The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. Wexton).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

I hereby appoint the Honorable Jennifer Wexton to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Reverend Robert W. Fisher, Saint John's Church, Washington, D.C., offered the following prayer:

Lord of all, this moment is not a moment that any of us would have chosen, but You have chosen us for this moment.
Bless those who have been given great responsibility and great compassion for all people who will be affected by their decisions, with great wisdom to see beyond what is merely in the short term, with great courage to do what is right even when it is difficult or unpopular, with great magnanimity in how they treat one another, and with the gift of grace and love which carries us all when we put our trust and faith in You.
I pray Your blessing upon each one of us as we seek to do Your will this day, that our works may be pleasing in Your sight.
In Your name we pray.
Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 7(a) of House Resolution 891, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 7(b) of House Resolution 891, the House stands adjourned until 11 a.m. tomorrow.
Thereupon (at 10 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until Thursday, March 26, 2020, at 11 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2019 and the first quarter of 2020, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GERMANY AND BELGIUM, EXPENDED BETWEEN FEB. 13 AND FEB. 17, 2020

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
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<td>Hon. Adam Schiff</td>
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<td>Hon. Gerry Connolly</td>
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□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

H1723
### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GERMANY AND BELGIUM, EXPENDED BETWEEN FEB. 13 AND FEB. 17, 2020—Continued

<table>
<thead>
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<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2019

<table>
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<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

* In accordance with title 22, United States Code, Section 1754b(d)(2), information as to which foreign countries in which Committee Members and staff have traveled is omitted.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2019

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<tr>
<th>Name of Member or employee</th>
<th>Date</th>
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<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

* In accordance with title 22, United States Code, Section 1754b(d)(2), information as to which foreign countries in which Committee Members and staff have traveled is omitted.


EXECUTIVE COMMUNICATIONS.

ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

4168. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the AGENCY’S final rule — Air Plan Approval; Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.


4170. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the commission’s withdrawal of regulatory guide — Restart of a Nuclear Power Plant Shut Down by a Seismic Event [Regulatory Guide 1.167, Revision 0] received March 17, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4171. A letter from the Chairman, Council of the District of Columbia, transmitting District of Columbia, Act 23-244, “Deputy Mayor for Planning and Economic Development Limited Grant Making Authority for Check It Enterprises Amendment Act of 2020”, pursuant to Public Law 93-198, Sec. 602(c)(1); (67 Stat. 814); to the Committee on Oversight and Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CURTIS:
H.R. 6385. A bill to provide temporary relief from troubled debt restructuring disclosures, to delay the implementation of certain accounting standards for depository institutions substantially affected by COVID-19, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GAETZ:
H.R. 6386. A bill to restrict the use of funds made available in appropriations Acts for fiscal year 2020 for the benefit of any United States or foreign person subject to the control of the People’s Republic of China; to the Committee on Foreign Affairs.

By Mr. GONZÁLEZ of Texas:
H.R. 6387. A bill to correct technical omissions relating to international financial cooperation, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HOULAHAN (for herself and Mr. RUSH):
H.R. 6388. A bill to direct the National Space Council to develop a strategy to ensure the United States remains the preeminent space power in the face of growing global competition; to the Committee on Science, Space, and Technology.

By Mr. RUSH:
H.R. 6389. A bill to amend the Communications Act of 1934 to ensure just and reasonable charges for confinement facility communications services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RYAN (for himself, Ms. SLOTKIN, Mr. KATKO, Mr. SCHNEIDER, Mrs. Torres of California, Mr. Rose of New York, Mr. RUPPERSBERGER, Mr. DAVID SCOTT of Georgia, Mr. RUSH, Mr. LATANÉ, Mr. SOTO, Mr. MALKOWSKI, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HIMES, Mr. KRANNA, Ms. PRESSLEY, Mr. LAMB, Mr. THAIHAN, Mr. BROWN of Maryland, Ms. PINO, Mr. PHILLIPS, Mr. GARCÍA of Illinois, Mr. PAYNE, Mr. GALLIKO, Ms. KAPTUR, Ms. FUDGE, Mr. LYNCH, Mr. LARS of Georgia, Mr. SPEICHER, Mr. RASKIN, Mr. CISNEROS, Ms. BARRAGÁN, Mr. KILDEE, Ms. SCHILLER, Ms. HOULAHAN, Ms. WEXTON, Mr. ALLRED, Ms. SHEEHAN, Mr. ESQUIVEL, Mr. DIAZ-RAOUL, Ms. GARRETT, Ms. SPAHHER, Mr. COURTNEY, Mr. LOHBRINK, Mr. GUTHRIE, Mr. SCHIFF, Mr. HASTINGS, Mr. COFFIN, Mr. WATSON COLEMAN, Miss RICK of New York, Mr. NORDCRON, Mr. KILMER, Ms. CRAIG, Mr. THOMPSON of Mississippi, Mr. BOOSH, Mr. SCHELLEKENS, Mr. NIXON, Mr. BEYER, Mr. KUSTER of New Hampshire, Mr. LARSON of Connecticut, Mr. YARMUTH, Ms. ESCOBAR, Mr. SRIES, Mr. PERLMUTTER, Mr. KIM, Mr. BALDERS, and Mr. NEUFUS):
H.R. 6390. A bill to require the President to use authorities under the Defense Production Act of 1950 to require emergency production of medical equipment to address the COVID-19 outbreak; to the Committee on Financial Services.

By Mr. SCHNEIDER:
H.R. 6391. A bill to amend the Internal Revenue Code of 1986 to allow for a 5-year carryback of operating losses of small businesses, and for other purposes; to the Committee on Ways and Means.
H.R. 6392. A bill to modify the conditions and terms of all foreign military training programs operated within the United States by the Department of Defense and the Department of State; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALTZ (for himself and Mr. MCGOVERN):

H.R. 6393. A bill to require the Secretary of Defense to submit to Congress a report on the reliance by the Department of Defense on imports of certain pharmaceutical products made in part or in whole in certain countries, to establish postmarket reporting requirements for pharmaceuticals, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Armed Services, Oversight and Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALTZ (for himself and Mr. MCGOVERN):

H.R. 6394. A bill to help small business broadband providers keep customers connected; to the Committee on Appropriations.

By Ms. MENG (for herself, Ms. JUDY CHU of California, Ms. PRESSLEY, Mr. CASTRO of Texas, Ms. PASCHEN, Mr. MALINOWSKI, Ms. SPEIER, Mrs. WATSON COLEMAN, Mr. BROWN of Maryland, Mr. TAKANO, Mr. CISNEROS, Ms. SCHAKOWSKY, Ms. VELAZQUEZ, Ms. PINGREE, Mr. TED Lieu of California, Mrs. NAPOLITANO, Mr. CORREA, Ms. HAAKANSON, Mr. HUFFMAN, Mrs. TORRES of California, Mr. BLUMENTHAL, Mr. PUGDEI, Mr. CARDENAS, Ms. OMAR, Mr. SCHRADER, Mr. MOULTON, Mr. SUOZZI, Mr. LYNCH, Mrs. DINGELL, Mr. CONNOLLY, Mr. CASA, Mr. GREEN of Texas, Ms. BONAMICI, Mr. TRONE, Mrs. CARSON of New York, Mr. THOMPSON of Texas, Ms. JAYAPAL, Mr. KELMER, Ms. JACKSON LEE, Ms. LOPHRENS, Mrs. PORTER, Mr. HASKIN, Mr. LOWenthal, Ms. DYBIEZI, Ms. CAPUTO of Florida, Mr. JEFFRIES, Mrs. TRAHA of Pennsylvania, Mr. SMITH of Washington, Mr. ROSE of New York, Mr. BEYER, Mr. ROUDA, Mr. COSTA, Mr. SERRANO, Mr. DEFAZIO, Mr. KRISHNA MOORTHY, Ms. OASICO-CORTEZ, Mr. CICILLINI, Mr. KIM, Ms. SANCHEZ, Mr. SOTO, Mrs. BUSTOS, Ms. MCCOLLUM, Mr. POCAN, Mr. WELCH, Mr. SAHLAN, Mr. SCHIFF, Mr. LARSEN of Washington, Mr. HIGGINS of New York, Mr. YARMUTH, Mr. MCEACHIN, Ms. DELAUR, Mr. QUIGLEY, Mr. CLARK of Massachusetts, Mr. GRIJALVA, Ms. DEGETTE, Mr. ENGM, Mr. BUTTERFIELD, Mr. RUSH, Mr. DEUTCH, Mr. ALLRED, Ms. ESHOO, Mr. SEAN PATRICK MALONEY of New York, Mr. KENNEDY, Mr. DANNY K. DAVIS of Illinois, Ms. BASS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. NADLER, the following members, Mr. NORTON, Mr. LEWIS, Ms. MUCARSEL-POWELL, Mr. BISHOP of Georgia, Mr. EVANS, Mr. GARCIA of Illinois, Mr. SCHNEIDER, Mr. HORNBACK, Mr. CARSON of Indiana, Ms. WILD, Ms. TLAIB, Mr. CASTEN of Illinois, and Ms. CRAIO):

H. Res. 698. A resolution condemning all forms of anti-Asian sentiment as related to COVID-19; to the Committee on the Judiciary.

By Ms. STEFANIK:

H. Res. 909. A resolution supporting an international investigation into the handling by the Government of the People’s Republic of China of COVID-19 and the impact thereof on the people of the United States and other nations; to the Committee on Foreign Affairs.

**CONSTITUTIONAL AUTHORITY STATEMENT**

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CURTIS:

H.R. 6386. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8

By Mr. GAETZ:

H.R. 6387. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, clause 3 of the Constitution.

By Mr. GONZALEZ of Texas:

H.R. 6387. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the United States Constitution.

By Ms. HOULAHAN:

H.R. 6387. Congress has the power to enact this legislation pursuant to the following: U.S. Constitution, Article I, section 8

By Mr. RUSH:

H.R. 6387. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8

By Mr. RYAN:

H.R. 6396. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SCHNEIDER:

H.R. 6391. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8

By Mr. WALTZ:

H.R. 6392. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8

By Mr. WELCH:

H.R. 6394. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, clause 4 and 14

By Mr. WALTZ:

H.R. 6395. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, clause 18. The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

**ADDITIONAL SPONSORS**

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1156: Mr. STEUBE.

H.R. 4801: Ms. CLARK of New York.

H.R. 4982: Mr. GALLAGHER and Mr. GONZALEZ of Ohio.

H.R. 5249: Mr. LANGERVIN.

H.R. 5605: Mr. PHILLIPS.

H.R. 5621: Mr. TRONI.

H.R. 6237: Ms. CHENEY.

H.R. 6365: Mr. WINSTRUP, Mr. BERGMAN, Ms. STEFANIK, and Mr. MCKINLEY.

H.R. 6376: Mr. NORTON, Mr. POCAN, Mr. TONKO, Ms. SCHAKOWSKY, Mr. SOTO, Mrs. McBATH, and Mr. GRIJALVA.

H.R. 6377: Mr. TRONE, Mr. ALLRED, Mr. SCHNEIDER, Mr. CISNEROS, Mr. GRIJALVA, and Mrs. LURIA.

H. Res. 907: Mr. BARNH, Mr. CRENSHAW, Mr. ARMSTRONG, Mr. AUSTIN SCOTT of Georgia, Mr. STEUBE, Mr. BUDD, Mrs. HARTZLER, Mr. GIBBS, Mr. RICE of South Carolina, Mr. HARRIS, Mr. SPANO, Mrs. WAGNER, Mr. HICK of Georgia, and Mr. WRIGHT.
The Senate met at 12 noon and was called to order by the President pro tempore (Mr. GRASSLEY).

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PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our Father, we lift up our hearts in prayer because we trust in You. Lord, we know well the weakness and the insecurity of our hold upon this life. Comfort those who have lost loved ones during this global health crisis. When we wrestle with sad memories of mortal loss, give us the glorious hope of life eternal.

Lord, provide our lawmakers with the confidence that Your all-sufficient grace and power will enable them to become more than conquerors during this time of trouble. Remind them that no one who trusts in You will ultimately be disgraced.

Mighty God, our forebears trusted in You, and You delivered them. Be not far from us, for You are the source of our hope.

We pray in Your great Name. Amen.

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PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak in morning business for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

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CORONAVIRUS

Mr. GRASSLEY. Mr. President, as the chairman of the Finance Committee and the head of the Tax Task Force, I want to highlight a few areas of the bipartisan economic relief bill we will be voting on today.

Recovery checks to give Americans needed cash to provide for their families and get through our current health crisis look like this: $1,200 for individuals, $2,400 for married couples, and $500 for each child. There is no minimum, no phase-in. It starts out at the lowest level.

Anyone with a Social Security number who is not a dependent of anyone else should be eligible for a check under the income caps.

We also have very strong unemployment compensation additions to the present program in this bill. We also have incentives to help charities because they play a very important role in this recovery.

My colleagues across the aisle said last week that the business tax issues were corporate bailouts. That couldn’t be further from the truth, and I think my Democratic colleagues now agree. This is about helping our workers keep their jobs.

Our economic relief package to recover this economy has provisions to help businesses so that they have the cash to keep the doors open and keep making payroll. We all worked hard, along with the administration, to get this job done.

Now it is time to vote on this bill and deliver relief for the American people and to recover this economy—get the strong economy back that we had.

I yield the floor.

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RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

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CORONAVIRUS

Mr. McCONNELL. Mr. President, it has only been 65 days since the first American tested positive with the new coronavirus on our soil. In barely 2 months, this pandemic has upended our Nation. As of this morning, more than 175 million Americans have been advised to remain in their homes. More than half of our people are effectively sheltering in place.

Hospitals in major cities are pushing capacity. Doctors and nurses are exhausting crucial supplies.

And, if it were not enough for America to fight to stay healthy, they are also fighting to keep their paychecks, to keep supporting their families. Combating this disease has forced our country to put huge parts of our national life on pause and triggered layoffs at a breathtaking pace.

This strange new reality has forced our Nation onto something like a wartime footing. A fight has arrived at our shores. We did not seek it. We did not want it. But, now, we are going to win it.

Ten days ago, I laid out four urgent priorities for new Senate legislation to help our Nation through this crisis. We had to get direct—direct—financial assistance to the American people. We had to get historic aid to small businesses to keep paychecks flowing, stabilize key industries to prevent mass layoffs, and, of course, flood more resources into the frontline healthcare battle itself.

One week ago, Senate Republicans laid down an initial proposal that tackled each—each—of these emergency missions. Our Members put forward a bold plan to send cash to households, stand up historic emergency loans for Main Street, stabilize key sectors, and put the full might of Congress behind our doctors, nurses, hospitals, healthcare providers, and the race for treatments and vaccines.

I couldn’t be more proud of our colleagues. Our Nation needed us to go big and go fast, and they did. The creative policies our chairmen crafted in just a couple of days’ time remain the central

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*This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.*
building blocks of the proposal we will pass today.

But Republicans knew the Nation had no time—no time—for conventional political gamesmanship, so the instant we released our first draft, I created a series of bipartisan working groups. I asked Republicans and Democrats to work together around the clock—literally, around the clock—to make the bill even better.

By Sunday, we had an updated proposal. We worked to strengthen and rework unemployment insurance during this crisis. We have worked together to make sure lower income families could receive the full cash assistance, and on and on.

I will leave it to others to compare the bipartisan Sunday bill to the final version we will pass today and determine who made the last few changes really required or merited 3 days of delay—3 days of delay—in the face of this worsening crisis. But that Washington drama does not matter anymore. The Senate is going to stand together, and pass this historic relief package today.

Struggling Americans are going to go to their mailboxes and find four-figure checks to help with their bills. Why? Because the Senate stepped up.

Many families who have poured everything into a restaurant or a shop or a small manufacturer are going to keep making payroll and keep their businesses alive because this Senate stepped up.

Hundreds of thousands of workers in key sectors who might well have been laid off through no fault of their own will, instead, get to keep their job and continue their career because this Senate stepped up.

And for the healthcare heroes who leave their own sleeping children and drive to the hospital for an all-night shift, who spend hour after hour healing the sick, comforting strangers, and literally battling this disease, there will be more masks in their supply closet, more funding for their hospitals, and, soon, more new treatments to administer to their patients because this Senate stepped up.

So, today, the Senate will act to help the people of this country weather this storm. Nobody thinks legislation can end this. We cannot outlaw the virus.

No economic policy could fully end the hardship so long as the public health requires that we put so much of our Nation’s commerce on ice. This is not even a stimulus package. It is emergency relief—emergency relief. That is what this is.

No, this fight is not going to be won or lost in Washington. It is the American people who will beat this virus. Americans will keep making sacrifices to slow down the spread. Americans will keep pitching in and looking after each other. Americans will keep finding creative ways to stand united, even if they have to stand 6 feet apart.

We will win this fight because of people like Amy Jean Tyler, a stay-at-home mom in Oldham County, KY, who is leading a drive to sew cotton masks for a local charity.

We will win this fight because of people like Pastor Grant Hasty in Stearns, KY, who is gathering volunteers to distribute more than 550 home-cooked meals.

We will win this fight because of people like Peg Hays, who runs a distillery in Christian County, KY, and is temporarily converting her bourbon-making facilities to churn out hand sanitizer.

We will win this fight because national companies are switching production lines to make medical supplies because our largest high-tech companies are partnering with the government to throw supercomputing power right into the race for vaccines.

We will win this fight because of families, neighbors, and church communities that cannot even worship together in person and because of small businesses, big businesses, public health Ph.D.s, and local entrepreneurs.

It has been 18 years since every American was united in amazement and prayer as firefighters and first responders rushed into burning buildings on September 11, 2001.

In the coming days and weeks, our Nation is going to meet new heroes. More firefighters, more paramedics, and EMTs once again. Many others will be truck drivers, grocery store clerks, and pharmacists, who literally keep our supply chains running; utility workers and delivery drivers, who leave their homes so everyone else can remain in theirs; teachers, who somehow manage to keep educating their students over the internet while looking after their own kids at the very same time. And, most of all, we are going to meet a whole lot of American heroes who wear scrubs and masks and gloves—heroes who rush toward the sick and wash their hands until they bleed and work around the clock to heal our friends and our families.

When our Nation comes through this and takes flight again on the other side, it will be because American heroes won this fight. All the Senate can do is to give them the resources to do it, and that is exactly what we are going to do today.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provision of rule XXII, the cloture motion with respect to the motion to proceed to H.R. 748 occur at a time to be determined by the majority leader in consultation with the Democratic leader during today’s session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the record call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

MIDDLE CLASS HEALTH BENEFITS

TAX REPEAL ACT OF 2019—Motion to Proceed—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 748, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 748) to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, America has never seen anything like this before. To think that half of the people who live in the United States are under shelter in order to either stay home or at least avoid contact with others is unheard of. This is an enemy—this virus—the likes of which we have never faced.

As strong and determined as our Nation is when it comes to these challenges, this is unique, and it calls for unique leadership. There are a lot of critics of the U.S. Congress—for good reason—but I think what we have demonstrated in the last several weeks since we have addressed this coronavirus is that there is a capacity for common sense, bipartisan work, and a timeliness that is essential.

The first two measures were passed in record time—one for $8 billion, which opened the door for more medical resources; the second, for $100 billion, which tried to guarantee to people they would never have to pay to be tested for coronavirus, that there would be adequate food supplies during this calamitous time, that we would have resources sent to the States for Medicaid reimbursement at new levels, that we would also engage people with family leave, as necessary, so that they could stay out of the workplace if they

CONCLUSION OF MORNING BUSINESS
felt badly, and that we would also have
an idea that we would come together as
a nation to move unemployment insur-
ice even further in the United States. It
says to those who are anxiously ex-
panding their resources, expanding the
number of beds, bringing in retired
medical personnel—as the Governor
from Illinois, J.B. Pritzker, is doing—
and providing them the resources to go to work to
fight this challenge we face at every
corner of the United States.

The second thing that we set out to
do when the President on Sunday
was to expand the opportunity for
unemployment insurance. Some have
criticized us on the floor and said:
Don't get into structural changes.
Well, you couldn't expand unemploy-
ment insurance without getting into a
structural change because the system,
which affects only a small percentage
of Americans, is not adequate in most
cases to keep a family together. If you
lose your job and try to live on that
People lose their homes over that and
their cars. They can't pay their utility
bills.

So what we have done has been de-
scribed as putting unemployment bene-
deficits on the floor and said:
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bills.

The first is the investment on the med-
side to stop the onslaught. Second
is the support for families and workers
across America.

There are some items that are still
being debated on the floor here. You
heard it in the early statements by the
majority leader, and they relate to the
benefits to be given to businesses in
order to keep them moving forward.

We all understand the aviation indus-
try, at the heart of America's econ-
economy—an engine to move it, in one
respect, and a reflection of its activity
in another respect. That aviation in-
dustry is flat on its back. Some 80 to 90
percent of the passenger load has dis-
appeared. Hundreds of thousands of em-
ployees in the airline industry have
come to us and asked for help. We are
prepared to do that, and it is part of
the package that will come before us.

The administration also asked for re-
sources to be loaned to certain busi-
nesses that need a helping hand. I am
not opposed to that. Some are, but I
am not. Yet I do believe that account-
ability and transparency are essential.

Since Sunday, we have dramatically
changed this package so that there will
be transparency and accountability on
a timely basis as decisions are made by
this administration to allocate these
taxpayer funds to help these com-
pany's continue to function. It is a lesson
in the past when benefits were given to
corporations, and they were misused
for stock buybacks and dividends and profiteering at a time of great national
need. We don't want to repeat that
story. We want to make certain that
the taxpayer dollars being invested in
these corporations are really designed
to get them back on their feet and the
economy moving forward for the ben-
et of everyone who lives in this coun-
ty. Accountability and transparency are essential, and I believe this new
agreement—some 3 days after the
original one was proposed—is an im-
provement.

Credit should be given to both sides
for the support that Mr. Schumer and
the Republican senators—Senators
have come forward and asked: Are you
going to help us? We are spending a lot
of money because of this COVID–19.

This bill does it. It was not an easy
task. We had to convince the other side
that it was money well spent, and I am
happy to report that, on a bipartisan
basis, reached that agreement. As it
should, some $150 million will be going
to these State and local governments.

Those are things that I believe will
move us down the path toward resolv-
ing this challenge and doing it in the proper way—always keeping in mind that the welfare of
workers and their families is of para-
mount concern.

First is the investment on the med-
side to stop the onslaught. Second
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these ideas were essential, and that is why we voted as we did on the floor. Yet to reach this agreement and bring it forward, it took both sides.

I salute my colleagues, starting, of course, with the Democratic leader, Senator Schumer. He has put in some hard hours. I can't tell you how many times I stepped into his office, and Michelle, his assistant, told me he was in with Secretary Mnuchin. They spent days together—going until 12 midnight and starting in the morning—to try to reach an agreement, which I believe we finally have done—finally. There are just a few little items left, but I don't think they will hold us up. So to Senator Schumer and his staff, to all of my colleagues, and to the ranking members who pitched in with their committees of jurisdiction to try to come up with good ideas and to sell them in a bipartisan agreement, that was an exceptional job.

I give special credit, too, to the staff—to my own and to those of the others—who have come to work in this dangerous moment. We are being told to stay home, to telework from home when we can and when you can't, in some cases, you can't. Those who have shown up at the Capitol, including the staff who is here today on the floor, have come at risk, and we know that—risk to their own health and the health of their family members and others whom they love, as we do. So I thank them for this.

I understand that we may be gone for several weeks, and I think that it is appropriate for a national emergency that would call us back—and we will come back if that is necessary—I think we should take some time away from one another and away from the Capitol to really mind to our own health and well-being of our own families and work back home as best we can, by teleconferencing and in other ways, to let people know what we have done with this new legislation.

I hope that during this period of time, I hope my colleagues in thinking about another issue. I and Senator PORTMAN, the Republican from Ohio, have introduced legislation that at this moment in history calls for at least an inquiry into remote voting or some different approach to voting that doesn't require our physical presence on the floor in times of national emergency. It just makes sense.

The fact is, our meetings of the Senate and the House have violated the CDC guidelines that tell us not to gather in a group of 10 or more. Yet we come to the floor because we have to—because this is life and death when it comes to this legislation we are considering. But our bills and what our jobs are. We can find a better way to do this in the 21st century by using the technology that is available in so many different ways in order to have verifiable, accurate, honest voting for those who cannot or should not physically be present on the floor.

I have spoken to Dr. Elizabeth MacDonough, the Parliamentarian of the Senate, and her staff and want to engage in a conversation. What we know is that this is historic, and it really is a dramatic change from what we have done in the past, but I don't think it is unrealistic. I think it reflects the reality of where we are today with the threat that we may reflect the reality of tomorrow, which could be some different national emergency or,God forbid, some terrorist activity that keeps us away from this Capitol Building when we still have work to do.

I thank Senator PORTMAN; Senator KLOBUCHAR, who has really been one of the leaders in this effort; and Senator SCHATZ, who I know is a co-sponsor. We are now up to close to 20 co-sponsors, on a bipartisan basis, to move forward in this change in the Senate rules. I hope we can have conference calls during the time that we are physically away from the Capitol and move this idea forward.

The House is considering a bipartisan agreement, that the House and the Senate are working in this profession, I will tell you that this will be their finest hour. We are hearing about heroes all around the country, and that is going to continue as long as this crisis is in effect because that is what we are asking them to do every day—to save lives, to heal the sick, and prevent disease.

We see that with our public health officials who are working trying to prevent disease. We see it in communities. Day and night, we see people working to save the sick and to save lives in the hospitals. What they are asking from us are for resources, and that is now going to be provided in the bill that we are going to pass today that will hopefully soon be on the President's desk.

We are also surging dollars to individuals, to families, to businesses, and to distressed parts of our economy—different aspects. It is $1,200 per child—take a look at that—and $500 billion in bridge loans and grants to small and medium-sized businesses.

We are providing unemployment insurance to workers—who were working and were told to work the next day but were not able to because of the medical crisis affecting us. So this will be to make sure that workers who are not able to work right now are not made whole.

We held the line against so many of the ideological issues that the Democrats and specifically the Speaker of the House tried to put into this legislation. We made it clear that lives were at stake. Those are debates for another day. The crisis is upon us, and the rescue work needs to be done.

I believe time was wasted. We should have passed this last Sunday. Time was wasted, and it was time the American people didn’t have, but we are working on this action plan today.

Pass the Senate bill today to stabilize American jobs and to surge healthcare resources to the frontlines. The House cannot delay. The House needs to get this passed today and send it to the President of the United States for his signature today. America should not wake up tomorrow and have to watch and wait and worry to see if the House is going to pass this bill. The House needs to act today. The American people need that reassurance today.

Everyone—families, young people—has committed to slowing the spread for the remainder of the 15-day window. There is about a week longer to go. And people are doing it all around the country. People are going to continue to ramp up the manufacturing of medical equipment—masks, ventilators, respirators, tests—to save lives. People are going to keep cutting reitape and pressing on scientific and medical breakthroughs for treatments and vaccines.

Going forward—and I see the minority leader on the floor—we need to take
a long, hard look at our supply chain. China has been exposed. We cannot allow ourselves ever again to be in any way dependent on China for medicines, for materials, or for minerals. My focus, along with what I know to be the President’s focus is to bring America back stronger than ever before. We are a strong and resilient nation. We will get through this. Our country’s healthcare infrastructure and our economic resolve are today being tested. We will defeat the virus, and we will be back stronger than ever. I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I come to the floor to thank my colleagues for all of their hard work on this legislation and to urge my colleagues to move forward today because the State of Washington desperately needs this help.

When I think about this package that has been crafted literally since Saturday starting at about 10 o’clock and when I think about the people who had run to collaborate—yes, there were many challenges to that collaboration—I also think about the people who are coping with the economic consequences of this virus in Washington who have paid such a heavy price—from the factory worker we just lost in Everett, WA, to the COVID-19 disease; to the grocer at the Leschi Market, who was just trying to help deliver groceries to a needing public; to the pathologist at the University of Washington who was a leader in this field but who also lost his life. Real sacrifice and real, crushing blows have been dealt since December.

But today we are responding with more help for our States. We are giving them more money for hospitals, more money for the frontline with protective gear, more money for testing, and more money to support them as they continue the effort to try to stop this disease.

It is so important that we give State and local governments and Tribes the resources they need to be on the frontlines in fighting this disease, and I thank our Governor, Governor Inslee, for leading that charge every single day in trying to focus our response on this disease.

Because we were the site of the first COVID-19 case, we have been at this since the beginning and the sadness we have all felt over the Kirkland nursing home, where we lost so many patients, we hope will be a lesson for the rest of the Nation to pay attention to the seriousness of this virus.

We are also here today, though—besides giving the frontline support to States, to cities, to counties, and to our healthcare delivery system—to say that we want to try to lessen the economic impacts of a shelter-in-place or social distancing.

Our restaurants, small businesses, have been hit hard. Our restaurants, our other businesses that have shut down, that don’t have the same resources to come to Washington, DC, and to lobby for aid and support, are counting on us to create a program that small businesses can get both grants and loans. So the $360 billion in this program I hope SBA will help disperse to small businesses that have complied and have done their best to keep their employees while also shutting down their business.

We also know that the unemploy-ment benefits in this package, which will be for a month, will be a boost for people who are unemployed, and the expansion of that definition to cover those who are part of a gig economy who may not have been covered in the past is important to give people the security to make it through this process.

I wish we would have come to terms on even allowing for COBRA enhancements, particularly for the aerospace sector. I will be filing a bill today to make sure that as we continue to move through this crisis, we think about those who are going to have a shift—are laid off, as we have seen in recent days in Everett, WA—so that they, too, will have beyond just the month of a COBRA health plan. It is so important in fighting this disease that we not only take care of unemployment benefits, but we also must ensure people in unemployment have access to healthcare. I also thank my colleagues for other provisions of this package that are helping in giving individual taxpayers relief in the form of a rebate check.

Not only will individuals get a rebate check of $1,200, but families will get a rebate check of $2,400 that should help those who have been hit hardest by this disease in these days in which we are sheltering in place in the State of Washington.

There are so many more things we need to do, and while I support the elements of supporting the aviation industry in this bill, which would have gotten more requirements on the airline industries for the grant section of this bill. I personally believe that in the future in a healthier airline industry, they should pay money back to the Federal Government.

We certainly should be protecting the workforce during this time period, and that is what is most important—to make sure that an airline doesn’t take money from the Federal Government or from Washington and shortchange the workers and the workforce, as has been done in previous packages for them.

I fully support, though, the loan guarantee program and the loan guarantees that are so important and so qualified in this package to have very specific requirements to them.

I also want to thank my colleagues from the Banking Committee who worked hard on provisions in this legislation to make sure there was more transparency in the process for who got access to the loans in this package.

While we think of the processes we have been through before on TARP and the processes we have been through before on other lending, our colleagues here on this side of the aisle made sure that there were better requirements for oversight, inspector generals’ accountability, more resources; so that we knew exactly where these dollars were being spent.

I know Treasury will have its hands full, but because of Democrats, we will have more transparency in exactly how these dollars get spent.

So I want to thank Leader SCHUMER and his staff for working so diligently on this package. It has been a very hectic couple of days.

And I would say a special thanks to the Commerce Committee staff, to David Strickland, Melissa Porter, David Martin, Ronce Almond, who literally have been camped out for—probably since last Saturday, working and perfecting the language in these sections related to aviation.

As I said, there is more work to do, and we all know there is more work to do. I know I want to continue the fight for the aviation supply chain, to make sure that when we come out of this cri- sis, as much as we can, we get back to building the supply chain around the globe, the United States is well positioned to return the supply chain workforce to building one of America’s best products—airplanes. One of America’s greatest—actually, America’s single greatest industry. We know we need to do that, we are going to have to get through this crisis and protect what we think needs to be continued healthcare access for those laid-off workers.

So let’s get these dollars to the frontline, to our hospitals, to our States, for better equipment, for more supplies. Let’s support them in doing what they do best, helping to fight this disease and seeing this through to the other side of America’s challenge.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I want to thank the Senator from Washington for her hard and diligent work. No one—no one—fought harder for the State of Washington, which, like my State of New York, is in such crisis, than the two Senators from Washington, and I thank Senator CANTWELL for her great work up and down the line. Whether it’s getting resources to the companies, the people of Washington State, she was there.

Now, I say to the American people: Help is on the way—big help, quick help. I say to the American people: Because Democrats insist on making this bill better, we can now call it a bill that puts workers first, not corporations; that has a Marshall plan for hospitals; and that has accountability, transparency, and watchdogs over much of the lending that is in this bill.

Now, in 6 days of shuttle diplomacy and here, in these mostly now-empty corridors, we have shaped a bipartisan agreement...
agreement on the largest rescue package in American history, which was sealed last night a few minutes after 1 in the morning, when Leader McCONNELL and I came to the floor to announce we had an agreement.

It is a moment of celebration but, rather, one of necessity. Facing an unprecedented crisis, it was the duty of the Senate to produce bipartisan legislation to send an immediate infusion of resources to our public health systems, State and local governments, small businesses, and American workers.

As I said, from the start, Democrats had two main goals: a Marshall Plan for public health workers and hospitals on the frontline and putting workers first, not corporations.

Had we not asked for the Republican Party to recognize us by not going forward on these first two votes, this bill would have been much worse. Our actions made it much better—not everything we wanted but much, much better. And as a result, this legislation was worth taking an extra day or two, improving it after the Republican leader just put it down without consulting us and tried to say take it or leave it.

Like all compromises, this bill is far from perfect, but we believe the legislation has improved sufficiently to warrant its quick consideration and passage. Because many Democrats and Republicans were willing to do the serious and hard work, the bill is much better than when we started, and starting yesterday morning, we all came together to get this bill done. We worked in a bipartisan way, as this body should have worked and should work, and here we are.

Once the language is ready, Democrats are ready to speed up the consideration of the bill as much as possible. We believe the legislation has been improved sufficiently to warrant its quick consideration and passage. I expect the Senate can get the job done in the next few hours.

Now, the American people watching should know what is in this bill, which has undergone many revisions over the past 48 hours.

First, urgent help for the American medical system is now underway. This agreement will inject $150 billion into our hospitals and health system, headlined by a new $100 billion fund to provide our health system with whatever it needs to fight back. The grants in that fund will be available to everyone who is fighting coronavirus—hospitals, nursing homes, community health centers, and all types of Medicare providers and safety net providers.

It includes funding for personal protective equipment, testing supplies, a surge in our healthcare workforce, additional Medicare funding, research into coronavirus treatments and more. The funding will literally be a lifeline as the number of COVID-19 cases continues to climb. So as I said, a Marshall Plan for the American medical system is now underway.

Second, workers first. Millions of workers, through no fault of their own, are losing paychecks, with no way to cover their daily expenses and monthly bills. Coming to their rescue is a program designed to literally boost unemployment insurance. We call it unemployment insurance on steroids.

The agreement increases the maximum unemployment benefit by $600 per week and ensures that laid-off workers, on average, will receive their full pay for 4 months. These benefits will be much easier to access and will be expanded to include part-time, self-employed, freelancers, and gig economy workers.

And the new program has a second—the first job of this program: Get money into the pockets of people who are losing their jobs through no fault of their own, and it will come quickly and generously. But it has a second purpose. It will also allow companies to furlough workers so that they can stay on as employees, so when, God willing, this crisis abates, they can quickly resume work with their employer and businesses can reassemble.

When this crisis is over, we don’t want every worker who is losing their job to scatter to the winds, and so many good businesses, through no fault of their own. By keeping them on furlough, paying them, the businesses can reassemble quickly.

This proposal, unemployment insurance on steroids, will be the greatest expansion of unemployment benefits in decades—a social safety net wide enough to catch the millions of American workers who became unemployed virtually overnight, woven with fiber strong enough to hold them through the worst of this crisis.

As I said, we are going to pass unemployment insurance on steroids.

Third, oversight, transparency, and accountability of all loans made to corporations. The Republican bill initially put the focus on rescuing industry and did not do enough to protect the hundreds upon hundreds of thousands of workers those industries employ. But as a result of our negotiations, Democrats have secured crucial worker protections throughout the bill as conditions to funding will literally and literally literally, including incentives for businesses to keep workers on the payroll during the crisis.

For the nearly 2 million airline employees, Democrats have also secured direct payroll payments to keep you on the job. Your collective bargaining rights will be protected, and airlines will not be allowed to spend any grant money on stock buybacks or CEO bonus pay for the life of the grant plus 1 year.

Democrats also secured tough new requirements on Federal grants and loans to any industry: no stock buybacks for the life of the loan provided by the Treasury, plus 1 additional year; restrictions on any increases to executive compensation; a requirement to protect collective bargaining agreements; Democrats secured a prohibition on any Trump Organization business or any business controlled by any other government leaders from receiving a loan from this bill.

We compelled the creation of Treasury Department Special Inspector for General Accountability and Transparency, loans and investments, an accountability committee to protect taxpayer dollars, and a congressional oversight Commission as well.

There will be much needed transparency in those requirements as well. The Treasury Secretary must, by law, make public quickly the names and terms of loans or other assistance to corporate borrowers. I believe it was Justice Brandeis, who said: Sunlight is the best disinfectant. If all these loans look untoward, if any of these loans don't look right, or if any of these loans are going where they shouldn't be going, the Congress and government will know quickly, and that will put pressure on the Treasury Secretary not to do them and certainly not to repeat them.

Fourth, resources for State, local, and Tribal governments that are carrying the weight of their overburdened networks of schools is there. This came down to the wire. My Republican friends didn't want to do it, but I am glad they acceded to our wishes here because local governments are hurting. They are spending more money than they have ever spent and at the same time their tax revenues have declined. So we must help our local governments, and we will in this legislation. It will be distributed between both the local governments, and the government will know.

In the end, State and local governments will now get $150 billion, with $8 billion set aside for Tribal governments. The relief is desperately needed because State revenues have dried up almost overnight, leaving them with untenable choices about how to allocate their healthcare and other resources.

Fifth, urgent help for small businesses. My dad was a small businessman, an exterminator. He used to pace the floor Sunday nights at 2 a.m. because he didn't want to go to work. I know small businesspeople suffer under normal times, let alone these difficult times. This bill offers $350 billion in
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Secretary Mnuchin, Eric Ueland, Mark Meadows, and their staffs, who have spent their day in my office than they care to admit, thank you.

To my staff, I am blessed with the greatest staff a Senator could have. They are so dedicated to the public good. They are so dedicated to this country. You have seen them working. Gerry Pettigrew and Meghan Taira have a little baby at home. Both of them have important roles in my staff. They met here. They got married. They are still here. They worked day in and day out—but so was everybody else—so was everybody else. I want to thank my staff. If the American people saw the work you did, they would be so proud. So thank you from the bottom of my heart.

Our colleagues and their staffs have committed themselves in this way because they understand the sacrifices being made by the American people in homes and hospitals across this great Nation: the working families who are at home missing paychecks, playing teacher and parents and caregivers all at once; the thousands of Americans who are volunteering to help understaffed medical facilities; the small business owners who are watching the labor of their lives evaporating in an instant but are still paying their workers as much as they can manage; the nurses and doctors and healthcare workers who know better than anyone the risk of contracting this disease by treating infected patients, who go to work every day working longer shifts to do God’s work anyway. To them and to all Americans, I say this: Help is on the way. Big help, quick help.

We are going to take up this bill and pass it to care for those who are now caring, who are helping carry millions of Americans through these dark times. This is certainly not the end of our work here in Congress but rather the end of the beginning. The crisis continues to deepen. There will be difficult days ahead and the worst may be yet to come and we certainly may have to come back and do further legislation, but we know right now help is on the way, and we will not stop working until we see our Nation through this time of extraordinary challenge.

I yield the floor.

The Presiding Officer. The Senator from Colorado.

Mr. GARDNER. Mr. President, it is great to be back on the floor of the U.S. Senate to perform a heavy obligation that we have before us.

On March 17, I was contacted by the Tri-County Health Department to notify me that on March 11 I had been in a meeting with a Coloradan who later tested positive for COVID-19. I wish I had been here because the vote would have been 91 to 8. Through a COVID-19 test, I tested positive for COVID-19, and at the advice of the Tri-County Health Department and the attending physician in the Capitol, I entered self-quarantine to protect my colleagues, our community, and our family. That time has now expired as of this morning.

I certainly regret the fact that I missed a vote that passed 90 to 8 to complete phase 2 of our help to address COVID-19. I wish I had been here because the vote would have been 91 to 8. Throughout this period, I have been in quarantine. I had an opportunity to visit with thousands and thousands of Coloradans through telephone townhalls in every congressional district to hear from individuals who have lost their jobs and fear from individuals who were terrified about what happens next, to hear from parents who are at home with their kids who are out of school, not knowing if they go back at all to school; how to figure out how Zoom works, how to figure out how technology works to teach their kids at home.

Throughout this process I adopted a three-pronged approach to what we must do as a country to get through the crisis at hand. No. 1, we have to address the immediate economic: what we are doing to, as the experts say, “flatten the curve” to stop the spread; to provide the resources, the tests, the protective equipment that we need through our States to make sure that they can fight this invisible virus; what we can be doing to give them the tools and the skills they need for the heroic efforts of our frontline healthcare providers—the doctors, nurses, clerical staff, janitors, classified workers—all of the people who have been so heroic to provide healthcare to our people. That is phase 1, making sure we stop this epidemic and address the needs of the American people.

Prong 2 of this three-pronged approach is about making sure that we provide individuals with immediate assistance: people who are terrific about what happens to their job, how they are going to make ends meet, what they are going to do to put food on the table, how they are going to pay their rent, how they are going to pay their mortgage, will they have a restaurant to go back to. That is prong 2 of this approach.

Prong 3, of course, is to get our businesses up and running again to make sure that when this health epidemic is over—this health emergency is over, we can make sure we have an economy that snaps back and runs strong. We will do that because we as a country will rise together. We will do it united. We will do it because we in this country know how to overcome great challenges.

We are taking these measures to quarantine and self-isolate not because we are fearful of the virus, not because we are afraid of what will happen if we don’t, but because doing it out of love for each other. We are doing it out of love for our neighbors, community, our parents, our grandparents, and our children.
We take the guidance of health experts and public policy experts seriously because we want to share that love with people to stop the spread so that we can avoid the surge that can overwhelm our healthcare systems because we know, under the best-case scenario, we are looking at a situation that can utilize 95 percent of every hospital bed in this country for the next year. We do this out of love for each other and for our community and to protect one another.

In that now, we have roughly 1,000-plus confirmed COVID-19 patients. We have lost 12, perhaps more by the time I am giving this speech today, in Colorado. These lives, those who have tested positive, their loved ones are all in my prayers today.

The Governor of Colorado obviously is issuing the emergency declarations. I spoke with the Governor a few minutes ago to talk about how we can continue to provide the resources that Coloradans need to respond to the challenges that we have met are OK, making sure that we check in with our loved ones and those who have tested positive, their loved ones are all in my prayers today.

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Our Nation is uneasy, our future is uncertain, and the level of anxiety that our country is in is the highest I have ever seen it, but we don’t need to have uneasiness about our future because we will rise together; we will come together as a nation to overcome this.

We know that our future, the future of the world, will be prosperous again; that our economy will be thriving again; that our communities will be able to celebrate what we have overcome because that is what we do in this great Nation. We rise. We rise together. We stand together.

Coloradans have stepped up in every way possible. In a uniquely Colorado way, you have hemp businesses that are now producing cotton swabs for hospitals and for home medical needs; you have whiskey distilleries for hand sanitizers for hospitals and for home healthcare; we have protective equipment that is being donated by the Denver Broncos and by the marijuana industry and by so many other businesses across the State of Colorado which are stepping up in ways that make all of us proud. They are checking on their neighbors. They are checking on their friends. They are making sure that elder people in their church whom they have met are OK, making sure that we check with our loved ones and those around us.

We have been able to get successful tests up and running in different places across Colorado, helping different organizations and different healthcare facilities find new ways to process this overwhelming burden.

As this place has passed phase 1, which gave millions of dollars to the State of Colorado and so many States around the country, and as we passed phase 2, which prepared additional testing and nutrition programs and other ways to meet this challenge, we now turn to phase 3.

Phase 3 addresses all three prongs of my approach and addresses the health emergency. It addresses assistance to individuals, and it addresses the ability of our economy and businesses to snap back when we address this health emergency. It needs to pass now. It should have passed days ago.

I don’t think the American people give a hoot whether this idea was a Republican idea or a Democratic idea. I can tell you that on my tele-townhalls I did a survey and I have in the past. I have had with American people around the State of Colorado, they haven’t once said to me, “Well, we hope the Republican-only version passes.” Or, “We hope the Democratic-only version passes.” That is not what they are saying. They are saying, “Do your doggone job because we are scared about what happens next.”

So pass the relief that we need to get them back on their feet, to make sure they know they are going to be able to have their rent paid. And I can’t imagine what somebody who for 50 years built a small business must be going through every hour we delay, wondering if that 50-year dream is going to stand and survive.

Sharon came to me around here who said, “You know what, let’s have 1 more day of delay, 1 more hour of delay” because a Republican could get their way or a Democrat could get their way. When I was at home, not during this disease, I could at least say you still a little bit more for partisan purposes?

The American people are rising above the fray. They are meeting this challenge in the spirit that I hear in every conversation I have. They are donating blood. They are sharing that love I talked about with their neighbors and their communities. They are figuring out new ways to be together even when we are supposed to stand apart. That is how we will win this disease. And we are bickering about phase 3.

We will have phase 4 and phase 5, but do you know what we have done? Instead of patting ourselves on the back, do you know what we have done? We have managed to get back, I hope, to the starting line. We didn’t run through the tape. We haven’t finished the job. We have made it, I hope, to a place where we can now know we are back at the line and we can run together to put what will be tremendous needs and to address the tremendous needs of this country and to answer the anxiety every single one of our constituents has. That is what Congress should do. That is what Congress must do. I am glad and I will be proud to vote for this bill today because we have to get this job done, and there is more work to do.

We have to make sure people understand that the recovery benefits they are going to be receiving will help and sustain them, to hopefully give them hope, and that the new categories of unemployment insurance that have been created under this will also give them the ability to know it is going to be OK, to know that the small business loans that are being made available will help that restaurant stay in business.

You know, I talked to Eve in Aurora, and she didn’t know how she was going to survive because, yes, she converted her whole business to takeout, but she didn’t know how successful that would be.

To Roberta in Pueblo, who had the same questions about how her restaurant was going to survive, this small business loan will be able to help people pay payroll, to bring those back onto payroll whom they may have let go because they didn’t know how they were going to make ends meet, to pay them, to pay their utilities, to pay their rent, to pay their mortgages, and to have that loan forgiven to keep this economy in a place where it will be vibrant again because that is what we do in this country. We don’t look back; we look ahead. And I look up at that great Rocky Mountain horizon, and we don’t look down. We look up, and we see the next horizon, and we strive for that optimistic next day. That is what we do in Colorado, and I know this country can do that.

You know, I talked to a 70-year-old Coloradan in Weld County, CO, who, on a tele-townhall—you could hear it in her voice. She didn’t know what she was supposed to do because she was supposed to be being sheltered. And she came to me and said, “Do your doggone job because we want to share that anxiety, to hopefully give them hope, and that the new categories of unemployment insurance that have been created under this will also give them the ability to know it is going to be OK, to know that the small business loans that are being made available will help that restaurant stay in business.”

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The Senate will approve this bill today, and the House must approve it today. It addresses assistance to the unemployed. It is important to recognize in this country that we have seen great challenges. I remember my grandmother, who passed away this past year, talking about her experiences in the Great Depression. This country has been through the Great Depression. We have been through this recession. We will make it through the great infection. That is what we do as a country. That is who we are as a people.

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I have heard so many of my colleagues come together and talk about wartime footing, or they have talked about how we have mobilized in a way that maybe the people have never seen in their lifetimes. It has reminded me, though, of what Thomas Paine said in "The Crisis." During our Revolution, which, actually, George Washington read to his troops. Here is what Thomas Paine said:

I call not upon a few but upon all; not on this state or that state, but on every state; up and down our country, from sea to sea; better have too much force than too little, when so great an object is at stake.

Let us look forward to the future world, that in the depth of winter, nothing but hope and virtue could survive, that the city and the country, alarmed at one common danger, came forth to meet and repulse it.

We were taught in Sunday school that our struggles lead to perseverance, that perseverance leads to character, and that character gives us hope. We will get through this, America. We will start with this bill. We have a lot more work to do, but to my colleagues: Do our jobs. Get it done. No excuses.

I suggest the absence of a quorum.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. LOEFFLER) Without objection, it is so ordered.

Mr. CARDIN. Madam President, the people in this Nation are hurting. We know that. They are very concerned about their own health. They are worried that they may be carrying the virus and may take it home to their elderly parents, who could come down with the virus. They are worried about how long this social distancing and coming home and staying at home are going to be required in order to control the spread of the virus. They are worried about their economic circumstances, whether they are going to get a paycheck.

I am pleased that, today, we have an agreement with our leaders to move forward on the third stimulus package to deal with this crisis of COVID-19.

I, first, want to express my appreciation to our leadership. I have been in daily, almost hourly communication with Senator SCHUMER, and I know how hard he has worked to make sure that this package really deals with the medical emergency we have and deals with the workers, to make sure they are protected and they are protected in whatever we do; that it provides the help for State and local governments; that it provides the much needed attention to these particular issues; and that we have accountability for any of the monies that are going particularly to our largest companies in this country.

So I want to express my appreciation. I am very pleased that our first priority—our very first priority—is to deal with the public health challenge. This is including what is happening in my State of Maryland and what is happening in every State in our Nation.

I am pleased that in our State it is "Team Maryland" that is leading the way, with Governor Hogan and his cabinet and, as I understand it, with the leadership of our State legislature. And we are working closely with our county executives and our mayors and our private sector to do everything we can to protect the public health of the people of our State.

We have done what we can locally to make sure that testing is available so we understand the dimensions of this problem, and the Governor has taken extraordinary steps in order to increase our medical capacity in the likelihood that we are going to see a significantly increased number of those people that have the coronavirus.

Yes, we need to stay at home unless there is an urgent reason for us to go outside. And, asked by my friends why don’t we do as much as we can in the U.S. Senate remotely. I think we should, including voting. So we need to distance ourselves and minimize social contact in order to prevent the spread of this virus, and we would be happy to test our medical capacity to handle it.

So I was pleased that the third supplemental—the agreement that has been reached that we will vote on, hopefully, today—does have a surge in our medical capacity to handle this problem, and the Governor has taken extraordinary steps in order to do the work. We know that we are going to see a likelihood that we are going to see a surge in hospital reimbursement rates.

I thank Senator GRASSLEY and Senator WYDEN for including in that provision a unique clause for the Maryland hospitals so that they can be qualified for this. As I think some of you know, Maryland has an all-payer rate structure, and we had to make sure that these provisions would apply in Maryland. I thank them for their attention to that detail.

There is also money in here for our hospitals to be ready for preparedness, which I think is extremely important. And, of course, additional appropriation for our community health centers and our federally qualified health clinics. That is critically important there. They are being stressed as the needs are increasing and as the cost of treatment is increasing.

We need to replenish the national stockpile. We know the concerns for protective gear. We know that. We know that ventilators and respirators are in short supply. We have to make sure these things have adequate replenishment of what has been taken out of our national stockpile and available now to deal with the surge that is coming under any scenario, so that our healthcare workers have the protective gear that they need and our patients have the medical facilities and the respirators that they need.

We have also plussed up the work being done to deal with the development of a vaccine and, please, that NIAID and NCI in particular are getting the monies they need in order to do the work. We know that we are not going to have a vaccine in time this year, but we want to make sure that we get it as soon as possible and that it is on a fast track. These funds will help us develop that vaccine for the future needs of controlling this type of a virus.

But, in the meantime, we are also putting resources into therapeutic drugs—drugs that could help people who are sick today. Those drugs are not yet available, but we want to make sure we do everything we can to make them available as soon as possible.

FEMA, or the Federal Emergency Management Agency, has ramped up substantially in this bill and for good reason. That brings me to the point that is a major improvement that has been brought to this legislation to help our State and local governments. They are the frontlines of providing these public health needs and we need to provide them the resources they need. So FEMA needs to be properly appropriated. We have the money in here to help FEMA, but we also need direct help for our local governments to deal with this problem. We see that our State and local public health officers are getting extra money for better reporting, so that we know exactly what the status is in each of our communities. All of that is important for our Marshall Plan to control this disease and to get it under control.

But I wanted to take this time to talk about a matter that I was working on for small business, and I mention that, recognizing that we have to get our economy back on track. The best way to get our economy back on track is to get this virus controlled, enable people to be able to get out, to work, to buy, and to participate in our economy. That is the best thing we can do. But this package also recognizes that to get our economy back on track, we are not going to be prepared for our State and local governments to deal with this crisis.

So my role as the senior Democrat on the Small Business Committee, working with Senator RUSKIN, the chairman of that committee, was to make sure that we had a robust provision to preserve the growth engine and innovation engine of our economy, and that is small businesses. There is more job growth and there is more innovation for small companies. We need to preserve the ability of small companies to get through this time.

Quite frankly, they don’t have the same deep pockets that large companies have. They don’t have the same availability of credit that large companies have. They don’t have the same
banking arrangements that large companies have. They don't have the flexibility that large companies have. So we have to provide special attention to small businesses, and this package does that in a very, very robust way.

I already mentioned Senator RUBIO. I thank him for his leadership. The two of us were working together well before this week, and that is why we were probably further along in helping small businesses than the other parts of this package dealing with the various economic sectors.

Senator SHAHEEN was a valuable Member of our team. I have worked with Senator SHAHEEN on small business issues for a long time. She was a key player in putting together the package that we have to present to our colleagues here in the U.S. Senate.

I also want to acknowledge Senator COLLINS.

It was the four of us who were meeting regularly and communicating regularly and had recommended this package that we will shortly be voting on as it relates to small business.

Also, if I could, I would like to acknowledge members of my own staff who have worked literally 24/7. I have talked to them at various times during the night and day. It has been very stressful for all of us, but our staffs get no rest whatsoever.

So to Sean Moore and the entire staff on the Democratic side of the Small Business Committee, thank you on behalf of America's small businesses and workers and on behalf of our country.

And to Ron Storhaug on my staff, who has been working on a lot of these provisions in regard to the tax issues and in regard to a lot of these issues, I thank him for all of his work.

And to Lauren Lee, who is our health person, who has not only helped us put together this small business package, but she has been available to help Maryland health providers and patients to try to get through where we are today. All of that is reflected in the bill we will be voting on later.

I know on the Republican side, there has been dedicated staff who have done equal work to ensure that we have a bill that we can present today.

Let me go over, if I might, some of the provisions we have in here for small businesses. We have three new programs—three new programs—to help small businesses in our community. They will have different titles, but every one of them provides grants and help to small businesses. We want to repeat that. You might hear this is a loan. No, these are going to be funds that go to small businesses that do not have to be repaid. These are grant monies.

Why? Because a small business owner can't incur more debt today when they have no idea how they are going to be able to survive in the future. We have to provide immediate help. It has to be substantial, and it has to be in a way that they know that they are not encumbering their future. And that is what we do. We want to get the message out that this is going to be immediate help to help America's small businesses.

One program provides $350 billion of relief to small companies under 500 employees—$350 billion. It is triggered by businesses applying for a forgivable loan and getting what is known as a 7(a) loan. But let me caution you, it is going to be forgiven if you follow the rules here. You go to a bank or a financial institution; you do a 7(a) loan; it is 100 percent guaranteed by the Federal Government, so the bank has no risk factor here. There are no payments due for a year. So, even getting into this loan, there is no obligation for cash outlays on behalf of the borrower. The fees have been waived, so this is a cost-free opportunity to get the cash you need to keep your small business open. That is the purpose of this new program under the Small Business Administration.

The amount of the loan: You take your average payroll before the coronavirus was here—you take your monthly average payroll and multiply it by 2.5. Basically, what you are getting is a maximum for your workers plus an extra—it comes out to an extra 25 percent of your payroll because it is 2 months of that.

Now, what are the eligible expenses? What can you use this for? Well, you can use the 2 months of payroll for payroll. Pay your workers. Keep them employed. It saves you the cost of re-hiring if you had to furlough or lay off workers. You can keep them employed. You can use the extra 25 percent to cover the expenses that you have on their healthcare or related expenses.

You can use the extra 25 percent for rents or mortgage payments or utility bills. So it gives you cash to conduct your business for the next 2 months. It gives you the ability to keep afloat so that you are ready to rebound when the economy rebounds.

Who is eligible? As I said, companies under 500, beyond the traditional 7(a) eligibilities. For the first time under 7(a), we are also allowing nonprofits to be able to get into this program so that they will also be able to stay afloat because we know the important work that nonprofits do for our community. They are also eligible.

And we gave some relaxation to the 500 rule for locations—for restaurants or hotels that have multiple locations. This is a program that is aimed at keeping businesses and ready small businesses—for when we get through this coronavirus. Then this amount of money that you borrow is totally forgiven—totally forgiven—if you maintain your workforce to the provoking level or bring back your workforce to the precoronavirus level during the stated period of time of this bill.

So, if you keep your workforce or bring back your workforce, the government is going to help you maintain your ability and make sure your workers get paid and their benefits are maintained.

It works very well with the other provisions that are in other parts of this bill, such as the unemployment insurance benefits. Yes, if you furlough workers, you can collect unemployment benefits at basically full salary for the next 4 months, so that is also going to be helpful.

But we want you to also know that you can keep your employees employed—there, ready for the business to rebound—as we hope it will shortly.

So that is just one program. We have other programs available. We have a new program which is labeled as a grant, a $10 billion grant program for emergency cash availability for small businesses.

There are many small businesses that have a hard time going to a bank and getting a commercial loan. There are many small businesses that need cash today; they can't wait for that process to work its way through to get that check from the Small Business Administration or to get their financial institutions. It is going to take a little bit longer for them to be able to get that done.

So we have emergency disaster relief loans in the first supplemental. We made it very clear that businesses qualify for emergency disaster relief loans if they have been adversely impacted by the coronavirus. These are direct loans coming out of the Small Business Administration. These are not loans that are from financial institutions.

We have included that in the first supplemental. We now allow you to make that application, and with that application, if you need to get cash immediately, the SBA can write you a check for up to $10,000. And we want that done within 3 days. We want that money out in days, not weeks. We hear that all the time from small businesses: We need help now.

I am pleased to work on this program. I filed legislation on it. This is a need that is out there today and will be available to small business owners.

Now, we have a third program. Those are two programs where you can get this, basically, 2-month help from the Federal Government to pay your payroll and related expenses. You can get a $10,000 immediate cash advancement on that through applying for a disaster relief loan and showing a need at this stage.

Then, there is a third program. There are many small businesses today that have existing loans under the Small Business Administration. These are 7(a) loans or 504 loans. The 7(a) is the traditional loan. The 504 are the larger loans.

What this bill does is provide $17 billion of relief so that those who have these existing loans do not need to make any payments on those loans. They are forgiven for the next 6 months.

I particularly want to acknowledge Senator COONS' work on this. This is a bill that we have been working on, and...
it is only reasonable—we are asking others to relieve debt. Let us do it for our small businesses under the 7(a) and 504 programs.

So there are a lot of provisions here that help our small businesses. I want to tell you that in addition to those three I just mentioned, I am pleased that we do have contract protection in this bill. Let me explain what that means. If you are a business and have a contract with the Federal Government—this applies to all businesses, not just small businesses, but small businesses are particularly impacted by it—but you can’t perform that government contract because you can’t get access to the facility because it is shuttered as a result of the coronavirus, this bill has the Federal Government to make sure you have adequate funds available to pay your workers so that those individuals who should have been working at the Federal facility will get paid during this period of time.

We have also provided money for the Women’s Business Centers and the Minority Business Development Agencies that are there in our community. Why? Because we have got to get the message out to small businesses about these new tools, how they can access banks to get these 7(a) loans that are forgiven—that are actually grants, how they can apply to the Small Business Administration for disaster relief loans and get a cash advancement and how they can get relief from current 7(a) and 504 loans.

So we give money to these entrepreneur service groups so that they can help women businesses and minority businesses get access.

We have also put a clear intent that the Administration for disaster relief loans will pay banks to get these 7(a) loans that are forgiven. Through some of these other programs, we are providing relief, like delaying the time of paying the employer share of the FICA taxes. You put that all together, there is a lot of help out here to keep our economy going during this crisis, with particular focus on the workers and on small businesses.

The last point I should point out, the self-employed, the gig economy, are fully covered under the small business provisions. They are fully covered under the UI provisions. We are trying to make sure that we preserve our economy; that we preserve workers and their families and their abilities to pay their bills.

I think, when you take a look at this whole package, the challenge will be to get the information out to our constituents, to these businesses, to these workers, so they know what is in this package so that they can act now because, quite frankly, people are desperate, companies are desperate.

When malls are closed, as they are in Maryland, and you are operating a small business in that mall and have no business at all, you don’t know how you are going to make your next payroll, you have to make decisions today.

That is why it is important that we vote on this bill today, we get it to the President as soon as possible, get the information out to the small businesses and to the workers and to all businesses that we are here to help keep the economy moving, to keep our economy moving; that we are in this together. We are going to get through this period of time. Our economy is going to come back.

We want you to know to take advantage of these tools so we can minimize the adverse impact of the coronavirus.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. LANKFORD. Madam President, this morning, Technical Sergeant Marshal Roberts of Oklahoma came home. It was a dignified transfer in Tulsa, OK, early this morning. There were a lot of people who wanted to be there but, because of COVID–19, could not. A lot of other folks were.

Technical Sergeant Marshal Roberts was killed in Iraq Wednesday, March 11, when his unit was engaged by direct enemy fire while they were sleeping. He was 17 miles north of Baghdad.

He was deployed by the 219th Engineering Installation Squadron, the subordinate unit of the 138th, out of Tulsa, OK. He was in the process of building communications infrastructure as part of the fight against ISIS. The operation that Roberts served in, Operation Inherent Resolve, has been a vital part of protecting our Nation and bringing stability to the region.

Roberts enlisted in the Oklahoma Air National Guard in May of 2014. He was killed in action as the first Oklahoma Air National Guardsman who has died but the 20th Oklahoma National Guardsman who has died since September 11, 2001.

The perpetual comment that I heard from folks to whom I spoke about Tech Sergeant Roberts was that he was one of the good guys; he was always known for having a smile on his face; he was selfless; and he served others all the way to the end.

The night of the attack, there was a truck launcher that fired off 30 Katyusha rockets at their camp as folks were sleeping. Eighteen of those rockets landed inside the camp facility.

As the noise happened around them, Sergeant Roberts told his fellow airmen to get up, get going, and get their body armor on. As he stepped away to go warn other people to do the same, the rocket came. But he saved the lives of the people standing right there whom he had told to get their body armor on.

He was posthumously promoted to technical sergeant.

He was born January 29, 1992, in Tulsa, OK. Marshall’s parents, Sally and Randy, raised him in Owasso, OK, where he graduated from Owasso High School.

He has a beautiful daughter, Paityn, who has been the love of his life. On November 15, 2018, Marshall was married to Krissy Harris. She was also in the 138th. They met and started dating, both being part of the Air National Guard.

Their deep love for God, their deep love for their country, and their obvious love for each other was a significant part of the 138th. Everyone who knew him, knew what they were like and were glad to be called their friends. The night of the attack, he was a son, he was a father, and he was a husband. Our State and our Nation grieves him today coming home.

A fun story about him and Krissy, though, is that they met and started dating, as I mentioned, he was a son, while they were both serving in the 138th. She had been in the 138th for 15 years. So she had actually been there longer. They dated
for 4 years before they got married in 2018. They had been married just less than 2 years.

They were both avid football fans, but there was a major problem. Krissy is a Kansas City Chiefs fan, and Marshall was a Pittsburgh Steelers fan. That is a problem—definitely. But he fixed that by proposing to Krissy at the Steelers-Chiefs game.

I have to tell you that for the family, for the folks who stood there today in Tulsa as he came home, they found a way to love each other and found a way to serve each other. And to the very end, they are still sacrificing for the country. Because of the COVID–19 that is happening right now, they have chosen not to have a public memorial service—in a close time for the family—and they are delaying that time until it is safer for all of the family and for all of the community to be able to participate. Literally, their family continues the grief and the weight—one more sacrifice for their country and for their community.

Today, all of Oklahoma is using a hashtag to share messages with the family—a simple hashtag: #TSGT Marshall Robert; that is, hashtag Technical Sergeant Marshall Roberts, if you want all of the abbreviations on it—to share a message of support and love for the family.

Our Nation is grateful, and we grieve with the family today. They look to him and to his family for wearing the cloth of our country and for doing everything our Nation asked of him to the very end. Our Nation lives in freedom because of folks like Marshal Roberts, and we will continue to stand with Krissy and Pajtny and with their family.

With that, I yield.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, we are in the process of passing a very large economic package to help stabilize our economy through the middle of all that is happening with COVID-19 globally and in the United States. The heart of the package we are passing today is almost identical to what we brought Sunday night, which was a bipartisan proposal, which ranking members and chairmen of all the major committees had worked together to get done. The key elements of it are still there. It has unemployment insurance for Americans, including a $600 plus-up to go through the process. There is support for small businesses that will pay the payroll. We don’t want individuals to end up on unemployment insurance. It is better if they stay connected to their same company. It has a unique new proposal that is built in to say a small business can go to any bank quickly to get a loan there, which will convert into a grant if they maintain their current employees. That keeps people connected to their business and keeps people assured of a job at the end of all this when it finishes out.

It has a grant program for larger businesses that is designed to say: If you are a very large company, you are not going to get a grant; you are going to get a loan in this process. At the moment you get a loan and, if you don’t have capital and you don’t have access to it right now because of all that is going on, you could get that.

This also has a feature built in where individuals will receive a check for up to $1,200. That is built in to get immediate economic support to all those folks across the country. All of those features were already in the bill through Sunday night. There have been some tweaks that some folks have brought up that some of our Democratic colleagues wanted to engage in. Many of those changes have been heard and been added, and to some we have said: Absolutely not, it is not connected to COVID–19 at all.

There are things that some of our Democratic colleagues wanted to make sure got in. Through all the negotiations, some of these things were changed. For instance, they wanted to make sure energy companies couldn’t get any support. So they fought hard to make sure there is no additional money for the President buying additional oil to put in the strategic petroleum reserve at this lowest price ever. So it will actually cost us more money in the future. But it was their intention to say that we don’t want oil companies to get any support in this downturn.

They also wanted to make sure there was great backing that they didn’t trust the Trump administration. So they built in an inspector general to oversee that. They put in a neat little feature they demanded, which was that no son or daughter or family member or any individual that works with the President, Vice President, or the Congress could get any of—not the grant programs—the loan programs. In fact, the language that was added was interesting: No son-in-law could get that. I wonder: Who could that be targeted to?
come. In New York, Seattle, New Orleans, and elsewhere, preparation for the virus has ended. The virus has arrived in force. The urgent battle to suppress it has begun.

In emergency rooms and ICUs, courageous nurses and doctors are locked in a battle to save the lives of their patients. Protective gear is in short supply, but their regard for safety and even family come second to their duty. The days ahead will be a close-run thing in those cities, as they struggle to hospitals from folding and functioning. But make no mistake. The China virus will spare none of us—from the high-rises of the big cities to the hills of the Ozarks.

Soon, the Senate will finally pass desperately needed emergency legislation for our Nation, including a massive infusion of funds to our healthcare system. But this legislation isn’t about stimulus. It is about survival.

With this legislation behind us, Americans are in turn to ask: What is next? Yes, the virus is testing us already, and it has already touched most of us by closing our churches, shuttering our businesses, and threatening the jobs and retirement savings of millions and, in some cases, threatening our lives. It is only natural that so many are wondering anxiously when and how this unprecedented crisis will end. And when it ends, will their jobs still there be? How will they put food on their table? How will they pay their bills?

Americans want to know the plans so they can do their part. More fundamentally, they want to know that there is a plan. Upended routines combined with worry about the future naturally breed frustration. We are citizens, after all, not passive carriers of a deadly pathogen.

This frustration has given rise to a new and growing argument that Americans want any longer, that we ought to open back up and take our chances with this virus. After all, we can’t stay inside forever. We can’t, as the saying goes, let the cure be worse than the disease. The urgency to stave off economic collapse is, of course, understandable. It is also tempting to think that we face a simple choice between shutting down to fight the virus and opening up to save the economy, but the choice is not so simple.

Some observers note that the seasonal flu and automobile accidents kill more Americans annually than has this virus. That is true as far as it goes, but we are just at the beginning of this pandemic. I have to add that the Javits Center in New York City has never been converted into a field hospital for the flu or car wrecks.

Granting that, some say, perhaps we can reopen in a few days since our elderly are most at risk from this virus. Quarantine them. Keep them safe, the argument goes, while the rest of us get back to work. Yet there are 72 million Americans who are over the age of 60 in this country. Many of them raise children, live alone, or work outside the home. They can’t wall themselves off from the world nor should we wall them in.

Moreover, tens of millions of younger Americans have preexisting conditions that put them at an elevated risk for this virus. Are we to quarantine all of them too? Even younger and healthier Americans are not safe from this pandemic. The China virus attacks the lungs of the young and the old alike. Of the cases we know, the virus appears to spread about one in seven young people to the hospital. It is true that survival rates for younger patients are better, but even their recoveries depend on there being a functioning healthcare system.

If we give up on our efforts to control this virus now, our medical system will be overwhelmed—hospitals will collapse; care will be rationed; doctors will face the terrible choice of whom to save and whom to let perish—and not just for patients of this virus but for every American who needs intensive care, whether it be from a heart attack or a stroke or a car wreck or anything else.

Besides, if left unchecked, this deadly virus will continue to wreck our economy as surely as it has already. It was not President Trump who shut down businesses, after all, and it really wasn’t even the Governors and mayors, though they issued the orders. Government-ordered closures are largely rear-guard actions by communities that had already ground to a halt due to the virus or that would have soon come to a wrenching stop in the teeth of the pandemic.

Who among us would take our kids to a restaurant tomorrow if we opened back up? Our economy isn’t seized up because of government dictates but, rather, because our people are understandably fearful of the dangerous virus. That no immediate reopening without having the resources in place to fight the virus isn’t an option. Our hospitals would be overwhelmed, and our brave doctors and nurses would succumb to the illness. Our businesses would keep their doors closed or would quickly close their doors again as workers and customers would stay away.

The supposed choice between saving the economy and fighting the virus is a false choice at all. We can’t yet stop the strong measures that are in place because we have no better option in the short run, but neither can we continue them forever, for the American people can only hold out for so long. So we must come up with a better plan and fast. That plan starts with this big pause as we protect ourselves and each other. We simply don’t have the resources today to fight any other way, but it will not end with this approach.

We must use the precious days and weeks ahead to lay the groundwork for a new strategy to fight the virus—a strategy that will allow all of us to gradually get back to work. For that to happen, we will need to scale up our ability to rapidly test for the virus, as they have in South Korea, so that we have a sense of where the virus is and where we must keep it contained.

America’s biotech laboratories and companies are rising to the challenge by processing tens of thousands of tests, but our ability to test must grow even faster, and it is. We need tens of millions, too billions of them. We will also need local personnel who are trained and prepared to do widespread contact tracing for those who test positive. We will have to develop procedures for the strict quarantines of those who test positive or for those who have been exposed to the virus—with zero tolerance for breaking quarantine and endangering our fellow citizens.

Once these elements are in place and the early wave of this virus has passed, then we will be prepared to reopen our cities and communities while remaining vigilant about new outbreaks. These preparations will ensure we are ready to sustain our way of life until our scientists can create so desperately need—therapeutic drugs and, ultimately, a vaccine. A vaccine may take a year or more before it is available, but these other intermediate precautions must go into effect much, much faster.

America must, indeed, reopen. When we do, these decisions must be based on local conditions, not an arbitrary nationwide timeline. Our Governors and mayors understand their local conditions. They can make gradual, rolling, calibrated decisions in a way that is responsible when the tools to effectively fight this virus are ready and available.

What I have outlined may seem like a daunting and even impossible challenge, but our Nation has overcome far greater challenges before. Already, America is rising to take on the China virus. The giant of American industry is awakening and retooling our factories to join this war we did during World War II. Never bet against America’s workers and American ingenuity. All across this country, Americans are springing into action. We know the vital role our doctors and nurses will play in the coming months alongside our first responders, our factory workers, our farmers, our grocers, and on down the list.

Ask yourself now how you can help. Can you keep your distance from those who are most at risk, realizing that the China virus preys on our most earnest desires for society and companionship? Can you offer your charity to a friend in need? Can you pick up groceries for your neighbors? Can you work to keep your workers on payroll and benefits for just a little longer until our legislation kicks in? Can you postpone your tenant’s rent for a month? Can you pray for the deliverance of our Nation and the world?

These are just a few of the things we must do as a country to make reopening possible and life bearable in the
months ahead. We are all in this together, so we will need to have each other's best interests at heart.

Many years of comfort and ease have, perhaps, conditioned us to ask only what we are free to do, not what we are called to do. Disciplines of peril and privation threaten to return, and we will need old notions of duty to maintain order in the face of them. The darkest days of this coronavirus are, in all likelihood, still ahead of us. Let us face up to them bravely. Let us acknowledge them, and let us devote our whole energy to winning this battle quickly so that the normal life of our Nation can resume.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, during times of disaster, crisis, or hardship, I never fail to be inspired by the generosity of Americans, including the folks in my home State of Texas. I think about how we came together in the wake of Hurricane Harvey to lead search and rescue operations, clear debris, and rebuild communities and lives. We saw strangers forming human chains to rescue a driver who was trapped in a car; furniture stores for those who needed shelter.

One volunteer said: I have met more of my neighbors in the last 24 hours than I have in the last 20 years.

While these heartwarming stories of Texans' lending a helping hand to one another are a source of comfort even during the toughest of times, right now, when extending a physical hand is one of the worst things you can do because it violates social distancing rules, there are still plenty of neighbors who are helping their neighbors. Folks in Texas, like around the country, are staying home to keep themselves and their neighbors safe, and we are seeing new and creative means of supporting one another.

For example, a number of distilleries across the State have switched their productions from making vodka or whiskey to making hand sanitizer. With demand surging and hand sanitizer in short supply, more and more hospitals are struggling to keep it in stock. These distilleries are stepping up to fill the void.

Jonathan Likarish is the head distiller and cofounder of the Ironroot Republic Distillery in Denison, TX. He said they received a call from the Texoma Medical Center and was asked if he could help. Of course, he said yes. Businesses like his aren't alone.

Beloved Texas grocery chain H-E-B has taken steps to make shopping easier for seniors who are the most at risk if they contract the coronavirus. H-E-B has partnered with Favor Delivery to take grocery delivery—a service many Americans already utilize—and has made it more accessible to seniors. They can pick up the phone, place their orders, and have everything they need delivered to their front doors within a few hours—all without having to leave home.

We have also seen other organizations respond to this daunting challenge. The Boys & Girls Club of Greater Houston has partnered with the Houston Food Bank to open a drive-through pantry. Families can get a whole week's worth of healthy meals without ever having to step out of their car.

Of course, it is not just the businesses and organizations that are helping out. People are helping other people. People are donating blood to alleviate the critical shortages that hospitals are facing. All of us, if we can, should consider donating blood. People are leaving notes in neighborhoods' mailboxes, offering to run errands and pick up supplies. On social media, schoolteachers who are at home are offering to help with their children's math, science, or other subjects they may be struggling to teach their kids while the kids are at home and not at school.

There are neighbors helping neighbors, friends helping strangers, and other organizations, too. For example, a number of distilleries across the State have switched their productions from making vodka or whiskey to making hand sanitizer. With demand surging and hand sanitizer in short supply, more and more hospitals are struggling to keep it in stock. These distilleries are stepping up to fill the void.

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For days Democrats needlessly blocked a bill that would have bolstered our fight to defeat this virus and protected our economy in the process. I am absolutely angry that they chose to waste so much valuable time when there are so many different people in need. But I am relieved that they finally agreed to quit playing their partisan games so that we could vote on this legislation today.

This bill sends desperately needed funding to hospitals that are struggling to manage an influx of patients and helps fight the shortage of masks and other personal protective equipment—one of the priorities my Governor had mentioned to me.

It provides the direct financial assistance that was already in the two bills that our Democratic colleagues blocked. A family of four will receive up to $3,400 under this legislation, which will go a long way in throwing that lifeline to them and cover their rent, utility bills, other expenses until they can make other arrangements, like apply for unemployment insurance under our beefed-up provisions.

This legislation will also provide relief for small businesses that are struggling to stay afloat. Many of these businesses have had to shut down because they have been ordered by the government to do so, and now they need some help to make sure that the jobs they currently provide will still be available when we get to the other side of this crisis, and particularly we need to make sure that the employees they depend on and will depend on in the future will still be there when they reopen their doors.

With both the physical and economic health of our country in crisis, this bold legislation is our best path forward. I appreciate the work that has been done by so many around the clock who call Texas home—will get help as this legislation today.

Mrs. BLACKBURN. Mr. President, you know, I have to say that last night was an unusually late night here in Washington, and we were all impatient and our staffs were impatient. The press was impatient—As we talk to people across the State, what we realized was they long have been running out of patience, and I talked about that some on this floor. But for every factory worker and hourly worker and small business owner and small employers—they have all been telling me that they are running out of time, and they have really just been very anxious about what was going to come out of this Chamber.

I know that in the days and weeks ahead, as we work through getting relief to communities and individuals and small business owners and large companies, there is going to be a lot of blame that is going to be thrown around. There is going to be some who are going to blame politicians. There are others who are going to blame the way the economy is structured. There are others still who are going to blame the healthcare system. But I will tell you this: For me, for me, when I have a discussion about why we do have this current crisis, and it is because of the leadership of the Chinese Government, the People’s Republic of China, that leadership in Beijing.

We have gone around and around with activists and media on the point, and I shouldn’t have to point out that when I say China is to blame for the spread of the novel coronavirus that we call COVID–19, we do not mean the Chinese people as a whole. Yet we have had people to say that is where it came from. I think we should stop that, and we should move forward with decisions based on fact and with decisions that are based on data.

I think we need to begin to collect those facts and data as they pertain to this disease. That is how we get to the antivirals. That is how we get to having a vaccine. That is how we look at lessons learned so that we don’t go through this again, so we plan to tackle some of the unforeseen occurrences that will come our way.

As we talk about facts, we do know that COVID–19 originated in Wuhan, China. From there, it spread rapidly, and it has had devastating consequences. The economy is crumbling. We are working desperately to shore it up. Innocent people have been in the hospital or sick.

I talked to one Tennessean this morning who said: I am happy to report my husband is coming back around. He has been suffering for the last many days with COVID–19.

We have the world’s healthcare professionals, and what are they doing? They are working to the point of exhaustion.

What we have is Beijing’s reckless Communist dogma, and they are trying to blame everybody else.

Today we are going to move forward with the rescue package. This is the phase 3 package. It is the fourth tranche of money. I am including in that the President’s emergency declaration, which put about $50 billion toward fighting this crisis, and as we find our way forward on addressing this, what we have to do is realize that our relationship with China is going to need to change and change for the better. There is no denying that the way they have conducted themselves put that relationship on dangerous ground.

Today, I invite my colleagues to support the bicameral S. Res. 553 and acknowledge that Beijing intentionally spread misinformation to downplay the severity of this pandemic and deny the risk of person-to-person transmission of the disease. They refused to cooperate with international health authorities, including the CDC. During the early days of the outbreak, they censored doctors and journalists. We all remember what happened with the late Dr. Li when he tried to give us the warnings. On top of everything else, they maliciously ignored the health and safety of ethnic minorities.

