



## **H.R. 6379, Take Responsibility for Workers and Families Act** *Title-By-Title Summary*

*House Democrats' more than \$2.5 trillion bill boldly addresses the impacts of the coronavirus crisis on families, businesses, and communities*

### **DIVISION A – Third Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020**

*Prepared by the Democratic staff of the House Committee on Appropriations*

#### **Title I – Agriculture, Rural Development, Food and Drug Administration, and Related Agencies**

**American Agriculture Safeguards** – Provides \$55 million to ensure the Animal and Plant Health Inspection Service can continue working with the Department of Homeland Security's Customs and Border Protection during the coronavirus emergency to keep foreign animal and plant pests and diseases from entering the U.S. Provides \$45 million to ensure the Agricultural Marketing Service can continue grading commodities, to protect the food supply chain in America.

**Food Safety** – Includes \$33 million to ensure uninterrupted meat and poultry inspections by the Food Safety and Inspection Service to protect the safety of the U.S. food supply during the coronavirus outbreak.

**Farm Service Agency** – Includes \$3 million to ensure FSA has funds for staff to review expected increase in loan servicing and new loan applications in response to the pandemic.

**Rural Business Assistance** – Includes loan authority for up to \$1 billion for the USDA Business and Industry Loan Program to help rural businesses access credit and mitigate the impacts of the coronavirus outbreak.

**ReConnect program and Distance Learning and Telemedicine (DLT)** – Provides \$258 million for the ReConnect program and \$25 million for DLT to expand investments in telemedicine and broadband to assist in managing the coronavirus pandemic. These critical investments enhance the ability for individuals to receive healthcare through telemedicine and for students to utilize broadband service for education resources.

**The Emergency Food Assistance Program (TEFAP)** – \$450 million to help local food banks meet increased demand for low-income Americans during the emergency. Including funding provided by the Families First Coronavirus Response Act, TEFAP’s total is \$850 million.

**Food Distribution Program on Indian Reservations (FDPIR)** – \$100 million to support income-eligible households living on Indian reservations and American Indian households residing in approved areas. Many of these households participate in FDPIR as an alternative to the Supplemental Nutrition Assistance Program.

**Supplemental Nutrition Assistance Program (SNAP)** – Provides such sums as may be necessary, in addition to base funds, to support anticipated increases in participation and to cover program cost increases related to flexibilities provided to SNAP by the Families First Coronavirus Response Act.

**Child Nutrition Programs (CNP)** – Includes \$9 billion to cover program cost increases related to flexibilities provided to Child Nutrition Programs by the Families First Coronavirus Response Act.

**Nutrition Assistance for U.S. Territories** – Provides \$200 million for USDA to provide nutrition assistance grants to Puerto Rico, American Samoa, and the Commonwealth of the Northern Mariana Islands.

**Foreign Agricultural Service** – Includes \$4 million for emergency evacuations of USDA Foreign Agricultural Service staff and dependents around the world.

**Food and Drug Administration** – Provides \$80 million for FDA’s continued efforts to maintain our national drug and device product inventory through outreach to medical product manufacturers to identify and mitigate potential supply chain interruptions. Funds will also assist FDA’s enforcement work against counterfeit and misbranded products and its review of emergency use authorizations for medical products, such as diagnostics. Additionally, funds will facilitate the development and review, both pre-market and post-market, of medical countermeasures, devices, therapies, and vaccines to combat the coronavirus.

**Marketing Assistance Loans** – Includes language allowing USDA to extend the term of a marketing assistance loan for any loan commodity to 12 months.

## **Title II – Commerce, Justice, Science, and Related Agencies**

**Economic Development Administration** – \$2 billion for Economic Adjustment Assistance for areas responding to economic injury as a result of coronavirus.

**Minority Business Development Agency** – \$15 million for Business Centers and Specialty Centers, to assist minority business enterprises to prevent, prepare for, and respond to coronavirus.

**National Institute of Standards and Technology (NIST) research** – \$6 million for research and other measures to prevent, prepare for, and respond to coronavirus, including for measurement science to support testing for such virus.

**NIST Manufacturing Extension Partnership program** – \$50 million to help small and medium-sized manufacturers prevent, prepare for, and respond to coronavirus, while waiving the cost share requirement.

**NIST National Network for Manufacturing Innovation (also known as “Manufacturing USA”)** – \$25 million to support development and manufacturing of medical countermeasures and biomedical equipment and supplies. These funds will effectively go to the National Institute for Innovation in Manufacturing Biopharmaceuticals (NIIMBL), which won a Commerce Department competition a few years ago and has been funded through this program ever since.

**NOAA Operations, Research, and Facilities** – \$33.2 million to prevent, prepare for, and respond to coronavirus.

**Bureau of Prisons** – \$100 million to prevent, prepare for, and respond to coronavirus.

**Violence Against Women Act (VAWA) programs** – \$300 million, including \$100 million for grants to combat violence against women, \$25 million for transitional housing assistance grants, \$100 million for sexual assault victims assistance, \$25 million for rural domestic violence and child abuse enforcement assistance, \$25 million for legal assistance for victims, and \$25 million to support families in the justice system.

**Byrne Justice Assistance Grants** – \$1 billion to help prevent, prepare for, and respond to coronavirus, including for purchasing personal protective equipment. Funds are to be distributed under the same requirements, conditions, compliance, and certification as 2016, thus preventing DOJ from blocking any of these funds from going to sanctuary jurisdictions.

**Juvenile Justice Programs** – \$100 million, including \$75 million for part B state formula grants, and \$25 million for delinquency prevention grants.

**NASA Safety, Security, and Mission Services** – \$100 million to prevent, prepare for, and respond to coronavirus.

**NASA Construction and Environmental Compliance and Restoration** – \$100 million to prevent, prepare for, and respond to coronavirus.

**National Science Foundation (NSF) Research and Related Activities** – \$100 million to prevent, prepare for, and respond to coronavirus, domestically and internationally, including to fund research grants and other necessary expenses.

**NSF Agency Operations and Award Management** – \$2 million to prevent, prepare for, and respond to coronavirus.

**Legal Services Corporation** – \$100 million to address legal needs arising from coronavirus.

**Emergency Paid Leave for Census Workers** – Section 10203 would clarify the application and classification of emergency paid leave for temporary Census Bureau employees.

### **Title III – Defense**

**Active, National Guard and Reserve** – \$3.48 billion to provide the Active, National Guard and Reserve with the necessary tools to fight COVID 19. This includes funding for personal protection equipment for service members as they perform their mission as well as funding for increasing deployment of the National Guard and deployment of the U.S.N.S. Mercy and the U.S.N.S. Comfort for medical support to overwhelmed civilian hospitals.

**Defense Health Program** – \$3.8 billion for medical countermeasures, diagnostics, and medical care for eligible service members, dependents, and retirees. This amount includes funding for diagnostics, vaccines, and anti-virals, procuring additional medical equipment, and support for the Military Health System by expanding military treatment facilities to ensure maximum capacity of the direct care system.

**Defense Production Act** – \$500 million to assist industry in ramping up manufacturing for medical personal protective equipment and to maintain the industrial base in the future.

### **Title IV – Energy and Water Development, and Related Agencies**

**Army Corps of Engineers** – \$70 million to support activities to prevent, prepare for, and respond to coronavirus, including the continued operation of Corps projects across the country.

**Bureau of Reclamation** – \$20.6 million for the Bureau of Reclamation, including \$500,000 for the Central Utah Project Completion Account, to support activities to prevent, prepare for, and respond to coronavirus.

**Department of Energy** – \$127.5 million to support activities to prevent, prepare for, and respond to coronavirus, including:

- \$99.5 million for the Office of Science to fund the operations, facilities, and equipment at national labs to support research on the coronavirus and develop treatment approaches such as a vaccine; and
- \$28 million to support remote access for Department personnel.

**Nuclear Regulatory Commission** – \$3.3 million to support activities to prevent, prepare for, and respond to coronavirus.

In addition –

- Allows funds to be used to reimburse amounts used to prevent, prepare for, and respond to the coronavirus before the date of enactment of the bill.
- Allows the Department of Energy to modify its contracts during declared national emergencies and pandemics to address contract workers whose job duties cannot be performed remotely.

## **Title V – Financial Services and General Government**

**Assisting Small Businesses** – Provides critically needed funding to keep small businesses afloat during this unprecedented economic disruption, including:

- **Small Business Economic Injury Grants** – \$100 billion in grants to small businesses that can demonstrate losses due to the outbreak.
- **Small Business Disaster Loans** – Provides for an additional \$184 billion in low-interest economic injury disaster loans to help small businesses that have suffered financial losses as a result of the coronavirus outbreak.
- **Small Business Debt Relief** – Provides small businesses with relief from SBA loan payments, including principal, interest, and fees, for six months.

**Telemedicine and Telehealth** – \$200 million for the Federal Communications Commission to provide health care providers with connected devices to facilitate telemedicine services and free up hospital beds.

**Distance Learning** – \$2 billion for the Federal Communications Commission to provide broadband hotspots and connected devices to facilitate distance learning and connectivity.

**Low-Income Broadband Access** – \$1 billion for the Federal Communications Commission to expand access to broadband for low-income Americans.

**Federal Facilities** – \$275 million to clean and disinfect Federal buildings to keep employees and visitors safe.

**Technology Modernization Fund** – Provides \$3 billion for technology-related modernization projects designed to cut costs and drive efficiencies across the Federal government.

**Tax Credits and Delay in Tax Filing** – \$602 million for implementation of tax credits and to postpone the April 15th filing deadline.

**Supporting Community Financial Institutions** – \$200 million for economic support and recovery in distressed communities throughout the U.S. by providing financial and technical assistance to community development financial institutions.

**Elections** – \$4 billion for Election Administration Grants to states for contingency planning, preparation, and resilience of elections for federal office.

**Oversight** – \$100 million to establish and support a COVID-19 Stimulus Accountability and Transparency Board to conduct oversight, monitor spending, provide transparency to the public, and help prevent fraud, waste, and abuse.

**Postal Service** – \$25 billion for revenue forgone due to the coronavirus pandemic.

## **Title VI – Homeland Security**

**Personal Protective Equipment** – \$178 million for the purchase of personal protective equipment for components of the Department of Homeland Security to prevent, prepare for, and respond to coronavirus.

**Transportation Security Administration** – \$100 million to prevent, prepare for, and respond to coronavirus, including \$54 million for enhanced sanitation at airport security checkpoints, \$26 million for overtime and travel costs for TSA officers, and \$20 million for the purchase of explosive trace detection swabs.

**Coast Guard** – \$141 million to prevent, prepare for, and respond to coronavirus through the activation of Coast Guard Reserve personnel and for building capacity and capability for information technology systems and infrastructure to support telework and remote access.

**Cybersecurity and Infrastructure Security Agency** – \$14.4 million to assist interagency critical infrastructure coordination, enhance analytic capabilities supporting coronavirus response, and related activities.

**Federal Emergency Management Agency** – \$2.345 billion to prevent, prepare for, and respond to coronavirus, including \$45 million for facilities and information technology; \$200 million for the Emergency Food and Shelter Program; \$100 million for Assistance to Firefighters Grants for the purchase of personal protective equipment; and \$2 billion for assistance under the nationwide emergency declaration.

In addition –

- Extends the deadline for states to meet the requirements of the REAL ID Act to October 1, 2021.
- Allows FEMA to continue paying personnel who reach normal overtime and premium pay caps while working on the coronavirus response.
- Adjusts the Federal cost share for assistance under the nationwide emergency declaration to 100 percent.
- Prohibits the use of funds provided in the bill from being used for other purposes.
- Clarifies and expands the scope of eligibility for FEMA emergency assistance to fill gaps identified by first responders, emergency managers, and nonprofit organizations active in the pandemic response.

- In recognition that several government offices have closed in response to the coronavirus that are responsible for reviewing and adjudicating work authorization requests or that impact American citizens, intending immigrants, and workers' ability to live and work in the United States, to include those with a Deferred Action for Childhood Arrivals status or Temporary Protected Status, a provision is included to automatically extend their current status or work authorization.

## **Title VII – Interior, Environment, and Related Agencies**

**Bureau of Indian Affairs** **Bureau of Indian Affairs** – Provides \$453 million for essential Tribal governmental services to help prepare for and respond to the pandemic, ensure continuation of government operations, and to aid individual Native Americans. This includes:

- No less than \$407 million to be made available to focus efforts at the Tribal level;
- Assistance to individuals suffering loss of income; and
- Funds to deep clean facilities and/or quarantine facilities.

**Bureau of Indian Education** – Provides \$69 million for education-related needs, including salaries, equipment, online curriculum development, and other associated costs.

**Office of the Secretary** – Provides \$158 million for additional department-wide IT/teleworking/cybersecurity needs, personal protective equipment, law enforcement, and other high priority requirements. The bill provides transfer authority to provide maximum flexibility, with the amounts to be distributed as follows:

- **Bureau of Land Management** – Provides \$32 million for personal protective equipment, additional IT/telework equipment, emergency law enforcement overtime, and other needs to sustain operations.
- **U.S. Fish and Wildlife Service** – Provides \$29 million for personal protective equipment for first responders and staff, cleaning, training, law enforcement interdiction, emergency management on refuges, to sustain critical operations, and information technology.
- **National Park Service** – Provides \$32 million for personal protective equipment, additional teleworking equipment, and law enforcement.
- **U.S. Geological Survey** – Provides \$31 million for biosurveillance of wildlife and environmental persistence studies, research, cleaning, global mineral and material supply chain disruption/risk/vulnerability assessments, to sustain critical operations, and information technology.
- **Bureau of Ocean Energy Management, Bureau of Safety and Environmental Enforcement, Office of Surface Mining Reclamation** – Provides \$2.5 million for protective equipment, cleaning supplies for buildings and facilities.
- **Office of Solicitor** – Provides \$650,000 for additional IT/teleworking equipment and personal protective equipment.
- **Office of Inspector General** – Provides \$1 million to perform oversight, accountability, and evaluation of programs, projects, or activities to prevent, prepare for, and respond to coronavirus.

- Provides \$9 million for Personal Preparedness Equipment for firefighters.
- Provides \$17 million for IT/teleworking/cybersecurity equipment through the Working Capital Fund.

**Insular Affairs** – Provides \$55 million to purchase equipment and medical supplies, and to support the general government response to coronavirus in the Insular Areas.

**Environmental Protection Agency** – Provides \$7.2 million for EPA, of which \$3 million is to reduce the risk of environmental transmission of coronavirus, and \$4.2 million is for protecting the EPA workforce from spread of coronavirus.

**Forest Service** – Provides \$70.6 million to support large-scale teleworking requirements, Personal Protective Equipment, enhanced cleaning and disinfecting of facilities, and restarts research activities. This includes:

- \$3 million to restore research activities;
- \$10 million for IT support for telework;
- \$7.8 million for Personal Protective Equipment for law enforcement and firefighters; and
- \$49.8 million for facility cleaning.

**Indian Health Service** – Provides \$1.032 billion for Indian Health Service and Tribally-operated health facilities, Urban Indian Organizations, and Tribal Epidemiology Centers to conduct surveillance, provide health care (including telehealth), establish mobile isolation units, purchase equipment and supplies, and for other needs. This includes:

- No less than \$10 million for the Catastrophic Health Emergency Fund;
- No less than \$24 million for Tribal Epidemiology Centers;
- No less than \$30 million for Urban Indian Organizations;
- No less than \$50 million for Purchased/Referred Care; and
- No less than \$125 million for an Electronic Health Records system.

**Agency for Toxic Substance and Disease Registry** – Provides \$12.5 million to reduce the risk of environmental transmission of coronavirus through better tracking of infections and outreach on methods to safely sanitize cruise ships, homes, and daycare facilities while also protecting vulnerable subpopulations such as pregnant women and children.

**Institute of American Indian and Alaska Natives** – Provides \$78,000 for education-related needs, including salaries, equipment, online curriculum development, and other associated costs.

