AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO THE COMMITTEE PRINT
OFFERED BY M_.

Strike the text of the Committee Print and insert the following:

TITLE IV—COMMITTEE ON FINANCIAL SERVICES
Subtitle A—Defense Production Act of 1950

SEC. 4101. COVID–19 EMERGENCY MEDICAL SUPPLIES ENHANCEMENT.

(a) Supporting Enhanced Use of the Defense Production Act of 1950.—In addition to funds otherwise available, there is appropriated, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000,000, to remain available until September 30, 2025, to carry out titles I, III, and VII of the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) in accordance with subsection (b).

(b) Medical Supplies and Equipment.—

(1) Testing, PPE, Vaccines, and Other Materials.—Except as provided in paragraph (2), amounts appropriated in subsection (a) shall be used
for the purchase, production (including the construction, repair, and retrofitting of government-owned or private facilities as necessary), or distribution of medical supplies and equipment (including durable medical equipment) related to combating the COVID–19 pandemic, including—

(A) in vitro diagnostic products (as defined in section 809.3(a) of title 21, Code of Federal Regulations) for the detection of SARS-CoV-2 or the diagnosis of the virus that causes COVID–19, and the reagents and other materials necessary for producing, conducting, or administering such products, and the machinery, equipment, laboratory capacity, or other technology necessary to produce such products;

(B) face masks and personal protective equipment, including face shields, nitrile gloves, N–95 filtering facepiece respirators, and any other masks or equipment (including durable medical equipment) determined by the Secretary of Health and Human Services to be needed to respond to the COVID–19 pandemic, and the materials, machinery, additional manufacturing lines or facilities, or other technology necessary to produce such equipment; and
(C) drugs and devices (as those terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.)) and biological products (as that term is defined by section 351 of the Public Health Service Act (42 U.S.C. 262)) that are approved, cleared, licensed, or authorized under either of such Acts for use in treating or preventing COVID–19 and symptoms related to COVID–19, and any materials, manufacturing machinery, additional manufacturing or fill-finish lines or facilities, technology, or equipment (including durable medical equipment) necessary to produce or use such drugs, biological products, or devices (including syringes, vials, or other supplies or equipment related to delivery, distribution, or administration).

(2) Responding to Public Health Emergencies.—After September 30, 2022, amounts appropriated in subsection (a) may be used for any activity authorized by paragraph (1), or any other activity that the Secretary of Health and Human Services determines to be necessary, to meet critical public health needs of the United States, with respect to any pathogen that the President has determined
has the potential for creating a public health emergency.

(c) Delegation Authority.—For purposes of using amounts appropriated in subsection (a), the President shall only delegate authority to—

(1) with respect to any uses described under subsection (b), the Secretary of Health and Human Services;

(2) with respect to uses described under subsection (b)(1), the head of any other agency responsible for responding to the COVID-19 pandemic if the President determines that such delegation is important to an effective response to such pandemic; and

(3) with respect to uses described under subsection (b)(2), the head of any other agency responsible for responding to any pathogen with the potential for creating a public health emergency if the President determines that such delegation is important to an effective response to a public health emergency that may be created by such pathogen.

(d) Application of Limitations Under the Defense Production Act of 1950.—The requirements described in section 304(e) of the Defense Production Act
of 1950 (50 U.S.C. 4534(e)) shall not apply to the funds appropriated in subsection (a) until September 30, 2025.

Subtitle B—Housing Provisions

SEC. 4201. EMERGENCY RENTAL ASSISTANCE.

(a) FUNDING.—

(1) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Treasury for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $19,050,000,000, to remain available until September 30, 2027, for making payments to eligible grantees under this section—

(2) Reservation of Funds.—Of the amount appropriated under paragraph (1), the Secretary shall reserve—

(A) $305,000,000 for making payments under this section to the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa;

(B) $30,000,000 for costs of the Secretary for the administration of emergency rental assistance programs and technical assistance to recipients of any grants made by the Secretary
to provide financial and other assistance to renters; and

(C) $3,000,000 for administrative expenses of the Inspector General relating to oversight of funds provided in this section.

(b) Allocation for Rental and Utility Assistance.—

(1) Allocation for States and Units of Local Government.—

(A) In general.—The amount appropriated under paragraph (1) of subsection (a) that remains after the application of paragraph (2) of such subsection shall be allocated to eligible grantees described in subparagraphs (A) and (B) of subsection (i)(1) in the same manner as the amount appropriated under section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is allocated to States and units of local government under subsection (b)(1) of such section, except that section 501(b) of such subtitle A shall be applied—

(i) without regard to clause (i) of paragraph (1)(A);
(ii) by deeming the amount appropriated under paragraph (1) of subsection (a) of this Act that remains after the application of paragraph (2) of such subsection to be the amount deemed to apply for purposes of applying clause (ii) of section 501(b)(1)(A) of such subtitle A;

(iii) by substituting “$152,000,000” for “$200,000,000” each place such term appears;

(iv) in subclause (I) of such section 501(b)(1)(A)(v), by substituting “under section 4201 of the FY 2021 Reconciliation Act” for “under this section”; and

(v) in subclause (II) of such section 501(b)(1)(A)(v), by substituting “local government elects to receive funds from the Secretary under section 4201 of the FY 2021 Reconciliation Act and will use the funds in a manner consistent with such section” for “local government’s proposed uses of the funds are consistent with subsection (d)”.

(B) PRO RATA ADJUSTMENT.—The Secretary shall make pro rata adjustments in the
amounts of the allocations determined under subparagraph (A) of this paragraph for entities described in such subparagraph as necessary to ensure that the total amount of allocations made pursuant to such subparagraph does not exceed the remainder appropriated amount described in such subparagraph.

(2) ALLOCATIONS FOR TERRITORIES.—The amount reserved under subsection (a)(2)(A) shall be allocated to eligible grantees described in subsection (i)(1)(C) in the same manner as the amount appropriated under section 501(a)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is allocated under section 501(b)(3) of such subtitle A to eligible grantees under subparagraph (C) of such section 501(b)(3), except that section 501(b)(3) of such subtitle A shall be applied—

(A) in subparagraph (A), by inserting “of this Act” after “the amount reserved under subsection (a)(2)(A)”;

and

(B) in clause (i) of subparagraph (B), by substituting “the amount equal to 0.3 percent of the amount appropriated under subsection (a)(1)” with “the amount equal to 0.3 percent
of the amount appropriated under subsection
(a)(1) of this Act”.

c) Payment Schedule.—

(1) In General.—The Secretary shall pay all
eligible grantees not less than 50 percent of each
such eligible grantee’s total allocation provided
under subsection (b) within 60 days of enactment of
this Act.

