economy operating below its potential, and years of needless human suffering. The American Rescue Plan Act will get the economy back on track much faster, with real GDP reaching CBO's pre-pandemic projection by the end of this year.

Far too many Americans are finding themselves out of work through no fault of their own. Many are being forced to choose between their health and a paycheck. Not only does prolonged unemployment lead to lost income, it has consequences for mental and physical health. Without the American Rescue Plan Act, CBO estimates it will take at least three years before employment returns to pre-pandemic levels. But with this vital support, economists estimate that we can bring the economy back to near full employment in a little over 12 months.

WE MUST LEARN FROM PAST CRISES AND PAST MISTAKES

Unfounded fears of the federal debt, rather than any real economic constraint, hobbled the response to the Great Recession from the outset, producing a fiscal response that was too small and was withdrawn too soon to fully match the depth of the downturn. As a result, the U.S. economy experienced a slow and painful recovery, and it took nearly a decade for unemployment rates to recover. Years of forced austerity and chronic underinvestment in public health, infrastructure, education, and more have left the United States less safe, less resilient, and less able to effectively respond to crises – a reality the pandemic has magnified.

Fortunately, economists across the ideological spectrum agree that the United States has ample fiscal space to provide the resources necessary to end the pandemic, mitigate its economic damage, and rebuild a stronger and more equitable economy. Interest rates and inflation are at historic lows – lower today than before the pandemic – and consequently, returns on smart investments in the economy have never been higher. In fact, economists warn that *failing* to deliver the relief in the American Rescue Plan Act and squandering this opportunity will lead to a weak, prolonged, and unequal recovery, posing more severe risks to our economic and budget outlooks than any deficits we might incur.

The quicker we act the more lives can be saved and the faster our economy will recover. Multiple variant strains of the novel coronavirus are now infecting Americans across the United States, and our vaccine rollout and efforts to contain the virus are in desperate need of resources. We are in a race against time, and aggressive, bold action is needed before our communities are permanently scarred by the human and economic costs of inaction.

THE BUDGET COMMITTEE'S ROLE IN DELIVERING THE AMERICAN RESCUE PLAN ACT

The major steps in the reconciliation process, as provided for under Section 310 of the Budget Act, and how they apply in this instance, are the following:

The Budget Resolution. Reconciliation can be triggered only by the adoption of a budget resolution. Therefore, the fiscal year 2021 budget resolution (S. Con. Res. 5), passed in early February, carried reconciliation instructions for 12 committees that have jurisdiction over some portion of the American Rescue Plan Act.

The resolution's budget reconciliation framework sets a budgetary target of up to \$1.9 trillion – the estimated cost of President Biden's American Rescue Plan.

Figure 1

RECONCILIATION INSTRUCTIONS TO HOUSE COMMITTEES	
Deficit increase (2021-2030), billions of dollars	
COMMITTEE	AMOUNT
Agriculture	16
Education and Labor	358
Energy and Commerce	188
Financial services	75
Foreign Affairs	10
Natural Resources	1
Oversight and Reform	351
Science, Space, and Technology	1
Small Business	50
Transportation and Infrastructure	96
Veterans' Affairs	17
Ways and Means	941
Subtotal	2103
<i>Remove overlap</i>	215
TOTAL	1,889

Authorizing Committees. Nine authorizing committees marked up legislative provisions pursuant to their instructions and transmitted them to the Committee on the Budget. This report incorporates the detailed descriptions of the provisions provided in the committees' submissions to the Budget Committee, summarized below. Three authorizing committees did not submit recommendations to the Budget Committee in response to the reconciliation instruction.

- **The Agriculture Committee:** Provisions help families put food on the table by extending enhanced SNAP benefits, providing funds to alleviate backlogs and respond to pandemic impacts in our food supply chains, and supporting debt relief and other financial and technical assistance to Black farmers and other farmers of color.
- **The Education and Labor Committee:** Provides critical funding to help K-12 schools safely reopen and address lost time in the classroom, as well as provisions to increase workers' income by raising the federal minimum wage and expanding grants to make child care safer and more affordable for families.

- **The Energy and Commerce Committee** Provisions provide critical funding and resources to increase COVID-19 vaccinations across the country and to test, treat and protect all Americans, including communities of color.
- **The Financial Services Committee** Provisions include funds to protect renters and homeowners, prevent homelessness, and procure essential medical supplies and equipment through the Defense Production Act.
- **The Committee on Oversight and Reform** Provisions provide urgent funding to help communities across the country battle the coronavirus, restore critical services to struggling families, and help save the jobs of our heroes – health care workers, first responders, sanitation and transportation workers, and teachers – in states, localities, tribes, and territories.
- **The Small Business Committee** Provisions help small businesses get back on track with additional funding for EIDL and restaurant grants, expanded PPP eligibility for nonprofits, and support for shuttered and struggling live venues.
- **The Veterans' Affairs Committee** Provisions will provide critical funds to help the VA meet the health and economic needs of our nation's veterans, including funds to waive copays for treatment and help the VA reduce claims and appeals backlogs caused by COVID.
- **The Transportation and Infrastructure Committee** Provisions provide key funding for transit, airports, and FEMA's disaster relief fund that help put people back to work.
- **The Ways and Means Committee:** Provisions include additional direct payments, extended pandemic-related unemployment benefits, financial assistance for individuals to retain health coverage through the Affordable Care Act, and funding for enhancements to refundable tax credits - like the Child Tax Credit and the Earned Income Tax Credit - designed to help low-income Americans and combat child poverty.

The Budget Committee. Having received the submissions, the Committee on the Budget, as provided for under Section 310 of the Budget Act, has bound the provisions together, without substantive change, into a single measure—a reconciliation bill—and met to report the measure to the House for floor consideration.

VOTES OF THE COMMITTEE ON THE BUDGET

Clause 3(b) of House Rule XIII requires each committee report to accompany any bill or resolution of a public character to include the total number of votes cast for and against each record vote, on a motion to report and any amendments offered to the measure or matter, together with the names of those voting for and against.

Listed below are the actions taken in the Committee on the Budget of the House of Representatives on the American Rescue Plan Act of 2021. On February 22, 2021, the Committee met in open session, a quorum being present. Mr. Boyle asked unanimous consent that the Chair be authorized, consistent with clause 4 of rule XVI of the Rules of the House of Representatives, to declare a recess at any time during the Committee meeting.

There was no objection to the unanimous consent request.

Mr. Boyle asked unanimous consent that the first reading of the bill be dispensed with and that the bill be considered as read.

There was no objection to the unanimous consent request.

The Chairman asked unanimous consent that Members have until the end of the day to submit their statements for the record.

There was no objection to the unanimous consent request.

The Committee adopted and ordered reported the American Rescue Plan Act of 2021.

The Ranking Member requested the requisite number of days for the minority to file its views.

There was no objection to the Ranking Member's request.

Mr. Boyle made a motion that on the measure reported the staff be authorized to make any necessary technical and conforming corrections prior to filing the bill, that the motion to reconsider be laid on the table, and that, pursuant to clause 1 of rule XXII, the Chair be authorized to offer motions to go to conference on the reported bill or any companion measure from the Senate.

There was no objection to the unanimous consent request.

The Committee on the Budget also took the following votes:

[INSERT VOTE TALLY SHEETS HERE - Obtain from **Christie**]

COMMITTEE ON THE BUDGET
HOUSE OF REPRESENTATIVES
117TH CONGRESS
RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #1—Motion to Postpone (Rep. Smith)**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)				SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)			
HORSFORD (NV)		X		BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)	X		
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 14 No: 19 Present: _____

COMMITTEE ON THE BUDGET
HOUSE OF REPRESENTATIVES
117TH CONGRESS
RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #2 – Reporting the American Rescue Plan Act of 2021**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)	X			SMITH (MO) (Ranking)		X	
JEFFRIES (NY)	X			KELLY (MS)		X	
HIGGINS (NY)	X			MCCLINTOCK (CA)		X	
BOYLE (PA)	X			GROTHMAN (WI)		X	
DOGGETT ¹ (TX)		X		SMUCKER (PA)		X	
PRICE (NC)	X			JACOBS (NY)		X	
SCHAKOWSKY (IL)	X			BURGESS (TX)		X	
KILDEE (MI)	X			CARTER (GA)		X	
MORELLE (NY)	X			CLINE (VA)		X	
HORSFORD (NV)	X			BOEBERT (CO)		X	
LEE (CA)	X			DONALDS (FL)		X	
CHU (CA)	X			FEENSTRA (IA)		X	
PLASKETT (VI-At Large)	X			GOOD (VA)		X	
WEXTON (VA)	X			HINSON (IA)		X	
SCOTT (VA)	X			OBERNOLTE (CA)		X	
JACKSON LEE (TX)	X						
COOPER (TN)	X						
SIRES (NY)	X						
PETERS (CA)	X						
MOULTON (MA)							
JAYAPAL (WA)	X			(Return to Chair)			

TOTALS: Aye: 19 No: 16 Present: _____

¹ Later in the meeting, Mr. Doggett indicated that if he were able he would change his "no" vote to a "yes" vote (and that he was a supporter of the bill).

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTEDate: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #3: A motion offered by Mrs. Hinson and Mr. Feenstra that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment related to determining the legislation's effect on private-sector employment and small businesses.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)		X		BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)	X		
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 15 No: 20 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #4: A motion offered by Ms. Jackson Lee that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 not make in order any amendment that would strike or modify the Coronavirus Local Fiscal Recovery Fund.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)	X			SMITH (MO) (Ranking)	X		
JEFFRIES (NY)	X			KELLY (MS)	X		
HIGGINS (NY)	X			MCCLINTOCK (CA)	X		
BOYLE (PA)	X			GROTHMAN (WI)	X		
DOGGETT (TX)	X			SMUCKER (PA)	X		
PRICE (NC)	X			JACOBS (NY)	X		
SCHAKOWSKY (IL)	X			BURGESS (TX)	X		
KILDEE (MI)	X			CARTER (GA)	X		
MORELLE (NY)	X			CLINE (VA)	X		
HORSFORD (NV)	X			BOEBERT (CO)	X		
LEE (CA)	X			DONALDS (FL)	X		
CHU (CA)	X			FEENSTRA (IA)	X		
PLASKETT (VI-At Large)	X			GOOD (VA)	X		
WEXTON (VA)	X			HINSON (IA)	X		
SCOTT (VA)	X			OBERNOLTE (CA)	X		
JACKSON LEE (TX)	X						
COOPER (TN)	X						
SIRES (NY)	X						
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)	X			(Return to Chair)			

TOTALS: Aye: 19 No: 16 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #5: A motion offered by Mr. Donalds and Mr. Grothman that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to strike a provision that raises the federal minimum wage and to require review and removal of provisions that increase the cost of living.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)		X		BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)			
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 14 No: 20 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #6: A motion offered by Mr. Feenstra and Mrs. Boebert that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to strike all provisions of the bill not directly related to vaccination, testing and treatment of Covid-19.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)		X		BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)	X		
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 15 No: 20 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTEDate: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #7: A motion offered by Mrs. Boebert and Mr. Obernolte that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to strike all funding for state and local governments.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)	X			SMITH (MO) (Ranking)	X		
JEFFRIES (NY)	X			KELLY (MS)	X		
HIGGINS (NY)	X			MCCLINTOCK (CA)	X		
BOYLE (PA)	X			GROTHMAN (WI)	X		
DOGGETT (TX)	X			SMUCKER (PA)	X		
PRICE (NC)	X			JACOBS (NY)		X	
SCHAKOWSKY (IL)	X			BURGESS (TX)	X		
KILDEE (MI)	X			CARTER (GA)	X		
MORELLE (NY)	X			CLINE (VA)	X		
HORSFORD (NV)	X			BOEBERT (CO)	X		
LEE (CA)	X			DONALDS (FL)	X		
CHU (CA)	X			FEENSTRA (IA)	X		
PLASKETT (VI-A1 Large)	X			GOOD (VA)	X		
WEXTON (VA)	X			HINSON (IA)	X		
SCOTT (VA)	X			OBERNOLTE (CA)	X		
JACKSON LEE (TX)	X						
COOPER (IN)	X						
SIRES (NY)	X						
PETERS (CA)	X						
MOULTON (MA)							
JAYAPAL (WA)	X			(Return to Chair)			

TOTALS: Aye: 14 No: 21 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #8: A motion offered by Mr. Obernolte and Mr. Good that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to change the formula for allocating state and local fiscal recovery funds and to strike funding for transit.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)	X			SMITH (MO) (Ranking)	X		
JEFFRIES (NY)	X			KELLY (MS)	X		
HIGGINS (NY)	X			MCCLINTOCK (CA)	X		
BOYLE (PA)	X			GROTHIMAN (WI)	X		
DOGGETT (TX)	X			SMUCKER (PA)	X		
PRICE (NC)	X			JACOBS (NY)	X		
SCHAKOWSKY (IL)	X			BURGESS (TX)	X		
KILDEE (MI)	X			CARTER (GA)	X		
MORELLE (NY)	X			CLINE (VA)	X		
HORSFORD (NV)	X			BOEBERT (CO)	X		
LEE (CA)	X			DONALDS (FL)	X		
CHU (CA)	X			FEENSTRA (IA)	X		
PLASKETT (VI-At Large)	X			GOOD (VA)	X		
WEXTON (VA)	X			HINSON (IA)	X		
SCOTT (VA)	X			OBERNOLTE (CA)	X		
JACKSON LEE (TX)	X						
COOPER (IN)	X						
SIRES (NY)	X						
PETERS (CA)	X						
MOULTON (MA)							
JAYAPAL (WA)	X			(Return to Chair)			

TOTALS: Aye: 15 No: 20 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #9: A motion offered by Mr. Smith and Mr. Carter that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to strike provisions expanding health care premium tax credit assistance, to increase direct payments to certain individuals, and to require disclosures by certain campaign contributors.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)		X		BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)			
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)		X	
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 13 No: 21 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #10: A motion offered by Mr. Grothman and Mr. Donalds that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to require that funding in the bill go to individuals with valid Social Security numbers and to strike all funds for international assistance.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)				BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)			
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 14 No: 19 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTEDate: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #11: A motion offered by Mr. Jacobs and Mr. Smucker that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to condition state and local government funding on certification of accuracy of data related to skilled nursing facilities.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)				BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)			
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (IN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 14 No: 19 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #12: A motion offered by Mr. Smith and Mr. Smucker that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment related to preventing a Statutory Pay-As-You-Go sequestration.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)		X		BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)			
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 14 No: 20 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #13: A motion offered by Mr. Burgess and Mr. Smith that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to strike funding for global health and Medicaid for inmates and to increase funding for testing and personal protective equipment for U.S. southern border states.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)		X		BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)			
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 14 No: 20 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #14: A motion offered by Mr. Good and Mr. Cline that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to strike provisions related to the minimum wage and Medicaid and to increase certain mental health, substance abuse and domestic violence funding.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)		X		KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)		X		BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)			
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 14 No: 20 Present: _____

COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES

117TH CONGRESS

RECORD OF COMMITTEE VOTE

Date: February 22, 2021 Time: 1:00 PM Place: Virtual Proceeding

Description of Vote: **Roll Call Vote #15: A motion offered by Mr. Donalds and Mrs. Hinson that the Committee on the Budget direct its Chairman to request that the rule providing for consideration of the American Rescue Plan Act of 2021 make in order an amendment to condition funding for state and local governments on reopening K-12 schools.**

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
YARMUTH (KY) (Chair)		X		SMITH (MO) (Ranking)	X		
JEFFRIES (NY)				KELLY (MS)	X		
HIGGINS (NY)		X		MCCLINTOCK (CA)	X		
BOYLE (PA)		X		GROTHMAN (WI)	X		
DOGGETT (TX)		X		SMUCKER (PA)	X		
PRICE (NC)		X		JACOBS (NY)	X		
SCHAKOWSKY (IL)		X		BURGESS (TX)	X		
KILDEE (MI)		X		CARTER (GA)	X		
MORELLE (NY)		X		CLINE (VA)	X		
HORSFORD (NV)		X		BOEBERT (CO)	X		
LEE (CA)		X		DONALDS (FL)			
CHU (CA)		X		FEENSTRA (IA)	X		
PLASKETT (VI-At Large)		X		GOOD (VA)	X		
WEXTON (VA)		X		HINSON (IA)	X		
SCOTT (VA)		X		OBERNOLTE (CA)	X		
JACKSON LEE (TX)		X					
COOPER (TN)		X					
SIRES (NY)		X					
PETERS (CA)		X					
MOULTON (MA)							
JAYAPAL (WA)		X		(Return to Chair)			

TOTALS: Aye: 14 No: 19 Present:

Table 1.
Estimated Budget Effects of the American Rescue Plan Act of 2021
As Posted on the Website of the House Committee on Rules on February 19, 2021 (timestamped February 19, 2021 at 4:34 p.m.)

	By Fiscal Year, Millions of Dollars											2021-	2021-
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2030	2031
Increases or Decreases (-) in Direct Spending													
Title 1—Agriculture and Nutrition													
Estimated Budget Authority	16,112	0	0	0	0	0	0	0	0	0	0	16,112	16,112
Estimated Outlays	13,018	1,993	700	165	44	36	28	29	29	29	0	16,072	16,072
Title 2—Education and Labor													
Estimated Budget Authority	219,358	1,982	2,915	3,711	4,984	6,478	8,186	8,546	8,446	10,018	12,671	274,623	287,294
Estimated Outlays	22,849	70,301	53,683	40,378	29,559	18,593	13,189	11,167	9,360	10,994	13,712	280,073	293,784
On-Budget Direct Spending													
Estimated Budget Authority	219,358	1,976	2,981	3,505	4,359	5,300	6,569	6,505	5,922	6,910	8,830	263,305	272,135
Estimated Outlays	22,849	70,295	53,649	40,172	28,934	17,415	11,592	9,127	6,836	7,886	9,671	268,755	278,625
Off-Budget Direct Spending													
Estimated Budget Authority	*	6	34	206	625	1,178	1,597	2,040	2,524	3,108	3,841	11,318	15,159
Estimated Outlays	*	6	34	206	625	1,178	1,597	2,040	2,524	3,108	3,841	11,318	15,159
Title 3—Energy and Commerce													
Estimated Budget Authority	110,302	5,354	5,129	3,928	2,549	2,744	1,516	-910	-1,799	-1,863	-2,303	128,950	124,647
Estimated Outlays	27,498	62,210	21,380	10,017	4,761	3,081	1,641	-815	-1,776	-1,857	-2,303	128,130	123,827
Title 4—Financial Services													
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
Title 5—Oversight and Reform³													
Estimated 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
Title 6—Small Business													
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	49,799	49,799
Title 7—Transportation and Infrastructure⁵													
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
Title 8—Veterans' Affairs													
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
Title 9—Ways and Means													
Estimated Budget Authority	659,776	202,885	9,880	3,479	2,507	2,351	1,939	1,958	1,982	2,011	2,040	888,768	890,808
Estimated Outlays	655,183	205,127	10,303	3,148	936	986	159	877	624	417	261	877,761	878,022
<i>Remove Estimate for Duplicate COBRA Provision⁷</i>													
Estimated Budget Authority	5,915	171	0	0	0	0	0	0	0	0	0	6,086	6,086
Estimated Outlays	5,918	168	0	0	0	0	0	0	0	0	0	6,086	6,086
Total Increase in Direct Spending													
Estimated Budget Authority	1,599,680	210,362	17,884	11,088	10,010	11,383	11,551	9,503	8,529	10,056	10,119	1,900,016	1,910,134
Estimated Outlays	1,200,226	384,599	116,685	65,655	42,708	26,393	17,672	12,968	9,137	10,273	9,380	1,886,221	1,895,600
On-Budget Direct Spending													
Estimated Budget Authority	1,599,660	210,356	17,860	10,882	9,385	10,185	9,954	7,463	6,005	6,948	6,277	1,895,688	1,894,975
Estimated Outlays	1,200,226	384,593	116,651	85,449	42,083	25,215	15,975	10,928	6,613	7,165	5,539	1,874,903	1,880,441
Off-Budget Direct Spending													
Estimated Budget Authority	*	6	34	206	625	1,178	1,597	2,040	2,524	3,108	3,841	11,318	15,159
Estimated Outlays	*	6	34	206	625	1,178	1,597	2,040	2,524	3,108	3,841	11,318	15,159

Table 1.
Estimated Budget Effects of the American Rescue Plan Act of 2021
As Posted on the Website of the House Committee on Rules on February 19, 2021 (timestamped February 18, 2021 at 4:34 p.m.)

	By Fiscal Year, Millions of Dollars													2021-	2021-
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2030	2031		
Increases or Decreases (-) in Revenues															
Title 2—Education and Labor															
Estimated Revenues	-11,986	-3,948	-222	-250	-2,313	1,090	2,839	3,792	4,638	5,099	5,047	-1,261	3,786		
On-Budget Revenues	-12,048	-4,305	-1,263	-2,497	-5,914	-3,349	-2,080	-1,350	-697	-321	-305	-33,844	-34,149		
Off-Budget Revenues	62	357	1,061	2,247	3,601	4,439	4,919	5,142	5,335	5,420	5,352	32,583	37,935		
Title 3—Energy and Commerce															
Estimated 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		
Title 9—Ways and Means															
Estimated Revenues	-33,809	-44,664	-132	3,095	3,749	4,105	4,471	4,663	4,651	4,263	3,950	-45,583	-45,638		
On-Budget Revenues	-33,903	-44,845	-294	2,932	3,508	3,790	4,068	4,248	4,205	3,892	3,657	-52,379	-48,722		
Off-Budget Revenues	94	181	162	163	241	315	383	435	446	371	293	2,791	3,084		
Remove Estimate for Duplicate COBRA Provision²															
Estimated Revenues	11,972	3,991	0	0	0	0	0	0	0	0	0	15,963	15,963		
On-Budget Revenues	11,978	3,992	0	0	0	0	0	0	0	0	0	15,968	15,968		
Off-Budget Revenues	-4	-1	0	0	0	0	0	0	0	0	0	-5	-5		
Total Changes in Revenues	-33,823	-44,621	-113	3,124	1,721	5,498	7,570	8,528	9,320	9,386	9,011	-33,412	-24,401		
On-Budget Revenues	-33,975	-45,158	-1,438	596	-2,242	618	2,163	2,931	3,528	3,586	3,361	-69,391	-66,030		
Off-Budget Revenues	152	537	1,325	2,528	3,963	4,880	5,407	5,595	5,792	5,800	6,650	35,979	41,629		
Increases or Decreases (-) in the Deficit From Changes in Direct Spending and Revenues															
Estimated Effect on the Deficit	1,234,049	429,220	116,798	62,531	40,987	20,895	10,002	4,442	-183	887	369	1,919,633	1,920,001		
On-Budget Deficit	1,234,201	429,751	118,089	64,853	44,325	24,597	13,812	7,997	3,085	3,579	2,178	1,944,294	1,946,471		
Off-Budget Deficit	-152	-531	-1,291	-2,322	-3,338	-3,702	-8,110	-3,555	-3,268	-2,692	-1,809	-24,661	-26,470		

Sources: Congressional Budget Office; staff of the Joint Committee on Taxation (JCT).
 Estimates relative to CBO's February 2021 baseline. Components may not sum to totals because of rounding. * = between \$0 and \$500,000.
 Unless otherwise noted, all effects in this table are on-budget. The transactions of U.S. Postal Service and the cash flows of the two Social Security trust funds (the Old-Age and Survivors Insurance Trust Fund and the Disability Insurance Trust Fund) are off-budget.
 The act would impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the aggregate cost of the mandates would greatly exceed the annual thresholds established in UMRA (\$85 million for intergovernmental mandates and \$170 million for private-sector mandates in 2021, adjusted annually for inflation). Title II would impose significant intergovernmental and private-sector mandates by requiring employers with workers covered under the Fair Labor Standards Act to pay a minimum wage of \$15 by 2025. CBO and JCT have determined that Title IX would impose a significant private-sector mandate by amending the Internal Revenue Code. The bill also would impose small private-sector mandates by requiring notifications concerning changes to COBRA and imposing certain user fees to be paid to the Federal Communications Commission. CBO has not reviewed Title IV, subtitle A, for mandates. Section 4 of UMRA excludes from the application of that act any legislative provisions that are necessary for 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.
 a. U.S. Postal Service (USPS) employees would be eligible under section 5111 for paid leave through the Emergency Federal Employee Leave Fund. USPS receipts and outlays are recorded as off-budget direct spending. CBO estimates that costs to USPS and receipts from reimbursements would be fully offset over the 2021-2030 period; thus, off-budget direct spending would net to zero over that period.
 b. Title 7 would authorize new criminal penalties, which are recorded as revenues in the budget. CBO expects that any increases in revenues would be less than \$500,000 in any year or over the 2021-2030 period because of the relatively small number of cases likely to be affected.
 c. Sections 2401 and 9501 include an identical provision regarding the preservation of COBRA health benefits for workers. CBO estimates that the provision would decrease direct spending and revenues and increase the deficit on net. This adjustment removes the changes in direct spending and revenues estimated for section 2401 to eliminate the double counting of the budgetary effects of the COBRA provision in the table totals. The estimated budgetary effects of section 9501 are substantially similar but also account for interactions with sections 9681 and 9663.

HOUSE REPORT REQUIREMENTS

COMMITTEE CONSIDERATION

On Monday, February 22, 2021 the Committee met in open session and ordered the bill, H.R. _____ favorably reported, without amendment, by a roll call vote of ___ ayes to ___ noes, a quorum being present.

COMMITTEE OVERSIGHT FINDINGS

Clause 3(c)(1) of rule XIII of the Rules of the House of Representatives requires the report of a committee on a measure to contain oversight findings and recommendations required pursuant to Clause (2)(b)(1) of rule X. The Committee on the Budget has examined its activities over the past session and has determined that there are no specific oversight findings on the text of the reported bill.

COMMITTEE COST ESTIMATE

For purposes of Clauses 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and Section 308(a)(1) of the Congressional Budget and Impoundment Control Act of 1974 (relating to estimates of new budget authority, new spending authority, new credit authority, or increased or decreased revenues or tax expenditures), the committee report incorporates the cost estimates prepared by the Director of the Congressional Budget Office pursuant to Sections 402 and 423 of the Congressional Budget and Impoundment Control Act of 1974. The required matter is included in the report language for each title of the legislative recommendations submitted by the appropriate instructed committees and reported to the House by the Committee on the Budget and is summarized in the section below.

NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

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 from the Director of the Congressional Budget Office:

[INSERT CBO COST ESTIMATE]

FEDERAL MANDATES STATEMENT

Section 423 of the Congressional Budget and Impoundment Control Act of 1974 requires a statement of whether the provisions of the reported bill include unfunded mandates. Any statements regarding unfunded mandates for a legislative recommendation submitted by an instructed committee are included under the appropriate title of this report.

ADVISORY COMMITTEE STATEMENT

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

APPLICABILITY TO THE LEGISLATIVE BRANCH

Any finding that a legislative recommendation submitted by an instructed committee relates 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 (P.L. 104-1) is included under the appropriate title of this report.

DUPLICATION OF FEDERAL PROGRAMS

No provision of the reconciliation bill reported by the Committee on the Budget 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.

PERFORMANCE GOALS AND OBJECTIVES

This bill is reported pursuant to Title II of S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021. Pursuant to Clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the goals and objectives of this bill are to tackle the public health and economic crises stemming from the COVID-19 pandemic by providing crucial relief to the American people, changing the direction of the COVID-19 pandemic, and building a bridge towards an inclusive and strong economic recovery.

EARMARK STATEMENT

In accordance with Clause 9 of rule XXI of the Rules of the House of Representatives, the bill does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in Clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

SECTION-BY-SECTION ANALYSIS

This matter is included in the report language for each title of the legislative recommendations submitted by the appropriate instructed committees and reported to the House by the Committee on the Budget.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the reconciliation bill reported by the Committee on the Budget has been requested but not received.

VIEWS OF COMMITTEE MEMBERS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to Clause 2(l) of rule XI by one or more members of the committee. The _____ views of members of the Committee on the Budget are as follows:

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “American Rescue Plan
 5 Act of 2021”.

6 SEC. 2. TABLE OF CONTENTS.

7 The table of contents for this Act is as follows:

Sec. 1. Short title.
 Sec. 2. Table of contents.

TITLE I—COMMITTEE ON AGRICULTURE

Subtitle A—Agriculture

Sec. 1001. Food Supply Chain and Agriculture Pandemic Response.
 Sec. 1002. Emergency grants for rural health care.
 Sec. 1003. Pandemic program administration funds.
 Sec. 1004. Funding for the USDA Office of Inspector General for oversight of
 COVID—19-related programs.
 Sec. 1005. Farm loan assistance for socially disadvantaged farmers and ranch-
 ers.
 Sec. 1006. Assistance and support for socially disadvantaged farmers, ranchers,
 forest land owners and operators, and groups.
 Sec. 1007. Funding for Food for Peace title II Grants.

Subtitle B—Nutrition

Sec. 1011. Supplemental nutrition assistance program.
 Sec. 1012. Additional assistance for SNAP online purchasing and technology
 improvements.
 Sec. 1013. Additional funding for nutrition assistance programs.
 Sec. 1014. Commodity supplemental food program.

TITLE II—COMMITTEE ON EDUCATION AND LABOR

Subtitle A—Education Matters

PART 1—DEPARTMENT OF EDUCATION

Sec. 2001. Elementary and secondary school emergency relief fund.
 Sec. 2002. Higher education emergency relief fund.
 Sec. 2003. Maintenance of effort and maintenance of equity.
 Sec. 2004. Outlying areas.
 Sec. 2005. Bureau of Indian Education.
 Sec. 2006. Gallaudet University.
 Sec. 2007. Student aid administration.
 Sec. 2008. Howard University.
 Sec. 2009. National Technical Institute for the Deaf.
 Sec. 2010. Institute of Education Sciences.

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- Sec. 2011. Program administration.
- Sec. 2012. Office of inspector general.
- Sec. 2013. Modification of revenue requirements for proprietary institutions of higher education.

PART 2—MISCELLANEOUS

- Sec. 2021. National endowment for the arts.
- Sec. 2022. National endowment for the humanities.
- Sec. 2023. Institute of museum and library services.
- Sec. 2024. COVID-19 response resources for the preservation and maintenance of Native American languages.

Subtitle B—Labor Matters

- Sec. 2101. Raising the Federal minimum wage.
- Sec. 2102. Funding for Department of Labor Worker Protection Activities.
- Sec. 2103. Eligibility for workers' compensation benefits for Federal employees diagnosed with COVID-19.
- Sec. 2104. Compensation pursuant to the Longshore and Harbor Workers' Compensation Act.

Subtitle C—Human Services and Community Supports

- Sec. 2201. Additional funding for aging and disability services programs.
- Sec. 2202. Supporting older Americans and their families.
- Sec. 2203. Child Care and Development Block Grant Program.
- Sec. 2204. Child Care Stabilization.
- Sec. 2205. Head Start.
- Sec. 2206. Programs for survivors.
- Sec. 2207. Child abuse prevention and treatment.
- Sec. 2208. LIHEAP.
- Sec. 2209. Department of Health and Human Services.
- Sec. 2210. Corporation for National and Community Service and the National Service Trust.

Subtitle D—Child Nutrition & Related Programs

- Sec. 2301. Improvements to WIC benefits.
- Sec. 2302. WIC program modernization.
- Sec. 2303. Meals and supplements reimbursements for individuals who have not attained the age of 25.
- Sec. 2304. Pandemic EBT program.

Subtitle E—COBRA Continuation Coverage

- Sec. 2401. Preserving health benefits for workers.

TITLE III—COMMITTEE ON ENERGY AND COMMERCE

Subtitle A—Public Health

CHAPTER 1—VACCINES AND THERAPEUTICS

- Sec. 3001. Funding for COVID-19 vaccine activities at the centers for disease control and prevention.
- Sec. 3002. Funding for vaccine confidence activities.

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- Sec. 3003. Funding for supply chain for COVID-19 vaccines, therapeutics, and medical supplies.
- Sec. 3004. Funding for COVID-19 vaccine, therapeutic, and device activities at the Food and Drug Administration.

CHAPTER 2—TESTING

- Sec. 3011. Funding for COVID-19 testing, contact tracing, and mitigation activities.
- Sec. 3012. Funding for SARS-CoV-2 genomic sequencing and surveillance.
- Sec. 3013. Funding for global health.
- Sec. 3014. Funding for data modernization and forecasting center.

CHAPTER 3—PUBLIC HEALTH WORKFORCE

- Sec. 3021. Funding for public health workforce.
- Sec. 3022. Funding for Medical Reserve Corps.

CHAPTER 4—PUBLIC HEALTH INVESTMENTS

- Sec. 3031. Funding for community health centers and community care.
- Sec. 3032. Funding for National Health Service Corps.
- Sec. 3033. Funding for Nurse Corps.
- Sec. 3034. Funding for teaching health centers that operate graduate medical education.
- Sec. 3035. Funding for COVID-19 testing, contact tracing, and mitigation activities in congregate settings.
- Sec. 3036. Funding for family planning.
- Sec. 3037. Funding for children under the care of the Department of Health and Human Services.
- Sec. 3038. Funding for Office of Inspector General.

CHAPTER 5—INDIAN HEALTH

- Sec. 3041. Funding for Indian health.

CHAPTER 6—MENTAL HEALTH AND SUBSTANCE USE DISORDER

- Sec. 3051. Funding for block grants for community mental health services.
- Sec. 3052. Funding for block grants for prevention and treatment of substance abuse.
- Sec. 3053. Funding for mental and behavioral health training for health care professionals, paraprofessionals, and public safety officers.
- Sec. 3054. Funding for education and awareness campaign encouraging healthy work conditions and use of mental and behavioral health services by health care professionals.
- Sec. 3055. Funding for grants for health care providers to promote mental and behavioral health among their health professional workforce.
- Sec. 3056. Funding for community-based funding for local substance use disorder services.
- Sec. 3057. Funding for community-based funding for local behavioral health needs.
- Sec. 3058. Funding for the National Child Traumatic Stress Network.
- Sec. 3059. Funding for Project AWARE.
- Sec. 3059A. Funding for youth suicide prevention.
- Sec. 3059B. Funding for behavioral health workforce education and training.

CHAPTER 7—EXCHANGE GRANT PROGRAM

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Sec. 3061. Establishing a grant program for Exchange modernization.

Subtitle B—Medicaid

- Sec. 3101. Mandatory coverage of COVID-19 vaccines and administration and treatment under Medicaid.
- Sec. 3102. Modifications to certain coverage under Medicaid for pregnant and postpartum women.
- Sec. 3103. Allowing for medical assistance under Medicaid for inmates during 30-day period preceding release.
- Sec. 3104. Enhanced Federal Medicaid support for community-based mobile crisis intervention services.
- Sec. 3105. Temporary increase in FMAP for medical assistance under State Medicaid plans which begin to expend amounts for certain mandatory individuals.
- Sec. 3106. Extension of 100 percent Federal medical assistance percentage to Urban Indian Health Organizations and Native Hawaiian Health Care Systems.
- Sec. 3107. Sunset of limit on maximum rebate amount for single source drugs and innovator multiple source drugs.
- Sec. 3108. Additional support for Medicaid home and community-based services during the COVID-19 emergency period.
- Sec. 3109. Funding for State strike teams for resident and employee safety in nursing facilities.

Subtitle C—Children's Health Insurance Program

- Sec. 3201. Mandatory coverage of COVID-19 vaccines and administration and treatment under CHIP.
- Sec. 3202. Modifications to certain coverage under CHIP for pregnant and postpartum women.

Subtitle D—Other Provisions

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

- Sec. 3301. Funding for pollution and disparate impacts of the COVID-19 pandemic.
- Sec. 3302. Funding for LIHEAP.
- Sec. 3303. Funding for water assistance program.

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

- Sec. 3311. Funding for consumer product safety fund to protect consumers from potentially dangerous products related to COVID-19.
- Sec. 3312. Funding for E-Rate support for emergency educational connections and devices.

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

- Sec. 3321. Funding for Department of Commerce Inspector General.

TITLE IV—COMMITTEE ON FINANCIAL SERVICES

Subtitle A—Defense Production Act of 1950

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Sec. 4001. COVID-19 emergency medical supplies enhancement.

Subtitle B—Housing Provisions

Sec. 4101. Emergency rental assistance.

Sec. 4102. Emergency housing vouchers.

Sec. 4103. Emergency assistance for rural housing.

Sec. 4104. Housing assistance and supportive services programs for Native Americans.

Sec. 4105. Housing counseling.

Sec. 4106. Homelessness assistance and supportive services program.

Sec. 4107. Homeowner Assistance Fund.

Sec. 4108. Relief measures for section 502 and 504 direct loan borrowers.

Subtitle C—Small Business (SSBCI)

Sec. 4201. Reauthorization of the State Small Business Credit Initiative Act of 2010.

Subtitle D—Airlines

Sec. 4301. Air Transportation Payroll Support Program Extension.

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.

Subtitle B—Other Matters

Sec. 5111. Emergency Federal Employee Leave Fund.

Sec. 5112. Funding for the Government Accountability Office.

Sec. 5113. Pandemic Response Accountability Committee funding availability.

TITLE VI—COMMITTEE ON SMALL BUSINESS

Sec. 6001. Modifications to paycheck protection program.

Sec. 6002. Targeted EIDL advance.

Sec. 6003. Support for restaurants.

Sec. 6004. Community navigator pilot program.

Sec. 6005. Shuttered venue operators.

Sec. 6006. Direct appropriations.

TITLE VII—COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Subtitle A—Transportation and Infrastructure

Sec. 7001. Federal Emergency Management Agency appropriation.

Sec. 7002. Funeral assistance.

Sec. 7003. Economic adjustment assistance.

Sec. 7004. Great Lakes St. Lawrence Seaway Development Corporation operations and maintenance.

Sec. 7005. Grants to the National Railroad Passenger Corporation.

Sec. 7006. Federal Transit Administration grants.

Sec. 7007. Relief for airports.

Subtitle B—Aviation Manufacturing Jobs Protection

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- Sec. 7101. Definitions.
- Sec. 7102. Payroll support program.

Subtitle C—Continued Assistance to Rail Workers

- Sec. 7201. Additional enhanced benefits under the Railroad Unemployment Insurance Act.
- Sec. 7202. Extended unemployment benefits under the Railroad Unemployment Insurance Act.
- Sec. 7203. Extension of waiver of the 7-day waiting period for benefits under the Railroad Unemployment Insurance Act.
- Sec. 7204. Railroad Retirement Board and Office of the Inspector General funding.

TITLE VIII—COMMITTEE ON VETERANS' AFFAIRS

- Sec. 8001. Funding for claims and appeals processing.
- Sec. 8002. Funding availability for medical care and health needs.
- Sec. 8003. Funding for supply chain modernization.
- Sec. 8004. Funding for state homes.
- Sec. 8005. Funding for the Department of Veterans Affairs office of inspector general.
- Sec. 8006. Covid-19 veteran rapid retraining assistance program.
- Sec. 8007. Prohibition on copayments and cost sharing for veterans during emergency relating to COVID-19.

TITLE IX—COMMITTEE ON WAYS AND MEANS

Subtitle A—Crisis Support for Unemployed Workers

- Sec. 9001. Short title.

PART 1—EXTENSION OF CARES ACT UNEMPLOYMENT PROVISIONS

- Sec. 9011. Extension of pandemic unemployment assistance.
- Sec. 9012. Extension of emergency unemployment relief for governmental entities and nonprofit organizations.
- Sec. 9013. Extension of Federal Pandemic Unemployment Compensation.
- Sec. 9014. Extension of full Federal funding of the first week of compensable regular unemployment for States with no waiting week.
- Sec. 9015. Extension of emergency State staffing flexibility.
- Sec. 9016. Extension of Pandemic Emergency Unemployment Compensation.
- Sec. 9017. Extension of temporary financing of short-time compensation payments in States with programs in law.
- Sec. 9018. Extension of temporary financing of short-time compensation agreements for States without programs in law.

PART 2—EXTENSION OF FFCRA UNEMPLOYMENT PROVISIONS

- Sec. 9021. Extension of temporary assistance for States with advances.
- Sec. 9022. Extension of full Federal funding of extended unemployment compensation.

PART 3—DEPARTMENT OF LABOR FUNDING FOR TIMELY, ACCURATE, AND EQUITABLE PAYMENT

- Sec. 9031. Funding for administration.

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Sec. 9032. Funding for fraud prevention, equitable access, and timely payment to eligible workers.

Subtitle B—Emergency Assistance to Families Through Home Visiting Programs

Sec. 9101. Emergency assistance to families through home visiting programs.

Subtitle C—Emergency Assistance to Children and Families

Sec. 9201. Pandemic Emergency Assistance Fund.

Subtitle D—Elder Justice and Support Guarantee

Sec. 9301. Additional funding for aging and disability services programs.

Subtitle E—Support to Skilled Nursing Facilities in Response to COVID-19

Sec. 9401. Providing for infection control support to skilled nursing facilities through contracts with quality improvement organizations.

Sec. 9402. Funding for strike teams for resident and employee safety in skilled nursing facilities.

Subtitle F—Preserving Health Benefits for Workers

Sec. 9500. Short title.

Sec. 9501. Preserving health benefits for workers.

Subtitle G—Promoting Economic Security

PART 1—2021 RECOVERY REBATES TO INDIVIDUALS

Sec. 9601. 2021 recovery rebates to individuals.

PART 2—CHILD TAX CREDIT

Sec. 9611. Child tax credit improvements for 2021.

Sec. 9612. Application of child tax credit in possessions.

PART 3—EARNED INCOME TAX CREDIT

Sec. 9621. Strengthening the earned income tax credit for individuals with no qualifying children.

Sec. 9622. Taxpayer eligible for childless earned income credit in case of qualifying children who fail to meet certain identification requirements.

Sec. 9623. Credit allowed in case of certain separated spouses.

Sec. 9624. Modification of disqualified investment income test.

Sec. 9625. Application of earned income tax credit in possessions of the United States.

Sec. 9626. Temporary special rule for determining earned income for purposes of earned income tax credit.

PART 4—DEPENDENT CARE ASSISTANCE

Sec. 9631. Refundability and enhancement of child and dependent care tax credit.

Sec. 9632. Increase in exclusion for employer-provided dependent care assistance.

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PART 5—CREDITS FOR PAID SICK AND FAMILY LEAVE

- Sec. 9641. Extension of credits.
- Sec. 9642. Increase in limitations on credits for paid family leave.
- Sec. 9643. Expansion of leave to which paid family leave credits applies.
- Sec. 9644. Paid leave credits allowed for leave for COVID-vaccination.
- Sec. 9645. Application of non-discrimination rules.
- Sec. 9646. Reset of limitation on paid sick leave.
- Sec. 9647. Credits allowed against employer hospital insurance tax.
- Sec. 9648. Application of credits to certain governmental employers.
- Sec. 9649. Gross up of credit in lieu of exclusion from tax.
- Sec. 9650. Effective date.

PART 6—EMPLOYEE RETENTION CREDIT

- Sec. 9651. Extension of employee retention credit.

PART 7—PREMIUM TAX CREDIT

- Sec. 9661. Improving affordability by expanding premium assistance for consumers.
- Sec. 9662. Temporary modification of limitations on reconciliation of tax credits for coverage under a qualified health plan with advance payments of such credit.
- Sec. 9663. Application of premium tax credit in case of individuals receiving unemployment compensation during 2021.

PART 8—MISCELLANEOUS PROVISIONS

- Sec. 9671. Repeal of election to allocate interest, etc. on worldwide basis.
- Sec. 9672. Tax treatment of targeted EIDL advances.
- Sec. 9673. Tax treatment of restaurant revitalization grants.

Subtitle H—Pensions

- Sec. 9700. Short title.
- Sec. 9701. Temporary delay of designation of multiemployer plans as in endangered, critical, or critical and declining status.
- Sec. 9702. Temporary extension of the funding improvement and rehabilitation periods for multiemployer pension plans in critical and endangered status for 2020 or 2021.
- Sec. 9703. Adjustments to funding standard account rules.
- Sec. 9704. Special financial assistance program for financially troubled multiemployer plans.
- Sec. 9705. Extended amortization for single employer plans.
- Sec. 9706. Extension of pension funding stabilization percentages for single employer plans.
- Sec. 9707. Modification of special rules for minimum funding standards for community newspaper plans.
- Sec. 9708. Cost of living adjustment freeze.

Subtitle I—Child Care for Workers

- Sec. 9801. Child care assistance.

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1 **TITLE I—COMMITTEE ON**
2 **AGRICULTURE**
3 **Subtitle A—Agriculture**

4 **SEC. 1001. FOOD SUPPLY CHAIN AND AGRICULTURE PAN-**
5 **DEMIC RESPONSE.**

6 (a) **APPROPRIATION.**—In addition to amounts other-
7 wise available, there is appropriated to the Secretary of
8 Agriculture for fiscal year 2021, out of any money in the
9 Treasury not otherwise appropriated, \$4,000,000,000, to
10 remain available until expended, to carry out this section.

11 (b) **USE OF FUNDS.**—The Secretary of Agriculture
12 shall use the amounts made available pursuant to sub-
13 section (a)—

14 (1) to purchase food and agricultural commod-
15 ities;

16 (2) to purchase and distribute agricultural com-
17 modities (including fresh produce, dairy, seafood,
18 eggs, and meat) to individuals in need, including
19 through delivery to nonprofit organizations and
20 through restaurants and other food related entities,
21 as determined by the Secretary, that may receive,
22 store, process, and distribute food items;

23 (3) to make grants and loans for small or
24 midsized food processors or distributors, seafood
25 processing facilities and processing vessels, farmers

1 markets, producers, or other organizations to re-
2 spond to COVID-19, including for measures to pro-
3 tect workers against COVID-19;

4 (4) to make loans and grants and provide other
5 assistance to maintain and improve food and agricul-
6 tural supply chain resiliency; and

7 (5) to make payments for necessary expenses
8 related to losses of crops (including losses due to
9 high winds or derechos) pursuant to title I of the
10 Additional Supplemental Appropriations for Disaster
11 Relief Act, 2019 (Public Law 116-20), as amended
12 by section 116 of the Continuing Appropriations
13 Act, 2020 (Public Law 116-59) and as further
14 amended by subsection (c) of section 791 of the
15 Further Consolidated Appropriations Act, 2020
16 (Public Law 116-94) for crop losses in crop year
17 2020.

18 (c) ANIMAL HEALTH.—

19 (1) COVID-19 ANIMAL SURVEILLANCE.—The
20 Secretary of Agriculture shall conduct monitoring
21 and surveillance of susceptible animals for incidence
22 of SARS-CoV-2.

23 (2) INTERGOVERNMENTAL COOPERATION.—Ac-
24 tivities conducted under paragraph (1) shall be con-

1 sistent with guidance provided by the World
2 Organisation for Animal Health.

3 (3) FUNDING.—Out of the amounts made avail-
4 able under subsection (a), the Secretary shall use
5 \$300,000,000 to carry out this subsection.

6 (d) OVERTIME FEES.—

7 (1) SMALL ESTABLISHMENT; VERY SMALL ES-
8 TABLISHMENT DEFINITIONS.—The terms “small es-
9 tablishment” and “very small establishment” have
10 the meaning given those terms in the final rule enti-
11 tled “Pathogen Reduction; Hazard Analysis and
12 Critical Control Point (HACCP) Systems” published
13 in the Federal Register on July 25, 1996 (61 Fed.
14 Reg. 38806).

15 (2) OVERTIME INSPECTION COST REDUC-
16 TION.—Notwithstanding any other provision of law
17 and subject to the availability of funds under para-
18 graph (3), the Secretary of Agriculture shall reduce
19 the amount of overtime inspection costs borne by
20 federally-inspected small establishments and very
21 small establishments engaged in meat, poultry, or
22 egg products processing and subject to the require-
23 ments of the Federal Meat Inspection Act (21
24 U.S.C. 601 et seq.), the Poultry Products Inspection
25 Act (21 U.S.C. 451 et seq.), or the Egg Products

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1 Inspection Act (21 U.S.C. 1031 et seq.), for inspec-
2 tion activities carried out during the period of fiscal
3 years 2021 through 2030.

4 (3) FUNDING.—Out of the amounts made avail-
5 able under subsection (a), the Secretary shall use
6 \$100,000,000 to carry out this subsection.

7 **SEC. 1002. EMERGENCY GRANTS FOR RURAL HEALTH**

8 **CARE.**

9 (a) GRANTS.—The Secretary of Agriculture (in this
10 section referred to as the “Secretary”) shall use the funds
11 made available by this section to establish an emergency
12 pilot program not later than 150 days after the date of
13 enactment of this Act to provide grants to eligible appli-
14 cants (as defined in section 3570.61(a) of title 7, Code
15 of Federal Regulations) to be awarded by the Secretary
16 based on needs related to the COVID–19 pandemic.

17 (b) USES.—An eligible applicant to whom a grant is
18 awarded under this section may use the grant funds for
19 costs, including those incurred prior to the issuance of the
20 grant, as determined by the Secretary, on facilities which
21 primarily serve rural areas (as defined in section
22 343(a)(13)(C) of the Consolidated Farm and Rural Devel-
23 opment Act (7 U.S.C. 1991(a)(13)(C)), which are located
24 in a rural area, the median household income of the popu-
25 lation to be served by which is less than the greater of

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1 the poverty line or the applicable percentage (determined
2 under section 3570.63(b) of title 7, Code of Federal Regu-
3 lations) of the State nonmetropolitan median household
4 income, and for which the performance of construction
5 work shall meet the condition set forth in section 9003(f)
6 of the Farm Security and Rural Investment Act of 2002
7 (7 U.S.C. 8103(f)), to—

8 (1) increase capacity for vaccine distribution;

9 (2) provide drugs or medical supplies to in-
10 crease medical surge capacity;

11 (3) reimburse for COVID-19-related expenses
12 and lost revenue to maintain capacity, including ex-
13 penses and revenue losses incurred prior to the
14 awarding of the grant;

15 (4) increase telehealth capabilities, including
16 underlying health care information systems;

17 (5) construct temporary or permanent struc-
18 tures to provide health care services, including vac-
19 cine administration or testing;

20 (6) support staffing needs for vaccine adminis-
21 tration or testing; and

22 (7) engage in any other efforts determined to
23 be critical to address the COVID-19 pandemic, in-
24 cluding nutritional assistance to vulnerable individ-
25 uals, as approved by the Secretary.

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1 (c) FUNDING.—In addition to amounts otherwise
 2 available, there is appropriated to the Secretary for fiscal
 3 year 2021, out of any money in the Treasury not otherwise
 4 appropriated, \$500,000,000, to remain available until
 5 September 30, 2023, to carry out this section, of which
 6 not more than 3 percent may be used by the Secretary
 7 for administrative purposes and not more than 2 percent
 8 may be used by the Secretary for technical assistance as
 9 defined in section 306(a)(26) of the Consolidated Farm
 10 and Rural Development Act (7 U.S.C. 1926(a)(26)).

11 SEC. 1003. PANDEMIC PROGRAM ADMINISTRATION FUNDS.

12 In addition to amounts otherwise available, there are
 13 appropriated for fiscal year 2021, out of any money in
 14 the Treasury not otherwise appropriated, \$47,500,000, to
 15 remain available until expended, for necessary administra-
 16 tive expenses associated with carrying out this subtitle.

**17 SEC. 1004. FUNDING FOR THE USDA OFFICE OF INSPECTOR
 18 GENERAL FOR OVERSIGHT OF COVID—19-RE-
 19 LATED PROGRAMS.**

20 In addition to amounts otherwise made available,
 21 there are appropriated for fiscal year 2021, out of any
 22 money in the Treasury not otherwise appropriated,
 23 \$2,500,000, to remain available until September 30, 2022,
 24 to carry out audits, investigations, and other oversight ac-
 25 tivities authorized under the Inspector General Act of

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1 1978 (5 U.S.C. App.) of projects and activities carried out
2 with funds made available to the Department of Agri-
3 culture related to the COVID-19 pandemic.

4 **SEC. 1005. FARM LOAN ASSISTANCE FOR SOCIALLY DIS-**
5 **ADVANTAGED FARMERS AND RANCHERS.**

6 (a) **PAYMENTS.—**

7 (1) **APPROPRIATION.—**For the purposes of ad-
8 dressing the longstanding and widespread discrimi-
9 nation against socially disadvantaged farmers and
10 ranchers in farm loan programs and across the De-
11 partment of Agriculture, as documented for decades
12 by Congress and Federal agencies, and alleviating
13 discriminatory barriers preventing socially disadvan-
14 tagged farmers and ranchers from fully participating
15 in the American farm economy, in addition to
16 amounts otherwise available, there is appropriated to
17 the Secretary for fiscal year 2021, out of amounts
18 in the Treasury not otherwise appropriated, such
19 sums as may be necessary, to remain available until
20 expended, for the cost of loan modifications and pay-
21 ments under this section.

22 (2) **PAYMENTS.—**Using a simplified process to
23 be determined by the Secretary, the Secretary shall
24 provide a payment in an amount equal to 120 per-
25 cent of the outstanding indebtedness of each socially

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1 disadvantaged farmer or rancher as of January 1,
 2 2021, to pay off the loan directly or to the socially
 3 disadvantaged farmer or rancher (or a combination
 4 of both), on each—

5 (A) direct farm loan made by the Secretary
 6 to the socially disadvantaged farmer or rancher;
 7 and

8 (B) farm loan guaranteed by the Secretary
 9 the borrower of which is the socially disadvan-
 10 taged farmer or rancher.

11 (3) EFFECT ON ELIGIBILITY.—Notwithstanding
 12 any other provision of law, the provision of a pay-
 13 ment under paragraph (2) to a socially disadvan-
 14 taged farmer or rancher shall not affect the eligi-
 15 bility of such farmer or rancher for a farm loan
 16 after the date on which the payment is provided.

17 (b) DEFINITIONS.—In this section:

18 (1) FARM LOAN.—The term “farm loan”
 19 means—

20 (A) a loan administered by the Farm Serv-
 21 ice Agency under subtitle A, B, or C of the
 22 Consolidated Farm and Rural Development Act
 23 (7 U.S.C. 1922 et seq.); and

24 (B) a Commodity Credit Corporation Farm
 25 Storage Facility Loan.

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1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of Agriculture.

3 (3) SOCIALLY DISADVANTAGED FARMER OR
4 RANCHER.—The term “socially disadvantaged farm-
5 er or rancher” has the meaning given the term in
6 section 2501(a) of the Food, Agriculture, Conserva-
7 tion, and Trade Act of 1990 (7 U.S.C. 2279(a)).

8 SEC. 1006. ASSISTANCE AND SUPPORT FOR SOCIALLY DIS-
9 ADVANTAGED FARMERS, RANCHERS, FOREST
10 LAND OWNERS AND OPERATORS, AND
11 GROUPS.

12 (a) APPROPRIATION.—In addition to amounts other-
13 wise available, there is appropriated to the Secretary of
14 Agriculture for fiscal year 2021, out of any money in the
15 Treasury not otherwise appropriated, \$1,010,000,000, to
16 remain available until expended, to carry out this section.

17 (b) ASSISTANCE.—The Secretary of Agriculture shall
18 use the amounts made available pursuant to subsection
19 (a)—

20 (1) to provide outreach, mediation, financial
21 training, capacity building training, cooperative de-
22 velopment training and support, and other technical
23 assistance to socially disadvantaged groups;

24 (2) to provide grants and loans to improve land
25 access for socially disadvantaged farmers, ranchers,

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1 or forest landowners, including issues related to
2 heirs' property in a manner as determined by the
3 Secretary;

4 (3) to support the development of agricultural
5 credit institutions that are designed to serve socially
6 disadvantaged groups, including other financing in-
7 stitutions funded by the Farm Credit System;

8 (4) to support the activities of one or more eq-
9 uity commissions;

10 (5) to support the development of one or more
11 legal centers focused on agricultural legal issues of
12 socially disadvantaged groups;

13 (6) to support and supplement research, edu-
14 cation, and extension, as well as scholarships and
15 programs that provide internships and pathways to
16 Federal employment, at—

17 (A) colleges or universities eligible to re-
18 ceive funds under the Act of August 30, 1890
19 (commonly known as the "Second Morrill Act")
20 (7 U.S.C. 321 et seq.), including Tuskegee Uni-
21 versity;

22 (B) 1994 Institutions (as defined in sec-
23 tion 532 of the Equity in Educational Land-
24 Grant Status Act of 1994 (7 U.S.C. 301 note;
25 Public Law 103-382));

1 (C) Alaska Native serving institutions and
2 Native Hawaiian serving institutions eligible to
3 receive grants under subsections (a) and (b), re-
4 spectively, of section 1419B of the National Ag-
5 ricultural Research, Extension, and Teaching
6 Policy Act of 1977 (7 U.S.C. 3156);

7 (D) Hispanic-serving institutions eligible to
8 receive grants under section 1455 of the Na-
9 tional Agricultural Research, Extension, and
10 Teaching Policy Act of 1977 (7 U.S.C. 3241);
11 and

12 (E) the insular area institutions of higher
13 education located in the territories of the
14 United States, as referred to in section 1489 of
15 the National Agricultural Research, Extension,
16 and Teaching Policy Act of 1977 (7 U.S.C.
17 3361);

18 (7) to provide assistance to socially disadvan-
19 taged farmers, ranchers, or forest landowners that
20 are former farm loan borrowers that suffered related
21 adverse actions or past discrimination or bias, as de-
22 termined by the Secretary; and

23 (8) to establish pilot projects to provide tech-
24 nical and financial assistance to socially disadvan-
25 taged groups, including projects that focus on land

1 acquisition, financial planning, technical assistance,
2 and credit.

3 (c) DEFINITIONS.—In this section:

4 (1) NONINDUSTRIAL PRIVATE FOREST LAND.—

5 The term “nonindustrial private forest land” has the
6 meaning given the term in section 1201(a)(18) of
7 the Food Security Act of 1985 (16 U.S.C.
8 3801(a)(18)).

9 (2) SOCIALLY DISADVANTAGED FARMER,

10 RANCHER, OR FOREST LANDOWNER.—The term “so-
11 cially disadvantaged farmer, rancher, or forest land-
12 owner” means a farmer, rancher, or owner or oper-
13 ator of nonindustrial private forest land who is a
14 member of a socially disadvantaged group.

15 (3) SOCIALLY DISADVANTAGED GROUP.—The
16 term “socially disadvantaged group” has the mean-
17 ing given the term in section 2501(a) of the Food,
18 Agriculture, Conservation, and Trade Act of 1990 (7
19 U.S.C. 2279(a)).

20 SEC. 1007. FUNDING FOR FOOD FOR PEACE TITLE II

21 GRANTS.

22 In addition to amounts otherwise made available,
23 there are appropriated for fiscal year 2021, out of any
24 money in the Treasury not otherwise appropriated,
25 \$800,000,000, to remain available until September 30,

1 2022, for expenses, not otherwise recoverable, and unre-
 2 covered prior years' costs, including interest thereon,
 3 under the Food for Peace Act (Public Law 83-480), for
 4 commodities supplied in connection with dispositions
 5 abroad under title II of said Act.

6 **Subtitle B—Nutrition**

7 SEC. 1011. SUPPLEMENTAL NUTRITION ASSISTANCE PRO- 8 GRAM.

9 (a) VALUE OF BENEFITS.—Section 702(a) of division
 10 N of the Consolidated Appropriations Act, 2021 (Public
 11 Law 116-260) is amended by striking “June 30, 2021”
 12 and inserting “September 30, 2021”.

13 (b) SNAP ADMINISTRATIVE EXPENSES.—In addition
 14 to amounts otherwise available, there is hereby appro-
 15 priated for fiscal year 2021, out of any amounts in the
 16 Treasury not otherwise appropriated, \$1,150,000,000, to
 17 remain available until September 30, 2023, with amounts
 18 to be obligated for each of fiscal years 2021, 2022, and
 19 2023, for the costs of State administrative expenses asso-
 20 ciated with carrying out this section and administering the
 21 supplemental nutrition assistance program established
 22 under the Food and Nutrition Act of 2008 (7 U.S.C. 2011
 23 et seq.), of which—

24 (1) \$15,000,000 shall be for necessary expenses
 25 of the Secretary of Agriculture (in this section re-

1 ferred to as the “Secretary”) for management and
2 oversight of the program; and
3 (2) \$1,135,000,000 shall be for the Secretary to
4 make grants to each State agency for each of fiscal
5 years 2021 through 2023 as follows:
6 (A) 75 percent of the amounts available
7 shall be allocated to States based on the share
8 of each State of households that participate in
9 the supplemental nutrition assistance program
10 as reported to the Department of Agriculture
11 for the most recent 12-month period for which
12 data are available, adjusted by the Secretary
13 (as of the date of the enactment of this Act) for
14 participation in disaster programs under section
15 5(h) of the Food and Nutrition Act of 2008 (7
16 U.S.C. 2014(h)); and
17 (B) 25 percent of the amounts available
18 shall be allocated to States based on the in-
19 crease in the number of households that partici-
20 pate in the supplemental nutrition assistance
21 program as reported to the Department of Ag-
22 riculture over the most recent 12-month period
23 for which data are available, adjusted by the
24 Secretary (as of the date of the enactment of
25 this Act) for participation in disaster programs

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1 under section 5(h) of the Food and Nutrition
2 Act of 2008 (7 U.S.C. 2014(h)).

3 **SEC. 1012. ADDITIONAL ASSISTANCE FOR SNAP ONLINE**
4 **PURCHASING AND TECHNOLOGY IMPROVE-**
5 **MENTS.**

6 (a) **FUNDING.**—In addition to amounts otherwise
7 made available, there is appropriated for fiscal year 2021,
8 out of any amounts in the Treasury not otherwise appro-
9 priated, \$25,000,000 to remain available through Sep-
10 tember 30, 2026, to carry out this section.

11 (b) **USE OF FUNDS.**—The Secretary of Agriculture
12 may use the amounts made available pursuant to sub-
13 section (a)—

14 (1) to make technological improvements to im-
15 prove online purchasing in the supplemental nutri-
16 tion assistance program established under the Food
17 and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

18 (2) to modernize electronic benefit transfer
19 technology;

20 (3) to support the mobile technologies dem-
21 onstration projects and the use of mobile tech-
22 nologies authorized under section 7(h)(14) of the
23 Food and Nutrition Act of 2008 (7 U.S.C.
24 2016(h)(14)); and

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1 (4) to provide technical assistance to educate
 2 retailers on the process and technical requirements
 3 for the online acceptance of the supplemental nutri-
 4 tion assistance program benefits, for mobile pay-
 5 ments, and for electronic benefit transfer moderniza-
 6 tion initiatives.

7 SEC. 1013. ADDITIONAL FUNDING FOR NUTRITION ASSIST-
 8 ANCE PROGRAMS.

9 Section 704 of division N of the Consolidated Appro-
 10 priations Act, 2021 (Public Law 116-260) is amended—
 11 (1) by striking “In addition” and inserting the
 12 following:

13 “(a) COVID-19 RESPONSE FUNDING.—In addi-
 14 tion”; and

15 (2) by adding at the end the following—

16 “(b) ADDITIONAL FUNDING.—In addition to any
 17 other funds made available, there is appropriated for fiscal
 18 year 2021, out of any money in the Treasury not otherwise
 19 appropriated, \$1,000,000,000 to remain available until
 20 September 30, 2027, for the Secretary of Agriculture to
 21 provide grants to the Commonwealth of Northern Mariana
 22 Islands, Puerto Rico, and American Samoa for nutrition
 23 assistance, of which \$30,000,000 shall be available to pro-
 24 vide grants to the Commonwealth of Northern Mariana
 25 Islands for such assistance.”.

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1 SEC. 1014. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

2 In addition to amounts otherwise made available,
 3 there is appropriated for fiscal year 2021, out of any
 4 money in the Treasury not otherwise appropriated,
 5 \$37,000,000, to remain available until September 30,
 6 2022, for activities authorized by section 4(a) of the Agri-
 7 culture and Consumer Protection Act of 1973 (7 U.S.C.
 8 612c note).

9 **TITLE II—COMMITTEE ON**
 10 **EDUCATION AND LABOR**
 11 **Subtitle A—Education Matters**

12 PART 1—DEPARTMENT OF EDUCATION

13 SEC. 2001. ELEMENTARY AND SECONDARY SCHOOL EMER-
14 GENCY RELIEF FUND.

15 (a) **IN GENERAL.**—In addition to amounts otherwise
 16 available, there is appropriated to the Department of Edu-
 17 cation for fiscal year 2021, out of any money in the Treas-
 18 ury not otherwise appropriated, \$128,554,800,000, to re-
 19 main available through September 30, 2023, for providing
 20 grants to States in accordance with the same terms and
 21 conditions that apply to the Elementary and Secondary
 22 School Emergency Relief Fund of the Education Stabiliza-
 23 tion Fund for funding appropriated for fiscal year 2021,
 24 except that—

25 (1) a State that receives a grant under this sec-
 26 tion shall use—

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1 (A) not less than 90 percent of such grant
2 for subgrants to local educational agencies; and

3 (B) not less than 5 percent of such grant
4 to carry out, directly or through grants or con-
5 tracts, activities to address learning loss by sup-
6 porting the implementation of evidence-based
7 interventions, such as summer learning, ex-
8 tended day comprehensive afterschool pro-
9 grams, or extended school year programs, and
10 ensure such interventions respond to students'
11 academic, social, and emotional needs and ad-
12 dress the disproportionate impact of the
13 coronavirus on the student populations de-
14 scribed in section 1111(h)(1)(C)(ii) of the Ele-
15 mentary and Secondary Education Act of 1965
16 (20 U.S.C. 6311(h)(1)(C)(ii)); and

17 (2) each local educational agency that receives
18 funds from a subgrant under paragraph (1)(A)
19 shall—

20 (A) reserve not less than 20 percent of
21 such funds to address learning loss through the
22 implementation of evidence-based interventions,
23 such as summer learning, extended day com-
24 prehensive afterschool programs, or extended
25 school year programs, and ensure such inter-

1 ventions respond to students' academic, social,
 2 and emotional needs and address the dispropor-
 3 tionate impact of the coronavirus on the stu-
 4 dent populations described in section
 5 1111(h)(1)(C)(ii) of the Elementary and Sec-
 6 ondary Education Act of 1965 (20 U.S.C.
 7 6311(h)(1)(C)(ii)); and

8 (B) using funds reserved under subpara-
 9 graph (A), provide equitable services in the
 10 same manner as provided under section 1117 of
 11 the Elementary and Secondary Education Act
 12 of 1965 (20 U.S.C. 6320) to students and
 13 teachers in non-public schools, as determined in
 14 consultation with representatives of non-public
 15 schools.

16 (b) PUBLIC CONTROL OF FUNDS.—Control of funds
 17 provided under subsection (a)(2)(B), and title to mate-
 18 rials, equipment, and property purchased with such funds,
 19 shall be in a public agency, and a public agency shall ad-
 20 minister such funds, materials, equipment, and property
 21 and shall provide such services (or may contract for the
 22 provision of such services with a public or private entity).

23 SEC. 2002. HIGHER EDUCATION EMERGENCY RELIEF FUND.

24 In addition to amounts otherwise available, there is
 25 appropriated to the Department of Education for fiscal

1 year 2021, out of any money in the Treasury not otherwise
2 appropriated, \$39,584,570,000, to remain available
3 through September 30, 2023, for making allocations to in-
4 stitutions of higher education in accordance with the same
5 terms and conditions that apply to the Higher Education
6 Emergency Relief Fund of the Education Stabilization
7 Fund for funding appropriated for fiscal year 2021, except
8 that—

9 (1) 91 percent of such funds shall be allocated
10 to each institution of higher education as defined in
11 section 101 or section 102(c) of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1001, 1002(c)), and
13 shall be apportioned using the same formula used to
14 apportion funds to each such institution under such
15 Higher Education Emergency Relief Fund;

16 (2) 1 percent of such funds shall be allocated
17 to institutions of higher education as defined in sec-
18 tion 102(b) of the Higher Education Act of 1965
19 (20 U.S.C. 1002(b)), and shall be apportioned using
20 the same formula used to apportion funds to each
21 such institution under such Higher Education Emer-
22 gency Relief Fund;

23 (3) an institution shall solely determine which
24 students receive emergency financial aid grants
25 under this section;

1 (4) an institution receiving an allocation—

2 (A) under paragraph (1) shall use not less
3 than 50 percent of such allocation to provide
4 emergency financial aid grants to students; and

5 (B) under paragraph (2) shall use 100 per-
6 cent of such allocation to provide emergency fi-
7 nancial aid grants to students;

8 (5) an institution receiving an allocation under
9 paragraph (1) shall use a portion of such allocation
10 to—

11 (A) implement evidence-based practices to
12 monitor and suppress coronavirus in accordance
13 with public health guidelines; and

14 (B) conduct direct outreach to financial
15 aid applicants about the opportunity to receive
16 a financial aid adjustment due to the recent un-
17 employment of a family member or independent
18 student, or other circumstances, described in
19 section 479A of the Higher Education Act of
20 1965 (20 U.S.C. 1087tt);

21 (6) notwithstanding paragraph (4)(A) or para-
22 graph (5), an institution receiving an allocation
23 under paragraph (1) a portion of which is appor-
24 tioned according to a relative share (based on full-
25 time equivalent enrollment or total number) of stu-

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1 dents who were Pell grant recipients and who were
 2 exclusively enrolled in distance education courses
 3 prior to the qualifying emergency shall use 100 per-
 4 cent of such portion to provide emergency financial
 5 aid grants to students; and

6 (7) institutions required to remit payment to
 7 the Internal Revenue Service for the excise tax based
 8 on investment income of private colleges and univer-
 9 sities under section 4968 of the Internal Revenue
 10 Code of 1986 for tax year 2019 shall not be subject
 11 to restrictions related to the amount of allocations or
 12 uses of funds applicable to such institutions under
 13 such Higher Education Emergency Relief Fund.

14 SEC. 2003. MAINTENANCE OF EFFORT AND MAINTENANCE
 15 OF EQUITY.

16 (a) STATE MAINTENANCE OF EFFORT.—

17 (1) IN GENERAL.—As a condition of receiving
 18 funds under section 2001, a State shall maintain
 19 support for elementary and secondary education,
 20 and for higher education (which shall include State
 21 funding to institutions of higher education and State
 22 need-based financial aid, and shall not include sup-
 23 port for capital projects or for research and develop-
 24 ment or tuition and fees paid by students), in each
 25 of fiscal years 2022 and 2023 at least at the propor-

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1 tional levels of such State's support for elementary
 2 and secondary education and for higher education
 3 relative to such State's overall spending, averaged
 4 over fiscal years 2017, 2018, and 2019.

5 (2) WAIVER.—For the purpose of relieving fis-
 6 cal burdens incurred by States in preventing, pre-
 7 paring for, and responding to the coronavirus, the
 8 Secretary of Education may waive any maintenance
 9 of effort requirements associated with the Education
 10 Stabilization Fund.

11 (b) STATE MAINTENANCE OF EQUITY.—

12 (1) HIGH-POVERTY LOCAL EDUCATIONAL AGEN-
 13 CIES.—As a condition of receiving funds under sec-
 14 tion 2001, a State educational agency shall not, in
 15 fiscal year 2022 or 2023, reduce State funding (cal-
 16 culated on a per-pupil basis) for any high-poverty
 17 local educational agency in the State by an amount
 18 that exceeds the overall per-pupil reduction in State
 19 funds, if any, across all local educational agencies in
 20 such State in such fiscal year.

21 (2) LOCAL EDUCATIONAL AGENCIES WITH
 22 HIGHEST SHARE OF ECONOMICALLY DISADVAN-
 23 TAGED STUDENT.—Notwithstanding paragraph (1),
 24 as a condition of receiving funds under section 2001,
 25 a State educational agency shall not, in fiscal year

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1 2022 or 2023, reduce State funding for any local
 2 educational agency that is part of the 20 percent of
 3 local educational agencies in the State with the high-
 4 est percentage of economically disadvantaged stu-
 5 dents (based on the percentages of economically dis-
 6 advantaged students served by all local educational
 7 agencies in the State on the basis of the most recent
 8 satisfactory data available from the Department of
 9 Commerce) below the level of funding provided to
 10 such local educational agencies in fiscal year 2019.