**Smithsonian Institution** – Provides \$7.5 million for cleaning, security, information technology, and staff overtime.

**Kennedy Center** – Provides \$35 million for emergency needs for operation of the presidential monument.



**National Endowment for the Arts** – Provides \$300 million for the National Endowment for the Arts for grants to support the general operations of recipients; language to allow fiscal year 2019 and 2020 grant funds to be used for general operations; and language to permit the waiver of matching requirements for fiscal year 2019 and 2020 recipients.

**National Endowment for the Humanities** – Provides \$300 million for the National Endowment for the Humanities for grants to support the general operations of recipients; language to allow fiscal year 2019 and 2020 grant funds to be used for general operations; and language to permit the waiver of matching requirements for fiscal year 2019 and 2020 recipients.

## **Title VIII – Labor, Health and Human Services, Education, and Related Agencies**

**Department of Labor** – \$1.4 billion to support workforce training and worker protection activities related to coronavirus, including:

- \$1.36 billion to support workers impacted by coronavirus, including older Americans, homeless veterans and Job Corps students;
- \$30 million for the Occupational Safety and Health Administration for workplace protection activities in response to coronavirus, including \$10 million for Susan Harwood training grants that protect and educate workers; and
- \$10 million for enforcement and worker protection activities at the Wage and Hour Division and the Employee Benefits Security Administration, and \$15 million for the Employment and Training Administration to administer unemployment insurance activities.

**Health Resources and Services Administration** – \$1.9 billion to support expanded health care services for underserved populations, including:

- \$1.3 billion for Health Centers to expand the capacity to provide testing, triage, and care for COVID-19 and other health care services at approximately 1,000 existing health centers across the country;
- \$100 million to support rural hospitals to respond to the increased need for clinical services and equipment to meet the needs of patients with COVID-19, as well as to address financial and workforce challenges related to the impact of COVID-19;
- \$330 million to develop a telephonic and virtual care platform that aggregates willing providers including physicians, nurses, telehealth platforms, health systems, rural health clinics, Federally-Qualified Health Centers, and others to facilitate the furnishing of telephonic and virtual health care services;
- \$15 million to provide technical assistance to rural hospitals and clinics and to support existing telehealth projects to link COVID-19 patients with infectious disease specialists;
- \$90 million to Ryan White HIV/AIDS clinics to support extended operational hours, increased staffing hours, additional equipment, and additional home delivered meals and transportation needs of clients, who disproportionately suffer from co-morbidities and underlying immunosuppression that puts them at greater risk for COVID-19 complications

- \$15 million for tribes, tribal organizations, urban Indian health organizations, or health service providers to tribes; and
- \$5 million to expand the capacity of Poison Control Centers to respond to an increase in calls related to COVID-19.

**Centers for Disease Control and Prevention** – \$5.5 billion to support federal, state, and local public health agencies to prevent, prepare for, and respond to the coronavirus, including:

- \$2 billion to support States, locals, territories, and tribes to conduct public health activities such as:
  - surveillance for coronavirus;
  - laboratory testing to detect positive cases;
  - contact tracing to identify additional positive cases;
  - infection control at the local level to prevent additional cases;
  - mitigation to prevent additional cases; and
  - other public health preparedness and response activities.
- \$1 billion for global disease detection and emergency response;
- \$1 billion for the Infectious Diseases Rapid Response Reserve Fund, which supports immediate response activities during outbreaks;
- \$500 million for public health data surveillance and analytics infrastructure modernization; and
- Support of CDC’s continuing efforts to contain and combat the virus, including repatriation and quarantine efforts, purchase and distribution of diagnostic test kits (including to state and local public health agencies) and support for laboratory testing, workforce training programs, combatting antimicrobial resistance and antibiotic resistant bacteria as a result of secondary infection related to COVID-19, and communicating with and informing public, state, local, and tribal governments and healthcare institutions.

**National Institutes of Health** –\$800 million to expand COVID-19-related research on the NIH campus and at academic institutions across the country, including on vaccines, treatments, diagnostics, and complications of the virus.

**Assistant Secretary for Preparedness and Response** – \$100 billion for hospitals to reimburse health care related expenses or lost revenue directly attributable to the public health emergency resulting from coronavirus; \$4.5 billion to reimburse the Department of Veterans Affairs for expenses incurred to provide medical care to civilians; and more than \$6 billion for medical response efforts, including:

- More than \$3 billion for Biomedical Advanced Research and Development Authority (BARDA) to support research and development of vaccines, therapeutics, and diagnostics to prevent or treat the effects of coronavirus, including:
  - \$1 billion for innovations in manufacturing platforms to support a U.S.-sourced supply chain of vaccines, therapeutics, and small molecule active pharmaceutical ingredients;

- At least \$500 million to support U.S.-based next generation manufacturing facilities;
- More than \$1.6 billion for the Strategic National Stockpile to procure pharmaceuticals, personal protective equipment (PPE), and other medical supplies, which can be distributed to State and local health agencies in areas with shortages;
- Increased medical surge capacity at additional health facilities;
- Enhancements to the U.S. Commissioned Corps; and
- Workforce modernization and increased telehealth access and infrastructure to enhance access to digital healthcare delivery.

**Public Health Emergency Fund** – \$5 billion to deposit in a permanent emergency fund to ensure the Department of Health and Human Services is able to respond to a broad range of public health threats and protect the American people.

**Substance Abuse and Mental Health Services Administration** – \$435 million to increase mental health support during this challenging time, to support substance abuse treatment, and to offer increased outreach to homeless individuals, including:

- \$200 million for additional grants to Community Behavioral Health Clinics;
- \$60 million for additional services to homeless individuals;
- \$10 million for mental health support to children;
- \$50 million for suicide prevention programs, including the Suicide Lifeline
- \$15 million for tribes, tribal organizations, urban Indian health organizations, or health service providers to tribes; and
- \$100 million for emergency response grants to address immediate behavioral health needs as a result of COVID-19.

**Agency for Healthcare Research and Quality** – \$80 million to support evaluations and research related to the health care system’s response to COVID-19 and new telehealth investments.

**Centers for Medicare & Medicaid Services Program Management** – \$550 million to provide additional infection control investigations of health care facilities—prioritizing nursing home facilities in localities with community transmission of coronavirus—as well as to support implementation and operations of CMS programs related to the coronavirus response.

**Administration for Children and Families** – \$12.6 billion to provide supportive and social services for families and children through programs including:

- \$6 billion for Child Care and Development Block Grants;
- \$1 billion for Head Start;
- \$2.5 billion for Community Service Block Grants;
- \$1.4 billion for the Low-Income Home Energy Assistance Program (LIHEAP);
- \$1.5 billion to support paying water bills for low income families;
- \$100 million for Family Violence Prevention and Services;
- \$100 million for Runaway and Homeless Youth Programs; and

- \$2 million for the National Domestic Violence Hotline.

**Administration for Community Living** – \$1.2 billion to provide direct services such as home-delivered and prepackaged meals, and supportive services for seniors and disabled individuals, and their caregivers, including:

- \$750 million for Senior Nutrition;
- \$200 million Home and Community Based Support Services;
- \$100 million for Family Caregivers;
- \$20 million for Elder Justice and the Long-Term Ombudsman program;
- \$50 million for Aging and Disability Resource Centers; and
- \$85 million for Centers for Independent Living.

**Department of Education** – \$59.8 billion to support the educational needs of States, school districts, and institutions of higher education in response to coronavirus, including:

- \$50 billion for a State Fiscal Stabilization Fund for grants to States to support statewide and local funding for elementary and secondary schools and public postsecondary institutions. This flexible funding can support:
  - costs associated with making up instructional time, including teacher, school leader, and classified school employee personnel costs;
  - providing school-based supports for impacted students, families, and staff, including counseling, mental health services, family engagement efforts, and the coordination of physical health services;
  - costs associated with sanitation and cleaning for schools and school transportation;
  - professional development for school-based staff on trauma-informed care to restore the learning environment;
  - purchasing educational technology, including assistive technology, that aids in regular and substantive interactions between students and their classroom instructor;
  - coordination efforts between State educational agencies and public health departments for emergency planning, response, and recovery;
  - authorized activities under education statutes including ESEA, IDEA, McKinney-Vento Homeless Assistance Act and the Perkins Act;
  - training and professional development for college and university faculty and staff to use technology and services related to distance education;
  - general expenditures for institutions of higher education for expenses associated with a disruption in services or operations related to coronavirus; and,
  - emergency financial aid to postsecondary students for housing, food, technology, health care, and child care.
- \$200 million for Project SERV to provide grants to school districts and institutions of higher education to recover from traumatic events and disruption related to coronavirus;
- \$9.5 billion to help alleviate burdens associated with the coronavirus for both colleges and students, including \$1.5 billion for Historically Black Colleges and Universities and Minority Serving Institutions and \$8 billion for other institutions of higher education;

- \$75 million to support borrowers impacted by coronavirus and to ensure that they receive accurate and helpful information from the Department of Education and student loan servicers about their options;
- \$7 million for Gallaudet University to help defray costs associated with a disruption in university operations due to coronavirus and provide support to students;
- \$13 million for Howard University to help provide needed institutional and student supports as a result of coronavirus;
- \$11 million for Office of the Inspector General for oversight of funding provided in this Act; and
- \$10 million for Program Administration to support continued services at the Department of Education through teleworking.

**Corporation for Public Broadcasting** – \$300 million in stabilization funding to support public telecommunication entities.

**Institute of Museum and Library Services** – \$500 million to support libraries and museums with costs and expenses associated with coronavirus, including providing technology and resources for their communities.

**Corporation for National and Community Service** – \$250 million to support continued services and assistance to grantees.

**Railroad Retirement Board** – \$10 million to support the processing of unemployment benefits under the Railroad Unemployment Insurance Act.

**Social Security Administration Operating Expenses** – \$510 million to support the necessary telework and communication needs, continuing salaries and benefits of Federal employees in cases of office closures, and to issue emergency assistance payments.

## **Title IX – Legislative Branch**

**House of Representatives** – \$25 million to support the House's ramp up for teleworking, which includes the purchase of laptops and other teleworking devices as well as IT improvements to deal with the added demand on the network. In addition, this funding will also support the purchase of pandemic kits for Member offices (including district offices), Leadership offices, and Committees. In addition, the legislation provides authority for the Chief Administrative Officer (CAO) to pay contractor staff their normal wages for up to 16 weeks if their job is impacted by the coronavirus.

**Office of the Attending Physician (OAP)** – \$400,000 for OAP to purchase N95 masks, surgical masks, gloves, swabs, testing that OAP sends out to its vendor, and personal protective equipment (PPE).

**Capitol Police** – \$12 million for the Capitol Police to cover expenses related to increased teleworking and contract support for a reduced on-site workforce. In addition, this funding will

support overtime to cover potential staffing shortfalls for the Capitol complex and Dignitary Protection officers.

**Architect of the Capitol (AOC)** – \$25 million to provide and supply important cleaning services across the Capitol grounds, including for the Library of Congress. Provides authority for the AOC to pay contractor staff their normal wages for up to 16 weeks if they are furloughed because of the coronavirus.

**Government Accountability Office (GAO)** – \$50 million for GAO to conduct audits and investigations into spending of the substantial resources provided in this and earlier coronavirus bills to ensure that assistance is going to those who need it and that it is spent efficiently.

### **Title X – Military Construction, Veterans Affairs, and Related Agencies**

**Healthcare Access for Veterans** – \$17.2 billion to support the surge in demand for healthcare services at VA hospitals and clinics and for veterans seeking care at community emergency rooms and urgent care clinics. This includes the purchase of medical equipment, coronavirus test kits, and personal protective equipment, as well as establishing and expanding telehealth visits and support, including tele-ICU and teleradiology capabilities.

In addition –

- Supports the needs of vulnerable veteran populations, including Healthcare for Homeless Veterans, Supportive Services for Veterans Families program, as well as caring for COVID-19 positive veterans within VA-run nursing homes and community living centers.
- Supports the development of alternative sites of care and the procurement of mobile treatment centers.
- Supports increased outreach to veterans and expands 24-hour operations of the crisis response and continuity of operations within VA’s Office of Emergency Management.

**Information Technology Systems** – \$3 billion to procure equipment, expand bandwidth, and other necessary supports to address increases in telework, telemedicine, call center volume, and overall demand for services.

**Armed Forces Retirement Home** – \$2.8 million to support personnel expenses for healthcare, security, and food service, as well as for medical supplies and equipment to care for residents.

### **Title XI – State, Foreign Operations, and Related Programs**

**State Operations** – \$315 million for consular operations, emergency evacuations of State Department staff and dependents, and other emergency preparedness needs at embassies around the world.

**USAID Operations** – \$95 million for emergency evacuations of USAID Mission staff and dependents, and other emergency preparedness needs in missions around the world and in Washington, D.C.

**Humanitarian Assistance** – \$600 million to respond to humanitarian needs arising in countries coping with a coronavirus disease outbreak.

**Peace Corps** – \$90 million to recall all of its 6,128 overseas volunteers and unanticipated costs for evacuations; chartered flights; return volunteer health care; increased administration costs; and relocation of U.S. direct hires on authorized/ordered departure.

In addition –

- Provides for additional paid leave to address employee hardships resulting from coronavirus, abroad and domestically for Department of State and USAID direct hires.
- Provides supplementary authority to equip the Department of State, in exceptional circumstances, to also provide medical services or related support for private U.S. persons or third country nationals abroad unable otherwise to obtain such services or support.
- Provides immediate authority to hire doctors, due to limited numbers and the inability of doctors who typically cover broader regions to travel.
- Provides the Department of State authority to obligate and expend the passport and immigrant visa security surcharges to cover shortfalls and loss in fee revenue to pay the costs of providing consular services during fiscal years 2020 and 2021.
- Requires an update to strategy to respond to the coronavirus outbreak and regular reporting on the use of funding.

## **Title XII – Transportation, Housing and Urban Development, and Related Agencies**

**Department of Transportation (DOT) –**

**DOT, Operating Administrations** – \$30.3 million in budgetary resources to support activities by the Office of the Secretary, Federal Aviation Administration, Federal Motor Carrier Safety Administration, Federal Railroad Administration, and Maritime Administration to prevent, prepare for, and respond to coronavirus. Funding would support increased needs for telework and information technology, inspection equipment, and preparing and equipping the National Defense Reserve Fleet, Ready Reserve Fleet, the United States Merchant Marine Academy.

**Aviation, Airport and Airline Worker Relief** – To keep airport workers safe and employed: \$10 billion in grants to airports, \$40 billion in grants to airlines and their ground support contractors, up to \$21 billion in loans to airlines, \$100 million in grants to maintain a minimal level of scheduled air service to small communities, and \$3 million for an Office of Airline Industry Financial Oversight. To keep the environment clean and livable: \$1 billion to eliminate high-polluting aircraft and \$100 million in research into sustainable aviation fuels.

**FRA, Amtrak** – \$1.018 billion to support Amtrak’s ability to operate passenger rail service on Northeast Corridor, state-supported, and long-distance routes, and to protect Amtrak workers. This includes \$239 million to assist states in making FAST Act required payments to Amtrak for state-supported routes.

**FTA, Transit** – \$25 billion for grants to transit agencies nationwide for operating expenses of those agencies to ensure continued operation of transit services. In addition –

- Distributes funds to transit agencies nationwide, ensuring they can maintain crucial services.
- Allows agencies to make payments to furloughed workers and maintains key worker protections.
- Eliminates requirements that transit agencies “match” federal funds.
- Allows agencies to use federal funds to compensate for lost revenues.

**Department of Housing and Urban Development (HUD) –**

**Management and Administration** – \$20 million to support activities by the Administrative Support Offices and Program Offices to prevent, prepare for, and respond to coronavirus. Funding would also support program administration and oversight for the \$158.8 billion in emergency assistance provided to state, local, and tribal governments and housing authorities through this Act.

**Tenant-Based Rental Assistance** – \$1.5 billion to allow public housing agencies (PHAs) to respond to coronavirus and the ability to keep over 2.2 million families stably housed even when facing a loss of income. Allows PHAs the flexibility necessary for the safe and effective administration of these funds while maintaining fair housing, nondiscrimination, labor standards, and environmental protections.