This is the easy part. The facts are there. All we have to do is acknowledge the facts that are there and use this as a beginning, because this resolution is, as I said, bicameral and bipartisan in the House. We have no reason to not push it forward and send the message that we realize what happened to cause a global pandemic.

After we acknowledge Beijing’s gross malfeasance, we are going to adjust the way we think about China in the context of the economic deficit, defense, technology, human rights, and pharmaceutical manufacturing.

When you think about it—the fact that Beijing intentionally downplayed the deadly nature of COVID–19—it should come as no surprise. For decades, China has made a business. It has been their business to search out our vulnerabilities, exploit those vulnerabilities, and then what do they try to do? They try to use that as leverage against us. It is time for us to say: No more.

Another component I have talked about this week on the floor is our pharmaceutical supply chain.
On February 27, 2020, the FDA announced the shortage of a drug used to treat victims of COVID–19. Imagine that. There was a drug shortage. They attributed the shortage to difficulties obtaining the active ingredient in this pharmaceutical. The active ingredients are coming from China. We couldn’t get it from the site in China that manufactured it because that site had been affected by COVID–19. So here we are. We need this component to go into a pharmaceutical, and we cannot get it because the factory that produces it has been affected by COVID–19.

This is not the first time this has happened. In 2016, we saw a shortage of an important antibiotic when the sole source of its production—the only place on the globe that produced this antibiotic—was in China. That factory was shut down. We couldn’t get it.

Our vulnerability is not limited to one drug or even just a handful of drugs. In 2007 and 2008, 246 people died after taking a contaminated blood thinner that came directly from a factory in China. They died—246 people—just like that. Routine inspections didn’t catch the contaminant, and the drugs flowed right into our medicine cabinets.

In 2010, regulators have also found serious problems with batches of thyroid medication, muscle relaxers, and antibiotics. This week I got an email from a Tennessean, and he said: I saw what you said, and I want to let you know, I take a heart medication, and it was just recalled because it contained a carcinogen, and it was made in China.

Think about this. These are the pharmaceuticals we take to return our health and wellness in this pharmaceutical supply chain. This may seem like something that is too large or too risky an undertaking, but we have already paid dearly for our reliance on Chinese drug manufacturers, and it is not going to stop, because that vulnerability is leveraged in the hands of madmen in Beijing. That is the power, and we will go to any lengths to acquire that power. They don’t care whom they hurt. That is clear with this global pandemic. They don’t care if it is innocent people who are sick or maybe even lose their lives. They will defy us—when we try to stop them. It is time that we rise to the challenge and that we return the supply chain.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Cotton). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BRAUN. Mr. President, I am unanimous in the order for the quorum call to be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRAUN. Mr. President, I have been here a little over a year. I keep mentioning this because what a year it has been. In that stretch, there has not been a period of time when I think there has been so much urgency for us as a Senate and for the other Chamber to do our job to deliver for the American people.

We are in the midst of a crisis. In building a business over 37, 38 years, you constantly have hurdles to jump. You never really know the clear outcome. You try to have a great strategy with good implementation and good tactics that will be your salvation through thick or thin.

When it comes to the coronavirus, it is not as though we haven’t had other recent issues but nothing quite like this. It started in another country. It has gone across the world, and it now looks like that vector in our country—we may be dealing with it on a broader scale.

I am a guy who believes in free enterprise. I don’t like it when government has to step in, but I don’t know what we would have done otherwise in this case. Until we tamp the disease down, until we get that curve flattened, no one is going to be at ease. We have invested 3, 4 weeks of actual guidelines. We have put in place, before that day, that I am hopeful that we have been doing a lot of the right things even before we were required to do them. We can’t relent on that course.

On the other hand, never in my wildest dreams would I have imagined an economy could be affected as it has. I get stories from my home State of Indiana all the time, and not only from the places like hotels, restaurants, bars, and airlines. I think our senior Senator, who actually either went or came out here, might have been the only person on the plane. That is a graphic example of how this is impacting commerce. The hotel owner I talked to had 2 percent occupancy in the week before.

So, we have come together. This past weekend, we worked through it. I think that is the first time since I have been here that on a legislative matter we have really done that. We had Democrats and Republicans at the table working to deliver what I think is a good package. It focuses on, No. 1, who needs it the most—workers who have been displaced and small business owners. It also has stuff in it for the broadest spectrum of the economy. The key is the money. We are working through, right now, some short-term corrections, and I hope that doesn’t thwart the process. We should have had this across the finish line Sunday evening to where it could have been delivered on Monday morning, and we wouldn’t still have the Nation on high alert about what we are going to do here. And it can only come from here in this case.

I am going to segue into what we need to do to get this done today, and I am going to be for it. Each State, each Senator, and each Representative is going to have to deliver to the small business owners, the individuals who have been displaced by this. I have a team back in Indiana that is taking on a big spectrum of casework. I invite you, when this legislation gets across the finish line, to make sure you reach out to our office.

Many of our cases, regrettably, have been along the lines of helping folks interface with the VA. Sadly, I wish there were fewer of them, but we have had really good luck. We interfaced when a cruise ship had Hoosiers stranded, and we were able to follow up on the process to make sure they came back. We are currently dealing with cases where people are stranded overseas. Whatever it is, come to our Senate office. We have a great team, and they have helped out a lot of Hoosiers and others.

I yield to the positive note. I think this has the country down because everything you see is in the context of negativity. I like the fact that, aspirationally, many are already talking about what we are going to do when we come out of it, and through prayers and through all the stuff Americans and Hoosiers have done, I think we are going to see that curve start to flatten.

I like the approach we have taken to put the emphasis on the disease, because, until those numbers go down, no one is going to be at ease. So, as we look to the future—Monday was that first threshold, 15 days—we need to re-cress, take all the information we have gained and gathered, and make the right decisions going forward. But, I trust our Governors and our local governments across the country to do the same thing.

We will come out ahead. We are going to flatten the curve, and make sure that we are taking care of the most important thing first, and I think that is going to be here, hopefully, sooner rather than later. And then we also
need to be aspirational about what is going to really get this country back to business as usual, and that is when we can have Main Street going back to the way it was a month or two ago so that we can recapture the best economy we have probably ever had in history.

I know Hoosiers will do their job. They will be aspirational, and Americans across the country will do the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERDUE. Mr. President, we are on that historic bill today—a bipartisan bill—that we took a different approach on, thanks to Republican leadership. We asked the leaders of each of the committees, both Democrats and Republicans, to focus on their portion of the needs behind this COVID–19 crisis.

Before I get into my remarks today, though, I want to remind my colleagues here today that we have sponsored a resolution recognizing and thanking all the people in America who are surviving this virus, as others have said, putting their own health and their families’ health at risk to make sure that their neighbors and friends and patients and business partners are taken care of. I am talking aboutupply chain people, healthcare workers, transportation workers, ag industry—all the people in the country who are keeping the essential needs of our population going.

While restaurants are closed, they have taken out services, even here in Washington, DC. That is not an easy thing to do for those folks. It is a loss. They are losing money right now.

I want to make sure that we recognize, in the midst of this crisis, how Americans are responding. Americans always respond to crisis in a better way than anybody else in the history of the world, in my opinion. Sometimes we are not always the quickest to recognize that we are in a crisis, but, right now, we are responding to this one right here before us.

As a matter of fact, I believe we have two crises today. One is obviously the medical crisis—the healthcare crisis that we now are characterizing as the COVID–19 virus. We know how it originated, and we know now what other countries that were ahead of us in the cycle are learning from that. But because of that, we have a connecting economic crisis that we are trying to deal with in this piece of legislation today.

I hope we can get this done tonight. I don’t see any reason why we can’t. We have a deal. There are some questions here in the last hour, but I think we will get those done and hopefully get this vote going tonight.

As we deal with these two crises, it is my suggestion that we look at how we address dealing with this crisis in three phases. One is we are in the middle of the first phase right now, and I would characterize it as mobilization, where we are identifying the severity of the disease; we are identifying who is the most vulnerable; we are identifying what we need to do to deal with it; and we are mobilizing behind it.

We have seen a dramatic increase in the number of tests, thanks to Vice President PENCE. We still have shortages of testing kits, swabs, agents, and even testing machines. But we have things, like in my State, where one of our major hospitals, Emory University Hospital, has their own testing. They can do it in a number of hours and 110 days, and they are making that available to other hospitals in the State. This is all hands on deck. And they will probably lose money doing that, but they are willing to do that.

We have an apparel company in Georgia that has now shut down their business in apparel. They have good orders, profitable orders. They are putting those aside to make masks to try to help fill the need there and those shortages.

But the mobilization phase is where we are today. Based on the experiences of other countries, we are identifying what we might expect here. We have hot spots here, just like other countries have had. We saw what happened in Wuhan and Hubei Province in China. I have been there. It is a very old population—older population. They were late getting to the identification, treatment of this particular virus, and we see the repercussions of that. But what we can learn from them is that they are ahead of us in the cycle. However they dealt with that in the early days, we see now how they have dealt with that crisis and working with the numbers, and we can learn from that. I will talk about that in a second.

The second phase, though, is transition. This is one that I am not sure we are in it yet, but we are about to go into it partly because of this package; that is, to make sure that we protect the parts of the economy that we can so that when we do start to come out of this, just like every other country ahead of us in the cycle has done and is doing right now, we will have our businesses in a position to reconnect with the employees they have worked so hard to develop.

Of course, the third phase is full-on recovery, which is to do the things to get the economy back on its strong footing and to make sure we address the shortages that we found in our current preparation for this. For example, we didn’t have a strategic stockpile of some of the essential medical supplies we needed for the identification, testing, and treatment of this particular virus.

That recovery will take some time, but at the same time, as America always responds to these sorts of things, I believe we can respond very quickly if we get the transition phase correct, and that is what I want to talk about today.

As we look at the medical crisis, though, we understand now, through a lot of data outside of the United States—and I will caveat this by saying that each country’s experience is a little bit different. I would also comment that there is a lot of noise in the data that I see around the world right now. The medical community is doing a great job of trying to aggregate this data to see how it applies to our needs here at home.

I give our doctors and nurses and caregivers the highest thank-you I can for what they are doing here and all over the world, for that matter. But the experience in Italy might not be the same as it is here. The experience in South Korea might be the same as it is here. So we have to look at those and be very careful that we don’t try to extrapolate either the severity or lack of severity as being applicable here.

Before I get to the bill, what we do know, though, is that just this week, the World Health Organization published an update to their numbers. They are characterizing this disease this way—and every country has a little different infection rate and a little different mortality rate. I believe in the United States, because we haven’t tested as broadly as some of the other countries have—like South Korea—we don’t know what the denominator is yet, so we really don’t know what the mortality rate is, or the infection rate, for that matter.

But just to put this into perspective, this is from the World Health Organization: About 80 percent of the people infected with this COVID–19 virus will probably have a mild—that is the way they characterize it—experience with this disease. Fifteen percent will be serious enough to go to a hospital, and then of that, 5 percent will be critical patients, typically generally toward the more vulnerable patients—the elderly, people with respiratory pre-existing diseases or who have potentially immune deficiencies.

As we deal with that medical crisis—and we poured a lot of money toward that in the first two phases of help, in addition to what the President did with his $50 billion allocation earlier—in this bill, almost $2 trillion of aid, as we see it, goes toward businesses and communities and States to make sure that we can get this second phase of the recovery.

Let’s be very clear about this. This is not about companies. This is about employees. This is about the people who work for employers, either in their own business or in somebody else’s business. This is all about employees. It is merely a financial bridge to get through this period of time, to get into that recovery phase that I was trying.
to describe here a little earlier. It is about the employer-employee relationship and to make sure we keep that relationship intact.

In the last 3 years, we created 7.5 million new jobs. Prior to this coronavirus, we had an economy that was just booming. It created 7.5 million new jobs. We had 7.5 million job openings, as a matter of fact, and only 5 million people looking for work.

So we had a situation where we had the economy moving in the right direction, and then this hits. We want to make sure we don’t lose any of those jobs, and for that reason, we focused on the employer-employee relationship.

Yes, we plussed up unemployment benefits for the States so that they are not overwhelmed, but we made sure the employer had the liquidity to keep these people employed. In that vein, we did not want to have a liquidity crisis, which we could very well have right now because of shutting down these businesses. We didn’t want that liquidity crisis to turn into an insolvency crisis. We can deal with a liquidity issue. It is very difficult to come back and deal with companies that have gone insolvent and are now in bankruptcy. That is a very long, arduous, and difficult process. It is difficult to come back from. We do not want to do that. And that was the primary purpose of most of the facets of this bill—some $2 trillion.

I will say this about that. There are two major components to do that. One is a small business contingency. A little over 50 percent of the people who work in America work for companies that have 500 employees or fewer. That is a new learning for me. That has changed dramatically. But it is the engine—this is not new news—this is the engine of new job growth in the last 3 years. We know that.

Well, we have $350 billion directly targeted toward those small businesses, which could then, by the way, go to their existing local banker and get this contingency, a government-backed loan guarantee.

In addition to that, there is $454 billion directed at other businesses, plus another $58 billion toward strategically important industries, like our airline industry and so forth. Again, most of this money is in the form of loan guarantees to provide liquidity to keep the employees employed with their employers. It is no more difficult than that.

But there is one other thing that is not being discussed, and I want to highlight this, and that is, $454 billion is historic. That is a lot of money. But it has the ability—through the Treasury, they can actually lever that up in terms of the way the money goes out to banks. It can be levered up to $3 or $4 trillion. So what we are talking about here is the potential of up to $3 trillion into our economy. This is historic, and it should be enough to shock the system to say: OK, there is going to be liquidity here.

There may be some growing pains in the early days, but the liquidity is going to be there to weather this storm, to bridge this crisis.

I want to look at what is next. I will talk about this transition phase and may be even the recovery phase for a second.

The first thing we have to do is we have to really learn from other countries that are ahead of us in the cycle. For example, it took about 6 to 8 weeks for China to go from zero to their maximum number. We know the disease has a lifecycle. If somebody is infected with it, if they survive, they come on the backside. So far, there are over 70,000 people who have had the disease in China and are healthy now.

We know from anecdotal evidence on the ground that about 80 percent of the employed workers in China are beginning to go back to work in almost 90 percent of the factories. This is outside of Wuhan, outside of Hubei Province. They are going back to work.

In South Korea, the learning there is testing, testing, testing, but more than that, they also track contacts. There are 50 million people in South Korea. We have a very different learning environment there. But in certain cities and States, they can certainly look at doing that.

So we have to learn from countries like South Korea, Japan, Singapore, Hong Kong, Australia, and even China because they are ahead of us in this cycle.

In the first few weeks of this cycle, we should be going from zero to whatever our maximum number is. But it is the number of active cases that is the most important, not the number of total cases.

The mortality rate is yet to be determined because we don’t really know the denominator. But I believe, if we can track movement with the help of Vice President Pence, the acceleration curve for that is underway right now, and we will have the ability to do that. Contact tracking is another, and then isolation is another one we have to think about, unfortunately. We have hot spots. With the Ebola crisis in Africa, what we learned from the medical community was that if they could put a full court press on the areas of flaring, where they had the disease flare up, and isolate it so they didn’t have people traveling outside of those areas—separation by geography and demography are unfortunately called for if we are going to do everything we have to do to control this disease in the timeframe that we should.

The third thing I will highlight briefly is that I believe right now this shows that we were behind in terms of our preparation for a pandemic like this—there is no question about it—in the country and the world. We can point fingers and blame. That is not my purpose today. What I want to say about this is that in America, if we can bring the world’s resources of data—this is the big thing. We have limited data in the United States. Other countries have a lot of data. I believe that if we aggregate that data and create a Manhattan Project-type effort to go toward vaccines and treatments, we can absolutely be ready for flu season next year if, in fact, this particular COVID-19 virus has a seasonality. We don’t know that yet.

In conclusion, there is no question that this is a moment of challenge in America. I will say this: President Trump, for all his distractors, early on stepped up and was a strong leader. I said this several years ago—he reminded me of Winston Churchill: irascible but effective in getting results. That is what we had early on.

Right now, we need a steady hand to make sure we don’t kill the economy while we kill this disease. And my only point is that in this transition period—and nobody has all the answers yet—we need to start asking questions of what we can do in this transition period to find a balance between protecting life and protecting the economy long term so that when people get well, they will have a job to go back to and have a business that can help the world prepare for the next pandemic that we are talking about here.

The American people have the best spirit, I believe, in the history of the world when it comes to dealing with this crisis. I have talked about a couple of examples in my State.

The airlines right now are another one we know that 90 percent of the primary airline carriers we have in the country. They are keeping some flights on. I know I have a reservation on a commercial flight later this week, and I asked my assistant: Are you sure I can get a seat on that plane?

She said: Yes, there are only five people who have booked seats on that plane.

So it shows that people are trying to do the right thing by their neighbors, people going to their grocery stores for their neighbors, taking care of picking up the mail, doing anything they can to protect the people who are at risk. In small communities, we know how to do that. In major cities, it is difficult, but it is even possible there.

I will conclude with this: There is a day coming—and it is not that far off—that we will be behind the top end of this curve in America. We will have lost those lives. We will have lost them. We all regret that. But what we have to do now is to make sure we prepare ourselves for this transition phase, that while we are still dealing with people who are getting the disease, the disease is on the wane, and the economy needs to be turned back so that we can make sure that we can prepare this country for the next round that we may or may not see in the future.

With that, I yield the floor.

Mr. RUBIO. Mr. President, I received a call a few hours ago from someone I
have known for a long time, a gentleman who I would say is in his early-to-mid-nineties. He wanted me to stop saying that what we are facing is an unprecedented challenge. I was taken aback. I mean, none of us have ever lived through anything like this or confronted something that is painful or so traumatic. He challenged me to do something that I had actually done a few years ago, but as it shows, even a few years erodes memory about things that happened long in the past. He could say: You know, everybody is comparing this to—the last time we had something like this, it required the Nation to react like we did in World War II. So it caused me to go back and look a little bit at the years before that great and bloody conflict.

It is interesting. In the years leading up to 1941, President Roosevelt had an effort to pack the Supreme Court. It was incredibly controversial and ended up falling apart actually because members of his own party turned against him, and it actually weakened him in the tail end of the second deal.

President Roosevelt was so upset about it. And members of his own party had done him that in 1938, he did something unprecedented at the time. He got involved in Democratic primaries and tried to defeat—take out—members of his own party who had opposed him. Not only did he lose badly in that effort—I think he won only 1 of those seats that he went after—as a result of what he did, his party lost 6 seats in the Senate and 71 seats in the House. Ultimately, in this very Chamber, a Republican, Robert Taft, was able to put together a coalition with conservative Democrats and basically block President Roosevelt’s agenda leading into in 1940.

Then, in 1940, Roosevelt did something else that was unprecedented and highly controversial. He announced, although it was legal, that he was running for a third term. He was, at that point, defying a long precedent that had been set by the Nation’s first President.

Then, to make matters even more interesting, his own Vice President, who had turned on him on the Court issue, he had to kick off the ballot. In fact, he told them: If you nominate him as Vice President, I will refuse the nomination. Ultimately, he was reelected on a promise. Ultimately, he was reelected by a pretty big margin, but he had to make a promise: I will keep this country out of war.

The other stage going into November and December 1940. The President had spent the last 3 years battling his own party. He had seen his own agenda slowed and stifled and then had to kick off his own Vice President. After getting involved in primaries again, Taft turned on him and lost a large number of seats in the House and in the Senate and has a coalition form against him to block him. And then has to make a promise—we are not going to war—all the while understanding that what is happening in Europe would eventually reach us, and he was preparing for war.

Why he made that promise was pretty fundamental. Going to war was not popular in this country. Millions of Americans, particularly those—at the time, you couldn’t really travel abroad—who had no connections to Europe, looked at World War I as a European war. And Second World War as just another trick to get America sucked back into a war that had to do with Europeans and not with them.

Prominent voices—chief among them, Charles Lindbergh—travelled the country blasting the President as a warmonger in the strongest possible terms. There was actually a student antiwar movement. Now, not as many people went to college at that time as did in the 1960s, largely because the economic depression. But they were the ones who were going to be sent to war if there was one, and they wanted no part of it.

Then, in the blink of an eye, at 7:48 a.m., on the December 7, 1941, the Japanese attacked the U.S. Naval Base at Pearl Harbor. They sunk four of our battleships. We lost almost 200 airplanes, and 2,400 Americans perished on that very day. Even to the end of the war, it remained the third bloodiest day of that very bloody conflict.

And the President was not ready for war. They had started a draft by a one-vote margin. They were able to vote it into place. They had begun some basic rations, but we had lost a significant percentage of our Pacific fleet.

Frankly, to this day, there are legitimate questions about whether the Roosevelt administration knew in advance that this was happening and allowed the attack to happen—no, those are conspiracy theories—but that they should have known. This was a massive intelligence failure. In fact, up to 30 minutes before that attack, the Ambassador to Japan was here negotiating with the United States about an oil embargo.

America, by the way, was not a society of peace. This was a nation deeply divided, a segregated nation that discriminated against citizens of color. There were very serious labor disputes going on throughout the country. People were asked to make tremendous sacrifices—not for 3 months, not for 6 weeks, but for over 3 years and longer. The sacrifice that was ultimately, perhaps, the greatest of all was that they sent their sons and fathers to war, not knowing where to go.

From a young couple I talked about earlier today in the video that I made, 2 weeks ago, they were recently married and planning to start a family. Both had good careers. The next minute, they were both out of a job, not sure if the place they were working will ever exist again, not knowing where to go.

One minute you are the father in a family or the mother in a family who has never had a day in your life where you were not employed by someone and the next you are being told: Go to a website. Call this number. You need to go get unemployment. They don’t know how to do it. They have never done it.

And I do not mean to diminish the sacrifices that our people are already making. I simply mean to put it in perspective and also to give a little bit of clarity as to what will be required of us.
to win this war because, in the end, our enemy is not a nation-state. It doesn’t wear a uniform. But it has invaded our Nation in a way that has required us to do things we have not been asked to do, or anything close to it, since late 1941. So what are the lessons to be taken by that era in our history, by the call I got today saying: Stop saying this is unprecedented.

The lesson to be taken is, No. 1, in moments like this, government action matters. It is important that we have a functioning government that can address problems in the space in which government must act. That is what is being asked of us here today.

What is being asked is not to pass a perfect bill or to pass legislation that will cure the virus or to pass a law that has everything we have ever wanted. What is being asked of us is this: Can you function as a government? Can you do the one thing that threatens us all—save the lives that people societys needs from its elected leaders at a moment of true crisis? Can you do that?

So far, for 3 days, the answer, sadly, has been no. I hope the answer at the end of this day will be different.

The second thing it teaches us is that you cannot confront a challenge such as this with just government. That war was not just won because of political leadership. It was won by us. It was a whole-of-society effort. Every day, Americans were being asked to do things they had never done before, in places they had never been—not just to make sacrifices from what they could, but to make sacrifices in what they were asked to do affirmatively.

It will require the same of us now. I want to tell you, there are people already doing that, as we speak. The examples are too long to mention, but all over this country there are people who are doing extraordinary things—stepping up, doing more than they have ever done—because they have to. They know they must.

I have reported that if our government leaders do their job and are willing to do their part and provide people transparent, clear, truthful guidelines about what we face and what lies ahead and what is expected of them, they may not be happy and people may not be excited about it, but they will do it. I know they will do it. They are already doing it.

The third lesson is the awesome power of our country when a diverse population of gazelles—the most creative people to have ever walked the Earth—put aside their differences to confront a threat they face in common.

Again, that is not possible, you can’t ask that of a society, you can’t ask people to put aside their differences, to put aside the trivial, to put aside those things they don’t agree on and to focus on the one thing that threatens us all—you can’t ask them to do that if you are not willing to do it yourself. And it appears to me that this moment we have failed to do it. I hope today is a difference in that regard. We shall see.

But it takes me back to the point I made originally: What is our job in this?

Well, let me say that—we—when I say “we,” those of us in government at every level—are asking of our people to do some very difficult things. We are asking high school seniors, including one who lives in my home, to be the first in I don’t know how many generations that will not have a prom, will not have a senior trip, will not have a graduation. Those kinds of things may seem trivial and may pale in comparison to World War II, but for a 17-year-old, these are rites of passage, and there are many high school seniors in this country who will not get that this year.

We are going to ask small businesses and have asked them already: You need to close your doors. You can’t open. You can’t work. You can’t make money. You can’t allow customers to come in.

We have asked people not to go to work. In fact, we have told them not to leave their homes. Over half this country is on an order: Don’t leave your house unless you are going to the doctor, the pharmacy, the gas station, or the grocery store.

We are asking nurses and doctors to confront a virus that can infect them and their families and kill them and their families, just like anybody else—do so, on double shifts, oftentimes without the gear and the equipment to protect them.

We are asking truckdrivers to drive all night—also vulnerable to the virus, also worried about all the other things all of us are worried about—to drive all night because tomorrow those shelves need to be stocked with all the things that people are buying because they are afraid it is going to run out.

How can we ask that of our society if, for 3 1⁄2 days, we can’t even vote on a law, we can’t even walk to the front of this place and lift our finger up or down and say you must do that—and that using the taxpayers’ money, on behalf of the taxpayers, in a moment of critical crisis?

I don’t mean to be negative, because, frankly, I hope that today is the day we will get this solved but there are still other people who have to weigh in here—in the House, outside commentators, people still emailing and texting: Can we change this? Can we change that?

I just don’t know how we can ask people to do all these things we need to ask them to do and, in return, tell them, by the way, we are going to take our sweet time to do our part. And our part is the easiest one.

You can just imagine this. Extrapolate what we are facing now and take it back to 1941. Imagine if, back then, people would have been saying: Boy, this is a great chance. This is a good opportunity to get back at FDR. This is a moment to do that. He is in war. Let’s roll back the New Deal. Let’s really stick it to him for what he did 6 years ago with our Court thing.

Or there is the reverse. If he would have said: Boy, this is a good opportunity to use the war powers the President has to steamroll my political opponents and put in place wherever I want and run them over.

So the lesson is we are saying that we need to build a lot of ships, but I am not going to vote to build it unless you are building it in my State.

I don’t want to go any deeper into that because I don’t mean to say that there is something that people raise around here are not legitimate issues. They are, but sometimes the legitimacy of the issue—the importance of the issue—has to be weighed on a scale against the gravity of the moment.

I would say to you: If we were dealing with permanent policy in the normal course of business or even in a moment of a cyclical economic downturn, we would have some weeks to make some of these decisions. We have already taken too long.

People got laid off today. People will be laid off tonight—and tomorrow and the day after and for days to come—even if we pass this bill. Imagine if we don’t.

What we are facing is the toughest thing this generation has ever faced. There is no doubt about it. There is no doubt about it. Perhaps with the exception of the gentleman that called me this morning, it will be the toughest thing we ever faced. World War II was worse. This virus is terrible, but it will not last as long or kill as many people as that war did, but it will kill far too many people and last far too long. It will last longer and kill more if we don’t take action now. That requires everyone to finally wake up and realize this virus does not care whom you voted for in the last election. It doesn’t care what you write on Twitter or what snarky remarks you come up with in your commentator moments on cable news. It doesn’t care about any of that stuff. It doesn’t care whom you plan to vote for in the next election. It will infect you. It will kill you. It will kill people you love. It will kill members of your family. It will disrupt your community and your economy. It doesn’t care about any of this other stuff.

It really is important for us to realize—not just for this bill but moving forward—that there is no such thing as asking someone here that is good for half of us and bad for the other half. There is no possible political victory here—none. There is no outcome here in which half of us are going to be able to go back and say: Boy, we really looked good. The other half of us look really bad, and people are going to reward us for it. They are not.

I promise you, when someone has lost their job and does not know where they are going to go, is stuck in their home and their life has been turned upside down, for 3 1⁄2 days, we can’t even vote on a law, we can’t even walk to the front of this place and lift our finger up or down and say you must do this—nothing matters. It doesn’t matter what you write on in your commentator moments on cable news. It doesn’t matter what you come up with in your commentator moments on cable news. It doesn’t matter what you write on Twitter or what snarky remarks you come up with in your commentator moments on cable news. It doesn’t care about any of that stuff.
on their mind is going to be partisan politics or preexisting differences.

If you don’t believe it, we are about to find that out, unfortunately. There is no outcome here which half of us are happy and the other half are upset.

I don’t like it all that time. I can’t think of a better example than this one: We are truly all in this together. The carnage, the damage that this will do to our country is extraordinary. It will know no geographic bounds, it will know no racial or ethnic lines, no demographic differences. This is a virus that can infect the heir to the Crown in Britain just as easily as it can a 92-year-old retiree in a Florida nursing home.

I hope the gravity of the moment finally sinks in and that we take the necessary actions quickly. If there is something in this bill you really don’t like—I don’t mean to diminish it—if we can fix it, we should. But at this point, I am going to tell you that there is nothing wrong in this bill. There is nothing in this bill that will damage our country more than our inability to act. No matter how bad you think some provision in this bill may be—and I say this to both sides—there is nothing in this bill that will damage us more than doing nothing. By far, the most damaging thing that can happen is not any provision of this legislation. It is our inability to act and to send a message to the American people that their leaders can’t function, that their government will work—not just on a day-to-day basis but in a moment of crisis.

I hope that whatever differences may still exist at this moment—and I am trying to be fair because I know a lot of people have finally seen the full text of it in the last few hours—and if you have caught something that can be fixed, it should be fixed. But I plead—I don’t know what other word to use—that we don’t leave here tonight without having passed this bill because I honestly don’t know how this Nation and our people can afford one more day of this.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. UDALL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. BLACKBURN). Without objection, it is so ordered.

Mr. UDALL. Madam President, today New Mexico and the Nation face a pandemic, the likes of which we have not seen in over 100 years, and today the Senate must act to pass the largest relief package for the American people in our history.

First, I would like to extend my thoughts and prayers to everyone who is personally affected by this coronavirus pandemic. I thank the healthcare workers for working long hours and risking their own health to save lives. They are performing a national service.

The numbers of infected individuals and the rapidly rising death toll are staggering. If we do not follow public health expert advice, the tolls could be truly horrifying.

In New Mexico, we have over 100 diagnosed cases, and today the first death in our State was reported. A senior citizen from Eddy County in the southeastern part of our State passed away on Sunday.

All New Mexicans are facing new challenges—a threat to our health, a threat to our economy. My top priority is easing this hardship and making sure New Mexicans have what they need to stay healthy and to stay economically afloat.

With that in mind, I rise today to tell New Mexicans: Relief is on the way: relief to American workers who have been put out of work and to small businesses that will struggle to survive the kind of economic downturn we now face.

The Federal Government has the power to make sure that people can take the societal health measures that are necessary, while also staying afloat financially.

We here in the Senate need to make absolutely sure that everyone—not just those at the top—that everyone is taking care of and can weather this crisis.

I am strongly supportive of the small business relief in this bill, which includes loans of up to $10 million that can be forgiven and turned into grants to employees, loaned on the payroll. This relief will go through the Small Business Administration and be available to any business or nonprofit under 500 employees. With Democrats at the negotiating table, we worked toward that goal. As a result, American workers will receive 4 months more of unemployment insurance instead of just 3.

Because so many Americans are now out of work, we included an unemployment insurance plan. This plan extends unemployment to the self-employed for the first time. It increases the maximum benefit by $800 per week. Many workers will receive their full pay under this expansion.

I hope the gravity of the moment finally sinks in and that we take the necessary actions quickly. If there is something in this bill you really don’t like—I don’t mean to diminish it—if we can fix it, we should. But at this point, I am going to tell you that there is nothing in this bill that will damage our country more than our inability to act. No matter how bad you think some provision in this bill may be—and I say this to both sides—there is nothing in this bill that will damage us more than doing nothing. By far, the most damaging thing that can happen is not any provision of this legislation. It is our inability to act and to send a message to the American people that their leaders can’t function, that their government will work—not just on a day-to-day basis but in a moment of crisis.

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Education, and the HUD Office of Native American Programs. These funds will assist Tribal governments as they make their way through this crisis and support their members—support BIE schools and Tribal colleges and universities so that students continue with their education and provide housing for those most in need who are impacted by this terrible virus.

These are key victories, but we are not yet upholding our trust and treaty responsibilities to all American Indians and Alaska Natives.

So Congress must do more to respond to the unique COVID-19-related public health and economic crises in Indian Country. Tribes are one of the most vulnerable populations with the least robust healthcare systems. We have a very scary outbreak on the Navajo Nation, and I am sure that we need to weigh in and help there.

For an economic package—and, believe me, we are going to have to monitor this closely and in all likelihood will be back here again—we must make sure Indian Country has equal access to personal protective resources. Senator Heinrich and I fought hard for New Mexico priorities. We are working hard on issues that have to do with our National Labs, one of our very, very top employers—in fact, probably the biggest.

New Mexico’s creative economy can’t be left behind. Sitting as the lead Democrat on the Appropriations Subcommittee that funds the national en- dowments, I pushed for an additional $75 million for both the National Endowment for the Arts and the National Endowment for the Humanities. These funds will support local artists and art programs through this tough economic time. When arts and cultural venues are shuttered and artists and all others are out of work, there is no doubt that these are exceedingly difficult times, but together we can get through this.

I would like to remind everyone to follow the health guidelines recommended by the experts. Staying at home is the best thing we can do to slow the spread of this virus and ensure our healthcare systems are not over-run. These measures are a firebreak that cuts off the fuel for this virus and prevents a catastrophe that overruns our hospitals. Social distance, washing your hands for 20 seconds—we all have an important part to play in containing COVID–19, keeping ourselves and our neighbors and our communities safe.

The State of New Mexico is under a stay-at-home order. I commend Governor Lujan Grisham for the quick and decisive action that she has taken. She is focusing on this like a laser beam. I commend the leadership of Senator Schumers, and others, we are ready to do that.

I am the dean of the Senate. I have been here the longest. I am not going to get everything I want, neither is the President, and neither is anyone here. But America will get a lot more than it has now.

Let’s do this for America. Vote on it. As Americans, we should say that it is reality time, not rhetoric time. Reality trumps rhetoric any day. Let’s go ahead and vote.

I commend those Senators in the Republican Party and those Senators in the Democratic Party who have worked so closely with each other. I know we have in Appropriations. It is time to say: OK. Let’s vote.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRAMER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum be understood.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, the Senators have been working very hard to respond to the crisis that is facing our whole Nation. One of our States is unique, but we also are here for all of America. All of America is suffering.

I know my staff in Vermont, my staff down here, the appropriators, and the Appropriations staff have been working every day and every night till midnight or later. Nobody has had any time off. I am proud to work with them, even though we have set up the capability to telework, as I would hope all would do, so we can work.

Earlier this week, we were faced with the prospect of a bill that was very one-sided. Republicans and Democrats had not done what we do best, sitting down and reaching a bipartisan agreement. We were given almost a take-it-or-leave-it bill. I applaud Senator Schumer who said we should come back together. Let’s not pass a bill that leaves out so much of America and so many of the people we represent. Republicans, Democrats, and find a way.

Now, late last night—actually it was close to this morning—agreement was reached, in principle, on such a bill. The appropriators do only part of it, but Senator Shelby and I tried to work together to have something we can all agree on. We should be able to vote. I agree with the discussions that Senator Schumer had this morning. We all know that none of us got every single thing we want, just as I am sure my Republican friends did not get every single thing they want. And is any bill perfect, especially something of this unprecedented magnitude? Of course not. But we are at a point where reality has to overtake rhetoric. We have to stand up and be the conscience of the Nation, as we have been in the past and we can be today. It is time for Senators to come together and vote. I know that on our side, under the leadership of Senator Schumer and others, we are ready to do that.

I am the dean of the Senate. I have been here the longest. I am not going to get everything I want, neither is the President, and neither is anyone here. But America will get a lot more than it has now.

Let’s do this for America. Vote on it. As Americans, we should say that it is reality time, not rhetoric time. Reality trumps rhetoric any day. Let’s go ahead and vote.

I commend those Senators in the Republican Party and those Senators in the Democratic Party who have worked so closely with each other. I know we have in Appropriations. It is time to say: OK. Let’s vote.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRAMER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum be understood.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO NORMAN BORLAUG

Mr. GRASSLEY. Mr. President, I know we have a very important piece of legislation before us to turn this economy around and help in our battle against the virus. While we are waiting to vote on that, I have come to the floor for a couple of points that I would like to make.

The first one is to honor a famous Iowan. This month is Iowa History Month, so I have come to the floor to speak about one of Iowa’s favorite sons, Dr. Norman Borlaug, whose birthday is today.

He is considered the father of the Green Revolution. Raised on a farm near Cresco, IA, Borlaug is credited with saving more lives than anyone in history with his breakthroughs in crop science. It took him several years to accomplish what a lot of scientists do now in a laboratory in regard to fighting diseases in plants. He did this in Mexico and India.

His work helped to overcome malnutrition and famine across the world, saving over 1 billion lives in the process.

His achievements won him the Nobel Peace Prize—not only that famous prize but also the Presidential Medal of Freedom and the Congressional Gold Medal. I think there are only five or six people who fall into the category of winning all three of those prizes.
His achievements also prompted the State of Iowa to honor him with one of Iowa’s two statues in Statuary Hall here in the U.S. Capitol.

CORONAVIRUS

Mr. President, on another subject, some pundits, and even Members of this body, have suggested that it’s appropriate to criticize the Chinese Communist Party for its mishandling of the coronavirus that originated in Wuhan, China, because it distracts from bashing the President. We went from mainstream media outlets routine bashing of the President by its origin to this being totally politically incorrect.

There is an excellent timetable published by Axios that lays out the Chinese coverup that prevented early action to contain the virus. The Chinese pro-democracy activist, Wei Jingsheng, warned that General Secretary Xi is ordering people back to work prematurely, risking another massive outbreak of what he called Wuhan pneumonia.

Telling the truth about the Communist Party’s misdeeds does not preclude talking about how we can improve our own response. We can learn from free countries like South Korea, which has already contained a widespread outbreak, and Taiwan and Japan, which appear to have been able to prevent widespread outbreaks.

So this is not the time for political correctness or political point-scoring to get in the way of telling the truth or working together in a clear-eyed way to address the challenges at hand.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I came to this building, this Capitol, about 12 hours ago today and, first thing this morning, recorded a video to share on social media with the folks back home, wondering: What is happening? What is next? What is happening? What is happening? Who have been eagerly asking: What is happening? What is happening? What is happening? What is happening?

Just before coming over here I read in the New York Times an article about how in my region, in the mid-Atlantic area, things started changing as the story got more dire and more grave, as public health officials began to predict a global pandemic, as the World Health Organization announced it is a global pandemic, as scientific leaders began to say that the United States would inevitably be touched by it, as our colleagues from the Pacific Northwest told us about how their communities were being affected, as extended contacts and quarantines on social media and then on the press shared how they are or members of their community had become infected. As it began to move across our country, it began to impact a remarkable range of institutions, from baseball to Broadway, the closures of all sorts of treasured American institutions—every major sports league, every major public gathering.

And as now State after State has issued edicts, as city and county alike all over our country have asked people to close their restaurants and their bars, their small businesses, as hotels have no occupants, as airplanes fly no passengers, it has become haunting, eerie—the sense of an imminent disaster.

Just before coming over here I read an article in the New York Times about how in my region, in the mid-Atlantic, it has hit. In the borough of Queens, in the city of New York, in a public hospital known as Elmhurst, yesterday, 13 patients died, and in a riveting account, the nurses and the doctors describe a catastrophic situation.

Public health officials, trained health aids stretched to their limits, tested as they hadn’t been before, struggling to get personal protective equipment, to have enough ventilators, to have enough ICU units—and I will tell you, as, over the last couple of days, I have talked with the heads of each of our major hospitals, folks who run skilled nursing facilities, non-profits, community health centers, as I have heard from nurses and doctors, I know the level of alarm and concern has steadily risen in recent days.

So, folks, tonight, as I stand here on the floor of the Senate, I am mindful that our Nation is suffering; that there are people all over the world, particularly here in the United States, in the States that we represent, who are anxious, who are unemployed, who are uncertain, in some cases now, too many who are infected, who are hospitalized.

It has come home to this Chamber, as one of our colleagues has testified positive and one of our dear colleague’s husband, her spouse, is hospitalized.

We know Members of the House and the Senate, of our staff, and our immediate community have been touched by this dread disease.

And we are now at a critical moment in our modern history—simultaneously a public health crisis and an economic crisis.

I have heard too many people say it is unprecedented. It is not unprecedented. The United States and our Nation have made it through tougher times than this. To say that the Great Depression and the Second World War, the Civil War, and the Revolution, the hard work of labor organizing, and the desperate work of throwing off the shackles of segregation and Jim Crow—to say that those weren’t tough and difficult struggles misses the significance of our history and the things we have overcome.

But for most of us, for most of our families, for most of our communities, this wave, this pandemic, this virus, and the combined health and economic disaster that is upon us may be the greatest test we have faced.

So how have we answered thousands of businesses already closed, millions of people already unemployed, and a nation fearful of a pandemic swamping the resources of our hospitals and our health system?

Let me just speak briefly in broad strokes to what is in this bill, which we have, finally, ultimately, hammered out after days of disagreement and in advance of our getting the final official text.

In the broadest strokes, the help that will be delivered to the American people by this bill starts with individual assistance—something the President has championed and the Democrats have supported in different versions of it, but we have roughly agreed on $1,200 to every adult citizen making below $75,000, and it phases out to those making below $100,000. With $500 per child, your average family might well see $3,000 to $4,000. These checks will come out in weeks, delivered directly, for those with direct deposit through the IRS, or by check to those harder to find who haven’t filed recently but are eligible.

This is a remarkable, direct support to help millions of Americans have cash in their family checkbook to get through the unexpected hardship of these next few months.
There is more than $100 billion in this bill to support our health workers on the frontline and the hospitals that make our public health possible—possibly.

You heard that story about Elmhurst Hospital. In my own home State, there are hospitals rural and urban, large and small, that without this support will struggle to make it through this period.

The heroes of this period are the folks who are working—the folks who are cleaning offices, trains, hospital rooms, often without enough protective equipment, often without healthcare themselves, often without adequate pay; the folks who labor at night here in this Capitol in our offices to make sure they are clean and safe from this virus we can’t see; the folks who work in public hospitals, work long hours. They are orderlies, they are nurses. They are the paramedics, the folks who drive ambulances who deliver the sick, and they are the surgeons and the doctors who direct their care.

And one of the things I am proudest of is that in this now that was not in this year is $150 billion to States and counties and cities.

In the 10 years I spent in county government, I came to deeply respect the men and women who help keep our county government afloat and our communities stronger, safer, and healthy. This direct support to the States and the counties on the frontlines of this pandemic will help them get through.

There is a $350 billion fund—the subject of much discussion and debate—that, as initially written and proposed, would help sustain some of our iconic industries like the airlines, but with almost no transparency, in terms of the terms of the loans or the grants that would be given, and almost no restrictions on how the companies to receive them might use them, for what purposes.

Broadly speaking, after days of fighting, we have come to agreements that I support and embrace—restrictions on buybacks and dividends and executive compensation, guarantees against layoffs and against the destruction of collective bargaining agreements, and, broadly speaking, transparency and accountability.

One of the things I am most proud of is that there will be now an accountability board, a pandemic response accountability board—an independent inspector general, a special inspector general, and $30 million in this bill for the operation of that accountability committee.

Let me elaborate, since I see I have a number of colleagues who have joined me on the floor, to just a few other points, if I could.

There is $350 billion in this bill for the Small Business Administration to disburse to small businesses and to nonprofits all over our country, with an incentive structure to change it from a loan to a grant to those who would retain or rehire their workforce.

As I have heard from restaurant owners, from hotel owners, from those who work in bars and restaurants and hotels in my community, those are the folks who have been hit the first and the hardest by the closures. This provision will allow those small businesses to reemploy employees when we get on the other side of this pandemic.

And I look forward to working with my colleagues, with the SBA Administrator, with the SBA lenders in my State and around the country to make sure it is done well and that it is done quickly.

I wrote the bill that added $17 billion more so that $200,000 current small businesses, which are current SBA loanholders, get 6 months of relief, moves them off the agenda of the SBA staff and the SBA lenders to clear the decks for them to administer this $350 billion.

And I supported Senator CARDIN in his initiative to add $10 billion for small, rapid grants to the most severely impacted businesses and nonprofits.

This section of the overall bill, where Senators RUBIO and COLLINS, CARDIN and SHAHEEN negotiated most of it, struck me as the most bipartisan and most productive.

There is so much more in this bill I could speak to—the ways in which the resources of the Federal Reserve are going to be deployed to help medium businesses and small businesses; the ways in which the private sector in my home State has stepped up to partner and to deliver critically needed resources, whether it is refurbishing ventilators or donating surplus PPE from the construction sector that they don’t need today, or it is the university that has closed its research labs but makes its resources available to our hospital.

There are some remarkable efforts in partnership going on in my community and around the country. But at the end of the day, we have a critical question: Is this bill perfect? No.

Could we improve it by more time here arguing with each other, offering more minutes, debating further? Yes.

Is there something I badly wanted that did not get in this final bill? Absolutely.

We have had nine major States delay their elections, delay their Presidential primaries because of this pandemic, and I urged that a bill written by my colleagues Senator KLOBUCHAR and Senator WYDEN, that I joined, be added in text to require every State to have a plan to vote by mail during this pandemic. If our troops could vote from the frontlines in the Civil War and Second World War, by gosh, we should have a plan to vote even if this pandemic continues.

I was disappointed that text is ultimately not going to be in this bill. Four hundred million dollars will be in to help those States that want to vote by mail, to expand and strengthen vote by mail, and I will be back. I will be back to insist on this provision in the next bill.

But as I have said to many colleagues in the last few days, we cannot all get everything we hope for and want and believe to be important in this bill. We must put down the tools with which we so often fight each other; and we must come together and take up the implements of national purpose, of compromise, of consensus, and deliver these resources to a nation anxious, concerned, and at times even angry at all of us in the Senate for what they see as too long a delay.

So with that, let me just say to my colleagues, it is time for us to take up this bill, rough-hewn as it is, pass it through this Chamber, send it to the House. I urge my colleagues in the House to pass it and send it to the President’s desk for signature, and then let us all get to the hard work of making sure we do the best we can for the people we represent with this historic stimulus package and the remarkable coronavirus relief package that is going to deliver $2 trillion of assistance and support to communities all over our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I rise today to let all Nevadans know the important steps Congress is taking to respond to the pandemic we are facing right now.

The novel coronavirus represents a global challenge to the health and economic security of Nevada and the United States.

My thoughts today are with those in Nevada who are ill or suffering with the virus, and with the families of the six Nevadans who have died because of this disease.

I also want to thank the brave men and women on the frontlines of this crisis—the first responders and healthcare workers who are battling to save lives, putting their own health and the health of their families at risk.

I know there is a lot of fear and confusion in our communities right now. Please know this, though: I am working closely with Governor Sisolak and the Nevada delegation to ensure that our State gets the resources it needs to respond to the spread of this coronavirus, to treat those who need medical attention, and address the needs of struggling families and businesses.

I also know that we are Nevada strong. I have seen over and over again that when things get difficult, Nevadans come together. When a gunman attacked the Route 91 Harvest Festival in Las Vegas, I saw how Nevadans from all over the State worked heroically to help victims and support families.

I am proud to say that across the Silver State, people are doing their part to reduce the impact of COVID-19.
Our Governor, Steve Sisolak, has shown tremendous leadership in working to slow the spread of the coronavirus. As Governor Sisolak has pointed out, if “Home Means Nevada,” we need everyone who can to “stay home, shop local, and help each other.”

Our nurses, doctors, and other health officials are working tirelessly to care for the sick and to increase our capacity to deal with the cases in the future. First responders, local health authorities, sanitation workers, and retail workers are working around the clock to make sure essential services are available to Nevadans. Our gaming, entertainment, and hospitality industry leaders took unprecedented steps to stop the spread of infection, including by closing their doors.

So many Nevadans are contributing by working from home when they can, caring for school-aged children, volunteering to help make masks or buy groceries for elderly neighbors, and avoiding social interactions that could spread the virus.

Everyone—every single Nevada and each and every American—has a role to play in this crisis. We need everyone to do their part by following the advice of the experts and taking practical, commonsense steps such as washing hands and practicing social distancing.

My colleagues and I in Congress have done our part as well. The Senate has come together in a remarkable and bipartisan fashion to act on three bills to address key healthcare priorities and to protect workers and industry from the economic impacts of the public health crisis.

Earlier in March, we set aside $8.3 billion to support hospitals, community health centers, public health offices, medical suppliers, and researchers across the country.

Next, we passed the bipartisan Families First Coronavirus Response Act to provide virus testing, expand food assistance, and mandate paid sick and family leave for workers.

I am proud to have fought alongside my colleagues in the Nevada congressional delegation, including my friend and colleague Senator JACKY ROSEN, to pass today’s third relief bill. We must pass this today. It is quite simply the greatest single investment in our economy and healthcare system in modern American history, and we need it.

In Las Vegas, it was hit hard by the recession. Through tremendous effort, we came through it, but our economic recovery was slow. This time, we want to make sure that our economy springs back quickly after this crisis has passed and that workers have good jobs to return to when it does. That is why we need to pass these far-reaching measures to provide immediate relief to individuals, families, and businesses suffering from the economic impact of this pandemic.

Nevada has an economy that is unique in the Nation. Our hospitality industry generates nearly $68 billion annually and supports more than 450,000 jobs across the State. So I have been focused on standing up for our gaming, tourism, and hospitality workers. I also wanted to make sure that when we offered relief to big companies, there was oversight, transparency, accountability, and worker protections in place. This bill does that.

I am grateful to the many small businesses in my State that have taken the hard but necessary action and closed their doors to prevent the spread of this virus at this critical time. This bill supports them as well by providing forgivable loans and grants so they can open their doors again as soon as it is safe for them to do so.

Most of all, I wanted to make sure we supported Nevada’s workers and their families, the hard-working people our industries employ. That is why I worked with my colleagues to ensure key protections for Nevadans and all Americans were included in this relief package. We fought to expand unemployment assistance so it includes part-time, self-employed, and seasonal and gig economy workers, who make up a key part of our workforce in the Silver State.

Whether you are a dishwasher at a hotel on the Strip or a hair stylist in Carson City, you will be eligible for up to 4 months of unemployment benefits. Yes, we locked down direct payments of $1,200 for each adult and $500 for each child, up to a certain income level, so our hard-working families would have money in their pockets to recover from this pandemic. We successfully pushed to shore up our hospitals and our healthcare infrastructure to get them more money for protective gear, supplies, and tests so they can provide patients the best possible care, while at the same time protecting themselves.

We made sure that we also included our local, State, and Tribal communities. We set aside $150 billion for our governments that are bearing the brunt of the impacts for their local healthcare systems.

That is why I support this legislation, and that is why we have to pass this tonight.

I would be remiss if I did not say thank you to the incredible staff who worked so hard these past few days, 24/7, to put this relief package together in a bipartisan way—Leader SCHUMER’s staff and Leader SCHUMER, the negotiators on this team who get to work with every single day, their hard-working staffs, and my staff as well, who worked late nights to make sure that we were fighting on behalf of Nevadans.

I know this is a difficult time for everyone, but we are going to get through this just as we persevered before. We will do it by rallying around one another, as Nevadans always do. There will be moments of challenge ahead, and each of us has a responsibility to answer these questions.

Let’s listen to the experts, let’s take care of one another, and let’s be kind and understanding of what we are all going through. But let’s not lose sight of the beauty of our everyday lives, that familiar rhythm we are all eager to restore. In Nevada and across the country, we will be back at our workplaces again, solving our everyday problems. Our children will be back at school learning for themselves how to make the world a better place. Yes, we will begin the long task of grieving those we have lost, but we will also be celebrating marriages again and marking births with a newfound joy.

We will get through this together, and I promise everyone in the Silver State that I will be fighting in the Senate to make sure we rebound from this stronger than before so that Nevadans can get back to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I want to compliment my colleagues Senators RICK SCOTT, TIM SCOTT, and Senator Sasse.

Today, when we were getting briefed about the bill, something hit me like a ton of bricks. And there are a lot of good things in here. There is money for healthcare providers, nurses, doctors, and hospitals. There are so many good things.

The country is under siege. I was one of the first Republicans to join my Democratic colleagues. I think I talked to Senator DURBIN.

We need to do something more on unemployment insurance than the Collins-Rubio construct. I think, will help, but some people are going to fall through the cracks.

Never in my wildest dreams, Senator DURBIN, did I believe that what we have done is to pay people more not to work than to work. Under this bill, the $600 payment on top of State benefits actually allows people to have their income almost doubled in certain circumstances. I want to help people. I want to make sure that if you lose your job, we cover your wages. But under this bill, you get $23.15 an hour based on a 40-hour workweek not to work.

If you are trying to hire somebody in South Carolina the next 4 months, you have got to compete with this wage. If you are working in a restaurant—probably not now—but if you are working anywhere for $15 an hour, somebody is making $23 an hour, and you are working for $15 an hour, it just is not fair. It is going to hurt the Rubio-Collins construct.

For restaurants that are out of business, we want them to be able to borrow money to pay the payroll to keep people connected to their employer. Never before did you see when you make $23 an hour being on unemployment? How do you keep that waitress or bartender at $15 or $17? You made it a nightmare for small businesses. They are being pitted against their own employees.

So to Senator DURBIN and everybody else, the reason we are doing this is because they tell me it takes 6 to 8
months for unemployment commissions at the State level to figure this out.

What are we asking you to do? To get unemployment, you have to tell us where you work and how much you make. You want to do that? I don’t know the difference between the State unemployment benefit and your actual wages and stop there. We don’t do that under this bill. There are people getting paid more not to work than they were in the workforce. It is going to be hard to have people keep their jobs. You can be unemployed at $23 an hour in South Carolina. That is a lot more than people make.

So I am urging my colleagues, we need to fix this. No matter how well-intentioned, you are going to make the next 4 months impossible for small businesses to hire. I can promise you this: If you pay somebody $23 an hour not to work, they are probably going to find a way to get there rather than stay where they are in the workforce, where I am sure they would rather be. We have created a perverse incentive not to help the unemployed person but to destroy the ability to stay employed.

With that, I would just say to my colleagues, let us bring common sense back to this body. I am very much for this bill that does help a lot of people. But we have created a Pandora’s box for our economy, and I wish we could fix it tonight, and if we don’t, we need to keep trying and trying and trying.

With that, I will yield to my colleagues.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT of South Carolina. Mr. President, let me be abundantly clear. I plan to support this legislation tonight, but I do want to fix it first.

Our amendment is a very simple amendment. First, it is our responsibility to every extent possible to take care of the American people. I want to provide 100 percent of the salary while on unemployment because of COVID-19 to 100 percent of the salary of someone laid off because of COVID-19.

My goal is to do it the right way. The right way is that you get your income as if you are still working because you have been laid off because of COVID-19. It is not a raise for not working. It is not 200 percent of your income while on unemployment. The goal is simply to keep you whole while you are unemployed because of COVID-19.

I can speak from experience, as a former employer, and, frankly, as a former employee, the relationship between the employer and the employee is critical. Our Nation is built on the dignity of work.

What this bill does, without fixing it, is simply say: You can earn more money by being on unemployment than you can while working. That isn’t an incentive. That is perverse. We cannot have intended to encourage people not to work and make more money than to go back to work and receive their normal pay.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. Sasse, Mr. President, as Senator TIM SCOTT just said and as RICK SCOTT and LINDSEY GRAHAM just said, this amendment is really, really simple. All we are trying to say is that we should help everyone who needs to be helped now, by not creating a disincentive to work. That is not good for anybody in the country or the country as a whole.

We are in the middle of two unprecedented crises right now. We have a public health crisis, and we have an economic crisis into which we are just entering. We don’t know how long the valley of this recession is going to be, but I want to be sure that every American who is watching tonight understands exactly what this debate has been about this afternoon, this debate.

This debate is how you can be both pro-worker and pro-recovery, to be kind and charitable, and actually also, simultaneously, affiring the ongoing dignity of work and the necessity of work as our country battles through this virus and ultimately rebuilds our economy.

Nobody here is arguing whether this bill would help. Everybody on both sides of the aisle tonight wants to help workers. This is a debate about whether we are going to let a poorly drafted bill knock this Nation still harder in the coming months by unintentionally increasing unemployment. This bill is going to get us through. It is going to get us through. It is going to get us through. This bill is going to get us through.

Right now, as the coronavirus is threatening our economy, we know who the real heroes are. The real heroes are not politicians. There are a lot of people who have been working all night, five or six nights in a row, but the heroes who are going to beat this virus and rebuild America are not politicians.

The heroes are the men and women who are stocking shelves and women who are picking up trash, the men and women who are driving trucks and delivering takeout, many of them converting restaurants, which used to be sit-down, into takeout restaurants and putting food on the table for a lot of families. These are our heroes. The Americans who are keeping the pharmacies open—they are the heroes. The daycare workers who are doing stuff to watch other ER doctors’ kids—those are the heroes. The heroes are the Americans across town, across States, across every town and village and suburb and city, who are doing the work, the ordinary jobs but, now, under extraordinarily painful and difficult circumstances. They are the heroes, the scrappers, and the doers. We should be celebrating them, affirming them, and helping them, once we get through this crisis, to get back to work.

This bill has lots and lots of good stuff in it. I intend to support it, as well, but there are pieces of this bill that are broken and that we can fix tonight. If we don’t fix them tonight, it is going to exacerbate our problems, and we will be coming back here in a month or 2 months, trying to fix these problems.

These are the Americans who are going to get us through. They are the people who are going to keep our supply chains alive, and those supply chains are the lifeline for lots of Americans.

Here is what is wrong with the bill. As it is currently drafted, it threatens to cripple the supply chain for many different categories of workers—some in health sectors and some in food prep and food delivery. This bill, as currently drafted, creates a perverse incentive for men and women who are sidelined to then not leave the sidelines to come back to work. This bill creates a perverse incentive for many employers who should be wanting to maintain their well-drafted employer-employee relationship—it creates a perverse incentive for them to sever that employer-employee relationship.
Many other pieces of this bill tried to tackle this problem in a really constructive way. The $350 billion for the Small Business Administration—it is trying to build bridge loan programs that help employers and employees be connected and work through this downturn. The unemployment insurance piece of this should not work at cross purposes to what the bill is about in the overall argument.

Nobody has a problem with the generous unemployment benefits that are in this bill. It is only some of the 50 States that have a problem with the generous unemployment insurance benefits that are in this bill. They should be generous amid the national crisis we are in. But we don’t want this piece of the bill to create an incentive for folks to stop working and to have their employers push them away when the employer and employee should be trying to rally around and together to help us build through this crisis.

So we want to do something really simple. We want to fix what is broken here by saying that unemployment insurance benefits should be capped at 100 percent of the pay you had before you were unemployed. This isn’t just about people who have already been made unemployed. This is about people who are going to be made unemployed in the coming weeks.

All this amendment says—which we are voting on in a few minutes—is that we should cap the unemployment benefits so that the wages you were just receiving while working. It should not be something the U.S. Congress does to create an incentive where you will get paid more by not working than you get by working. That is pro-recovery legislation that tries to keep our supply chains humming and tries to help us—325 million Americans—come together to beat this thing.

We should vote for workers. We should vote for recovery, and we should vote to do it in a way that brings relief to these families when it comes to unemployment benefits. We can tell you point-blank that only 6 or 8 States out of the 50 could possibly do what you want to achieve.

They tell us it will take them months to reprogram their computers to make the simple calculation—what unemployment insurance benefits that says that you never get paid more in unemployment than you were making on the job. That was the reality. We didn’t make that up. This wasn’t a Democratic, dreamed-up idea. This was the administration—right now’s the Department of Labor telling us that when they looked at the State departments of labor, they couldn’t achieve what you want to achieve with your amendment.

In other words, if you go forward and you are successful—I don’t believe you will be—but if you were successful, what we would end up with is, frankly, a deadlock: no increases in unemployment insurance benefits.

Now, let me tell you, beyond this administrative problem, which was not our creation—it was identified by the Trump administration—there are two or three things I want to say as a bottom line.

First, we are determined to make sure that the workers come out at least whole, if not better, through this terrible experience they are going through. Now, this notion that the workers would come out better is not unique to the Democratic side of the aisle. The cash payment proposed by the Trump administration—$1,200 per adult, $500 per child—for some, will be a benefit, may even be a small but important windfall that comes their way. So the fact that working families across America would end up with this cash payment from the Trump administration—I don’t object to it at all.

But the Democrats have said that is one and done. That is an airdrop of cash to people. What about the next week and the next month? That is why we brought up the unemployment insurance. Now, the $600 figure we came up with was an attempt to make sure that everyone is whole at the end of the day. I will concede your point that everyone is whole at the end of the day. They may come out ahead because of this calculation of $600 a week. They may come out ahead. I am not going to stand here and say that I feel bad about that. I don’t feel bad about that at all. When less than half of the people in America have $400 in their savings, the notion that we might end up giving people another $1,000 or $2,000 at the end of 4 months to me, is not something we ought to be ashamed of or run away from. That is a real possibility, and it may happen.

I will support that just as I supported the Trump administration’s cash payment to that same family. They are getting $500 a week for 4 weeks, which makes it $2,000. So $150 times 16 weeks—that is 4 months. How much is that going to come out to? $2,400? Is that going to mean that someone now becomes lazy and won’t go back to work? I don’t think so. I think a lot of people will use that money and need that money and are given a helping hand and will put it right back in the economy. That is what this is about—that these families can keep their homes, pay their utility bills, put food on the table, and put the money back into the economy. That is part of what we are trying to achieve here.

If we err on the side of giving a hard-working family an extra $1,000 or $2,000 because of our approach, so be it. No apologies. We didn’t design this system. We were told we had to work within the design of the system. We tried to do it. We think the $600 a week is a reasonable way to do it, and I will yield for a question.

Mr. SCOTT of South Carolina. I thank the Senator: The $600 a week, I think, if I do the math quickly, times 16, is about $9,600. Add on top of that the additional $1,200 per person, or $2,400 per family, and $500 per kid is an important number that we should—I don’t think you have hit on the point that we should all be willing to agree upon that the systems of unemployment throughout our country, perhaps, are working on antiquated equipment that may need to be updated so that we can, in fact, help people during their unemployment. I would love for us to work in a bipartisan fashion to try to figure out, through the Department of
Labor, how to fix the problem so that those folks who deserve the benefits get all that they deserve but that we actually have a system that is nimble enough to actually meet the needs, State by State, without exceeding the need so that when we are in a position again, if we are locked in at phase 3 or phase 5, we are not again having a conversation about systems that are so antiquated or perhaps even obsolete that we are doing something that was not intended.

I am not suggesting we can get that done tonight. I am not even suggesting we can get that done over the next few months. I am, however, concluding that we should work to get it done.

Mr. DURBIN. I don't disagree with my friend from South Carolina at all. I agree with you completely. We are in the midst of a national emergency.

Mr. SCOTT of South Carolina. Absolutely.

Mr. DURBIN. That is not my announcement. That is the announcement of President Trump. I believe it. When you look at all the people now filing for unemployment, when you look at the hardships they are facing, the lifestyles they have had to live to try people with shelter-in-place and all the rules that are going on out there, the number of people filing these unemployment insurance claims, they tell us the reality of the situation.

The notion, as you said, $9,000 times three times four months basically comes out to about $30,000 a year, roughly. That is what the $600 is calculated to mean on an annual basis.

So, on a 4-month basis, if we end up giving people an extra $1,000 or $2,000, it is not inconsistent with what the Trump administration says they want to do with their cash payment. In the meantime, if we are going to move forward—and I hope this crisis comes to an end quickly—if we are going to move into a new phase—phase 4, phase 5, whatever it is—let's work together to try to upgrade these systems, to make them work the way we want them to work.

But in the meantime, wouldn't we want to err on the side of standing with working families and their employees? Wouldn't we want to do that in this first effort? I think it is the reasonable and thoughtful way to do it.

Mr. SCOTT of South Carolina. I am happy to answer that question. If the gentleman will yield.

Mr. DURBIN. I would be happy to yield for a question from my friend from South Carolina.

Mr. SCOTT of South Carolina. Thank you, sir.

I would say that, on both sides of the aisle, would you not agree that we are both trying to get to the place where we are, in fact, keeping the average person, especially the working-class people, whole as we ponder and discuss this amendment, would you agree?

Mr. DURBIN. Of course.

Mr. SCOTT of South Carolina. My final thought is that my goal isn't to come down here and have a disagreement, as much as it is to illuminate a very important part of the process that, if we can get it fixed throughout our country as we tackle these issues in the future, more folks on both sides of the aisle will have greater confidence in sending these resources to the States so that our people can be whole. That is all I want to say.

Mr. DURBIN. There is no disagreement. I say to my friend from South Carolina, there is no disagreement, but the U.S. Department of Labor we cannot do that at this moment. And at this moment, when people are hurting so badly, when they have lost their jobs, been furloughed, laid off, and they are worried about paying their bills, the Trump administration says we are going to send them a cash payment.

We say—and I hope it is a bipartisan statement: We are with you too. It isn't going to end with that one cash payment. We are going to stick with you and the payment. Unemployment insurance benefits are going to keep you and your family together. And if, by chance, you come out a little bit ahead in this process with the cash payment or with the calculation of this formula, y be it. So be it.

At this moment in history, facing this national emergency, we would rather err on the side of your being able to pay your bills and keep your family together. Future needs, we can discuss and we can debate. We can see what we can do with the State systems. But for the time being, there are no apologies.

From where I am standing, $600 a week is exactly what Democrats are committed to—I hope Republicans are as well—because our belief is that this is the moment when we need to stand with these workers.

I might say that I support Rubio and Caridn in their efforts to help small businesses to be the right thing to do. It was bipartisan from the start and really without much controversy. Have we asked any of those businesses to produce net worth statements before they receive those benefits? No, we are not doing that. We understand this is an extraordinary moment. And we may do something different if we are thinking about a long-term policy, but for the immediate term, let us do the right thing. Let us err on the side of helping working families who are out of work.

That is why I would oppose this amendment if it is going to be offered by the Senator from Nebraska. I came to the floor to explain how we reached this point, and I hope that others will consider my point of view.

Mr. SCOTT of South Carolina. Thank you.

Mr. DURBIN. Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Mr. President, I would say very briefly that I appreciate the comments from the Senator from Illi-
The reality is that in lots and lots and lots of States in the country, where people are earning $12 or $13 or $14 or $15 an hour right now, the unemployment option they are going to be offered is going to be more like $24 or $25 an hour, if they can get that. We are not talking about $1,000 over the course of these months. We are talking about cases where people might have an annualized wage right now of $30,000, and be looking at an unemployment benefit of $1,000 a week, which is $50,000 annualized. So your math isn't real.

The reality is, it isn't $600 total. It is $600 on top of what the unemployment benefits already were in that State. So there are lots of people who are struggling to work hard and to love their neighbor. We have a lot of health aides in Nebraska who make 16 bucks an hour. That is a $32,000-a-year job. Their work is important. That is a vocation. People need them.

There are sick people from COVID–19 and other diseases right now in Nebraska who need the benefit of those health aides, and you just told them in this bill—we just told them in this bill—yeah, your work is a little bit important, but look at this. You could make substantially more money if you didn't do the hard thing of trying to figure out what do we do with our kids today when school is closing, and I don't know how to do daycare, and my sister and I need help to care for my kids, but do I really put the burden on her when I don't actually have to go to work to get this same money? In fact, I can get substantially more money by going on the unemployment insurance program.

That is a disincentive to work that I don't think you believe in. I know I don't believe in, and I know nobody in my State believes in.

It is not a Republican versus a Democratic issue. This is an American issue. We believe in workers, and we believe in work, and we don't believe government should come in and say: It is much better off to be a nonworker than a worker. You can make a lot more money being a nonworker than a worker.

We are not talking about people who suffered layoffs last week. We are talking about creating a system here which will incentivize more unemployment next week. That is a mistake by this Congress, and we could and we should be doing better than that tonight.

I know the Senator from Texas has been trying to get in.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

MR. CRUZ. Mr. President, this bill is going to pass overwhelmingly. It may pass unanimously tonight, but I think this amendment would make it substantially better. I expect we will see a party-line vote on this amendment, and I think that is unfortunate because the consequence of the system—the unemployment insurance system—in this bill right now is that we are going to substantially disincentivize work, and it is going to hurt workers. It is going to hurt small businesses.

Let me give you a concrete example. In Texas right now, the maximum unemployment insurance is $521 a week. After this bill passes, that will rise from $521 a week to $1,121 a week. That is nearly just over $500 a year. That means that, in the State of Texas, we are going to be paying people, offering them, basically, 28 bucks an hour to not work.

Now, listen, every one of us recognizes that people are hurting. The problem is the incentive. We are creating an incentive that will hurt small businesses.

If you have a waiter or a waitress who has lost their job for a few weeks, they are on unemployment, and they are making $25, $26, $28 an hour, suddenly, the prospect of going back to that job and seeing the money they are making substantially doesn't seem too attractive. And, suddenly, the restaurant owner who is trying to make the small business work can't attract those workers back. That is bad for everyone. Incentives matter.

We want people to work.

So I would ask the Senator from Illinois: You said the problem with implementing this principle—that we shouldn't pay people more not to work than they make working—was administrative, that the Department of Labor and the States couldn't do it. Would the Senator agree with this amendment, and would the Democratic Party agree with this amendment if it simply had language inserted “to the best extent practicable”?

So acknowledging that it may not be practicable, would you agree with the principle that in implementing this, the States and the Department of Labor should try to make sure we are not paying people more not to work than they would make if they were working?

MR. DURBIN. Is that a question directed to me through the Chair?

MR. CRUZ. I will yield to the Senator from Illinois.

MR. DURBIN. All right. Let me just say at the outset that we are talking about people who did not voluntarily leave their jobs. These people did not voluntarily leave their jobs. They were terminated, and they were furloughed. These are not people who were gaming a system. These are people who are victims of the system that is hurt by this national emergency.

Secondly, if we are erring on the side of giving struggling, hard-working families an additional $1,000 a month—$1,000 a month—for goodness' sake, I am not going to apologize for a moment.

These people are living paycheck to paycheck, in many respects, if they are making $15 an hour. That is $30,000 a year. And for us to say: Well, they are going to end up with 1,000 bucks; now they will never go back to work, those people, I don't believe that.

In this world of social media and such, we have been contacted by nurses who say: So you think we are going to quit our jobs so that we can take advantage of the unemployment benefits? No, we go to our jobs, and we do what we have to do, and the amount of money is secondary.

MR. CRUZ. If I could reclaim my time?

MR. DURBIN. I will be happy to, and I thank the Senator from Texas. But I would just say this: Yes, in this respect, I agree with you.

Take a look at the State systems of paying unemployment benefits. We are told by the U.S. Department of Labor that many of them are way behind the modern technology and cannot meet what you have stated as your goal here.

If we want to work toward that goal of improving those State systems, as Senator Scotts earlier said, I will join you in that effort. But let's not apologize for, perhaps, sending them an extra $1,000.

One last point, we are asking these people to stay home. We were asking them to help us defeat this virus by not working and to stay with their families. So one of the incentives here, if there is a good unemployment benefit coming in, is that they can keep their families together while they obey this directive, at least, from government, State and Federal.

MR. CRUZ. These quarantines are going to end. The period of staying at home is going to end. But under the policy favored by the Democratic Senators, there is going to be an incentive that is going to end up with more people being unemployed.

Let's say you are a restaurant. And if you keep your employees on, maybe through a small business loan, you can pay them, say, 10 bucks or 11 bucks or 15 bucks an hour, whatever you are going to pay them. But if you don't, you can go on unemployment and make a whole lot more money. You don't think there are going to be a lot of small business owners who have their employees saying: Wait a second, I can make more money?

That is a bad incentive. We want to create incentives. I agree that people want to work, but government can mess that up if we make it more profitable.

Look, the checks we are sending, the $1,200 a person, don't create an incentive. It is not $1,200 if you do work. We want incentives that bring people back to work so that these small businesses that are closing their doors every day don't stay closed—so that they open up again, and that they have opportunity again.

It is a perverse incentive to pay people more not to work than to work. Yes, we should help them, but we don't want to trap them. That is what this policy does.

MR. DURBIN. Will the Senator yield for a question?
Mr. CRUZ. Of course.

Mr. DURBIN. Senator, I am sure you are acutely aware that this is a 4-month program. We are not offering people this benefit indefinitely. I hope we don’t have to renew it, but to say that I am going to change my lifestyle and not going to work, and then go back to the job, that is not an irrational decision. If you are returning to the place where I have worked forever, where I was just laid off because they closed the restaurant because of a 4-month program, I don’t think so.

If I am more loyal to the workplace if they are treated fairly, and if I end up giving them an additional $1,000 a month, at the end of the day, I think it is the right thing to do.

Mr. CRUZ. The incentives matter. We don’t want to delay a recovery from this crisis by 4 months. Hopefully, we stop this global pandemic, and we stop it soon. You don’t know how soon that will be. I don’t know.

One of the benefits of this bill is that we are flooding more resources—and we should. I am in the restaurant business. I was involved in protective gear, and into ventilators. There is a lot we need to do to stop this pandemic, but when it ends—and it will end, and we will get through this—we want people to go back to work—not 4 months. We want them to go back to work as soon as they are able to go back to work, and that is what our economy needs to be strong.

I would note, again, that I posed a question to the Senator from Illinois: Would he take the modification that acknowledges the administrative problems but said that this is the principle we should follow—that you shouldn’t be paid more not to work than you are paid to work. And the Senator from Illinois didn’t answer that.

Mr. DURBIN. Will the Senator yield for a question?

Mr. CRUZ. Absolutely.

Mr. DURBIN. Does the Senator support the Trump administration’s cash payment to the families, which comes to them whether they work or not?

Mr. CRUZ. I do. I am going to vote for it, but it doesn’t create an incentive. This is where too many in the Democratic Party don’t understand the incentives of trapping people out of work.

Incentives are future looking. In sending these checks right now, if you make $75,000 or less, you are going to get a cash payment of $600 a week. That is helping relief, but it doesn’t create an incentive for conduct tomorrow. What I don’t want is for people to be sitting there making a choice—making a very rational choice.

Look, if you are sitting there and saying, Well, gosh, I can make a lot more money staying at home than I can going to work. If I go to work, my family makes less money. That is not a question of staying home. That is a question of being lazy. That is a question of the government is putting me in a position where, if I want to care for my kids, I can do a better job of that by staying home. That is really foolish, and that, unfortunately, is the position right now of what I expect to be the Democratic Senators who will vote no on this.

That is a bad policy for workers. It is a bad policy for small businesses. It is a bad policy for the economy. We should support jobs, not paying people not to work. Give them a safety net, yes. Give them relief, yes. But don’t create incentives that make the problem worse, and that is what this Democratic policy will do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware spoke first and is recognized.

Mr. CARPER. Mr. President, replying to my colleagues, I think the Senators from Nebraska and South Carolina know that I have great affection and respect for them and I have from the day they got here.

I used to be a State treasurer. I was elected at the tender age of 29. Delaware had the worst credit rating in the country. We were dead last and we didn’t balance our budgets, couldn’t save our souls, and we had pretty much no money in the unemployment insurance fund.

Over time, we straightened out our finances, elected a guy named Pete du Pont as our Governor. I was treasurer for a while, and we had a Democratic and a Republican legislature—split. We learned how to work together. It is something we call “the Delaware way.”

I succeeded not Pete du Pont but Mike Castle, who was his successor. I was very active in the National Governors Association. They even let me be chairman for a while. I was the lead Democratic Governor on welfare reform when I was a member of the National Governors Association.

I was raised in a coal mining town in West Virginia. Parents—not much money, deep faith, hard work. My dad used to say to my sister and me: I don’t care if you have to work three jobs to pay your bills, work three jobs.

That is really the way I was raised, and I suspect that most of us here were raised that way—a strong work ethic.

When the lead Democratic Governor on welfare reform, I used to say people ought to be better off working than they are on welfare. Bill Clinton said that often. I really believe that.

The thing that was wrong with welfare—our welfare system—was that people were actually better off staying home than they were working. So kind of the same principle we are talking about here.

Every State has its own unemployment insurance fund. We have one in Delaware. They have one in Nebraska, one in Texas, one in Illinois. They are different, and different benefits are calculated in different States.

I just got off the phone, colleagues, with a fellow named Cerron Cade, who used to be a member of my team when I was early in my time in the Senate. He is now secretary of labor.

I said, Cerron—Mr. Secretary—what does définiyy people in unemployment insurance? What is the replacement rate? He said it is somewhere between 25 and 50 percent of what people were earning. But he said there is a $400 cap per month—excuse me—per week. There is a $400 cap per week on the benefits that we will pay anybody, regardless of what they were making—$400 a week.

If you think about it, $400 a week for 4 weeks is like $1,600 a month. Add to that the $600 benefit, and we are talking about $2,200 per month.

If somebody is working full time—Mr. SASS. Six hundred per week.

Mr. CARPER. Excuse me. There you go. But if you add the numbers, I am not sure we end up with $24 per hour in Delaware.

Mr. SASS. Twenty-six.

Mr. CARPER. It might be the case, but I would have to see those numbers.

My secretary of labor said he thought that the number that were going to go here were something like $13 an hour in Delaware, when you add it all in, as opposed to 24. So we will go back to do our math.
Mr. SASSE. Will the Senator yield?  
Mr. CARPER. Happy to yield.  
Mr. SASSE. I don’t think that any of us think that a math debate is the most productive way to spend our time in the Senate, but just so we are all talking my Secretary of the Senate’s score sheet: $400 a week, add $600, is $1,000 a week. Divided by a 40-hour week, that is $25 an hour. I don’t know how you explain that to people who are making 15, 16 bucks an hour in Delaware, that you are now going to pay them $25 if they become unemployed.  

The Senator from Illinois said this is the program only for people who are involuntarily separated. If that is the way the program worked, it would be great, but anybody who has ever spent any time with unemployment insurance programs in your States knows that is not how it works. How it actually works is, once you create a disincentive to work, employers really want to work with employees to say: I kind of would like to drive you off the system, and I think you should recognize this would be better for you, too, if you can casualize it. That is actually what happens. I will yield the floor back to the Senator.  

Mr. CARPER. I thank the Senator very much. I will go back and will reengage with our secretary and make sure we have the math right.  

The other point that he made—I asked him: How hard would it be to administer? Is it something we could stand up in a couple of weeks or are we talking about months or what? He said this would not be an easy thing, administratively, to do. And at a time where we are anxious to get the benefit out the door in a hurry, this would not be easy. I would just ask us to keep that in mind.  

One of the people I talked to last week when I was trying to figure out, really on a kind of big package legislative package No. 3 should be—Leon Panetta is one of the people I talked to. He told me about the three t’s: timely, targeted, and temporary. Those are the three that he talked about.  

Timing means making sure we figure or calculate the right benefit but that we are able to turn around and pay it in a timely way. What I gathered from my secretary of labor is we are not going to be able to implement they are doing at the State level, feed into that the State and the Federal benefit, and do it in a timely way. I think, if we could do that, you would have, probably, a fair amount of bipartisan support. But it is that delay, and we just don’t know how long that delay would be.  

Ted Kennedy used to sit behind me when I first came to the Senate. And I noticed that I knew some Senators. DICK DURBIN and I served in the House together, and other people, we had been Governor. I didn’t know Ted Kennedy. One day I said to him: I am new here in the Senate, and I don’t really know you very well. What I was doing was going to have a cup of coffee with the Senators I didn’t know well, and I asked if I could maybe have a cup of coffee with him. He said: We will do better than that. Come to my hideaway, and we will have lunch together, and we will bond. I didn’t think we ever would, but it was a nice offer, a nice idea. Two weeks later, we had lunch together in his hideaway. It was like a Kennedy museum. Some of you have been there before. To be the lead cosponsor on their bills? Why is that?  