11 (c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF
 12 EQUITY FOR HIGH-POVERTY SCHOOLS.—As a condition
 13 of receiving funds under section 2001, a local educational
 14 agency shall not, in fiscal year 2022 or 2023—

15 (1) reduce per-pupil funding (from combined
 16 State and local funding) for any high-poverty school
 17 served by such local educational agency by an
 18 amount that exceeds—

19 (A) the total reduction in local educational
 20 agency funding (from combined State and local
 21 funding) for all schools served by the local edu-
 22 cational agency in such fiscal year (if any); di-
 23 vided by

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1 (B) the number of children enrolled in all
 2 schools served by the local educational agency
 3 in such fiscal year; or

4 (2) reduce per-pupil, full-time equivalent staff
 5 in any high-poverty school by an amount that ex-
 6 ceeds—

7 (A) the total reduction in full-time equiva-
 8 lent staff in all schools served by such local
 9 educational agency in such fiscal year (if any);
 10 divided by

11 (B) the number of children enrolled in all
 12 schools served by the local educational agency
 13 in such fiscal year.

14 (d) DEFINITIONS.—In this section:

15 (1) The term “high-poverty local educational
 16 agency” means, with respect to a local educational
 17 agency in a State, a local educational agency that
 18 serves a higher percentage of economically disadvan-
 19 tagged students than the local educational agency
 20 that serves the median percentage of economically
 21 disadvantaged students, based on the percentages of
 22 economically disadvantaged students served by all
 23 local educational agencies in such State, on the basis
 24 of the most recent satisfactory data available from
 25 the Department of Commerce.

1 (2) The term “high-poverty school” means, with
 2 respect to a school served by a local educational
 3 agency, a school that serves a higher percentage of
 4 economically disadvantaged students, as determined
 5 by any of the measures of poverty in section 1113
 6 of the Elementary and Secondary Education Act of
 7 1965 (20 U.S.C. 6313) than the school that serves
 8 the median percentage of economically disadvan-
 9 tagged students based on the percentages of economi-
 10 cally disadvantaged students—

11 (A) at all schools served by such local edu-
 12 cational agency; or

13 (B) at all schools within each grade-span
 14 of such local educational agency.

15 (3) The term “overall per-pupil reduction in
 16 State funds” means, with respect to a fiscal year—

17 (A) the amount of any reduction in the
 18 total amount of State funds provided to all local
 19 educational agencies in the State in such fiscal
 20 year compared to the total amount of such
 21 funds provided to all local educational agencies
 22 in the State in the previous fiscal year; divided
 23 by

24 (B) the aggregate number of children en-
 25 rolled in all schools served by all local edu-

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1 cational agencies in the State in the fiscal year
2 for which the determination is being made.

3 SEC. 2004. OUTLYING AREAS.

4 In addition to amounts otherwise available, there is
5 appropriated to the Department of Education for fiscal
6 year 2021, out of any money in the Treasury not otherwise
7 appropriated, \$850,000,000, to remain available through
8 September 30, 2023, for the Secretary of Education to
9 allocate awards to the outlying areas on the basis of their
10 respective needs, as determined by the Secretary, to be
11 allocated not more than 30 calendar days after the date
12 of enactment of this Act.

13 SEC. 2005. BUREAU OF INDIAN EDUCATION.

14 In addition to amounts otherwise available, there is
15 appropriated to the Department of Education for fiscal
16 year 2021, out of any money in the Treasury not otherwise
17 appropriated, \$850,000,000, to remain available until ex-
18 pended, for the Secretary of Education to allocate to the
19 Secretary of the Interior for awards, which awards shall
20 be determined and funds for such awards allocated by the
21 Secretary of the Interior not more than 30 calendar days
22 after the date of enactment of this Act, for programs oper-
23 ated or funded by the Bureau of Indian Education, for
24 Bureau-funded schools (as defined in section 1141(3) of
25 the Education Amendments of 1978 (25 U.S.C. 2021(3)),

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1 and for Tribal Colleges or Universities (as defined in sec-
2 tion 316(b)(3) of the Higher Education Act of 1965 (20
3 U.S.C. 1059c(b)(3))).

4 SEC. 2006. GALLAUDET UNIVERSITY.

5 In addition to amounts otherwise available, there is
6 appropriated to the Department of Education for fiscal
7 year 2021, out of any money in the Treasury not otherwise
8 appropriated, \$19,250,000, to remain available through
9 September 30, 2023, for the Kendall Demonstration Ele-
10 mentary School, the Model Secondary School for the Deaf,
11 and Gallaudet University under titles I and II of the Edu-
12 cation of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.)
13 to prevent, prepare for, and respond to coronavirus, do-
14 mesticallly or internationally, including to defray expenses
15 associated with coronavirus (including lost revenue, reim-
16 bursement for expenses already incurred, technology costs
17 associated with a transition to distance education, faculty
18 and staff trainings, and payroll) and to provide financial
19 aid grants to students, which may be used for any compo-
20 nent of the student's cost of attendance.

21 SEC. 2007. STUDENT AID ADMINISTRATION.

22 In addition to amounts otherwise available, there is
23 appropriated to the Department of Education for fiscal
24 year 2021, out of any money in the Treasury not otherwise
25 appropriated, \$91,130,000, to remain available through

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1 September 30, 2023, for Student Aid Administration with-
 2 in the Department of Education to prevent, prepare for,
 3 and respond to coronavirus, domestically or internation-
 4 ally, including direct outreach to students and borrowers
 5 about financial aid, economic impact payments, means-
 6 tested benefits, and tax benefits for which they may be
 7 eligible.

8 SEC. 2008. HOWARD UNIVERSITY.

9 In addition to amounts otherwise available, there is
 10 appropriated to the Department of Education for fiscal
 11 year 2021, out of any money in the Treasury not otherwise
 12 appropriated, \$35,000,000, to remain available through
 13 September 30, 2023, for Howard University to prevent,
 14 prepare for, and respond to coronavirus, domestically or
 15 internationally, including to defray expenses associated
 16 with coronavirus (including lost revenue, reimbursement
 17 for expenses already incurred, technology costs associated
 18 with a transition to distance education, faculty and staff
 19 trainings, and payroll) and to provide financial aid grants
 20 to students, which may be used for any component of the
 21 student's cost of attendance.

22 SEC. 2009. NATIONAL TECHNICAL INSTITUTE FOR THE

23 DEAF.

24 In addition to amounts otherwise available, there is
 25 appropriated to the Department of Education for fiscal

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1 year 2021, out of any money in the Treasury not otherwise
2 appropriated, \$19,250,000, to remain available through
3 September 30, 2023, for the National Technical Institute
4 for the Deaf under titles I and II of the Education of the
5 Deaf Act of 1986 (20 U.S.C. 4301 et seq.) to prevent,
6 prepare for, and respond to coronavirus, domestically or
7 internationally, including to defray expenses associated
8 with coronavirus (including lost revenue, reimbursement
9 for expenses already incurred, technology costs associated
10 with a transition to distance education, faculty and staff
11 training, and payroll) and to provide financial aid grants
12 to students, which may be used for any component of the
13 student's cost of attendance.

14 **SEC. 2010. INSTITUTE OF EDUCATION SCIENCES.**

15 In addition to amounts otherwise available, there is
16 appropriated to the Department of Education for fiscal
17 year 2021, out of any money in the Treasury not otherwise
18 appropriated, \$100,000,000, to remain available through
19 September 30, 2023, for the Institute of Education
20 Sciences established under part A of title I of the Edu-
21 cation Sciences Reform Act of 2002 (20 U.S.C. 9511 et
22 seq.) to carry out research related to addressing learning
23 loss caused by the coronavirus among the student popu-
24 lations described in section 1111(h)(1)(C)(ii) of the Ele-
25 mentary and Secondary Education Act of 1965 (20 U.S.C.

1 6311(h)(1)(C)(ii)) and to disseminate such findings to
2 State educational agencies and local educational agencies
3 and other appropriate entities.

4 **SEC. 2011. PROGRAM ADMINISTRATION.**

5 In addition to amounts otherwise available, there is
6 appropriated to the Department of Education for fiscal
7 year 2021, out of any money in the Treasury not otherwise
8 appropriated, \$15,000,000, to remain available through
9 September 30, 2024, for Program Administration within
10 the Department of Education to prevent, prepare for, and
11 respond to coronavirus, domestically or internationally,
12 and for salaries and expenses necessary to implement this
13 part.

14 **SEC. 2012. OFFICE OF INSPECTOR GENERAL.**

15 In addition to amounts otherwise available, there is
16 appropriated to the Department of Education for fiscal
17 year 2021, out of any money in the Treasury not otherwise
18 appropriated, \$5,000,000, to remain available until ex-
19 pended, for the Office of Inspector General of the Depart-
20 ment of Education, as authorized by section 211 of the
21 Department of Education Organization Act (20 U.S.C.
22 3422), to prevent, prepare for, and respond to
23 coronavirus, domestically or internationally, including for
24 salaries and expenses necessary for oversight, investiga-

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1 tions, and audits of programs, grants, and projects funded
2 under this part to respond to coronavirus.

3 **SEC. 2013. MODIFICATION OF REVENUE REQUIREMENTS**
4 **FOR PROPRIETARY INSTITUTIONS OF HIGH-**
5 **ER EDUCATION.**

6 (a) **IN GENERAL.**—Section 487(a)(24) of the Higher
7 Education Act of 1965 (20 U.S.C. 1094(a)(24)) is amend-
8 ed by striking “funds provided under this title” and insert-
9 ing “Federal funds that are disbursed or delivered to or
10 on behalf of a student to be used to attend such institution
11 (referred to in this paragraph and subsection (d) as ‘Fed-
12 eral education assistance funds’”.

13 (b) **IMPLEMENTATION OF NON-FEDERAL REVENUE**
14 **REQUIREMENT.**—Section 487(d) of the Higher Education
15 Act of 1965 (20 U.S.C. 1094(d)) is amended—

16 (1) in the subsection heading, by striking “Non-
17 title IV” and inserting “Non-Federal”; and

18 (2) in paragraph (1)(C), by striking “funds for
19 a program under this title” and inserting “Federal
20 education assistance funds”.

21 **PART 2—MISCELLANEOUS**

22 **SEC. 2021. NATIONAL ENDOWMENT FOR THE ARTS.**

23 In addition to amounts otherwise available, there is
24 appropriated for fiscal year 2021, out of any money in
25 the Treasury not otherwise appropriated, \$135,000,000,

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1 to remain available until expended, under the National
2 Foundation on the Arts and the Humanities Act of 1965
3 (20 U.S.C. 951 et seq.), as follows:

4 (1) Forty percent shall be for grants, and rel-
5 evant administrative expenses, to State arts agencies
6 and regional arts organizations that support organi-
7 zations' programming and general operating ex-
8 penses to cover up to 100 percent of the costs of the
9 programs which the grants support, to prevent, pre-
10 pare for, respond to, and recover from the
11 coronavirus.

12 (2) Sixty percent shall be for direct grants, and
13 relevant administrative expenses, that support orga-
14 nizations' programming and general operating ex-
15 penses to cover up to 100 percent of the costs of the
16 programs which the grants support, to prevent, pre-
17 pare for, respond to, and recover from the
18 coronavirus.

19 **SEC. 2022. NATIONAL ENDOWMENT FOR THE HUMANITIES.**

20 In addition to amounts otherwise available, there is
21 appropriated for fiscal year 2021, out of any money in
22 the Treasury not otherwise appropriated, \$135,000,000,
23 to remain available until expended, under the National
24 Foundation on the Arts and the Humanities Act of 1965
25 (20 U.S.C. 951 et seq.), as follows:

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1 (1) Forty percent shall be for grants, and rel-
2 evant administrative expenses, to State humanities
3 councils that support humanities organizations' pro-
4 gramming and general operating expenses to cover
5 up to 100 percent of the costs of the programs
6 which the grants support, to prevent, prepare for,
7 respond to, and recover from the coronavirus.

8 (2) Sixty percent shall be for direct grants, and
9 relevant administrative expenses, that support hu-
10 manities organizations' programming and general
11 operating expenses to cover up to 100 percent of the
12 costs of the programs which the grants support, to
13 prevent, prepare for, respond to, and recover from
14 the coronavirus.

15 **SEC. 2023. INSTITUTE OF MUSEUM AND LIBRARY SERVICES.**

16 In addition to amounts otherwise available, there is
17 appropriated for fiscal year 2021, out of any money in
18 the Treasury not otherwise appropriated, \$200,000,000,
19 to remain available until expended, to carry out the Li-
20 brary Services and Technology Act (20 U.S.C. 9121 et
21 seq.) as authorized under subtitle B of the Museum and
22 Library Services Act (20 U.S.C. 9121 et seq.), including
23 for administrative costs authorized under section 210C of
24 such Act (20 U.S.C. 9111), except that—

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1 (1) section 221(b)(3)(A) of the Library Services
 2 and Technology Act shall be applied by substituting
 3 “\$2,000,000” for “\$680,000” and by substituting
 4 “\$200,000” for “\$60,000”; and

5 (2) section 221(b)(3)(C) and subsections (b)
 6 and (c) of section 223 of such Act shall not apply
 7 to funds provided under this section.

8 **SEC. 2024. COVID-19 RESPONSE RESOURCES FOR THE PRES-**
 9 **ERVATION AND MAINTENANCE OF NATIVE**
 10 **AMERICAN LANGUAGES.**

11 (a) Section 816 of the Native American Programs
 12 Act of 1974 (42 U.S.C. 2992d) is amended by adding at
 13 the end the following:

14 “(f) In addition to amounts otherwise available, there
 15 is appropriated for fiscal year 2021, out of any money in
 16 the Treasury not otherwise appropriated, \$10,000,000 to
 17 remain available until expended, to carry out section
 18 803C(g) of this Act.”.

19 (b) Section 803C of the Native American Programs
 20 Act of 1974 (42 U.S.C. 2991b-3) is amended by adding
 21 at the end the following:

22 “(g) **EMERGENCY GRANTS FOR NATIVE AMERICAN**
 23 **LANGUAGE PRESERVATION AND MAINTENANCE.—**Not
 24 later than 180 days after the effective date of this sub-
 25 section, the Secretary shall award grants to entities eligi-

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1 ble to receive assistance under subsection (a) to ensure
 2 the survival and continuing vitality of Native American
 3 languages during and after the public health emergency
 4 declared by the Secretary pursuant to section 319 of the
 5 Public Health Service Act (42 U.S.C. 247d) with respect
 6 to the COVID-19 pandemic.”.

7 **Subtitle B—Labor Matters**

8 **SEC. 2101. RAISING THE FEDERAL MINIMUM WAGE.**

9 (a) **MINIMUM WAGE INCREASES.—**

10 (1) IN GENERAL.—Section 6(a)(1) of the Fair
 11 Labor Standards Act of 1938 (29 U.S.C. 206(a)(1))
 12 is amended to read as follows:

13 “(1) except as otherwise provided in this sec-
 14 tion, not less than—

15 “(A) \$9.50 an hour, beginning on the ef-
 16 fective date under section 2101(e) of the Amer-
 17 ican Rescue Plan Act of 2021;

18 “(B) \$11.00 an hour, beginning 1 year
 19 after such effective date;

20 “(C) \$12.50 an hour, beginning 2 years
 21 after such effective date;

22 “(D) \$14.00 an hour, beginning 3 years
 23 after such effective date;

24 “(E) \$15.00 an hour, beginning 4 years
 25 after such effective date; and

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1 “(F) beginning on the date that is 5 years
2 after such effective date, and annually there-
3 after, the amount determined by the Secretary
4 under subsection (h);”.

5 (2) DETERMINATION BASED ON INCREASE IN
6 THE MEDIAN HOURLY WAGE OF ALL EMPLOYEES.—
7 Section 6 of the Fair Labor Standards Act of 1938
8 (29 U.S.C. 206) is amended by adding at the end
9 the following:

10 “(h)(1) Not later than each date that is 90 days be-
11 fore a new minimum wage determined under subsection
12 (a)(1)(F) is to take effect, the Secretary shall determine
13 the minimum wage to be in effect under this subsection
14 for each period described in subsection (a)(1)(F). The
15 wage determined under this subsection for a year shall
16 be—

17 “(A) not less than the amount in effect under
18 subsection (a)(1) on the date of such determination;

19 “(B) increased from such amount by the annual
20 percentage increase, if any, in the median hourly
21 wage of all employees as determined by the Bureau
22 of Labor Statistics; and

23 “(C) rounded up to the nearest multiple of
24 \$0.05.

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1 “(2) In calculating the annual percentage increase in
 2 the median hourly wage of all employees for purposes of
 3 paragraph (1)(B), the Secretary, through the Bureau of
 4 Labor Statistics, shall compile data on the hourly wages
 5 of all employees to determine such a median hourly wage
 6 and compare such median hourly wage for the most recent
 7 year for which data are available with the median hourly
 8 wage determined for the preceding year.”.

9 (b) TIPPED EMPLOYEES.—

10 (1) BASE MINIMUM WAGE FOR TIPPED EMPLOY-
 11 EES AND TIPS RETAINED BY EMPLOYEES.—Section
 12 3(m)(2)(A)(i) of the Fair Labor Standards Act of
 13 1938 (29 U.S.C. 203(m)(2)(A)(i)) is amended to
 14 read as follows:

15 “(i) the cash wage paid such em-
 16 ployee, which for purposes of such deter-
 17 mination shall be not less than—

18 “(I) for the 1-year period begin-
 19 ning on the effective date under sec-
 20 tion 2101(e) of the American Rescue
 21 Plan Act of 2021, \$4.95 an hour;

22 “(II) for each succeeding 1-year
 23 period until the hourly wage under
 24 this clause equals the wage in effect
 25 under section 6(a)(1) for such period,

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1 an hourly wage equal to the amount
 2 determined under this clause for the
 3 preceding year, increased by the lesser
 4 of—

5 “(aa) \$2.00; or

6 “(bb) the amount necessary
 7 for the wage in effect under this
 8 clause to equal the wage in effect
 9 under section 6(a)(1) for such
 10 period, rounded up to the nearest
 11 multiple of \$0.05; and

12 “(III) for each succeeding 1-year
 13 period after all increases are made
 14 pursuant to subclause (II), the min-
 15 imum wage in effect under section
 16 6(a)(1); and”.

17 (2) SCHEDULED REPEAL OF SEPARATE MIN-
 18 IMUM WAGE FOR TIPPED EMPLOYEES.—

19 (A) TIPPED EMPLOYEES.—Section
 20 3(m)(2)(A) of the Fair Labor Standards Act of
 21 1938 (29 U.S.C. 203(m)(2)(A)), as amended by
 22 paragraph (1), is further amended by striking
 23 the sentence beginning with “In determining
 24 the wage an employer is required to pay a
 25 tipped employee,” and all that follows through

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1 “of this subsection.” and inserting “The wage
2 required to be paid to a tipped employee shall
3 be the wage set forth in section 6(a)(1).”.

4 (B) EFFECTIVE DATE.—The amendments
5 made by subparagraph (A) shall take effect on
6 the date that is 1 day after the date on which
7 the hourly wage under subclause (III) of section
8 3(m)(2)(A)(i) of the Fair Labor Standards Act
9 of 1938 (29 U.S.C. 203(m)(2)(A)(i)), as
10 amended by paragraph (1), takes effect.

11 (3) PENALTIES.—Section 16 of the Fair Labor
12 Standards Act of 1938 (29 U.S.C. 216) is amend-
13 ed—

14 (A) in the third sentence of subsection (b),
15 by inserting “or used” after “kept”; and

16 (B) in the second sentence of subsection
17 (e)(2), by inserting “or used” after “kept”.

18 (c) NEWLY HIRED EMPLOYEES WHO ARE LESS
19 THAN 20 YEARS OLD.—

20 (1) IN GENERAL.—Section 6(g)(1) of the Fair
21 Labor Standards Act of 1938 (29 U.S.C. 206(g)(1))
22 is amended by striking “a wage which is not less
23 than \$4.25 an hour.” and inserting the following: “a
24 wage at a rate that is not less than—

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1 “(A) for the 1-year period beginning on
2 the effective date under section 2101(e) of the
3 American Rescue Plan Act of 2021, \$6.00 an
4 hour;

5 “(B) for each succeeding 1-year period
6 until the hourly wage under this paragraph
7 equals the wage in effect under section 6(a)(1)
8 for such period, an hourly wage equal to the
9 amount determined under this paragraph for
10 the preceding year, increased by the lesser of—

11 “(i) \$1.75; or

12 “(ii) the amount necessary for the
13 wage in effect under this paragraph to
14 equal the wage in effect under section
15 6(a)(1) for such period, rounded up to the
16 nearest multiple of \$0.05; and

17 “(C) for each succeeding 1-year period
18 after all increases are made pursuant to sub-
19 paragraph (B), the minimum wage in effect
20 under section 6(a)(1).”.

21 (2) SCHEDULED REPEAL OF SEPARATE MIN-
22 IMUM WAGE FOR NEWLY HIRED EMPLOYEES WHO
23 ARE LESS THAN 20 YEARS OLD.—

24 (A) IN GENERAL.—Section 6(g) of the
25 Fair Labor Standards Act of 1938 (29 U.S.C.

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1 206(g)), as amended by paragraph (1), shall be
2 repealed.

3 (B) EFFECTIVE DATE.—The repeal made
4 by subparagraph (A) shall take effect on the
5 date that is 1 day after the date on which the
6 hourly wage under subparagraph (C) of section
7 6(g)(1) of the Fair Labor Standards Act of
8 1938 (29 U.S.C. 206(g)(1)), as amended by
9 paragraph (1), takes effect.

10 (d) PROMOTING ECONOMIC SELF-SUFFICIENCY FOR
11 INDIVIDUALS WITH DISABILITIES.—

12 (1) PROHIBITION ON NEW SPECIAL CERTIFI-
13 CATES.—

14 (A) IN GENERAL.—Section 14(c) of the
15 Fair Labor Standards Act of 1938 (29 U.S.C.
16 214(c)) is amended by adding at the end the
17 following:

18 “(6) PROHIBITION ON NEW SPECIAL CERTIFI-
19 CATES.—Notwithstanding paragraph (1), the Sec-
20 retary shall not issue a special certificate under this
21 subsection to an employer that was not issued a spe-
22 cial certificate under this subsection before the date
23 of enactment of the American Rescue Plan Act of
24 2021.”.

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1 (B) EFFECTIVE DATE.—The amendment
2 made by subparagraph (A) shall take effect on
3 the date of enactment of this Act.

4 (2) TRANSITION TO FAIR WAGES FOR INDIVID-
5 UALS WITH DISABILITIES.—Subparagraph (A) of
6 section 14(c)(1) of the Fair Labor Standards Act of
7 1938 (29 U.S.C. 214(c)(1)) is amended to read as
8 follows:

9 “(A) at a rate that equals or exceeds, for
10 each year, the greater of—

11 “(i)(I) \$5.00 an hour, beginning on
12 the effective date under section 2101(e) of
13 the American Rescue Plan Act of 2021;

14 “(II) \$7.50 an hour, beginning 1 year
15 after such effective date;

16 “(III) \$10.00 an hour, beginning 2
17 years after such effective date;

18 “(IV) \$12.50 an hour, beginning 3
19 years after such effective date;

20 “(V) \$15.00 an hour, beginning 4
21 years after such effective date; and

22 “(VI) the wage rate in effect under
23 section 6(a)(1), beginning 5 years after
24 such effective date; or

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1 “(ii) if applicable, the wage rate in ef-
 2 fect on the day before the date of enact-
 3 ment of the American Rescue Plan Act of
 4 2021 for the employment, under a special
 5 certificate issued under this paragraph, of
 6 the individual for whom the wage rate is
 7 being determined under this subpara-
 8 graph.”.

9 (3) SUNSET.—Section 14(c) of the Fair Labor
 10 Standards Act of 1938 (29 U.S.C. 214(c)) is further
 11 amended by adding at the end the following:

12 “(7) SUNSET.—Beginning on the day after the
 13 date on which the wage rate described in paragraph
 14 (1)(A)(i)(VI) takes effect, the authority to issue spe-
 15 cial certificates under paragraph (1) shall expire,
 16 and no special certificates issued under paragraph
 17 (1) shall have any legal effect.”.

18 (e) GENERAL EFFECTIVE DATE.—Except as other-
 19 wise provided in this section, or the amendments made
 20 by this section, this section and the amendments made by
 21 this section shall take effect—

22 (1) subject to paragraph (2), on the first day
 23 of the third month that begins after the date of the
 24 enactment of this Act; and

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1 at high risk workplaces including health care, meat
2 and poultry processing facilities, agricultural work-
3 places and correctional facilities.

4 (2) \$12,500,000 shall be for the Office of In-
5 spector General.

6 **SEC. 2103. ELIGIBILITY FOR WORKERS' COMPENSATION**

7 **BENEFITS FOR FEDERAL EMPLOYEES DIAG-**
8 **NOSED WITH COVID-19.**

9 (a) **IN GENERAL.**—Subject to subsection (c), a cov-
10 ered employee shall, with respect to any claim made by
11 or on behalf of the covered employee for benefits under
12 subchapter I of chapter 81 of title 5, United States Code,
13 be deemed to have an injury proximately caused by expo-
14 sure to the novel coronavirus arising out of the nature of
15 the covered employee's employment. Such covered em-
16 ployee, or a beneficiary of such an employee, shall be enti-
17 tled to such benefits for such claim, including disability
18 compensation, medical services, and survivor benefits.

19 (b) **DEFINITIONS.**—In this section, the following:

20 (1) **COVERED EMPLOYEE.**—

21 (A) **IN GENERAL.**—The term “covered em-
22 ployee” means an individual—

23 (i) who is an employee under section
24 8101(1) of title 5, United States Code, (in-
25 cluding an employee of the United States

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1 Postal Service, the Transportation Security
2 Administration, or the Department of Vet-
3 erans Affairs, including any individual ap-
4 pointed under chapter 73 or 74 of title 38,
5 United States Code) employed in the Fed-
6 eral service at anytime during the period
7 beginning on January 27, 2020, and end-
8 ing on January 27, 2023;

9 (ii) who is diagnosed with COVID-19
10 during such period; and

11 (iii) who, during a covered exposure
12 period prior to such diagnosis, carries out
13 duties that—

14 (I) require contact with patients,
15 members of the public, or co-workers;
16 or

17 (II) include a risk of exposure to
18 the novel coronavirus.

19 (B) TELEWORKING EXCEPTION.—The
20 term “covered employee” does not include any
21 employee otherwise covered by subparagraph
22 (A) who is exclusively teleworking during a cov-
23 ered exposure period, regardless of whether
24 such employment is full time or part time.

1 (2) COVERED EXPOSURE PERIOD.—The term
2 “covered exposure period” means, with respect to a
3 diagnosis of COVID-19, the period beginning on a
4 date to be determined by the Secretary of Labor.

5 (3) NOVEL CORONAVIRUS.—The term “novel
6 coronavirus” means SARS-CoV-2 or another
7 coronavirus declared to be a pandemic by public
8 health authorities.

9 (c) LIMITATION.—

10 (1) DETERMINATIONS MADE ON OR BEFORE
11 THE DATE OF ENACTMENT.—This section shall not
12 apply with respect to a covered employee who is de-
13 termined to be entitled to benefits under subchapter
14 I of chapter 81 of title 5, United States Code, for
15 a claim described in subsection (a) if such deter-
16 mination is made on or before the date of enactment
17 of this Act.

18 (2) LIMITATION ON DURATION OF BENEFITS.—
19 No funds are authorized to be appropriated to pay,
20 and no benefits may be paid for, claims approved on
21 the basis of subsection (a) after September 30,
22 2030. No administrative costs related to any such
23 claim may be paid after such date.

24 (d) EMPLOYEES’ COMPENSATION FUND.—

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1 (1) IN GENERAL.—The costs of benefits for
 2 claims approved on the basis of subsection (a) shall
 3 not be included in the annual statement of the cost
 4 of benefits and other payments of an agency or in-
 5 strumentality under section 8147(b) of title 5,
 6 United States Code.

7 (2) FAIR SHARE PROVISION.—Costs of adminis-
 8 tration for claims described in paragraph (1)—

9 (A) may be paid from the Employees'
 10 Compensation Fund; and

11 (B) shall not be subject to the fair share
 12 provision in section 8147(c) of title 5, United
 13 States Code.

14 **SEC. 2104. COMPENSATION PURSUANT TO THE LONGSHORE**
 15 **AND HARBOR WORKERS' COMPENSATION**
 16 **ACT.**

17 (a) CLAIMS RELATED TO COVID-19.—

18 (1) IN GENERAL.—Subject to subsection (c), a
 19 covered employee who receives a diagnosis or is sub-
 20 ject to an order described in paragraph (2)(B) and
 21 who provides notice of or files a claim relating to
 22 such diagnosis or order under section 12 or 13 of
 23 the Longshore and Harbor Workers' Compensation
 24 Act (33 U.S.C. 912, 913), respectively, shall be con-
 25 clusively presumed to have an injury arising out of

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1 or in the course of employment for the purpose of
 2 compensation under the Longshore and Harbor
 3 Workers' Compensation Act (33 U.S.C. 901 et seq.).

4 (2) COVERED EMPLOYEE.—In this section, the
 5 term “covered employee” means an individual who,
 6 at any time during the period beginning January 27,
 7 2020, and ending on January 27, 2023—

8 (A) is an employee; and

9 (B) is—

10 (i) diagnosed with COVID-19; or

11 (ii) ordered not to return to work by
 12 the employee's employer or by a local,
 13 State, or Federal agency because of expo-
 14 sure, or the risk of exposure, to 1 or more
 15 individuals diagnosed with COVID-19 in
 16 the workplace.

17 (3) LIMITATION.—This section shall not apply

18 with respect to a covered employee who—

19 (A) provides notice or files a claim de-
 20 scribed in paragraph (1) on or before the date
 21 of the enactment of this Act; and

22 (B) is determined to be entitled to the
 23 compensation described in paragraph (1) or
 24 awarded such compensation if such determina-
 25 tion or award is made on or before such date.

1 (4) DENIALS ON OR BEFORE THE DATE OF EN-
 2 ACTMENT.—Paragraph (1) shall apply with respect
 3 to a covered employee who is determined not to be
 4 entitled to, or who is not awarded, compensation de-
 5 scribed in paragraph (1) if such determination or de-
 6 cision not to award such compensation is made on
 7 or before the date of enactment of this Act.

8 (b) REIMBURSEMENT.—

9 (1) IN GENERAL.—

10 (A) ENTITLEMENT.—Subject to subpara-
 11 graph (B) and to the availability of appropria-
 12 tions and limitation on payments under sub-
 13 section (c), an employer of a covered employee
 14 or the employer’s carrier shall be entitled to re-
 15 imbursement for any compensation paid with
 16 respect to a notice or claim described in sub-
 17 section (a), including disability benefits, funeral
 18 and burial expenses, medical or other related
 19 costs for treatment and care, and reasonable
 20 and necessary allocated claims expenses.

21 (B) SAFETY AND HEALTH REQUIRE-
 22 MENTS.—To be entitled to reimbursement
 23 under subparagraph (A)—

24 (i) an employer shall be in compliance
 25 with all applicable safety and health guide-

1 lines and standards that are related to the
 2 prevention of occupational exposure to the
 3 novel coronavirus that causes COVID-19,
 4 including such guidelines and standards
 5 issued by the Occupational Safety and
 6 Health Administration, State plans ap-
 7 proved under section 18 of the Occupa-
 8 tional Safety and Health Act of 1970 (29
 9 U.S.C. 667), and the National Institute for
 10 Occupational Safety and Health; and

11 (ii) a carrier—

12 (I) shall be a carrier for an em-
 13 ployer that is in compliance with
 14 clause (i); and

15 (II) shall not adjust the experi-
 16 ence rating or the annual premium of
 17 the employer based upon the com-
 18 pensation paid by the carrier with re-
 19 spect to a notice or claim described in
 20 subparagraph (A).

21 (2) REIMBURSEMENT PROCEDURES.—

22 (A) IN GENERAL.—Subject to subsection
 23 (c), to receive reimbursement under paragraph
 24 (1)—

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1 (i) a claim for such reimbursement
2 shall be submitted to the Secretary of
3 Labor—
4 (I) not earlier than—
5 (aa) the date on which a
6 compensation order (as described
7 in section 19(e) of the Longshore
8 and Harbor Workers' Compensa-
9 tion Act (33 U.S.C. 919(e))) is
10 issued that fixes entitlement to
11 benefits; or
12 (bb) the date on which—
13 (AA) a payment is
14 made under such Act;
15 (BB) entitlement to
16 benefits is established under
17 such Act; and
18 (CC) the rate of com-
19 pensation and period of pay-
20 ment is relatively fixed and
21 known; and
22 (II) not later than one year after
23 the final payment of compensation to
24 a covered employee pursuant to this
25 section; and

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1 (ii) an employer and the employer's
2 carrier shall make, keep, and preserve such
3 records, make such reports, and provide
4 such information, as the Secretary of
5 Labor determines necessary or appropriate
6 to carry out this section.

7 (B) COMMUTATION OF COMPENSATION IN-
8 STALLMENTS.—The Secretary may commute
9 future compensation installments with respect
10 to a claim under this section.

11 (c) EMPLOYEES' COMPENSATION FUND.—

12 (1) IN GENERAL.—A reimbursement under sub-
13 section (b) shall be paid out of the Employees' Com-
14 pensation Fund under section 8147 of title 5,
15 United States Code.

16 (2) FUNDING.—In addition to amounts other-
17 wise available, there are authorized to be appro-
18 priated, and there are appropriated, out of any
19 money in the Treasury not otherwise appropriated,
20 such funds as may be necessary for the period begin-
21 ning on the date of enactment of this Act and end-
22 ing on September 30, 2030, to reimburse the Em-
23 ployees' Compensation Fund for each reimbursement
24 paid out of such Fund under subsection (b).

1 (3) LIMITATION.—With respect to a claim for
2 benefits approved on the basis of subsection (a), no
3 payments may be made from the Employees’ Com-
4 pensation Fund or the special fund established in
5 section 44 of Longshore and Harbor Workers’ Com-
6 pensation Act (33 U.S.C. 944) after September 30,
7 2030, for benefits, reimbursements, or other expend-
8 itures relating to such claim.

9 (4) FINAL ACTION.—The action of the Sec-
10 retary in allowing or denying any reimbursement
11 under subsection (b) shall be final and conclusive on
12 all questions of law and fact and not subject to re-
13 view by any other official of the United States or by
14 any court by mandamus or otherwise.

15 (d) DEFINITIONS.—In this section:

16 (1) LHWCA TERMS.—The terms “carrier”,
17 “compensation”, “employee”, and “employer” have
18 the meanings given the terms in section 2 of the
19 Longshore and Harbor Workers’ Compensation Act
20 (33 U.S.C. 902).

21 (2) NOVEL CORONAVIRUS.—The term “novel
22 coronavirus” means SARS-CoV-2 or any other
23 coronavirus declared to be a pandemic by public
24 health authorities.

1 **Subtitle C—Human Services and**
 2 **Community Supports**

3 **SEC. 2201. ADDITIONAL FUNDING FOR AGING AND DIS-**
 4 **ABILITY SERVICES PROGRAMS.**

5 Subtitle A of title XX of the Social Security Act (42
 6 U.S.C. 1397-1397h) is amended by adding at the end the
 7 following:

8 **“SEC. 2010. ADDITIONAL FUNDING FOR AGING AND DIS-**
 9 **ABILITY SERVICES PROGRAMS.**

10 “(a) **APPROPRIATION.**—In addition to amounts oth-
 11 erwise available, there is appropriated for fiscal year 2021,
 12 out of any money in the Treasury not otherwise appro-
 13 priated, \$276,000,000, to remain available until expended,
 14 to carry out the programs described in subtitle B.

15 “(b) **USE OF FUNDS.**—

16 “(1) **IN GENERAL.**—Of the amounts made
 17 available by subsection (a)—

18 “(A) \$88,000,000 shall be made available
 19 to carry out the programs described in subtitle
 20 B in fiscal year 2021, of which not less than an
 21 amount equal to \$100,000,000 minus the
 22 amount previously provided in fiscal year 2021
 23 to carry out section 2042(b) shall be made
 24 available to carry out such section; and

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1 “(B) \$188,000,000 shall be made available
2 to carry out the programs described in subtitle
3 B in fiscal year 2022, of which not less than
4 \$100,000,000 shall be for activities described in
5 section 2042(b).

6 “(2) SERVICES FOR ALL ADULTS.—The
7 amounts made available by subsection (a) of this
8 section to carry out section 2042(b) may be used to
9 provide services under programs described in section
10 2042(b) for all adults.”.

11 **SEC. 2202. SUPPORTING OLDER AMERICANS AND THEIR**
12 **FAMILIES.**

13 (a) **APPROPRIATION.**—In addition to amounts other-
14 wise available, there is appropriated for fiscal year 2021,
15 out of any money in the Treasury not otherwise appro-
16 priated, \$1,444,000,000, to remain available until ex-
17 pended, to carry out the Older Americans Act of 1965.

18 (b) **ALLOCATION OF AMOUNTS.**—Amounts made
19 available by subsection (a) shall be available as follows:

20 (1) \$750,000,000 shall be available to carry out
21 part C of title III of such Act.

22 (2) \$25,000,000 shall be available to carry out
23 title VI of such Act, including part C of such title.

24 (3) \$470,000,000 shall be available to carry out
25 part B of title III of such Act, including for—

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1 (A) supportive services of the types made
2 available for fiscal year 2020;

3 (B) efforts related to COVID-19 vaccina-
4 tion outreach, including education, communica-
5 tion, transportation, and other activities to fa-
6 cilitate vaccination of older individuals; and

7 (C) prevention and mitigation activities re-
8 lated to COVID-19 focused on addressing ex-
9 tended social isolation among older individuals,
10 including activities for investments in techno-
11 logical equipment and solutions or other strate-
12 gies aimed at alleviating negative health effects
13 of social isolation due to long-term stay-at-home
14 recommendations for older individuals for the
15 duration of the COVID-19 public health emer-
16 gency;

17 (4) \$44,000,000 shall be available to carry out
18 part D of title III of such Act.

19 (5) \$145,000,000 shall be available to carry out
20 part E of title III of such Act.

21 (6) \$10,000,000 shall be available to carry out
22 the long-term care ombudsman program under title
23 VII of such Act.

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1 SEC. 2203. CHILD CARE AND DEVELOPMENT BLOCK GRANT
2 PROGRAM.

3 (a) CHILD CARE AND DEVELOPMENT BLOCK GRANT

4 FUNDING.—In addition to amounts otherwise available,
5 there is appropriated for fiscal year 2021, out of any
6 amounts in the Treasury not otherwise appropriated,
7 \$14,990,000,000, to remain available through September
8 30, 2021, to carry out the Child Care and Development
9 Block Grant of 1990 (42 U.S.C. 9857 et seq.) without
10 regard to requirements in sections 658E(c)(3)(D)–(E) or
11 658G of such Act (42 U.S.C. 9858c(c)(3), 9858e). Pay-
12 ments made to States, territories, Indian Tribes, and Trib-
13 al organizations from funds made available under this sub-
14 section shall be obligated in fiscal year 2021 or the suc-
15 ceeding 2 fiscal years. States, territories, Indian Tribes,
16 and Tribal organizations are authorized to use such funds
17 to provide child care assistance to health care sector em-
18 ployees, emergency responders, sanitation workers, and
19 other workers deemed essential during the response to
20 coronavirus by public officials, without regard to the in-
21 come eligibility requirements of section 658P(4) of the
22 Child Care and Development Block Grant Act (42 U.S.C.
23 9858n(4)).

24 (b) CHILD CARE STABILIZATION FUNDING.—In ad-
25 dition to amounts otherwise available, there is appro-
26 priated for fiscal year 2021, out of any amounts in the

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1 Treasury not otherwise appropriated, \$23,975,000,000, to
 2 remain available through September 30, 2021, for grants
 3 under section 2204(b) of this subtitle and in accordance
 4 with the Child Care and Development Block Grant Act
 5 of 1990 (42 U.S.C. 9857 et seq.), except for the require-
 6 ments in subparagraphs (C) through (E) of section
 7 658E(c)(3), and section 658G, of such Act (42 U.S.C.
 8 9858c(c)(3), 9858e).

9 (c) ADMINISTRATIVE COSTS.—In addition to
 10 amounts otherwise available, there is appropriated for fis-
 11 cal year 2021, out of any amounts in the Treasury not
 12 otherwise appropriated, \$35,000,000, to remain available
 13 through September 30, 2025, for the costs of providing
 14 technical assistance and conducting research and for the
 15 administrative costs to carry out this section and section
 16 2204 of this subtitle.

17 SEC. 2204. CHILD CARE STABILIZATION.

18 (a) DEFINITIONS.—In this section:

19 (1) CHILD CARE AND DEVELOPMENT BLOCK
 20 GRANT TERMS.—The terms “lead agency”, “Sec-
 21 retary”, and “State” have the meanings given those
 22 terms, and the terms “Indian Tribe” and “Tribal
 23 organization” have the meanings given the terms
 24 “Indian tribe” and “tribal organization”, in section
 25 658P of the Child Care and Development Block

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1 Grant Act of 1990 (42 U.S.C. 9858n) except as oth-
2 erwise provided in this section.

3 (2) COVID-19 PUBLIC HEALTH EMERGENCY.—
4 The term “COVID-19 public health emergency”
5 means the public health emergency declared by the
6 Secretary of Health and Human Services under sec-
7 tion 319 of the Public Health Service Act (42
8 U.S.C. 247d) on January 31, 2020, with respect to
9 COVID-19, including any renewal of the declara-
10 tion.

11 (3) ELIGIBLE CHILD CARE PROVIDER.—The
12 term “eligible child care provider” means an eligible
13 child care provider as defined in section 658P of the
14 Child Care and Development Block Grant Act of
15 1990 (42 U.S.C. 9858n) or a child care provider
16 that is licensed, regulated, or registered in the State,
17 territory, or Indian Tribe on the date of enactment
18 of this Act and meets applicable State and local
19 health and safety requirements.

20 (b) GRANTS.—From the amounts appropriated to
21 carry out this section and under the authority of section
22 658O of the Child Care and Development Block Grant Act
23 of 1990 (42 U.S.C. 9858m) and this section, the Secretary
24 shall award to the lead agency of each State (as des-
25 ignated or established under section 658D(a) of such Act

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1 (42 U.S.C. 9858b(a)), territory and possession described
 2 in subsection 6580(a)(1) of such Act, and Indian Tribe
 3 and Tribal organization described in section 6580(a)(2)
 4 of such Act that has submitted to the Secretary a letter
 5 of intent to use funds awarded pursuant to this sub-
 6 section, child care stabilization grants from allotments and
 7 payments determined in accordance with paragraphs (1)
 8 and (2) of subsection (a), and subsection (b), of section
 9 6580 of the Child Care and Development Block Grant Act
 10 of 1990 (42 U.S.C. 9858m). Such grants shall be used
 11 in accordance with the Child Care and Development Block
 12 Grant Act of 1990 (42 U.S.C. 9857 et seq.), except for
 13 the requirements in subparagraphs (C) through (E) of sec-
 14 tion 658E(c)(3), and in section 658G, of such Act (42
 15 U.S.C. 9858c(c)(3), 9858e).

16 (c) STATE RESERVATIONS AND SUBGRANTS.—

17 (1) RESERVATION.—A lead agency for a State
 18 that receives a child care stabilization grant pursu-
 19 ant to subsection (b) shall reserve not more than 10
 20 percent of such grant funds to administer subgrants,
 21 provide technical assistance and support for applying
 22 for and accessing the subgrant opportunity, publicize
 23 the availability of the subgrants, and provide tech-
 24 nical assistance to help child care providers imple-
 25 ment policies as described in paragraph (2)(D)(i).

1 (2) SUBGRANTS TO QUALIFIED CHILD CARE

2 PROVIDERS.—

3 (A) IN GENERAL.—The lead agency shall
4 use the remainder of the grant funds awarded
5 pursuant to subsection (b) to make subgrants
6 to qualified child care providers described in
7 subparagraph (B), regardless of such a pro-
8 vider’s previous receipt of other Federal assist-
9 ance, to support the stability of the child care
10 sector during and after the COVID-19 public
11 health emergency.

12 (B) QUALIFIED CHILD CARE PROVIDER.—

13 To be qualified to receive a subgrant under this
14 paragraph, a provider shall be an eligible child
15 care provider that on the date of submission of
16 an application for the subgrant, was either—

17 (i) open and available to provide child
18 care services; or

19 (ii) closed due to public health, finan-
20 cial hardship, or other reasons relating to
21 the COVID-19 public health emergency.

22 (C) SUBGRANT AMOUNT.—The amount of

23 such a subgrant to a qualified child care pro-
24 vider shall be based on the provider’s stated
25 current operating expenses, including costs as-

1 sociated with providing or preparing to provide
2 child care services during the COVID-19 public
3 health emergency, and to the extent practicable,
4 cover such operating expenses for the intended
5 period of the subgrant.

6 (D) APPLICATION.—The lead agency
7 shall—

8 (i) make available on the lead agen-
9 cy’s website an application for qualified
10 child care providers that includes certifi-
11 cations that, for the duration of the
12 subgrant—

13 (I) the provider applying will,
14 when open and available to provide
15 child care services, implement policies
16 in line with guidance from the cor-
17 responding State, Tribal, and local
18 authorities, and in accordance with
19 State, Tribal, and local orders, and, to
20 the greatest extent possible, imple-
21 ment policies in line with guidance
22 from the Centers for Disease Control
23 and Prevention;

24 (II) for each employee, the pro-
25 vider will pay not less than the full

1 compensation, including any benefits,
2 that was provided to the employee as
3 of the date of submission of the appli-
4 cation for the subgrant (referred to in
5 this subclause as “full compensa-
6 tion”), and will not take any action
7 that reduces the weekly amount of the
8 employee’s compensation below the
9 weekly amount of full compensation,
10 or that reduces the employee’s rate of
11 compensation below the rate of full
12 compensation, including the involun-
13 tary furloughing of any employee em-
14 ployed on the date of submission of
15 the application for the subgrant; and
16 (III) the provider will provide re-
17 lief from copayments and tuition pay-
18 ments for the families enrolled in the
19 provider’s program, to the extent pos-
20 sible, and prioritize such relief for
21 families struggling to make either
22 type of payment; and
23 (ii) accept and process applications
24 submitted under this subparagraph on a
25 rolling basis, and provide subgrant funds

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1 in advance of provider expenditures, except
2 as provided in subsection (d)(2).

3 (E) OBLIGATION.—The lead agency shall
4 notify the Secretary if it is unable to obligate
5 at least 50 percent of the funds received pursu-
6 ant to subsection (b) that are available for sub-
7 grants described in this paragraph within 9
8 months of the date of enactment of this Act.

9 (d) USES OF FUNDS.—

10 (1) IN GENERAL.—A qualified child care pro-
11 vider that receives funds through such a subgrant
12 shall use the funds for at least one of the following:

13 (A) Personnel costs, including payroll and
14 salaries or similar compensation for an em-
15 ployee (including any sole proprietor or inde-
16 pendent contractor), employee benefits, pre-
17 mium pay, or costs for employee recruitment
18 and retention.

19 (B) Rent (including rent under a lease
20 agreement) or payment on any mortgage obliga-
21 tion, utilities, facility maintenance or improve-
22 ments, or insurance.

23 (C) Personal protective equipment, clean-
24 ing and sanitization supplies and services, or

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1 training and professional development related to
2 health and safety practices.

3 (D) Purchases of or updates to equipment
4 and supplies to respond to the COVID-19 pub-
5 lic health emergency.

6 (E) Goods and services necessary to main-
7 tain or resume child care services.

8 (F) Mental health supports for children
9 and employees.

10 (2) REIMBURSEMENT.—The qualified child care
11 provider may use the subgrant funds to reimburse
12 the provider for sums obligated or expended before
13 the date of enactment of this Act for the cost of a
14 good or service described in paragraph (1) to re-
15 spond to the COVID-19 public health emergency.

16 (e) SUPPLEMENT NOT SUPPLANT.—Amounts made
17 available to carry out this section shall be used to supple-
18 ment and not supplant other Federal, State, and local
19 public funds expended to provide child care services for
20 eligible individuals, including funds provided under the
21 Child Care and Development Block Grant Act of 1990 (42
22 U.S.C. 9857 et seq.) and State child care programs.

23 SEC. 2205. HEAD START.

24 In addition to amounts otherwise available, there is
25 appropriated for fiscal year 2021, out of any amounts in

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1 the Treasury not otherwise appropriated, \$1,000,000,000,
 2 to remain available through September 30, 2022, to carry
 3 out the Head Start Act (42 U.S.C. 9831 et seq.), includ-
 4 ing for Federal administrative expenses, to be allocated
 5 to each Head Start agency in an amount that bears the
 6 same ratio to the portion available for allocations as the
 7 number of enrolled children served by the Head Start
 8 agency bears to the number of enrolled children served by
 9 all Head Start agencies, except that funds appropriated
 10 in this section—

11 (1) shall not be included in the calculation of
 12 the “base grant” in subsequent fiscal years, as such
 13 term is defined in section 640(a)(7)(A),
 14 641A(h)(1)(B), or 645(d)(3) of the Head Start Act
 15 (42 U.S.C. 9835(a)(7)(A), 9836a(h)(1)(B),
 16 9840(d)(3)); and

17 (2) shall not be subject to the allocation re-
 18 quirements of section 640(a) of such Act (42 U.S.C.
 19 9835(a)).

20 SEC. 2206. PROGRAMS FOR SURVIVORS.

21 (a) IN GENERAL.—Section 303 of the Family Vio-
 22 lence Prevention and Services Act (42 U.S.C. 10403) is
 23 amended by adding at the end the following:

24 “(d) ADDITIONAL FUNDING.—For the purposes of
 25 carrying out this title, in addition to amounts otherwise

1 made available for such purposes, there are appropriated,
 2 out of any amounts in the Treasury not otherwise appro-
 3 priated, for fiscal year 2021, to remain available until ex-
 4 pended, each of the following:

5 “(1) \$180,000,000 to carry out sections 301
 6 through 312, to be allocated in the manner described
 7 in subsection (a)(2), except that a reference in sub-
 8 section (a)(2) to an amount appropriated under sub-
 9 section (a)(1) shall be considered to be a reference
 10 to an amount appropriated under this paragraph,
 11 and that the matching requirement under section
 12 306(c)(4) shall not apply.

13 “(2) \$18,000,000 to carry out section 309.

14 “(3) \$2,000,000 to carry out section 313, of
 15 which \$1,000,000 for each fiscal year shall be allo-
 16 cated to support Indian communities.”.

17 (b) COVID-19 PUBLIC HEALTH EMERGENCY DE-
 18 FINED.—In this section, the term “COVID-19 public
 19 health emergency” means the public health emergency de-
 20 clared by the Secretary of Health and Human Services
 21 under section 319 of the Public Health Service Act (42
 22 U.S.C. 247d) on January 31, 2020, with respect to
 23 COVID-19, including any renewal of the declaration.

24 (c) GRANTS TO SUPPORT CULTURALLY SPECIFIC
 25 POPULATIONS.—

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1 (1) IN GENERAL.—In addition to amounts oth-
2 erwise made available, there is appropriated, out of
3 any amounts in the Treasury not otherwise appro-
4 priated, to the Secretary of Health and Human
5 Services, \$49,500,000 for fiscal year 2021, to be
6 available until expended, to carry out this subsection
7 (excluding Federal administrative costs, for which
8 funds are appropriated under subsection (e)).

9 (2) USE OF FUNDS.—From amounts appro-
10 priated under paragraph (1), the Secretary acting
11 through the Director of the Family Violence Preven-
12 tion and Services Program, shall—

13 (A) support culturally specific community-
14 based organizations to provide culturally spe-
15 cific activities for survivors of sexual assault
16 and domestic violence, to address emergent
17 needs resulting from the COVID-19 public
18 health emergency and other public health con-
19 cerns; and

20 (B) support culturally specific community-
21 based organizations that provide culturally spe-
22 cific activities to promote strategic partnership
23 development and collaboration in responding to
24 the impact of COVID-19 and other public

1 health concerns on survivors of sexual assault
2 and domestic violence.

3 (d) GRANTS TO SUPPORT SURVIVORS OF SEXUAL AS-
4 SAULT.—

5 (1) IN GENERAL.—In addition to amounts oth-
6 erwise made available, there is appropriated, out of
7 any amounts in the Treasury not otherwise appro-
8 priated, to the Secretary of Health and Human
9 Services, \$198,000,000 for fiscal year 2021, to be
10 available until expended, to carry out this subsection
11 (excluding Federal administrative costs, for which
12 funds are appropriated under subsection (e)).

13 (2) USE OF FUNDS.—From amounts appro-
14 priated under paragraph (1), the Secretary acting
15 through the Director of the Family Violence Preven-
16 tion and Services Program, shall assist rape crisis
17 centers in transitioning to virtual services and meet-
18 ing the emergency needs of survivors.

19 (e) ADMINISTRATIVE COSTS.—In addition to
20 amounts otherwise made available, there is appropriated
21 to the Secretary of Health and Human Services, out of
22 any amounts in the Treasury not otherwise appropriated,
23 \$2,500,000 for fiscal year 2021, to remain available until
24 expended, for the Federal administrative costs of carrying
25 out subsections (c) and (d).

1 SEC. 2207. CHILD ABUSE PREVENTION AND TREATMENT.

2 In addition to amounts otherwise available, there is
3 appropriated to the Secretary of Health and Human Serv-
4 ices for fiscal year 2021, out of any money in the Treasury
5 not otherwise appropriated, the following amounts, to re-
6 main available through September 30, 2023:

7 (1) \$250,000,000 for carrying out title II of the
8 Child Abuse Prevention and Treatment Act (42
9 U.S.C. 5116 et seq.), which shall be allocated with-
10 out regard to section 204(4) of such Act (42 U.S.C.
11 5116d(4)) and shall be allotted to States in accord-
12 ance with section 203 of such Act (42 U.S.C.
13 5116b), except that—

14 (A) in subsection (b)(1)(A) of such section
15 203, “70 percent” shall be deemed to be “100
16 percent”; and

17 (B) subsections (b)(1)(B) and (c) of such
18 section 203 shall not apply; and

19 (2) \$100,000,000 for carrying out the State
20 grant program authorized under section 106 of the
21 Child Abuse Prevention and Treatment Act (42
22 U.S.C. 5106a), which shall be allocated without re-
23 gard to section 112(a)(2) of such Act (42 U.S.C.
24 5106h(a)(2)).

1 SEC. 2208. LIHEAP.

2 In addition to amounts otherwise available, there is
3 appropriated for fiscal year 2021, out of any amounts in
4 the Treasury not otherwise appropriated, \$4,500,000,000,
5 to remain available through September 30, 2022, for addi-
6 tional funding to provide payments under section 2602(b)
7 of the Low-Income Home Energy Assistance Act of 1981
8 (42 U.S.C. 8621(b)), except that—

9 (1) \$2,250,000,000 of such amounts shall be
10 allocated as though the total appropriation for such
11 payments for fiscal year 2021 was less than
12 \$1,975,000,000;

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

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

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1 the amount allotted to the applicable State for such
2 payments from any such appropriated funds.

3 SEC. 2209. DEPARTMENT OF HEALTH AND HUMAN SERV-
4 ICES.

5 (a) IN GENERAL.—In addition to amounts otherwise
6 available, there is appropriated to the Department of
7 Health and Human Services for fiscal year 2021, out of
8 any money in the Treasury not otherwise appropriated,
9 \$425,000,000, to remain available until expended for the
10 Secretary of Health and Human Services to allocate as
11 such Secretary determines necessary for cost increases
12 that result from the COVID-19 public health emergency
13 in programs administered under the Administration for
14 Children and Families that provide direct program serv-
15 ices to children.

16 (b) DEFINITION.—In this section, the term
17 “COVID-19 public health emergency” means the public
18 health emergency declared by the Secretary of Health and
19 Human Services under section 319 of the Public Health
20 Service Act (42 U.S.C. 247d) on January 31, 2020, with
21 respect to COVID-19, including any renewal of the dec-
22 laration.

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1 SEC. 2210. CORPORATION FOR NATIONAL AND COMMUNITY
 2 SERVICE AND THE NATIONAL SERVICE
 3 TRUST.

4 (a) CORPORATION FOR NATIONAL AND COMMUNITY
 5 SERVICE.—In addition to amounts otherwise made avail-
 6 able, there is appropriated for fiscal year 2021, out of any
 7 money in the Treasury not otherwise appropriated,
 8 \$852,000,000, to remain available through September 30,
 9 2024, for necessary expenses under the Domestic Volun-
 10 teer Service Act of 1973 (42 U.S.C. 4950 et seq.) and
 11 the National and Community Service Act of 1990 (42
 12 U.S.C. 12501 et seq.) notwithstanding sections
 13 198B(b)(3), 198S(g), and subparagraphs (C) and (F) of
 14 section 501(a)(4) of the National and Community Service
 15 Act of 1990 (42 U.S.C. 12653b(b)(3), 12653s(g),
 16 12681(a)(4)).

17 (b) ALLOCATION OF AMOUNTS.—Amounts provided
 18 by subsection (a) shall be allocated as follows:

19 (1) AMERICORPS STATE AND NATIONAL.—
 20 \$620,000,000 shall be used—

21 (A) to increase the living allowances, of
 22 participants in national service programs, de-
 23 scribed in section 140 of the National and Com-
 24 munity Service Act of 1990 (42 U.S.C. 12594);
 25 and

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1 (B) to make funding adjustments to exist-
 2 ing (as of the date of enactment of this Act)
 3 awards and award new and additional awards
 4 to organizations described in subsection (a) of
 5 section 121 of the National and Community
 6 Service Act of 1990 (42 U.S.C. 12571(a)),
 7 whether or not the entities are already grant re-
 8 cipients under that section on the date of enact-
 9 ment of this Act, and without regard to the re-
 10 quirements of subsections (d) and (e) of such
 11 section 121, by—

12 (i) prioritizing entities serving com-
 13 munities disproportionately impacted by
 14 COVID-19 and utilizing culturally com-
 15 petent and multilingual strategies in the
 16 provision of services; and

17 (ii) taking into account the diversity
 18 of communities and participants served by
 19 such entities, including racial, ethnic, so-
 20 cioeconomic, linguistic, or geographic diver-
 21 sity.

22 (2) STATE COMMISSIONS.—\$20,000,000 shall
 23 be used to make adjustments to existing (as of the
 24 date of enactment of this Act) awards and new and
 25 additional awards, including awards to State Com-

1 missions on National and Community Service, under
 2 section 126(a) of the National and Community Serv-
 3 ice Act of 1990 (42 U.S.C. 12576(a)).

4 (3) VOLUNTEER GENERATION FUND.—
 5 \$20,000,000 shall be used for expenses authorized
 6 under section 501(a)(4)(F) of the National and
 7 Community Service Act of 1990 (42 U.S.C.
 8 12681(a)(4)(F)), which, notwithstanding section
 9 198P(d)(1)(B) of that Act (42 U.S.C.
 10 12653p(d)(1)(B)), shall be for grants awarded by
 11 the Corporation for National and Community Serv-
 12 ice on a competitive basis.

13 (4) AMERICORPS VISTA.—\$80,000,000 shall be
 14 used for programs authorized under part A of title
 15 I of the Domestic Volunteer Service Act of 1973 (42
 16 U.S.C. 4951 et seq.), including to increase the living
 17 allowances of volunteers, described in section 105(b)
 18 of the Domestic Volunteer Service Act of 1973 (42
 19 U.S.C. 4955(b)).

20 (5) NATIONAL SENIOR SERVICE CORPS.—
 21 \$30,000,000 shall be used for programs authorized
 22 under title II of the Domestic Volunteer Service Act
 23 of 1973 (42 U.S.C. 5000 et seq.).

24 (6) ADMINISTRATIVE COSTS.—\$73,000,000
 25 shall, notwithstanding section 501(a)(5)(B) of the

1 National and Community Service Act of 1990 (42
2 U.S.C. 12681(a)(5)(B)) and section 504(a) of the
3 Domestic Volunteer Service Act of 1973 (42 U.S.C.
4 5084(a)), be used for necessary expenses of adminis-
5 tration as provided under section 501(a)(5) of the
6 National and Community Service Act of 1990 (42
7 U.S.C. 12681(a)(5)), including administrative costs
8 of the Corporation for National and Community
9 Service associated with the provision of funds under
10 paragraphs (1) through (5).

11 (7) OFFICE OF INSPECTOR GENERAL.—
12 \$9,000,000 shall be used for the Office of Inspector
13 General of the Corporation for National and Com-
14 munity Service for salaries and expenses necessary
15 for oversight and audit of programs and activities
16 funded by subsection (a).

17 (c) NATIONAL SERVICE TRUST.—In addition to
18 amounts otherwise made available, there is appropriated
19 for fiscal year 2021, out of any money in the Treasury
20 not otherwise appropriated, \$148,000,000, to remain
21 available until expended, for payment to and administra-
22 tion of the National Service Trust established in section
23 145 of the National and Community Service Act of 1990
24 (42 U.S.C. 12601).

1 **Subtitle D—Child Nutrition &**
 2 **Related Programs**

3 **SEC. 2301. IMPROVEMENTS TO WIC BENEFITS.**

4 (a) **DEFINITIONS.**—In this section:

5 (1) **APPLICABLE PERIOD.**—The term “applica-
 6 ble period” means a period—

7 (A) beginning after the date of enactment
 8 of this Act, as selected by a State agency; and

9 (B) ending not later than the earlier of—

10 (i) 4 months after the date described
 11 in subparagraph (A); or

12 (ii) September 30, 2021.

13 (2) **CASH-VALUE VOUCHER.**—The term “cash-
 14 value voucher” has the meaning given the term in
 15 section 246.2 of title 7, Code of Federal Regulations
 16 (as in effect on the date of the enactment of this
 17 Act).

18 (3) **PROGRAM.**—The term “program” means
 19 the special supplemental nutrition program for
 20 women, infants, and children established by section
 21 17 of the Child Nutrition Act of 1966 (42 U.S.C.
 22 1786).

23 (4) **QUALIFIED FOOD PACKAGE.**—The term
 24 “qualified food package” means each of the fol-
 25 lowing food packages (as defined in section

1 246.10(e) of title 7, Code of Federal Regulations (as
2 in effect on the date of the enactment of this Act):

3 (A) Food Package IV—Children 1 through
4 4 years.

5 (B) Food Package V—Pregnant and par-
6 tially (mostly) breastfeeding women.

7 (C) Food Package VI—Postpartum women.

8 (D) Food Package VII—Fully
9 breastfeeding.

10 (5) SECRETARY.—The term “Secretary” means
11 the Secretary of Agriculture.

12 (6) STATE AGENCY.—The term “State agency”
13 has the meaning given the term in section 17(b) of
14 the Child Nutrition Act of 1966 (42 U.S.C.
15 1786(b)).

16 (b) AUTHORITY TO INCREASE AMOUNT OF CASH-
17 VALUE VOUCHER.—During the public health emergency
18 declared by the Secretary of Health and Human Services
19 under section 319 of the Public Health Service Act (42
20 U.S.C. 247d) on January 31, 2020, with respect to the
21 Coronavirus Disease 2019 (COVID-19), and in response
22 to challenges relating to that public health emergency, the
23 Secretary may, in carrying out the program, increase the
24 amount of a cash-value voucher under a qualified food
25 package to an amount that is less than or equal to \$35.

1 (c) APPLICATION OF INCREASED AMOUNT OF CASH-
2 VALUE VOUCHER TO STATE AGENCIES.—

3 (1) NOTIFICATION.—An increase to the amount
4 of a cash-value voucher under subsection (b) shall
5 apply to any State agency that notifies the Secretary
6 of—

7 (A) the intent to use that increased
8 amount, without further application; and

9 (B) the applicable period selected by the
10 State agency during which that increased
11 amount shall apply.

12 (2) USE OF INCREASED AMOUNT.—A State
13 agency that makes a notification to the Secretary
14 under paragraph (1) shall use the increased amount
15 described in that paragraph—

16 (A) during the applicable period described
17 in that notification; and

18 (B) only during a single applicable period.

19 (d) SUNSET.—The authority of the Secretary under
20 subsection (b), and the authority of a State agency to in-
21 crease the amount of a cash-value voucher under sub-
22 section (c), shall terminate on September 30, 2021.

23 (e) FUNDING.—In addition to amounts otherwise
24 made available, there is appropriated to the Secretary, out
25 of funds in the Treasury not otherwise appropriated,

1 \$490,000,000 to carry out this section, to remain available
2 until September 30, 2022.

3 **SEC. 2302. WIC PROGRAM MODERNIZATION.**

4 In addition to amounts otherwise available, there are
5 appropriated to the Secretary of Agriculture, out of
6 amounts in the Treasury not otherwise appropriated,
7 \$390,000,000 for fiscal year 2021, to remain available
8 until September 30, 2024, to carry out outreach, innova-
9 tion, and program modernization efforts, including appro-
10 priate waivers and flexibility, to increase participation in
11 and redemption of benefits under programs established
12 under section 17 of the Child Nutrition Act of 1966 (7
13 U.S.C. 1431), except that such waivers may not relate to
14 the content of the WIC Food Packages (as defined in sec-
15 tion 246.10(e) of title 7, Code of Federal Regulations (as
16 in effect on the date of enactment of this Act)), or the
17 nondiscrimination requirements under section 246.8 of
18 title 7, Code of Federal Regulations (as in effect on the
19 date of enactment of this Act).

20 **SEC. 2303. MEALS AND SUPPLEMENTS REIMBURSEMENTS**

21 **FOR INDIVIDUALS WHO HAVE NOT ATTAINED**
22 **THE AGE OF 25.**

23 **(a) PROGRAM FOR AT-RISK SCHOOL CHILDREN.—**

24 Beginning on the date of enactment of this section, not-
25 withstanding paragraph (1)(A) of section 17(r) of the

1 Richard B. Russell National School Lunch Act (42 U.S.C.
 2 1766(r)), during the COVID-19 public health emergency
 3 declared under section 319 of the Public Health Service
 4 Act (42 U.S.C. 247d), the Secretary shall reimburse insti-
 5 tutions that are emergency shelters under such section
 6 17(r) (42 U.S.C. 1766(r)) for meals and supplements
 7 served to individuals who, at the time of such service—

- 8 (1) have not attained the age of 25; and
 9 (2) are receiving assistance, including non-resi-
 10 dential assistance, from such emergency shelter.

11 **(b) PARTICIPATION BY EMERGENCY SHELTERS.—**

12 Beginning on the date of enactment of this section, not-
 13 withstanding paragraph (5)(A) of section 17(t) of the
 14 Richard B. Russell National School Lunch Act (42 U.S.C.
 15 1766(t)), during the COVID-19 public health emergency
 16 declared under section 319 of the Public Health Service
 17 Act (42 U.S.C. 247d), the Secretary shall reimburse emer-
 18 gency shelters under such section 17(t) (42 U.S.C.
 19 1766(t)) for meals and supplements served to individuals
 20 who, at the time of such service have not attained the age
 21 of 25.

22 **(c) DEFINITIONS.—**In this section:

- 23 (1) **EMERGENCY SHELTER.—**The term “emer-
 24 gency shelter” has the meaning given the term

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1 under section 17(t)(1) of the Richard B. Russell Na-
2 tional School Lunch Act (42 U.S.C. 1766(t)(1)).

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of Agriculture.

5 **SEC. 2304. PANDEMIC EBT PROGRAM.**

6 Section 1101 of the Families First Coronavirus Re-
7 sponse Act (7 U.S.C. 2011 note; Public Law 116–127)
8 is amended—

9 (1) in subsection (a)—

10 (A) by striking “During fiscal years 2020
11 and 2021” and inserting “In any school year in
12 which there is a public health emergency des-
13 ignation”; and

14 (B) by inserting “or in a covered summer
15 period following a school session” after “in ses-
16 sion”;

17 (2) by amending subsection (e) to read as fol-
18 lows:

19 “(e) RELEASE OF INFORMATION.—Notwithstanding
20 any provision of the Richard B. Russell National School
21 Lunch Act (42 U.S.C. 1751 et seq.), the Secretary of Ag-
22 riculture may authorize State educational agencies and
23 school food authorities administering a school lunch pro-
24 gram under such Act to release to appropriate officials
25 administering the supplemental nutrition assistance pro-

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1 gram such information as may be necessary to carry out
 2 this section, including to carry out assistance during a cov-
 3 ered summer period pursuant to subsection (i).”;

4 (3) in subsection (f)(2), in the paragraph head-
 5 ing, by striking “FOR SCHOOL YEAR 2020–2021”;

6 (4) in subsection (g), by striking “During fiscal
 7 year 2020, the” and inserting “The”;

8 (5) in subsection (h)(1)—

9 (A) by inserting “either” after “at least 1
 10 child enrolled in such a covered child care facil-
 11 ity and”; and

12 (B) by inserting “or a Department of Agri-
 13 culture grant-funded nutrition assistance pro-
 14 gram in the Commonwealth of the Northern
 15 Mariana Islands, Puerto Rico, or American
 16 Samoa” before “shall be eligible to receive as-
 17 sistance”;

18 (6) by redesignating subsections (i) and (j) as
 19 subsections (j) and (k), respectively;

20 (7) by inserting after subsection (h) the fol-
 21 lowing:

22 “(i) EMERGENCIES DURING SUMMER.—The Sec-
 23 retary of Agriculture may permit a State agency to extend
 24 a State agency plan approved under subsection (b) for not
 25 more than 90 days for the purpose of operating the plan

1 during a covered summer period, during which time
2 schools participating in the school lunch program under
3 the Richard B. Russell National School Lunch Act (42
4 U.S.C. 1751 et seq.) or the school breakfast program
5 under section 4 of the Child Nutrition Act of 1966 (42
6 U.S.C. 1773) and covered child care facilities shall be
7 deemed closed for purposes of this section.”;

8 (8) in subsection (j) (as so redesignated)—

9 (A) by redesignating paragraphs (2)
10 through (6) as paragraphs (3) through (7), re-
11 spectively;

12 (B) by inserting after paragraph (1) the
13 following:

14 “(2) COVERED SUMMER PERIOD.—The term
15 ‘covered summer period’ means a summer period
16 that follows a school year during which there was a
17 public health emergency designation.”; and

18 (C) in paragraph (5) (as so redesignated),
19 by striking “or another coronavirus with pan-
20 demic potential”; and

21 (9) in subsection (k) (as so redesignated), by
22 inserting “Federal agencies,” before “State agen-
23 cies”.

1 Subtitle E—COBRA Continuation
2 Coverage

3 SEC. 2401. PRESERVING HEALTH BENEFITS FOR WORKERS.

4 (a) PREMIUM ASSISTANCE FOR COBRA CONTINU-
5 ATION COVERAGE FOR INDIVIDUALS AND THEIR FAMI-
6 LIES.—

7 (1) PROVISION OF PREMIUM ASSISTANCE.—

8 (A) REDUCTION OF PREMIUMS PAY-
9 ABLE.—In the case of any premium for a pe-
10 riod of coverage during the period beginning on
11 the first day of the first month beginning after
12 the date of the enactment of this Act, and end-
13 ing on September 30, 2021, for COBRA con-
14 tinuation coverage with respect to any assist-
15 ance eligible individual described in paragraph
16 (3), such individual shall be treated for pur-
17 poses of any COBRA continuation provision as
18 having paid the amount of such premium if
19 such individual pays (or any person other than
20 such individual’s employer pays on behalf of
21 such individual) 15 percent of the amount of
22 such premium.