**Public Housing Operating Fund** – \$720 million for PHAs to carry out coronavirus response for the operation and management of almost 1 million public housing units. Allows PHAs the flexibility necessary for the safe and effective administration of these funds while maintaining fair housing, nondiscrimination, labor standards, and environmental protections.

**Native American Programs** – \$350 million to address the needs of Indian tribes and tribally designated housing entities in preventing, responding to, and preparing for coronavirus. This includes \$250 million in formula funding through the Native American Housing Block Grants program and \$100 million in imminent threat grants through the Indian Community Development Block Grant program.

**Housing Opportunities for Persons with AIDS** – \$130 million to maintain operations, rental assistance, supportive services, and other necessary actions to mitigate the impact of coronavirus on low-income persons with HIV/AIDS.



**Community Development Block Grant** – \$15 billion for coronavirus response and to mitigate the impacts in our communities: up to \$8 billion to be distributed by formula to current grantees, \$5 billion awarded directly to States, based on public health needs and other factors, and the remainder to be awarded on a rolling basis via a formula that prioritizes the risk of transmission of coronavirus, number of coronavirus cases, and economic and housing market disruptions resulting from coronavirus. The legislation also waives the public services cap to allow communities to respond to the impacts of the pandemic.

**Homeless Assistance Grants** – \$5 billion for Emergency Solutions Grants to address the impact of coronavirus among individuals and families who are homeless or at risk of homelessness and to support additional homeless assistance, prevention, and diversion activities to mitigate the impacts of the pandemic.

**Emergency Rental Assistance** – \$100 billion to provide emergency assistance to help low-income renters at risk of homelessness avoid eviction due to the economic impact of the coronavirus pandemic.

**Housing Assistance Fund** – \$35 billion for State housing finance agencies to provide housing or utility assistance to individuals and families to prevent foreclosure, eviction, mortgage delinquency, or loss of housing or critical utilities as a result of the coronavirus pandemic.

**Assisted Housing Stability** – A total of \$1.1 billion for HUD multi-family housing programs to prevent, prepare for and respond to coronavirus and ensure the continuation of rental contracts and necessary support services, including:

- Project-Based Rental Assistance – \$1 billion;
- Section 202 Housing for the Elderly – \$75 million; and
- Section 811 Housing for Persons with Disabilities – \$25 million.

**Office of Fair Housing and Equal Opportunity** – \$7 million to address fair housing issues resulting from coronavirus. This includes \$4 million for the Fair Housing Assistance Program and \$3 million for the Fair Housing Initiatives Program.

**DOT and HUD Oversight** –

**Inspectors General** – \$10 million total for the DOT and HUD Inspectors General to conduct audits and investigations to ensure transparency and efficiency within the agencies as they prevent, prepare for, and respond to coronavirus.

### **Title XIII – General Provisions**

Technical budgetary provisions.

## **DIVISION B – Emergency Family and Medical Leave Expansion Act**

*Prepared by the Democratic staff of the House Committee on Education and Labor*

**Section 20001. References.** This section clarifies that references in this Division to amend or repeal provisions are to be considered to be made to provisions of the Family and Medical Leave Act of 1993, as amended by the Emergency Family and Medical Leave Expansion Act.

**Section 20002. Employer Clarification.** This section clarifies that public agencies are covered under the Family and Medical Leave Act of 1993, regardless of the number of employees.

**Section 20003. Emergency Leave Extension.** This section extends the availability of Emergency Family and Medical Leave benefits from December 31, 2020 to December 31, 2021.

**Section 20004. Emergency Leave Definitions.** This section provides private sector and public sector employees who have been on the job for at least 30 calendar days with the right take up to 12 weeks of job-protected leave under the Family and Medical Leave Act, *regardless of the size of their employers*. Employees can take this leave to (1) self-quarantine, (2) care for a family member who is quarantined, (3) care for a child whose school has closed or child care provider is unavailable due to COVID-19, or (4) care for a family member who is individual with a disability or senior citizen whose place of care or direct care provider is unavailable.

**Section 20005. Regulatory Authorities.** This section strips the Labor Secretary of authority to issue regulations to carve out employees of small businesses with fewer than 50 employees or to issue regulations to carve health care providers and emergency responders from the right to leave. Any regulations that have been issued under that authority shall have no effect.

**Section 20006. Relationship to Leave.** This section ensures that workers with part-time schedules are provided 10 workweeks of paid leave, clarifies that paid sick leave provided under the *Families First Coronavirus Response Act* can be taken concurrently with unpaid emergency FMLA leave, and provides that only employees can decide to take unpaid leave concurrently with any other paid leave they have available. This section also ensures that emergency FMLA leave does not count towards an employee's 12 weeks of non-emergency unpaid FMLA leave.

**Section 20007. Wage Rate.** After two workweeks of unpaid leave, employees will receive a benefit from their employers that will be no less than two-thirds of the employee's usual pay, up to \$200 a day. This section ensures that workers received at least the applicable minimum wage in their area.

**Section 20008. Notice.** This section requires that employees provide their employers with notice that they will need to take leave to care for a child, senior citizen, or individual with a disability as is practicable.

**Section 20009. Amendments to the Emergency Family and Medical Leave Expansion Act.**

- Clarifies that employees who work under a multiemployer collective agreement and whose employers pay into a multiemployer plan are provided with leave.
- Eliminates provisions that give employers of health care providers and emergency responders the ability to exclude their employees from emergency FMLA leave.

- Eliminates provisions that state that employees do not have a private right of action against violating employers with fewer than 50 employees.

## **DIVISION C – Emergency Paid Sick Leave Act Amendments**

*Prepared by the Democratic staff of the House Committee on Education and Labor*

**Section 30001. References.** This section clarifies that references in this Division to amend or repeal provisions are to be considered to be made to provisions of Division E of the *Family First Coronavirus Response Act*.

**Section 30002. Paid Sick Time Requirement.** This section requires private and public sector employers, regardless of their size, to provide emergency paid sick leave. Eligible full-time employees are entitled to two workweeks (80 hours) of emergency paid sick leave. Eligible part-time employees are entitled to the hours of emergency paid sick leave that equals the typical number of hours that they work in a typical two-week period. Employees can use this leave to seek a diagnosis, receive treatment, care for a family member, care for a child whose school has closed or child care provider is unavailable due to COVID-19. Employees will receive emergency paid sick leave in addition to any existing employer-provided paid leave. This section eliminates an employer’s ability to exclude health care providers and emergency responders from emergency paid sick leave.

**Section 30003. Prohibited Acts.** This section makes a technical correction to the provision that prohibits employers from firing, discharging or discriminating against an employee for taking leave or filing a complaint against an employer for violating the provisions in this act.

**Section 30004. Sunset.** This section extends the availability of emergency paid sick leave from December 31, 2020 to December 31, 2021.

**Section 30005. Definitions.** This section eliminates the large employer exemption and clarifies that nonprofit organizations are covered employers. This provision ensures that full-time and part-time employees earn full wage replacement (up to \$511 per day) for all emergency paid sick leave uses.

**Section 30006. Regulatory Authorities.** This section eliminates the Department of Labor’s authority to issue regulations to exempt employers with fewer than 50 employees, health care providers, and emergency responders from this Division’s emergency paid leave provision. This section also eliminates the Labor Department’s broad authority to issue regulations to align Divisions C, E and G for the Family First Coronavirus Response Act. Any such regulations issued by the Department shall have no force and effect.

## **DIVISION D – COVID–19 Workers First Protection Act of 2020**

**Section 40001. Short Title.** The short title for the bill is the COVID-19 Workers First Protection Act of 2020.

**Section 40002. Emergency Temporary and Permanent Standards.** This section requires the Occupational Safety and Health Administration (OSHA) to issue an Emergency Temporary Standard (ETS) within 7 days, requiring employers within the health care sector, emergency medical services (paramedic and firefighters), and any other sectors which either OSHA or the Centers for Disease Control and Prevention (CDC) designate at elevated risk, to develop and implement a comprehensive infectious disease exposure control plan to protect health care workers from exposure to the SARS-CoV-2 virus that causes COVID-19. The ETS shall be based on the guidelines issued by the Centers for Disease Control and Prevention, and the National Institute for Occupational Safety and Health, which are designed to prevent the transmission of infectious agents in healthcare settings and relevant scientific research on novel pathogens. In addition, the ETS may not be less protective than the infectious disease precautions for novel pathogens issued by any OSHA state plan.

OSHA shall issue a comprehensive permanent infectious disease standard within two years to protect employees from occupational exposure to infectious pathogens, including novel pathogens.

This section allows OSHA to exercise discretion in enforcement if it determines that, due to shortages, it is not feasible for an employer to comply with requirements for personal protective or other equipment, provided the employer makes a good-faith effort to comply and implements alternative measures to protect employees.

OSHA state plan states are required to issue an ETS within 14 days of enactment, that is at least as effective as the standard issued by federal OSHA. In the 24 Federal OSHA states, the ETS also applies to state and local governments for health care, emergency response and other covered workers.

**Section 40003. Surveillance, Tracking and Investigation of Work-related Cases of COVID-19 Among Health Care Workers.** This section requires the CDC, in conjunction with the National Institute for Occupational Safety and Health, to collect and, as appropriate, investigate reports of work-related transmission of COVID-19 to health care and other workers, and make recommendations on needed actions or guidance based on those reports and investigations.

### **DIVISION E – Workforce Emergency Response**

*Prepared by the Democratic staff of the House Committee on Education and Labor*

**Section 50001. Workforce Response Activities.** This section provides increased flexibility needed for State and local areas to provide continuity of services during the COVID-19 national emergency through rapid response activities.

### **DIVISION F – Family Support Provisions**

*Prepared by the Democratic staff of the House Committee on Ways and Means and the House Committee on Energy and Commerce*

**Section 101. Support Continued Safe Operation of Foster Care and Child Welfare Programs and Provide Additional Support to Older Foster Youth During the Emergency.**

Older foster youth are especially vulnerable during the pandemic, as they don't have the same parental safety net as most young adults. This section would temporarily provide additional funding to assist older foster youth and expand eligibility to more former foster youth and suspend caps on housing assistance and requirements to make progress in college. The section would also provide for flexible administration of child welfare courts, foster care, and other child welfare programs, in order to comply with all public health restrictions.

**Section 102. Allow Home Visiting Programs to Continue Serving Families Safely.** The legislation would modify federal rules to allow mothers and their infants to continue participating in the Maternal, Infant and Early Childhood Home Visiting Program, using virtual visits and with other temporary changes to comply with public health directives. Home visitors would also educate families on emergency preparedness and be able to provide necessary materials to maintain a safe and sanitary home, such as diapers and soap.

**Section 103. Waive Federal Rules and Penalties to Allow State Child Support Enforcement Programs and Comply with Current Public Health Requirements.** Child support programs would have more flexible options to comply with social distancing and shelter-in-place guidelines and states would be held harmless from the federal financial penalties and associated with their inability to comply with certain requirements, including for maintaining staff capacity at statewide branches, meeting the 90% Paternity Establishment Percentage, and missing deadlines for filing reports and payments. During the crisis, states would also have more discretion to determine non-payment enforcement measures against unemployed noncustodial parents.

**Section 104. Temporarily Suspend Temporary Assistance for Needy Families Program (TANF) Rules Inconsistent with Current Realities.** During the emergency, state TANF programs would not be required to comply with the federal Work Participation Rate in order to allow TANF parents to follow public health guidance on social distancing, local shelter-in-place orders, and other requirements associated with maintaining public health and safety during the pandemic. The federal time limit on benefit receipt would also be temporarily suspended, to allow families to receive emergency help during the emergency without affecting future eligibility.

## **DIVISION G – Health Policies**

*Prepared by the Democratic staff of the House Committees on Energy and Commerce, Ways and Means, and Education and Labor*

### **TITLE I – MEDICAID**

**Sec. 101 – Increasing Federal support to State Medicaid programs during economic downturns.** Creates a mechanism that will automatically increase federal payments to state Medicaid programs if a state experiences an increase in the state unemployment rate.

**Sec. 102 – Limitation on additional Secretarial action with respect to Medicaid supplemental payments reporting requirements.** Prevents the Secretary of Health and Human

Services (HHS) from finalizing the Medicaid Fiscal Accountability Regulation (MFAR) until two years after the end of the public health emergency.

**Sec. 103 – Authority to award Medicaid HCBS grants to respond to the COVID-19 public health emergency.** Authorizes the Secretary to award grants to states to support activities that strengthen their home- and community-based services (HCBS) benefit.

**Sec. 104 – Delay in reduction of FMAP for Medicaid personal care services furnished without an electronic visit verification system.** This section, for the duration of the public health emergency, suspends reductions in the federal medical assistance percentage (FMAP) for states that are not in full compliance with the electronic visit verification requirements

**Sec. 105 – Coverage at no cost sharing of COVID-19 vaccine and treatment.** Ensures that adult Medicaid beneficiaries receiving traditional Medicaid benefits have access to a future COVID-19 vaccine without any out-of-pocket costs. It also includes children enrolled in stand-alone CHIP programs to the vaccines for children program to ensure that they are able to receive COVID-19 vaccinations.

**Sec. 106 – Optional coverage at no cost sharing of COVID-19 treatment and vaccines under Medicaid for uninsured individuals.** Ensures that uninsured individuals whom states opt to cover through the new Medicaid eligibility pathway will be able to receive testing, treatment and immunizations for COVID-19 without cost-sharing.

**Sec. 107 – Temporary increase in Medicaid Federal financial participation for telehealth services.** This section, for the duration of the public health emergency, provides a 1 percent increase to the FMAP for telehealth services for state Medicaid programs that cover telehealth services to the same extent as they are required to be covered by Medicare.

**Sec. 108 – Extension of full Federal medical assistance percentage to urban Indian organizations.** Ensures that tribal providers, including urban Indian organizations, are able to receive 100 percent FMAP.

**Sec. 109 – Medicaid coverage for citizens of Freely Associated States.** Restores Medicaid eligibility to the citizens of the Freely Associated States.

**Sec. 110 – Increased FMAP for medical assistance to newly eligible individuals.** Allows states that expanded Medicaid after 2014 to benefit from the enhanced FMAP that was available to states that expanded in 2014.

**Sec. 111 – Renewal of application of Medicare payment rate floor to primary care services furnished under Medicaid and inclusion of additional providers.** Ensures that primary care providers are paid no less than they would be paid under Medicare for the duration of the public health emergency.

**Sec. 112 – Temporary increase in Medicaid DSH allotments.** Increases Medicaid disproportionate share hospital (DSH) allotments by 2.5 percent for the duration of the public health emergency.

**Sec. 113 – Temporary allowance for medical assistance under Medicaid for inmates during 30-day period preceding release.** Confers Medicaid eligibility on incarcerated individuals who are otherwise eligible to enroll 30 days prior to their release.

**Sec. 114 – Extension of existing section 1115 demonstration projects.** Authorizes the Secretary to extend expiring section 1115 demonstration waivers through 2021 so that state Medicaid programs can prioritize responding to public health emergency.

**Sec. 115 - Preventing Medicaid disproportionate share hospital (DSH) cuts.** Cancels the Medicaid DSH cuts for fiscal year 2020, and reduces the DSH cuts for fiscal year 2021 to \$4 billion. It also delays the start of the fiscal year 2021 cuts until December 1, 2020.

**Sec. 116 - Extension of money follows the person rebalancing demonstration.** This section fully finds money follows the person for fiscal year 2020 and provides \$75 million for the first two months of fiscal year 2021.

**Sec. 117 - Extension of protections for Medicaid recipients of home and community-based services against spousal impoverishment.** This section ensures that protections against spousal impoverishment continue to apply to spouses of recipients of home- and community-based services through November 30, 2020.

**Sec. 118 - Extension of the community mental health services demonstration program.** This section extends the community mental health services demonstration until November 30, 2020.