(2) Subsequent Payments.—The Secretary
shall pay to eligible grantees additional amounts in
tranches up to the full amount of each such eligible
grantee’s total allocation in accordance with a proce-
dure established by the Secretary, provided that any
such procedure established by the Secretary shall re-
quire that an eligible grantee must have obligated
not less than 75 percent of the funds already dis-
bursed by the Secretary pursuant to this section
prior to disbursement of additional amounts.

(d) Use of Funds.—

(1) In General.—An eligible grantee shall
only use the funds provided from payments made
under this section as follows:

(A) Financial Assistance.—

(i) In General.—Subject to clause
(ii) of this subparagraph, funds received by
an eligible grantee from payments made under this section shall be used to provide financial assistance to eligible households, not to exceed 18 months, including the payment of—

(I) rent;

(II) rental arrears;

(III) utilities and home energy costs;

(IV) utilities and home energy costs arrears; and

(V) other expenses related to housing.

(ii) LIMITATION.—The aggregate amount of financial assistance an eligible household may receive under this section, when combined with financial assistance provided under section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), shall not exceed 18 months.

(B) HOUSING STABILITY SERVICES.—Not more than 10 percent of funds received by an eligible grantee from payments made under this section may be used to provide case manage-
ment and other services intended to help keep households stably housed.

(C) ADMINISTRATIVE COSTS.—Not more than 15 percent of the total amount paid to an eligible grantee under this section may be used for administrative costs attributable to providing financial assistance, housing stability services, and other affordable rental housing and eviction prevention activities under subparagraphs (A), (B), and (D), respectively, including for data collection and reporting requirements related to such funds.

(D) OTHER AFFORDABLE RENTAL HOUSING AND EVICTION PREVENTION ACTIVITIES.—An eligible grantee may use any funds from payments made under this section that are unobligated on October 1, 2022, for purposes in addition to those specified in this paragraph, provided that—

(i) such other purposes are affordable housing purposes, as defined by the Secretary, serving very low-income families (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))); and
(ii) prior to obligating any funds for such purposes, the eligible grantee has obligated not less than 75 percent of the total funds allocated to such eligible grantee in accordance with this section.

(2) DISTRIBUTION OF ASSISTANCE.—Amounts appropriated under subsection (a)(1) of this section shall be subject to the same terms and conditions that apply under paragraph (4) of section 501(c) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) to amounts appropriated under subsection (a)(1) of such section 501.

(e) REALLOCATION OF FUNDS.—

(1) IN GENERAL.—After September 30, 2022, the Secretary shall reallocate funds allocated to eligible grantees in accordance with subsection (b) but not yet paid in accordance with subsection (c)(2) according to a procedure established by the Secretary.

(2) ELIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of funds allocated to such eligible grantee under subsection (b) to be eligible to receive funds reallocated under paragraph (1) of this subsection.
(3) Payment of reallocated funds by the Secretary.—The Secretary shall pay to each eligible grantee eligible for a payment of reallocated funds described in paragraph (2) of this subsection the amount allocated to such eligible grantee in accordance with the procedure established by the Secretary in accordance with paragraph (2) of this subsection.

(4) Use of reallocated funds.—Eligible grantees may use any funds received in accordance with this subsection only for purposes specified in paragraph (1) of subsection (d).

(f) Inapplicability of Paperwork Reduction Act.—Subchapter I of chapter 35 of title 44, United States Code, shall not apply to the collection of information for reporting or research requirements specified in this section if necessary to expedite the efficient use of funds under this section.

(g) Treatment of assistance.—Assistance provided to a household from a payment made under this section shall not be regarded as income and shall not be regarded as a resource for purposes of determining the eligibility of the household or any member of the household for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under
(h) INFORMATION REQUIRED BY SECRETARY.—Each eligible grantee that receives an allocation of funds under subsection (b) and at least one payment under subsection (c) shall submit to the Secretary information required by the Secretary to monitor and evaluate activities carried out by the eligible grantee under subsection (d).

(i) DEFINITIONS.—In this section:

(1) ELIGIBLE GRANTEE.—The term “eligible grantee” means any of the following:

(A) The 50 States of the United States and the District of Columbia.

(B) A unit of local government (as defined in paragraph (5)).

(C) The Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(2) ELIGIBLE HOUSEHOLD.—The term “eligible household” means a household of 1 or more individuals who are obligated to pay rent on a residential dwelling and with respect to which the eligible grantee involved determines that—
(A) 1 or more individuals within the household has—

(i) qualified for unemployment benefits; or

(ii) experienced a reduction in household income, incurred significant costs, or experienced other financial hardship during or due, directly or indirectly, to the coronavirus pandemic;

(B) 1 or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and

(C) the household is a low-income family (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(3) INSPECTOR GENERAL.—The term “Inspector General” means the Inspector General of the Department of the Treasury.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(5) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” has the meaning given such term in section 501 of subtitle A of title V of

(j) Availability.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2025.

(k) Extension of Availability Under Program for Existing Funding.—Paragraph (1) of section 501(e) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking “December 31, 2021” and inserting “September 30, 2022”.

SEC. 4202. EMERGENCY HOUSING VOUCHERS.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,000,000,000, to remain available until September 30, 2030, for—

(1) incremental emergency vouchers under subsection (b);

(2) renewals of the vouchers under subsection (b);

(3) fees for the costs of administering vouchers under subsection (b) and other eligible expenses de-
fined by notice to prevent, prepare, and respond to coronavirus to facilitate the leasing of the emergency vouchers, such as security deposit assistance and other costs related to retention and support of participating owners; and;

(4) adjustments in the calendar year 2021 section 8 renewal funding allocation, including mainstream vouchers, for public housing agencies that experience a significant increase in voucher per-unit costs due to extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.

(b) Emergency Vouchers.—

(1) In general.—The Secretary shall provide emergency rental assistance vouchers under subsection (a), which shall be tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

(2) Qualifying individuals or families defined.—For the purposes of this section, qualifying individuals or families are those who are—

(A) homeless (as such term is defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)) ;
(B) at risk of homelessness (as such term is defined in section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1)));

(C) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; or

(D) recently homeless, as determined by the Secretary, and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

(3) ALLOCATION.—Public housing agencies shall be notified of the number of emergency vouchers allocated to the agency not later than 60 days after the date of the enactment of this Act, in accordance with a formula that includes public housing agency capacity and ensures geographic diversity, including with respect to rural areas, among public housing agencies administering the Housing Choice Voucher program.