23 (B) PLAN ENROLLMENT OPTION.—

24 (i) IN GENERAL.—Notwithstanding
25 the COBRA continuation provisions, any

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1 assistance eligible individual who is en-
2 rolled in a group health plan offered by a
3 plan sponsor may, not later than 90 days
4 after the date of notice of the plan enroll-
5 ment option described in this subpara-
6 graph, elect to enroll in coverage under a
7 plan offered by such plan sponsor that is
8 different than coverage under the plan in
9 which such individual was enrolled at the
10 time, in the case of any assistance eligible
11 individual described in paragraph (3), the
12 qualifying event specified in section 603(2)
13 of the Employee Retirement Income Secu-
14 rity Act of 1974, section 4980B(f)(3)(B)
15 of the Internal Revenue Code of 1986, or
16 section 2203(2) of the Public Health Serv-
17 ice Act, except for the voluntary termi-
18 nation of such individual's employment by
19 such individual, occurred, and such cov-
20 erage shall be treated as COBRA continu-
21 ation coverage for purposes of the applica-
22 ble COBRA continuation coverage provi-
23 sion.

24 (ii) REQUIREMENTS.—Any assistance
25 eligible individual may elect to enroll in

1 different coverage as described in clause (i)
2 only if—

3 (I) the employer involved has
4 made a determination that such em-
5 ployer will permit such assistance eli-
6 gible individual to enroll in different
7 coverage as provided under this sub-
8 paragraph;

9 (II) the premium for such dif-
10 ferent coverage does not exceed the
11 premium for coverage in which such
12 individual was enrolled at the time
13 such qualifying event occurred;

14 (III) the different coverage in
15 which the individual elects to enroll is
16 coverage that is also offered to simi-
17 larly situated active employees of the
18 employer at the time at which such
19 election is made; and

20 (IV) the different coverage in
21 which the individual elects to enroll is
22 not—

23 (aa) coverage that provides
24 only excepted benefits as defined
25 in section 9832(c) of the Internal

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1 Revenue Code of 1986, section
2 733(c) of the Employee Retirement
3 Income Security Act of
4 1974, and section 2791(c) of the
5 Public Health Service Act;

6 (bb) a qualified small employer
7 health reimbursement arrangement
8 (as defined in section
9 9831(d)(2) of the Internal Revenue
10 Code of 1986); or

11 (cc) a flexible spending arrangement
12 (as defined in section
13 106(c)(2) of the Internal Revenue
14 Code of 1986).

15 (2) LIMITATION OF PERIOD OF PREMIUM ASSISTANCE.—
16

17 (A) ELIGIBILITY FOR ADDITIONAL COVERAGE.—Paragraph (1)(A) shall not apply with
18 respect to any assistance eligible individual described in paragraph (3) for months of coverage
19 beginning on or after the earlier of—
20

21 (i) the first date that such individual
22 is eligible for coverage under any other
23 group health plan (other than coverage
24 consisting of only excepted benefits (as de-
25

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1 fined in section 9832(c) of the Internal
2 Revenue Code of 1986, section 733(c) of
3 the Employee Retirement Income Security
4 Act of 1974, and section 2791(c) of the
5 Public Health Service Act), coverage under
6 a flexible spending arrangement (as de-
7 fined in section 106(c)(2) of the Internal
8 Revenue Code of 1986), coverage under a
9 qualified small employer health reimburse-
10 ment arrangement (as defined in section
11 9831(d)(2) of the Internal Revenue Code
12 of 1986)), or eligible for benefits under the
13 Medicare program under title XVIII of the
14 Social Security Act; or
15 (ii) the earlier of—
16 (I) the date following the expira-
17 tion of the maximum period of con-
18 tinuation coverage required under the
19 applicable COBRA continuation cov-
20 erage provision; or
21 (II) the date following the expira-
22 tion of the period of continuation cov-
23 erage allowed under paragraph
24 (4)(B)(ii).

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1 (B) NOTIFICATION REQUIREMENT.—Any
2 assistance eligible individual shall notify the
3 group health plan with respect to which para-
4 graph (1)(A) applies if such paragraph ceases
5 to apply by reason of clause (i) of subparagraph
6 (A). Such notice shall be provided to the group
7 health plan in such time and manner as may be
8 specified by the Secretary of Labor.

9 (3) ASSISTANCE ELIGIBLE INDIVIDUAL.—For
10 purposes of this section, the term “assistance eligible
11 individual” means, with respect to a period of cov-
12 erage during the period beginning on the first day
13 of the first month beginning after the date of the en-
14 actment of this Act, and ending on September 30,
15 2021, any individual that is a qualified beneficiary
16 who—

17 (A) is eligible for COBRA continuation
18 coverage by reason of a qualifying event speci-
19 fied in section 603(2) of the Employee Retire-
20 ment Income Security Act of 1974, section
21 4980B(f)(3)(B) of the Internal Revenue Code
22 of 1986, or section 2203(2) of the Public
23 Health Service Act, except for the voluntary
24 termination of such individual’s employment by
25 such individual; and

1 (B) elects such coverage.

2 (4) EXTENSION OF ELECTION PERIOD AND EF-
3 FECT ON COVERAGE.—

4 (A) IN GENERAL.—For purposes of apply-
5 ing section 605(a) of the Employee Retirement
6 Income Security Act of 1974, section
7 4980B(f)(5)(A) of the Internal Revenue Code
8 of 1986, and section 2205(a) of the Public
9 Health Service Act, in the case of—

10 (i) an individual who does not have an
11 election of COBRA continuation coverage
12 in effect on the first day of the first month
13 beginning after the date of the enactment
14 of this Act but who would be an assistance
15 eligible individual described in paragraph
16 (3) if such election were so in effect; or

17 (ii) an individual who elected COBRA
18 continuation coverage and discontinued
19 from such coverage before the first day of
20 the first month beginning after the date of
21 the enactment of this Act,

22 such individual may elect the COBRA continu-
23 ation coverage under the COBRA continuation
24 coverage provisions containing such provisions
25 during the period beginning on the first day of

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1 the first month beginning after the date of the
 2 enactment of this Act and ending 60 days after
 3 the date on which the notification required
 4 under paragraph (6)(C) is provided to such in-
 5 dividual.

6 (B) COMMENCEMENT OF COBRA CONTINU-
 7 ATION COVERAGE.—Any COBRA continuation
 8 coverage elected by a qualified beneficiary dur-
 9 ing an extended election period under subpara-
 10 graph (A)—

11 (i) shall commence (including for pur-
 12 poses of applying the treatment of pre-
 13 mium payments under paragraph (1)(A)
 14 and any cost-sharing requirements for
 15 items and services under a group health
 16 plan) with the first period of coverage be-
 17 ginning on or after the first day of the
 18 first month beginning after the date of the
 19 enactment of this Act, and

20 (ii) shall not extend beyond the period
 21 of COBRA continuation coverage that
 22 would have been required under the appli-
 23 cable COBRA continuation coverage provi-
 24 sion if the coverage had been elected as re-
 25 quired under such provision.

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1 (5) EXPEDITED REVIEW OF DENIALS OF PRE-
2 MIUM ASSISTANCE.—In any case in which an indi-
3 vidual requests treatment as an assistance eligible
4 individual described in paragraph (3) and is denied
5 such treatment by the group health plan, the Sec-
6 retary of Labor (or the Secretary of Health and
7 Human Services in connection with COBRA con-
8 tinuation coverage which is provided other than pur-
9 suant to part 6 of subtitle B of title I of the Em-
10 ployee Retirement Income Security Act of 1974), in
11 consultation with the Secretary of the Treasury,
12 shall provide for expedited review of such denial. An
13 individual shall be entitled to such review upon ap-
14 plication to such Secretary in such form and manner
15 as shall be provided by such Secretary, in consulta-
16 tion with the Secretary of the Treasury. Such Sec-
17 retary shall make a determination regarding such in-
18 dividual’s eligibility within 15 business days after re-
19 ceipt of such individual’s application for review
20 under this paragraph. Such Secretary’s determina-
21 tion upon review of the denial shall be de novo and
22 shall be the final determination of such Secretary. A
23 reviewing court shall grant deference to such Sec-
24 retary’s determination. The provisions of this para-
25 graph, paragraphs (1) through (4), and paragraphs

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1 (6) through (7) shall be treated as provisions of title
 2 I of the Employee Retirement Income Security Act
 3 of 1974 for purposes of part 5 of subtitle B of such
 4 title.

5 (6) NOTICES TO INDIVIDUALS.—

6 (A) GENERAL NOTICE.—

7 (i) IN GENERAL.—In the case of no-
 8 tices provided under section 606(a)(4) of
 9 the Employee Retirement Income Security
 10 Act of 1974 (29 U.S.C. 1166(4)), section
 11 4980B(f)(6)(D) of the Internal Revenue
 12 Code of 1986, or section 2206(4) of the
 13 Public Health Service Act (42 U.S.C.
 14 300bb-6(4)), with respect to individuals
 15 who, during the period described in para-
 16 graph (3), become entitled to elect COBRA
 17 continuation coverage, the requirements of
 18 such provisions shall not be treated as met
 19 unless such notices include an additional
 20 written notification to the recipient in clear
 21 and understandable language of—

22 (I) the availability of premium
 23 assistance with respect to such cov-
 24 erage under this subsection; and

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1 (II) the option to enroll in dif-
 2 ferent coverage if the employer per-
 3 mits assistance eligible individuals de-
 4 scribed in paragraph (3) to elect en-
 5 rollment in different coverage (as de-
 6 scribed in paragraph (1)(B)).

7 (ii) ALTERNATIVE NOTICE.—In the
 8 case of COBRA continuation coverage to
 9 which the notice provision under such sec-
 10 tions does not apply, the Secretary of
 11 Labor, in consultation with the Secretary
 12 of the Treasury and the Secretary of
 13 Health and Human Services, shall, in con-
 14 sultation with administrators of the group
 15 health plans (or other entities) that provide
 16 or administer the COBRA continuation
 17 coverage involved, provide rules requiring
 18 the provision of such notice.

19 (iii) FORM.—The requirement of the
 20 additional notification under this subpara-
 21 graph may be met by amendment of exist-
 22 ing notice forms or by inclusion of a sepa-
 23 rate document with the notice otherwise
 24 required.

1 (B) SPECIFIC REQUIREMENTS.—Each ad-
2 ditional notification under subparagraph (A)
3 shall include—

4 (i) the forms necessary for estab-
5 lishing eligibility for premium assistance
6 under this subsection;

7 (ii) the name, address, and telephone
8 number necessary to contact the plan ad-
9 ministrator and any other person main-
10 taining relevant information in connection
11 with such premium assistance;

12 (iii) a description of the extended elec-
13 tion period provided for in paragraph
14 (4)(A);

15 (iv) a description of the obligation of
16 the qualified beneficiary under paragraph
17 (2)(B) and the penalty provided under sec-
18 tion 6720C of the Internal Revenue Code
19 of 1986 for failure to carry out the obliga-
20 tion;

21 (v) a description, displayed in a
22 prominent manner, of the qualified bene-
23 ficiary's right to a reduced premium and
24 any conditions on entitlement to the re-
25 duced premium; and

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1 (vi) a description of the option of the
 2 qualified beneficiary to enroll in different
 3 coverage if the employer permits such ben-
 4 eficiary to elect to enroll in such different
 5 coverage under paragraph (1)(B).

6 (C) NOTICE IN CONNECTION WITH EX-
 7 TENDED ELECTION PERIODS.—In the case of
 8 any assistance eligible individual described in
 9 paragraph (3) (or any individual described in
 10 paragraph (4)(A)) who became entitled to elect
 11 COBRA continuation coverage before the first
 12 day of the first month beginning after the date
 13 of the enactment of this Act, the administrator
 14 of the applicable group health plan (or other
 15 entity) shall provide (within 60 days after such
 16 first day of such first month) for the additional
 17 notification required to be provided under sub-
 18 paragraph (A) and failure to provide such no-
 19 tice shall be treated as a failure to meet the no-
 20 tice requirements under the applicable COBRA
 21 continuation provision.

22 (D) MODEL NOTICES.—Not later than 30
 23 days after the date of enactment of this Act,
 24 with respect to any assistance eligible individual
 25 described in paragraph (3), the Secretary of

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1 Labor, in consultation with the Secretary of the
2 Treasury and the Secretary of Health and
3 Human Services, shall prescribe models for the
4 additional notification required under this para-
5 graph.

6 (7) NOTICE OF EXPIRATION OF PERIOD OF
7 PREMIUM ASSISTANCE.—

8 (A) IN GENERAL.—With respect to any as-
9 sistance eligible individual, subject to subpara-
10 graph (B), the requirements of section
11 606(a)(4) of the Employee Retirement Income
12 Security Act of 1974 (29 U.S.C. 1166(4)), sec-
13 tion 4980B(f)(6)(D) of the Internal Revenue
14 Code of 1986, or section 2206(4) of the Public
15 Health Service Act (42 U.S.C. 300bb-6(4)),
16 shall not be treated as met unless the plan ad-
17 ministrator of the individual, during the period
18 specified under subparagraph (C), provides to
19 such individual a written notice in clear and un-
20 derstandable language—

21 (i) that the premium assistance for
22 such individual will expire soon and the
23 prominent identification of the date of
24 such expiration; and

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1 (ii) that such individual may be eligi-
2 ble for coverage without any premium as-
3 sistance through—

4 (I) COBRA continuation cov-
5 erage; or

6 (II) coverage under a group
7 health plan.

8 (B) EXCEPTION.—The requirement for the
9 group health plan administrator to provide the
10 written notice under subparagraph (A) shall be
11 waived if the premium assistance for such indi-
12 vidual expires pursuant to clause (i) of para-
13 graph (2)(A).

14 (C) PERIOD SPECIFIED.—For purposes of
15 subparagraph (A), the period specified in this
16 subparagraph is, with respect to the date of ex-
17 piration of premium assistance for any assist-
18 ance eligible individual pursuant to a limitation
19 requiring a notice under this paragraph, the pe-
20 riod beginning on the day that is 45 days before
21 the date of such expiration and ending on the
22 day that is 15 days before the date of such ex-
23 piration.

24 (D) MODEL NOTICES.—Not later than 45
25 days after the date of enactment of this Act,

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1 with respect to any assistance eligible indi-
2 vidual, the Secretary of Labor, in consultation
3 with the Secretary of the Treasury and the Sec-
4 retary of Health and Human Services, shall
5 prescribe models for the notification required
6 under this paragraph.

7 (8) REGULATIONS.—The Secretary of the
8 Treasury and the Secretary of Labor may jointly
9 prescribe such regulations or other guidance as may
10 be necessary or appropriate to carry out the provi-
11 sions of this subsection, including the prevention of
12 fraud and abuse under this subsection, except that
13 the Secretary of Labor and the Secretary of Health
14 and Human Services may prescribe such regulations
15 (including interim final regulations) or other guid-
16 ance as may be necessary or appropriate to carry
17 out the provisions of paragraphs (5), (6), (7), and
18 (9).

19 (9) OUTREACH.—

20 (A) IN GENERAL.—The Secretary of
21 Labor, in consultation with the Secretary of the
22 Treasury and the Secretary of Health and
23 Human Services, shall provide outreach con-
24 sisting of public education and enrollment as-
25 sistance relating to premium assistance pro-

1 vided under this subsection. Such outreach shall
2 target employers, group health plan administra-
3 tors, public assistance programs, States, insur-
4 ers, and other entities as determined appro-
5 priate by such Secretaries. Such outreach shall
6 include an initial focus on those individuals
7 electing continuation coverage who are referred
8 to in paragraph (6)(C). Information on such
9 premium assistance, including enrollment, shall
10 also be made available on websites of the De-
11 partments of Labor, Treasury, and Health and
12 Human Services.

13 (B) ENROLLMENT UNDER MEDICARE.—
14 The Secretary of Health and Human Services
15 shall provide outreach consisting of public edu-
16 cation. Such outreach shall target individuals
17 who lose health insurance coverage. Such out-
18 reach shall include information regarding en-
19 rollment for benefits under title XVIII of the
20 Social Security Act (42 U.S.C. 1395 et seq.) for
21 purposes of preventing mistaken delays of such
22 enrollment by such individuals, including life-
23 time penalties for failure of timely enrollment.

24 (10) DEFINITIONS.—For purposes of this sec-
25 tion:

1 (A) ADMINISTRATOR.—The term “admin-
2 istrator” has the meaning given such term in
3 section 3(16)(A) of the Employee Retirement
4 Income Security Act of 1974.

5 (B) COBRA CONTINUATION COVERAGE.—
6 The term “COBRA continuation coverage”
7 means continuation coverage provided pursuant
8 to part 6 of subtitle B of title I of the Em-
9 ployee Retirement Income Security Act of 1974
10 (other than under section 609), title XXII of
11 the Public Health Service Act, or section
12 4980B of the Internal Revenue Code of 1986
13 (other than subsection (f)(1) of such section in-
14 sofar as it relates to pediatric vaccines), or
15 under a State program that provides com-
16 parable continuation coverage. Such term does
17 not include coverage under a health flexible
18 spending arrangement under a cafeteria plan
19 within the meaning of section 125 of the Inter-
20 nal Revenue Code of 1986.

21 (C) COBRA CONTINUATION PROVISION.—
22 The term “COBRA continuation provision”
23 means the provisions of law described in sub-
24 paragraph (B).

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1 (D) COVERED EMPLOYEE.—The term
 2 “covered employee” has the meaning given such
 3 term in section 607(2) of the Employee Retirement
 4 Income Security Act of 1974.

5 (E) QUALIFIED BENEFICIARY.—The term
 6 “qualified beneficiary” has the meaning given
 7 such term in section 607(3) of the Employee
 8 Retirement Income Security Act of 1974.

9 (F) GROUP HEALTH PLAN.—The term
 10 “group health plan” has the meaning given
 11 such term in section 607(1) of the Employee
 12 Retirement Income Security Act of 1974.

13 (G) STATE.—The term “State” includes
 14 the District of Columbia, the Commonwealth of
 15 Puerto Rico, the Virgin Islands, Guam, Amer-
 16 ican Samoa, and the Commonwealth of the
 17 Northern Mariana Islands.

18 (H) PERIOD OF COVERAGE.—Any ref-
 19 erence in this subsection to a period of coverage
 20 shall be treated as a reference to a monthly or
 21 shorter period of coverage with respect to which
 22 premiums are charged with respect to such cov-
 23 erage.

24 (I) PLAN SPONSOR.—The term “plan
 25 sponsor” has the meaning given such term in

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1 section 3(16)(B) of the Employee Retirement
2 Income Security Act of 1974.

3 (J) PREMIUM.—The term “premium” in-
4 cludes, with respect to COBRA continuation
5 coverage, any administrative fee.

6 (11) IMPLEMENTATION FUNDING.—In addition
7 to amounts otherwise made available, out of any
8 funds in the Treasury not otherwise appropriated,
9 there are appropriated to the Secretary of Labor for
10 fiscal year 2021, \$10,000,000, to remain available
11 until expended, for the Employee Benefits Security
12 Administration to carry out the provisions of this
13 subtitle.

14 (b) COBRA PREMIUM ASSISTANCE.—

15 (1) ALLOWANCE OF CREDIT.—

16 (A) IN GENERAL.—Subchapter B of chap-
17 ter 65 of the Internal Revenue Code of 1986 is
18 amended by adding at the end the following
19 new section:

20 “SEC. 6432. CONTINUATION COVERAGE PREMIUM ASSIST-
21 ANCE.

22 “(a) IN GENERAL.—The person to whom premiums
23 are payable for continuation coverage under section
24 2401(a)(1) of the American Rescue Plan Act of 2021 shall
25 be allowed as a credit against the tax imposed by section

1 3111(b), or so much of the taxes imposed under section
 2 3221(a) as are attributable to the rate in effect under sec-
 3 tion 3111(b), for each calendar quarter an amount equal
 4 to the premiums not paid by assistance eligible individuals
 5 for such coverage by reason of such section 2401(a)(1)
 6 with respect to such calendar quarter.

7 “(b) PERSON TO WHOM PREMIUMS ARE PAYABLE.—
 8 For purposes of subsection (a), except as otherwise pro-
 9 vided by the Secretary, the person to whom premiums are
 10 payable under such continuation coverage shall be treated
 11 as being—

12 “(1) in the case of any group health plan which
 13 is a multiemployer plan (as defined in section 3(37)
 14 of the Employee Retirement Income Security Act of
 15 1974), the plan,

16 “(2) in the case of any group health plan not
 17 described in paragraph (1), and under which some
 18 or all of the coverage is not provided by insurance,
 19 the employer maintaining the plan, and

20 “(3) in the case of any group health plan not
 21 described in paragraph (1) or (2), the insurer pro-
 22 viding the coverage under the group health plan.

23 “(c) LIMITATIONS AND REFUNDABILITY.—

24 “(1) CREDIT LIMITED TO CERTAIN EMPLOY-
 25 MENT TAXES.—The credit allowed by subsection (a)

1 with respect to any calendar quarter shall not exceed
2 the tax imposed by section 3111(b), or so much of
3 the taxes imposed under section 3221(a) as are at-
4 tributable to the rate in effect under section
5 3111(b), for such calendar quarter (reduced by any
6 credits allowed against such taxes under sections
7 7001 and 7003 of the Families First Coronavirus
8 Response Act and section 2301 of the CARES Act)
9 on the wages paid with respect to the employment
10 of all employees of the employer.

11 “(2) REFUNDABILITY OF EXCESS CREDIT.—

12 “(A) CREDIT IS REFUNDABLE.—If the
13 amount of the credit under subsection (a) ex-
14 ceeds the limitation of paragraph (1) for any
15 calendar quarter, such excess shall be treated
16 as an overpayment that shall be refunded under
17 sections 6402(a) and 6413(b).

18 “(B) CREDIT MAY BE ADVANCED.—In an-
19 ticipation of the credit, including the refundable
20 portion under subparagraph (A), the credit may
21 be advanced, according to forms and instruc-
22 tions provided by the Secretary, up to an
23 amount calculated under subsection (a) through
24 the end of the most recent payroll period in the
25 quarter.

1 “(C) TREATMENT OF DEPOSITS.—The
2 Secretary shall waive any penalty under section
3 6656 for any failure to make a deposit of the
4 tax imposed by section 3111(b), or so much of
5 the taxes imposed under section 3221(a) as are
6 attributable to the rate in effect under section
7 3111(b), if the Secretary determines that such
8 failure was due to the anticipation of the credit
9 allowed under this section.

10 “(D) TREATMENT OF PAYMENTS.—For
11 purposes of section 1324 of title 31, United
12 States Code, any amounts due to an employer
13 under this paragraph shall be treated in the
14 same manner as a refund due from a credit
15 provision referred to in subsection (b)(2) of
16 such section.

17 “(3) OVERSTATEMENTS.—Any overstatement of
18 the credit to which a person is entitled under this
19 section (and any amount paid by the Secretary as a
20 result of such overstatement) shall be treated as an
21 underpayment by such person of the taxes described
22 in paragraph (1) and may be assessed and collected
23 by the Secretary in the same manner as such taxes.

24 “(d) GOVERNMENTAL ENTITIES.—For purposes of
25 this section, the term ‘person’ includes the government of

1 any State or political subdivision thereof, any Indian tribal
2 government (as defined in section 139E(c)(1)), any agency
3 or instrumentality of any of the foregoing, and any agency
4 or instrumentality of the Government of the United States
5 that is described in section 501(c)(1) and exempt from
6 taxation under section 501(a).

7 “(e) DENIAL OF DOUBLE BENEFIT.—For purposes
8 of chapter 1, the gross income of any person allowed a
9 credit under this section shall be increased for the taxable
10 year which includes the last day of any calendar quarter
11 with respect to which such credit is allowed by the amount
12 of such credit. No amount for which a credit is allowed
13 under this section shall be taken into account as qualified
14 wages under section 2301 of the CARES Act or as quali-
15 fied health plan expenses under section 7001(d) or
16 7003(d) of the Families First Coronavirus Response Act.

17 “(f) REGULATIONS.—The Secretary shall issue such
18 regulations, or other guidance, forms, instructions, and
19 publications, as may be necessary or appropriate to carry
20 out this section, including—

21 “(1) the requirement to report information or
22 the establishment of other methods for verifying the
23 correct amounts of reimbursements under this sec-
24 tion,

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1 “(2) the application of this section to group
2 health plans that are multiemployer plans (as de-
3 fined in section 3(37) of the Employee Retirement
4 Income Security Act of 1974),

5 “(3) to allow the advance payment of the credit
6 determined under subsection (a), subject to the limi-
7 tations provided in this section, based on such infor-
8 mation as the Secretary shall require,

9 “(4) to provide for the reconciliation of such
10 advance payment with the amount of the credit at
11 the time of filing the return of tax for the applicable
12 quarter or taxable year, and

13 “(5) allowing the credit to third party payors
14 (including professional employer organizations, cer-
15 tified professional employer organizations, or agents
16 under section 3504).”.

17 (B) CLERICAL AMENDMENT.—The table of
18 sections for subchapter B of chapter 65 of the
19 Internal Revenue Code of 1986 is amended by
20 adding at the end the following new item:

“Sec. 6432. Continuation coverage premium assistance.”.

21 (C) EFFECTIVE DATE.—The amendments
22 made by this paragraph shall apply to pre-
23 miums to which subsection (a)(1)(A) applies
24 and wages paid on or after April 1, 2021.

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1 (D) SPECIAL RULE IN CASE OF EMPLOYEE
 2 PAYMENT THAT IS NOT REQUIRED UNDER THIS
 3 SECTION.—

4 (i) IN GENERAL.—In the case of an
 5 assistance eligible individual who pays,
 6 with respect any period of coverage to
 7 which subsection (a)(1)(A) applies, the
 8 amount of the premium for such coverage
 9 that the individual would have (but for this
 10 Act) been required to pay, the person to
 11 whom such payment is payable shall reim-
 12 burse such individual for the amount of
 13 such premium paid in excess of the
 14 amount required to be paid under sub-
 15 section (a)(1)(A).

16 (ii) CREDIT OF REIMBURSEMENT.—A
 17 person to which clause (i) applies shall be
 18 allowed a credit in the manner provided
 19 under section 6432 of the Internal Rev-
 20 enue Code of 1986 for any payment made
 21 to the employee under such clause.

22 (iii) PAYMENT OF CREDITS.—Any
 23 person to which clause (i) applies shall
 24 make the payment required under such
 25 clause to the individual not later than 60

1 days after the date on which such indi-
2 vidual elects continuation coverage under
3 subsection (a)(1).

4 (2) PENALTY FOR FAILURE TO NOTIFY HEALTH
5 PLAN OF CESSATION OF ELIGIBILITY FOR PREMIUM
6 ASSISTANCE.—

7 (A) IN GENERAL.—Part I of subchapter B
8 of chapter 68 of the Internal Revenue Code of
9 1986 is amended by adding at the end the fol-
10 lowing new section:

11 “SEC. 6720C. PENALTY FOR FAILURE TO NOTIFY HEALTH
12 PLAN OF CESSATION OF ELIGIBILITY FOR
13 CONTINUATION COVERAGE PREMIUM ASSIST-
14 ANCE.

15 “(a) IN GENERAL.—Except in the case of a failure
16 described in subsection (b) or (c), any person required to
17 notify a group health plan under section 2401(a)(2)(B)
18 of the American Rescue Plan Act of 2021 who fails to
19 make such a notification at such time and in such manner
20 as the Secretary of Labor may require shall pay a penalty
21 of \$250 for each such failure.

22 “(b) INTENTIONAL FAILURE.—In the case of any
23 such failure that is fraudulent, such person shall pay a
24 penalty equal to the greater of—

25 “(1) \$250, or

1 of this section or section 7527 with respect to such
2 month.”.

3 (B) EFFECTIVE DATE.—The amendment
4 made by subparagraph (A) shall apply to tax-
5 able years ending after the date of the enact-
6 ment of this Act.

7 (4) EXCLUSION OF CONTINUATION COVERAGE
8 PREMIUM ASSISTANCE FROM GROSS INCOME.—

9 (A) IN GENERAL.—Part III of subchapter
10 B of chapter 1 of the Internal Revenue Code of
11 1986 is amended by inserting after section
12 139H the following new section:

13 “SEC. 139I. CONTINUATION COVERAGE PREMIUM ASSIST-
14 ANCE.

15 “In the case of an assistance eligible individual (as
16 defined in subsection (a)(3) of section 2401 of the Amer-
17 ican Rescue Plan Act of 2021), gross income does not in-
18 clude any premium assistance provided under subsection
19 (a)(1) of such section.”.

20 (B) CLERICAL AMENDMENT.—The table of
21 sections for part III of subchapter B of chapter
22 1 of such Code is amended by inserting after
23 the item relating to section 139H the following
24 new item:

“Sec. 139I. Continuation coverage premium assistance.”.

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1 (C) EFFECTIVE DATE.—The amendments
 2 made by this paragraph shall apply to taxable
 3 years ending after the date of the enactment of
 4 this Act.

5 **TITLE III—COMMITTEE ON**
 6 **ENERGY AND COMMERCE**
 7 **Subtitle A—Public Health**
 8 **CHAPTER 1—VACCINES AND**
 9 **THERAPEUTICS**

10 **SEC. 3001. FUNDING FOR COVID-19 VACCINE ACTIVITIES AT**
 11 **THE CENTERS FOR DISEASE CONTROL AND**
 12 **PREVENTION.**

13 (a) IN GENERAL.—In addition to amounts otherwise
 14 available, there is appropriated to the Secretary of Health
 15 and Human Services (in this subtitle referred to as the
 16 “Secretary”) for fiscal year 2021, out of any money in
 17 the Treasury not otherwise appropriated, \$7,500,000,000,
 18 to remain available until expended, to carry out activities
 19 to plan, prepare for, promote, distribute, administer, mon-
 20 itor, and track COVID-19 vaccines.

21 (b) USE OF FUNDS.—The Secretary, acting through
 22 the Director of the Centers for Disease Control and Pre-
 23 vention, and in consultation with other agencies, as appli-
 24 cable, shall, in conducting activities referred to in sub-
 25 section (a)—

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- 1 (1) conduct activities to enhance, expand, and
2 improve nationwide COVID-19 vaccine distribution
3 and administration, including activities related to
4 distribution of ancillary medical products and sup-
5 plies related to vaccines; and
- 6 (2) provide technical assistance, guidance, and
7 support to, and award grants or cooperative agree-
8 ments to, State, local, Tribal, and territorial public
9 health departments for enhancement of COVID-19
10 vaccine distribution and administration capabilities,
11 including—
- 12 (A) the distribution and administration of
13 vaccines licensed under section 351 of the Pub-
14 lic Health Service Act (42 U.S.C. 262) or au-
15 thorized under section 564 of the Federal Food,
16 Drug, and Cosmetic Act (21 U.S.C. 360bbb-3)
17 and ancillary medical products and supplies re-
18 lated to vaccines;
- 19 (B) the establishment and expansion, in-
20 cluding staffing support, of community vaccina-
21 tion centers, particularly in underserved areas;
- 22 (C) the deployment of mobile vaccination
23 units, particularly in underserved areas;
- 24 (D) information technology, data, and re-
25 porting enhancements, including improvements

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1 necessary to support sharing of data related to
 2 vaccine distribution and vaccinations and sys-
 3 tems that enhance vaccine safety, effectiveness,
 4 and uptake, particularly among underserved
 5 populations;

6 (E) facilities enhancements; and

7 (F) communication with the public regard-
 8 ing when, where, and how to receive COVID-
 9 19 vaccines.

10 **SEC. 3002. FUNDING FOR VACCINE CONFIDENCE ACTIVI-**
 11 **TIES.**

12 In addition to amounts otherwise available, there is
 13 appropriated to the Secretary for fiscal year 2021, out of
 14 any money in the Treasury not otherwise appropriated,
 15 \$1,000,000,000, to remain available until expended, to
 16 carry out activities, acting through the Director of the
 17 Centers for Disease Control and Prevention—

18 (1) to strengthen vaccine confidence in the
 19 United States, including its territories and posses-
 20 sions;

21 (2) to provide further information and edu-
 22 cation with respect to vaccines licensed under section
 23 351 of the Public Health Service Act (42 U.S.C.
 24 262) or authorized under section 564 of the Federal

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1 Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-
2 3); and
3 (3) to improve rates of vaccination throughout
4 the United States, including its territories and pos-
5 sessions, including through activities described in
6 section 313 of the Public Health Service Act, as
7 amended by section 311 of division BB of the Con-
8 solidated Appropriations Act, 2021 (Public Law
9 116-260).

10 SEC. 3003. FUNDING FOR SUPPLY CHAIN FOR COVID-19**11 VACCINES, THERAPEUTICS, AND MEDICAL
12 SUPPLIES.**

13 In addition to amounts otherwise available, there is
14 appropriated to the Secretary for fiscal year 2021, out of
15 any money in the Treasury not otherwise appropriated,
16 \$5,200,000,000, to remain available until expended, for
17 necessary expenses with respect to research, development,
18 manufacturing, production, and the purchase of vaccines,
19 therapeutics, and ancillary medical products and supplies
20 to prevent, prepare, or respond to—

- 21 (1) SARS-CoV-2 or any viral variant mutating
22 therefrom with pandemic potential; and
23 (2) COVID-19 or any disease with potential for
24 creating a pandemic.

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**1 SEC. 3004. FUNDING FOR COVID-19 VACCINE, THERA-
2 PEUTIC, AND DEVICE ACTIVITIES AT THE
3 FOOD AND DRUG ADMINISTRATION.**

4 In addition to amounts otherwise available, there is
5 appropriated to the Secretary for fiscal year 2021, out of
6 any money in the Treasury not otherwise appropriated,
7 \$500,000,000, to remain available until expended, to be
8 used for the evaluation of the continued performance, safe-
9 ty, and effectiveness, including with respect to emerging
10 COVID-19 variants, of vaccines, therapeutics, and
11 diagnostics approved, cleared, licensed, or authorized for
12 use for the treatment, prevention, or diagnosis of COVID-
13 19; facilitation of advanced continuous manufacturing ac-
14 tivities related to production of vaccines and related mate-
15 rials; facilitation and conduct of inspections related to the
16 manufacturing of vaccines, therapeutics, and devices de-
17 layed or cancelled for reasons related to COVID-19; re-
18 view of devices authorized for use for the treatment, pre-
19 vention, or diagnosis of COVID-19; and oversight of the
20 supply chain and mitigation of shortages of vaccines,
21 therapeutics, and devices approved, cleared, licensed, or
22 authorized for use for the treatment, prevention, or diag-
23 nosis of COVID-19 by the Food and Drug Administra-
24 tion.

1 **CHAPTER 2—TESTING**

2 **SEC. 3011. FUNDING FOR COVID-19 TESTING, CONTACT**
 3 **TRACING, AND MITIGATION ACTIVITIES.**

4 (a) **IN GENERAL.**—In addition to amounts otherwise
 5 available, there is appropriated to the Secretary for fiscal
 6 year 2021, out of any money in the Treasury not otherwise
 7 appropriated, \$46,000,000,000, to remain available until
 8 expended, to carry out activities to detect, diagnose, trace,
 9 and monitor SARS-CoV-2 and COVID-19 infections and
 10 related strategies to mitigate the spread of COVID-19.

11 (b) **USE OF FUNDS.**—From amounts appropriated by
 12 subsection (a), the Secretary shall—

13 (1) implement a national, evidence-based strat-
 14 egy for testing, contact tracing, surveillance, and
 15 mitigation with respect to SARS-CoV-2 and
 16 COVID-19;

17 (2) provide technical assistance, guidance, and
 18 support, and award grants or cooperative agree-
 19 ments to State, local, and territorial public health
 20 departments for activities to detect, diagnose, trace,
 21 and monitor SARS-CoV-2 and COVID-19 infec-
 22 tions and related strategies and activities to mitigate
 23 the spread of COVID-19;

24 (3) support the development, manufacturing,
 25 procurement, distribution, and administration of

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1 tests to detect or diagnose SARS-CoV-2 and
 2 COVID-19, including supplies necessary for admin-
 3 istering tests, such as personal protective equipment;

4 (4) establish and expand Federal, State, local,
 5 and territorial testing and contact tracing capabili-
 6 ties, including investments in laboratory capacity,
 7 community-based testing sites, and mobile testing
 8 units, particularly in medically underserved areas;

9 (5) enhance information technology, data mod-
 10 ernization, and reporting, including improvements
 11 necessary to support sharing of data related to pub-
 12 lic health capabilities;

13 (6) award grants to, or enter into cooperative
 14 agreements or contracts with, State, local, and terri-
 15 torial public health departments to establish, ex-
 16 pand, and sustain a public health workforce; and

17 (7) to cover administrative and program sup-
 18 port costs necessary to conduct activities related to
 19 subparagraph (a).

20 SEC. 3012. FUNDING FOR SARS-COV-2 GENOMIC SEQUENC-
21 ING AND SURVEILLANCE.

22 (a) *IN GENERAL.*—In addition to amounts otherwise
 23 available, there is appropriated to the Secretary for fiscal
 24 year 2021 out of any money in the Treasury not otherwise
 25 appropriated, \$1,750,000,000, to remain available until

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1 expended, to strengthen and expand activities and work-
2 force related to genomic sequencing, analytics, and disease
3 surveillance.

4 (b) USE OF FUNDS.—From amounts appropriated by
5 subsection (a), the Secretary, acting through the Director
6 of the Centers for Disease Control and Prevention, shall—

7 (1) conduct, expand, and improve activities to
8 sequence genomes, identify mutations, and survey
9 the circulation and transmission of viruses and other
10 organisms, including strains of SARS-CoV-2;

11 (2) award grants or cooperative agreements to
12 State, local, Tribal, or territorial public health de-
13 partments or public health laboratories—

14 (A) to increase their capacity to sequence
15 genomes of circulating strains of viruses and
16 other organisms, including SARS-CoV-2;

17 (B) to identify mutations in viruses and
18 other organisms, including SARS-CoV-2;

19 (C) to use genomic sequencing to identify
20 outbreaks and clusters of diseases or infections,
21 including COVID-19; and

22 (D) to develop effective disease response
23 strategies based on genomic sequencing and
24 surveillance data;

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1 (3) enhance and expand the informatics capa-
2 bilities of the public health workforce; and
3 (4) award grants for the construction, alter-
4 ation, or renovation of facilities to improve genomic
5 sequencing and surveillance capabilities at the State
6 and local level.

7 **SEC. 3013. FUNDING FOR GLOBAL HEALTH.**

8 In addition to amounts otherwise available, there is
9 appropriated to the Secretary for fiscal year 2021, out of
10 any amounts in the Treasury not otherwise appropriated,
11 \$750,000,000, to remain available until expended, for ac-
12 tivities to be conducted acting through the Director of the
13 Centers for Disease Control and Prevention to combat
14 SARS-CoV- 2, COVID-19, and other emerging infectious
15 disease threats globally, including efforts related to global
16 health security, global disease detection and response,
17 global health protection, global immunization, and global
18 coordination on public health.

19 **SEC. 3014. FUNDING FOR DATA MODERNIZATION AND**
20 **FORECASTING CENTER.**

21 In addition to amounts otherwise available, there is
22 appropriated to the Secretary for fiscal year 2021, out of
23 any money in the Treasury not otherwise appropriated,
24 \$500,000,000, to remain available until expended, for ac-
25 tivities to be conducted acting through the Director of the

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1 Centers for Disease Control and Prevention to support
 2 public health data surveillance and analytics infrastruc-
 3 ture modernization initiatives at the Centers for Disease
 4 Control and Prevention, and establish, expand, and main-
 5 tain efforts to modernize the United States disease warn-
 6 ing system to forecast and track hotspots for COVID-19,
 7 its variants, and emerging biological threats, including
 8 academic and workforce support for analytics and
 9 informatics infrastructure and data collection systems.

10 **CHAPTER 3—PUBLIC HEALTH**

11 **WORKFORCE**

12 **SEC. 3021. FUNDING FOR PUBLIC HEALTH WORKFORCE.**

13 (a) **IN GENERAL.**—In addition to amounts otherwise
 14 available, there is appropriated to the Secretary for fiscal
 15 year 2021, out of any money in the Treasury not otherwise
 16 appropriated, \$7,660,000,000, to remain available until
 17 expended, to carry out activities related to establishing,
 18 expanding, and sustaining a public health workforce, in-
 19 cluding by making awards to State, local, and territorial
 20 public health departments.

21 (b) **USE OF FUNDS FOR PUBLIC HEALTH DEPART-**
 22 **MENTS.**—Amounts made available to an awardee pursuant
 23 to subsection (a) shall be used for the following:

1 (1) Costs, including wages and benefits, related
2 to the recruiting, hiring, and training of individ-
3 uals—

4 (A) to serve as case investigators, contact
5 tracers, social support specialists, community
6 health workers, public health nurses, disease
7 intervention specialists, epidemiologists, pro-
8 gram managers, laboratory personnel,
9 informaticians, communication and policy ex-
10 perts, and any other positions as may be re-
11 quired to prevent, prepare for, and respond to
12 COVID-19; and

13 (B) who are employed by—

14 (i) the State, territorial, or local pub-
15 lic health department involved; or

16 (ii) a nonprofit private or public orga-
17 nization with demonstrated expertise in im-
18 plementing public health programs and es-
19 tablished relationships with such State,
20 territorial, or local public health depart-
21 ments, particularly in medically under-
22 served areas.

23 (2) Personal protective equipment, data man-
24 agement and other technology, or other necessary
25 supplies.

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1 (3) Administrative costs and activities necessary
 2 for awardees to implement activities funded under
 3 this section.

4 (4) Reporting to the Secretary on implementa-
 5 tion of the activities funded under this section.

6 (5) Subawards from recipients of awards under
 7 subsection (a) to local health departments for the
 8 purposes of the activities funded under this section.

9 **SEC. 3022. FUNDING FOR MEDICAL RESERVE CORPS.**

10 In addition to amounts otherwise available, there is
 11 appropriated to the Secretary for fiscal year 2021, out of
 12 any money in the Treasury not otherwise appropriated,
 13 \$100,000,000, to remain available until expended, for car-
 14 rying out section 2813 of the Public Health Service Act
 15 (42 U.S.C. 300hh-15).

16 **CHAPTER 4—PUBLIC HEALTH**
 17 **INVESTMENTS**

18 **SEC. 3031. FUNDING FOR COMMUNITY HEALTH CENTERS**
 19 **AND COMMUNITY CARE.**

20 (a) **IN GENERAL.**—In addition to amounts otherwise
 21 available, there is appropriated to the Secretary for fiscal
 22 year 2021, out of any money in the Treasury not otherwise
 23 appropriated, \$7,600,000,000, to remain available until
 24 expended, for necessary expenses for awarding grants and
 25 cooperative agreements under section 330 of the Public

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1 Health Service Act (42 U.S.C. 254b) to be awarded with-
 2 out regard to subsections (e)(3), (e)(6)(A)(iii),
 3 (e)(6)(B)(iii), and (r)(2)(B) of such section 330, and for
 4 necessary expenses for awarding grants to Federally quali-
 5 fied health centers (as defined in section 1861(aa)(4)(B)
 6 of the Social Security Act (42 U.S.C. 1395x(aa))), and
 7 for awarding grants or contracts to qualified entities
 8 under the Native Hawaiian Health Care Improvement Act
 9 (42 U.S.C. 11701 et seq.). Of the total amount appro-
 10 priated by the preceding sentence, not less than
 11 \$20,000,000 shall be for grants or contracts to qualified
 12 entities under the Native Hawaiian Health Care Improve-
 13 ment Act (42 U.S.C. 11701 et seq.).

14 (b) USE OF FUNDS.—Amounts made available to an
 15 awardee pursuant to subsection (a) shall be used—

16 (1) to plan, prepare for, promote, distribute,
 17 administer, and track COVID-19 vaccines, and to
 18 carry out other vaccine-related activities;

19 (2) to detect, diagnose, trace, and monitor
 20 COVID-19 infections and related activities nec-
 21 essary to mitigate the spread of COVID-19, includ-
 22 ing activities related to, and equipment or supplies
 23 purchased for, testing, contact tracing, surveillance,
 24 mitigation, and treatment of COVID-19;

1 (3) to purchase equipment and supplies to con-
2 duct mobile testing or vaccinations for COVID-19,
3 to purchase and maintain mobile vehicles and equip-
4 ment to conduct such testing or vaccinations, and to
5 hire and train laboratory personnel and other staff
6 to conduct such mobile testing or vaccinations, par-
7 ticularly in medically underserved areas;

8 (4) to establish, expand, and sustain the health
9 care workforce to prevent, prepare for, and respond
10 to COVID-19, and to carry out other health work-
11 force-related activities;

12 (5) to modify, enhance, and expand health care
13 services and infrastructure; and

14 (6) to conduct community outreach and edu-
15 cation activities related to COVID-19.

16 (c) PAST EXPENDITURES.—An awardee may use
17 amounts awarded pursuant to subsection (a) to cover the
18 costs of the awardee carrying out any of the activities de-
19 scribed in subsection (b) during the period beginning on
20 the date of the declaration of a public health emergency
21 by the Secretary under section 319 of the Public Health
22 Service Act (42 U.S.C. 247d) on January 31, 2020, with
23 respect to COVID-19 and ending on the date of such
24 award.

1 SEC. 3032. FUNDING FOR NATIONAL HEALTH SERVICE**2 CORPS.**

3 (a) IN GENERAL.—In addition to amounts otherwise
4 available, there is appropriated to the Secretary for fiscal
5 year 2021, out of any money in the Treasury not otherwise
6 appropriated, \$800,000,000, to remain available until ex-
7 pended, for carrying out title III of the Public Health
8 Service Act (42 U.S.C. 241 et seq.) with respect to the
9 health workforce.

10 (b) STATE LOAN REPAYMENT PROGRAMS.—

11 (1) IN GENERAL.—Of the amount made avail-
12 able pursuant to subsection (a), \$100,000,000 shall
13 be made available for providing public health serv-
14 ices through supplemental grants to States under
15 section 338I(a) of the Public Health Service Act (42
16 U.S.C. 254q-1(a)).

17 (2) CONDITIONS.—With respect to grants de-
18 scribed in paragraph (1) using funds made available
19 under such paragraph:

20 (A) Section 338I(b) of the Public Health
21 Service Act (42 U.S.C. 254q-1(b)) shall not
22 apply.

23 (B) Notwithstanding section 338I(d)(2) of
24 the Public Health Service Act (42 U.S.C. 254q-
25 1(d)(2)), not more than 10 percent of an award
26 to a State from such amounts, may be used by

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1 the State for costs of administering the State
2 loan repayment program.

3 SEC. 3033. FUNDING FOR NURSE CORPS.

4 In addition to amounts otherwise available, there is
5 appropriated to the Secretary for fiscal year 2021, out of
6 any money in the Treasury not otherwise appropriated,
7 \$200,000,000, to remain available until expended, for car-
8 rying out section 846 of the Public Health Service Act
9 (42 U.S.C. 297n).

10 SEC. 3034. FUNDING FOR TEACHING HEALTH CENTERS

**11 THAT OPERATE GRADUATE MEDICAL EDU-
12 CATION.**

13 (a) IN GENERAL.—In addition to amounts otherwise
14 available, and notwithstanding the capped amount ref-
15 erenced in sections 340H(b)(2) and 340H(d)(2) of the
16 Public Health Service Act (42 U.S.C. 256h(b)(2) and
17 (d)(2)), there is appropriated to the Secretary for fiscal
18 year 2021, out of any money in the Treasury not otherwise
19 appropriated, \$330,000,000, to remain available until
20 September 30, 2023, for the program of payments to
21 teaching health centers that operate graduate medical
22 education under section 340H of the Public Health Serv-
23 ice Act (42 U.S.C. 256h) and for teaching health center
24 development grants authorized under section 749A of the
25 Public Health Service Act (42 U.S.C. 293I-1).

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1 (b) USE OF FUNDS.—Amounts made available pursu-
2 ant to subsection (a) shall be used for the following activi-
3 ties:

4 (1) For making payments to new approved
5 graduate medical residency training programs, pro-
6 vided that the number of full-time equivalent resi-
7 dents for which a qualified teaching health center re-
8 ceives payments pursuant to section 340H(a)(1)(C)
9 of the Public Health Service Act (42 U.S.C.
10 256h(a)(1)(C)) for a fiscal year shall not exceed by
11 more than 6 the number of full-time equivalent resi-
12 dents for which the center received such payments
13 for the preceding fiscal year.

14 (2) To provide an increase to the per resident
15 amount described in section 340H(a)(2) of the Pub-
16 lic Health Service Act (42 U.S.C. 256h(a)(2)) of
17 \$10,000.

18 (3) For making payments under section 340H
19 of the Public Health Service Act (42 U.S.C. 256h)
20 to qualified teaching health centers for approved
21 graduate medical residency training programs, for
22 the number of full-time equivalent residents at a
23 program at a number that is no lower than the high-
24 est number of full-time equivalent residents in that

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1 program for the period of fiscal years 2016 through
2 2018.

3 (4) For making payments under section
4 340H(a)(1)(B) of the Public Health Service Act (42
5 U.S.C. 256h(a)(1)(B)) for the expansion of existing
6 approved graduate medical residency programs.

7 (5) For making awards under section 749A of
8 the Public Health Service Act (42 U.S.C. 2931-1) to
9 teaching health centers for the purpose of estab-
10 lishing new accredited or expanded primary care
11 residency programs.

12 (6) To cover administrative costs and activities
13 necessary for qualified teaching health centers re-
14 ceiving payments under section 340H of the Public
15 Health Service Act (42 U.S.C. 256h) to carry out
16 activities under such section.

17 **SEC. 3035. FUNDING FOR COVID-19 TESTING, CONTACT**
18 **TRACING, AND MITIGATION ACTIVITIES IN**
19 **CONGREGATE SETTINGS.**

20 (a) **IN GENERAL.**—In addition to amounts otherwise
21 available, there is appropriated to the Secretary for fiscal
22 year 2021, out of any money in the Treasury not otherwise
23 appropriated, \$1,800,000,000, to remain available until
24 expended, to carry out activities to detect, diagnose, trace,
25 monitor, and report on SARS-CoV-2 and COVID-19 in-

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1 fections, and related strategies to mitigate the spread of
2 SARS-CoV-2, in congregate settings.

3 (b) USE OF FUNDS.—From amounts appropriated by
4 subsection (a), the Secretary shall—

5 (1) support activities related to testing through
6 the use of in vitro diagnostic products (as defined in
7 section 809.3(a) of title 21, Code of Federal Regula-
8 tions) for the detection or diagnosis of SARS-CoV-
9 2 and the virus that causes COVID-19, including to
10 purchase, procure, or administer tests and supplies
11 necessary for administering and processing such
12 tests to staff of, or individuals residing in, con-
13 gregate settings, and pay (through any mechanism
14 deemed appropriate by the Secretary) part or all of
15 the costs to such entities of administering or proc-
16 essing such tests;

17 (2) support vaccine-related activities for author-
18 ized or licensed COVID-19 vaccines, to provide for
19 the vaccination of staff of, or individuals residing in,
20 congregate settings, and pay (through any mecha-
21 nism deemed appropriate by the Secretary) part or
22 all of the costs to such entities of administering such
23 vaccines;

24 (3) purchase, procure, or distribute personal
25 protective equipment or other products or supplies

1 for use in mitigation of COVID-19 transmission
 2 among staff of, or individuals residing in, congregate
 3 settings; and

4 (4) provide technical assistance, guidance, and
 5 support and award grants, contracts, or cooperative
 6 agreements to State, local, territorial, and Tribal
 7 public health departments, or Federal, State, local,
 8 territorial, or Tribal public and private entities that
 9 manage congregate settings, for activities to detect,
 10 diagnose, trace, monitor, and report on SARS-CoV-
 11 2 and COVID-19 infections, and related strategies
 12 and activities to mitigate the spread of SARS-CoV-
 13 2, in congregate settings.

14 (c) DEFINITION.—For purposes of this section, the
 15 term “congregate settings” includes Federal, State, local,
 16 territorial, and Tribal prisons, jails, detention centers (in-
 17 cluding juvenile detention centers), other correctional, de-
 18 tention, and reentry facilities, long-term care facilities,
 19 psychiatric hospitals, psychiatric residential treatment fa-
 20 cilities, shared living arrangements for individuals with
 21 disabilities, intermediate care facilities, and other residen-
 22 tial care facilities.

23 SEC. 3036. FUNDING FOR FAMILY PLANNING.

24 In addition to amounts otherwise available, there is
 25 appropriated to the Secretary for fiscal year 2021, out of

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1 any money in the Treasury not otherwise appropriated,
 2 \$50,000,000, to remain available until expended, for nec-
 3 essary expenses for making grants and contracts under
 4 section 1001 of the Public Health Service Act (42 U.S.C.
 5 300).

6 **SEC. 3037. FUNDING FOR CHILDREN UNDER THE CARE OF**
 7 **THE DEPARTMENT OF HEALTH AND HUMAN**
 8 **SERVICES.**

9 (a) **IN GENERAL.**—In addition to amounts otherwise
 10 available, there is appropriated to the Secretary for fiscal
 11 year 2021, out of any money in the Treasury not otherwise
 12 appropriated, \$425,000,000, to remain available until ex-
 13 pended, for expenses incurred in preparing for and pro-
 14 viding child care, education services, health care services,
 15 case management services, or other necessary services for
 16 children in the care of personnel employed by or under
 17 a grant, cooperative agreement, or contract with the De-
 18 partment of Health and Human Services (or agency, sub-
 19 division, or office thereof).

20 (b) **USE OF FUNDS.**—Amounts made available pursu-
 21 ant to subsection (a) shall be used for—

22 (1) costs related to capacity to provide care to
 23 children described in such subsection;

24 (2) costs related to the recruiting, hiring, and
 25 training of additional staff;

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1 (3) activities to detect, diagnose, trace, treat,
2 and monitor SARS-CoV-2 and COVID-19 infec-
3 tions and related strategies and activities to mitigate
4 the spread of SARS-CoV-2 and COVID-19;

5 (4) the purchase, procurement, or distribution
6 of in vitro diagnostic products (as defined in section
7 809.3(a) of title 21, Code of Federal Regulations)
8 for the detection or diagnosis of SARS-CoV-2 and
9 the virus that causes COVID-19 or supplies nec-
10 essary for administering tests to such children and
11 staff caring for such children;

12 (5) distribution of COVID-19 vaccines licensed
13 under section 351 of the Public Health Service Act
14 (42 U.S.C. 262) or authorized for emergency use
15 under section 564 of the Federal Food, Drug, and
16 Cosmetic Act (21 U.S.C. 360bbb-3) for such chil-
17 dren or staff caring for such children; or

18 (6) the purchase, procurement, or distribution
19 of personal protective equipment or other measures
20 for mitigation and prevention of COVID-19 trans-
21 mission among such children and staff caring for
22 such children.

23 SEC. 3038. FUNDING FOR OFFICE OF INSPECTOR GENERAL.

24 In addition to amounts otherwise available, there is
25 appropriated to the inspector general of the Department

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1 of Health and Human Services for fiscal year 2021, out
 2 of any money in the Treasury not otherwise appropriated,
 3 \$5,000,000, to remain available until expended, for over-
 4 sight of activities supported with funds appropriated to
 5 the Department of Health and Human Services to pre-
 6 vent, prepare for, and respond to coronavirus 2019 or
 7 COVID-19, domestically or internationally.

8 **CHAPTER 5—INDIAN HEALTH**

9 **SEC. 3041. FUNDING FOR INDIAN HEALTH.**

10 (a) In addition to amounts otherwise available, there
 11 is appropriated to the Secretary for fiscal year 2021, out
 12 of any money in the Treasury not otherwise appropriated,
 13 \$6,094,000,000, to remain available until expended, of
 14 which—

15 (1) \$5,484,000,000 shall be for carrying out
 16 the Act of August 5, 1954 (42 U.S.C. 2001 et seq.)
 17 (commonly referred to as the Transfer Act), the In-
 18 dian Self-Determination and Education Assistance
 19 Act (25 U.S.C. 5301 et seq.), the Indian Health
 20 Care Improvement Act (25 U.S.C. 1601 et seq.),
 21 and titles II and III of the Public Health Service
 22 Act (42 U.S.C. 201 et seq. and 241 et seq.) with re-
 23 spect to the Indian Health Service, of which—

24 (A) \$2,000,000,000 shall be for lost reim-
 25 bursements, in accordance with section 207 of

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1 the Indian Health Care Improvement Act (25
2 U.S.C. 1621f);

3 (B) \$500,000,000 shall be for the provi-
4 sion of additional health care services, services
5 provided through the Purchased/Referred Care
6 program, and other related activities;

7 (C) \$140,000,000 shall be for information
8 technology, telehealth infrastructure, and the
9 Indian Health Service electronic health records
10 system;

11 (D) \$84,000,000 shall be for maintaining
12 operations of the Urban Indian health program,
13 which shall be in addition to other amounts
14 made available under this subsection for Urban
15 Indian organizations (as defined in section 4 of
16 the Indian Health Care Improvement Act (25
17 U.S.C. 1603));

18 (E) \$600,000,000 shall be for necessary
19 expenses to plan, prepare for, promote, dis-
20 tribute, administer, and track COVID-19 vac-
21 cines, for the purposes described in subpara-
22 graphs (F) and (G), and for other vaccine-re-
23 lated activities;

24 (F) \$1,500,000,000 shall be for necessary
25 expenses to detect, diagnose, trace, and monitor

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1 COVID-19 infections, activities necessary to
 2 mitigate the spread of COVID-19, supplies nec-
 3 essary for such activities, for the purposes de-
 4 scribed in subparagraphs (E) and (G), and for
 5 other related activities;

6 (G) \$240,000,000 shall be for necessary
 7 expenses to establish, expand, and sustain a
 8 public health workforce to prevent, prepare for,
 9 and respond to COVID-19, other public health
 10 workforce-related activities, for the purposes de-
 11 scribed in subparagraphs (E) and (F), and for
 12 other related activities; and

13 (H) \$420,000,000 shall be for necessary
 14 expenses related to mental and behavioral
 15 health prevention and treatment services, for
 16 the purposes described in subparagraph (C) and
 17 paragraph (2) as related to mental and behav-
 18 ioral health, and for other related activities;

19 (2) \$600,000,000 shall be for the lease, pur-
 20 chase, construction, alteration, renovation, or equip-
 21 ping of health facilities to respond to COVID-19,
 22 and for maintenance and improvement projects nec-
 23 essary to respond to COVID-19 under section 7 of
 24 the Act of August 5, 1954 (42 U.S.C. 2004a), the
 25 Indian Self-Determination and Education Assistance

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1 Act (25 U.S.C. 5301 et seq.), the Indian Health
2 Care Improvement Act (25 U.S.C. 1601 et seq.),
3 and titles II and III of the Public Health Service
4 Act (42 U.S.C. 202 et seq.) with respect to the In-
5 dian Health Service; and

6 (3) \$10,000,000 shall be for carrying out sec-
7 tion 7 of the Act of August 5, 1954 (42 U.S.C.
8 2004a) for expenses relating to potable water deliv-
9 ery.

10 (b) Funds appropriated by subsection (a) shall be
11 made available to restore amounts, either directly or
12 through reimbursement, for obligations for the purposes
13 specified in this section that were incurred to prevent, pre-
14 pare for, and respond to COVID-19 during the period be-
15 ginning on the date on which the public health emergency
16 was declared by the Secretary on January 31, 2020, pur-
17 suant to section 319 of the Public Health Service Act (42
18 U.S.C. 247d) with respect to COVID-19 and ending on
19 the date of the enactment of this Act.

20 (c) Funds made available under subsection (a) to
21 Tribes and Tribal organizations under the Indian Self-De-
22 termination and Education Assistance Act (25 U.S.C.
23 5301 et seq.) shall be available on a one-time basis. Such
24 non-recurring funds shall not be part of the amount re-
25 quired by section 106 of the Indian Self-Determination

1 and Education Assistance Act (25 U.S.C. 5325), and such
 2 funds shall only be used for the purposes identified in this
 3 section.

4 **CHAPTER 6—MENTAL HEALTH AND**
 5 **SUBSTANCE USE DISORDER**

6 **SEC. 3051. FUNDING FOR BLOCK GRANTS FOR COMMUNITY**
 7 **MENTAL HEALTH SERVICES.**

8 In addition to amounts otherwise available, there is
 9 appropriated to the Secretary for fiscal year 2021, out of
 10 any money in the Treasury not otherwise appropriated,
 11 \$1,750,000,000, to remain available until expended, for
 12 carrying out subpart I of part B of title XIX of the Public
 13 Health Service Act (42 U.S.C. 300x et seq.), subpart III
 14 of part B of title XIX of such Act (42 U.S.C. 300x-51
 15 et seq.), and section 505(c) of such Act (42 U.S.C. 290aa-
 16 4(c)) with respect to mental health. Notwithstanding sec-
 17 tion 1952 of the Public Health Service Act (42 U.S.C.
 18 300x-62), any amount awarded to a State out of amounts
 19 appropriated by this section shall be expended by the State
 20 by September 30, 2025.

21 **SEC. 3052. FUNDING FOR BLOCK GRANTS FOR PREVENTION**
 22 **AND TREATMENT OF SUBSTANCE ABUSE.**

23 In addition to amounts otherwise available, there is
 24 appropriated to the Secretary for fiscal year 2021, out of
 25 any money in the Treasury not otherwise appropriated,

1 \$1,750,000,000, to remain available until expended, for
 2 carrying out subpart II of part B of title XIX of the Public
 3 Health Service Act (42 U.S.C. 300x-21 et seq.), subpart
 4 III of part B of title XIX of such Act (42 U.S.C. 300x-
 5 51 et seq.), section 505(d) of such Act (42 U.S.C. 290aa-
 6 4(d)) with respect to substance abuse, and section 515(d)
 7 of such Act (42 U.S.C. 290bb-21(d)). Notwithstanding
 8 section 1952 of the Public Health Service Act (42 U.S.C.
 9 300x-62), any amount awarded to a State out of amounts
 10 appropriated by this section shall be expended by the State
 11 by September 30, 2025.

12 **SEC. 3053. FUNDING FOR MENTAL AND BEHAVIORAL**
 13 **HEALTH TRAINING FOR HEALTH CARE PRO-**
 14 **FSSIONALS, PARAPROFESSIONALS, AND**
 15 **PUBLIC SAFETY OFFICERS.**

16 (a) **IN GENERAL.**—In addition to amounts otherwise
 17 available, there is appropriated to the Secretary for fiscal
 18 year 2021, out of any money in the Treasury not otherwise
 19 appropriated, \$80,000,000, to remain available until ex-
 20 pended, for the purpose described in subsection (b).

21 (b) **USE OF FUNDING.**—The Secretary, acting
 22 through the Administrator of the Health Resources and
 23 Services Administration, shall, taking into consideration
 24 the needs of rural and medically underserved communities,
 25 use amounts appropriated by subsection (a) to award

1 grants or contracts to health professions schools, academic
 2 health centers, State or local governments, Indian Tribes
 3 and Tribal organizations, or other appropriate public or
 4 private nonprofit entities (or consortia of entities, includ-
 5 ing entities promoting multidisciplinary approaches), to
 6 plan, develop, operate, or participate in health professions
 7 and nursing training activities for health care students,
 8 residents, professionals, paraprofessionals, trainees, and
 9 public safety officers, and employers of such individuals,
 10 in evidence-informed strategies for reducing and address-
 11 ing suicide, burnout, and mental and behavioral health
 12 conditions (including substance use disorders) among
 13 health care professionals.

14 **SEC. 3054. FUNDING FOR EDUCATION AND AWARENESS**

15 **CAMPAIGN ENCOURAGING HEALTHY WORK**
 16 **CONDITIONS AND USE OF MENTAL AND BE-**
 17 **HAVIORAL HEALTH SERVICES BY HEALTH**
 18 **CARE PROFESSIONALS.**

19 (a) **IN GENERAL.**—In addition to amounts otherwise
 20 available, there is appropriated to the Secretary for fiscal
 21 year 2021, out of any money in the Treasury not otherwise
 22 appropriated, \$20,000,000, to remain available until ex-
 23 pended, for the purpose described in subsection (b).

24 (b) **USE OF FUNDS.**—The Secretary, acting through
 25 the Director of the Centers for Disease Control and Pre-

1 vention and in consultation with the medical professional
2 community, shall use amounts appropriated by subsection
3 (a) to carry out a national evidence-based education and
4 awareness campaign directed at health care professionals
5 and first responders (such as emergency medical service
6 providers), and employers of such professionals and first
7 responders. Such awareness campaign shall—

8 (1) encourage primary prevention of mental and
9 behavioral health conditions and secondary and ter-
10 tiary prevention by encouraging health care profes-
11 sionals to seek support and treatment for their own
12 behavioral health concerns;

13 (2) help such professionals to identify risk fac-
14 tors in themselves and others and respond to such
15 risks;

16 (3) include information on reducing or pre-
17 venting suicide, substance use disorders, burnout,
18 and other mental and behavioral health conditions,
19 and addressing stigma associated with seeking men-
20 tal and behavioral health support and treatment;
21 and

22 (4) consider the needs of rural and medically
23 underserved communities.

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1 SEC. 3055. FUNDING FOR GRANTS FOR HEALTH CARE PRO-
2 VIDERS TO PROMOTE MENTAL AND BEHAV-
3 IORAL HEALTH AMONG THEIR HEALTH PRO-
4 FESSIONAL WORKFORCE.

5 (a) IN GENERAL.—In addition to amounts otherwise
 6 available, there is appropriated to the Secretary for fiscal
 7 year 2021, out of any money in the Treasury not otherwise
 8 appropriated, \$40,000,000, to remain available until ex-
 9 pended, for the purpose described in subsection (b).

10 (b) USE OF FUNDS.—The Secretary, acting through
 11 the Administrator of the Health Resources and Services
 12 Administration, shall, taking into consideration the needs
 13 of rural and medically underserved communities, use
 14 amounts appropriated by subsection (a) to award grants
 15 or contracts to entities providing health care, including
 16 health care providers associations and Federally qualified
 17 health centers, to establish, enhance, or expand evidence-
 18 informed programs or protocols to promote mental and be-
 19 havioral health among their providers, other personnel,
 20 and members.

21 SEC. 3056. FUNDING FOR COMMUNITY-BASED FUNDING
22 FOR LOCAL SUBSTANCE USE DISORDER
23 SERVICES.

24 (a) IN GENERAL.—In addition to amounts otherwise
 25 available, there is appropriated to the Secretary for fiscal
 26 year 2021, out of any money in the Treasury not otherwise

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1 appropriated, \$30,000,000, to remain available until ex-
2 pended, to carry out the purpose described in subsection
3 (b).

4 (b) USE OF FUNDS.—

5 (1) IN GENERAL.—The Secretary, acting
6 through the Assistant Secretary for Mental Health
7 and Substance Use and in consultation with the Di-
8 rector of the Centers for Disease Control and Pre-
9 vention, shall award grants to support States; local,
10 Tribal, and territorial governments; Tribal organiza-
11 tions; nonprofit community-based organizations; and
12 primary and behavioral health organizations to sup-
13 port community-based overdose prevention pro-
14 grams, syringe services programs, and other harm
15 reduction services, with respect to harms of drug
16 misuse that are exacerbated by the COVID-19 pub-
17 lic health emergency.

18 (2) USE OF GRANT FUNDS.—Grant funds
19 awarded under this section to eligible entities may
20 be used for preventing and controlling the spread of
21 infectious diseases and the consequences of such dis-
22 eases for individuals with substance use disorder,
23 distributing opioid overdose reversal medication to
24 individuals at risk of overdose, connecting individ-
25 uals at risk for, or with, a substance use disorder to

1 overdose education, counseling, and health edu-
2 cation, and encouraging such individuals to take
3 steps to reduce the negative personal and public
4 health impacts of substance use or misuse.

5 **SEC. 3057. FUNDING FOR COMMUNITY-BASED FUNDING**
6 **FOR LOCAL BEHAVIORAL HEALTH NEEDS.**

7 (a) **IN GENERAL.**—In addition to amounts otherwise
8 available, there is appropriated to the Secretary for fiscal
9 year 2021, out of any money in the Treasury not otherwise
10 appropriated, \$50,000,000, to remain available until ex-
11 pended, to carry out the purpose described in subsection
12 (b).

13 (b) **USE OF FUNDS.**—

14 (1) **IN GENERAL.**—The Secretary, acting
15 through the Assistant Secretary for Mental Health
16 and Substance Use, shall award grants to State,
17 local, Tribal, and territorial governments, Tribal or-
18 ganizations, nonprofit community-based entities, and
19 primary care and behavioral health organizations to
20 address increased community behavioral health
21 needs worsened by the COVID-19 public health
22 emergency.

23 (2) **USE OF GRANT FUNDS.**—Grant funds
24 awarded under this section to eligible entities may
25 be used for promoting care coordination among local

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1 entities; training the mental and behavioral health
 2 workforce, relevant stakeholders, and community
 3 members; expanding evidence-based integrated mod-
 4 els of care; addressing surge capacity for mental and
 5 behavioral health needs; providing mental and behav-
 6 ioral health services to individuals with mental
 7 health needs (including co-occurring substance use
 8 disorders) as delivered by behavioral and mental
 9 health professionals utilizing telehealth services; and
 10 supporting, enhancing, or expanding mental and be-
 11 havioral health preventive and crisis intervention
 12 services.

**13 SEC. 3058. FUNDING FOR THE NATIONAL CHILD TRAU-
 14 MATIC STRESS NETWORK.**

15 In addition to amounts otherwise available, there is
 16 appropriated to the Secretary for fiscal year 2021, out of
 17 any money in the Treasury not otherwise appropriated,
 18 \$10,000,000, to remain available until expended, for car-
 19 rying out section 582 of the Public Health Service Act
 20 (42 U.S.C. 290hh-1) with respect to addressing the prob-
 21 lem of high-risk or medically underserved persons who ex-
 22 perience violence-related stress.

23 SEC. 3059. FUNDING FOR PROJECT AWARE.

24 In addition to amounts otherwise available, there is
 25 appropriated to the Secretary for fiscal year 2021, out of

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1 any money in the Treasury not otherwise appropriated,
2 \$30,000,000, to remain available until expended, for car-
3 rying out section 520A of the Public Health Service Act
4 (42 U.S.C. 290bb-32) with respect to advancing wellness
5 and resiliency in education.

6 SEC. 3059A. FUNDING FOR YOUTH SUICIDE PREVENTION.

7 In addition to amounts otherwise available, there is
8 appropriated to the Secretary for fiscal year 2021, out of
9 any money in the Treasury not otherwise appropriated,
10 \$20,000,000, to remain available until expended, for car-
11 rying out sections 520E and 520E-2 of the Public Health
12 Service Act (42 U.S.C. 290bb-36, 290bb-36b).

13 SEC. 3059B. FUNDING FOR BEHAVIORAL HEALTH WORK-

14 FORCE EDUCATION AND TRAINING.

15 In addition to amounts otherwise available, there is
16 appropriated to the Secretary for fiscal year 2021, out of
17 any money in the Treasury not otherwise appropriated,
18 \$100,000,000, to remain available until expended, for car-
19 rying out section 756 of the Public Health Service Act
20 (42 U.S.C. 294e-1).

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1 **CHAPTER 7—EXCHANGE GRANT**
2 **PROGRAM**

3 **SEC. 3061. ESTABLISHING A GRANT PROGRAM FOR EX-**
4 **CHANGE MODERNIZATION.**

5 (a) **IN GENERAL.**—Out of funds appropriated under
6 subsection (b), the Secretary shall award grants to each
7 American Health Benefits Exchange established under
8 subtitle D of title I of the Patient Protection and Afford-
9 able Care Act (42 U.S.C. 18021 et seq.) (other than an
10 Exchange established by the Secretary under section
11 1321(c) of such Act (42 U.S.C. 18041(c))) that submits
12 to the Secretary an application at such time and in such
13 manner, and containing such information, as specified by
14 the Secretary, for purposes of enabling such Exchange to
15 modernize or update any system, program, or technology
16 utilized by such Exchange to ensure such Exchange is
17 compliant with all applicable requirements of section 1311
18 of such Act (42 U.S.C. 18031).