## **TITLE II – MEDICARE**

**Sec. 201 – Coverage of the COVID-19 vaccine under the Medicare program without any cost-sharing.** Provides for coverage of the COVID-19 vaccine and its administration under Medicare at no out-of-pocket cost to patients under Medicare Part B when such a vaccine is available. The payment amount under part B for the administration of the COVID-19 vaccine will be the same as would be allocated for the administration of a flu vaccine.

**Sec. 202 – Holding Medicare beneficiaries harmless for specified COVID-19 treatment services furnished under Part A or Part B of the Medicare program.** Establishes zero cost-sharing (out-of-pocket costs) for COVID-19 treatment under Medicare Parts A and B.

**Sec. 203 – Medicare sequester delay.** Places a moratorium on the two percent Medicare sequester beginning on May 1, 2020, for the duration of the COVID-19 emergency period.

**Sec. 204 – Enhancing Medicare telehealth services for federally qualified health centers and rural health clinics during the emergency period.** Allows Federally Qualified Health Centers (FQHCs) and Rural Health Clinics (RHCs) to be paid for furnishing telehealth services

to beneficiaries in their home or other setting during the COVID-19 emergency period. Medicare would pay for these services at a rate similar to the national average payment rates for comparable telehealth services under the Physician Fee Schedule.

**Sec. 205 – Guaranteed issue of certain Medigap policies.** Adds guaranteed issue protections for beneficiaries enrolling in supplemental Medigap plans to prevent insurance companies from denying coverage based on pre-existing conditions or health status.

**Sec. 206 – Ensuring communications accessibility for residents of skilled nursing facilities during the COVID-19 emergency period.** Ensures skilled nursing facilities provide a means for residents to conduct “televisitation” with loved ones while in-person visits are not possible during the COVID-19 emergency period.

**Sec. 207 – Medicare hospital inpatient prospective payment system add-on payment for COVID-19 patients during the emergency period.** Provides an outlier payment for inpatient claims for any amount over the traditional Medicare payment to cover excess costs hospitals incur for more expensive COVID-19 patients.

**Sec. 208 – Coverage of treatments for COVID-19 at no cost sharing under the Medicare Advantage program.** Establishes zero cost-sharing (out-of-pocket costs) for COVID-19 treatment under Medicare Advantage.

**Sec. 209 – Establishing a risk corridor program for Medicare Advantage plans during the COVID-19 emergency.** Establishes a risk corridor programs to help mitigate potential increased cost of claims experienced by Medicare Advantage plans as a result of the COVID-19 emergency.

**Sec. 210 – Requiring coverage under Medicare PDPs and MA-PD plans, without the imposition of cost sharing or utilization management requirements, of drugs intended to treat COVID-19 during certain emergencies.** Requires Part D prescription drug plans (PDPs) to include on their formularies any outpatient drug that has been authorized, approved, or licensed to treat COVID-19. In addition, this legislation will make clear that Part D plans may not require any copayments, coinsurance, or out-of-pocket costs for this treatment or use prior authorization, step therapy, or any other utilization management tools before covering this therapy. This provision will be in effect for the duration of the plan year of the public health emergency.

**Sec. 211 – Requiring Medicare PDPs and MA-PD plans to allow during the COVID-19 emergency period for fills and refills of covered part D drugs for up to a 3-month supply.** Requires Part D PDPs to allow beneficiaries to obtain up to three-month supply of their Part D prescription drugs during the COVID-19 public health emergency. This provision will be in effect for the duration of the COVID-19 public health emergency.

**Sec. 212 – Extension of the work geographic index floor under the Medicare program.** Extends the work Geographic Pricing Cost Index (GPCI) 1.0 floor for Medicare physician payments through November 30, 2020.



**Sec. 213 – Extension of funding for quality measure endorsement, input, and selection.** Extends funding for quality measure endorsement, input, and selection through November 30, 2020.

**Sec. 214 – Extension of funding outreach and assistance for low-income programs.** Extends funding for outreach and assistance for low-income programs (State Health Insurance Assistance Programs, Area Agencies on Aging, the National Center for Benefits and Outreach Enrollment, and the Aging and Disability Resource Centers) through November 30, 2020.

### **TITLE III – PRIVATE INSURANCE**

**Sec. 301 – Special enrollment period through exchanges; federal exchange outreach and educational activities.** Provides for a two-month open enrollment period to allow individuals who are uninsured, for whatever reason, to enroll in coverage. Currently, Americans can only enroll in an ACA plan during open enrollment period, or because of a qualifying life event if they were previously insured. This package would establish a one-time special enrollment for the ACA Marketplace, allowing Americans who are uninsured to get insured in the face of COVID-19, and, if eligible, have premium tax credits help make premiums affordable

**Sec. 302 – Short term limited duration insurance rule prohibition.** Prohibits the relevant Secretaries from implementing, enforcing, or in any way give effect to a final rule by the Department of Health and Human Services, the Department of Treasury, and the Department of Labor that expanded short-term, limited-duration health insurance plans.

**Sec. 303 – Rapid coverage of preventative services and vaccines for COVID-19.** Requires individual and group health plans to cover any preventative vaccine and any drugs to treat COVID-19 at zero cost-sharing within 15 days of receiving an “A” or “B” rating by United States Preventive Services Task Force (USPSTF) or a recommendation from the Advisory Committee on Immunization Practices (ACIP).

**Sec. 304 – Coverage of COVID-19 related treatment at no cost sharing.** Waives cost-sharing for patients’ treatment related to COVID-19 who are enrolled in private insurance coverage. The Federal government is required to reimburse insurers for the forgone cost-sharing.

**Sec. 305 – Requiring prescription drug refill notifications during emergencies.** Requires group health plans and health insurance issuers offering group or individual health insurance coverage to notify patients if their plan permits advance prescription drug refills pursuant to public health preparedness guidelines or recommendations issued by the Center for Disease Control and Prevention (CDC) and provide patients with options for receiving an advance drug refill.

**Sec. 306 – Improvement of certain notifications provided to qualified beneficiaries by group health plans in the case of qualifying events.** Improves the information provided to workers who lose their employer-sponsored coverage so that they are aware of all affordable coverage options, including coverage available under the ACA.

**Sec. 307 – Subsidies for COBRA.** Provides subsidies to allow workers to maintain their employer-sponsored coverage if they become eligible for COBRA or are subject to a temporary furlough.

**Sec. 308 – Risk corridor program.** Establishes a two-year risk corridors program to provide payments to individual and small group market plans for extreme losses and help mitigate premium increases for consumers.

**Sec. 309 – Coverage of in vitro diagnostic products.** Clarifies coverage requirements for in vitro diagnostic tests in compliance with the Food and Drug Administration’s (FDA) guidance on diagnostic tests for COVID-19 during a public health emergency.

**Sec. 310 – Sense of Congress Regarding Surprise Medical Bills.** Sense of Congress that during the COVID-19 pandemic health care providers should refrain from balance billing consumers for out-of-network claims related to COVID-19 testing or treatment, and insurance companies should do their utmost to secure access to in-network treatment for their plan participants.

#### **TITLE IV – PROVISIONS RELATING TO OLDER AMERICANS ACT OF 1965**

**Sec. 401 – Combating Hunger for Older Americans During Coronavirus Crisis.** This provision relaxes the definition of “home-bound” so that individuals who are quarantined/staying home due to COVID-19 can receive home-delivered meals, allows flexibility in nutrition standards to ensure continuity of service, and allows flexibility of funding between home-delivered and congregate meals.

**Sec. 402 – Access of the State Long-Term Care Ombudsman to residents of long-term care facilities during the COVID-19 public health emergency in fiscal year 2020.** This provision clarifies the authority of the long-term care ombudsmen program authorized under the OAA to maintain contact (in appropriate format) with patients in long-term care facilities throughout the duration of COVID-19.

**Sec. 403 – Continuity of service and opportunities for participants in community service activities under Title V of the Older Americans Act of 1965.** This provision provides flexibility for administrative costs and allows the Secretary to increase the cap on length of participation in SCESP for older workers whose service is interrupted due to the COVID-19 national emergency.

#### **TITLE V – PUBLIC HEALTH POLICIES**

##### **SUBTITLE A – IMPROVING PUBLIC HEALTH AND MEDICAL RESPONSE**

**Sec. 501 – Reimbursement for additional health services relating to coronavirus.** Amends the Families First Coronavirus Response Act to allow the National Disaster Medical System to also reimburse for costs related to COVID-19 treatment expenses.

**Sec. 502 – Public health data system transformation.** Requires the HHS to expand, enhance, and improve public health data systems used by the CDC. Requires HHS to award grants to State, local, Tribal, or territorial public health departments for the modernization of public health data systems in order to assist public health departments in assessing current data infrastructure capabilities and gaps; to improve secure public health data collection, transmission, exchange, maintenance, and analysis; to enhance the interoperability of public health data systems; to support and train related personnel; to support earlier disease and health condition detection; and to develop and disseminate related information and improved electronic case reporting.

**Sec. 503 – Reporting on COVID-19 testing and results.** Amends the Families First Coronavirus Response Act to require state and local governments, laboratories, and health systems to provide real-time reporting on testing and results, including positive and negative results, as well as any reporting on cases and severe outcomes resulting from COVID-19. In addition, this section would require entities receiving funds through this division to provide regular and real-time reporting to their respective State Emergency Operations Center on COVID-19 testing and results.

**Sec. 504 – CDC COVID response line.** Requires CDC to maintain a toll-free telephone number to address public health questions related COVID-19.

**Sec. 505 – Awareness campaign.** Requires the CDC to award grants for the purposes of increasing evidence-based awareness of COVID-19, availability of diagnostic testing, as well as countering stigma associated with the disease.

**Sec. 506 – Additional resources for the Medical Reserve Corps.** Increases authorization levels for the Assistant Secretary of Preparedness and Response (ASPR's) Medical Reserve Corps (MRC). The MRC network comprises approximately 175,000 volunteers in roughly 850 community-based units located throughout the United States and its territories. Providing increased resources for the Medical Reserve Corps would enable HHS to expand the MRC network.

**Sec. 507 – Flexibility for members of National Health Service Corps providers during emergency period.** Currently, National Health Service Corps (NHSC) participants providers must abide by strict hour/location requirements in order to meet the terms of their loan agreements. This section would allow NHSC participants flexibility in their hours and location requirements in order to provide care where and how they are needed during a public health emergency.

**Sec. 508 – Ready Reserve Corps.** Provides the United States Public Health Corps the authority to stand up the Ready Reserve Corps. These health care providers will provide additional surge capacity to parts of the country in need of additional medical providers due to COVID-19.

**Sec. 509 – Nation limiting liability for volunteer health care professionals.** Currently, federal and state Good Samaritan laws provide some civil liability protections for volunteer health care providers, but only if they are licensed in the state where the services are performed. This section

would extend narrow liability protections to medical volunteers who have crossed state lines in order to provide surge services related to COVID-19.

## **SUBTITLE B – TRIBAL HEALTH**

**Sec. 521 – Improving State, local, and tribal public health security.** Extends eligibility for the CDC’s Public Health Emergency Preparedness (PHEP) program to Tribes.

**Sec. 522 – Provision of items to tribal programs and facilities.** Guarantees Indian Health Service (IHS) and other Tribal health organizations direct access to the Strategic National Stockpile, just like all fifty other states.

## **SUBTITLE C – MEDICAL PRODUCT SUPPLY CHAIN IMPROVEMENTS**

**Sec. 531 – Shortages of Essential Devices.** Requires manufacturers of essential medical devices, including personal protective equipment and testing devices, determined by the Secretary to be critical to preventing, screening, diagnosing, treating, or mitigating the spread of a disease, to report to FDA on any permanent discontinuances, interruptions in manufacturing, or other situations or circumstances that are likely to lead to a shortage or meaningful disruption in supply in a public health emergency. Early reporting will allow FDA to work to mitigate shortages more quickly.

**Sec. 532 – Authority to Destroy Counterfeit Devices.** Extends FDA’s administrative destruction authority to medical devices. This would allow FDA to destroy certain imported medical devices in instances where FDA believes such medical devices are adulterated, misbranded, or unapproved and may pose a threat to the public health as they currently do for drugs.

**Sec. 533 - Requiring the Strategic National Stockpile to Include Certain Types of Medical Supplies.** Requires the Secretary to include personal protective equipment, ancillary medical supplies, and other supplies required for the administration of drugs, vaccines and other biological products, medical devices, and diagnostic tests in the Strategic National Stockpile.

**Sec. 534 – Reporting Requirement for Drug Manufacturers.** Requires drug manufacturers and active pharmaceutical ingredient (API) manufacturers to report quarterly on the volume of drugs they manufacture, prepare, propagate, compound, or process for commercial distribution prior to being imported or offered for import into the United States. Reports must include the number of dosage units for each finished drug product, or amount of active pharmaceutical ingredient. Also requires all facilities involved with the manufacturing of drugs and API to register.

**Sec. 535 – National Centers of Excellence in Continuous Pharmaceutical Manufacturing:** Directs FDA to designate National Centers of Excellence in Continuous Pharmaceutical Manufacturing (NCEs). NCEs will work with FDA and industry to craft a national framework for continuous manufacturing implementation, including supporting additional research and

development of this technology, workforce development, standardization, and collaborating with manufacturers to support adoption of continuous manufacturing.

#### **SUBTITLE D – PUBLIC HEALTH EXTENDERS**

**Sec. 541 – Extension for Community Health Centers, the National Health Service Corps, and Teaching Health Centers that Operate GME Programs.** Extends funding for Community Health Centers, the National Health Service Corps, and Teaching Centers that Operate GME Programs through November 30, 2020.

**Sec. 542 – Diabetes Programs.** Extends funding for the Special Diabetes Program and Special Diabetes Program for Indians through November 30, 2020.

#### **SUBTITLE E – OTHER EXTENDERS**

**Sec. 551 – Extension of Sexual Risk Avoidance Education Program.** Extends funding for Sexual Risk Avoidance Education program through November 30, 2020.

**Sec. 552 – Extension of Personal Responsibility Education Program.** Extends funding for Personal Responsibility Education program through November 30, 2020.

#### **SUBTITLE F- MISCELLANEOUS**

**Sec. 561 – Health Provider Loan Program.** Establishes a loan program to help eligible health care organizations with anticipated revenue loss or higher operating costs as a result of COVID-19. Eligible health care organizations include hospitals, critical access hospitals, skilled nursing facilities, physician practices, home health providers, community health centers, ambulatory surgical care center, or hospices that participate in Medicare or Medicaid.

### **DIVISION H – Emergency Coronavirus Pandemic Unemployment Compensation Act of 2020**

*Prepared by the Democratic staff of the House Committee on Ways and Means*

#### **TITLE I**

**Section 101. Supplemental Federal Pandemic Unemployment Compensation.** The federal government would provide a temporary Federal Pandemic Unemployment Compensation (FPUC) of \$600 a week for any worker eligible for state or federal unemployment compensation (UC) benefits. The FPUC would be paid in addition to and at the same time as (but not necessarily in the same check) regular state or federal UC benefits. The FPUC, combined with the underlying state unemployment benefit, would replace 100 percent of wages for the average U.S. worker. The federal supplement would not affect eligibility for other benefits like Medicaid, CHIP, SNAP. State UC programs would be fully reimbursed for the cost of administering the supplement and for the cost of the supplement itself.

**Sections 102-105. Expansion of “Work Sharing” Programs to Provide Partial Benefits to Individuals with Reduced Hours.** The federal government would temporarily provide full funding for short-time compensation or “work sharing” programs, in which employers voluntarily make an agreement with the state unemployment office to prevent layoffs by reducing employee hours, and workers with reduced hours are eligible for partial state UC benefits. States currently bear the full cost of these arrangements. Workers in these programs would also be eligible for Federal Pandemic Unemployment Compensation in the amount of \$300. States would receive \$100 million for work sharing program promotion and enrollment of employers, and for implementation or improved administration.