(4) TERMS AND CONDITIONS.—

(A) ELECTION TO ADMINISTER.—The Secretary shall establish a procedure for public housing agencies to accept or decline the emergency vouchers allocated to the agency in ac-
cordance with the formula under subparagraph (3).

(B) FAILURE TO USE VOUCHERS PROMPTLY.—If a public housing agency fails to lease its authorized vouchers under subsection (b) on behalf of eligible families within a reasonable period of time, the Secretary may revoke and redistribute any unleased vouchers and associated funds, including administrative fees and costs referred to in subsection (a)(3), to other public housing agencies according to the formula under paragraph (3).

(5) WAIVERS AND ALTERNATIVE REQUIREMENTS.—Any provision of any statute or regulation used to administer the amounts made available under this section (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), shall be waived upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available in this section.

(6) TERMINATION OF VOUCHERS UPON TURN-OVER.—After September 30, 2023, a public housing agency may not reissue any vouchers made available
under this section when assistance for the family assisted ends.

(c) Technical Assistance and Other Costs.—
The Secretary may use not more $20,000,000 of the amounts made available under this section for the costs to the Secretary of administering and overseeing the implementation of this section and the Housing Choice Voucher program generally, including information technology, financial reporting, and other costs. Of the amounts set aside under this subsection, the Secretary may use not more than $10,000,000, without competition, to make new awards or increase prior awards to existing technical assistance providers to provide an immediate increase in capacity building and technical assistance to public housing agencies.

(d) Implementation.—The provisions of this section may be implemented by notice.

SEC. 4203. EMERGENCY ASSISTANCE FOR RURAL HOUSING.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2022, to provide grants under section 521(a)(2) of the Housing Act of 1949 or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by sec-
tion 502(c)(5)(D) of the Housing Act of 1949, for tem-
porary adjustment of income losses for residents of hous-
ing financed or assisted under section 514, 515, or 516
of the Housing Act of 1949 who have experienced income
loss but are not currently receiving Federal rental assist-
ance.

SEC. 4204. HOUSING ASSISTANCE AND SUPPORTIVE SERV-
ICES PROGRAMS FOR NATIVE AMERICANS.

(a) APPROPRIATION.—In addition to amounts other-
wise available, there is appropriated for fiscal year 2021,
out of any money in the Treasury not otherwise appro-
priated, $750,000,000, to remain available until Sep-
tember 30, 2025, to prevent, prepare for, and respond to
coronavirus, for activities and assistance authorized under
title I of the Native American Housing Assistance and
4111 et seq.), under title VIII of NAHASDA (25 U.S.C.
4221 et seq.), and under section 106(a)(1) of the Housing
and Community Development Act of 1974 with respect to
Indian tribes (42 U.S.C. 5301 et seq.), which shall be
made available as follows:

(1) HOUSING BLOCK GRANTS.—$455,000,000
shall be available for the Native American Housing
Block Grants and Native Hawaiian Housing Block
Grant programs, as authorized under titles I and
VIII of NAHASDA, subject to the following terms and conditions:

(A) FORMULA.—Of the amounts made available under this paragraph, $450,000,000 shall be for grants under title I of NAHASDA and shall be distributed according to the same funding formula used in fiscal year 2021.

(B) NATIVE HAWAI`IANs.—Of the amounts made available under this paragraph, $5,000,000 shall be for grants under title VIII of NAHASDA.

(C) USE.—Amounts made available under this paragraph shall be used by recipients to prevent, prepare for, and respond to coronavirus, including to maintain normal operations and fund eligible affordable housing activities under NAHASDA during the period that the program is impacted by coronavirus. In addition, amounts made available under subparagraph (B) shall be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands.

(D) TIMING OF OBLIGATIONS.—Amounts made available under this paragraph shall be used, as necessary, to cover or reimburse allow-
able costs to prevent, prepare for, and respond to coronavirus that are incurred by a recipient, including for costs incurred as of January 21, 2020.

(E) WAIVERS.—Any provision of statute or regulation used to administer amounts made available under this paragraph (except for requirements related to fair housing, non-discrimination, labor standards, and the environment), shall be waived upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available under this paragraph.

(F) UNOBLIGATED AMOUNTS.—Amounts made available under this paragraph which are not accepted, are voluntarily returned, or otherwise recaptured for any reason shall be used to fund grants under paragraph (2).

(2) INDIAN COMMUNITY DEVELOPMENT BLOCK GRANTS.—$280,000,000 shall be available for grants under title I of the Housing and Community Development Act of 1974, subject to the following terms and conditions:

(A) USE.—Amounts made available under this paragraph shall be used, without competi-
tion, for emergencies that constitute imminent threats to health and safety and are designed to prevent, prepare for, and respond to coronavirus.

(B) PLANNING.—Not to exceed 20 percent of any grant made with funds made available under this paragraph shall be expended for planning and management development and administration.

(C) TIMING OF OBLIGATIONS.—Amounts made available under this paragraph shall be used, as necessary, to cover or reimburse allowable costs to prevent, prepare for, and respond to coronavirus incurred by a recipient, including for costs incurred as of January 21, 2020.

(D) INAPPLICABILITY OF PUBLIC SERVICES CAP.—Notwithstanding section 105(a)(8) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(8)), there shall be no per centum limitation for the use of funds made available under this paragraph for public services activities to prevent, prepare for, and respond to coronavirus.

(E) WAIVERS.—Any provision of any statute or regulation used to administer amounts
made available under this paragraph (except for requirements related to fair housing, non-discrimination, labor standards, and the environment), shall be waived upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available under this paragraph.

(3) **Technical Assistance.**—$10,000,000 shall be used, without competition, to make new awards or increase prior awards to existing technical assistance providers to provide an immediate increase in training and technical assistance to Indian tribes, Indian housing authorities, and tribally designated housing entities for activities under this section.

(4) **Other Costs.**—$5,000,000 shall be used for the administrative costs to oversee and administer the implementation of this section, and pay for associated information technology, financial reporting, and other costs.