19 (b) **FUNDING.**—There is appropriated, out of any
20 monies in the Treasury not otherwise obligated,
21 \$20,000,000, to remain available until expended, for car-
22 rying out this section.

1 **Subtitle B—Medicaid**

2 **SEC. 3101. MANDATORY COVERAGE OF COVID-19 VACCINES**
 3 **AND ADMINISTRATION AND TREATMENT**
 4 **UNDER MEDICAID.**

5 (a) **COVERAGE.—**

6 (1) **IN GENERAL.—**Section 1905(a)(4) of the
 7 Social Security Act (42 U.S.C. 1396d(a)(4)) is
 8 amended—

9 (A) by striking “and (D)” and inserting
 10 “(D)”; and

11 (B) by striking the semicolon at the end
 12 and inserting “; (E) during the period begin-
 13 ning on the date of the enactment of the Amer-
 14 ican Rescue Plan Act of 2021 and ending on
 15 the last day of the first calendar quarter that
 16 begins at least one year after the last day of the
 17 emergency period described in section
 18 1135(g)(1)(B), a COVID-19 vaccine and ad-
 19 ministration of the vaccine; and (F) during the
 20 period beginning on the date of the enactment
 21 of the American Rescue Plan Act of 2021 and
 22 ending on the last day of the first calendar
 23 quarter that begins at least one year after the
 24 last day of the emergency period described in
 25 section 1135(g)(1)(B), testing and treatments

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1 for COVID-19, including specialized equipment
 2 and therapies (including preventive therapies),
 3 and, without regard to the requirements of sec-
 4 tion 1902(a)(10)(B) (relating to comparability),
 5 in the case of an individual who is diagnosed
 6 with or presumed to have COVID-19, during
 7 the period such individual has (or is presumed
 8 to have) COVID-19, the treatment of a condi-
 9 tion that may seriously complicate the treat-
 10 ment of COVID-19, if otherwise covered under
 11 the State plan (or waiver of such plan);”.

12 (2) MAKING COVID-19 VACCINE AVAILABLE TO
 13 ADDITIONAL ELIGIBILITY GROUPS AND TREATMENT
 14 AVAILABLE TO CERTAIN UNINSURED.—Section
 15 1902(a)(10) of such Act (42 U.S.C. 1396a(a)(10))
 16 is amended in the matter following subparagraph
 17 (G)—

18 (A) by striking “and to other conditions
 19 which may complicate pregnancy, (VIII)” and
 20 inserting “, medical assistance for services re-
 21 lated to other conditions which may complicate
 22 pregnancy, and medical assistance for vaccines
 23 described in section 1905(a)(4)(E) and the ad-
 24 ministration of such vaccines during the period
 25 described in such section, (VIII)”;

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1 (B) by inserting “and medical assistance
 2 for vaccines described in section 1905(a)(4)(E)
 3 and the administration of such vaccines during
 4 the period described in such section” after “(de-
 5 scribed in subsection (z)(2))”;

6 (C) by striking “cancer (XV)” and insert-
 7 ing “cancer, (XV)”;

8 (D) by inserting “and medical assistance
 9 for vaccines described in section 1905(a)(4)(E)
 10 and the administration of such vaccines during
 11 the period described in such section” after “de-
 12 scribed in subsection (k)(1)”;

13 (E) by inserting “and medical assistance
 14 for vaccines described in section 1905(a)(4)(E)
 15 and the administration of such vaccines during
 16 the period described in such section” after
 17 “family planning setting”;

18 (F) by striking “and (XVIII)” and insert-
 19 ing “(XVIII)”;

20 (G) by striking “and any visit described in
 21 section 1916(a)(2)(G) that is furnished during
 22 any such portion” and inserting “, any service
 23 described in section 1916(a)(2)(G) that is fur-
 24 nished during any such portion, any vaccine de-
 25 scribed in section 1905(a)(4)(E) (and the ad-

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1 ministration of such vaccine) that is furnished
2 during any such portion, and testing and treat-
3 ments for COVID-19, including specialized
4 equipment and therapies (including preventive
5 therapies), and, in the case of an individual who
6 is diagnosed with or presumed to have COVID-
7 19, during the period such individual has (or is
8 presumed to have) COVID-19, the treatment of
9 a condition that may seriously complicate the
10 treatment of COVID-19, if otherwise covered
11 under the State plan (or waiver of such plan)”;
12 and

13 (H) by striking the semicolon at the end
14 and inserting “, and (XIX) medical assistance
15 shall be made available during the period de-
16 scribed in section 1905(a)(4)(E) for vaccines
17 described in such section and the administra-
18 tion of such vaccines, for any individual who is
19 eligible for and receiving medical assistance
20 under the State plan or under a waiver of such
21 plan (other than an individual who is eligible
22 for medical assistance consisting only of pay-
23 ment of premiums pursuant to subparagraph
24 (E) or (F) or section 1933), notwithstanding
25 any provision of law limiting such individual’s

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1 eligibility for medical assistance under such
2 plan or waiver to coverage for a limited type of
3 benefits and services that would not otherwise
4 include coverage of a COVID-19 vaccine and
5 its administration;”.

6 (3) PROHIBITION OF COST SHARING.—

7 (A) IN GENERAL.—Subsections (a)(2) and
8 (b)(2) of section 1916 of the Social Security
9 Act (42 U.S.C. 1396o) are each amended—

10 (i) in subparagraph (F), by striking
11 “or” at the end;

12 (ii) in subparagraph (G), by striking
13 “; and”; and

14 (iii) by adding at the end the fol-
15 lowing subparagraphs:

16 “(H) during the period beginning on the
17 date of the enactment of this subparagraph and
18 ending on the last day of the first calendar
19 quarter that begins at least one year after the
20 last day of the emergency period described in
21 section 1135(g)(1)(B), a COVID-19 vaccine
22 and the administration of such vaccine (for any
23 individual eligible for medical assistance for
24 such vaccine (and administration)); or

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1 “(I) during the period beginning on the
2 date of the enactment of this subparagraph and
3 ending on the last day of the first calendar
4 quarter that begins at least one year after the
5 last day of the emergency period described in
6 section 1135(g)(1)(B), testing and treatments
7 for COVID-19, including specialized equipment
8 and therapies (including preventive therapies),
9 and, in the case of an individual who is diag-
10 nosed with or presumed to have COVID-19,
11 during the period during which such individual
12 has (or is presumed to have) COVID-19, the
13 treatment of a condition that may seriously
14 complicate the treatment of COVID-19, if oth-
15 erwise covered under the State plan (or waiver
16 of such plan); and”.

17 (B) APPLICATION TO ALTERNATIVE COST
18 SHARING.—Section 1916A(b)(3)(B) of the So-
19 cial Security Act (42 U.S.C. 1396o-1(b)(3)(B))
20 is amended—

21 (i) in clause (xi), by striking “any
22 visit” and inserting “any service”; and
23 (ii) by adding at the end the following
24 clauses:

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1 “(xii) During the period beginning on
2 the date of the enactment of this clause
3 and ending on the last day of the first cal-
4 endar quarter that begins at least one year
5 after the last day of the emergency period
6 described in section 1135(g)(1)(B), a
7 COVID-19 vaccine and the administration
8 of such vaccine (for any individual eligible
9 for medical assistance for such vaccine
10 (and administration)).

11 “(xiii) During the period beginning on
12 the date of the enactment of this clause
13 and ending on the last day of the first cal-
14 endar quarter that begins at least one year
15 after the last day of the emergency period
16 described in section 1135(g)(1)(B), testing
17 and treatments for COVID-19, including
18 specialized equipment and therapies (in-
19 cluding preventive therapies), and, in the
20 case of an individual who is diagnosed with
21 or presumed to have COVID-19, during
22 the period during which such individual
23 has (or is presumed to have) COVID-19,
24 the treatment of a condition that may seri-
25 ously complicate the treatment of COVID-

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1 19, if otherwise covered under the State
2 plan (or waiver of such plan).”.

3 (4) INCLUSION IN THE MEDICAID DRUG RE-
4 BATE PROGRAM OF COVERED OUTPATIENT DRUGS
5 USED FOR COVID-19 TREATMENT.—

6 (A) IN GENERAL.—The requirements of
7 section 1927 of the Social Security Act (42
8 U.S.C. 1396r-8) shall apply to any drug or bio-
9 logical product described in subparagraph (F)
10 of section 1905(a)(4) of such Act, as added by
11 paragraph (1), or described in the subclause
12 (XVIII) in the matter following subparagraph
13 (G) of section 1902(a)(10) of such Act, as
14 added by paragraph (2), that is—

15 (i) furnished as medical assistance in
16 accordance with such subparagraph (F) or
17 subclause (XVIII), as applicable, for the
18 treatment, or prevention, of COVID-19, as
19 described in such subparagraph of sub-
20 clause, respectively; and

21 (ii) a covered outpatient drug (as de-
22 fined in section 1927(k) of such Act, ex-
23 cept that, in applying paragraph (2)(A) of
24 such section to a drug described in such
25 subparagraph (F) or such subclause

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1 (XVIII), such drug shall be deemed a pre-
 2 scribed drug for purposes of section
 3 1905(a)(12) of such Act).

4 (B) CONFORMING AMENDMENT.—Section
 5 1927(d)(7) of the Social Security Act (42
 6 U.S.C. 1396r-8(d)(7)) is amended by adding at
 7 the end the following new subparagraph:

8 “(E) Drugs and biological products de-
 9 scribed in section 1905(a)(4)(F) and subclause
 10 (XVIII) in the matter following subparagraph
 11 (G) of section 1902(a)(10) that are furnished
 12 as medical assistance in accordance with such
 13 section or clause, respectively, for the treatment
 14 or prevention, of COVID-19, as described in
 15 such subparagraph of subclause, respectively.”.

16 (5) ALTERNATIVE BENEFIT PLANS.—Section
 17 1937(b) of the Social Security Act (42 U.S.C.
 18 1396u-7(b)) is amended by adding at the end the
 19 following new paragraph:

20 “(8) COVID-19 VACCINES, TESTING, AND
 21 TREATMENT.—Notwithstanding the previous provi-
 22 sions of this section, a State may not provide for
 23 medical assistance through enrollment of an indi-
 24 vidual with benchmark coverage or benchmark-equiv-
 25 alent coverage under this section unless, during the

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1 period beginning on the date of the enactment of the
 2 American Rescue Plan Act of 2021 and ending on
 3 the last day of the first calendar quarter that begins
 4 at least one year after the last day of the emergency
 5 period described in section 1135(g)(1)(B), such cov-
 6 erage includes (and does not impose any deduction,
 7 cost sharing, or similar charge for)—

8 “(A) COVID–19 vaccines and administra-
 9 tion of the vaccines; and

10 “(B) testing and treatments for COVID-
 11 19, including specialized equipment and thera-
 12 pies (including preventive therapies), and, in
 13 the case of such an individual who is diagnosed
 14 with or presumed to have COVID–19, during
 15 the period such individual has (or is presumed
 16 to have) COVID–19, the treatment of a condi-
 17 tion that may seriously complicate the treat-
 18 ment of COVID–19, if otherwise covered under
 19 the State plan (or waiver of such plan).”.

20 (b) TEMPORARY INCREASE IN FEDERAL PAYMENTS

21 FOR COVERAGE AND ADMINISTRATION OF COVID–19

22 VACCINES.—Section 1905 of the Social Security Act (42
 23 U.S.C. 1396d) is amended—

24 (1) in subsection (b), by striking “and (ff)” and
 25 inserting “(ff), and (hh)”;

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1 (2) in subsection (ff), in the matter preceding
 2 paragraph (1), by inserting “, subject to subsection
 3 (hh)” after “or (z)(2)” and

4 (3) by adding at the end the following new sub-
 5 section:

6 “(hh) TEMPORARY INCREASED FMAP FOR MEDICAL
 7 ASSISTANCE FOR COVERAGE AND ADMINISTRATION OF
 8 COVID-19 VACCINES.—

9 “(1) IN GENERAL.—Notwithstanding any other
 10 provision of this title, during the period described in
 11 paragraph (2), the Federal medical assistance per-
 12 centage for a State, with respect to amounts ex-
 13 pended by the State for medical assistance for a vac-
 14 cine described in subsection (a)(4)(E) (and the ad-
 15 ministration of such a vaccine), shall be equal to 100
 16 percent.

17 “(2) PERIOD DESCRIBED.—The period de-
 18 scribed in this paragraph is the period that—

19 “(A) begins on the first day of the first
 20 quarter beginning after the date of the enact-
 21 ment of this subsection; and

22 “(B) ends on the last day of the first quar-
 23 ter that begins at least one year after the last
 24 day of the emergency period described in sec-
 25 tion 1135(g)(1)(B).

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1 “(3) EXCLUSION OF EXPENDITURES FROM TER-
 2 RITORIAL CAPS.—Any payment made to a territory
 3 for expenditures for medical assistance under sub-
 4 section (a)(4)(E) that are subject to the Federal
 5 medical assistance percentage specified under para-
 6 graph (1) shall not be taken into account for pur-
 7 poses of applying payment limits under subsections
 8 (f) and (g) of section 1108.”.

9 SEC. 3102. MODIFICATIONS TO CERTAIN COVERAGE UNDER
 10 MEDICAID FOR PREGNANT AND
 11 POSTPARTUM WOMEN.

12 (a) STATE OPTION.—Section 1902(e) of the Social
 13 Security Act (42 U.S.C. 1396a(e)) is amended by adding
 14 at the end the following new paragraph:

15 “(16) EXTENDING CERTAIN COVERAGE FOR
 16 PREGNANT AND POSTPARTUM WOMEN.—

17 “(A) IN GENERAL.—At the option of the
 18 State, the State plan (or waiver of such State
 19 plan) may provide, that an individual who,
 20 while pregnant, is eligible for and has received
 21 medical assistance under the State plan ap-
 22 proved under this title (or a waiver of such
 23 plan) (including during a period of retroactive
 24 eligibility under subsection (a)(34)) shall, in ad-
 25 dition to remaining eligible under paragraph (5)

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1 for all pregnancy-related and postpartum med-
 2 ical assistance available under the State plan
 3 (or waiver) through the last day of the month
 4 in which the 60-day period (beginning on the
 5 last day of her pregnancy) ends, remain eligible
 6 under the State plan (or waiver) for medical as-
 7 sistance for the period beginning on the first
 8 day occurring after the end of such 60-day pe-
 9 riod and ending on the last day of the month
 10 in which the 12-month period (beginning on the
 11 last day of her pregnancy) ends.

12 “(B) FULL BENEFITS DURING PREGNANCY
 13 AND THROUGHOUT THE 12-MONTH
 14 POSTPARTUM PERIOD.—The medical assistance
 15 provided for a pregnant or postpartum indi-
 16 vidual by a State making an election under this
 17 paragraph, without regard to the basis on which
 18 the individual is eligible for medical assistance
 19 under the State plan (or waiver), shall—

20 “(i) include all items and services cov-
 21 ered under the State plan (or waiver) that
 22 are not less in amount, duration, or scope,
 23 or are determined by the Secretary to be
 24 substantially equivalent, to the medical as-

1 of release of such individual from such public institution”
 2 after “medical institution”.

3 **SEC. 3104. ENHANCED FEDERAL MEDICAID SUPPORT FOR**
 4 **COMMUNITY-BASED MOBILE CRISIS INTER-**
 5 **VENTION SERVICES.**

6 Section 1903 of the Social Security Act (42 U.S.C.
 7 1396b) is amended by adding at the end the following new
 8 subsection:

9 “(bb) **BUNDLED COMMUNITY-BASED MOBILE CRISIS**
 10 **INTERVENTION SERVICES.—**

11 “(1) **IN GENERAL.—**Notwithstanding section
 12 1902(a)(1) (relating to Statewideness), section
 13 1902(a)(10)(B) (relating to comparability), section
 14 1902(a)(23)(A) (relating to freedom of choice of
 15 providers), or section 1902(a)(27) (relating to pro-
 16 vider agreements), a State may, during the 5-year
 17 period beginning on the first day of the first fiscal
 18 year quarter that begins on or after the date that
 19 is 1 year after the date of the enactment of this sub-
 20 section, provide medical assistance, through bundled
 21 payments, for qualifying community-based mobile
 22 crisis intervention services under a State plan
 23 amendment or waiver approved under section 1115
 24 or subsection (b) or (c) of section 1915.

1 “(2) QUALIFYING COMMUNITY-BASED MOBILE
 2 CRISIS INTERVENTION SERVICES DEFINED.—For
 3 purposes of this subsection, the term ‘qualifying
 4 community-based mobile crisis intervention services’
 5 means, with respect to a State, items and services
 6 for which medical assistance is available under the
 7 State plan under this title or a waiver of such plan,
 8 that are—

9 “(A) furnished to an individual otherwise
 10 eligible for medical assistance under the State
 11 plan (or waiver of such plan) who is—

12 “(i) outside of a hospital or other fa-
 13 cility setting; and

14 “(ii) experiencing a mental health or
 15 substance use disorder crisis;

16 “(B) furnished by a multidisciplinary mo-
 17 bile crisis team—

18 “(i) that includes at least 1 behavioral
 19 health care professional who is capable of
 20 conducting an assessment of the individual,
 21 in accordance with the professional’s per-
 22 mitted scope of practice under State law,
 23 and other professionals or paraprofes-
 24 sionals with appropriate expertise in behav-
 25 ioral health or mental health crisis re-

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1 sponse, including nurses, social workers,
2 peer support specialists, and others, as
3 designated by the State through a State
4 plan amendment (or waiver of such plan);
5 “(ii) whose members are trained in
6 trauma-informed care, de-escalation strate-
7 gies, and harm reduction;
8 “(iii) that is able to respond in a
9 timely manner and, where appropriate,
10 provide—
11 “(I) screening and assessment;
12 “(II) stabilization and de-esca-
13 lation;
14 “(III) coordination with, and re-
15 ferrals to, health, social, and other
16 services and supports as needed; and
17 “(IV) assistance in facilitating
18 the individual’s access to emergency
19 or nonemergency (as applicable)
20 transportation services under the
21 State plan (or waiver of such plan) to
22 ensure access to the next step in care
23 or treatment;
24 “(iv) that maintains relationships with
25 relevant community partners, including

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1 medical and behavioral health providers,
 2 primary care providers, community health
 3 centers, crisis respite centers, managed
 4 care organizations (if applicable), entities
 5 able to provide assistance with application
 6 and enrollment in the State plan or a waiv-
 7 er of the plan, entities able to provide as-
 8 sistance with applying for and enrolling in
 9 benefit programs, entities that provide as-
 10 sistance with housing (such as public hous-
 11 ing authorities, Continuum of Care pro-
 12 grams, or not-for-profit entities that pro-
 13 vide housing assistance), and entities that
 14 provide assistance with other social serv-
 15 ices;

16 “(v) that coordinates with crisis inter-
 17 vention hotlines and emergency response
 18 systems;

19 “(vi) that maintains the privacy and
 20 confidentiality of patient information con-
 21 sistent with Federal and State require-
 22 ments; and

23 “(vii) that operates independently
 24 from (but may coordinate with) State or
 25 local law enforcement agencies;

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1 “(C) available 24 hours per day, every day
2 of the year; and

3 “(D) voluntary to receive.

4 “(3) PAYMENTS.—

5 “(A) IN GENERAL.—Notwithstanding sec-
6 tion 1905(b) or 1905(ff) and subject to sub-
7 sections (y) and (z) of section 1905, during
8 each of the first 12 fiscal quarters occurring
9 during the period described in paragraph (1)
10 that a State meets the requirements described
11 in paragraph (4), the Federal medical assist-
12 ance percentage applicable to amounts ex-
13 pended by the State for medical assistance,
14 through bundled payments described in para-
15 graph (1), for qualifying community-based mo-
16 bile crisis intervention services furnished during
17 such quarter shall be equal to 85 percent. In no
18 case shall the application of the previous sen-
19 tence result in the Federal medical assistance
20 percentage applicable to amounts expended by a
21 State for medical assistance for such qualifying
22 community-based mobile crisis intervention
23 services furnished during a quarter being less
24 than the Federal medical assistance percentage
25 that would apply to such amounts expended by

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1 the State for such services furnished during
2 such quarter without application of the previous
3 sentence.

4 “(B) EXCLUSION OF EXPENDITURES FROM
5 TERRITORIAL CAPS.—Expenditures for medical
6 assistance consisting of qualifying community-
7 based mobile crisis intervention services fur-
8 nished in a territory during a quarter with re-
9 spect to which subparagraph (A) applies to
10 such territory shall not be taken into account
11 for purposes of applying payment limits under
12 subsections (f) and (g) of section 1108.

13 “(4) REQUIREMENTS.—The requirements de-
14 scribed in this paragraph are the following:

15 “(A) The State demonstrates, to the satis-
16 faction of the Secretary—

17 “(i) that it will be able to support the
18 provision of qualifying community-based
19 mobile crisis intervention services that
20 meet the conditions specified in paragraph
21 (2); and

22 “(ii) how it will support coordination
23 between mobile crisis teams and commu-
24 nity partners, including health care pro-
25 viders, to enable the provision of services,

1 needed referrals, and other activities identified by the Secretary.

2
3 “(B) The State provides assurances satisfactory to the Secretary that—

4
5 “(i) any additional Federal funds received by the State for qualifying community-based mobile crisis intervention services provided under this subsection that are attributable to the increased Federal medical assistance percentage under paragraph (3)(A) will be used to supplement, and not supplant, the level of State funds expended for such services for the fiscal year preceding the first fiscal quarter occurring during the period described in paragraph (1);

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17 “(ii) if the State made qualifying community-based mobile crisis intervention services available in a region of the State in such fiscal year, the State will continue to make such services available in such region under this subsection during each month occurring during the period described in paragraph (1) for which the Federal medical assistance percentage

1 under paragraph (3)(A) is applicable with
2 respect to the State.

3 “(5) FUNDING FOR STATE PLANNING
4 GRANTS.—There is appropriated, out of any funds in
5 the Treasury not otherwise appropriated,
6 \$15,000,000 to the Secretary for purposes of imple-
7 menting, administering, and making planning grants
8 to States as soon as practicable for purposes of de-
9 veloping a State plan amendment or section 1115,
10 1915(b), or 1915(c) waiver request (or an amend-
11 ment to such a waiver) to provide qualifying commu-
12 nity-based mobile crisis intervention services under
13 this subsection, to remain available until expended.”.

14 **SEC. 3105. TEMPORARY INCREASE IN FMAP FOR MEDICAL**
15 **ASSISTANCE UNDER STATE MEDICAID PLANS**
16 **WHICH BEGIN TO EXPEND AMOUNTS FOR**
17 **CERTAIN MANDATORY INDIVIDUALS.**

18 Section 1905 of the Social Security Act (42 U.S.C.
19 1396d), as amended by section 3101 of this subtitle, is
20 further amended—

21 (1) in subsection (b), in the first sentence, by
22 striking “and (hh)” and inserting “(hh), and (ii)”;

23 (2) in subsection (ff), by striking “subject to
24 subsection (hh)” and inserting “subject to sub-
25 sections (hh) and (ii)”; and

1 (3) by adding at the end the following new sub-
2 section:

3 “(ii) TEMPORARY INCREASE IN FMAP FOR MEDICAL
4 ASSISTANCE UNDER STATE MEDICAID PLANS WHICH
5 BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY
6 INDIVIDUALS.—

7 “(1) IN GENERAL.—For each quarter occurring
8 during the 8-quarter period beginning with the first
9 calendar quarter during which a qualifying State (as
10 defined in paragraph (3)) expends amounts for all
11 individuals described in section
12 1902(a)(10)(A)(i)(VIII) under the State plan (or
13 waiver of such plan), the Federal medical assistance
14 percentage determined under subsection (b) for such
15 State shall, after application of any increase, if ap-
16 plicable, under section 6008 of the Families First
17 Coronavirus Response Act, be increased by 5 per-
18 centage points, except for any quarter (and each
19 subsequent quarter) during such period during
20 which the State ceases to provide medical assistance
21 to any such individual under the State plan (or
22 waiver of such plan).

23 “(2) SPECIAL APPLICATION RULES.—Any in-
24 crease described in paragraph (1) (or payment made

1 for expenditures on medical assistance that are sub-
2 ject to such increase)—

3 “(A) shall not apply with respect to dis-
4 proportionate share hospital payments described
5 in section 1923;

6 “(B) shall not be taken into account in cal-
7 culating the enhanced FMAP of a State under
8 section 2105;

9 “(C) shall not be taken into account for
10 purposes of part A, D, or E of title IV; and

11 “(D) shall not be taken into account for
12 purposes of applying payment limits under sub-
13 sections (f) and (g) of section 1108.

14 “(3) DEFINITION.—For purposes of this sub-
15 section, the term ‘qualifying State’ means a State
16 which has not expended amounts for all individuals
17 described in section 1902(a)(10)(A)(i)(VIII) before
18 the date of the enactment of this subsection.”.

19 **SEC. 3106. EXTENSION OF 100 PERCENT FEDERAL MEDICAL**
20 **ASSISTANCE PERCENTAGE TO URBAN INDIAN**
21 **HEALTH ORGANIZATIONS AND NATIVE HA-**
22 **WAIAN HEALTH CARE SYSTEMS.**

23 Section 1905(b) of the Social Security Act (42 U.S.C.
24 1396d(b)) is amended by inserting after “(as defined in
25 section 4 of the Indian Health Care Improvement Act)”

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1 the following: “; for the 8 fiscal year quarters beginning
 2 with the first fiscal year quarter beginning after the date
 3 of the enactment of the American Rescue Plan Act of
 4 2021, the Federal medical assistance percentage shall also
 5 be 100 per centum with respect to amounts expended as
 6 medical assistance for services which are received through
 7 an Urban Indian organization (as defined in paragraph
 8 (29) of section 4 of the Indian Health Care Improvement
 9 Act) that has a grant or contract with the Indian Health
 10 Service under title V of such Act; and, for such 8 fiscal
 11 year quarters, the Federal medical assistance percentage
 12 shall also be 100 per centum with respect to amounts ex-
 13 pended as medical assistance for services which are re-
 14 ceived through a Native Hawaiian Health Center (as de-
 15 fined in section 12(4) of the Native Hawaiian Health Care
 16 Improvement Act) or a qualified entity (as defined in sec-
 17 tion 6(b) of such Act) that has a grant or contract with
 18 the Papa Ola Lokahi under section 8 of such Act”.

19 **SEC. 3107. SUNSET OF LIMIT ON MAXIMUM REBATE**
 20 **AMOUNT FOR SINGLE SOURCE DRUGS AND**
 21 **INNOVATOR MULTIPLE SOURCE DRUGS.**

22 Section 1927(c)(2)(D) of the Social Security Act (42
 23 U.S.C. 1396r-8(c)(2)(D)) is amended by inserting after
 24 “December 31, 2009,” the following: “and before January
 25 1, 2023,”.

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1 SEC. 3108. ADDITIONAL SUPPORT FOR MEDICAID HOME
 2 AND COMMUNITY-BASED SERVICES DURING
 3 THE COVID-19 EMERGENCY PERIOD.

4 (a) INCREASED FMAP.—

5 (1) IN GENERAL.—Notwithstanding section
 6 1905(b) of the Social Security Act (42 U.S.C.
 7 1396d(b)) or section 1905(ff), in the case of a State
 8 that meets the HCBS program conditions under
 9 subsection (b), the Federal medical assistance per-
 10 centage determined for the State under section
 11 1905(b) of such Act (or, if applicable, under section
 12 1905(ff)) and, if applicable, increased under sub-
 13 section (y), (z), (aa), or (ii) of section 1905 of such
 14 Act (42 U.S.C. 1396d), section 1915(k) of such Act
 15 (42 U.S.C. 1396n(k)), or section 6008(a) of the
 16 Families First Coronavirus Response Act (Public
 17 Law 116-127), shall be increased by 7.35 percent-
 18 age points with respect to expenditures of the State
 19 under the State Medicaid program for home and
 20 community-based services (as defined in paragraph
 21 (2)(B)) that are provided during the HCBS program
 22 improvement period (as defined in paragraph
 23 (2)(A)). In no case may the application of the pre-
 24 vious sentence result in the Federal medical assist-
 25 ance percentage determined for a State being more
 26 than 95 percent with respect to such expenditures.

1 Any payment made to Puerto Rico, the Virgin Is-
 2 lands, Guam, the Northern Mariana Islands, or
 3 American Samoa for expenditures on medical assist-
 4 ance that are subject to the Federal medical assist-
 5 ance percentage increase specified under the first
 6 sentence of this paragraph shall not be taken into
 7 account for purposes of applying payment limits
 8 under subsections (f) and (g) of section 1108 of the
 9 Social Security Act (42 U.S.C. 1308).

10 (2) DEFINITIONS.—In this section:

11 (A) HCBS PROGRAM IMPROVEMENT PE-
 12 RIOD.—The term “HCBS program improve-
 13 ment period” means, with respect to a State,
 14 the period—

- 15 (i) beginning on April 1, 2021; and
- 16 (ii) ending on March 31, 2022.

17 (B) HOME AND COMMUNITY-BASED SERV-
 18 ICES.—The term “home and community-based
 19 services” means any of the following:

- 20 (i) Home health care services author-
 21 ized under paragraph (7) of section
 22 1905(a) of the Social Security Act (42
 23 U.S.C. 1396d(a)).
- 24 (ii) Personal care services authorized
 25 under paragraph (24) of such section.

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1 (iii) PACE services authorized under
2 paragraph (26) of such section.

3 (iv) Home and community-based serv-
4 ices authorized under subsections (b), (c),
5 (i), (j), and (k) of section 1915 of such Act
6 (42 U.S.C. 1396n), such services author-
7 ized under a waiver under section 1115 of
8 such Act (42 U.S.C. 1315), and such serv-
9 ices through coverage authorized under
10 section 1937 of such Act (42 U.S.C.
11 1396u-7).

12 (v) Case management services author-
13 ized under section 1905(a)(19) of the So-
14 cial Security Act (42 U.S.C. 1396d(a)(19))
15 and section 1915(g) of such Act (42
16 U.S.C. 1396n(g)).

17 (vi) Rehabilitative services, including
18 those related to behavioral health, de-
19 scribed in section 1905(a)(13) of such Act
20 (42 U.S.C. 1396d(a)(13)).

21 (vii) Such other services specified by
22 the Secretary of Health and Human Serv-
23 ices.

24 (C) COVID-19 PUBLIC HEALTH EMER-
25 GENCY PERIOD.—The term “COVID-19 public

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1 health emergency period” means the portion of
 2 the emergency period described in paragraph
 3 (1)(B) of section 1135(g) of the Social Security
 4 Act (42 U.S.C. 1320b-5(g)) beginning on or
 5 after the date of the enactment of this Act.

6 (D) ELIGIBLE INDIVIDUAL.—The term “el-
 7 igible individual” means an individual who is el-
 8 igible for and enrolled for medical assistance
 9 under a State Medicaid program and includes
 10 an individual who becomes eligible for medical
 11 assistance under a State Medicaid program
 12 when removed from a waiting list.

13 (E) MEDICAID PROGRAM.—The term
 14 “Medicaid program” means, with respect to a
 15 State, the State program under title XIX of the
 16 Social Security Act (42 U.S.C. 1396 et seq.)
 17 (including any waiver or demonstration under
 18 such title or under section 1115 of such Act (42
 19 U.S.C. 1315) relating to such title).

20 (F) STATE.—The term “State” has the
 21 meaning given such term for purposes of title
 22 XIX of the Social Security Act (42 U.S.C. 1396
 23 et seq.).

24 (b) STATE REQUIREMENTS FOR FMAP INCREASE.—
 25 As conditions for receipt of the increase under subsection

1 (a) to the Federal medical assistance percentage deter-
2 mined for a State, the State shall meet each of the fol-
3 lowing conditions (referred to in subsection (a) as the
4 HCBS program conditions):

5 (1) SUPPLEMENT, NOT SUPPLANT.—The State
6 shall use the Federal funds attributable to the in-
7 crease under subsection (a) to supplement, and not
8 supplant, the level of State funds expended for home
9 and community-based services for eligible individuals
10 through programs in effect as of April 1, 2021.

11 (2) REQUIRED IMPLEMENTATION OF CERTAIN
12 ACTIVITIES.—The State shall implement one or
13 more of the following activities to enhance, expand,
14 or strengthen home and community-based services
15 under the State Medicaid program:

16 (A) Increase rates for home health agen-
17 cies, PACE organizations whose members pro-
18 vide direct care, and agencies or beneficiaries
19 that employ direct support professionals (in-
20 cluding independent providers in a self-directed
21 or consumer-directed model) to provide home
22 and community-based services under the State
23 Medicaid program, if elected by the beneficiary
24 for continuation of care, provided that any
25 agency, beneficiary, or other individual that re-

1 ceives payment under such an increased rate in-
2 creases the compensation it pays its home
3 health workers or direct support professionals.

4 (B) Provide paid sick leave, paid family
5 leave, and paid medical leave for home health
6 workers and direct support professionals.

7 (C) Provide hazard pay, overtime pay, and
8 shift differential pay for home health workers
9 and direct support professionals.

10 (D) Provide home and community-based
11 services to eligible individuals in order to reduce
12 waiting lists for programs approved under sec-
13 tions 1115 or 1915 of the Social Security Act
14 (42 U.S.C. 1315, 1396n).

15 (E) Purchase emergency supplies and
16 equipment, which may include items not typi-
17 cally covered under the Medicaid program nec-
18 essary to enhance access to services and to pro-
19 tect the health and well-being of home health
20 workers and direct support professionals.

21 (F) Recruit new home health workers and
22 direct support professionals.

23 (G) Support family care providers of eligi-
24 ble individuals with needed supplies and equip-
25 ment, which may include items not typically

1 covered under the Medicaid program, such as
2 personal protective equipment, and pay.

3 (H) Pay for training for home health
4 workers and direct support professionals that is
5 specific to the COVID-19 public health emer-
6 gency.

7 (I) Pay for assistive technologies, staffing,
8 and other costs incurred during the COVID-19
9 public health emergency period in order to miti-
10 gate isolation and ensure an individual's per-
11 son-centered service plan continues to be fully
12 implemented.

13 (J) Prepare information and public health
14 and educational materials in accessible formats
15 (including formats accessible to people with low
16 literacy or intellectual disabilities) about preven-
17 tion, treatment, recovery and other aspects of
18 COVID-19 for eligible individuals, their fami-
19 lies, and the general community served by com-
20 munity partners, such as Area Agencies on
21 Aging, Centers for Independent Living, non-
22 profit home and community-based services pro-
23 viders, and other entities providing home and
24 community-based services.

1 (K) Pay for American sign language and
2 other languages interpreters to assist in pro-
3 viding home and community-based services to
4 eligible individuals and to inform the general
5 public about COVID-19.

6 (L) Pay for retainer payments for home
7 and community-based services providers, includ-
8 ing home health workers and direct support
9 professionals (regardless of whether such pay-
10 ments directly benefit a beneficiary) which may
11 be provided without limits on duration during
12 the COVID-19 public health emergency period.

13 (M) Pay for other expenses deemed appro-
14 priate by the Secretary to enhance, expand, or
15 strengthen Home and Community-Based Serv-
16 ices and expenses which meet the criteria of the
17 home and community-based settings rule pub-
18 lished on January 16, 2014.

19 (N) Support (including by paying for mov-
20 ing costs, security deposits or first month's
21 rent, one-time stocking of food products suffi-
22 cient for the initial month, and other one-time
23 expenses and start-up costs) transitions from
24 institutional settings, congregate community
25 settings, and homeless shelters or other tem-

1 porary housing for individuals who are eligible
2 for home and community-based services.

3 (O) Assist eligible individuals in receiving
4 mental health services and necessary rehabilita-
5 tive service to regain skills lost during the
6 COVID-19 public health emergency period.

7 (P) Assist eligible individuals who had to
8 relocate to a nursing facility or institutional set-
9 ting from their homes during the COVID-19
10 public health emergency period, who were iso-
11 lated in their homes during such period, or who
12 moved into congregate non-institutional settings
13 as a result of such period, in—

14 (i) moving back to their homes (in-
15 cluding by paying for moving costs, secu-
16 rity deposits or first month's rent, one-
17 time stocking of food products sufficient
18 for the initial month, and other one-time
19 expenses and start-up costs); and

20 (ii) continuing home and community-
21 based services for eligible individuals who
22 were served from a waiting list for such
23 services during the public health emer-
24 gency period.

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1 SEC. 3109. FUNDING FOR STATE STRIKE TEAMS FOR RESI-
 2 DENT AND EMPLOYEE SAFETY IN NURSING
 3 FACILITIES.

4 Section 1919 of the Social Security Act (42 U.S.C.
 5 1396r) is amended by adding at the end the following new
 6 subsection:

7 “(k) FUNDING FOR STATE STRIKE TEAMS.—In addi-
 8 tion to amounts otherwise available, there is appropriated
 9 to the Secretary, out of any monies in the Treasury not
 10 otherwise appropriated, \$250,000,000, to remain available
 11 until expended, for purposes of allocating such amount
 12 among the States (including the District of Columbia and
 13 each territory of the United States) to increase the capac-
 14 ity of such a State to respond to COVID-19 by allowing
 15 such a State to establish and implement a strike team that
 16 will be deployed to a nursing facility in the State with di-
 17 agnosed or suspected cases of COVID-19 among residents
 18 or staff for the purposes of assisting with clinical care,
 19 infection control, or staffing during the emergency period
 20 described in section 1135(g)(1)(B).”

21 **Subtitle C—Children’s Health**
 22 **Insurance Program**

23 SEC. 3201. MANDATORY COVERAGE OF COVID-19 VACCINES
 24 AND ADMINISTRATION AND TREATMENT
 25 UNDER CHIP.

26 (a) COVERAGE.—

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1 (1) IN GENERAL.—Section 2103(c) of the So-
2 cial Security Act (42 U.S.C. 1397cc(c)) is amended
3 by adding at the end the following paragraph:

4 “(11) REQUIRED COVERAGE OF COVID-19 VAC-
5 CINES AND TREATMENT.—Regardless of the type of
6 coverage elected by a State under subsection (a), the
7 child health assistance provided for a targeted low-
8 income child, and, in the case of a State that elects
9 to provide pregnancy-related assistance pursuant to
10 section 2112, the pregnancy-related assistance pro-
11 vided for a targeted low-income pregnant woman (as
12 such terms are defined for purposes of such section),
13 shall include coverage, during the period beginning
14 on the date of the enactment of this paragraph and
15 ending on the last day of the first calendar quarter
16 that begins at least one year after the last day of
17 the emergency period described in section
18 1135(g)(1)(B), of—

19 “(A) a COVID-19 vaccine (and the admin-
20 istration of the vaccine); and

21 “(B) testing and treatments for COVID-
22 19, including specialized equipment and thera-
23 pies (including preventive therapies), and, in
24 the case of an individual who is diagnosed with
25 or presumed to have COVID-19, during the pe-

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1 riod during which such individual has (or is
2 presumed to have) COVID-19, the treatment of
3 a condition that may seriously complicate the
4 treatment of COVID-19, if otherwise covered
5 under the State child health plan (or waiver of
6 such plan).”.

7 (2) PROHIBITION OF COST SHARING.—Section
8 2103(e)(2) of the Social Security Act (42 U.S.C.
9 1397cc(e)(2)), as amended by section 6004(b)(3) of
10 the Families First Coronavirus Response Act, is
11 amended—

12 (A) in the paragraph header, by inserting
13 “A COVID-19 VACCINE, COVID-19 TREATMENT,”
14 before “OR PREGNANCY-RELATED ASSISTANCE”;
15 and

16 (B) by striking “visits described in section
17 1916(a)(2)(G), or” and inserting “services de-
18 scribed in section 1916(a)(2)(G), vaccines de-
19 scribed in section 1916(a)(2)(H) administered
20 during the period described in such section (and
21 the administration of such vaccines), testing or
22 treatments described in section 1916(a)(2)(I)
23 furnished during the period described in such
24 section, or”.

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1 **(b) TEMPORARY INCREASE IN FEDERAL PAYMENTS**
 2 **FOR COVERAGE AND ADMINISTRATION OF COVID-19**
 3 **VACCINES.**—Section 2105(c) of the Social Security Act
 4 (42 U.S.C. 1397ee(c)) is amended by adding at the end
 5 the following new paragraph:

6 “(12) TEMPORARY ENHANCED PAYMENT FOR
 7 COVERAGE AND ADMINISTRATION OF COVID-19 VAC-
 8 CINES.—During the period described in section
 9 1905(hh)(2), notwithstanding subsection (b), the en-
 10 hanced FMAP for a State, with respect to payments
 11 under subsection (a) for expenditures under the
 12 State child health plan (or a waiver of such plan) for
 13 a vaccine described in section 1905(a)(4)(E) (and
 14 the administration of such a vaccine), shall be equal
 15 to 100 percent.”.

16 **(c) ADJUSTMENT OF CHIP ALLOTMENTS.**—Section
 17 2104(m) of the Social Security Act (42 U.S.C.
 18 1397dd(m)) is amended—

19 (1) in paragraph (2)(B), in the matter pre-
 20 ceding clause (i), by striking “paragraphs (5) and
 21 (7)” and inserting “paragraphs (5), (7), and (12)”;
 22 and

23 (2) by adding at the end the following new
 24 paragraph:

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1 “(12) ADJUSTING ALLOTMENTS TO ACCOUNT
 2 FOR INCREASED FEDERAL PAYMENTS FOR COV-
 3 ERAGE AND ADMINISTRATION OF COVID-19 VAC-
 4 CINES.—If a State, commonwealth, or territory re-
 5 ceives payment for a fiscal year (beginning with fis-
 6 cal year 2021) under subsection (a) of section 2105
 7 for expenditures that are subject to the enhanced
 8 FMAP specified under subsection (c)(12) of such
 9 section, the amount of the allotment determined for
 10 the State, commonwealth, or territory under this
 11 subsection—

12 “(A) for such fiscal year shall be increased
 13 by the projected expenditures for such year by
 14 the State, commonwealth, or territory under the
 15 State child health plan (or a waiver of such
 16 plan) for vaccines described in section
 17 1905(a)(4)(E) (and the administration of such
 18 vaccines); and

19 “(B) once actual expenditures are available
 20 in the subsequent fiscal year, the fiscal year al-
 21 lotment that was adjusted by the amount de-
 22 scribed in subparagraph (A) shall be adjusted
 23 on the basis of the difference between—

24 “(i) such projected amount of expend-
 25 itures described in subparagraph (A) for

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1 such fiscal year described in such subpara-
 2 graph by the State, commonwealth, or ter-
 3 ritory; and

4 “(ii) the actual amount of expendi-
 5 tures for such fiscal year described in sub-
 6 paragraph (A) by the State, common-
 7 wealth, or territory under the State child
 8 health plan (or waiver of such plan) for
 9 vaccines described in section 1905(a)(4)(E)
 10 (and the administration of such vac-
 11 cines).”.

12 SEC. 3202. MODIFICATIONS TO CERTAIN COVERAGE UNDER
13 CHIP FOR PREGNANT AND POSTPARTUM
14 WOMEN.

15 (a) MODIFICATIONS TO COVERAGE.—

16 (1) IN GENERAL.—Section 2107(e)(1) of the
 17 Social Security Act (42 U.S.C. 1397gg(e)(1)) is
 18 amended—

19 (A) by redesignating subparagraphs (J)
 20 through (S) as subparagraphs (K) through (T),
 21 respectively; and

22 (B) by inserting after subparagraph (I) the
 23 following new subparagraph:

24 “(J) Paragraphs (5) and (16) of section
 25 1902(e) (relating to the State option to provide

1 medical assistance consisting of full benefits
 2 during pregnancy and throughout the 12-month
 3 postpartum period under title XIX, but only if
 4 the State has elected to apply such paragraph
 5 (16) with respect to pregnant women under
 6 title XIX and provides child health assistance
 7 for targeted low-income children who are preg-
 8 nant or has elected under section 2112(a) to
 9 provide pregnancy-related assistance for tar-
 10 geted low-income pregnant women and, in the
 11 case of such a State, the provision of assistance
 12 under the State child health plan for such tar-
 13 geted low-income children or targeted low-in-
 14 come pregnant women (as applicable) during
 15 pregnancy and the 12-month postpartum period
 16 shall be required and not at the option of the
 17 State, and subparagraph (B) of section
 18 1902(e)(16) shall be applied to the State child
 19 health plan or waiver as requiring coverage of
 20 all items or services provided to a targeted low
 21 income children or targeted low-income preg-
 22 nant woman (as applicable) under such plan or
 23 waiver).”.

24 (2) OPTIONAL COVERAGE OF TARGETED LOW-
 25 INCOME PREGNANT WOMEN.—Section 2112(d)(2)(A)

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1 of the Social Security Act (42 U.S.C.
 2 1397ll(d)(2)(A)) is amended by inserting after “60-
 3 day period” the following: “, or, in the case that
 4 subparagraph (A) of section 1902(e)(16) applies to
 5 the State child health plan (or waiver of such plan),
 6 pursuant to section 2107(e)(1), the 12-month pe-
 7 riod.”.

8 (b) **EFFECTIVE DATE.**—The amendments made by
 9 subsection (a), shall apply with respect to State elections
 10 made under paragraph (16) of section 1902(e) of the So-
 11 cial Security Act (42 U.S.C. 1396a(e)), as added by sec-
 12 tion 3102(a) of subtitle B of this title, during the 5-year
 13 period beginning on the 1st day of the 1st fiscal year quar-
 14 ter that begins at least one year after the date of the en-
 15 actment of this Act.

16 **Subtitle D—Other Provisions**

17 **CHAPTER 1—ENSURING ENVIRONMENTAL** 18 **HEALTH AND RATEPAYER PROTEC-** 19 **TION DURING THE PANDEMIC**

20 **SEC. 3301. FUNDING FOR POLLUTION AND DISPARATE IM-** 21 **PACTS OF THE COVID-19 PANDEMIC.**

22 (a) **IN GENERAL.**—In addition to amounts otherwise
 23 available, there is appropriated to the Environmental Pro-
 24 tection Agency for fiscal year 2021, out of any money in
 25 the Treasury not otherwise appropriated, \$100,000,000,

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1 to remain available until expended, to address health out-
2 come disparities from pollution and the COVID-19 pan-
3 demic, of which—

4 (1) \$50,000,000, shall be for grants, contracts,
5 and other agency activities that implement the envi-
6 ronmental justice purposes and objectives described
7 in Executive Order 12898 titled “Federal Actions
8 To Address Environmental Justice in Minority Pop-
9 ulations and Low-Income Populations” (59 Fed.
10 Reg. 7629), as amended; section 219 of Executive
11 Order 14008 titled “Tackling the Climate Crisis at
12 Home and Abroad” (86 Fed. Reg. 7619); and the
13 Environmental Protection Agency’s Environmental
14 Justice 2020 Action Agenda, published May 22,
15 2016; and

16 (2) \$50,000,000 shall be for grants and activi-
17 ties authorized under subsections (a) through (c) of
18 section 103 of the Clean Air Act (42 U.S.C. 7403)
19 and grants and activities authorized under section
20 105 of such Act (42 U.S.C. 7405).

21 (b) ADMINISTRATION OF FUNDS.—

22 (1) Of the funds made available pursuant to
23 subsection (a)(1), the Administrator shall reserve 2
24 percent for administrative costs necessary to carry
25 out activities funded pursuant to such subsection.

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

5 **SEC. 3302. FUNDING FOR LIHEAP.**

6 In addition to amounts otherwise available, there is
7 appropriated for fiscal year 2021, out of any amounts in
8 the Treasury not otherwise appropriated, \$4,500,000,000,
9 to remain available through September 30, 2022, for addi-
10 tional funding to provide payments under section 2602(b)
11 of the Low-Income Home Energy Assistance Act of 1981
12 (42 U.S.C. 8621(b)), except that—

13 (1) \$2,250,000,000 of such amounts shall be
14 allocated as though the total appropriation for such
15 payments for fiscal year 2021 was less than
16 \$1,975,000,000;

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

21 (3) with respect to amounts appropriated under
22 this section for fiscal year 2021, notwithstanding
23 section 2604(d) of such Act (42 U.S.C. 8623(d)),
24 the Secretary shall reserve under such section
25 2604(d) amounts for Indian tribes that bear the

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1 same ratio, for each Indian tribe, that the amount
2 reserved for the Indian tribe, from funds appro-
3 priated for such payments for fiscal year 2021 be-
4 fore the date of enactment of this section, bore to
5 the amount allotted to the applicable State for such
6 payments from any such appropriated funds.

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

8 (a) **IN GENERAL.**—In addition to amounts otherwise
9 available, there is appropriated to the Secretary of Health
10 and Human Services for fiscal year 2021, out of any
11 amounts in the Treasury not otherwise appropriated,
12 \$500,000,000, to remain available until expended, for
13 grants to States and Indian Tribes to assist low-income
14 households, particularly those with the lowest incomes,
15 that pay a high proportion of household income for drink-
16 ing water and wastewater services, by providing funds to
17 owners or operators of public water systems or treatment
18 works to reduce arrearages of and rates charged to such
19 households for such services.

20 (b) **ALLOTMENT.**—The Secretary shall—

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

23 (A) the percentage of households in the
24 State, or under the jurisdiction of the Indian

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1 Tribe, with income equal or less than 150 per-
2 cent of the Federal poverty line; and

3 (B) the percentage of households in the
4 State, or under the jurisdiction of the Indian
5 Tribe, that spend more than 30 percent of
6 monthly income on housing; and

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

10 **CHAPTER 2—DISTANCE LEARNING AND**
11 **CONSUMER PROTECTION DURING THE**
12 **COVID-19 PANDEMIC**

13 **SEC. 3311. FUNDING FOR CONSUMER PRODUCT SAFETY**

14 **FUND TO PROTECT CONSUMERS FROM PO-**
15 **TENTIALLY DANGEROUS PRODUCTS RE-**
16 **LATED TO COVID-19.**

17 (a) **APPROPRIATION.**—In addition to amounts other-
18 wise available, there is appropriated to the Consumer
19 Product Safety Commission for fiscal year 2021, out of
20 any money in the Treasury not otherwise appropriated,
21 \$50,000,000, to remain available until September 30,
22 2026, for the purposes described in subsection (b).

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

1 (1) carry out the requirements in title XX of di-
2 vision FF of the Consolidated Appropriations Act,
3 2021 (Public Law 116-260);

4 (2) enhance targeting, surveillance, and screen-
5 ing of consumer products, particularly COVID-19
6 products, entering the United States at ports of
7 entry, including ports of entry for de minimis ship-
8 ments;

9 (3) enhance monitoring of internet websites for
10 the offering for sale of new and used violative con-
11 sumer products, particularly COVID-19 products,
12 and coordination with retail and resale websites to
13 improve identification and elimination of listings of
14 such products;

15 (4) increase awareness and communication par-
16 ticularly of COVID-19 product related risks and
17 other consumer product safety information; and

18 (5) improve the Commission's data collection
19 and analysis system especially with a focus on con-
20 sumer product safety risks resulting from the
21 COVID-19 pandemic to socially disadvantaged indi-
22 viduals and other vulnerable populations.

23 (c) DEFINITIONS.—In this section—

24 (1) the term “Commission” means the Con-
25 sumer Product Safety Commission;

1 (2) the term “de minimis shipments” means ar-
2 ticles containing consumer products entering the
3 United States under the de minimis value exemption
4 in section 321(a)(2)(C) of the Tariff Act of 1930
5 (19 U.S.C. 1321(a)(2)(C));

6 (3) the term “violative consumer products”
7 means consumer products in violation of an applica-
8 ble consumer product safety standard under the
9 Consumer Product Safety Act (15 U.S.C. 2051 et
10 seq.) or any similar rule, regulation, standard, or
11 ban under any other Act enforced by the Commis-
12 sion;

13 (4) the term “COVID-19 emergency period”
14 means the period during which a public health emer-
15 gency declared pursuant to section 319 of the Public
16 Health Service Act (42 U.S.C. 247d) with respect to
17 the 2019 novel coronavirus (COVID-19), including
18 under any renewal of such declaration, is in effect;
19 and

20 (5) the term “COVID-19 products” means
21 products whose risks have been significantly affected
22 by COVID-19 or whose sales have materially in-
23 creased during the COVID-19 emergency period as
24 a result of the COVID-19 pandemic.

1 SEC. 3312. FUNDING FOR E-RATE SUPPORT FOR EMER-
2 GENCY EDUCATIONAL CONNECTIONS AND
3 DEVICES.

4 (a) REGULATIONS REQUIRED.—Not later than 60
5 days after the date of the enactment of this Act, the Com-
6 mission shall promulgate regulations providing for the
7 provision, from amounts made available from the Emer-
8 gency Connectivity Fund, of support under paragraphs
9 (1)(B) and (2) of section 254(h) of the Communications
10 Act of 1934 (47 U.S.C. 254(h)) to an eligible school or
11 library, for the purchase during a COVID-19 emergency
12 period of eligible equipment or advanced telecommuni-
13 cations and information services (or both), for use by—

14 (1) in the case of a school, students and staff
15 of the school at locations that include locations other
16 than the school; and

17 (2) in the case of a library, patrons of the li-
18 brary at locations that include locations other than
19 the library.

20 (b) SUPPORT AMOUNT.—In providing support under
21 the covered regulations, the Commission shall reimburse
22 100 percent of the costs associated with the eligible equip-
23 ment, advanced telecommunications and information serv-
24 ices, or eligible equipment and advanced telecommuni-
25 cations and information services, except that any reim-
26 bursement of a school or library for the costs associated

1 with any eligible equipment may not exceed an amount
2 that the Commission determines, with respect to the re-
3 quest by the school or library for the reimbursement, is
4 reasonable.

5 (c) EMERGENCY CONNECTIVITY FUND.—

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

9 (2) APPROPRIATION.—In addition to amounts
10 otherwise available, there is appropriated to the
11 Emergency Connectivity Fund for fiscal year 2021,
12 out of any money in the Treasury not otherwise ap-
13 propriated—

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

16 (i) the provision of support under the
17 covered regulations; and

18 (ii) the Commission to adopt, and the
19 Commission and the Universal Service Ad-
20 ministrative Company to administer, the
21 covered regulations; and

22 (B) \$1,000,000, to remain available until
23 September 30, 2030, for the Inspector General
24 of the Commission to conduct oversight of sup-
25 port provided under the covered regulations.

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

5 (4) RELATIONSHIP TO UNIVERSAL SERVICE
6 CONTRIBUTIONS.—Support provided under the cov-
7 ered regulations shall be provided from amounts
8 made available from the Emergency Connectivity
9 Fund and not from contributions under section
10 254(d) of the Communications Act of 1934 (47
11 U.S.C. 254(d)).

12 (d) DEFINITIONS.—In this section:

13 (1) ADVANCED TELECOMMUNICATIONS AND IN-
14 FORMATION SERVICES.—The term “advanced tele-
15 communications and information services” means
16 advanced telecommunications and information serv-
17 ices, as such term is used in section 254(h) of the
18 Communications Act of 1934 (47 U.S.C. 254(h)).

19 (2) COMMISSION.—The term “Commission”
20 means the Federal Communications Commission.

21 (3) CONNECTED DEVICE.—The term “con-
22 nected device” means a laptop computer, tablet com-
23 puter, or similar end-user device that is capable of
24 connecting to advanced telecommunications and in-
25 formation services.

1 (4) COVERED REGULATIONS.—The term “cov-
2 ered regulations” means the regulations promul-
3 gated under subsection (a).

4 (5) COVID-19 EMERGENCY PERIOD.—The
5 term “COVID-19 emergency period” means a pe-
6 riod that—

7 (A) begins on the date of a determination
8 by the Secretary of Health and Human Services
9 pursuant to section 319 of the Public Health
10 Service Act (42 U.S.C. 247d) that a public
11 health emergency exists as a result of COVID-
12 19; and

13 (B) ends on the June 30 that first occurs
14 after the date that is 1 year after the date on
15 which such determination (including any re-
16 newal thereof) terminates.

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

19 (A) Wi-Fi hotspots.

20 (B) Modems.

21 (C) Routers.

22 (D) Devices that combine a modem and
23 router.

24 (E) Connected devices.

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

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

12 (9) LIBRARY.—The term “library” includes a
13 library consortium.

14 (10) TRIBAL LIBRARY.—The term “Tribal li-
15 brary” means, only during a COVID-19 emergency
16 period, a facility owned by an Indian Tribe, serving
17 Indian Tribes, or serving American Indians, Alaskan
18 Natives, or Native Hawaiian communities, includ-
19 ing—

20 (A) a library or library consortium; or

21 (B) a government building, chapter house,
22 longhouse, community center, or other similar
23 public building;

24 and such facility need not comply with the portion
25 of paragraph (4) of section 254(h) of the Commu-

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1 communications Act of 1934 (47 U.S.C. 254(h)) relating to
2 eligibility for assistance from a State library admin-
3 istrative agency.

4 (11) **WI-FI**.—The term “Wi-Fi” means a wire-
5 less networking protocol based on Institute of Elec-
6 trical and Electronics Engineers standard 802.11
7 (or any successor standard).

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

10 (A) receiving advanced telecommunications
11 and information services; and

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

14 **CHAPTER 3—OVERSIGHT OF DEPART-**
15 **MENT OF COMMERCE PREVENTION**
16 **AND RESPONSE TO COVID-19**

17 **SEC. 3321. FUNDING FOR DEPARTMENT OF COMMERCE IN-**
18 **SPECTOR GENERAL.**

19 In addition to amounts otherwise available, there is
20 appropriated to the Office of the Inspector General of the
21 Department of Commerce for fiscal year 2021, out of any
22 money in the Treasury not otherwise appropriated,
23 \$3,000,000, to remain available until September 30, 2022,
24 for oversight of activities supported with funds appro-
25 priated to the Department of Commerce to prevent, pre-

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1 pare for, and respond to COVID-19, domestically or inter-
 2 nationally.

3 **TITLE IV—COMMITTEE ON**
 4 **FINANCIAL SERVICES**
 5 **Subtitle A—Defense Production Act**
 6 **of 1950**

7 **SEC. 4001. COVID-19 EMERGENCY MEDICAL SUPPLIES EN-**
 8 **HANCEMENT.**

9 (a) **SUPPORTING ENHANCED USE OF THE DEFENSE**
 10 **PRODUCTION ACT OF 1950.**—In addition to funds other-
 11 wise available, there is appropriated, for fiscal year 2021,
 12 out of any money in the Treasury not otherwise appro-
 13 priated, \$10,000,000,000, to remain available until Sep-
 14 tember 30, 2025, to carry out titles I, III, and VII of the
 15 Defense Production Act of 1950 (50 U.S.C. 4501 et seq.)
 16 in accordance with subsection (b).

17 (b) **MEDICAL SUPPLIES AND EQUIPMENT.**—

18 (1) **TESTING, PPE, VACCINES, AND OTHER MA-**
 19 **TERIALS.**—Except as provided in paragraph (2),
 20 amounts appropriated in subsection (a) shall be used
 21 for the purchase, production (including the construc-
 22 tion, repair, and retrofitting of government-owned or
 23 private facilities as necessary), or distribution of
 24 medical supplies and equipment (including durable

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1 medical equipment) related to combating the
2 COVID-19 pandemic, including—

3 (A) in vitro diagnostic products (as defined
4 in section 809.3(a) of title 21, Code of Federal
5 Regulations) for the detection of SARS-CoV-2
6 or the diagnosis of the virus that causes
7 COVID-19, and the reagents and other mate-
8 rials necessary for producing, conducting, or
9 administering such products, and the machin-
10 ery, equipment, laboratory capacity, or other
11 technology necessary to produce such products;

12 (B) face masks and personal protective
13 equipment, including face shields, nitrile gloves,
14 N-95 filtering facepiece respirators, and any
15 other masks or equipment (including durable
16 medical equipment) determined by the Sec-
17 retary of Health and Human Services to be
18 needed to respond to the COVID-19 pandemic,
19 and the materials, machinery, additional manu-
20 facturing lines or facilities, or other technology
21 necessary to produce such equipment; and

22 (C) drugs and devices (as those terms are
23 defined in the Federal Food, Drug, and Cos-
24 metic Act (21 U.S.C. 301 et seq.)) and biologi-
25 cal products (as that term is defined by section

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1 351 of the Public Health Service Act (42
2 U.S.C. 262)) that are approved, cleared, li-
3 censed, or authorized under either of such Acts
4 for use in treating or preventing COVID-19
5 and symptoms related to COVID-19, and any
6 materials, manufacturing machinery, additional
7 manufacturing or fill-finish lines or facilities,
8 technology, or equipment (including durable
9 medical equipment) necessary to produce or use
10 such drugs, biological products, or devices (in-
11 cluding syringes, vials, or other supplies or
12 equipment related to delivery, distribution, or
13 administration).

14 (2) RESPONDING TO PUBLIC HEALTH EMER-
15 GENCIES.—After September 30, 2022, amounts ap-
16 propriated in subsection (a) may be used for any ac-
17 tivity authorized by paragraph (1), or any other ac-
18 tivity that the Secretary of Health and Human Serv-
19 ices determines to be necessary, to meet critical pub-
20 lic health needs of the United States, with respect
21 to any pathogen that the President has determined
22 has the potential for creating a public health emer-
23 gency.

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1 (c) DELEGATION AUTHORITY.—For purposes of
2 using amounts appropriated in subsection (a), the Presi-
3 dent shall only delegate authority to—

4 (1) with respect to any uses described under
5 subsection (b), the Secretary of Health and Human
6 Services;

7 (2) with respect to uses described under sub-
8 section (b)(1), the head of any other agency respon-
9 sible for responding to the COVID-19 pandemic if
10 the President determines that such delegation is im-
11 portant to an effective response to such pandemic;
12 and

13 (3) with respect to uses described under sub-
14 section (b)(2), the head of any other agency respon-
15 sible for responding to any pathogen with the poten-
16 tial for creating a public health emergency if the
17 President determines that such delegation is impor-
18 tant to an effective response to a public health emer-
19 gency that may be created by such pathogen.

20 (d) APPLICATION OF LIMITATIONS UNDER THE DE-
21 FENSE PRODUCTION ACT OF 1950.—The requirements
22 described in section 304(e) of the Defense Production Act
23 of 1950 (50 U.S.C. 4534(e)) shall not apply to the funds
24 appropriated in subsection (a) until September 30, 2025.

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1 **Subtitle B—Housing Provisions**

2 **SEC. 4101. EMERGENCY RENTAL ASSISTANCE.**

3 (a) FUNDING.—

4 (1) APPROPRIATION.—In addition to amounts
5 otherwise available, there is appropriated to the Sec-
6 retary of the Treasury for fiscal year 2021, out of
7 any money in the Treasury not otherwise appro-
8 priated, \$19,050,000,000, to remain available until
9 September 30, 2027, for making payments to eligi-
10 ble grantees under this section—

11 (2) RESERVATION OF FUNDS.—Of the amount
12 appropriated under paragraph (1), the Secretary
13 shall reserve—

14 (A) \$305,000,000 for making payments
15 under this section to the Commonwealth of
16 Puerto Rico, the United States Virgin Islands,
17 Guam, the Commonwealth of the Northern
18 Mariana Islands, and American Samoa;

19 (B) \$30,000,000 for costs of the Secretary
20 for the administration of emergency rental as-
21 sistance programs and technical assistance to
22 recipients of any grants made by the Secretary
23 to provide financial and other assistance to
24 renters; and

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1 (C) \$3,000,000 for administrative expenses
 2 of the Inspector General relating to oversight of
 3 funds provided in this section.

4 (b) ALLOCATION FOR RENTAL AND UTILITY ASSIST-
 5 ANCE.—

6 (1) ALLOCATION FOR STATES AND UNITS OF
 7 LOCAL GOVERNMENT.—

8 (A) IN GENERAL.—The amount appro-
 9 priated under paragraph (1) of subsection (a)
 10 that remains after the application of paragraph
 11 (2) of such subsection shall be allocated to eligi-
 12 ble grantees described in subparagraphs (A)
 13 and (B) of subsection (i)(1) in the same man-
 14 ner as the amount appropriated under section
 15 501 of subtitle A of title V of division N of the
 16 Consolidated Appropriations Act, 2021 (Public
 17 Law 116-260) is allocated to States and units
 18 of local government under subsection (b)(1) of
 19 such section, except that section 501(b) of such
 20 subtitle A shall be applied—

21 (i) without regard to clause (i) of
 22 paragraph (1)(A);

23 (ii) by deeming the amount appro-
 24 priated under paragraph (1) of subsection
 25 (a) of this Act that remains after the ap-

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1 plication of paragraph (2) of such sub-
2 section to be the amount deemed to apply
3 for purposes of applying clause (ii) of sec-
4 tion 501(b)(1)(A) of such subtitle A;

5 (iii) by substituting “\$152,000,000”
6 for “\$200,000,000” each place such term
7 appears;

8 (iv) in subclause (I) of such section
9 501(b)(1)(A)(v), by substituting “under
10 section 4101 of the American Rescue Plan
11 Act of 2021” for “under this section”; and

12 (v) in subclause (II) of such section
13 501(b)(1)(A)(v), by substituting “local
14 government elects to receive funds from
15 the Secretary under section 4101 of the
16 American Rescue Plan Act of 2021 and
17 will use the funds in a manner consistent
18 with such section” for “local government’s
19 proposed uses of the funds are consistent
20 with subsection (d)”.

21 (B) PRO RATA ADJUSTMENT.—The Sec-
22 retary shall make pro rata adjustments in the
23 amounts of the allocations determined under
24 subparagraph (A) of this paragraph for entities
25 described in such subparagraph as necessary to

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1 ensure that the total amount of allocations
 2 made pursuant to such subparagraph does not
 3 exceed the remainder appropriated amount de-
 4 scribed in such subparagraph.

5 (2) ALLOCATIONS FOR TERRITORIES.—The
 6 amount reserved under subsection (a)(2)(A) shall be
 7 allocated to eligible grantees described in subsection
 8 (i)(1)(C) in the same manner as the amount appro-
 9 priated under section 501(a)(2)(A) of subtitle A of
 10 title V of division N of the Consolidated Appropria-
 11 tions Act, 2021 (Public Law 116–260) is allocated
 12 under section 501(b)(3) of such subtitle A to eligible
 13 grantees under subparagraph (C) of such section
 14 501(b)(3), except that section 501(b)(3) of such sub-
 15 title A shall be applied—

16 (A) in subparagraph (A), by inserting “of
 17 this Act” after “the amount reserved under
 18 subsection (a)(2)(A)”; and

19 (B) in clause (i) of subparagraph (B), by
 20 substituting “the amount equal to 0.3 percent
 21 of the amount appropriated under subsection
 22 (a)(1)” with “the amount equal to 0.3 percent
 23 of the amount appropriated under subsection
 24 (a)(1) of this Act”.

25 (c) PAYMENT SCHEDULE.—

1 (1) IN GENERAL.—The Secretary shall pay all
2 eligible grantees not less than 50 percent of each
3 such eligible grantee’s total allocation provided
4 under subsection (b) within 60 days of enactment of
5 this Act.

6 (2) SUBSEQUENT PAYMENTS.—The Secretary
7 shall pay to eligible grantees additional amounts in
8 tranches up to the full amount of each such eligible
9 grantee’s total allocation in accordance with a proce-
10 dure established by the Secretary, provided that any
11 such procedure established by the Secretary shall re-
12 quire that an eligible grantee must have obligated
13 not less than 75 percent of the funds already dis-
14 bursed by the Secretary pursuant to this section
15 prior to disbursement of additional amounts.

16 (d) USE OF FUNDS.—

17 (1) IN GENERAL.—An eligible grantee shall
18 only use the funds provided from payments made
19 under this section as follows:

20 (A) FINANCIAL ASSISTANCE.—

21 (i) IN GENERAL.—Subject to clause
22 (ii) of this subparagraph, funds received by
23 an eligible grantee from payments made
24 under this section shall be used to provide
25 financial assistance to eligible households,

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1 not to exceed 18 months, including the
2 payment of—

3 (I) rent;

4 (II) rental arrears;

5 (III) utilities and home energy

6 costs;

7 (IV) utilities and home energy

8 costs arrears; and

9 (V) other expenses related to
10 housing.

11 (ii) LIMITATION.—The aggregate
12 amount of financial assistance an eligible
13 household may receive under this section,
14 when combined with financial assistance
15 provided under section 501 of subtitle A of
16 title V of division N of the Consolidated
17 Appropriations Act, 2021 (Public Law
18 116-260), shall not exceed 18 months.

19 (B) HOUSING STABILITY SERVICES.—Not
20 more than 10 percent of funds received by an
21 eligible grantee from payments made under this
22 section may be used to provide case manage-
23 ment and other services intended to help keep
24 households stably housed.

1 (C) ADMINISTRATIVE COSTS.—Not more
2 than 15 percent of the total amount paid to an
3 eligible grantee under this section may be used
4 for administrative costs attributable to pro-
5 viding financial assistance, housing stability
6 services, and other affordable rental housing
7 and eviction prevention activities under sub-
8 paragraphs (A), (B), and (D), respectively, in-
9 cluding for data collection and reporting re-
10 quirements related to such funds.

11 (D) OTHER AFFORDABLE RENTAL HOUS-
12 ING AND EVICTION PREVENTION ACTIVITIES.—
13 An eligible grantee may use any funds from
14 payments made under this section that are un-
15 obligated on October 1, 2022, for purposes in
16 addition to those specified in this paragraph,
17 provided that—

18 (i) such other purposes are affordable
19 housing purposes, as defined by the Sec-
20 retary, serving very low-income families (as
21 such term is defined in section 3(b) of the
22 United States Housing Act of 1937 (42
23 U.S.C. 1437a(b))); and

24 (ii) prior to obligating any funds for
25 such purposes, the eligible grantee has ob-

1 ligated not less than 75 percent of the
2 total funds allocated to such eligible grant-
3 ee in accordance with this section.

4 (2) DISTRIBUTION OF ASSISTANCE.—Amounts
5 appropriated under subsection (a)(1) of this section
6 shall be subject to the same terms and conditions
7 that apply under paragraph (4) of section 501(c) of
8 subtitle A of title V of division N of the Consolidated
9 Appropriations Act, 2021 (Public Law 116–260) to
10 amounts appropriated under subsection (a)(1) of
11 such section 501.

12 (e) REALLOCATION OF FUNDS.—

13 (1) IN GENERAL.—After September 30, 2022,
14 the Secretary shall reallocate funds allocated to eligi-
15 ble grantees in accordance with subsection (b) but
16 not yet paid in accordance with subsection (c)(2) ac-
17 cording to a procedure established by the Secretary.

18 (2) ELIGIBILITY FOR REALLOCATED FUNDS.—
19 The Secretary shall require an eligible grantee to
20 have obligated 50 percent of the total amount of
21 funds allocated to such eligible grantee under sub-
22 section (b) to be eligible to receive funds reallocated
23 under paragraph (1) of this subsection.

24 (3) PAYMENT OF REALLOCATED FUNDS BY THE
25 SECRETARY.—The Secretary shall pay to each eligi-

1 ble grantee eligible for a payment of reallocated
2 funds described in paragraph (2) of this subsection
3 the amount allocated to such eligible grantee in ac-
4 cordance with the procedure established by the Sec-
5 retary in accordance with paragraph (2) of this sub-
6 section.

7 (4) USE OF REALLOCATED FUNDS.—Eligible
8 grantees may use any funds received in accordance
9 with this subsection only for purposes specified in
10 paragraph (1) of subsection (d).