**Section 106. 13 Week Emergency Benefit Extension in All States.** All states would be eligible to provide an additional 13 weeks of unemployment benefits to workers who need beyond what is provided for in state and federal law. In states that had triggered Extended Benefits due to high and rising unemployment, up to 59 weeks of benefits would be available. In states that had not, 39 weeks would be available.

## **TITLE II**

**Section 201. Unemployment Compensation for Self-Employed Workers.** Self-employed individuals who are unable to work due to the COVID-19 emergency would be eligible for a federal unemployment compensation payment equal to one-quarter of the state’s average weekly benefit amount plus the Federal Pandemic Unemployment Compensation (\$600), or a total of about \$675 a week, on average. Individuals would apply for the benefit at the state UC office, and states would be fully reimbursed for the cost of benefits and administration. Self-employed workers are not covered by regular state unemployment compensation.

**Unemployment Compensation for Individuals Who Had Been About to Start Work.** Individuals who had a contract for work canceled due to a COVID-19 work site shutdown would be eligible for a federal unemployment compensation benefit equal to one-quarter of the state’s average weekly benefit amount plus the Federal Pandemic Unemployment Compensation (\$600), or about \$675 a week, on average, for the number of weeks that the contracted job was scheduled to last. Individuals would apply for the benefit at the state UC office, and states would be fully reimbursed for the cost of benefits and administration.

**Unemployment Compensation for Job Entrants.** Individuals who are available for work, but for the limitations of the pandemic, and do not have enough recent work experience to qualify for state unemployment compensation (recent college graduate and individuals whose recent work does not meet state minimum earnings requirements, for example) would receive a federal payment of \$300 a week, administered by state unemployment offices. Individuals would apply for the benefit at the state UC office, and states would be fully reimbursed for the cost of benefits and administration.

## **TITLE III**

**Section 301. Unemployment Compensation Support for Nonprofit Organizations and State, Tribal, and Local Governments.** Most nonprofits, Indian Tribes, and governmental entities do

not pay per-worker unemployment taxes and instead have “reimbursable arrangements” with state unemployment programs, which require them to reimburse the state for 100 percent of the cost of unemployment compensation paid to their furloughed or laid off workers. During the period of the national emergency, the federal government would pay 50 percent of the reimbursement for those workers so that their employers could follow public health recommendations. Workers at these organizations are also eligible for the Federal Pandemic Unemployment Compensation supplement (\$600 a week).

#### **TITLE IV**

##### **Waives 7-Day Waiting Period for Railroad Worker Unemployment and Sickness Benefits.**

This provision would parallel the provision from the Family First Coronavirus Response Act by waiving the waiting week for unemployment and sickness benefits under the Railroad Unemployment Insurance Act.

**Enhanced Unemployment Compensation Under the Railroad Unemployment Insurance Act.** For railroad workers receiving unemployment benefits under the Railroad Unemployment Insurance Act, this provision would provide a temporary recovery benefit of \$1,200 every two weeks (per registration period) in addition to their regular benefits. This recovery benefit supplemental would not affect eligibility for other benefits like Medicaid, CHIP, and SNAP.

**13-Week Railroad Unemployment Benefit Extension.** This provision would provide an additional 13 weeks of unemployment benefits to railroad workers who are receiving regular unemployment benefits during the current benefit year.

**Eliminating the Sequester for Railroad Unemployment and Sickness Benefits.** This provision would eliminate the Balanced Budget and Emergency Deficit Control Act sequester that automatically cuts unemployment and sickness benefits provided to railroad workers under the Railroad Unemployment Insurance Act. This change would allow railroad workers to receive the full benefit amounts to which they are entitled and would create parity with the treatment of other unemployment insurance benefit programs.

### **DIVISION I – Financial Services**

*Prepared by the Democratic staff of the House Committee on Financial Services*

#### ***Title I: Protect Consumers, Renters, Homeowners, and People Experiencing Homelessness***

- **Sec. 101. Suspension of requirements regarding tenant contributions.** This section suspends rental payments for households receiving federal rental assistance through HUD or USDA and authorizes such sums as may be necessary to ensure that all housing providers do not experience a loss of rental income as a result of this policy. The suspension applies until six months after the date on which the Federal Emergency Management Agency terminates the emergency declaration made by President Trump on March 13, 2020.
- **Sec. 102. Temporary moratorium on eviction filings.** This section places a temporary nationwide ban on landlords from filing evictions on renters, except in some limited

circumstances. The ban applies until six months after the date on which the Federal Emergency Management Agency terminates the emergency declaration made by President Trump on March 13, 2020.

- **Sec. 103. Suspension of other consumer loan payments.** This provision suspends changes to consumer agreements or legal actions for nonpayments on consumer loans during the crisis and prohibits creditors and third party debt collectors from charging late fees, higher interest, or pursuing consumers who fall delinquent on all non-mortgage related loans, while allowing for consumers to keep making payments during the crisis.
- **Sec. 104. Emergency rental assistance.** This section authorizes \$100 billion to help non-assisted renters who meet certain economic conditions cover their rent and utility payments.
- **Sec. 105. Emergency homeless assistance.** This section authorizes \$15.5 billion in emergency homeless assistance to enable state and local governments to finance housing and health related services for the hundreds of thousands of people currently experiencing homelessness.
- **Sec. 106. Participation of Indian Tribes and tribally designated housing entities in Continuum of Care Program.** This section enables tribes and tribally designated housing entities to receive McKinney-Vento Homeless Assistance Grant funding.
- **Sec. 107. Housing Assistance Fund.** This section authorizes a \$35 billion fund that would be allocated to states, territories, and D.C. by the Treasury Secretary to help homeowners with mortgage and utility payments, including principal reduction.
- **Sec. 108. Mortgage forbearance.** This provision prohibits foreclosures and repossessions for the duration of the pandemic and 180 days thereafter, and requires mortgage forbearance for homeowners for up to year, including a prohibition on fees or additional interest during the term of the forbearance, as well as loan repayment options at the end of the forbearance. This section also requires mortgage forbearance for multifamily rental property owners who comply with requirements to halt evictions and late fees for the duration of the forbearance, and creates a Federal Reserve credit facility for mortgage servicers to ensure continued liquidity during the pandemic in light of the required forbearance. Finally, this section extends the “GSE patch” for an additional year until January 1, 2022.
- **Sec. 109. Bankruptcy protections.** This section establishes a \$100,000 floor for the homestead exemption for all debtors, and prevents tens of thousands of current Chapter 13 cases from failing because debtors have lost income during the crisis by providing that the debtor may request that the court grant a discharge of all dischargeable debts provided for in the plan under certain conditions and by permitting debtors to extend the term of their plans in order to have additional time to pay critical debts.
- **Sec. 110. Debt collection.** This provision prohibits debt collectors from taking any adverse action on consumers, small businesses, or non-profits during the pandemic period, and for the following 120 days. Debt collectors are prohibited from suing, reporting to a credit reporting agency, or taking any other adverse legal action against consumers, small businesses, or non-profits during the covered period, including on deficiency judgments or confessions of judgment.
- **Sec. 111. Disaster Protection for Workers’ Credit.** This section suspends most negative consumer credit reporting during the COVID-19 pandemic and other declared major disasters plus 120 days. Consumers with continued hardship after the 120 day post-



pandemic or major disaster period may apply for additional time. Credit score furnishers are also prohibited from creating and/or implementing new credit scoring models that would lower existing consumer credit scores during the COVID-19 pandemic or during other major disaster periods. This section also permanently prohibits reporting consumer medical debt arising from the cost of treatment for COVID-19 or medical expenses arising out of other declared major disasters.

- **Sec. 112. Student loans.** This provision provides immediate relief to private student loan borrowers by having the Department of Treasury make private student loan payments on behalf of the borrower during the pandemic period, and six months thereafter, with up to \$10,000 in relief, with the borrower staying current for credit reporting purposes, and any remaining portion of the unused \$10,000 going to the private student loan borrower upon resumption of borrower payments.
- **Sec. 113. Waiver of in-person appraisal requirements.** This section authorizes the use of alternative appraisal methods to avoid in-person contact, and requires rulemaking by FHA and FHFA to provide further flexibility in mortgage processing requirements to avoid in-person interactions.
- **Sec. 114. Supplemental funding for community development block grants.** This section provides \$15 billion for Community Development Block Grants to allow state and local governments to have a flexible resource to address the needs of their communities when mitigating the impacts of COVID-19, including establishing teams to perform mobile testing of vulnerable populations, such as people experiencing homelessness.
- **Sec. 115. COVID-19 Emergency Housing Relief.** This section suspends work and community service requirements in federal housing programs to ensure that residents do not feel compelled to leave their homes to comply, and provides additional flexibilities to housing providers to respond to the coronavirus pandemic.
- **Sec. 116. Supplemental funding for service coordinators to assist elderly households.** This section provides \$300 million for servicer coordinators to assist elderly households living in HUD-assisted housing during the coronavirus pandemic.
- **Sec. 117. Fair housing.** This section authorizes \$300 million to ensure individuals are protected from housing-related hate crimes and increasing forms of housing discrimination from Coronavirus-motivated bias through adequate and accessible housing discrimination complaint intake, investigations, and public education of housing rights, as well as robust enforcement of the Fair Housing Act.
- **Sec. 118. HUD counseling program authorization.** This section authorizes \$700 million for HUD's housing counseling program to respond to an expected increase in demand for such services as homeowners struggle to make their mortgage payments on time.
- **Sec. 119. Defense Production Act of 1950.** This section authorizes \$3 billion for activities under Title I and Title III of the Defense Production Act. This provision also allows funds that remain at the end of the current fiscal year to carry over into fiscal year 2021 and provides for quarterly reports on how the funds are spent.

## *Title II. Provide Assistance to Small Businesses and Community Financial Institutions*

- **Sec. 201. Small Business Credit Facility.** This provision directs the Federal Reserve to establish a lending facility for small businesses to provide direct loans to small businesses, including independent contractors and small farms. In addition, another facility
- **Sec. 202. Small Business Financial Assistance Program.** This provision directs the Department of Treasury to establish a \$50 billion lending program for small businesses. The program also provides for zero interest loans to small businesses that could be forgiven later as determined by the Secretary of Treasury.
- **Sec. 203. Loan and Payment Relief for Affected Small Businesses and Non-Profits.** This provision supports small businesses that are struggling with the decision to stay open in the face of significant declines in consumer demand and with paying their bills.
- **Sec. 204. Reauthorization of the State Small Business Credit Initiative Act of 2010.** This provision reauthorizes the state small business credit initiative and authorize \$10 billion to promote recovery post-pandemic. This program was initially created in 2010 to support small businesses in the wake of the 2008 recession and provides states with grants to finance new and existing small business growth.
- **Sec. 205. Funding of the Initiative to Build Growth Equity Funds for Minority Businesses.** This section authorizes \$3 billion in grants through the Minority Business Development Agency.
- **Sec. 206. Community Development Financial Institutions Fund Supplemental Appropriation Authorization.** This section authorizes the CDFI Fund an additional \$1 billion in funding for fiscal year 2020.
- **Sec. 207. Minority Depository Institutions.** This section provides additional support to Minority Depository Institutions (MDIs) and Community Development Financial Institutions (CDFIs).
- **Sec. 208. Loans to MDIs and CDFIs.** This section requires the Federal Reserve to issue zero percent loans to certain MDIs and CDFIs during the Pandemic period. Post-pandemic, the Federal Reserve is required to provide reasonable loan terms to financial institutions under its discount window lending program.
- **Sec. 209 Insurance of Transaction Accounts.** This provision reauthorizes the Transaction Account Program at the FDIC and NCUA to provide support to community banks and credit unions.

### *Title III. Support to State and Local Governments*

- **Sec. 301. Support State and Local Government Financing.** This provision authorizes the Federal Reserve to purchase state and local bonds, and mandate the establishment of a facility to support the market for state and local borrowing intended to fight the Coronavirus outbreak. The Federal Reserve also is required to purchase a sufficient quantity of such bonds that the issuing cost of bonds would be held to a minimum level equivalent to the federal funds rate, providing secure funding and low issuing costs for state and municipal bonds, which have faced unprecedented disruption in recent weeks and are expected to face severe distress in the coming months.
- **Sec. 302. Waive Matching Requirements for State, Territory and Local Governments to use Federal funds.** This provision allows federal financial regulators to temporarily waive requirements that a state, territory or local government provide

matching or cost-sharing funds on existing federal grants and extends the waiver authority to subgrantees for before receiving a new federal grant or supplemental funds. It also allows for states, territories, or localities to request to reprogramming authority for awarded grant funds to direct them towards unemployment, childcare, and healthcare needs resulting from the COVID-19 emergency.

#### ***Title IV. Protect Financial Stability and Transparent Markets***

- **Sec. 401. Temporary halt to rulemakings unrelated to COVID-19.** This provision temporarily prohibits federal financial regulators from adopting rules not directly related to responding to the coronavirus response through the length of the crisis.
- **Sec. 402. Temporary ban on stock buybacks.** This provision imposes a temporary ban on stock buybacks for all companies throughout the length of the coronavirus crisis.
- **Sec. 403. Disclosures related to supply chain disruption risk.** This provision requires public companies to disclose in their annual reports risks to the disruption of their supply chains, including the risks disruptions would have on the workforce, and to develop and disclose supply chain disruption contingency plans.
- **Sec. 404. Disclosures related to global pandemic risk.** This provision requires public companies to disclose their risks and exposures to public health crises that the World Health Organization classifies as “pandemics,” including the expected impacts on covered companies’ workforces and the steps they are taking to mitigate these risks.
- **Sec. 405. Oversight of Federal aid related to COVID-19.** This provision establishes a COVID-19 Aid Congressional Oversight Panel and authorizes the Special Inspector General to coordinate audits and investigations in connection with federal aid provided to corporations related to COVID-19. They are required to collect and report on diversity data from those recipients of federal aid.
- **Sec. 406. International Financial Institutions.** This provision: authorizes U.S. participation in the 19<sup>th</sup> replenishment of the World Bank’s International Development Association (IDA-19), to which the U.S. has pledged \$3 billion; authorizes U.S. participation in the 15<sup>th</sup> replenishment of the African Development Fund (AfDF-15), to which the U.S. has pledged \$514 million; and authorizes U.S. participation in the 7<sup>th</sup> general capital increase for the African Development Bank, to which the U.S. has pledged approximately \$437 million of paid-in capital.
- **Sec. 407. Conditions on federal aid to corporations.** This provision imposes conditions on beneficiaries of government assistance in connection with COVID-19 including: requiring all companies receiving federal aid to maintain workforce levels, worker pay, and all collective bargaining agreements, and provide at minimum 14 days of paid leave throughout the duration of the crisis. Additionally, this provision imposes a ban on all stock buybacks, executive bonuses, golden parachutes, and federal lobbying until all federal aid in connection to COVID-19 is repaid to the federal government. The section requires all accelerated filers receiving federal aid to permanently require worker representation on their corporate boards, and to annually disclose information related to human capital management, political spending, and country-by-country tax reporting, and how federal aid funds are being used to help its workers. Lastly, the provision requires all companies receiving federal aid in connection with COVID-19 to guarantee a \$15

minimum wage to all its workers by January 1, 2021 and permanently limits executive compensation to a 50:1 ratio to median worker pay.

- **Sec. 408. Authority for warrants and debt instruments.** This provision conditions the granting of aid related to COVID-19 on purchasing senior preferred voting stock, warrants for common stock, and senior debt instruments in companies receiving federal aid related to COVID-19. The bill also prohibits the federal government from purchasing or guaranteeing assets from foreign corporations.
- **Sec. 409. Authorization to Participate in the New Arrangements to Borrow of the International Monetary Fund.** This provision authorizes the Secretary of the Treasury to extend and increase U.S. participation in the International Monetary Fund's (IMF) emergency backstop facility, known as the New Arrangements to Borrow, to bolster the IMF's ability to respond to the global economic effects of the pandemic.
- **Sec. 410. International Finance Corporation.** This provision authorizes the Secretary of the Treasury to vote in favor of resolutions to increase the capital stock of the International Finance Corporation (IFC), the World Bank's private sector arm, and to vote in favor of an amendment to the IFC's Articles of Agreement to preserve the U.S. veto over future capital increases of the IFC.
- **Sec. 411. Oversight and Reports.** This provision authorizes the Special Inspector General for the Troubled Asset Relief Program and the Congressional COVID-19 Aid Oversight Panel to oversee financial assistance provided in Division Y. In addition the Treasury and GAO are required to produce certain reports to Congress, including collecting and reporting on diversity data from recipients of federal aid.