**SEC. 4205. HOUSING COUNSELING.**

(a) **Appropriation.**—In addition to amounts otherwise available, there is appropriated to the Neighborhood Reinvestment Corporation (in this section referred to as the “Corporation”) for fiscal year 2021, out of any money
in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2025, for grants to housing counseling intermediaries approved by the Department of Housing and Urban Development, State housing finance agencies, and NeighborWorks organizations for providing housing counseling services, as authorized under the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107) and consistent with the discretion set forth in section 606(a)(5) of such Act (42 U.S.C. 8105(a)(5)) to design and administer grant programs. Of the grant funds made available under this subsection, not less than 40 percent shall be provided to counseling organizations that—

(1) target housing counseling services to minority and low-income populations facing housing instability; or

(2) provide housing counseling services in neighborhoods having high concentrations of minority and low-income populations.

(b) LIMITATION.—The aggregate amount provided to NeighborWorks organizations under this section shall not exceed 15 percent of the total of grant funds made available by subsection (a).

(c) ADMINISTRATION AND OVERSIGHT.—The Corporation may retain a portion of the amounts provided
under this section, in a proportion consistent with its
standard rate for program administration in order to cover
its expenses related to program administration and over-
sight.

(d) HOUSING COUNSELING SERVICES DEFINED.—
For the purposes of this section, the term “housing coun-
seling services” means—

(1) housing counseling provided directly to
households facing housing instability, such as evic-
tion, default, foreclosure, loss of income, or home-
lessness;

(2) education, outreach, training, technology
upgrades, and other program related support; and

(3) operational oversight funding for grantees
and subgrantees that receive funds under this sec-
tion.

SEC. 4206. HOMELESSNESS ASSISTANCE AND SUPPORTIVE
SERVICES PROGRAM.

(a) APPROPRIATION.—In addition to amounts other-
wise available, there is appropriated for fiscal year 2021,
out of any money in the Treasury not otherwise appro-
priated, $5,000,000,000, to remain available until Sep-
tember 30, 2025, except that amounts authorized under
subsection (d)(3) shall remain available until September
30, 2029, for assistance under title II of the Cranston-
Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.) for the following activities to primarily benefit qualifying individuals or families:

1. Tenant-based rental assistance.
2. The development and support of affordable housing pursuant to section 212(a) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12742(a)) (“the Act” herein).
3. Supportive services to qualifying individuals or families not already receiving such supportive services, including—
   (A) activities listed in section 401(29) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(29));
   (B) housing counseling; and
   (C) homeless prevention services.
4. The acquisition and development of non-congregate shelter units, all or a portion of which may—
   (A) be converted to permanent affordable housing;
   (B) be used as emergency shelter under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378);
(C) be converted to permanent housing
under subtitle C of title IV of the McKinney-
Vento Homeless Assistance Act (42 U.S.C.
11381-11389); or
(D) remain as non-congregate shelter
units.

(b) QUALIFYING INDIVIDUALS OR FAMILIES DE-
FINED.—For the purposes of this section, qualifying indi-
viduals or families are those who are—

(1) homeless, as defined in section 103(a) of
the McKinney-Vento Homeless Assistance Act (42
U.S.C. 11302(a));

(2) at-risk of homelessness, as defined in sec-
tion 401(1) of the McKinney-Vento Homeless Assist-
ance Act (42 U.S.C. 11360(1));

(3) fleeing, or attempting to flee, domestic vio-
ence, dating violence, sexual assault, stalking, or
human trafficking;

(4) in other populations where providing sup-
portive services or assistance under section 212(a) of
the Act (42 U.S.C. 12742(a)) would prevent the
family’s homelessness or would serve those with the
greatest risk of housing instability; or
(5) veterans and families that include a veteran family member that meet one of the preceding criteria.

(c) TERMS AND CONDITIONS.—

(1) FUNDING RESTRICTIONS.—The cost limits in section 212(e) (42 U.S.C. 12742(e)), the commitment requirements in section 218(g) (42 U.S.C. 12749(g)), the matching requirements in section 220 (42 U.S.C. 12750), and the set-aside for housing developed, sponsored, or owned by community housing development organizations required in section 231 of the Act (42 U.S.C. 12771) shall not apply for amounts made available in this section.

(2) ADMINISTRATIVE COSTS.—Notwithstanding sections 212(c) and (d)(1) of the Act (42 U.S.C. 12742(c) and (d)(1)), of the funds made available in this section for carrying out activities authorized in this section, a grantee may use up to fifteen percent of its allocation for administrative and planning costs.

(3) OPERATING EXPENSES.—Notwithstanding sections 212(a) and (g) of the Act (42 U.S.C. 12742(a) and (g)), a grantee may use up to an additional five percent of its allocation for the payment of operating expenses of community housing develop-
ment organizations and nonprofit organizations carrying out activities authorized under this section, but only if—

(A) such funds are used to develop the capacity of the community housing development organization or nonprofit organization in the jurisdiction or insular area to carry out activities authorized under this section; and

(B) the community housing development organization or nonprofit organization complies with the limitation on assistance in section 234(b) of the Act (42 U.S.C. 12774(b)).

(4) CONTRACTING.—A grantee, when contracting with service providers engaged directly in the provision of services under paragraph (a)(3), shall, to the extent practicable, enter into contracts in amounts that cover the actual total program costs and administrative overhead to provide the services contracted.

(d) ALLOCATION.—

(1) FORMULA ASSISTANCE.—Except as provided in paragraphs (2) and (3), amounts made available under this section shall be allocated pursuant to section 217 of the Act (42 U.S.C. 12746) to grantees that received allocations pursuant to that
same formula in fiscal year 2021, and such allocations shall be made within 30 days of enactment of this Act.

(2) **Technical Assistance.**—Up to $25,000,000 of the amounts made available under this section shall be used, without competition, to make new awards or increase prior awards to existing technical assistance providers to provide an immediate increase in capacity building and technical assistance available to any grantees implementing activities or projects consistent with this section.

(3) **Other Costs.**—Up to $50,000,000 of the amounts made available under this section shall be used for the administrative costs to oversee and administer implementation of this section and the HOME program generally, including information technology, financial reporting, and other costs.

(4) **Waivers.**—Any provision of any statute or regulation used to administer the amounts made available under this section (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), may be waived upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available in this section.
SEC. 4207. HOMEOWNER ASSISTANCE FUND.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Homeowner Assistance Fund established under subsection (c) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $9,961,000,000, to remain available until September 30, 2025, for qualified expenses that meet the purposes specified under subsection (c) and expenses described in subsection (d)(1).

(b) DEFINITIONS.—In this section:

(1) CONFORMING LOAN LIMIT.—The term “conforming loan limit” means the applicable limitation governing the maximum original principal obligation of a mortgage secured by a single-family residence, a mortgage secured by a 2-family residence, a mortgage secured by a 3-family residence, or a mortgage secured by a 4-family residence, as determined and adjusted annually under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)) and section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)).