11 (f) INAPPLICABILITY OF PAPERWORK REDUCTION

12 Act.—Subchapter I of chapter 35 of title 44, United
13 States Code, shall not apply to the collection of informa-
14 tion for reporting or research requirements specified in
15 this section if the Secretary determines it is necessary to
16 expedite the efficient use of funds under this section.

17 (g) TREATMENT OF ASSISTANCE.—Assistance pro-
18 vided to a household from a payment made under this sec-
19 tion shall not be regarded as income and shall not be re-
20 garded as a resource for purposes of determining the eligi-
21 bility of the household or any member of the household
22 for benefits or assistance, or the amount or extent of bene-
23 fits or assistance, under any Federal program or under
24 any State or local program financed in whole or in part
25 with Federal funds.

1 (h) INFORMATION REQUIRED BY SECRETARY.—Each
2 eligible grantee that receives an allocation of funds under
3 subsection (b) and at least one payment under subsection
4 (c) shall submit to the Secretary information required by
5 the Secretary to monitor and evaluate activities carried
6 out by the eligible grantee under subsection (d).

7 (i) DEFINITIONS.—In this section:

8 (1) ELIGIBLE GRANTEE.—The term “eligible
9 grantee” means any of the following:

10 (A) The 50 States of the United States
11 and the District of Columbia.

12 (B) A unit of local government (as defined
13 in paragraph (5)).

14 (C) The Commonwealth of Puerto Rico,
15 the United States Virgin Islands, Guam, the
16 Commonwealth of the Northern Mariana Is-
17 lands, and American Samoa.

18 (2) ELIGIBLE HOUSEHOLD.—The term “eligible
19 household” means a household of 1 or more individ-
20 uals who are obligated to pay rent on a residential
21 dwelling and with respect to which the eligible grant-
22 ee involved determines that—

23 (A) 1 or more individuals within the house-
24 hold has—

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- 1 (i) qualified for unemployment bene-
 2 fits; or
 3 (ii) experienced a reduction in house-
 4 hold income, incurred significant costs, or
 5 experienced other financial hardship during
 6 or due, directly or indirectly, to the
 7 coronavirus pandemic;
 8 (B) 1 or more individuals within the
 9 household can demonstrate a risk of experi-
 10 encing homelessness or housing instability; and
 11 (C) the household is a low-income family
 12 (as such term is defined in section 3(b) of the
 13 United States Housing Act of 1937 (42 U.S.C.
 14 1437a(b)).
- 15 (3) INSPECTOR GENERAL.—The term “Inspec-
 16 tor General” means the Inspector General of the De-
 17 partment of the Treasury.
- 18 (4) SECRETARY.—The term “Secretary” means
 19 the Secretary of the Treasury.
- 20 (5) UNIT OF LOCAL GOVERNMENT.—The term
 21 “unit of local government” has the meaning given
 22 such term in section 501 of subtitle A of title V of
 23 division N of the Consolidated Appropriations Act,
 24 2021 (Public Law 116–260).

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1 (j) AVAILABILITY.—Funds provided to an eligible
 2 grantee under a payment made under this section shall
 3 remain available through September 30, 2025.

4 (k) EXTENSION OF AVAILABILITY UNDER PROGRAM
 5 FOR EXISTING FUNDING.—Paragraph (1) of section
 6 501(e) of subtitle A of title V of division N of the Consoli-
 7 dated Appropriations Act, 2021 (Public Law 116–260) is
 8 amended by striking “December 31, 2021” and inserting
 9 “September 30, 2022”.

10 SEC. 4102. EMERGENCY HOUSING VOUCHERS.

11 (a) APPROPRIATION.—In addition to amounts other-
 12 wise available, there is appropriated to the Secretary of
 13 Housing and Urban Development (in this section referred
 14 to as the “Secretary”) for fiscal year 2021, out of any
 15 money in the Treasury not otherwise appropriated,
 16 \$5,000,000,000, to remain available until September 30,
 17 2030, for—

18 (1) incremental emergency vouchers under sub-
 19 section (b);

20 (2) renewals of the vouchers under subsection
 21 (b);

22 (3) fees for the costs of administering vouchers
 23 under subsection (b) and other eligible expenses de-
 24 fined by notice to prevent, prepare, and respond to
 25 coronavirus to facilitate the leasing of the emergency

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1 vouchers, such as security deposit assistance and
2 other costs related to retention and support of par-
3 ticipating owners; and

4 (4) adjustments in the calendar year 2021 sec-
5 tion 8 renewal funding allocation, including main-
6 stream vouchers, for public housing agencies that ex-
7 perience a significant increase in voucher per-unit
8 costs due to extraordinary circumstances or that, de-
9 spite taking reasonable cost savings measures, would
10 otherwise be required to terminate rental assistance
11 for families as a result of insufficient funding.

12 (b) EMERGENCY VOUCHERS.—

13 (1) IN GENERAL.—The Secretary shall provide
14 emergency rental assistance vouchers under sub-
15 section (a), which shall be tenant-based rental assist-
16 ance under section 8(o) of the United States Hous-
17 ing Act of 1937 (42 U.S.C. 1437f(o)).

18 (2) QUALIFYING INDIVIDUALS OR FAMILIES DE-
19 FINED.—For the purposes of this section, qualifying
20 individuals or families are those who are—

21 (A) homeless (as such term is defined in
22 section 103(a) of the McKinney-Vento Home-
23 less Assistance Act (42 U.S.C. 11302(a));

24 (B) at risk of homelessness (as such term
25 is defined in section 401(1) of the McKinney-

1 Vento Homeless Assistance Act (42 U.S.C.
2 11360(1));

3 (C) fleeing, or attempting to flee, domestic
4 violence, dating violence, sexual assault, stalk-
5 ing, or human trafficking; or

6 (D) recently homeless, as determined by
7 the Secretary, and for whom providing rental
8 assistance will prevent the family's homeless-
9 ness or having high risk of housing instability.

10 (3) ALLOCATION.—Public housing agencies
11 shall be notified of the number of emergency vouch-
12 ers allocated pursuant to this section to the agency
13 not later than 60 days after the date of the enact-
14 ment of this Act, in accordance with a formula that
15 includes public housing agency capacity and ensures
16 geographic diversity, including with respect to rural
17 areas, among public housing agencies administering
18 the Housing Choice Voucher program.

19 (4) TERMS AND CONDITIONS.—

20 (A) ELECTION TO ADMINISTER.—The Sec-
21 retary shall establish a procedure for public
22 housing agencies to accept or decline the emer-
23 gency vouchers allocated to the agency in ac-
24 cordance with the formula under subparagraph
25 (3).

1 **(B) FAILURE TO USE VOUCHERS PROMPT-**
 2 **LY.**—If a public housing agency fails to lease
 3 its authorized vouchers under subsection (b) on
 4 behalf of eligible families within a reasonable
 5 period of time, the Secretary may revoke and
 6 redistribute any unleased vouchers and associ-
 7 ated funds, including administrative fees and
 8 costs referred to in subsection (a)(3), to other
 9 public housing agencies according to the for-
 10 mula under paragraph (3).

11 **(5) WAIVERS AND ALTERNATIVE REQUIRE-**
 12 **MENTS.**—Any provision of any statute or regulation
 13 used to administer the amounts made available
 14 under this section (except for requirements related
 15 to fair housing, nondiscrimination, labor standards,
 16 and the environment), shall be waived upon a find-
 17 ing that any such waivers or alternative require-
 18 ments are necessary to expedite or facilitate the use
 19 of amounts made available in this section.

20 **(6) TERMINATION OF VOUCHERS UPON TURN-**
 21 **OVER.**—After September 30, 2023, a public housing
 22 agency may not reissue any vouchers made available
 23 under this section when assistance for the family as-
 24 sisted ends.

1 (c) TECHNICAL ASSISTANCE AND OTHER COSTS.—

2 The Secretary may use not more \$20,000,000 of the
3 amounts made available under this section for the costs
4 to the Secretary of administering and overseeing the im-
5 plementation of this section and the Housing Choice
6 Voucher program generally, including information tech-
7 nology, financial reporting, and other costs. Of the
8 amounts set aside under this subsection, the Secretary
9 may use not more than \$10,000,000, without competition,
10 to make new awards or increase prior awards to existing
11 technical assistance providers to provide an immediate in-
12 crease in capacity building and technical assistance to
13 public housing agencies.

14 (d) IMPLEMENTATION.—The provisions of this sec-
15 tion may be implemented by notice.

16 SEC. 4103. EMERGENCY ASSISTANCE FOR RURAL HOUSING.

17 In addition to amounts otherwise available, there is
18 appropriated for fiscal year 2021, out of any money in
19 the Treasury not otherwise appropriated, \$100,000,000,
20 to remain available until September 30, 2022, to provide
21 grants under section 521(a)(2) of the Housing Act of
22 1949 or agreements entered into in lieu of debt forgiveness
23 or payments for eligible households as authorized by sec-
24 tion 502(c)(5)(D) of the Housing Act of 1949, for tem-
25 porary adjustment of income losses for residents of hous-

1 ing financed or assisted under section 514, 515, or 516
2 of the Housing Act of 1949 who have experienced income
3 loss but are not currently receiving Federal rental assist-
4 ance.

5 **SEC. 4104. HOUSING ASSISTANCE AND SUPPORTIVE SERV-**
6 **ICES PROGRAMS FOR NATIVE AMERICANS.**

7 (a) **APPROPRIATION.**—In addition to amounts other-
8 wise available, there is appropriated for fiscal year 2021,
9 out of any money in the Treasury not otherwise appro-
10 priated, \$750,000,000, to remain available until Sep-
11 tember 30, 2025, to prevent, prepare for, and respond to
12 coronavirus, for activities and assistance authorized under
13 title I of the Native American Housing Assistance and
14 Self-Determination Act of 1996 (NAHASDA) (25 U.S.C.
15 4111 et seq.), under title VIII of NAHASDA (25 U.S.C.
16 4221 et seq.), and under section 106(a)(1) of the Housing
17 and Community Development Act of 1974 with respect to
18 Indian tribes (42 U.S.C. 5301 et seq.), which shall be
19 made available as follows:

20 (1) **HOUSING BLOCK GRANTS.**—\$455,000,000
21 shall be available for the Native American Housing
22 Block Grants and Native Hawaiian Housing Block
23 Grant programs, as authorized under titles I and
24 VIII of NAHASDA, subject to the following terms
25 and conditions:

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1 (A) FORMULA.—Of the amounts made
 2 available under this paragraph, \$450,000,000
 3 shall be for grants under title I of NAHASDA
 4 and shall be distributed according to the same
 5 funding formula used in fiscal year 2021.

6 (B) NATIVE HAWAIIANS.—Of the amounts
 7 made available under this paragraph,
 8 \$5,000,000 shall be for grants under title VIII
 9 of NAHASDA.

10 (C) USE.—Amounts made available under
 11 this paragraph shall be used by recipients to
 12 prevent, prepare for, and respond to
 13 coronavirus, including to maintain normal oper-
 14 ations and fund eligible affordable housing ac-
 15 tivities under NAHASDA during the period
 16 that the program is impacted by coronavirus. In
 17 addition, amounts made available under sub-
 18 paragraph (B) shall be used to provide rental
 19 assistance to eligible Native Hawaiian families
 20 both on and off the Hawaiian Home Lands.

21 (D) TIMING OF OBLIGATIONS.—Amounts
 22 made available under this paragraph shall be
 23 used, as necessary, to cover or reimburse allow-
 24 able costs to prevent, prepare for, and respond
 25 to coronavirus that are incurred by a recipient,

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1 including for costs incurred as of January 21,
2 2020.

3 (E) WAIVERS.—Any provision of statute or
4 regulation used to administer amounts made
5 available under this paragraph (except for re-
6 quirements related to fair housing, non-
7 discrimination, labor standards, and the envi-
8 ronment), shall be waived upon a finding that
9 any such waivers or alternative requirements
10 are necessary to expedite or facilitate the use of
11 amounts made available under this paragraph.

12 (F) UNOBLIGATED AMOUNTS.—Amounts
13 made available under this paragraph which are
14 not accepted, are voluntarily returned, or other-
15 wise recaptured for any reason shall be used to
16 fund grants under paragraph (2).

17 (2) INDIAN COMMUNITY DEVELOPMENT BLOCK
18 GRANTS.—\$280,000,000 shall be available for grants
19 under title I of the Housing and Community Devel-
20 opment Act of 1974, subject to the following terms
21 and conditions:

22 (A) USE.—Amounts made available under
23 this paragraph shall be used, without competi-
24 tion, for emergencies that constitute imminent
25 threats to health and safety and are designed to

1 prevent, prepare for, and respond to
2 coronavirus.

3 (B) PLANNING.—Not to exceed 20 percent
4 of any grant made with funds made available
5 under this paragraph shall be expended for
6 planning and management development and ad-
7 ministration.

8 (C) TIMING OF OBLIGATIONS.—Amounts
9 made available under this paragraph shall be
10 used, as necessary, to cover or reimburse allow-
11 able costs to prevent, prepare for, and respond
12 to coronavirus incurred by a recipient, including
13 for costs incurred as of January 21, 2020.

14 (D) INAPPLICABILITY OF PUBLIC SERVICES
15 CAP.—Notwithstanding section 105(a)(8) of the
16 Housing and Community Development Act of
17 1974 (42 U.S.C. 5305(a)(8)), there shall be no
18 per centum limitation for the use of funds made
19 available under this paragraph for public serv-
20 ices activities to prevent, prepare for, and re-
21 spond to coronavirus.

22 (E) WAIVERS.—Any provision of any stat-
23 ute or regulation used to administer amounts
24 made available under this paragraph (except for
25 requirements related to fair housing, non-

1 discrimination, labor standards, and the envi-
2 ronment), shall be waived upon a finding that
3 any such waivers or alternative requirements
4 are necessary to expedite or facilitate the use of
5 amounts made available under this paragraph.

6 (3) TECHNICAL ASSISTANCE.—\$10,000,000
7 shall be used, without competition, to make new
8 awards or increase prior awards to existing technical
9 assistance providers to provide an immediate in-
10 crease in training and technical assistance to Indian
11 tribes, Indian housing authorities, and tribally des-
12 ignated housing entities for activities under this sec-
13 tion.

14 (4) OTHER COSTS.—\$5,000,000 shall be used
15 for the administrative costs to oversee and admin-
16 ister the implementation of this section, and pay for
17 associated information technology, financial report-
18 ing, and other costs.

19 SEC. 4105. HOUSING COUNSELING.

20 (a) APPROPRIATION.—In addition to amounts other-
21 wise available, there is appropriated to the Neighborhood
22 Reinvestment Corporation (in this section referred to as
23 the “Corporation”) for fiscal year 2021, out of any money
24 in the Treasury not otherwise appropriated,
25 \$100,000,000, to remain available until September 30,

1 2025, for grants to housing counseling intermediaries ap-
2 proved by the Department of Housing and Urban Devel-
3 opment, State housing finance agencies, and
4 NeighborWorks organizations for providing housing coun-
5 seling services, as authorized under the Neighborhood Re-
6 investment Corporation Act (42 U.S.C. 8101-8107) and
7 consistent with the discretion set forth in section
8 606(a)(5) of such Act (42 U.S.C. 8105(a)(5)) to design
9 and administer grant programs. Of the grant funds made
10 available under this subsection, not less than 40 percent
11 shall be provided to counseling organizations that—

12 (1) target housing counseling services to minor-
13 ity and low-income populations facing housing insta-
14 bility; or

15 (2) provide housing counseling services in
16 neighborhoods having high concentrations of minor-
17 ity and low-income populations.

18 (b) LIMITATION.—The aggregate amount provided to
19 NeighborWorks organizations under this section shall not
20 exceed 15 percent of the total of grant funds made avail-
21 able by subsection (a).

22 (c) ADMINISTRATION AND OVERSIGHT.—The Cor-
23 poration may retain a portion of the amounts provided
24 under this section, in a proportion consistent with its
25 standard rate for program administration in order to cover

1 its expenses related to program administration and over-
2 sight.

3 (d) HOUSING COUNSELING SERVICES DEFINED.—

4 For the purposes of this section, the term “housing coun-
5 seling services” means—

6 (1) housing counseling provided directly to
7 households facing housing instability, such as evic-
8 tion, default, foreclosure, loss of income, or home-
9 lessness;

10 (2) education, outreach, training, technology
11 upgrades, and other program related support; and

12 (3) operational oversight funding for grantees
13 and subgrantees that receive funds under this sec-
14 tion.

15 **SEC. 4106. HOMELESSNESS ASSISTANCE AND SUPPORTIVE**
16 **SERVICES PROGRAM.**

17 (a) APPROPRIATION.—In addition to amounts other-
18 wise available, there is appropriated for fiscal year 2021,
19 out of any money in the Treasury not otherwise appro-
20 priated, \$5,000,000,000, to remain available until Sep-
21 tember 30, 2025, except that amounts authorized under
22 subsection (d)(3) shall remain available until September
23 30, 2029, for assistance under title II of the Cranston-
24 Gonzalez National Affordable Housing Act (42 U.S.C.

1 12721 et seq.) for the following activities to primarily ben-
 2 efit qualifying individuals or families:

3 (1) Tenant-based rental assistance.

4 (2) The development and support of affordable
 5 housing pursuant to section 212(a) of the Cranston-
 6 Gonzalez National Affordable Housing Act (42
 7 U.S.C. 12742(a)) (“the Act” herein).

8 (3) Supportive services to qualifying individuals
 9 or families not already receiving such supportive
 10 services, including—

11 (A) activities listed in section 401(29) of
 12 the McKinney-Vento Homeless Assistance Act
 13 (42 U.S.C. 11360(29));

14 (B) housing counseling; and

15 (C) homeless prevention services.

16 (4) The acquisition and development of non-
 17 congregate shelter units, all or a portion of which
 18 may—

19 (A) be converted to permanent affordable
 20 housing;

21 (B) be used as emergency shelter under
 22 subtitle B of title IV of the McKinney-Vento
 23 Homeless Assistance Act (42 U.S.C. 11371-
 24 11378);

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1 (C) be converted to permanent housing
2 under subtitle C of title IV of the McKinney-
3 Vento Homeless Assistance Act (42 U.S.C.
4 11381-11389); or
5 (D) remain as non-congregate shelter
6 units.

7 (b) QUALIFYING INDIVIDUALS OR FAMILIES DE-
8 FINED.—For the purposes of this section, qualifying indi-
9 viduals or families are those who are—

10 (1) homeless, as defined in section 103(a) of
11 the McKinney-Vento Homeless Assistance Act (42
12 U.S.C. 11302(a));

13 (2) at-risk of homelessness, as defined in sec-
14 tion 401(1) of the McKinney-Vento Homeless Assist-
15 ance Act (42 U.S.C. 11360(1));

16 (3) fleeing, or attempting to flee, domestic vio-
17 lence, dating violence, sexual assault, stalking, or
18 human trafficking;

19 (4) in other populations where providing sup-
20 portive services or assistance under section 212(a) of
21 the Act (42 U.S.C. 12742(a)) would prevent the
22 family's homelessness or would serve those with the
23 greatest risk of housing instability; or

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1 (5) veterans and families that include a veteran
2 family member that meet one of the preceding cri-
3 teria.

4 (c) TERMS AND CONDITIONS.—

5 (1) FUNDING RESTRICTIONS.—The cost limits
6 in section 212(e) (42 U.S.C. 12742(e)), the commit-
7 ment requirements in section 218(g) (42 U.S.C.
8 12749(g)), the matching requirements in section 220
9 (42 U.S.C. 12750), and the set-aside for housing de-
10 veloped, sponsored, or owned by community housing
11 development organizations required in section 231 of
12 the Act (42 U.S.C. 12771) shall not apply for
13 amounts made available in this section.

14 (2) ADMINISTRATIVE COSTS.—Notwithstanding
15 sections 212(c) and (d)(1) of the Act (42 U.S.C.
16 12742(c) and (d)(1)), of the funds made available in
17 this section for carrying out activities authorized in
18 this section, a grantee may use up to fifteen percent
19 of its allocation for administrative and planning
20 costs.

21 (3) OPERATING EXPENSES.—Notwithstanding
22 sections 212(a) and (g) of the Act (42 U.S.C.
23 12742(a) and (g)), a grantee may use up to an addi-
24 tional five percent of its allocation for the payment
25 of operating expenses of community housing develop-

1 ment organizations and nonprofit organizations car-
2 rying out activities authorized under this section,
3 but only if—

4 (A) such funds are used to develop the ca-
5 pacity of the community housing development
6 organization or nonprofit organization in the ju-
7 risdiction or insular area to carry out activities
8 authorized under this section; and

9 (B) the community housing development
10 organization or nonprofit organization complies
11 with the limitation on assistance in section
12 234(b) of the Act (42 U.S.C. 12774(b)).

13 (4) CONTRACTING.—A grantee, when con-
14 tracting with service providers engaged directly in
15 the provision of services under paragraph (a)(3),
16 shall, to the extent practicable, enter into contracts
17 in amounts that cover the actual total program costs
18 and administrative overhead to provide the services
19 contracted.

20 (d) ALLOCATION.—

21 (1) FORMULA ASSISTANCE.—Except as pro-
22 vided in paragraphs (2) and (3), amounts made
23 available under this section shall be allocated pursu-
24 ant to section 217 of the Act (42 U.S.C. 12746) to
25 grantees that received allocations pursuant to that

1 same formula in fiscal year 2021, and such alloca-
2 tions shall be made within 30 days of enactment of
3 this Act.

4 (2) TECHNICAL ASSISTANCE.—Up to
5 \$25,000,000 of the amounts made available under
6 this section shall be used, without competition, to
7 make new awards or increase prior awards to exist-
8 ing technical assistance providers to provide an im-
9 mediate increase in capacity building and technical
10 assistance available to any grantees implementing
11 activities or projects consistent with this section.

12 (3) OTHER COSTS.—Up to \$50,000,000 of the
13 amounts made available under this section shall be
14 used for the administrative costs to oversee and ad-
15 minister implementation of this section and the
16 HOME program generally, including information
17 technology, financial reporting, and other costs.

18 (4) WAIVERS.—Any provision of any statute or
19 regulation used to administer the amounts made
20 available under this section (except for requirements
21 related to fair housing, nondiscrimination, labor
22 standards, and the environment), may be waived
23 upon a finding that any such waivers or alternative
24 requirements are necessary to expedite or facilitate
25 the use of amounts made available in this section.

1 SEC. 4107. HOMEOWNER ASSISTANCE FUND.

2 (a) APPROPRIATION.—In addition to amounts other-
3 wise available, there is appropriated to the Homeowner
4 Assistance Fund established under subsection (c) for fiscal
5 year 2021, out of any money in the Treasury not otherwise
6 appropriated, \$9,961,000,000, to remain available until
7 September 30, 2025, for qualified expenses that meet the
8 purposes specified under subsection (c) and expenses de-
9 scribed in subsection (d)(1).

10 (b) DEFINITIONS.—In this section:

11 (1) CONFORMING LOAN LIMIT.—The term “con-
12 forming loan limit” means the applicable limitation
13 governing the maximum original principal obligation
14 of a mortgage secured by a single-family residence,
15 a mortgage secured by a 2-family residence, a mort-
16 gage secured by a 3-family residence, or a mortgage
17 secured by a 4-family residence, as determined and
18 adjusted annually under section 302(b)(2) of the
19 Federal National Mortgage Association Charter Act
20 (12 U.S.C. 1717(b)(2)) and section 305(a)(2) of the
21 Federal Home Loan Mortgage Corporation Act (12
22 U.S.C. 1454(a)(2)).

23 (2) DWELLING.—The term “dwelling” means
24 any building, structure, or portion thereof which is
25 occupied as, or designed or intended for occupancy
26 as, a residence by one or more individuals.

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1 (3) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means—

3 (A) a State; or

4 (B) any entity eligible for payment under
5 subsection (f).

6 (4) MORTGAGE.—The term “mortgage” means
7 any credit transaction—

8 (A) that is secured by a mortgage, deed of
9 trust, or other consensual security interest on a
10 principal residence of a borrower that is (i) a 1-
11 to 4-unit dwelling, or (ii) residential real prop-
12 erty that includes a 1- to 4-unit dwelling; and

13 (B) the unpaid principal balance of which
14 was, at the time of origination, not more than
15 the conforming loan limit.

16 (5) FUND.—The term “Fund” means the
17 Homeowner Assistance Fund established under sub-
18 section (c).

19 (6) SECRETARY.—The term “Secretary” means
20 the Secretary of the Treasury.

21 (7) STATE.—The term “State” means any
22 State of the United States, the District of Columbia,
23 the Commonwealth of Puerto Rico, Guam, American
24 Samoa, the United States Virgin Islands, and the
25 Commonwealth of the Northern Mariana Islands.

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1 (c) ESTABLISHMENT OF FUND.—

2 (1) ESTABLISHMENT; QUALIFIED EXPENSES.—

3 There is established in the Department of the Treas-
4 ury a Homeowner Assistance Fund to mitigate fi-
5 nancial hardships associated with the coronavirus
6 pandemic by providing such funds as are appro-
7 priated by subsection (a) to eligible entities, and to
8 require an eligible entity that receives funds pursu-
9 ant to this section to periodically submit to the Sec-
10 retary a report that describes the activities carried
11 out by the eligible entity using the funds provided
12 under this section, for the purpose of preventing
13 homeowner mortgage delinquencies, defaults, fore-
14 closures, loss of utilities or home energy services,
15 and displacements of homeowners experiencing fi-
16 nancial hardship after January 21, 2020, through
17 qualified expenses related to mortgages and housing,
18 which include—

19 (A) mortgage payment assistance;

20 (B) financial assistance to allow a home-
21 owner to reinstate a mortgage or to pay other
22 housing related costs related to a period of for-
23 bearance, delinquency, or default;

24 (C) principal reduction;

25 (D) facilitating interest rate reductions;

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- 1 (E) payment assistance for—
- 2 (i) utilities, including electric, gas,
- 3 and water;
- 4 (ii) internet service, including
- 5 broadband internet access service, as de-
- 6 fined in section 8.1(b) of title 47, Code of
- 7 Federal Regulations (or any successor reg-
- 8 ulation);
- 9 (iii) property taxes;
- 10 (iv) homeowner's insurance, flood in-
- 11 surance, and mortgage insurance; and
- 12 (v) homeowner's association, condo-
- 13 minium association fees, or common
- 14 charges;
- 15 (F) reimbursement of funds expended by a
- 16 State, local government, or designated entity
- 17 under subsection (e) during the period begin-
- 18 ning on January 21, 2020, and ending on the
- 19 date that the first funds are disbursed by the
- 20 eligible entity under the Homeowner Assistance
- 21 Fund, for the purpose of providing housing or
- 22 utility payment assistance to individuals or oth-
- 23 erwise providing funds to prevent foreclosure or
- 24 eviction of a homeowner or tenant or prevent
- 25 mortgage delinquency or loss of housing or util-

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1 ities as a response to the coronavirus disease
2 (COVID) pandemic; and

3 (G) any other assistance to promote hous-
4 ing stability for homeowners, including pre-
5 venting eviction, mortgage delinquency or de-
6 fault, foreclosure, or the loss of utility or home
7 energy services, as determined by the Secretary.

8 (2) TARGETING.—Not less than 60 percent of
9 amounts made to each eligible entity allocated
10 amounts under subsection (d) or (f) shall be used
11 for qualified expenses that assist homeowners having
12 incomes equal to or less than 100 percent of the
13 area median income for their household size or equal
14 to or less than 100 percent of the median income for
15 the United States, as determined by the Secretary of
16 Housing and Urban Development, whichever is
17 greater. The eligible entity shall prioritize remaining
18 funds to populations or geographies experiencing the
19 greatest need.

20 (d) ALLOCATION OF FUNDS.—

21 (1) ADMINISTRATION.—Of any amounts made
22 available under this section, the Secretary shall re-
23 serve—

24 (A) to the Department of the Treasury, an
25 amount not to exceed \$40,000,000 to admin-

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1 ister and oversee the Fund, and to provide tech-
 2 nical assistance to eligible entities for the cre-
 3 ation and implementation of State and tribal
 4 programs to administer assistance from the
 5 Fund; and

6 (B) to the Inspector General of the De-
 7 partment of the Treasury, an amount to not ex-
 8 ceed \$2,600,000 for oversight of the program
 9 under this section.

10 (2) FOR STATES.—After the application of
 11 paragraphs (1), (4), and (5) of this subsection and
 12 subject to paragraph (3) of this subsection, the Sec-
 13 retary shall establish such criteria as are necessary
 14 to allocate the remaining funds available within the
 15 Homeowner Assistance Fund to each State of the
 16 United States, the District of Columbia, and the
 17 Commonwealth of Puerto Rico, taking into consider-
 18 ation, for such State relative to all States of the
 19 United States, the District of Columbia, and the
 20 Commonwealth of Puerto Rico, as of the date of the
 21 enactment of this Act—

22 (A) the average number of unemployed in-
 23 dividuals measured over a period of time not
 24 fewer than 3 months and not more than 12
 25 months;

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1 (B) the total number or mortgagors with—
 2 (i) mortgage payments that are more
 3 than 30 days past due; or
 4 (ii) mortgages in foreclosure.

5 (3) SMALL STATE MINIMUM.—

6 (A) IN GENERAL.—Each State of the
 7 United States, the District of Columbia, and
 8 the Commonwealth of Puerto Rico shall receive
 9 no less than \$40,000,000 for the purposes es-
 10 tablished in (c).

11 (B) PRO RATA ADJUSTMENTS.—The Sec-
 12 retary shall adjust on a pro rata basis the
 13 amount of the payments for each State of the
 14 United States, the District of Columbia, and
 15 the Commonwealth of Puerto Rico determined
 16 under this subsection without regard to this
 17 subparagraph to the extent necessary to comply
 18 with the requirements of subparagraph (A).

19 (4) TERRITORY SET-ASIDE.—Notwithstanding
 20 any other provision of this section, of the amounts
 21 appropriated under subsection (a), the Secretary
 22 shall reserve \$30,000,000 to be disbursed to Guam,
 23 American Samoa, the United States Virgin Islands,
 24 and the Commonwealth of the Northern Mariana Is-
 25 lands based on each such territory's share of the

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1 combined total population of all such territories, as
2 determined by the Secretary. For the purposes of
3 this paragraph, population shall be determined based
4 on the most recent year for which data are available
5 from the United States Census Bureau.

6 (5) TRIBAL SET-ASIDE.—The Secretary shall
7 allocate funds to any eligible entity designated under
8 subsection (f) pursuant to the requirements of that
9 subsection.

10 (e) DISTRIBUTION OF FUNDS TO STATES.—

11 (1) IN GENERAL.—The Secretary shall make
12 payments, beginning not later than 45 days after en-
13 actment of this Act, from amounts allocated under
14 subsection (d) to eligible entities that have notified
15 the Secretary that they request to receive payment
16 from the Fund and that the eligible entity will use
17 such payments in compliance with this section.

18 (2) REALLOCATION.—If a State does not re-
19 quest allocated funds by the 90th day after the date
20 of enactment of this Act, such State shall not be eli-
21 gible for a payment from the Secretary pursuant to
22 this section, and the Secretary shall reallocate any
23 funds that were not requested by such State among
24 the States that have requested funds by the 90th
25 day after the date of enactment of this Act. For any

1 such reallocation of funds, the Secretary shall ad-
2 here to the requirements of subsection (d), except
3 for paragraph (1), to the greatest extent possible,
4 provided that the Secretary shall also take into con-
5 sideration in determining such reallocation a State's
6 remaining need and a State's record of using pay-
7 ments from the Fund to serve homeowners at dis-
8 proportionate risk of mortgage default, foreclosure,
9 or displacement, including homeowners having in-
10 comes equal to or less than 100 percent of the area
11 median income for their household size or 100 per-
12 cent of the median income for the United States, as
13 determined by the Secretary of Housing and Urban
14 Development, whichever is greater, and minority
15 homeowners.

16 (f) TRIBAL SET-ASIDE.—

17 (1) SET-ASIDE.—Notwithstanding any other
18 provision of this section, of the amounts appro-
19 priated under subsection (a), the Secretary shall use
20 5 percent to make payments to entities that are eli-
21 gible for payments under clauses (i) and (ii) of sec-
22 tion 501(b)(2)(A) of subtitle A of title V of division
23 N of the Consolidated Appropriations Act, 2021
24 (Public Law 116-260) for the purposes described in
25 subsection (c).

1 out of any money in the Treasury not otherwise appro-
 2 priated, \$39,000,000, to remain available until September
 3 30, 2023, for direct loans made under sections 502 and
 4 504 of the Housing Act of 1949 (42 U.S.C. 1472, 1474).

5 (b) ADMINISTRATIVE EXPENSES.—The Secretary
 6 may use not more than 3 percent of the amounts appro-
 7 priated under this section for administrative purposes.

8 **Subtitle C—Small Business (SSBCI)**

9 SEC. 4201. REAUTHORIZATION OF THE STATE SMALL BUSI- 10 NESS CREDIT INITIATIVE ACT OF 2010.

11 (a) REAUTHORIZATION.—

12 (1) IN GENERAL.—The State Small Business
 13 Credit Initiative Act of 2010 (12 U.S.C. 5701 et
 14 seq.) is amended—

15 (A) in section 3003—

16 (i) in subsection (b)—

17 (I) by amending paragraph (1) to
 18 read as follows:

19 “(1) IN GENERAL.—Not later than 30 days
 20 after the date of enactment of subsection (d), the
 21 Secretary shall allocate Federal funds to partici-
 22 pating States so that each State is eligible to receive
 23 an amount equal to what the State would receive
 24 under the 2021 allocation, as determined under
 25 paragraph (2).”;

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1 (II) in paragraph (2)—

2 (aa) by striking “2009”

3 each place such term appears

4 and inserting “2021”;

5 (bb) by striking “2008”

6 each place such term appears

7 and inserting “2020”;

8 (cc) in subparagraph (A), by

9 striking “The Secretary” and in-

10 sserting “With respect to States

11 other than Tribal governments,

12 the Secretary”;

13 (dd) in subparagraph (C)(i),

14 by striking “2007” and inserting

15 “2019”; and

16 (ee) by adding at the end

17 the following:

18 “(C) SEPARATE ALLOCATION FOR TRIBAL

19 GOVERNMENTS.—

20 “(i) IN GENERAL.—With respect to

21 States that are Tribal governments, the

22 Secretary shall determine the 2021 alloca-

23 tion by allocating \$500,000,000 among the

24 Tribal governments in the proportion the

25 Secretary determines appropriate, includ-

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1 ing with consideration to available employ-
 2 ment and economic data regarding each
 3 such Tribal government.

4 “(ii) NOTICE OF INTENT; TIMING OF
 5 ALLOCATION.—With respect to allocations
 6 to States that are Tribal governments, the
 7 Secretary may—

8 “(I) require Tribal governments
 9 that individually or jointly wish to
 10 participate in the Program to file a
 11 notice of intent with the Secretary not
 12 later than 30 days after the date of
 13 enactment of subsection (d); and

14 “(II) notwithstanding paragraph
 15 (1), allocate Federal funds to partici-
 16 pating Tribal governments not later
 17 than 60 days after the date of enact-
 18 ment of subsection (d).

19 “(D) EMPLOYMENT DATA.—If the Sec-
 20 retary determines that employment data with
 21 respect to a State is unavailable from the Bu-
 22 reau of Labor Statistics of the Department of
 23 Labor, the Secretary shall consider such other
 24 economic and employment data that is other-

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1 wise available for purposes of determining the
2 employment data of such State.”; and

3 (III) by striking paragraph (3);

4 and

5 (ii) in subsection (c)—

6 (I) in paragraph (1)(A)(iii), by

7 inserting before the period the fol-

8 lowing: “that have delivered loans or

9 investments to eligible businesses”;

10 and

11 (II) by amending paragraph (4)

12 to read as follows:

13 “(4) TERMINATION OF AVAILABILITY OF

14 AMOUNTS NOT TRANSFERRED.—

15 “(A) IN GENERAL.—Any portion of a par-

16 ticipating State’s allocated amount that has not

17 been transferred to the State under this section

18 may be deemed by the Secretary to be no longer

19 allocated to the State and no longer available to

20 the State and shall be returned to the general

21 fund of the Treasury or reallocated as described

22 under subparagraph (B), if—

23 “(i) the second $\frac{1}{3}$ of a State’s allo-

24 cated amount has not been transferred to

25 the State before the end of the end of the

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1 3-year period beginning on the date that
 2 the Secretary approves the State for par-
 3 ticipation; or

4 “(ii) the last $\frac{1}{3}$ of a State’s allocated
 5 amount has not been transferred to the
 6 State before the end of the end of the 6-
 7 year period beginning on the date that the
 8 Secretary approves the State for participa-
 9 tion.

10 “(B) REALLOCATION.—Any amount
 11 deemed by the Secretary to be no longer allo-
 12 cated to a State and no longer available to such
 13 State under subparagraph (A) may be reallo-
 14 cated by the Secretary to other participating
 15 States. In making such a reallocation, the Sec-
 16 retary shall not take into account the minimum
 17 allocation requirements under subsection
 18 (b)(2)(B) or the specific allocation for Tribal
 19 governments described under subsection
 20 (b)(2)(C).”;

21 (B) in section 3004(d), by striking “date
 22 of enactment of this Act” each place it appears
 23 and inserting “date of the enactment of section
 24 3003(d)”;

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1 (C) in section 3005(b), by striking “date of
2 enactment of this Act” each place it appears
3 and inserting “date of the enactment of section
4 3003(d)”;

5 (D) in section 3006(b)(4), by striking
6 “date of enactment of this Act” and inserting
7 “date of the enactment of section 3003(d)”;

8 (E) in section 3007(b), by striking “March
9 31, 2011” and inserting “March 31, 2022”;

10 (F) in section 3009, by striking “date of
11 enactment of this Act” each place it appears
12 and inserting “date of the enactment of section
13 3003(d)”;

14 (G) in section 3011(b), by striking “date
15 of the enactment of this Act” each place it ap-
16 pears and inserting “date of the enactment of
17 section 3003(d)”.

18 (2) APPROPRIATION.—

19 (A) IN GENERAL.—In addition to amounts
20 otherwise available, there is hereby appropriated
21 to the Secretary of the Treasury for fiscal year
22 2021, out of any money in the Treasury not
23 otherwise appropriated, \$10,000,000,000, to re-
24 main available until expended, to reauthorize,
25 expand, and enhance the State Small Business

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1 Credit Initiative established under the State
2 Small Business Credit Initiative Act of 2010,
3 including to provide support to small businesses
4 responding to and recovering from the economic
5 effects of the COVID-19 pandemic, ensure
6 business enterprises owned and controlled by
7 socially and economically disadvantaged individ-
8 uals have access to credit and investments, pro-
9 vide technical assistance to help small busi-
10 nesses applying for various support programs,
11 and to pay reasonable costs of administering
12 such Initiative.

13 (B) RESCISSION.—With respect to
14 amounts appropriated under subparagraph
15 (A)—

16 (i) the Secretary of the Treasury shall
17 complete all disbursements and remaining
18 obligations before September 30, 2030;
19 and

20 (ii) any amounts that remain unex-
21 pended (whether obligated or unobligated)
22 on September 30, 2030, shall be rescinded
23 and deposited into the general fund of the
24 Treasury.

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1 **(b) ADDITIONAL ALLOCATIONS TO SUPPORT BUSI-**
2 **NESS ENTERPRISES OWNED AND CONTROLLED BY SO-**
3 **cially and economically disadvantaged individ-**
4 **UALS.—**Section 3003 of the State Small Business Credit
5 Initiative Act of 2010 (12 U.S.C. 5702) is amended by
6 adding at the end the following:

7 **“(d) ADDITIONAL ALLOCATIONS TO SUPPORT BUSI-**
8 **NESS ENTERPRISES OWNED AND CONTROLLED BY SO-**
9 **cially and economically disadvantaged individ-**
10 **UALS.—**Of the amounts appropriated for fiscal year 2021
11 to carry out the Program, the Secretary shall—

12 **“(1) ensure that \$1,500,000,000 from funds al-**
13 **located under this section shall be allocated to States**
14 **to be expended for business enterprises owned and**
15 **controlled by socially and economically disadvan-**
16 **tagged individuals;**

17 **“(2) allocate such amounts to States based on**
18 **the needs of business enterprises owned and con-**
19 **trolled by socially and economically disadvantaged**
20 **individuals, as determined by the Secretary, in each**
21 **State, and not subject to the allocation formula de-**
22 **scribed under subsection (b);**

23 **“(3) oversee the States’ use of these funds to**
24 **ensure they directly support business enterprises**

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1 owned and controlled by socially and economically
2 disadvantaged individuals; and

3 “(4) establish a minimum amount of support
4 that a State shall provide to business enterprises
5 owned and controlled by socially and economically
6 disadvantaged individuals.

7 “(e) INCENTIVE ALLOCATIONS TO SUPPORT BUSI-
8 NESS ENTERPRISES OWNED AND CONTROLLED BY SO-
9 CIALY AND ECONOMICALLY DISADVANTAGED INDIVID-
10 UALS.—Of the amounts appropriated for fiscal year 2021
11 to carry out the Program, the Secretary shall set aside
12 \$1,000,000,000 for an incentive program under which the
13 Secretary shall increase the second $\frac{1}{3}$ and last $\frac{1}{3}$ alloca-
14 tions for States that demonstrate robust support, as deter-
15 mined by the Secretary, for business concerns owned and
16 controlled by socially and economically disadvantaged indi-
17 viduals in the deployment of prior allocation amounts.”.

18 (c) ADDITIONAL ALLOCATIONS TO SUPPORT VERY
19 SMALL BUSINESSES.—Section 3003 of the State Small
20 Business Credit Initiative Act of 2010 (12 U.S.C. 5702),
21 as amended by subsection (b), is further amended by add-
22 ing at the end the following:

23 “(f) ADDITIONAL ALLOCATIONS TO SUPPORT VERY
24 SMALL BUSINESSES.—

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1 “(1) IN GENERAL.—Of the amounts appro-
2 priated to carry out the Program, the Secretary
3 shall ensure that not less than \$500,000,000 from
4 funds allocated under this section shall be expended
5 for very small businesses.

6 “(2) VERY SMALL BUSINESS DEFINED.—In this
7 subsection, the term ‘very small business’—

8 “(A) means a business with fewer than 10
9 employees; and

10 “(B) may include independent contractors
11 and sole proprietors.”.

12 (d) CDFI AND MDI PARTICIPATION PLAN.—Section
13 3004 of the State Small Business Credit Initiative Act of
14 2010 (12 U.S.C. 5703) is amended by adding at the end
15 the following:

16 “(e) CDFI AND MDI PARTICIPATION PLAN.—The
17 Secretary may not approve a State to be a participating
18 State unless the State has provided the Secretary with a
19 plan detailing how minority depository institutions and
20 community development financial institutions will be en-
21 couraged to participate in State programs.”.

22 (e) PANDEMIC RESPONSE PLAN.—Section 3004 of
23 the State Small Business Credit Initiative Act of 2010 (12
24 U.S.C. 5703), as amended by subsection (c), is further
25 amended by adding at the end the following:

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1 “(f) P_{ANDEMIC RESPONSE PLAN}.—The Secretary
2 may not approve a State to be a participating State unless
3 the State has provided the Secretary with a description
4 of how the State will expeditiously utilize funds to support
5 small businesses, including business enterprises owned and
6 controlled by socially and economically disadvantaged indi-
7 viduals, in responding to and recovering from the eco-
8 nomic effects of the COVID-19 pandemic.”.

9 (f) T_{ECHNICAL ASSISTANCE}.—Section 3009 of the
10 State Small Business Credit Initiative Act of 2010 (12
11 U.S.C. 5708) is amended by adding at the end the fol-
12 lowing:

13 “(e) T_{ECHNICAL ASSISTANCE}.—Of the amounts ap-
14 propriated for fiscal year 2021 to carry out the Program,
15 \$500,000,000 may be used by the Secretary to—

16 “(1) provide funds to States to carry out a
17 technical assistance plan under which a State will
18 provide legal, accounting, and financial advisory
19 services, either directly or contracted with legal, ac-
20 counting, and financial advisory firms, with priority
21 given to business enterprises owned and controlled
22 by socially and economically disadvantaged individ-
23 uals, to very small businesses and business enter-
24 prises owned and controlled by socially and economi-
25 cally disadvantaged individuals applying for—

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1 “(A) State programs under the Program;
 2 and
 3 “(B) other State or Federal programs that
 4 support small businesses;
 5 “(2) transfer amounts to the Minority Business
 6 Development Agency, so that the Agency may use
 7 such amounts in a manner the Agency determines
 8 appropriate, including through contracting with
 9 third parties, to provide technical assistance to busi-
 10 ness enterprises owned and controlled by socially
 11 and economically disadvantaged individuals applying
 12 to—
 13 “(A) State programs under the Program;
 14 and
 15 “(B) other State or Federal programs that
 16 support small businesses; and
 17 “(3) contract with legal, accounting, and finan-
 18 cial advisory firms (with priority given to business
 19 enterprises owned and controlled by socially and eco-
 20 nomically disadvantaged individuals), to provide
 21 technical assistance to business enterprises owned
 22 and controlled by socially and economically disadvan-
 23 taged individuals applying to—
 24 “(A) State programs under the Program;
 25 and

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1 “(B) other State or Federal programs that
2 support small businesses.”.

3 (g) MULTI-STATE PARTICIPATION PROGRAM.—Sec-
4 tion 3009 of the State Small Business Credit Initiative
5 Act of 2010 (12 U.S.C. 5708), as amended by subsection
6 (d)(2), is further amended by adding at the end the fol-
7 lowing:

8 “(f) MULTI-STATE PARTICIPATION PROGRAM.—The
9 Secretary may establish a multi-State participation pro-
10 gram under which—

11 “(1) the Secretary determines which State pro-
12 grams are similar to each other, with respect to eli-
13 gibility criteria and such other criteria as the Sec-
14 retary determines appropriate; and

15 “(2) a State may elect to automatically deem a
16 person eligible for a State program if the person is
17 already participating in another State’s State pro-
18 gram that the Secretary has determined is similar
19 under paragraph (1).”.

20 (h) APPROVAL OF MULTI-STATE PROGRAMS.—Sec-
21 tion 3004 of the State Small Business Credit Initiative
22 Act of 2010 (12 U.S.C. 5703), as amended by subsection
23 (d), is further amended by adding at the end the following:

24 “(g) APPROVAL OF MULTI-STATE PROGRAMS.—In
25 approving State programs under section 3005 or 3006,

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1 the Secretary may approve a State program carried out
2 jointly by more than one State.”.

3 (i) PREDATORY LENDING PROHIBITED.—Section
4 3004 of the State Small Business Credit Initiative Act of
5 2010 (15 U.S.C. 5702), as amended by subsection (g),
6 is further amended by adding at the end the following:

7 “(h) PREDATORY LENDING PROHIBITED.—The Sec-
8 retary may not approve a State to be a participating State
9 unless the State has agreed that no lending activity sup-
10 ported by amounts received by the State under the Pro-
11 gram would result in predatory lending, as determined by
12 the Secretary.”.

13 (j) INCLUSION OF TRIBAL GOVERNMENTS.—Section
14 3002(10) of the State Small Business Credit Initiative Act
15 of 2010 (12 U.S.C. 5701(10)) is amended—

16 (1) in subparagraph (C), by striking “and” at
17 the end;

18 (2) in subparagraph (D), by striking the period
19 at the end and inserting “; and”; and

20 (3) by adding at the end the following:

21 “(E) a Tribal government, or a group of
22 Tribal governments that jointly apply for an al-
23 location.”.

1 (k) DEFINITIONS.—Section 3002 of the State Small
 2 Business Credit Initiative Act of 2010 (12 U.S.C. 5701)
 3 is amended by adding at the end the following:

4 “(15) BUSINESS ENTERPRISE OWNED AND CON-
 5 TROLLED BY SOCIALLY AND ECONOMICALLY DIS-
 6 ADVANTAGED INDIVIDUALS.—The term ‘business en-
 7 terprise owned and controlled by socially and eco-
 8 nomically disadvantaged individuals’ means a busi-
 9 ness that—

10 “(A) if privately owned, 51 percent is
 11 owned by one or more socially and economically
 12 disadvantaged individuals;

13 “(B) if publicly owned, 51 percent of the
 14 stock is owned by one or more socially and eco-
 15 nomically disadvantaged individuals; and

16 “(C) in the case of a mutual institution, a
 17 majority of the Board of Directors, account
 18 holders, and the community which the institu-
 19 tion services is predominantly comprised of so-
 20 cially and economically disadvantaged individ-
 21 uals.

22 “(16) COMMUNITY DEVELOPMENT FINANCIAL
 23 INSTITUTION.—The term ‘community development
 24 financial institution’ has the meaning given that
 25 term under section 103 of the Riegle Community

1 Development and Regulatory Improvement Act of
2 1994.

3 “(17) MINORITY DEPOSITORY INSTITUTION.—
4 The term ‘minority depository institution’ has the
5 meaning given that term under section 308(b) of the
6 Financial Institutions Reform, Recovery, and En-
7 forcement Act of 1989.

8 “(18) SOCIALLY AND ECONOMICALLY DIS-
9 ADVANTAGED INDIVIDUAL.—The term ‘socially and
10 economically disadvantaged individual’ means an in-
11 dividual who is a socially disadvantaged individual or
12 an economically disadvantaged individual, as such
13 terms are defined, respectively, under section 8 of
14 the Small Business Act (15 U.S.C. 637) and the
15 regulations thereunder.

16 “(19) TRIBAL GOVERNMENT.—The term ‘Tribal
17 government’ means a government of an Indian Tribe
18 listed on the list of recognized Tribes published by
19 the Secretary of the Interior under section 104 of
20 the Federally Recognized Indian Tribe List Act of
21 1994 (25 U.S.C. 5131).”

22 (I) RULE OF APPLICATION.—The amendments made
23 by this section shall apply with respect to funds appro-
24 priated under this section and funds appropriated on and
25 after the date of enactment of this section.

1 **Subtitle D—Airlines**

2 SEC. 4301. AIR TRANSPORTATION PAYROLL SUPPORT PRO-
3 GRAM EXTENSION.

4 (a) DEFINITIONS.—The definitions in section
5 40102(a) of title 49, United States Code, shall apply with
6 respect to terms used in this section, except that—

7 (1) the term “catering functions” means prepa-
8 ration, assembly, or both, of food, beverages, provi-
9 sions and related supplies for delivery, and the deliv-
10 ery of such items, directly to aircraft or to a location
11 on or near airport property for subsequent delivery
12 to aircraft;

13 (2) the term “contractor” means—

14 (A) a person that performs, under contract
15 with a passenger air carrier conducting oper-
16 ations under part 121 of title 14, Code of Fed-
17 eral Regulations—

18 (i) catering functions; or

19 (ii) functions on the property of an
20 airport that are directly related to the air
21 transportation of persons, property, or
22 mail, including the loading and unloading
23 of property on aircraft, assistance to pas-
24 sengers under part 382 of title 14, Code of
25 Federal Regulations, security, airport

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- 1 ticketing and check-in functions, ground-
- 2 handling of aircraft, or aircraft cleaning
- 3 and sanitization functions and waste re-
- 4 moval; or
- 5 (B) a subcontractor that performs such
- 6 functions;
- 7 (3) the term “employee” means an individual,
- 8 other than a corporate officer, who is employed by
- 9 an air carrier or a contractor;
- 10 (4) the term “eligible air carrier” means an air
- 11 carrier that—
- 12 (A) received financial assistance pursuant
- 13 section 402(a)(1) of division N of the Consoli-
- 14 dated Appropriations Act, 2021 (Public Law
- 15 116-260);
- 16 (B) provides air transportation as of
- 17 March 31, 2021;
- 18 (C) has not conducted involuntary fur-
- 19 loughs or reduced pay rates or benefits between
- 20 March 31, 2021, and the date on which the air
- 21 carrier makes a certification to the Secretary
- 22 pursuant to subparagraph (D); and
- 23 (D) certifies to the Secretary that such air
- 24 carrier will—

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1 (i) refrain from conducting involun-
2 tary furloughs or reducing pay rates or
3 benefits until September 30, 2021, or the
4 date on which assistance provided under
5 this section is exhausted, whichever is
6 later;

7 (ii) refrain from purchasing an equity
8 security of the air carrier or the parent
9 company of the air carrier that is listed on
10 a national securities exchange through
11 September 30, 2022;

12 (iii) refrain from paying dividends, or
13 making other capital distributions, with re-
14 spect to common stock (or equivalent inter-
15 est) of such air carrier through September
16 30, 2022;

17 (iv) during the 2-year period begin-
18 ning April 1, 2021, and ending April 1,
19 2023, refrain from paying—

20 (I) any officer or employee of the
21 air carrier whose total compensation
22 exceeded \$425,000 in calendar year
23 2019 (other than an employee whose
24 compensation is determined through
25 an existing collective bargaining

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1 agreement entered into prior to the
2 date of enactment of this Act)—

3 (aa) total compensation that
4 exceeds, during any 12 consecu-
5 tive months of such 2-year pe-
6 riod, the total compensation re-
7 ceived by the officer or employee
8 from the air carrier in calendar
9 year 2019; or

10 (bb) severance pay or other
11 benefits upon termination of em-
12 ployment with the air carrier
13 which exceeds twice the max-
14 imum total compensation re-
15 ceived by the officer or employee
16 from the air carrier in calendar
17 year 2019; and

18 (II) any officer or employee of
19 the air carrier whose total compensa-
20 tion exceeded \$3,000,000 in calendar
21 year 2019 during any 12 consecutive
22 months of such period total compensa-
23 tion in excess of the sum of—

24 (aa) \$3,000,000; and

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1 (bb) 50 percent of the excess
 2 over \$3,000,000 of the total com-
 3 pensation received by the officer
 4 or employee from the air carrier
 5 in calendar year 2019.

6 (5) the term “eligible contractor” means a con-
 7 tractor that—

8 (A) received financial assistance pursuant
 9 to section 402(a)(2) of division N of the Con-
 10 solidated Appropriations Act, 2021 (Public Law
 11 116-260);

12 (B) performs one or more of the functions
 13 described under paragraph (2) as of March 31,
 14 2021;

15 (C) has not conducted involuntary fur-
 16 loughs or reduced pay rates or benefits between
 17 March 31, 2021, and the date on which the
 18 contractor makes a certification to the Sec-
 19 retary pursuant to subparagraph (D); and

20 (D) certifies to the Secretary that such
 21 contractor will—

22 (i) refrain from conducting involun-
 23 tary furloughs or reducing pay rates or
 24 benefits until September 30, 2021, or the
 25 date on which assistance provided under

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1 this section is exhausted, whichever is
2 later;

3 (ii) refrain from purchasing an equity
4 security of the contractor or the parent
5 company of the contractor that is listed on
6 a national securities exchange through
7 September 30, 2022;

8 (iii) refrain from paying dividends, or
9 making other capital distributions, with re-
10 spect to common stock (or equivalent inter-
11 est) of the contractor through September
12 30, 2022;

13 (iv) during the 2-year period begin-
14 ning April 1, 2021, and ending April 1,
15 2023, refrain from paying—

16 (I) any officer or employee of the
17 contractor whose total compensation
18 exceeded \$425,000 in calendar year
19 2019 (other than an employee whose
20 compensation is determined through
21 an existing collective bargaining
22 agreement entered into prior to the
23 date of enactment of this Act)—

24 (aa) total compensation that
25 exceeds, during any 12 consecu-

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1 tive months of such 2-year pe-
 2 riod, the total compensation re-
 3 ceived by the officer or employee
 4 from the contractor in calendar
 5 year 2019; or

6 (b) severance pay or other
 7 benefits upon termination of em-
 8 ployment with the contractor
 9 which exceeds twice the max-
 10 imum total compensation re-
 11 ceived by the officer or employee
 12 from the contractor in calendar
 13 year 2019; and

14 (II) any officer or employee of
 15 the contractor whose total compensa-
 16 tion exceeded \$3,000,000 in calendar
 17 year 2019 during any 12 consecutive
 18 months of such period total compensa-
 19 tion in excess of the sum of—

20 (aa) \$3,000,000; and

21 (bb) 50 percent of the excess
 22 over \$3,000,000 of the total com-
 23 pensation received by the officer
 24 or employee from the contractor
 25 in calendar year 2019.

1 (6) the term “Secretary” means the Secretary
2 of the Treasury.

3 (b) PAYROLL SUPPORT GRANTS.—

4 (1) IN GENERAL.—To preserve aviation jobs
5 and compensate air carrier industry workers, the
6 Secretary shall make available to eligible air carriers
7 and eligible contractors, financial assistance exclu-
8 sively for the continuation of payment of employee
9 wages, salaries, and benefits to—

10 (A) eligible air carriers, in an aggregate
11 amount of \$14,000,000,000; and

12 (B) eligible contractors, in an aggregate
13 amount of \$1,000,000,000.

14 (2) APPORTIONMENTS.—

15 (A) IN GENERAL.—The Secretary shall ap-
16 portion funds to eligible air carriers and eligible
17 contractors in accordance with the requirements
18 of this section not later than April 15, 2021.

19 (B) ELIGIBLE AIR CARRIERS.—The Sec-
20 retary shall apportion funds made available
21 under paragraph (1)(A) to each eligible air car-
22 rier in the ratio that—

23 (i) the amount received by the air car-
24 rier pursuant to section 403(a) of division

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1 N of the Consolidated Appropriations Act,
 2 2021 (Public Law 116-260) bears to
 3 (ii) \$15,000,000,000.

4 (C) ELIGIBLE CONTRACTORS.—The Sec-
 5 retary shall apportion, to each eligible con-
 6 tractor, an amount equal to the total amount
 7 such contractor received pursuant to section
 8 403(a) of division N of the Consolidated Appro-
 9 priations Act, 2021 (Public Law 116-260).

10 (3) IN GENERAL.—

11 (A) FORMS; TERMS AND CONDITIONS.—
 12 The Secretary shall provide financial assistance
 13 to an eligible air carrier or eligible contractor
 14 under this section in the same form and on the
 15 same terms and conditions as determined by
 16 pursuant to section 403(b)(1)(A) of subtitle A
 17 of title IV of division N of the Consolidated Ap-
 18 propriations Act, 2021 (Pub. L. No. 116-260).

19 (B) PROCEDURES.—The Secretary shall
 20 publish streamlined and expedited procedures
 21 not later than 5 days after the date of enact-
 22 ment of this section for eligible air carriers and
 23 eligible contractors to submit requests for fi-
 24 nancial assistance under this section.

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1 (C) DEADLINE FOR IMMEDIATE PAYROLL
2 ASSISTANCE.—Not later than 10 days after the
3 date of enactment of this section, the Secretary
4 shall make initial payments to air carriers and
5 contractors that submit requests for financial
6 assistance approved by the Secretary.

7 (4) TAXPAYER PROTECTION.—The Secretary
8 shall receive financial instruments issued by recipi-
9 ents of financial assistance under this section in the
10 same form and amount, and under the same terms
11 and conditions, as determined by the Secretary
12 under section 408 of subtitle A of title IV of division
13 N of the Consolidated Appropriations Act, 2021
14 (Pub. L. No. 116-260).

15 (5) ADMINISTRATIVE EXPENSES.—Of the
16 amounts made available under paragraph (1)(A),
17 \$10,000,000 shall be made available to the Sec-
18 retary for costs and administrative expenses associ-
19 ated with providing financial assistance under this
20 section.

21 (c) FUNDING.—In addition to amounts otherwise
22 available, there is appropriated for fiscal year 2021, out
23 of any money in the Treasury not otherwise appropriated,
24 \$15,000,000,000, to remain available until expended, to
25 carry out this section.

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1 “(B) ALLOCATION.—Of the amount re-
2 served under subparagraph (A)—

3 “(i) 50 percent of such amount shall
4 be allocated by the Secretary equally
5 among each territory; and

6 “(ii) 50 percent of such amount shall
7 be allocated by the Secretary as an addi-
8 tional amount to each territory in an
9 amount which bears the same proportion
10 to $\frac{1}{2}$ of the total amount reserved under
11 subparagraph (A) as the relative popu-
12 lation of the territory bears to the total
13 population of all such territories.

14 “(C) PAYMENT.—The Secretary shall pay
15 each territory the total of the amounts allocated
16 for the territory under subparagraph (B).

17 “(2) PAYMENTS TO TRIBAL GOVERNMENTS.—

18 “(A) IN GENERAL.—The Secretary shall
19 reserve \$20,000,000,000 of the amount appro-
20 priated under subsection (a) to make payments
21 to Tribal governments.

22 “(B) ALLOCATION.—Of the amount re-
23 served under subparagraph (A)—

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1 “(i) \$1,000,000,000 shall be allocated
2 by the Secretary equally among each Trib-
3 al government; and

4 “(ii) \$19,000,000,000 shall be allo-
5 cated by the Secretary among each Tribal
6 government in an amount determined by
7 the Secretary.

8 “(C) PAYMENT.— The Secretary shall pay
9 each Tribal government the total of the
10 amounts allocated for the Tribal government
11 under subparagraph (B).

12 “(3) PAYMENTS TO EACH OF THE 50 STATES
13 AND THE DISTRICT OF COLUMBIA.—

14 “(A) IN GENERAL.—The Secretary shall
15 reserve \$195,300,000,000 of the amount appro-
16 priated under subsection (a) to make payments
17 to each of the 50 States and the District of Co-
18 lumbia.

19 “(B) ALLOCATIONS.—Of the amount re-
20 served under subparagraph (A)—

21 “(i) \$25,500,000,000 of such amount
22 shall be allocated by the Secretary equally
23 among each of the 50 States and the Dis-
24 trict of Columbia;

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1 “(ii) an amount equal to
2 \$1,250,000,000 less the amount allocated
3 for the District of Columbia pursuant to
4 section 601(c)(6) shall allocated by the
5 Secretary as an additional amount to the
6 District of Columbia; and

7 “(iii) an amount equal to the remain-
8 der of the amount reserved under subpara-
9 graph (A) after the application of clauses
10 (i) and (ii) of this subparagraph shall be
11 allocated by the Secretary as an additional
12 amount to each of the 50 States and the
13 District of Columbia in an amount which
14 bears the same proportion to such remain-
15 der as the average estimated number of
16 seasonally-adjusted unemployed individuals
17 (as measured by the Bureau of Labor Sta-
18 tistics Local Area Unemployment Statistics
19 program) in the State or District of Co-
20 lumbia over the 3-month period ending in
21 December 2020 bears to the average esti-
22 mated number of seasonally-adjusted un-
23 employed individuals in all of the 50 States
24 and the District of Columbia over the same
25 period.

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1 “(C) PAYMENT.—The Secretary shall pay
2 each of the 50 States and the District of Co-
3 lumbia the total of the amounts allocated for
4 the State and District of Columbia under sub-
5 paragraph (B).

6 “(4) POPULATION DATA.—For purposes of de-
7 termining allocations for a State or territory under
8 this section, the population of the State or territory
9 shall be determined based on the most recent data
10 available from the Bureau of the Census.

11 “(5) TIMING.—

12 “(A) IN GENERAL.—Subject to subpara-
13 graph (B), to the extent practicable, with re-
14 spect to each State, territory, and Tribal gov-
15 ernment allocated a payment under this sub-
16 section, the Secretary shall make the payment
17 required for the State, territory, or Tribal gov-
18 ernment (as applicable) not later than 60 days
19 after the date on which the certification re-
20 quired under subsection (d) is provided to the
21 Secretary.

22 “(B) EXCEPTION.—With respect to the
23 amount allocated to the District of Columbia
24 under paragraph (3)(B)(ii)—

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1 “(i) the Secretary shall pay such
2 amount to the District of Columbia not
3 later than 15 days after the date of enact-
4 ment of this section; and

5 “(ii) the District of Columbia shall
6 not be required to submit a certification
7 under subsection (d) as a condition for re-
8 ceiving such payment.

9 “(6) PRO RATA ADJUSTMENT AUTHORITY.—

10 The amounts otherwise determined for allocation
11 and payment under paragraphs (1), (2), and (3)
12 may be adjusted by the Secretary on a pro rata
13 basis to the extent necessary to ensure that all avail-
14 able funds are distributed to territories, Tribal gov-
15 ernments, and States in accordance with the require-
16 ments specified in each paragraph (as applicable)
17 and the certification requirement specified in sub-
18 section (d).

19 “(c) REQUIREMENTS.—

20 “(1) USE OF FUNDS.—A State, territory, or
21 Tribal government shall only use the funds provided
22 under a payment made under this section to—

23 “(A) respond to or mitigate the public
24 health emergency with respect to the

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1 Coronavirus Disease 2019 (COVID-19) or its
2 negative economic impacts;

3 “(B) cover costs incurred as a result of
4 such emergency;

5 “(C) replace revenue that was lost, de-
6 layed, or decreased (as determined based on
7 revenue projections for the State, Tribal Gov-
8 ernment, or territory as of January 27, 2020)
9 as a result of such emergency; or

10 “(D) address the negative economic im-
11 pacts of such emergency.

12 “(2) TRANSFER AUTHORITY.—A State, terri-
13 tory, or Tribal government receiving a payment from
14 funds made available under this section may transfer
15 funds to a private nonprofit organization (as that
16 term is defined in paragraph (17) of section 401 of
17 the McKinney-Vento Homeless Assistance Act (42
18 U.S.C. 11360(17)), a public benefit corporation in-
19 volved in the transportation of passengers or cargo,
20 a special-purpose unit of State or local government,
21 or a multi-State entity involved in the transportation
22 of passengers or cargo.

23 “(d) CERTIFICATION OF NEED AND INTENDED
24 USES.—In order to receive a payment under this section
25 (other than the payment made in accordance with sub-

1 section (b)(5)(B)), a State, territory, or Tribal govern-
2 ment shall provide the Secretary with a certification
3 signed by the authorized officer of such State, territory,
4 or Tribal government, that—

5 “(1) such State, territory, or Tribal government
6 requires Federal assistance under this section to ef-
7 fectively carry out the activities specified in sub-
8 section (c); and

9 “(2) such State, territory, or Tribal govern-
10 ment’s intended uses of any payment under this sec-
11 tion are consistent with subsection (c).

12 “(e) DEFINITIONS.—In this section:

13 “(1) SECRETARY.—The term ‘Secretary’ means
14 the Secretary of the Treasury.

15 “(2) STATE.—The term ‘State’ means each of
16 the 50 States and the District of Columbia.

17 “(3) TERRITORY.—The term ‘territory’ means
18 the Commonwealth of Puerto Rico, the United
19 States Virgin Islands, Guam, the Commonwealth of
20 the Northern Mariana Islands, and American
21 Samoa.

22 “(4) TRIBAL GOVERNMENT.—The term ‘Tribal
23 Government’ means the recognized governing body
24 of any Indian or Alaska Native tribe, band, nation,
25 pueblo, village, community, component band, or com-

1 ponent reservation, individually identified (including
2 parenthetically) in the list published most recently as
3 of the date of enactment of this Act pursuant to sec-
4 tion 104 of the Federally Recognized Indian Tribe
5 List Act of 1994 (25 U.S.C. 5131).

6 **“SEC. 603. CORONAVIRUS LOCAL FISCAL RECOVERY FUND.**

7 “(a) **APPROPRIATION.**—In addition to amounts oth-
8 erwise available, there is appropriated for fiscal year 2021,
9 out of any money in the Treasury not otherwise appro-
10 priated, \$130,200,000,000, to remain available until ex-
11 pended, for making payments under this section to metro-
12 politan cities, nonentitlement units of local government,
13 and counties to mitigate the fiscal effects stemming from
14 the public health emergency with respect to the
15 Coronavirus Disease (COVID-19).

16 “(b) **AUTHORITY TO MAKE PAYMENTS.**—

17 “(1) **METROPOLITAN CITIES.**—

18 “(A) **IN GENERAL.**—Of the amount appro-
19 priated under subsection (a), the Secretary
20 shall reserve \$45,570,000,000 to make pay-
21 ments to metropolitan cities.

22 “(B) **ALLOCATION AND PAYMENT.**—From
23 the amount reserved under subparagraph (A),
24 the Secretary shall allocate and pay to each
25 metropolitan city an amount determined for the

1 metropolitan city pursuant to the formula
2 under section 106(b)(1) of the Housing and
3 Community Development Act of 1974 (42
4 U.S.C. 5306(b)(1)), except that, in applying
5 such formula, the Secretary shall substitute ‘all
6 metropolitan cities’ for ‘all metropolitan areas’
7 each place it appears.

8 “(2) NONENTITLEMENT UNITS OF LOCAL GOV-
9 ERNMENT.—

10 “(A) IN GENERAL.—Of the amount appro-
11 priated under subsection (a), the Secretary
12 shall reserve \$19,530,000,000 to make pay-
13 ments to States for distribution by the State to
14 nonentitlement units of local government in the
15 State.

16 “(B) ALLOCATION AND PAYMENT.—From
17 the amount reserved under subparagraph (A),
18 the Secretary shall allocate and pay to each
19 State an amount which bears the same propor-
20 tion to such reserved amount as the total popu-
21 lation of all nonentitlement units of local gov-
22 ernment in the State bears to the total popu-
23 lation of all nonentitlement units of local gov-
24 ernment in all such States.

1 “(C) DISTRIBUTION TO NONENTITLEMENT
2 UNITS OF LOCAL GOVERNMENT.—

3 “(i) IN GENERAL.—Not later than 30
4 days after a State receives a payment
5 under subparagraph (B), the State shall
6 distribute to each nonentitlement unit of
7 local government in the State an amount
8 that bears the same proportion to the
9 amount of such payment as the population
10 of the nonentitlement unit of local govern-
11 ment bears to the total population of all
12 the nonentitlement units of local govern-
13 ment in the State, subject to clause (iii).

14 “(ii) DISTRIBUTION OF FUNDS.—

15 “(I) EXTENSION FOR DISTRIBU-
16 TION.—If an authorized officer of a
17 State required to make distributions
18 under clause (i) certifies in writing to
19 the Secretary before the end of the
20 30-day distribution period described
21 in such clause that it would constitute
22 an excessive administrative burden for
23 the State to meet the terms of such
24 clause with respect to 1 or more such
25 distributions, the authorized officer

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1 may request, and the Secretary shall
 2 grant, an extension of such period of
 3 not more than 30 days to allow the
 4 State to make such distributions in
 5 accordance with clause (i).

6 “(II) ADDITIONAL EXTEN-
 7 SIONS.—

8 “(aa) IN GENERAL.—If a
 9 State has been granted an exten-
 10 sion to the distribution period
 11 under subclause (I) but is unable
 12 to make all the distributions re-
 13 quired under clause (i) before the
 14 end of such period as extended,
 15 the authorized officer of the
 16 State may request an additional
 17 extension of the distribution pe-
 18 riod of not more than 30 days.
 19 The Secretary may grant a re-
 20 quest for an additional extension
 21 of such period only if—

22 “(AA) the authorized
 23 officer making such request
 24 provides a written plan to
 25 the Secretary specifying, for

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1 each distribution for which
2 an additional extension is re-
3 quested, when the State ex-
4 pects to make such distribu-
5 tion and the actions the
6 State has taken and will
7 take in order to make all
8 such distributions before the
9 end of the distribution pe-
10 riod (as extended under sub-
11 clause (I) and this sub-
12 clause); and
13 “(BB) the Secretary
14 certifies in writing that the
15 actions specified in such
16 plan are likely sufficient for
17 the State to make all such
18 distributions before the end
19 of the distribution period (as
20 so extended).
21 “(bb) FURTHER ADDI-
22 TIONAL EXTENSIONS.—If a State
23 granted an additional extension
24 of the distribution period under
25 item (aa) requires any further

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1 additional extensions of such pe-
 2 riod, the request only may be
 3 made and granted subject to the
 4 requirements specified in item
 5 (aa).

6 “(iii) CAPPED AMOUNT.—The total
 7 amount distributed to a nonentitlement
 8 unit of local government under this para-
 9 graph may not exceed the amount equal to
 10 75 percent of the most recent budget for
 11 the nonentitlement unit of local govern-
 12 ment as of January 27, 2020.