And he said: I am always willing to compromise on policy, never willing to compromise on principle. I think that the policy here is that, when people are unemployed and they need help, we need to help them, and we help them in a timely way.  

Mr. CRUZ. Will the Senator yield for a question?  
Mr. CARPER. I will just finish my thought, and then I would be happy to. But in a timely way. And I am just concerned—my second concern, along with my first concern: I am just concerned that the idea to deal with this in a timely way is going to be diminished, maybe significantly. We just, honestly, don’t know. I am happy to yield.  

Mr. CRUZ. A question to the Senator. The Senator said that you were concerned about implementation and that it may not be timely at the State level to implement this. I think, just prior to when you came to the floor, I suggested a possible amendment to the Senator from Nebraska’s amendment that would add a qualifier, something like, “to the best extent practical.” So it doesn’t slow the program down, but it acknowledges that both the Department of Labor and the States should endeavor to implement this in a way that ensures people don’t get paid more not to work than to work. So it adds a qualifier. You just suggested there might be bipartisan agreement. Would the Senator from Delaware be amenable to such a change?  

Mr. CARPER. I would be happy to discuss that with you and better understand what you offer. I wasn’t here when you spoke. Thank you.  

I yield the floor to the PRESIDING OFFICER. The Senator from Michigan.  
Mr. PETERS. Mr. President, for over 200 years, the American people have shown resilience in the face of great challenges. What is worse than international conflicts, and—yes—pandemics, we have faced these challenges united and with resolve. Like the challenges of the past, the novel coronavirus pandemic is a crisis that, together, we can and we will overcome.  

As the cases of COVID–19 increase each day, my top priority is protecting the health and the safety of Michiganders and people all across this Nation. There is no doubt we are facing an unprecedented public health emergency and an economic crisis at the same time.  

Families in my State of Michigan—and Americans all across this country—are worried about their health and their safety and whether they are going to be able to make ends meet during this emergency. We must act quickly to provide relief for struggling families and small businesses and healthcare providers. And even as we move with the urgency that this difficult time demands, we must ensure that this bill is done right and that we are getting the right help to the people who need it the most. We must act aggressively, and now we must do everything to provide relief to workers and families in Michigan and across the country. Michiganders are facing an unprecedented personal, health, and financial challenge. Workers in my home State of Michigan who are forced to stay home from work due to the coronavirus should not need to worry about whether they can pay their bills or put food on their table.  

That is why I authored legislation that is included in this package before the Senate to expand unemployment assistance. We have never had unemployment benefits in response to a public health crisis, but we have never seen an emergency on the scale of what we are seeing right now. We must support workers who are not receiving a paycheck or have been laid off due to coronavirus.  

That is why I fought to create an unemployment compensation program to provide federally funded benefits to people who are unable to work during this pandemic. It would expand unemployment benefits to workers who have exhausted their State unemployment benefits, and it would make unemployment benefits available to people who do not normally qualify, such as small business owners, freelance writers and workers, independent contractors, seasonal workers, and people who have recently started or were about to start a new job.  

And it provides workers with extended unemployment insurance so that hard-working families can have some certainty that they can stay afloat financially during this crisis that is likely to last awhile.  

Our small businesses have been hit especially hard, and some are at risk of having to close their doors or lay off their employees. Our small businesses are the backbone of our economy, and they need support—more than ever. That is why I worked with my colleagues on the Small Business Committee to craft legislation to expand funding available for small business loans.  

As a result of those efforts, this package now increases the funding for the popular and successful 7(a) small business loans to $350 billion.
I also pressed for additional funding—$240 million—for small business development centers and women’s business centers and an increase in funding for minority business centers as well. These funds will go a long way toward helping small businesses pay their rent and keep their doors open.

This legislation also includes significantly more funding that will go to our hospitals and healthcare system. This funding will ensure that our overstretched hospitals can make up for lost revenue, keep their doors open, and make payroll for the dedicated nurses, doctors, and healthcare professionals who are on the frontlines fighting day in and day out to stop this pandemic.

I have been working closely with the hospitals and healthcare providers in Michigan, and they cannot stress how critical this funding is to their ability to continue providing care and comfort during this pandemic. I will keep fighting to ensure that they have the supplies—the masks, the medical equipment they need to protect themselves and their patients from coronavirus.

Finally, as the ranking member of the Housing and Governmental Affairs committee, I worked closely with Chairman Ron Johnson to ensure that this legislation has strong oversight provisions in place. We must ensure that the funds we are authorizing are going to the people, the small businesses, and the healthcare providers who need them the most.

Our oversight provision creates a Pandemic Response Accountability Committee—a Board that is made up of agency watchdogs who will be charged with auditing and investigating the administration’s coronavirus response efforts and how your hard-earned tax dollars are being used to address this serious crisis.

We are also requiring the Government Accountability Office to audit where these funds are going and keep Congress and the American people up to date through real-time, publicly available reports. This model was used to successfully track spending from the 2009 Recovery Act during the great recession, and I was proud to work with my Republican chairman to get this important accountability measure included in this bill.

This is an important step forward to address this crisis head-on and ensure our Nation can get back on track.

The PRESIDING OFFICER (Mr. Scott of South Carolina). The Senator from Vermont.

Mr. Sanders. Mr. President, let me be very honest and tell you that there is much in this bill—and we have not yet seen the printout yet—that I am concerned about. I am especially concerned that the administration will be able to spend $500 billion in virtually any way they want—any corporation they want—with virtually no strings attached.

The American people, at a time of massive income and wealth inequality, do not want more corporate welfare, and they do not want policies that will allow corporations in some cases to receive loans or grants and then do stock buybacks as enrich their stockholders or provide dividends, or maybe raise the compensation benefits of their already wealthy CEOs.

What the American people want right now is for us to use our taxpayer dollars in every way we can to protect the workers—this country, to protect the middle class, to protect the 50 percent of our people who are living paycheck to paycheck.

As we speak tonight, half of our people in this country—in the richest country in the history of the world—are living paycheck to paycheck. They wake up in the morning, and they are saying: Do you know what? I can barely make it on the paycheck I got because I am making 12, 13, 14 bucks an hour, and my paycheck has stopped. How am I going to pay my rent? How am I going to put food on the table for my kids? How am I going to make sure the lights remain on? How am I going to pay my student debt? How am I going to pay my credit card debt? If somebody in the family gets sick, how am I going to pay for that?

This bill has been worked on extensively in the last few days. There are elements in it that I think are really, really good—positive—don’t go far enough by any means—but one of the things this bill does do is provide the largest expansion of unemployment benefits in history, expending about $250 billion of Federal funds. What it does, importantly, is the_righting that for all kinds of absurd reasons having to do with the Republican attacks on workers for many years, fewer than 50 percent of American workers today are eligible for unemployment benefits. What this bill does, rightly so, is say that in the midst of this terrible economic crisis where some people—nobody knows—where some economists are estimating that by June, the end of next quarter, unemployment could be 20 percent or 30 percent—and what this bill does say is that whether or not you are eligible for unemployment today, you are going to get unemployment compensation. And that means many of our workers who drive Uber cars—many of the waitresses and waiters who make starvation minimum wages, many so-called independent contractors will be eligible for the extended unemployment benefits. And that is exactly the right thing to do.

The other thing this bill does, which is right, is say: OK, we are in the midst of a horrific crisis, unprecedented in modern American history. Not only are you going to get your regular unemployment benefits, we are going to add another $600 a week to it.

And now I find that some of my Republican colleagues are very distressed. They are very upset that somebody who is making 10, 12 bucks an hour might end up with a paycheck for 4 months that is more than they received last week. Oh, my God, the universe is collapsing. Imagine that. Somebody who is making $12 an hour now faces, like the rest of us, an unprecedented economic crisis and, with the 600 bucks on top of their regular unemployment check, might be making a few bucks more for 4 months. Oh, my word, will the universe survive? How absurd and wrong is that? What kind of value system is that?

Meanwhile, these very same folks had no problem a couple of years ago voting for $1 trillion in tax breaks for billionaires and large, profitable corporations—not a problem. But when it comes to low-income workers in the midst of a terrible crisis, maybe some of them earning or having more money than they previously made—oh, my word, we have to strip that out.

By the way, when the McConnell bill first came up, unbelievably—and I know many Republicans supported this—they were saying that we want to give—whatever it was—1,000 or 1,200 bucks, but poor people should get less. You said: Because poor people are down here, they don’t deserve—they don’t eat; they don’t pay rent; they don’t go to the doctor; they are somehow inferior. Because they are poor, we are going to give them less. That was addressed. Now everybody is going to get the $1,200.

Some of my Republican friends have not given up the need to punish the people working to keep us going. They haven’t raised the minimum wage in 10 years. Minimum wage should be at least 15 bucks an hour. You haven’t done that. You have cut programs after program after program, and now—horror of horrors—for 4 months, workers would be earning a few bucks more than they otherwise would.

Needless to say, this is an amendment that is coming up, but I don’t think it is going to go very far. If it
does go far, I will introduce an amendment to deal with the corporate welfare—the $500 billion in corporate welfare—which is, to me, a very serious problem. But I do not think they are going to get the 60 votes, and that will be the end of it.

This bill also includes some $250 billion in one-time checks of $1,200 for adults and $500 for kids. I have a couple of concerns there. No. 1, I believe that in the midst of this unprecedented crisis, what we should give is six-month benefits, not a one-time benefit. Depending on what happens—and I expect very much that this Congress will be reconvening because I think this coronavirus crisis, the bill we are on right now—is going to be superseded by coronavirus 4. My strong guess is this does not go far enough. But the bill does include a $1,200 check for adults, $500 for kids. That will in the short term. We have to do a lot better than that.

As many of you know, in countries around the world—UK, Denmark, other countries—the approach they are taking, which makes sense to me, is to basically say to employers: If you keep your workers on the job, even if they are not working right now, we will pay you. The benefit of their workers; other countries are a bit higher. I think that is the direction we should have gone. This is a little bit more convolent. What we do here is give $367 billion in loans to small businesses, and they will be forgiven if those small businesses don't lay off workers. I think, for a variety of reasons, that is exactly the right thing to do.

The goal right now is to stabilize the economy by telling workers that they will have their jobs when they come back, when this thing is over, and in the meantime, they will have all or most of their income. That is my preferred approach.

This bill provides $150 billion to States and cities. I can tell you that in Vermont—and I am sure in every other State in this country, States and cities are hurting because we all know there has been a major decline in tax revenue. That is an important thing to do.

By the way, in the midst of this crisis, a lot of the responsibility is going to fall on local and State government. One of the concerns, of many, that I have about this bill is that in the best of times it requires on ensuring the amount of work by the Federal, State, and local governments. How do you get all these unemployment checks out? How do you deal with all of these small businesses that may apply for these loans? This is hard stuff. It becomes even more difficult when so many workers who work for local and State governments are not coming into work because of the coronavirus.

One of the issues we are going to have for a long time is the implementation. If anyone thinks, just passing this bill, that tomorrow everything is going to flow smoothly, you are sadly mistaken. This is a complicated, multifaceted bill, and it is going to take an enormous amount of work to make sure that the money goes where it should go in a cost-effective way.

This bill does a lot of other things, as well, that I think will help the American economy. To conclude, this is not the bill I would have written. Frankly, I don’t think it is the bill most Americans would have written. I think most Americans are more expensive that one-quarter of this bill is going to go to large corporations with very little accountability.

In a political season, let me make the radical suggestion that we have a President of the United States who may end up targeting some of this money to States that he needs to win. This bill has some good things. It has some issues of real concern. One thing we must not do is to punish low-income workers who might get a few bucks more than they had previously earned.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. Sasse. Mr. President, I just listened to the speech by the Senator from Vermont. There is obviously a lot we don’t agree on in life and policy, politics, and economics. He caricatured the entire purpose of this amendment tonight. The purpose of this amendment is to affirm work.

Under his vision, I don’t know exactly where he thinks the workers who stock shelves and drive trucks right now would come from because he made an argument that permanent subsidies that would be, on a permanent basis, higher than the wages of all those jobs. I don’t understand how his economic system would ever actually work.

But I would like to praise him here. Two things: One, he said something that politicians usually don’t say. Usually when people say they will vote for something, they say the bill is salvifically right and they are going to vote against something, they say it is the worst thing that has ever been written. Senator Sanders just said that this bill has a lot in it. It is big. It is clunky. We are in the middle of a national emergency. There is some good in it; there is some bad in it; and he is going to vote for it.

I also believe this bill is big and clunky and stinky. There is a lot that is bad, and that is bad and poorly thought out and not going to be implemented very effectively. On that, I am also inclined to vote for it. So I appreciate his candor in his admitting that this kind of approach—which is very different than I do, but I appreciate the fact that he argues forcefully for his positions. I think this body would benefit from having more people who spoke as bluntly and directly as the Senator from Vermont. I hope his positions will be voted down again and again and again, and but I appreciate the way in which he argues for his positions.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. Wyden. Mr. President, several Senators on the other side have been arguing against this bill to supercharge unemployment insurance right now, which is something on which Senate Democrats have negotiated with the Trump administration, Secretary Mnuchin, and Chairman Grassley. Based on what I am hearing from Senators on the other side, you would think that this proposal was pretty much going to end Western civilization.

Now, supercharging unemployment benefits has long been a priority for Senate Democrats, and we have been fighting for those improvements in unemployment since the process began. In our view, it is the key to getting help to where it is needed the most.

I thank my colleagues, when you see the unemployment claim numbers tomorrow. If the numbers are accurate, this Chamber is going to see that the unemployment crisis will be exploding in America.

I don’t believe anybody in our great country should fall into destitution as a result of this pandemic, so I, obviously, disagree with my colleagues who oppose so strongly our amendment to improve unemployment benefits. I just want to make a few key points in response to their argument.

First, I start with an argument that just about knocked the wind out of me when I heard it earlier. It is the idea that nurses are going to quit their jobs as a result of this legislation. Nurses are not going to quit their jobs to get unemployment benefits because that is not how nurses think when they get up in the morning. By now, everyone has seen the Herculean efforts of our nurses who have been fighting the pandemic. Nurses in America are brave, and they care. They are true professionals. From Portland, OR, to Portland, ME, they are on the frontlines of this fight and are putting themselves in harm’s way to save the lives of our neighbors. Whether they be in New York, in New Orleans, anywhere else. They don’t cut and run. Also, contrary to the suggestion of my colleague from Nebraska, retired
nurses have been coming out of retirement in droves to help treat patients who are suffering because of the coronavirus. Second, it is a head-scratcher to me that my colleague from Nebraska is raising this objection now, for the very reason that I and my Democratic colleagues on the Finance Committee have known about it the entire time. It is not a drafting error, and it is not a last-minute surprise. What the Senator from Nebraska wants to drop now, in effect, was part of the bill.

The Presiding Officer is a member of our committee, and I enjoy working with him. What the Senator from Nebraska wants to drop now was, in fact, part of the bill that Republican Leader McConnell introduced on Saturday. He introduced it on Saturday because the Senate Democrats insisted on its being part of the package, and as Secretary Mnuchin said this afternoon on national television—we all heard it—the Republicans agreed. I will have a little more to say about Secretary Mnuchin and the Senate Democrats when I watch his press conference later today.

Third, I want to talk about why this is so needed—why my Democratic colleagues and I have worked so hard to help the millions get through these horrendous times who have been hit by this economic wrecking ball. For most Americans, the old unemployment rules would cover only a third to a half of their lost wages. That was it. It is pretty hard to pay the rent and put food on the table with that. Even before this crisis, the Federal Reserve found that nearly half of Americans wouldn’t have been able to have come up with $400 cash to cover costs in an emergency. Let’s face it. Millions of Americans were walking on an economic tightrope of balancing the check against the food and the fuel against the fuel, and that was before the pandemic.

That is why we on our side feel so strongly and are so appreciative of the work of Senator Peters and Senator Menendez, who helped in the negotiations, and, of course, of the leader’s work. We all said we need an improved, supercharged program of unemployment insurance. It is based on a bill that I and our colleague Senator Peters introduced not long ago.

First, in these punishing economic times, Americans need more weeks of coverage than they would otherwise get from unemployment insurance. The existing length of unemployment benefits will not cover the time this crisis will last. Second, we need a program that is rapid, supercharged, as of now, in a minute.

The Senate Democrats fought for and won the changes that make up this robust, expanding, supercharged program of unemployment insurance. It is based on a bill that I and our colleague Senator Peters introduced not long ago. First, in these punishing economic times, Americans need more weeks of coverage than they would otherwise get from unemployment insurance. The existing length of unemployment benefits will not cover the time this crisis will last.

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That is why we on our side feel so strongly and are so appreciative of the work of Senator Peters and Senator Menendez, who helped in the negotiations, and, of course, of the leader’s work. We all said we need an improved, supercharged unemployment benefit to replace people’s lost wages. These are people who are between homelessness and hunger or bankruptcy because a virus has shut down our economy and cost them their jobs. This isn’t the fault of any workers in South Carolina or in Oregon or anywhere else.

While the consumer economy is shuttered, Congress has a responsibility to make sure that Americans can bounce back in a matter of weeks or months. Otherwise, millions will struggle and be slow to recover from the economic crisis, and many might not make it if the Senate doesn’t move to help them now, now, now. The panic people feel over the virus is already too much, and the least we can do as lawmakers is to have their backs when it comes to surviving this economic crisis.

All of my colleagues know we are on the third bill in the fight against the virus. Mitch McConnell’s first version of a bill virtually nothing for those who lost their jobs. I read it carefully. Out of 247 pages in the Republican leader’s first bill, only 8 lines of text—not 8 pages but 8 lines—dealt with filing for unemployment online. That bill had an awful lot of corporate giveaways and funds for big corporations but just a few measly lines for people who were hurting—for workers who were hurting, for workers who were losing their jobs.

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Second, it is a head-scratcher to me that Senate Democrats have looked what Senate Democrats did with the bill as, in effect, the fastest, simplest way for workers to get their benefits and why we disagree so strongly with the amendment from the Senator from Nebraska to unravel that approach.

The math shows that standard payment of $600 is the simplest way to get to full wage replacement without causing, as of now, an administrative train wreck. So I am going to close on this. I am sure that everybody here read that unemployment claims are expected to go up by 2.5 million in 1 week when the statistics are released tomorrow. Let us just think about that. It means that in 1 week almost as many jobs that were lost in the entire year of 2008 when the great recession hit our country so hard. It is the single largest rise in unemployment since that figure began to be tracked. Twelve entire months worth of great recession job losses in 1 week. That is how many unemployment claims economists expect to see in a single week.

This country has never faced anything like it. It is not a normal recession. We have a bill to try to stimulate the economy in which the government tries to give the economy a shot of fiscal adrenaline. This is a
time when we face a shutdown of entire sectors of our economy. What the Congress needs to do is keep our economy alive and act now. We are not going to do that by shortchanging workers who are losing jobs, losing hours, or losing gigs.

I feel so strongly that Americans want to work. Businesses want to keep their employees on the job. Americans want the economy to spring back to life once the pandemic is under control, and that is what supercharging unemployment insurance eligibility is all about.

So here is the bottom line on the provision that Senate Democrats agreed with the Trump administration, Secretary Mnuchin, and Chairman Grassley on—our proposal was not a drafting error. It didn’t pop out at the last minute. It is not going to bring about the end of Western civilization.

I hope my colleagues on the other side of the aisle will review what Secretary Mnuchin had to say this afternoon on national television, supposing that Senate Democrats negotiated with him and the administration, and join us in making sure millions and millions of Americans don’t fall into destitution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, America is at an inflection point. We are facing a public health crisis unlike any we have had in generations. Governments at every level are racing to respond, react, and mitigate the crisis.

Communities and counties are fearful their hospital systems will be overrun, and needed supplies are unavailable. States are struggling to support local and state-wide economies that are increasingly hit with store closures and business suspensions. Unfortunately, the Federal Government—starting with the President—has failed to offer clear leadership in this crisis.

But today marks a turning point, thanks to the leadership the Senate will show by acting on this bipartisan emergency relief package—today, without delay, and without hesitation.

The package before us includes three important pillars. First, it directs economic assistance for businesses and workers. Second, it provides emergency funding to support our overtaxed medical system, which is bracing for a surge as the coronavirus continues to spread. And finally, it provides critical oversight to ensure that the funding Congress provides goes to the people who need it—not to line the pockets of corporations and executives who continue to benefit from the most generous tax cut in history.

We will provide a massive investment in the unemployment insurance program, ensuring that unemployed workers can receive a maximum benefit in this time of economic crisis. These reforms will also expand unemployment insurance eligibility for an additional 13 weeks and will allow part-time, self-employed, and gig economy workers—who are being hit hard in this crisis—to access benefits. Importantly, for Americans living paycheck to paycheck, this bill will deliver these benefits to workers sooner. To help the small businesses struggling to keep their doors open, to find a path to re-open and keep their businesses from collapsing, this bill supports loan forgiveness to small businesses and some nonprofits, and provides critical funding to support payments of existing loans to small businesses through the Small Business Administration.

The bill provides $340 billion in emergency appropriations to give new resources to help strained State, local, and tribal governments as they combat this pandemic. These resources support hospitals and health care workers on the front lines of this public health crisis. They fund the purchase of personal protective equipment and much needed medical equipment. The bill supports our law enforcement and first responders; provide for scientists researching treatments and vaccines; support for small businesses; support for local schools and universities; and funding for affordable housing and homelessness assistance programs. The bill will provide relief to farmers in Vermont and across the country who continue to feed our communities during this emergency, with an emphasis on those farmers serving our local food systems. Importantly, the bill will not permit the transfer of emergency funding to support the President’s misguided projects including the border wall.

On top of all this, the bill includes a $150 billion Coronavirus Relief Fund that will provide State local, and Tribal governments with additional resources to address this pandemic, all with an important small State minimum to help states like Vermont.

I think of our own Governor, Republican Vermont Governor Phil Scott who has worked so hard to help our State. This will give him some tools, as it will to our Speaker of the House and our President pro tempore of our legislature.

In Vermont, Governor Scott has made the difficult but prudent decision to restrict statewide activities only to essential services, we, too, are feeling the impact of the coronavirus. With over 120 confirmed cases, our small State is already reeling from the economic effects that the Coronavirus Relief Fund will support States and that it includes an important small State minimum that will have significant impact in Vermont.

Through formula grant funding, States will benefit from this package. In Vermont, that will mean $5.4 million through the CDC’s Public Health Emergency Preparedness program; $4.2 million for assistance through the Community Development Block Grant program; nearly $20 million for public transportation; $1.1 million for law enforcement; $2 million for Byrne-JAG assistance to law enforcement; $3 million in election security grants.

Finally, this bill includes important oversight and accountability measures that will require this administration to report publicly to the American people. This is a taxpayer-funded relief bill. The Executive Branch must be accountable to those taxpayers. Financial relief to address the coronavirus pandemic should not be turned into a slush fund for a president seeking re-election, with little accountability to the people whose money he is spending.

I urge the Senate to pass this bill today, and I hope the House will swiftly follow. This is an emergency relief bill. Congress will need to take further action to provide the needed stimulus to our State and local economies, to support our schools, including institutions of higher education, and to support displaced workers who are the fabric of our national workforce.

But this bill will also provide support to the victims of this terrible virus: the healthcare providers and first responders on the frontlines, the essential workers who are keeping our store shelves stocked and the necessities available, and the families hit by the fallout from this pandemic.

I have been fortunate. I have been married now for almost 58 years to one of the best medical surgical nurses I have ever known. I hear her tell it like what it is. Marcelle tells me what the doctors and nurses face in a situation like this. I pray that neither you nor I, nor any other Member of this body will have to face what they face on the frontlines of a crisis like this one. We should go forward and pass this bill and do that today.

We must all heed the call of the medical professionals and experts calling for dramatic but essential action to stop the spread of this virus. That requires leadership—from this Chamber and from the President of the United States. The eyes of the Nation will watch how we further manage this crisis. Now is not the time to waiver in our resolve to do what is in the best interest of the citizens whose interests we are sworn to protect.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I see that the Senator from Maryland is on the floor, and I think he arrived a minute or two before me, so if he would
like to go first, I would want to give him that opportunity.

Mr. VAN HOLLEN. Mr. President, I am grateful. I thank the Senator from Maine, but I am happy to have her go first.

Ms. COLLINS. Mr. President, all across the country, Americans are stepping up in response to the coronavirus pandemic sweeping our Nation. Doctors and nurses are working endless hours and putting themselves at risk to save the lives of patients. Manufacturers, including many companies in my State, are working overtime and retooling their production lines to produce medical testing swabs, ventilators, and personal protective equipment, all of which are vitally needed. Truckers are going above and beyond, missing time with their families so that they can deliver goods needed to restock depleted grocery shelves. People are looking out for their neighbors in a safe way. They are checking on those who may be vulnerable members of our society.

Help is on the horizon for small businesses and their employees who are facing economic devastation through no fault of their own. I have talked to small business owners all across our State, including small mom-and-pop operations like a third-generation diner operated and owned by the Simones family in Lewiston, ME. For the first time ever in three generations, they have had to close their doors. They had no choice. As Linda Simones told me in tears earlier this week: We have never been unemployed. Our son is unemployed. Our business is going to go away. Our employees are wondering how they will pay their bills. Our son is wondering how he will pay his rent. Our friends who have worked with us at this diner for years are unemployed.

The agreement finally reached today includes a $377 billion small business economic relief plan that Senators Ron Wyden, Susan Collins, and I authored as members of the Small Business Task Force. It is intended to help workers and small businesses just like the one owned by the Simones family in Lewiston. Our group worked day and night to get this bipartisan package included in the broader legislation.

I want to do a shout-out to our staff because I don’t think they have been to bed before 4 a.m. in the morning on any day in the last week. That is how hard they have worked.

Under our bipartisan approach, small businesses would be eligible for a 100-percent federally guaranteed emergency loan to cover 8 weeks of payroll, as well as certain expenses like rent, mortgage payments, and utilities. If these businesses keep their employees on the payroll—in other words, they keep issuing those paychecks—their loans would be completely forgiven.

Here is how it would work. Small employers with fewer than 500 employees would be eligible to apply for the federally guaranteed loans. The loans would be available immediately through existing Small Business Ad-

I want to make clear that these large businesses would be barred from stock buybacks and increasing executive pay for the duration of the loan, and I fully support those restrictions.

Of course, many of those small businesses don’t have shareholders, so the idea of a stock buyback doesn’t exist. Some of them that are chapter 7 may, but many of them do not.

I am also pleased to say that we would cover the sole proprietor, the mom-and-pop operations—those many individuals whom we rely upon to make our economy work.

Following my advocacy, along with Members from other coastal States, I am also pleased that the bill includes $300 million to assist workers and businesses in our Nation’s fisheries, which support thousands of jobs in the great State of Maine. With this legislation, harvesters, fishing communities, agriculture operations, and other fishery-related businesses would be eligible for this $300 million in assistance, which may include some direct relief payments. This helps protect our food supply chain. This targeted relief will help ensure that the families in coastal communities who depend on our fisheries can emerge from this crisis. Similar assistance is provided to our farmers as well.

This bill also provides more than $30 billion for States, school districts, colleges, and universities to help them make sure that students have access to meals off-site. This bill provides funding to help them provide those meals in creative but, unfortunately, more costly ways, such as delivering prepackaged meals along bus routes or directly to students at home. Simultaneously, schools are to our low-income families.

When colleges and universities made the very tough decision to send students home for the semester, I spoke with several presidents in Maine, and they told me about the steps they were taking to make sure that their students could still receive a quality education, albeit online or remotely. They were also taking steps—as well they should—to reimburse students and their families for room and board and for shortened travel study programs. They are investing in the software and hardware infrastructure to bring classes online quickly. They are doing even more than that. The University of Maine, for example, has partnered with the State to prepare its dorms and its
facilities for emergency uses, if necessary.

So the direct aid to colleges and universities is needed to help these institutions offset these sudden revenue losses and unexpected costs. There is also temporary flexibility applied to student aid and student loans that also will be very helpful.

This agreement is not only a lifeline for workers, small businesses, and schools, but builds on the previous two packages that Congress has passed to promote the health and safety of Americans.

It makes substantial investment in our Nation’s health system, biomedical research, and education, including a $130 billion infusion for our hospitals and healthcare providers who are struggling to cope with this influx of patients.

It provides $20 billion for additional resources for veterans’ healthcare.

It authorizes an $11 billion catalyst toward the development of an effective vaccine and therapeutics.

It provides $1 billion for community services block grants to support critical social service programs for millions of low-income individuals.

It provides $1 billion for the Disease Control additional funding to enhance its vital work.

It assists communities responding to greater demands for services with an increase of $15 billion for community development block grants that comes from the subcommittee that I chair. It helps with transit systems.

There is widespread help for those who are homeless or who are among the most vulnerable in our population.

It strengthens the low-income home heating assistance program. That is something Senator JACK REED and I have long worked together on. We don’t want families and seniors making impossible choices between heating their homes and buying food or medicine.

This package also contains two additional pieces of legislation that I have introduced and championed.

First, it contains provisions from the Mitigating Emergency Drug Shortages, or MEDS, Act—legislation I authored that would help prevent a shortage of vital medication. I was shocked to learn that 72 percent of the facilities that make vital active pharmaceutical ingredients for our market here in America are located overseas. Thirteen percent of these facilities are in China. We just can’t have that. We need far greater visibility into that supply system.

It also contains a bill I have long advocated for—the Home Health Care Planning Improvement Act. It will allow nurse practitioners, physician assistants, and others to certify patients as needing home health services. Now it is just a physician who can do it even though the physician might not be the primary care provider, particularly in rural areas. That will remove needless delays in getting Medicare patients the home healthcare that they need. That is a critical improvement at a time when our healthcare system is being put to the test and when people are being told they need to stay in their own homes to avoid spreading the virus.

The list of benefits that will be felt in communities across the country goes on and on.

It is imperative that we pass this bill tonight. Every day, more small businesses are forced to close their doors. Every day, Americans are losing their jobs and their income. Every day, medical professionals are increasingly overwhelmed by the exponential rise in cases.

(Mrs. LOEFFLER assumes the chair.)

The package we are voting to advance tonight will bolster our healthcare system, infuse funds into biomedical research that will ultimately produce a vaccine and effective treatments, shore up our economy and our healthcare system, support those who are unemployed, strengthen the link between employers and their employees, save millions of jobs of those employed by small businesses, and help prevent a devastating recession, perhaps even a depression, for this country.

Let us not squander this momentum when we are so close to getting this done for the American people. I urge my colleagues to join me in passing this critical legislation.

I yield.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. VAN HOLLEN. Madam President, as other Senators have mentioned, we see our fellow Americans uniting around the country to fight the coronavirus and to help those in need. Most of all, we are grateful to the men and women in healthcare, the healthcare workers on the frontlines of this fight—the nurses, the doctors, all of our state and community health centers and in clinics who are putting themselves and their own health at risk to help their fellow Americans.

We in the Senate, like our fellow Americans, must come together to do the right thing for the country at this moment in time—to provide a surge of help to those on the frontlines of the coronavirus fight and to help those who are suffering from the economic fallout. All small businesses and midsize businesses and others who are absolutely getting clobbered as we all try to fight this virus together.

Congress must unite this evening, as we have on two prior occasions during this emergency when we came together to pass phase 1 and phase 2, and now here we are on phase 3, and now here we are on phase 3. And that is why we are working to make sure they have real replacement income during this 4-month emergency period.

The provisions regarding small businesses and middle-size businesses are very important too. I am sure we are all hearing from folks who already had to close their doors because when there are no customers coming in the door, there are no sales, no income, and so if you are a small business, you can’t make your debt payments and you can’t make payrolls. So this bill does have a lot of very important provisions in it with respect to small businesses.

I am really glad that we moved, with respect to small businesses, to loans only—to loans that would be forgiven so long as the small businesses spent those monies to, one, maintain payroll or rehire people if they have already had to let them go, and, two, to pay essential bills. Just adding more loans and debt onto small businesses would only be like an anchor around their necks at the end of a 4-month or whatever it is. That wouldn’t be able to dig themselves out of that hole. It was very important to have loans that will be forgiven so long as because we don’t want any American to say: I am not going to get tested even though I feel like I might have the symptoms. I am not going to get tested because I can’t afford it.

It is putting both themselves and others at the community at risk. So we said we have to make sure these tests are free.

We also provided sick leave because we don’t want anybody going to work when they feel sick and they have the virus if going to work is the only way they can put food on the table, by getting a paycheck. So we said: Look, stay at home, and we will provide for paid leave.

There was a gap—a big gap—in that that still needs to be addressed.

We took some important measures in phase 1 and phase 2, and now here we are in the evening on phase 3, where we are not only providing additional dollars to fight the coronavirus and the health emergency but also dealing with the economic fallout, which is growing by the day. I am not going to go through all the provisions that do that.

I will say that this bill is far from perfect. This is not a bill I would have written. I dare say it is probably not the bill that any one Senator would have written. But with all its flaws, it does some very important things that are absolutely essential during this national emergency.

There has been a lot of talk tonight about the unemployment compensation provision. Those are absolutely essential as a lifeline to workers who each day are losing their jobs around the country in many industries. It is absolutely essential that in that process, people who are out of work through no fault of their own are still able to pay their bills, their rent or their mortgage, keep the lights on, get food, and that is why we are working to make sure they have real replacement income during this 4-month emergency period.

The provisions regarding small businesses and middle-size businesses are very important too. I am sure we are all hearing from folks who already had to close their doors because when there are no customers coming in the door, there are no sales, no income, and so if you are a small business, you can’t make your debt payments and you can’t make payrolls. So this bill does have a lot of very important provisions in it with respect to small businesses.
the loans are used for the intended purposes. We also made important provisions for nonprofits that hire millions of Americans and as well for midsize businesses.

With respect to some of the largest industries in the country that have been hard hit, it is appropriate to also give them help, but it is also important that as we do that, we safeguard the American taxpayer and the public interest.

When the proposal first arrived here in the Senate from the White House, we were looking at about a $500 billion slush fund with no strings attached, no real accountability, and no real transparency. So we tried to tie that down so that we will have an inspector general with subpoena power that will ensure that there will be no stock buybacks with these emergency funds. Now, we are closer to a fine print, but we have come a long way from the proposed blank check to the Secretary of the Treasury, which was in the bill as it arrived here as proposed by the administration.

There is another thing that is in the bill that is before us tonight that was not in the bill proposed by the administration, and that is badly needed help for States and cities and towns that are on the frontlines of this battle across the country. We heard about 5, 6 days ago from the majority leader: Oh, well, let’s just wait. Maybe we can do that sometime down the road.

Well, we heard from a bipartisan group through the National Governors Association that they need that help now. I am sure you have all been fielding calls from your elected officials, your Governors and others, about how they desperately need additional help to get through this. They want the same fine print, if you will, that this bill contains $150 billion to give them help, but it is also important to remember that as we do that, we safeguard the American taxpayer and the public interest.

The District of Columbia has a population that is higher than 2 of the 50 States. There are more residents in the District of Columbia, the Nation’s Capital, than the State of Wyoming and the State of Vermont. They were left out of that category they are usually put in, and instead they were put into a formula with Puerto Rico, the Virgin Islands, American Samoa, and some of the territories.

The net effect of that—the net effect of the formula for the people of the District of Columbia will cost the District of Columbia about $700 million. That is because that other formula is based entirely on population, and Puerto Rico has about 3 million people in it. I go back you put the District of Columbia into that funding kettle, into that funding pot, they get shortchanged $700 million.

That is the case even though the people of the District of Columbia send the IRS more tax revenue than the people of 22 other States. Let me say that again. The people of the District of Columbia send the IRS more tax revenues than the people of 22 other States. Yet, when it came time to write the bill for distributing emergency funds under the coronavirus, they weren’t part of the kind of funding formulas they normally are.

I asked about this because I thought maybe this would be a simple fix. I mean, surely in a bill of $2 trillion in emergency relief, we can do right by the people of the District of Columbia and not shortchange them $700 million. But I think it is shameful. No, no, this was no mistake. This was not an oversight. Republican negotiators insisted on shortchanging the people of the District of Columbia. If I am wrong about that, it would be a very easy fix in an amendment that could be offered by the majority leader and, I am sure, accepted unanimously—accepted unanimously—not just because the fact that this actually was a point that was negotiated.

I am not going to hold up a $2 trillion emergency rescue package that is urgently needed by the country for this, but I think it is shameful. I think it is shameful that, in a $2 trillion emergency rescue package, we would shortchange the people right here in the Nation’s Capital, the people whom we see coming into work every day, many of the Federal employees who work day in and day out for the Federal Government.

Many of them live here. Many of them live in surrounding States. Many of them live all over the country. But for the people who live here, to shortchange them and to do it intentionally is really shameful.

So here we are, coming together, and that is the right thing to do. As I said, this bill has many, many flaws and many, many problems. I certainly wouldn’t have written it this way, and I would never have done wrong by the people of the District of Columbia by the way this was intentionally done, apparently, in this bill.

But, overall, we need this bill for the country. We need it because we have a national emergency, both on the healthcare front and the economic front.

So I hope, going away from here, as we come together and I hope do the right thing with a large vote, that there will be some Senators, whoever were part of negotiating that deal and who said, no, we are going to shortchange the people of the Nation’s Capital, will feel a little bit ashamed. And I think all those people who didn’t want to change this provision, which is easy to change just like that, should feel ashamed.

This is our Nation’s Capital. The people who live and work here deserve to be treated with respect. There is no U.S. Senator who represents the people of the District of Columbia. Some of us who live in the surrounding areas work hand in hand with our colleagues from the rest of the country, and especially, in this case, apparently, our Republican colleagues, would show a little respect for the people who live in the Capitol of this great country.

I yield the floor.

Mr. SCHUMER. Mr. President, I am pleased that the final bill includes a stabilization fund for States that the pandemic has hit hard. Given the growing dire fiscal emergency States are facing as a result of the coronavirus, I think it is very likely we will need to come back and do more. States not only are fighting a growing pandemic, but also a bottoming out of State revenue due to the lack of sales taxes, as a result of responsible social distancing encouraged by the Federal Government, and income taxes, as a result of the Department of Treasury delaying the tax filing deadline by 3 months. We all are making sacrifices to avoid a situation in which a State will be paying for roads to nowhere or other unrelated project that had been rejected as part of the State’s regular budgeting process. We do not want to be paying for roads to nowhere or other trivial expenses.

For most States, maybe all of them, what they need to do with this money will be completely obvious, and we can do it without the sound of judgment of the States. Out of an abundance of caution, we included language requiring that expenditures be related to the coronavirus pandemic. This is intended to avoid a situation in which a State was to divert these funds to some new, unrelated project that had been rejected as part of the State’s regular budgeting process. We do not want to be paying for roads to nowhere or other trivial expenses.

But for most States, this will not be an issue. The coronavirus has exploded their demand for services and strangled their revenue streams so this money will just be plugging those holes. No responsible Governor or legislator, even the ones who are in new projects at this time. We understand that, at this point, all the impacts of the coronavirus pandemic are merging together. We do not intend to subject States to additional paperwork or arbitrary rules. If a State has need that it would not have had without the coronavirus pandemic, that is more than good enough.
The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to H.R. 748 be withdrawn. The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The cloture motion was withdrawn.

MIDDLE CLASS HEALTH BENEFITS TAX REPEAL ACT OF 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 748; further, that the only amendments in order be amendments to be offered by Senator MCCONNELL, No. 1578, and Senator Sasse, No. 1577, or their designees; further, that the Senate vote on the Sasse amendment with a 60-affirmative-vote threshold for adoption; further, that following disposition of the Sasse amendment, the McConnell amendment, as amended, if amended, be agreed to, the bill, as amended, be read a second time, and the Senate proceed to passage of the bill, as amended, with a 60-affirmative-vote threshold for passage; finally, if passed, that the motion to reconsider be considered made and laid upon the table and that all rollcall votes in this series be 30 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (H.R. 748) to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Madam President, I ask unanimous consent that I proceed under my leader time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, so here we are, colleagues. For the information of all of our Senators, we will first vote on the adoption of the Sasse amendment at a 60-vote threshold, and then our second and final vote will be on passage of the CARES Act, also at a 60-vote threshold. We are going to pass this bipartisan relief package and send it over to the House so they can put it on the President’s desk.

When the Senate adjourns this evening, our next scheduled vote will be the afternoon of Monday, April 20. Of course, this unprecedented time for our country, the Senate is going to stay nimble. As always, we will convene regular pro forma sessions, and if circumstances require the Senate to return for a vote sooner than April 20, we will provide at least 24 hours’ notice.

Our Nation obviously is going through a kind of crisis that is totally unprecedented in living memory. Let’s stay connected and continue to collaborate on the best ways to keep helping our States and our country through this pandemic. Let’s continue to pray for one another, for all of our families, and for our country.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. SCHUMER. Madam President, I will speak for a little bit, briefly.

The legislation now before us is historic because it is meant to match a historic crisis. Our healthcare system is not prepared to care for the sick. Our workers are without work. Our businesses cannot do business. Our factories lie idle. The gears of the American economy have ground to a halt. Our country has faced immense challenges before but rarely so many at the same time.

Over the past few days, the Senate has stepped into the breach. We packed weeks or perhaps months of legislative process into one day. Representatives from both sides of the aisle and both ends of Pennsylvania Avenue have forged the bipartisan agreement in highly partisan times with very little time to spare. It has been a long, hard road. There have been twists and turns, but for the sake of millions of Americans, it will be worth it.

It will be worth it to save millions of small businesses and tens of millions of jobs.

It will be worth it to see that Americans who have lost their jobs through no fault of their own will be able to pay their rent and mortgages and put food on the table because we passed the greatest expansion of insurance to the unemployed in decades.

It will be worth it to send gloves and masks to our nurses and to our doctors.

It will be worth it to send ventilators and beds to our hospitals and begin rebuilding the health infrastructure in America—a Marshall Plan in this new century for our medical system.

It will be worth it to save industries from the brink of collapse in order to save the jobs of hundreds of thousands of Americans in those industries.

It will be worth it to put workers first.

It was a long, hard road. Neither side can be completely happy with the final product, but it is. I am damn proud of the work we did over the past few days because we put in the work. Because we tested the limits of exhaustion, because we didn’t immediately accept the bill drafted by only one party, the legislation before us tonight is better—better for our healthcare system and 65,000 Americans now afflicted with COVID-19, better for our workers, better for our small businesses, better for our Indian Tribes, better for our economy, and better for the American people.

So I must thank my colleagues on both sides of the aisle—especially the chairs and ranking members and their staffs. The past few days have been filled with drama. The past few hours were no exception. I know a few of my Republican friends still harbor reservations about voting for this legislation, but when there is a crisis of this magnitude, the private sector cannot solve it. Individuals, even with bravery and valor, are not powerful enough to beat it back. Government is the only force large enough to staunch the bleeding and begin the healing.

This is a time when the American people need their government. This is what we were elected for. The oath we swear to the Constitution means we must protect the general welfare of the people. So let us marshal this government into action.

There are millions of Americans watching us right now at home on their televisions, separated from friends and family, fearful for their children and their livelihoods, unsure of when the thing will come to an end. These lives may return to normal. Let us tell them tonight that help is on the way; that they are not truly alone; that this country, that this Senate, that this government is here for them in a time of dire need. This is a strange and evil disease. There is much we still don’t know about it, and it is keeping us apart. When we pass this bill, instead of hugging each other, we will wave from a distance.

None of us can know when this plague will pass. The only thing we know for sure is that we must summon the same spirit that saw previous generations through America’s darkest hours. Fellowship, sacrifice, fortitude, resilience—that is what it means to be an American. With that spirit, this Nation faced down war and depression and fear itself. I have no doubt that once again America will ultimately prevail. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

AMENDMENT NO. 1578

(Purpose: Providing emergency assistance and health care response for individuals, families and businesses affected by the 2020 coronavirus pandemic.)

Mr. MCCONNELL. Madam President, I call up the substitute amendment No. 1578 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1578.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

AMENDMENT NO. 1577

(Purpose: Providing emergency assistance and health care response for individuals, families and businesses affected by the 2020 coronavirus pandemic.)

Mr. SASSE. Madam President, I call up amendment No. 1577 and ask that it be reported by number.

The PRESIDING OFFICER. Without objection, the amendment will be reported by number.
S2060

CONGRESSIONAL RECORD — SENATE

March 25, 2020

The senior assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. SASSE] proposes an amendment numbered 1577 to amendment No. 1578.

The amendment is as follows:

(Purpose: To ensure that additional unemployment benefits do not result in an individual receiving unemployment compensation that is more than the amount of wages the individual was earning prior to becoming unemployed.)

At the end of subtitle A of title II of division A, insert the following:

SEC. 2111. UNEMPLOYMENT BENEFITS MAY NOT EXCEED THE AMOUNT OF WAGES THE INDIVIDUAL WAS EARNING PRIOR TO BECOMING UNEMPLOYED.

(a) PANDEMIC UNEMPLOYMENT ASSISTANCE.—Notwithstanding section 2101, in no case may the total amount of the weekly assistance applicable to an individual under paragraph (1) or (2) of section 2102 (including the increase under section 2104) exceed the amount of the individual’s average weekly wages for an appropriate period prior to the receipt of assistance under such section, as determined by the Secretary of Labor.

(b) FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.—Notwithstanding section 2104, in no case may the sum of the weekly amount described in subparagraphs (A) (regular compensation) and (B) (Federal pandemic unemployment compensation) of section 2104(b)(1) for an individual exceed the amount of the individual’s average weekly wages for which the amount described in such subparagraph (A) is based.

(c) PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.—Notwithstanding section 2107, in no case may the individual’s average weekly benefit amount described in 2107(b)(3) (including the increase under section 2104) exceed the amount of the average weekly wages for which the individual’s average weekly benefit amount (determined without regard to such increase) is based.

The PRESIDING OFFICER. The question is on agreeing to the Sasse amendment.

Mr. SASSE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE), the Senator from Kentucky (Mr. PAUL), the Senator from Utah (Mr. ROMNEY), and the Senator from South Dakota (Mr. THUNE).

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 48, nays 96, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—48

Alexander  Cruse  Daines  Cramer  Crapo  Carper  Casey  Cornyn  Cotton  Cramer  Cramer  Cramer  Crapo

Baldwin  Bennett  Blumenthal  Booker  Brown  Cantwell  Cardin  Carper  Casey  Collins  Cooper  Cortez Masto  Duckworth  Durbin  Feinstein  Gardner  Lee  Paul

Roberts  Rounds  Rubio  Sanders  Scott (FL)  Scott (SC)  Shelby  Sullivan  Tillis  Toomey  Wicker copies of the yeas and nays.

The PRESIDING OFFICER. The PRESIDING OFFICER. Under the previous order, the 60-vote threshold having not been achieved, the amendment is not agreed to.

The amendment (No. 1579) was rejected.

The amendment (No. 1578) was agreed to.

The PRESIDING OFFICER. The clerk will read the title of the bill for the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. DAINES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE), the Senator from Kentucky (Mr. PAUL), the Senator from Utah (Mr. ROMNEY), and the Senator from South Dakota (Mr. THUNE).

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—96

Alexander  Cruse  Daines  Cramer  Crapo  Carper  Casey  Cornyn  Cotton  Cramer  Cramer  Cramer  Crapo

Baldwin  Bennett  Blumenthal  Booker  Brown  Cantwell  Cardin  Carper  Casey  Collins  Cooper  Cortez Masto  Duckworth  Durbin  Feinstein  Gardner  Lee  Paul

Roberts  Rounds  Rubio  Sanders  Scott (FL)  Scott (SC)  Shelby  Sullivan  Tillis  Toomey  Wicker

NAYS—48

Baldwin  Bennett  Blumenthal  Booker  Brown  Cantwell  Cardin  Carper  Casey  Collins  Cooper  Cortez Masto  Duckworth  Durbin  Feinstein  Gardner  Lee  Paul

Roberts  Rounds  Rubio  Sanders  Scott (FL)  Scott (SC)  Shelby  Sullivan  Tillis  Toomey  Wicker
on the immediate crisis—business interruptions and the health crisis, but what we need to be looking at is when we get through this crisis—and we will, more resilient and stronger than ever.

As I mentioned in my remarks the other day, I recently had reporters a couple of days ago questioned the mettle and resiliency of Americans. Maybe we are not as tough and strong as we used to be to get through these crises. They just need to go to Alaska and recognize how wrong they are. There are people—some of the marines that I had the privilege of serving with for the last 26 years. They would recognize quickly that they are wrong. Of course, we have the mettle and tenacity to do this.

We need to be working on phase 4. Phase 4 is going to be the policies that we implement here in the Congress to turbocharge this economy, so when we are out of this crisis, we can come back fully, more strongly in a way that our economy was just 2 months ago.

There is a lot of work that I think we could be doing, and that we are likely going to have to be doing. A number of us are going to begin working on that phase 4 approach to this pandemic to turbocharge this economy once we get out of it. I am glad to start working on that with my colleagues here in the Senate.

So, as I said, there is a lot of work to do, but the Senate is getting ready for recess for almost a month. That is what we are getting ready to do. The country is facing one of the biggest crises in our history, and the Senate is leaving town for a month. I happen to think this is a mistake. I think it sends the wrong signal to the people we serve. I think our duty station should be here, to be ready on a moment’s notice to help the citizens that we have the privilege of serving, because if there is one thing about this crisis that we have already seen is that new challenges pop up every day, every minute, every hour, and, yet, we are going to go on recess for almost a month.

I don’t understand this. I don’t agree with it, and I certainly hope if and when our country needs us, if we see some big mistakes in this legislation, if we recognize whole groups of Americans don’t get the relief they need and the Congress needs to act, that we are not going to just say: Well, we are on recess for 30 days. Sorry. We will get to you when we come back at the end of April.

I think that would be a real mistake because, as we are seeing in this crisis, there are a lot of answers that just can’t wait until the end of April. There are a lot of challenges that we need to be addressing daily, and there are going to be more, and, yet, we will not be here to address them.

So, at a minimum, I hope that when our colleagues do recess for almost a month—and it is likely going to need us—that my colleagues will be ready, on a moment’s notice, wherever they are, to come back to this body and get to work to help the people we serve. I think it is very likely that that is going to happen in the next week or two or three, and I hope my colleagues stand ready to do that and not use the excuse that we will see at the end of April to address your problems, America. This is not the time to be doing in the midst of this very, very serious unprecedented crisis where our citizens need our help.

We had a good start tonight—a very good start—but there is going to be a lot more, and I hope this body is ready to act quickly.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session and consider the nominations of the following: Executive Calendar Nos. 570 and 631. The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; and that the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. The Senate proceeded to executive session immediately.

ORDERS FOR APRIL 20, 2020

Mr. MCCONNELL. Madam President, I ask unanimous consent that following leader remarks on April 20, the Senate proceed to executive session and consider the nomination of Robert W. Munley and Marion L. Munley, for judges of the United States District Court for the Middle District of Pennsylvania, as provided by the Senate.

The question is, Will the Senate advise and consent to the nominations of the following judges? The nominations were confirmed en bloc.

ORDER FOR SUBMISSION OF EXECUTIVE SESSION REPORT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for a period of morning business, with Senators permitted to speak therein for up to 2 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

REMEMBERING JUDGE JAMES M. MUNLEY AND JUDGE A. RICHARD CAPUTO

Mr. CASEY. Mr. President, I rise today to remember and honor Judge James M. Munley and Judge A. Richard Caputo, who collectively served the Middle District of Pennsylvania as Federal district judges for over 40 years.

Judge Munley was a native of Archbald, PA. After graduating from the University of Scranton in 1958, he joined the U.S. Army and served until 1960. After his military service, Judge Munley enrolled at the Temple University School of Law and graduated in 1963. He clerked for the Honorable Michael J. Eagen on the Supreme Court of Pennsylvania before practicing law in Scranton from 1964 to 1978. From 1978 to 1998, Judge Munley served with distinction as a judge on the Lackawanna County Court of Common Pleas. In 1998, Judge Munley was nominated to a seat on the U.S. District Court for the Middle District of Pennsylvania by President Bill Clinton. He was confirmed by the Senate and went on to serve the Middle District honorably for over two decades. As a Federal judge, Judge Munley continued his family’s tremendous legacy of public service and dedication to Pennsylvania. Both of his parents, Robert W. Munley and Marion L. Munley, and his grandfather, William J. Munley, served in the Pennsylvania General Assembly. Judge Munley has been remembered by members of the Pennsylvania legal community as a skilled, good-natured, and fair jurist who approached life with a sense of optimism that “was contagious in the best sense of the word.” In his courtroom and in his life, he was known to treat everyone with the same dignity, respect, and kindness. U.S. District Judge Malachy E. Mannion remembered Judge Munley by noting: “What defined him most was just his sense of humanity. He was a great judge, but he was a greater human being.”

Judge Caputo was born in Port Chester, NY, and raised in Rye, NY. He graduated from Brown University in 1969. After Brown, Judge Caputo enrolled in the University of Pennsylvania Law School and graduated in 1963. He went on to join the U.S. Air Force as an officer in the Judge Advocate General’s Corps and served until
1967. After his military service, Judge Caputo worked as a public defender in Luzerne County for 1 year before joining the law firm of Shea & Shea. In 1973, the firm was renamed Shea, Shea & Caputo, and after nearly 30 years in private practice, Judge Caputo was nominated on the U.S. District Court for the Middle District of Pennsylvania by President Bill Clinton in 1997. After being confirmed by the Senate, he honorably served on the Federal bench in the Middle District for over two decades.

Judge Caputo was known as a strong and fair jurist who treated everyone with deep respect in his courtroom. He strongly believed in balancing individual rights with the needs of a well-ordered society, and some in the Pennsylvania legal community have remembered him as a judge who was not afraid to depart from Federal sentencing guidelines when he found them to be too harsh. He was deeply committed to the judiciary, as evidenced by the fact that he continued to hear cases up until just a few months prior to his death. He believed that the judiciary was the heart of our democracy. Chief U.S. District Judge Christopher Conner remembered Judge Caputo as a "judge’s judge"—a strong, direct and erudite jurist—"who made extraordinary contributions to the Wilkes-Barre vicinage, to our entire court, and to our country.

At a time when our Nation faces unprecedented challenges in responding to the COVID–19 pandemic, Judge Munley and Judge Caputo are important reminders of the intellect, compassion, and fairness that have guided our Nation since its founding. They will be missed tremendously, but their legacy will continue to inspire countless Pennsylvanians and individuals throughout our country.

TRIBUTE TO INEZ MITTLEIDER

Mr. CRAMER. Mr. President, I want to honor a very special North Dakota woman who is turning 100 years old on Friday. Inez Mittleider of Bismarck was born on March 27, 1920, in South Dakota and at a young age moved with her family to southwestern North Dakota. Living through the Dirty Thirties and the Great Depression, she had to leave home and live with family friends while she completed high school. She became one of very few women of her generation to earn a college degree. Inez lived in the communities of Hell and Mott and taught in one-room schoolhouses for nearly 10 years.

Inez and her husband raised four children and instilled in them the necessity of hard work and self-reliance. Today, Inez is the grandmother of seven, great-grandmother of nine, and continues to live on her own in Bismarck. Her many family members plan to celebrate this centennial milestone with Inez later in the year.

Mr. President, North Dakota is home to more than 200 centenarians, and we consider them among our most treasured residents. They have witnessed great moments in North Dakota’s history and their pioneer spirit, dignity, and hard work have brought them through many challenges and personal achievements.

On behalf of all North Dakotans, I want to wish Inez a happy 100th birthday, and hope this is the start of a year filled with happiness and joy.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BOOKER (for himself and Ms. HARRIS):
S. 3579. A bill to require the release of certain individuals in the custody of the United States because of their risk of exposure during a national emergency, and for other purposes; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO:
S. 3580. A bill to require the Comptroller General of the United States to submit to Congress a report assessing the billing practices of the Department of Defense for care received under the TRICARE program and at military medical treatment facilities, and for other purposes; to the Committee on Armed Services.

By Ms. CORTIZZ MASTO:
S. 3581. A bill to require the Comptroller General of the United States to submit to Congress a report assessing Federal, State, and other mental health services available to members of the reserve components of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Ms. CANTWELL (for herself, Mr. JONES, Mr. BENNET, and Ms. SINEMI):
S. 3582. A bill to amend the Internal Revenue Code of 1986 to expand eligibility for the health care tax credit to workers in certain critical industries; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. BROWN, Mr. VAN HOLLEN, Mr. SANDERS, Mr. KAIN, Ms. CASEY, Mr. WARNER, Mrs. GILLIBRAND, Ms. HIRONO, Mr. SCHATZ, Mr. BUCKER, Ms. KLOBUCHAR, and Mr. PERDUE):
S. 3583. A bill to provide that certain Executive Orders and presidential memorandum with respect to Federal employee collective bargaining shall have no force or effect, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. BALDWIN (for herself and Ms. DUCKWORTH):
S. 3584. A bill to direct the Secretary of Labor to issue an emergency temporary standard that requires certain employers to develop and implement a comprehensive infectious disease exposure control plan to protect employees in the health care sectors and other employers at elevated risk from exposure to SARS-CoV-2, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JONES (for himself and Mr. BROWN):
S. 3585. A bill to place a moratorium on evictions during the national emergency to the Committee on Banking, Housing, and Urban Affairs.

By Ms. ERNST (for herself and Mr. PAUL):
S. 3586. A bill to reduce Federal spending and fund the acquisition of unexpired personal protective equipment (including face masks) for the strategic national stockpile by terminating taxpayer financing of Presidential election campaigns; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. MORAN):
S. 3587. A bill to require the Secretary of Veterans Affairs to conduct a study on the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities, and for other purposes; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAMER:
S. Res. 554. A resolution recognizing the contributions of health care professionals during the 2020 Coronavirus pandemic; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 3588. At the request of Mr. INHOFE, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 3588, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 3574. At the request of Mr. MANCHIN, the name of the Senator from Arizona (Ms. MCALY) was added as a cosponsor of S. 3574, a bill to amend the Public Health Service Act to protect the confidentiality of substance use disorder patient records.

S. 3559. At the request of Mr. BENNET, the name of the Senator from Missouri (Mr. BLUMENT) was added as a cosponsor of S. 3559, a bill to provide emergency financial assistance to rural health care facilities and providers impacted by the COVID–19 emergency.

S. 3560. At the request of Mr. MURPHY, the names of the Senator from Delaware (Mr. CARPER), the Senator from Maine (Mr. KING) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 3560, a bill to require the President to use authorities under the Defense Production Act of 1950 to require emergency production of medical equipment to address the COVID-19 outbreak.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. CASEY (for himself and Mr. MORAN):
S. 3586. A bill to require the Secretary of Veterans Affairs to conduct a study on the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities, and for other purposes.

S. 3587. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.
This Act may be cited as the “Department of Veterans Affairs Website Accessibility Act of 2019”.

SEC. 2. STUDY ON THE ACCESSIBILITY OF WEBSITES OF THE DEPARTMENT OF VETERANS AFFAIRS TO INDIVIDUALS WITH DISABILITIES.

(a) Study.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a study of the Department of Veterans Affairs to determine whether such websites are accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(b) Report.—Not later than 90 days after completing the study under subsection (a), the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on such study.

(c) Elements.—The report required by subsection (b) shall include the following:

(1) A list of each website described in subsection (a) that is not accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(2) For each website identified in the list under paragraph (1)—

(A) the plan of the Secretary to bring the website into compliance with the requirements of section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d); and

(B) a description of the barriers to bringing the website into compliance with the requirements of such section, including any barriers relating to vacant positions at the Department of Veterans Affairs.

(d) Website Defined.—In this section, the term “website” includes the following:

(1) A file attached to a website.

(2) A web-based application.

(3) A kiosk at a medical facility of the Department of Veterans Affairs, the use of which is required to check in for scheduled appointments.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1577. Mr. Sasse (for himself, Mr. Graham, Mr. Scott of South Carolina, Mr. Scott of Florida, Mr. Cruz, Mr. Johnson, Mrs. Blackburn, and Mr. Lee) proposed an amendment to amendment SA 1578 proposed by Mr. McConnell to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

SA 1587. Mr. McConnell proposed an amendment to the bill H.R. 748, supra.

SA 1597. Mr. Moran (for Mr. Moran) proposed an amendment to the bill H.R. 3504, to amend title 38, United States Code, to provide for improvements to the specially adapted housing program of the Department of Veterans Affairs, and for other purposes.

TEXT OF AMENDMENTS

SA 1577. Mr. Sasse (for himself, Mr. Graham, Mr. Scott of South Carolina, Mr. Scott of Florida, Mr. Cruz, Mr. Johnson, Mrs. Blackburn, and Mr. Lee) proposed an amendment to amendment SA 1578 proposed by Mr. McConnell to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage, as follows:

At the end of subtitle A of title II of division A, insert the following:

(c) Pandemic Emergency Unemployment Compensation.—Notwithstanding section 2107, in no case may an individual’s average weekly benefit amount described in 2107(b)(3) (including the increase under section 2104) exceed the amount of the average weekly wages for which the individual’s average weekly benefit amount (determined without regard to such increase) is based.

SA 1578. Mr. McConnell proposed an amendment to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.
This Act may be cited as the “Coronavirus Aid, Relief, and Economic Security Act” or the “CARES Act”.

SEC. 2. TABLE OF CONTENTS.
The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.

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

TITLE I—KEEPING AMERICAN WORKERS PAID AND EMPLOYED

Sec. 1101. Definitions.
Sec. 1102. Paycheck protection program.
Sec. 1103. Entrepreneurial development.
Sec. 1104. State trade expansion program.
Sec. 1105. Waiver of matching funds requirement under the women’s business center program.
Sec. 1106. Loan forgiveness.
Sec. 1107. Direct appropriations.
Sec. 1108. Minority business development.
Sec. 1109. United States Treasury Program Management Authority.
Sec. 1110. Emergency EIDL grants.
Sec. 1111. Resources and services in languages other than English.
Sec. 1112. Subsidy for certain loan payments.
Sec. 1113. Bankruptcy.
Sec. 1114. Emergency rulemaking authority.

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


Sec. 2101. Short title.
Sec. 2102. Pandemic Unemployment Assistance.
Sec. 2103. Emergency unemployment relief for governmental entities and nonprofit organizations.
Sec. 2104. Emergency unemployment compensation benefits.
Sec. 2105. Temporary full Federal funding of the first week of compensable regular unemployment for States with no waiting week.
Sec. 2106. Emergency State staffing flexibility.
Sec. 2107. Pandemic emergency unemployment compensation.
Sec. 2108. Temporary financing of short-time compensation payments in States with programs in law.
Sec. 2109. Temporary financing of short-time compensation agreements.
Sec. 2110. Grants for short-time compensation programs.
Sec. 2111. Assistance and guidance in implementing programs.
Sec. 2112. Waiver of the 7-day waiting period for benefits under the Railroad Unemployment Insurance Act.
Sec. 3213. Enhanced benefits under the Railroad Unemployment Insurance Act.
Sec. 3214. Extended unemployment benefits under the Railroad Unemployment Insurance Act.
Sec. 3215. Funding for the DOL Office of Inspector General for oversight of unemployment provisions.
Sec. 3216. Implementation.

Subtitle B—Rebates and Other Individual Provisions
Sec. 2201. 2020 recovery rebates for individuals.
Sec. 2202. Special rules for use of retirement funds.
Sec. 2203. Temporary waiver of required minimum distribution rules for certain retirement plans and accounts.
Sec. 2204. Allowance of partial above the line deduction for charitable contributions.
Sec. 2205. Modification of limitation on charitable contributions during 2020.
Sec. 2206. Exclusion for certain employer payments of student loans.

Subtitle C—Business Provisions
Sec. 2301. Employee retention credit for employees subject to closure due to COVID-19.
Sec. 2302. Delay of payment of employer payroll taxes.
Sec. 2303. Modifications for net operating losses.
Sec. 2304. Modification of limitation on losses for taxpayers other than corporations.
Sec. 2305. Modification of credit for prior year minimum tax liability of corporations.
Sec. 2306. Modifications of limitation on business interest.
Sec. 2307. Technical amendments regarding qualified improvement property.
Sec. 2308. Temporary exception from excise tax for alcohol used to produce hand sanitizer.

Title III—Supporting America’s Health Care System in the Fight Against the Coronavirus
Subtitle A—Health Provisions
Sec. 3301. National Academies report on America’s medical product supply chain security.
Sec. 3303. Treatment of respiratory protective devices as covered countermeasures.
Sec. 3312. Additional manufacturer reporting requirements in response to drug shortages.
Sec. 3313. Prioritize reviews of drug applications; incentives.
Sec. 3314. BHCUs Capital financing.
Sec. 3315. Temporary relief for federal student loan borrowers.
Sec. 3316. Continuing education at affected foreign institutions.
Sec. 3317. National emergency educational recursos.

Part II—Access to Health Care for COVID-19 Patients
Subtitle A—Coverage of Testing and Preventive Services
Sec. 3320. Coverage of diagnostic testing for COVID-19.
Sec. 3321. Pricing of diagnostic testing.
Sec. 3322. Rapid coverage of preventive services and vaccines for coronavirus.

Supplemental Awards for Health Centers
Sec. 3323. Supplemental awards for health centers.

Telehealth Network and Telehealth Resource Centers Grant Programs
Sec. 3324. Telehealth network and telehealth resource centers grant programs.

Rural Health Care Services Outreach, Rural Health Network Development, and Small Health Care Provider Quality Improvement Grant Programs
Sec. 3325. Limitation on liability for volunteer health care professionals during COVID-19 emergency response.

Flexibility for Members of the National Health Service Corps
Sec. 3326. Flexibility for members of the National Health Service Corps during emergency period.

Miscellaneous Provisions
Sec. 3327. Confidentiality and disclosure of records relating to substance use disorder.
Sec. 3328. Nutrition services.
Sec. 3329. Continuity of service and opportunities for participants in community service activities under title V of the Older Americans Act of 1965.
Sec. 3330. Guidance on protected health information.
Sec. 3332. Reauthorization of healthy start program.
Sec. 3333. Importance of the blood supply.

Part III—Innovation
Sec. 3334. Removing the cap on OTA during public health emergencies.
Sec. 3335. Priority zoontic animal drugs.

Part IV—Health Care Workforce
Sec. 3336. Reauthorization of health professions workforce programs.
Sec. 3337. Health workforce coordination.
Sec. 3338. Education and training relating to geriatrics.
Sec. 3339. Nursing workforce development.

Education and Training Relating to Geriatrics
Sec. 3340. Short title.
Sec. 3341. Definitions.
Sec. 3342. Campus-based aid waivers.
Sec. 3343. Use of supplemental educational opportunity grants for emergency aid.
Sec. 3344. Federal work-study during a qualifying emergency.
Sec. 3345. Adjustment of subsidized loan usage limits.
Sec. 3346. Exclusion from Federal Pell Grant duration limit.
Sec. 3347. Institutional refunds and Federal student loan flexibility.
Sec. 3348. Satisfactory academic progress.
Sec. 3349. Continuing education at affected foreign institutions.
Sec. 3350. National emergency educational recursos.

Medicare
Sec. 3351. HBCU Capital financing.
Sec. 3352. Temporal relief for federal student loan borrowers.
Sec. 3353. Reauthorization of the Corporation for National and Community Service.
Sec. 3354. Workforce response activities.
Sec. 3355. Technical amendments.
Sec. 3356. Waiver authority and reporting requirement for institutional aid.
Sec. 3357. Authorized uses and other modifications.
Sec. 3358. Service obligations for teachers.
Sec. 3359. Limitation on paid leave.

Sec. 3360. Emergency Paid Sick Leave Act Limitation.
Sec. 3361. Unemployment insurance.
Sec. 3362. OMB Waiver of Paid Family and Medical Leave.
Sec. 3363. Paid leave for rehired employees.
Sec. 3364. Advance refunding of credits.
Sec. 3365. Expansion of DOL authority to postpone certain deadlines.
Sec. 3366. Single-employer plan funding rules.

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

Federal contractor authority.
Sec. 3371. Technical corrections.

Subtitle D—Finance Committee
Sec. 3401. Reauthorization of health professions workforce programs.
Sec. 3402. Health workforce coordination.
Sec. 3403. Education and training relating to geriatrics.
Sec. 3404. Nursing workforce development.

Subtitle C—Preventing Medical Device Shortages
Sec. 3501. Definitions.
Sec. 3502. Removing the cap on OTA during public health emergencies.
Sec. 3503. Priority zoontic animal drugs.
Sec. 3504. Sale, transfer, or other disposition of personal property.
Sec. 3505. Use of supplemental educational opportunity grants for emergency aid.
Sec. 3506. Federal work-study during a qualifying emergency.
Sec. 3507. Adjustment of subsidized loan usage limits.
Sec. 3508. Exclusion from Federal Pell Grant duration limit.
Sec. 3509. Institutional refunds and Federal student loan flexibility.
Sec. 3510. Satisfactory academic progress.
Sec. 3511. Continuing education at affected foreign institutions.
Sec. 3512. National emergency educational recursos.

Sec. 3513. HBCU Capital financing.
Sec. 3514. Temporal relief for federal student loan borrowers.
Sec. 3515. Reauthorization of the Corporation for National and Community Service.
Sec. 3516. Workforce response activities.
Sec. 3517. Technical amendments.
Sec. 3518. Waiver authority and reporting requirement for institutional aid.
Sec. 3519. Authorized uses and other modifications.
Sec. 3520. Service obligations for teachers.
Sec. 3521. Labor Provisions
Sec. 3522. Limitation on paid leave.

Part IV—Health Care Workforce
Sec. 3523. Special rules for use of retirement funds.
Sec. 3524. National emergency educational recursos.
Sec. 3525. HBCU Capital financing.
Sec. 3526. Temporal relief for federal student loan borrowers.
Sec. 3527. Reauthorization of the Corporation for National and Community Service.
Sec. 3528. Workforce response activities.
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Sec. 3619. Expansion of the Medicare hospital accelerated payment program during the COVID-19 public health emergency.
Sec. 3620. Delaying requirements for enhanced PFSMP to enable State legislation necessary for compliance.
of the Families First Coronavirus Response Act (Public Law 116–127); and

‘‘(ix) the term ‘veterans organization’ means an organization that is described in section 501(c)(19) of the Internal Revenue Code that is exempt from taxation under section 501(a) of such Code.

(B) PAYCHECK PROTECTION LOANS.—Except as otherwise provided in this paragraph, the Administrator may guarantee covered loans under the same terms, conditions, and processes as a loan made under this subsection.

(C) TRIBAL BUSINESS CONCERNS.—Not later than 15 days after the date on which a loan is made under this paragraph, the Administrator shall register the loan using the TIN (as defined in section 7701 of the Internal Revenue Code of 1986) assigned to the borrower.

(D) INCREASED ELIGIBILITY FOR CERTAIN SMALL BUSINESSES AND ORGANIZATIONS.—

‘‘(i) In general.—During the covered period, in addition to small business concerns, any business concern, nonprofit organization, veterans organization, or Tribal business concern described in section 31(b)(2)(C) shall be eligible to receive a covered loan if the business concern employs not more than 500 employees, as determined by the Administrator, and the average total monthly payments for payroll costs incurred during the covered period shall be at least $10,000,000.

‘‘(ii) INCORPORATION OF LOANS.—Not later than 15 days after the date on which a loan is made under this paragraph, the Administrator shall register the loan using the TIN (as defined in section 7701 of the Internal Revenue Code of 1986) assigned to the borrower.

‘‘(D) ALLOWABLE USES OF COVERED LOANS.—

‘‘(i) In general.—During the covered period, the provisions applicable to affiliations under section 121.103 of title 13, Code of Federal Regulations, or any successor thereto, shall apply with respect to a nonprofit organization and a veterans organization in the same manner as with respect to a small business concern.

‘‘(E) MAXIMUM LOAN AMOUNT.—During the covered period, with respect to a covered loan, the maximum loan amount shall be the lesser of—

‘‘(I) the sum of—

((aa) the product obtained by multiplying—

(bb) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 1, 2019, and ending on June 30, 2019, by

(bb) the outstanding amount of a loan under subsection (b)(1) that was made during the period beginning on February 15, 2019, or at the election of the eligible recipient, March 1, 2019, and ending June 30, 2019; or

(bb) the outstanding amount of a loan under subsection (b)(1) that was made during the period beginning on January 1, 2020, and ending on June 30, 2020, the sum of—

(1) $10,000,000.

(2) The product obtained by multiplying—

(bb) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 1, 2020, and ending on June 30, 2020, by

(bb) the outstanding amount of a loan under subsection (b)(1) that was made during the period beginning on February 15, 2019, or at the election of the eligible recipient, March 1, 2019, and ending June 30, 2019; or

(II) that the eligible recipient does not have an application pending for a loan under this subsection for the same purpose and duplicative of amounts applied for or received under a covered loan; and

‘‘(F) BORROWER REQUIREMENTS.—

‘‘(i) Certification.—An eligible recipient applying for a covered loan shall make a good faith certification—

‘‘(I) that the uncertainty of current economic conditions makes necessary the loan requested to support the ongoing operations of the eligible recipient;

‘‘(II) acknowledging that funds will be used to retain workers and maintain payroll or make payments on lease payments, mortgage payments, property taxes, and utility payments; and

‘‘(III) that the eligible recipient does not have an application pending for a loan under this subsection for the same purpose and duplicative of amounts applied for or received under a covered loan; and

‘‘(ii) that a covered loan shall not include any prepayment of or payment of principal on a mortgage obligation;

‘‘(III) interest on any debt obligations that were incurred before the covered period.

‘‘(G) MATURE FOR LOANS WITH REMAINING BALANCE.—

‘‘(i) In general.—For purposes of making covered loans for the purposes described in clause (i) of section 1106 of the CARES Act—

‘‘(I) the remaining balance shall continue to be guaranteed by the Administration under this subsection; and

‘‘(II) the covered loan shall have a maximum maturity of 10 years, except that loans under this subsection shall not include any prepayment of or payment of principal on a mortgage obligation; and

‘‘(ii) in lieu of the fee otherwise applicable under paragraph (23)(A), the Administrator shall collect no fee; and

‘‘(J) BORROWER REQUIREMENTS.—

‘‘(i) Certification.—An eligible recipient applying for a covered loan shall make a good faith certification—

‘‘(I) that the uncertainty of current economic conditions makes necessary the loan requested to support the ongoing operations of the eligible recipient;

‘‘(ii) acknowledging that funds will be used to retain workers and maintain payroll or make payments on lease payments, mortgage payments, property taxes, and utility payments; and

‘‘(III) that the eligible recipient does not have an application pending for a loan under this subsection for the same purpose and duplicative of amounts applied for or received under a covered loan; and

‘‘(ii) that a covered loan shall not include any prepayment of or payment of principal on a mortgage obligation;

‘‘(III) interest on any debt obligations that were incurred before the covered period.

‘‘(G) MATURE FOR LOANS WITH REMAINING BALANCE.—

‘‘(i) In general.—For purposes of making covered loans for the purposes described in clause (i) of section 1106 of the CARES Act—

‘‘(I) the remaining balance shall continue to be guaranteed by the Administration under this subsection; and

‘‘(II) the covered loan shall have a maximum maturity of 10 years, except that loans under this subsection shall not include any prepayment of or payment of principal on a mortgage obligation; and

‘‘(iii) in lieu of the fee otherwise applicable under paragraph (23)(A), the Administrator shall collect no fee.
"(II) LOAN DEFERMENT.—(1) IMPACTED BORROWER.—(I) IN GENERAL.—In this subparagraph, the term ‘impacted borrower’ means an eligible recipient that—

(a) is in operation on February 15, 2020; and

(b) has an application for a covered loan that is approved or pending approval on or after the date of enactment of this paragraph.

(II) DEFERRAL.—During the covered period, the Administrator shall—

(1) consider each eligible recipient that applies for a covered loan to be an impacted borrower; and

(2) require lenders under this subsection to provide complete payment deferrment relief for impacted borrowers with covered loans for a period of not less than 6 months, including payment of principal, interest, and fees, and not more than 1 year.

(III) SECONDARY MARKET.—During the covered period, with respect to a covered loan that is sold on the secondary market, if an investor declines to approve a deferral requested by a lender under clause (II), the Administrator shall exercise the authority to purchase the loan so that the impacted borrower may receive a deferral for a period of not less than 6 months, including payment of principal, interest, and fees, and not more than 1 year.

(IV) GUIDANCE.—Not later than 30 days after the date of enactment of this paragraph, the Administrator shall provide guidance to lenders under this paragraph on the deferment process described in this subparagraph.

(II) SECONDARY MARKET SALES.—A covered loan shall be eligible to be sold in the secondary market consistent with this subsection. The Administrator may not collect any fee for any guarantee sold into the secondary market under this subparagraph.

(O) REGULATORY CAPITAL REQUIREMENTS.—(I) RISK WEIGHT.—With respect to the appropriate Federal banking agencies or the National Credit Union Administration Board, a capital-based capital requirement, a covered loan shall receive a risk weight of zero percent.

(II) TEMPORARY RELIEF FROM TDR DISCLOSURES.—Notwithstanding any other provision of law, an insured depository institution or an insured credit union that modifies a covered loan in relation to COVID-19-related difficulties in a troubled debt restructuring on or after March 13, 2020, shall not be required to comply with the Financial Accounting Standards Board Accounting Standards Codification Subtopic 310-40 (‘‘Receivables – Troubled Debt Restructurings by Creditors’’) for purposes of compliance with the requirements of the Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.), until such time and under such circumstances as the appropriate Federal banking agency or the National Credit Union Administration Board, as applicable, determines appropriate.

(P) REIMBURSEMENT FOR PROCESSING.—(I) IN GENERAL.—The Administrator shall reimburse a lender authorized to make a covered loan on the basis of the financial outstanding at the time of disbursement of the covered loan, of—

(a) 5 percent for loans of not more than $350,000; and

(b) 3 percent for loans of more than $350,000 and less than $2,000,000; and

(II) 1 percent for loans of not less than $2,000,000.

(II) FEES LIMITS.—An agent that assists an eligible recipient to prepare an application for a covered loan may not collect a fee in excess of the limits established by the Administrator.

(III) TIMING.—A reimbursement described in clause (I) shall be made not later than 5 days after the disbursement of the covered loan.

(IV) SENSE OF THE SENATE.—It is the sense of the Senate that the Administrator should issue guidance to lenders and advisors to ensure that the processing and disbursement of covered loans prioritizes small business concerns and sustains underserved and rural markets, including veterans and members of the military community, small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined in section 8(d)(3)(C)), women, and businesses in operation for less than 2 years.

(Q) DUPLICATION.— Nothing in this paragraph shall prohibit a recipient of an economic injury disaster loan made under subsection (b)(2) during the period beginning on January 31, 2020 and ending on the date on which covered loans are available that is for a purpose other than paying payroll costs and other obligations described in subparagraph (F) from receiving assistance under this paragraph.

(R) WAIVER OF PREPAYMENT PENALTY.—Notwithstanding any other provision of law, there shall be no prepayment penalty for any payment made on a covered loan.

(b) COMMITMENTS FOR 7(A) LOANS.—During the period beginning on February 15, 2020 and ending on June 30, 2020—

(1) the amount authorized for commitments for general business loans authorized under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), including loans made under paragraph (3) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by subsection (a), shall be $349,000,000,000; and

(2) the amount authorized for commitments for such loans under the heading ‘‘BUSINESS LOANS PROGRAM ACCOUNT’’ under title V of the Consolidated Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 957) shall not apply.

(c) EXPRESS LOANS.—(1) IN GENERAL.—Section 7(a)(31)(D) of the Small Business Act (15 U.S.C. 636(a)(31)(D)) is amended by striking ‘‘$500,000’’ and inserting ‘‘$1,000,000’’.