(2) DWELLING.—The term “dwelling” means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more individuals.
(3) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State; or

(B) any entity eligible for payment under subsection (f).

(4) MORTGAGE.—The term “mortgage” means any credit transaction—

(A) that is secured by a mortgage, deed of trust, or other consensual security interest on a principal residence of a borrower that is (i) a 1-to 4-unit dwelling, or (ii) residential real property that includes a 1- to 4-unit dwelling; and

(B) the unpaid principal balance of which was, at the time of origination, not more than the conforming loan limit.

(5) FUND.—The term “Fund” means the Homeowner Assistance Fund established under subsection (c).

(6) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(7) STATE.—The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.
(c) ESTABLISHMENT OF FUND.—

(1) ESTABLISHMENT; QUALIFIED EXPENSES.—
There is established in the Department of the Treasury a Homeowner Assistance Fund to mitigate financial hardships associated with the coronavirus pandemic by providing such funds as are appropriated by subsection (a) to eligible entities, and to require an eligible entity that receives funds pursuant to this section to periodically submit to the Secretary a report that describes the activities carried out by the eligible entity using the funds provided under this section, for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing, which include—

(A) mortgage payment assistance;

(B) financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing related costs related to a period of forbearance, delinquency, or default;

(C) principal reduction;

(D) facilitating interest rate reductions;
(E) payment assistance for—

(i) utilities, including electric, gas, and water;

(ii) internet service, including broadband internet access service, as defined in section 8.1(b) of title 47, Code of Federal Regulations (or any successor regulation);

(iii) property taxes;

(iv) homeowner’s insurance, flood insurance, and mortgage insurance; and

(v) homeowner’s association, condominium association fees, or common charges;

(F) reimbursement of funds expended by a State, local government, or designated entity under subsection (e) during the period beginning on January 21, 2020, and ending on the date that the first funds are disbursed by the eligible entity under the Homeowner Assistance Fund, for the purpose of providing housing or utility payment assistance to individuals or otherwise providing funds to prevent foreclosure or eviction of a homeowner or tenant or prevent mortgage delinquency or loss of housing or util-
ities as a response to the coronavirus disease (COVID) pandemic; and

(G) any other assistance to promote housing stability for homeowners, including preventing eviction, mortgage delinquency or default, foreclosure, or the loss of utility or home energy services, as determined by the Secretary.

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

(d) ALLOCATION OF FUNDS.—

(1) ADMINISTRATION.—Of any amounts made available under this section, the Secretary shall reserve—

(A) to the Department of the Treasury, an amount not to exceed $40,000,000 to admin-
ister and oversee the Fund, and to provide tech-
nical assistance to eligible entities for the cre-
ation and implementation of State and tribal
programs to administer assistance from the
Fund; and

(B) to the Inspector General of the De-
partment of the Treasury, an amount to not ex-
ceed $2,600,000 for oversight of the program
under this section.

(2) FOR STATES.—After the application of
paragraphs (1), (4), and (5) of this subsection and
subject to paragraph (3) of this subsection, the Sec-
retary shall establish such criteria as are necessary
to allocate the remaining funds available within the
Homeowner Assistance Fund to each State of the
United States, the District of Columbia, and the
Commonwealth of Puerto Rico, taking into consider-
ation, for such State relative to all States of the
United States, the District of Columbia, and the
Commonwealth of Puerto Rico, as of the date of the
enactment of this Act—

(A) the average number of unemployed in-
dividuals measured over a period of time not
fewer than 3 months and not more than 12
months;
(B) the total number or mortgagors with—

(i) mortgage payments that are more than 30 days past due; or

(ii) mortgages in foreclosure.

(3) Small State Minimum.—

(A) In general.—Each State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico shall receive no less than $40,000,000 for the purposes established in (c).

(B) Pro Rata Adjustments.—The Secretary shall adjust on a pro rata basis the amount of the payments for each State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico determined under this subsection without regard to this subparagraph to the extent necessary to comply with the requirements of subparagraph (A).

(4) Territory Set-Aside.—Notwithstanding any other provision of this section, of the amounts appropriated under subsection (a), the Secretary shall reserve $30,000,000 to be disbursed to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands based on each such territory’s share of the
combined total population of all such territories, as
determined by the Secretary. For the purposes of
this paragraph, population shall be determined based
on the most recent year for which data are available
from the United States Census Bureau.

(5) Tribal set-aside.—The Secretary shall
allocate funds to any eligible entity designated under
subsection (f) pursuant to the requirements of that
subsection.

c) Distribution of Funds to States.—

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

(2) Reallocation.—If a State does not re-
quest allocated funds by the 90th day after the date
of enactment of this Act, such State shall not be eli-
gible for a payment from the Secretary pursuant to
this section, and the Secretary shall reallocate any
funds that were not requested by such State among
the States that have requested funds by the 90th
day after the date of enactment of this Act. For any
such reallocation of funds, the Secretary shall adhere to the requirements of subsection (d), except for paragraph (1), to the greatest extent possible, provided that the Secretary shall also take into consideration in determining such reallocation a State’s remaining need and a State’s record of using payments from the Fund to serve homeowners at disproportionate risk of mortgage default, foreclosure, or displacement, including homeowners having incomes equal to or less than 100 percent of the area median income for their household size or 100 percent of the median income for the United States, as determined by the Secretary of Housing and Urban Development, whichever is greater, and minority homeowners.

(f) TRIBAL SET-ASIDE.—

(1) SET-ASIDE.—Notwithstanding any other provision of this section, of the amounts appropriated under subsection (a), the Secretary shall use 5 percent to make payments to entities that are eligible for payments under clauses (i) and (ii) of section 501(b)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260) for the purposes described in subsection (c).
(2) ALLOCATION AND PAYMENT.—The Secretary shall allocate the funds set aside under paragraph (1) using the allocation formulas described in clauses (i) and (ii) of section 501(b)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260), and shall make payments of such amounts beginning no later than 45 days after enactment of this Act to entities eligible for payment under clauses (i) and (ii) of section 501(b)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260) that notify the Secretary that they request to receive payments allocated from the Fund by the Secretary for purposes described under subsection (c) and will use such payments in compliance with this section.

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

SEC. 4208. RELIEF MEASURES FOR SECTION 502 AND 504 DIRECT LOAN BORROWERS.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021,
out of any money in the Treasury not otherwise appropriated, $39,000,000, to remain available until September 30, 2023, for direct loans made under sections 502 and 504 of the Housing Act of 1949 (42 U.S.C. 1472, 1474).