13 “(iv) REDISTRIBUTION OF EXCESS
 14 AMOUNTS.—Any amounts not distributed
 15 to a nonentitlement unit of local govern-
 16 ment as a result of the application of
 17 clause (iii) shall be retained or paid as fol-
 18 lows:

19 “(I) 50 percent of all such undis-
 20 tributed amounts shall be retained by
 21 the State.

22 “(II) Subject to the payment
 23 limit under clause (iii), the remainder
 24 of all such undistributed amounts
 25 shall be allocated and paid by the

1 State to each nonentitlement unit of
 2 local government in the State an
 3 amount that bears the same propor-
 4 tion to such remainder as the popu-
 5 lation of the nonentitlement unit of
 6 local government bears to the total
 7 population of all nonentitlement units
 8 of local government in the State.

9 “(v) ADJUSTMENT AUTHORITY.—A
 10 State may make pro rata adjustments to
 11 the allocations determined under clause
 12 (iv)(II) as necessary to comply with clause
 13 (iii) and ensure that all available funds are
 14 distributed to nonentitlement units of local
 15 government in a State.

16 “(D) PENALTY FOR NONCOMPLIANCE.—If,
 17 by the end of the 120-day period that begins on
 18 the date a State receives a payment under sub-
 19 paragraph (B) or, if later, the last day of the
 20 distribution period for the State (as extended
 21 with respect to the State under subparagraph
 22 (C)(ii)), such State has failed to make all the
 23 distributions from such payment in accordance
 24 with the terms of subparagraph (C) (including
 25 any extensions of the distribution period grant-

1 ed in accordance with such subparagraph), an
 2 amount equal to the amount of such payment
 3 that remains undistributed as of such date shall
 4 be booked as a debt of such State owed to the
 5 Federal Government, shall be paid back from
 6 the State's allocation provided under section
 7 602(b)(3)(B)(iii), and shall be deposited into
 8 the general fund of the Treasury.

9 “(3) COUNTIES.—

10 “(A) AMOUNT.—From the amount appro-
 11 priated under subsection (a), the Secretary
 12 shall reserve \$65,100,000,000 of such amount
 13 to make payments directly to counties within
 14 the 50 States, the District of Columbia, the
 15 Commonwealth of Puerto Rico, the United
 16 States Virgin Islands, Guam, the Common-
 17 wealth of the Northern Mariana Islands, and
 18 American Samoa in an amount which bears the
 19 same proportion to the total amount reserved
 20 under this paragraph as the relative population
 21 of each such county bears to the total popu-
 22 lation of all such entities.

23 “(B) SPECIAL RULES.—

24 “(i) URBAN COUNTIES.—No county
 25 that is an ‘urban county’ (as defined in

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1 section 102 of the Housing and Commu-
 2 nity Development Act of 1974 (42 U.S.C.
 3 5302)) shall receive less than the amount
 4 the county would otherwise receive if the
 5 amount paid under this paragraph were al-
 6 located to metropolitan cities and urban
 7 counties under section 106(b) of the Hous-
 8 ing and Community Development Act of
 9 1974 (42 U.S.C. 5306(b)).

10 “(i) COUNTIES THAT ARE NOT UNITS
 11 OF GENERAL LOCAL GOVERNMENT.—In
 12 the case of an amount to be paid to a
 13 county that is not a unit of general local
 14 government, the amount shall instead be
 15 paid to the State in which such county is
 16 located, and such State shall distribute
 17 such amount to units of general local gov-
 18 ernment within such county in an amounts
 19 that bear the same proportion as the popu-
 20 lation of such units of general local govern-
 21 ment bear to the total population of such
 22 county.

23 “(iii) DISTRICT OF COLUMBIA.—For
 24 purposes of this paragraph, the District of
 25 Columbia shall be considered to consist of

1 a single county that is a unit of general
2 local government.

3 “(4) CONSOLIDATED GOVERNMENTS.—A unit
4 of general local government that has formed a con-
5 solidated government, or that is geographically con-
6 tained (in full or in part) within the boundaries of
7 another unit of general local government may receive
8 a distribution under each of paragraphs (1), (2), and
9 (3), as applicable, based on the respective formulas
10 specified in such paragraphs.

11 “(5) PRO RATA ADJUSTMENT AUTHORITY.—
12 The amounts otherwise determined for allocation
13 and payment under paragraphs (1), (2), and (3)
14 may be adjusted by the Secretary on a pro rata
15 basis to the extent necessary to ensure that all avail-
16 able funds are distributed to metropolitan cities,
17 counties, and States in accordance with the require-
18 ments specified in each paragraph (as applicable)
19 and the certification requirement specified in sub-
20 section (d).

21 “(6) POPULATION.—For purposes of deter-
22 mining allocations under this section, the population
23 of an entity shall be determined based on the most
24 recent data are available from the Bureau of the

1 Census or, if not available, from such other data as
2 a State determines appropriate.

3 “(7) TIMING.—To the extent practicable—

4 “(A) with respect to each metropolitan city
5 allocated a payment under paragraph (1) and
6 each county allocated a payment under para-
7 graph (3), the Secretary shall make the pay-
8 ment required for the metropolitan city or coun-
9 ty (as applicable) not later than 60 days after
10 the date on which the certification required
11 under subsection (d) is provided to the Sec-
12 retary; and

13 “(B) with respect to the payments allo-
14 cated to States under paragraph (2) for dis-
15 tribution to nonentitlement units of local gov-
16 ernment, the Secretary shall make such pay-
17 ments not later than 60 days after the date of
18 enactment of this section.

19 “(c) REQUIREMENTS.—

20 “(1) USE OF FUNDS.—A metropolitan city,
21 nonentitlement unit of local government, or county
22 receiving a payment from funds made available
23 under this section shall only use such amounts to—

24 “(A) respond to or mitigate the public
25 health emergency with respect to the

1 Coronavirus Disease 2019 (COVID-19) or its
2 negative economic impacts;

3 “(B) cover costs incurred as a result of
4 such emergency;

5 “(C) replace revenue that was lost, de-
6 layed, or decreased (as determined based on
7 revenue projections for the metropolitan city,
8 nonentitlement unit of local government, or
9 county as of January 27, 2020) as a result of
10 such emergency; or

11 “(D) address the negative economic im-
12 pacts of such emergency.

13 “(2) TRANSFER AUTHORITY.—A metropolitan
14 city, nonentitlement unit of local government, or
15 county receiving a payment from funds made avail-
16 able under this section may transfer funds to a pri-
17 vate nonprofit organization (as that term is defined
18 in paragraph (17) of section 401 of the McKinney-
19 Vento Homeless Assistance Act (42 U.S.C.
20 11360(17)), a public benefit corporation involved in
21 the transportation of passengers or cargo, a special-
22 purpose unit of State or local government, or a
23 multi-State entity involved in the transportation of
24 passengers or cargo.

1 “(d) CERTIFICATION OF NEED AND INTENDED
2 USES.—In order to receive a payment under paragraphs
3 (1) or (3) of subsection (b), a metropolitan city or a coun-
4 ty (as each of those terms are defined in subsection (e),
5 shall provide the Secretary with a certification signed by
6 the authorized officer of such metropolitan city or county,
7 that—

8 “(1) such metropolitan city or county requires
9 Federal assistance under this section to effectively
10 carry out the activities specified in subsection (c);
11 and

12 “(2) such metropolitan city or county’s intended
13 uses of any payment under this section are con-
14 sistent with subsection (c).

15 “(e) DEFINITIONS.—In this section:

16 “(1) COUNTY.—The term ‘county’ means a
17 county, parish, or other equivalent county division
18 (as defined by the Bureau of the Census).

19 “(2) METROPOLITAN CITY.—The term ‘metro-
20 politan city’ has the meaning given that term in sec-
21 tion 102(a)(4) of the Housing and Community De-
22 velopment Act of 1974 (42 U.S.C. 5302(a)(4)) and
23 includes cities that relinquish or defer their status as
24 a metropolitan city for purposes of receiving alloca-

1 tions under section 106 of such Act (42 U.S.C.
2 5306) for fiscal year 2021.

3 “(3) NONENTITLEMENT UNIT OF LOCAL GOV-
4 ERNMENT.—The term ‘nonentitlement unit of local
5 government’ means a unit of general local govern-
6 ment, other than a county, that is located in a non-
7 entitlement area (as defined in section 102 of the
8 Housing and Community Development Act of 1974
9 (42 U.S.C. 5302)) of a State (as that term is de-
10 fined in such section 102).

11 “(4) SECRETARY.—The term ‘Secretary’ means
12 the Secretary of the Treasury.

13 “(5) STATE.—The term ‘State’ has the mean-
14 ing given that term in section 102(a)(2) of the
15 Housing and Community Development Act of 1974
16 (42 U.S.C. 5302 (a)(2)).

17 “(6) UNIT OF GENERAL LOCAL GOVERN-
18 MENT.—The term ‘unit of general local government’
19 has the meaning given that term in section
20 102(a)(1) of the Housing and Community Develop-
21 ment Act of 1974 (42 U.S.C. 5302(a)(1)).”.

22 (b) TECHNICAL AMENDMENT.—The heading for title
23 VI of the Social Security Act (42 U.S.C. 801 et seq.) is
24 amended by striking “FUND” and inserting “AND
25 FISCAL RECOVERY FUNDS”.

1 **Subtitle B—Other Matters**

2 SEC. 5111. EMERGENCY FEDERAL EMPLOYEE LEAVE FUND.

3 (a) ESTABLISHMENT; APPROPRIATION.—There is es-
4 tablished in the Treasury the Emergency Federal Em-
5 ployee Leave Fund (in this section referred to as the
6 “Fund”), to be administered by the Director of the Office
7 of Personnel Management, for the purposes set forth in
8 subsection (b). In addition to amounts otherwise available,
9 there is appropriated for fiscal year 2021, out of any
10 money in the Treasury not otherwise appropriated,
11 \$570,000,000, to be deposited into the Fund.

12 (b) PURPOSE.—Amounts in the Fund shall be avail-
13 able for payment to an agency for the use of paid leave
14 by any employee of the agency who is unable to work be-
15 cause the employee—

16 (1) is subject to a Federal, State, or local quar-
17 antine or isolation order related to COVID-19;

18 (2) has been advised by a health care provider
19 to self-quarantine due to concerns related to
20 COVID-19;

21 (3) is caring for an individual who is subject to
22 such an order or has been so advised;

23 (4) is experiencing symptoms of COVID-19
24 and seeking a medical diagnosis;

1 (5) is caring for a son or daughter of such em-
2 ployee if the school or place of care of the son or
3 daughter has been closed, if the school of such son
4 or daughter requires or makes optional a virtual
5 learning instruction model or requires or makes op-
6 tional a hybrid of in-person and virtual learning in-
7 struction models, or the child care provider of such
8 son or daughter is unavailable, due to COVID-19
9 precautions;

10 (6) is experiencing any other substantially simi-
11 lar condition;

12 (7) is caring for a family member with a mental
13 or physical disability or who is 55 years of age or
14 older and incapable of self-care, without regard to
15 whether another individual other than the employee
16 is available to care for such family member, if the
17 place of care for such family member is closed or the
18 direct care provider is unavailable due to COVID-
19 19; or

20 (8) is obtaining immunization related to
21 COVID-19 or to recover from any injury, disability,
22 illness, or condition related to such immunization.

23 (c) LIMITATIONS.—

24 (1) PERIOD OF AVAILABILITY.—Paid leave
25 under this section may only be provided to and used

1 by an employee during the period beginning on the
 2 date of enactment of this Act and ending on Sep-
 3 tember 30, 2021.

4 (2) TOTAL HOURS; AMOUNT.—Paid leave under
 5 this section—

6 (A) may be provided to an employee in an
 7 amount not to exceed 600 hours of paid leave
 8 for each full-time employee, and in the case of
 9 a part-time employee, employee on an uncom-
 10 mon tour of duty, or employee with a seasonal
 11 work schedule, in an amount not to exceed the
 12 proportional equivalent of 600 hours as estab-
 13 lished by the applicable agency; and

14 (B) may not be provided to an employee —
 15 (i) at a rate that exceeds \$35 for each
 16 hour of leave taken; and

17 (ii) in an amount greater than \$1,400
 18 in aggregate for any week.

19 (3) RELATIONSHIP TO OTHER LEAVE.—Paid
 20 leave under this section—

21 (A) is in addition to any other leave pro-
 22 vided to an employee; and

23 (B) may not be used by an employee con-
 24 currently with any other paid leave.

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1 remain available until September 30, 2025, for necessary
 2 expenses of the Government Accountability Office to pre-
 3 vent, prepare for, and respond to Coronavirus and to sup-
 4 port oversight of the Coronavirus response and of funds
 5 provided in this Act or any other Act pertaining to the
 6 Coronavirus pandemic.

7 **SEC. 5113. PANDEMIC RESPONSE ACCOUNTABILITY COM-**
 8 **MITTEE FUNDING AVAILABILITY.**

9 In addition to amounts otherwise available, there is
 10 appropriated for fiscal year 2021, out of any money in
 11 the Treasury not otherwise appropriated, \$40,000,000, to
 12 remain available until September 30, 2025, for the Pan-
 13 demic Response Accountability Committee to promote
 14 transparency and support oversight of the Coronavirus re-
 15 sponse and of funds provided in this Act or any other Act
 16 pertaining to the Coronavirus pandemic.

17 **TITLE VI—COMMITTEE ON**
 18 **SMALL BUSINESS**

19 **SEC. 6001. MODIFICATIONS TO PAYCHECK PROTECTION**
 20 **PROGRAM.**

21 (a) **ELIGIBILITY OF CERTAIN NONPROFIT ENTITIES**
 22 **FOR COVERED LOANS UNDER THE PAYCHECK PROTEC-**
 23 **TION PROGRAM.—**

24 (1) **IN GENERAL.—**Section 7(a)(36) of the
 25 Small Business Act (15 U.S.C. 636(a)(36)), as

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1 amended by the Economic Aid to Hard-Hit Small
2 Businesses, Nonprofits, and Venues Act (title III of
3 division N of Public Law 116-260), is amended—

4 (A) in subparagraph (A)—

5 (i) in clause (xv), by striking “and” at
6 the end;

7 (ii) in clause (xvi), by striking the pe-
8 riod at the end and inserting “; and”; and

9 (iii) by adding at the end the fol-
10 lowing:

11 “(xvii) the term ‘additional covered
12 nonprofit entity’—

13 “(I) means an organization de-
14 scribed in any paragraph of section
15 501(c) of the Internal Revenue Code
16 of 1986, other than paragraph (3),
17 (4), (6), or (19), and exempt from tax
18 under section 501(a) of such Code;
19 and

20 “(II) does not include any entity
21 that, if the entity were a business con-
22 cern, would be described in section
23 120.110 of title 13, Code of Federal
24 Regulations (or in any successor regu-
25 lation or other related guidance or

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1 rule that may be issued by the Admin-
2 istrator) other than a business con-
3 cern described in paragraph (a) or (k)
4 of such section.”; and

5 (B) in subparagraph (D)—

6 (i) in clause (iii), by adding at the end
7 the following:

8 “(III) ELIGIBILITY OF CERTAIN
9 ORGANIZATIONS.—Subject to the pro-
10 visions in this subparagraph, during
11 the covered period—

12 “(aa) a nonprofit organiza-
13 tion shall be eligible to receive a
14 covered loan if the nonprofit or-
15 ganization employs not more
16 than 500 employees per physical
17 location of the organization; and

18 “(bb) an additional covered
19 nonprofit entity and an organiza-
20 tion that, but for subclauses
21 (I)(dd) and (II)(dd) of clause
22 (vii), would be eligible for a cov-
23 ered loan under clause (vii) shall
24 be eligible to receive a covered
25 loan if the entity or organization

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1 employs not more than 300 em-
 2 ployees per physical location of
 3 the entity or organization.”;

4 (ii) in clause (iv)—

5 (I) in subclause (III), by striking
 6 “and” at the end;

7 (II) in subclause (IV)—

8 (aa) by striking “(aa)”;

9 (bb) by striking “; or” and
 10 inserting a semicolon; and

11 (cc) by striking item (bb);

12 and

13 (III) by adding at the end the

14 following:

15 “(V) any nonprofit organization,
 16 additional covered nonprofit entity, or
 17 any organization made eligible for a

18 loan under clause (vii); and”; and

19 (iii) by striking clause (vi) and insert-
 20 ing the following:

21 “(vi) ELIGIBILITY OF ADDITIONAL
 22 COVERED NONPROFIT ENTITIES.—An addi-
 23 tional covered nonprofit entity shall be eli-
 24 gible to receive a covered loan if—

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1 “(I) the additional covered non-
2 profit entity does not receive more
3 than 15 percent of its receipts from
4 lobbying activities;

5 “(II) the lobbying activities of
6 the additional covered nonprofit entity
7 do not comprise more than 15 percent
8 of the total activities of the organiza-
9 tion;

10 “(III) the cost of the lobbying ac-
11 tivities of the additional covered non-
12 profit entity did not exceed
13 \$1,000,000 during the most recent
14 tax year of the additional covered non-
15 profit entity that ended prior to Feb-
16 ruary 15, 2020; and

17 “(IV) the additional covered non-
18 profit entity employs not more than
19 300 employees.”.

20 (2) ELIGIBILITY FOR SECOND DRAW LOANS.—
21 Paragraph (37)(A)(i) of section 7(a) of the Small
22 Business Act (15 U.S.C. 636(a)), as added by the
23 Economic Aid to Hard-Hit Small Businesses, Non-
24 profits, and Venues Act (title III of division N of
25 Public Law 116–260), is amended by inserting “ad-

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1 ditional covered nonprofit entity,” after “the
2 terms”.

3 (b) ELIGIBILITY OF INTERNET PUBLISHING ORGANI-
4 ZATIONS FOR COVERED LOANS UNDER THE PAYCHECK
5 PROTECTION PROGRAM.—

6 (1) IN GENERAL.—Section 7(a)(36)(D) of the
7 Small Business Act (15 U.S.C. 636(a)(36)(D)), as
8 amended by subsection (a), is further amended—

9 (A) in clause (iii), by adding at the end the
10 following:

11 “(IV) ELIGIBILITY OF INTERNET
12 PUBLISHING ORGANIZATIONS.—A
13 business concern or other organization
14 that was not eligible to receive a cov-
15 ered loan the day before the date of
16 enactment of this subclause, is as-
17 signed a North American Industry
18 Classification System code of 519130,
19 certifies in good faith as an Internet-
20 only news publisher or Internet-only
21 periodical publisher, and is engaged in
22 the collection and distribution of local
23 or regional and national news and in-
24 formation shall be eligible to receive a
25 covered loan for the continued provi-

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1 sion of news, information, content, or
2 emergency information if—

3 “(aa) the business concern
4 or organization employs not more
5 than 500 employees, or the size
6 standard established by the Ad-
7 ministrator for that North Amer-
8 ican Industry Classification code,
9 per physical location of the busi-
10 ness concern or organization; and

11 “(bb) the business concern
12 or organization makes a good
13 faith certification that proceeds
14 of the loan will be used to sup-
15 port expenses at the component
16 of the business concern or orga-
17 nization that supports local or re-
18 gional news.”;

19 (B) in clause (iv), by adding at the end the
20 following:

21 “(VI) any business concern or
22 other organization that was not eligi-
23 ble to receive a covered loan the day
24 before the date of enactment of this
25 subclause, is assigned a North Amer-

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1 ican Industry Classification System
 2 code of 519130, certifies in good faith
 3 as an Internet-only news publisher or
 4 Internet-only periodical publisher, and
 5 is engaged in the collection and dis-
 6 tribution of local or regional and na-
 7 tional news and information, if the
 8 business concern or organization—

9 “(aa) employs not more
 10 than 500 employees, or the size
 11 standard established by the Ad-
 12 ministrator for that North Amer-
 13 ican Industry Classification code,
 14 per physical location of the busi-
 15 ness concern or organization; and

16 “(bb) is majority owned or
 17 controlled by a business concern
 18 or organization that is assigned a
 19 North American Industry Classi-
 20 fication System code of
 21 519130.”;

22 (C) in clause (v), by striking “clause
 23 (iii)(II), (iv)(IV), or (vii)” and inserting “sub-
 24 clause (II), (III), or (IV) of clause (iii), sub-

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1 clause (IV) or (VI) of clause (iv), clause (vi), or
 2 clause (vii)”; and

3 (D) in clause (viii)(II)—

4 (i) by striking “business concern made
 5 eligible by clause (iii)(II) or clause (iv)(IV)
 6 of this subparagraph” and inserting “busi-
 7 ness concern made eligible by subclause
 8 (II) or (IV) of clause (iii) or subclause (IV)
 9 or (VI) of clause (iv) of this subpara-
 10 graph”; and

11 (ii) by inserting “or organization”
 12 after “business concern” each place it ap-
 13 pears.

14 (2) ELIGIBILITY FOR SECOND DRAW LOANS.—

15 Section 7(a)(37)(A)(iv)(II) of the Small Business
 16 Act, as amended by the Economic Aid to Hard-Hit
 17 Small Businesses, Nonprofits, and Venues Act (title
 18 III of division N of Public Law 116-260), is amend-
 19 ed by striking “clause (iii)(II), (iv)(IV), or (vii)” and
 20 inserting “subclause (II) or (III) of clause (iii), sub-
 21 clause (IV) or (V) of clause (iv), clause (vi), or
 22 clause (vii)”.

23 (c) COORDINATION WITH CONTINUATION COVERAGE

24 PREMIUM ASSISTANCE.—

1 (1) PAYCHECK PROTECTION PROGRAM.—Sec-
 2 tion 7A(a)(12) of the Small Business Act (as reded-
 3 ignated, transferred, and amended by section 304(b)
 4 of the Economic Aid to Hard-Hit Small Businesses,
 5 Nonprofits, and Venues Act (Public Law 116-260))
 6 is amended—

7 (A) by striking “CARES Act or” and in-
 8 serting “CARES Act,”; and

9 (B) by inserting before the period at the
 10 end the following: “, or premiums taken into
 11 account in determining the credit allowed under
 12 section 6432 of the Internal Revenue Code of
 13 1986”.

14 (2) PAYCHECK PROTECTION PROGRAM SECOND
 15 DRAW.—Section 7(a)(37)(J)(iii)(I) of the Small
 16 Business Act, as amended by the Economic Aid to
 17 Hard-Hit Small Businesses, Nonprofits, and Venues
 18 Act (title III of division N of Public Law 116-260),
 19 is amended—

20 (A) by striking “or” at the end of item
 21 (aa);

22 (B) by striking the period at the end of
 23 item (bb) and inserting “; or”; and

24 (C) by adding at the end the following new
 25 item:

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1 “(cc) premiums taken into
2 account in determining the credit
3 allowed under section 6432 of the
4 Internal Revenue Code of 1986.”.

5 (3) APPLICABILITY.—The amendments made
6 by this subsection shall apply only with respect to
7 applications for forgiveness of covered loans made
8 under paragraphs (36) or (37) of section 7(a) of the
9 Small Business Act, as amended by the Economic
10 Aid to Hard-Hit Small Businesses, Nonprofits, and
11 Venues Act (title III of division N of Public Law
12 116–260), that are received on or after the date of
13 the enactment of this Act.

14 (d) COMMITMENT AUTHORITY AND APPROPRIA-
15 TIONS.—

16 (1) COMMITMENT AUTHORITY.—Section
17 1102(b)(1) of the CARES Act (Public Law 116–
18 136) is amended by striking “\$806,450,000,000”
19 and inserting “\$813,700,000,000”.

20 (2) DIRECT APPROPRIATIONS.—In addition to
21 amounts otherwise available, there is appropriated to
22 the Administrator of the Small Business Administra-
23 tion for fiscal year 2021, out of any money in the
24 Treasury not otherwise appropriated,

1 \$7,250,000,000, to remain available until expended,
2 for carrying out this section.

3 **SEC. 6002. TARGETED EIDL ADVANCE.**

4 (a) **DEFINITIONS.**—In this section—

5 (1) the term “Administrator” means the Ad-
6 ministrator of the Small Business Administration;

7 (2) the terms “covered entity” and “economic
8 loss” have the meanings given the terms in section
9 331(a) of the Economic Aid to Hard-Hit Small

10 Businesses, Nonprofits, and Venues Act (title III of
11 division N of Public Law 116–260);

12 (3) the term “severely impacted small business”
13 means a covered entity that—

14 (A) has suffered an economic loss of great-
15 er than 50 percent; and

16 (B) employs not more than 10 employees;

17 (4) the term “substantially impacted small busi-
18 ness” means a covered entity that—

19 (A) employs not more than 10 employees;

20 and

21 (B) is not a severely impacted small busi-
22 ness; and

23 (5) the term “supplemental payment” means a
24 payment—

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1 (A) made by the Administrator under sec-
2 tion 1110(e) of the CARES Act (15 U.S.C.
3 9009(e)) to a severely impacted small business
4 or a substantially impacted small business;

5 (B) in an amount that is \$5,000; and

6 (C) that, with respect to a covered entity,
7 is in addition to any payment made to the cov-
8 ered entity under section 1110(e) of the
9 CARES Act (15 U.S.C. 9009(e)) or section 331
10 of the Economic Aid to Hard-Hit Small Busi-
11 nesses, Nonprofits, and Venues Act (title III of
12 division N of Public Law 116-260).

13 (b) PAYMENTS.—The Administrator shall take the
14 following actions:

15 (1) Not later than 14 days after the date of the
16 enactment of this subsection, the Administrator shall
17 begin processing applications for payments, and may
18 make payments, to covered entities that have not re-
19 ceived the full amounts to which the covered entities
20 are entitled under section 331 of the Economic Aid
21 to Hard-Hit Small Businesses, Nonprofits, and
22 Venues Act (title III of division N of Public Law
23 116-260).

24 (2)(A) During the 14-day period beginning on
25 the date that is 28 days after the date of enactment

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1 of this subsection, and subject to the availability of
2 funds, the Administrator shall—

3 (i) begin processing applications for sup-
4 plemental payments to severely impacted small
5 businesses; and

6 (ii) continue to process applications for the
7 payments described in paragraph (1).

8 (B) During the period described in subpara-
9 graph (A), the Administrator may make supple-
10 mental payments to severely impacted small busi-
11 nesses, and payments described in paragraph (1), in
12 the order that the Administrator receives applica-
13 tions for those payments.

14 (3)(A) Beginning on the date that is 42 days
15 after the date of enactment of this subsection, and
16 subject to the availability of funds, the Adminis-
17 trator shall—

18 (i) begin processing applications for sup-
19 plemental payments to substantially impacted
20 small businesses; and

21 (ii) continue to process applications for the
22 supplemental payments described in paragraph
23 (2) and payments described in paragraph (1).

24 (B) During the period described in subpara-
25 graph (A), the Administrator may make supple-

1 mental payments to substantially impacted small
2 businesses, supplemental payments described in
3 paragraph (2), and payments described in paragraph
4 (1), in the order that the Administrator receives ap-
5 plications for those payments.

6 (c) APPROPRIATIONS.—In addition to amounts other-
7 wise available, there is appropriated to the Administrator
8 for fiscal year 2021, out of any money in the Treasury
9 not otherwise appropriated, \$15,000,000,000, to remain
10 available until expended, for carrying out this section.

11 **SEC. 6003. SUPPORT FOR RESTAURANTS.**

12 (a) DEFINITIONS.—In this section:

13 (1) ADMINISTRATOR.—The term “Adminis-
14 trator” means the Administrator of the Small Busi-
15 ness Administration.

16 (2) AFFILIATED BUSINESS.—The term “affili-
17 ated business” means a business in which an eligible
18 entity has an equity or right to profit distributions
19 of not less than 50 percent, or in which an eligible
20 entity has the contractual authority to control the
21 direction of the business, provided that such affili-
22 ation shall be determined as of any arrangements or
23 agreements in existence as of March 13, 2020.

24 (3) COVERED PERIOD.—The term “covered pe-
25 riod” means the period—

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1 (A) beginning on February 15, 2020; and
 2 (B) ending on December 31, 2021, or a
 3 date to be determined by the Administrator
 4 that is not later than 2 years after the date of
 5 enactment of this section.

6 (4) ELIGIBLE ENTITY.—The term “eligible enti-
 7 ty”—

8 (A) means a restaurant, food stand, food
 9 truck, food cart, caterer, saloon, inn, tavern,
 10 bar, lounge, brewpub, tasting room, taproom, li-
 11 censed facility or premise of a beverage alcohol
 12 producer where the public may taste, sample, or
 13 purchase products, or other similar place of
 14 business in which the public or patrons assem-
 15 ble for the primary purpose of being served food
 16 or drink;

17 (B) includes an entity described in sub-
 18 paragraph (A) that is located in an airport ter-
 19 minal or that is a Tribally-owned concern; and

20 (C) does not include—

21 (i) an entity described in subpara-
 22 graph (A) that—

23 (I) is a State or local govern-
 24 ment-operated business;

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1 (II) as of March 13, 2020, owns
 2 or operates (together with any affili-
 3 ated business) more than 20 locations,
 4 regardless of whether those locations
 5 do business under the same or mul-
 6 tiple names; or

7 (III) has a pending application
 8 for or has received a grant under sec-
 9 tion 324 of the Economic Aid to
 10 Hard-Hit Small Businesses, Non-
 11 profits, and Venues Act (title III of
 12 division N of Public Law 116-260);
 13 or

14 (ii) a publicly-traded company.

15 (5) EXCHANGE; ISSUER; SECURITY.—The terms
 16 “exchange”, “issuer”, and “security” have the
 17 meanings given those terms in section 3(a) of the
 18 Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

19 (6) FUND.—The term “Fund” means the Res-
 20 taurant Revitalization Fund established under sub-
 21 section (b).

22 (7) PANDEMIC-RELATED REVENUE LOSS.—The
 23 term “pandemic-related revenue loss” means, with
 24 respect to an eligible entity—

1 (A) except as provided in subparagraphs
2 (B), (C), and (D), the gross receipts, as estab-
3 lished using such verification documentation as
4 the Administrator may require, of the eligible
5 entity during 2020 subtracted from the gross
6 receipts of the eligible entity in 2019, if such
7 sum is greater than zero;

8 (B) if the eligible entity was not in oper-
9 ation for the entirety of 2019—

10 (i) the difference between—

11 (I) the product obtained by mul-
12 tiplying the average monthly gross re-
13 cepts of the eligible entity in 2019 by
14 12; and

15 (II) the product obtained by mul-
16 tiplying the average monthly gross re-
17 cepts of the eligible entity in 2020 by
18 12; or

19 (ii) an amount based on a formula de-
20 termined by the Administrator;

21 (C) if the eligible entity opened during the
22 period beginning on January 1, 2020, and end-
23 ing on the day before the date of enactment of
24 this section—

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1 (i) the expenses described in sub-
 2 section (c)(5)(A) that were incurred by the
 3 eligible entity minus any gross receipts re-
 4 ceived; or

5 (ii) an amount based on a formula de-
 6 termined by the Administrator; or

7 (D) if the eligible entity has not yet opened
 8 as of the date of application for a grant under
 9 subsection (c), but has incurred expenses de-
 10 scribed in subsection (c)(5)(A) as of the date of
 11 enactment of this section—

12 (i) the amount of those expenses; or

13 (ii) an amount based on a formula de-
 14 termined by the Administrator.

15 For purposes of this paragraph, the pandemic-re-
 16 lated revenue losses for an eligible entity shall be re-
 17 duced by any amounts received from a covered loan
 18 made under paragraph (36) or (37) of section 7(a)
 19 of the Small Business Act (15 U.S.C. 636(a)) in
 20 2020 or 2021.

21 (8) PAYROLL COSTS.—The term “payroll costs”
 22 has the meaning given the term in section
 23 7(a)(36)(A) of the Small Business Act (15 U.S.C.
 24 636(a)(36)(A)), except that such term shall not in-
 25 clude—

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1 (A) qualified wages (as defined in sub-
 2 section (c)(3) of section 2301 of the CARES
 3 Act) taken into account in determining the
 4 credit allowed under such section 2301; or

5 (B) premiums taken into account in deter-
 6 mining the credit allowed under section 6432 of
 7 the Internal Revenue Code of 1986.

8 (9) PUBLICLY-TRADED COMPANY.—The term
 9 “publicly-traded company” means an entity that is
 10 majority owned or controlled by an entity that is an
 11 issuer, the securities of which are listed on a na-
 12 tional securities exchange under section 6 of the Se-
 13 curities Exchange Act of 1934 (15 U.S.C. 78f).

14 (10) TRIBALLY-OWNED CONCERN.—The term
 15 “Tribally-owned concern” has the meaning given the
 16 term in section 124.3 of title 13, Code of Federal
 17 Regulations, or any successor regulation.

18 (b) RESTAURANT REVITALIZATION FUND.—

19 (1) IN GENERAL.—There is established in the
 20 Treasury of the United States a fund to be known
 21 as the Restaurant Revitalization Fund.

22 (2) APPROPRIATIONS.—

23 (A) IN GENERAL.—In addition to amounts
 24 otherwise available, there is appropriated to the
 25 Restaurant Revitalization Fund for fiscal year

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1 2021, out of any money in the Treasury not
2 otherwise appropriated, \$25,000,000,000, to re-
3 main available until expended.

4 **(B) DISTRIBUTION.—**

5 (i) **IN GENERAL.—**Of the amounts
6 made available under subparagraph (A)—

7 (I) \$5,000,000,000 shall be avail-
8 able to eligible entities with gross re-
9 ceipts during 2019 of not more than
10 \$500,000; and

11 (II) \$20,000,000,000 shall be
12 available to the Administrator to
13 award grants under subsection (c) in
14 an equitable manner to eligible enti-
15 ties of different sizes based on annual
16 gross receipts.

17 (ii) **ADJUSTMENTS.—**The Adminis-
18 trator may make adjustments as necessary
19 to the distribution of funds under clause
20 (i)(II) based on demand and the relative
21 local costs in the markets in which eligible
22 entities operate.

23 **(C) GRANTS AFTER INITIAL PERIOD.—**

24 Notwithstanding subparagraph (B), on and
25 after the date that is 60 days after the date of

1 enactment of this section, or another period of
 2 time determined by the Administrator, the Ad-
 3 ministrator may make grants using amounts
 4 appropriated under subparagraph (A) to any el-
 5 igible entity regardless of the annual gross re-
 6 ceipts of the eligible entity.

7 (3) USE OF FUNDS.—The Administrator shall
 8 use amounts in the Fund to make grants described
 9 in subsection (c).

10 (c) RESTAURANT REVITALIZATION GRANTS.—

11 (1) IN GENERAL.—Except as provided in sub-
 12 section (b) and paragraph (3), the Administrator
 13 shall award grants to eligible entities in the order in
 14 which applications are received by the Adminis-
 15 trator.

16 (2) APPLICATION.—

17 (A) CERTIFICATION.—An eligible entity
 18 applying for a grant under this subsection shall
 19 make a good faith certification that—

20 (i) the uncertainty of current eco-
 21 nomic conditions makes necessary the
 22 grant request to support the ongoing oper-
 23 ations of the eligible entity; and

24 (ii) the eligible entity has not applied
 25 for or received a grant under section 324

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1 of the Economic Aid to Hard-Hit Small
 2 Businesses, Nonprofits, and Venues Act
 3 (title III of division N of Public Law 116-
 4 260).

5 (B) PREVENTION OF WASTE, FRAUD, AND
 6 ABUSE.—The Administrator may impose re-
 7 quirements on applicants for the purpose of re-
 8 ducing waste, fraud, and abuse.

9 (C) BUSINESS IDENTIFIERS.—In accepting
 10 applications for grants under this subsection,
 11 the Administrator shall prioritize the ability of
 12 each applicant to use their existing business
 13 identifiers over requiring other forms of reg-
 14 istration or identification that may not be com-
 15 mon to their industry and imposing additional
 16 burdens on applicants.

17 (3) PRIORITY IN AWARDING GRANTS.—

18 (A) IN GENERAL.—During the initial 21-
 19 day period in which the Administrator awards
 20 grants under this subsection, the Administrator
 21 shall prioritize awarding grants to eligible enti-
 22 ties that are small business concerns owned
 23 controlled by women (as defined in section 3(n)
 24 of the Small Business Act (15 U.S.C. 632(n))),
 25 small business concerns owned and controlled

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1 by veterans (as defined in section 3(q) of such
 2 Act (15 U.S.C. 632(q))), or socially and eco-
 3 nomically disadvantaged small business con-
 4 cerns (as defined in section 8(a)(4)(A) of the
 5 Small Business Act (15 U.S.C. 637(a)(4)(A))).
 6 The Administrator may take such steps as nec-
 7 essary to ensure that eligible entities described
 8 in this subparagraph have access to grant fund-
 9 ing under this section after the end of such 21-
 10 day period.

11 (B) CERTIFICATION.—For purposes of es-
 12 tablishing priority under subparagraph (A), an
 13 applicant shall submit a self-certification of eli-
 14 gibility for priority with the grant application.

15 (4) GRANT AMOUNT.—

16 (A) AGGREGATE MAXIMUM AMOUNT.—The
 17 aggregate amount of grants made to an eligible
 18 entity and any affiliated businesses of the eligi-
 19 ble entity under this subsection—

20 (i) shall not exceed \$10,000,000; and
 21 (ii) shall be limited to \$5,000,000 per
 22 physical location of the eligible entity.

23 (B) DETERMINATION OF GRANT
 24 AMOUNT.—

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1 (i) IN GENERAL.—Except as provided
 2 in this paragraph, the amount of a grant
 3 made to an eligible entity under this sub-
 4 section shall be equal to the pandemic-re-
 5 lated revenue loss of the eligible entity.

6 (ii) RETURN TO TREASURY.—Any
 7 amount of a grant made under this sub-
 8 section to an eligible entity based on esti-
 9 mated receipts that is greater than the ac-
 10 tual gross receipts of the eligible entity in
 11 2020 shall be returned to the Treasury.

12 (5) USE OF FUNDS.—During the covered pe-
 13 riod, an eligible entity that receives a grant under
 14 this subsection may use the grant funds for the fol-
 15 lowing expenses incurred as a direct result of, or
 16 during, the COVID-19 pandemic:

17 (A) Payroll costs.

18 (B) Payments of principal or interest on
 19 any mortgage obligation (which shall not in-
 20 clude any prepayment of principal on a mort-
 21 gage obligation).

22 (C) Rent payments, including rent under a
 23 lease agreement (which shall not include any
 24 prepayment of rent).

25 (D) Utilities.

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- 1 (E) Maintenance expenses, including—
 2 (i) construction to accommodate out-
 3 door seating; and
 4 (ii) walls, floors, deck surfaces, fur-
 5 niture, fixtures, and equipment.
 6 (F) Supplies, including protective equip-
 7 ment and cleaning materials.
 8 (G) Food and beverage expenses that are
 9 within the scope of the normal business practice
 10 of the eligible entity before the covered period.
 11 (H) Covered supplier costs, as defined in
 12 section 7A(a) of the Small Business Act (as re-
 13 designated, transferred, and amended by sec-
 14 tion 304(b) of the Economic Aid to Hard-Hit
 15 Small Businesses, Nonprofits, and Venues Act
 16 (Public Law 116–260)).
 17 (I) Operational expenses.
 18 (J) Paid sickleave.
 19 (K) Any other expenses that the Adminis-
 20 trator determines to be essential to maintaining
 21 the eligible entity.
 22 (6) RETURNING FUNDS.—If an eligible entity
 23 that receives a grant under this subsection fails to
 24 use all grant funds or permanently ceases operations
 25 on or before the last day of the covered period, the

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1 eligible entity shall return to the Treasury any funds
2 that the eligible entity did not use for the allowable
3 expenses under paragraph (5).

4 (7) LIMITATION WITH RESPECT TO PRIVATE
5 FUNDS.—

6 (A) DEFINITIONS.—In this paragraph:

7 (i) AFFILIATE.—

8 (I) IN GENERAL.—The term “af-
9 filiate” means, with respect to a per-
10 son, any other person directly or indi-
11 rectly controlling, controlled by, or
12 under direct or indirect common con-
13 trol with the person.

14 (II) CONTROL.—For purposes of
15 subclause (I), the term “control”
16 means the ability to make or block
17 management decisions of an entity.

18 (ii) EXECUTIVE.—The term “execu-
19 tive” means—

20 (I) any individual who serves an
21 executive or director of a person, in-
22 cluding the principal executive officer,
23 principal financial officer, comptroller
24 or principal accounting officer; and

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1 (II) an executive officer, as de-
2 fined in section 230.405 of title 17,
3 Code of Federal Regulations, or any
4 successor regulation.

5 (iii) PRIVATE FUND.—The term “pri-
6 vate fund” means an issuer that would be
7 an investment company, as defined in the
8 Investment Company Act of 1940 (15
9 U.S.C. 80a-1 et seq.), but for paragraph
10 (1) or (7) of section 3(c) of that Act (15
11 U.S.C. 80a-3(c)).

12 (B) ANTI-EVASION.—No company in which
13 a private fund holds an ownership interest that
14 has, directly or indirectly, received amounts
15 under this subsection may pay any distribu-
16 tions, dividends, consulting fees, advisory fees,
17 interest payments, or any other fees, expenses,
18 or charges in excess of 10 percent of the net
19 operating profits of the company operating
20 profits for the calendar year ending December
21 31, 2021 (and for each successive year until the
22 covered period has ended), to—

23 (i) a person registered as an invest-
24 ment adviser under the Investment Advis-

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1 ers Act of 1940 (15 U.S.C. 80b-1 et seq.)
2 who advises a private fund;
3 (ii) any affiliate of such adviser;
4 (iii) any executive of such adviser or
5 affiliate; or
6 (iv) any employee, consultant, or other
7 person with a contractual relationship to
8 provide services for or on behalf of such
9 adviser or affiliate.

10 **SEC. 6004. COMMUNITY NAVIGATOR PILOT PROGRAM.**

11 (a) **DEFINITIONS.**—In this section:

12 (1) **ADMINISTRATION.**—The term “Administra-
13 tion” means the Small Business Administration.

14 (2) **ADMINISTRATOR.**—The term “Adminis-
15 trator” means the Administrator of the Small Busi-
16 ness Administration.

17 (3) **COMMUNITY NAVIGATOR SERVICES.**—The
18 term “community navigator services” means the out-
19 reach, education, and technical assistance provided
20 by community navigators that target eligible busi-
21 nesses to increase awareness of, and participation in,
22 programs of the Small Business Administration.

23 (4) **COMMUNITY NAVIGATOR.**—The term “com-
24 munity navigator” means a community organization,
25 community financial institution as defined in section

1 7(a)(36)(A) of the Small Business Act (15 U.S.C.
 2 636(a)(36)(A)), or other private nonprofit organiza-
 3 tion engaged in the delivery of community navigator
 4 services.

5 (5) ELIGIBLE BUSINESS.—The term “eligible
 6 business” means any small business concern, with
 7 priority for small business concerns owned and con-
 8 trolled by women (as defined in section 3(n) of the
 9 Small Business Act (15 U.S.C. 632(n))), small busi-
 10 ness concerns owned and controlled by veterans (as
 11 defined in section 3(q) of such Act (15 U.S.C.
 12 632(q))), and socially and economically disadvan-
 13 taged small business concerns (as defined in section
 14 8(a)(4)(A) of the Small Business Act (15 U.S.C.
 15 637(a)(4)(A))).

16 (6) PRIVATE NONPROFIT ORGANIZATION.—The
 17 term “private nonprofit organization” means an en-
 18 tity that is described in section 501(c) of the Inter-
 19 nal Revenue Code of 1986 and exempt from tax
 20 under section 501(a) of such Code.

21 (7) RESOURCE PARTNER.—The term “resource
 22 partner” means—

23 (A) a small business development center
 24 (as defined in section 3 of the Small Business
 25 Act (15 U.S.C. 632));

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1 (B) a women’s business center (as de-
 2 scribed in section 29 of the Small Business Act
 3 (15 U.S.C. 656)); and

4 (C) a chapter of the Service Corps of Re-
 5 tired Executives (as defined in section
 6 8(b)(1)(B) of the Act (15 U.S.C.
 7 637(b)(1)(B))).

8 (8) SMALL BUSINESS CONCERN.—The term
 9 “small business concern” has the meaning given
 10 under section 3 of the Small Business Act (15
 11 U.S.C. 632).

12 (9) STATE.—The term “State” means a State
 13 of the United States, the District of Columbia, the
 14 Commonwealth of Puerto Rico, the Virgin Islands,
 15 American Samoa, the Commonwealth of the North-
 16 ern Mariana Islands, and Guam, or an agency, in-
 17 strumentality, or fiscal agent thereof.

18 (10) UNIT OF GENERAL LOCAL GOVERN-
 19 MENT.—The term “unit of general local govern-
 20 ment” means a county, city, town, village, or other
 21 general purpose political subdivision of a State.

22 (b) COMMUNITY NAVIGATOR PILOT PROGRAM.—

23 (1) IN GENERAL.—The Administrator of the
 24 Small Business Administration shall establish a
 25 Community Navigator pilot program to make grants

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1 to, or enter into contracts or cooperative agreements
2 with, private nonprofit organizations, resource part-
3 ners, States, Tribes, and units of local government
4 to ensure the delivery of free community navigator
5 services to current or prospective owners of eligible
6 businesses in order to improve access to assistance
7 programs and resources made available because of
8 the COVID-19 pandemic by Federal, State, Tribal,
9 and local entities.

10 (2) APPROPRIATIONS.—In addition to amounts
11 otherwise available, there is appropriated to the Ad-
12 ministrator for fiscal year 2021, out of any money
13 in the Treasury not otherwise appropriated,
14 \$100,000,000, to remain available until expended,
15 for carrying out this subsection.

16 (c) OUTREACH AND EDUCATION.—

17 (1) PROMOTION.—The Administrator shall de-
18 velop and implement a program to promote commu-
19 nity navigator services to current or prospective
20 owners of eligible businesses.

21 (2) CALL CENTER.—The Administrator shall
22 establish a telephone hotline to offer information
23 about Federal programs to assist eligible businesses
24 and offer referral services to resource partners, com-
25 munity navigators, potential lenders, and other per-

1 sons that the Administrator determines appropriate
2 for current or prospective owners of eligible busi-
3 nesses.

4 (3) OUTREACH.—The Administrator shall—

5 (A) conduct outreach and education, in the
6 10 most commonly spoken languages in the
7 United States, to current or prospective owners
8 of eligible businesses on community navigator
9 services and other Federal programs to assist
10 eligible businesses;

11 (B) improve the website of the Administra-
12 tion to describe such community navigator serv-
13 ices and other Federal programs; and

14 (C) implement an education campaign by
15 advertising in media targeted to current or pro-
16 spective owners of eligible businesses.

17 (4) APPROPRIATIONS.—In addition to amounts
18 otherwise available, there is appropriated to the Ad-
19 ministrator for fiscal year 2021, out of any money
20 in the Treasury not otherwise appropriated,
21 \$75,000,000, to remain available until expended, for
22 carrying out this subsection.

23 (d) SUNSET.—The authority of the Administrator to
24 make grants under this section shall terminate on Decem-
25 ber 31, 2025.

1 SEC. 6005. SHUTTERED VENUE OPERATORS.

2 In addition to amounts otherwise available, there is
3 appropriated for fiscal year 2021, out of any money in
4 the Treasury not otherwise appropriated, \$1,250,000,000,
5 to remain available until expended, to carry out section
6 324 of the Economic Aid to Hard-Hit Small Businesses,
7 Nonprofits, and Venues Act (title III of division N of Pub-
8 lic Law 116-260), of which \$500,000 shall be used to pro-
9 vide technical assistance to help applicants access the Sys-
10 tem for Award Management (or any successor thereto) or
11 to assist applicants with an alternative grant application
12 system, which the Administrator of the Small Business
13 Administration may develop for use for grant programs
14 of the Small Business Administration.

15 SEC. 6006. DIRECT APPROPRIATIONS.

16 (a) **IN GENERAL.**—In addition to amounts otherwise
17 available, there is appropriated to the Administrator for
18 fiscal year 2021, out of any money in the Treasury not
19 otherwise appropriated, to remain available until ex-
20 pended—

21 (1) \$840,000,000 for administrative expenses,
22 including to prevent, prepare for, and respond to the
23 COVID-19 pandemic, domestically or internation-
24 ally, including administrative expenses related to
25 paragraphs (36) and (37) of section 7(a) of the
26 Small Business Act, section 324 of the Economic

1 Aid to Hard-Hit Small Businesses, Nonprofits, and
2 Venues Act (title III of division N of Public Law
3 116-260), section 6002 of this title, and section
4 6003 of this title; and

5 (2) \$460,000,000 to carry out the disaster loan
6 program authorized by section 7(b) of the Small
7 Business Act (15 U.S.C. 636(b)), of which
8 \$70,000,000 shall be for the cost of direct loans au-
9 thorized by such section and \$390,000,000 shall be
10 for administrative expenses to carry out such pro-
11 gram.

12 (b) INSPECTOR GENERAL.—In addition to amounts
13 otherwise available, there is appropriated to the Inspector
14 General of the Small Business Administration for fiscal
15 year 2021, out of any money in the Treasury not otherwise
16 appropriated, \$25,000,000, to remain available until ex-
17 pended, for necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978.

1 **TITLE VII—COMMITTEE ON**
 2 **TRANSPORTATION AND IN-**
 3 **FRASTRUCTURE**

4 **Subtitle A—Transportation and**
 5 **Infrastructure**

6 **SEC. 7001. FEDERAL EMERGENCY MANAGEMENT AGENCY**
 7 **APPROPRIATION.**

8 In addition to amounts otherwise available, there is
 9 appropriated to the Federal Emergency Management
 10 Agency for fiscal year 2021, out of any money in the
 11 Treasury not otherwise appropriated, \$50,000,000,000, to
 12 remain available until September 30, 2025, for major dis-
 13 asters declared pursuant to the Robert T. Stafford Dis-
 14 aster Relief and Emergency Assistance Act (42 U.S.C.
 15 5121 et sec.).

16 **SEC. 7002. FUNERAL ASSISTANCE.**

17 (a) **IN GENERAL.**—For the emergency declaration
 18 issued by the President on March 13, 2020, pursuant to
 19 section 501(b) of the Robert T. Stafford Disaster Relief
 20 and Emergency Assistance Act (42 U.S.C. 5191(b)), and
 21 for any subsequent major disaster declaration under sec-
 22 tion 401 of such Act (42 U.S.C. 5170) that supersedes
 23 such emergency declaration, the President shall provide fi-
 24 nancial assistance to an individual or household to meet
 25 disaster-related funeral expenses under section 408(e)(1)

1 of the Robert T. Stafford Disaster Relief and Emergency
2 Assistance Act (42 U.S.C. 5174(e)(1)), for which the Fed-
3 eral cost share shall be 100 percent.

4 (b) USE OF FUNDS.—Funds appropriated under sec-
5 tion 7001 may be used to carry out subsection (a) of this
6 section.

7 SEC. 7003. ECONOMIC ADJUSTMENT ASSISTANCE.

8 (a) ECONOMIC DEVELOPMENT ADMINISTRATION AP-
9 PROPRIATION.—In addition to amounts otherwise avail-
10 able, there is appropriated for fiscal year 2021, out of any
11 money in the Treasury not otherwise appropriated,
12 \$3,000,000,000, to remain available until September 30,
13 2022, to the Department of Commerce for economic ad-
14 justment assistance as authorized by sections 209 and 703
15 of the Public Works and Economic Development Act of
16 1965 (42 U.S.C. 3149 and 3233) to prevent, prepare for,
17 and respond to coronavirus and for necessary expenses for
18 responding to economic injury as a result of coronavirus.

19 (b) Of the funds provided by this section, up to 2
20 percent shall be used for Federal costs to administer such
21 assistance utilizing temporary Federal personnel as may
22 be necessary consistent with the requirements applicable
23 to such administrative funding in fiscal year 2020 to pre-
24 vent, prepare for, and respond to coronavirus and which
25 shall remain available until September 30, 2027.

1 (c) Of the funds provided by this section, 15 percent
2 shall be for assistance to communities that have suffered
3 economic injury as a result of job losses in the travel, tour-
4 ism, or outdoor recreation sectors.

5 (d) The total amount provided by this section shall
6 be allocated to eligible recipients in the States and Terri-
7 tories according to the total level of economic injury of
8 such States and Territories as a result of coronavirus be-
9 ginning on March 1, 2020, as measured by the change
10 in economic activity, demonstrated by current Federal eco-
11 nomic data sources such as unemployment claims and
12 gross domestic product, before and after such date.

13 **SEC. 7004. GREAT LAKES ST. LAWRENCE SEAWAY DEVELOP-**
14 **MENT CORPORATION OPERATIONS AND**
15 **MAINTENANCE.**

16 In addition to amounts otherwise available, there is
17 appropriated for fiscal year 2021, out of amounts not oth-
18 erwise appropriated from the Harbor Maintenance Trust
19 Fund pursuant to section 210 of the Water Resources De-
20 velopment Act of 1986 (33 U.S.C. 2238), \$1,500,000, to
21 remain available until expended, to prevent, prepare for,
22 and respond to coronavirus by conducting the operations,
23 maintenance, and capital infrastructure activities of the
24 Seaway International Bridge.

1 SEC. 7005. GRANTS TO THE NATIONAL RAILROAD PAS-
2 SENER CORPORATION.

3 (a) NORTHEAST CORRIDOR APPROPRIATION.—In ad-
4 dition to amounts otherwise available, there is appro-
5 priated for fiscal year 2021, out of any money in the
6 Treasury not otherwise appropriated, \$820,388,160, to re-
7 main available until September 30, 2024, for grants as
8 authorized under section 11101(a) of the FAST Act (Pub-
9 lic Law 114–94) to prevent, prepare for, and respond to
10 coronavirus.

11 (b) NATIONAL NETWORK APPROPRIATION.—In addi-
12 tion to amounts otherwise available, there is appropriated
13 for fiscal year 2021, out of any money in the Treasury
14 not otherwise appropriated, \$679,611,840, to remain
15 available until September 30, 2024, for grants as author-
16 ized under section 11101(b) of the FAST Act (Public Law
17 114–94) to prevent, prepare for, and respond to
18 coronavirus.

19 (c) LONG-DISTANCE SERVICE RESTORATION AND
20 EMPLOYEE RECALLS.—Not less than \$165,926,000 of the
21 aggregate amounts made available under subsections (a)
22 and (b) shall be for use by the National Railroad Pas-
23 senger Corporation to—

24 (1) restore, not later than 90 days after the
25 date of enactment of this Act, the frequency of rail
26 service on long-distance routes (as defined in section

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1 24102 of title 49, United States Code) that the Na-
 2 tional Railroad Passenger Corporation reduced the
 3 frequency of on or after July 1, 2020, and continue
 4 to operate such service at such frequency; and

5 (2) recall and manage employees furloughed on
 6 or after October 1, 2020, as a result of efforts to
 7 prevent, prepare for, and respond to coronavirus.

8 (d) USE OF FUNDS IN LIEU OF CAPITAL PAY-
 9 MENTS.—Not less than \$109,805,000 of the aggregate
 10 amounts made available under subsections (a) and (b)—

11 (1) shall be for use by the National Railroad
 12 Passenger Corporation in lieu of capital payments
 13 from States and commuter rail passenger transpor-
 14 tation providers that are subject to the cost alloca-
 15 tion policy under section 24905(c) of title 49, United
 16 States Code; and

17 (2) notwithstanding sections 24319(g) and
 18 24905(c)(1)(A)(i) of title 49, United States Code,
 19 such amounts do not constitute cross-subsidization
 20 of commuter rail passenger transportation.

21 (e) USE OF FUNDS FOR STATE PAYMENTS FOR
 22 STATE-SUPPORTED ROUTES.—

23 (1) IN GENERAL.—Of the amounts made avail-
 24 able under subsection (b), \$174,850,000 shall be for
 25 use by the National Railroad Passenger Corporation

1 to offset amounts required to be paid by States for
2 covered State-supported routes.

3 (2) FUNDING SHARE.—The share of funding
4 provided under paragraph (1) with respect to a cov-
5 ered State-supported route shall be distributed as
6 follows:

7 (A) Each covered State-supported route
8 shall receive 7 percent of the costs allocated to
9 the route in fiscal year 2019 under the cost al-
10 location methodology adopted pursuant to sec-
11 tion 209 of the Passenger Rail Investment and
12 Improvement Act of 2008 (Public Law 110-
13 432).

14 (B) Any remaining amounts after the dis-
15 tribution described in subparagraph (A) shall be
16 apportioned to each covered State-supported
17 route in proportion to the passenger revenue of
18 such route and other revenue allocated to such
19 route in fiscal year 2019 divided by the total
20 passenger revenue and other revenue allocated
21 to all covered State-supported routes in fiscal
22 year 2019.

23 (3) COVERED STATE-SUPPORTED ROUTE DE-
24 FINED.—In this subsection, the term “covered
25 State-supported route” means a State-supported

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1 route, as such term is defined in section 24102 of
 2 title 49, United States Code, but does not include a
 3 State-supported route for which service was termi-
 4 nated on or before February 1, 2020.

5 (f) USE OF FUNDS FOR DEBT REPAYMENT OR PRE-
 6 PAYMENT.—Not more than \$100,885,000 of the aggre-
 7 gate amounts made available under subsections (a) and
 8 (b) shall be—

9 (1) for the repayment or prepayment of debt in-
 10 curred by the National Railroad Passenger Corpora-
 11 tion under financing arrangements entered into prior
 12 to the date of enactment of this Act; and

13 (2) to pay required reserves, costs, and fees re-
 14 lated to such debt, including for loans from the De-
 15 partment of Transportation and loans that would
 16 otherwise have been paid from National Railroad
 17 Passenger Corporation revenues.

18 (g) PROJECT MANAGEMENT OVERSIGHT.—Not more
 19 than \$2,000,000 of the aggregate amounts made available
 20 under subsections (a) and (b) shall be for activities author-
 21 ized under section 11101(c) of the FAST Act (Public Law
 22 114-94).

23 SEC. 7006. FEDERAL TRANSIT ADMINISTRATION GRANTS.

24 (a) FEDERAL TRANSIT ADMINISTRATION APPRO-
 25 PRIATION.—

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1 (1) IN GENERAL.—In addition to amounts oth-
 2 erwise made available, there are appropriated for fis-
 3 cal year 2021, out of any funds in the Treasury not
 4 otherwise appropriated, \$30,000,000,000, to remain
 5 available until September 30, 2024, that shall—

6 (A) be for grants under chapter 53 of title
 7 49, United States Code, to eligible recipients to
 8 prevent, prepare for, and respond to
 9 coronavirus; and

10 (B) not be subject to any prior restriction
 11 on the total amount of funds available for im-
 12 plementation or execution of programs author-
 13 ized under sections 5307, 5310, or 5311 of
 14 such title.

15 (2) AVAILABILITY OF FUNDS FOR OPERATING
 16 EXPENSES.—

17 (A) IN GENERAL.—Notwithstanding sub-
 18 section (a)(1) or (b) of section 5307 of title 49,
 19 United States Code, section 5310(b)(2)(A), or
 20 any other provision of chapter 53 of such title,
 21 funds provided under this section, other than
 22 subsection (b)(4), shall be available for the op-
 23 erating expenses of transit agencies to prevent,
 24 prepare for, and respond to the coronavirus

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1 public health emergency, including, beginning
2 on January 20, 2020—
3 (i) reimbursement for payroll of public
4 transportation (including payroll and ex-
5 penses of private providers of public trans-
6 portation);
7 (ii) operating costs to maintain service
8 due to lost revenue due as a result of the
9 coronavirus public health emergency, in-
10 cluding the purchase of personal protective
11 equipment; and
12 (iii) paying the administrative leave of
13 operations or contractor personnel due to
14 reductions in service.
15 (B) USE OF FUNDS.—Funds described in
16 subparagraph (A) shall be—
17 (i) available for immediate obligation,
18 notwithstanding the requirement for such
19 expenses to be included in a transportation
20 improvement program, long-range trans-
21 portation plan, statewide transportation
22 plan, or statewide transportation improve-
23 ment program under sections 5303 and
24 5304 of title 49, United States Code;

1 (ii) directed to payroll and operations
 2 of public transportation (including payroll
 3 and expenses of private providers of public
 4 transportation), unless the recipient cer-
 5 tifies to the Secretary that the recipient
 6 has not furloughed any employees;

7 (iii) subject to the requirements of
 8 section 5333 of such title, notwithstanding
 9 any waiver authority under section 5324 of
 10 such title; and

11 (iv) used to provide a Federal share of
 12 the costs for any grant made under this
 13 section of 100 percent, notwithstanding
 14 any provision of chapter 53 of such title.

15 (b) ALLOCATION OF FUNDS.—

16 (1) URBANIZED AREA FORMULA GRANTS.—

17 (A) IN GENERAL.—Of the amounts made
 18 available under subsection (a), \$26,086,580,227
 19 shall be for grants to recipients and subrecipi-
 20 ents under section 5307 of title 49, United
 21 States Code, and shall be administered as if
 22 such funds were provided under section 5307 of
 23 such title.

24 (B) ALLOCATION.—Amounts made avail-
 25 able under subparagraph (A) shall be appor-

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1 tioned to urbanized areas based on data con-
2 tained in the National Transit Database such
3 that—

4 (i) each urbanized area shall receive
5 an apportionment of an amount that, when
6 combined with amounts that were other-
7 wise made available to such urbanized area
8 for similar activities to prevent, prepare
9 for, and respond to coronavirus, is equal to
10 132 percent of the urbanized area’s 2018
11 operating costs; and

12 (ii) for funds remaining after the ap-
13 portionment described in clause (i), such
14 funds shall be apportioned such that—

15 (I) each urbanized area that did
16 not receive an apportionment under
17 clause (i) shall receive an apportion-
18 ment equal to 25 percent of the ur-
19 banized area’s 2018 operating costs;
20 and

21 (II) each urbanized area under
22 clause (i), when the amounts that
23 were otherwise made available, prior
24 to clause (i) to that urbanized area
25 for similar activities to prevent, pre-

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1 pare for, and respond to coronavirus
 2 are equal to or greater than 130 per-
 3 cent of the urbanized area’s 2018 op-
 4 erating costs but do not exceed 132
 5 percent of such costs, such urbanized
 6 area shall receive an apportionment
 7 equal to 10 percent of the urbanized
 8 area’s 2018 operating costs, in addi-
 9 tion to amounts apportioned to the
 10 urbanized area under clause (i).

11 **(2) FORMULA GRANTS FOR THE ENHANCED**
 12 **MOBILITY OF SENIORS AND INDIVIDUALS WITH DIS-**
 13 **ABILITIES.—**

14 **(A) IN GENERAL.—**Of the amounts made
 15 available under subsection (a), \$50,000,000
 16 shall be for grants to recipients or subrecipients
 17 eligible under section 5310 of title 49, United
 18 States Code, and shall be apportioned in ac-
 19 cordance with such section.

20 **(B) ALLOCATION RATIO.—**Amounts made
 21 available under subparagraph (A) shall be allo-
 22 cated in the same ratio as funds were provided
 23 under section 5310 of title 49, United States
 24 Code, for fiscal year 2020.

25 **(3) FORMULA GRANTS FOR RURAL AREAS.—**

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1 (A) IN GENERAL.—Of the amounts made
2 available under subsection (a), \$280,858,479
3 shall be for grants to recipients or subrecipients
4 eligible under section 5311 of title 49, United
5 States Code, other than subsections (b)(3) and
6 (c)(1)(B) of such section and shall be adminis-
7 tered as if the funds were provided under sec-
8 tion 5311 of such title.

9 (B) ALLOCATION RATIO.—Amounts made
10 available under subparagraph (A) shall be allo-
11 cated to States, as defined in section 5302 of
12 title 49, United States Code, based on data con-
13 tained in the National Transit Database, such
14 that—

15 (i) any State that received an amount
16 for similar activities to prevent, prepare
17 for, and respond to coronavirus that is
18 equal to or greater than 150 percent of the
19 combined 2018 rural operating costs of the
20 recipients and subrecipients in such State
21 shall receive an amount equal to 5 percent
22 of such State's 2018 rural operating costs;

23 (ii) any State that does not receive an
24 allocation under clause (i) that received an
25 amount for similar activities to prevent,

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1 prepare for, and respond to coronavirus
 2 that is equal to or greater than 140 per-
 3 cent of the combined 2018 rural operating
 4 costs of the recipients and subrecipients in
 5 that State shall receive an amount equal to
 6 10 percent of such State's 2018 rural op-
 7 erating costs; and

8 (iii) any State that does not receive an
 9 allocation under clauses (i) or (ii) shall re-
 10 ceive an amount equal to 20 percent of
 11 such State's 2018 rural operating costs.

12 (4) CAPITAL INVESTMENTS.—

13 (A) IN GENERAL.—Of the amounts made
 14 available under subsection (a)—

15 (i) \$1,000,000,000 shall be for grants
 16 administered under subsections (d) and (e)
 17 of section 5309 of title 49, United States
 18 Code, and section 3005(b) of the FAST
 19 Act (Public Law 114–94); and

20 (ii) \$250,000,000 shall be for grants
 21 administered under subsection (h) of sec-
 22 tion 5309 of title 49, United States Code.

23 (B) FUNDING DISTRIBUTION.—

24 (i) Amounts made available in sub-
 25 paragraph (A)(i) shall be proportionally

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1 provided to each recipient to all projects
2 with existing full funding grant agreements
3 and all projects under section 3005(b) of
4 Public Law 114-94 that received alloca-
5 tions for fiscal year 2019 or 2020, except
6 that recipients with projects open for rev-
7 enue service are not eligible to receive a
8 grant under this paragraph.

9 (ii) For amounts made available in
10 subparagraph (A)(ii), eligible recipients
11 shall be any recipient of an allocation
12 under subsection (h) of section 5309 of
13 title 49, United States Code, or an appli-
14 cant in the project development phase de-
15 scribed in paragraph (2) of such sub-
16 section.

17 (iii) Amounts distributed under
18 clauses (i) and (ii) of subparagraph (A)
19 shall be provided notwithstanding the limi-
20 tation of any calculation of the maximum
21 amount of Federal financial assistance for
22 the project under subsection (k)(2)(C)(ii)
23 or (h)(7) of section 5309 of title 49,
24 United States Code, or section 3005(b)(9)
25 of the FAST Act (Public Law 114-94).

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1 (5) SECTION 5311(F) SERVICES.—

2 (A) IN GENERAL.—Of the amounts made
3 available under subsection (a) and in addition
4 to the amounts made available under paragraph
5 (3), \$100,000,000 shall be available for grants
6 to recipients for bus operators that partner with
7 recipients or subrecipients of funds under sec-
8 tion 5311(f) of title 49, United States Code.

9 (B) ALLOCATION RATIO.—Notwithstanding
10 paragraph (3), the Secretary shall allocate
11 amounts under subparagraph (A) in the same
12 ratio as funds were provided under section
13 5311 of title 49, United States Code, for fiscal
14 year 2020.

15 (C) EXCEPTION.—If a State or territory
16 does not have bus providers eligible under sec-
17 tion 5311(f) of title 49, United States Code,
18 funds under this paragraph may be used by
19 such State or territory for any expense eligible
20 under section 5311 of title 49, United States
21 Code.

22 (6) PLANNING.—

23 (A) IN GENERAL.—Of the amounts made
24 available under subsection (a), \$25,000,000
25 shall be for grants to recipients eligible under

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1 section 5307 of title 49, United States Code,
2 for the planning of public transportation associ-
3 ated with the restoration of services as the
4 coronavirus public health emergency concludes
5 and shall be available in accordance with such
6 section.

7 (B) AVAILABILITY OF FUNDS FOR ROUTE
8 PLANNING.—Amounts made available under
9 subparagraph (A) shall be available for route
10 planning designed to—

11 (i) increase ridership and reduce trav-
12 el times, while maintaining or expanding
13 the total level of vehicle revenue miles of
14 service provided in the planning period; or

15 (ii) make service adjustments to in-
16 crease the quality or frequency of service
17 provided to low-income riders and dis-
18 advantaged neighborhoods or communities.

19 (C) LIMITATION.—Amounts made available
20 under subparagraph (A) shall not be used for
21 route planning related to transitioning public
22 transportation service provided as of the date of
23 receipt of funds to a transportation network
24 company or other third-party contract provider,

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1 unless the existing provider of public transpor-
2 tation service is a third-party contract provider.

3 (7) RECIPIENTS AND SUBRECIPIENTS REQUIR-
4 ING ADDITIONAL ASSISTANCE.—

5 (A) IN GENERAL.—Of the amounts made
6 available under subsection (a), \$2,207,561,294
7 shall be for grants to eligible recipients or sub-
8 recipients of funds under chapter 53 of title 49,
9 United States Code, that, as a result of
10 COVID-19, require additional assistance to
11 maintain operations.

12 (B) ADMINISTRATION.—Funds made avail-
13 able under subparagraph (A) shall, after alloca-
14 tion, be administered as if provided under sub-
15 sections (b)(1) or (b)(3), as applicable.

16 (C) APPLICATION REQUIREMENTS.—

17 (i) IN GENERAL.—The Secretary may
18 not allocate funds to an eligible recipient
19 or subrecipient of funds under chapter 53
20 of title 49, United States Code, unless the
21 recipient provides to the Secretary—

22 (I) estimates of financial need;

23 (II) data on reductions in farebox
24 or other sources of local revenue for
25 sustained operations; and

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1 (III) a spending plan for such
 2 funds.
 3 (ii) EVALUATION.—
 4 (I) IN GENERAL.—Applications
 5 for assistance under this paragraph
 6 shall be evaluated by the Secretary
 7 based on the level of financial need
 8 demonstrated by an eligible recipient
 9 or subrecipient, including projections
 10 of future financial need to maintain
 11 service as a percentage of the 2018
 12 operating costs that has not been re-
 13 placed by the funds made available to
 14 the eligible recipient or subrecipient
 15 under paragraphs (1) through (5) of
 16 this subsection when combined with
 17 the amounts allocated to such eligible
 18 recipient or subrecipient from funds
 19 previously made available for the op-
 20 erating expenses of transit agencies
 21 related to the response to the
 22 COVID-19 public health emergency.
 23 (II) RESTRICTION.—Amounts
 24 made available under this paragraph

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1 shall only be available for operating
2 expenses.

3 (iv) STATE APPLICANTS.—A State
4 may apply for assistance under this para-
5 graph on behalf of an eligible recipient or
6 subrecipient, or a group of eligible recipi-
7 ents or subrecipients.

8 (D) UNOBLIGATED FUNDS.—If amounts
9 made available under this paragraph remain
10 unobligated on September 30, 2023, such
11 amounts shall be available for any purpose eligi-
12 ble under section 5324 of title 49, United
13 States Code.

14 **SEC. 7007. RELIEF FOR AIRPORTS.**

15 (a) IN GENERAL.—

16 (1) IN GENERAL.—In addition to amounts oth-
17 erwise available, there is appropriated for fiscal year
18 2021, out of any funds in the Treasury not other-
19 wise appropriated, \$8,000,000,000, to remain avail-
20 able until September 30, 2024, for assistance to air-
21 ports under sections 47101 through 47144 of title
22 49, United States Code, to be made available to pre-
23 vent, prepare for, and respond to coronavirus.

24 (2) REQUIREMENTS AND LIMITATIONS.—

25 Amounts made available under this section—

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1 (A) shall not be subject to the require-
 2 ments of chapter 471 of title 49, United States
 3 Code, except the requirements of chapter 471
 4 (other than eligibility requirements) shall apply
 5 to any contract awarded after the date of enact-
 6 ment of this Act for airport development;

7 (B) may not be used for any purpose not
 8 directly related to the airport; and

9 (C) may not be provided to any airport
 10 that was allocated in excess of 4 years of oper-
 11 ating funds to prevent, prepare for, and re-
 12 spond to coronavirus in fiscal year 2020.