(2) PROSPECTIVE REPEAL.—Effective on January 1, 2021, section 7(a)(31)(D) of the Small Business Act (15 U.S.C. 636(a)(31)(D)) is amended by striking ‘‘$1,000,000’’ and inserting ‘‘$500,000’’.

(d) EXCLUSION TO GUARANTEE FEES WAIVER FOR VETERANS.—Section 7(a)(31)(G) of the Small Business Act (15 U.S.C. 636(a)(31)(G)) is amended—

(1) by striking clause (ii); and

(2) by redesignating clause (iii) as clause (ii).

(e) INTERIM RULE.—On and after the date of enactment of this section, the Administrator shall publish an interim final rule published by the Administrator entitled ‘‘Express Loan Programs: Affiliation Standards’’ (85 Fed. Reg. 7622 (February 10, 2020)) is permanently rescinded and shall have no force or effect.

SEC. 1103. ENTREPRENEURIAL DEVELOPMENT.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘covered small business concern’’ means a small business concern that has experienced, as a result of COVID–19—

(A) supply chain disruptions, including changes in—

(i) quantity and lead time, including the number of shipments of components and delays in shipments;

(ii) quality, including shortages in supply for quality control reasons; and

(iii) technology, including a compromised payment network;

(B) staffing challenges; and

(C) a decrease in gross receipts or customers; or

(d) a closure;

(2) the term ‘‘resource partner’’ means—

(A) a small business development center; and

(B) a women’s business center;

(3) the term ‘‘small business development center’’ has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632); and

(4) the term ‘‘women’s business center’’ means a women’s business center described in section 29 of the Small Business Act (15 U.S.C. 666).

(b) EDUCATION, TRAINING, AND ADVISING GRANTS.—

(1) IN GENERAL.—The Administration may provide financial assistance in the form of grants to resource partners to provide education, training, and advising to covered small business concerns.

(2) USE OF FUNDS.—Grants under this subsection shall be used for the education, training, and advising of small business concerns and their employees on—

(A) accessing and applying for resources provided by the Administration and other Federal resources relating to access to capital and business resiliency;

(B) the hazards and prevention of the transmission and communication of COVID–19 and other communicable diseases;

(C) the potential effects of COVID–19 on the supply chains, distribution, and sale of products of covered small business concerns and the mitigation of those effects;

(D) the management and practice of telework to reduce possible transmission of COVID–19;

(E) the management and practice of remote customer service by electronic or other means;

(F) the risks of and mitigation of cyber threats in remote customer service or telework practices;

(G) the mitigation of the effects of reduced travel or outside activities on covered small business concerns during COVID–19 or similar occurrences; and

(H) any other relevant business practices necessary to mitigate the economic effects of COVID–19 or similar occurrences.

(3) GRANT DETERMINATION.—

(A) SMALL BUSINESS DEVELOPMENT CENTERS.—The Administration shall award 80 percent of funds authorized to carry out this subsection to small business development centers, which shall be awarded pursuant to a formula jointly developed, negotiated, and agreed upon, with full participation of both parties, between the association formed under section 23(a)(5)(A) of the Small Business Act (15 U.S.C. 668(a)(5)(A)) and the Administration.

(B) WOMEN’S BUSINESS CENTERS.—The Administration shall award 20 percent of funds authorized to carry out this subsection to women’s business centers, which shall be awarded pursuant to a process established by the Administration in consultation with representatives of and resource partners with women’s business centers.

(C) NO MATCHING FUNDS REQUIRED.—Matching funds shall not be required for any grant under this subsection.

(d) GOALS AND METRICS.—

(A) IN GENERAL.—Goals and metrics for the administration of grants and awards under this section shall be used for the education, training, and advising of small business concerns.
(i) take into consideration the extent of the circumstances relating to the spread of COVID–19, or similar occurrences, that affect covered small business concerns located in the area and the outcome of performance, particularly in rural areas or economically distressed areas; and
(ii) generally follow the use of funds outlined but shall not restrict the activities of resource partners in responding to unique situations; and
(iii) encourage resource partners to develop and provide services to covered small business concerns.

(B) Public availability.—The Administrator shall make publicly available the methodology by which the Administrator and resource partners jointly develop the metrics and goals described in subparagraph (A).

(c) Resource Partner Association Grants.—

(1) In General.—The Administrator may provide grants to an association or associations representing resource partners under which the association or associations shall establish a single centralized hub for COVID–19 information, which shall include:

(A) a program that consolidates resources and information available across multiple Federal agencies for small business concerns related to COVID–19; and
(B) a program to educate resource partner counselors, members of the Service Corps of Retired Executives established under section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B)), and counselors at veterans business outreach centers described in section 32 of the Small Business Act (15 U.S.C. 637b) on the resources and information available through subparagraph (A).

(2) Goals and Metrics.—Goals and metrics for the funds made available under this subsection shall be jointly developed, negotiated, and agreed upon, with full participation of both parties, between the association or associations receiving a grant under this subsection and the Administrator.

(d) Reporting.—Not later than 6 months after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that describes—

(A) the programs and services developed and provided by the Administrator and resource partners under subsection (b); and
(B) the online platform and training developed and provided by the Administrator and the association or associations under subsection (c); and

(2) with respect to the subsequent years covered by the report—

(A) with respect to the grant program under subsection (b); and
(B) with respect to the grant program under subsection (c)—

(i) the efforts of the Administrator and the association or associations to develop and evolve online resource for small business concerns; and
(ii) the efforts of the Administrator and the association or associations to develop a training program for partner counselors, including the number of counselors trained.

SEC. 1104. STATE TRADE EXPANSION PROGRAM.

(a) In General.—Notwithstanding paragraph (3) of section 221 of the Small Business Act (15 U.S.C. 649(i)), for grants under the State Trade Expansion Program under section 221 of the Small Business Act (15 U.S.C. 649(i)), the Administrator shall treat amounts made available for fiscal year 2018 and fiscal year 2019, the period of the grant shall continue through June 30, 2020.

(b) Reimbursement.—The Administrator shall reimburse any recipient of assistance under section 221 of the Small Business Act (15 U.S.C. 649(i)) for financial losses relating to a foreign trade mission or a trade show exhibition that was cancelled solely due to a public health emergency declared due to COVID–19 if the reimbursement does not exceed a recipient’s grant funding.

SEC. 1105. WAIVER OF MATCHING FUNDS REQUIREMENTS FOR WOMEN’S BUSINESS CENTER PROGRAM.

During the 3-month period beginning on the date of enactment of this Act, the retraining requirements under paragraph (1) shall be considered a contribution from non-Federal sources under section 29(c)(1) of the Small Business Act (15 U.S.C. 656(c)(1)) is waived for any recipient of assistance under such section.

SEC. 1106. LOAN FORGIVENESS.

(a) Definitions.—In this section—

(1) the term ‘‘covered loan’’ means a loan guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102; and
(2) the term ‘‘covered mortgage obligation’’ means any indebtedness or debt instrument incurred in the ordinary course of business that—

(A) is a liability of the borrower;
(B) is a mortgage on real or personal property; and
(C) was incurred before February 15, 2020.

(b) Forgiveness.—An eligible recipient of a covered loan under this Act is forgiven the amount was the principal amount of a loan guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102.

(c) Timing.—Not later than 15 days after the date on which the Administrator receives a report under subparagraph (A), the Administrator shall remit to the lender the forgiveness under this section is determined, the Administrator shall remit to the lender the forgiveness amount under paragraph (B) with respect to each covered loan to which the report relates.

(d) Loans on Amount of Forgiveness.—

(1) Amount May Not Exceed Principal.—The amount of loan forgiveness under this section shall not exceed the principal amount of the loan guaranteed under subparagraph (A).

(2) Reduction Based on Reduction in Number of Employees.—

(A) In General.—The amount of loan forgiveness under this section shall be reduced, but not increased, by multiplying the amount described in subsection (b) by the quotient obtained by dividing—

(i) the average number of full-time equivalent employees per month employed by the eligible recipient during the covered period; by

(ii) the average number of full-time equivalent employees per month employed by the eligible recipient during the covered period; by

(iii)(I) the number of the average number of full-time equivalent employees per month employed by the eligible recipient during the covered period; beginning on January 1, 2020, and ending on June 30, 2019; or

(bb) the average number of full-time equivalent employees per month employed by the eligible recipient during the period beginning on January 1, 2020, and ending on February 29, 2020; or

(b) in the case of an eligible recipient that is seasonal employer, as determined by the Administrator, the average number of full-time equivalent employees per month employed by the eligible recipient during the period beginning on February 15, 2019, and ending on June 30, 2019.

(2) Payroll Costs.—Any payment of interest on any covered mortgage obligation (which shall not include any prepayment of or payment of principal on any covered mortgage obligation)

(3) Any payment on any covered rent obligation.

(4) Any covered utility payment.

(5) Excepted Amounts.—The Administrator, amounts which are forgiven under this section shall be considered canceled indebtedness by a lender authorized under section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

(PURCHASE OF GUARANTEES.—For purposes of the purchase of a covered loan by the Administrator, amounts which are forgiven under this section shall be treated in accordance with the procedures that are otherwise applicable to a loan guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

(3) Remittance.—Not later than 90 days after the date on which the amount of forgiveness under this section is determined, the Administrator shall remit to the lender any amount equal to the amount of forgiveness, plus any interest accrued through the date of payment.

(4) Advance Purchase of Covered Loan.—(A) In General.—The Administrator may advance a portion of the forgiveness amount described in subparagraph (A), as added by section 1102, to a foreign trade mission or a trade show exhibition that was cancelled solely due to a public health emergency declared due to COVID–19 if the reimbursement does not exceed a recipient’s grant funding.

(B) Purchase.—The Administrator shall purchase the expected forgiveness amount described in subparagraph (A), as added by section 1102, to a foreign trade mission or a trade show exhibition that was cancelled solely due to a public health emergency declared due to COVID–19 if the reimbursement does not exceed a recipient’s grant funding.
(B) CALCULATION OF AVERAGE NUMBER OF EMPLOYEES.—For purposes of subparagraph (A), the average number of full-time equivalent employees shall be determined by calculating the number of full-time equivalent employees for each pay period falling within a month.

(3) REDUCTION RELATING TO SALARY AND WAGES.—

(A) IN GENERAL.—The amount of loan forgiveness under this section shall be reduced by the amount of any reduction in total salary or wages of one or more employees of the eligible recipient during the covered period in comparison to

(i) the average number of full-time equivalent employees of the eligible recipient during the most recent full quarter during which the employee was employed before the covered period;

(ii) the average number of full-time equivalent employees described in subparagraph (B) during the covered period that is in excess of 25 percent of the total salary or wages of the employee during the most recent full quarter during which the employee was employed before the covered period;

(B) EMPLOYEES DESCRIBED.—An employee described in this subparagraph is any employee who did not receive, during any single pay period during 2019, wages or salary at an annualized rate of pay in an amount more than $100,000.

(4) TIPPED WORKERS.—An eligible recipient with tipped employees described in section 13(a)(4) of the Labor Standards Act of 1938 (29 U.S.C. 206(m)(2)(A)) may receive forgiveness for additional wages paid to those employees.

(5) EXEMPTION FOR RE-HIRES.—

(A) IN GENERAL.—In a circumstance described in subparagraph (B), the amount of loan forgiveness under this section shall be reduced by the amount of any reduction in the number of full-time equivalent employees of an eligible recipient or a reduction in the salary of 1 or more employees of the eligible recipient, as applicable, during the period beginning on February 15, 2020 and ending on the date that is 30 days after the date of enactment of this Act.

(B) CIRCUMSTANCES.—A circumstance described in this subparagraph is a circumstance

(i) in which—

(I) during the period beginning on February 15, 2020 and ending on the date that is 30 days after the date of enactment of this Act, there is a reduction, as compared to February 15, 2020, in the number of full-time equivalent employees of an eligible recipient; and

(II) not later than June 30, 2020, the eligible employer has eliminated the reduction in the number of full-time equivalent employees;

(ii) in which—

(I) during the period beginning on February 15, 2020 and ending on the date that is 30 days after the date of enactment of this Act, there is a reduction, as compared to February 15, 2020, in the salary or wages of 1 or more employees of the eligible recipient; and

(II) not later than June 30, 2020, the eligible employer has eliminated the reduction in the salary or wages of such employees; or

(iii) in which the events described in clause (i) and (ii) occur.

(6) EXEMPTIONS.—The Administrator and the Secretary of the Treasury may prescribe regulations granting de minimis exemptions from the requirements under this subsection.

(e) APPLICATION.—An eligible recipient seeking loan forgiveness under this section shall submit to the lender that is servicing the covered loan an application, which shall include—

(1) documentation verifying the number of full-time equivalent employees, the payroll and pay rates for the periods described in subsection (d), including—

(A) payroll tax filings reported to the Internal Revenue Service; and

(B) State income, payroll, and unemployment insurance filings;

(2) documentation, including cancelled checks, payment receipts, transcripts of accounts, or other documents verifying payments on covered mortgage obligations, payments on covered lease obligations, and covered utility payments;

(3) a certification from a representative of the eligible recipient authorized to make such certification, and required under subsection (e), that

(A) the documentation presented is true and correct; and

(B) the amount for which forgiveness is requested is necessary to retain employees, make interest payments on a covered mortgage obligation, make payments on a covered rent obligation, or make covered utility payments; and

(4) any other documentation the Administrator determines necessary.

(f) DECISION.—Not later than 60 days after the date on which a lender receives an application, the lender shall issue a decision on the application.

(g) HOLD HARMLESS.—If a lender has received the documentation required under this section and, after reviewing it, the lender determines that the documentation is not truthful, the lender may pursue any other remedies it deems appropriate for the purpose of ensuring that the eligible recipient has not received loan forgiveness in an amount greater than it is entitled to receive.

(h) DECISION.—Not later than 60 days after the date on which a lender receives an application, the lender shall issue a decision on the application.

(1) IN GENERAL.—The amount of loan forgiveness for the payments for payroll costs, payments on covered mortgage obligations, payments on covered lease obligations, or covered utility payments during covered period—

(A) in an enforcement action may not be taken against the lender under section 47(e) of the Small Business Act (15 U.S.C. 637et al.) relating to loan forgiveness for the payments for payroll costs, payments on covered mortgage obligations, payments on covered lease obligations, or covered utility payments during covered period;

(B) the amount for which forgiveness is requested is necessary to retain employees, make interest payments on a covered mortgage obligation, make payments on a covered rent obligation, or make covered utility payments, as the case may be; and

(C) the lender shall not be subject to any penalties by the Administrator relating to loan forgiveness for the payments for payroll costs, payments on covered mortgage obligations, payments on covered lease obligations, or covered utility payments, as the case may be.

(i) TAXABILITY.—For purposes of the Internal Revenue Code of 1986, any amount which (but for this subsection) would be includible in gross income of the eligible recipient by reason of forgiveness described in subsection (e) shall be excluded from gross income.

(j) RULE OF CONSTRUCTION.—The cancellation of indebtedness on a covered loan under this section shall not otherwise modify the terms and conditions of the covered loan.

(k) REGULATIONS.—Not later than 30 days after the date of enactment of this Act, the Administrator shall issue guidance and regulations implementing this section.

SEC. 1107. DIRECT APPROPRIATIONS.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘agency’’ means the Minority Business Development Agency of the Department of Commerce;

(2) the term ‘‘minority business center’’ means a Business Centers network of the Agency;

(3) the term ‘‘minority chamber of commerce’’ means a chamber of commerce developed specifically to support minority business enterprises.

(b) EDUCATION, TRAINING, AND ADVISING GRANTS.—

(1) IN GENERAL.—The Agency may provide financial assistance in the form of grants to minority business centers and minority chambers of commerce to provide education, training, and advising to minority business enterprises.

(2) USE OF FUNDS.—Grants under this section shall be used for the education, training, and advising of minority business enterprises and their employees on—

(A) gaining access to capital and Federal resources provided by the Agency and other Federal resources relating to access to capital and business resiliency; and

(B) the hazards and prevention of the transmission and communication of COVID–19 and other communicable diseases;
(C) the potential effects of COVID–19 on the supply chains, distribution, and sale of products of minority business enterprises and the mitigation of those effects;

(D) the promotion and practice of telework to reduce possible transmission of COVID–19;

(E) the management and practice of remote customer service by electronic or other means;

(F) the risks of and mitigation of cyber threats in remote customer service or telework practices;

(G) the mitigation of the effects of reduced travel or outside activities on minority business enterprises during COVID–19 or similar occurrences;

(H) any other relevant business practices necessary to mitigate the economic effects of COVID–19 or similar occurrences.

(3) No MATCHING FUNDS REQUIRED.—Matching funds shall not be required for any grant under this section.

(4) GOALS AND METRICS.—

(A) IN GENERAL.—Goals and metrics for the funds made available under this section shall be jointly developed, negotiated, and agreed upon, with full participation of both parties, between the minority business centers, minority chambers of commerce, and the Agency, which shall—

(i) take into consideration the extent of the circumstances relating to the spread of COVID–19, or similar occurrences, that affect minority business enterprises located in the areas covered by minority business centers and minority chambers of commerce, particularly in rural areas or economically distressed areas;

(ii) generally follow the use of funds outlined in paragraph (2), but shall not restrict the activities of minority business centers and minority chambers of commerce in responding to unique situations; and

(iii) encourage minority business centers and minority chambers of commerce to develop and provide services to minority business enterprises.

(B) PUBLIC AVAILABILITY.—The Agency shall make publicly available the methodology by which the Agency, minority business centers, and minority chambers of commerce jointly develop the metrics and goals described in subparagraph (A).

(5) WAIVERS.—

(I) IN GENERAL.—Notwithstanding any other provision of law or regulation, the Agency may, during the 3-month period that begins on the date of enactment of this Act, waive any matching requirement imposed on a minority business center or a specialty center of the Agency under a cooperative agreement between such a center and the Agency if the applicable center is unable to raise funds, or has suffered a loss of revenue, because of the effects of COVID–19.

(II) COMPLIANT.—Notwithstanding any provision of a cooperative agreement between the Agency and a minority business center, if, during the period beginning on the date of enactment of this Act and ending on September 30, 2021, such a center decides not to collect fees because of the economic consequences of COVID–19, the center shall be considered to be in compliance with that agreement if—

(A) the center notifies the Agency with respect to that decision, which the center may provide in a written or oral manner;

(B) the Agency, not later than 15 days after the date on which the center provides notice to the Agency under subparagraph (A)—

(i) confirms receipt of the notification under subparagraph (A); and

(ii) accepts the decision of the center.

(6) DURATION.—

A grant under this section shall remain available until expended.

SEC. 1109. UNITED STATES TREASURY PROGRAM MANAGEMENT AUTHORITY.

(a) DEFINITIONS.—In this section—

(1) the terms ‘appropriate Federal banking agency’ and ‘insured depository institution’ have the meanings given those terms in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

(2) the term ‘insured credit union’ has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752a);

(3) the term ‘Secretary’ means the Secretary of the Treasury;

(b) AUTHORITY TO INCLUDE ADDITIONAL FINANCIAL INSTITUTIONS.—The Department of the Treasury, in consultation with the Administrator, and the Chairman of the Farm Credit Administration shall establish criteria for insured depository institutions, insured credit unions, institutions of the Farm Credit System chartered under the Farm Credit Act of 1971 (12 U.S.C. 1461 et seq.), and other lenders that do not already participate in making loans under this section, to participate in making loans under this section, in the maximum permissible rate of interest and the maximum guarantee percentage required for a loan of comparable maturity;

(c) SAFETY AND SOUNDNESS.—An insured depository institution, insured credit union, institution of the Farm Credit System chartered under the Farm Credit Act of 1971 (12 U.S.C. 1461 et seq.), or other lender shall not participate in making loans under this section if participation does not affect the safety and soundness of the institution or lender, as determined by the Secretary of the Treasury, in consultation with the appropriate Federal banking agencies or the National Credit Union Administration Board, as applicable.

(d) REGULATIONS FOR LENDERS AND LOANS.—

(1) IN GENERAL.—The Secretary may issue regulations and guidance as necessary to carry out the purposes of this section, including to—

(A) allow additional lenders to originate loans under this section; and

(B) establish terms and conditions for loans under this section, including terms and conditions concerning compensation, underwriting standards, interest rates, and maturity.

(2) REQUIREMENTS.—The terms and conditions established under paragraph (1) shall provide for the following:

(A) A rate of interest that does not exceed the maximum permissible rate of interest available on a loan of comparable maturity under this section if participation does not affect the safety and soundness of the institution or lender, as determined by the Secretary of the Treasury, in consultation with the appropriate Federal banking agencies or the National Credit Union Administration Board, as applicable.

(B) Terms and conditions that, to the maximum extent practicable, are consistent with the terms and conditions required under the following provisions of paragraph (3) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102 of this Act;

(C) Paragraph (D), pertaining to borrower eligibility;

(D) Paragraph (E), pertaining to the maximum loan amount available;

(E) Paragraph (F), pertaining to allowable uses of program loans;

(F) Paragraph (H), pertaining to fee waivers for insured depository institutions;

(G) Paragraph (M), pertaining to loan deferment;

(H) A guarantee percentage that, to the maximum extent practicable, is consistent with the guarantee percentage required under subparagraph (F) of section 7(a)(2) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102 of this Act.

(3) Loan forgiveness under terms and conditions that, to the maximum extent practicable, is consistent with the terms and conditions for loan forgiveness under section 1106 of this Act.

(a) ADDITIONAL REGULATIONS GENERALLY.—The Secretary may issue regulations and guidance as necessary to carry out the purposes of this section, including to allow additional lenders to originate loans under this title to and to establish terms and conditions such as compensation, underwriting standards, interest rates, and maturity for under this section.

(b) CERTIFICATION.—As a condition of receiving a loan under this section, a borrower shall certify under penalty of perjury to the Secretary that the borrower—

(1) does not have an application pending for a loan under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) for the same purpose; and

(2) has not received such a loan during the period beginning on February 15, 2020 and ending on December 31, 2020.

(c) OPT-IN FOR SBA QUALIFIED LENDERS.—

Lenders qualified to participate as a lender under 7(a) of the Small Business Act (15 U.S.C. 636(a)) may opt-in to participate in the paycheck protection program under the criteria, terms, and conditions established under this section, including the making and purchasing of guarantees on loans under the program, until the date on which the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) expires.
SEC. 1110. EMERGENCY EIDL GRANTS.

(a) Definitions.—In this section—

(1) the term ‘‘covered period’’ means the period beginning on January 31, 2020 and ending on December 31, 2020; and

(2) the term ‘‘eligible entity’’ means—

(A) a business with not more than 500 employees;

(B) any individual who operates under a sole proprietorship, with or without employees, or as an independent contractor;

(C) a cooperative with not more than 500 employees;

(D) an ESOP (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) with not more than 500 employees; or

(E) a tribal small business concern, as described in section 3(d)(2)(C) of the Small Business Act (15 U.S.C. 657a(b)(2)(C)), with not more than 500 employees.

(b) Eligible Entities.—During the covered period, any small business concern, private nonprofit organizations, and small agricultural cooperatives, an eligible entity shall be eligible for a loan made under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)).

(c) Terms; Credit Elsewhere.—With respect to a loan made under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) in response to COVID-19 during the covered period, the Administrator shall waive—

(1) any rules related the personal guarantees and loans of not more than $200,000 during the covered period for all applicants;

(2) the requirement that an applicant needs to be in operation at least 1-year prior to the disaster, except that no waiver may be made for a business that was not in operation on January 31, 2020; and

(3) the requirement in the flush matter following subparagraph (E) of section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)), as so redesignated by subsection (f) of this section, that an applicant be unable to obtain credit elsewhere.

(d) Approval and Ability to Repay for Small Dollar Loans.—With respect to a loan made under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) in response to COVID-19 during the covered period, the Administrator may—

(1) approve an applicant based solely on the characteristics of the applicant and shall not require an applicant to submit a tax return or a tax return transcript for such approval; or

(2) use the alternative appropriate methods to determine an applicant’s ability to repay.

(e) Emergency Grant.—

(1) in general.—During the covered period, an eligible entity, as defined in section 106(b), including any eligible entity that receives a loan made under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) in response to COVID-19 may request that the Administrator provide an advance that is, subject to paragraph (2), in the amount requested by such eligible entity that such advance may be made in accordance with section 7(a) of the Small Business Act (15 U.S.C. 636(b)(2)) and shall include—

(A) providing sick leave to employees unable to work due to the direct effect of the COVID-19;

(B) maintaining payroll to retain employees during business disruptions or substantial slowdowns;

(C) meeting increased costs to obtain materials unavailable from the applicant’s original source due to disrupted supply chains;

(D) making rent or mortgage payments; and

(E) repaying obligations that cannot be met due to revenue losses.

(2) repayment.—An applicant shall not be required to repay any amounts of an advance provided under this subsection, even if subsequently denied a loan under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)).

(3) Authorization of Appropriations.—There is authorized to be appropriated to the Administrator $10,000,000,000 to carry out this subsection.

(4) Termination.—The authority to carry out grants under this subsection shall terminate on December 31, 2020.

(f) Emergency Loan Program.—(1) In general.—The Administrator shall, with respect to a loan made under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended—

(A) by striking ‘‘disaster stricken’’ and inserting ‘‘disaster- or emergency-stricken’’;

(B) in subparagraph (E), as so redesignated, by striking ‘‘disaster stricken Chamber of Commerce’’ and inserting ‘‘disaster- or emergency-stricken small business concern’’; and

(C) in subparagraph (F), by striking ‘‘disaster stricken’’ and inserting ‘‘disaster- or emergency-stricken’’;

(2) use alternative appropriate methods to determine the amount of an advance provided under this subsection.

(3) Amount.—The amount of an advance provided under this subsection shall be not more than $10,000.

(4) Use of Funds.—An advance provided under this subsection may be used to address any allowable purpose for a loan made under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)), including—

(A) providing sick leave to employees unable to work due to the direct effect of the COVID-19;

(B) maintaining payroll to retain employees during business disruptions or substantial slowdowns;

(C) meeting increased costs to obtain materials unavailable from the applicant’s original source due to disrupted supply chains;

(D) making rent or mortgage payments; and

(E) repaying obligations that cannot be met due to revenue losses.

(5) Repayment.—An applicant shall not be required to repay any amounts of an advance provided under this subsection, even if subsequently denied a loan under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)).

(6) Unemployment Grant.—If an applicant that receives an advance under this subsection transfers into, or is approved for, the loan program under section 7(a) of the Small Business Act (15 U.S.C. 636(b)(2)), the advance amount shall be reduced from the loan forgiveness amount for a loan for payroll costs made under subsection (a)(3).

(7) Authorization of Appropriations.—There is authorized to be appropriated to the Administrator $10,000,000,000 to carry out this subsection.

(g) Service of the Application.—(1) in the flush matter following subparagraph (E) of section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)), as so redesignated by section 1110 of this Act, the Administrator should encourage lenders to provide payment deferments, when appropriate, and to extend the maturity of covered loans, so as to avoid balloon payments or any requirement for increases in debt payments resulting from deferments provided by lenders during the period of the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) for purposes of the Coronavirus Disease 2019 (COVID-19).

(h) Principal and Interest Payments.—(1) in general.—The Administrator shall provide the principal, interest, and all associated fees that are owed on a covered loan in a regular servicing status—

(A) with respect to a covered loan made before the date of enactment of this Act and on deferment, for the 6-month period beginning with the next payment due on the covered loan; and

(B) with respect to a covered loan made before the date of enactment of this Act and on deferment, for the 6-month period beginning with the next payment due on the covered loan, on or after the date of enactment of this Act, the Administration should encourage lenders to provide payment deferments, when appropriate, and to extend the maturity of covered loans, so as to avoid balloon payments or any requirement for increases in debt payments resulting from deferments provided by lenders during the period of the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) for purposes of the Coronavirus Disease 2019 (COVID-19).

(i) Principal and Interest Payments.—(1) in general.—The Administrator shall provide the principal, interest, and all associated fees that are owed on a covered loan in a regular servicing status—

(A) with respect to a covered loan made before the date of enactment of this Act and on deferment, for the 6-month period beginning with the next payment due on the covered loan, on or after the date of enactment of this Act, the Administration should encourage lenders to provide payment deferments, when appropriate, and to extend the maturity of covered loans, so as to avoid balloon payments or any requirement for increases in debt payments resulting from deferments provided by lenders during the period of the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) for purposes of the Coronavirus Disease 2019 (COVID-19).

(j) Service of the Application.—(1) in the flush matter following subparagraph (E) of section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)), as so redesignated by section 1110 of this Act, the Administrator should encourage lenders to provide payment deferments, when appropriate, and to extend the maturity of covered loans, so as to avoid balloon payments or any requirement for increases in debt payments resulting from deferments provided by lenders during the period of the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) for purposes of the Coronavirus Disease 2019 (COVID-19).

(k) Authorization of Appropriations.—There is authorized to be appropriated to the Administrator $10,000,000,000 to carry out this Act.
(1) communicate and coordinate with the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, and State bank regulators to encourage those institutions that do not require lenders to increase their reserves on account of receiving payments made by the Administrator under subsection (c); (2) waive statutory limits on maximum loan maturities for any covered loan durations where the lender provides a deferral and extends the maturity of covered loans during the 1-year period following the date of enactment of this Act: and (3) when necessary to provide more time because of the potential of higher volumes, travel restrictions, and the inability to access some properties during the COVID–19 pandemic, extend lender site visit requirements to— (A) not more than 60 days (which may be extended at the discretion of the Administrator) after the occurrence of an adverse event, other than a payment default, causing a loan to be classified as in liquidation; and (B) not more than 90 days after a payment default.

2019 (COVID–19),’’.

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

Subtitle A—Unemployment Insurance

Provisions

SEC. 2101. SHORT TITLE.

This subtitle may be cited as the “Relief for Workers Affected by Coronavirus Act”.

SEC. 2102. PANDEMIC UNEMPLOYMENT ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) COVID–19.—The term “COVID–19” means the 2019 Novel Coronavirus or 2019-nCoV.

(2) COVID–19 PUBLIC HEALTH EMERGENCY.—The term “COVID–19 public health emergency” means the public health emergency declared by the Secretary of Health and Human Services on January 27, 2020, including an individual who has exhausted all rights to regular unemployment or extended benefits under State or Federal law or pandemic emergency unemployment compensation under section 2107; and

(ii) provides self-certification that the individual— (A) is otherwise able to work and available for work within the meaning of applicable State law, except the individual is unemployed, partially unemployed, or unable or unavailable to work due to work schedules altered by the COVID–19 pandemic; (bb) the individual is unable to reach the school or another facility that is closed as a direct result of the COVID–19 public health emergency and such school or facility care is required for the individual to work; (ee) the individual is unable to reach the place of employment because of a quarantine imposed as a direct result of the COVID–19 public health emergency; (ff) the individual is unable to reach the place of employment because the individual has been advised by a health care provider to quarantine due to concerns related to COVID–19; (gg) the individual was scheduled to commence employment and does not have a job or call to active duty to which the notice requirements under section 553(b) of title 5, United States Code.

(iii) MODIFICATION OF PLAN AFTER CONFIRMATION.—Section 1329 of title 11, United States Code, is amended by striking subsection (d).

(ii) the individual is unable to reach the school or another facility that is closed as a direct result of the COVID–19 public health emergency and such school or facility care is required for the individual to work; (ee) the individual is unable to reach the place of employment because of a quarantine imposed as a direct result of the COVID–19 public health emergency;
RESULT OF COVID-19.—Subject to subsection (b) for weeks of unemployment, partial unemployment, or inability to work caused by COVID-19—

(b) ASSISTANCE FOR UNEMPLOYMENT BEFORE DATE OF ENACTMENT.—The assistance authorized under subsection (b) for a week of unemployment, partial unemployment, or inability to work caused by COVID-19 shall be payable either—

(1) as an amount which is paid at the same time and in the same manner as the assistance provided for in paragraph (1)(A)(i) is payable for the week involved; or

(2) as an amount equal to 100 percent of—

(A) the total amount of assistance provided by the State pursuant to such agreement; and

(B) any additional administrative expenses incurred by the State by reason of such agreement (as determined by the Secretary).

(c) LIMITATION ON DURATION OF ASSISTANCE.—The total number of weeks for which a covered individual may receive assistance under this subsection shall not exceed 39 weeks, and such total shall include any week for which a covered individual received regular unemployment compensation under any Federal or State law, except that if after the date of enactment of this Act, the duration of extended benefits is extended, the 39-week period described in this paragraph shall be extended by the number of weeks that is equal to the number of weeks by which the extended benefits were extended.

(d) AMOUNT OF ASSISTANCE.—

(Congressional Record — Senate, March 25, 2020, p. S2073)
in the Unemployment Trust Fund, by transfer from amounts reserved for that purpose in the Federal unemployment account, in accordance with the succeeding provisions of this section.

“(B) The amount of funds transferred to the account of a State under subparagraph (A) during any period shall, as determined by the Secretary of Labor, be equal to one-half of the amounts of compensation (as defined in section 3306(h) of the Internal Revenue Code of 1986) attributable under the State law to service to which section 3309(a)(2) of such Code applies that were paid by the State for weeks of unemployment beginning during such period. Such transfers shall be made at such times as the Secretary of Labor considers appropriate.

“(C) Any other funds transferred to the account of a State under subparagraph (A) shall be used exclusively to reimburse governmental entities and other organizations described in section 3309(a)(2) of such Code for amounts paid (in lieu of contributions) into the State unemployment fund pursuant to such section.

“(D) For purposes of this paragraph, the term ‘applied period’ means the period beginning on March 13, 2020, and ending on December 31, 2020.

“(2)(A) Notwithstanding any other provision of law, the Secretary of the Treasury shall, in the general form of the Treasury (from funds not otherwise appropriated) to the Federal unemployment account such sums as the Secretary of Labor estimates to be necessary for purposes of making the transfers described in paragraph (1).

“(B) There are appropriated from the general fund of the Treasury, without fiscal year limitation, the sums referred to in subparagraph (A) and such sums shall not be required to be credited to the unemployment trust fund.

SEC. 2104. EMERGENCY INCREASE IN UNEMPLOYMENT COMPENSATION BENEFITS.

(a) FEDERAL—STATE AGREEMENTS.—Any State which desires to do so may enter into and participate in an agreement under this section with the Secretary of Labor (in this section referred to as the ‘Secretary’). Any State law (before the application of this section may, upon providing 30 days’ written notice to the Secretary, terminate such an agreement.

(b) PROVISIONS OF AGREEMENT.

(1) FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.—Any agreement under this section shall provide that the Secretary shall make payments of regular compensation to individuals in amounts and to the extent that they would be determined if the week in which the individual applies for payment of such compensation had been modified in a manner such that the amount of regular compensation (including dependents’ allowances) payable for any week shall be equal to:

(A) the amount determined under the State law (before the application of this paragraph), plus

(B) the additional amount of $600 (in this section referred to as “Federal Pandemic Unemployment Compensation”).

(2) ALLOWABLE METHODS OF PAYMENT.—Any Federal Pandemic Unemployment Compensation provided for in accordance with paragraph (1) shall be payable either—

(A) as an amount which is paid at the same time as and in the same manner as any other regular compensation otherwise payable for the week involved; or

(B) at the option of the State, by payments which are made from, and out of, the same weekly basis as, any regular compensation otherwise payable.

(c) NONREDUCTION RULE.—

(1) IN GENERAL.—An agreement under this section shall not apply (or shall cease to apply with respect to a State upon a determination by the Secretary) to the payment of any Federal Pandemic Unemployment Compensation to which an individual has received an amount of Federal Pandemic Unemployment Compensation in any other State, unless the Secretary determines that—

(A) the payment of such Federal Pandemic Unemployment Compensation was without fault on the part of any such individual; and

(B) such payment if it determines that the payment of such Federal Pandemic Unemployment Compensation was not contrary to equity and good conscience.

(2) RECOVERY BY STATE AGENCY.—

(A) IN GENERAL.—The State agency shall recover the amount to be repaid, or any part thereof, by deductions from any Federal Pandemic Unemployment Compensation payable to such individual or from any unemployment compensation payable to such individual under any State or Federal unemployment compensation law administered by the Secretary or any other State or Federal law administered by any agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period beginning on the date the overpayment was made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(B) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(4) REVIEW.—Any determination by a State agency under this section shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, only in that manner and to that extent.

(g) APPLICATION TO OTHER UNEMPLOYMENT BENEFITS.—Each agreement under this section shall include provisions to provide that the provisions of this section shall be applied with respect to unemployment benefits described in subsection (h)(2) to the same extent and in the same manner as if those benefits were regular compensation.

(h) DISREGARD OF ADDITIONAL COMPENSATION FOR PURPOSES OF MEDICAID AND CHIP.—The monthly equivalent of any Federal pandemic unemployment compensation paid to an individual under this section shall be disregarded when determining eligibility for any purpose under the programs established under titles XIX and title XXI of the Social Security Act (42 U.S.C. 1396 et seq., 1397f et seq.)

(i) DEFINITIONS.—For purposes of this section—

(1) the terms “compensation”, “regular compensation”, “benefit year”, “State”, “State agency”, “State law”, and “week” have the respective meanings given such terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note); and

(2) any reference to unemployment benefits described in this paragraph shall be considered to refer to—

(A) extended compensation (as defined by section 205 of the Federal-State Extended Unemployment Compensation Act of 1970); and

(B) regular compensation (as defined by section 85(b) of the Internal Revenue Code of
SEC. 2105. TEMPORARY FULL FEDERAL FUNDING OF TEMPORARILY UNEMPLOYED STATE UNEMPLOYMENT COMPENSATION.

There are appropriated from the general fund of the Treasury (from funds not otherwise appropriated) to the employment security administration account such sums as the Secretary of Labor shall transfer from the general fund of the Treasury (or from any other fund of the Treasury, as determined by the Secretary) to carry out section 2104(b) of the Family First Coronavirus Response Act.

SEC. 2106. EMERGENCY STATE STAFFING FLEXIBILITY.

Section 4202(b) of the Emergency Unemployment Stabilization and Access Act of 2020 (contained in division D of title I of the Families First Coronavirus Response Act) is amended—

(1) by striking—

"and (A) have exhausted all rights to regular compensation under such State law or under Federal law with respect to a benefit year which—" and inserting—

"and (A) have exhausted all rights to regular compensation under such State law or under Federal law with respect to a benefit year which—";

and

(2) in paragraph (1), by striking—

"(I) to make payments to each State which has entered into such agreements—" and inserting—

"(I) to make payments to each State which has entered into such agreements—";

and

(3) by striking—

"in such amounts as the Secretary estimates to be necessary to make payments described in subsection (a). There are appropriated from the general fund of the Treasury, without fiscal year limitation, to carry out this section such sums as the Secretary of Labor shall transfer from the general fund of the Treasury to the employment security administration account to carry out section 2104(b) of the Family First Coronavirus Response Act (as determined by the Secretary)."

and inserting—

"in such amounts as the Secretary estimates to be necessary to make payments described in subsection (a). There are appropriated from the general fund of the Treasury, without fiscal year limitation, to carry out this section such sums as the Secretary of Labor shall transfer from the general fund of the Treasury to the employment security administration account to carry out section 2104(b) of the Family First Coronavirus Response Act (as determined by the Secretary)."

SEC. 2107. PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) FEDERAL-STATE AGREEMENTS.—

(1) IN GENERAL.—Any State which desires to make payments under this section may enter into an agreement with the Secretary of Labor under which the Secretary shall make payments to each State which has entered into such agreements.

(2) PROVISIONS OF AGREEMENT.—Any agreement under paragraph (1) shall provide that—

(A) State funds (and any unexpended balances of payments described in subparagraph (A)) are appropriated from the general fund of the Treasury (from funds not otherwise appropriated) to the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) to carry out this section;

(B) the State shall make payments to each State which has entered into such agreements in such amounts as the Secretary estimates to be necessary to make payments described in subsection (a);

(C) any payments made under this section shall apply to weeks that begin on or after March 15, 2020, and are limited to weeks ending on or before December 31, 2020;

(D) the Secretary may, in his sole discretion, require any State to provide such information as he determines necessary to determine the amount to be paid under this section; and

(E) the payments made under this section shall be made in accordance with the provisions of this section and of the Federal Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).
been payable during such period under the State law, as in effect on January 1, 2020.

(b) Maximum Benefit Entitlement.—In subparagraph (A), the term "maximum benefit entitlement" means the amount of regular unemployment compensation payable to an individual with respect to the individual's benefit year.

(7) Aid to Families with Dependent Children.—For purposes of subparagraphs (A), (B), (C), and (D), the term "aid to families with dependent children" means the amount of benefits payable to an individual as a result of a payment or any payment made as a result of such payment, under a program of assistance by a State for the dependent children of families with income below the poverty line, as determined under section 607 of the Social Security Act (42 U.S.C. 1115 note).
(2) TERMS OF PAYMENTS.—Payments made to a State under paragraph (1) shall be payable by way of reimbursement in such amounts as the Secretary estimates the State will require to receive under this section for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary and the State agreed that such sums payable to such State under this section for each calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(3) LIMITATIONS ON PAYMENTS.—

(A) GENERAL PAYMENT LIMITATIONS.—

No payments shall be made to a State under this section for short-time compensation paid to an individual by the State during a benefit year in excess of 26 times the amount of regular compensation (including dependents’ allowances) under the State law payable to such individual for a week of total unemployment.

(B) EMPLOYER LIMITATIONS.—No payments shall be made to a State under this section for benefits paid to an individual by the State under a short-time compensation program if such individual is employed by the participating employer on a seasonal, temporary, or intermittent basis.

(C) APPLICABILITY.—Payments to a State under subsection (a) shall be available for weeks of unemployment—

(1) beginning on or after the date of the enactment of this Act; and

(2) ending on or before December 31, 2020.

(c) PROGRAMS; SUBJECT TO SUBSECTION (b)(2).—No payments shall be made to a State under subsection (a)(2) if at any point after the date of the enactment of this Act the State enacts a State law providing for the payment of short-time compensation under a short-time compensation program that meets the definition of such a program under section 3306(v) of the Internal Revenue Code of 1986.

(d) FUNDING AND CERTIFICATIONS.—

(1) FUNDING.—There are appropriated, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary for purposes of this section.

(2) CERTIFICATIONS.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section.

(e) DEFINITIONS.—In this section:

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

(2) STATE; STATE AGENCY; STATE LAW.—The terms “State”, “State agency”, and “State law” have the meanings given those terms in section 903 of the Social Security Act (42 U.S.C. 6103) for purposes of determining such State’s share of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

(f) DEFINITIONS.—In this section:

(1) IN GENERAL.—The term “Secretary” means the Secretary of Labor.

(2) STATE; STATE AGENCY; STATE LAW.—The terms “State”, “State agency”, and “State law” mean the terms as defined in subsection (a) of section 3306(v) of the Internal Revenue Code of 1986.

(3) ELIGIBILITY.—

(A) IN GENERAL.—The Secretary shall determine eligibility criteria for the grants under subsections (2) and (3) of section 3306(v) of the Internal Revenue Code of 1986, and a State seeking a grant under section 3306(v) of the Internal Revenue Code of 1986, and a State seeking a grant under subsection (a) shall be entitled to receive a grant under section 3306(v) of the Internal Revenue Code of 1986, and a State seeking a grant under subsection (a) shall be available for making grants to a State under paragraphs (1) and (2) of subsection (b) of section 3306 of the Internal Revenue Code of 1986.

(i) ELIGIBILITY.—

(A) IN GENERAL.—The Secretary shall award grants to States that are eligible and submit plans for a grant under paragraph (1) to promote and enroll employers in short-time compensation programs (as so defined).

(2) AMOUNT OF GRANTS.—

(A) IN GENERAL.—The maximum amount available for making grants to a State under paragraphs (1) and (2) shall be equal to the amount obtained by multiplying $10,000,000 by the same ratio as would apply under subsection (a)(2)(B) of section 903 of the Social Security Act (42 U.S.C. 6103) for purposes of determining such State’s share of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

(ii) ELIGIBILITY.—

(A) IN GENERAL.—The Secretary shall award grants to States that are eligible and submit plans for a grant under paragraph (1) to promote and enroll employers in short-time compensation programs (as so defined).

(iii) AMOUNT OF GRANTS.—

(A) IN GENERAL.—The maximum amount available for making grants to a State under paragraphs (1) and (2) shall be equal to the amount obtained by multiplying $10,000,000 by the same ratio as would apply under subsection (a)(2)(B) of section 903 of the Social Security Act (42 U.S.C. 6103) for purposes of determining such State’s share of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

(iv) ELIGIBILITY.—

(A) IN GENERAL.—The Secretary shall award grants to States that are eligible and submit plans for a grant under paragraph (1) to promote and enroll employers in short-time compensation programs (as so defined).

(3) AMOUNT AVAILABLE FOR DIFFERENT GRANTS.—The maximum incentive payment determined under paragraph (1) with respect to a State—

(A) one-third shall be available for a grant under subsection (a)(1); and

(B) two-thirds shall be available for a grant under subsection (a)(2).

(4) APPLICATION.—Any State seeking a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary of the Treasury for payment to each State the sums payable to such State under this section.

(c) APPLICATION.—Any State seeking a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary of the Treasury for payment to each State the sums payable to such State under this section.

(d) APPLICABILITY.—An agreement entered into under this section shall apply to weeks of unemployment—

(1) beginning on or after the date on which such agreement is entered into; and

(2) ending on or before December 31, 2020.

(e) SPECIAL RULE.—If a State has entered into an agreement under this section and subsequently enacts a State law providing for the payment of short-time compensation, the provisions of such agreement shall apply to the State under a short-time compensation program that meets the definition of such a program under section 3306(v) of the Internal Revenue Code of 1986, the State shall be entitled to receive under this section for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary’s estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(1) IN GENERAL.—Any agreement under this section shall provide that the State agency of the State will make payments of short-time compensation under a short-time compensation program approved by the Secretary. Such plan shall provide that payments are made in accordance with the requirements under section 3306(v) of the Internal Revenue Code of 1986.

(2) LIMITATIONS ON PLANS.—

(A) GENERAL PAYMENT LIMITATIONS.—A short-time compensation plan approved by a State is not required to meet the definition of short-time compensation to an individual by the State during a benefit year in excess of 26 times the amount of regular compensation (including dependents’ allowances) under the State law payable to such individual for a week of total unemployment.

(B) EMPLOYER LIMITATIONS.—A short-time compensation plan approved by a State shall not provide payments to an individual if such individual is employed by the participating employer on a seasonal, temporary, or intermittent basis.

(C) APPLICABILITY.—Payments to a State under subsection (a) shall be available for weeks of unemployment—

(1) beginning on or after the date of the enactment of this Act; and

(2) ending on or before December 31, 2020.

(d) PROGRAMS; SUBJECT TO SUBSECTION (b)(2).—No payments shall be made to a State under subsection (a)(2) if at any point after the date of the enactment of this Act the State enacts a State law providing for the payment of short-time compensation under a short-time compensation program that meets the definition of such a program under section 3306(v) of the Internal Revenue Code of 1986.

(e) DEFINITIONS.—In this section:

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

(2) STATE; STATE AGENCY; STATE LAW.—The terms “State”, “State agency”, and “State law” mean the terms as defined in subsection (a) of section 3306(v) of the Internal Revenue Code of 1986.

(3) ELIGIBILITY.—

(A) IN GENERAL.—The Secretary shall determine eligibility criteria for the grants under subsections (2) and (3) of section 3306(v) of the Internal Revenue Code of 1986, and a State seeking a grant under section 3306(v) of the Internal Revenue Code of 1986, and a State seeking a grant under subsection (a) shall be entitled to receive a grant under this section until such time as the State law of the State provides for payments under a short-time compensation program that meets such definition and such law.

(B) AMOUNT OF GRANTS.—

(i) ELIGIBILITY.—The maximum amount available for making grants to a State under paragraphs (1) and (2) shall be equal to the amount obtained by multiplying $10,000,000 by the same ratio as would apply under subsection (a)(2)(B) of section 903 of the Social Security Act (42 U.S.C. 6103) for purposes of determining such State’s share of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).
(3) Certification.—If the Secretary finds that the State law provisions meet the requirements for a grant under subsection (a), the Secretary shall thereupon make a certification to the effect that the Secretary, together with a certification as to the amount of the grant payment to be transferred to the State account in the Unemployment Trust Fund (as established in section 904(a) of the Social Security Act (42 U.S.C. 1104(a))) pursuant to that finding. The Secretary of the Treasury shall make the appropriate transfer to the State account within 7 days after receiving such certification.

(4) Requirement.—No certification of compliance with the requirements for a grant under subsection (a) or (2) of subsection (b) may be made with respect to any State whose—

(A) State law is not otherwise eligible for certification under section 393 of the Social Security Act (42 U.S.C. 505) or approvable under section 3304 of the Internal Revenue Code of 1986; or

(B) short-term compensation program is subject to discontinuation or is not scheduled to take effect within 12 months of the certification.

(c) Funds.—The amount of any grant awarded under this section shall be used for the implementation of short-term compensation programs and the overall administration of such programs and the promotion and enrollment efforts associated with such programs, such as through—

(1) the development of, and support of rapid response teams to advise employers about alternatives to layoffs;

(2) the provision of education or assistance to employers to enable them to assess the feasibility of participating in short-term compensation programs; and

(3) the development or enhancement of systems made available by the Secretary of Labor under subparagraphs (A)(ii) and (B)(ii) of section 2(a)(1) of the Railroad Retirement Act.

(d) Definition of Registration Period.—

(1) No Waiver.—With respect to any registration period beginning after the date of enactment of this Act and ending on or before December 31, 2020, subparagraphs (A)(ii) and (B)(ii) of section 2(a)(1) of the Railroad Retirement Act (45 U.S.C. 352a(1)(A)) shall not apply.

(2) Operating Instructions and Regulations.—The Railroad Retirement Board may prescribe any operating instructions or regulations necessary to carry out this section.

(e) Funding.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated $100,000,000 to carry out the provisions of this section.

(f) Adjourned Definitions.—In this section—

(1) the term ‘Secretary’ means the Secretary of Labor.

(2) Short-time Compensation Program.—The term ‘short-time compensation program’ means any short-time compensation program established under section 3306(v) of the Internal Revenue Code of 1986.

(3) State; State Agency; State Law.—The terms ‘State’, ‘State agency’, and ‘State law’ have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 2112. WAIVER OF THE 7-DAY WAITING PERIOD FOR BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) No Waiting Period.—With respect to any registration period beginning after the date of enactment of this Act and ending on or before December 31, 2020, subparagraphs (A)(ii) and (B)(ii) of section 2(a)(1) of the Railroad Retirement Act (45 U.S.C. 352a(1)) shall not apply.

(b) Operating Instructions and Regulations.—The Railroad Retirement Board may prescribe any operating instructions or regulations necessary to carry out this section.

(c) Funding.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated $100,000,000 to cover the cost of additional extended unemployment benefits provided under section 2(c)(2)(D) by reason of the amendments made by this subtitle as well as to cover the cost of such benefits provided under section 2(c)(2)(D) as in effect on the day before the date of enactment of this Act.

SEC. 2114. EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) Extension.—Section 2(c)(2)(D)(i) of the Railroad Unemployment Insurance Act (45 U.S.C. 352c(2)(D)(i)) is amended—

(1) by striking ‘‘July 1, 2008’’ and inserting ‘‘July 1, 2019’’; and

(2) by striking ‘‘June 30, 2020’’ and inserting ‘‘June 30, 2020’’;

(b) Clarification of Authority To Use Funds.—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by this subtitle as well as to cover the cost of such benefits provided under such section 2(c)(2)(D) as in effect on the day before the date of enactment of this Act.

SEC. 2115. FUNDING FOR THE DOL OFFICE OF INSPECTOR GENERAL FOR OVERSIGHT OF UNEMPLOYMENT PROVISIONS.

There are appropriated, out of moneys in the Treasury not otherwise appropriated, to the Office of the Inspector General of the Department of Labor, $25,000,000 to carry out audits, investigations, and other oversight activities authorized by the Inspector General of the Department of Labor (5 U.S.C. App. that are related to the provisions of, and amendments made by, this subtitle, to remain available without fiscal year limitation.

SEC. 2116. IMPLEMENTATION.

(a) Non-Application of the Paperwork Reduction Act.—Chapter 35 of title 44, United States Code (commonly referred to as the ‘‘Paperwork Reduction Act of 1995’’), shall not apply to the provisions of, and the amendments made by, this subtitle.

(b) Operating Instructions and Other Guidance.—Notwithstanding any other provision of law, the Secretary of Labor may issue any operating instructions or other guidance necessary with respect to any provisions of, or the amendments made by, this subtitle.

Subtitle B—Rebates and Other Individual Provisions

SEC. 2201. 2020 RECOVERY REBATES FOR INDIVIDUALS.

(a) In General.—Subchapter B of chapter 65 of subtitle F of the Internal Revenue Code is amended by adding after section 6247 the following new section:

SEC. 6248. 2020 RECOVERY REBATES FOR INDIVIDUALS.

(1) In General.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by subtitle A for the
first taxable year beginning in 2020 an amount equal to the sum of—

"(1) $1,200 ($2,400 in the case of eligible individuals filing a joint return), plus

"(2) the product of $500 multiplied by the number of qualifying children (within the meaning of section 2(c)(c)) of the taxpayer.

"(b) LIMITATION ON ADVANCED CREDIT.—The credit allowed by subsection (a) shall be treated as allowable by subpart C of part IV of subchapter C of chapter 1 for such taxable year in an amount equal to the advance refund amount for such taxable year.

"(c) LIMITED BASIS FOR ADVANCED CREDIT.—The credit allowed by subsection (a) shall be treated as allowable under subsection (a) shall be treated as taxable income as exceeds—

"(1) $150,000 in the case of a joint return.

"(2) $112,500 in the case of a head of household.

"(3) $75,000 in the case of a taxpayer not described in paragraph (1) or (2).

"(d) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term ‘eligible individual’ means any individual other than—

"(1) any nonresident alien individual,

"(2) any individual with respect to whom a deduction under section 151 is allowable to another taxable year, for such taxable year ending in the calendar year in which the individual’s taxable year begins, and

"(3) an estate or trust.

"(e) IDENTIFICATION NUMBER REQUIREMENT.—

"(1) IN GENERAL.—The amount of credit which would (but for this paragraph) be allowable under this section shall be reduced (but not below zero) by the aggregate refunds and credits made or allowed to the taxpayer under subsection (f). Any failure to reduce the credit shall treated as arising from a mathematical or clerical error and assessed according to section 6223(b)(1).

"(2) JOINT RETURNS.—In the case of a refund or credit made or allowed under subsection (f) with respect to a joint return, half of such refund or credit shall be treated as having been made or allowed to each individual filing such return.

"(f) ADVANCE REFUNDS AND CREDITS.—

"(1) IN GENERAL.—Subject to paragraph (5), each individual who was an eligible individual for such individual’s first taxable year beginning in 2019 shall be treated as having made a payment against the tax imposed by chapter 1 for such taxable year in an amount equal to the advance refund amount for such taxable year.

"(2) ADVANCE REFUND AMOUNT.—For purposes of this paragraph, the advance refund amount is the amount that would have been allowed as a credit under this section for such taxable year if such section (other than subsection (e)(3) and the subsection) had applied to such taxable year.

"(3) TIMING AND MANNER OF PAYMENTS.—

"(A) TIMING.—The Secretary shall, subject to the provisions of this title, refund or credit any overpayment attributable to this section as rapidly as possible. No refund or credit shall be made or allowed under this subsection after December 31, 2020.

"(B) DELIVERY OF PAYMENTS.—Notwithstanding any other provision of law, the Secretary may certify and disburse refunds payable under this section directly to any account to which the payee authorized, on or after January 1, 2018, the delivery of a refund of taxes under this title or of a Federal payment under any account or crediting any refund to the accounts to avoid allowing multiple credits or rebates to a taxpayer.

"(g) I DENTIFICATION NUMBER REQUIRE-
campaign, in coordination with the Commissioner of Social Security and the heads of other relevant Federal agencies, to provide information regarding the availability of the credit and rebate allowed under section 6221(e) of the Internal Revenue Code of 1986 (as added by this section), including information with respect to individuals who may not have filed a tax return for taxable year 2018 or 2019.

(i) Appropriations to Carry Out Re- quirements.—

(1) In General.—Immediately upon the enactment of this Act, the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020:

(A) Department of the Treasury.—

(I) For an additional amount for “Department—Bureau of the Fiscal Service—Salaries and Expenses”, $78,650,000, to remain available until September 30, 2021.

(II) For an additional amount for “Department of the Treasury—Internal Revenue Service—Taxpayer Services”, $283,500,000, to remain available until September 30, 2021.

(III) For an additional amount for “Department of the Treasury—Internal Revenue Service—Enforcement”, $37,200,000, to remain available until September 30, 2021.

Amounts made available in appropriations under clauses (ii), (iii), and (iv) of this subparagraph may be transferred between such appropriations upon the advance notification of the Secretary of the Treasury to the House of Representatives and the Senate. Such transfer authority is in addition to any other transfer authority provided by law.

(B) Social Security Administration.—For an additional amount for “Social Security Administration—Limitation on Administrative Expenses”, $38,000,000, to remain available until September 30, 2021.

(ii) Reporting.—No later than 15 days after enactment of this Act, the Secretary of the Treasury shall submit a plan to the Committees on Appropriations of the House of Representatives and the Senate detailing the expected use of the funds provided by paragraphs (I) and (II) of clause (i) of this section. On Appropriation Committees of the House of Representatives and the Senate, the actual expenditure of funds provided by paragraph (I) of this section shall be reported quarterly. On appropriation committees of the Senate, the expenditure of funds provided by paragraph (I) of this section shall be reported quarterly.

(iii) Expiration of certain transfers.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting “$625,” after “$414(b),”.

(2) Subsection (b) of section 408(d)(3) of the Internal Revenue Code of 1986 is amended by inserting “6221(e)” after “6221(d)(1),”.

(iv) In addition to any other transfer authority provided by law, the Secretary of the Treasury shall submit a plan to the Committees on Appropriations of the House of Representatives and the Senate, the actual expenditure of funds provided by paragraphs (I) and (II) of clause (i) of this section shall be reported quarterly. On appropriation committees of the Senate, the expenditure of funds provided by paragraph (I) of this section shall be reported quarterly.

(2) Delay of Repayment.—In the case of any qualified individual with an outstanding loan (or on the date of the enactment of this Act) from a qualified employer plan (as defined in section 72(p)(2)(A) of the Internal Revenue Code of 1986), the Secretary of the Treasury (or the Secretary’s delegate) shall delay the repayment of any such loan to an individual who is unemployed due to the virus SARS-CoV-2 or with coronavirus disease 2019 (COVID-19) by a test approved by the Centers for Disease Control and Prevention, a physician, or an individual who renews a coronavirus-related distribution, under section 401(k) of the Internal Revenue Code of 1986, made to a qualified individual with an outstanding loan (or on the date of the enactment of this Act) from a qualified employer plan (as defined in section 72(p)(2)(A) of the Internal Revenue Code of 1986), the Secretary of the Treasury (or the Secretary’s delegate) shall delay the repayment of any such loan to an individual who is unemployed due to the virus SARS-CoV-2 or with coronavirus disease 2019 (COVID-19) by a test approved by the Centers for Disease Control and Prevention, a physician, or an individual who renews a coronavirus-related distribution, under section 401(k) of the Internal Revenue Code of 1986. This paragraph shall be disregarded.

(3) Treatment of Repayments from IRS.—

(A) In General.—For purposes of the Internal Revenue Code of 1986, a distribution from an individual retirement plan that is treated as a coronavirus-related distribution made to an individual in accordance with this subsection shall be treated as a distribution from an eligible retirement plan.

(B) Treatment of rollover distributions.—If a distribution from an eligible retirement plan is rolled over to another eligible retirement plan within 60 days of the date of such distribution, the tax consequences of such rollover shall be treated as if the rollover were an eligible rollover distribution made from the original eligible retirement plan.

(C) Treatment of withdrawals.—

(1) In General.—For purposes of the Internal Revenue Code of 1986, a qualified individual with an outstanding loan (or on the date of the enactment of this Act) from a qualified employer plan (as defined in section 72(p)(2)(A) of the Internal Revenue Code of 1986), the Secretary of the Treasury (or the Secretary’s delegate) shall delay the repayment of any such loan to a qualified individual with an outstanding loan (or on the date of the enactment of this Act) from a qualified employer plan (as defined in section 72(p)(2)(A) of the Internal Revenue Code of 1986), the Secretary of the Treasury (or the Secretary’s delegate) shall delay the repayment of any such loan to a qualified individual with an outstanding loan (or on the date of the enactment of this Act) from a qualified employer plan (as defined in section 72(p)(2)(A) of the Internal Revenue Code of 1986), the Secretary of the Treasury (or the Secretary’s delegate) shall delay the repayment of any such loan to a qualified individual with an outstanding loan (or on the date of the enactment of this Act) from a qualified employer plan (as defined in section 72(p)(2)(A) of the Internal Revenue Code of 1986), the Secretary of the Treasury (or the Secretary’s delegate) shall delay the repayment of any such loan to a qualified individual with an outstanding loan (or on the date of the enactment of this Act) from a qualified employer plan (as defined in section 72(p)(2)(A) of the Internal Revenue Code of 1986), the Secretary of the Treasury (or the Secretary’s delegate) shall delay the repayment of any such loan to a qualified individual with an outstanding loan (or on the date of the enactment of this Act) from a qualified employer plan (as defined in section 72(p)(2)(A) of the Internal Revenue Code of 1986), the Secretary of the Treasury (or the Secretary’s delegate) shall delay the repayment of any such loan to a qualified individual with an outstanding loan (or on the date of the enactment of this Act) from a qualified employer plan (as defined in section 72(p)(2)(A) of the Internal Revenue Code of 1986).
(3) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term ‘‘qualified individual’’ means any individual who is described in subsection (a)(4)(A)(ii).

(c) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any amendment to any plan or annuity contract, such plan or contract shall not fail to meet the terms of this plan during the period described in paragraph (2)(B)(i), and

(B) except as provided by the Secretary of the Treasury (or the Secretary’s delegate), such plan or contract shall not fail to meet the requirements of section 411(d)(6) of the Internal Revenue Code of 1986 and section 204(g) of the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(2) AMENDMENTS TO WHICH SUBSECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any provision of this section, by regulation issued by the Secretary of the Treasury (or the delegate of either such Secretary) under any provision of this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2022, or such later date as the Secretary of the Treasury (or the Secretary’s delegate) may prescribe.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), clause (ii) shall be applied by substituting the date which is 2 years after the date otherwise applied under clause (ii).

(B) CONDITIONS.—This subsection shall not apply to any amendment unless—

(i) during the period—

(A)(i) takes effect (or in the case of a plan or contract amendment not required by this section or such regulation, the effective date specified by the plan), and

(ii) ending on the date described in subparagraph (A)(i) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect, and

(ii) such plan or contract amendment applies retroactively for such period.

SEC. 2203. TEMPORARY WAIVER OF REQUIRED MINIMUM DISTRIBUTION RULES FOR CERTAIN RETIREMENT PLANS AND ACCOUNTS.

(a) IN GENERAL.—Section 401(a)(9) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

‘‘(ii) such distribution not having been made before January 1, 2020.’’

(b) E LIGIBLE ROLLOVER DISTRIBUTIONS.—

Section 402(c)(4) of the Internal Revenue Code of 1986 is amended by striking ‘‘2020’’ each place it appears in the last sentence and inserting ‘‘2020’’.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply for calendar years beginning after December 31, 2019.

SEC. 2205. MODIFICATION OF LIMITATIONS ON CHARITABLE CONTRIBUTIONS DURING 2020.

(a) TEMPORARY SUSPENSION OF LIMITATIONS ON CERTAIN CASH CONTRIBUTIONS.—

(1) IN GENERAL.—Except as otherwise provided in paragraphs (2), (3), (4), and (5) of section 170(b) of the Internal Revenue Code of 1986, the following limitations, to the extent that such limitations would otherwise apply to any taxable year beginning after December 31, 2019, to—

(I) the aggregate amount of contributions by a noncorporate individual to an organization described in section 170(b)(1) (other than a governmental organization described in section 509(a)(3)), and

(II) the aggregate amount of contributions by a public charity to a governmental organization, that are not qualified charitable contributions, to an organization described in section 170(b)(1) (other than a governmental organization described in section 509(a)(3)) for such taxable year.

(b) E LIGIBLE ROLLOVER DISTRIBUTIONS.—

Section 402(c)(4) of the Internal Revenue Code of 1986 is amended by striking ‘‘2020’’ each place it appears in the last sentence and inserting ‘‘2020’’.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply for calendar years beginning after December 31, 2019.

SEC. 2206. TREATMENT OF EXCESS CONTRIBUTIONS.—

For purposes of section 170 of the Internal Revenue Code of 1986—

(A) INDIVIDUALS.—In the case of an individual—

(i) LIMITATION.—Any qualified contribution shall be allowed as a deduction only to the extent that the aggregate of such contributions does not exceed the excess of 25 percent of the taxpayer’s adjusted gross income (as determined under paragraph (2) of section 170(b)(1)(C) of such Code) over the amount of all other charitable contributions allowed under section 170(b)(1)(C) of such Code.

(ii) CARRIYOVER.—If the aggregate amount of qualified contributions made in the contribution year (within the meaning of section 170(d)(1) of such Code) exceeds the limitation of clause (i), excess shall be added to the excess described in section 170(b)(1)(G)(ii).

(B) CORPORATIONS.—In the case of a corporation—

(i) LIMITATION.—Any qualified contribution shall be allowed as a deduction only to the extent that the aggregate of such contributions does not exceed the excess of 25 percent of the taxpayer’s adjusted gross income (as determined under paragraph (2) of section 170(b)(1)(C) of such Code) over the amount of all other charitable contributions allowed under such paragraph.

(ii) CARRIYOVER.—If the aggregate amount of qualified contributions made in the contribution year (within the meaning of section 170(d)(2)(A) of such Code) exceeds the limitation of clause (i), excess shall be added to the excess described in section 170(b)(1)(G)(ii).

SEC. 2204. ADDITIONAL ABOVE THE LINE DEDUCTION FOR CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Section 62(a) of the Internal Revenue Code of 1986 is amended by inserting after paragraph (21) the following new subparagraph:

‘‘(22) CHARITABLE CONTRIBUTIONS.—In the case of taxable years beginning in 2020, the amount (not to exceed $300) of qualified charitable contributions made by an eligible individual during such taxable year.’’

(b) DEFINITIONS.—Section 62 of such Code is amended by adding at the end the following new subsection:

‘‘(f) Definitions relating to qualified charitable contributions.—For purposes of subsection (a)(22)—

(1) ELIGIBLE INDIVIDUAL.—The term ‘‘eligible individual’’ means any individual who does not elect to itemize deductions.

(2) QUALIFIED CHARITABLE CONTRIBUTIONS.—For purposes of section 170(b)(1)(A) of such Code—

(A) which is made in cash,

(B) for which a charitable deduction is allowable under section 170 (determined without regard to subsection (b) thereof), and

(C) which is—

(i) made to an organization described in section 170(b)(1)(A), and

(ii) not—

(I) to an organization described in section 509(a)(3), or

(II) for the establishment of a new, or maintenance of an existing, donor advised fund (as defined in section 4966(d)(2) of such Code).
under this paragraph shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

(c) DEFINITIONS.—For purposes of this section—

(1) APPLICABLE EMPLOYMENT TAXES.—The term ‘‘applicable employment taxes’’ means the following:

(A) The taxes imposed under section 3111(a) of the Internal Revenue Code of 1986.

(B) So much of the unpaid tax imposed under section 3221(a) of such Code as are attributable to the rate in effect under section 3111(a) of such Code.

(2) ELIGIBLE EMPLOYER.—(A) IN GENERAL.—The term ‘‘eligible employer’’ means any employer—

(i) which was carrying on a trade or business during calendar year 2020, and

(ii) with respect to any calendar quarter, for which—

(I) the operation of the trade or business described in clause (i) is fully or partially suspended during the calendar quarter due to orders from an appropriate governmental authority limiting commerce, travel, or group gatherings (for social, religious, or other purposes) due to the coronavirus disease 2019 (COVID-19), or

(II) such calendar quarter is within the period described in subparagraph (B).

(B) SIGNIFICANT DECLINE IN GROSS RECEIPTS.—The period described in this subparagraph is—

(1) beginning with the first calendar quarter beginning after December 31, 2019, for which gross receipts (within the meaning of section 448(c) of the Internal Revenue Code of 1986) for the calendar quarter are less than 50 percent of gross receipts for the same calendar quarter in the prior year, and

(2) ending with the calendar quarter following the first calendar quarter beginning after a calendar quarter described in clause (i) for which gross receipts of such employer are greater than 90 percent of gross receipts for the same calendar quarter in the prior year.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 2019.

SEC. 2206. EXCLUSION FOR CERTAIN EMPLOYER PAYMENTS OF STUDENT LOANS.

(a) IN GENERAL.—(1) Paragraph (1) of section 127(c) of the Internal Revenue Code of 1986 is amended by striking ‘‘and’’ at the end of subparagraph (A), by redesignating subparagraph (B) as subparagraph (C), and by inserting after subparagraph (A) the following new subparagraph:

‘‘(B) in the case of payments made before January 1, 2021, the payment by an employer, whether paid to the employee or to a lender of any qualified education loan as defined in section 521(d)(1) incurred by the employee for education of the employee, and’’.

(b) CONFORMING AMENDMENT; DENIAL OF DOUBLE BENEFIT.—The first sentence of paragraph (1) of section 221(e) of the Internal Revenue Code of 1986 is amended by inserting before the period the following: ‘‘, or for which an exclusion is allowed under section 127 to the taxpayer by reason of the payment by the taxpayer’s employer of any indebtedness (as qualified education loan of the taxpayer)’’.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to payments made after the date of the enactment of this Act.

Subtitle C—Business Provisions

SEC. 2301. EMPLOYEE RETENTION CREDIT FOR EMPLOYERS SUBJECT TO CLOSURE DUE TO COVID-19.

(a) IN GENERAL.—In the case of an eligible employer, there shall be allowed as a credit against the tax imposed by this title a credit equal to 50 percent of the qualified wages with respect to each employee of such employer for each calendar quarter ending after December 31, 2019, for which the average number of full-time employees for the quarter was less than 50 percent of the average number of full-time employees for the corresponding quarter in the prior year, and

(b) LIMITATIONS AND FUNDABILITY.—(1) WAGES TAKEN INTO ACCOUNT.—The amount of qualified wages with respect to any employee may not be taken into account under subsection (a) by the eligible employer for all calendar quarters shall not exceed $10,000.

(2) CREDIT LIMITED TO EMPLOYMENT TAXES.—The credit allowed by subsection (a) with respect to any calendar quarter shall not exceed the applicable employment taxes (reduced by the credits allowed under subsections (e) and (f) of section 3111 of the Internal Revenue Code of 1986 and sections 7001 and 7003 of the Families First Coronavirus Response Act) on the wages paid with respect to the employment of all the employees of the eligible employer for such calendar quarter.

(3) FUNDABILITY OF EXCESS CREDIT.—(A) IN GENERAL.—If the amount of the credit under subsection (a) exceeds the limitation of paragraph (2) for any calendar quarter, such credit may be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b) of the Internal Revenue Code of 1986.

(b) APPLICABILITY OF PAYMENTS.—For purposes of section 3324 of title 31, United States Code, any amounts due to the employer under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.
TRANSFER TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.—There are hereby appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Account established under section 210(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 1421n-1(a)) amounts equal to the reduction in revenues to the Treasury by reason of this section (within the meaning of subsection (b)(1)(A) of this section) to the extent possible the transfers which would have occurred to such Trust Fund or Account had this section not been enacted.

(ii) Payors Taking Payroll Tax Deferral.'
“(II) subparagraphs (B) and (C)(i) shall not apply.

“(II) SPECIAL RULES FOR REITS.—For purposes of this subparagraph—

“(1) No net operating loss for a REIT year shall not be a net operating loss carryback to any taxable year preceding the taxable year of such loss.

“(II) in the case of any net operating loss for a taxable year which is not a REIT year, such loss shall not be carried to any preceding taxable year which is a REIT year.

“(III) REIT YEAR.—For purposes of this subparagraph, the term ‘REIT year’ means any taxable year for which the provisions of part IV (relating to real estate investment trusts) apply to the taxpayer.

“(iii) SPECIAL RULE FOR LIFE INSURANCE COMPANIES.—In the case of a life insurance company, if a net operating loss is carried pursuant to clause (i)(I) to a life insurance company taxable year beginning before January 1, 2018, such net operating loss carryback shall be treated in the same manner as an operations loss carryback (within the meaning of section 810 as in effect before its repeal) of such company to such taxable year.

“(IV) RULE RELATING TO CARRYBACKS TO YEARS TO WHICH SECTION 965 APPLIES.—If a net operating loss of a taxpayer is carried pursuant to clause (i)(I) to any taxable year in which an amount is includable in gross income by reason of section 965(a), the taxpayer shall be treated as having made the election under section 965(n) with respect to each such taxable year.

“(V) SPECIAL RULES FOR ELECTIONS UNDER PARAGRAPH (B), (C).—

“(1) SPECIAL ELECTION TO EXCLUDE SECTION 965 YEARS.—If the 5-year carryback period under clause (i)(I) with respect to any net operating loss of a taxpayer includes 1 or more taxable years in which an amount is includable in gross income by reason of section 965(a), the taxpayer may, in lieu of the election otherwise available under paragraph (3), elect under such paragraph to exclude all such taxable years from such carryback period.

“(II) TIME OF ELECTIONS.—An election under paragraph (3) (including an election described in clause (I) with respect to a net operating loss arising in a taxable year beginning in 2018 or 2019) shall be made by the due date (including extensions of time) for filing the taxpayer’s return for the first taxable year ending after the date of the enactment of this Act.

“(2) CONFORMING AMENDMENT.—Section 172(b)(1)(A) of such Code, as amended by subsection (C)(i) and inserting “, and (C)(i)” and inserting “, (C)(i), and (D)”, is amended by striking “section 11012 of Public Law 115–97.”

“(c) TECHNICAL AMENDMENT RELATING TO SECTION 13302 OF PUBLIC LAW 115–97.—

“(1) Section 13302(e) of Public Law 115–97 is amended by adding such section as follows:

“(1) by striking “2018, 2019, 2020, or 2021” in paragraph (1) and inserting “2018 or 2019”, and by striking “2019” in paragraph (2) and inserting “2019”.

“(b) ELECTION TO TAKE ENTIRE REFUNDABLE CREDIT AMOUNT IN 2018.—

“(1) IN GENERAL.—Section 53(e) of such Code is amended by adding at the end the following new paragraph:

“(8) SPECIAL RULE.—In the case of a corporation making an election under this paragraph—

“(A) paragraph (1) shall not apply, and

“(B) subsection (c) shall not apply to the first taxable year of such corporation beginning in 2018.”

“(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

“(2) Section 461(l)(3)(A) of such Code is amended—

“(A) in clause (i), by inserting “and without regard to any deduction allowable under sections 172 and 179” after “under paragraph (1)”, and

“(B) by adding at the end the following flush sentence:

“The excess shall be determined without regard to any deductions, gross income, or gains attributable to any trade or business of performing services as an employee.”

“(d) TECHNICAL AMENDMENTS.—The amendments made by such subparagraph (B) as amended by redesigning subparagraph (C) as inserted by subparagraph (A) the following new subparagraph:

“(i) TREATMENT OF CAPITAL GAINS AND LOSSES.—

“(1) LOSSES.—Deductions for losses from sales or exchanges of capital assets shall not be taken into account under subparagraph

“(A)(i). (ii) GAINS.—The amount of gains from sales or exchanges of capital assets taken into account under subparagraph

“(A)(i) shall not exceed the lesser of—

“(I) the capital gain net income determined by taking into account only gains and losses attributable to the same business, or

“(II) the capital gain net income.”

“(e) EFFECTIVE DATES.—

“(1) IN GENERAL.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

“(2) TECHNICAL AMENDMENTS.—The amendments made by subsection (b) shall take effect as if included in the provisions of Public Law 115–97 to which they relate.
(II) the amount of the refundable credit claimed under such section for any previously filed return for such taxable year, and

(III) the amount of the refund claimed.

(B) ALLOWANCE OF ADJUSTMENTS.—Within a period of 90 days from the date on which an application is filed under subparagraph (A), the Secretary of the Treasury (or the Secretary's delegate) shall—

(i) review the application,

(ii) determine the amount of the overpayment, and

(iii) apply, credit, or refund such overpayment, in a manner similar to the manner provided in section 6411(b) of the Internal Revenue Code of 1986.

(C) CONSOLIDATED RETURNS.—The provisions of section 6411(c) of the Internal Revenue Code of 1986 shall apply to an adjustment under this paragraph to the same extent and manner as the Secretary of the Treasury (or the Secretary's delegate) may provide.

SEC. 2306. MODIFICATIONS OF LIMITATION ON BUSINESS INTEREST.

(a) IN GENERAL.—Section 163(j)(1) of the Internal Revenue Code of 1986 is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

"(10) SPECIAL RULE FOR TAXABLE YEARS BEGINNING IN 2019 OR 2020.—

"(A) IN GENERAL.—Section 163(j) of the Internal Revenue Code of 1986 is applied by adding—

"(i) in subsection (e)—

"(aa) clause (i) shall not apply to any taxable year beginning in 2019, but shall apply to any taxable year beginning in 2020,

"(bb) 50 percent of such excess business interest shall be treated as business interest which, notwithstanding paragraph (4)(B)(ii), is permitted by the partner in the taxpayer's first taxable year beginning in 2020 and which is subject to the limits of paragraph (1), and

"(B) by adding the following new paragraph:

"(IV) with respect to distilled spirits removed after December 31, 2019, and before January 1, 2021, free of tax for use in or contained in hand sanitizer produced and distributed in a manner consistent with any guidance issued by the Food and Drug Administration that is related to the outbreak of virus SARS-CoV-2 or coronavirus disease 2019 (COVID-19)."

"(B) EFFECTIVE DATE.—The amendments made by this paragraph shall take effect as if included in section 13204 of Public Law 115–97.

SEC. 2308. TEMPORARY EXCEPTION FROM EXCISE TAX FOR ALCOHOL USED TO PRODUCE HAND SANITIZER.

(a) IN GENERAL.—Section 204(a) of the Internal Revenue Code of 1986 is amended—

(1) in subsection (e)—

"(a) by striking the item relating to subparagraph (D)(i) and

(b) by inserting after the item relating to subparagraph (E)(vi) the following new item:

"(E)(vii) any distilled spirits removed after December 31, 2019, and before January 1, 2021, free of tax for use in or contained in hand sanitizer produced and distributed in a manner consistent with any guidance issued by the Food and Drug Administration that is related to the outbreak of virus SARS-CoV-2 or coronavirus disease 2019 (COVID-19)."

"(B) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

(2) in the table contained in subsection (g)(3)(B)—

"(A) by striking the item relating to subparagraph (D)(i) and

(b) by inserting after the item relating to subparagraph (E)(vi) the following new item:

"(E)(vii) any distilled spirits removed after December 31, 2019, and before January 1, 2021, free of tax for use in or contained in hand sanitizer produced and distributed in a manner consistent with any guidance issued by the Food and Drug Administration that is related to the outbreak of virus SARS-CoV-2 or coronavirus disease 2019 (COVID-19)."

"(B) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

(b) ELECTION TO USE 2019 ADJUSTED TAXABLE INCOME FOR TAXABLE YEARS BEGINNING AFTER 2019.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall—

(1) in subsection (e)—

"(A) by inserting after paragraph (9) the following new paragraph:

"(i) for a taxable year which is a short taxable year bears to 12.”

"(B) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2018.