#### *Title. V. Pandemic Planning and Guidance for Consumers and Regulators*

- **Section 501: Financial Literacy Education Commission Emergency Response.** This section provides financial literacy education, including information on access to banking services and other financial products, for individuals seeking information and resources as they recover from any financial distress caused by the coronavirus disease (COVID-19) outbreak and future major disasters.
- **Section 502: Interagency Guidance for Consumers.** This section requires financial regulatory agencies to issue interagency regulatory guidance on preparedness, flexibility, and relief options for consumers in pandemics and major disasters.
- **Sec. 503. SEC Pandemic Guidance for Investors.** This section requires the Securities and Exchange Commission to issue regulatory guidance on preparedness, flexibility, relief, and investor protection during pandemics and major disasters, including all relevant disclosures. This section requires the SEC to engage in testing with regulated entities on their effectiveness in responding to potential pandemics or major disasters and requires the SEC to issue a report including the results of such testing along with any legislative recommendations the SEC may have related to pandemic preparedness.
- **Sec. 504. National Strategy.** This provision updates the national strategy of the United States on pandemics and the National Planning Frameworks to require that preparedness and recovery planning include a pre-crisis menu of options focused on economic, monetary, and consumer financial issues.

### **DIVISION J – Education Relief and Other Programs**

## **Title I – EDUCATION PROVISIONS**

### **Sec. 100101. Short title; table of contents.**

This section provides the short title “COVID-19 Pandemic Education Relief Act of 2020”.

### **Sec. 100102. Definitions.**

This section provides for various definitions including terms such as “coronavirus” and a “qualifying emergency”. A qualifying emergency means a public health emergency related to coronavirus as declared by the Secretary of Health and Human Services, an event related to coronavirus for which the President has declared a major disaster or an emergency under the Stafford Disaster Relief and Emergency Assistance Act, or a national emergency related to coronavirus as declared by the President.

### **Sec. 100103. Campus-Based Aid Waivers.**

This section requires the Secretary of Education to waive the match requirement for institutions of higher education (IHEs) under the campus-based aid programs, including the Supplemental Educational Opportunity Grants (SEOG) and the Federal-Work Study (FWS) program for award years 2019-2020 and 2020-2021. Private, for-profit businesses participating in FWS must still provide a funding match. This section also allows an IHE participating in SEOG and FWS to transfer up to 100 percent of an IHE’s unexpended funds under FWS to SEOG during a qualifying emergency. Unallocated funds are not permitted to transfer from SEOG to FWS.

### **Sec. 100104. Use of Supplemental Educational Opportunity Grants for Emergency Aid.**

This section allows an IHE to use any amount of their allocation under SEOG to provide emergency financial aid grants to assist undergraduates or graduate students for unexpected expenses and unmet financial need during a qualifying emergency. In order to determine the amount of need, an IHE may waive the amount of need calculation as required under the *Higher Education Act of 1965* (HEA), allow for a student to receive a grant that is not more than the maximum Federal Pell Grant for the applicable award year (i.e., \$6,195 for award year 2019-2020; \$6,345 for award year 2020-2021), and may work with a scholarship-granting organization to accept applications and disperse funds as long as such organization disperses the full amount of the grant provided by the IHE to recipients. Such aid will not be treated as other financial assistance for the purposes of the need calculation under the HEA.

### **Sec. 100105. Federal Work-Study During a Qualifying Emergency.**

This section allows an IHE to continue to make FWS payments to affected work-study students for a time period not to exceed one academic year during which an affected student was unable to fulfill their work-study obligation for all or part of such academic year during a qualifying emergency. IHEs may make payments to affected students equal to or less than the amount of wages the student would have otherwise received, and such aid may be provided as a one-time grant or in multiple payments. Payments cannot be made to students who were not eligible for FWS or who were not completing their work requirements prior to the qualifying emergency. Such payments must meet the match requirements under FWS, unless such requirement has been waived by the Secretary of Education.

An affected student is a student who is enrolled at a FWS-participating IHE, received a work-study award during the academic year in which the qualifying emergency occurred, and was prevented from fulfilling their work obligations due to such emergency.

**Sec. 100106. Adjustment of Subsidized Loan Usage Limits.**

This section requires the Secretary of Education to exclude any semester that a student is unable to complete as a result of a qualifying emergency from the student's subsidized loan usage limits.

**Sec. 100107. Exclusion from Federal Pell Grant Duration Limit.**

This section requires Secretary of Education to exclude any semester that a student is unable to complete as a result of a qualifying emergency from the student's lifetime Pell Grant eligibility limit.

**Sec. 100108. Institutional Refunds and Federal Loan Flexibility.**

This section requires the Secretary of Education to waive Return of Title IV requirements for IHEs if a student withdraws in the middle of a term as a result of a qualifying emergency. A similar waiver is provided for students. The Secretary of Education is further required to cancel the obligation to repay any direct loans taken out for that term. Each IHE receiving a waiver under this section is required to report to the Secretary of Education on the number of students covered by such waivers, the amount of grant or loan assistance associated with each such student, and the total amount of funds that the IHE does not return.

This section specifies that, in the case of a qualifying emergency, an IHE may provide a student with an approved leave of absence instead of requiring the student to return to the same point in their academic program where they left off, which means the IHE can accelerate the student upon the student's return.

**Sec. 100109. Satisfactory Academic Progress.**

This section specifies that an IHE may exclude attempted credits that were not completed due to a qualifying emergency from Satisfactory Academic Progress calculations.

**Sec. 100110. Continuing Education at Affected Foreign Institutions.**

This section allows the Secretary of Education to permit foreign IHEs participating in the direct loan program to provide any part of an otherwise eligible program via distance education for the duration of an emergency or disaster as declared by the applicable government and the following payment period. An otherwise eligible program that is offered via distance education by a foreign IHE between March 1, 2020 and date of enactment is deemed eligible for the purposes of participating in the Direct Loan program for the duration of such emergency and the following payment period.

This section further allows the Secretary of Education to permit foreign IHEs to enter into agreements (written arrangements) with public and private, non-profit IHEs located in the United States (U.S.) to allow a student at such foreign IHE to take courses with an institution in the U.S. Proprietary graduate medical, nursing, or veterinary foreign IHEs may enter into agreements with public; private, non-profit; and proprietary U.S.-based IHEs for the duration of such

emergency or disaster and the following payment period. Institutions that utilize either of these provisions must inform the Secretary of Education of such use by June 30, 2020 for 2019-2020 and not later than 30 days after such use for the following award years.

The Secretary of Education must submit a report to the authorizing committees that identifies each foreign institution that utilizes such provisions not later than 180 days after the date of enactment and every 180 days thereafter for the duration of such emergency or disaster and the following payment period.

**Sec. 100111. HBCU Capital Financing.**

This section authorizes the Secretary of Education to defer payments for Historically Black Colleges and Universities (HBCUs) receiving a loan under the HBCU Capital Financing program during a qualifying emergency. During the deferment, the Secretary of Education will make principal and interest payments that are due under the loan agreement and the institution will not be required to pay any periodic installments. The institution will be required to repay the Secretary of Education for the payments made on its behalf after the loan has been paid in full, except that the institution will have at least one full fiscal year after the end of the emergency before the institution must begin to repay the Secretary of Education. The authority to grant a new loan deferment under this section expires at the end of the qualifying emergency. However, any modification made to a loan or insurance agreement under this section will last for the duration of the period covered by the loan or insurance agreement. The Secretary of Education must submit a report to the authorizing committees every six months identifying each institution that received a deferment.

**Sec. 100112. Waiver Authority and Reporting Requirement for Institutional Aid.**

This section authorizes the Secretary of Education to waive certain requirements for institutions receiving assistance under the title III (i.e., Strengthening Institutions Program (SIP) and programs for minority-serving institutions such as Historically Black Colleges and Universities (HBCUs) and Tribally Controlled Colleges and Universities (TCCUs)) and title V (i.e., Hispanic-Serving Institutions (HSIs)) during a qualifying emergency. Waivers will apply from the beginning of the emergency through September 30 of the fiscal year following the end of the emergency. The Secretary of Education is authorized to waive the following:

- Certain eligibility data requirements for programs under title III and title V of the HEA;
- Wait-out periods for programs under title III of the HEA;
- Allotment requirements and references to prior year data for HBCUs and predominantly black institutions (PBIs);
- Funding allocation rules and references to prior year data for masters, professional, and graduate programs at HBCUs; and
- Restrictions on the use of allotments for construction and maintenance for PBIs and HBCUs.

This section authorizes the Secretary of Education to waive any statutory or regulatory provision to ensure that formula calculations do not adversely affect institutions receiving assistance under the aforementioned programs at the time of the qualifying emergency. This provision applies to formula calculations for fiscal year 2020 and for the period from the beginning of the emergency through September 30 of the fiscal year following the end of the emergency.

This section authorizes institutions to carry over unexpended funds received under title III, title V, and subpart 4 of Part A of title VII (i.e., masters programs for HBCUs and PBIs). Institutions may carry over funds that were not expended during the first five years of a grant into the succeeding five-year period.

The Secretary of Education must submit a report to Congress every six months identifying each grant recipient that receives a modification under this section.

**Sec. 100113. Authorized Uses and Other Modifications for Grants.**

This section authorizes the Secretary of Education to modify the required and allowable uses of funds for grants awarded under the following programs: SIP, TRIO programs, GEAR UP, and programs for HBCUs, TCCUs, HSIs, and other MSIs. Modifications will be made at the request of grant recipients as a result of a qualifying emergency and will apply from the beginning of the emergency through September 30 of the fiscal year following the end of the emergency.

This section authorizes the Secretary of Education to modify any federal share or other financial matching requirement for any grant awarded on a competitive basis, as well as non-competitive grants awarded to HBCUs, TCCUs, and PBIs.

Modifications will be made at the request of grant recipients as a result of a qualifying emergency and will apply from the beginning of the emergency through September 30 of the fiscal year following the end of the emergency. The Secretary of Education must submit a report to Congress every six months identifying each grant recipient that receives a modification.

**Sec. 100114. Service Obligations for Teachers.**

This section allows the Secretary of Education to modify the categories of extenuating circumstances for which a TEACH grant recipient who is unable to fulfill all or part of their service obligation is excused from fulfilling that portion of service. Further, this section requires the Secretary of Education to consider teaching service that is part-time or temporarily interrupted during a qualifying emergency to be full-time for the purposes of the TEACH grant service obligations. The Secretary of Education is also required to waive the requirement that teaching service must be consecutive under the Teacher Loan Forgiveness program if that teaching service is temporarily interrupted due to a qualifying emergency and the borrower resumes such service to complete their five-year obligation after the qualifying emergency.

**Sec. 100115. Payments for Student Loan Borrowers as a Result of a National Emergency.**

This section amends the *Higher Education Act of 1965* (HEA) by adding two sections to Part G of Title IV.

*Sec. 493E. Payments for Student Loan Borrowers During a National Emergency.*

This section requires the Secretary of Education, upon the enactment of this Act, to make payments on behalf of FFEL, Perkins and direct loans borrowers for each month during the national emergency period. Payments made by the Secretary of Education will be equal to the total amount due on each borrower's loans for that month based on the payment plan selected by the borrower. A national emergency is defined a public health emergency related to coronavirus



as declared by the Secretary of Health and Human Services or a national emergency related to coronavirus as declared by the President.

Interest due on loans during the national emergency will not capitalize at any time during the emergency. Payments made by the Secretary of Education will be considered as qualifying payments toward Public Service Loan Forgiveness and forgiveness under income-driven repayment plans, and as on-time payments for the purposes of rehabilitating defaulted loans. The Secretary of Education will ensure that consumer reporting agencies treat loans during this period as if the borrowers were making regularly scheduled payments themselves.

The Secretary of Education shall provide a notice to all borrowers on a monthly basis, starting within 15 days of the enactment of this Act, informing borrowers of the actions taken under this section, providing borrowers with a method to opt-out, and notifying the borrower that benefits under this section are temporary and will end after the national emergency ends. All involuntary collection activity will be halted between the date of enactment of this Act and the end of the national emergency.

After the conclusion of the national emergency, the Secretary of Education shall provide a 90-day transition period during which borrowers will receive at least 3 notices indicating when their payment obligations will resume. Missed payments during this transition period will not result in fees or penalties or be reported to the consumer reporting agency or otherwise impact the borrower's credit history.

This section directs lenders and guaranty agencies that hold FFEL loans to verify borrower-level payment amounts to facilitate the implementation of this section and authorizes the Secretary of Education to establish a payment schedule for loans not held by the Secretary of Education. This section allows the Secretary of Education to waive the requirements of the *Paperwork Reduction Act*, the master calendar and negotiated rulemaking requirements under the HEA, and the notice and comment requirements under the *Privacy Act of 1974*, except that notices under the *Privacy Act* shall be published within six months of enactment of this Act.

This section authorizes and appropriates \$50,000,000 for fiscal year 2020 for costs associated with implementation and coordination of this section and such sums as may be necessary to provide the payments and interest cancellation provided under this section. Amounts made available under this section shall be in addition to any other available funding and shall remain available until expended.

*Sec. 493F. Minimum Relief for Student Loan Borrowers as a Result of a National Emergency.* This section ensures that every borrower receives at least \$10,000 in benefits from Section 493E, except in cases where the borrower's remaining outstanding balance at the end of the national emergency is less than \$10,000, in which case the borrower's remaining debt is paid off. This section requires the Secretary, within 90 days of the end of the national emergency, to reduce each borrower's balance by an amount that is equal to the lesser of (1) \$10,000 minus the benefits received through section 493E(b) of the HEA, as added by this section and (2) the borrower's remaining outstanding balance. Holders of FFEL loans are required to provide information to the Secretary of Education necessary to calculate benefits under this section.

**Sec. 100116. Rule of Construction.**

This section states that, unless provided in the Act, nothing in this Act can be construed to provide additional authority to the Secretary of Education to waive any provision of ESEA, the Individuals with Disabilities Education Act, the HEA, and Perkins CTE.

**Title II – Other Programs**

**Sec. 100201. Provisions Related to the Corporation for National and Community Service.**

This section allows current AmeriCorps volunteers to receive their Segal AmeriCorps Education Award if their service year is disrupted or suspended due to the COVID-19 national emergency; provides flexibility for the Corporation for National and Community Service to carry over funding from the current fiscal year; ensures grantees offering AmeriCorps service opportunities through fixed price grants do not have to return funds to CNCS if their volunteers fail to have the number of volunteers or service hours completed during the service year due to the COVID-19 national emergency; and allows volunteers in the National Civilian Community Corps to re-enroll for an additional year of service if their service is disrupted, and allows CNCS to increase the age limits of NCCC to 26 for individuals who are reenrolling.

**DIVISION K – Agriculture Provisions**

*Prepared by the Democratic staff of the House Committee on Agriculture*

**Title I – Commodity Support and Other Agriculture Programs**

**Sec. 110101. Supplemental Dairy Margin Coverage.**

This section provides necessary cash flow assistance to small and mid-sized dairies that have grown over the last seven years by establishing supplemental margin coverage based on the difference between 2019 actual production and Dairy Margin Coverage (DMC) production history. This supplemental coverage works in the same manner as farm bill DMC.

**Section 110102. Targeted Purchases.**

This section supports providing healthy food to families in need by directing the purchase and donation of food originally destined for the food service industry to food assistance programs, including The Emergency Food Assistance Program. This \$300 million targeted purchase initiative supports perishable products within the supply chain that otherwise have no clear market.