13 (b) ALLOCATIONS.—The following terms shall apply
 14 to the amounts made available under this section:

15 (1) OPERATING EXPENSES AND DEBT SERVICE
 16 PAYMENTS.—

17 (A) IN GENERAL.—Not more than
 18 \$6,492,000,000 shall be made available for pri-
 19 mary airports, as such term is defined in sec-
 20 tion 47102 of title 49, United States Code, and
 21 certain cargo airports, for costs related to oper-
 22 ations, personnel, cleaning, sanitization, jani-
 23 torial services, combating the spread of patho-
 24 gens at the airport, and debt service payments.

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1 (B) DISTRIBUTION.— Amounts made
2 available under this paragraph—

3 (i) shall not be subject to the reduced
4 apportionments under section 47114(f) of
5 title 49, United States Code;

6 (ii) shall first be apportioned as set
7 forth in sections 47114(c)(1)(A),
8 47114(c)(1)(C)(i), 47114(c)(1)(C)(ii),
9 47114(c)(2)(A), 47114(c)(2)(B), and
10 47114(c)(2)(E) of title 49, United States
11 Code; and

12 (iii) shall not be subject to a max-
13 imum apportionment limit set forth in sec-
14 tion 47114(c)(1)(B) of title 49, United
15 States Code.

16 (C) REMAINING AMOUNTS.—Any amount
17 remaining after distribution under subpara-
18 graph (B) shall be distributed to the sponsor of
19 each primary airport (as such term is defined
20 in section 47102 of title 49, United States
21 Code) based on each such primary airport's
22 passenger enplanements compared to the total
23 passenger enplanements of all such primary air-
24 ports in calendar year 2019.

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1 (2) FEDERAL SHARE FOR DEVELOPMENT
2 PROJECTS.—

3 (A) IN GENERAL.—Not more than
4 \$608,000,000 allocated under subsection (a)(1)
5 shall be available to pay a Federal share of 100
6 percent of the costs for any grant awarded in
7 fiscal year 2021, or in fiscal year 2020 with less
8 than a 100-percent Federal share, for an air-
9 port development project (as such term is de-
10 fined in section 47102 of title 49).

11 (B) REMAINING AMOUNTS.—Any amount
12 remaining under this paragraph shall be distrib-
13 uted as described in paragraph (1)(C).

14 (3) NONPRIMARY AIRPORTS.—

15 (A) IN GENERAL.—Not more than
16 \$100,000,000 shall be made available for gen-
17 eral aviation and commercial service airports
18 that are not primary airports (as such terms
19 are defined in section 47102 of title 49, United
20 States Code) for costs related to operations,
21 personnel, cleaning, sanitization, janitorial serv-
22 ices, combating the spread of pathogens at the
23 airport, and debt service payments.

24 (B) DISTRIBUTION.—Amounts made avail-
25 able under this paragraph shall be apportioned

1 to each non-primary airport based on the cat-
2 egories published in the most current National
3 Plan of Integrated Airport Systems, reflecting
4 the percentage of the aggregate published eligi-
5 ble development costs for each such category,
6 and then dividing the allocated funds evenly
7 among the eligible airports in each category,
8 rounding up to the nearest thousand dollars.

9 (C) REMAINING AMOUNTS.—Any amount
10 remaining under this paragraph shall be distrib-
11 uted as described in paragraph (1)(C).

12 (4) AIRPORT CONCESSIONS.—

13 (A) IN GENERAL.—Not more than
14 \$800,000,000 shall be made available for spon-
15 sors of primary airports to provide relief from
16 rent and minimum annual guarantees to airport
17 concessions, of which at least \$640,000,000
18 shall be available to provide relief to eligible
19 small airport concessions and of which at least
20 \$160,000,000 shall be available to provide relief
21 to eligible large airport concessions located at
22 primary airports.

23 (B) DISTRIBUTION.—The amounts made
24 available for each set-aside in this paragraph
25 shall be distributed to the sponsor of each pri-

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1 mary airport (as such term is defined in section
2 47102 of title 49, United States Code) based on
3 each such primary airport's passenger
4 enplanements compared to the total passenger
5 enplanements of all such primary airports in
6 calendar year 2019.

7 (C) CONDITIONS.—As a condition of ap-
8 proving a grant under this paragraph—

9 (i) the sponsor shall provide such re-
10 lief from the date of enactment of this Act
11 until the sponsor has provided relief equal-
12 ing the total grant amount, to the extent
13 practicable and to the extent permissible
14 under State laws, local laws, and applicable
15 trust indentures; and

16 (ii) for each set-aside, the sponsor
17 shall provide relief from rent and minimum
18 annual guarantee obligations to each eligi-
19 ble airport concession in an amount that
20 reflects each eligible airport concession's
21 proportional share of the total amount of
22 the rent and minimum annual guarantees
23 of those eligible airport concessions at such
24 airport.

25 (c) ADMINISTRATION.—

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1 (1) ADMINISTRATIVE EXPENSES.—The Admin-
2 istrator of the Federal Aviation Administration may
3 retain up to 0.1 percent of the funds provided under
4 this section to fund the award of, and oversight by
5 the Administrator of, grants made under this sec-
6 tion.

7 (2) WORKFORCE RETENTION REQUIRE-
8 MENTS.—

9 (A) REQUIRED RETENTION.—All airports
10 receiving funds under this section shall continue
11 to employ, through September 30, 2021, at
12 least 90 percent of the number of individuals
13 employed (after making adjustments for retire-
14 ments or voluntary employee separations) by
15 the airport as of March 27, 2020.

16 (B) WAIVER OF RETENTION REQUIRE-
17 MENT.—The Secretary shall waive the work-
18 force retention requirement if the Secretary de-
19 termines that—

20 (i) the airport is experiencing eco-
21 nomic hardship as a direct result of the re-
22 quirement; or

23 (ii) the requirement reduces aviation
24 safety or security.

1 (C) EXCEPTION.—The workforce retention
2 requirement shall not apply to nonhub airports
3 or nonprimary airports receiving funds under
4 this section.

5 (d) DEFINITIONS.—In this section:

6 (1) ELIGIBLE LARGE AIRPORT CONCESSION.—
7 The term “eligible large airport concession” means
8 a concession (as defined in section 23.3 of title 49,
9 Code of Federal Regulations), that is in-terminal
10 and has maximum gross receipts, averaged over the
11 previous three fiscal years, of more than
12 \$56,420,000.

13 (2) ELIGIBLE SMALL AIRPORT CONCESSION.—
14 The term “eligible small airport concession” means
15 a concession (as defined in section 23.3 of title 49,
16 Code of Federal Regulations), that is in-terminal
17 and—

18 (A) a small business with maximum gross
19 receipts, averaged over the previous 3 fiscal
20 years, of less than \$56,420,000; or

21 (B) is a joint venture (as defined in section
22 23.3 of title 49, Code of Federal Regulations).

1 **Subtitle B—Aviation**
 2 **Manufacturing Jobs Protection**

3 **SEC. 7101. DEFINITIONS.**

4 In this subtitle:

5 (1) **ELIGIBLE EMPLOYEE GROUP.**—The term
 6 “eligible employee group” means the portion of an
 7 employer’s United States workforce that—

8 (A) does not exceed 25 percent of the em-
 9 ployer’s total United States workforce as of
 10 April 1, 2020; and

11 (B) contains only employees with a total
 12 compensation level of \$200,000 or less per year;
 13 and

14 (C) is engaged in aviation manufacturing
 15 activities and services, or maintenance, repair,
 16 and overhaul activities and services.

17 (2) **AVIATION MANUFACTURING COMPANY.**—

18 The term “aviation manufacturing company” means
 19 a corporation, firm, or other business entity—

20 (A) that—

21 (i) actively manufactures an aircraft,
 22 aircraft engine, propeller, or a component,
 23 part, or systems of an aircraft or aircraft
 24 engine under a Federal Aviation Adminis-
 25 tration production approval; or

1 (ii) holds a certificate issued under
 2 part 145 of title 14, Code of Federal Regu-
 3 lations, for maintenance, repair, and over-
 4 haul of aircraft, aircraft engines, compo-
 5 nents, or propellers.

6 (B) which, as supported by demonstrable
 7 evidence—

8 (i) is established, created, or orga-
 9 nized in the United States or under the
 10 laws of the United States; and

11 (ii) has significant operations in, and
 12 a majority of its employees engaged in
 13 aviation manufacturing activities and serv-
 14 ices, or maintenance, repair, and overhaul
 15 activities and services based in the United
 16 States;

17 (C) which, as supported by demonstrable
 18 evidence, has involuntarily furloughed or laid
 19 off at least 10 percent of its workforce in 2020
 20 as compared to 2019 or has experienced at
 21 least a 15 percent decline in 2020 revenues as
 22 compared to 2019;

23 (D) that, as supported by sworn financial
 24 statements or other appropriate data, has iden-
 25 tified the eligible employee group and the

1 amount of total compensation level for the eligi-
2 ble employee group;

3 (E) that agrees to provide private con-
4 tributions and maintain the total compensation
5 level for the eligible employee group for the du-
6 ration of an agreement under this subtitle;

7 (F) that agrees to provide immediate no-
8 tice and justification to the Secretary of invol-
9 untary furloughs or layoffs exceeding 10 per-
10 cent of the workforce that is not included in an
11 eligible employee group for the duration of an
12 agreement and receipt of public contributions
13 under this subtitle;

14 (G) that has not conducted involuntary
15 furloughs or reduced pay rates or benefits for
16 the eligible employee group, subject to the em-
17 ployer's right to discipline or terminate an em-
18 ployee in accordance with employer policy, be-
19 tween the date of application and the date on
20 which such a corporation, firm, or other busi-
21 ness entity enters into an agreement with the
22 Secretary under this subtitle; and

23 (H) that—

24 (i) in the case of a corporation, firm,
25 or other business entity including any par-

1 ent company or subsidiary of such a cor-
 2 poration, firm, or other business entity,
 3 that holds any type or production certifi-
 4 cate or similar authorization issued under
 5 section 44704 of title 49, United States
 6 Code, with respect to a transport-category
 7 airplane covered under part 25 of title 14,
 8 Code of Federal Regulations, certificated
 9 with a passenger seating capacity of 50 or
 10 more, agrees to refrain from conducting in-
 11 voluntary layoffs or furloughs, or reducing
 12 pay rates and benefits, for the eligible em-
 13 ployee group, subject to the employer's
 14 right to discipline or terminate an em-
 15 ployee in accordance with employer policy
 16 from the date of agreement until Sep-
 17 tember 30, 2021, or the duration of the
 18 agreement and receipt of public contribu-
 19 tions under this subtitle, whichever period
 20 ends later; or

21 (ii) in the case of corporation, firm, or
 22 other business entity not specified under
 23 subparagraph (i), agrees to refrain from
 24 conducting involuntary layoffs or fur-
 25 loughs, or reducing pay rates and benefits,

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1 for the eligible employee group, subject to
 2 the employer’s right to discipline or termi-
 3 nate an employee in accordance with em-
 4 ployer policy for the duration of the agree-
 5 ment and receipt of public contributions
 6 under this subtitle.

7 (3) COVID–19 PUBLIC HEALTH EMERGENCY.—
 8 The term “COVID–19 public health emergency”
 9 means the public health emergency first declared on
 10 January 31, 2020, by the Secretary of Health and
 11 Human Services under section 319 of the Public
 12 Health Service Act (42 U.S.C. 247d) with respect to
 13 the 2019 Novel Coronavirus (COVID–19) and in-
 14 cludes any renewal of such declaration pursuant to
 15 such section 319.

16 (4) EMPLOYEE.—The term “employee” has the
 17 meaning given that term in section 3 of the Fair
 18 Labor Standards Act of 1938 (29 U.S.C. 203).

19 (5) EMPLOYER.—The term “employer” means
 20 an aviation manufacturing company that is an em-
 21 ployer (as defined in section 3 of the Fair Labor
 22 Standards Act of 1938 (29 U.S.C. 203)).

23 (6) PRIVATE CONTRIBUTION.—The term “pri-
 24 vate contribution” means the contribution funded by
 25 the employer under this subtitle to maintain 50 per-

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1 cent of the eligible employee group's total compensa-
2 tion level, and combined with the public contribu-
3 tion, is sufficient to maintain the total compensation
4 level for the eligible employee group as of April 1,
5 2020.

6 (7) PUBLIC CONTRIBUTION.—The term “public
7 contribution” means the contribution funded by the
8 Federal Government under this title to provide 50
9 percent of the eligible employees group's total com-
10 pensation level, and combined with the private con-
11 tribution, is sufficient to maintain the total com-
12 pensation level for those in the eligible employee
13 group as of April 1, 2020.

14 (8) SECRETARY.—The term “Secretary” means
15 the Secretary of Transportation.

16 (9) TOTAL COMPENSATION LEVEL.—The term
17 “total compensation level” means the level of total
18 base compensation and benefits being provided to an
19 eligible employee group employee, excluding overtime
20 and premium pay, and excluding any Federal, State,
21 or local payroll taxes paid, as of April 1, 2020.

22 SEC. 7102. PAYROLL SUPPORT PROGRAM.

23 (a) IN GENERAL.—The Secretary shall establish a
24 payroll support program and enter into agreements with
25 employers who meet the eligibility criteria specified in sub-

1 section (b) and are not ineligible under subsection (c), to
2 provide public contributions to supplement compensation
3 of an eligible employee group. There is appropriated for
4 fiscal year 2021, out of amounts in the Treasury not oth-
5 erwise appropriated, \$3,000,000,000, to remain available
6 until September 30, 2023, for the Secretary to carry out
7 the payroll support program authorized under the pre-
8 ceding sentence for which 1 percent of the funds may be
9 used for implementation costs and administrative ex-
10 penses.

11 (b) ELIGIBILITY.—The Secretary shall enter into an
12 agreement and provide public contributions, for a term no
13 longer than 6 months, solely with an employer that—

14 (1) agrees to use the funds received under an
15 agreement exclusively for the continuation of em-
16 ployee wages, salaries, and benefits, to maintain the
17 total compensation level for the eligible employee
18 group as of April 1, 2020 for the duration of the
19 agreement, and to facilitate the retention, rehire, or
20 recall of employees of the employer, except that such
21 funds may not be used for back pay of returning re-
22 hired or recalled employees; and

23 (2) agrees that any false, fictitious, misleading,
24 or fraudulent information made or submitted by the
25 employer, or the omission of any material fact by the

1 employer, may subject the employer to criminal,
2 civil, or administrative penalties for fraud, false
3 statements, false claims, or otherwise pursuant to
4 applicable Federal law.

5 (c) **INELIGIBILITY.**—The Secretary may not enter
6 into any agreement under this section with an employer
7 who was allowed a credit under section 2301 of the
8 CARES Act (26 U.S.C. 3111 note) for any calendar quar-
9 ter ending before such agreement is entered into, who re-
10 ceived financial assistance under section 4113 of the
11 CARES Act (15 U.S.C. 9073), or who is currently expend-
12 ing financial assistance under the paycheck protection pro-
13 gram established under section 7(a)(36) of the Small
14 Business Act (15 U.S.C. 636(a)(36)), as of the date the
15 employer submits an application under the payroll support
16 program established under subsection (a).

17 (d) **REDUCTIONS.**—To address any shortfall in assist-
18 ance that would otherwise be provided under this subtitle,
19 the Secretary shall reduce, on a pro rata basis, the finan-
20 cial assistance provided under this subtitle.

21 (e) **AGREEMENT DEADLINE.**—No agreement may be
22 entered into by the Secretary under the payroll support
23 program established under subsection (a) after the last
24 day of the 6 month period that begins on the effective

1 date of the first agreement entered into under such pro-
2 gram.

3 **Subtitle C—Continued Assistance**
4 **to Rail Workers**

5 **SEC. 7201. ADDITIONAL ENHANCED BENEFITS UNDER THE**
6 **RAILROAD UNEMPLOYMENT INSURANCE ACT.**

7 (a) **IN GENERAL.**—Section 2(a)(5)(A) of the Railroad
8 Unemployment Insurance Act (45 U.S.C. 352(a)(5)(A)) is
9 amended—

10 (1) in the first sentence—

11 (A) by striking “March 14, 2021” and in-
12 serting “August 29, 2021”;

13 (B) by striking “or July 1, 2020” and in-
14 serting “July 1, 2020, or July 1, 2021”; and

15 (2) by adding at the end the following: “For
16 registration periods beginning after March 14, 2021,
17 but on or before August 29, 2021, the recovery ben-
18 efit payable under this subparagraph shall be in the
19 amount of \$800.”.

20 (b) **CLARIFICATION ON AUTHORITY TO USE**
21 **FUNDS.**—Funds appropriated under subparagraph (B) of
22 section 2(a)(5) of the Railroad Unemployment Insurance
23 Act (45 U.S.C. 352(a)(5)) shall be available to cover the
24 cost of recovery benefits provided under such section
25 2(a)(5) by reason of the amendments made by subsection

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1 (a) as well as to cover the cost of such benefits provided
 2 under such section 2(a)(5) as in effect on the day before
 3 the date of enactment of this Act.

4 **SEC. 7202. EXTENDED UNEMPLOYMENT BENEFITS UNDER**
 5 **THE RAILROAD UNEMPLOYMENT INSURANCE**
 6 **ACT.**

7 (a) **IN GENERAL.**—Section 2(c)(2)(D) of the Rail-
 8 road Unemployment Insurance Act (45 U.S.C.
 9 352(c)(2)(D)) is amended—

10 (1) in clause (i)—

11 (A) in subclause (I), by striking “185
 12 days” and inserting “305 days”;

13 (B) in subclause (II),

14 (i) by striking “19 consecutive 14-day
 15 periods” and inserting “31 consecutive 14-
 16 day periods”; and

17 (ii) by striking “6 consecutive 14-day
 18 periods” and inserting “18 consecutive 14-
 19 day periods”;

20 (2) in clause (ii)—

21 (A) by striking “120 days of unemploy-
 22 ment” and inserting “240 days of unemploy-
 23 ment”;

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1 (B) by striking “12 consecutive 14-day pe-
 2 riods” and inserting “24 consecutive 14-day pe-
 3 riods”; and

4 (C) by striking “6 consecutive 14-day peri-
 5 ods” and inserting “18 consecutive 14-day peri-
 6 ods”; and

7 (3) in clause (iii)—

8 (A) by striking “June 30, 2021” and in-
 9 serting “June 30, 2022”; and

10 (B) by striking “the provisions of clauses
 11 (i) and (ii) shall not apply to any employee
 12 whose extended benefit period under subpara-
 13 graph (B) begins after March 14, 2021, and
 14 shall not apply to any employee with respect to
 15 any registration period beginning after April 5,
 16 2021.” and inserting “the provisions of clauses
 17 (i) and (ii) shall not apply to any employee with
 18 respect to any registration period beginning
 19 after August 29, 2021.”

20 (b) CLARIFICATION ON AUTHORITY TO USE
 21 FUNDS.—Funds appropriated under either the first or
 22 second sentence of clause (v) of section 2(c)(2)(D) of the
 23 Railroad Unemployment Insurance Act shall be available
 24 to cover the cost of additional extended unemployment
 25 benefits provided under such section 2(c)(2)(D) by reason

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1 of the amendments made by subsection (a) as well as to
 2 cover the cost of such benefits provided under such section
 3 2(c)(2)(D) as in effect on the day before the date of enact-
 4 ment of this Act.

5 **SEC. 7203. EXTENSION OF WAIVER OF THE 7-DAY WAITING**
 6 **PERIOD FOR BENEFITS UNDER THE RAIL-**
 7 **ROAD UNEMPLOYMENT INSURANCE ACT.**

8 (a) **IN GENERAL.**—Section 2112(a) of the CARES
 9 Act (15 U.S.C. 9030(a)) is amended by striking “March
 10 14, 2021” and inserting “August 29, 2021”.

11 (b) **CLARIFICATION ON AUTHORITY TO USE**
 12 **FUNDS.**—Funds appropriated under section 2112(c) of
 13 the CARES Act (15 U.S.C. 9030(c)) shall be available to
 14 cover the cost of additional benefits payable due to section
 15 2112(a) of such Act by reason of the amendments made
 16 by subsection (a) as well as to cover the cost of such bene-
 17 fits payable due to such section 2112(a) as in effect on
 18 the day before the date of enactment of this Act.

19 **SEC. 7204. RAILROAD RETIREMENT BOARD AND OFFICE OF**
 20 **THE INSPECTOR GENERAL FUNDING.**

21 In addition to amounts otherwise made available,
 22 there are appropriated for fiscal year 2021, out of any
 23 money in the Treasury not otherwise appropriated—

24 (1) \$27,975,000, to remain available until ex-
 25 pended, for the Railroad Retirement Board, to pre-

1 vent, prepare for, and respond to coronavirus, of
2 which—

3 (A) \$6,800,000 shall be for additional hir-
4 ing and overtime bonuses as needed to admin-
5 ister the Railroad Unemployment Insurance
6 Act; and

7 (B) \$21,175,000 shall be to supplement,
8 not supplant, existing resources devoted to op-
9 erations and improvements for the Information
10 Technology Investment Initiatives of the Rail-
11 road Retirement Board; and

12 (2) \$500,000, to remain available until ex-
13 pended, for the Railroad Retirement Board Office of
14 Inspector General for audit, investigatory and review
15 activities, as authorized by the Inspector General
16 Act of 1978.

17 **TITLE VIII—COMMITTEE ON**
18 **VETERANS' AFFAIRS**

19 **SEC. 8001. FUNDING FOR CLAIMS AND APPEALS PROC-**
20 **ESSING.**

21 In addition to amounts otherwise made available,
22 there is appropriated for fiscal year 2021, out of any
23 money in the Treasury not otherwise appropriated,
24 \$272,000,000, to remain available until September 30,

1 2023, pursuant to sections 308, 310, 7101 through 7113,
2 7701, and 7703 of title 38, United States Code.

3 **SEC. 8002. FUNDING AVAILABILITY FOR MEDICAL CARE**
4 **AND HEALTH NEEDS.**

5 In addition to amounts otherwise made available,
6 there is appropriated for fiscal year 2021, out of any
7 money in the Treasury not otherwise appropriated,
8 \$13,482,000,000, to remain available until September 30,
9 2023, for allocation under chapters 17, 20, 73, and 81
10 of title 38, United States Code, of which not more than
11 \$4,000,000,000 shall be available pursuant to section
12 1703 of title 38, United States Code for health care fur-
13 nished through the Veterans Community Care program.

14 **SEC. 8003. FUNDING FOR SUPPLY CHAIN MODERNIZATION.**

15 In addition to amounts otherwise made available,
16 there is appropriated for fiscal year 2021, out of any
17 money in the Treasury not otherwise appropriated,
18 \$100,000,000, to remain available until September 30,
19 2022, for the supply chain modernization initiative under
20 sections 308, 310, and 7301(b) of title 38, United States
21 Code.

22 **SEC. 8004. FUNDING FOR STATE HOMES.**

23 In addition to amounts otherwise made available,
24 there are appropriated for fiscal year 2021, out of any
25 money in the Treasury not otherwise appropriated—

1 SEC. 8006. COVID-19 VETERAN RAPID RETRAINING ASSIST-
2 ANCE PROGRAM.

3 (a) **IN GENERAL.**—The Secretary of Veterans Affairs
4 shall carry out a program under which the Secretary shall
5 provide up to 12 months of retraining assistance to an
6 eligible veteran for the pursuit of a covered program of
7 education. Such retraining assistance shall be in addition
8 to any other entitlement to educational assistance or bene-
9 fits for which a veteran is, or has been, eligible.

10 (b) **ELIGIBLE VETERANS.**—

11 (1) **IN GENERAL.**—In this section, the term “el-
12 igible veteran” means a veteran who—

13 (A) as of the date of the receipt by the De-
14 partment of Veterans Affairs of an application
15 for assistance under this section, is at least 22
16 years of age but not more than 66 years of age;

17 (B) as of such date, is unemployed by rea-
18 son of the covered public health emergency, as
19 certified by the veteran;

20 (C) as of such date, is not eligible to re-
21 ceive educational assistance under chapter 30,
22 31, 32, 33, or 35 of title 38, United States
23 Code, or chapter 1606 of title 10, United States
24 Code;

25 (D) is not enrolled in any Federal or State
26 jobs program;

1 (E) is not in receipt of compensation for a
 2 service-connected disability rated totally dis-
 3 abling by reason of unemployability; and

4 (F) will not be in receipt of unemployment
 5 compensation (as defined in section 85(b) of the
 6 Internal Revenue Code of 1986), including any
 7 cash benefit received pursuant to subtitle A of
 8 title II of division A of the CARES Act (Public
 9 Law 116-136), as of the first day on which the
 10 veteran would receive a housing stipend pay-
 11 ment under this section.

12 (2) TREATMENT OF VETERANS WHO TRANSFER
 13 ENTITLEMENT.—For purposes of paragraph (1)(C),
 14 a veteran who has transferred all of the veteran's
 15 entitlement to educational assistance under section
 16 3319 of title 38, United States Code, shall be con-
 17 sidered to be a veteran who is not eligible to receive
 18 educational assistance under chapter 33 of such
 19 title.

20 (3) FAILURE TO COMPLETE.—A veteran who
 21 receives retraining assistance under this section to
 22 pursue a program of education and who fails to com-
 23 plete the program of education shall not be eligible
 24 to receive additional assistance under this section.

25 (c) COVERED PROGRAMS OF EDUCATION.—

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1 (1) IN GENERAL.—For purposes of this section,
2 a covered program of education is a program of edu-
3 cation (as such term is defined in section 3452(b) of
4 title 38, United States Code) for training, pursued
5 on a full-time or part-time basis—

6 (A) that—

7 (i) is approved under chapter 36 of
8 such title;

9 (ii) does not lead to a bachelors or
10 graduate degree; and

11 (iii) is designed to provide training for
12 a high-demand occupation, as determined
13 under paragraph (3); or

14 (B) that is a high technology program of
15 education offered by a qualified provider, under
16 the meaning given such terms in section 116 of
17 the Harry W. Colmery Veterans Educational
18 Assistance Act of 2017 (Public Law 115-48; 38
19 U.S.C. 3001 note).

20 (2) ACCREDITED PROGRAMS.—In the case of an
21 accredited program of education, the program of
22 education shall not be considered a covered program
23 of education under this section if the program has
24 received a show cause order from the accreditor of

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1 the program during the five-year period preceding
2 the date of the enactment of this Act.

3 (3) DETERMINATION OF HIGH-DEMAND OCCU-
4 PATIONS.—

5 (A) INITIAL IMPLEMENTATION.—In car-
6 rying out this section, the Secretary shall use
7 the list of high-demand occupations compiled by
8 the Commissioner of Labor Statistics until the
9 final list under subparagraph (C) is complete.

10 (B) STUDY REQUIRED.—The Secretary of
11 Veterans Affairs shall enter into an agreement
12 with a federally funded research and develop-
13 ment corporation or another appropriate non-
14 Department entity for the conduct of a study to
15 determine which occupations are high-demand
16 occupations. Such study shall be completed not
17 later than 90 days after the date of the enact-
18 ment of this Act.

19 (C) FINAL LIST.—The Secretary—

20 (i) may add or remove occupation
21 from the list in use pursuant to subpara-
22 graph (A) during the 90-day period fol-
23 lowing the completion of the study required
24 by subparagraph (B);

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1 (ii) shall issue a final list of high-de-
 2 mand occupations for use under this sec-
 3 tion by not later than 90 days after the
 4 date of the completion of the study; and

5 (iii) shall make such final list publicly
 6 available on a website of the Department.

7 (D) USE OF LIST.—The Secretary shall
 8 use the list developed under this paragraph in
 9 order to apply the requirement that retraining
 10 assistance under this section is used for train-
 11 ing for a high-demand occupation, but the Sec-
 12 retary may remove occupations from the list as
 13 the Secretary determines appropriate.

14 (4) FULL-TIME DEFINED.—For purposes of
 15 this subsection, the term “full-time” has the mean-
 16 ing given such term under section 3688 of title 38,
 17 United States Code.

18 (d) AMOUNT OF ASSISTANCE.—

19 (1) RETRAINING ASSISTANCE.—The Secretary
 20 of Veterans Affairs shall provide to an eligible vet-
 21 eran pursuing a covered program of education under
 22 the retraining assistance program under this section
 23 an amount equal to the amount of educational as-
 24 sistance payable under section 3313(c)(1)(A) of title
 25 38, United States Code, for each month the veteran

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1 pursues the covered program of education. Such
2 amount shall be payable directly to the educational
3 institution offering the covered program of education
4 pursued by the veteran as follows:

5 (A) 50 percent of the total amount payable
6 shall be paid when the eligible veteran begins
7 the program of education.

8 (B) 25 percent of the total amount payable
9 shall be paid when the eligible veteran com-
10 pletes the program of education.

11 (C) 25 percent of the total amount payable
12 shall be paid when the eligible veteran finds em-
13 ployment in a field related to the program of
14 education.

15 (2) FAILURE TO COMPLETE.—

16 (A) PRO-RATED PAYMENTS.—In the case
17 of a veteran who pursues a covered program of
18 education under the retraining assistance pro-
19 gram under this section, but who does not com-
20 plete the program of education, the Secretary
21 shall pay to the educational institution offering
22 such program of education a pro-rated amount
23 based on the number of months the veteran
24 pursued the program of education in accordance
25 with this paragraph.

1 **(B) PAYMENT OTHERWISE DUE UPON**
2 COMPLETION OF PROGRAM.—The Secretary
3 shall pay to the educational institution a pro-
4 rated amount under paragraph (1)(B) when the
5 veteran provides notice to the educational insti-
6 tution that the veteran no longer intends to
7 pursue the program of education.

8 **(C) NONRECOVERY FROM VETERAN.—**In
9 the case of a veteran referred to in subpara-
10 graph (A), the educational institution may not
11 seek payment from the veteran for any amount
12 that would have been payable under paragraph
13 (1)(B) had the veteran completed the program
14 of education.

15 **(D) PAYMENT DUE UPON EMPLOYMENT.—**

16 **(i) VETERANS WHO FIND EMPLOY-**
17 **MENT.—**In the case of a veteran referred
18 to in subparagraph (A) who finds employ-
19 ment in a field related to the program of
20 education during the 180-day period begin-
21 ning on the date on which the veteran
22 withdraws from the program of education,
23 the Secretary shall pay to the educational
24 institution a pro-rated amount under para-

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1 graph (1)(C) when the veteran finds such
2 employment.

3 (ii) VETERANS WHO DO NOT FIND EM-
4 PLOYMENT.—In the case of a veteran re-
5 ferred to in subparagraph (A) who does
6 not find employment in a field related to
7 the program of education during the 180-
8 day period beginning on the date on which
9 the veteran withdraws from the program of
10 education—

11 (I) the Secretary shall not make
12 a payment to the educational institu-
13 tion under paragraph (1)(C); and

14 (II) the educational institution
15 may not seek payment from the vet-
16 eran for any amount that would have
17 been payable under paragraph (1)(C)
18 had the veteran found employment
19 during such 180-day period.

20 (3) HOUSING STIPEND.—For each month that
21 an eligible veteran pursues a covered program of
22 education under the retraining assistance program
23 under this section, the Secretary shall pay to the
24 veteran a monthly housing stipend in an amount
25 equal to—

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1 (A) in the case of a covered program of
 2 education leading to a degree, or a covered pro-
 3 gram of education not leading to a degree, at
 4 an institution of higher learning (as that term
 5 is defined in section 3452(f) of title 38, United
 6 States Code) pursued on more than a half-time
 7 basis, the amount specified under subsection
 8 (c)(1)(B) of section 3313 of title 38, United
 9 States Code;

10 (B) in the case of a covered program of
 11 education other than a program of education
 12 leading to a degree at an institution other than
 13 an institution of higher learning pursued on
 14 more than a half-time basis, the amount speci-
 15 fied under subsection (g)(3)(A)(ii) of such sec-
 16 tion; or

17 (C) in the case of a covered program of
 18 education pursued on less than a half-time
 19 basis, or a covered program of education pur-
 20 sued solely through distance learning on more
 21 than a half-time basis, the amount specified
 22 under subsection (c)(1)(B)(iii) of such section.

23 (4) FAILURE TO FIND EMPLOYMENT.—The
 24 Secretary shall not make a payment under para-
 25 graph (1)(C) with respect to an eligible veteran who

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1 completes or fails to complete a program of edu-
2 cation under the retraining assistance program
3 under this section if the veteran fails to find employ-
4 ment in a field related to the program of education
5 within the 180-period beginning on the date on
6 which the veteran withdraws from or completes the
7 program.

8 (e) No TRANSFERABILITY.—Retraining assistance
9 provided under this section may not be transferred to an-
10 other individual.

11 (f) EMPLOYEE ASSISTANCE.—The Secretary of Vet-
12 erans Affairs, in consultation with the Secretary of Labor,
13 shall contact each veteran who pursues a covered program
14 of education under this section—

15 (1) not later than 30 days after the date on
16 which the veteran begins the program of education
17 to notify the veteran of the availability of employ-
18 ment placement services upon completion of the pro-
19 gram; and

20 (2) not later than 14 days after the date on
21 which the veteran completes, or terminates partici-
22 pation in, such program to facilitate the provision of
23 employment placement services to such veteran.

24 (g) NONPROFIT ORGANIZATION.—

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1 (1) IN GENERAL.—The Secretary of Veterans
2 Affairs shall seek to enter into a memorandum of
3 understanding with one or more qualified nonprofit
4 organizations for the purpose of facilitating the em-
5 ployment of veterans who participate in the retrain-
6 ing assistance program under this section.

7 (2) QUALIFIED NONPROFIT ORGANIZATION.—
8 For purposes of this subsection, a qualified non-
9 profit organization is a nonprofit organization
10 that—

11 (A) is an association of businesses; and
12 (B) has at least two years of experience
13 providing job placement services for veterans.

14 (h) FOLLOW UP OUTREACH.—The Secretary of Vet-
15 erans Affairs, in coordination with the Secretary of Labor,
16 shall contact each veteran who completes a covered pro-
17 gram of education under the retraining assistance pro-
18 gram under this section 30, 60, 90, and 180 days after
19 the veteran completes such program of education to ask
20 the veteran about the experience of the veteran in the re-
21 training assistance program and the veteran's employment
22 status.

23 (i) QUARTERLY REPORTS.—Not later than the date
24 that is one year after the date of the enactment of this
25 Act, and quarterly thereafter, the Secretary of Labor shall

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1 submit to the Committees on Veterans' Affairs of the Sen-
2 ate and House of Representatives a report containing the
3 following information about veterans who participate in
4 the retraining assistance program under this section:

5 (1) The percentage of such veterans who found
6 employment before the end of the second calendar
7 quarter after exiting the program.

8 (2) The percentage of such veterans who found
9 employment before the end of the fourth calendar
10 quarter after exiting the program.

11 (3) The median earnings of all such veterans
12 for the second quarter after exiting the program.

13 (4) The percentage of such veterans who attain
14 a recognized postsecondary credential during the 12-
15 month period after exiting the program.

16 (j) LIMITATION.—Not more than 17,250 eligible vet-
17 erans may receive retraining assistance under this section.

18 (k) TERMINATION.—No retraining assistance may be
19 paid under this section after the date that is 21 months
20 after the date of the enactment of this Act.

21 (l) COMPTROLLER GENERAL REPORT.—Not later
22 than 180 days after the termination of the retraining as-
23 sistance program under subsection (k), the Comptroller
24 General shall submit to the Committees on Veterans' Af-

1 fairs of the Senate and House of Representatives a report
2 on the outcomes and effectiveness of the program.

3 (m) DEFINITIONS.—In this section:

4 (1) The term “covered public health emer-
5 gency” means the declaration—

6 (A) of a public health emergency, based on
7 an outbreak of COVID-19 by the Secretary of
8 Health and Human Services under section 319
9 of the Public Health Service Act (42 U.S.C.
10 247d); or

11 (B) of a domestic emergency, based on an
12 outbreak of COVID-19 by the President, the
13 Secretary of Homeland Security, or State, or
14 local authority.

15 (2) The term “veteran” means—

16 (A) a person who served in the active mili-
17 tary, naval, or air service, and who was dis-
18 charged or released therefrom under conditions
19 other than dishonorable; or

20 (B) a member of a reserve component of
21 the Armed Forces who performs active service
22 for a period of 30 days or longer by reason of
23 the covered public health emergency.

1 (3) The term “active service” has the meaning
2 given such term in section 101 of title 10, United
3 States Code.

4 (n) FUNDING.—In addition to amounts otherwise
5 available there is appropriated to the Department of Vet-
6 erans Affairs for fiscal year 2021, out of any money in
7 the Treasury not otherwise appropriated, \$386,000,000,
8 to remain available until expended, to carry out this sec-
9 tion.

10 **SEC. 8007. PROHIBITION ON COPAYMENTS AND COST SHAR-**
11 **ING FOR VETERANS DURING EMERGENCY RE-**
12 **LATING TO COVID-19.**

13 (a) IN GENERAL.—The Secretary of Veterans Af-
14 fairs—

15 (1) shall not require a veteran to pay a copay-
16 ment or other cost sharing with respect to health
17 care under the laws administered by the Secretary
18 received by the veteran during the period specified in
19 subsection (b); and

20 (2) shall reimburse any veteran who paid a co-
21 payment or other cost sharing for health care under
22 the laws administered by the Secretary received by
23 the veteran during such period the amount paid by
24 the veteran.

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1 (b) PERIOD SPECIFIED.—The period specified in this
 2 subsection is the period beginning on April 6, 2020, and
 3 ending on September 30, 2021.

4 (c) FUNDING.—In addition to amounts otherwise
 5 available, there is appropriated to the Secretary of Vet-
 6 erans Affairs for fiscal year 2021, out of any money in
 7 the Treasury not otherwise appropriated, \$2,000,000,000,
 8 to remain available until expended, to carry out this sec-
 9 tion.

10 **TITLE IX—COMMITTEE ON WAYS**
 11 **AND MEANS**

12 **Subtitle A—Crisis Support for**
 13 **Unemployed Workers**

14 SEC. 9001. SHORT TITLE.

15 This subtitle may be cited as the “Crisis Support for
 16 Unemployed Workers Act”.

17 **PART 1—EXTENSION OF CARES ACT**

18 **UNEMPLOYMENT PROVISIONS**

19 SEC. 9011. EXTENSION OF PANDEMIC UNEMPLOYMENT AS-
 20 SISTANCE.

21 (a) IN GENERAL.—Section 2102(c) of the CARES
 22 Act (15 U.S.C. 9021(c)) is amended—

23 (1) in paragraph (1)—

24 (A) by striking “paragraphs (2) and (3)”

25 and inserting “paragraph (2)”; and

1 (B) in subparagraph (A)(ii), by striking
2 “March 14, 2021” and inserting “August 29,
3 2021”; and
4 (2) by striking paragraph (3) and redesignating
5 paragraph (4) as paragraph (3).

6 (b) INCREASE IN NUMBER OF WEEKS.—Section
7 2102(c)(2) of such Act (15 U.S.C. 9021(c)(2)) is amend-
8 ed—

9 (1) by striking “50 weeks” and inserting “74
10 weeks”; and

11 (2) by striking “50-week period” and inserting
12 “74-week period”.

13 (c) HOLD HARMLESS FOR PROPER ADMINISTRA-
14 TION.—In the case of an individual who is eligible to re-
15 ceive pandemic unemployment assistance under section
16 2102 of the CARES Act (15 U.S.C. 9021) as of the day
17 before the date of enactment of this Act and on the date
18 of enactment of this Act becomes eligible for pandemic
19 emergency unemployment compensation under section
20 2107 of the CARES Act (15 U.S.C. 9025) by reason of
21 the amendments made by section 9016(b) of this title, any
22 payment of pandemic unemployment assistance under
23 such section 2102 made after the date of enactment of
24 this Act to such individual during an appropriate period
25 of time, as determined by the Secretary of Labor, that

1 should have been made under such section 2107 shall not
2 be considered to be an overpayment of assistance under
3 such section 2102, except that an individual may not re-
4 ceive payment for assistance under section 2102 and a
5 payment for assistance under section 2107 for the same
6 week of unemployment.

7 (d) EFFECTIVE DATE.—The amendments made by
8 subsections (a) and (b) shall apply as if included in the
9 enactment of the CARES Act (Public Law 116–136), ex-
10 cept that no amount shall be payable by virtue of such
11 amendments with respect to any week of unemployment
12 commencing before the date of the enactment of this Act.

13 **SEC. 9012. EXTENSION OF EMERGENCY UNEMPLOYMENT**
14 **RELIEF FOR GOVERNMENTAL ENTITIES AND**
15 **NONPROFIT ORGANIZATIONS.**

16 (a) IN GENERAL.—Section 903(i)(1)(D) of the Social
17 Security Act (42 U.S.C. 1103(i)(1)(D)) is amended by
18 striking “March 14, 2021” and inserting “August 29,
19 2021”.

20 (b) INCREASE IN REIMBURSEMENT RATE.—Section
21 903(i)(1)(B) of such Act (42 U.S.C. 1103(i)(1)(B)) is
22 amended—

23 (1) in the first sentence, by inserting “and ex-
24 cept as otherwise provided in this subparagraph”

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1 after “as determined by the Secretary of Labor”;

2 and

3 (2) by inserting after the first sentence the fol-
 4 lowing: “With respect to the amounts of such com-
 5 pensation paid for weeks of unemployment beginning
 6 after March 31, 2021, and ending on or before Au-
 7 gust 29, 2021, the preceding sentence shall be ap-
 8 plied by substituting ‘75 percent’ for ‘one-half.’”.

9 **SEC. 9013. EXTENSION OF FEDERAL PANDEMIC UNEMPLOY-**
 10 **MENT COMPENSATION.**

11 (a) **IN GENERAL.**—Section 2104(e)(2) of the CARES
 12 Act (15 U.S.C. 9023(e)(2)) is amended by striking
 13 “March 14, 2021” and inserting “August 29, 2021”.

14 (b) **AMOUNT.**—Section 2104(b)(3)(A) of such Act
 15 (15 U.S.C. 9023(b)(3)(A)) is amended by adding at the
 16 end the following:

17 (iii) For weeks of unemployment
 18 ending after March 14, 2021, and ending
 19 on or before August 29, 2021, \$400.”.

20 (c) **DISREGARD OF CERTAIN ADDITIONAL COM-**
 21 **PENSATION FOR PURPOSES OF MEDICAID AND CHIP.**—
 22 Section 2104(h) of the CARES Act (15 U.S.C. 9023(h))
 23 is amended by striking “Federal pandemic unemployment
 24 compensation” and inserting “Federal Pandemic Unem-

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1 ployment Compensation or Mixed Earner Unemployment
2 Compensation”.

3 **SEC. 9014. EXTENSION OF FULL FEDERAL FUNDING OF THE**
4 **FIRST WEEK OF COMPENSABLE REGULAR**
5 **UNEMPLOYMENT FOR STATES WITH NO WAIT-**
6 **ING WEEK.**

7 (a) **IN GENERAL.**—Section 2105(e)(2) of the CARES
8 Act (15 U.S.C. 9024(e)(2)) is amended by striking
9 “March 14, 2021” and inserting “August 29, 2021”.

10 (b) **FULL REIMBURSEMENT.**—Paragraph (3) of sec-
11 tion 2105(c) of such Act (15 U.S.C. 9024(c)) is repealed
12 and such section shall be applied to weeks of unemploy-
13 ment to which an agreement under section 2105 of such
14 Act applies as if such paragraph had not been enacted.

15 **SEC. 9015. EXTENSION OF EMERGENCY STATE STAFFING**
16 **FLEXIBILITY.**

17 Section 4102(b) of the Families First Coronavirus
18 Response Act (26 U.S.C. 3304 note), in the second sen-
19 tence, is amended by striking “March 14, 2021” and in-
20 serting “August 29, 2021”.

21 **SEC. 9016. EXTENSION OF PANDEMIC EMERGENCY UNEM-**
22 **PLOYMENT COMPENSATION.**

23 (a) **IN GENERAL.**—Section 2107(g) of the CARES
24 Act (15 U.S.C. 9025(g)) is amended to read as follows:

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1 “(g) APPLICABILITY.—An agreement entered into
2 under this section shall apply to weeks of unemployment—

3 “(1) beginning after the date on which such
4 agreement is entered into; and

5 “(2) ending on or before August 29, 2021.”.

6 (b) INCREASE IN NUMBER OF WEEKS.—Section
7 2107(b)(2) of such Act (15 U.S.C. 9025(b)(2)) is amend-
8 ed by striking “24” and inserting “48”.

9 (c) COORDINATION RULES.—

10 (1) COORDINATION OF PANDEMIC EMERGENCY
11 UNEMPLOYMENT COMPENSATION WITH EXTENDED
12 COMPENSATION.—

13 (A) INDIVIDUALS RECEIVING EXTENDED
14 COMPENSATION AS OF THE DATE OF ENACT-
15 MENT.—Section 2107(a)(5) of such Act (15
16 U.S.C. 9025(a)(5)) is amended—

17 (i) by striking “RULE.—An agree-
18 ment” and inserting the following:
19 “RULES.—

20 “(A) IN GENERAL.—Subject to subpara-
21 graph (B), an agreement”; and

22 (ii) by adding at the end the fol-
23 lowing:

24 “(B) SPECIAL RULE.—In the case of an
25 individual who is receiving extended compensa-

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1 tion under the State law for the week that in-
 2 cludes the date of enactment of this subpara-
 3 graph (without regard to the amendments made
 4 by subsections (a) and (b) of section 9016 of
 5 the Crisis Support for Unemployed Workers
 6 Act), such individual shall not be eligible to re-
 7 ceive pandemic emergency unemployment com-
 8 pensation by reason of such amendments until
 9 such individual has exhausted all rights to such
 10 extended benefits.”.

11 (B) ELIGIBILITY FOR EXTENDED COM-
 12 PENSATION.—Section 2107(a) of such Act (15
 13 U.S.C. 9025(a)) is amended by adding at the
 14 end the following:

15 “(8) SPECIAL RULE FOR EXTENDED COM-
 16 PENSATION.—At the option of a State, for any
 17 weeks of unemployment beginning after the date of
 18 the enactment of this paragraph and ending on or
 19 before August 29, 2021, an individual’s eligibility
 20 period (as described in section 203(c) of the Fed-
 21 eral-State Extended Unemployment Compensation
 22 Act of 1970 (26 U.S.C. 3304 note)) shall, for pur-
 23 poses of any determination of eligibility for extended
 24 compensation under the State law of such State, be
 25 considered to include any week which begins—

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1 “(A) after the date as of which such indi-
2 vidual exhausts all rights to pandemic emer-
3 gency unemployment compensation; and

4 “(B) during an extended benefit period
5 that began on or before the date described in
6 subparagraph (A).”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall apply as if included in the enactment
9 of the CARES Act (Public Law 116-136), except that no
10 amount shall be payable by virtue of such amendments
11 with respect to any week of unemployment commencing
12 before the date of the enactment of this Act.

13 SEC. 9017. EXTENSION OF TEMPORARY FINANCING OF
14 SHORT-TIME COMPENSATION PAYMENTS IN
15 STATES WITH PROGRAMS IN LAW.

16 Section 2108(b)(2) of the CARES Act (15 U.S.C.
17 9026(b)(2)) is amended by striking “March 14, 2021”
18 and inserting “August 29, 2021”.

19 SEC. 9018. EXTENSION OF TEMPORARY FINANCING OF
20 SHORT-TIME COMPENSATION AGREEMENTS
21 FOR STATES WITHOUT PROGRAMS IN LAW.

22 Section 2109(d)(2) of the CARES Act (15 U.S.C.
23 9027(d)(2)) is amended by striking “March 14, 2021”
24 and inserting “August 29, 2021”.

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**1 PART 2—EXTENSION OF FFCRA UNEMPLOYMENT
2 PROVISIONS**

**3 SEC. 9021. EXTENSION OF TEMPORARY ASSISTANCE FOR
4 STATES WITH ADVANCES.**

5 Section 1202(b)(10)(A) of the Social Security Act
6 (42 U.S.C. 1322(b)(10)(A)) is amended by striking
7 “March 14, 2021” and inserting “August 29, 2021”.

**8 SEC. 9022. EXTENSION OF FULL FEDERAL FUNDING OF EX-
9 TENDED UNEMPLOYMENT COMPENSATION.**

10 Section 4105 of the Families First Coronavirus Re-
11 sponse Act (26 U.S.C. 3304 note) is amended by striking
12 “March 14, 2021” each place it appears and inserting
13 “August 29, 2021”.

**14 PART 3—DEPARTMENT OF LABOR FUNDING FOR
15 TIMELY, ACCURATE, AND EQUITABLE PAYMENT**

16 SEC. 9031. FUNDING FOR ADMINISTRATION.

17 In addition to amounts otherwise available, there is
18 appropriated to the Employment and Training Adminis-
19 tration of the Department of Labor for fiscal year 2021,
20 out of any money in the Treasury not otherwise appro-
21 priated, \$8,000,000, to remain available until expended,
22 for necessary expenses to carry out Federal activities re-
23 lating to the administration of unemployment compensa-
24 tion programs.

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1 SEC. 9032. FUNDING FOR FRAUD PREVENTION, EQUITABLE
 2 ACCESS, AND TIMELY PAYMENT TO ELIGIBLE
 3 WORKERS.

4 (a) IN GENERAL.—In addition to amounts otherwise
 5 available, there is appropriated to the Secretary of Labor
 6 for fiscal year 2021, out of any money in the Treasury
 7 not otherwise appropriated, \$2,000,000,000, to remain
 8 available until expended, to detect and prevent fraud, pro-
 9 mote equitable access, and ensure the timely payment of
 10 benefits with respect to unemployment insurance pro-
 11 grams, including programs extended under this subtitle.

12 (b) USE OF FUNDS.—Amounts made available under
 13 subsection (a) may be used—

14 (1) for Federal administrative costs related to
 15 the purposes described in subsection (a);

16 (2) for systemwide infrastructure investment
 17 and development related to such purposes;

18 (3) to make grants to States or territories ad-
 19 ministering unemployment insurance programs de-
 20 scribed in subsection (a) for such purposes, includ-
 21 ing the establishment of procedures or the building
 22 of infrastructure to verify or validate identity, imple-
 23 ment Federal guidance regarding fraud detection
 24 and prevention, and accelerate claims processing or
 25 process claims backlogs due to the pandemic; and

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1 (4) for transfer to the Inspector General of the
 2 Department of Labor, to the Attorney General, to
 3 the Commissioner of Internal Revenue, or to other
 4 Federal agencies investigating identity theft crime
 5 affecting Federal unemployment benefits, as deter-
 6 mined appropriate by the Secretary, for the develop-
 7 ment of State tools for fraud detection or prevention
 8 or for the investigation or prosecution of fraud.

9 (c) RESTRICTIONS ON GRANTS TO STATES AND TER-
 10 RITORIES.—As a condition of receiving a grant under sub-
 11 section (b)(3), the Secretary may require that a State or
 12 territory receiving such a grant shall—

13 (1) use such program integrity tools as the Sec-
 14 retary may specify; and

15 (2) as directed by the Secretary, conduct user
 16 accessibility testing on any new system developed by
 17 the Secretary pursuant to subsection (b)(2).

18 **Subtitle B—Emergency Assistance**
 19 **to Families Through Home Vis-**
 20 **iting Programs**

21 SEC. 9101. EMERGENCY ASSISTANCE TO FAMILIES
 22 THROUGH HOME VISITING PROGRAMS.

23 Title V of the Social Security Act (42 U.S.C. 701-
 24 713) is amended by inserting after section 511 the fol-
 25 lowing:

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1 “SEC. 511A. EMERGENCY ASSISTANCE TO FAMILIES
2 THROUGH HOME VISITING PROGRAMS.

3 “(a) SUPPLEMENTAL APPROPRIATION.—In addition
4 to amounts otherwise appropriated, out of any money in
5 the Treasury of the United States not otherwise appro-
6 priated, there are appropriated to the Secretary
7 \$150,000,000, to remain available through September 30,
8 2022, to enable eligible entities to conduct programs in
9 accordance with section 511 and subsection (c) of this sec-
10 tion.

11 “(b) ELIGIBILITY FOR FUNDS.—To be eligible to re-
12 ceive funds made available by subsection (a) of this sec-
13 tion, an entity shall—

14 “(1) as of the date of the enactment of this sec-
15 tion, be conducting a program under section 511;

16 “(2) ensure the modification of grants, con-
17 tracts, and other agreements, as applicable, executed
18 under section 511 under which the program is con-
19 ducted as are necessary to provide that, during the
20 period that begins with the date of the enactment of
21 this section and ends with the end of the 2nd suc-
22 ceeding fiscal year after the funds are awarded, the
23 entity shall—

24 “(A) not reduce funding for, or staffing
25 levels of, the program on account of reduced en-
26 rollment in the program; and

1 “(B) when using funds to provide emer-
2 gency supplies to eligible families receiving
3 grant services under section 511, ensure coordi-
4 nation with local diaper banks to the extent
5 practicable; and

6 “(3) reaffirm that, in conducting the program,
7 the entity will focus on priority populations (as de-
8 fined in section 511(d)(4)).

9 “(c) USES OF FUNDS.—An entity to which funds are
10 provided under this section may use the funds—

11 “(1) to serve families with home visits or with
12 virtual visits, that may be conducted by the use of
13 electronic information and telecommunications tech-
14 nologies, in a service delivery model described in sec-
15 tion 511(d)(3)(A);

16 “(2) to pay hazard pay or other additional staff
17 costs associated with providing home visits or ad-
18 ministration for programs funded under section 511;

19 “(3) to train home visitors employed by the en-
20 tity in conducting a virtual home visit and in emer-
21 gency preparedness and response planning for fami-
22 lies served, and may include training on how to safe-
23 ly conduct intimate partner violence screenings, and
24 training on safety and planning for families served

1 to support the family outcome improvements listed
2 in section 511(d)(2)(B);

3 “(4) for the acquisition by families served by
4 programs under section 511 of such technological
5 means as are needed to conduct and support a vir-
6 tual home visit;

7 “(5) to provide emergency supplies (such as
8 diapers and diapering supplies including diaper
9 wipes and diaper cream, necessary to ensure that a
10 child using a diaper is properly cleaned and pro-
11 tected from diaper rash, formula, food, water, hand
12 soap and hand sanitizer) to an eligible family (as de-
13 fined in section 511(k)(2));

14 “(6) to coordinate with and provide reimburse-
15 ment for supplies to diaper banks when using such
16 entities to provide emergency supplies specified in
17 paragraph (5); and

18 “(7) to provide prepaid grocery cards to an eli-
19 gible family (as defined in section 511(k)(2)) partici-
20 pating in the maternal, infant, and early childhood
21 home visiting program under section 511 for the
22 purpose of enabling the family to meet the emer-
23 gency needs of the family.”.

1 Subtitle C—Emergency Assistance
2 to Children and Families

3 SEC. 9201. PANDEMIC EMERGENCY ASSISTANCE FUND.

4 Section 403 of the Social Security Act (42 U.S.C.
 5 603) is amended by adding at the end the following:

6 “(c) PANDEMIC EMERGENCY ASSISTANCE FUND.—

7 “(1) ESTABLISHMENT.—There is established in
 8 the Treasury of the United States a fund which
 9 shall be known as the ‘Pandemic Emergency Assist-
 10 ance Fund’ (in this section referred to as the
 11 ‘Fund’) for the duration of the applicable period.

12 “(2) DEPOSITS INTO FUND.—Out of any money
 13 in the Treasury of the United States not otherwise
 14 appropriated, there are appropriated for payment to
 15 the Fund \$1,000,000,000, to remain available until
 16 expended.

17 “(3) RESERVATION OF FUNDS FOR TECHNICAL
 18 ASSISTANCE.—Of the amount specified in paragraph
 19 (2), the Secretary shall reserve \$2,000,000 for ad-
 20 ministrative expenses and the provision of technical
 21 assistance to States and Indian tribes with respect
 22 to the use of funds provided under this subsection.

23 “(4) ALLOTMENTS.—

24 “(A) 50 STATES AND THE DISTRICT OF
 25 COLUMBIA.—

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1 “(i) TOTAL AMOUNT TO BE ALLOT-
 2 TED.—The Secretary shall allot a total of
 3 92.5 percent of the amount specified in
 4 paragraph (2) that is not reserved under
 5 paragraph (3) among the States that are
 6 not a territory and that are operating a
 7 program funded under this part, in accord-
 8 ance with clause (ii) of this subparagraph.

9 “(ii) ALLOTMENT FORMULA.—The
 10 Secretary shall allot to each such State the
 11 sum of the following percentages of the
 12 total amount described in clause (i):

13 “(I) 50 percent, multiplied by—

14 “(aa) the population of chil-
 15 dren in the State, determined on
 16 the basis of the most recent pop-
 17 ulation estimates as determined
 18 by the Bureau of the Census; di-
 19 vided by

20 “(bb) the total population of
 21 children in the States that are
 22 not territories, as so determined;
 23 plus

24 “(II) 50 percent, multiplied by—

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1 “(aa) the total amount ex-
 2 pended by the State for basic as-
 3 sistance, non-recurrent short
 4 term benefits, and emergency as-
 5 sistance in fiscal year 2019, as
 6 reported by the State under sec-
 7 tion 411; divided by

8 “(bb) the total amount ex-
 9 pended by the States that are not
 10 territories for basic assistance,
 11 non-recurrent short term bene-
 12 fits, and emergency assistance in
 13 fiscal year 2019, as so reported
 14 by the States.

15 “(B) TERRITORIES AND INDIAN TRIBES.—
 16 The Secretary shall allot among the territories
 17 and Indian tribes otherwise eligible for a grant
 18 under this part such portions of 7.5 percent of
 19 the amount specified in paragraph (2) that are
 20 not reserved under paragraph (3) as the Sec-
 21 retary deems appropriate based on the needs of
 22 the territory or tribe involved.

23 “(C) EXPENDITURE COMMITMENT RE-
 24 QUIREMENT.—To receive the full amount of
 25 funding payable under this subsection, a State

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1 or Indian tribe shall inform the Secretary as to
 2 whether it intends to use all of its allotment
 3 under this paragraph and provide that informa-
 4 tion—

5 “(i) in the case of a State that is not
 6 a territory, within 45 days after the date
 7 of the enactment of this subsection; or

8 “(ii) in the case of a territory or an
 9 Indian tribe, within 90 days after such
 10 date of enactment.

11 “(5) GRANTS.—

12 “(A) IN GENERAL.—The Secretary shall
 13 provide funds to each State and Indian tribe to
 14 which an amount is allotted under paragraph
 15 (4), from the amount so allotted.

16 “(B) TREATMENT OF UNUSED FUNDS.—

17 “(i) REALLOTMENT.—The Secretary
 18 shall reallocate in accordance with paragraph
 19 (4) all funds provided to any State or In-
 20 dian tribe under this subsection that are
 21 unused, among the other States and In-
 22 dian tribes eligible for funds under this
 23 subsection. For purposes of paragraph (4),
 24 the Secretary shall treat the funds as if in-

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1 cluded in the amount specified in para-
2 graph (2).

3 “(ii) PROVISION.—The Secretary shall
4 provide funds to each such other State or
5 Indian tribe in an amount equal to the
6 amount so reallocated.

7 “(6) RECIPIENT OF FUNDS PROVIDED FOR TER-
8 RITORIES.—In the case of a territory not operating
9 a program funded under this part, the Secretary
10 shall provide the funds required to be provided to
11 the territory under this subsection, to the agency
12 that administers the bulk of local human services
13 programs in the territory.

14 “(7) USE OF FUNDS.—

15 “(A) IN GENERAL.—A State or Indian
16 tribe to which funds are provided under this
17 subsection may use the funds only for non-re-
18 current short term benefits, whether in the
19 form of cash or in other forms.

20 “(B) LIMITATION ON USE FOR ADMINIS-
21 TRATIVE EXPENSES.—A State to which funds
22 are provided under this subsection shall not ex-
23 pend more than 15 percent of the funds for ad-
24 ministrative purposes.

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1 “(C) NONSUPPLANTATION.—Funds pro-
2 vided under this subsection shall be used to
3 supplement and not supplant other Federal,
4 State, or tribal funds for services and activities
5 that promote the purposes of this part.

6 “(D) EXPENDITURE DEADLINE.—

7 “(i) IN GENERAL.—Except as pro-
8 vided in clause (ii), a State or Indian tribe
9 to which funds are provided under this
10 subsection shall expend the funds not later
11 than the end of fiscal year 2022.

12 “(ii) EXCEPTION FOR REALLOTTED
13 FUNDS.—A State or Indian tribe to which
14 funds are provided under paragraph (5)(B)
15 shall expend the funds within 12 months
16 after receipt.

17 “(8) EXPENDITURE REPORTS.—

18 “(A) IN GENERAL.—On expending all
19 funds provided to a State or Indian tribe under
20 this subsection, the entity shall submit to the
21 Secretary a written report that describes how
22 the funds were expended, which report shall be
23 so submitted—

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1 “(i) if the entity is a State that is not
2 a territory, within 90 days after expendi-
3 ture; or

4 “(ii) if the entity is a territory or is
5 operating a tribal program funded under
6 this part, within 120 days after expendi-
7 ture.

8 “(B) AUTHORITY TO COLLECT AND AD-
9 JUST EXPENDITURE DATA.—For the purpose of
10 determining whether a State has expended the
11 funds provided to the State under this sub-
12 section, the Secretary may—

13 “(i) develop a mechanism for col-
14 lecting the expenditure data;

15 “(ii) make appropriate adjustments to
16 the data, on a State-by-State basis, to en-
17 sure that the data are comparable with re-
18 spect to the groups of families served and
19 the types of aid provided; and

20 “(iii) set deadlines for making revi-
21 sions to the data.

22 “(9) SUSPENSION OF TERRITORY SPENDING
23 CAP.—Section 1108 shall not apply with respect to
24 any funds provided under this subsection.

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1 “(10) IMPLEMENTATION.—The Secretary shall
2 implement this subsection as soon as is practicable,
3 pursuant to appropriate guidance to States.

4 “(11) DEFINITIONS.—In this subsection:

5 “(A) APPLICABLE PERIOD.—The term ‘ap-
6 plicable period’ means the period that begins
7 with April 1, 2021, and ends with September
8 30, 2022.

9 “(B) NON-RECURRENT SHORT TERM BEN-
10 EFITS.—The term ‘non-recurrent short term
11 benefits’ has the meaning given the term in
12 OMB approved Form ACF-196R, published on
13 July 31, 2014.

14 “(C) STATE.—The term ‘State’ means the
15 50 States of the United States, the District of
16 Columbia, and the territories.

17 “(D) TERRITORY.—The term ‘territory’
18 means the Commonwealth of Puerto Rico, the
19 United States Virgin Islands, Guam, American
20 Samoa, and the Commonwealth of the Northern
21 Mariana Islands.”.

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1 **Subtitle D—Elder Justice and**
 2 **Support Guarantee**

3 **SEC. 9301. ADDITIONAL FUNDING FOR AGING AND DIS-**
 4 **ABILITY SERVICES PROGRAMS.**

5 Subtitle A of title XX of the Social Security Act (42
 6 U.S.C. 1397-1397h) is amended by adding at the end the
 7 following:

8 **“SEC. 2010. ADDITIONAL FUNDING FOR AGING AND DIS-**
 9 **ABILITY SERVICES PROGRAMS.**

10 “(a) **APPROPRIATION.**—In addition to amounts oth-
 11 erwise available, there is appropriated for fiscal year 2021,
 12 out of any money in the Treasury not otherwise appro-
 13 priated, \$276,000,000, to remain available until expended,
 14 to carry out the programs described in subtitle B.

15 “(b) **USE OF FUNDS.**—

16 “(1) **IN GENERAL.**—Of the amounts made
 17 available by subsection (a)—

18 “(A) \$88,000,000 shall be made available
 19 to carry out the programs described in subtitle
 20 B in fiscal year 2021, of which not less than an
 21 amount equal to \$100,000,000 minus the
 22 amount previously provided in fiscal year 2021
 23 to carry out section 2042(b) shall be made
 24 available to carry out such section; and

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1 “(B) \$188,000,000 shall be made available
2 to carry out the programs described in subtitle
3 B in fiscal year 2022, of which not less than
4 \$100,000,000 shall be for activities described in
5 section 2042(b).

6 “(2) SERVICES FOR ALL ADULTS.—The
7 amounts made available by subsection (a) of this
8 section to carry out section 2042(b) may be used to
9 provide services under programs described in section
10 2042(b) for all adults.”.

11 **Subtitle E—Support to Skilled**
12 **Nursing Facilities in Response**
13 **to COVID–19**

14 **SEC. 9401. PROVIDING FOR INFECTION CONTROL SUPPORT**
15 **TO SKILLED NURSING FACILITIES THROUGH**
16 **CONTRACTS WITH QUALITY IMPROVEMENT**
17 **ORGANIZATIONS.**

18 Section 1862(g) of the Social Security Act (42 U.S.C.
19 1395y(g)) is amended—

20 (1) by striking “The Secretary” and inserting

21 “(1) The Secretary”; and

22 (2) by adding at the end the following new
23 paragraph:

24 “(2) In addition to any amounts otherwise available,
25 there is appropriated to the Secretary, out of any monies

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1 in the Treasury not otherwise appropriated,
 2 \$200,000,000, to remain available until expended, for pur-
 3 poses of carrying out infection control support (as deter-
 4 mined appropriate by the Secretary) through the develop-
 5 ment and dissemination of protocols relating to the pre-
 6 vention or mitigation of COVID-19 in skilled nursing fa-
 7 cilities (as defined in section 1819(a)).”.

8 SEC. 9402. FUNDING FOR STRIKE TEAMS FOR RESIDENT
9 AND EMPLOYEE SAFETY IN SKILLED NURS-
10 ING FACILITIES.

11 Section 1819 of the Social Security Act (42 U.S.C.
 12 1395i-3) is amended by adding at the end the following
 13 new subsection:

14 “(k) FUNDING FOR STRIKE TEAMS.—In addition to
 15 amounts otherwise available, there is appropriated to the
 16 Secretary, out of any monies in the Treasury not otherwise
 17 appropriated, \$250,000,000, to remain available until ex-
 18 pended, for purposes of allocating such amount among the
 19 States (including the District of Columbia and each terri-
 20 tory of the United States) to increase the capacity of such
 21 a State to respond to COVID-19 by allowing such a State
 22 to establish and implement a strike team that will be de-
 23 ployed to a skilled nursing facility in the State with diag-
 24 nosed or suspected cases of COVID-19 among residents
 25 or staff for the purposes of assisting with clinical care,

1 infection control, or staffing during the emergency period
 2 described in section 1135(g)(1)(B).”

3 **Subtitle F—Preserving Health**
 4 **Benefits for Workers**

5 **SEC. 9500. SHORT TITLE.**

6 This subtitle may be cited as the “Worker Health
 7 Coverage Protection Act”.

8 **SEC. 9501. PRESERVING HEALTH BENEFITS FOR WORKERS.**

9 (a) **PREMIUM ASSISTANCE FOR COBRA CONTINU-**
 10 **ATION COVERAGE FOR INDIVIDUALS AND THEIR FAMI-**
 11 **LIES.—**

12 (1) **PROVISION OF PREMIUM ASSISTANCE.—**

13 (A) **REDUCTION OF PREMIUMS PAY-**
 14 **ABLE.—**In the case of any premium for a pe-
 15 riod of coverage during the period beginning on
 16 the first day of the first month beginning after
 17 the date of the enactment of this Act, and end-
 18 ing on September 30, 2021, for COBRA con-
 19 tinuation coverage with respect to any assist-
 20 ance eligible individual described in paragraph
 21 (3), such individual shall be treated for pur-
 22 poses of any COBRA continuation provision as
 23 having paid the amount of such premium if
 24 such individual pays (or any person other than
 25 such individual’s employer pays on behalf of

1 such individual) 15 percent of the amount of
2 such premium.

3 (B) PLAN ENROLLMENT OPTION.—

4 (i) IN GENERAL.—Notwithstanding
5 the COBRA continuation provisions, any
6 assistance eligible individual who is en-
7 rolled in a group health plan offered by a
8 plan sponsor may, not later than 90 days
9 after the date of notice of the plan enroll-
10 ment option described in this subpara-
11 graph, elect to enroll in coverage under a
12 plan offered by such plan sponsor that is
13 different than coverage under the plan in
14 which such individual was enrolled at the
15 time, in the case of any assistance eligible
16 individual described in paragraph (3), the
17 qualifying event specified in section 603(2)
18 of the Employee Retirement Income Secu-
19 rity Act of 1974, section 4980B(f)(3)(B)
20 of the Internal Revenue Code of 1986, or
21 section 2203(2) of the Public Health Serv-
22 ice Act, except for the voluntary termi-
23 nation of such individual’s employment by
24 such individual, occurred, and such cov-
25 erage shall be treated as COBRA continu-

1 ation coverage for purposes of the applica-
2 ble COBRA continuation coverage provi-
3 sion.

4 (ii) REQUIREMENTS.—Any assistance
5 eligible individual may elect to enroll in
6 different coverage as described in clause (i)
7 only if—

8 (I) the employer involved has
9 made a determination that such em-
10 employer will permit such assistance eli-
11 gible individual to enroll in different
12 coverage as provided under this sub-
13 paragraph;

14 (II) the premium for such dif-
15 ferent coverage does not exceed the
16 premium for coverage in which such
17 individual was enrolled at the time
18 such qualifying event occurred;

19 (III) the different coverage in
20 which the individual elects to enroll is
21 coverage that is also offered to simi-
22 larly situated active employees of the
23 employer at the time at which such
24 election is made; and

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1 (IV) the different coverage in
2 which the individual elects to enroll is
3 not—

4 (aa) coverage that provides
5 only excepted benefits as defined
6 in section 9832(c) of the Internal
7 Revenue Code of 1986, section
8 733(c) of the Employee Retire-
9 ment Income Security Act of
10 1974, and section 2791(c) of the
11 Public Health Service Act;

12 (bb) a qualified small em-
13 ployer health reimbursement ar-
14 rangement (as defined in section
15 9831(d)(2) of the Internal Rev-
16 enue Code of 1986); or

17 (cc) a flexible spending ar-
18 rangement (as defined in section
19 106(c)(2) of the Internal Rev-
20 enue Code of 1986).

21 (2) LIMITATION OF PERIOD OF PREMIUM AS-
22 SISTANCE.—

23 (A) ELIGIBILITY FOR ADDITIONAL COV-
24 ERAGE.—Paragraph (1)(A) shall not apply with
25 respect to any assistance eligible individual de-

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1 scribed in paragraph (3) for months of coverage
 2 beginning on or after the earlier of—

3 (i) the first date that such individual
 4 is eligible for coverage under any other
 5 group health plan (other than coverage
 6 consisting of only excepted benefits (as de-
 7 fined in section 9832(c) of the Internal
 8 Revenue Code of 1986, section 733(c) of
 9 the Employee Retirement Income Security
 10 Act of 1974, and section 2791(c) of the
 11 Public Health Service Act), coverage under
 12 a flexible spending arrangement (as de-
 13 fined in section 106(c)(2) of the Internal
 14 Revenue Code of 1986), coverage under a
 15 qualified small employer health reimburse-
 16 ment arrangement (as defined in section
 17 9831(d)(2) of the Internal Revenue Code
 18 of 1986)), or eligible for benefits under the
 19 Medicare program under title XVIII of the
 20 Social Security Act; or

21 (ii) the earlier of—

22 (I) the date following the expira-
 23 tion of the maximum period of con-
 24 tinuation coverage required under the

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1 applicable COBRA continuation cov-
 2 erage provision; or
 3 (II) the date following the expira-
 4 tion of the period of continuation cov-
 5 erage allowed under paragraph
 6 (4)(B)(ii).