SEC. 2307. TECHNICAL AMENDMENTS REGARDING QUALIFIED IMPROVEMENT PROPERTY.

(a) IN GENERAL.—Section 186 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (e)—

"(A) in paragraph (3)(E), by striking ""and"" at the end of clause (ii), by striking the period at the end of clause (vi) and inserting ""and", and

(b) in the table contained in subsection (g)(3)(B)—

"(A) by striking the item relating to subparagraph (D)(i) and

(b) by inserting after the item relating to subparagraph (E)(vi) the following new item:

"(E)(vii) any qualified improvement property.

"(ii) in subparagraph (A)—

"(I) clause (i) apply to any taxable year.

"(ii) any improvement, and

"(B) in paragraph (6)(A), by inserting ""made by the taxpayer"" after ""any improvement"", and

"(C) in paragraph (6)(B), by inserting after ""taxpayer"" the word ""and"",
for the administration of drugs, vaccines and other biological products, medical devices, and diagnostic tests in the stockpile) after "other supplies.

SEC. 3102. TREATMENT OF RESPIRATORY PROTECTIVE DEVICES AS COVERED COUNTERMEASURES. Section 319F-3(1)(D) of the Public Health Service Act (42 U.S.C. 247d-6d(1)(D)) is amended to read as follows:

"(D) a respiratory protective device that is approved by the National Institute for Occupational Safety and Health under part #4 of title 42, Code of Federal Regulations (or any successor regulations), and that the Secretary determines to be a priority for use during a public health emergency declared under section 319.

Subpart B—Mitigating Emergency Drug Shortages

SEC. 3111. PRIORITIZE REVIEWS OF DRUG APPLICATIONS; INCENTIVES. Section 506(c)(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c(g)) is amended—

(1) in paragraph (1), by striking "the Secretary may" and inserting "the Secretary shall, as appropriate;"

(2) in paragraph (1), by inserting "prioritize and" before "expedite the review";

and

(3) in paragraph (2), by inserting "prioritize and" before "expedite an inspection".

SEC. 3112. ADDITIONAL MANUFACTURER REPORTING REQUIREMENTS IN RESPONSE TO DRUG SHORTAGES

(a) EXPANSION TO INCLUDE ACTIVE PHARMACEUTICAL INGREDIENTS. Subsection (a) of section 506c of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c) is amended—

(1) in paragraph (1), by striking "or any such drug that is critical to the public health during a public health emergency declared by the Secretary under section 319 of the Public Health Service Act" after "during surgery"; and

(2) in the flush text at the end—

(A) by inserting "or a permanent discontinuation in the manufacture of an active pharmaceutical ingredient or an interruption in the manufacture of the active pharmaceutical ingredient of such drug that is likely to lead to a meaningful disruption in the supply of the active pharmaceutical ingredient of such drug," before "and the reasons";

(B) by adding at the end the following:

"Notification under this subsection shall include disclosure of reasons for the discontinuation or interruption, and if applicable, an active pharmaceutical ingredient is a reason for, or risk factor in, such discontinuation or interruption, the source of the active pharmaceutical ingredient and any alternative sources for the active pharmaceutical ingredient known by the manufacturer; whether any associated device used for preparation or administration included in the drug, shall develop, maintain, and implement, a redundant risk management plan that identifies and evaluates risks to the supply of the drug, as applicable, for each establishment in which such drug or active pharmaceutical ingredient of such drug is manufactured. A risk management plan under this subsection shall be submitted by the Secretary pursuant to an inspection or a request under section 704(a)(4).

(c) ANNUAL NOTIFICATION. Section 506E of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356e) is amended by adding at the end the following:

"(d) INTERAGENCY NOTIFICATION.—Not later than 180 days after the date of enactment of this subsection, and every 90 days thereafter, the Secretary shall transmit a report regarding the drugs of the current drug shortage list under this section to the Administrator of the Centers for Medicare & Medicaid Services.

"(d) REPORTING AFTER INSPECTIONS.—Section 704(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374b) is amended—

(1) by redesignating paragraphs (1) and (2) and subparagraphs (A) and (B);

(2) by striking "(b) Upon completion" and inserting "(b) Upon completion,

and (3) by adding at the end the following:

"(2) In carrying out this subsection with respect to any establishment manufacturing a drug approved under subsection (c) or (j) of section 505 for which a notification has been submitted under section 506c is, or has been in the last 5 years, listed on the drug shortage list under section 506e, or that is described in section 506(j)(11)(A), a copy of the report shall be sent promptly to the appropriate offices of the Food and Drug Administration with expertise regarding drug shortages.

(e) REPORTING REQUIREMENT. Section 510(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371j) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

"(3)(A) Each person who registers with the Secretary under this section with regard to a drug shall report annually to the Secretary on the amount of each drug listed under paragraph (1) that was manufactured, prepared, propagated, compounded, or processed by such person for commercial distribution. Such information may be required to be submitted in an electronic format as determined by the Secretary. The Secretary may require that information required to be reported under paragraph (2) or (3)(A) at least 6 months prior to the date of such information.

(3)(B) In the event a public health emergency is declared by the Secretary under section 319 of the Public Health Service Act, notify the Secretary, in accordance with subsection (b), of a permanent discontinuation in the manufacture of the device that is likely to lead to a meaningful disruption in the supply of that device in the United States, and the reasons for such discontinuation or interruption.

(b) TIMING.—A notice required under subsection (a) shall be submitted to the Secretary—

"(1) at least 6 months prior to the date of the discontinuation or interruption; or

"(2) if compliance with paragraph (1) is not possible, as soon as practicable.

(c) DISTRIBUTION.—

"(1) PUBLIC AVAILABILITY.—To the maximum extent practicable, subject to paragraph (2), the Secretary shall distribute, through such means as the Secretary determines appropriate, information on the discontinuance or interruption of the manufacture of devices reported under subsection (a) to appropriate organizations, including physician, health provider, patient organizations, and supply chain entities, as appropriate and applicable, as described in subsection (g).

"(2) PUBLIC HEALTH EXCEPTION.—The Secretary may choose not to make information collected under this section publicly available pursuant to this section if the Secretary determines that disclosure of such information would adversely affect the public health, such as by increasing the possibility of unnecessary over purchase of product, component parts, or other disruption of the availability of medication to patients.

"(d) CONFIDENTIALITY.—Nothing in this section shall be construed as authorizing the Secretary to disclose any information that is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

"(e) FAILURE TO MEET REQUIREMENTS.—If a person fails to submit information required under subsection (a) in accordance with subsection (b),—

"(1) the Secretary shall issue a letter to such person informing such person of such failure;

"(2) such notice shall be issued within not later than 30 calendar days after the issuance of a letter under paragraph (1), the person who receives such letter shall submit to the Secretary a written response to the notice within 30 calendar days; and

"(g) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 180 days after the date of enactment of this Act.
"(3) not later than 45 calendar days after the issuance of a letter under paragraph (1), the Secretary shall make such letter and any response to such letter under paragraph (2) available to the public on the website of the Food and Drug Administration, with appropriate redactions made to protect information described in subsection (d), except that the Secretary determines that the letter under paragraph (1) was issued in error or, after review of such response, the person had a reasonable basis for not notifying as required under subsection (a), the requirements of this paragraph shall not apply.

'(1) PRIORITIZED AND EXPEDITED INSPECTIONS AND REVIEWS.—If, based on notifications described in subsection (a) or any other relevant information, the Secretary concludes that there is, or is likely to be, a shortage of an device, the Secretary shall, as appropriate—

'(1) prioritize and expedite the review of a submission under section 515(f)(2), 515, review of a notification under section 510(k), or 520(m) for a device that could help mitigate or prevent such shortage; or

'(2) prioritize and expedite an inspection or reinspection of an establishment that could help mitigate or prevent such shortage.

'3. DEVICE SHORTAGE LIST.—

'(1) ESTABLISHMENT.—The Secretary shall establish and maintain an up-to-date list of devices that are determined by the Secretary to be in shortage in the United States.

'(2) CONTENTS.—For each device included on the list under paragraph (1), the Secretary shall include the following information:

'(A) The category or name of the device in shortage.

'(B) The name of each manufacturer of such device.

'(C) The reason for the shortage, as determined by the Secretary, selecting from the following categories:

'(i) Requirements related to complying with good manufacturing practices.

'(ii) Regulatory delay.

'(iii) Shortage or discontinuance of a component or part.

'(iv) Discontinuance of the manufacture of the device.

'(v) Delay in shipping of the device.

'(vi) Scheduling of the device.

'(vii) Demand increase for the device.

'(viii) Facility closure.

'(D) The estimated duration of the shortage as determined by the Secretary.

'(3) PUBLIC AVAILABILITY.—

'(A) In general.—Subject to subparagraphs (B) and (C), the Secretary shall make the information in the list under paragraph (1) publicly available.

'(B) TRADE SECRETS AND CONFIDENTIAL INFORMATION.—Nothing in this subsection shall be construed to compel the Secretary to make information collected under this subsection publicly available if the Secretary determines that disclosure of such information would adversely affect the competitive position of the manufacturer of such device (as such as by increasing the possibility of hoarding or other disruption of the availability of the device to patients).

'(C) PUBLIC HEALTH EXCEPTION.—The Secretary may not make information collected under this subsection publicly available if the Secretary determines that disclosure of such information would adversely affect the public health (such as by causing a shortage of an device) to patients).

'4. MEANING OF DISRUPTION.—In this section:

'(1) MEANING.—The term ‘meaningful disruption’—

'(A) means a change in production that is reasonably likely to lead to a reduction in the supply of a device by a manufacturer that is more than negligible and affects the ability of the manufacturer to fill orders or meet expected demand for the device, or has been notified by the Secretary that the manufacturer expects to resume operations in a short period of time, and

'(B) does not include interruptions in manufacturing due to matters such as routine maintenance or insignificant changes in manufacturing processes, or

'(C) does not include interruptions in manufacturing so long as such interruptions do not result in a shortage of the device and the manufacturer expects to resume operations in a reasonable period of time; and

'(2) SHORTAGE.—The term ‘shortage’ with respect to a device, means a period of time when the demand or projected demand for the device within the United States exceeds the supply of the device.

'PART II—ACCESS TO HEALTH CARE FOR COVID-19 PATIENTS

Subpart A—Coverage of Testing and Preventive Services

SEC. 3201. COVERAGE OF DIAGNOSTIC TESTING FOR COVID-19.

Paragraph (1) of section 6001(a) of division F of the Families First Coronavirus Response Act (Public Law 116-127) is amended to read as follows:


'(A) approved, cleared, or authorized under section 510(k), 515, or 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(k), 360c, 360e, 360bb–3);

'(B) the developer requested, or intended to request, emergency use authorization under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb–3), unless a similar application for authorization has not been denied or the developer of such test does not submit a request under such section within a reasonable period after the date on which the test was made available to the Secretary; and

'(C) is developed in and authorized by a State that has notified the Secretary of Health and Human Services of its intention to reimburses providers of diagnostic tests intended to diagnose COVID-19; or

'(D) other test that the Secretary determines appropriate in guidance.

SEC. 3202. PRICING OF DIAGNOSTIC TESTING.

(a) REIMBURSEMENT RATES.—A group health plan or a health insurance issuer providing coverage of items and services described in section 6001(a) of division F of the Families First Coronavirus Response Act (Public Law 116-127) with respect to an enrollee shall reimburse the provider of the diagnostic testing as follows:

'(1) If the health plan or issuer has a negotiated rate with such provider in effect before the public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d), such negotiated rate shall apply throughout the period of such declaration.

'(2) If the health plan or issuer does not have a negotiated rate with such provider, such plan or issuer shall reimburse the provider in an amount that equals the cash price for such service as listed by the provider on a public internet website, or such plan or issuer may negotiate a rate with such provider for less than such cash price.

(b) REQUIREMENT TO PUBLICIZE CASH PRICE FOR DIAGNOSTIC TESTING FOR COVID-19.—

'(1) IN GENERAL.—During the emergency period declared under section 319 of the Public Health Service Act (42 U.S.C. 247d), each provider of a diagnostic test for COVID-19 shall make public the cash price for such test on a public internet website of such provider.

'(2) CIVIL MONETARY PENALTIES.—The Secretary of Health and Human Services may impose a civil monetary penalty on any provider of a diagnostic test for COVID-19 that is not in compliance with paragraph (1) and has not completed a corrective action plan to comply with the requirements of such paragraph. In an amount not to exceed $50 per day that the violation is ongoing.

SEC. 3203. RAPID COVERAGE OF PREVENTIVE SERVICES AND VACCINES FOR CORONAVIRUS.

(a) IN GENERAL.—Notwithstanding 2713(b) of the Public Health Service Act (42 U.S.C. 300gg-13(b)), issuers offering group or individual health insurance to cover (without cost-sharing) any qualifying coronavirus preventive service or mitigation service for COVID-19, and the virus that causes COVID–19, and the administration of such a test, that—

'(A) is approved, cleared, or authorized under section 510(k), 515, or 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(k), 360c, 360e, 360bb–3); and

'(B) the developer requested, or intended to request, emergency use authorization under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb–3), unless a similar application for authorization has not been denied or the developer of such test does not submit a request under such section within a reasonable period after the date on which the test was made available to the Secretary;

'(C) does not include interruptions in manufacturing due to matters such as routine maintenance or insignificant changes in manufacturing processes, or

'(D) does not include interruptions in manufacturing so long as such interruptions do not result in a shortage of the device and the manufacturer expects to resume operations in a reasonable period of time; and

'(E) the device.

'1. QUALIFYING CORONAVIRUS PREVENTIVE SERVICE.—The term ‘qualifying coronavirus preventive service’ means an item, service, or immunization that is intended to prevent or mitigate coronavirus disease 2019 and that is—

'(A) an evidence-based item or service that has in effect a rating of “A” or “B” in the current recommendations of the United States Preventive Services Task Force, or

'(B) an immunization that has in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved.

'2. SPECIFIED DATE.—The term ‘specified date’ means the date that is 15 business days prior to the date on which a recommendation is made relating to the qualifying coronavirus preventive service as described in such paragraph.

3. ADDITIONAL TERMS.—In this section, the terms ‘group health plan’, “health insurance issuer”, “group health insurance coverage”, and “individual health insurance coverage” have the meanings given such terms in section 2791 of the Public Health Service Act (42 U.S.C. 300g–91), section 733 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191), section 9832 of the Internal Revenue Code, as applicable.

Subpart B—Support for Health Care Providers

SEC. 3211. SUPPLEMENTAL AWARDS FOR HEALTH CARE PROFESSIONALS.

(a) SUPPLEMENTAL AWARDS.—Section 3303(r) of the Public Health Service Act (42 U.S.C. 254(r)) is amended by adding at the end the following:
“(6) ADDITIONAL AMOUNTS FOR SUPPLEMENTAL AWARDS.—In addition to any amounts made available pursuant to this subsection, section 402A of this Act, or section 330A of the Public Health Service Act (42 U.S.C. 254c) is amended—
(i) in the matter preceding subparagraph (A), by striking “projects to demonstrate how health technologies can be used through telehealth networks” and inserting “evidence-based projects that utilize telehealth technologies through telehealth networks”; and
(ii) by striking “and patients and their families,” and inserting “through telehealth networks”;

SEC. 3212. TELEHEALTH NETWORK AND TELEHEALTH RESOURCE CENTERS GRANT PROGRAMS.

Section 330I of the Public Health Service Act (42 U.S.C. 254e–14) is amended—
(i) in subsection (d)—
(A) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by striking “projects to demonstrate how health technologies can be used through telehealth networks” and inserting “evidence-based projects that utilize telehealth technologies through telehealth networks”; and
(ii) by striking “and patients and their families,” and inserting “through telehealth networks”;

SEC. 3213. TELEHEALTH NETWORK AND REACH, RURAL HEALTH NETWORK DEVELOPMENT, AND SMALL HEALTH CARE PROVIDER QUALITY IMPROVEMENT GRANT PROGRAMS.

Section 3213 of the Public Health Service Act (42 U.S.C. 254c–3) is amended—
(ii) in subparagraph (E), by striking “the rural underserved populations in the local community or region” and inserting “or regional”;

SEC. 3214. ADDITIONAL AMOUNTS FOR TELEHEALTH NETWORKS—
“(A) in paragraph (1), by striking “medically underserved areas or” and inserting “rural areas, medically underserved areas, or”; and

SEC. 3215. TELEHEALTH NETWORK AND REACH, RURAL HEALTH NETWORK DEVELOPMENT, AND SMALL HEALTH CARE PROVIDER QUALITY IMPROVEMENT GRANT PROGRAMS—
(i) in the matter preceding clause (i), by striking “that” each place such term appears; and
(ii) in clause (i), by striking “the local community or region” and inserting “rural underserved populations in the local community or region”;

SEC. 3216. TELEHEALTH NETWORK AND REACH, RURAL HEALTH NETWORK DEVELOPMENT, AND SMALL HEALTH CARE PROVIDER QUALITY IMPROVEMENT GRANT PROGRAMS—
(8) by striking subsections (q) and (r) and inserting the following:
”

Congressional Record — Senate March 25, 2020
the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the activities and outcomes of the grant programs under subsections (e), (f), and (g), and the impact of projects funded under such programs on the health status of rural residents with chronic conditions;"

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and
(42 U.S.C. 290dd-2(b)) is amended to read as follows:

“(1) CONSENT.—The following shall apply with respect to the contents of any record referred to in subsection (a):

“(A) Such contents may be used or disclosed in accordance with the prior written consent of the patient with respect to whom such record is maintained.

“(B) Once prior written consent of the patient has been obtained, such contents may be used or disclosed by a covered entity, business associate, or a program subject to this section for purposes of treatment, payment, and health care operations as permitted by the HIPAA regulations. Any information so disclosed may then be redisclosed in accordance with the HIPAA regulations. Section 13405(c) of the Health Information Technology and Clinical Health Act (42 U.S.C. 290dd-2) shall apply to all disclosures pursuant to subsection (b)(1) of this section.

“(C) It shall be permissible for a patient’s prior written consent to be given once for all such future uses or disclosures for purposes of treatment, payment, and health care operations, until such time as the patient revokes such consent in writing.

“(D) Section 13405(c) of the Health Information Technology and Clinical Health Act (42 U.S.C. 17933(a)) shall apply to all disclosures pursuant to subsection (b)(1) of this section.

“(E) The term ‘unprotected health information’ has the meaning given such term for purposes of the HIPAA regulations.

“(F) The term ‘public health authority’ has the meaning given such term for purposes of the HIPAA regulations.

“(G) The term ‘HIPAA regulations’ means the provisions of sections 160(b) and 162 of the Public Health Service Act (42 U.S.C. 290dd–2(b)), as amended by subsection (i) the following:

“(1) the reference to ‘this subsection’ in subsection (a)(2) of such section 176 shall be treated as a reference to ‘this subsection’ (including as applied pursuant to section 164.505 of the Public Health Service Act); and

“(2) in subsection (b) of such section 176—

“(A) each reference to ‘a penalty imposed under subsection (a)’ shall be treated as a reference to ‘a penalty imposed under subsection (a) (including as applied pursuant to section 164.505 of the Public Health Service Act); and

“(B) each reference to ‘no damages obtained under subsection (d)’ shall be treated as a reference to ‘no damages obtained under subsection (d) (including as applied pursuant to section 164.505 of the Public Health Service Act).’

“(H) The term ‘antidiscrimination’ means the term ‘antidiscrimination’ as defined in section 160(h)(8) of the Public Health Service Act (42 U.S.C. 290dd–2(h)), as amended by subsection (j) the following:

“(1) the reference to ‘this subsection’ in subsection (a)(2) of such section 177 shall be treated as a reference to ‘this subsection’ (including as applied pursuant to section 164.506 of the Public Health Service Act); and

“(2) patients have the right to request a restriction on the use or disclosure of protected health information received by such recipient pursuant to an inadvertent or intentional disclosure of records, or information contained in records, described in subsection (a) in—

“(A) admission, access to, or treatment for health care;

“(B) hiring, firing, or terms of employment, or receipt of worker’s compensation; or

“(C) the sale, rental, or continued rental of housing;

“(D) access to Federal, State, or local courts; or

“(E) access to, approval of, or maintenance of social services and benefits provided or funded by Federal, State, or local governments.

“(2) RECIPIENTS OF FEDERAL FUNDS.—No recipient of Federal funds shall discriminate against an individual on the basis of information received by such recipient pursuant to an inadvertent or intentional disclosure of records, or information contained in records, described in subsection (a) in—

“(A) admission, access to, or treatment for health care;

“(B) hiring, firing, or terms of employment, or receipt of worker’s compensation; or

“(C) the sale, rental, or continued rental of housing;

“(D) access to Federal, State, or local courts; or

“(E) access to, approval of, or maintenance of social services and benefits provided or funded by Federal, State, or local governments.

“(2) NOTIFICATION IN CASE OF BREACH.—The provisions of section 13302 of the HITECH Act (42 U.S.C. 17932) shall apply to a program or activity described in subsection (a), in the case of a breach of regulated rules contained in any law enforcement investigation.

“(1) IN GENERAL.—The Secretary of Health and Human Services, in consultation with appropriate Federal agencies, shall make such revisions to regulations as may be necessary for implementing and enforcing the amendments made by this Act, such that such amendments shall apply with respect to uses and disclosures of information occurring on or after the date that is 24 months after the date of enactment of this Act.

“(2) EASILY UNDERSTANDABLE NOTICE OF PRIVACY PRACTICES.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with appropriate legal, clinical, privacy, and civil rights experts, shall update section 164.520 of title 45, Code of Federal Regulations, so that covered entities and entities creating or maintaining the records described in subsection (a) provide notice of privacy practices as required by such rules, and revise the standards, guidelines, and regulations for privacy practices regarding patient records referred to in section 543(a) of the Public Health Service Act (42 U.S.C. 290dd-2(a)), including—

“(A) a description of the purposes for which covered entities may use or disclose protected health information, including self-pay patients, with respect to protected health information and a brief description of how the individual may exercise these rights (as required by subsection (b)(4) of such section 164.520); and

“(B) a description of each purpose for which the covered entity is permitted or required to use or disclose protected health information without the patient’s written authorization (as required by subsection (b)(2) of such section 164.520).

“(3) covered entities should make every reasonable effort to the extent feasible to comply with a patient’s request for a restriction on the use or disclosure of such information.

“(4) patients have the right to request a restriction on the use or disclosure of a record referred to in section 543(a) of the Public Health Service Act (42 U.S.C. 290dd-2(a)) for purposes of treatment, payment, or health care operations; or

“(5) covered entities have the right to request a restriction on the use or disclosure of a record referred to in section 543(a) of the Public Health Service Act (42 U.S.C. 290dd-2(a)) for purposes of treatment, payment, or health care operations.

“(6) SENSE OF CONGRESS.—It is the sense of the Congress that—

“(1) any person treating a patient through a program or activity with respect to which the confidentiality requirements of section 543 of the Public Health Service Act (42 U.S.C. 290dd-2) apply is encouraged to access the applicable State-based prescription drug monitoring program when clinically appropriate;

“(2) patients have the right to request a restriction on the use or disclosure of a record referred to in section 543(a) of the Public Health Service Act (42 U.S.C. 290dd-2) apply is encouraged to access the applicable State-based prescription drug monitoring program when clinically appropriate;

“(2) patients have the right to request a restriction on the use or disclosure of a record referred to in section 543(a) of the Public Health Service Act (42 U.S.C. 290dd-2) apply is encouraged to access the applicable State-based prescription drug monitoring program when clinically appropriate;

“(2) patients have the right to request a restriction on the use or disclosure of a record referred to in section 543(a) of the Public Health Service Act (42 U.S.C. 290dd-2) apply is encouraged to access the applicable State-based prescription drug monitoring program when clinically appropriate;
SEC. 3223. GUIDANCE ON PROTECTED HEALTH INFORMATION.

Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall issue guidance on the sharing of protected health information pursuant to section 164.108 of title 45, Code of Federal Regulations (or any successor regulations) during the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID–19, and during the national emergency declared by the President under section 307 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID–19, and the same meanings given the terms in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

(b) NUTRITION SERVICES TRANSFER CRITERIA.—During any portion of the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d), the Secretary shall allow a State agency or an area agency on aging, without prior approval, to transfer not more than 100 percent of the funds received by the State agency or area agency on aging, respectively, and attributable to funds appropriated under paragraph (1) or (2) of section 303(b) of the Older Americans Act of 1965 (42 U.S.C. 303(b)) for the period that exceeds the period described in section 518(a)(3)(B)(i) of such Act (42 U.S.C. 3036(a)(3)(B)(i)) if the Secretary determines that such increase is necessary to meet the needs of the State or area served.

(c) HOME-DELIVERED NUTRITION SERVICES WAIVER.—For purposes of State agencies’ determination of the delivery of nutrition services under section 330 of the Older Americans Act of 1965 (42 U.S.C. 3036), during the period of the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d), the same meaning shall be given to an individual who is unable to obtain nutrition because the individual is practicing social distancing due to the emergency as is given to an individual who is restrained of liberty.

(d) DIETARY GUIDELINES WAIVER.—To facilitate implementation of subparts 1 and 2 of part C (42 U.S.C. 3030d–2 et seq.) for such use as the State agency or area agency on aging considers appropriate to meet the needs of the State or area served.


To ensure continuity of service and opportunities for participants in community service activities under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.), the Secretary of Labor—

(A) may allow individuals participating in projects under such title as of March 1, 2020, to continue participating for a period that exceeds the period described in section 518(a)(3)(B)(i) of such Act (42 U.S.C. 3036(a)(3)(B)(i)) if the Secretary determines that such increase is necessary to meet the needs of the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d); and

(B) may increase the amount available to pay the authorized administrative costs for a project, described in section 502(c)(3) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(3)) to an amount not to exceed 20 percent of the grant amount if the Secretary determines that such increase is necessary to adequately respond to the additional administrative needs to respond to the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d).

SEC. 3225. REAUTHORIZATION OF HEALTHY START PROGRAM.

Section 330H of the Public Health Service Act (42 U.S.C. 254c–8) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “, during fiscal year 2001 and subsequent years,”; and

(B) in paragraph (2), by inserting “or increasing above the national average” after “areas with”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “consumers of project services, public health departments, health centers under section 330, State substance abuse agencies”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “such as low birthweight and infant mortality,” and inserting “in including “low birthweight, and preterm birth and social determinants of health’’;

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A), the following:

“(B) Other counties—

(i) high rates of infant mortality or poor perinatal outcomes; or

(ii) high rates of infant mortality or perinatal outcomes in specific subpopulations within the community; and

(iv) in subparagraph (C) (as so redesignated)—

(I) by redesigning clauses (i) and (ii) as clauses (ii) and (iii), respectively;

(II) by inserting before clause (i) (as so redesignated) the following:

“(i) opportunities for services that meet the local community in the development of the project;”;

(III) in clause (ii) (as so redesignated), by striking “and” at the end; and

(IV) in clause (ii) (as so redesignated), by striking the period and inserting “; and”;

and

(V) by adding at the end the following:

“(v) the use and collection of data demonstrating the effectiveness of such program in decreasing infant mortality rates and improving perinatal and infant health outcomes, as applicable, or the process by which new applicants plan to collect this data;”;

(3) in subsection (c)—

(A) by striking “participants of grants” and inserting the following:

“(1) in general.—Participants of grants;” and

(B) by adding at the end the following:

“(2) OTHER PROGRAMS.—The Secretary shall ensure coordination of the program with other programs and activities related to the reduction of the rate of infant mortality and improved perinatal and infant health outcomes supported by the Department;”;

(4) in subsection (e)—

(A) in paragraph (1), by striking “approved”— and all that follows through the end of paragraph (2), and inserting “for each of fiscal years 2021 through 2025,”; and

(B) in paragraph (2)(B), by adding at the end the following:

“Evaluation may also include, to the extent practicable, information related to—

‘‘(i) progress toward achieving any grant mission, outcomes related to reducing infant mortality rates, improving perinatal outcomes, or reducing the disparity in health status;’’

‘‘(ii) recommendations on potential improvements that may assist with addressing gaps, as applicable and appropriate; and

‘‘(iii) the extent to which the grantee is coordinated with the community in which the grantee is located in the development of the project and delivery of services, including with respect to technical assistance and mentorship programs;’’; and

(5) by adding at the end the following:

“(G) GAO REPORT.—

(1) in general.—Not later than 4 years after the date of the enactment of this sub- section, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate Committees of Congress a report, concerning the Healthy Start program under this section.

“(2) EVALUATION.—In conducting the evaluation under paragraph (1), the Comptroller General shall consider, as applicable and appropriate, the evaluations under subsection (e)(2)(B).

“(3) REPORT.—The report described in paragraph (1) shall review, assess, and provide recommendations, as appropriate, on the following:

‘‘(A) The allocation of Healthy Start program grants by the Health Resources and Services Administration, including consider-ations made by such Administration regarding disparities in infant mortality or perinatal outcomes among urban and rural areas in making such awards.

‘‘(B) Trends in the progress made toward meeting the evaluation criteria pursuant to subsection (e)(2)(B), including programs which decrease infant mortality rates and improve perinatal outcomes, programs that have not decreased infant mortality rates or improved perinatal outcomes, and programs that have made an impact on disparities in infant mortality or perinatal outcomes.

‘‘(C) The ability of grantees to improve health outcomes for project participants, including the extent to which Healthy Start program services, incorporate and promote family participation, facilitate coordination with the community in which the grantee is located, and increase access to services through quality improvement, performance monitoring, evaluation, and the effect such
metros may have toward decreasing the rate of infant mortality and improving perinatal outcomes.

"(D) The extent to which such Federal programs, activities, or processes enhance public health awareness and the identification of opportunities for improved coordination in such Federal programs and activities.";

SEC. 3209. REMOVING THE CAP ON OTA DURING A PUBLIC HEALTH EMERGENCY.

Section 319L(c)(5)(A) of the Public Health Service Act (42 U.S.C. 247d–7c(c)(5)(A)) is amended—

(1) by redesignating clause (ii) as clause (iv); and

(2) by inserting after clause (ii) the following:

"(iii) AUTHORITY DURING A PUBLIC HEALTH EMERGENCY.—

"(I) In general.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education, Labor, and Pensions of the House of Representatives, a report that shall include—

"(A) a description of the activities carried out under subsection (a);

"(B) a description of trends in blood supply donations; and

"(C) an evaluation of the impact of the public awareness campaign, including any geographic or population variations.

PART III—INNOVATION

SEC. 3401. REAUTHORIZATION OF HEALTH PROFESSIONALS WORKFORCE PROGRAMS.

Title VII of the Public Health Service Act (42 U.S.C. 294e(b)(1)(A)) is amended by striking "the elderly" and inserting "innovative or evidence-based;"
Sec. 753. Education and Training Relating to Geriatrics.

Section 753 of the Public Health Service Act (42 U.S.C. 294c) is amended to read as follows:

"(a) Geriatrics Workforce Enhancement Program.—

"(1) In general.—The Secretary shall award grants, contracts, or cooperative agreements under this subsection to entities that—

"(A) have demonstrated expertise in teaching geriatrics and related community-based programs for home- and community-based services for older adults, including training on the provision of care to older adults;

"(B) implement such plan.

"(2) Applications.—To be eligible to receive a grant, contract, or cooperative agreement under paragraph (1), an entity described in such paragraph shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(3) Program Requirements.—

"(A) In general.—In awarding grants, contracts, and cooperative agreements under paragraph (1), the Secretary—

"(i) shall give priority to programs that demonstrate coordination with another Federal program or another public or private entity;

"(ii) shall give priority to applicants with programs or activities that are expected to substantially benefit rural or medically underserved populations of older adults, or serve older adults in Indian Tribes or Tribal organizations; and

"(iii) may give priority to any program that—

"(I) integrates geriatrics into primary care practice;

"(II) provides training to integrate geriatric care into other specialties across care settings, including practicing clinical specialists, health care administrators, faculty without backgrounds in geriatrics, and students from all health professions;

"(III) emphasizes integration of geriatric care into existing services in rural or medically underserved settings, including primary care clinics, medical homes, Federally qualified health centers, ambulatory care clinics, critical access hospitals, assisted living and nursing facilities, and home- and community-based services, which may include adult day care;

"(IV) supports the training and retraining of faculty, primary care providers, other direct care providers, and other appropriate professionals on geriatrics;

"(V) emphasizes education and engagement of family caregivers on disease management and strategies to meet the needs of caregivers of older adults;

"(VI) proposes to conduct outreach to communities that have a shortage of geriatric workforce professionals.

"(4) Priority.—The Secretary may provide awardees with additional support for activities designed to address gaps in the national health workforce that may include education and training for home health workers, family caregivers, and direct care workers on care for older adults.

"(5) Reporting.—

"(A) Reports from entities.—Each entity awarded a grant, contract, or cooperative agreement under this section shall submit an annual report to the Secretary on the activities conducted under such grant, contract, or cooperative agreement, which may include information on the number of trainees, the number of professionals and disciplines, the number of partnerships with health care delivery sites, the number of faculty and practitioners who participated in such programs, and other information, as the Secretary may require.

"(B) Report to Congress.—Not later than 4 years after the date of enactment of the Title VII Health Care Workforce Reauthorization Act of 2019 and every 5 years thereafter, the Secretary shall submit to the Committees on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that provides a description of the activities associated with grants, contracts, and cooperative agreements made under this section. Such reports shall include—

"(I) a list of all grant, contract, and cooperative agreements made under this section;
“(ii) information on the impact of the program conducted under this section on the health status of older adults, including in areas with a shortage of health professionals; and

“(iii) information on outreach and education provided under this section to families and caregivers of older adults.”

“(C) in subsection (b), the Secretary shall make reports submitted under paragraph (B) publically available on the internet website of the Department of Health and Human Services.”

“(b) GERIATRIC ACADEMIC CAREER AWARDS.—

“(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall, as appropriate, establish and maintain, provide oversight, and coordinate the academic career awards to eligible individuals to promote the career development of such individuals as academic geriatricians or other academic geriatrics health professionals.

“(2) ELIGIBILITY.—For purposes of this subsection, the term ‘eligible individual’ means—

“(I) an entity described in paragraph (1), (3), or (4) of section 798B or section 801; or

“(II) an accredited health professions school or graduate program approved by the Secretary.

“(B) ELIGIBLE INDIVIDUAL.—For purposes of this subsection, the term ‘eligible individual’ means an individual who—

“(i) is board certified or board eligible in internal medicine, family practice, psychiatry, or licensed dentistry, or has completed required training in a discipline and is employed in an accredited health professions school or graduate program that is approved by the Secretary;

“(ii) has completed an approved fellowship program in geriatrics, or has completed specialty training in geriatrics as required by the discipline and any additional geriatrics training as required by the Secretary; and

“(iii) has a junior, nontenured, faculty appointment at an accredited health professions school or graduate program in geriatrics or a geriatrics health profession.

“(C) CLARIFICATION.—If an eligible individual terminates the performance of the performance outcome of the program, the Secretary may require, assurances that the eligible individual will meet the service requirement described in paragraph (6); and

“(D) SERVICE REQUIREMENT.—An individual who receives an award under this subsection shall—

“(i) provide, in such form and manner as the Secretary may require, assurances that the eligible individual will spend 75 percent of the obligations of such individual under the award.

“(ii) have as their objective the education and training of interprofessional teams of health care professionals. The program of such training shall constitute at least 75 percent of the obligations of such individual under the award.

“(C) NONAPPLICABILITY OF PROVISION.—Notwithstanding any other provision of this title, section 79(a) shall not apply to awards made under this section.

“(E) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $40,737,000 for each of fiscal years 2021 through 2025 for purposes of carrying out this section.”

“SEC. 4240. NURSING WORKFORCE DEVELOPMENT.—

“(a) IN GENERAL.—Title VIII of the Public Health Service Act (42 U.S.C. 296 et seq.) is amended—

“(1) in section 801 (42 U.S.C. 296b), by adding at the end the following:

“(B) NURSE MANAGED HEALTH CLINIC.—The term ‘nurse-managed health clinic’ means a nurse-practice arrangement, managed by advanced practice nurses, that provides primary care or wellness services to under-served or vulnerable populations and that is associated with a school, college, university or department of nursing, federally qualified health center, or independent nonprofit health center, or school of nursing.

“(2) in section 802(c) (42 U.S.C. 296b(c)), by inserting ‘, and how such project aligns with the goals in section 806(a)’ before the period in the second sentence;

“(3) in section 803(b) (42 U.S.C. 296b(b)), by adding at the end the following: ‘Such Federal funds are intended to supplement, not supplant, existing non-Federal expenditures for such activities.’;

“(4) in section 806 (42 U.S.C. 296e)—

“(A) in subsection (a), by striking ‘as needed to’ and all that follows and inserting the following: ‘as needed to address national nursing needs, including—

“(I) addressing challenges, including through support and education of nursing students, related to the distribution of the nursing workforce and existing or projected nursing workforce shortages in geographic areas that have been identified as having, or that are projected to have, a nursing shortage;

“(II) increasing access to and the quality of health care services, including by supporting the training of professional registered nurses, advanced practice registered nurses, and advanced education nurses within community based health delivery system settings; or

“(III) addressing the strategic goals and priorities identified by the Secretary and that are in alignment with this title.

“Contracts may be entered into under this title with public or private entities as determined necessary by the Secretary.

“(B) in subsection (b)(2), by striking ‘a demonstration’ and all that follows and inserting the following: ‘the reporting of data and information demonstrating that satisfactory progress has been made by the program or project in meeting the performance outcome standards (as described in section 802) of such program period’;

“(C) in subsection (c)(2), by striking ‘, and have relevant expertise and experience’ and have relevant expertise and experience’ be

“fore the period at the end of the first sentence; and

“(D) by adding at the end the following:

“(i) in BRIEFING REPORT ON NURSING WORKFORCE PROGRAMS—Not later than September 30, 2020, and biennially thereafter, the Secretary shall submit to the Committee on Health, Education, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report that contains an assessment of the impact of the programs of the Department of Health and Human Services related to enhancing the nursing workforce, including the extent to which program activities under this title meet the identified goals and performance measures developed for the respective programs; and

“(ii) in section 811 (42 U.S.C. 296g)—

“(A) in subsection (b)—

“(i) by striking ‘Master’s’ and inserting ‘graduate’; and

“(ii) by inserting ‘clinical nurse leaders’ after ‘nurse administrators’;

“(B) in subsection (c), by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

“(C) by inserting after subsection (e), the following:

“(f) AUTHORIZED CLINICAL NURSE SPECIALIST PROGRAMS.—Clinical nurse specialist programs eligible under this section are education programs that—

“(I) provide registered nurses with full-time, clinical nurse specialist education; and

“(II) have as their objective the education of clinical nurse specialists who will, upon completion of such a program, be qualified to personally provide care through the wellness and illness continuum to inpatients and outpatients experiencing acute and chronic illness.”;

“(g) in section 811 (42 U.S.C. 296g)—

“(A) in the section heading, by striking ‘AND QUALITY GRANTS’ and inserting ‘QUALITY, AND RETENTION GRANTS’;

“(B) in subsection (b), by striking ‘other high-risk groups such as the elderly, individuals with HIV/AIDS, substance abusers, the homeless, and victims’ and inserting ‘high risk groups, such as the elderly, individuals with HIV/AIDS, individuals with mental health or substance use disorders, individuals who are homeless, and survivors’;

“(C) in subsection (f)(1) in subparagraph (A)—

“(I) by striking ‘advancement for nursing personnel’ and inserting the following: ‘advancement for—

“(i) ‘nursing’;

“(II) by striking ‘professional nurses, advanced education nurses, licensed practical nurses, certified nurse assistants, and home health aides’ and inserting ‘professional registered nurses, advanced practice registered nurses, and nurses with graduate nursing education’; and

“(III) by adding at the end the following:

“(ii) individuals including licensed practical nurses, licensed vocational nurses, certified nurse assistants, and home health aides, community health aide programs certified under the Title 42 of the United States Code, and nursing education programs through baccalaureate degrees or nurses with graduate nursing education; and

“(ii) in subparagraph (B), by striking the period and inserting ‘; and’; and

“(iii) by adding at the end the following:

“(C) in subsection (g)(2), by striking the following: ‘and require assurances that the....'
one or more accredited schools of nursing, to encourage the mentoring and development of specialties.

(D) by striking subsections (e) and (h); and

(E) by redesignating subsections (f) and (g), as subsections (e) and (f), respectively;

(F) in subsection (e) (as so redesignated), by striking “the Secretary shall submit to the Committee on the last day of the current fiscal year” and inserting “As part of the report on the nursing workforce programs described in section 806(1), the Committee shall include”; and

(G) by striking “as prescribed for the fiscal year” and inserting “as prescribed for the fiscal years 2021 through 2025.”

(2) RESEARCH

(a) IN GENERAL.—The term “QUALIFYING EMERGENCY” means the coronavirus declared by the Secretary of Health and Human Services pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d).

(b) DETERMINATIONS.—In determining the purpose for which payments are made under this section, an institution of higher education may—

(1) waive the amount of need calculation under section 471 of the Higher Education Act of 1965 (20 U.S.C. 1070b–1 et seq.); and

(2) allow for a student affected by a QUALIFYING EMERGENCY to receive funds in an amount that is not more than the maximum Pell Grant for the applicable award year;

(3) utilize a contract with a scholarship-granting organization designated for the sole purpose of accepting applications from or disbursing funds to students enrolled in the institution of higher education, if such scholarship-granting organization disburses the funds on behalf of the institution of higher education to the recipients.

(c) SPECIAL RULE.—Any emergency financial aid grants to students under this section shall not be treated as other financial assistance for the purposes of section 471 of the Higher Education Act of 1965 (20 U.S.C. 1070b(k)).

SEC. 3505. FEDERAL WORK-DURING A QUALIFYING EMERGENCY

(a) IN GENERAL.—In the event of a QUALIFYING EMERGENCY, an institution of higher education participating in the program under part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087–51 et seq.) may—

(1) allow for a student affected by a QUALIFYING EMERGENCY to receive emergency financial aid grants to students enrolled in the program under part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087–51 et seq.) for the purpose of meeting the students' work-study obligation for all or part of such academic year due to such qualifying emergency, as follows:

(2) Payments may be made under such part to affected work-study students in an amount equal to or less than the amount of wages such students would have been paid under such part had the students been able to complete the work obligation necessary to receive work study funds, as a one time grant or as multiple payments.

(b) Authority to Reallocate.—Notwithstanding section 433(c) of the Higher Education Act of 1965 (20 U.S.C. 1087–53), unless such matching requirements are waived by the Secretary.
enrolled at an eligible institution participat-
ing in the program under part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087–51 et seq.) who—
(1) receives-study obligation for all or any portion of such academic year; and
(3) was prevented from fulfilling the student’s study obligation for all or any portion of such academic year due to a qualifying emergency.

SEC. 3506. ADJUSTMENT OF SUBSIDIZED LOAN USAGE LIMITS.

Notwithstanding section 455(q)(3) of the Higher Education Act of 1965 (20 U.S.C. 1087e(q)(3)), the Secretary shall exclude from a student’s period of enrollment for purposes of loans made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) any semester (or the equivalent) that the student does not complete due to a qualifying emergency, if the Secretary is able to administer such policy in a manner that limits complexity and the burden on the student.

SEC. 3507. EXCLUSION FROM FEDERAL PELL GRANT DURATION LIMIT.

The Secretary shall exclude from a student’s Grant duration limit under section 401(c)(5) of the Higher Education Act of 1965 (2 U.S.C. 1070a(c)(5)) any semester (or the equivalent) that an otherwise eligible program to be offered via distance education for the duration of such emergency, and the following payment period, the Secretary shall submit to the authorizing committees (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) a report that identifies each foreign institution that entered into a written arrangement authorized under subsection (a).

SEC. 3511. NATIONAL EMERGENCY EDUCATIONAL WAIVERS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may, upon the request of a State educational agency or Indian tribe, waive any statutory or regulatory provision described under paragraph (2) of subsection (b), and upon the request of a local educational agency or Indian tribe, waive any statutory or regulatory provision described under paragraph (2) of subsection (b), if the Secretary determines that such a waiver is necessary to prevent the emergency involving Federal primary responsibility determined to exist by the President under the section 502(b) of the Robert T. Stafford Disaster Relief and Emer-
gency Assistance Act (42 U.S.C. 5191(b)) with respect to the Coronavirus Disease 2019 (COVID-19).

(b) APPLICABLE PROVISIONS OF LAW.—

(1) STREAMLINED WAIVERS.—The Secretary shall create an expedited application process to request a waiver and the Secretary may require any other provisions for a State educational agency (related to assessments, accountability, and reporting requirements related to assessments and accountability), if the Secretary determines that such a waiver is necessary and appropriate as described in subsection (a), under the following provisions of law:

(A) the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311):

(1) Paragraphs (2) and (3) of subsection (b),

(2) Subparagraphs (C) and (D) of subsection (d)(2),

(3) Subsections (a)(ii), (iii), (iv), (v), (vi), (vii), and (viii) of paragraph (1)(C).
(II) Paragraph (2)(C) with respect to the waived requirements under subclause (I).

(III) Clauses (i) and (ii) of paragraph (2)(C).

(B) Section 421(b) of the General Education Protection Act of 1965 (20 U.S.C. 1221(b)).

(2) STATE AND LOCALLY-REQUESTED WAIVERS.—For a State educational agency, local educational agency, or Indian tribe that requests a program amendment under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) that requests a waiver under subsection (c), the Secretary shall—

(A) report the waiver to the State educational agency, local educational agency, or Indian tribe that submitted the request;

(B) notify the appropriate committees of Congress of the waiver; and

(C) publish the waiver in the Federal Register.

(3) APPLICABILITY TO CHARTER SCHOOLS.—Any waivers issued by the Secretary under this subsection shall be applicable to charter schools in the Secretary's discretion.

(4) LIMITATION.—Nothing in this subsection shall be construed to allow the Secretary to waive any statutory or regulatory requirements under applicable civil rights laws.

(5) ACCOUNTABILITY AND IMPROVEMENT.—Any waiver issued under this subsection that specifies requirements that are not consistent with the State's accountability and improvement plan under Part A of Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6801 et seq.) shall be subject to review and accountability provisions under the Act.

(B) IN GENERAL.—Except as provided under subparagraph (B), the Secretary shall approve or disapprove a waiver request submitted under paragraph (1) not more than 30 days after the date on which such request is submitted.

(2) EXCEPTIONS.—The Secretary may disapprove a waiver request submitted under paragraph (1), only if the Secretary determines that—

(A) the waiver request does not meet the requirements of this section; or

(B) the waiver is not permitted pursuant to subsection (b)(2); or

(C) the description required under paragraph (2)(C) provides insufficient information to determine whether granting of such requirements is necessary or appropriate consistent with subsection (a).

(4) DURATION.—A waiver approved by the Secretary under this section may be for a period not to exceed 3 years, renewed for a period not to exceed 3 years, and renewed for a period not to exceed 3 years. The Secretary shall submit to the Congress a report not later than 30 days after the date of enactment of this Act, and every 3 years thereafter, describing the status and effectiveness of the waivers approved under this subsection.

(B) EXCEPTIONS.—The Secretary may disapprove a waiver request submitted under paragraph (1), only if the Secretary determines that—

(A) the waiver request does not meet the requirements of this section; or

(B) the waiver is not permitted pursuant to subsection (b)(2); or

(C) the description required under paragraph (2)(C) provides insufficient information to determine whether granting of such requirements is necessary or appropriate consistent with subsection (a).

(4) DURATION.—A waiver approved by the Secretary under this section may be for a period not to exceed 3 years, renewed for a period not to exceed 3 years, and renewed for a period not to exceed 3 years. The Secretary shall submit to the Congress a report not later than 30 days after the date of enactment of this Act, and every 3 years thereafter, describing the status and effectiveness of the waivers approved under this subsection.
SEC. 3514. PROVISIONS RELATED TO THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

(a) ACCRUED PAYROLL FOR HOURS.—

(1) ACCRUAL THROUGH OTHER SERVICE HOURS.—

(a) IN GENERAL.—Notwithstanding any other provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.), the Corporation for National and Community Service shall allow an individual described in subparagraph (B) to accrue other service hours that will count toward the hours needed for the individual's education award.

(b) AFFECTED INDIVIDUALS.—Subparagraph (A) shall apply to any individual serving in a position eligible for an educational award under subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

(i) who is performing limited service due to COVID-19; or

(ii) whose position has been suspended or placed on hold due to COVID-19.

(c) Assistance.—The Chief Executive Officer of the Corporation for National and Community Service may—

(A) deem such individual as having met the requirements of the position; and

(B) award to the full value of the educational award under such subtitle for which the individual would otherwise have been eligible.

(d) Waivers.—In carrying out section 129 of the Corporation for National and Community Service Act of 1990 (42 U.S.C. 12581 et seq.), the Chief Executive Officer may—

(1) extend the term of service for participants for whom the grant recipients shall maintain a pro rata amount of grant funds, at the discretion of the Corporation for National and Community Service, for participants who exited, were suspended, or are serving in a limited capacity due to COVID-19, to enable the grant recipients to maintain operations and to assist participants.

(e) EXTENSION OF TERMS AND AGE LIMITS.—Notwithstanding any other provision of law, the Corporation for National and Community Service may extend the term of service (for a period not to exceed the 1-year period immediately following the end of the national emergency) or waive any upper age limit (except in case the maximum age exceed 26 years of age) for national service programs described in section 129(f) of such Act, to assist participants.

(f) Definitions.—Except as otherwise provided, in this section the term "qualified emergency" means an emergency that—

(1) beginning on August 1, 2020, carry out a limited capacity due to COVID-19, to assist participants.

(2) is a reduction of tax refund by amount of total amount used to respond to a qualifying emergency.

SEC. 3515. WORKFORCE RESPONSE ACTIVITIES.

(a) STATEWIDE RAPID RESPONSE.—Of the funds reserved by a Governor for program year 2019 for statewide activities under section 133(a)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3173(a)(2)) that remain unobligated, such funds may be used for statewide rapid response activities as described in section 136(d)(2)(A) of such Act (29 U.S.C. 3173(a)(2)(A)) for responding to a qualifying emergency.

(b) LOCAL BOARDS.—Of the funds reserved by a Governor for program year 2019 under section 133(a)(2) of such Act (29 U.S.C. 3173(a)(2)) that remain unobligated, such funds may be released within 30 days after enactment of this Act to the local boards most impacted by the coronavirus at the discretion of the Governor for rapid response activities related to responding to a qualifying emergency.

(c) Definitions.—Except as otherwise provided, in this section the term "local board" means the local government that is the lead entity that is responsible for funding the local Workforce Investment Board.
(B) the wait-out period set forth in section 313(d) of the Higher Education Act of 1965 (20 U.S.C. 1059(d));

(C) the allotment requirements under paragraphs (b), (c), and (d) of section 313 of the Higher Education Act of 1965 (20 U.S.C. 1059(e)), and the reference to "the academic year preceding the beginning of that fiscal year" in subtitle (A) of section 312(a);

(D) the allotment requirements under subsections (b), (c), and (g) of section 324 of the Higher Education Act of 1965 (20 U.S.C. 1063b), the requirements "the end of the school year preceding the beginning of that fiscal year" under such section 324(a), and the reference to "the academic year preceding such fiscal year" in section 312(b);

(E) subparagraphs (A), (C), (D), and (E) of section 326(f)(3) of the Higher Education Act of 1965 (20 U.S.C. 1063b(f)(3)), and references to "previous academic year" under such section 326(f)(3); (B) subparagraph (B) of such section 326(f)(3); and

(G) the allotment restriction set forth in section 318(d)(4) and section 323(c)(2) of the Higher Education Act of 1965 (20 U.S.C. 1063b(d)(4); 1063b(c)(2)); and

(2) waive or modify any statutory or regulatory provision to ensure that institutions that were receiving assistance under title III, title V, or part A of title VII of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.; 1136a et seq.) and not expended or used for the purposes for which the funds were paid to the institution during the 5-year period following the date on which the funds were first paid to the institution, may be carried over and expended during the succeeding 5-year period.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, and every 180 days thereafter for the duration of the period beginning on the first day of the qualifying emergency and ending on September 30 of the fiscal year following the end of the qualifying emergency, the Secretary shall submit to the authorizing committees (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) a report that identifies each institution of higher education or other grant recipient that received a modification under this section.

SEC. 3519. SERVICE OBLIGATIONS FOR TEACHING PERIOD.

(a) TEACH GRANTS.—For the purpose of section 420N of the Higher Education Act of 1965 (20 U.S.C. 1078–2), during a qualifying emergency, the Secretary shall submit to the authorizing committees (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) a report that identifies each institution of higher education or other grant recipient that received a modification under this section.

(b) TEACHER LOAN FORGIVENESS.—Notwithstanding any other provision of the Higher Education Act of 1965 (20 U.S.C. 1070g–2), during a qualifying emergency, the Secretary shall submit to the authorizing committees (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) a report that identifies each institution of higher education or other grant recipient that received a modification under this section.

(c) LIMITATIONS.—An employer shall not be required to pay more than either—

(1) $511 per day and $5,110 in the aggregate for each employee, when the employee is taking leave for a reason described in paragraph (1), (2), or (3) of section 5102(a); or

(2) $300 per day and $2,000 in the aggregate for each employee, when the employee is taking leave for a reason described in paragraph (4), (5), or (6) of section 5102(a).".

SEC. 3603. UNEMPLOYMENT INSURANCE.

Section 903(h)(2)(B) of the Social Security Act (42 U.S.C. 628(h)(2)(B)) is amended by striking clause (ii) and inserting the following:

"(ii) in the case of an eligible employee, an employer shall not be required to maintain the eligibility of the employee for unemployment insurance benefits for the time period during which the employee is taking leave for a reason described in paragraph (1), (2), or (3) of section 5102(a); or

(2) $300 per day and $2,000 in the aggregate for each employee, when the employee is taking leave for a reason described in paragraph (4), (5), or (6) of section 5102(a).".

SEC. 3604. OMNI WAIVER OF PAID FAMILY AND PAID SICK LEAVE.

(a) FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section 110(a) of title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.) (as added by division C of the Families First Coronavirus Response Act) is amended by adding at the end the following new paragraph:

"(4) The Director of the Office of Management and Budget shall have the authority to exclude for good cause from the requirements under subsection (b) certain employers of the United States Government with respect to certain categories of Executive Branch employees."

(b) EMERGENCY PAID SICK LEAVE ACT.—The Emergency Paid Sick Leave Act (division E of title I of the Families First Coronavirus Response Act) is amended by adding at the end the following new section:

"SEC. 5112. AUTHORITY TO EXCLUDE CERTAIN EMPLOYEES.

"The Director of the Office of Management and Budget shall have the authority to exclude for good cause from the definition of eligible employees under subsection (b) certain employees described in subparagraphs (E) and (F) of such section, including by exempting certain United States Government employers covered by section 3102(2)(A)(i)(V) from the requirements of this title with respect to certain categories of Executive Branch employees.".

SEC. 3605. PAID LEAVE FOR RETIRED EMPLOYEES.

Section 110(a)(1)(A) of the Family and Medical Leave Act of 1993, as added by section 3102(b) of the Families First Coronavirus Response Act, is amended to read as follows:

"(A) ELIGIBLE EMPLOYEES.—In lieu of the definition in sections 101(2)(A) and 101(2)(B)(i), the term 'eligible employee' means an employee who has been employed for at least 30 calendar days by the employer with respect to whom leave is requested under section 512(a)(1)(F).

(b) RULE REGARDING RETIRED EMPLOYEES.—For purposes of clause (i), the term 'employer' for the first 30 calendar days, used with respect to an employee and an employer described in clause (i), includes an employee who was laid off by that employer not earlier than March 1, 2020, who worked for the employer for not less than 30 of the last 60 calendar days prior to the employee's layoff, and was rehired by the employer.

SEC. 3606. ADVANCE REFUNDING OF CREDITS.

(a) PAYROLL CREDIT FOR REQUIRED PAID SICK LEAVE.—Section 5012 of division G of the CARES Act (division E of the Families First Coronavirus Response Act) is amended by adding at the end the following:

"(f) LIMITATIONS.—An employer shall not be required to refund any payroll credit under—

(1) $511 per day and $5,110 in the aggregate for each employee, when the employee is taking leave for a reason described in paragraph (1), (2), or (3) of section 5102(a); or

(2) $300 per day and $2,000 in the aggregate for each employee, when the employee is taking leave for a reason described in paragraph (4), (5), or (6) of section 5102(a).".

SEC. 3607. WORKING AT HOME.

Section 5012(h)(1)(A) of the Families First Coronavirus Response Act (division E of title I of the Families First Coronavirus Response Act) is amended by—

(1) in subsection (b)(4)(A)—

(A) by striking "(A) In general.—"; and

(B) by adding at the end the following:
“(ii) ADVANCING CREDIT.—In anticipation of the credit, including the refundable portion under clause (i), the credit may be advanced, according to forms and instructions provided by the Secretary, up to an amount calculated under subsection (a), subject to the limits under subsection (b), both calculated through the end of the most recent payroll period before the quarter.”; and

(2) in subsection (b)—

(A) in paragraph (4), by striking “,” and inserting “,”; and

(B) in paragraph (5), by striking the period at the end and inserting “,” and”; and

(C) by adding at the end the following:

“(6) regulations or other guidance to permit the advancement of the credit determined under subsection (a).”; and

(3) by inserting after subsection (b) the following new subsection:

“(1) TREATMENT OF DEPOSITS.—The Secretary of the Treasury (or the Secretary’s delegate) shall waive any penalty under section 6656 of the Internal Revenue Code of 1986 for any failure to make a deposit of the tax imposed by section 3311(a) or 3292(a) of such Code if the Secretary determines that such failure was due to the anticipation of the credit under this section.”;

(b) PUBLISH CREDIT FOR REQUIRED PAID FAMILY LEAVE.—Section 7003 of division G of the Families First Coronavirus Response Act is amended—

(1) in subsection (b)—

(A) by striking “‘If the amount’” and inserting “‘(A) Credit is refundable.—If the amount’”; and

(B) by adding at the end the following:

“(B) ADVANCING CREDIT.—In anticipation of the credit, including the refundable portion under paragraph (A), the credit may be advanced, according to forms and instructions provided by the Secretary, up to an amount calculated under subsection (a), subject to the limits under subsection (b), both calculated through the end of the most recent payroll period in the quarter.”;

(2) in subsection (f)—

(A) in paragraph (4), by striking “,” and inserting “,”; and

(B) by adding after the semicolon the following:

“(6) regulations or other guidance to permit the advancement of the credit determined under subsection (a).”; and

(c) by inserting after subsection (b) the following new subsection:

“(1) TREATMENT OF DEPOSITS.—The Secretary of the Treasury (or the Secretary’s delegate) shall waive any penalty under section 6656 of the Internal Revenue Code of 1986 for any failure to make a deposit of the tax imposed by section 3311(a) or 3292(a) of such Code if the Secretary determines that such failure was due to the anticipation of the credit allowed under this section.”;

SEC. 3607. EXPANSION OF DOL AUTHORITY TO DELAY CERTAIN DEADLINES.

Section 518 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1148) is amended by striking “or a terroristic or military action (as defined in section 692(c)(2) of such Code), the Secretary may” and inserting “a terroristic or military action (as defined in section 692(c)(2) of such Code), the Secretary may”;

(a) in the matter preceding subparagraph (B), by inserting “(A),” and “(B),” after the semicolon; and

“(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2018.”;

SEC. 3610. FEDERAL CONTRACTOR AUTHORITY.

Notwithstanding any other provision of law, subject to the availability of appropriated funds, any agency of the Federal Government, including any Federal contractor or subcontractor, may perform work on a contract or subcontract for which it has been awarded a contract or subcontract, in the absence of the contractor or subcontractor’s consent, without incurring liability for performance of work as a contractor or subcontractor, and in such circumstances the United States shall, to the extent permitted by law and the applicable contract or subcontract, be entitled to enforce its rights against the contractor or subcontractor, including the right to recover any payment made by the United States to the contractor or subcontractor in connection with the work performed, and, in any such action, may use any appropriated funds of the United States, including any funds under the emergency paid sick leave program, to pay workmen’s wages and salaries on the work performed by the contractor or subcontractor, and to pay any other amounts necessary to the performance of the work performed by the contractor or subcontractor.”;

SEC. 3611. TECHNICAL CORRECTIONS.

(1) Section 110(a)(3) of the Family and Medical Leave Act of 1993 (as added by the Emergency and Medical Leave Expansion Act) is amended by striking “553(d)(A)” and inserting “553(d)(3)’’.

(2) Section 5111 of the Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended by striking “553(d)(A)” and inserting “553(d)(3)”.

(3) Section 110(c)(4) of the Family and Medical Leave Act of 1993 (as added by the Emergency and Medical Leave Expansion Act) is amended by striking “subsection (a)(2)(A)(iii)” and inserting “subsection (a)(3)”.

(4) Section 3104 of the Emergency Family and Medical Leave Expansion Act (division C of the Families First Coronavirus Response Act) is amended—

(A) by striking “110(a)” and inserting “110(a)(1)”;

(B) by striking “section 107(a)” and inserting “section 107(a)(1)”;

(C) by striking “section 107(a)” and inserting “section 107(a)(1)”;

(D) by striking “section 107(a)” and inserting “section 107(a)(1)”; and

(E) by striking “section 107(a)” and inserting “section 107(a)(1)”.

(5) Section 5101 of the Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended—

(A) in the matter preceding subparagraph (A), by striking “terms” and inserting “term”;

(B) by striking “subsection (a)(1)” and inserting “subsection (a)(2)”;

(C) by striking “subsection (a)(1)” and inserting “subsection (a)(2)”;

(D) by striking “subsection (a)(1)” and inserting “subsection (a)(2)”; and

(E) by striking “subsection (a)(1)” and inserting “subsection (a)(2)”.

(6) Section 5101 of the Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended by striking “section 107(a)” and inserting “section 107(a)(1)”.

(7) Section 110(a)(3) of the Family and Medical Leave Act of 1993 (as added by the Emergency and Medical Leave Expansion Act) is amended—

(A) by striking “and” after the semicolon at the end of subparagraph (A); and

(B) by striking the period at the end of subparagraph (B) and inserting “.”;

(C) by adding at the end the following:

“(C) as necessary to carry out the purposes of this Act, including to ensure consistency between section 101(4)(A)(i) of the Family and Medical Leave Act of 1993 and section 110(c) of the Families First Coronavirus Response Act.”.
(8) Section 5104(1) of the Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended by striking “and” after the semicolon and inserting “, and”.

(9) Section 5105 of the Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended by adding at the end the following new subparagraph:

“(c) INVESTIGATIONS AND COLLECTION OF DATA.—The Secretary of Labor or his designee may investigate and gather data to ensure compliance with this Act in the same manner as authorized by sections 9 and 11 of the Fair Labor Standards Act of 1938 (29 U.S.C. 209 and 211).”

Subtitle D—Finance Committee

SEC. 3701. EXEMPTION FOR TELEHEALTH SERVICES.

(a) In General.—(Paragraph (2) of section 223(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(1) MENTRUAL CARE PRODUCT.—For purposes of this subparagraph, amounts paid for menstrual care products shall be treated as paid for medical care.”;

and

(b) Certain Coverage Disbursed.—Clause (c)(1)(B) of section 1135(g)(1) of the Internal Revenue Code of 1986 is amended by striking “or long-term care” and inserting “long-term care, or (in the case of plan years beginning on or before December 31, 2021) telehealth and other remote care services.”.

(c) Effective Date.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 3702. INCLUSION OF CERTAIN OVER-THE-COUNTER MEDICAL PRODUCTS AS MEDICAL EXPENSES.

(a) HSAs.—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking the last sentence of subparagraph (A) and inserting the following: “For purposes of this subparagraph, amounts paid for menstrual care products shall be treated as paid for medical care.”;

and

(2) by adding at the end the following new subparagraph:

“(D) MENSTRUAL CARE PRODUCT.—For purposes of this subparagraph, the term ‘menstrual care product’ means a tampon, pad, liner, cup, sponge, or similar product used by individuals with respect to menstruation or other women’s health conditions.”.

(b) Archer MSAs.—Section 220(d)(2)(A) of such Code is amended by striking the last sentence and inserting the following: “For purposes of this subparagraph, amounts paid for menstrual care products (as defined in section 223(d)(2)(B)) shall be treated as paid for medical care.”

(c) Health Flexible Spending Arrangements and Health Reimbursement Arrangements.—Section 106 of such Code is amended by striking the last sentence and inserting the following new subsection:

“(f) REIMBURSEMENTS FOR MENSTRUAL CARE PRODUCTS.—Subsections (A) and (B) of this section and section 105, expenses incurred for menstrual care products (as defined in section 223(d)(2)(D)) shall be treated as incurred for medical care.”

(d) Effective Dates.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendment made by this section shall apply to amounts paid after December 31, 2019.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred after December 31, 2019.

SEC. 3703. INCREASING MEDICARE TELEHEALTH FLEXIBILITIES DURING EMERGENCY PERIOD.

Section 1135 of the Social Security Act (42 U.S.C. 1320d-5) is amended—

(1) in subsection (b)(8), by striking “to an individual by a qualified provider (as defined in section (g)(3))” and all that follows through the period and inserting “, the Secretary may implement such payment methods to ensure sufficient telehealth providers to meet the telehealth needs of individuals during the emergency period.”;

and

(2) in subsection (g), by striking paragraph (3).

SEC. 3704. ENHANCING MEDICARE TELEHEALTH SERVICES FOR FEDERALLY QUALIFIED HEALTH CENTERS AND RURAL HEALTH CENTERS DURING EMERGENCY PERIOD.

Section 1834(m) of the Social Security Act (42 U.S.C. 1395cc(m)) is amended—

(1) in the first sentence of paragraph (1), by striking “The Secretary” and inserting “Subject to paragraph (8), the Secretary”;

(2) in paragraph (2)(A), by striking “The Secretary” and inserting “Subject to paragraph (8), the Secretary”;

(3) in paragraph (4)—

(A) in subparagraph (A), by striking “The term” and inserting “Subject to paragraph (8), the term”;

and

(B) in subparagraph (F)(1), by striking “the term” and inserting “Subject to paragraph (8), the term”;

and

(4) by adding at the end the following new paragraph:

“(B) ENHANCING TELEHEALTH SERVICES FOR FEDERALLY QUALIFIED HEALTH CENTERS AND RURAL HEALTH CENTERS DURING EMERGENCY PERIOD.—

“(A) In general.—During the emergency period described in section 1135(g)(1)(B)—

“(i) the Secretary shall pay for telehealth services that are furnished via a telecommunication system by a Federally qualified health center or a rural health clinic to an eligible telehealth individual; and

“(ii) for purposes of this subsection—

“(I) the term ‘telehealth’ means—

“(aa) the furnishing of a telehealth service to an eligible telehealth individual that is not at the same location as the eligible telehealth individual; and

“(bb) the term ‘eligible telehealth individual’ means an individual who is—

“(AA) a beneficiary of the Medicare program described in section 1839; or

“(BB) a beneficiary of the Medicare program described in section 1839 who is under the methodology for all-inclusive rates (established by the Secretary) under section 1833 (a)(3).”;

and

(2) SEC. 3705. TEMPORARY WAIVER OF REQUIREMENTS TO PAY DOLLAR AMOUNTS BETWEEN HOME DIALYSIS PATIENTS AND PHYSICIANS.

Section 1861(o)(3)(B) of the Social Security Act (42 U.S.C. 1395f(a)(7)(D)(i)) is amended—

(1) in clause (i), by striking “clause (ii)” and inserting “clauses (ii) and (iii)”;

(2) by striking “clauses (ii) and” and inserting “clauses (ii)”;

and

(3) by adding at the end the following new clause:

“(iii) The Secretary may waive the provisions of clause (ii) during the emergency period described in section 1135(g)(1)(B).”

and

(4) SEC. 3706. USE OF TELEHEALTH TO CONDUCT FACE-TO-FACE ENCOUNTER PRIOR TO CERTIFICATION OF ELIGIBILITY FOR HOSPICE CARE DURING EMERGENCY PERIOD.

Section 1918(d)(1)(B)(i) of the Social Security Act (42 U.S.C. 1395xx(d)(1)(B)(i)) is amended—

(1) by striking “a hospice” and inserting “a hospice or hospice program”;

(2) by striking “(ii) the amount of payment” and inserting “(ii) the amount of payment to the hospice or hospice program”;

and

(3) by adding the following new paragraph:

“(B) ENHANCING TELEHEALTH SERVICES FOR FEDERALLY QUALIFIED HEALTH CENTERS AND RURAL HEALTH CENTERS DURING EMERGENCY PERIOD.—

“(B)(1) The Secretary shall pay for telehealth services that are furnished via a telecommunication system by a Federally qualified health center or a rural health clinic to an eligible telehealth individual that is not at the same location as the eligible telehealth individual under the telehealth services; and

“(ii) during the emergency period described in section 1135(g)(1)(B), a hospice physician or nurse practitioner may conduct a face-to-face encounter required under this clause via telehealth, as determined appropriate by the Secretary; and”.

and

(4) SEC. 3707. ENCOURAGING USE OF TELECOMMUNICATIONS SYSTEMS FOR HOME HEALTH SERVICES FURNISHED DURING EMERGENCY PERIOD.

With respect to home health services (as defined in section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)) that are furnished during the emergency period described in section 1135(g)(1)(B) of such Act (42 U.S.C. 1320b–35(g)(1)(B)), the Secretary of Health and Human Services shall consider ways to encourage the use of telecommunication systems, including for remote patient monitoring as described in section 409.95(e) of title 42, Code of Federal Regulations, or any successor regulation, and other communications or monitoring services, consistent with the plan of care for the individual, including by clarifying guidance and conducting outreach.

and

(5) SEC. 3708. IMPROVING CARE PLANNING FOR HOME HEALTH SERVICES.

(a) Part A Provisions.—Section 1811(a) of the Social Security Act (42 U.S.C. 1395f(a)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)” after “physician” the first 2 times it appears; and

and

(b) in subparagraph (C), by adding at the end the following new subparagraph:

“(i) by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)” after “physician” the first 2 times it appears; and

(by inserting “, and, in the case of a certification made by a physician or nurse practitioner, clinical nurse specialist, or physician assistant (as the case may be)” after “physician” the first 2 times it appears; and

and

(c) by striking “, or by a physician assistant” and inserting “, or by a nurse practitioner, clinical nurse specialist, or physician assistant”.
may be) after a date specified by the Secretary (but in no case later than the date that is 6 months after the date of the enactment of the CARES Act), prior to making such certification or certification, clinical nurse specialist, or physician assistant must document that a physician, nurse practitioner, clinical nurse specialist, certified nurse-midwife (as defined in section 1861(gg)) as authorized by State law, or physician assistant has had a face-to-face encounter;

(2) in the third sentence—
(A) by striking “physician certification” and inserting “certification”;
(B) by inserting “in the case of regulations to implement the amendments made by section 3708 of the CARES Act the Secretary shall prescribe regulations which shall become effective no later than 6 months after the date of the enactment of such Act)” after “1981”;
(C) by striking “a physician who” and inserting “a physician, nurse practitioner, clinical nurse specialist, or physician assistant who”;
(D) in the fifth sentence, by inserting “, nurse practitioner, clinical nurse specialist, or physician assistant” after “physician”;
(E) in the sixth sentence—
(A) by inserting “or no later than 6 months after the date of the enactment of the CARES Act for purposes of certification and recertification made under paragraph (2) by a nurse practitioner, clinical nurse specialist, or physician assistant,” after “January 1, 2019”;
(B) by inserting “, nurse practitioner, clinical nurse specialist, or physician assistant” after “of the physician”;
(F) DEFINITION PROVISIONS.—
(1) HOME HEALTH SERVICES.—Section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)) is amended—
(A) in the matter preceding paragraph (1)—
(i) by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant” after “physician”;
(ii) by striking “o’” after “in the case of services described in subparagraph (A), a physician”;
(2) in the third sentence—
(i) by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant” after “physician”;
(3) in the fourth sentence, by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant” after “physician”;

(b) PART B PROVISIONS.—Section 1835(a) of the Social Security Act (42 U.S.C. 1395ff(a)) is amended—

(1) in paragraph (2)—
(A) in the matter preceding subparagraph (A)—
(i) by inserting “, a nurse practitioner, clinical nurse specialist, or physician assistant” after “physician”;

(ii) by striking “after January 1, 2010” and all that follows through “face-to-face encounter” and inserting “made by a physician after January 1, 2010, or by a nurse practitioner, clinical nurse specialist, or physician assistant, as the case may be” after “physician”;

(2) in the subparagraph—
(i) by striking “at the time of discharge” and inserting “at the time of discharge, who is in accordance with State law, who is” after “in the case of services described in subparagraph (A), a physician”;

(ii) by striking “or” after “physician”;

(B) in subparagraph (A)—

(i) in each of clauses (ii) and (iii) of subparagraph (A), by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)” after “physician”;

(ii) in clause (iv), by striking “after January 1, 2010” and all that follows through “face-to-face encounter” and inserting “made by a physician after January 1, 2010, or by a nurse practitioner, clinical nurse specialist, or physician assistant, as the case may be” after “physician”;

(C) by striking “clinical nurse specialist, certified nurse-midwife (as defined in section 1861(gg)) as authorized by State law, or physician assistant has had a face-to-face encounter”;

(2) in the third sentence, by inserting “, a nurse practitioner, clinical nurse specialist, or physician assistant (as the case may be)” after “physician”;

(3) in the fourth sentence—
(A) by striking “physician certification” and inserting “certification”;

(B) by inserting “in the case of regulations to implement the amendments made by section 3708 of the CARES Act the Secretary shall prescribe regulations which shall become effective no later than 6 months after the date of the enactment of such Act)” after “1981”;

(C) by striking “a physician who” and inserting “a physician, nurse practitioner, clinical nurse specialist, or physician assistant who”;

(D) in the fifth sentence, by inserting “, nurse practitioner, clinical nurse specialist, or physician assistant” after “physician”;

(E) in the sixth sentence—
(A) by inserting “or no later than 6 months after the date of the enactment of the CARES Act for purposes of certification and recertification made under paragraph (2) by a nurse practitioner, clinical nurse specialist, or physician assistant,” after “January 1, 2019”;

(B) by inserting “, nurse practitioner, clinical nurse specialist, or physician assistant” after “of the physician”;

(c) DEFINITION PROVISIONS.—
(1) HOME HEALTH SERVICES.—Section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)) is amended—

(A) in the matter preceding paragraph (1)—

(i) by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant” after “physician”;

(ii) by striking “o’” after “in the case of services described in subparagraph (A), a physician”;

(2) in the third sentence—

(i) by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant” after “physician”;

(ii) by striking “physician certification” and inserting “certification”;

(3) in the fourth sentence, by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant” after “physician”;

(d) HOMEPATH PROSPECTIVE PAYMENT SYSTEM PROVISIONS.—Section 1851 of the Social Security Act (42 U.S.C. 1395f(dd)) is amended—

(1) in subsection (c)(1)—
(A) by striking “(provided under section 1842)”;

(B) by inserting “, the nurse practitioner or clinical nurse specialist (as those terms are defined in section 1861(aa)(5)), or the physician assistant (as defined in section 1861(aa)(5))” after “physician”;

(2) in subsection (e)—
(A) in paragraph (1)(A), by inserting “, a nurse practitioner or clinical nurse specialist, or a physician assistant” after “physician”;

(B) by inserting “, the nurse practitioner or clinical nurse specialist (as those terms are defined in section 1861(aa)(5)), or the physician assistant (as defined in section 1861(aa)(5))” after “physician”;

(e) APPLICATION TO MEDICAID.—The amendments made under this section shall apply under title XIX of the Social Security Act in the same manner and to the same extent as such requirements apply under title XVIII of such Act or regulations promulgated thereunder.

(f) EFFECTIVE DATE.—The Secretary of Health and Human Services shall prescribe regulations to apply the amendments made by this section to its implementation, which shall become effective no later than 6 months after the date of the enactment of this legislation. The Secretary shall promulgate an interim final rule if necessary, to comply with the required effective date.

SEC. 3709. ADJUSTMENT OF SEQUESTRATION.

(A) TEMPORARY SUSPENSION OF MEDICARE SEQUESTRATION.—During the period beginning on May 1, 2020 and ending on December 31, 2020, the Medicare programs under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) shall be exempt from reduction under any sequestration order issued before, on, or after the date of enactment of this Act.

(b) EXTENSION OF DIRECT SPENDING REDUCTIONS THROUGH FISCAL YEAR 2030.—Section 251(g)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(b)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking “through 2029” and inserting “through fiscal year 2030”;

(2) in subparagraph (C), in the matter preceding clause (i), by striking “fiscal year 2029” and inserting “fiscal year 2030”.

SEC. 3710. MEDICARE HOSPITAL INPATIENT PROSPECTIVE PAYMENT SYSTEM ADDITIONAL PAYMENT FOR COVID–19 PATIENTS DURING EMERGENCY PERIOD.

(a) IN GENERAL.—Section 1886(d)(4)(C) of the Social Security Act (42 U.S.C. 1395ww(d)(4)(C)) is amended by adding at the end the following new clause:

“(iv)(I) For discharges occurring during the emergency period described in section 1135(k)(1)(B), in the case of a discharge of an individual diagnosed with COVID–19, the Secretary shall increase the weighting factor that would otherwise apply to the diagnosis-related group to which the discharge is assigned by 20 percent. The Secretary shall identify a discharge of such an individual through the use of diagnosis codes, condition codes, or other such means as may be necessary.

“(II) Any adjustment under clause (I) shall not be taken into account in applying budget neutrality under clause (iii)

“(III) In the case of a State for which the Secretary has waived the application of section under the authority of section 1115A, nothing in this section shall preclude such State from implementing an adjustment similar to the adjustment under clause (I).”;

(b) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary shall prescribe any regulations necessary, to comply with the required effective date.

SEC. 3711. INCREASING ACCESS TO POST-ACUTE CARE DURING EMERGENCY PERIOD.

(A) WAIVER OF IRF 3-HOUR RULE.—With respect to inpatient rehabilitation services furnished by a rehabilitation facility described in section 1886(o)(1) of the Social Security Act (42 U.S.C. 1395ww(d)(4)(C)) during the emergency period described in section 1135(k)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(4)(C)), the Secretary of Health and Human Services shall waive section 412.622(a)(3)(ii) of title 42, Code of Federal Regulations (or any successor regulations relating to the furnishing to patients of an inpatient rehabilitation facility receive at least 15 hours of therapy per week.
(b) **WAIVER OF SITE-NEUTRAL PAYMENT RATE PROVISIONS FOR LONG-TERM CARE HOSPITALS.—**With respect to inpatient hospital services furnished by a long-term care hospital described in section 1881(s)(1)(B) of the Social Security Act (42 U.S.C. 1395w(d)(1)(B)(iv)) during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)), the Secretary of Health and Human Services shall waive the following provisions of section 1128(m)(6) of such Act (42 U.S.C. 1395ww(m)(6)):

(1) **LTCN 50-PERCENT RULE.—**Subparagraph (A)(ii) of such section, relating to the payment for services furnished by long-term care hospitals that do not have a discharge payment percentage for the period that is at least 50 percent.

(2) **SITE-NEUTRAL IPPS PAYMENT RATE.—**Subparagraph (A)(i) of such section, relating to the application of the site-neutral payment rate (and payment shall be made to a long-term care hospital, without regard to such section) for a discharge if the admission occurs during such emergency period and is in response to the public health emergency described in section 1135(g)(1)(B).