(b) Administrative Expenses.—The Secretary may use not more than 3 percent of the amounts appropriated under this section for administrative purposes.

Subtitle C—Small Business (SSBCI)


(a) Reauthorization.—

(1) IN GENERAL.—The State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701 et seq.) is amended—

(A) in section 3003—

(i) in subsection (b)—

(I) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—Not later than 30 days after the date of enactment of subsection (d), the Secretary shall allocate Federal funds to participating States so that each State is eligible to receive an amount equal to what the State would receive under the 2021 allocation, as determined under paragraph (2).”;
(II) in paragraph (2)—

(aa) by striking “2009” each place such term appears and inserting “2021”;

(bb) by striking “2008” each place such term appears and inserting “2020”;

(cc) in subparagraph (A), by striking “The Secretary” and inserting “With respect to States other than Tribal governments, the Secretary”; 

(dd) in subparagraph (C)(i), by striking “2007” and inserting “2019”; and

(ee) by adding at the end the following:

“(C) SEPARATE ALLOCATION FOR TRIBAL GOVERNMENTS.—

“(i) IN GENERAL.—With respect to States that are Tribal governments, the Secretary shall determine the 2021 allocation by allocating $500,000,000 among the Tribal governments in the proportion the Secretary determines appropriate, includ-
ing with consideration to available employment and economic data regarding each such Tribal government.

“(ii) NOTICE OF INTENT; TIMING OF ALLOCATION.—With respect to allocations to States that are Tribal governments, the Secretary may—

“(I) require Tribal governments that individually or jointly wish to participate in the Program to file a notice of intent with the Secretary not later than 30 days after the date of enactment of subsection (d); and

“(II) notwithstanding paragraph (1), allocate Federal funds to participating Tribal governments not later than 60 days after the date of enactment of subsection (d).

“(D) EMPLOYMENT DATA.—If the Secretary determines that employment data with respect to a State is unavailable from the Bureau of Labor Statistics of the Department of Labor, the Secretary shall consider such other economic and employment data that is other-
wise available for purposes of determining the employment data of such State.’’; and

(III) by striking paragraph (3);

and

(ii) in subsection (e)—

(I) in paragraph (1)(A)(iii), by inserting before the period the following: ‘‘that have delivered loans or investments to eligible businesses’’;

and

(II) by amending paragraph (4) to read as follows:

‘‘(4) TERMINATION OF AVAILABILITY OF AMOUNTS NOT TRANSFERRED.—

‘‘(A) IN GENERAL.—Any portion of a participating State’s allocated amount that has not been transferred to the State under this section may be deemed by the Secretary to be no longer allocated to the State and no longer available to the State and shall be returned to the general fund of the Treasury or reallocated as described under subparagraph (B), if—

(ii) the second ⅓ of a State’s allocated amount has not been transferred to the State before the end of the end of the
3-year period beginning on the date that the Secretary approves the State for participation; or

“(ii) the last 1/3 of a State’s allocated amount has not been transferred to the State before the end of the 6-year period beginning on the date that the Secretary approves the State for participation.

“(B) REALLOCATION.—Any amount deemed by the Secretary to be no longer allocated to a State and no longer available to such State under subparagraph (A) may be reallocated by the Secretary to other participating States. In making such a reallocation, the Secretary shall not take into account the minimum allocation requirements under subsection (b)(2)(B) or the specific allocation for Tribal governments described under subsection (b)(2)(C).”;

(B) in section 3004(d), by striking “date of enactment of this Act” each place it appears and inserting “date of the enactment of section 3003(d)”;
(C) in section 3005(b), by striking “date of enactment of this Act” each place it appears and inserting “date of the enactment of section 3003(d)”;  

(D) in section 3006(b)(4), by striking “date of enactment of this Act” and inserting “date of the enactment of section 3003(d)”;  

(E) in section 3007(b), by striking “March 31, 2011” and inserting “March 31, 2022”;  

(F) in section 3009, by striking “date of enactment of this Act” each place it appears and inserting “date of the enactment of section 3003(d)”; and  

(G) in section 3011(b), by striking “date of the enactment of this Act” each place it appears and inserting “date of the enactment of section 3003(d)”.

(2) APPROPRIATION.—  

(A) IN GENERAL.—In addition to amounts otherwise available, there is hereby appropriated to the Secretary of the Treasury for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000,000, to remain available until expended, to reauthorize, expand, and enhance the State Small Business
Credit Initiative established under the State Small Business Credit Initiative Act of 2010, including to provide support to small businesses responding to and recovering from the economic effects of the COVID–19 pandemic, ensure business enterprises owned and controlled by socially and economically disadvantaged individuals have access to credit and investments, provide technical assistance to help small businesses applying for various support programs, and to pay reasonable costs of administering such Initiative.

(B) Rescission.—With respect to amounts appropriated under subparagraph (A)—

(i) the Secretary of the Treasury shall complete all disbursements and remaining obligations before September 30, 2030; and

(ii) any amounts that remain unexpended (whether obligated or unobligated) on September 30, 2030, shall be rescinded and deposited into the general fund of the Treasury.
(b) ADDITIONAL ALLOCATIONS TO SUPPORT BUSINESS ENTERPRISES OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—Section 3003 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5702) is amended by adding at the end the following:

“(d) ADDITIONAL ALLOCATIONS TO SUPPORT BUSINESS ENTERPRISES OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—Of the amounts appropriated for fiscal year 2021 to carry out the Program, the Secretary shall—

“(1) ensure that $1,500,000,000 from funds allocated under this section shall be allocated to States to be expended for business enterprises owned and controlled by socially and economically disadvantaged individuals;

“(2) allocate such amounts to States based on the needs of business enterprises owned and controlled by socially and economically disadvantaged individuals, as determined by the Secretary, in each State, and not subject to the allocation formula described under subsection (b);

“(3) oversee the States’ use of these funds to ensure they directly support business enterprises
owned and controlled by socially and economically disadvantaged individuals; and

“(4) establish a minimum amount of support that a State shall provide to business enterprises owned and controlled by socially and economically disadvantaged individuals.

“(e) INCENTIVE ALLOCATIONS TO SUPPORT BUSINESS ENTERPRISES OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—Of the amounts appropriated for fiscal year 2021 to carry out the Program, the Secretary shall set aside $1,000,000,000 for an incentive program under which the Secretary shall increase the second $3 and last $3 allocations for States that demonstrate robust support, as determined by the Secretary, for business concerns owned and controlled by socially and economically disadvantaged individuals in the deployment of prior allocation amounts.”.