**Title II – Supplemental Nutrition Assistance Program**

**Sec. 110201. SNAP Funding.**

This section ensures sufficient funds for SNAP to meet potential need during this public health emergency.

**Sec. 110202. SNAP Allotments.**

This section provides for a 15% increase in the maximum SNAP allotment for individuals and households enrolled in SNAP. It also increases the minimum SNAP benefit from \$18 to \$30. The

section also provides additional funding for States to administer SNAP for the current and next fiscal year, so States are better able to meet the expected increased need for SNAP. This section provides flexibilities for State agencies on quality control monitoring through September 30, 2021.

**Sec. 110203. SNAP Rules.**

This section prevents USDA from finalizing or implementing three rules that would reduce SNAP benefits and access. Those three rules are requirements for able bodied adults without dependents, revision of categorical eligibility, and standardization of state heating and cooling standard utility allowances.

**Sec. 110204. SNAP Hot Food Purchases.**

This section provides a waiver so individuals and households with SNAP may purchase hot foods during this public health emergency.

**Sec. 110205. Food Distribution Program on Indian Reservations.**

This section waives the matching requirement for the additional funds provided to the Food Distribution Program on Indian Reservations, to reduce barriers to accessing the funds in a timely manner.

**DIVISION L – Access Act**

*Prepared by the Democratic staff of the Committee on House Administration*

**Sec. 120001. Short Title.**

The “American Coronavirus/COVID-19 Election Safety and Security Act” or the “ACCESS Act”.

**Sec. 120002. Requirements for Federal Election Contingency Plans in Response to Natural Disasters and Emergencies.**

- Requires states and jurisdictions to establish and make publicly available contingency plans that enable voting in federal elections during a state of emergency, public health emergency or national emergency and to update such plans at least every 5 years.
- Requires contingency plans to include initiatives to provide equipment and resources necessary to protect the health and safety of poll workers and voters and to recruit poll workers from resilient and unaffected populations.
- Permits the Attorney General to bring a civil action in an appropriate United States District Court as may be necessary to carry out the requirements of this section and permits a private right of action.

**Sec. 120003. Early Voting and Voting By Mail.**

- Requires at least 15 consecutive days of early voting for federal elections. Goes into effect in the November 2020 election and for each succeeding federal election.
  - Requires the early voting period to be no less than 10 hours each day, to have uniform hours for each day, and to allow for voting prior to 9:00am and after 5:00pm.
  - Requires polling places with early voting periods to be located within walking distance of a stop on a public transportation route and to be available in rural areas of states.
  - Directs the Election Assistance Commission to issue election administration standards for early voting that include standards for nondiscriminatory geographic placement of polling places and that permit deviation (provided there is adequate public notice) in the case of unforeseen circumstances.
  - Requires states to begin processing and scanning ballots cast during the early voting period at least 14 days prior to election day.
  
- Ensures that every voter can access no-excuse absentee vote-by-mail, postage prepaid and with a self-sealing envelope. Goes into effect in the November 2020 election and for each succeeding federal election.
  - Prohibits states from imposing additional conditions or requirements on the eligibility of a voter to cast an absentee ballot such as notarization or witness signatures, and prohibits requiring identification to obtain an absentee ballot.
  - Requires states to conduct signature verification of voters submitting an absentee ballot with due process protections. Requires election officials to provide voter with notice and an opportunity to cure if there is a discrepancy in signatures or a missing signature, and to submit to Congress no later than 120 days after each federal election cycle a report containing information on invalidated ballots.
  - Ensures that every voter can submit an online request for an absentee ballot.
  - Requires states to deliver an absentee ballot and related voting materials if a voter's request for such materials is received prior to 5 days before election day.
  
- With respect to the COVID-19 pandemic and all future emergencies declared between 120 days before election day and 30 days before election day, requires states to automatically mail absentee ballots and balloting materials to all registered voters no later than two weeks before election day. Requires a voter to sign an affirmation that the voter has not and will not cast another ballot.
  
- Provides standards for ballots cast by mail.
  - Ensures that absentee ballots and related voting materials are accessible to voters with disabilities.
  - Ensures the providing of pre-paid postage for all absentee ballots and self-sealing return envelopes.
  - Requires that submitted absentee ballots be accepted and processed if postmarked on or before election day.
  - Permits voters to return absentee ballots by casting it at a polling place on election day, by submitting it at a designated ballot drop-off location, or by designating

another person to return the ballot to the post office, a ballot drop-off location, a tribally designated building or an election office.

- Requires states to begin processing and scanning ballots cast by mail at least 14 days prior to election day.
- Requires states to establish an absentee ballot tracking program. Goes into effect in the November 2020 election and for each succeeding federal election.
- Ensures that provisional ballots from eligible voters at incorrect polling places be counted and requires states to establish uniform and nondiscriminatory standards for issuing, handling and counting provisional ballots. Goes into effect in the November 2020 election and for each succeeding federal election.
- Provides voters with a private right of action for violations of requirements under Subtitle C of Title III under the Help America Vote Act of 2002.

#### **Sec. 120004. Postage-Free Absentee Ballots.**

- Ensures that absentee ballots in federal elections are transmitted to voters expeditiously and with prepaid postage.

#### **Sec. 120005. Requiring Transmission of Blank Absentee Ballots Under UOCAVA To Certain Voters.**

- Amends the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) to require states to transmit blank absentee ballots by mail and electronically to qualified individuals. Goes into effect in the November 2020 election and for each succeeding federal election.
  - Defines qualified individuals as voters who have requested an absentee ballot but have not received it at least 2 days before election day, voters who reside in an area where an emergency has been declared within 5 days of election day and have not already requested an absentee ballot, voters who will be absent on election day due to professional or volunteer service, voters who are hospitalized or expect to be on election day, or voters who have a disability and reside in a state that does not offer secure remote ballot marking.
- Requires blank absentee ballots transmitted to qualified voters to comply with the language requirements under section 203 of the Voting Rights Act of 1965 and the disability requirements under section 508 of the Rehabilitation Act of 1973.
- Requires qualified individuals to provide the state with an affirmation in electronic form that they are qualified, that they have not and will not cast another ballot and that they acknowledge the consequences of stating a material misstatement of fact.
- Requires blank absentee ballots transmitted to qualified individuals to have prepaid postage.

- Prohibits states from refusing to accept and process an absentee ballot from a qualified individual based on notarization or witness signature, paper type, or envelope type requirements.

#### **Sec. 120006. Voter Registration.**

- Amends the National Voter Registration Act of 1993 to ensure that voters can register to vote online and can submit an EAC-prescribed mail voter registration application online.
  - Requires states to establish technological security measures to protect information provided through online voter registration services.
  - Ensures that online voter registrations services are available to individuals with disabilities.
  - Ensures that online voter registration services are also available through the use of an automated telephone-based system.
- Amends the Help America Vote Act of 2002 to ensure that all eligible individuals can register to vote on the same day that they vote. Goes into effect in the November 2020 election and for each succeeding federal election.
- Amends the National Voter Registration Act of 1993 to prohibit states from requiring voter registration applicants to provide more than the last 4 digits of their social security numbers. Goes into effect in the November 2020 election and for each succeeding federal election.

#### **Sec. 120007. Accommodations for Voters Residing In Indian Lands.**

- Permits an Indian Tribe to designate buildings as ballot pickup and collection locations and to designate one building per precinct located within Indian lands at no cost to the Indian Tribe.
- Requires states or political subdivisions to collect ballots from designated locations and to provide Indian Tribes with accurate precinct maps for all precincts located within Indian lands at least 60 days before an election.
- Requires states or political subdivisions to provide absentee ballots for federal elections to each individual who is registered to vote and who resides on Indian lands without requiring a residential address or a mail-in or absentee ballot request.
- Ensures that voters living on Indian lands may use the address of a designated building for ballot pickup and collection as their residential and mailing address if such building is in the same precinct of the voter, and if the building is not in the same precinct, may use the address of another tribally designated building within Indian lands.
- Requires that states or political subdivisions covered under section 203 of the Voting Rights Act of 1965 provide all applicable language accessibility requirements.

- Permits the Attorney General to bring a civil action in an appropriate United States District Court as may be necessary to carry out the requirements of this section and permits a private right of action.
- Goes into effect in the November 2020 election and for each succeeding federal election.

**Sec. 120008. Payments by Election Assistance Commission to States to Assist With Costs of Compliance.**

- Requires the Election Assistance Commission to make payments to eligible states for the costs of complying with the ACCESS Act, including the costs for pre-paying the postage on absentee ballots and balloting material, for public education campaigns regarding the requirements of the ACCESS Act, and for voluntarily electing to comply with the ACCESS Act in the 2020 primary elections.
- For party-run primaries, requires the Election Assistance Commission to make payments to eligible political parties for costs incurred in transmitting absentee ballots and balloting materials in accordance with the ACCESS Act in the 2020 primary elections.
- Requires states to pass through funds to local jurisdictions or Tribal Governments.
- Requires states and political parties of states to submit an application to the Election Assistance Commission to receive payment assistance.
- In the case of an emergency, permits states to submit a payment request to the Election Assistance Commission and requires that payment be made to the states no later than 7 days after receipt of the request.
- Requires states to submit reports to the Election Assistance Commission no later than 6 months after the end of each fiscal year on the activities conducted with the funds provided.
- Requires the Election Assistance Commission to submit a report on such payments each fiscal year to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

**Sec. 120009. Grants to States for Conducting Risk-Limiting Audits of Results of Elections.**

- Permits the Election Assistance Commission to make grants to eligible states to conduct risk-limiting audits with respect to federal general elections. Goes into effect in the November 2020 election and for each succeeding federal election.
- Authorizes the appropriation of \$20 million for fiscal year 2020 for risk-limiting audit grants.

- Authorizes a GAO analysis no later than 6 months after the first grants are awarded on the extent to which risk-limiting audits improve the administration and security of elections.

**Sec. 120010. Additional Appropriations for The Election Assistance Commission.**

- Authorizes the additional appropriation of \$3 million to the Election Assistance Commission for fiscal year 2020 in order for the Commission to provide additional assistance and resources to states to improve election administration.

**DIVISION M – Oversight and Accountability**

*Prepared by the Democratic staff of the House Committee on Oversight and Reform*

**Sec. 130001. Coronavirus Accountability and Transparency Committee.** This section would establish a Coronavirus Accountability and Transparency Committee of independent Inspectors General to coordinate audits and investigations of the spending under the Act and the response to the Coronavirus Pandemic. It would ensure that Inspectors General have the authorities and funding necessary to effectively and efficiently conduct oversight and requires extensive public reporting through Oversight.gov.

**Sec. 130002. GAO Oversight and Accountability Responsibilities.** This section would provide authority to the independent Government Accountability Office (GAO) to provide oversight over the implementation of the Act and other efforts to respond to the coronavirus pandemic. It would require GAO to provide public updates on its oversight efforts and would authorize \$50 million to enable GAO to perform its duties effectively.

**DIVISION N – U.S. Postal Service Provisions**

*Prepared by the Democratic staff of the House Committee on Oversight and Reform*

**Sec. 140001. Elimination of Postal Service Debt, Additional Borrowing Authority.** This section would eliminate the current debt of the Postal Service. This would reset the Postal Service’s borrowing authority to the level in current law—\$15 billion—by eliminating its current \$11 billion debt to the Department of Treasury. The proposal would require Treasury to lend to the Postal Service if requested and eliminate the \$3 billion annual borrowing limit in current law. The Postal Service has indicated that this money will likely be required to continue operations during the crisis through the end of the fiscal year.

**Sec. 140002. Prioritization of Delivery for Medical Purposes.** This section would require the Postal Service to prioritize the delivery of medical products, including pharmaceuticals. It would authorize the Postal Service to establish temporary delivery points during the crisis and allow it to institute flexible delivery in the event its operations or employees are impacted by the coronavirus outbreak.

**DIVISION O – Federal Workforce Provisions**

*Prepared by the Democratic staff of the House Committee on Oversight and Reform*



**Sec. 150001. Reimbursement for Child and Family Care.** Federal employees who are required to report to work face a sudden need to care for children or sick family members at home. This section would provide federal employees up to \$2,000 per child or dependent per month in reimbursements for such care.

**Sec. 150002. Federal Contractor Equity.** Federal contractors have growing concerns that they may not be able to meet contract requirements as a direct result of coronavirus-related contingencies. This section would direct the Office of Management and Budget to issue guidance to ensure that federal contracting officials adjust contracts so contractors are not held accountable for contract provisions made impossible by coronavirus-related activities.

**Sec. 150003. Weather and Safety Leave.** This section would allow agencies to provide administrative leave to federal employees who cannot access their offices and for whom telework is not possible.

**Sec. 150004. Telework Requirements.** Maximum telework flexibilities are not currently being implemented across the government. This section would require agency leaders to allow telework for all eligible federal employees during the coronavirus pandemic. It also would clarify that during the epidemic, having a child or dependent at home does not disqualify a location as an acceptable work location. The provisions would require agencies to expand telework by creating incentives to increase its use and disincentives to reducing it.

**Sec. 150005. Pay Differential for Duty Related to the Coronavirus.** This section would provide hazardous duty pay to federal workers who provide direct patient care and emergency services to individuals who have contracted coronavirus and to workers who have frequent, unavoidable contact with the public, such as Transportation Security Officers.

**Sec. 150006. Workers' Compensation for Certain Federal Employees Who Contract the Coronavirus.** This section would create a presumption that the coronavirus was contracted in the workplace for employees whose duties require substantial contact with the public.

## **DIVISION P – Federal Employee Collective Bargaining and Official Time** *Prepared by the Democratic Staff of the Committee on Oversight and Reform*

**Sec. 1. Short Title.** The short title of this division is “Protecting Collective Bargaining and Official Time for Federal Workers Act.”

**Sec. 2. Findings.** Federal employee unions protect the rights of federal workers, and collective bargaining is essential to the union process. Congress has declared that “labor organizations and collective bargaining in the civil service are in the public interest.” Yet, the Administration has issued Executive Orders that attempt to dismantle federal unions and undermine their collective bargaining rights.

**Sec. 3. Nullification of Executive Orders Related to Federal Employee Collective Bargaining.** The following Executive Orders and presidential memorandum are rescinded:

- (1) Executive Order 13837 (relating to the use of official time);
- (2) Executive Order 13836 (relating to federal collective bargaining);
- (3) Executive Order 13839 (relating to the Merit Systems Protection Board);
- (4) The Presidential Memorandum on the Delegation of Certain Authority under the Federal Service Labor-Management Relations Statute, issued to the Secretary of Defense on January 29, 2020.

## **DIVISION Q – Veteran Coronavirus Response Act of 2020**

*Prepared by the Democratic staff of the House Committee on Veterans' Affairs*

### **Section 170008 – Increase of Amount of Department of Veterans Affairs Payment for Aid and Attendance During Emergency Period Resulting From COVID-19 Pandemic.**

- This provision increases the amount of available aid and attendance for veterans in need of in-home care by adding twenty-five percent to the existing aid and attendance monthly benefit for those who need assistance with daily activities or are housebound.

### **Section 170009 – Treatment of Work Injury Compensation Claims Filed by Employees of the Department of Veterans Affairs for COVID-19.**

- All VA employees, including VA clinicians shall be treated as employees under Chapter 81 of title 5 for the purpose of filing a work compensation claim due for COVID-19.
- All VA employees who contract COVID-19 are presumed to have contracted COVID-19 due to VA employment for the purpose of filing a work compensation claim.

### **Section 170010 – Deferral of Certain Debts Arising from Laws Administered by the Secretary of Veterans Affairs**

- Prohibits the Secretary from collecting payments for benefit debts, including through offsets of active VA benefits, establishing new benefit debts, sending notices regarding benefit debts to individuals or consumer reporting agencies, allowing interest to accrue on benefit debts, or applying administrative fees on benefit debts.
- The restrictions above are in effect during the COVID-19 public health emergency period and for 60 days following the end of the emergency period.
- Allows the Secretary to continue to collect payment regarding a benefit debt if the debtor elects to make such payment.