**SEC. 3712. REVISIONING PAYMENT RATES FOR DURABLE MEDICAL EQUIPMENT UNDER TITLE X.**

(a) **RURAL AND NONCONTIGUOUS AREAS.—**The Secretary of Health and Human Services shall implement section 414.210(g)(9)(iii) of title 42, Code of Federal Regulations (or any successor regulation), to apply the transition rule described in such section to all applicable items and services furnished in rural areas and noncontiguous areas (as such terms are defined for purposes of such section) as planned through December 31, 2020, and through the duration of the emergency period described in section 1135(s)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)), if longer.

(b) **AREAS OTHER THAN RURAL AND NONCONTIGUOUS AREAS.—**With respect to items and services furnished on or after the date that is 30 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall apply section 414.210(g)(9)(iii) of title 42, Code of Federal Regulations (or any successor regulation), as if the reference to “dates of service from June 1, 2020, to December 31, 2020” based on the fee schedule amount for the area is equal to 100 percent of the adjusted payment amount established under this section was instead “dates of service from March 6, 2020, through the remainder of the duration of the emergency period described in section 1135(s)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B))”, based on the fee schedule amount for the area is equal to 75 percent of the adjusted payment amount established under this section and 25 percent of the under the schedule amount.

**SEC. 3713. COVERAGE OF THE COVID-19 VACCINE UNDER PART B OF THE MEDICARE PROGRAM WITHOUT ANY COST-SHARING.**

(a) **MEDICAL AND OTHER HEALTH SERVICES.—**Section 1861(s)(10)(A) of the Social Security Act (42 U.S.C. 1395(s)(10)(A)) is amended by inserting “, and COVID-19 vaccinete and its administration” after “influenza vaccinete and its administration”.

(b) **PART B DEDUCTIBLE.—**The first sentence of section 1833(b) of the Social Security Act (42 U.S.C. 1395l(b)) is amended—

(1) by inserting “(1) after “(h)”;

(2) by inserting “, home and community-based services provided under subsection (c), and (6) interference with or waiver or demonstration project under section 1115, self-directed personal assistance services provided pursuant to a written plan of care under section 1115(n), and home and community-based attendant services and supports under section 1115(k)” before the period; and

(3) by adding at the end:

"(2) Nothing in this title, title XVIII, or title XI shall be construed as prohibiting receipt of any care or services specified in paragraph (1) in an acute care hospital that are 

"(A) identified in an individual’s person-centered service plan (or comparable plan of care);

"(B) provided to meet needs of the individual that are not met through the provision of hospital services; 

"(C) not a substitute for services that the hospital is obligated to provide through its conditions of participation or under Federal or State law, or under another applicable regulation; and 

"(D) designed to ensure smooth transitions between acute care settings and home and community-based settings, and to preserve the individual's functional abilities."

**SEC. 3716. CLARIFICATION REGARDING UNINSURED INDIVIDUALS.**

Subsection (s) of section 1222 of the Social Security Act (42 U.S.C. 1396a), as added by section 6004(a)(3)(C) of the Families First Coronavirus Response Act, is amended—

(1) in paragraph (1), by inserting “(exclud- ing subparagraphs (A) and (B) of such sub- section if the individual is a resident of a State which does not furnish medical assistance to individuals described in such subclause) before the semicolon; and

(2) in paragraph (2), by inserting “, except that individuals who are eligible for medical assistance under subsection (a)(10)(D)(i)(XII).” after subsection (a)(10)(A)(i)(XXIV).

**SEC. 3717. CLARIFICATION REGARDING COVERAGE OF COVID-19 TESTING PRODUCTS.**

Subparagraph (B) of section 1904(a)(3) of the Social Security Act (42 U.S.C. 1395l(b)) is amended by adding the following new clause:

"(B) in clause (iv), by striking “March 31, 2021” and inserting “March 31, 2022”.

**SEC. 3718. REEVRED PHASE-IN OF REDUCTIONS FROM PRIVATE PAYOR RATE IMPLEMENTATION.**

Subparagraph (A) of section 1904(a)(3) of the Social Security Act (42 U.S.C. 1395l(b)) is amended—

(1) by inserting “(1) after “(h)”;

(2) by inserting “, home and community-based services provided under subsection (c), and (6) interference with or waiver or demonstration project under section 1115, self-directed personal assistance services provided pursuant to a written plan of care under section 1115(n), and home and community-based attendant services and supports under section 1115(k)” before the period; and

(3) by adding at the end:

"(2) Nothing in this title, title XVIII, or title XI shall be construed as prohibiting receipt of any care or services specified in paragraph (1) in an acute care hospital that are 

"(A) identified in an individual’s person-centered service plan (or comparable plan of care);

"(B) provided to meet needs of the individual that are not met through the provision of hospital services; 

"(C) not a substitute for services that the hospital is obligated to provide through its conditions of participation or under Federal or State law, or under another applicable regulation; and 

"(D) designed to ensure smooth transitions between acute care settings and home and community-based settings, and to preserve the individual's functional abilities."

**D**
SEC. 3719. EXPANSION OF THE MEDICARE HOSPITAL ACCEPTED PAYMENT PROGRAM DURING THE COVID-19 PUBLIC HEALTH EMERGENCY.

Section 1815 of the Social Security Act (42 U.S.C. 1395p) is amended—

(1) in subsection (e)(3), by striking "In the case" and inserting "Subject to subsection (f), in the case"; and

(2) by adding at the end the following new subsection:

"'(f) During the emergency period described in section 1135(g)(1)(B), the Secretary shall expand the program under subsection (e)(3) pursuant to paragraph (2);

'(2) In expanding the program under subsection (e)(3) the Secretary shall apply:

'"'(A) in addition to the hospitals described in subsection (e)(3), the following hospitals shall be eligible to participate in the program:

'"'(i) Hospitals described in clause (ii) of section 1886(d)(1)(B).

'"'(ii) Hospitals described in clause (v) of such section.

'"'(III) Critical access hospitals (as defined in section 1861(mm)(1)).

'"'(ii) Subject to appropriate safeguards against fraud, waste, and abuse, upon a request of a hospital described in clause (i), the Secretary shall provide accelerated payments under the program to such hospital.

'"'(B) in the case of a request of the hospital, the Secretary may do any of the following:

'"'(i) Make accelerated payments on a periodic or lump sum basis.

'"'(ii) Increase the amount of payment that would otherwise be made to hospitals under the program up to 100 percent (or, in the case of critical access hospitals, up to 125 percent).

'"'(iii) Extend the period that accelerated payments cover so that it covers up to a 6-month period.

'"'(C) Upon the request of the hospital, the Secretary shall do the following:

'"'(i) Provide up to 120 days before claims are offset to recoup the accelerated payment.

'"'(II) Allow not less than 12 months from the date of the first accelerated payment before requiring that the outstanding balance be paid in full.

'(3) Nothing in this subsection shall preclude the Secretary from carrying out the provisions described in clauses (i), (ii), and (iii) of paragraph (2)(B) and clauses (i) and (ii) of paragraph (2)(C) under the program under subsection (e)(3) after the period for which this subsection applies.

'(4) Notwithstanding any other provision of law, the Secretary may implement the provisions of this subsection by program instruction or otherwise.".

SEC. 3720. DELAYING REQUIREMENTS FOR ENHANCED FUNDING TO ENABLE STATE LEGISLATION TO BE EFFECTIVE.

Section 6008 of the Families First Coronavirus Response Act is amended by adding at the end the following new subsection:

"'(d) DELAY IN APPLICATION OF PREMIUM REQUIREMENT.—During the 30 day period beginning on the date of enactment of this Act, a State shall not be ineligible for the increase to the Federal medical assistance percentage of the State described in subsection (a) on the basis that the State imposes a premium that violates the requirement of subsection (b)(2) if such premium was in effect on the date of enactment of this Act.

"(2) ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.—(Subsection (b)(1)(B) of such section 119, as so amended, is amended by striking clauses (x) through (xii) and inserting the following new clauses:

'"'(x) for fiscal year 2020, of $7,500,000; and

'"'(xi) for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020.

'"'(xii) for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020.

"(3) ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of such section 119, as so amended, is amended by striking clauses (x) through (xii) and inserting the following new clauses:

'"'(x) for fiscal year 2020, of $5,000,000; and

'"'(xi) for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020.

"(xii) for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020.

"(2) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94).

PART II—MEDICAID PROVISIONS

SEC. 3811. EXTENSION OF THE MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION PROGRAM.

Section 6071 of Title XIX of the Social Security Act (42 U.S.C. 1396n) is amended—

(1) by inserting at the end of section 6071 the following new subsection:

"(2) by adding a new paragraph (3) to such subsection, by striking clauses (x) through (xii) and inserting the following:

'"'(x) for fiscal year 2020, of $37,500,000; and

'(y) for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020.

(2) EFFECTIVE DATE.—(A) The amendments made by subsection (a) shall take effect as if included in the enactment of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94).

(3) ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of such section 119, as so amended, is amended by striking clauses (x) through (xii) and inserting the following new clauses:

'"'(x) for fiscal year 2020, of $5,000,000; and

'(xi) for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020.
such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396i–5).§ 3813. DELAY OF DSH REDUCTIONS.

Section 3810 of the Social Security Act (42 U.S.C. 1396–4(1)(7)(A)) is amended—

(i) in clause (i), in the matter preceding subclause (I), by striking “May 23, 2020, and ending May 22, 2020,” and inserting “December 1, 2020, and ending September 30, 2021, and for each of fiscal years 2022”;

(ii) by striking “(A) in subsection (1), in the matter preceding paragraph (C)(iii), by striking “Military and Veterans Health Services’”; and

(iii) by striking “(C) a degree applicable under subparagraph (B) to amounts expended by a State participating in the demonstration program under this subsection shall—”;

(i) in the case of a State participating in the demonstration program as of January 1, 2020, apply to amounts expended by the State during the 8 fiscal quarter period (or any portion of such period) that begins on January 1, 2020; and

(ii) in the case of a State selected to participate in the demonstration program under this paragraph, the 8 fiscal quarter period (or any portion of such period) that the State participates in a demonstration program.

Section 3814. EXPANSION AND EXPANSION OF COMMUNITY MENTAL HEALTH SERVICES DEMONSTRATION PROGRAM.

(a) In General.—Section 223(d) of the Protection Access to Medicare Act of 2014 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (1)—

(A) in subclause (I), by striking “May 23, 2020, and ending September 30, 2020” and inserting “December 1, 2020, and ending September 30, 2021”;

(B) in subclause (II), by striking “2021” and inserting “2022”.

(b) Selection of States.—Section 513 of the Social Security Act (2 U.S.C. 713) is amended—

(1) in subsection (a)—

(A) by striking “(a) In paragraph (1), in the matter preceeding subclause (I), by striking “The Federal matching percentage applicable under subparagraph (B) to amounts expended by a State participating in the demonstration program under this subsection shall—”;

(ii) by striking “(C) a degree applicable under subparagraph (B) to amounts expended by a State participating in the demonstration program under this subsection shall—”;

(i) in the case of a State participating in the demonstration program as of January 1, 2020, apply to amounts expended by the State during the 8 fiscal quarter period (or any portion of such period) that begins on January 1, 2020; and

(ii) in the case of a State selected to participate in the demonstration program under this paragraph, the 8 fiscal quarter period (or any portion of such period) that the State participates in a demonstration program.

(c) GAO Study and Report on the Community and Mental Health Services Demonstration Program.—

(1) In General.—Subject to paragraph (2), not more than 10 States selected under this paragraph, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on the community and mental health services demonstration program conducted under section 223 of the Protection Access to Medicare Act of 2014 (42 U.S.C. 1396a note) (referred to in this subsection as the “program”).

(2) Content of report.—The report required under paragraph (1) shall include the following information:

(A) Information on States’ experiences participating in the demonstration program, including the extent to which States—

(i) measure the effects of access to certified community behavioral health clinics on patient health and cost of care, including—

(I) engagement in treatment for behavioral health conditions;

(II) relevant clinical outcomes, to the extent collected;

(III) screening and treatment for comorbid medical conditions; and

(IV) use of crisis stabilization, emergency department, and inpatient care.

(B) Information on Federal efforts to evaluate the demonstration program, including—

(i) quality measures used to evaluate the program;

(ii) assistance provided to States on data collection and reporting;

(iii) assessments of the reliability and usefulness of States’ data; and

(iv) the extent to which such efforts provide information on the relative quality, scope, and cost of services as compared with services provided under the demonstration program, and in comparison to Medicaid beneficiaries with mental illness and substance use disorders not served under the demonstration program.

(C) Recommendations for improvements to the following:

(i) The reporting, accuracy, and validation of encounter data.

(ii) Accuracy in payments to certified community behavioral health clinics under State plans or waivers under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

PART III—HUMAN SERVICES AND OTHER HEALTH PROGRAMS

SEC. 3821. EXTENSION OF SEXUAL RISK AVOIDANCE EDUCATION PROGRAM.

Section 510 of the Social Security Act (42 U.S.C. 710) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceeding subparagraph (C)(iii), by striking “The Federal matching percentage applicable under subparagraph (B) to amounts expended by a State participating in the demonstration program under this subsection shall—”;

(ii) by striking “(C) a degree applicable under subparagraph (B) to amounts expended by a State participating in the demonstration program under this subsection shall—”;

(i) in the case of a State participating in the demonstration program as of January 1, 2020, apply to amounts expended by the State during the 8 fiscal quarter period (or any portion of such period) that begins on January 1, 2020; and

(ii) in the case of a State selected to participate in the demonstration program under this paragraph, the 8 fiscal quarter period (or any portion of such period) that the State participates in a demonstration program.

SEC. 3822. EXTENSION OF PERSONAL RESPONSIBILITY AND EMPLOYMENT ACTIVITY PROGRAM.

Section 3821 of the Social Security Act (42 U.S.C. 710) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceeding subclause (I), by striking “2021” and inserting “2022”;

(B) in subclause (II), by striking “November 30, 2020” and inserting “December 1, 2020, and ending September 30, 2021, and for each of fiscal years 2022”;

(i) R EQUIREMENTS FOR SELECTED STATES TO SELECT UNDER PARAGRAPH (1).—Subject to paragraph (8), not more than 10 States selected under this paragraph, the Secretary shall select, and shall not require the submission of any additional application.

(ii) Content of report.—The report required under paragraph (1) shall include the following information:

(A) Information on States’ experiences participating in the demonstration program, including the extent to which States—

(i) measure the effects of access to certified community behavioral health clinics on patient health and cost of care, including—

(I) engagement in treatment for behavioral health conditions;

(II) relevant clinical outcomes, to the extent collected;

(III) screening and treatment for comorbid medical conditions; and

(IV) use of crisis stabilization, emergency department, and inpatient care.

(B) Information on Federal efforts to evaluate the demonstration program, including—

(i) quality measures used to evaluate the program;

(ii) assistance provided to States on data collection and reporting;

(iii) assessments of the reliability and usefulness of States’ data; and

(iv) the extent to which such efforts provide information on the relative quality, scope, and cost of services as compared with services provided under the demonstration program, and in comparison to Medicaid beneficiaries with mental illness and substance use disorders not served under the demonstration program.

(C) Recommendations for improvements to the following:

(i) The reporting, accuracy, and validation of encounter data.

(ii) Accuracy in payments to certified community behavioral health clinics under State plans or waivers under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

PART IV—PUBLIC HEALTH PROVISIONS

SEC. 3823. EXTENSION OF DEMONSTRATION PROJECTS TO ADDRESS HEALTH PROFESSIONS WORKFORCE NEEDS.

Activities authorized by section 2008 of the Social Security Act shall continue through November 30, 2020, in the manner authorized for fiscal year 2019, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the date specified at the pro rata portion of the total amount authorized for such activities in fiscal year 2019.

SEC. 3824. EXTENSION OF THE TEMPORARY ASSISTANCE TO FAMILIES WITHOUT DEPENDENTS PROGRAM AND RELATED PROGRAMS.

Activities authorized by part A of title IV and section 1108(b) of the Social Security Act shall continue through November 30, 2020, in the manner authorized for fiscal year 2019, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

PART V—PUBLIC HEALTH PROVISIONS

SEC. 3851. EXTENSION FOR COMMUNITY HEALTH CENTERS, THE NATIONAL HEALTH SERVICE CORPS, AND TEACHING HEALTH CENTERS THAT OPERATE GME PROGRAMS.

(a) Community Health Centers.—Section 10503(b)(1)(F) of the Patient Protection and Affordable Care Act (42 U.S.C. 254(b)(1)(F)) is amended by striking “$2,575,342,466 for the period beginning October 1, 2019, and ending May 22, 2020” and inserting “$4,000,000,000 for fiscal year 2020, and for the period beginning October 1, 2020, and ending November 30, 2020”.

(b) National Health Service Corps.—Section 10503(b)(2) of the Patient Protection and
Affordable Care Act (42 U.S.C. 254b–2)(b)(2) is amended—

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

(2) by inserting paragraph (G) and inserting the following:

“(G) $310,000,000 for fiscal year 2020; and

“(H) $31,808,219 for the period beginning on October 1, 2020, and ending on November 30, 2020.”

(c) Teaching Health Centers That Operate Graduate Medical Education Programs. —Section 3851 of the Public Health Service Act (42 U.S.C. 256h(g)(1)) is amended by striking “2019,” and striking and inserting “2019,” and striking “2019, and ending on May 22, 2020” and inserting “through fiscal year 2020, and $21,141,086 for the period beginning on October 1, 2019, and ending on November 30, 2019.”

(d) Application of Provisions. —Amounts appropriated pursuant to the amendments made by this section for fiscal year 2020 and for the period beginning on October 1, 2020, and ending on November 30, 2020, shall be subject to the requirements contained in Public Law 116–94 for funds for programs authorized under sections 339 through 340 of the Public Health Service Act (42 U.S.C. 254c through 254d).

(e) Repealing Amendment. —Paragraph (4) of section 300(b)(1) of title 18, United States Code, as amended by section 401(e) of division N of Public Law 116–94, is amended by striking “2019, and $96,575,342 for the period beginning on October 1, 2019, and ending on May 22, 2020” and inserting “through 2020, and $25,068,493 for the period beginning on October 1, 2020, and ending on November 30, 2020.”

(f) Indians. —Section 330C(h)(2)(D) of the Public Health Service Act (42 U.S.C. 254c–3(h)(2)(D)) is amended by striking “and” and inserting “and $25,068,493 for the period beginning on October 1, 2019, and $96,575,342 for the period beginning on October 1, 2019, and ending on May 22, 2020” and inserting “through 2020, and $25,068,493 for the period beginning on October 1, 2020, and ending on November 30, 2020.”

PART V—MISCELLANEOUS PROVISIONS

SEC. 3841. PREVENTION OF DUPLICATE APPROPRIATIONS FOR FISCAL YEAR 2020.

Expenditures under any provision of law amended in this title pursuant to the amendments made by the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Public Law 116–90), the Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (Public Law 116–69), and the Further Consolidated Appropriations Act, 2020, and Health Extenders Act of 2019 (Public Law 116–94) for fiscal year 2020 shall be charged to the applicable appropriation or authorization provided by the amendments made by this title to such provision of law for such fiscal year.

Subtitle F—Over-the-Counter Drugs

PART I—OTC DRUG REVIEW

SEC. 3851. REGULATION OF CERTAIN NONPRESCRIPTION DRUGS THAT ARE MARKETED WITHOUT AN APPROVED DRUG APPLICATION.

(a) Nonprescription Drugs Marketed Without an Approved Application. —Non-prescription drugs marketed without an approved drug application under section 505, as of the date of the enactment of this section, shall be treated in accordance with this subsection:

“(1) Drugs Subject to a Final Monograph. — Category I drugs subject to a tentative final monograph.—A drug is deemed to be a drug subject to a general requirement or an effective under section 201(p)(1), not a new drug under section 201(p), and not subject to section 508(b)(1), if—

“(A) the drug is—

“(i) in conformity with the requirements for nonprescription use of a final monograph issued under part 330 of title 21, Code of Federal Regulations (except as provided in paragraph (2)), the general requirements for nonprescription drugs, and conditions or requirements under subsections (b), (c), and (k); and

“(ii) except as permitted by an order issued under subsection (b) or, in the case of a minor change in the drug, in conformity with an order issued under subsection (c), in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2); or

“(B) the drug is—

“(i) classified in category I for safety and effectiveness under a tentative final monograph that is the most recently applicable proposal or determination issued under part 330 of title 21, Code of Federal Regulations; and

“(ii) in conformity with the proposed requirements for nonprescription use of such tentative final monograph, any applicable subsequent determination by the Secretary, the general requirements for nonprescription drugs, and conditions or requirements under subsections (b), (c), and (k); and

“(iii) except as permitted by an order issued under subsection (b) or, in the case of a minor change in the drug, in conformity with an order issued under subsection (c), in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

“(2) Treatment of Sunscreen Drugs.—With respect to sunscreen drugs subject to this section, the applicable requirements for such drug shall be treated as though such drug has a final monograph, for purposes of paragraph (1)(A)(i), shall be the requirements specified in part 352 of title 21, Code of Federal Regulations, as published in the May 1999, page 27687 of volume 64 of the Federal Register, except that the applicable requirements governing effectiveness and labeling shall be those specified in section 327 of title 21, Code of Federal Regulations.

“(3) Category III Drugs Subject to a Tentative Final Monograph; Category I Drugs Subject to a Proposed Monograph, or Advance Notice of Proposed Rulemaking. —A drug that is not described in paragraph (1), (2), or (4) is not required to be the subject of an application approved under section 505, and is not subject to section 503(b)(1), if—

“(A) the drug is—

“(i) classified in category III for safety or effectiveness in the preamble of a proposed rule establishing a tentative final monograph that is the most recently applicable proposal or determination issued under part 330 of title 21, Code of Federal Regulations; and

“(ii) in conformity with—

“(I) the conditions of use, including indication and dosage strengths, if any, described for such category III drug in such preamble or in an applicable subsequent proposed rule;

“(II) the proposed requirements for drugs classified in such a monograph in category I in the most recently proposed rule establishing requirements related to such tentative final monograph and in any final rule establishing requirements that are applicable to the drug; and

“(III) the general requirements for nonprescription drugs, and conditions or requirements under subsection (b) or (k); and

“(iii) in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2); or

“(B) the drug is—

“(i) classified in category I for safety and effectiveness under a proposed monograph or advance notice of proposed rulemaking that is the most recently applicable proposal or determination for such drug issued under part 330 of title 21, Code of Federal Regulations;

“(ii) in conformity with the requirements for nonprescription use of such proposed monograph or advance notice of proposed rulemaking, any applicable subsequent determination by the Secretary, the general requirements for nonprescription drugs, and conditions or requirements under subsection (b) or (k); and

“(iii) in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

“(4) Category II Drugs Deemed New Drugs. —A drug that is not described in paragraph (1), (2), (3), or (5), or subsection (b)(1)(B)

“(A) Drug Application. —A drug that is not generally recognized as safe and effective in a final determination established requirements that are generally recognized as safe and effective under a final determination issued under part 330 of title 21, Code of Federal Regulations;

“(B) Effect. —A drug or combination of drugs shall be deemed to have been approved under section 505 if such drug or combination of drugs—

“(A) is not subject to section 503(b)(1); and

“(B) is not described in paragraphs (1), (2), (3), or (5), or subsection (b)(1)(B).

“(C) ADMINISTRATIVE DETERMINATION. —The Secretary may, on the initiative of the Secretary or at the request of one or more requestors, issue an administrative order determining whether there are conditions under which a specific drug, a class of drugs, or a combination of drugs, is determined to be—

“(i) not subject to section 503(b)(1); and

“(ii) generally recognized as safe and effective under section 201(p)(1).

“(D) Effect. —A drug or combination of drugs shall be deemed to have been approved under section 505 if such drug or combination of drugs—
“(i) is determined by the Secretary to meet the conditions specified in clauses (i) and (ii) of paragraph (A);

(ii) is marketed in conformity with an administrative order issued under this section other than subparagraph (A);

(iii) meets the general requirements for nonprescription drugs; and

(iv) meets the requirements under subsection (b).

(C) STANDARD.—The Secretary shall find that a drug is not generally recognized as safe and effective under section 201(p)(1); if:

(I) the Secretary finds that the drug is not generally recognized as safe and effective under section 201(p)(1); or

(II) the Secretary determines that it is appropriate to issue a final administrative order.

(2) ADMINISTRATIVE ORDERS INITIATED BY THE SECRETARY.—

(A) IN GENERAL.—In issuing an administrative order under paragraph (1) upon the Secretary’s initiative, the Secretary shall:

(i) make reasonable efforts to notify informally, not later than 2 business days before the issuance of the proposed order, the sponsors of drugs who have a listing in effect under section 505(b)(1) for the drugs or combination of drugs that will be subject to the administrative order;

(ii) after any such reasonable efforts of notification, issue a notice of availability of any such order.

(B) EXCEPTIONS.—When issuing an administrative order by publishing it on the website of the Food and Drug Administration and include in such order reasons for the issuance of such order;

(i) issue a proposed administrative order by publishing it on the website of the Food and Drug Administration and include in such order reasons for the issuance of such order; and

(ii) publish a notice of availability of such proposed order in the Federal Register;

(iii) except as provided in subparagraph (B), provide for a public comment period with respect to such proposed order of not less than 30 calendar days;

(iv) if, after completion of the proceedings specified in clauses (i) through (iii), the Secretary determines that it is appropriate to issue a final administrative order;

(i) I issue the final administrative order, together with a detailed statement of reasons, which order shall not take effect until the time for requesting judicial review under paragraph (3)(D)(ii) has expired;

(ii) publish a notice of such final administrative order in the Federal Register;

(iii) except as provided in subparagraph (B), provide for a public comment period with respect to such proposed order of not less than 30 calendar days; and

(iv) if, after completion of the proceedings specified in clauses (i) through (iii), the Secretary determines that it is appropriate to issue a final administrative order.

(C) HEARING PROCEDURES.—

(I) The term ‘human data studies’ means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies.

(II) The term ‘non-human data’ means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies.

(III) The term ‘human studies’ means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies.

(IV) The term ‘non-human studies’ means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies.

(III) HEARING PROCEEDINGS.—

(I) IN GENERAL.—If more than one request for a hearing is submitted with respect to the same administrative order under this subsection, the Secretary shall schedule a single hearing.

(II) Hearing shall be conducted in accordance with the requirements set forth in subsection (D).

(III) The Secretary may—

(A) permit, in any proceeding, the use of any scientific principles and methodologies.

(B) permit, in any proceeding, the use of any scientific principles and methodologies.

(C) permit, in any proceeding, the use of any scientific principles and methodologies.

(D) permit, in any proceeding, the use of any scientific principles and methodologies.

(IV) HEARING PROCEDURES.—The Secretary shall provide for a public comment period of no less than 180 calendar days with respect to such proposed order, except when the Secretary determines, for good cause, that a shorter period is in the interest of public health; and

(iii) any person who submits data in such clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies, if the Secretary determines that it is appropriate to issue a final administrative order.

(IV) RIGHTS OF PARTIES TO HEARING.—The parties to a hearing requested under subparagraph (A) may present such testimony, including testimony of expert witnesses, and to cross-examine witnesses presented by other parties. Where appropriate, the presiding officer may require that cross-examination by parties representing substantially the same interests be consolidated to promote efficiency and avoid duplication.

(V) FINAL DECISION.—

(I) At the conclusion of a hearing requested under subparagraph (A), the presiding officer may make a final decision containing findings of fact and conclusions of law. The presiding officer’s final decision shall be final.

(II) The final decision may not take effect until the period under paragraph (D)(ii) for requesting judicial review of such decision expires.

(IV) JUDICIAL REVIEW OF FINAL ADMINISTRATIVE ORDER.—

(A) IN GENERAL.—The procedures described in section 505(h) shall apply with respect to judicial review of final administrative orders issued under this subsection in the same manner and to the same extent as such section applies to an order described in such section except that the judicial review shall be taken by filing in an appropriate district court of the United States in lieu of the apellee courts specified in such section.

(B) PERIOD TO SUBMIT A REQUEST FOR JUDICIAL REVIEW.—A person eligible to request a hearing under this paragraph and seeking judicial review of a final administrative order issued under this subsection shall file such request for judicial review not later than 60 calendar days after the date of issuance of the decision containing findings of fact and conclusions of law.

(C) JUDICIAL REVIEW FROM THE SECRETARY.—The procedures described in section 505(h) shall apply.

(D) IMMEDIATE HAZARD TO THE PUBLIC HEALTH.—

(I) IN GENERAL.—In the case of a determination by the Secretary that a drug, class of drugs, or combination of drugs under section 505 is reasonably expected to mitigate a significant or unreasonable risk of a serious adverse event associated with use of the drug, the Secretary shall—

(1) make reasonable efforts to notify informally, not later than 48 hours before issuance of such order under this subparagraph, sponsors who have a listing in effect under section 505(j) for such drug or combination of drugs;

(2) suspend such listing under section 505(j) for such drug or combination of drugs;

(3) notify in writing the Secretary of the United States Court of Appeals for the District of Columbia Circuit of the Secretary’s initiative proposing to determine as to whether the drug is generally recognized as safe and effective under section 201(p)(1);

(4) provide for a public comment period with respect to such administrative order; and

(5) provide for a public comment period with respect to such administrative order.

(B) NONDELEGATION.—The Secretary may not delegate the authority to issue an interim final administrative order under this subparagraph.

(C) NOTICE LABELING CHANGES.—

(I) IN GENERAL.—In the case of a determination by the Secretary that a change in the labeling of a drug, class of drugs, or combination of drugs under this section is reasonably expected to mitigate a significant or unreasonable risk of a serious adverse event associated with use of the drug, the Secretary shall—

(1) make reasonable efforts to notify informally, not later than 48 hours before the
issuance of the interim final order, the spon-
sores of drugs who have a listing in effect under section 506(j) for such drug or com-

bination of drugs;“(II) after reasonable efforts of notifica-
tion, issue an interim final administrative order in accordance with paragraph (1) to re-

quire such change, together with a detailed statement of such order:“(III) publish in the Federal Register a no-
tice of availability of such order; and

(IV) provide for a public comment period of at least 45 calendar days with respect to such

interim final order.

(ii) CONTENT OF ORDER.—An interim final order

issued under subparagraph (A) or (B) shall take effect on a date specified by the Secre-
tary.

(iii) FINAL ORDER.—After the completion of the proceedings in subparagraph (A) or (B), the Secretary shall—

"(i) issue a final order in accordance with

paragraph (1); and

(ii) provide a notice of availability of such final

administrative order in the Federal Register; and

(iii) afford sponsors of such drugs that will

be subject to such an order the oppor-
tunity for formal dispute resolution up to

the level of the Director of the Center for

Drug Evaluation and Research, which must

initiate proceedings with respect to the

issuance of the order, and for subsequent lev-

eles of appeal, within 30 calendar days of the

prior decision.

(E) HEARINGS.—A sponsor of a drug sub-

ject to a final order issued under subpara-
graph (D) and that participated in each stage of

formal dispute resolution under subparagraph (iii) of such subparagraph may request a

hearing on such order. The provisions of sub-

paragraphs (A), (B), and (C) of paragraph (3),

other than paragraph (3)(C)(v), shall apply with

respect to a hearing on such order in the

same manner and to the same extent as such provisions apply with respect to a

hearing on an administrative order issued under

paragraph (2)(A)(iv).

(F) TIMING.—

"(i) FINAL ORDER AND HEARING.—The Secre-
tary shall specify in an interim final adminis-

trative order under paragraph (1) at the re-

quest of a requestor (or the lien-

cessors, assignees, or successors in interest

of such requestor) (or for which the requestor has an

identity of the drug by established

writing within 1 year of the issuance of the

order, and beginning on the date the requestor may

lawfully market such drugs pursuant to the

order, to market drugs—

"(i) in general.—A final administrative order

issued in response to a request under

such subparagraph for the issuance of an adminis-

tative order—

"(I) determining whether a drug is gen-

erally recognized as safe and effective

under section 201(p)(1), exempt from section

508(b)(1), and not required to be the subject of an approved application under section 566;

or

"(II) determining whether a change to a condi-
tion of use of a drug is generally recog-
nized as safe and effective under section

201(p)(1), exempt from section 508(b)(1), and not required to be the subject of an approved application under section 566, if, absent such a changed condition of use, such drug is—

"(aa) generally recognized as safe and ef-

efective under section 201(p)(1) in accordance with subsection (a)(1), (a)(2), or an order under this subparagraph (B); and

"(bb) a proposed or final determination

by the Secretary that the drug is gener-

ally recognized as safe and effective under section 201(p)(1), which is issued by the Secretary under subparagraph (A)(i).

(ii) EXCEPTION.—The Secretary is not re-

quired to complete review of a request for a

change described in clause (i)(I) if the Secre-
tary determines that there is an inad-

erquate basis to find the drug is gener-

ally recognized as safe and effective under

section 201(p)(1) and if the Secretary does not

duplicate the results of an

other provisions of this section shall have the effect of author-

izing solely the order requestor (or the li-

enesses, assignees, or successors in interest

of such requestor) (or for which the requestor has an

identity of the drug by established

writing within 1 year of the issuance of the

order, and beginning on the date the requestor may

lawfully market such drugs pursuant to the

order, to market drugs—

"(i) in general.—A final administrative order

issued in response to a request under

such subparagraph for the issuance of an adminis-

tative order—

"(I) determining whether a drug is gen-

erally recognized as safe and effective

under section 201(p)(1), exempt from section 508(b)(1), and not required to be the subject of an approved application under section 566; or

"(II) determining whether a change to a condi-
tion of use of a drug is generally recog-
nized as safe and effective under section

201(p)(1), exempt from section 508(b)(1), and not required to be the subject of an approved application under section 566, if, absent such a changed condition of use, such drug is—

"(aa) generally recognized as safe and ef-

effect under section 201(p)(1) in accordance with subsection (a)(1), (a)(2), or an order under this subparagraph (B); and

"(bb) a proposed or final determination

by the Secretary that the drug is gener-

ally recognized as safe and effective under section 201(p)(1), which is issued by the Secretary under subparagraph (A)(i).
"(1) may file such request, if the request includes information specified under subparagraph (C) with respect to safe nonprescription marketing and use of such drug; or

"(2) if the request fails to include information specified under subparagraph (C), shall fail to file such request and require that nonprescription marketing of the drug be pursuant to a new drug application as described in subparagraph (D).

"(B) DRUG DESCRIBED.—A drug described in this subparagraph is a nonprescription drug which contains an active ingredient not previously incorporated in a drug—

"(i) specified in subsection (a)(1), (a)(2), or (a)(3); (ii) subject to a final order under this section; or

"(iv) subject to a final monograph described in subparagraph (A)(iii).

"(C) INFORMATION DEMONSTRATING PRIMA FACIE SAFE NONPRESCRIPTION MARKETING AND USE.—Information specified in this subparagraph, with respect to a request described in subparagraph (A)(i), is—

"(i) information sufficient for a prima facie demonstration that the drug subject to such request has a verifiable history of being marketed and safely used by consumers in the United States as a nonprescription drug under the conditions of use; and

"(ii) if the drug has not been previously marketed in the United States as a nonprescription drug, information sufficient for a prima facie demonstration that the drug is safe and effective as a nonprescription drug and that it was marketed and safely used under comparable conditions of marketing and use in a country listed in section 502(b)(1)(A) or designated by the Secretary in accordance with section 502(b)(1)(B)—

"(I) for such period as needed to provide reasonable assurance concerning the safe nonprescription use of the drug; and

"(II) during such time was subject to sufficient monitoring by a regulatory body considered acceptable by the Secretary for such monitoring purposes, including for adverse events associated with nonprescription use of the drug; or

"(iii) if the Secretary determines that information described in clause (i) or (ii) is not needed to provide a prima facie demonstration that the drug can be safely marketed and used without prescription, such other information the Secretary determines is sufficient for such purposes.

"(D) PROCEDURE FOR MINOR CHANGES.—In the case of a request described in subparagraph (A)(i), the drug subject to such request may be resubmitted for filing only if—

"(i) the drug is marketed as a nonprescription drug, under conditions of use comparable to the conditions specified in the request; (ii) the information submitted in accordance with such subparagraph (C); and

"(iii) if the Secretary determines that information described in clause (i) or (ii) is not needed to provide a prima facie demonstration that the drug can be safely marketed and used without prescription, such other information the Secretary determines is sufficient for such purposes.

"(E) RULE OF APPLICATION.—Except in the case of a request involving a drug described in section 506(o), as in effect on January 1, 2017, if the Secretary refuses to file a request under this paragraph, the requestor may not file such request over protest under paragraph (A).

"(7) PACKAGING.—An administrative order issued under paragraph (2), (4)(A), or (5) may include requirements for the packaging of a drug subject to such order in accordance with the labeling. Such requirements may include unit dose packaging, requirements for products intended for use by pediatric populations, requirements to reduce risk of harm from unsupervised ingestion, and other appropriate requirements. This paragraph does not authorize the Food and Drug Administration to require standards or testing procedures as described in part 1700 of title 16, Code of Federal Regulations.

"(B) FINAL AND TENTATIVE FINAL MONOGRAPHS FOR CATEGORY I DRUGS—DEEMED FINAL ADMINISTRATIVE ORDERS.—

"(A) IN GENERAL.—A final monograph or tentative final monograph described in subparagraph (B) shall be deemed to be a final administrative order under this subsection and may be amended, revoked, or otherwise modified in accordance with the procedures of this subsection.

"(B) MONOGRAPHS DESCRIBED.—For purposes of subparagraph (A), a final monograph or tentative final monograph is described in this subparagraph if it—

"(i) establishes conditions of use for a drug described in paragraph (1) or (2) of subsection (a), and

"(ii) represents the most recently promulgated version of such conditions, including as modified, in whole or in part, by any proposed or final order.

"(C) DEEMED ORDERS INCLUDE HARMONIZING TECHNICAL AMENDMENTS.—The deemed establishment of a final administrative order under subparagraph (A) includes any technical amendments to such order as the Secretary determines necessary to ensure that such order is appropriately harmonized. In terms of terminology or cross-references, with the applicable provisions of this Act (and regulations thereunder) and any other orders issued under this section.

"(D) PROCEDURE FOR MINOR CHANGES.—

"(1) IN GENERAL.—Minor changes in the dosage form of a drug that is described in paragraph (1) or (2) of subsection (a) or the subject of an order issued under subsection (b) may be made by a requester without the issuance of an order under subsection (b) if—

"(A) the requester maintains such information as is necessary to demonstrate that the change—

"(i) will not affect the safety or effectiveness of the drug or materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product; and

"(ii) will not materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product; and

"(B) the change is in conformity with the requirements of an applicable administrative order issued by the Secretary under paragraph (3).

"(2) ADDITIONAL INFORMATION.—

"(A) ACCESS TO RECORDS.—A sponsor shall submit records requested by the Secretary relating to such minor changes under section 704(a)(4), within 15 business days of receiving such a request, or such longer period as the Secretary may provide.

"(B) INVESTIGATION.—If the Secretary determines that the information contained in such records is not sufficient to demonstrate that the change does not affect the safety or effectiveness of the drug or materially affect the extent of absorption or other exposure to the active ingredient, the Secretary—

"(i) may so inform the sponsor of the drug in writing; and

"(ii) if the Secretary so informs the sponsor, shall provide the sponsor of the drug with a reasonable opportunity to provide additional information.

"(C) FAILURE TO SUBMIT SUFFICIENT INFORMATION.—If the sponsor fails to provide such additional information within the time period specified by the Secretary, or if the Secretary determines that such additional information
in interest of such requestor) shall submit updated drug listing information on or before the date when the drug is first commercially marketed.

(4) APPLICABILITY UNDER SECTION 505.—The provisions of this section shall not be construed to preclude a person from seeking or obtaining approval of an application for a drug under sections 505(b)(1), 505(b)(2), and 505(j). A determination under this section that a drug is not subject to section 505(b) shall not be reconsidered as safe and effective under section 201(p)(1), and is not a new drug under section 201(p) shall constitute a finding that the drug is safe and effective if relied upon for purposes of an application under section 505(b)(2), so that the applicant shall be required to submit for purposes of such application only information in support of any modification of the drug that is not covered by such determination under this section.

(5) REGULATIONS OF GENERAL APPLICABILITY.—The Secretary shall establish, maintain, update (as determined necessary by the Secretary but no less frequently than annually), and make publicly available, with respect to orders issued under this section—

(A) a repository of each final order and interim final order in effect, including the complete text of the order; and

(B) orders proposed and under development under subsection (b)(2), including—

(A) a brief description of each such order; and

(B) the Secretary’s expectations, if resources permit, for issuance of proposed orders over a 3-year period.

(6) DEVELOPMENT ADVICE TO SPONSORS OR REQUESTORS.—The Secretary shall establish procedures under which sponsors or requestors may meet with appropriate officials of the Food and Drug Administration to obtain advice on the studies and other information necessary to support submissions under this section and other matters relevant to the regulation of nonprescription drugs and the development of new nonprescription drugs under this section.

(7) PARTICIPATION OF MULTIPLE SPONSORS OR REQUESTORS.—The Secretary shall establish procedures to facilitate efficient participation by multiple sponsors or requestors in processes established under this section, including provision for joint meetings with multiple sponsors or requestors or with organizations nominated by sponsors or requestors to represent their interests in a proceeding.

(8) ELECTRONIC FORMAT.—All submissions under this section shall be in electronic format.

(9) EFFECT ON EXISTING REGULATIONS GOVERNING NONPRESCRIPTION DRUGS.—

(1) REGULATIONS OF GENERAL APPLICABILITY NON-PRESCRIPTION DRUGS.—Except as provided in this subsection, nothing in this section supersedes regulations establishing general requirements for nonprescription drugs, including regulations of general applicability contained in parts 201, 250, and 330 of title 21, Code of Federal Regulations, or any successor regulations. The Secretary shall establish or modify such regulations by means of rulemaking in accordance with section 553 of title 5, United States Code.

(2) REGULATIONS ESTABLISHING REQUIREMENTS FOR SPECIFIC NONPRESCRIPTION DRUGS.—

(A) The provisions of section 510, 515 of title 21, Code of Federal Regulations, as in effect on the day before the date of the enactment of this section, shall be deemed to be a final order under subsection (b).

(B) Nothing in subsection (a) shall be construed to preclude or limit the applicability of any provision of this Act other than this section.

(C) Nothing in subsection (a) shall be construed to prohibit the Secretary from issuing an order under this section finding a drug to be not generally recognized as safe and effective under section 201(p)(1), as the Secretary determines appropriate.

(D) INVESTIGATIONAL NEW DRUGS.—A drug is not subject to the requirements of section 505(i) is in effect for such drug.

(10) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(11) INAPPLICABILITY OF NDA AND 505(j) INDICATIONS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

(E) the Secretary determines appropriate.

(F) INVESTIGATIONAL NEW DRUGS.—A drug is not subject to the requirements of section 505(i) if it is in effect for such drug.

(G) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(G) INAPPLICABILITY OF NOTICE AND COMMENT RULEMAKING AND OTHER REQUIREMENTS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

(H) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(H) INAPPLICABILITY OF NDA AND 505(j) INDICATIONS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

(I) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(I) INAPPLICABILITY OF NDA AND 505(j) INDICATIONS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

(J) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(J) INAPPLICABILITY OF NDA AND 505(j) INDICATIONS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

(K) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(K) INAPPLICABILITY OF NDA AND 505(j) INDICATIONS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

(L) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(L) INAPPLICABILITY OF NDA AND 505(j) INDICATIONS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

(M) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(M) INAPPLICABILITY OF NDA AND 505(j) INDICATIONS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

(N) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(N) INAPPLICABILITY OF NDA AND 505(j) INDICATIONS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

(O) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

(O) INAPPLICABILITY OF NDA AND 505(j) INDICATIONS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-
(2) an analysis of the impact of exclusivity under such section 586C for sunscreen ingredients, including—

(A) the number of sunscreen ingredients that have been granted exclusivity and the specific ingredient that was determined to be generally recognized as safe and effective; and

(B) whether, and to what extent, the exclusivity of the sunscreen ingredient the sponsor's decision to develop the sunscreen ingredient;

(C) whether, and to what extent, the sunscreen ingredient granted exclusivity had previously been available outside of the United States;

(D) an analysis of the implementation of the exclusivity provision in such section 586C, including—

(i) the resources used by the Food and Drug Administration;

(ii) the impact of such provision on innovation, as well as research and development in the sunscreen market;

(iii) the impact of such provision on competition in the sunscreen market;

(iv) the impact of such provision on consumer access to sunscreen products;

(v) the impact of such provision on the prices of sunscreen products; and

(vi) whether the data base orders initiated by requestors under such section 586C have been utilized by sunscreen ingredient sponsors and whether such process has been sufficient to properly manage the availability of sunscreen ingredients that would likely not be otherwise developed, or developed in as timely a manner; and

(E) whether the administrative orders initiated by requestors under such section 586C have been sufficient incentive to encourage innovation in the sunscreen market.

(c) Amendment.—Section 751(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379d(d)(1)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking "final regulation promulgated" and inserting "final order under section 505G"; and

(B) by striking "and not misbranded"; and

(2) in subparagraph (A)—

(A) by striking "regulation or order in effect" and inserting "regulation or order in effect";

B. Section 586D—Drug Mailing of sunscreen ingredient that does not comply with the requirements subject to section 505G, is not the subject of a petition in the sunscreen market; (as in effect on May 21, 1999).

(c) Treatment of Authority Regarding Finalization of Sunscreen Monograph.—

(1) In general.—Nothing in this Act (or amendments made by this Act) shall apply to any nonprescription drug (as defined in section 586G(q) of the Federal Food, Drug, and Cosmetic Act, as added by section 3851 of this subtitle) which was excluded by the Food and Drug Administration from the Over-the-Counter Drug Review in accordance with the paragraph numbered 25 on page 9466 of volume 1 of the Federal Register, published on May 11, 1972.

(2) Rule of Construction.—Nothing in this section shall be construed to preclude or limit the availability of any other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 201 et seq.).

SEC. 3854. TREATMENT OF SUNSCREEN INNOVATION.—

(a) Review of Nonprescription Sunscreen Active Ingredients.—

(1) Applicability of section 505G for pending submissions.—

(A) In general.—A sponsor of a nonprescription sunscreen active ingredient or combination of sunscreen active ingredients that, as of the date of enactment of this Act, is subject to a proposed sunscreen order under section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff–3) may file, by means of giving written notification to the Secretary of Health and Human Services within 180 calendar days of the date of enactment of this Act, to transition into the review of such ingredient or combination of ingredients pursuant to the process set forth in section 505G of the Federal Food, Drug, and Cosmetic Act, as added by section 3851 of this subtitle.

(B) Election exercised.—Upon receipt by the Secretary of Health and Human Services of a timely notification under subparagraph (A)—

(i) the proposed sunscreen order involved is deemed to be a request for an order under subsection (b) of section 505G of the Federal Food, Drug, and Cosmetic Act, as added by section 3851 of this subtitle; and

(ii) such order may be accepted for filing under subsection (b)(6)(A)(i) of such section 505G.

(C) Election not exercised.—If a notification under subparagraph (A) is not received by the Secretary of Health and Human Services within 180 calendar days of the date of enactment of this Act, the review of the proposed sunscreen order described in subparagraph (A)—

(i) shall continue under section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff–3); and

(ii) shall not be eligible for review under section 505G, added by section 3851 of this subtitle.

(2) Definitions.—In this subsection, the terms "sponsor," "nonprescription," "sunscreen active ingredient," and "proposed sunscreen order" have the meanings given to those terms in section 586 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff–3).

(b) Amendments to Sunscreen Provisions.—

(1) Final sunscreen orders.—Paragraph (3) of section 586G(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff–3(e)) is amended to read as follows:

"(3) RELATIONSHIP TO ORDERS UNDER SECTION 505G.—If a sunscreen active ingredient or combination of ingredients pursuant to the process set forth in section 505G is marketed in accordance with a final monograph for sunscreen drug products set forth at part 352 of title 21, Code of Federal Regulations (as published at 46 Fed. Reg. 27497); or

"(B) marketed in accordance with a final order issued under this section.

(2) Limitations on exclusivity.—On or before 2022, no petition may be granted per ingredient under paragraph (1).

(3) Listing of licensees, assignees, or successors in interest under paragraphs (1) and (2) of section 586E of such Act (21 U.S.C. 360fff–5) is amended by adding at the end the following:

"SEC. 586H. SUNSET. This subparagraph shall cease to be effective at the end of fiscal year 2022."
(B) ISSUANCE OF REVISED SUNSCREEN ORDER; EFFECTIVE DATE.—A revised sunscreen order described in subparagraph (A) shall be—
(i) issued in accordance with the procedures described in section 505G(b) of the Federal Food, Drug, and Cosmetic Act; and
(ii) issued in proposed form not later than 18 months after the date of enactment of this Act; and
(iii) issued by the Secretary at least 1 year prior to the effective date of the revised order.
(2) REPORTS.—If a revised sunscreen order issued under paragraph (1) does not include provisions related to the effectiveness of various sun protection levels, and does not address all dosage forms known to the Secretary to be used in sunscreens marketed in the United States without a new drug application described under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), the Secretary shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the rationale for omission of such provisions from such order, and a timeline to compile any information necessary to address such provisions through such order.
(d) NON-SUNSCREEN TOPIC AND EXTENTS APPLICATIONS.—
(1) IN GENERAL.—Any application described in section 586F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360f–6) that was submitted to the Secretary pursuant to section 330.14 of title 21, Code of Federal Regulations, as provisions were in effect immediately prior to the date of enactment of this Act, shall be extinguished as of such date of enactment, subject to paragraph (2).
(2) ORDER REQUEST.—Nothing in paragraph (1) precludes the submission of an order request under section 505(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 3861 of this subtitle, with respect to a drug that was the subject of an application extinguished under paragraph (1).
SEC. 3865. ANNUAL UPDATE TO CONGRESS ON APPROPRIATE PEDIATRIC INDICATION FOR CERTAIN OTC COUGH AND COLD DRUGS.
(a) IN GENERAL.—Subject to subsection (c), the Secretary of Health and Human Services shall, beginning not later than 1 year after the date of this Act, annually submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report describing the progress of the Food and Drug Administration—
(1) in evaluating the cough and cold monograph described in subsection (b) with respect to children under age 6; and
(2) as appropriate, revising such cough and cold monograph to address children through the order process under section 505(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 3851 of this subtitle.
(b) COUGH AND COLD MONOGRAPH DESCRIBED.—The cough and cold monograph described in this subsection consists of the conditions of use, as described in subparagraph (A) of section 744M(a)(1) of the Federal Food, Drug, and Cosmetic Act, as added by section 3851 of this subtitle.
(c) DURATION OF AUTHORITY.—The requirement under subsection (a) shall terminate as of the date of a letter submitted by the Secretary of Health and Human Services pursuant to such subsection in which the Secretary indicates that the Food and Drug Administration (i) completed a comprehensive evaluation and, if completed, issued, in a final order, an amendment to the cough and cold monograph as described in subsection (a)(2),
(2) FDA REAUTHORIZATION ACT OF 2017.—
(1) IN GENERAL.—Section 505G(b) of the FD Act of 2017 (Public Law 115–52) is amended by striking—
(2) EFFECTIVE DATE.—The amendment made by section 1(a)(1) shall take effect as of the date of the enactment of the FD Reauthorization Act of 2017 (Public Law 115–52).

PART II—USER FEES
SEC. 3861. FINDING.
The Congress finds that the fees authorized by the amendments made in this part will be dedicated to OTC monograph drug activities, as set forth in the goals identified for purposes of part 10 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.
SEC. 3862. FEES RELATING TO OVER-THE-COUNTER DRUGS.
SEC. 3863. ANNUAL UPDATE TO CONGRESS ON APPROPRIATE PEDIATRIC INDICATION FOR CERTAIN OTC COUGH AND COLD DRUGS.
SEC. 3864. ANNUAL REPORT TO CONGRESS ON THE EFFECTIVENESS OF THE OTC MONOGRAPH PROGRAM.
SEC. 3865. ANNUAL UPDATE TO CONGRESS ON APPROPRIATE PEDIATRIC INDICATION FOR CERTAIN OTC COUGH AND COLD DRUGS.
(vi) a change to ingredient nomenclature to align with nomenclature of a standards-setting organization; or
(vii) addition of an interchangeable term in accordance with section 351.1 of title 21, Code of Federal Regulations (or any successor regulations).

(B) The Secretary may, based on program implementation experience or other factors found appropriate by the Secretary, characterize any OTC monograph order request as a Tier 2 OTC monograph order request (including recharacterizing a request from Tier 1 to Tier 2) and publish such determination in a proposed order issued pursuant to section 505G.

(3)(A) The term ‘OTC monograph drug facility’ means a foreign or domestic business or other entity that—

(i) is—

(I) under one management, either direct or indirect; and

(ii) at one geographic location or address engaged in manufacturing or processing the finished dosage form of an OTC monograph drug;

(ii) includes a finished dosage form manufacturer facility in a contractual relationship with the donee of one or more OTC monograph drugs to manufacture or process such drugs; and

(iii) does not include a business or other entity that only manufactures or processing activities are one or more of the following: production of clinical research supplies, testing, or placement of outer packaging containing multiple products, for such purposes as creating multipacks, when each monograph drug product contained within the overpackaging is already in a final packaged form prior to placement in the outer overpackaging.

(B) For purposes of subparagraph (A)(ii), separate buildings or locations within a close proximity are considered to be at one geographic location or address if the activities conducted in such buildings or locations are—

(i) closely related to the same business enterprise;

(ii) under the supervision of the same local management; and

(iii) under a single FDA establishment identifier and capable of being inspected by the Food and Drug Administration during a single inspection.

(C) If a business or other entity would meet criteria specified in subparagraph (A), but for being under multiple management, the business or other entity is deemed to consist of one or more management entities, one per management entity, for purposes of this paragraph.

(4) The term ‘OTC monograph drug meeting’ means any meeting regarding the content of a proposed OTC monograph order request.

(5) The term ‘person’ includes an affiliate of a person.

(6) The terms ‘requester’ and ‘sponsor’ have the meanings given such terms in section 505G.

SEC. 740M. AUTHORITY TO ASSESS AND USE OTC MONOGRAPH FEES.

(a) Types of Fees.—Beginning with fiscal year 2021, the Secretary shall assess and collect fees in accordance with this section as follows:

(1) Facility Fee.—

(A) In General.—Each person that owns a facility identified as an OTC monograph drug facility on December 31 of the fiscal year or at any time during the preceding 12-month period shall be assessed an annual fee for each such facility as determined under subsection (c).

(B) Exceptions.—

(i) Facilities that cease activities.—A fee shall not be assessed under subparagraph (A) if the identified OTC monograph drug facility—

(I) has ceased all activities related to OTC monograph drugs prior to December 31 of the year immediately preceding the applicable fiscal year; and

(II) has updated its registration to reflect such change under the requirements for drug establishment registration set forth in section 510.

(ii) Contract Manufacturing Organizations.—The amount of the fee for a contract manufacturing organization facility shall be equal to two-thirds of the amount of the fee for an OTC monograph drug facility that is not a contract manufacturing organization facility.

(2) OTC Monograph Order Request Fee.—

(A) In General.—Each person that submits an OTC monograph order request shall be subject to a fee for an OTC monograph order request. The amount of such fee shall be—

(I) for a Tier 1 OTC monograph order request, $500,000, adjusted for inflation for the fiscal year (as determined under subsection (c)(1)(B)); and

(ii) for a Tier 2 OTC monograph order request, $100,000, adjusted for inflation for the fiscal year (as determined under subsection (c)(1)(B)).

(B) Due Date.—The OTC monograph order request fees required under subparagraph (A) shall be due on the date of submission of the OTC monograph order request.

(C) Exception for Certain Safety Changes.—A person who is named as the requester in an OTC monograph order shall not be subject to a fee under subparagraph (A) if the Secretary finds that the OTC monograph order request seeks to change the drug fact labeling of an OTC monograph drug in a way that would add to or strengthen—

(I) a contraindication, warning, or precaution;

(ii) a statement about risk associated with misuse or abuse; or

(iii) an instruction about dosage and administration that is intended to increase the safe use of the OTC monograph drug.

(3) Refund of Fee if Order Request Rejected.—If the Secretary determines that an OTC monograph order request initially characterized as a Tier 1 shall be re-characterized as a Tier 2 OTC monograph order request, and the requester has paid a Tier 1 fee in accordance with subparagraph (A)(i), the Secretary shall refund the requester the difference between the fee for a Tier 1 order request and the fee for a Tier 2 order request as determined under subparagraphs (A)(i) and (A)(ii), respectively.

(4) Notice.—Within the timeframe specified in subsection (c), the Secretary shall publish in the Federal Register the amount of the fees under paragraph (1) for each fiscal year.

(B) Fee Revenue Amounts.—

(1) Fiscal Year 2021.—For fiscal year 2021, fees under subsection (a)(1) shall be established to generate a total facility fee revenue amount equal to the sum of—

(I) the annual base revenue for fiscal year 2021 (as determined under paragraph (3));

(II) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(2)); and

(III) additional direct cost adjustments (as determined under subsection (c)(3)).

(2) Subsequent Fiscal Years.—For each of the fiscal years 2022 through 2025, fees under subsection (a)(1) shall be established to generate a total facility fee revenue amount equal to the sum of—

(I) the annual base revenue for fiscal year 2021 (as determined under paragraph (3));

(II) the dollar amount equal to the inflection adjustment for the fiscal year (as determined under subsection (c)(1));

(III) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(2)); and

(IV) additional direct cost adjustments (as determined under subsection (c)(3)).

(C) Additional Direct Cost Adjustments.—For purposes of paragraphs (1)(A) and (2)(A), the dollar amount of the annual base revenue for a fiscal year shall be—

(i) for fiscal year 2021, $8,000,000; and

(ii) for fiscal years 2022 through 2025, the dollar amount of the total revenue amount
established under this subsection for the prior fiscal year, not including any adjustments made under subsection (c)(2) or (c)(3).

(c) ADJUSTMENTS; ANNUAL FEE SETTING.—

(1) OPERATING RESERVE ADJUSTMENT.—

(A) IN GENERAL.—For purposes of subsection (b)(2)(B), the dollar amount of the inflation adjustment under subparagraph (B) for fiscal year 2021 shall be equal to the product of—

(i) such annual base revenue for the fiscal year under subsection (b)(2); and

(ii) the inflation adjustment percentage under subparagraph (C).

(B) OTC MONOGRAPH ORDER REQUEST FEES.—For purposes of subsection (a), the dollar amount of the inflation adjustment to the fee for OTC monograph order requests for fiscal year 2022 and each subsequent fiscal year shall be equal to the product of—

(i) such annual base revenue for the fiscal year under subsection (b)(2); and

(ii) the inflation adjustment percentage under subparagraph (C).

(C) INFLATION ADJUSTMENT PERCENTAGE.—The inflation adjustment percentage under this subparagraph for a fiscal year is equal to—

(i) for each of fiscal years 2022 and 2023, the average annual percent change that occurred in the Consumer Price Index for Urban Consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 fiscal years; and

(ii) for each of fiscal years 2024 and 2025, the sum of—

(I) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with Federal funds for the first 3 years of the preceding 4 fiscal years, multiplied by the portion of personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years; and

(II) the average annual percent change that occurred in the Consumer Price Index for Urban Consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 fiscal years, multiplied by the portion of all costs other than personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years.

(2) OPERATING RESERVE ADJUSTMENT.—

(A) IN GENERAL.—For fiscal year 2021 and subsequently, for purposes of subsections (b)(2)(B) and (b)(2)(C), the Secretary may, in addition to adjustments under paragraph (1), further increase the fee revenue and fees referred to in subparagraph (B) by an amount equal to—

(i) such annual base revenue for fiscal year 2021; or

(ii) such annual base revenue for fiscal year 2022.

(B) NUMBER OF WEEKS.—The number of weeks specified in this subparagraph is—

(i) 3 weeks for fiscal year 2021; and

(ii) 7 weeks for fiscal year 2022.

(3) DEDUCTION.—If the Secretary has carryover balances for such process in excess of 10 weeks of the operating reserves referred to in subparagraph (A), the Secretary shall decrease such carryover balances for such process in excess of 10 weeks of the operating reserves referred to in such subparagraph to provide for not more than 10 weeks of such operating reserves.

(D) RATIONALE FOR ADJUSTMENT.—If an adjustment under subparagraph (B) is made, the Secretary shall identify the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under paragraph (4) establishing fee revenue and fees for the fiscal year involved.

(E) ADDITIONAL DIRECT COST ADJUSTMENT.—The Secretary shall, in addition to adjustments under paragraphs (1) and (2), further increase the fee revenue and fees for purposes of subsection (b)(2)(B) by an amount equal to—

(i) $14,000,000 for fiscal year 2021;

(ii) $7,000,000 for fiscal year 2022;

(iii) $4,000,000 for fiscal year 2023; and

(iv) $3,000,000 for fiscal year 2024; and

(B) $3,000,000 for fiscal year 2025.

(4) ANNEX.—

(A) FISCAL YEAR 2021.—The Secretary shall, not later than the second Monday in May of 2020—

(i) establish OTC monograph drug facility fees for fiscal year 2021 under subsection (a), based on the revenue amounts under subsection (b) and the adjustments provided under this subsection; and

(ii) publish fee revenue, facility fees, and OTC monograph order requests in the Federal Register.

(B) SUBSEQUENT FISCAL YEARS.—The Secretary shall, for each fiscal year that begins after September 30, 2021, not later than the second Monday in March that precedes such fiscal year—

(i) establish for such fiscal year, based on the revenue amounts under subsection (b) and the adjustments provided under this subsection—

(I) OTC monograph drug facility fees under subsection (a)(1); and

(II) OTC monograph order request fees under subsection (a)(2); and

(ii) publish such fee revenue amounts, facility fees, and OTC monograph order request fees in the Federal Register.

(D) IDENTIFICATION OF FACILITIES.—Each person that owns an OTC monograph drug facility shall submit to the Secretary the information required under this subsection each year. Such information shall, for each fiscal year—

(1) be submitted as part of the requirements for drug establishment registration set forth in section 510; and

(2) include for each such facility, at a minimum, identification of the facility's business operations as that of an OTC mono- graphic drug facility.

(E) EFFECT OF FAILURE TO PAY FEES.—

(1) OTC MONOGRAPH DRUG FACILITY FEE.—

(A) IN GENERAL.—Failure to pay the fee under subsection (a)(1) within 20 calendar days of the due date as specified in subparagraph (B) of such subsection shall result in the following:

(i) The Secretary shall place the facility on a publicly available arrears list.

(ii) Such person shall not be entitled to file a new drug application for a drug facility manufactured in such a facility or containing an ingredient manufactured in such a facility shall be deemed misbranded under section 502(f).

(B) APPLICATION OF PENALTIES.—The penalties under this paragraph shall apply until the fee established by subsection (a)(1) is paid.

(2) ORDER REQUESTS.—An OTC monograph order request submitted by a person subject to fees under subsection (a) shall be consid- ered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person under this section have been paid.

(3) MEETINGS.—A person subject to fees under this section shall be considered ineligible for OTC monograph drug meetings until all such fees owed by such person have been paid.

(F) CREDITING AND AVAILABILITY OF FEES.—

(1) IN GENERAL.—Fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriation Acts. Fees authorized to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account to such appropriation account for salaries and expenses with such fiscal year limitation. The sums transferred shall be available solely for OTC monograph drug activities.

(2) COLLECTIONS AND APPROPRIATION ACTIONS.—

(A) IN GENERAL.—Subject to subparagraph (C), the fees authorized by this section shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation, for such fiscal year.

(B) USE OF FEES AND LIMITATION.—The fees authorized by this section shall be available to defray increases in the costs of the resources allocated for OTC monograph drug activities (including increases in such costs for additional new or equivalent positions in the Department of Health and Human Services to be engaged in such activities), only if the Secretary allocates such increased purposes and fiscal year (excluding amounts from fees collected under this section) no less than $12,000,000, multiplied by the adjustment factor applicable to the fiscal year involved under subsection (c)(1).

(C) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (B) if the costs funded by appropriations and allocated for OTC monograph drug activities are not more than 15 percent below the level specified in such subparagraph.

(D) PROVISION FOR EARLY PAYMENTS IN SUBSEQUENT YEARS.—Payment of fees authorized under this section for a fiscal year (after fiscal year 2021), prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

(E) AUTHORIZATION OF APPROPRIATIONS.—

For each of the fiscal years 2021 through 2025, there is authorized to be appropriated for the purposes of this section an amount equal to the total amount of fees assessed for such fiscal year under this section.

(F) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 calendar days after it is due, such fee shall be treated as a claim of the United States Government subject to chapter 12 of title 31, United States Code.

(G) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officials, employees, and advisory committees not engaged in OTC monograph drug activities, be reduced to offset the number of officials, employees, and advisory committees so engaged.

SEC. 744N. REAUTHORIZATION, REPORTING REQUIREMENTS.

(a) PERFORMANCE REPORT.—Beginning with fiscal year 2021, and not later than 120 calendar days after the end of each fiscal year thereafter for which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report concerning the progress of the Food and Drug Administration in achieving the goals
identified in the letters described in section 3861(b) of the CARES Act during such fiscal year and the future plans of the Food and Drug Administration for meeting such goals.

(b) Report.—Not later than 120 calendar days after the end of fiscal year 2021 and each subsequent fiscal year for which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and to the appropriate committees specified in such paragraphs (a) and (b) available to the public on the internet website of the Food and Drug Administration.

(d) Reauthorization.—

(1) Consultation.—In developing recommendations to present to the Congress with respect to the goals described in subsection (a), and plans for meeting the goals, for OTC drug activities for the first 5 fiscal years after fiscal year 2025, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—

(A) the Committee on Energy and Commerce of the House of Representatives;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) scientific and academic experts;

(D) health care professionals;

(E) representatives of patient and consumer advocacy groups; and

(F) the regulated industry.

(2) Public Review of Recommendations.—After negotiations with the regulated industry, the Secretary shall—

(A) present the recommendations developed under paragraph (1) to the congressional committees specified in such paragraph;

(B) publish such recommendations in the Federal Register;

(C) provide for a period of 30 calendar days for the public to provide written comments on such recommendations;

(D) hold a meeting at which the public may present its views on such recommendations; and

(E) after consideration of such public views and comments, revise such recommendations as necessary.

(3) Transmittal of Recommendations.—Not later than January 15, 2025, the Secretary shall transmit to the Congress the revised recommendations under paragraph (2), a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to public comments.

TITLE IV—ECONOMIC STABILIZATION AND ASSISTANCE TO SEVERELY DISLOCATED SECTORS OF THE UNITED STATES ECONOMY

Subtitle A—Coronavirus Economic Stabilization Act of 2020

SEC. 4001. SHORT TITLE.

This subtitle may be cited as the “Coronavirus Economic Stabilization Act of 2020.”

SEC. 4002. DEFINITIONS.

In this subtitle:

(1) AIR CARRIER.—The term “air carrier” has the meaning such term has under section 49102 of title 49, United States Code.

(2) CORONAVIRUS.—The term “coronavirus” means SARS-CoV-2 or another coronavirus with the potential to cause severe respiratory disease.

(3) COVERED LOSS.—The term “covered loss” includes losses incurred directly or indirectly as a result of coronavirus, as determined by the Secretary.

(4) ELIGIBLE BUSINESS.—The term “eligible business” means—

(A) an air carrier; or

(B) a United States business that has not otherwise received adequate economic relief in the form of loans or loan guarantees provided under this Act.

(5) EMPLOYER.—Except where the context otherwise requires, the term “employer”—

(A) has the meaning given the term in section 2 of the National Labor Relations Act (29 U.S.C. 152); and

(B) includes any individual employed by an employer subject to the Railroad Labor Act (46 U.S.C. 151 et seq.).

(6) EQUITY SECURITY; EXCHANGE.—The terms “equity security” and “exchange” have the meanings given the terms in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78(a)).

(7) MUNICIPALITY.—The term “municipality” includes—

(A) a political subdivision of a State, and

(B) an instrumentality of a municipality, a State, or a political subdivision of a State.

(8) NATIONAL SECURITIES EXCHANGE.—The term “national securities exchange” means an exchange registered as a national securities exchange under section 6 of the Securities Exchange Act of 1934 (15 U.S.C. 78ff). Therefore guarantees, or other investments made pursuant to paragraphs (1), (2) and (3) of subsection (b) if the Secretary determines that, in the Secretary’s discretion—

(A) the applicant is an eligible business for which credit is not reasonably available at the time of the transaction; and

(B) the intended obligation by the applicant is prudently incurred; and

(ii) is to the extent practicable, not less than an interest rate based on market conditions for comparable obligations prevalent prior to the outbreak of the coronavirus disease 2019 (COVID-19);

(F) the agreement provides that, until the date 12 months after the date the loan or loan guarantee is no longer outstanding, neither the eligible business nor any affiliate of the eligible business may purchase an equity security that is listed on a national securities exchange of the eligible business or any parent company of the eligible business, except to the extent required under a contractual obligation in effect as of the date of enactment of this Act;

(G) the agreement provides that, until the date 12 months after the date the loan or loan guarantee is no longer outstanding, the eligible business shall make loans or loan guarantees to other eligible businesses that are not affiliated with the eligible business or make other capital distributions with respect to the common stock of the eligible business;

(H) the agreement provides that, until September 30, 2020, the eligible business shall maintain its employment levels as of March 28, 2020, to the extent practicable, and in any event the eligible business shall not reduce its employment levels by more than 10 percent from the levels on such date; and

(I) the agreement includes a certification by an eligible business that it is organized in the United States or under the laws of the United States and has significant
to seek the implementation of a program or facility that supports lending to small and mid-sized businesses on such terms and on such terms as the Secretary deems appropriate.

(3) PROHIBITION ON LOAN FORGIVENESS.—The principal amount of any obligation issued by an eligible business under a program described in subsection (b) shall not be reduced through loan forgiveness.

(b) unless—

(1) using direct hiring authority to hire employees to administer this subtitle; and

(2) entering into contracts, including contracts for services authorized by this subtitle.

(3) establishing vehicles that are authorized, subject to supervision by the Secretary,

provides financing to banks and other lenders that make direct loans to eligible businesses including, to the extent practicable, nonprofit organizations, with between 500 and 10,000 employees, and that loans being subject to an annualized interest rate that is not higher than 2 percent per annum. For the first 6 months after any such direct loan is made in an eligible business, the Secretary may determine in his discretion, no principal or interest shall be due and payable.

(ii) the Secretary receives a warrant or equity interest in the eligible business; or

(iii) the recipient is not a debtor in a bankruptcy proceeding.

(iv) the recipient will not make any loan, loan guarantee, or other investment under subsection (b)(4) as part of a program or facility that provides loans only if the applicable eligible businesses agree—

(I) the uncertainty of economic conditions as of the date of enactment of this Act; and

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States and that have significant operations in the United States.

(b) TERMS AND CONDITIONS.—The terms and conditions under subsection (b)(4) shall be designed to provide for a reasonable participation by the Secretary, for the benefit of taxpayers, in equity appreciation in the case of a warrant or other equity interest, or a reasonable interest rate premium, in the case of a debt instrument.

(B) FEDERAL RESERVE ACT TAXPAYER PROTECTION.—

(W) the recipient will not have a majority of its employees based in the United States; and

(U) the recipient will not be a debtor in a bankruptcy proceeding.

(X) the recipient will remain neutral in any union organizing effort for the term of the loan.

(1) FEDERAL RESERVE PROGRAMS OR FACILITIES.—

(A) TERMS AND CONDITIONS.—

(I) the recipient intends to restore not less than 90 percent of the workforce of the recipient that existed as of January 31, 2020, under section 319 of the Federal Reserve Act (12 U.S.C. 374); and

(II) the funds it receives will be used to restore not less than 90 percent of the workforce of the recipient.

(IV) the existing collective bargaining agreements for the term of the loan and 2 years after completing repayment of the loan.

(V) the recipient is not a debtor in a bankruptcy proceeding.

(VI) the recipient will not make any payment with respect to any shares of common stock of the eligible business; or

(VII) the recipient will not allocate existing collective bargaining agreements for the term of the loan and 2 years after completing repayment of the loan.

(VIII) the recipient will not make any payment with respect to any shares of common stock of the eligible business; or

(VIII) the recipient will not issue warrants or other equity interests with respect to any shares of common stock acquired under this section.

(III) the recipient will not make any payment with respect to any shares of common stock of the eligible business; or

(III) the recipient will not issue warrants or other equity interests with respect to any shares of common stock acquired under this section.

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States.

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States.

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States.

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States.

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States.

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States.

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States.

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States.

(II) the funds it receives will be used to restore not less than 90 percent of the workforce, at full compensation and benefits, to the financial system that supports lending to, or make loans or other advances to, businesses that are created or organized in the United States or under the laws of the United States that have significant operations in the United States.
to purchase, hold, and sell assets and issue obligations; and
(4) issuing such regulations and other guidance as may be necessary or appropriate to carry out the authorities or purposes of this subtitle.

(g) FINANCIAL AGENTS.—The Secretary is authorized to designate financial institutions, including financial agents, that are limited to acting as attorneys, agents, brokers, dealers, and other institutions, as financial agents of the United States, and such financial agents shall—

(1) perform all reasonable duties the Secretary determines necessary to respond to the coronavirus; and

(2) perform such duties using appropriations available to the Secretary to reimburse financial institutions in their capacity as financial agents of the United States.

(b) IN GENERAL.—Any loan made by or guaranteed by the Secretary under this section shall be treated as issued to a State, local government, or eligible business for purposes of the Internal Revenue Code of 1986, shall be treated as issued to an eligible business for purposes of the Internal Revenue Code of 1986, shall be treated as issued to the Secretary by the eligible business for purposes of the Internal Revenue Code of 1986, shall be treated as issued to the eligible business for purposes of the Internal Revenue Code of 1986, shall be treated as issued to the eligible business for purposes of the Internal Revenue Code of 1986, and shall include a maximum amount of outstanding debt that is guaranteed.”.

(b) FEDERAL CREDIT UNION TRANSACTION ACCOUNT GUARANTEES.—Notwithstanding any other provision of law, the Comptroller of the Currency may, by order, exempt any transaction or series of transactions from the requirements of this section if the Comptroller determines, in writing, that such exemption is in the public interest and consistent with the purposes of this section.”

SEC. 4003. CONTINUATION OF CERTAIN AIR SERVICE.

The Secretary of Transportation is authorized to require, to the extent reasonable and practicable, an air carrier receiving loans and loan guarantees under section 4003 to meet its scheduled air transportation serv-

ice as the Secretary of Transportation deems necessary to ensure services to any point at which the air carrier is scheduled to serve on or before March 1, 2020. When considering whether to exercise the authority granted by this section, the Secretary of Transportation shall take into consider-

ation the needs of small and remote communities and the need to maintain well-functioning health care and pharmaceutical supply chains, including for pharmaceuticals and supplies. The authority granted by this section, including any require-

ment issued by the Secretary under this sec-

tion, shall terminate on March 1, 2022.

SEC. 4008. COORDINATION WITH TRANSPORTATION SYSTEM.

In implementing this subtitle with respect to air carriers, the Secretary shall coordi-

nate with the Secretary of Transportation.

SEC. 4007. SUSPENSION OF CERTAIN AVIATION EXCISE TAXES.

(a) TRANSPORTATION BY AIR.—In the case of any amount paid for transportation by air (including any amount treated as paid for transportation by air by reason of section 4261(b)(3) of the Internal Revenue Code of 1986) during the excise tax holiday period, no tax shall be imposed under section 4261 or 4271 of such Code. The preceding sentence shall not apply to amounts paid on or before the date of the enactment of this Act and ending on the earlier of—

(1) the date on which the national emer-

gency concerning the novel coronavirus dis-

case (COVID-19) outbreak declared by the President on March 11, 2020, under the Na-

tional Emergencies Act (50 U.S.C. 1601 et seq.) terminates; or


(b) RECORDS.—The Board of Governors of the Federal Reserve System shall keep a record of all Board votes and the reasons for votes during the period described in subsection (a).

SEC. 4010. TEMPORARY HIRING FLEXIBILITY.

(a) DEFINITION.—In this section, the term “covered period” means the period beginning on the date of enactment of this Act and ending on the sooner of—

(1) the termination date of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak declared by the President on March 13, 2020 under the Na-

tional Emergencies Act (50 U.S.C. 1601 et seq.), or


(b) AUTHORITY.—During the covered pe-

riod, the Secretary of Housing and Urban De-

development, the Securities and Exchange Commission, and the Commodities Trading Commission may, with regard to sections 3309 through 3318 of title 5, United States Code, refer to and appoint candidates to full temporary and term appointments within their respective agencies upon a determination that such expedited procedures are necessary and appropriate to enable the respective agencies to prevent, prepare for, or respond to COVID-19.

SEC. 4011. TEMPORARY LENDING LIMIT WAIVER.

(a) IN GENERAL.—Section 5200 of the Re-

vised Statutes of the United States (12 U.S.C. 84) is amended—

(1) in subsection (c)—

(A) by inserting “in noninterest-bearing transac-

tion accounts” after “institutions”;

and

(B) by striking “shall not” and inserting “may”;

and

(2) by adding at the end the following:

“(b) APPROVAL OF GUARANTY PROGRAM DURING THE COVID-19 CRISIS.—

(1) IN GENERAL.—For purposes of the con-

gressional joint resolution approved pro-

vided for in subsections (c)(1) and (2) and (d), notwithstanding any other provision of this section, the Federal Deposit Insurance Cor-

poration is approved upon enactment of the Act to establish a program provided for in subsection (a), provided that any such pro-

gram and any such guarantee shall termi-

nate not later than December 31, 2020.

(2) MAXIMUM AMOUNT.—Any debt guar-

antee program authorized by this subsection
SEC. 4012. TEMPORARY RELIEF FOR COMMUNITY BANKS.

(a) Definitions.—In this section—

(1) the term ‘‘appropriate Federal banking agency’’ means the term defined in section 2 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (12 U.S.C. 5371 note); and

(2) the terms ‘‘Community Bank Leverage Ratio’’ and ‘‘qualifying community bank’’ have the meanings given the terms in section 20(a) of the Economic Growth, Regulatory Relief, and Consumer Protection Act (12 U.S.C. 5371 note).

(b) Interim Rule.—

(1) In general.—Notwithstanding any other provision of law, or regulation, the appropriate Federal banking agencies shall issue an interim final rule that provides that, for the purposes of section 201 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (12 U.S.C. 5371 note)—

(A) the Community Bank Leverage Ratio shall be 8 percent;

(B) a qualifying community bank that falls below the Community Bank Leverage Ratio established under subparagraph (A) shall have a reasonable grace period to satisfy the Community Bank Leverage Ratio.

(2) Effective Period.—The interim rule issued under paragraph (1) shall be effective during the period beginning on the date on which the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020 under the National Emergencies Act (50 U.S.C. 1601 et seq.); or

(D) December 31, 2020.

SEC. 4013. TEMPORARY RELIEF FROM TROUBLED DEBT RESTRUCTURINGS.

(a) Definitions.—In this section—

(1) in general.—The term ‘‘applicable Federal banking agency’’ means the term defined in section 2 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (12 U.S.C. 5365 note); and

(2) the terms ‘‘Community Bank Leverage Ratio’’ and ‘‘qualifying community bank’’ have the meanings given the terms in section 20(a) of the Economic Growth, Regulatory Relief, and Consumer Protection Act (12 U.S.C. 5371 note).

(b) Suspension.—

(1) in general.—During the applicable period, a financial institution may elect to—

(A) suspend the requirements under United States generally accepted accounting principles related to the novel coronavirus disease 2019 (COVID–19) pandemic that would otherwise be categorized as a troubled debt restructuring; and

(B) suspend for a period of 30 days the recognition of a loan modified as a result of the effects of the coronavirus disease 2019 (COVID–19) pandemic as being a troubled debt restructuring, including impairment for accounting purposes.