(e) CDFI AND MDI PARTICIPATION PLAN.—Section 3004 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5703) is amended by adding at the end the following:

“(e) CDFI AND MDI PARTICIPATION PLAN.—The Secretary may not approve a State to be a participating State unless the State has provided the Secretary with a plan detailing how minority depository institutions and
community development financial institutions will be encouraged to participate in State programs.”.

(d) PANDEMIC RESPONSE PLAN.—Section 3004 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5703), as amended by subsection (c), is further amended by adding at the end the following:

“(f) PANDEMIC RESPONSE PLAN.—The Secretary may not approve a State to be a participating State unless the State has provided the Secretary with a description of how the State will expeditiously utilize funds to support small businesses, including business enterprises owned and controlled by socially and economically disadvantaged individuals, in responding to and recovering from the economic effects of the COVID–19 pandemic.”.

(e) TECHNICAL ASSISTANCE.—Section 3009 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5708) is amended by adding at the end the following:

“(e) TECHNICAL ASSISTANCE.—Of the amounts appropriated for fiscal year 2021 to carry out the Program, $500,000,000 may be used by the Secretary to—

“(1) provide funds to States to carry out a technical assistance plan under which a State will provide legal, accounting, and financial advisory services, either directly or contracted with legal, ac-
counting, and financial advisory firms, with priority
given to business enterprises owned and controlled
by socially and economically disadvantaged individ-
uals, to very small businesses and business enter-
prises owned and controlled by socially and economi-
cally disadvantaged individuals applying for—

“(A) State programs under the Program;
and

“(B) other State or Federal programs that

“(2) transfer amounts to the Minority Business
Development Agency, so that the Agency may use
such amounts in a manner the Agency determines
appropriate, including through contracting with
third parties, to provide technical assistance to busi-
ness enterprises owned and controlled by socially
and economically disadvantaged individuals applying
to—

“(A) State programs under the Program;
and

“(B) other State or Federal programs that

“(3) contract with legal, accounting, and finan-
cial advisory firms (with priority given to business
enterprises owned and controlled by socially and eco-
nominally disadvantaged individuals), to provide technical assistance to business enterprises owned and controlled by socially and economically disadvantaged individuals applying to—

“(A) State programs under the Program; and

“(B) other State or Federal programs that support small businesses.”.

(f) **MULTI-STATE PARTICIPATION PROGRAM.**—Section 3009 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5708), as amended by subsection (d)(2), is further amended by adding at the end the following:

“(f) **MULTI-STATE PARTICIPATION PROGRAM.**—The Secretary may establish a multi-State participation program under which—

“(1) the Secretary determines which State programs are similar to each other, with respect to eligibility criteria and such other criteria as the Secretary determines appropriate; and

“(2) a State may elect to automatically deem a person eligible for a State program if the person is already participating in another State’s State program that the Secretary has determined is similar under paragraph (1).”.
(g) APPROVAL OF MULTI-STATE PROGRAMS.—Section 3004 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5703), as amended by subsection (d), is further amended by adding at the end the following:

“(g) APPROVAL OF MULTI-STATE PROGRAMS.—In approving State programs under section 3005 or 3006, the Secretary may approve a State program carried out jointly by more than one State.”.

(h) PREDATORY LENDING PROHIBITED.—Section 3004 of the State Small Business Credit Initiative Act of 2010 (15 U.S.C. 5702), as amended by subsection (g), is further amended by adding at the end the following:

“(h) PREDATORY LENDING PROHIBITED.—The Secretary may not approve a State to be a participating State unless the State has agreed that no lending activity supported by amounts received by the State under the Program would result in predatory lending, as determined by the Secretary.”.

(i) INCLUSION OF TRIBAL GOVERNMENTS.—Section 3002(10) of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701(10)) is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and
(3) by adding at the end the following:

“(E) a Tribal government, or a group of Tribal governments that jointly apply for an allocation.”.

(j) DEFINITIONS.—Section 3002 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701) is amended by adding at the end the following:

“(15) BUSINESS ENTERPRISE OWNED AND CONTROLLED BY SOCIA LLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ‘business enterprise owned and controlled by socially and economically disadvantaged individuals’ means a business that—

“(A) if privately owned, 51 percent is owned by one or more socially and economically disadvantaged individuals;

“(B) if publicly owned, 51 percent of the stock is owned by one or more socially and economically disadvantaged individuals; and

“(C) in the case of a mutual institution, a majority of the Board of Directors, account holders, and the community which the institution services is predominantly comprised of socially and economically disadvantaged individuals.
“(16) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ‘community development financial institution’ has the meaning given that term under section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994.

“(17) MINORITY DEPOSITORY INSTITUTION.—The term ‘minority depository institution’ has the meaning given that term under section 308(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

“(18) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.—The term ‘socially and economically disadvantaged individual’ means an individual who is a socially disadvantaged individual or an economically disadvantaged individual, as such terms are defined, respectively, under section 8 of the Small Business Act (15 U.S.C. 637) and the regulations thereunder.

“(19) TRIBAL GOVERNMENT.—The term ‘Tribal government’ means a government of an Indian Tribe listed on the list of recognized Tribes published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).”
(k) RULE OF APPLICATION.—The amendments made by this section shall apply with respect to funds appropriated under this section and funds appropriated on and after the date of enactment of this section.

Subtitle D—Airlines

SEC. 4401. AIR TRANSPORTATION PAYROLL SUPPORT PROGRAM EXTENSION.

(a) DEFINITIONS.—The definitions in section 40102(a) of title 49, United States Code, shall apply with respect to terms used in this section, except that—

(1) the term “catering functions” means preparation, assembly, or both, of food, beverages, provisions and related supplies for delivery, and the delivery of such items, directly to aircraft or to a location on or near airport property for subsequent delivery to aircraft;

(2) the term “contractor” means—

(A) a person that performs, under contract with a passenger air carrier conducting operations under part 121 of title 14, Code of Federal Regulations—

(i) catering functions; or

(ii) functions on the property of an airport that are directly related to the air transportation of persons, property, or
mail, including the loading and unloading
of property on aircraft, assistance to pas-
sengers under part 382 of title 14, Code of
Federal Regulations, security, airport
ticketing and check-in functions, ground-
handling of aircraft, or aircraft cleaning
and sanitization functions and waste re-
moval; or
(B) a subcontractor that performs such
functions;
(3) the term “employee” means an individual,
other than a corporate officer, who is employed by
an air carrier or a contractor;
(4) the term “eligible air carrier” means an air
carrier that—
(A) received financial assistance pursuant
section 402(a)(1) of division N of the Consoli-
dated Appropriations Act, 2021 (Public Law
116-260);
(B) provides air transportation as of
March 31, 2021;
(C) has not conducted involuntary fur-
loughs or reduced pay rates or benefits between
March 31, 2021, and the date on which the air
carrier makes a certification to the Secretary pursuant to subparagraph (D); and