7 (B) NOTIFICATION REQUIREMENT.—Any
 8 assistance eligible individual shall notify the
 9 group health plan with respect to which para-
 10 graph (1)(A) applies if such paragraph ceases
 11 to apply by reason of clause (i) of subparagraph
 12 (A) (as applicable). Such notice shall be pro-
 13 vided to the group health plan in such time and
 14 manner as may be specified by the Secretary of
 15 Labor.

16 (3) ASSISTANCE ELIGIBLE INDIVIDUAL.—For
 17 purposes of this section, the term “assistance eligible
 18 individual” means, with respect to a period of cov-
 19 erage during the period beginning on the first day
 20 of the first month beginning after the date of the en-
 21 actment of this Act, and ending on September 30,
 22 2021, any individual that is a qualified beneficiary
 23 who—

24 (A) is eligible for COBRA continuation
 25 coverage by reason of a qualifying event speci-

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1 fied in section 603(2) of the Employee Retirement
 2 Income Security Act of 1974, section
 3 4980B(f)(3)(B) of the Internal Revenue Code
 4 of 1986, or section 2203(2) of the Public
 5 Health Service Act, except for the voluntary
 6 termination of such individual's employment by
 7 such individual; and

8 (B) elects such coverage.

9 (4) EXTENSION OF ELECTION PERIOD AND EF-
 10 FECT ON COVERAGE.—

11 (A) IN GENERAL.—For purposes of apply-
 12 ing section 605(a) of the Employee Retirement
 13 Income Security Act of 1974, section
 14 4980B(f)(5)(A) of the Internal Revenue Code
 15 of 1986, and section 2205(a) of the Public
 16 Health Service Act, in the case of—

17 (i) an individual who does not have an
 18 election of COBRA continuation coverage
 19 in effect on the first day of the first month
 20 beginning after the date of the enactment
 21 of this Act but who would be an assistance
 22 eligible individual described in paragraph
 23 (3) if such election were so in effect; or

24 (ii) an individual who elected COBRA
 25 continuation coverage and discontinued

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1 from such coverage before the first day of
 2 the first month beginning after the date of
 3 the enactment of this Act,
 4 such individual may elect the COBRA continu-
 5 ation coverage under the COBRA continuation
 6 coverage provisions containing such provisions
 7 during the period beginning on the first day of
 8 the first month beginning after the date of the
 9 enactment of this Act and ending 60 days after
 10 the date on which the notification required
 11 under paragraph (6)(C) is provided to such in-
 12 dividual.

13 (B) COMMENCEMENT OF COBRA CONTINU-
 14 ATION COVERAGE.—Any COBRA continuation
 15 coverage elected by a qualified beneficiary dur-
 16 ing an extended election period under subpara-
 17 graph (A)—

18 (i) shall commence (including for pur-
 19 poses of applying the treatment of pre-
 20 mium payments under paragraph (1)(A)
 21 and any cost-sharing requirements for
 22 items and services under a group health
 23 plan) with the first period of coverage be-
 24 ginning on or after the first day of the

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1 first month beginning after the date of the
2 enactment of this Act, and

3 (ii) shall not extend beyond the period
4 of COBRA continuation coverage that
5 would have been required under the appli-
6 cable COBRA continuation coverage provi-
7 sion if the coverage had been elected as re-
8 quired under such provision.

9 (5) EXPEDITED REVIEW OF DENIALS OF PRE-
10 MIUM ASSISTANCE.—In any case in which an indi-
11 vidual requests treatment as an assistance eligible
12 individual described in paragraph (3) and is denied
13 such treatment by the group health plan, the Sec-
14 retary of Labor (or the Secretary of Health and
15 Human Services in connection with COBRA con-
16 tinuation coverage which is provided other than pur-
17 suant to part 6 of subtitle B of title I of the Em-
18 ployee Retirement Income Security Act of 1974), in
19 consultation with the Secretary of the Treasury,
20 shall provide for expedited review of such denial. An
21 individual shall be entitled to such review upon ap-
22 plication to such Secretary in such form and manner
23 as shall be provided by such Secretary, in consulta-
24 tion with the Secretary of the Treasury. Such Sec-
25 retary shall make a determination regarding such in-

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1 individual's eligibility within 15 business days after re-
 2 ceipt of such individual's application for review
 3 under this paragraph. Such Secretary's determina-
 4 tion upon review of the denial shall be de novo and
 5 shall be the final determination of such Secretary. A
 6 reviewing court shall grant deference to such Sec-
 7 retary's determination. The provisions of this para-
 8 graph, paragraphs (1) through (4), and paragraphs
 9 (6) through (7) shall be treated as provisions of title
 10 I of the Employee Retirement Income Security Act
 11 of 1974 for purposes of part 5 of subtitle B of such
 12 title.

13 (6) NOTICES TO INDIVIDUALS.—

14 (A) GENERAL NOTICE.—

15 (i) IN GENERAL.—In the case of no-
 16 tices provided under section 606(a)(4) of
 17 the Employee Retirement Income Security
 18 Act of 1974 (29 U.S.C. 1166(4)), section
 19 4980B(f)(6)(D) of the Internal Revenue
 20 Code of 1986, or section 2206(4) of the
 21 Public Health Service Act (42 U.S.C.
 22 300bb-6(4)), with respect to individuals
 23 who, during the period described in para-
 24 graph (3), become entitled to elect COBRA
 25 continuation coverage, the requirements of

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1 such provisions shall not be treated as met
2 unless such notices include an additional
3 written notification to the recipient in clear
4 and understandable language of—

5 (I) the availability of premium
6 assistance with respect to such cov-
7 erage under this subsection; and

8 (II) the option to enroll in dif-
9 ferent coverage if the employer per-
10 mits assistance eligible individuals de-
11 scribed in paragraph (3) to elect en-
12 rollment in different coverage (as de-
13 scribed in paragraph (1)(B)).

14 (ii) ALTERNATIVE NOTICE.—In the
15 case of COBRA continuation coverage to
16 which the notice provision under such sec-
17 tions does not apply, the Secretary of
18 Labor, in consultation with the Secretary
19 of the Treasury and the Secretary of
20 Health and Human Services, shall, in con-
21 sultation with administrators of the group
22 health plans (or other entities) that provide
23 or administer the COBRA continuation
24 coverage involved, provide rules requiring
25 the provision of such notice.

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1 (iii) FORM.—The requirement of the
 2 additional notification under this subpara-
 3 graph may be met by amendment of exist-
 4 ing notice forms or by inclusion of a sepa-
 5 rate document with the notice otherwise
 6 required.

7 (B) SPECIFIC REQUIREMENTS.—Each ad-
 8 ditional notification under subparagraph (A)
 9 shall include—

10 (i) the forms necessary for estab-
 11 lishing eligibility for premium assistance
 12 under this subsection;

13 (ii) the name, address, and telephone
 14 number necessary to contact the plan ad-
 15 ministrator and any other person main-
 16 taining relevant information in connection
 17 with such premium assistance;

18 (iii) a description of the extended elec-
 19 tion period provided for in paragraph
 20 (4)(A);

21 (iv) a description of the obligation of
 22 the qualified beneficiary under paragraph
 23 (2)(B) and the penalty provided under sec-
 24 tion 6720C of the Internal Revenue Code

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1 of 1986 for failure to carry out the obliga-
 2 tion;

3 (v) a description, displayed in a
 4 prominent manner, of the qualified bene-
 5 ficiary's right to a reduced premium and
 6 any conditions on entitlement to the re-
 7 duced premium; and

8 (vi) a description of the option of the
 9 qualified beneficiary to enroll in different
 10 coverage if the employer permits such ben-
 11 efiary to elect to enroll in such different
 12 coverage under paragraph (1)(B).

13 (C) NOTICE IN CONNECTION WITH EX-
 14 TENDED ELECTION PERIODS.—In the case of
 15 any assistance eligible individual described in
 16 paragraph (3) (or any individual described in
 17 paragraph (4)(A)) who became entitled to elect
 18 COBRA continuation coverage before the first
 19 day of the first month beginning after the date
 20 of the enactment of this Act, the administrator
 21 of the applicable group health plan (or other
 22 entity) shall provide (within 60 days after such
 23 first day of such first month) for the additional
 24 notification required to be provided under sub-
 25 paragraph (A) and failure to provide such no-

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1 tice shall be treated as a failure to meet the no-
 2 tice requirements under the applicable COBRA
 3 continuation provision.

4 (D) MODEL NOTICES.—Not later than 30
 5 days after the date of enactment of this Act,
 6 with respect to any assistance eligible individual
 7 described in paragraph (3), the Secretary of
 8 Labor, in consultation with the Secretary of the
 9 Treasury and the Secretary of Health and
 10 Human Services, shall prescribe models for the
 11 additional notification required under this para-
 12 graph.

13 (7) NOTICE OF EXPIRATION OF PERIOD OF
 14 PREMIUM ASSISTANCE.—

15 (A) IN GENERAL.—With respect to any as-
 16 sistance eligible individual, subject to subpara-
 17 graph (B), the requirements of section
 18 606(a)(4) of the Employee Retirement Income
 19 Security Act of 1974 (29 U.S.C. 1166(4)), sec-
 20 tion 4980B(f)(6)(D) of the Internal Revenue
 21 Code of 1986, or section 2206(4) of the Public
 22 Health Service Act (42 U.S.C. 300bb-6(4)),
 23 shall not be treated as met unless the plan ad-
 24 ministrator of the individual, during the period
 25 specified under subparagraph (C), provides to

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1 such individual a written notice in clear and un-
2 derstandable language—

3 (i) that the premium assistance for
4 such individual will expire soon and the
5 prominent identification of the date of
6 such expiration; and

7 (ii) that such individual may be eligi-
8 ble for coverage without any premium as-
9 sistance through—

10 (I) COBRA continuation cov-
11 erage; or

12 (II) coverage under a group
13 health plan.

14 (B) EXCEPTION.—The requirement for the
15 group health plan administrator to provide the
16 written notice under subparagraph (A) shall be
17 waived if the premium assistance for such indi-
18 vidual expires pursuant to clause (i) of para-
19 graph (2)(A).

20 (C) PERIOD SPECIFIED.—For purposes of
21 subparagraph (A), the period specified in this
22 subparagraph is, with respect to the date of ex-
23 piration of premium assistance for any assist-
24 ance eligible individual pursuant to a limitation
25 requiring a notice under this paragraph, the pe-

1 riod beginning on the day that is 45 days before
2 the date of such expiration and ending on the
3 day that is 15 days before the date of such ex-
4 piration.

5 (D) MODEL NOTICES.—Not later than 45
6 days after the date of enactment of this Act,
7 with respect to any assistance eligible indi-
8 vidual, the Secretary of Labor, in consultation
9 with the Secretary of the Treasury and the Sec-
10 retary of Health and Human Services, shall
11 prescribe models for the notification required
12 under this paragraph.

13 (8) REGULATIONS.—The Secretary of the
14 Treasury and the Secretary of Labor may jointly
15 prescribe such regulations or other guidance as may
16 be necessary or appropriate to carry out the provi-
17 sions of this subsection, including the prevention of
18 fraud and abuse under this subsection, except that
19 the Secretary of Labor and the Secretary of Health
20 and Human Services may prescribe such regulations
21 (including interim final regulations) or other guid-
22 ance as may be necessary or appropriate to carry
23 out the provisions of paragraphs (5), (6), (7), and
24 (9).

25 (9) OUTREACH.—

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1 (A) IN GENERAL.—The Secretary of
2 Labor, in consultation with the Secretary of the
3 Treasury and the Secretary of Health and
4 Human Services, shall provide outreach con-
5 sisting of public education and enrollment as-
6 sistance relating to premium assistance pro-
7 vided under this subsection. Such outreach shall
8 target employers, group health plan administra-
9 tors, public assistance programs, States, insur-
10 ers, and other entities as determined appro-
11 priate by such Secretaries. Such outreach shall
12 include an initial focus on those individuals
13 electing continuation coverage who are referred
14 to in paragraph (6)(C). Information on such
15 premium assistance, including enrollment, shall
16 also be made available on websites of the De-
17 partments of Labor, Treasury, and Health and
18 Human Services.

19 (B) ENROLLMENT UNDER MEDICARE.—
20 The Secretary of Health and Human Services
21 shall provide outreach consisting of public edu-
22 cation. Such outreach shall target individuals
23 who lose health insurance coverage. Such out-
24 reach shall include information regarding en-
25 rollment for benefits under title XVIII of the

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1 Social Security Act (42 U.S.C. 1395 et seq.) for
2 purposes of preventing mistaken delays of such
3 enrollment by such individuals, including life-
4 time penalties for failure of timely enrollment.

5 (10) DEFINITIONS.—For purposes of this sec-
6 tion:

7 (A) ADMINISTRATOR.—The term “admin-
8 istrator” has the meaning given such term in
9 section 3(16)(A) of the Employee Retirement
10 Income Security Act of 1974.

11 (B) COBRA CONTINUATION COVERAGE.—
12 The term “COBRA continuation coverage”
13 means continuation coverage provided pursuant
14 to part 6 of subtitle B of title I of the Em-
15 ployee Retirement Income Security Act of 1974
16 (other than under section 609), title XXII of
17 the Public Health Service Act, or section
18 4980B of the Internal Revenue Code of 1986
19 (other than subsection (f)(1) of such section in-
20 sofar as it relates to pediatric vaccines), or
21 under a State program that provides com-
22 parable continuation coverage. Such term does
23 not include coverage under a health flexible
24 spending arrangement under a cafeteria plan

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1 within the meaning of section 125 of the Inter-
2 nal Revenue Code of 1986.

3 (C) COBRA CONTINUATION PROVISION.—
4 The term “COBRA continuation provision”
5 means the provisions of law described in sub-
6 paragraph (B).

7 (D) COVERED EMPLOYEE.—The term
8 “covered employee” has the meaning given such
9 term in section 607(2) of the Employee Retirement
10 Income Security Act of 1974.

11 (E) QUALIFIED BENEFICIARY.—The term
12 “qualified beneficiary” has the meaning given
13 such term in section 607(3) of the Employee
14 Retirement Income Security Act of 1974.

15 (F) GROUP HEALTH PLAN.—The term
16 “group health plan” has the meaning given
17 such term in section 607(1) of the Employee
18 Retirement Income Security Act of 1974.

19 (G) STATE.—The term “State” includes
20 the District of Columbia, the Commonwealth of
21 Puerto Rico, the Virgin Islands, Guam, Amer-
22 ican Samoa, and the Commonwealth of the
23 Northern Mariana Islands.

24 (H) PERIOD OF COVERAGE.—Any ref-
25 erence in this subsection to a period of coverage

1 shall be treated as a reference to a monthly or
 2 shorter period of coverage with respect to which
 3 premiums are charged with respect to such cov-
 4 erage.

5 (I) PLAN SPONSOR.—The term “plan
 6 sponsor” has the meaning given such term in
 7 section 3(16)(B) of the Employee Retirement
 8 Income Security Act of 1974.

9 (J) PREMIUM.—The term “premium” in-
 10 cludes, with respect to COBRA continuation
 11 coverage, any administrative fee.

12 (11) IMPLEMENTATION FUNDING.—In addition
 13 to amounts otherwise made available, out of any
 14 funds in the Treasury not otherwise appropriated,
 15 there are appropriated to the Secretary of Labor for
 16 fiscal year 2021, \$10,000,000, to remain available
 17 until expended, for the Employee Benefits Security
 18 Administration to carry out the provisions of this
 19 subtitle.

20 (b) COBRA PREMIUM ASSISTANCE.—

21 (1) ALLOWANCE OF CREDIT.—

22 (A) IN GENERAL.—Subchapter B of chap-
 23 ter 65 of the Internal Revenue Code of 1986 is
 24 amended by adding at the end the following
 25 new section:

1 "SEC. 6432. CONTINUATION COVERAGE PREMIUM ASSIST-
2 ANCE.

3 "(a) IN GENERAL.—The person to whom premiums
4 are payable for continuation coverage under section
5 9501(a)(1) of the Worker Health Coverage Protection Act
6 shall be allowed as a credit against the tax imposed by
7 section 3111(b), or so much of the taxes imposed under
8 section 3221(a) as are attributable to the rate in effect
9 under section 3111(b), for each calendar quarter an
10 amount equal to the premiums not paid by assistance eligi-
11 ble individuals for such coverage by reason of such section
12 9501(a)(1) with respect to such calendar quarter.

13 "(b) PERSON TO WHOM PREMIUMS ARE PAYABLE.—
14 For purposes of subsection (a), except as otherwise pro-
15 vided by the Secretary, the person to whom premiums are
16 payable under such continuation coverage shall be treated
17 as being—

18 "(1) in the case of any group health plan which
19 is a multiemployer plan (as defined in section 3(37)
20 of the Employee Retirement Income Security Act of
21 1974), the plan,

22 "(2) in the case of any group health plan not
23 described in paragraph (1), and under which some
24 or all of the coverage is not provided by insurance,
25 the employer maintaining the plan, and

1 “(3) in the case of any group health plan not
2 described in paragraph (1) or (2), the insurer pro-
3 viding the coverage under the group health plan.

4 “(c) LIMITATIONS AND REFUNDABILITY.—

5 “(1) CREDIT LIMITED TO CERTAIN EMPLOY-
6 MENT TAXES.—The credit allowed by subsection (a)
7 with respect to any calendar quarter shall not exceed
8 the tax imposed by section 3111(b), or so much of
9 the taxes imposed under section 3221(a) as are at-
10 tributable to the rate in effect under section
11 3111(b), for such calendar quarter (reduced by any
12 credits allowed against such taxes under sections
13 7001 and 7003 of the Families First Coronavirus
14 Response Act and section 2301 of the CARES Act)
15 on the wages paid with respect to the employment
16 of all employees of the employer.

17 “(2) REFUNDABILITY OF EXCESS CREDIT.—

18 “(A) CREDIT IS REFUNDABLE.—If the
19 amount of the credit under subsection (a) ex-
20 ceeds the limitation of paragraph (1) for any
21 calendar quarter, such excess shall be treated
22 as an overpayment that shall be refunded under
23 sections 6402(a) and 6413(b).

24 “(B) CREDIT MAY BE ADVANCED.—In an-
25 ticipation of the credit, including the refundable

1 portion under subparagraph (A), the credit may
2 be advanced, according to forms and instruc-
3 tions provided by the Secretary, up to an
4 amount calculated under subsection (a) through
5 the end of the most recent payroll period in the
6 quarter.

7 “(C) TREATMENT OF DEPOSITS.—The
8 Secretary shall waive any penalty under section
9 6656 for any failure to make a deposit of the
10 tax imposed by section 3111(b), or so much of
11 the taxes imposed under section 3221(a) as are
12 attributable to the rate in effect under section
13 3111(b), if the Secretary determines that such
14 failure was due to the anticipation of the credit
15 allowed under this section.

16 “(D) TREATMENT OF PAYMENTS.—For
17 purposes of section 1324 of title 31, United
18 States Code, any amounts due to an employer
19 under this paragraph shall be treated in the
20 same manner as a refund due from a credit
21 provision referred to in subsection (b)(2) of
22 such section.

23 “(3) OVERSTATEMENTS.—Any overstatement of
24 the credit to which a person is entitled under this
25 section (and any amount paid by the Secretary as a

1 result of such overstatement) shall be treated as an
2 underpayment by such person of the taxes described
3 in paragraph (1) and may be assessed and collected
4 by the Secretary in the same manner as such taxes.

5 “(d) GOVERNMENTAL ENTITIES.—For purposes of
6 this section, the term ‘person’ includes the government of
7 any State or political subdivision thereof, any Indian tribal
8 government (as defined in section 139E(c)(1)), any agency
9 or instrumentality of any of the foregoing, and any agency
10 or instrumentality of the Government of the United States
11 that is described in section 501(c)(1) and exempt from
12 taxation under section 501(a).

13 “(e) DENIAL OF DOUBLE BENEFIT.—For purposes
14 of chapter 1, the gross income of any person allowed a
15 credit under this section shall be increased for the taxable
16 year which includes the last day of any calendar quarter
17 with respect to which such credit is allowed by the amount
18 of such credit. No amount for which a credit is allowed
19 under this section shall be taken into account as qualified
20 wages under section 2301 of the CARES Act or as quali-
21 fied health plan expenses under section 7001(d) or
22 7003(d) of the Families First Coronavirus Response Act.

23 “(f) REGULATIONS.—The Secretary shall issue such
24 regulations, or other guidance, forms, instructions, and

1 publications, as may be necessary or appropriate to carry
2 out this section, including—

3 “(1) the requirement to report information or
4 the establishment of other methods for verifying the
5 correct amounts of reimbursements under this sec-
6 tion,

7 “(2) the application of this section to group
8 health plans that are multiemployer plans (as de-
9 fined in section 3(37) of the Employee Retirement
10 Income Security Act of 1974),

11 “(3) to allow the advance payment of the credit
12 determined under subsection (a), subject to the limi-
13 tations provided in this section, based on such infor-
14 mation as the Secretary shall require,

15 “(4) to provide for the reconciliation of such
16 advance payment with the amount of the credit at
17 the time of filing the return of tax for the applicable
18 quarter or taxable year, and

19 “(5) allowing the credit to third party payors
20 (including professional employer organizations, cer-
21 tified professional employer organizations, or agents
22 under section 3504).”.

23 (B) CLERICAL AMENDMENT.—The table of
24 sections for subchapter B of chapter 65 of the

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1 Internal Revenue Code of 1986 is amended by
2 adding at the end the following new item:

“Sec. 6432. Continuation coverage premium assistance.”.

3 (C) EFFECTIVE DATE.—The amendments
4 made by this paragraph shall apply to pre-
5 miums to which subsection (a)(1)(A) applies
6 and wages paid on or after April 1, 2021.

7 (D) SPECIAL RULE IN CASE OF EMPLOYEE
8 PAYMENT THAT IS NOT REQUIRED UNDER THIS
9 SECTION.—

10 (i) IN GENERAL.—In the case of an
11 assistance eligible individual who pays,
12 with respect any period of coverage to
13 which subsection (a)(1)(A) applies, the
14 amount of the premium for such coverage
15 that the individual would have (but for this
16 Act) been required to pay, the person to
17 whom such payment is payable shall reim-
18 burse such individual for the amount of
19 such premium paid in excess of the
20 amount required to be paid under sub-
21 section (a)(1)(A).

22 (ii) CREDIT OF REIMBURSEMENT.—A
23 person to which clause (i) applies shall be
24 allowed a credit in the manner provided
25 under section 6432 of the Internal Rev-

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1 enue Code of 1986 for any payment made
2 to the employee under such clause.

3 (iii) PAYMENT OF CREDITS.—Any
4 person to which clause (i) applies shall
5 make the payment required under such
6 clause to the individual not later than 60
7 days after the date on which such indi-
8 vidual elects continuation coverage under
9 subsection (a)(1).

10 (2) PENALTY FOR FAILURE TO NOTIFY HEALTH
11 PLAN OF CESSATION OF ELIGIBILITY FOR PREMIUM
12 ASSISTANCE.—

13 (A) IN GENERAL.—Part I of subchapter B
14 of chapter 68 of the Internal Revenue Code of
15 1986 is amended by adding at the end the fol-
16 lowing new section:

17 “SEC. 6720C. PENALTY FOR FAILURE TO NOTIFY HEALTH
18 PLAN OF CESSATION OF ELIGIBILITY FOR
19 CONTINUATION COVERAGE PREMIUM ASSIST-
20 ANCE.

21 “(a) IN GENERAL.—Except in the case of a failure
22 described in subsection (b) or (c), any person required to
23 notify a group health plan under section 9501(a)(2)(B)
24 of the Worker Health Coverage Protection Act who fails
25 to make such a notification at such time and in such man-

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1 ner as the Secretary of Labor may require shall pay a
2 penalty of \$250 for each such failure.

3 “(b) INTENTIONAL FAILURE.—In the case of any
4 such failure that is fraudulent, such person shall pay a
5 penalty equal to the greater of—

6 “(1) \$250, or

7 “(2) 110 percent of the premium assistance
8 provided under section 9501(a)(1)(A) of the Worker
9 Health Coverage Protection Act after termination of
10 eligibility under such section.

11 “(c) REASONABLE CAUSE EXCEPTION.—No penalty
12 shall be imposed under this section with respect to any
13 failure if it is shown that such failure is due to reasonable
14 cause and not to willful neglect.”.

15 (B) CLERICAL AMENDMENT.—The table of
16 sections of part I of subchapter B of chapter 68
17 of such Code is amended by adding at the end
18 the following new item:

“Sec. 6720C. Penalty for failure to notify health plan of cessation of eligibility
for continuation coverage premium assistance.”.

19 (3) COORDINATION WITH HCTC.—

20 (A) IN GENERAL.—Section 35(g)(9) of the
21 Internal Revenue Code of 1986 is amended to
22 read as follows:

23 “(9) CONTINUATION COVERAGE PREMIUM AS-
24 SISTANCE.—In the case of an assistance eligible in-

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1 individual who receives premium assistance for con-
 2 tinuation coverage under section 9501(a)(1) of the
 3 Worker Health Coverage Protection Act for any
 4 month during the taxable year, such individual shall
 5 not be treated as an eligible individual, a certified
 6 individual, or a qualifying family member for pur-
 7 poses of this section or section 7527 with respect to
 8 such month.”.

9 (B) EFFECTIVE DATE.—The amendment
 10 made by subparagraph (A) shall apply to tax-
 11 able years ending after the date of the enact-
 12 ment of this Act.

13 (4) EXCLUSION OF CONTINUATION COVERAGE
 14 PREMIUM ASSISTANCE FROM GROSS INCOME.—

15 (A) IN GENERAL.—Part III of subchapter
 16 B of chapter 1 of the Internal Revenue Code of
 17 1986 is amended by inserting after section
 18 139H the following new section:

19 “SEC. 139I. CONTINUATION COVERAGE PREMIUM ASSIST-
 20 ANCE.

21 “In the case of an assistance eligible individual (as
 22 defined in subsection (a)(3) of section 9501 of the Worker
 23 Health Coverage Protection Act), gross income does not
 24 include any premium assistance provided under subsection
 25 (a)(1) of such section.”.

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1 (B) CLERICAL AMENDMENT.—The table of
 2 sections for part III of subchapter B of chapter
 3 1 of such Code is amended by inserting after
 4 the item relating to section 139H the following
 5 new item:

“Sec. 139I. Continuation coverage premium assistance.”.

6 (C) EFFECTIVE DATE.—The amendments
 7 made by this paragraph shall apply to taxable
 8 years ending after the date of the enactment of
 9 this Act.

10 **Subtitle G—Promoting Economic** 11 **Security**

12 **PART 1—2021 RECOVERY REBATES TO** 13 **INDIVIDUALS**

14 **SEC. 9601. 2021 RECOVERY REBATES TO INDIVIDUALS.**

15 (a) IN GENERAL.—Subchapter B of chapter 65 of the
 16 Internal Revenue Code of 1986 is amended by inserting
 17 after section 6428A the following new section:

18 **“SEC. 6428B. 2021 RECOVERY REBATES TO INDIVIDUALS.**

19 “(a) IN GENERAL.—In the case of an eligible indi-
 20 vidual, there shall be allowed as a credit against the tax
 21 imposed by subtitle A for the first taxable year beginning
 22 in 2021 an amount equal to the 2021 rebate amount de-
 23 termined for such taxable year.

1 “(b) 2021 REBATE AMOUNT.—For purposes of this
2 section, the term ‘2021 rebate amount’ means, with re-
3 spect to any taxpayer for any taxable year, the sum of—

4 “(1) \$1,400 (\$2,800 in the case of a joint re-
5 turn), plus

6 “(2) \$1,400 multiplied by the number of de-
7 pendents of the taxpayer for such taxable year.

8 “(c) ELIGIBLE INDIVIDUAL.—For purposes of this
9 section, the term ‘eligible individual’ means any individual
10 other than—

11 “(1) any nonresident alien individual,

12 “(2) any individual who is a dependent of an-
13 other taxpayer for a taxable year beginning in the
14 calendar year in which the individual’s taxable year
15 begins, and

16 “(3) an estate or trust.

17 “(d) LIMITATION BASED ON ADJUSTED GROSS IN-
18 COME.—

19 “(1) IN GENERAL.—The amount of the credit
20 allowed by subsection (a) (determined without re-
21 gard to this subsection and subsection (f)) shall be
22 reduced (but not below zero) by the amount which
23 bears the same ratio to such credit (as so deter-
24 mined) as—

25 “(A) the excess of—

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1 “(i) the taxpayer’s adjusted gross in-
2 come for such taxable year, over

3 “(ii) \$75,000, bears to
4 “(B) \$25,000.

5 “(2) SPECIAL RULES.—

6 “(A) JOINT RETURN OR SURVIVING
7 SPOUSE.—In the case of a joint return or a sur-
8 viving spouse (as defined in section 2(a)), para-
9 graph (1) shall be applied by substituting
10 ‘\$150,000’ for ‘\$75,000’ and ‘\$50,000’ for
11 ‘\$25,000’.

12 “(B) HEAD OF HOUSEHOLD.—In the case
13 of a head of household (as defined in section
14 2(b)), paragraph (1) shall be applied by sub-
15 stituting ‘\$112,500’ for ‘\$75,000’ and
16 ‘\$37,500’ for ‘\$25,000’.

17 “(e) DEFINITIONS AND SPECIAL RULES.—

18 “(1) DEPENDENT DEFINED.—For purposes of
19 this section, the term ‘dependent’ has the meaning
20 given such term by section 152.

21 “(2) IDENTIFICATION NUMBER REQUIRE-
22 MENT.—

23 “(A) IN GENERAL.—In the case of a re-
24 turn other than a joint return, the \$1,400
25 amount in subsection (b)(1) shall be treated as

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1 being zero unless the taxpayer includes the
2 valid identification number of the taxpayer on
3 the return of tax for the taxable year.

4 “(B) JOINT RETURNS.—In the case of a
5 joint return, the \$2,800 amount in subsection
6 (b)(1) shall be treated as being—

7 “(i) \$1,400 if the valid identification
8 number of only 1 spouse is included on the
9 return of tax for the taxable year, and

10 “(ii) zero if the valid identification
11 number of neither spouse is so included.

12 “(C) DEPENDENTS.—A dependent shall
13 not be taken into account under subsection
14 (b)(2) unless the valid identification number of
15 such dependent is included on the return of tax
16 for the taxable year.

17 “(D) VALID IDENTIFICATION NUMBER.—

18 “(i) IN GENERAL.—For purposes of
19 this paragraph, the term ‘valid identifica-
20 tion number’ means a social security num-
21 ber issued to an individual by the Social
22 Security Administration on or before the
23 due date for filing the return for the tax-
24 able year.

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1 “(ii) ADOPTION TAXPAYER IDENTI-
 2 FICATION NUMBER.—For purposes of sub-
 3 paragraph (C), in the case of a dependent
 4 who is adopted or placed for adoption, the
 5 term ‘valid identification number’ shall in-
 6 clude the adoption taxpayer identification
 7 number of such dependent.

8 “(E) SPECIAL RULE FOR MEMBERS OF
 9 THE ARMED FORCES.—Subparagraph (B) shall
 10 not apply in the case where at least 1 spouse
 11 was a member of the Armed Forces of the
 12 United States at any time during the taxable
 13 year and the valid identification number of at
 14 least 1 spouse is included on the return of tax
 15 for the taxable year.

16 “(F) COORDINATION WITH CERTAIN AD-
 17 VANCE PAYMENTS.—In the case of any payment
 18 determined pursuant to subsection (g)(6), a
 19 valid identification number shall be treated for
 20 purposes of this paragraph as included on the
 21 taxpayer’s return of tax if such valid identifica-
 22 tion number is available to the Secretary as de-
 23 scribed in such subsection.

24 “(G) MATHEMATICAL OR CLERICAL ERROR
 25 AUTHORITY.—Any omission of a correct valid

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1 identification number required under this para-
2 graph shall be treated as a mathematical or
3 clerical error for purposes of applying section
4 6213(g)(2) to such omission.

5 “(3) CREDIT TREATED AS REFUNDABLE.—The
6 credit allowed by subsection (a) shall be treated as
7 allowed by subpart C of part IV of subchapter A of
8 chapter 1.

9 “(f) COORDINATION WITH ADVANCE REFUNDS OF
10 CREDIT.—

11 “(1) REDUCTION OF REFUNDABLE CREDIT.—
12 The amount of the credit which would (but for this
13 paragraph) be allowable under subsection (a) shall
14 be reduced (but not below zero) by the aggregate re-
15 funds and credits made or allowed to the taxpayer
16 (or, except as otherwise provided by the Secretary,
17 any dependent of the taxpayer) under subsection (g).
18 Any failure to so reduce the credit shall be treated
19 as arising out of a mathematical or clerical error
20 and assessed according to section 6213(b)(1).

21 “(2) JOINT RETURNS.—Except as otherwise
22 provided by the Secretary, in the case of a refund
23 or credit made or allowed under subsection (g) with
24 respect to a joint return, half of such refund or cred-

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1 it shall be treated as having been made or allowed
2 to each individual filing such return.

3 “(g) ADVANCE REFUNDS AND CREDITS.—

4 “(1) IN GENERAL.—Subject to paragraphs (5)
5 and (6), each individual who was an eligible indi-
6 vidual for such individual’s first taxable year begin-
7 ning in 2019 shall be treated as having made a pay-
8 ment against the tax imposed by chapter 1 for such
9 taxable year in an amount equal to the advance re-
10 fund amount for such taxable year.

11 “(2) ADVANCE REFUND AMOUNT.—

12 “(A) IN GENERAL.—For purposes of para-
13 graph (1), the advance refund amount is the
14 amount that would have been allowed as a cred-
15 it under this section for such taxable year if
16 this section (other than subsection (f) and this
17 subsection) had applied to such taxable year.

18 “(B) TREATMENT OF DECEASED INDIVID-
19 UALS.—For purposes of determining the ad-
20 vance refund amount with respect to such tax-
21 able year—

22 “(i) any individual who was deceased
23 before January 1, 2021, shall be treated
24 for purposes of applying subsection (e)(2)
25 in the same manner as if the valid identi-

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1 fication number of such person was not in-
 2 cluded on the return of tax for such tax-
 3 able year (except that subparagraph (E)
 4 thereof shall not apply),

5 “(ii) notwithstanding clause (i), in the
 6 case of a joint return with respect to which
 7 only 1 spouse is deceased before January
 8 1, 2021, such deceased spouse was a mem-
 9 ber of the Armed Forces of the United
 10 States at any time during the taxable year,
 11 and the valid identification number of such
 12 deceased spouse is included on the return
 13 of tax for the taxable year, the valid identi-
 14 fication number of 1 (and only 1) spouse
 15 shall be treated as included on the return
 16 of tax for the taxable year for purposes of
 17 applying subsection (e)(2)(B) with respect
 18 to such joint return, and

19 “(iii) no amount shall be determined
 20 under subsection (e)(2) with respect to any
 21 dependent of the taxpayer if the taxpayer
 22 (both spouses in the case of a joint return)
 23 was deceased before January 1, 2021.

24 “(3) TIMING AND MANNER OF PAYMENTS.—

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1 “(A) TIMING.—The Secretary shall, sub-
2 ject to the provisions of this title, refund or
3 credit any overpayment attributable to this sub-
4 section as rapidly as possible, consistent with a
5 rapid effort to make payments attributable to
6 such overpayments electronically if appropriate.
7 No refund or credit shall be made or allowed
8 under this subsection after December 31, 2021.

9 “(B) DELIVERY OF PAYMENTS.—Notwith-
10 standing any other provision of law, the Sec-
11 retary may certify and disburse refunds payable
12 under this subsection electronically to—

13 “(i) any account to which the payee
14 received or authorized, on or after January
15 1, 2019, a refund of taxes under this title
16 or of a Federal payment (as defined in sec-
17 tion 3332 of title 31, United States Code),

18 “(ii) any account belonging to a payee
19 from which that individual, on or after
20 January 1, 2019, made a payment of taxes
21 under this title, or

22 “(iii) any Treasury-sponsored account
23 (as defined in section 208.2 of title 31,
24 Code of Federal Regulations).

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1 “(C) WAIVER OF CERTAIN RULES.—Not-
 2 withstanding section 3325 of title 31, United
 3 States Code, or any other provision of law, with
 4 respect to any payment of a refund under this
 5 subsection, a disbursing official in the executive
 6 branch of the United States Government may
 7 modify payment information received from an
 8 officer or employee described in section
 9 3325(a)(1)(B) of such title for the purpose of
 10 facilitating the accurate and efficient delivery of
 11 such payment. Except in cases of fraud or reck-
 12 less neglect, no liability under section 3325,
 13 3527, 3528, or 3529 of title 31, United States
 14 Code, shall be imposed with respect to pay-
 15 ments made under this subparagraph.

16 “(4) NO INTEREST.—No interest shall be al-
 17 lowed on any overpayment attributable to this sub-
 18 section.

19 “(5) APPLICATION TO INDIVIDUALS WHO HAVE
 20 FILED A RETURN OF TAX FOR 2020.—

21 “(A) APPLICATION TO 2020 RETURNS
 22 FILED AT TIME OF INITIAL DETERMINATION.—
 23 If, at the time of any determination made pur-
 24 suant to paragraph (3), the individual referred
 25 to in paragraph (1) has filed a return of tax for

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1 the individual's first taxable year beginning in
 2 2020, paragraph (1) shall be applied with re-
 3 spect to such individual by substituting '2020'
 4 for '2019'.

5 “(B) ADDITIONAL PAYMENT.—

6 “(i) IN GENERAL.—In the case of any
 7 individual who files, before the additional
 8 payment determination date, a return of
 9 tax for such individual's first taxable year
 10 beginning in 2020, the Secretary shall
 11 make a payment (in addition to any pay-
 12 ment made under paragraph (1)) to such
 13 individual equal to the excess (if any) of—

14 “(I) the amount which would be
 15 determined under paragraph (1)
 16 (after the application of subparagraph
 17 (A)) by applying paragraph (1) as of
 18 the additional payment determination
 19 date, over

20 “(II) the amount of any payment
 21 made with respect to such individual
 22 under paragraph (1).

23 “(ii) ADDITIONAL PAYMENT DETER-
 24 MINATION DATE.—The term 'additional

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1 payment determination date' means the
2 earlier of—

3 “(I) the date which is 90 days
4 after the 2020 calendar year filing
5 deadline, or

6 “(II) September 1, 2021.

7 “(iii) 2020 CALENDAR YEAR FILING

8 DEADLINE.—The term ‘2020 calendar year
9 filing deadline’ means the date specified in
10 section 6072(a) with respect to returns for
11 calendar year 2020. Such date shall be de-
12 termined after taking into account any pe-
13 riod disregarded under section 7508A if
14 such disregard applies to substantially all
15 returns for calendar year 2020 to which
16 section 6072(a) applies.

17 “(6) APPLICATION TO CERTAIN INDIVIDUALS

18 WHO HAVE NOT FILED A RETURN OF TAX FOR 2019

19 OR 2020 AT TIME OF DETERMINATION.—

20 “(A) IN GENERAL.—In the case of any in-
21 dividual who, at the time of any determination
22 made pursuant to paragraph (3), has filed a tax
23 return for neither the year described in para-
24 graph (1) nor for the year described in para-
25 graph (5)(A), the Secretary may apply para-

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1 graph (1) on the basis of information available
2 to the Secretary and, on the basis of such infor-
3 mation, may determine the advance refund
4 amount with respect to such individual without
5 regard to subsection (d).

6 “(B) PAYMENT TO REPRESENTATIVE PAY-
7 EES AND FIDUCIARIES.—In the case of any
8 payment determined pursuant to subparagraph
9 (A), such payment may be made to an indi-
10 vidual or organization serving as the eligible in-
11 dividual’s representative payee or fiduciary for
12 a federal benefit program and the entire
13 amount of such payment so made shall be used
14 only for the benefit of the individual who is en-
15 titled to the payment.

16 “(7) SPECIAL RULE RELATED TO TIME OF FIL-
17 ING RETURN.—Solely for purposes of this sub-
18 section, a return of tax shall not be treated as filed
19 until such return has been processed by the Internal
20 Revenue Service.

21 “(8) NOTICE TO TAXPAYER.—As soon as prac-
22 ticable after the date on which the Secretary distrib-
23 uted any payment to an eligible taxpayer pursuant
24 to this subsection, notice shall be sent by mail to
25 such taxpayer’s last known address. Such notice

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1 shall indicate the method by which such payment
2 was made, the amount of such payment, a phone
3 number for an appropriate point of contact at the
4 Internal Revenue Service to report any error with
5 respect to such payment, and such other information
6 as the Secretary determines appropriate.

7 “(9) RESTRICTION ON USE OF CERTAIN PRE-
8 VIOLUSLY ISSUED PREPAID DEBIT CARDS.—Payments
9 made by the Secretary to individuals under this sec-
10 tion shall not be in the form of an increase in the
11 balance of any previously issued prepaid debit card
12 if, as of the time of the issuance of such card, such
13 card was issued solely for purposes of making pay-
14 ments under section 6428 or 6428A.

15 “(h) REGULATIONS.—The Secretary shall prescribe
16 such regulations or other guidance as may be necessary
17 or appropriate to carry out the purposes of this section,
18 including—

19 “(1) regulations or other guidance providing
20 taxpayers the opportunity to provide the Secretary
21 information sufficient to allow the Secretary to make
22 payments to such taxpayers under subsection (g)
23 (including the determination of the amount of such
24 payment) if such information is not otherwise avail-
25 able to the Secretary, and

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1 “(2) regulations or other guidance to ensure to
2 the maximum extent administratively practicable
3 that, in determining the amount of any credit under
4 subsection (a) and any credit or refund under sub-
5 section (g), an individual is not taken into account
6 more than once, including by different taxpayers and
7 including by reason of a change in joint return sta-
8 tus or dependent status between the taxable year for
9 which an advance refund amount is determined and
10 the taxable year for which a credit under subsection
11 (a) is determined.

12 “(i) **OUTREACH.**—The Secretary shall carry out a ro-
13 bust and comprehensive outreach program to ensure that
14 all taxpayers described in subsection (h)(1) learn of their
15 eligibility for the advance refunds and credits under sub-
16 section (g); are advised of the opportunity to receive such
17 advance refunds and credits as provided under subsection
18 (h)(1); and are provided assistance in applying for such
19 advance refunds and credits. In conducting such outreach
20 program, the Secretary shall coordinate with other govern-
21 ment, State, and local agencies; federal partners; and com-
22 munity-based nonprofit organizations that regularly inter-
23 face with such taxpayers.”.

24 **(b) TREATMENT OF CERTAIN POSSESSIONS.**—

1 (1) PAYMENTS TO POSSESSIONS WITH MIRROR
2 CODE TAX SYSTEMS.—The Secretary of the Treas-
3 ury shall pay to each possession of the United States
4 which has a mirror code tax system amounts equal
5 to the loss (if any) to that possession by reason of
6 the amendments made by this section. Such
7 amounts shall be determined by the Secretary of the
8 Treasury based on information provided by the gov-
9 ernment of the respective possession.

10 (2) PAYMENTS TO OTHER POSSESSIONS.—The
11 Secretary of the Treasury shall pay to each posses-
12 sion of the United States which does not have a mir-
13 ror code tax system amounts estimated by the Sec-
14 retary of the Treasury as being equal to the aggre-
15 gate benefits (if any) that would have been provided
16 to residents of such possession by reason of the
17 amendments made by this section if a mirror code
18 tax system had been in effect in such possession.
19 The preceding sentence shall not apply unless the re-
20 spective possession has a plan, which has been ap-
21 proved by the Secretary of the Treasury, under
22 which such possession will promptly distribute such
23 payments to its residents.

24 (3) INCLUSION OF ADMINISTRATIVE EX-
25 PENSES.—The Secretary of the Treasury shall pay

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1 to each possession of the United States to which the
 2 Secretary makes a payment under paragraph (1) or
 3 (2) an amount equal to the lesser of—

4 (A) the increase (if any) of the administra-
 5 tive expenses of such possession—

6 (i) in the case of a possession de-
 7 scribed in paragraph (1), by reason of the
 8 amendments made by this section, and

9 (ii) in the case of a possession de-
 10 scribed in paragraph (2), by reason of car-
 11 rying out the plan described in such para-
 12 graph, or

13 (B) \$500,000 (\$10,000,000 in the case of
 14 Puerto Rico).

15 The amount described in subparagraph (A) shall be
 16 determined by the Secretary of the Treasury based
 17 on information provided by the government of the
 18 respective possession.

19 (4) COORDINATION WITH CREDIT ALLOWED
 20 AGAINST UNITED STATES INCOME TAXES.—No cred-
 21 it shall be allowed against United States income
 22 taxes under section 6428B of the Internal Revenue
 23 Code of 1986 (as added by this section), nor shall
 24 any credit or refund be made or allowed under sub-
 25 section (g) of such section, to any person—

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1 (A) to whom a credit is allowed against
2 taxes imposed by the possession by reason of
3 the amendments made by this section, or

4 (B) who is eligible for a payment under a
5 plan described in paragraph (2).

6 (5) MIRROR CODE TAX SYSTEM.—For purposes
7 of this subsection, the term “mirror code tax sys-
8 tem” means, with respect to any possession of the
9 United States, the income tax system of such posses-
10 sion if the income tax liability of the residents of
11 such possession under such system is determined by
12 reference to the income tax laws of the United
13 States as if such possession were the United States.

14 (6) TREATMENT OF PAYMENTS.—For purposes
15 of section 1324 of title 31, United States Code, the
16 payments under this subsection shall be treated in
17 the same manner as a refund due from a credit pro-
18 vision referred to in subsection (b)(2) of such sec-
19 tion.

20 (c) ADMINISTRATIVE PROVISIONS.—

21 (1) DEFINITION OF DEFICIENCY.—Section
22 6211(b)(4)(A) of the Internal Revenue Code of 1986
23 is amended by striking “6428, and 6428A” and in-
24 serting “6428, 6428A, and 6428B”.

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1 (2) EXCEPTION FROM REDUCTION OR OFF-
 2 SET.—Any refund payable by reason of section
 3 6428B(g) of the Internal Revenue Code of 1986 (as
 4 added by this section), or any such refund payable
 5 by reason of subsection (b) of this section, shall not
 6 be —

7 (A) subject to reduction or offset pursuant
 8 to section 3716 or 3720A of title 31, United
 9 States Code,

10 (B) subject to reduction or offset pursuant
 11 to subsection (c), (d), (e), or (f) of section 6402
 12 of the Internal Revenue Code of 1986, or

13 (C) reduced or offset by other assessed
 14 Federal taxes that would otherwise be subject
 15 to levy or collection.

16 (3) CONFORMING AMENDMENTS.—

17 (A) Paragraph (2) of section 1324(b) of
 18 title 31, United States Code, is amended by in-
 19 serting “6428B,” after “6428A,”.

20 (B) The table of sections for subchapter B
 21 of chapter 65 of the Internal Revenue Code of
 22 1986 is amended by inserting after the item re-
 23 lating to section 6428A the following new item:

“Sec. 6428B. 2021 recovery rebates to individuals.”.

24 (d) APPROPRIATIONS.—Immediately upon the enact-
 25 ment of this Act, in addition to amounts otherwise avail-

1 able, there are appropriated for fiscal year 2021, out of
2 any money in the Treasury not otherwise appropriated:

3 (1) \$1,464,500,000 to remain available until
4 September 30, 2023 for necessary expenses for the
5 Internal Revenue Service for the administration of
6 the advance payments, the provision of taxpayer as-
7 sistance, and the furtherance of integrated, modern-
8 ized, and secure Internal Revenue Service systems,
9 which shall supplement and not supplant any other
10 appropriations that may be available for this pur-
11 pose.

12 (2) \$7,000,000 to remain available until Sep-
13 tember 30, 2022, for necessary expenses for the Bu-
14 reau of the Fiscal Service to carry out this section
15 (and the amendments made by this section), which
16 shall supplement and not supplant any other appro-
17 priations that may be available for this purpose, and

18 (3) \$8,000,000 to remain available until Sep-
19 tember 30, 2023, for the Treasury Inspector General
20 for Tax Administration for the purposes of over-
21 seeing activities related to the administration of this
22 section (and the amendments made by this section),
23 which shall supplement and not supplant any other
24 appropriations that may be available for this pur-
25 pose.

1 (e) FLEXIBILITY WITH RESPECT TO IRS INFORMA-
2 TION TECHNOLOGY EMPLOYEES.—

3 (1) If services performed by an employee of the
4 Internal Revenue Service during the period begin-
5 ning on January 1, 2020, and ending on December
6 31, 2022, are determined by the Commissioner of
7 Internal Revenue to be primarily related to informa-
8 tion technology, any premium pay for such services
9 shall be disregarded in calculating the aggregate of
10 such employee's basic pay and premium pay for pur-
11 poses of a limitation under section 5547(a) of title
12 5, United States Code, or under any other provision
13 of law, whether such employee's pay is paid on a bi-
14 weekly or calendar year basis.

15 (2) Any overtime pay for such services shall be
16 disregarded in calculating any annual limit on the
17 amount of overtime pay payable in a calendar or fis-
18 cal year.

19 (3) With regard to such services, any pay that
20 is disregarded under either paragraph (1) or (2)
21 shall be disregarded in calculating such employees
22 aggregate pay for purposes of the limitations in sec-
23 tions 5307 and 9502 of such title 5.

24 (4) If application of this subsection results in
25 the payment of additional premium pay to a covered

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1 employee of a type that is normally creditable as
 2 basic pay for retirement or any other purpose, that
 3 additional pay shall not—

4 (A) be considered to be basic pay of the
 5 covered employee for any purpose; or

6 (B) be used in computing a lump-sum pay-
 7 ment to the covered employee for accumulated
 8 and accrued annual leave under section 5551 or
 9 section 5552 of such title 5.

10 **PART 2—CHILD TAX CREDIT**

11 **SEC. 9611. CHILD TAX CREDIT IMPROVEMENTS FOR 2021.**

12 (a) **IN GENERAL.**—Section 24 of the Internal Rev-
 13 enue Code of 1986 is amended by adding at the end the
 14 following new subsection:

15 “(i) **SPECIAL RULES FOR 2021.**—In the case of any
 16 taxable year beginning after December 31, 2020, and be-
 17 fore January 1, 2022—

18 “(1) **REFUNDABLE CREDIT.**—If the taxpayer
 19 (in the case of a joint return, either spouse) has a
 20 principal place of abode in the United States (deter-
 21 mined as provided in section 32) for more than one-
 22 half of the taxable year or is a bona fide resident of
 23 Puerto Rico (within the meaning of section 937(a))
 24 for such taxable year—

25 “(A) subsection (d) shall not apply, and

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1 “(B) so much of the credit determined
2 under subsection (a) (after application of sub-
3 paragraph (A)) as does not exceed the amount
4 of such credit which would be so determined
5 without regard to subsection (h)(4) shall be al-
6 lowed under subpart C (and not allowed under
7 this subpart).

8 “(2) 17-YEAR-OLDS ELIGIBLE FOR TREATMENT
9 AS QUALIFYING CHILDREN.—This section shall be
10 applied—

11 “(A) by substituting ‘age 18’ for ‘age 17’
12 in subsection (c)(1), and

13 “(B) by substituting ‘described in sub-
14 section (c) (determined after the application of
15 subsection (i)(2)(A))’ for ‘described in sub-
16 section (c)’ in subsection (h)(4)(A).

17 “(3) CREDIT AMOUNT.—Subsection (h)(2) shall
18 not apply and subsection (a) shall be applied by sub-
19 stituting ‘\$3,000 (\$3,600 in the case of a qualifying
20 child who has not attained age 6 as of the close of
21 the calendar year in which the taxable year of the
22 taxpayer begins)’ for ‘\$1,000’.

23 “(4) REDUCTION OF INCREASED CREDIT
24 AMOUNT BASED ON MODIFIED ADJUSTED GROSS IN-
25 COME.—

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1 “(A) IN GENERAL.—The amount of the
 2 credit allowable under subsection (a) (deter-
 3 mined without regard to subsection (b)) shall be
 4 reduced by \$50 for each \$1,000 (or fraction
 5 thereof) by which the taxpayer’s modified ad-
 6 justed gross income (as defined in subsection
 7 (b)) exceeds the applicable threshold amount.

8 “(B) APPLICABLE THRESHOLD AMOUNT.—
 9 For purposes of this paragraph, the term ‘ap-
 10 plicable threshold amount’ means—

11 “(i) \$150,000, in the case of a joint
 12 return or surviving spouse (as defined in
 13 section 2(a)) ,

14 “(ii) \$112,500, in the case of a head
 15 of household (as defined in section 2(b)),
 16 and

17 “(iii) \$75,000, in any other case.

18 “(C) LIMITATION ON REDUCTION.—

19 “(i) IN GENERAL.—The amount of
 20 the reduction under subparagraph (A)
 21 shall not exceed the lesser of—

22 “(I) the applicable credit increase
 23 amount, or

24 “(II) 5 percent of the applicable
 25 phaseout threshold range.

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1 “(ii) APPLICABLE CREDIT INCREASE
2 AMOUNT.—For purposes of this subpara-
3 graph, the term ‘applicable credit increase
4 amount’ means the excess (if any) of—
5 “(I) the amount of the credit al-
6 lowable under this section for the tax-
7 able year determined without regard
8 to this paragraph and subsection (b),
9 over
10 “(II) the amount of such credit
11 as so determined and without regard
12 to paragraph (3).
13 “(iii) APPLICABLE PHASEOUT
14 THRESHOLD RANGE.—For purposes of this
15 subparagraph, the term ‘applicable phase-
16 out threshold range’ means the excess of—
17 “(I) the threshold amount appli-
18 cable to the taxpayer under subsection
19 (b) (determined after the application
20 of subsection (h)(3)), over
21 “(II) the applicable threshold
22 amount applicable to the taxpayer
23 under this paragraph.
24 “(D) COORDINATION WITH LIMITATION ON
25 OVERALL CREDIT.—Subsection (b) shall be ap-

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1 plied by substituting ‘the credit allowable under
2 subsection (a) (determined after the application
3 of subsection (i)(4)(A)’ for ‘the credit allowable
4 under subsection (a)’.”.

5 (b) **ADVANCE PAYMENT OF CREDIT.**—

6 (1) **IN GENERAL.**—Chapter 77 of such Code is
7 amended by inserting after section 7527 the fol-
8 lowing new section:

9 **“SEC. 7527A. ADVANCE PAYMENT OF CHILD TAX CREDIT.**

10 “(a) **IN GENERAL.**—The Secretary shall establish a
11 program for making monthly payments to taxpayers each
12 of which is equal to $\frac{1}{12}$ of the annual advance amount
13 determined with respect to such taxpayer for the calendar
14 year.

15 “(b) **ANNUAL ADVANCE AMOUNT.**—For purposes of
16 this section—

17 “(1) **IN GENERAL.**—Except as otherwise pro-
18 vided in this subsection, the term ‘annual advance
19 amount’ means, with respect to any taxpayer for any
20 calendar year, the amount (if any) which is esti-
21 mated by the Secretary as being equal to the
22 amount which would be treated as allowed under
23 subpart C of part IV of subchapter A of chapter 1
24 by reason of section 24(i)(1) for the taxpayer’s tax-
25 able year beginning in such calendar year if—

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1 “(A) the status of the taxpayer as a tax-
2 payer described in section 24(i)(1) is deter-
3 mined with respect to the reference taxable
4 year,

5 “(B) the taxpayer’s modified adjusted
6 gross income for such taxable year is equal to
7 the taxpayer’s modified adjusted gross income
8 for the reference taxable year,

9 “(C) the only children of such taxpayer for
10 such taxable year are qualifying children prop-
11 perly claimed on the taxpayer’s return of tax for
12 the reference taxable year, and

13 “(D) the ages of such children (and the
14 status of such children as qualifying children)
15 are determined for such taxable year by taking
16 into account the passage of time since the ref-
17 erence taxable year.

18 “(2) REFERENCE TAXABLE YEAR.—Except as
19 provided in paragraph (3)(A), the term ‘reference
20 taxable year’ means, with respect to any taxpayer
21 for any calendar year, the taxpayer’s taxable year
22 beginning in the preceding calendar year or, in the
23 case of taxpayer who did not file a return of tax for
24 such taxable year, the taxpayer’s taxable year begin-
25 ning in the second preceding calendar year.

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1 “(3) MODIFICATIONS DURING CALENDAR
2 YEAR.—

3 “(A) IN GENERAL.—The Secretary may
4 modify, during any calendar year, the annual
5 advance amount with respect to any taxpayer
6 for such calendar year to take into account—

7 “(i) a return of tax filed by such tax-
8 payer during such calendar year (and the
9 taxable year to which such return relates
10 may be taken into account as the reference
11 taxable year), and

12 “(ii) any other information provided
13 by the taxpayer to the Secretary which al-
14 lows the Secretary to determine payments
15 under subsection (a) which, in the aggre-
16 gate during any taxable year of the tax-
17 payer, more closely total the Secretary’s
18 estimate of the amount treated as allowed
19 under subpart C of part IV of subchapter
20 A of chapter 1 by reason of section
21 24(i)(1) for such taxable year of such tax-
22 payer.

23 “(B) ADJUSTMENT TO REFLECT EXCESS
24 OR DEFICIT IN PRIOR PAYMENTS.—In the case
25 of any modification of the annual advance

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1 amount under subparagraph (A), the Secretary
2 may adjust the amount of any monthly pay-
3 ment made after the date of such modification
4 to properly take into account the amount by
5 which any monthly payment made before such
6 date was greater than or less than the amount
7 that such payment would have been on the
8 basis of the annual advance amount as so modi-
9 fied.

10 “(4) DETERMINATION OF STATUS.—If informa-
11 tion contained in the taxpayer’s return of tax for the
12 reference taxable year does not establish the status
13 of the taxpayer as being described in section
14 24(i)(1), the Secretary may, for purposes of para-
15 graph (1)(A), infer such status (or the lack thereof)
16 from such information as is so contained or from
17 other sources.

18 “(5) TREATMENT OF CERTAIN DEATHS.—A
19 child shall not be taken into account in determining
20 the annual advance amount under paragraph (1) if
21 the death of such child is known to the Secretary as
22 of the beginning of the calendar year for which the
23 estimate under such paragraph is made.

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1 “(c) ON-LINE INFORMATION PORTAL.—The Sec-
2 retary shall establish an on-line portal which allows tax-
3 payers to—

4 “(1) elect not to receive payments under this
5 section, and

6 “(2) provide information to the Secretary which
7 would be relevant to a modification under subsection
8 (b)(3)(B) of the annual advance amount, including
9 information regarding—

10 “(A) a change in the number of the tax-
11 payer’s qualifying children, including by reason
12 of the birth of a child,

13 “(B) a change in the taxpayer’s marital
14 status,

15 “(C) a significant change in the taxpayer’s
16 income, and

17 “(D) any other factor which the Secretary
18 may provide.

19 “(d) NOTICE OF PAYMENTS.—Not later than Janu-
20 ary 31 of the calendar year following any calendar year
21 during which the Secretary makes one or more payments
22 to any taxpayer under this section, the Secretary shall pro-
23 vide such taxpayer with a written notice which includes
24 the taxpayer’s taxpayer identity (as defined in section
25 6103(b)(6)), the aggregate amount of such payments

1 made to such taxpayer during such calendar year, and
2 such other information as the Secretary determines appro-
3 priate.

4 “(e) AUTHORITY TO ADJUST INTERVAL OF PAY-
5 MENTS.—If the Secretary determines that it is not admin-
6 istratively feasible to make monthly payments under this
7 section—

8 “(1) such payments shall be made on the basis
9 of the shortest interval which the Secretary deter-
10 mines is administratively feasible, and

11 “(2) the amount of such payments shall be de-
12 termined by substituting the ratio of the length of
13 such interval to the length of the calendar year for
14 ‘ $\frac{1}{12}$ ’ in subsection (a).

15 “(f) ADMINISTRATIVE PROVISIONS.—

16 “(1) APPLICATION OF DIRECT DEPOSIT RE-
17 QUIREMENT.—Solely for purposes of section 3332 of
18 title 31, United States Code (and notwithstanding
19 the last sentence of subsection (j))(3) thereof), the
20 payments made by the Secretary under subsection
21 (a) shall be treated as Federal payments.

22 “(2) DELIVERY OF PAYMENTS.—Notwith-
23 standing any other provision of law, the Secretary
24 may certify and disburse refunds payable under this
25 section electronically to—

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1 “(A) any account to which the payee re-
2 ceived or authorized, on or after January 1,
3 2019, a refund of taxes under this title or a
4 Federal payment (as defined in section 3332 of
5 title 31, United States Code),

6 “(B) any account belonging to a payee
7 from which that individual, on or after January
8 1, 2019, made a payment of taxes under this
9 title, or

10 “(C) any Treasury-sponsored account (as
11 defined in section 208.2 of title 31, Code of
12 Federal Regulations).

13 “(3) WAIVER OF CERTAIN RULES.—Notwith-
14 standing section 3325 of title 31, United States
15 Code, or any other provision of law, with respect to
16 any payment of a refund under this section, a dis-
17 bursing official in the executive branch of the United
18 States Government may modify payment information
19 received from an officer or employee described in
20 section 3325(a)(1)(B) of such title for the purpose
21 of facilitating the accurate and efficient delivery of
22 such payment. Except in cases of fraud or reckless
23 neglect, no liability under section 3325, 3527, 3528,
24 or 3529 of title 31, United States Code, shall be im-

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1 posed with respect to payments made under this
2 paragraph.

3 “(4) EXCEPTION FROM REDUCTION OR OFF-
4 SET.—Any payment made to any individual under
5 this section shall not be—

6 “(A) subject to reduction or offset pursu-
7 ant to section 3716 or 3720A of title 31,
8 United States Code,

9 “(B) subject to reduction or offset pursu-
10 ant to subsection (c), (d), (e), or (f) of section
11 6402, or

12 “(C) reduced or offset by other assessed
13 Federal taxes that would otherwise be subject
14 to levy or collection.

15 “(5) ADVANCE PAYMENTS NOT APPLICABLE TO
16 POSSESSIONS OF THE UNITED STATES.—

17 “(A) IN GENERAL.—The advance payment
18 amount determined under this section shall be
19 determined—

20 “(i) by applying section 24(i)(1) with-
21 out regard to the phrase ‘or is a bona fide
22 resident of Puerto Rico (within the mean-
23 ing of section 937(a))’, and

24 “(ii) without regard to section
25 24(k)(3)(C)(ii)(I).

1 “(B) MIRROR CODE POSSESSIONS.—In the
2 case of any possession of the United States with
3 a mirror code tax system (as defined in section
4 24(k)), this section shall not be treated as part
5 of the income tax laws of the United States for
6 purposes of determining the income tax law of
7 such possession.

8 “(g) APPLICATION.—No payments shall be made
9 under the program established under subsection (a) with
10 respect to—

11 “(1) any month beginning before July 1, 2021,
12 or

13 “(2) any month beginning after December 31,
14 2021.

15 “(h) REGULATIONS.—The Secretary shall issue such
16 regulations or other guidance as the Secretary determines
17 necessary or appropriate to carry out the purposes of this
18 section and subsections (i)(1) and (j) of section 24, includ-
19 ing regulations or other guidance which provides for the
20 application of such provisions where the filing status of
21 the taxpayer for a taxable year is different from the status
22 used for determining the annual advance amount.”.

23 (2) RECONCILIATION OF CREDIT AND ADVANCE
24 CREDIT.—Section 24 of such Code, as amended by

1 the preceding provision of this Act, is amended by
 2 adding at the end the following new subsection:

3 “(j) RECONCILIATION OF CREDIT AND ADVANCE

4 CREDIT.—

5 “(1) IN GENERAL.—The amount of the credit
 6 allowed under this section to any taxpayer for any
 7 taxable year shall be reduced (but not below zero) by
 8 the aggregate amount of payments made under sec-
 9 tion 7527A to such taxpayer during such taxable
 10 year. Any failure to so reduce the credit shall be
 11 treated as arising out of a mathematical or clerical
 12 error and assessed according to section 6213(b)(1).

13 “(2) EXCESS ADVANCE PAYMENTS.—

14 “(A) IN GENERAL.—If the aggregate
 15 amount of payments under section 7527A to
 16 the taxpayer during the taxable year exceeds
 17 the amount of the credit allowed under this sec-
 18 tion to such taxpayer for such taxable year (de-
 19 termined without regard to paragraph (1)), the
 20 tax imposed by this chapter for such taxable
 21 year shall be increased by the amount of such
 22 excess. Any failure to so increase the tax shall
 23 be treated as arising out of a mathematical or
 24 clerical error and assessed according to section
 25 6213(b)(1).

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1 “(B) SAFE HARBOR BASED ON MODIFIED
2 ADJUSTED GROSS INCOME.—

3 “(i) IN GENERAL.—In the case of a
4 taxpayer whose modified adjusted gross in-
5 come (as defined in subsection (b)) for the
6 taxable year does not exceed 200 percent
7 of the applicable income threshold, the
8 amount of the increase determined under
9 subparagraph (A) with respect to such tax-
10 payer for such taxable year shall be re-
11 duced (but not below zero) by the safe har-
12 bor amount.

13 “(ii) PHASE OUT OF SAFE HARBOR
14 AMOUNT.—In the case of a taxpayer whose
15 modified adjusted gross income (as defined
16 in subsection (b)) for the taxable year ex-
17 ceeds the applicable income threshold, the
18 safe harbor amount otherwise in effect
19 under clause (i) shall be reduced by the
20 amount which bears the same ratio to such
21 amount as such excess bears to the appli-
22 cable income threshold.

23 “(iii) APPLICABLE INCOME THRESH-
24 OLD.—For purposes of this subparagraph,

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1 the term 'applicable income threshold'

2 means—

3 “(I) \$60,000 in the case of a
4 joint return or surviving spouse (as
5 defined in section 2(a)),

6 “(II) \$50,000 in the case of a
7 head of household, and

8 “(III) \$40,000 in any other case.

9 “(iv) SAFE HARBOR AMOUNT.—For
10 purposes of this subparagraph, the term
11 'safe harbor amount' means, with respect
12 to any taxable year, the product of—

13 “(I) \$2,000, multiplied by

14 “(II) the excess (if any) of the
15 number of qualified children taken
16 into account in determining the an-
17 nual advance amount with respect to
18 the taxpayer under section 7527A
19 with respect to months beginning in
20 such taxable year, over the number of
21 qualified children taken into account
22 in determining the credit allowed
23 under this section for such taxable
24 year.”.

1 (3) COORDINATION WITH WAGE WITH-
2 HOLDING.—Section 3402(f)(1)(C) of such Code is
3 amended by striking “section 24(a)” and inserting
4 “section 24 (determined after application of sub-
5 section (j) thereof)”.

6 (4) CONFORMING AMENDMENTS.—

7 (A) Section 26(b)(2) of such Code is
8 amended by striking “and” at the end of sub-
9 paragraph (X), by striking the period at the
10 end of subparagraph (Y) and inserting “, and”,
11 and by adding at the end the following new sub-
12 paragraph:

13 “(Z) section 24(j)(2) (relating to excess
14 advance payments).”.

15 (B) Section 6211(b)(4)(A) of such Code,
16 as amended by the preceding provisions of this
17 subtitle, is amended—

18 (i) by striking “24(d)” and inserting
19 “24 by reason of subsections (d) and (i)(1)
20 thereof”, and

21 (ii) by striking “and 6428B” and in-
22 serting “6428B, and 7527A”.

23 (C) Paragraph (2) of section 1324(b) of
24 title 31, United States Code, is amended—

1 (i) by inserting “24,” before “25A”,
 2 and
 3 (ii) by striking “ or 6431” and insert-
 4 ing “6431, or 7527A”.

5 (D) The table of sections for chapter 77 of
 6 the Internal Revenue Code of 1986 is amended
 7 by inserting after the item relating to section
 8 7527 the following new item:

“Sec. 7527A. Advance payment of child tax credit.”.

9 (5) APPROPRIATIONS TO CARRY OUT ADVANCE
 10 PAYMENTS.—Immediately upon the enactment of
 11 this Act, in addition to amounts otherwise available,
 12 there are appropriated for fiscal year 2021, out of
 13 any money in the Treasury not otherwise appro-
 14 priated:

15 (A) \$397,200,000 to remain available until
 16 September 30, 2022, for necessary expenses for
 17 the Internal Revenue Service to carry out this
 18 section (and the amendments made by this sec-
 19 tion), which shall supplement and not supplant
 20 any other appropriations that may be available
 21 for this purpose, and

22 (B) \$16,200,000 to remain available until
 23 September 30, 2022, for necessary expenses for
 24 the Bureau of the Fiscal Service to carry out
 25 this section (and the amendments made by this

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1 section), which shall supplement and not sup-
 2 plant any other appropriations that may be
 3 available for this purpose.

4 (c) EFFECTIVE DATE.—

5 (1) IN GENERAL.—The amendments made by
 6 this section shall apply to taxable years beginning
 7 after December 31, 2020.

8 (2) ESTABLISHMENT OF ADVANCE PAYMENT
 9 PROGRAM.—The Secretary of the Treasury (or the
 10 Secretary’s designee) shall establish the program de-
 11 scribed in section 7527A of the Internal Revenue
 12 Code of 1986 as soon as practicable after the date
 13 of the enactment of this Act, except that the Sec-
 14 retary shall ensure that the timing of the establish-
 15 ment of such program does not interfere with car-
 16 rying out section 6428B(g) as rapidly as possible.

17 SEC. 9612. APPLICATION OF CHILD TAX CREDIT IN POSSES-
 18 SIONS.

19 (a) IN GENERAL.—Section 24 of the Internal Rev-
 20 enue Code of 1986, as amended by the preceding provi-
 21 sions of this Act, is amended by adding at the end the
 22 following new subsection:

23 “(k) APPLICATION OF CREDIT IN POSSESSIONS.—

24 “(1) MIRROR CODE POSSESSIONS.—

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1 “(A) IN GENERAL.—The Secretary shall
2 pay to each possession of the United States
3 with a mirror code tax system amounts equal to
4 the loss (if any) to that possession by reason of
5 the application of this section (determined with-
6 out regard to this subsection) with respect to
7 taxable years beginning after 2020. Such
8 amounts shall be determined by the Secretary
9 based on information provided by the govern-
10 ment of the respective possession.

11 “(B) COORDINATION WITH CREDIT AL-
12 LOWED AGAINST UNITED STATES INCOME
13 TAXES.—No credit shall be allowed under this
14 section for any taxable year to any individual to
15 whom a credit is allowable against taxes im-
16 posed by a possession of the United States with
17 a mirror code tax system by reason of the appli-
18 cation of this section in such possession for
19 such taxable year.

20 “(C) MIRROR CODE TAX SYSTEM.—For
21 purposes of this paragraph, the term ‘mirror
22 code tax system’ means, with respect to any
23 possession of the United States, the income tax
24 system of such possession if the income tax li-
25 ability of the residents of such possession under

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1 such system is determined by reference to the
2 income tax laws of the United States as if such
3 possession were the United States.

4 “(2) PUERTO RICO.—

5 “(A) APPLICATION TO TAXABLE YEARS IN
6 2021.—

7 “(i) For application of refundable
8 credit to residents of Puerto Rico, see sub-
9 section (i)(1).

10 “(ii) For nonapplication of advance
11 payment to residents of Puerto Rico, see
12 section 7527A(f)(5)(A).

13 “(B) APPLICATION TO TAXABLE YEARS
14 AFTER 2021.—In the case of any bona fide resi-
15 dent of Puerto Rico (within the meaning of sec-
16 tion 937(a)) for any taxable year beginning
17 after December 31, 2021—

18 “(i) the credit determined under this
19 section shall be allowable to such resident,
20 and

21 “(ii) subsection (d)(1)(B)(ii) shall be
22 applied without regard to the phrase ‘in
23 the case of a taxpayer with 3 or more
24 qualifying children’.

25 “(3) AMERICAN SAMOA.—