(2) applicability.—Any suspension under paragraph (1) shall—

(A) be applicable for the term of the loan modification, but solely with respect to any modification, including a forbearance arrangement, an interest rate modification, a repayment plan, and any other similar arrangement that defers or delays the payment of principal or interest, that occurs during the applicable period for a loan that was not more than 30 days past due as of December 31, 2019; and

(B) shall not apply to any adverse impact on the credit of a borrower that is not related to the coronavirus disease 2019 (COVID–19) pandemic.

(c) Deferral.—The appropriate Federal banking agencies shall defer to the determination of the financial institution to make a suspension under this section.

(d) Records.—For modified loans for which suspensions under subsection (a) apply—

(1) financial institutions should continue to maintain records of the volume of loans involved; and

(2) the appropriate Federal banking agencies may collect data about such loans for supervisory purposes.

SEC. 4014. TEMPORARY RELIEF FROM CURRENT EXPECTED CREDIT LOSSES.

(a) Definitions.—In this section—

(1) Appropriate Federal Banking Agency.—The term ‘‘appropriate Federal banking agency’’ means—

(A) the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(B) the National Credit Union Administration.

(b) Temporary Relief From CECL Standards.—Notwithstanding any other provision of law, no insured depository institution, bank holding company, or any affiliate thereof shall be required to comply with the Financial Accounting Standards Board Accounting Standards Update No. 2016–13 (‘‘Measurement of Credit Losses on Financial Instruments’’), including the current expected credit loss methodology for estimating allowances for credit losses, during the period beginning on the date on enactment of this Act and ending on the earlier of—

(1) the date on which the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020 under the National Emergencies Act (50 U.S.C. 1601 et seq.) terminates; or


SEC. 4015. NON-APPLICABILITY OF RESTRICTIONS ON ESF DURING NATIONAL EMERGENCY.

(a) In General.—Section 131 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5236) shall not apply during the period beginning on the date of enactment of this Act and ending on December 31, 2020.

(b) Effective Date.—The amendments made by paragraph (1) shall take effect on December 31, 2020.
SEC. 4017. INCREASING ACCESS TO MATERIALS NECESSARY FOR NATIONAL SECURITY AND PANDEMIC RECOVERY.

Notwithstanding any other provision of law—

(1) during the 2-year period beginning on the date of enactment of this Act, the requirements described in sections 302(d)(1) and 306(a)(6)(B) of the Defense Production Act of 1950 (50 U.S.C. 4533(a)(6)(C), 4534(e)) shall not apply; and

(2) during the 1-year period beginning on the date of enactment of this Act, the requirements described in sections 302(d)(1) and 306(a)(6)(B) of the Defense Production Act of 1950 (50 U.S.C. 4533(a)(6)(C), 4534(e)) shall not apply.

SEC. 4018. SPECIAL INSPECTOR GENERAL FOR PANDEMIC RECOVERY.

(a) OFFICE OF INSPECTOR GENERAL.—There is hereby established within the Department of the Treasury the Office of the Special Inspector General for Pandemic Recovery.

(b) APPOINTMENT OF INSPECTOR GENERAL; REMOVAL.—

(1) IN GENERAL.—The head of the Office of the Special Inspector General for Pandemic Recovery shall be the Special Inspector General for Pandemic Recovery (referred to in this section as the “Special Inspector General”), who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) NOMINATION.—The nomination of the Special Inspector General shall be made on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations. The nomination of an individual as Special Inspector General shall be made as soon as practicable after any loan, loan guarantee, or other investment made under this Act, and the management of the activities of the Special Inspector General shall be considered to be an office of the head of that department, agency, or entity of the Federal Government, the head of which is, in the judgment of the Special Inspector General, unreasonably refused or not reasonably available to the Secretary under this Act, and the management of such systems, procedures, and controls as the Special Inspector General considers appropriate to discharge the duties of the Special Inspector General under paragraph (1).

(3) ADDITIONAL DUTIES AND RESPONSIBILITIES.—In addition to the duties described in paragraphs (1) and (2), the Special Inspector General shall also have the duties and responsibilities of inspectors general under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) POWERS AND AUTHORITIES.—

(1) IN GENERAL.—Upon request of the Special Inspector General under section 3(e) of the Inspector General Act of 1978 (5 U.S.C. App.), conduct, supervise, and oversee such systems, procedures, and controls as the Special Inspector General considers necessary to carry out the duties of the Special Inspector General under this Act.

(2) REQUESTS FOR INFORMATION.—

(A) IN GENERAL.—Upon request of the Special Inspector General, unreasonably refused or not reasonably available to the Secretary under this Act, and the management of such systems, procedures, and controls as the Special Inspector General considers appropriate to discharge the duties of the Special Inspector General under paragraph (1).

(b) CONTENTS.—Each report submitted under subparagraph (A) shall include, for the period covered by the report—

(1) a statement of all loans, loan guarantees, other transactions, obligations, expenditures, and revenues associated with any program established by the Secretary under section 4003, as well as the information collected under subsection (c)(1).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to authorize the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(C) is a part of an ongoing criminal investigation.

(g) FUNDING.—

(1) IN GENERAL.—Of the amounts made available to the Secretary under section 4027, $25,000,000 shall be made available to the Special Inspector General to carry out this section.

(h) AVAILABILITY.—The amounts made available to the Special Inspector General under paragraph (1) shall remain available until expended.

(i) TERMINATION.—The Office of the Special Inspector General shall terminate on the date 5 years after the enactment of this Act.

(j) CORRECTIVE RESPONSES TO AUDIT PROBLEMS.—The Secretary shall—

(1) take action to address deficiencies identified by a report or investigation of the Special Inspector General; or

(2) with respect to a deficiency identified under paragraph (1), certify to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Finance of the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Ways and Means of the House of Representatives that no action is necessary or appropriate.

SEC. 4019. CONFLICTS OF INTEREST.

(a) DEFINITIONS.—In this section:

(1) CONTROLLING INTEREST.—The term “controlling interest” means owning, controlling, or holding not less than 20 percent, by vote or value, of the outstanding amount of any class of equity interest in an entity.

(B) a description of the categories of the loans, loan guarantees, and other investments made under this Act, and the management of the activities of the Special Inspector General shall be considered to be an office of the head of that department, agency, or entity of the Federal Government, the head of which is, in the judgment of the Special Inspector General, unreasonably refused or not provided, the Special Inspector General shall report the circumstances to the appropriate committees of Congress without delay.

(f) REPORTS.—

(1) QUARTERLY REPORTS.—A quarterly report shall be submitted to the appropriate committees of Congress not later than 60 days after the date on which the Special Inspector General is confirmed, and every calendar quarter thereafter, the Special Inspector General shall submit to the appropriate committees of Congress a report summarizing the activities of the Special Inspector General during the 3-month period ending on the date of the report and any recommendations of the Special Inspector General submits the report.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include, for the period covered by the report—

(1) a statement of all loans, loan guarantees, other transactions, obligations, expenditures, and revenues associated with any program established by the Secretary under section 4003, as well as the information collected under subsection (c)(1).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to authorize the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(C) is a part of an ongoing criminal investigation.

(g) FUNDING.—

(1) IN GENERAL.—Of the amounts made available to the Secretary under section 4027, $25,000,000 shall be made available to the Special Inspector General to carry out this section.

(h) AVAILABILITY.—The amounts made available to the Special Inspector General under paragraph (1) shall remain available until expended.

(i) TERMINATION.—The Office of the Special Inspector General shall terminate on the date 5 years after the enactment of this Act.

(j) CORRECTIVE RESPONSES TO AUDIT PROBLEMS.—The Secretary shall—

(1) take action to address deficiencies identified by a report or investigation of the Special Inspector General; or

(2) with respect to a deficiency identified under paragraph (1), certify to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Finance of the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Ways and Means of the House of Representatives that no action is necessary or appropriate.
SEC. 420. CONGRESSIONAL OVERSIGHT COMMISSION.

(a) Establishment.—There is hereby established the Congressional Oversight Commission (hereafter in this section referred to as the “Oversight Commission”) as an establishment in the legislative branch.

(b) Duties.—

(1) In general.—The Oversight Commission shall—

(A) conduct oversight of the implementation of this subtitle by the Department of the Treasury and the Board of Governors of the Federal Reserve System, including efforts of the Department and the Board to provide economic stability as a result of the coronavirus disease 2019 (COVID–19) pandemic;

(B) submit to Congress reports under paragraph (2); and

(C) review the implementation of this subtitle by the Federal Government.

(2) Regular reports.—

(A) In general.—Reports of the Oversight Commission shall include the following:

(i) Information from the Secretary and the Board of Governors of the Federal Reserve System of authority under this subtitle, including with respect to the use of contracting authority and administration of the provisions of this subtitle.

(ii) The impact of loans, loan guarantees, and investments made under this subtitle on the financial well-being of the people of the United States and the United States economy, financial markets, and financial institutions.

(iii) To the extent to which the information made available on transactions under this subtitle has contributed to market transparency.

(iv) The effectiveness of loans, loan guarantees, and investments made under this subtitle of minimizing long-term costs to the taxpayers and maximizing the benefits for taxpayers.

(B) Timing.—The reports required under this paragraph shall be submitted not later than 5 months after the date by the Secretary and the Board of Governors of the Federal Reserve System of the authority under this subtitle and every 30 days thereafter.

(c) Membership.—

(1) In general.—The Oversight Commission shall consist of members as follows:

(A) 1 member appointed by the Speaker of the House of Representatives.

(B) 1 member appointed by the minority leader of the House of Representatives.

(C) 1 member appointed by the majority leader of the Senate.

(D) 1 member appointed by the minority leader of the Senate.

(E) 1 member appointed as Chairperson by the Speaker of the House of Representatives and the majority leader of the Senate, after consultation with the minority leader of the Senate and the minority leader of the House of Representatives.

(2) Pay.—Each member of the Oversight Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay for level I of the Executive Schedule (or any other level in use for such rate) during which such member is engaged in the actual performance of duties vested in the Oversight Commission.

(3) Prohibition on compensation of Federal employees.—Members of the Oversight Commission who are full-time officers or employees of the United States may not receive additional pay, allowances, or benefits by reason of their service on the Oversight Commission.

(4) Travel expenses.—Each member shall receive a travel allowance, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(5) Quorum.—Four members of the Oversight Commission shall constitute a quorum but a lesser number may hold hearings.

(d) Staff.—

(1) In general.—The Oversight Commission shall have a staff of not more than 15.

(2) Employment.—The Oversight Commission may appoint and fix the pay of any person who is full-time officers or employees of the United States, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(e) Powers.—

(1) Hearings and evidence.—The Oversight Commission, or any subcommittee or member thereof, may, for the purpose of carrying out this section hold hearings, sit and act at times and places, take testimony, and receive evidence as the Oversight Commission considers appropriate and may administer oaths or affirmations to witnesses appearing before it.

(2) Contracting.—The Oversight Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Oversight Commission to discharge its duties under this section.

(f) Powers of members and agents.—Any member or agent of the Oversight Commission may, if authorized by the Oversight Commission, take any action which the Oversight Commission is authorized to take by this section.

(g) Obtaining official data.—The Oversight Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this section. Upon request of the Chairperson of the Oversight Commission, the head of that department or agency shall furnish that information to the Oversight Commission.

(h) Reports.—The Oversight Commission shall receive and consider all reports required to be submitted to the Oversight Commission under this subtitle.

(i) Term of the Commission.—The Oversight Commission shall terminate on September 30, 2025.

(j) Authorization of Appropriations.—There is authorized to be appropriated to the Oversight Commission such sums as may be necessary to provide for the expenses of the Oversight Commission, including the expenses of the Oversight Commission who are full-time officers or employees of the United States and the United States economy, financial markets, and financial institutions.

SEC. 4021. CREDIT PROTECTION DURING COVID–19.

Section 622(a)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681a–2(a)(1)) is amended by adding at the end the following:

“(F) Reporting information during COVID–19 pandemic.—

“(i) Definitions.—In this subsection:

“(1) Accommodation.—The term ‘accommodation’ includes an agreement to defer 1 or more payments, make a partial payment, forbear any delinquent amounts, modify a loan or contract, or any other assistance or forbearance extended to a consumer who is affected by the coronavirus disease 2019 (COVID–19) pandemic during the covered period.

“(2) Covered period.—The term ‘covered period’ means the period beginning on January 31, 2020 and ending on the later of—

“(aa) 120 days after the date of enactment of this paragraph; or

“(bb) 120 days after the date on which the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020 under the National Emergencies Act (50 U.S.C. 1601 et seq.) terminates.

“(ii) Reporting.—Except as provided in clause (iii), if a furnisher makes an accommodation pursuant to this section, provides more payments, and the consumer makes the payments or is not required to make 1 or more payments pursuant to the accommodation, the furnisher shall—

“(1) report the credit obligation or account as current; and

“(ii) if the credit obligation or account was delinquent before the accommodation—

“(aa) maintain the delinquent status during the period in which the accommodation is effective; and

“(bb) if the consumer brings the credit obligation or account current during the period
SEC. 4022. FORECLOSURE MORATORIUM AND CONSUMER RIGHT TO REQUEST FORBEARANCE.

(a) DEFINITIONS.—In this section:

(1) COVID–19 EMERGENCY.—The term "COVID–19 emergency" means the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020 under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(2) FEDERALLY BACKED MORTGAGE LOAN.—The term "Federally backed mortgage loan" includes a loan that is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families that is—

(A) insured by the Federal Housing Administration under title II of the National Housing Act (12 U.S.C. 1707 et seq.);

(B) insured under section 255 of the National Housing Act (12 U.S.C. 1715z-20);

(C) section 184 or 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-1a, 1715z-1b);

(D) guaranteed or insured by the Department of Housing and Urban Development;

(E) guaranteed or insured by the Department of Agriculture;

(F) made by the Department of Agriculture; or

(G) purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(b) FORBEARANCE.—

(1) IN GENERAL.—During the covered period, a borrower with a Federally backed mortgage loan experiencing a financial hardship due, directly or indirectly, to the COVID–19 emergency may request a forbearance under the terms set forth in this section.

(b) FORBEARANCE PERIOD.—

(1) IN GENERAL.—Upon receipt of an oral or written request for forbearance from a multifamily borrower, a servicer shall—

(A) document the financial hardship;

(B) provide the forbearance for up to 30 days; and

(C) extend the forbearance for up to 2 additional 30-day periods, at the borrower's request, provided that, at the end of the forbearance period described under subparagraph (B),

(d) RENTER PROTECTIONS DURING FORBEARANCE PERIOD.—A multifamily borrower that receives a forbearance under this section may not, for the duration of the forbearance—

(1) evict or initiate the eviction of a tenant from a dwelling unit located in or on the applicable property solely for nonpayment of rent or other fees or charges; or

(2) charge any late fees, penalties, or other charges to a tenant described in paragraph (1) for late payment of rent.

(e) NOTICE.—A multifamily borrower that receives a forbearance under this section—

(1) may not require a tenant to vacate a dwelling unit located in or on the applicable property before the date that is 30 days after the date on which the borrower provides the tenant with a written notice of termination of the forbearance;

(2) may not issue a notice to vacate under paragraph (1) until after the expiration of the forbearance.

(f) DEFINITIONS.—In this section:

(1) APPLICABLE PROPERTY.—The term "applicable property", with respect to a Federally backed multifamily mortgage loan, means the residential multifamily property against which the mortgage loan is secured by a lien.

(2) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term "Federally backed multifamily mortgage loan" includes any loan (other than temporary financing such as a construction loan) that—

(A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and

(B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with any Federal program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(3) MULTIFAMILY BORROWER.—the term "multifamily borrower" means a borrower of a residential mortgage loan that is secured by a liens against a property comprising 5 or more dwelling units.

(c) REQUIREMENTS FOR SERVICERS.—

(1) IN GENERAL.—During the covered period, the servicer affirming that the multifamily borrower is experiencing a financial hardship caused by the COVID–19 emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020 under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(2) COVERED PERIOD.—The term "covered period" means the period beginning on the date of enactment of this Act and ending on the earlier of—

(A) the termination date of the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020 under the National Emergencies Act (50 U.S.C. 1601 et seq.), or

(B) December 31, 2020.

SEC. 4024. TEMPORARY MORATORIUM ON EVICTION FILINGS.

(a) DEFINITIONS.—In this section:

(1) COVERED DWELLING.—The term "covered dwelling" means a dwelling that—

(A) is occupied by a tenant—

(i) pursuant to a residential lease; or

(ii) without a lease or with a lease terminable under State law; and

(B) is on or in a covered property.

(2) COVERED PROPERTY.—The term "covered property" means any property that—

(A) participates in—

(i) a covered housing program (as defined in section 542 of the Housing Act of 1949 (42 U.S.C. 1437f));

(ii) the rural housing voucher program under section 542 of the Housing Act of 1949 (42 U.S.C. 1437f); or

(B) has a—

(i) Federally backed mortgage loan; or

(ii) Federally backed multifamily mortgage loan.

(c) DWELLING.—The term "dwelling"—

(A) has the meaning given the term in section 802 of the Fair Housing Act (42 U.S.C. 3601); and

(B) includes houses and dwellings described in section 803(b) of such Act (42 U.S.C. 3603(b)).

(f) FEDERALLY BACKED MORTGAGE LOAN.—The term "Federally backed mortgage loan" includes any loan (other than temporary financing such as a construction loan) that—

(A) is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and

(B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with any Federal program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency.
The Secretary under paragraph (1), (2), or (3) of section 4003(b), the Secretary shall submit to the chairman and ranking member of the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate and the Chairmen and Ranking Members of the House Committee on Financial Services and the Committee on Ways and Means of the House of Representatives a report summarizing—

(i) an overview of actions taken by the Department of the Treasury under paragraph (1), (2) or (3) of section 4003(b) during such period;

(ii) the actual origination, expenditure, and disbursements of the funds during such period; and

(iii) a detailed financial statement with respect to the authority under paragraph (1), (2) or (3) of section 4003(b) showing—

(I) all loans and loan guarantees made, renewed, or reinstated;

(II) all transactions during such period, including the types of parties involved; and

(III) the nature of the assets purchased;

(V) any or all repayment activity, delinquencies or defaults on loans and loan guarantees issued under paragraph (1), (2) or (3) of section 4003(b).

(b) PUBLICATION.—Not later than 7 days after the date on which the Secretary submits a report under subparagraph (A) to the committees of Congress described in such subparagraph, the Secretary shall publish such report on the website of the Department of the Treasury.

(c) CLARIFICATION.—

(A) IN GENERAL.—With respect to any program or facility described in paragraph (4) of section 4003(b), the Secretary of the Department of the Treasury shall provide to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives such reports as are required to be provided under section 13(3) of the Federal Reserve Act (12 U.S.C. 3433).

(B) PUBLICATION.—Not later than 7 days after the Board authorizes a new facility or other financial assistance in accordance with section 13(3)(C)(i) of the Federal Reserve Act (12 U.S.C. 3433(3)), the Board shall publish a report on the website of the Federal Reserve System summarizing the information set forth in subparagraph (A).

(d) GOVERNMENT ACCOUNTABILITY OFFICE.—

(A) IN GENERAL.—The Comptroller General of the United States shall examine the operations of the Federal Reserve System and prepare an annual report for the 2 years following the date of enactment of this Act.

(B) SUBMISSION.—Not later than 9 months after the date of enactment of this Act, and annually thereafter, the Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report summarizing, for the period covered by the report:

(1) an overview of the activities of the Federal Reserve System under the Federal Reserve Act (12 U.S.C. 3433(3)), including the activities of the Federal Reserve Banks, the Federal Reserve Bank of New York, the New York Clearing House, and the Federal Open Market Committee;

(2) an overview of the activities of the Federal Reserve System under the Federal Reserve Act (12 U.S.C. 3433(3)), including the activities of the Federal Reserve Bank of New York, the New York Clearing House, and the Federal Open Market Committee;

(3) the amount of the loan or loan guarantee authorized to be made under paragraph (1), (2), or (3) of section 4003(b), the Secretary shall publish on the website of the Department of the Treasury a copy of the report.

(e) ADMINISTRATIVE CONTRACTS.—Not later than 24 hours after the Secretary enters into a contract in connection with the administration of any loan or loan guarantee authorized to be made under paragraph (1), (2), or (3) of section 4003(b), the Secretary shall post on the website of the Department of the Treasury a report summarizing:

(i) the terms of the loan or loan guarantee;

(ii) the financial terms of the loan or loan guarantee;

(iii) the date on which the loan or loan guarantee was made or guarantee issued; and

(iv) the date on which the loan or loan guarantee was terminated.

(f) GOVERNMENT ACCOUNTABILITY OFFICE.—

(A) STUDY.—The Comptroller General of the United States shall examine the operations of the Federal Reserve System and prepare an annual report for each of the 2 years following the date of enactment of this Act, and annually thereafter, to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(B) SUBMISSION.—Not later than 9 months after the date of enactment of this Act, and annually thereafter, the Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report summarizing, for the period covered by the report:

(1) an overview of the activities of the Federal Reserve System under the Federal Reserve Act (12 U.S.C. 3433(3)), including the activities of the Federal Reserve Bank of New York, the New York Clearing House, and the Federal Open Market Committee;
except in the form of loans, loan guarantees, and other investments as provided in this subtitle and under terms and conditions that are in the interest of the Federal Government. 

SEC. 4029. TERMINATION OF AUTHORITY. 

(a) In General.—Except as provided in subsection (b), on December 31, 2020, the authority provided by this subtitle to make new loans, loan guarantees, or other investments shall terminate. 

(b) OUTSTANDING.—Except as provided in paragraph (2), any loan, loan guarantee, or other investment outstanding on the date described in subsection (a) shall not be extended beyond 5 years from the initial origination date of the property, loan, or guarantee. 

Subtitle B—Air Carrier Worker Support

SEC. 4111. DEFINITIONS. 

Unless otherwise specified, the terms in section 40102(a) of title 49, United States Code, shall apply to this subtitle, except that— 

(1) the term “airline catering employee” means an employee who performs airline catering services; 

(2) the term “airline catering services” 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; 

(3) the term “passenger air carrier” means— 

(A) a person, or an affiliate of such person, that provides scheduled air transportation for compensation or hire of 100 passengers or less; and 

(B) an air carrier that provides scheduled air transportation for compensation or hire of more than 100 passengers; 

(4) the term “airline carriers” means— 

(A) the 14 passenger air carriers, in an aggregate amount up to $3,000,000,000; 

(B) the 10 largest international carriers, in an aggregate amount up to $4,000,000,000; and 

(C) an entity, in an aggregate amount up to $3,000,000,000; 

(5) the term “employee” means an individual, other than a corporate officer, who is employed by an air carrier or a contractor; and 

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

SEC. 4112. PROCEDURES FOR PROVIDING PAY-ROLL SUPPORT. 

(a) AWAIVERABLE AMOUNTS.—The Secretary shall provide financial assistance under this subtitle— 

(1) to an air carrier in an amount equal to the sum of— 

(A) the difference between the air carrier’s payroll during the period from April 1, 2019, through September 30, 2019, and the amount of wages, salaries, benefits, and other compensation that such air carrier paid the employees of such air carrier during the period from April 1, 2019, through September 30, 2019; and 

(b) Department of Transportation Authority to Condition Assistance on Contracting Service. 

(1) In General.—The Secretary of Transportation is authorized to require, to the extent reasonable and practicable, an air carrier provided financial assistance under this subtitle to maintain scheduled air transportation service, as the Secretary of Transportation deems necessary, to ensure services to any person served by that carrier before March 1, 2020. 

(2) REQUIRED CONSIDERATIONS.—When considering whether to exercise the authority provided by this section of this Act, the Secretary of Transportation shall take into consideration the air transportation needs of small and remote communities and the need to maintain well-functioning health care supply chains, including medical devices and supplies, and pharmaceutical supply chains. 

(3) SUNSET.—The authority provided under this subsection shall cease to apply on March 1, 2022, and any requirements issued by the Secretary of Transportation under this subsection shall cease to apply after that date. 

SEC. 4115. PROTECTION OF COLLECTIVE-BARGAINING AGREEMENT. 

(a) IN GENERAL.—Neither the Secretary, nor any other actor, department, or agency of the Federal Government shall violate the issuance of financial assistance under this subtitle on an air carrier’s or contractor’s implementation of measures to enter into negotiations with the certified bargaining representative of a craft or class of employees of the air carrier or contractor under the Railway Labor Act (45 U.S.C. 1 et seq.), or the National Labor Relations Act (29 U.S.C. 1 et seq.), regarding pay or other terms and conditions of employment. 

(b) DEPARTMENT OF TRANSPORTATION AUTHORITY TO CONDITION ASSISTANCE ON AIR CARRIER OR CONTRACTOR MAINTENANCE OF SCHEDULED AIR TRANSPORTATION SERVICES. 

(1) IN GENERAL.—The Secretary of Transportation may only provide financial assistance under this subtitle to an air carrier or contractor to which financial assistance is provided under this subtitle, if the air carrier or contractor agrees, during any 12 consecutive months of such 2-year period, to maintain scheduled air transportation services, as the Secretary of Transportation deems necessary, to ensure services to any person served by that carrier before March 1, 2020. 

(2) REQUIRED CONSIDERATIONS.—When considering whether to exercise the authority provided by this section of this Act, the Secretary of Transportation shall take into consideration the air transportation needs of small and remote communities and the need to maintain well-functioning health care supply chains, including medical devices and supplies, and pharmaceutical supply chains. 

(3) SUNSET.—The authority provided under this subsection shall cease to apply on March 1, 2022, and any requirements issued by the Secretary of Transportation under this subsection shall cease to apply after that date. 

SEC. 4116. LIMITATION ON CERTAIN EMPLOYEE COMPENSATION. 

(a) IN GENERAL.—The Secretary may only provide financial assistance under this subtitle to an air carrier or contractor after such carrier or contractor enters into an agreement with the Secretary which provides, during the 2-year period beginning on March 24, 2020, and ending March 24, 2022, no officer or employee of the air carrier or contractor whose total compensation exceeds— 

(1) $25,000,000,000; or 

(2) the greater of— 

(A) the average amount of compensation received by the officer or employee from the air carrier or contractor during the period from March 1, 2019, through March 31, 2020; or 

(B) the total compensation received by the officer or employee from the air carrier or contractor during the period from March 1, 2019, through March 31, 2020; or 

(C) the total compensation received by the officer or employee from the air carrier or contractor during the period from January 1, 2019, through December 31, 2019.

(b) PRO RATA AUTHORITY.—The Secretary shall have the authority to reduce, on a pro rata basis, the amounts due to air carriers and contractors under the applicable paragraph of section 4112 in order to address any shortfall in assistance that would otherwise be provided under such section. 

(c) AUDITS.—The Inspector General of the Department of Transportation shall audit certifications made under subsection (a). 

SEC. 4114. REQUIRED ASSURANCES. 

(a) IN GENERAL.—To be eligible for financial assistance under this subtitle, an air carrier or contractor shall enter into an agreement with the Secretary, or otherwise certify in such form and manner as the Secretary shall prescribe, that the air carrier or contractor— 

(1) refrain from conducting involuntary furloughs or reducing pay rates and benefits until September 30, 2020; and 

(2) on or before March 30, 2021, ensure that neither the air carrier or contractor nor any affiliate of the air carrier or contractor may, in any transaction, purchase an equity security of the air carrier or contractor or the parent company of the air carrier or contractor that is listed on a national securities exchange; 

(3) through September 30, 2021, ensure that the air carrier or contractor shall not pay dividends, or make other capital distributions, with respect to such stock (or any equivalent interest) of the air carrier or contractor; and 

(4) meet the requirements of sections 4115 and 4116.
maximum total compensation received by the officer or employee from the air carrier or contractor in calendar year 2019; and

(3) no officer or employee of the eligible business of Columbia exceeded $3,000,000 in calendar year 2019 may receive during any 12 consecutive months of such period total compensation in excess of the sum of—

(A) $3,000,000; and

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

(b) Total Compensation Defined.—In this section, the term ‘total compensation’ includes salary, bonuses, awards of stock, and other financial benefits provided by an air carrier or contractor to an officer or employee of the air carrier or contractor.

SEC. 4117. TAXPAYER PROTECTION.

The Secretary may receive warrants, options, preferred stock, debt securities, notes, or other financial instruments issued by recipients of financial assistance under this subtitle which, in the sole determination of the Secretary, provide appropriate compensation to the Federal Government for the provision of the financial assistance.

SEC. 4118. REPORTS.

(a) Report.—Not later than November 1, 2020, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the financial assistance provided to air carriers and contractors under this subtitle, including a description of any financial assistance provided.

(b) Update.—Not later than the last day of the 1-year period following the date of enactment of this section, the Secretary shall update and submit to the Committee on Transportation and the Committee on Financial Services of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the financial assistance provided to air carriers and contractors under this subtitle, including a description of any financial assistance provided.

SEC. 4119. COORDINATION.

In implementing this subtitle the Secretary shall coordinate with the Secretary of Transportation for the purposes specified in subsection (a).

SEC. 4120. DIRECT APPROPRIATION.

Notwithstanding any other provision of law, there is appropriated, out of amounts in the Treasury not otherwise appropriated, $35,000,000,000 to carry out this subtitle.

TITLE V—CORONAVIRUS RELIEF FUNDS

SEC. 5001. CORONAVIRUS RELIEF FUND.

(a) IN GENERAL.—The Social Security Act (42 U.S.C. 301 et seq.) is amended by inserting after title V the following:

‘‘TITLE VI—CORONAVIRUS RELIEF FUND

SEC. 601. CORONAVIRUS RELIEF FUND.

(a) Appropriation.—

(i) In general.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for making payments to States, Tribal governments, and units of local government under this section, $350,000,000,000 for fiscal year 2020.

(ii) District of Columbia and Territories.—The amount paid under subsection (a)(2)(A) for the District of Columbia and territories shall be the amount equal to the product of—

(A) the population of the District of Columbia and territories; and

(B) $4,000,000,000.

(iii) Indian Tribes.—The amount paid under subsection (a)(2)(A) for the District of Columbia and territories shall be the amount equal to the product of—

(A) the population of the District of Columbia and territories; and

(B) $3,500,000,000.

(iv) States.—The amount paid under subsection (a)(2)(A) for a State shall be the amount equal to the product of—

(A) the relative State population proportion (as defined in paragraph (4));

(B) the amount determined for the State, Tribal government, or unit of local government specified in subsection (a)(2)(A); and

(C) $1,000,000,000.

(iii) District of Columbia and Territories.—The amount paid under this section for fiscal year 2020 to a State that is 1 of the 50 States shall be the amount determined for that State by the relative unit of local government population proportion amount described in section (e)(5) and such amount directly to such unit of local government.

(2) Payment Amounts.—

(i) In general.—Subject to paragraph (2), the amount under this section for fiscal year 2020 to a State that is 1 of the 50 States shall be the amount determined for that State by the relative unit of local government population proportion amount described in section (e)(5) and such amount directly to such unit of local government.

(ii) Payment to States.—(A) The Secretary shall determine, in consultation with the Secretary of the Interior concerning Indian Tribes, that is based on increased expenditures of each such Tribal government (or a tribally-owned entity of such Tribal government) in fiscal year 2019 by the Tribal government (or tribally-owned entity) and determined in such manner as the Secretary determines appropriate to ensure that a unit of local government that undertakes strategies for the purpose of providing for the public health and safety in response to the Coronavirus Disease 2019 (COVID-19); (B) were not accounted for in the budget most recently approved by the Congress in the absence of enactment of this section for the State or government; and

(iii) Payment to Indian Tribes.—(A) The amount paid under this section to a tribal government, or unit of local government, that is a tribe is the amount equal to the amount paid under paragraph (2) of this subsection to a Tribal government, which the unit of local government is located in.

(iv) Payment to Territories.—(A) If the Secretary determines, in consultation with the relevant Inspector General, that it is necessary to carry out increased expenditures for the purpose of providing for the public health and safety in response to the Coronavirus Disease 2019 (COVID-19) in fiscal year 2020 in territories specified in subsection (a)(2)(A) for the purposes specified in this section, the Secretary shall determine the amount paid under this section to territories specified in subsection (a)(2)(A) for the purpose of providing for the public health and safety in response to the Coronavirus Disease 2019 (COVID-19).

(v) Payment to the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa; and

(2) by such District’s and territory’s share of the combined total population of the District of Columbia and territories, as determined by the Secretary.

(7) Tribal Governments.—From the amount set aside under subsection (a)(2)(B) for fiscal year 2020, the amount paid under this subsection to a Tribal government shall be the amount the Secretary shall determine in consultation with the Secretary of the Interior concerning Indian Tribes, that is based on increased expenditures of each such Tribal government (or a tribally-owned entity of such Tribal government) in fiscal year 2019 by the Tribal government (or tribally-owned entity) and determined in such manner as the Secretary determines appropriate.

(b) Use of Funds.—For purposes of this subsection, a unit of local government shall be determined based on the most recent year for which data are available from the Bureau of the Census.

(c) Certification.—(A) In general.—Subject to paragraph (2), no State, Tribal government, or unit of local government shall receive funds under this section to cover only those expenses described in subparagraph (A).

(B) Pro Rata Adjustments.—The Secretary shall adjust, on a pro rata basis, the amount of the payments for each of the 50 States determined under this subsection without regard to this subparagraph to the extent necessary to comply with the requirements of subparagraph (A).

(d) Relative Population Proportion Amount.—For purposes of paragraph (1), the relative population proportion amount determined under this paragraph for a State for fiscal year 2020 is the product of—

(1) the population of the State; and

(2) $1,250,000.

(e) Use of Funds.—A State, Tribal government, and unit of local government shall use the funds provided under a payment made under this section only for those expenses directly related to the costs of the State, Tribal government, or unit of local government that—

(1) are necessary expenditures incurred directly related to the public health and safety in response to the Coronavirus Disease 2019 (COVID-19); (2) were not accounted for in the budget most recently approved by the Congress in the absence of enactment of this section for the State or government; and

(3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

(f) Certification.—In order to receive a payment under this subsection, a State shall provide the Secretary with a certification signed by the Chief Executive of the State or Tribal government, as determined by the Secretary, that the funds are consistent with subsection (d).

(g) Inspector General Oversight; Repeal.—

(1) Oversight Authority.—The Inspector General of the Department of the Treasury shall conduct monitoring and oversight of the receipt, disbursement, and use of funds made available under subsection (a) to ensure that the funds are consistent with subsection (d).

(2) Recoupment.—If the Inspector General of the Department of the Treasury determines that a State, Tribal government, or unit of local government has failed to comply with subsection (d), the amount equal to the amount of funds used in violation of such subsection shall be deducted from funds available to the entity owed to the Federal Government.

(3) Appropriation.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Office of the Inspector General of the Department of the Treasury, $5,000,000 to carry out oversight and recoupment activities under this subsection. Amounts appropriated under the preceding sentence shall remain available until expended.

(4) Authority of Inspector General.—Nothing in this subsection shall be construed to impair the authority of the Inspector General, including such authority as provided in the Inspector General Act of 1978 (5 U.S.C. App.).

(h) Definitions.—In this section—

(1) Indian Tribe.—The term ‘Indian Tribe’ has the meaning given that term in section...
DIVISION B—EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS

The following sums are hereby are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, and for other purposes, namely:

TITLE I
AGRICULTURAL PROGRAMS

OFFICE OF THE SECRETARY

For an additional amount for “Office of the Secretary”, $9,500,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus by providing emergency assistance to farmers impacted by coronavirus, including producers of specialty crops, producers that supply local food systems, including farmers markets, restaurants, and schools, and livestock producers, including dairy producers: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, $750,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the funding made available for this heading in this Act shall be used for conducting audits and investigations of projects and activities carried out with funds made available in this Act to the Department of Agriculture to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

For an additional amount for “Salaries and Expenses”, $55,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for necessary expenses for salary costs associated with the Agriculture Quarantine and Inspection Program: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AGRICULTURAL MARKETING SERVICE
MARKETING SERVICES

For an additional amount for “Marketing Services”, $15,810,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for necessary expenses for salary costs associated with commodity grading, inspection, and audit activities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FOOD SAFETY AND INSPECTION SERVICE

For an additional amount for “Food Safety and Inspection Service”, $45,000,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for necessary expenses for salary costs associated with commodity grading, inspection, and audit activities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DOMESTIC FOOD PROGRAMS

For an additional amount for “Child Nutrition Programs”, $8,800,000,000 to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For an additional amount for “Supplemental Nutrition Assistance Program”, $15,810,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the amount provided under this heading in this Act shall be placed in a contingency reserve to be allocated as the Secretary deems necessary to support participation should cost or participation exceed budget estimates: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL DEVELOPMENT PROGRAMS

For an additional amount for “Rural Business–Cooperative Service”, $20,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL UTILITIES SERVICE
DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAMS

For an additional amount for “Distance Learning, Telemedicine, and Broadband Programs”, $25,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 351aa et seq.: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DOMESTIC FOOD PROGRAMS

For an additional amount for “Child Nutrition Programs”, $8,800,000,000 to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For an additional amount for “Supplemental Nutrition Assistance Program”, $15,810,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the amount provided under this heading in this Act shall be placed in a contingency reserve to be allocated as the Secretary deems necessary to support participation should cost or participation exceed budget estimates: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
heading in this Act, $100,000,000 shall be for the food distribution program on Indian reservations program as authorized by Section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 1734). Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 1431) to prevent, prepare for, and respond to coronavirus, of which $50,000,000 shall be for facility improvements and equipment upgrades and of which $50,000,000 shall be for the costs related to additional food purchases: Provided further, That the amount provided under this heading in this Act, $200,000,000 to remain available through September 30, 2021, shall be available for the Secretary of Agriculture to provide grants to the Commonwealth of the Northern Mariana Islands, Puerto Rico, and American Samoa for nutrition assistance to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COMMODITY ASSISTANCE PROGRAM
For an additional amount for “Commodity Assistance Program”, $450,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the emergency food assistance program as authorized by section 27(a) of the Food, Drug, and Cosmetic Act of 2007 (7 U.S.C. 2003a(a)) and section 209(a)(1) of the Emergency Food Assistance Act of 1985 (7 U.S.C. 1738(a)(1)): Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FOREIGN ASSISTANCE AND RELATED PROGRAMS
FOREIGN AGRICULTURAL SERVICE
SALARIES AND EXPENSES
For an additional amount for “Salaries and Expenses”, $4,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including necessary expenses to relocate employees and their dependents back from overseas posts: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION
SALARIES AND EXPENSES
For an additional amount for “Salaries and Expenses”, $80,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including funds for the development of necessary medical countermeasures and vaccines, advanced manufacturing for medical products, the monitoring of medical product supply chains, and related administrative activities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE
(INCLUDING TRANSFER OF FUNDS)
SEC. 11001. Of the funds made available to the Rural Development mission area in this title, and in addition to funds otherwise made available for such purpose, not more than 3 percent may be used for administrative costs to carry out loan, guarantee, and grant programs authorized to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such funds shall be transferred to, and merged with, the appropriated amount for “Salaries and Expenses” and, once transferred, shall be used only to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided further, That this transfer authority is in addition to any other transfer authority provided by law.

COMMODITY CREDIT CORPORATION
REIMBURSEMENT OF PRESENT NET REALIZED LOSSES
SEC. 11002. Of the amounts provided in the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) under the heading “Commodity Credit Corporation—Reimbursed Present Net Realized Losses”, $14,000,000,000, may be used, prior to the completion of the report described in 15 U.S.C. 713a–11, to reimburse the Commodity Credit Corporation for losses sustained, but not previously reimbursed, as reflected in the June 2020 report of its financial condition: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 11003. The Secretary may extend the term of a marketing assistance loan authorized by section 1210 of the Agricultural Act of 2014 (7 U.S.C. 9033) for any loan commodity to 12 months: Provided, That the authority made available pursuant to this section shall expire on September 30, 2020: Provided further, That the amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Related Agencies and Food and Drug Administration
Department of Health and Human Services
Food and Drug Administration
SALARIES AND EXPENSES
For an additional amount for “Salaries and Expenses”, $6,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including expenses for responding to economic injury resulting from coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
(INCLUDING TRANSFERS OF FUNDS)
Pursuant to section 708 of the Public Works and Economic Development Act of 1965 (2 U.S.C. 3235), for an additional amount for “Economic Development Assistance Programs”, $1,500,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for necessary expenses for responding to economic injury resulting from coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Further Consolidated Appropriations Act, 2020
SEC. 11004. For an additional amount for “Economic Development Assistance Program”, $4,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for necessary expenses for responding to economic injury resulting from coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

National Institute of Standards and Technology
SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
For an additional amount for “Scientific and Technical Research and Services”, $6,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including expenses for supporting continuity of operations, including measurement science to support viral testing and biomanufacturing: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INDUSTRIAL TECHNOLOGY SERVICES
For an additional amount for “Industrial Technology Services”, $60,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the amount provided under this heading in this Act, $50,000,000

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shall be for the Hollings Manufacturing Extension Partnership to assist manufacturers to prevent, prepare for, and respond to coronavirus, and $10,000,000 shall be for the National Network for Manufacturing Innovation (also known as “Manufacturing USA”) to prevent, prepare for, and respond to coronavirus, including to support development of medical countermeasures and biomedical equipment and supplies: Provided further, That none of the funds provided under this heading in this Act shall be subject to requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities”, $20,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to support continuity of operations, including National Weather Service life and property related operations: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

JUSTICE INFORMATION SHARING TECHNOLOGY

For an additional amount for “Justice Information Sharing Technology”, $2,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to support continuity of operations, including National Weather Service life and property related operations: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, $2,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including the impact of coronavirus on the work of the Department of Justice: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For an additional amount for “Agency Operations and Award Management”, $1,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally, to include necessary expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

SALARIES AND EXPENSES

For an additional amount for “State and Local Law Enforcement Assistance”, $850,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, to be awarded pursuant to the formula allocation (adjusted in proportion to the relative amounts statutorily designated therefor) that was used in fiscal year 2019 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part C of title I of the Omnibus Crime Control and Safe Streets Acts of 1968. Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for “United States Marshals Service, Salaries and Expenses”, $15,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including the impact of coronavirus on the work of the Department of Justice: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For an additional amount for “Research and Related Activities”, $75,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to fund research grants and other necessary expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for “Payment to the Legal Services Corporation”, $50,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That none of the funds appropriated under this heading in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 502 and 503, 504, 505, 506, 508, 509, 510, and 513 of Title 42, United States Code, and other necessary expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

SCIENCE, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SAFETY, SECURITY AND MISSION SERVICES

For an additional amount for “Safety, Security, and Mission Support Services”, $100,000,000, to remain available until September 30, 2021, to prevent, protect, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
that also receives funding from a State that is conditioned upon the application of a Federal cost sharing requirement.

SEC. 12002. (a) Funds appropriated in this title for the National Science Foundation may be made available to restore amounts, either directly or through reimbursement, for obligations incurred by the National Science Foundation research grants and other necessary expenses to prevent, prepare for, and respond to coronavirus, domestically or internationally, prior to the date of enactment of this Act.

(b) Grants or cooperative agreements made by the National Science Foundation under this title, to carry out research grants and other necessary expenses to prevent, prepare for, and respond to coronavirus, domestically or internationally, shall include amounts to reimburse costs for these purposes incurred between January 20, 2020, and the date of issuance of such grants or agreements.

BUREAU OF PRISONS

SEC. 12003. (a) DEFINITIONS.—In this section:

(1) the term “Bureau” means the Bureau of Prisons;

(2) the term “covered emergency period” means the period beginning on the date of the emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID-19) and ending 120 days after the date on which the national emergency declaration terminates; and

(3) the term “Secretary” means the Secretary of Health and Human Services.

(b) SUPPLY OF PERSONAL PROTECTIVE EQUIPMENT AND TEST KITS TO BUREAU OF PRISONS HOME CONFINEMENT AUTHORITY.—

(1) PERSONAL PROTECTIVE EQUIPMENT AND TEST KITS.—

(A) FINDINGS.—Congress finds the following:

(i) There is an urgent need for personal protective equipment and test kits to the Bureau based on the density of the inmate population, the high traffic, the high volume of inmates, the high rate of turnover of inmates and personnel, and the number of high-security areas, within the facilities of the Bureau.

(ii) The inability of the Bureau to secure the personal protective equipment and related supplies now at risk of being a vulnerability.

(iii) The Bureau is currently competing in and engaging the same landscape of vendors as all other Federal agencies and private entities.

(iv) The ability of the Bureau to purchase needed equipment and supplies is currently subject to an individual manufacturer’s specific recognition of the Bureau as a priority.

(B) CONSIDERATION.—The Secretary shall take into consideration, in addition to the other priorities of the Department of Health and Human Services for high-risk and high-need populations, the distribution of infectious disease personal protective equipment and COVID-19 test kits to the Bureau for use by inmates and personnel of the Bureau.

(C) HOME CONFINEMENT AUTHORITY.—During the covered emergency period, if the Attorney General finds that emergency conditions will materially affect the functioning of the Bureau, the Director of the Bureau may lengthen the maximum amount of time for which the Director is authorized to place a prisoner in home confinement under the first sentence of section 3624(c)(2) of title 18, United States Code, as the Director determines appropriate.

(D) VIDEO VISITATION.—

(1) IN GENERAL.—During the covered emergency period, if the Attorney General finds that emergency conditions will materially affect the functioning of the Bureau, the Director of the Bureau may lengthen the maximum amount of time for which the Director is authorized to place a prisoner in home confinement under the first sentence of section 3624(c)(2) of title 18, United States Code, as the Director determines appropriate.

(2) EMMERTENCE FROM LIMITATION RULEMAKING REQUIREMENTS.—Section 553 of title 5, United States Code, shall not apply to the promulgation of rules under paragraph (1) of this subsection.

(E) EMERGENCY REQUIREMENT.—The amount provided by this section is designated for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FUNDING FOR THE FOOD SERVICE INDUSTRY

SEC. 12004. (a) IN GENERAL.—During the covered emergency period described in subsection (e), the Director may toll, waive, adjust, or modify, any timing deadline established by title 5, United States Code, the Trademark Act, the section 18 of the Leahy-Smith America Invents Act (35 U.S.C. 321 note), or any other requirement under the 60 day period following such duration.

(2) TRADEMARK ACT.—The term “Trademark Act” means the Act entitled “An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes”, approved July 5, 1946 (15 U.S.C. 1051 et seq.).

(b) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term “Director” means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

(2) TRADEMARK ACT.—The term “Trademark Act” means the Act entitled “An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes”, approved July 5, 1946 (15 U.S.C. 1051 et seq.).

(c) VIDEO VISITATION.—

(1) EMERGENCY REQUIREMENT.—The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) APPROPRIATIONS.—In addition to funds that are otherwise made available to assist fishery participants under this Act, there are appropriated, and there are appropriated, $300,000,000, to remain available until September 30, 2021, to carry out this section, of which up to 2 percent may he used for administration and oversight activities.

(e) EMERGENCY REQUIREMENT.—The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITHE III

DEPARTMENT OF DEFENSE

MILITARY PERSONNEL

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, $746,591,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, $682,125,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
PROCUREMENT
DEFENSE PRODUCTION ACT PURCHASES
For an additional amount for “Defense Production Act Purchases”, $1,000,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL
SEC. 13005. (a) The head of an agency may waive the provisions of section 2326(b) of title 10, United States Code, the authority of a senior procurement official under section 2326(j)(6) of title 10, United States Code, shall not apply to any unobligated balances of the Defense Working Capital Fund: Provided further, That the authority of the Secretary of the Army to waive the provisions of section 2326(b) of title 10, United States Code, shall not apply to any unobligated balances of the Defense Working Capital Fund: Provided further, That the head of the Defense Health Program, as the Secretary of Defense determines, may exceed the amount otherwise specified in such section.

SEC. 13006. (a) Notwithstanding the meaning given that term in section 2326(b) of title 10, United States Code, the authority of a senior procurement official under section 2326(j)(6) of title 10, United States Code, shall not apply to any unobligated balances of the Defense Working Capital Fund: Provided further, That the authority of the Secretary of the Army to waive the provisions of section 2326(b) of title 10, United States Code, shall not apply to any unobligated balances of the Defense Working Capital Fund: Provided further, That the head of the Defense Health Program, as the Secretary of Defense determines, may exceed the amount otherwise specified in such section.

GENERAL PROVISIONS—THIS TITLE
Sect. 13001. Funds appropriated by this title may be transferred to, and merged with, other appropriations, and made available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That upon a given that all or part of the funds transferred pursuant to this section that are not necessary for the purposes provided herein, such funds shall be transferred back to the appropriation: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority provided by law.

Sect. 13002. For an additional amount for “Health Program”, $1,095,500,000, which shall be for operation and maintenance under this heading in Public Law 116–93 shall remain available for obligation until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Sect. 13003. (a) Section 2326(b)(3) of title 10, United States Code, shall not apply to any unobligated balances of the Defense Working Capital Fund: Provided further, That the authority of the Secretary of the Army to waive the provisions of section 2326(b) of title 10, United States Code, shall not apply to any unobligated balances of the Defense Working Capital Fund: Provided further, That the head of the Defense Health Program, as the Secretary of Defense determines, may exceed the amount otherwise specified in such section.

(b) In this section, the term “advance billings rendered or imposed for all working-capital funds of the Defense” means that any such working-capital funds of the Defense may exceed the amount otherwise specified in such section.

Sect. 13004. (a) Section 2326(b)(3) of title 10, United States Code, shall not apply to any unobligated balances of the Defense Working Capital Fund: Provided further, That the authority of the Secretary of the Army to waive the provisions of section 2326(b) of title 10, United States Code, shall not apply to any unobligated balances of the Defense Working Capital Fund: Provided further, That the head of the Defense Health Program, as the Secretary of Defense determines, may exceed the amount otherwise specified in such section.

Sect. 13005. (a) The head of an agency may waive the provisions of section 2326(b) of title 10, United States Code, with respect to any amount that the head of the agency determines that the waiver is necessary due to the national emergency for the Coronavirus Disease 2019 (COVID–19).

(b) In this section, the term “unobligated contract action” has the meaning given that term in section 2326(b)(6) of title 10, United States Code.

Sect. 13006. (a) Notwithstanding paragraph (3) of section 2541(a) of title 10, United States Code, the authority of a senior procurement executive or director of the Defense Advanced Research Projects Agency or the National Nuclear Security Administration to perform or have performed under that authority contracts made for the conduct of research and development programs under that authority shall not be applied for the conduct of research and development programs under that authority.
committees a notice on the carrying out of such transaction as soon as is practicable after the commencement of the carrying out of such transaction.

(3) In this subsection, the term "congressional defense committees" has the meaning given such term in section 101(a)(16) of title 10, United States Code.

SEC. 13007. (a) The President may extend the appointment of the Chief of Army Reserve as prescribed in section 7038(c) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by such section 7038(c).

(b) The President may extend the appointment of the Chief of Navy Reserve as prescribed in section 8083(c) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by such section 8083(c).

(c) The President may extend the appointment of the Chief of Staff of the Air Force prescribed in section 9039(a)(1) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by such section 9039(a)(1).

(d) The President may extend the appointment of the Chief of Space Operations, as prescribed in section 9082(a)(2) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by such section 9082(a)(2).

(e) The President may extend the appointment of the Director, Army National Guard as prescribed in section 10502(b) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by such section 10502(b).

(f) The President may extend the appointment of Director, National Guard Bureau as prescribed in section 10506(a)(3)(D) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by such section 10506(a)(3)(D).

(g) Notwithstanding paragraph (4) of section 10505(a) of title 10, United States Code, the Secretary of Defense may waive the limitations in paragraphs (2) and (3) of that section for a period of not more than 279 days.

(h)(1) The President may delegate the exercise of the authorities in subsections (a) through (f) to the Secretary of Defense.

(i) The Secretary of Defense may delegate the exercise of any authority delegated to the Secretary pursuant to paragraph (1), and may not delegate the exercise of the authority in subsection (g).

TITLE IV
CORPS OF ENGINEERS—CIVIL
DEPARTMENT OF THE ARMY
OPERATION AND MAINTENANCE

For an additional amount for "Operation and Maintenance", $50,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for "Water and Related Resources", $12,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That $500,000 of the funds provided under this heading in this Act shall be transferred to the "Central Utah Project Completion Account" to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
WATER AND RELATED RESOURCES
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Water and Related Resources", $12,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That $500,000 of the funds provided under this heading in this Act shall be transferred to the "Central Utah Project Completion Account" to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

POLICY AND ADMINISTRATION

For an additional amount for "Policy and Administration", $8,100,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF ENERGY
ENERGY PROGRAMS

SALINITY

For an additional amount for "Science", $99,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for necessary expenses related to providing support and access to scientific user facilities in the Office of Science and National Nuclear Security Administration, including equipment, enabling technologies, and personnel associated with the operations, maintenance, and improvements of scientific user facilities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL ADMINISTRATION
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Departmental Administration", $3,300,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for necessary expenses related to supporting remote access for personnel: Provided, That funds appropriated under this heading in this Act shall be transferred to the Life Extension II project for the Strategic Petroleum Reserve by striking the three provisos before the final period and inserting the following: "Provided, That, as authorized by section 404 of the Bipartisan Budget Act of 2015 (Pub. L. 114–74; 42 U.S.C. 2214 note), the Secretary of Energy shall draw down and sell not to exceed a total of $50,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2020, fiscal year 2021, or fiscal year 2022: Provided further, That the proceeds from such drawdown and sale shall be deposited into the "Energy Security and Infrastructure Modernization Fund" during the fiscal year in which the sale occurs and shall be made available in such fiscal year, to remain available until expended, for necessary expenses to carry out the Life Extension II project for the Strategic Petroleum Reserve:"

For an additional amount for "Salaries and Expenses", $3,300,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for necessary expenses related to supporting remote access for personnel: Provided, That, notwithstanding 42 U.S.C. 2214, such amount shall be derived from fees revenue: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

Snc. 14001. Funds appropriated in this title may be made available to restore amounts, either directly or through reimbursement, for obligations incurred to prevent, prepare for, and respond to coronavirus prior to the date of enactment of this Act.

Snc. 14002. (a) Section 404 of the Bipartisan Budget Act of 2015 (42 U.S.C. 6239 note) is amended—

(1) in subsection (e), by striking "2020" and inserting "2022"; and

(2) in subsection (g), by striking "2020" and inserting "2022".

(b) Title III of division C of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) is amended in the matter under the heading "Department of Energy—Policy and Administration" by striking the following: " Provided, That, as authorized by section 404 of the Bipartisan Budget Act of 2015 (Pub. L. 114–74; 42 U.S.C. 2214 note), the Secretary of Energy shall draw down and sell not to exceed a total of $50,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2020, fiscal year 2021, or fiscal year 2022: Provided further, That the proceeds from such drawdown and sale shall be deposited into the "Energy Security and Infrastructure Modernization Fund" during the fiscal year in which the sale occurs and shall be made available in such fiscal year, to remain available until expended, for necessary expenses to carry out the Life Extension II project for the Strategic Petroleum Reserve:"

(c) The amount provided by this section designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Snc. 14003. Any discretionary appropriation for the Corps of Engineers derived from the Harbor Maintenance Trust Fund (not to exceed the total amount deposited in the Harbor Maintenance Trust Fund in the prior fiscal year) shall be subtracted from the estimate of discretionary budget authority and outlays for any estimate of an appropriations Act under the Congressional Budget and Impoundment Control Act of 1974 or the Balanced Budget and Emergency Deficit Control Act of 1985.

Snc. 14004. Section 1432(a)(2)(B)(ii) of title 42, United States Code, is amended by inserting "", except that a discretionary grant to respond to economic distress directly related to the impacts of the Coronavirus Disease 2019 (COVID-19) shall not be included in such aggregate amount" before the period at the end.
TITLE V
DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
ADMINISTRATIVE PROVISION—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

S. 1500. In addition to the amounts otherwise available to the Internal Revenue Service in fiscal year 2020, $250,000,000, to remain available until September 30, 2021, shall be available to prevent, prepare for, and respond to coronavirus, domestically or internationally, including costs associated with the extended filing season and implementation of the Families First Coronavirus Response Act: Provided, That such funds may be transferred by the Commissioner to the Treasury Taxpayers’ Service, ‘Enforcement,’ or ‘Operations Support’ accounts of the Internal Revenue Service for an additional amount to be used solely to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate shall be notified in advance of any such transfer: Provided further, That such transfer authority is in addition to any other transfer authority provided by law: Provided further, That not later than 30 days after the date of enactment of this Act, the Commissioner shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for such funds: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

THE JUDICIARY
SUPREME COURT OF THE UNITED STATES

Salaries and expenses
For an additional amount for “Salaries and Expenses”, $500,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

Salaries and expenses
For an additional amount for “Salaries and Expenses”, $500,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEFENDER SERVICES

For an additional amount for “Defender Services”, $1,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION—THE JUDICIARY

VIDEO TELECONFERENCE FOR CRIMINAL PROCEEDINGS

S. 15002. (a) Definition.—In this section, the term ‘emergency period’ means the period beginning on the date on which the President declared a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) and ending on the date that is 30 days after the date on which the national emergency declaration terminates.

(b) Video Teleconferencing for Criminal Proceedings.—(1) In General.—Subject to paragraphs (3), (4), and (5), if the Judicial Conference of the United States finds that emergency conditions due to the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) will materially affect the functioning of the United States courts generally or a particular district court of the United States, the chief judge of a district court covered by the finding (or, if the chief judge is unavailable, the most senior available active judge of the court or the chief judge or circuit justice of the circuit that includes the district court), upon application of the Attorney General or the designee of the Attorney General, or on motion of the judge or justice, may authorize the use of video teleconferencing, or telephone conferencing under paragraph (1), if it is issued, if the authority has not been terminated under paragraph (5), the chief judge of the district court (or, if the chief judge is unavailable, the most senior available active judge of the court or the chief judge or circuit justice of the circuit that includes the district court) to which the authorization applies shall review the authorization and determine whether to extend that authorization.

(2) Additional Review.—(A) If an authorization is extended under subparagraph (A), the chief judge of the district court (or, if the chief judge is unavailable, the most senior available active judge of the court or the chief judge or circuit justice of the circuit that includes the district court) to which the authorization applies shall review the extension of authority not less frequently than every 90 days after the date on which it was extended.

(B) The expiration of authority not less frequently than once every 90 days after the date on which it was extended shall take place with the consent of the defendant, or before the juvenile, after consultation with counsel.

(3) Certification.—If an authorization described in paragraph (1) or (2) may only take place with the consent of the defendant or the juvenile, the consent shall be obtained by the judge or justice.

(4) National Emergency Generally.—The Judicial Conference of the United States and the Supreme Court of the United States shall consider rule amendments under chapter 403 of title 28, United States Code (commonly known as the ‘‘Rules Enabling Act’’), except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings.

(5) Limitation on Emergency Authority.—The authority provided under paragraphs (1), (2), and (3), and any specific authorizations issued under those paragraphs, shall terminate on the earlier of—

(A) the last day of the covered emergency period; or

(B) the date on which the Judicial Conference of the United States finds that emergency conditions due to the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) no longer materially affect the functioning of either the Federal courts generally or the district court in question.

(6) National Emergencies Generally.—The Judicial Conference of the United States and the Supreme Court of the United States shall consider rule amendments under chapter 403 of title 28, United States Code (commonly known as the ‘‘Rules Enabling Act’’), that address emergency measures that may be taken by the Federal courts when the President declares a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(7) Rule of Construction.—Nothing in this subsection shall abate a defendant’s right to counsel under the Sixth Amendment to the Constitution of the United States, any Federal statute, or the Federal Rules of Criminal Procedure.

(c) The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for “Federal Payment for Emergency Planning and Security Costs in the District of Columbia”, $5,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INDEPENDENT AGENCIES

ELECTION ASSISTANCE COMMISSION

ELECTION SECURITY GRANTS

For an additional amount for “Election Security Grants”, $400,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle: Provided, That a State receiving a payment with funds provided under this heading shall provide the Election Assistance Commission, within 20 days of each election in the 2020 Federal election cycle in that State, a report that includes any of the State’s administration of the payment and an explanation of how such uses allowed the State to prevent, prepare for, and respond to coronavirus: Provided further, That, within 3 days of its receipt of a report required in the preceding proviso, the Election Assistance Commission will transmit the report to the Committee on Appropriations and the Committee on House Administration of the House of Representatives and the Committee on Appropriations and the Committee on Rules and Administration of the Senate: Provided further, That not later than 30 days after the date of enactment of this Act, the Election Assistance Commission shall make the payments to States under this heading: Provided further, That any portion of a payment made to a State with funds provided under this heading in this Act which is obligated on December 31, 2020, is to be returned to the Treasury: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $200,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, to address coronavirus by providing telecommunication services, information services, and devices necessary to enable the provision of telehealth services during an emergency period, as defined in section 1136(g)(1) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)): Provided, That the Federal Communications Commission on the rulemaking Commission under part 54 of title 47, Code of Federal Regulations, in administering the amount provided under the heading in this Act if the Commission determines that the administration is in the public interest: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL ACTIVITIES

FEDERAL CITIZEN SERVICES FUND (INCLUDING TRANSFER OF FUNDS)

For an additional amount to be deposited in the “Federal Citizen Services Fund”, $19,650,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WORKING CAPITAL FUND

For an additional amount for “Working Capital Fund”, $1,500,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION—GENERAL SERVICES ADMINISTRATION

SEC. 15003. Notwithstanding 41 U.S.C. 3306(h)(1), coronavirus domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the “Disaster Loans Program Account”, $50,000,000, to remain available until expended, to promote transparency and support oversight of funds provided in this Act to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the cost of direct loans authorized by section 7(b) of the Small Business Act and for administrative expenses to carry out the disaster loan program authorized by section 7(b) of the Small Business Act: Provided, That the amounts provided under this heading in this Act may be transferred to, and merged with, “Small Business Administration—Salaries and Expenses”: Provided further, That no amount under this heading may be used to provide expenses to carry out the disaster loan program authorized by section 7(b) of the Small Business Act: Provided, That the amounts provided under this heading in this Act may be transferred to, and merged with, “Small Business Administration—Salaries and Expenses”.

GENERAL PROVISIONS—THIS TITLE

PANDEMIC RESPONSE ACCOUNTABILITY COMMITTEE

For an additional amount for “PANDEMIC RESPONSE ACCOUNTABILITY COMMITTEE”, $300,000,000, to remain available until expended, to promote transparency and support oversight of funds provided in this Act to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the cost of direct loans authorized by section 7(b) of the Small Business Act and for administrative expenses to carry out the disaster loan program authorized by section 7(b) of the Small Business Act: Provided, That the amounts provided under this heading in this Act may be transferred to, and merged with, “Small Business Administration—Salaries and Expenses”.

STATE AND LOCAL FUNDS

For an additional amount for “State and Local Emergency Service and Public Assistance Programs”, $6,100,000,000, to be transferred to, and merged with, the Emergency Response Reserve Account of the Federal Emergency Management Agency, for emergency assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to States, local governments, and organizations providing emergency services: Provided, That the amounts provided are available to the State and local governments and organizations in the manner authorized: Provided further, That not later than 30 days after the date of enactment of this Act, the Committees on Appropriations of the House of Representatives and the Senate and the House of Representatives; and the Committee on Homeland Security and Governmental Affairs of the Senate;
(C) the Committee on Oversight and Reform of the House of Representatives; and

(D) any other relevant congressional committee of jurisdiction;

(3) The term “Chairperson” means the Chairperson of the Committee;

(4) the term “Council” means the Council of the Inspectors General on Integrity and Efficiency established under section 5315 of title 5, United States Code;

(5) the term “Committee” means the Pandemic Response Accountability Committee established under section (b);

(6) the term “covered funds” means any funds, including loans, that are made available in any form to any non-Federal entity, not including an individual, under—

(A) this Act;

(B) the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116–127);

(C) the Families First Coronavirus Response Act (Public Law 116–137); or

(D) any other Act primarily making appropriations for the Coronavirus response and related activities; and

(7) the term “Coronavirus response” means the Federal Government’s response to the national emergency declared by the Secretary of Health and Human Services, retroactive to January 27, 2020, pursuant to section 319 of the Public Health Service Act, as a result of confirmed cases of the novel coronavirus COVID–19 in the United States;

(b) The Chairperson and the Executive Director of the Committee shall be full-time employees of the Federal Government involved in the Coronavirus response.

(c)(1) The Chairperson of the Committee shall—

(i) prevent and detect fraud, waste, abuse, and mismanagement; and

(ii) mitigate major risks that cut across program and agency boundaries.

(c)(2) The members of the Committee shall include—

(A) the Chairperson;

(B) the Executive Director and the Deputy Executive Director of the Committee;

(C) The Executive Director of the Committee shall—

(I) review the reporting of covered funds and the Coronavirus response made by the Chairperson, consistent with subsection (f);

(ii) identify major risks that cut across programs and agency boundaries,

(iii) serve as a liaison to the Director of Management and Budget, the Inspector General of the Federal Reserve System, and the Inspector General of the Small Business Administration;

(iv) develop a strategic plan to ensure coordinated, efficient, and effective comprehensive oversight by the Committee of Inspectors General over all aspects of covered funds and the Coronavirus response;

(v) audit or review covered funds, including conducting a comprehensive audit and review of contracts or grants made to the Federal government pursuant to authorities provided in the Coronavirus Aid, Relief, and Economic Security Act, to determine whether wasteful spending, poor contract or grant management, or other abuses are occurring and refer matters the Committee considers appropriate for investigation to the Inspector General of the agency that disbursed the covered funds, including conducting randomized audits to identify fraud;

(vi) reviewing whether the reporting of contracts and grants using covered funds meets applicable standards and specifies the purpose of the contract or grant and measures of performance;

(vii) reviewing the economy, efficiency, and effectiveness in the administration of, and the detection of fraud, waste, abuse, and mismanagement in, Coronavirus response programs and operations;

(viii) reviewing whether competition requirements applicable to contracts and grants using covered funds are satisfied;

(ix) serving as a liaison to the Director of Management and Budget, the Secretary of the Treasury, and other officials responsible for implementing the Coronavirus response;

(x) expeditiously reporting to the Attorney General any instance in which the Committee has reasonable grounds to believe there has been a violation of Federal criminal law by any entity involved in the Coronavirus response.

(2)(A) The Committee shall conduct and coordinate oversight of covered funds and the Coronavirus response and support Inspectors General over all aspects of covered funds and the Coronavirus response in order to—

(i) detect and prevent fraud, waste, abuse, and mismanagement; and

(ii) identify major risks that cut across programs and agency boundaries.

(B) The Executive Director and Deputy Executive Director of the Committee shall be determined whether wasteful spending pays prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(3)(A) The Committee shall conduct and coordinate oversight of covered funds and the Coronavirus response and support Inspectors General in conducting investigations, audits, and reviews under this subchapter.

(C) The Executive Director of the Committee has reasonable grounds to believe there has been a violation of Federal criminal law by any entity involved in the Coronavirus response.

(4) The Committee shall submit biannual reports to the President and Congress, including the appropriate congressional committees, on the Federal Government’s response to the Coronavirus response and coordinate on such activities with the Inspector General of the relevant agency to avoid unnecessary duplication and overlap of work.

(2) The Committee may—

(A) conduct its own independent investigations, audits, and reviews relating to covered funds or the Coronavirus response;

(B) collaborate on audits and reviews relating to covered funds with any Inspector General of an agency; and

(P) provide support to relevant Inspector General in conducting investigations, audits, and reviews relating to covered funds or the Coronavirus response.

(3) In conducting and supporting investigations, audits, and reviews under this subchapter, the Committee shall—

(C) coordinate oversight of covered funds and the Coronavirus response, including coordinating and collaborating with the extent practicable with State and local government entities; and

(C) providing the Committee with any information that the Committee considers appropriate on the use of covered funds and the Coronavirus response.
(ii) may issue subpoenas to compel the testimony of persons who are not Federal officers or employees; and

(iii) may enforce such subpoenas in the event of a refusal to comply with any of any appropriate United States district court as provided for under section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

(B) The Committee shall carry out the powers under paragraphs (1) and (2) in accordance with section 4(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

(C) No person who is first employed as a member of the Committee shall carry out the assistance requested by the Committee or an Inspector General unless such assistance is reasonably or reasonably necessary.

(D) The Committee shall leverage existing information technology resources within the Council, such as oversight.gov, to carry out the duties of the Committee.

(E) The Committee may hold public hearings and Committee personnel may conduct necessary inquiries.

(F) The head of each agency shall make all officers and employees of that agency available to the Committee to facilitate the ability of the Committee to discharge its duties.

(G) The Committee may transfer funds appropriated to the Committee for expenses to support administrative support services and audits, reviews, or other activities related to oversight of the Committee's covered funds or the Coronavirus response to any Office of the Inspector General or the General Services Administration.

(H) The Committee may enter into contracts to enable the Committee to discharge its duties, including contracts for other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Committee.

(I) The Committee may establish subcommittees to facilitate the ability of the Committee to discharge its duties.

(J) The Committee may transfer funds appropriated to the Committee for expenses to support administrative support services and audits, reviews, or other activities related to oversight of the Committee's covered funds or the Coronavirus response to any Office of the Inspector General or the General Services Administration.

(K) The Committee may enter into contracts to enable the Committee to discharge its duties, including contracts for other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Committee.

(L) The Committee may establish subcommittees to facilitate the ability of the Committee to discharge its duties.

(M) The Committee may transfer funds appropriated to the Committee for expenses to support administrative support services and audits, reviews, or other activities related to oversight of the Committee's covered funds or the Coronavirus response to any Office of the Inspector General or the General Services Administration.

(N) The Committee may enter into contracts to enable the Committee to discharge its duties, including contracts for other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Committee.

(O) The Committee may establish subcommittees to facilitate the ability of the Committee to discharge its duties.

(P) The Committee may transfer funds appropriated to the Committee for expenses to support administrative support services and audits, reviews, or other activities related to oversight of the Committee's covered funds or the Coronavirus response to any Office of the Inspector General or the General Services Administration.

(Q) The Committee may enter into contracts to enable the Committee to discharge its duties, including contracts for other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Committee.

(R) The Committee may establish subcommittees to facilitate the ability of the Committee to discharge its duties.

(S) The Committee may transfer funds appropriated to the Committee for expenses to support administrative support services and audits, reviews, or other activities related to oversight of the Committee's covered funds or the Coronavirus response to any Office of the Inspector General or the General Services Administration.

(T) The Committee may enter into contracts to enable the Committee to discharge its duties, including contracts for other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Committee.

(U) The Committee may establish subcommittees to facilitate the ability of the Committee to discharge its duties.

(V) The Committee may transfer funds appropriated to the Committee for expenses to support administrative support services and audits, reviews, or other activities related to oversight of the Committee's covered funds or the Coronavirus response to any Office of the Inspector General or the General Services Administration.

(W) The Committee may enter into contracts to enable the Committee to discharge its duties, including contracts for other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Committee.

(X) The Committee may establish subcommittees to facilitate the ability of the Committee to discharge its duties.

(Y) The Committee may transfer funds appropriated to the Committee for expenses to support administrative support services and audits, reviews, or other activities related to oversight of the Committee's covered funds or the Coronavirus response to any Office of the Inspector General or the General Services Administration.

(Z) The Committee may enter into contracts to enable the Committee to discharge its duties, including contracts for other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Committee.
TITLE VI
DEPARTMENT OF HOMELAND SECURITY
MANAGEMENT DIRECTORATE
OPERATIONS AND SUPPORT

For an additional amount for "Operations and Support", $178,300,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally; which shall be for the purchase of personal protective equipment and sanitization materials: Provided, That funds provided under this heading in this Act may be transferred by the Secretary of Homeland Security between appropriations in the Department only for the purchase of personal protective equipment and sanitization materials to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided further, That none of the funds made available under this heading shall be transferred to the authority in section 503 of the Department of Homeland Security Appropriations Act, 2020: Provided further, That the Administrator shall provide notice of any transfer to the Committees on Appropriations of the Senate and the House of Representatives not later than 5 days after execution: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSPORTATION SECURITY ADMINISTRATION
OPERATIONS AND SUPPORT

For an additional amount for "Operations and Support", $100,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, which shall be for cleaning and sanitization at checkpoints and other airport common areas; overtime and travel costs; and explosive detection materials: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES COAST GUARD
OPERATIONS AND SUPPORT

For an additional amount for "Operations and Support", $140,800,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, which shall be for mobilization of reservists and increasing the capability and capacity of Coast Guard information technology systems and infrastructure: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY
OPERATIONS AND SUPPORT

For an additional amount for "Operations and Support", $89,800,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, which shall be for support of interagency critical infrastructure coordination and related activities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL EMERGENCY MANAGEMENT AGENCY
OPERATIONS AND SUPPORT

For an additional amount for "Operations and Support", $44,967,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, which shall be for enhancements to information technology and for facilities support: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DISASTER RELIEF FUND

For an additional amount for "Disaster Relief Fund", $15,000,000,000, to remain available until expended: Provided, That the amount provided under this heading in this Act, $25,000,000,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.; Provided further, That the amount of the provision under this heading in this Act, $15,000,000,000 may be used for all purposes authorized under such Act and may be used in addition to amounts designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL ASSISTANCE

For an additional amount for "Federal Assistance", $400,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the amount provided under this heading in this Act, $1,000,000 shall be used for grants to Firefighter Grants for the purchase of personal protective equipment and related supplies, including reimbursements; $100,000 shall be for Emergency Performance Grants; and $300,000 shall be for the Emergency Food and Shelter Program: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

SCC. 16001. Notwithstanding any other provision of law, funds made available under each heading in this title, except for "Federal Emergency Management Agency—Disaster Relief Fund", shall be used for the purposes specifically described under that heading.

SCC. 16002. Notwithstanding any other provision of law, any amounts appropriated for "Federal Emergency Management Agency—Disaster Relief Fund" in this Act are available only for the purposes for which they were appropriated.

SCC. 16003. (a) Premium Pay Authority.—If services performed during fiscal year 2020 are designated by the head of the agency as being primarily related to preparation, prevention, or response to coronavirus, any premium pay...
that is funded, either directly or through reimbursement, by the Federal Emergency Management Agency shall be exempted from the aggregate of basic pay and premium pay calculated under section 5307(a) of title 5, United States Code, and any other provision of law limiting the aggregate amount of premium pay payable on a biweekly or calendar year basis.

(b) OVERTIME AUTHORITY.—Any overtime that is funded for such services described in subsection (a), either directly or through reimbursement, by the Federal Emergency Management Agency shall be exempted from any annual limit on the amount of overtime pay payable for a fiscal year.

(c) APPLICABILITY OF AGGREGATE LIMITATION ON PAY.—In determining whether an employee is entitled to any overtime authorized as provided in section 5313 of title 5, United States Code, the head of an Executive agency shall not include pay exempted under this section.

(d) LIMITATION OF PAY AUTHORITY.—Pay exempted from otherwise applicable limits under subsection (a) shall not cause the aggregate pay earned for the calendar year in which the exempted pay is earned to exceed the rate of basic pay payable for a position at level 5 of Executive Schedule under section 5313 of title 5, United States Code.

(e) EFFECTIVE DATE.—This section shall take effect as if enacted on January 1, 2020.

SEC. 16007. Section 5 of the Protecting and Immediate Emergency Response for Rural Communities Act of 2020.

(a) Amounts for rural health care services, mental health services, and assistance for the Coronavirus, domestically or internationally.

(b) No amounts may be used under this section from amounts that are designated by the Congress for Coronavirus, domestically or internationally.