(D) certifies to the Secretary that such air carrier will—

(i) refrain from conducting involuntary furloughs or reducing pay rates or benefits until September 30, 2021, or the date on which assistance provided under this section is exhausted, whichever is later;

(ii) refrain from purchasing an equity security of the air carrier or the parent company of the air carrier that is listed on a national securities exchange through September 30, 2022;

(iii) refrain from paying dividends, or making other capital distributions, with respect to common stock (or equivalent interest) of such air carrier through September 30, 2022;

(iv) during the 2-year period beginning April 1, 2021, and ending April 1, 2023, refrain from paying—

(I) any officer or employee of the air carrier whose total compensation
exceeded $425,000 in calendar year 2019 (other than an employee whose compensation is determined through an existing collective bargaining agreement entered into prior to the date of enactment of this Act)—

(aa) total compensation that exceeds, during any 12 consecutive months of such 2-year period, the total compensation received by the officer or employee from the air carrier in calendar year 2019; or

(bb) severance pay or other benefits upon termination of employment with the air carrier which exceeds twice the maximum total compensation received by the officer or employee from the air carrier in calendar year 2019; and

(II) any officer or employee of the air carrier whose total compensation exceeded $3,000,000 in calendar year 2019 during any 12 consecutive
62 months of such period total compensation in excess of the sum of—

(aa) $3,000,000; and

(bb) 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee from the air carrier in calendar year 2019.

(5) the term “eligible contractor” means a contractor that—

(A) received financial assistance pursuant to section 402(a)(2) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260);

(B) performs one or more of the functions described under paragraph (2) as of March 31, 2021;

(C) has not conducted involuntary furloughs or reduced pay rates or benefits between March 31, 2021, and the date on which the contractor makes a certification to the Secretary pursuant to subparagraph (D); and

(D) certifies to the Secretary that such contractor will—
(i) refrain from conducting involuntary furloughs or reducing pay rates or benefits until September 30, 2021, or the date on which assistance provided under this section is exhausted, whichever is later;

(ii) refrain from purchasing an equity security of the contractor or the parent company of the contractor that is listed on a national securities exchange through September 30, 2022;

(iii) refrain from paying dividends, or making other capital distributions, with respect to common stock (or equivalent interest) of the contractor through September 30, 2022;

(iv) during the 2-year period beginning April 1, 2021, and ending April 1, 2023, refrain from paying—

(I) any officer or employee of the contractor whose total compensation exceeded $425,000 in calendar year 2019 (other than an employee whose compensation is determined through an existing collective bargaining
agreement entered into prior to the
date of enactment of this Act)—

(aa) total compensation that exceeds, during any 12 consecutive months of such 2-year period, the total compensation received by the officer or employee from the contractor in calendar year 2019; or

(bb) severance pay or other benefits upon termination of employment with the contractor which exceeds twice the maximum total compensation received by the officer or employee from the contractor in calendar year 2019; and

(II) any officer or employee of the contractor whose total compensation exceeded $3,000,000 in calendar year 2019 during any 12 consecutive months of such period total compensation in excess of the sum of—

(aa) $3,000,000; and
(bb) 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee from the contractor in calendar year 2019.

(6) the term “Secretary” means the Secretary of the Treasury.

(b) PAYROLL SUPPORT GRANTS.—

(1) IN GENERAL.—To preserve aviation jobs and compensate air carrier industry workers, the Secretary shall make available to eligible air carriers and eligible contractors, financial assistance exclusively for the continuation of payment of employee wages, salaries, and benefits to—

(A) eligible air carriers, in an aggregate amount of $14,000,000,000; and

(B) eligible contractors, in an aggregate amount of $1,000,000,000.

(2) APPORTIONMENTS.—

(A) IN GENERAL.—The Secretary shall apportion funds to eligible air carriers and eligible contractors in accordance with the requirements of this section not later than April 15, 2021.

(B) ELIGIBLE AIR CARRIERS.—The Secretary shall apportion funds made available
under paragraph (1)(A) to each eligible air car-
rier in the ratio that—

(i) the amount received by the air car-
rier pursuant to section 403(a) of division
N of the Consolidated Appropriations Act,
2021 (Public Law 116-260) bears to

(ii) $15,000,000,000.

(C) ELIGIBLE CONTRACTORS.—The Sec-
retary shall apportion, to each eligible con-
tractor, an amount equal to the total amount
such contractor received pursuant to section
403(a) of division N of the Consolidated Approp-
riations Act, 2021 (Public Law 116-260).

(3) IN GENERAL.—

(A) FORMS; TERMS AND CONDITIONS.—
The Secretary shall provide financial assistance
to an eligible air carrier or eligible contractor
under this section in the same form and on the
same terms and conditions as determined by
pursuant to section 403(b)(1)(A) of subtitle A
of title IV of division N of the Consolidated Ap-

(B) PROCEDURES.—The Secretary shall
publish streamlined and expedited procedures
not later than 5 days after the date of enact-
ment of this section for eligible air carriers and
eligible contractors to submit requests for fi-
nancial assistance under this section.

(C) DEADLINE FOR IMMEDIATE PAYROLL
ASSISTANCE.—Not later than 10 days after the
date of enactment of this section, the Secretary
shall make initial payments to air carriers and
contractors that submit requests for financial
assistance approved by the Secretary.

(4) TAXPAYER PROTECTION.—The Secretary
shall receive financial instruments issued by recipi-
ents of financial assistance under this section in the
same form and amount, and under the same terms
and conditions, as determined by the Secretary
under section 408 of subtitle A of title IV of division
N of the Consolidated Appropriations Act, 2021

(5) ADMINISTRATIVE EXPENSES.—Of the
amounts made available under paragraph (1)(A),
$10,000,000 shall be made available to the Sec-
retary for costs and administrative expenses associ-
ated with providing financial assistance under this
section.

(c) FUNDING.—In addition to amounts otherwise
available, there is appropriated for fiscal year 2021, out
of any money in the Treasury not otherwise appropriated, $15,000,000,000, to remain available until expended, to carry out this section.