(c) Subsection (a) shall apply during the interval that any VAD on the Coronavirus, domestically or internationally, including, but not limited, to funds for purchasing equipment and supplies to disinfect and clean buildings and public areas, supporting law enforcement and emergency management operations, biosurveillance of wildlife and environmental persistence studies, employee overtime and special pay expenses, and other expenses, mitigation or recovery activities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VII
DEPARTMENT OF THE INTERIOR

INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Operation of Indian Programs”, $453,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including, but not limited to, funds for purchasing equipment and supplies to disinfect and clean buildings and public areas, supporting law enforcement and emergency management operations, biosurveillance of wildlife and environmental persistence studies, employee overtime and special pay expenses, and other expenses, mitigation or recovery activities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL OPERATIONS
OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Departmental Operations”, $158,400,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including, but not limited to, funds for purchasing equipment and supplies to disinfect and clean buildings and public areas, supporting law enforcement and emergency management operations, biosurveillance of wildlife and environmental persistence studies, employee overtime and special pay expenses, and other expenses, mitigation or recovery activities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for “Assistance to Territories”, $55,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for general technical assistance: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For an additional amount for ‘‘Science and Technology’’, $2,250,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the amount of the provision under this heading in this Act, $750,000 shall be for necessary expenses for cleaning and disinfecting equipment or facilities of, or by use by, the Environmental Protection Agency, and $1,500,000 shall be for research on methods to reduce the rate of transmission of coronavirus via contaminated surfaces or materials: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for ‘‘Environmental international activities’’, $3,810,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the amount provided under this heading in this Act, $2,410,000 shall be for necessary expenses for cleaning and disinfecting equipment or facilities of, or by use by, the Environmental Protection Agency, and operational continuity of Environmental Protection Agency programs and related activities, and $1,500,000 shall be for expediting registration and other actions related to pesticides to address coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUILDINGS AND FACILITIES

For an additional amount for ‘‘Buildings and Facilities’’, $800,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the amount provided under this heading in this Act shall be for necessary expenses for cleaning and disinfecting equipment or facilities of, or for use by, the Environmental Protection Agency: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HAZARDOUS SUBSTANCE SUPERFUND

For an additional amount for ‘‘Hazardous Substance Superfund’’, $770,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the funds provided under this heading in this Act shall be for necessary expenses for cleaning and disinfecting equipment or facilities of, or for use by, the Environmental Protection Agency: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For an additional amount for ‘‘Forest and Rangeland Research’’, $3,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for the reestablishment of abandoned or failed experiments associated with employee restrictions due to the coronavirus outbreak: Provided, That amounts provided under this heading in this Act shall be allocated at the discretion of the Chief of the Forest Service: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for ‘‘National Forest System’’, $3,910,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the funds provided under this heading in this Act shall be allocated at the discretion of the Chief of the Forest Service: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WILDLAND FIRE MANAGEMENT

For an additional amount for ‘‘Wildland Fire Management’’, $7,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the funds provided under this heading in this Act shall be allocated at the discretion of the Chief of the Forest Service: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES (INCLUDING TRANSFERRED FUNDS)

For an additional amount for ‘‘Indian Health Services’’, $1,032,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for public health support, electronic health record modernization, telehealth and other information technology upgrades, Pandemic Response and Care, Catastrophic Health Emergency Fund, Urban Indian Organizations, Tribal Epidemiology Centers, Community Health Representatives, substance use disorder, for public health safety of patients and staff: Provided, That the amount provided under this heading in this Act, up to $65,000,000 is for electronic health record modernization, telehealth and other information technology upgrades, Pandemic Response and Care, Catastrophic Health Emergency Fund, Urban Indian Organizations, Tribal Epidemiology Centers, Community Health Representatives, substance use disorder, for public health safety of patients and staff: Provided further, That of amounts provided under this heading in this Act, not less than $450,000,000 shall be distributed through IHS directly operated programs and to tribes and tribal organizations under the Indian Self-Determination and Education Assistance Act and through contracts or grants with urban Indian organizations under title V of the Indian Health Care Improvement Act: Provided further, That any amount allocated pursuant to the paragraph not allocated pursuant to the preceding proviso shall be allocated at the discretion of the Director of the Indian Health Service: Provided further, That the funds provided under this heading in this Act shall be transferred to and merged with the ‘‘Indian Health Service, Indian Health Facilities’’ appropriation account at the discretion of the Director for the purposes specified in this Act: Provided further, That amounts provided under this heading in this Act shall be transferred to and merged with the ‘‘Indian Self-Determination and Education Assistance Act, will be transferred on a one-time basis and that these non-recurring funds are not part of the amount required by 25 U.S.C. § 5325, and that such amounts may only be used for the purposes identified under this heading notwithstanding any other provision of law: That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL HEALTH ACT

PUBLIC HEALTH

For an additional amount for ‘‘Toxic Substances and Environmental Public Health’’, $12,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the amount provided under this heading in this Act shall be for necessary expenses for the Geospatial Research, Analysis and Services Program to support spatial analysis and Geographic Information System mapping of infectious disease hot spots, including cruise ships: Provided further, That the funds provided under this heading in this Act shall be for necessary expenses for awards to Pediatric Environmental Health Specialty Units as a state health authority to provide guidance and outreach on safe practices for disinfection for home, school, and clinical settings: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER RELATED AGENCIES
INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT
PAYMENT TO THE INSTITUTE

For an additional amount for ‘‘Payment to the Institute’’, $70,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For an additional amount for ‘‘Salaries and Expenses’’, $7,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including funding for deep cleaning, security, information
For an additional amount for ‘‘Training and Employment Services’’, $345,000,000, to remain available through September 30, 2022, to provide training and employment services to respond to coronavirus, domestically or internationally, for necessary expenses for the dislocated workers assistance national reserve: Provided further, That the amount provided under this heading in this Act may be used to replace grant funds previously obligated to the impacted areas: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For an additional amount for ‘‘Departmental Management’’, $15,000,000, to remain available through September 30, 2022, to prevent, prepare for, and respond to coronavirus, including for enforcement, oversight, and coordination activities in those accounts: Provided further, That the amount provided under this heading in this Act, $1,000,000, to remain available until expended, shall be transferred to ‘‘Office of Inspector General’’ for oversight of activities related to section 21001 of title 42, and for oversight of activities related to Public Law 116–127 and for oversight of activities relating to section 231 of division B of Public Law 115–254, that the Secretary of Health and Human Services, in consultation with the Director of the Centers for Disease Control and Prevention (‘‘CDC’’), may satisfy the funding thresholds outlined in the preceding two provisos by making awards through other grant or cooperative agreement mechanisms: Provided further, That of the amount provided under this heading in this Act, not less than $500,000,000 shall be for grants to local health departments and other entities for local disease detection and emergency response: Provided further, That of the amount provided under this heading in this Act, not less than $500,000,000 shall be for Global Health Service Providers, including grant awards to grantees and contractors to enhance global health data surveillance, information technology, and staff oversight: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For an additional amount for ‘‘SALARIES AND EXPENSES’’, $75,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for necessary expenses for the dislocated workers assistance national reserve: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For an additional amount for ‘‘Grants and Administration’’, $75,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, to be distributed in grants: Provided, That such funds are available under the same terms and conditions as appropriations and grants in this Act, to eligible entities for activities in the performing arts, including但是对于公告的预算和紧急赤字控制

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For an additional amount for ‘‘Operations and Maintenance’’, $35,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for federal funding for deep cleaning and information technology to improve telework capability and for operations and maintenance requirements related to the consequences of coronavirus: Provided, That notwithstanding the provisions of 20 U.S.C. 761 et seq., funds provided under this heading in this Act shall be made available to cover operating expenses required to ensure the continuity of the John F. Kennedy Center for the Performing Arts and its affiliates, including grants, contracts, payments for rental and utilities, fees for artists or performers, information technology, and other administrative expenses: Provided further, That no later than October 1, 2020, the President of the Center shall submit a report to the Committees on Appropriations of the House of Representatives and Senate that includes a detailed accounting of the distribution of the funds provided herein: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For an additional amount for ‘‘Grants and Administration’’, $75,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, including to enforce worker protection laws and regulations, and to oversee and coordinate activities related to division C, division D, division E, and division F of Public Law 116–94: Provided further, That 40 percent of such funds shall be distributed in grants: Provided, That such funds are available under the same terms and conditions as appropriations and grants in this Act, to eligible entities for activities for the support of the National Foundation on the Arts and Humanities Act of 1965 (20 U.S.C. 954) may be waived with respect to such grants: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PRESIDENT’S COUNCIL OF FOUNDATIONS

DEPARTMENTAL MANAGEMENT

For an additional amount for ‘‘Presidential Management’’, $15,000,000, to remain available through September 30, 2022, to prevent, prepare for, and respond to coronavirus, including for administrative expenses, including for support of the Council on Environmental Quality: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL MANAGEMENT

DEPARTMENT OF STATE

For an additional amount for ‘‘Other Expenses’’, $1,250,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, including to enforce worker protection laws and regulations, and for coordination activities necessary for the performance of the normal functions of the Department of State: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DEPARTMENTAL MANAGEMENT

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT INCLUDIND TRAINING AND EMPLOYMENT SERVICES

For an additional amount for ‘‘CDC-Wide Activities and Program Support’’, $1,390,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That not less than $1,500,000,000 of the amount provided under this heading in this Act shall be transferred to the Reserve Fund (‘‘Reserve Fund’’), established by section 231 of division B of Public Law 115–254, that the Director of the Centers for Disease Control and Prevention (‘‘CDC’’) may satisfy the funding thresholds outlined in the preceding two provisos by making awards through other grant or cooperative agreement mechanisms: Provided further, That the amount provided under this heading in this Act, not less than $500,000,000 shall be for global health data surveillance, information technology, and staff oversight: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
NATIONAL INSTITUTES OF HEALTH
NATIONAL HEART, LUNG, AND BLOOD INSTITUTE
For an additional amount for “National Heart, Lung, and Blood Institute”, $1,033,400,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES
For an additional amount for “National Institute of Allergy and Infectious Diseases”, $706,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING
For an additional amount for “National Institute of Biomedical Imaging and Bioengineering”, $60,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL LIBRARY OF MEDICINE
For an additional amount for “National Library of Medicine”, $10,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES
For an additional amount for “National Center for Advancing Translational Sciences”, $36,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE DIRECTOR
For an additional amount for “Office of the Director”, $30,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such funds shall be available for the Common Fund established under section 222(a)(1) of the PHS Act: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
HEALTH SURVEILLANCE AND PROGRAM SUPPORT
For an additional amount for “Health Surveillance and Program Support”, $3,250,000,000, to remain available through September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That of the amount appropriated under this Act, not less than $250,000,000 is available for certified Community Behavioral Health Clinic Expansion Grant program: Provided further, That of the amount appropriated under this Act, not less than $100,000,000 is available for activities authorized under section 501(o) of the Public Health Service Act: Provided further, That of the funding made available under this heading in this Act, not less than $15,000,000 shall be allocated to tribes, tribal organizations, urban Indian health organizations, or health or behavioral health service providers to tribes: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES
For an additional amount for “National Institute of Allergy and Infectious Diseases”, $103,400,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATION FOR CHILDREN AND FAMILIES
LOW INCOME HOME ENERGY ASSISTANCE
For an additional amount for “Low Income Home Energy Assistance”, $900,000,000, to remain available through September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT
For an additional amount for “Payments to States for the Child Care and Development Block Grant”, $3,500,000,000, to remain available through September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHILDREN AND FAMILIES SERVICES PROGRAMS
For an additional amount for “Children and Families Services Programs”, $1,874,000,000, to remain available through September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
shall be for aging and disability resource centers authorized in sections 302(b) and 411 of the OAA to prevent, prepare for, and respond to coronavirus; Provided further, That the funds appropriated under this heading in this Act to prevent, prepare for, and respond to coronavirus, $85,000,000 shall be available for centers for independent living, under part C of chapter I of title VII of the Rehabilitation Act of 1973; Provided further, That to facilitate State use of funds provided under this heading in this Act to prevent, prepare for, and respond to coronavirus, $85,000,000 shall be available for centers for independent living, under part C of chapter I of title VII of the Rehabilitation Act of 1973; Provided further, That the transfer authority under section 308(b)(4)(A) of the OAA shall apply to funds made available under this heading in this Act by substituting “100 percent” for “40 percent”; Provided further, That the State Long-Term Care Ombudsman shall have continuing direct access (or other processes through the purchase of technology) to residents of long-term care facilities during any portion of the public health emergency relating to coronavirus beginning on the date such emergency requirement pursuant to section 331(e) of Public Law 98–202, as amended, in effect on September 30, 2020, to provide services described in section 712(a)(3)(B) of the OAA: Provided further, That such amount is designated to be available for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PUBLIC HEALTH AND SOCIAL SERVICES

EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Public Health and Social Services Emergency Fund”, $27,014,500,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally, prior to the date of enactment of this Act: Provided further, That such amount is designated as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATION FOR COMMUNITY LIVING

AGING AND DISABILITY SERVICES PROGRAMS

For an additional amount for “Aging and Disability Services Programs”, $955,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That of the amount made available under this heading in this Act may be made available to reimburse the Department of Veterans Affairs for expenses incurred by the Veterans Health Administration to prevent, prepare for, and respond to coronavirus, and to provide medical care for such purposes to individuals not otherwise eligible for care: Provided further, That funds used for the preceding proviso shall be made available to reimburse the Department of Veterans Affairs only if the Secretary of Health and Human Services certifies to the Committees on Appropriations of the House of Representatives and the Senate that funds available for assignments under Public Law 93–288, as amended, are insufficient and such funds are necessary to reimburse the Department of Veterans Affairs for expenses incurred to provide health care to civilians: Provided further, That the Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate not less than 3 days prior to such certification: Provided further, That of the amount appropriated under this paragraph in this Act, not more than $280,000,000 may be transferred as necessary to other federal agencies for necessary expenses related to medical care that are incurred to prevent, prepare for, and respond to coronavirus for persons eligible for treatment pursuant to section 322 of the Public Health Service Act, as amended, in accordance with Federal Acquisition Regulation guidance on fair and reasonable pricing: Provided further, That the Secretary may take such measures authorized under current law to ensure that vaccines, therapeutics, and diagnostics developed from funds provided in this Act will be affordable to the American people: Provided further, That in carrying out the previous proviso, the Secretary shall not take actions that delay the development of such products: Provided further, That of such amounts appropriated under this Act that are necessary to reimburse the Department of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the Public Health Service Act: Provided further, That of the amount appropriated under this paragraph in this Act, not more than $16,000,000,000 shall be for the Strategic National Stockpile under section 319F–2(a) of such Act: Provided further, That funds appropriated under this paragraph in this Act may be used for grants for the construction, alteration, or renovation of non-federally
own facilities to improve preparedness and response capability at the State and local level: Provided further. That funds appropriated under this paragraph in this Act may be used to prevent, prepare for, and respond to coronavirus, domestically or internationally, and, for necessary expenses to reimburse providers, mechanisms, eligible health care providers for health care related expenses or lost revenues that are attributable to coronavirus: Provided further. That these funds may be used to reimburse expenses or losses that have been reimbursed from other sources or that other sources are obligated to reimburse: Provided further. That the funds appropriated under this paragraph shall submit reports and maintain documentation as the Secretary determines are needed to ensure compliance with conditions that are imposed by this paragraph and any applicable laws and regulations: Provided further. That in such form, with such content, and in such time as the Secretary may prescribe for such purpose: Provided further. That ‘‘eligible health care providers’’ means public entities, Medicare or Medicaid enrolled suppliers and providers, and such for-profit entities and not-for-profit entities not otherwise described in this proviso as the Secretary may specify, within the United States (including territories), that provide diagnoses, testing, and care for individuals with actual cases of COVID-19: Provided further. That the Secretary of Health and Human Services shall, on receipt of applications and make payments under this proviso in this Act: Provided further. That funds appropriated under this paragraph in this Act shall be available for building or construction of temporary structures, leasing of properties, medical supplies and equipment including personal protective equipment and testing supplies, including personal protective equipment and diagnostic supplies, increased personnel and training, emergency operation centers, retrofitting facilities, and surge capacity: Provided further. That, in this paragraph, the term ‘‘emergency payment’’ means any emergency, prospective payment, or retrospective payment, as determined appropriate by the Secretary: Provided further. That payments under this paragraph shall be made in consideration of the most efficient payment systems practicable to provide emergency payment: Provided further. That to be eligible for a payment under this paragraph, an eligible health care provider shall submit to the Secretary of Health and Human Services an application that includes a statement justifying the need for the payment and the eligible health care provider shall have a valid tax identification number: Provided further. That, not later than 3 years after final payment under this paragraph, the Office of Inspector General of the Department of Health and Human Services shall transmit a final report on audit and inspection to the Committees on Appropriations of the House of Representatives and the Senate: Provided further. That nothing in this section limits the ability of the Secretary of the Treasury or the Comptroller General to conduct audits of interim payments at an earlier date: Provided further. That not later than 60 days after the enactment of this Act and shall approve or deny applications not later than 30 days after receipt: General Provisions
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DEPARTMENT OF EDUCATION
EDUCATION STABILIZATION FUND
For an additional amount for ‘‘Education Stabilization Fund’’, $30,750,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, and, for necessary expenses to reimburse providers, mechanisms, eligible health care providers for health care related expenses or lost revenues that are attributable to coronavirus: Provided further. That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS
EDUCATION STABILIZATION FUND
SEC. 18001. (a) ALLOCATIONS.—From the amount made available under this heading in this Act to carry out the Education Stabilization Fund, the Secretary shall first allocate—
(1) not more than 1/2 of 1 percent to the on-going expenses to support the ability of the institution; in consultation with the Secretary of the Interior;
(2) one-half of 1 percent for the Secretary of Education, for programs operated or funded by the Bureau of Indian Education; and
(3) 1 percent for grants to States with the highest coronavirus burden to support activities under this heading in this Act, for which the Secretary shall issue a notice in the Federal Register and shall approve or deny applications not later than 30 days after receipt.

RESERVATIONS.—After carrying out subsection (a), the Secretary shall reserve the remaining funds made available as follows:
(1) 60 percent to carry out section 18002 of this title.
(2) 43.9 percent to carry out section 18003 of this title.
(3) 43.9 percent to carry out section 18004 of this title.

GOVERNOR’S EMERGENCY EDUCATION RELIEF FUND
SEC. 18002. (a) GRANTS.—From funds reserved under section 18001(b)(1) of this title, the Secretary shall make Emergency Education Relief grants to the Governor of each State with an approved application. The Secretary shall issue such applications not later than 30 days of enactment of this Act and shall approve or deny applications not later than 30 days after receipt:
(c) USES OF FUNDS.—Grant funds awarded under subsection (b) may be used to:
(1) provide emergency support through grants to local educational agencies that the State educational agency deems have been significantly impacted by coronavirus to support the ability of such local educational agencies to continue to provide educational services to their students and to support the on-going functionality of the local educational agency;
(2) provide emergency support through grants to institutions of higher education that the Governor determines have been significantly impacted by coronavirus to support the ability of such institutions to continue to provide educational services and support the on-going functionality of the institution; and

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(3) provide support to any other institution of higher education, local educational agency, or education related entity within the State that the Governor deems essential for carrying out emergency services and emergency expenses authorized to students for authorized activities described in section 18000(d)(1) of this title or the Higher Education Act, the provision of which the Governor determines have the greatest unmet needs related to coronavirus, which may be used to defray expenses (including lost revenue, reimbursements, housing, course materials, technology, health care, and child care).

(3) 2.5 percent for part B of title VII of the Higher Education Act for institutions of higher education that the Governor determines have the greatest unmet needs related to coronavirus, which may be used to defray expenses (including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, payroll) incurred by institutions for the health and safety of students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(3) 2.5 percent for part B of title VII of the Higher Education Act for institutions of higher education that the Governor determines have the greatest unmet needs related to coronavirus, which may be used to defray expenses (including lost revenue, reimbursements, housing, course materials, technology, health care, and child care).

(3) 2.5 percent for part B of title VII of the Higher Education Act for institutions of higher education that the Governor determines have the greatest unmet needs related to coronavirus, which may be used to defray expenses (including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, payroll) incurred by institutions for the health and safety of students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(4) 2.5 percent for additional awards under parts A and B of title III, parts A and B of title IV of the Higher Education Act to address needs directly related to coronavirus, that shall be in addition to awards made in section 18004(a)(1) of this title and allocated by the Secretary proportionally to such programs based on the relative share of funding appropriated to such programs in the Further Consolidated Appropriations Act, 2020 (Public Law 116-94) and which may be used to defray expenses (including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, payroll) incurred by institutions for the health and safety of students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.

(d) REALLOCATION.—Each Governor shall reallocate such funds to the remaining States in accordance with subsection (b).

(h) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to coronavirus, so long as it does not include payment to contractors for the provision of pre-enrollment recruitment activities, or otherwise distributes funding to each institution of higher education and for grants to students for any component of the student’s cost of attendance (as defined under section 472 of the Higher Education Act), including food, housing, course materials, technology, health care, and child care.
(b) Public Control of Funds.—The control of funds for the services and assistance provided to a non-public school under subsection (a), and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property and shall provide evidence of funds or may contract for the provision of such services with a public or private entity.

Continued Payment to Employees

Sec. 18006. A local educational agency, State educational agency, or other entity that receives funds under “Education Stabilization Fund”, shall to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus.

Definitions

Sec. 18007. Except as otherwise provided in sections 18001–18006 of this title, as used in such sections—

(1) the terms “elementary education” and “secondary education” have the meaning given such terms under State law;

(2) the term “institution of higher education” has the meaning given such term in title I of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

(3) the term “Secretary” means the Secretary of Education;

(4) the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico;

(5) the term “cost of attendance” has the meaning given such term in section 472 of the Higher Education Act of 1965;

(6) the term “Non-public school” means a non-public elementary and secondary school that—

(A) is accredited, licensed, or otherwise operated with State approval;

(B) was in existence prior to the date of the enactment of this Act;

(C) is a faith-related school that operates according to principles of religious belief;

(D) is a school that provides supplementary education for children with severe disabilities; and

(E) the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico;

(7) the term “public school” means a public elementary or secondary school; and

(8) any other term used that is defined in section 3281 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) shall have the meaning given in such term in this section.

Maintenance of Effort

Sec. 18008. A State’s application for funds to carry out sections 18001–18006 of this title shall include assurances that the State will maintain support for elementary and secondary education, and State support for higher education (which shall include State funding to institutions of higher education and State need-based financial aid), and shall not include support for capital projects or for research and development or tuition and fees paid by students (in fiscal years 2020 and 2021) at least at the levels of such support that is the average of such State’s support for elementary and secondary education and higher education provided in the 3 fiscal years preceding the date of enactment of this Act.

(b) The Secretary may waive the requirement in subsection (a) for the purpose of relieving fiscal burdens on States that have experienced significant declines in financial resources.

Safe Schools and Citizenship Education

For an additional amount for “Safe Schools and Citizenship Education”, $100,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, to supplement funds otherwise available through project SBRI 2021-126753, which may be used to help elementary, secondary and post-secondary schools clean and disinfect affected schools, and assist in counseling and distance learning and associated costs: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Gallaudet University

For an additional amount for “Gallaudet University”, $7,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to help defray the expenses directly caused by coronavirus and to enable grants to students for expenses directly related to coronavirus and the disruption of university operations: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Student Aid Administration

For an additional amount for “Student Aid Administration”, $40,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to help defray the expenses directly caused by coronavirus and to enable grants to students for expenses directly related to coronavirus and the disruption of university operations: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Howard University

For an additional amount for “Howard University”, $13,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to help defray the expenses directly caused by coronavirus and to enable grants to students for expenses directly related to coronavirus and the disruption of university operations: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Departmental Management

For an additional amount for “Program Administration”, $8,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Program Administration

For an additional amount for “Office of the Inspector General”, $7,000,000, to remain available through September 30, 2022, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Office of the Inspector General

For an additional amount for “Office of the Inspector General”, $7,000,000, to remain available through September 30, 2022, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Social Security Administration

Limitation on Administration Expenses

For an additional amount for “Social Security Administration”, $380,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including paying the benefits of all employees affected as a result of office closures, telework, phone and communication services for employees, overtime costs, and supplies, and for resources necessary for processing disability and retirement workloads and backlogs: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

General Provisions—This Title

Sec. 18108. Funds appropriated by this title may be used by the Secretary of the Department of Health and Human Services to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to coronavirus, including—

(1) public notice has been given; and

(2) the Secretary of Health and Human Services has determined that such a public need exists.

Sec. 18109. Funds made available by this title may be used to enter into contracts
with individuals for the provision of personal services (as described in section 104 of title 5, Code of Federal Regulations (48 CFR 37.1014)) to support the prevention of, prepare for, and respond to coronavirus, domestically and internationally, subject to prior notification to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That such employees may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management to the covered employee for accumulated and accrued annual leave under section 5551 or section 5552 of title 5, United States Code.

SEC. 18111. Funds appropriated by this title to the heading “Department of Health and Human Services—Emergency Related Expenses and Services” (as described in section 104 of part 37 of title 44 of the Code of Federal Regulations (4 CFR 37.1014)) to support the prevention of, prepare for, and respond to coronavirus, domestically or internationally, shall be disregarded in calculating the aggregate of such employee's basic pay and premium pay for purposes of a limitation under section 5547(a) of title 5, United States Code, or under any other provision of law, whether such employee's pay is paid on a biweekly or calendar year basis.

(b) For purposes of applying subsection (a) of section 5313 of title 5, United States Code, any pay that is disregarded under subsection (a) or (b) shall be disregarded in calculating such employee's aggregate pay for purposes of the limitation in section 5307 of title 5.

(c) In the case of such services, any pay that is disregarded under subsection (a) or (b) shall be disregarded in calculating such employee's aggregate pay for purposes of the limitation in section 5307 of title 5.

(d)(1) Pay that is disregarded under subsection (a) or (b) shall not cause the aggregate of such employee's basic pay and premium pay for the applicable calendar year to exceed the rate of basic pay payable for a position at level II of the Executive Schedule under section 5313 of title 5, United States Code, as in effect at the end of such calendar year.

(2) For purposes of applying this subsection to an employee who would otherwise be subject to the premium pay limits established under section 5547 of title 5, United States Code, “premium pay” means the premium pay paid under the provisions of law cited in section 5547(a).

(3) For purposes of applying this subsection to an employee, any premium pay paid under a provision of law established under an authority other than section 5547 of title 5, United States Code, the agency responsible for administering such authority shall determine what payments are considered premium pay.

(e) This section shall take effect as if enacted on February 2, 2020.

SEC. 18114. (a) Funds appropriated in title III of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, to the “Department of Health and Human Services—Emergency Related Expenses and Services” (as described in section 104 of part 37 of title 44 of the Code of Federal Regulations (4 CFR 37.1014)) to support the prevention of, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the Inspector General of the Department of Health and Human Services shall consult with the Committees on Appropriations of the House of Representatives and the Senate prior to obligating such funds: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority provided by law.

(b) The term coronavirus has the meaning given the term in section 506 of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020.

(c) The amounts repurposed in this section that were previously designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IX LEGISLATIVE BRANCH

SENATE CONTINGENT EXPENSES OF THE SENATE SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For an additional amount for “Sergeant at Arms and Doorkeeper of the Senate”, $1,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISCELLANEOUS ITEMS

For an additional amount for “Miscellaneous Items”, $9,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, subject to approval by the Committee on Appropriations of the Senate and the Senate Committee on Rules and Administration: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $25,000,000, to remain available until September 30, 2021, except that $5,000,000 shall, remains available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT ITEMS

OFFICE OF THE ATTENDING PHYSICIAN

For an additional amount for “Office of the Attending Physician”, $400,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITOL POLICE

SALARIES

For an additional amount for “Salaries”, $12,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the Capitol Police may transfer appropriations under this heading in this Act to “General Expenses” without the approval requirement.
of 2 U.S.C. 1907(a): Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ARCHITECT OF THE CAPITOL
CAPITAL CONSTRUCTION AND OPERATIONS
For an additional amount for “Capital Construction and Operations”, $25,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to purchase and distribute cleaning and sanitation products throughout all facilities and grounds under the care of the Architect of the Capitol, including for, and allied any related services and operational costs: Provided, That the Architect of the Capitol shall provide a report within 30 days of enactment of this Act, and every 30 days thereafter, to the Committees on Appropriations of the Senate and House of Representatives, the Senate Committee on Rules and Administration, and the Architect of the Capitol on expenditure of funds from amounts appropriated under this heading in this Act: Provided further, That this amount is available in addition to any other funds available for such purposes in appropriations Acts for the legislative branch: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LIBRARY OF CONGRESS
SALARIES AND EXPENSES
For an additional amount for “SALARIES AND EXPENSES”, $700,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, to be made available to the Little Scholars Child Development Center, subject to approval by the Committees on Appropriations of the Senate and House of Representatives, the Senate Committee on Rules and Administration, and the Committee on House Administration: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GOVERNMENT ACCOUNTABILITY OFFICE
SALARIES AND EXPENSES
For an additional amount for “SALARIES AND EXPENSES”, $20,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for audits and investigations and for reimbursement of the Tiny Findings Child Development Center for salaries for employees, as authorized by this Act: Provided further, That $600,000 shall be made available to the Tiny Findings Child Development Center, subject to approval by the Committee on Appropriations of the Senate and House of Representatives, the Senate Committee on Rules and Administration, and the Committee on House Administration: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE
SOURCE OF FUNDS FOR USE OF PAYMENT OF SALARIES AND EXPENSES OF SENATE EMPLOYEE CHILD CARE CENTER
S. 19001. The Secretary of the Senate shall reimburse the Senate Employee Child Care Center for costs incurred starting on April 1, 2020, for employees of such Center who have been ordered to cease working due to measures taken in the Capitol complex to combat coronavirus, not to exceed $131,000 per month from amounts in the appropriations account “Library of Congress—Salaries and Expenses”.

SEC. 19005. (a) AUTHORIZING PAYMENTS.—Notwithstanding section 3102(a)(6) of title 31, United States Code, any other provision of law and subject to subsection (b), if the employee of a contractor with a service contract with the Architect of the Capitol who is furloughed or otherwise unable to work during closures, stop work orders, or reductions in service arising from or related to the impact of coronavirus, the Architect of the Capitol may continue to make the payments provided for under the contract for the weekly salaries and benefits of such employees for no more than 16 weeks.

(b) AVAILABILITY OF APPROPRIATIONS.—The authority of the Architect of the Capitol to make payments under the authority of subsection (a) is subject to the availability of appropriations to make such payments.

(c) REGULATIONS.—The Architect of the Capitol shall promulgate such regulations as may be necessary to carry out this section.

MASS MAILINGS AS FRANKED MAIL
S. 19006. (a) WAIVER.—Section 3210(a)(8)(B) of title 39, United States Code, is amended by inserting after “provided for by section 2901(a)”, “, or”, and in the case of the Commission, waiving the requirement pursuant to section 2903(a) and this section of the service of a demand letter to the person obligated to make the payments described in section 3210(a)(8) to which they apply.”.

SEC. 19008. Section 110(a)(1)(A) of the Family and Medical Leave Act of 1993 (as added by section 3102 of the Families First Coronavirus Response Act (Public Law 116–127)) is amended—

(1) by inserting before “in lieu of” the following: “(I) in general.—”; and

(2) by adding at the end the following:

“(ii) Special rule.—For purposes of applying section 102(a)(1)(F) and this section under the Government Accountability Office—Salaries and Expenses in division E of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94), strike ‘‘$504,164,000’’ and insert ‘‘$510,164,000’’.”

SEC. 19009. The Government Accountability Office may reimburse the Tiny Findings Child Development Center for salaries for employees incurred from April 1, 2020, to September 30, 2020, for employees of such Center who have been ordered to cease working due to measures taken in the Capitol complex to combat coronavirus, not to exceed $131,000 per month, from amounts in the appropriations account “Government Accountability Office—Salaries and Expenses”.

Oversight and Audit Authority
S. 19010. (a) DEFINITIONS.—In this section—

(1) the term ‘‘appropriate congressional committees’’ means—
(A) the Committee on Appropriations of the Senate;
(B) the Committee on Homeland Security and Governmental Affairs of the Senate;
(C) the Committee on Health, Education, Labor, and Pensions of the Senate;
(D) the Committee on Appropriations of the House of Representatives;
(E) the Committee on Homeland Security of the House of Representatives;
(F) the Committee on Oversight and Reform of the House of Representatives; and
(G) the Energy and Commerce Committee of the House of Representatives;

(2) the term ‘‘Comptroller General’’ means the Comptroller General of the United States.

(b) AUTHORITY.—The Comptroller General shall conduct monitoring and oversight of the entity, contractor, or any other entity or contractor covered by the contract, and review of charges made to Federal contractors or contractors under contract with a Federal agency.

(c) BRIEFINGS AND REPORTS.—In conducting monitoring and oversight under subsection (b), the Comptroller General shall—

(1) during the period beginning on the date of enactment of this Act and ending on the date on which the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1621 et seq.) with respect to the Coronavirus Disease 2019 (COVID-19) expires, offer regular briefings on not less frequently than a monthly basis to the appropriate congressional committees regarding Federal public health and homeland security efforts;

(2) publish reports regarding the ongoing monitoring and oversight efforts, which, along with any audits and investigations conducted by the Comptroller General, shall be submitted to the appropriate congressional committees.

(3) submit to the appropriate congressional committees additional reports as warranted by the findings of the monitoring and oversight activities of the Comptroller General.

(d) ACCESS TO INFORMATION.—

(1) RIGHT OF ACCESS.—In conducting monitoring and oversight of the entity, contractor, or any other entity or contractor covered by the contract, and review of charges made to Federal contractors or contractors under contract with a Federal agency, the Comptroller General determines appropriate.

(2) INSPECTION OF FACILITIES.—As determined necessary by the Comptroller General, the Government Accountability Office may inspect, audit, or examine, or cover, any books, documents, papers, records, and accounts of any person, organization, or entity, if a written request for such an inspection, audit, or examination is made by the Comptroller General.

(3) INSPECTION OF RECORDS.—The Comptroller General may make and retain copies of any records pertaining to any Federal effort or assistance of any type related to the Coronavirus 2019 pandemic under this Act or any other Act, including private entities receiving such assistance.

(4) INSPECTION OF FACILITIES.—As determined necessary by the Comptroller General, the Government Accountability Office may inspect, audit, or examine, or cover, any books, documents, papers, records, and accounts of any person, organization, or entity, if a written request for such an inspection, audit, or examination is made by the Comptroller General.

(5) ENFORCEMENT.—Access rights under this subsection shall be subject to enforcement consistent with section 716 of title 31, United States Code.

(e) RELATIONSHIP TO EXISTING AUTHORITY.—Nothing in this section shall be construed to limit, amend, supersede, or restrict any existing authority of the Comptroller General.

TITLES

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For an additional amount for ‘‘Medical Services’’ under ‘‘Veterans Benefits Administration General Operating Expenses, Veterans Benefits Administration’’, $13,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, including providing health care services and supplies to veterans, and for related activities, nationally and internationally: Provided. That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MEDICAL COMMUNITY CARE

For an additional amount for ‘‘Medical Community Care’’, $2,100,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery, and for support to veterans who are homeless or at risk of becoming homeless: Provided. That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for ‘‘Medical Services’’, $14,322,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery, and for support to veterans who are homeless or at risk of becoming homeless: Provided. That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MEDICAL COMMUNITY CARE

For an additional amount for ‘‘Medical Community Care’’, $2,100,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery, and for support to veterans who are homeless or at risk of becoming homeless: Provided. That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MEDICAL COMMUNITY CARE

For an additional amount for ‘‘Medical Community Care’’, $2,100,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery, and for support to veterans who are homeless or at risk of becoming homeless: Provided. That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
care delivery; Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MEDICAL SUPPORT AND COMPLIANCE
For an additional amount for “Medical Support and Compliance”, $100,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery; Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES
For an additional amount for “Medical Facilities”, $906,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery; Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL ADMINISTRATION
For an additional amount for “General Administration”, $6,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery; Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INFORMATION TECHNOLOGY SYSTEMS
For an additional amount for “Information Technology Systems”, $2,150,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery; Provided, That the Secretary shall transmit to the Committees on Appropriations of both Houses of Congress a spend plan detailing the allocation of such funds between pay and associated costs, operations and maintenance, and information technology systems; Provided further, That after such transmission is provided, funds may only be reprogrammed among the three subaccounts referenced in the previous provision after the Secretary of Veterans Affairs submits notice to the Committees on Appropriations of both Houses of Congress: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL
For an additional amount for “Office of Inspector General”, $5,250,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery; Provided, That the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 20001. Amounts made available for the Department of Veterans Affairs in this title, including grants and donations, may be transferred among the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts to the extent necessary to carry out the programs authorized in this title.

SEC. 20002. For all of the funds appropriated in this title, the Secretary of Veterans Affairs may use the proceeds from the sale of real property to support and promote long-distance clinical health care, patient and professional health-related education in support of public health, and health administration.

SEC. 20003. In this title, the term “telehealth” means the use of electronic information and telecommunications technologies to support and promote long-distance clinical health care, patient and professional health-related education in support of public health, and health administration.

SEC. 20004. (a) IN GENERAL.—The term “VA Video Connect” means the program of the Department of Veterans Affairs to connect veterans with their health care team from anywhere, using encryption to ensure a secure and private session.

SEC. 20005. (a) WAIVER OF OCCUPANCY RATE REQUIREMENTS.—During a public health emergency, occupancy rate requirements for State homes set forth in section 51.40(c) of title 38, Code of Federal Regulations, or successor regulations, shall not apply.

SEC. 20006. (a) WAIVER OF VETERAN PERCENTAGE REQUIREMENTS.—During a public health emergency, the veteran percentage requirements for State homes set forth in section 51.210(d) of title 38, Code of Regulations, or successor regulations, and in agreements for grants to construct State homes, shall not apply.

TREATMENT OF STATE HOMES DURING PUBLIC HEALTH EMERGENCY
SEC. 20001. Amounts made available for the Department of Veterans Affairs in this title, including grants and donations, may be transferred among the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts to the extent necessary to carry out the programs authorized in this title.

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GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES
For an additional amount for “Grants for Construction of State Extended Care Facilities”, $150,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to modify or alter existing hospital, nursing home, and domiciliary facilities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

APPLICATION OF GENERAL PROVISIONS—This title (including transfer of funds)

SEC. 20001. Amounts made available for the Department of Veterans Affairs in this title, including grants and donations, may be transferred among the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts to the extent necessary to carry out the programs authorized in this title.

SEC. 20002. For all of the funds appropriated in this title, the Secretary of Veterans Affairs may use the proceeds from the sale of real property to support and promote long-distance clinical health care, patient and professional health-related education in support of public health, and health administration.

SEC. 20003. In this title, the term “telehealth” means the use of electronic information and telecommunications technologies to support and promote long-distance clinical health care, patient and professional health-related education in support of public health, and health administration.

SEC. 20004. (a) IN GENERAL.—The term “VA Video Connect” means the program of the Department of Veterans Affairs to connect veterans with their health care team from anywhere, using encryption to ensure a secure and private session.

SEC. 20005. (a) WAIVER OF OCCUPANCY RATE REQUIREMENTS.—During a public health emergency, occupancy rate requirements for State homes set forth in section 51.40(c) of title 38, Code of Federal Regulations, or successor regulations, shall not apply.

SEC. 20006. (a) WAIVER OF VETERAN PERCENTAGE REQUIREMENTS.—During a public health emergency, the veteran percentage requirements for State homes set forth in section 51.210(d) of title 38, Code of Regulations, or successor regulations, and in agreements for grants to construct State homes, shall not apply.

SEC. 20007. PROVIDE PROVISION OF MEDICINE, EQUIPMENT, AND SUPPLIES.

SEC. 20008. (a) IN GENERAL.—During a public health emergency, the Secretary of Veterans Affairs may use the proceeds from the sale of real property to support and promote long-distance clinical health care, patient and professional health-related education in support of public health, and health administration.

SEC. 20009. (a) IN GENERAL.—The term “personal protective equipment” means any protective equipment required to
prohibit the wearer from contracting COVID–19, including gloves, N–95 respirator masks, gowns, goggles, face shields, or other equipment required for safety.

(2) PUBLIC HEALTH EMERGENCY.—The term ‘‘public health emergency’’ means an emergency with respect to COVID–19 declared by a Federal, State, or local authority.

(3) The term ‘‘State home’’ has the meaning given that term in section 101(19) of title 38, United States Code.

MODIFICATIONS TO VETERAN DIRECTED CARE PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS

SEC. 20006. (a) TELEPHONE OR TELEHEALTH RENEWALS.—For the Veteran Directed Care program of the Department of Veterans Affairs (commonly referred to as the ‘‘Program’’), during a public health emergency, the Secretary of Veterans Affairs shall—

(1) waive the requirement that an area agency on aging process new enrollments and six-month renewals for the Program via an in-person or home visit; and

(2) allow new enrollments and sixth-month renewals for the Program to be conducted via telephone or telehealth modality.

(b) NO SUSPENSION OR DISENROLLMENT.—During a public health emergency, the Secretary may not suspend or dis-enroll a veteran or caregiver of a veteran from the Program unless—

(1) requested to do so by the veteran or a representative of the veteran; or

(2) a mutual decision is made between the veteran and a health care provider of the veteran to suspend or dis-enroll the veteran or caregiver from the Program.

(c) WAIVER OF PAPERWORK REQUIREMENT.—During a public health emergency, the Secretary may waive the requirement for signed or witnessed enrollment or renewal of a veteran in the Program and may accept verbal consent of the veteran via telephone or telehealth modality to suffice for purposes of such enrollment or renewal.

(d) WAIVER OF OTHER REQUIREMENTS.—During a public health emergency, the Secretary shall waive—

(1) any penalty for late paperwork relating to the Program; and

(2) any requirement to stop payments for veterans and caregivers of veterans under the Program if they are out of State for more than 14 days.

(e) AREA AGENCY ON AGING DEFINED.—In this section, the term ‘‘area agency on aging’’ has the meaning given that term in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

PROVISION BY DEPARTMENT OF VETERANS AFFAIRS OF PROSTHETIC APPLIANCES THROUGH NON–DEPARTMENT PROVIDERS DURING PUBLIC HEALTH EMERGENCY

SEC. 20007. The Secretary of Veterans Affairs shall, to the extent practicable, establish procedures for the provision of prosthetic appliances through non–Department providers during a public health emergency.

WAI v er of Pay Caps for Employees of Department of Veterans Affairs during Public Health Emergencies

SEC. 20008. (a) IN GENERAL.—For each month that the Secretary waives a limitation under subsection (a), the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the waiver.

(1) CONTENTS.—Each report submitted pursuant to paragraph (1) for a waiver or waivers in a month shall include the following:

(A) Where the waiver or waivers were used, including in which component of the Department and, as the case may be, which medical center of the Department.

(B) For how many employees the waiver or waivers were used by component of the Department and, if applicable, medical center of the Department.

(C) The average amount by which each payment exceeded the waived payroll limitation that was waived, disaggregated by component of the Department and, if applicable, medical center of the Department.

(D) EMPLOYEE OF THE DEPARTMENT OF VETERANS AFFAIRS DEFINED.—In this section, the term ‘‘employee of the Department of Veterans Affairs’’ includes any employee of the Department, regardless of the authority under which the employee was hired.

PROVISION BY DEPARTMENT OF VETERANS AFFAIRS OF PERSONAL PROTECTIVE EQUIPMENT FOR HOME HEALTH WORKERS

SEC. 20009. (a) PROVISION OF EQUIPMENT.—

(1) IN GENERAL.—During a public health emergency, the Secretary of Veterans Affairs shall provide to employees and contractors of the Department of Veterans Affairs personal protective equipment necessary to provide home care services under the laws administered by the Secretary.

(2) PERSONAL PROTECTIVE EQUIPMENT.—Personal protective equipment may be provided under subsection (1) to contains—

(A) A hazardous material emergency Cache of the Department or any other source available to the Department.

(b) DEFINITIONS.—In this section:

(1) HOME CARE.—The term ‘‘home care’’ has the meaning given that term in section 1861(c) of title 38, United States Code.

(2) PERSONAL PROTECTIVE EQUIPMENT.—The term ‘‘personal protective equipment’’ means any protective equipment required to prevent the wearer from contracting COVID–19, including gloves, N–95 respirator masks, gowns, goggles, face shields, or other equipment required for safety.

CLARIFICATION OF TREATMENT OF PAYMENTS FOR PURPOSES OF ELIGIBILITY FOR VETERANS PENSION AND OTHER BENEFITS

SEC. 20010. Amounts paid to a person under the 2020 Recovery Rebate in the Coronavirus Aid, Relief, and Economic Security Act shall not be treated as income or resources for purposes of determining eligibility for pension under chapter 15 of title 38, United States Code, or any other benefit under a law administered by the Secretary of Veterans Affairs.

AVAILABILITY OF TELEHEALTH FOR CARE MANAGERS AND HOMELESS VETERANS

SEC. 20011. The Secretary of Veterans Affairs shall ensure that care management capabilities are available during a public health emergency for case managers of, and homeless veterans participating in, the Department of Housing and Urban Development–Department of Veterans Affairs Supportive Housing program (commonly referred to as ‘‘HUD–VAS’’).

FUNDING LIMITS FOR FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW–INCOME VETERAN FAMILIES IN PERMANENT HOUSING DURING A PUBLIC HEALTH EMERGENCY

SEC. 20012. In the case of a public health emergency, nothing in subsection (e)(1) of section 204(d) of title 38, United States Code, may be construed as limiting amounts that may be made available for carrying out subsection (a), (b), or (c) of such section.

DEPARTMENT OF STATE MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for “Migration and Refugee Assistance,” $550,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INDEPENDENT AGENCIES PEACE CORPS

For an additional amount for “Peace Corps Worldwide,” $1,000,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

(INCLUDING TRANSFER OF FUNDS)

SEC. 21001. The authorities and limitations of section 6(b) of the Coronavirus Preparedness and Response Supplemental Appropriations Act (division A of Public Law 116-123) shall apply to funds appropriated by this title as follows:

(1) Subsections (a), (d), (e), and (f) shall apply to funds under the heading “Diplomatic Programs”.

(2) Subsections (c), (d), (e), and (f) shall apply to funds under the heading “International Disaster Assistance”.

SEC. 21002. Funds appropriated by this title under the headings “Diplomatic Programs”, “Operating Expenses”, and “Peace Corps” may be used to reimburse such accounts administered by the Department of State, the United States Agency for International Development, and the Peace Corps, as appropriate, for obligations incurred to prevent, prepare for, and respond to coronavirus prior to the date of enactment of this Act.

SEC. 21003. The reporting requirement of section 406(b) of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (division A of Public Law 116-123) shall apply to funds appropriated by this title: Provided, That the requirement to join the Director of International Development shall not apply to the Director of the Peace Corps: Provided further, That reports required by such section may be consolidated and shall include information made available to such Federal agencies to prevent, prepare for, and respond to coronavirus.

SEC. 21004. Section 706(a) of the Department Operations, and Related Programs Appropriations Act, 2020 (division A of Public Law 116-94) is amended by striking “$100,000,000” and inserting in lieu thereof “$110,000,000”, and by adding the following before the period at the end: “: Provided, That no amounts may be used that were designated by the Congress for Overseas Contingency Operations, to purchase or encourage acts of terrorism pursuant to the Concurrence Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.”.

SEC. 21005. The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116-94) is amended by striking “$100,000,000” and inserting in lieu thereof “$105,000,000”, and by adding the following before the period at the end: “: Provided, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.”.

SEC. 21006. The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116-94) is amended by striking “$105,000,000” in the first proviso and inserting in lieu thereof “$110,000,000”.

SEC. 21007. Notwithstanding any other provision of law, and in addition to leave authorized under section 6001(a) of law 116-94, the Secretary of State and the Administrator of the United States Agency for International Development may, in order to prevent, prepare for, and respond to coronavirus, provide additional leave to address employee hardships resulting from coronavirus: Provided, That this authority shall expire on January 29, 2020, and may be provided abroad and domestically: Provided further, That the Secretary and the Administrator shall consult with the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives prior to implementation of such authority: Provided further, That the authority made available pursuant to this section shall expire on September 30, 2020.

SEC. 21008. The Secretary of State, to prevent, prepare for, and respond to coronavirus, may, in addition to the authority provided by section 406(b) of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, and may be provided abroad and domestically: Provided further, That the Secretary and the Administrator shall consult with the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives prior to implementation of such authority: Provided further, That the authority made available pursuant to this section shall expire on September 30, 2020.

SEC. 21009. Notwithstanding section 6(b) of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (division A of Public Law 116-123), the Department of State, to prevent, prepare for, and respond to coronavirus, may, in addition to the authority provided by section 406(b) of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, and may be provided abroad and domestically: Provided further, That the Secretary and the Administrator shall consult with the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives prior to implementation of such authority: Provided further, That the authority made available pursuant to this section shall expire on September 30, 2021.

SEC. 21011. Notwithstanding any other provision of law, the Secretary of State and the Administrator of the United States Agency for International Development may authorize any oath of office required by law to, in unusual or extraordinary circumstances that could otherwise pose health risks, be administered remotely, subject to appropriate verification: Provided, That prior to initially exercising the authority of this section, the Secretary and the Administrator shall jointly submit a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives describing the process and procedures for administering such oaths, including appropriate verification: Provided further, That the authority made available pursuant to this section shall expire on September 30, 2021.

SEC. 21012. (a) Purposes.—For purposes of strengthening the ability of foreign countries to prevent, prepare for, and respond to coronavirus and to the adverse economic impacts of coronavirus, in a manner that would prevent the United States from spreading coronavirus and mitigate an international economic crisis resulting from coronavirus that may pose a significant risk to the economy of the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives: Provided, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management: Provided further, That no more than 15 days after the expiration of this authority, the Secretary of State shall provide a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives on the overall staffing needs for the Office of Medical Strengthening the Ability of Foreign Countries to Prevent, Prepare for, and Respond to Coronavirus.

(b) CORONAVIRUS RESPONSES.—

(1) INTERNATIONAL DEVELOPMENT ASSOCIATION REPLENISHMENT.—The International Development Association Act (22 U.S.C. 284 et seq.) is amended by adding at the end the following new section:

“SEC. 31. NINTHEN BET REPLISHMENT.

“(a) IN GENERAL.—The United States Gov

or of the International Development As

sociation is authorized to contribute on be

half of the United States $3,004,200,000 to the

ninth replenishment of the resources of the

Association, subject to obtaining the necessary appropriations.

“(b) AUTHORIZATION OF APPROPRIATIONS.—

In order to pay for the United States con

tribution provided for in subsection (a), there

are authorized to be appropriated, without fiscal year limitation, $3,004,200,000 for development by the Secretary of the Treas

ury.”.

(2) INTERNATIONAL FINANCE CORPORATION

AUTHORIZATION.—The International Finance Corporation Act (22 U.S.C. 282 et seq.) is amended by adding at the end the following new section:
(3) In order to carry out the purposes of a one-time decision of the Executive Directors of the International Monetary Fund (the Fund) to expand the resources of the New Arrangements to Borrow pursuant to the decision of January 27, 1997, referred to in paragraph (1), the Secretary of the Treasury is authorized to make loans, in an amount not to exceed the dollar equivalent of 28,328,470,000 of Special Drawing Rights, in addition to any amounts previously authorized under this section, except that prior to ratification of the New Arrangements to Borrow, the Secretary of the Treasury shall report to Congress whether supplementary resources are needed to forestall or cope with an impairment of monetary system and whether the Fund has fully explored other means of funding the Fund.

SEC. 1345. SEVENTH CAPITAL INCREASE.

(a) Subsection Authorized.—The United States Governor of the Bank may subscribe on behalf of the United States to $32,023 additional shares of the capital stock of the Bank.

(3) AFRICAN DEVELOPMENT BANK.—The African Development Bank Act (22 U.S.C. 290g et seq.) is amended by inserting at the end the following new section:

TITLE XII
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
SAFETY AND SECURITY ACTIVITIES
For an additional amount for "Salaries and Expenses", $1,753,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including necessary expenditures for operation costs and capital outlays: Provided, That such amounts are in addition to any other amounts made available for this purpose: Provided further, That such obligations of money made available under this heading in this Act shall not be subject to the limitation on obligations under the heading "Office of the Secretary—Working Capital Fund" in division II of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94): Provided further, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARE basis by 199,998 shares.

(2) a resolution to increase the authorized capital stock of the Corporation on a selective basis by $19,998 shares.

(3) a resolution to increase the authorized capital stock of the Corporation that would increase the vote by which the Board of Governors of the Corporation may increase the capital stock of the Corporation from a four-fifths majority to an eighty-five percent majority.

(3) AFRICAN DEVELOPMENT BANK.—The African Development Bank Act (22 U.S.C. 290g et seq.) is amended by adding at the end the following new section:

TITLE XII
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
SAFETY AND SECURITY ACTIVITIES
For an additional amount for "Salaries and Expenses", $1,753,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including necessary expenditures for operation costs and capital outlays: Provided, That such amounts are in addition to any other amounts made available for this purpose: Provided further, That such obligations of money made available under this heading in this Act shall not be subject to the limitation on obligations under the heading "Office of the Secretary—Working Capital Fund" in division II of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94): Provided further, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARE basis by 199,998 shares.

(2) a resolution to increase the authorized capital stock of the Corporation on a selective basis by $19,998 shares.

(3) a resolution to increase the authorized capital stock of the Corporation that would increase the vote by which the Board of Governors of the Corporation may increase the capital stock of the Corporation from a four-fifths majority to an eighty-five percent majority.

(3) AFRICAN DEVELOPMENT BANK.—The African Development Bank Act (22 U.S.C. 290g et seq.) is amended by adding at the end the following new section:

TITLE XII
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
SAFETY AND SECURITY ACTIVITIES
For an additional amount for "Salaries and Expenses", $1,753,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including necessary expenditures for operation costs and capital outlays: Provided, That such amounts are in addition to any other amounts made available for this purpose: Provided further, That such obligations of money made available under this heading in this Act shall not be subject to the limitation on obligations under the heading "Office of the Secretary—Working Capital Fund" in division II of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94): Provided further, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARE basis by 199,998 shares.

(2) a resolution to increase the authorized capital stock of the Corporation on a selective basis by $19,998 shares.

(3) a resolution to increase the authorized capital stock of the Corporation that would increase the vote by which the Board of Governors of the Corporation may increase the capital stock of the Corporation from a four-fifths majority to an eighty-five percent majority.

(3) AFRICAN DEVELOPMENT BANK.—The African Development Bank Act (22 U.S.C. 290g et seq.) is amended by adding at the end the following new section:

TITLE XII
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
SAFETY AND SECURITY ACTIVITIES
For an additional amount for "Salaries and Expenses", $1,753,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including necessary expenditures for operation costs and capital outlays: Provided, That such amounts are in addition to any other amounts made available for this purpose: Provided further, That such obligations of money made available under this heading in this Act shall not be subject to the limitation on obligations under the heading "Office of the Secretary—Working Capital Fund" in division II of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94): Provided further, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
provided in Public Law 116–94: Provided further, That all airports receiving funds under this heading in this Act shall continue to employ, through December 31, 2020, at least 90 percent of the number of indemnity employees (after making adjustments for retirements or voluntary employee separations) by the airport as of the date of enactment of this Act, and that the Secretary may waive the workforce retention requirement in the previous proviso, if the Secretary determines the airport is experiencing economic conditions warranting a direct reduction of requirement, or the requirement reduces aviation safety or security: Provided further, That the workforce retention requirement shall apply to all airports for which the Secretary provides funds under this heading in this Act: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

Of prior year unobligated contract authority and funds provided for Motor Carrier Safety in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public Law 109–59), or other appropriations or authorization acts, in addition to any appropriation in a fiscal year 2020 for “Motor Carrier Safety Operations and Programs”, $150,000,000 in additional obligation limitation is provided and repurposed for obligations incurred to support activities to prevent, prepare for, and respond to coronavirus.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For an additional amount for “Safety and Operations”, $250,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Northeast Corridor to the National Railroad Passenger Corporation” $492,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including to enable the Secretary of Transportation to make or amend existing grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor, as authorized by section 1110a(1) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–94): Provided, That amounts made available under this heading in this Act shall be transferred to and merged with “Northeast Corridor Grants to the National Railroad Passenger Corporation” to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “National Network Grants to the National Railroad Passenger Corporation”, $526,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including to enable the Secretary of Transportation to make or amend existing grants to the National Railroad Passenger Corporation for activities associated with the National Railroad Passenger Network as authorized by section 11101(b) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–94): Provided, That the amount made available under this heading in this Act shall be transferred to and merged with “National Network Grants to the National Railroad Passenger Corporation” to prevent, prepare for, and respond to coronavirus: Provided further, That the Secretary shall not waive the requirements of section 5333 of title 49, United States Code, for funds appropriated under this heading in this Act: Provided further, That the amount made available under this heading in this Act shall be, at the option of the recipient, up to 100 percent: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL TRANSIT ADMINISTRATION

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for “Transit Infrastructure Grants”, $75,000,000, of the funds for transit infrastructure grants provided in the fiscal year 2020 appropriation heading for, and respond to coronavirus: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MARITIME ADMINISTRATION

OPERATIONS AND TRAINING

For an additional amount for “Operations and Training”, $3,134,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus: Provided, That the Secretary shall not waive the requirements of section 5333 of title 49, United States Code, for funds appropriated under this heading in this Act: Provided further, That the amount made available under this heading in this Act shall be, at the option of the recipient, up to 100 percent: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE MARITIME ACADEMY OPERATIONS

For an additional amount for “State Maritime Academy Operations”, $1,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For an additional amount for “Office of Inspector General”, $5,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus: Provided, That the funding made available under this heading in this Act shall be used for conducting audits and investigations of projects and accounts carried forward and made available in this Act to the Department of Transportation to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION ADMINISTRATIVE SUPPORT OFFICES

For an additional amount for “Administrative Support Office”, $1,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus.

March 25, 2020
coronavirus, for the Office of the Chief Financial Officer, including for Department-wide salaries and expenses, Information Technology purposes, and to support the Department in a telework environment; Provided: That the amounts provided under this heading in this Act shall be in addition to amounts otherwise available for such purposes, including amounts made available under the heading "Program Offices", $15,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus: Provided, That the sums appropriated under this heading in this Act—

(1) $5,000,000 shall be available for the Office of Public and Indian Housing; and

(2) $10,000,000 shall be available for the Office of Community Planning and Development:

Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For an additional amount for "Tenant-Based Rental Assistance": $1,250,000,000, to remain available until expended, to prevent for, and respond to coronavirus, including providing funds for affordable housing agencies to maintain normal operations and take other necessary actions during the period that the program is impacted by coronavirus: Provided further, That amounts made available under this heading in this Act, $850,000,000 shall be available for both administrative expenses and other expenses of public housing agencies for their section 8 programs, including Mainstream vouchers: Provided further, That such other expenses shall be new eligible activities to be defrayed and provided to the Secretary and shall include activities to support or maintain the health and safety of assisted individuals and families, and costs related to retention and support of such individuals and families: Provided further, That amounts made available under paragraph (3) under this heading in Public Law 116–94 may be used for such other expenses in addition to their other available uses: Provided further, That the waiver and alternative requirements authority provided under this heading in this Act shall also apply to such incremental tenant-based assistance contract amounts: Provided further, That such amount is designated by the Secretary as being an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PUBLIC HOUSING OPERATING FUND

For an additional amount for "Public Housing Operating Fund", as authorized by section 8(e) of the United States Housing Act of 1937 (42 U.S.C. 1437f(e)), $850,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, including to provide additional funds for public housing agencies to maintain normal operations and take other necessary actions during the period that the program is impacted by coronavirus: Provided, That the amount provided under this heading in this Act shall be combined with the amount appropriated for the same purpose under the same heading of Public Law 116–94, and distributed to all public housing agencies in the amount distributed according to the same funding formula at part 990 of title 24, Code of Federal Regulations: Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of the emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of theemergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of theemergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of theemergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Provided further, That for the period from the enactment of this Act until the expiration of theemergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
coronavirus that are incurred by a recipient, including for costs incurred prior to the date of enactment of this Act: Provided further, That the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of amounts made available under this paragraph or under the same paragraph in Public Law 116–94 for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary to expedite or facilitate the use of such amounts to prevent, prepare for, and respond to coronavirus: Provided further, That any such waivers shall be deemed to be effective as of the date an Indian tribe or tribeally designated housing entity began preparing for coronavirus and shall apply to the amounts made available under this paragraph and to the previously appropriated amounts described in the previous proviso; and

(2) Up to $100,000,000 shall be available for grants to Indian tribes under the Indian Community Block Grant Program under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, to prevent, prepare for, and respond to coronavirus: Provided further, That such amounts made available under this heading and projects designed for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOUSE PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For an additional amount for carrying out the "Housing Opportunities for Persons with AIDS Program," for the Community Planning and Development Opportunity for Persons with AIDS Program under title I of the Housing Opportunity Act (42 U.S.C. 12901 et seq.), $65,000,000, to remain available until September 30, 2021, except that amounts allocated pursuant to this heading shall be used by grantees for the development and administration of programs and projects for the purposes described under this heading: Provided further, That any regulatory waivers the Secretary may issue may be deemed to be effective as of the date a grantee currently administering existing contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior years: Provided further, That such awards shall be made proportionally to their grantee's grantee level in the fiscal year prior to the fiscal year in which such costs were incurred: Provided further, That such allocations may be made on a roll-up basis based on the best available data at the time of allocation: Provided further, That such amounts may be used to provide relocation services, including to provide lodging at hotels, motels, or other locations, for persons living with HIV/AIDS: Provided further, That such amounts may be used by grantees for the development and administration of programs and projects designed for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COMMUNITY DEVELOPMENT FUND

For an additional amount for “Community Development Block Grant Program,” $5,000,000 shall remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: Provided, That up to $10,000,000 of the amount made available under this heading shall be used for grants to Indian tribes under the Indian Community Block Grant Program under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, to prevent, prepare for, and respond to coronavirus: Provided further, That any such waivers shall be deemed to be effective as of the date an Indian tribe or tribeally designated housing entity began preparing for coronavirus and shall apply to the amounts made available under this paragraph and to the previously appropriated amounts described in the previous proviso; and
prior awards to existing technical assistance providers, without competition, to provide an immediate increase in capacity building and technical assistance to support the use of amounts made available under this heading in this Act and under the same heading in prior Acts to prevent, prepare for, and respond to coronavirus; Provided further, That up to 1 percent of amounts made available under this heading in this Act and under the same heading in prior Acts may be used to make new awards or increase prior awards made to existing technical assistance providers with experience in providing health care services to homeless populations, with or without competition, to provide an immediate increase in capacity building and technical assistance available to recipients of amounts made available under this heading in this Act and under the same heading in prior Acts to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOMELESS ASSISTANCE GRANTS

For an additional amount for "Homeless Assistance Grants", $4,000,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus, among individuals and families who are homeless or receiving homeless assistance, and to support additional homeless assistance programs and activities to mitigate the impacts created by coronavirus under the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1)(B) and (C)): Provided further, That the appropriate Government web site or through other electronic media: Provided further, That the spending cap established pursuant to section 251(b)(2)(A)(i) of such Act (42 U.S.C. 11375(c)(1)): Provided further, That an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For an additional amount for "Project-Based Rental Assistance", $1,000,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including to provide additional funds to maintain normal operations and to take necessary actions during the period that the program is impacted by coronavirus, for assistance to owners or sponsors of properties receiving project-based rental assistance pursuant to section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f et seq.): Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
such amounts to prevent, prepare for, and respond to coronavirus, and such waiver or alternative requirement is consistent with the purposes described under this heading in this Act: Provided further, That the Secretary shall notify the public through the Federal Register or other appropriate means of any such waiver or alternative requirement in order for such waiver or alternative requirement to take effect, and that such public notice may be provided in a manner approved by the appropriate Government web site or through other electronic media, as determined by the Secretary: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FAIR HOUSING AND EQUAL OPPORTUNITY

For an additional amount for “Fair Housing Activities. "$2,500,000, to remain available until September 30, 2021, for contracts, as authorized by section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, for the purposes described under this heading in this Act: Provided further, That the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of such amounts made available under this heading, except for requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding by the Secretary that such waivers or alternative requirements, if contained in section 243 of the Balanced Budget and Emergency Deficit Control Act, and section 24305(f) of title 49, United States Code: Provided, That for amounts made available by this Act under such heading, the Secretary may in any manner consistent with the authority of the Railroad Passenger Corporation to comply with the Railway Retirement Act of 1974 (45 U.S.C. 231 et seq.), the Railroad Labor Act (45 U.S.C. 601 et seq.), and the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.): Provided further, That not later than 7 days after the date of enactment of this Act and each subsequent anniversary thereof, the Secretary shall notify the House and Senate Committees on Appropriations, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate of any National Railroad Passenger Corporation employee furloughs as a result of efforts to prevent, prepare for, and respond to coronavirus: Provided further, That in the event of any National Railroad Passenger Corporation employee furloughs as a result of efforts to prevent, prepare for, and respond to coronavirus, the Secretary shall require the National Railroad Passenger Corporation to provide the Secretary with the opportunity to be recalled to their previously held positions as intercity passenger rail service is restored to March 1, 2020 levels and not later than the date on which intercity passenger rail service has been fully restored to March 1, 2020 levels.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General. "$5,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HIGHWAY SAFETY GRANTS EMERGENCY AUTHORITY

SEC. 2206. (a) IN GENERAL.—The Secretary of Transportation (referred to in this subsection as the “Secretary”) may waive or postpone any requirement under section 402, 404, 405, or 412 of title 23, United States Code, section 404 of title 42, United States Code, section 114 of title 49, United States Code, section 114-96; 129 Stat. 1497, or part 1300 of title 23 Code of Federal Regulations (or successor regulations), if the Secretary determines that—

(1) coronavirus disease 2019 (COVID-19) is having a substantial impact on—

(A) the ability of States to implement or carry out any grant, campaign, or program under this title; or

(B) the ability of the Secretary to carry out any responsibility of the Secretary with respect to a grant, campaign, or program under this title.

(2) the requirements of those provisions are having a substantial impact on the ability of...
States or the Secretary to address the Coronavirus Disease 2019 (COVID-19).

(b) REPORT.—The Secretary shall periodically submit to the relevant committees of Congress:

(1) each determination made by the Secretary under subsection (a); and

(2) each waiver or postponement of a requirement under subsection (a).

(c) EMERGENCY REQUIREMENT.—The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE XIII

GENERAL PROVISIONS—THIS ACT

SEC. 23001. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 23002. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 23003. Unless otherwise provided for by this Act, any amount otherwise appropriated by this Act to appropriations accounts for fiscal year 2020.

SEC. 23004. (a) Subject to subsection (b), notwithstanding any other provision of law, funds made available in this Act, or transferred pursuant to transfer authorization contained in this Act, may only be used to prevent, prepare for, and respond to coronavirus.

(b) Subsection (a) shall not apply to sections 13002, 13011 of this Act, or transfers made pursuant to authority in this Act, or to funds made available in this Act for the Infectious Diseases Rapid Reserve Fund, established pursuant to section 241 of division B of Public Law 115-31, or to funds made available in this Act for the Emergency Reserve Fund, established pursuant to section 2101 of division B of Public Law 115-31.

(c) This section shall not apply to title VI of this Act.

SEC. 23005. In this Act, the term “coronavirus” means SARS-CoV-2 or another coronavirus with pandemic potential.

SEC. 23006. Each amount designated in this Act as being for an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress. SEC. 23007. Any amount appropriated by this Act, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this Act shall retain such designation.

BUDGETARY EFFECTS

SEC. 23008. (a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 406 of H. Con. Res. 71 (115th Congress).

(c) ADJUSTMENT OF BUDGET SCOREKEEPING GUIDELINES.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(7) and (c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall be estimated for purposes of section 251 of such Act.

(d) ENSURING NO WITHIN-BILLION SEQUENTIAL TRANSFERS.—For the purpose of calculating a breach within a category for fiscal year 2020 pursuant to section 251(a)(6) or section 254(g) of the Balanced Budget and Emergency Deficit Control Act of 1985, and notwithstanding any other provision of this division, the budgetary effects from this division shall be counted as amounts designated as being for an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

(e) DIVISION MIGHT BE CITED AS THE “EMERGENCY APPROPRIATIONS FOR CORONAVIRUS RESPONSE AND AGENCY OPERATIONS”.

SA 1579. Mr. MCCONNELL (for Mr. MURAH) proposed an amendment to the bill H.R. 7304, to amend title 38, United States Code, to provide for improvements to the specialty adapted housing program of the Department of Veterans Affairs, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ryan Kules and Paul Benne Specially Adaptive Housing Improvement Act of 2019”.

SEC. 2. AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO ASSIST BLIND VETERANS WHO HAVE NOT LOST USE OF A LEG IN ACQUIRING SPECIALLY ADAPTED HOUSING.

Section 2101 of title 38, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)(i), by striking “permanent and total”; and

(B) in subparagraph (B),—

(i) in clauses (i), (III), (IV), and (V), by inserting “permanent and total” before “disability,” and

(ii) in clause (i)—

(I) by inserting “permanent” before “disability”;

(II) by striking “due to—” and inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens. For the purposes of this clause, an eye with a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.”;

and

(III) by striking subparagraphs (I) and (II); and

(2) in subsection (b)(2)—

(A) by striking paragraph (A) and (B) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

SEC. 3. INCREASE IN AMOUNTS OF SPECIALLY ADAPTED HOUSING ASSISTANCE PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) INCREASE OF NUMBER OF GRANTS PER VETERAN.—Section 2101 of title 38, United States Code, is amended by—

(1) increasing of number of grants per veteran—

(A) in paragraph (1), by striking “2” and inserting “4”;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(2) in paragraph (2)—

(A) by inserting “for purposes of section 251 of such Act; and

(B) by redesignating subparagraphs (A) and (B), respectively.

SEC. 4. INCREASE IN AGGREGATE AMOUNT OF ASSISTANCE FOR ADAPTATIONS TO VETERANS’ RESIDENCES.

Section 2102.d(2) of such title is amended by striking “$19,735” and inserting “$20,420”.

SEC. 5. TREATMENT OF CERTAIN PREPARATORY COURSES AS PROGRAMS OF EDUCATION FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS EDUCATIONAL ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Chapter 33 of title 38, United States Code, is amended by inserting after section 331A the following new section—

“331A. Preparatory courses for licensure, certification, or recertification.

(1) In general—An individual entitled to educational assistance under this chapter shall also be entitled to payment for a covered preparatory course.

(b) AMOUNT.—The amount of educational assistance payable under this chapter for a covered preparatory course is the lesser of—

(A) the amount charged for the covered preparatory course; or

(2) the amount of entitlement available to the individual under this chapter at the time of payment for the covered preparatory course under this section.

(c) CHARGE AGAINST ENTITLEMENT.—The number of months of entitlement charged against this chapter for covered preparatory course shall be reduced by the actual amount of the fee charged for the covered preparatory course relative to that for a month payable.

(E) (1) for the academic year beginning on August 1, 2020, $2,042; or

(2) for an academic year beginning on any subsequent August 1, the amount for the previous academic year beginning on August 1 under this subsection, as increased by the percentage increase equal to the most recent percentage increase determined under section 3315(b).

(F) (1) Covered Preparatory Course Definitions.—For purposes of this section, the term ‘covered preparatory course’ means a course—

(1) for a licensure or certification test that is required or used to enter into, maintain, or advance in employment in a pre-determined and identified vocation or profession; and
"(2) that has been approved by the State approving agency concerned.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 3315A the following new item: “3315B. Preparatory courses for licensure, certification, or national tests.”

(c) CONFORMING AMENDMENTS.—Section 332(g) of title 38, United States Code, is amended:

(1) in paragraph (1), by inserting “or a covered preparatory course (as that term is defined in section 3315B(a) of this title)” after “or national test providing an opportunity for college credit at institutions of higher learning described in section 3501(a)(5) of this title”; and

(2) in paragraphs (2) and (3), by inserting “or covered preparatory course” after “test” each place it appears.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2021.

SEC. 6. IMPROVEMENT TO WORK-STUDY ALLOWANCE PROGRAM.

(a) PAYMENT OF ALLOWANCE.—Subsection (a) of section 3485 of title 38, United States Code, is amended:

(1) in paragraph (1), by striking “Individuals entitled to subparagraph (F)” and inserting “In accordance with paragraph (F), individuals”; (2) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively; and

(3) by inserting after paragraph (3) the following new paragraph:

“(d) With respect to covered work-study activities, the Secretary shall carry out this section by providing to participating educational institutions an annual amount for the institution to use in paying work-study allowances described in paragraph (1) to individuals enrolled at the institution.

“(B) With respect to a participating educational institution that participated in the work-study program under this section during the academic year beginning August 1, 2018, the Secretary shall determine the annual amount to be the total amount the educational institution paid under this section for work-study allowance for covered work-study activities to individuals enrolled at such educational institution during the prior academic year, multiplied by the ratio of the number of individuals enrolled at such educational institution during the academic year beginning August 1, 2018, to the average number of individuals per participating educational institution that participated in the work-study program.

“(D)(i) The Secretary, in consultation with the Department of Education, determines appropriate based on amounts provided to similar educational institutions pursuant to paragraph (B).

“(ii) Except as provided by clauses (i) or (III) of subparagraph (D), for each academic year beginning August 1, 2020, the amount shall be the total amount the educational institution participated in the work-study program.

“(D)(i) The Secretary shall approve an annual amount to be the total amount the educational institution paid under this section for work-study allowance for covered work-study activities to individuals enrolled at such educational institution during the prior academic year, multiplied by the ratio of the number of individuals enrolled at such educational institution during the academic year beginning August 1, 2018, to the average number of individuals per participating educational institution that participated in the work-study program.

“(I) For the first academic year in which the educational institution participates in the work-study program beginning on or after August 1, 2018, the Secretary shall determine the annual amount to be the total amount the educational institution participated in the work-study program during the prior academic year.

“(ii) Except as provided by clauses (I) or (II) of subparagraph (D), for each academic year beginning on or after August 1, 2020, the amount shall be determined in consultation with the educational institution, that the Secretary determines the appropriate amount to be paid to similar educational institutions pursuant to subparagraph (B).

“(III) At any time a participating educational institution that participated in the work-study program during the prior academic year informs the Secretary that the institution expects to have an individual paid a work-study allowance.

“(ii) The Secretary may prohibit an educational institution from providing an annual amount pursuant to this subparagraph (A) if the Secretary determines that the educational institution is not in compliance with this section.

“(E) The term ‘participating educational institution’ means an educational institution that—

“(I) participates in the work-study program under this section; and

“(II) voluntarily chooses to be a participating educational institution under this paragraph.

“(F) In this section:

“(I) The term ‘covered work-study activities’ means qualifying work-study activities described in paragraphs (A), (B), (I), and (J) of paragraph (5) for which an individual is paid a work-study allowance.

“(II) The term ‘educational institution’ means an educational institution that—

“(a) is a participating educational institution in accordance with this section; and

“(b) conforms to all applicable requirements of this section.

“(G) Nothing in this section shall apply with respect to a quarter, semester, or term, as applicable, commencing on or after August 1, 2021.

SEC. 7. ADJUSTMENT OF LOAN FEES.

Section 3729(b)(2) of title 38, United States Code, is amended by striking the loan fee table and inserting the following:

<table>
<thead>
<tr>
<th>Type of loan</th>
<th>Active duty</th>
<th>Reserve</th>
<th>Other</th>
<th>Obligor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A)(I) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before January 1, 2020)</td>
<td>2.15</td>
<td>2.40</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>(A)(II) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before April 7, 2023)</td>
<td>2.30</td>
<td>2.30</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>(A)(III) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after January 1, 2020, and before April 7, 2023)</td>
<td>2.15</td>
<td>2.15</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>(A)(IV) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before January 1, 2020)</td>
<td>1.40</td>
<td>1.40</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>(B)(I) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after January 1, 2020, and before April 7, 2023)</td>
<td>3.30</td>
<td>3.30</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>(B)(II) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after January 1, 2020, and before April 7, 2023)</td>
<td>3.60</td>
<td>3.60</td>
<td>NA</td>
<td></td>
</tr>
</tbody>
</table>
(B)(iii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 8-down, or any other subsequent loan described in section 3710(a) (closed on or after April 7, 2023, and before October 1, 2029)
(B)(iv) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 8-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2029)
(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before January 1, 2020)
(C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after January 1, 2020, and before April 7, 2023)
(C)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after April 7, 2023, and before October 1, 2029)
(C)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2029)
(D)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before January 1, 2020)
(D)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after January 1, 2020, and before April 7, 2023)
(D)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after April 7, 2023, and before October 1, 2029)
(D)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2029)
(E) Interest rate reduction refinancing loan
(F) Direct loan under section 3711
(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan)
(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan)
(I) Loan described in section 3714
(J) Loan under section 3733(a)

SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

RYAN KULES SPECIALLY ADAPTIVE HOUSING IMPROVEMENT ACT OF 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3504, which was received from the House.

The PRESIDING OFFICER. The Senate is now in the hands of the PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3504) to amend title 38, United States Code, to provide for improvements to the specially adapted housing program and educational assistance programs of the Department of Veterans Affairs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the amendment at the desk be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1579) was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 3731), as amended, was passed.

VA TELE-HEARING MODERNIZATION ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of H.R. 4771 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4771) to amend title 38, United States Code, to permit appellants to appear in cases before the Board of Veterans’ Appeals by picture and voice transmission from locations other than facilities of the Department of Veterans Affairs, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4771) was ordered to be read the third time, was read the third time, and passed as follows:

S. 3587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Veterans Affairs Website Accessibility Act of 2019”.

SEC. 2. STUDY ON THE ACCESSIBILITY OF WEBSITES OF THE DEPARTMENT OF VETERANS AFFAIRS TO INDIVIDUALS WITH DISABILITIES.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a study of all websites of the Department of Veterans Affairs to determine whether such websites are accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(b) REPORT.—Not later than 90 days after completing the study under subsection (a), the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on such study.

(c) ELEMENTS.—The report required by subsection (b) shall include the following:

(1) A list of each website described in subsection (a) that is not accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(2) For each website identified in the list under paragraph (1)—
(A) the plan of the Secretary to bring the website into compliance with the requirements of section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d); and

(B) a description of the barriers to bringing the website into compliance with the requirements of such section, including any barriers relating to vacant positions at the Department of Veterans Affairs.

(d) WEBSITE DEFINED.—In this section, the term "website" includes the following:

(1) A file attached to a website.

(2) A web-based application.

(3) A kiosk at a medical facility of the Department of Veterans Affairs, the use of which is required to check in for scheduled appointments.

Passed the Senate March 26 (legislative day, March 25), 2020.

APPOINTMENTS AUTHORITY

Mr. McConnell. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, MARCH 30, 2020, THROUGH MONDAY, APRIL 20, 2020

Mr. McConnell. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times; and that, following each pro forma session, the Senate adjourn until the next pro forma session: Monday, March 30, 11 a.m.; Thursday, April 2, 10 a.m.; Monday, April 6, 10 a.m.; Thursday, April 9, 10 a.m.; Monday, April 13, 10 a.m.; Thursday, April 16, 3 p.m.

I further ask that when the Senate adjourns on Thursday, April 16, it next convene at 3 p.m., Monday, April 20; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that upon the closing of morning business, the Senate proceed to executive session to consider the Feitel nomination, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, MARCH 30, 2020, AT 11 A.M.

Mr. McConnell. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:07 a.m., adjourned until Monday, March 30, 2020, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 25, 2020:

DEPARTMENT OF DEFENSE

CHARLES WILLIAMS, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF THE NAVY.

WILLIAM JORDAN GILLIS, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.
SENATE COMMITTEE MEETINGS
Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 26, 2020 may be found in the Daily Digest of today's RECORD.

POSTPONEMENTS
MARCH 31
2:30 p.m.
Committee on Armed Services
Subcommittee on Personnel
To hold hearings to examine the final recommendations and report of the National Commission on Military, National, and Public Service.

SD–G50

●This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
HIGHLIGHTS

Senate passed H.R. 748, Coronavirus Aid, Relief, and Economic Security Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S2021–S2159

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 3579–3587, and S. Res. 554.

Measures Passed:

Coronavirus Aid, Relief, and Economic Security Act: By a unanimous vote of 96 yea's (Vote No. 80), Senate passed H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage, 60 Senators having voted in the affirmative, and after taking action on the following amendments proposed thereto:

Adopted:

McConnell Amendment No. 1578, providing emergency assistance and health care response for individuals, families and businesses affected by the 2020 coronavirus pandemic.

Rejected:

By 48 yeas to 48 nays (Vote No. 79), Sasse Amendment No. 1577 (to Amendment No. 1578), to ensure that additional unemployment benefits do not result in an individual receiving unemployment compensation that is more than the amount of wages the individual was earning prior to becoming unemployed. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.)

During consideration of this measure today, Senate also took the following action:

A unanimous-consent agreement was reached providing that the motion to invoke cloture on the motion to proceed to consideration of the bill, be withdrawn.

Ryan Kules and Paul Benne Specially Adaptive Housing Improvement Act: Senate passed H.R. 3504, to amend title 38, United States Code, to provide for improvements to the specially adapted housing program and educational assistance programs of the Department of Veterans Affairs, after agreeing to the following amendment proposed thereto:

McConnell (for Moran) Amendment No. 1579, in the nature of a substitute.

VA Tele-Hearing Modernization Act: Committee on Veterans’ Affairs was discharged from further consideration of H.R. 4771, to amend title 38, United States Code, to permit appellants to appear in cases before the Board of Veterans’ Appeals by picture and voice transmission from locations other than facilities of the Department of Veterans Affairs, and the bill was then passed.

Department of Veterans Affairs Website Accessibility Act: Senate passed S. 3587, to require the Secretary of Veterans Affairs to conduct a study on the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities.

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that Senator Capito, Senator Murkowski, and Senator McConnell be authorized to sign duly enrolled bills or joint resolutions on Wednesday, March 25, 2020 through Monday, April 20, 2020.
Pro Forma Sessions—Agreement: A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, March 30, 2020, at 11 a.m.; Thursday, April 2, 2020, at 10 a.m.; Monday, April 6, 2020, at 10 a.m.; Thursday, April 9, 2020, at 10 a.m.; Monday, April 13, 2020, at 10 a.m.; Thursday, April 16, 2020, at 3 p.m.; and that when the Senate adjourns on Thursday, April 16, 2020, it next convene at 3 p.m., on Monday, April 20, 2020.

Feitel Nomination—Agreement: A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, April 20, 2020, Senate begin consideration of the nomination of Robert J. Feitel, of Maryland, to be Inspector General, Nuclear Regulatory Commission; and that at 5:30 p.m., Senate vote on confirmation of the nomination.

Nominations Confirmed: Senate confirmed the following nominations:

Charles Williams, of Missouri, to be an Assistant Secretary of the Navy.
William Jordan Gillis, of Georgia, to be an Assistant Secretary of Defense.

Committee Meetings
(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 10 public bills, H.R. 6385–6394; and 2 resolutions, H. Res. 908–909 were introduced.

Additional Cosponsors:

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Wexton to act as Speaker pro tempore for today.

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rev. Robert W. Fisher, St. John’s Church, Washington, DC.

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:02 a.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY,
MARCH 26, 2020

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the posture of the Department of the Army in review of the Defense Authorization Request for fiscal year 2021 and the Future Years Defense Program, 9:30 a.m., Room to be announced.

House

No hearings are scheduled.
Next Meeting of the SENATE
11 a.m., Monday, March 30

Senate Chamber
Program for Monday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES
11 a.m., Thursday, March 26

House Chamber
Program for Thursday: House will meet in Pro Forma session at 11 a.m.