## **DIVISION R – Aviation Worker Relief**

*Prepared by the Democratic staff of the House Committee on Transportation and Infrastructure*

**Sec. 1. Short title; table of contents.** Aviation Worker Relief Act of 2020.

**Sec. 2. Definitions.** Inherits definitions from section 40102(a) of title 49, United States Code, except with regards to “contractor” and “employee.”

## **Title I – Aviation Worker Relief**

**Sec. 101. Pandemic relief for aviation workers.** Provides \$37 bn in grants to employees of mainline, regional, and cargo airlines, passing to workers through each carrier, with each carrier receiving what it reported as its total payroll costs in 2Q+3Q19 (**JOBS SAVED: 750,000**). Provides \$3 bn in grants to employees of ground support and catering contractors, based on their sworn financial statements regarding payroll costs in 2Q+3Q19 (**JOBS SAVED: ~210,000**). Provides \$21 bn in unsecured loans to air carriers.

**Sec. 102. Procedures for financial assistance.** Allows loans to be zero-interest to start, but requires that over time loans must provide for payment of interest at rates commensurate with the level of risk assumed by the Government. Grants the Government's claim in any bankruptcy proceeding with respect to outstanding payments superpriority status, making it superior to any claims of other secured or unsecured creditors.

**Sec. 103. Terms and conditions.** Prohibits airlines from repurchasing shares of stock or using financial assistance to issue dividends to shareholders. Caps CEOs' pay at no more than 50 times the median pay of their employees, and caps CEOs' golden parachutes. Retains the Government's right to fully participate in capital gains realized by airlines receiving assistance. Requires each airline receiving assistance to support U.S. jobs by ensuring no additional aircraft heavy maintenance work is outsourced to repair stations abroad.

**Sec. 104. Reports.** Mandates a report and update on the financial status of the air carrier industry, including a description of each grant or loan issued under section 101, on Oct. 1, 2020, and one year following the passage of this bill.

**Sec. 105. Coordination.** Provides for coordination among Secretaries of the Treasury and Transportation in providing relief.

## **Title II – Labor Protections**

**Sec. 201. Assistance irrespective of labor costs.** Prohibits the Administration from conditioning any financial assistance on an airline's reduction of labor costs.

**Sec. 202. Collective bargaining and snap-back.** For any concession or alternation made to a collective bargaining agreement (CBA) as a result of COVID-19, including to rates or pay, rules, or working conditions, this section requires such changes be reversed or renegotiated later to reflect changing economic circumstances (i.e., "snap-back" mechanism).

**Sec. 203. Protection of organizing activity.** Requires airlines to remain neutral in any communications with employees with respect to any union organizing campaign.

**Sec. 204. Working and travel conditions.** Ensures carriers follow Centers for Disease Control and Prevention and public health authority guidelines for providing safe conditions for workers and travelers, including but not limited to providing adequate personal protective equipment, full cleaning and sanitary conditions of all planes and facilities, and any other necessary actions.

**Sec. 205. Labor union representation on air carrier boards.** Requires each airline receiving assistance to designate at least one seat on its board for a representative of one or more labor unions representing the airline's employees, to be selected by a union.

**Sec. 206. Furloughed worker protections.** Ensures their healthcare and welfare plans (at active employee rates) remain in place for any furloughed workers. Ensures furloughed time counts as years of service for employee retirement and welfare plans. Ensures furloughed employees receive all employer 401(k) nonelective contributions attributable to furloughed time upon return to work and are permitted penalty free hardship withdrawals from 401(k) plans while on furlough.

**Sec. 207. Healthcare for unprotected workers.** Provides comprehensive health care coverage to both direct and subcontracted employees providing aviation services at airports, in addition to their regular rate of wages, in the form of cash, health insurance, or a combination of the two that is sufficient to support affordable and quality health insurance. Also requires certification that for unprotected workers, the air carrier currently, and that any contractor or subcontractor that provides airline catering services to it, provides health insurance benefits equal to or greater than hourly health and wage fringe benefits rate published by Department of Labor for all hours worked by each airlines catering employee and will continue to do so for at least 5 years after receipt of such stimulus.

**Sec. 208. Employee wages and leave.** Requires carriers to maintain at least \$15 minimum wage for all employees or contracted workers for a period of 10 years upon receipt of financial assistance. Provides paid sick and paid family medical leave to actively encourage sick workers to stay home whether caring for themselves or a family member during illness or quarantine or school closings. Ensures carriers meet their funding obligations under all defined-benefit pension plans. Provides layoff protection via back pay/wage replacement for airline and airport workers and contractors if carriers reduce staff or hours, resulting in a reduction in compensation.

**Sec. 209. Limitation on rejection of collective bargaining agreements.** Limits a carrier's use of 11 U.S.C. 1113 to discharge a collective bargaining agreement for 10 years from the last date the carrier received Federal financial assistance.

**Sec. 210. Increased wage priority.** Increases wage priority in bankruptcy for employees to \$20,000 indexed for inflation regardless of when accrued.

**Sec. 211. Rejection of collective bargaining agreements.** Imposes limits on the ability of employers to seek emergency concessions in bankruptcy outside of the normal section 1113 process and for no more than a brief period of time, and amends sections 1113 and 365 of chapter 11 of the bankruptcy code to make clear that breach or rejection of a CBA gives rise to an unsecured claim for damages (as with rejection of any executory contract).

### **Title III – Airline Industry Financial Oversight**

**Sec. 301. Creation of Office of Airline Industry Financial Oversight.** Sets up an Office of Airline Financial Oversight within the Department of Transportation (DOT).

**Sec. 302. Responsibilities of Office of Airline Industry Financial Oversight.** Requires the Office in established in Sec. 301, to continually assess, and impose minimum capital and funding requirements for, an airline’s financial fitness to guard against future “black swan” events such as Covid-19, ensuring we never have to do this again. Requires airlines to conduct financial stress tests to evaluate their preparedness for and resiliency following such an event.

**Sec. 303. Access to information.** Provides that the employees of the office may inspect any financial records of an air carrier that they deem appropriate.

**Sec. 304. Reports to Congress.** Ensures accountability and transparency by requiring the office to report to Congress annually on measures taken by the office during the preceding 12-month period to ensure the adequacy of airlines’ financial sustainability.

**Sec. 305. Rulemaking authority.** Authorizes the Secretary of Transportation to issue such regulations as are necessary to effectuate the office’s oversight.

**Sec. 306. Authorization of appropriations.** Authorizes appropriations of \$3 million per year from FY20-23 for operation of the office.

#### **Title IV – Airport Relief**

**Sec. 401. Emergency Pandemic Funding for Airports.** Provides \$10 billion for airports to use on, infrastructure projects, cleaning, sanitization, janitorial services, staffing, workforce retention, airport operations, emergency response, debt service payments and other needs. Also requires airports retain 90 percent of their workforce and to provide relief to airport concessionaires (**JOBS SAVED: ~1.2 million**).

**Sec. 402. Maintaining Pre-crisis Airport Improvement Program Levels.** Ensures that airports that have experienced a lower number of passenger traffic from the coronavirus COVID-19 crisis do not see lower Airport Improvement Program (AIP) formula funds.

**Sec. 403. National Aviation Preparedness Plan.** Requires the DOT to develop a national aviation-preparedness plan for communicable diseases, which the Government Accountability Office recommended in 2015, to ensure that airports and other aviation stakeholders are better prepared for a future crisis involving communicable diseases.

#### **Title V – Small Community Air Service**

**Sec. 501. Continuation of certain air service.** Requires the Secretary of Transportation to ensure that any small community that received air service as of March 1, 2020, continues receiving an adequate level of air service. Also authorizes the Secretary of Transportation to issue limited antitrust immunities for airlines to cooperate for purposes of ensuring that small communities receive an adequate level of air service during the period of the pandemic.

**Sec. 502. Tolling of EAS limitations.** Limits toll enforcement of eligibility for participation in the Essential Air Service program through the end of the period of the President’s declaration of a national emergency.

**Sec. 503. Sunset.** Sunsets this title six months after the last effective date of a national emergency declared.

## **Title VI – Consumer Protections**

**Sec. 601. Airline price gouging during disaster or emergency.** Requires airlines to waive all change or cancellation fees throughout the entirety of any declared national emergency. Prohibits carriers from charging fare differences for itinerary changes during such an emergency. Further prohibits price gouging for flights from airports during a national emergency or those airports servicing a disaster area or subject to restricted travel, including country-wide bans imposed on air travel during a pandemic.

**Sec. 602. Airline refunds during national disasters or emergencies.** Requires carriers to offer both a monetary refund of fares, including ancillary fees paid, and travel credit or voucher for any flights cancelled by the carrier or passenger during a national emergency. If a travel credit or voucher is selected, said credit or voucher cannot expire for at least one year after the date of the original flight.

**Sec. 603. Conditions on airline ancillary fees.** Requires clear and separate reporting by carriers to the DOT of all carrier-imposed ancillary fees charged to consumers.

## **Title VII – Environmental Protections**

**Sec. 701. Sustainable Aviation Fuel Development Program.** Provides grants to airports, air carriers and other entities to offset the cost of producing, transporting or storing sustainable aviation fuels.

**Sec. 702. Airline Assistance to Recycle and Save Program.** DOT is authorized to purchase inefficient airplanes that the airlines are retiring in exchange for airlines’ commitment to purchasing newer fuel-efficient airplanes.

**Sec. 703. Airline Carbon Emissions Offsets and Goals.** Expands the FAA’s Voluntary Airport Low Emissions (VALE) program, which airports use to purchase low emission vehicles, refueling and recharging stations, and other airport air quality improvements, to all commercial airports. It will continue to prioritize funding for airports in compromised air quality areas of the country.

**Sec. 704. Airline Carbon Emissions Offsets and Goals.** Requires air carries receiving assistance to fully offset their carbon emissions starting 2025. Also requires these carriers to reduce their own carbon emissions by 25 percent by 2035 and 50 percent by 2050. Requires continuous audits and reports to ensure air carriers are meeting their targets.

**Sec. 705. Research and Development of Sustainable Aviation Fuels.** Provides \$500 million in additional funding over five years for FAA research and development of sustainable aviation fuels.

**Sec. 706. Transparency regarding carbon emissions.** Requires airlines and ticket agents to tell prospective purchasers of airline tickets how much carbon emissions are attributed to their flights.

**Sec. 707. Study on Certain Climate Change Mitigation Efforts.** Requires a study by the National Academies to conduct a study on climate change mitigation efforts within the civil aviation and aerospace industries.

### **Title VIII – Miscellaneous**

**Sec. 801. Separability.** Ensures that the remainder of this division remains in force in the event that a particular provision is declared invalid.

**Sec. 802. Application of Law.** Temporarily suspends application of Buy American requirements to Government procurements during a public health emergency or pendency of an emergency declaration following a natural disaster.

### **DIVISION S – Small Business Administration**

*Prepared by the Democratic staff of the House Committee on Small Business*

**Assisting Small Businesses** – Authorizes critically needed funding to keep small businesses afloat during this unprecedented economic disruption, including:

- **Small Business Economic Injury Grants** – Authorizes \$100 billion in grants to small businesses that can demonstrate losses due to the outbreak.
- **Small Business Disaster Loans** – Authorizes an additional \$184 billion in low-interest economic injury disaster loans to help small businesses that have suffered financial losses as a result of the coronavirus outbreak.
- **Small Business Payroll Support** – Authorizes \$300 billion in guaranteed, forgivable loans to cover short-term payroll costs.
- **Small Business Debt Relief** – Provides small businesses with relief from SBA loan payments, including principal, interest, and fees, for six months.
- **Increasing Access to Capital** – Eliminates fees and increases guarantees on SBA-backed 7(a) and 504 loans to increase access to capital for struggling firms.

- **Minority Business Development Agency** – Authorizes additional resources for the Minority Business Development Agency.
- **Small Business Investment Companies** – Provides additional leverage to SBICs to deploy to start ups and potential high-growth firms.
- **Entrepreneurial Support** – Authorizes \$265 million for Small Business Development Centers, Women’s Business Centers, Veterans Business Outreach Centers, and SCORE chapters to provide counseling and support to impacted entrepreneurs and small businesses. Authorizes \$57 million for Microloan program technical assistance and lending.
- **Language Support** – Authorizes \$25 million for SBA to provide resources and services in languages other than English.

## **DIVISION T – Revenue Provisions**

*Prepared by the Democratic staff of the House Committee on Ways and Means*

### **TITLE I – Health-Related Tax Relief**

**Sec. 101. Payroll Tax Credit for COVID-19 Charity Care Provided by Hospitals.** Our hospitals face an acute challenge during this crisis, taking on the responsibility of addressing an overwhelming increase in demand for services, regardless of a patient’s ability to pay. This provision would alleviate some of the financial strain on hospitals that treat COVID-19-affected patients by providing them a substantial tax credit to offset the charity care they provide. More specifically, the credit would be an amount equal to 90 percent of the COVID-related charity care furnished by a hospital in 2020. Finally, eligible hospitals would be able to claim this credit against their quarterly payroll taxes, with any excess credits being refundable. The credit applies to charity care furnished after January 31, 2020 through December 31, 2020. The amount of the credit would be taken into account for future Medicare DSH payments relating to hospital cost reporting periods occurring in 2020.

**Sec. 102. Payroll Tax Credit for COVID-19 Hospital Facility Expenditures.** Similarly, to meet the increased demand for COVID-19 testing and treatment, hospitals will need to acquire necessary equipment, beds, and, in some circumstances, retrofit or build temporary structures to treat and house affected patients. This provision would assist hospitals by offsetting the cost of “scaling up” their resources in order to care for COVID-19-affected patients. More specifically, the credit would be an amount equal to 90 percent of an eligible hospital’s capital expenditures in 2020 related to the purchase or construction of a temporary structure, the lease of a structure, or the retrofitting of any existing structure, and any depreciable property used in those structures to treat affected patients. Eligible hospitals would be able to claim this credit against their payroll taxes, with any excess credits being refundable. The credit applies to expenditures paid or incurred after January 31, 2020 through December 31, 2020.

**Sec. 103. Help Families Whose Incomes Are Fluctuating Not Pay ACA Penalties.** People who lose their jobs or have reduced hours may have trouble predicting their annual income.



Under the ACA, families must predict their incomes and pay tax credits based on their predictions. The ACA had protections for families that guessed their incomes incorrectly, and the Republicans have since stripped these protections. This provision would reinstate the protections that were in the ACA for families with fluctuating incomes to prevent these families from paying large penalties.

**Sec. 104. Improving Affordability by Reducing Premium Costs for Consumers.** Democrats have long prioritized getting Americans insured and providing access affordable health care, particularly in light of the health care costs Americans face with COVID-19 and economic uncertainty. This provision increases affordability by expanding eligibility for the ACA’s premium tax credits beyond the current 400 percent of the federal poverty level (FPL), and increases the size of the tax credits for individuals and families below 400 percent of FPL. These actions would increase the number of Americans with health insurance while lowering premiums for millions of middle-class Americans.

## **TITLE II – Economic Stimulus**

### **Subtitle A – Economic Assistance Payments**

**Sec. 201. Economic Assistance to Individuals.** This provision provides \$1,500 of immediate assistance per individual, up to \$7,500 for a family of five.

Households with 2020 income over \$150,000 for a joint filer, \$112,500 for a head of household filer, and \$75,000 for a single filer will be required to pay back part or all of the assistance payment over three years. For these households, the payment is a zero-interest loan.

This benefit will also be available to our nation’s retirees. The Social Security Administration would issue payments immediately to all adult Social Security and Supplemental Security Income beneficiaries in the coming weeks, and the Internal Revenue Service would issue payments to all other individuals.

Families do not need earned income to qualify for the assistance, so unemployed individuals still qualify. Filers can qualify as long as they have an individual taxpayer identification number. The payments will not count as income or resources for purposes of eligibility for other federal assistance programs; the payments would also be exempt the Treasury Offset Program and other levies.

### **Subtitle B – Earned Income Tax Credit**

For 2020 and 2021, this provision would allow an individual with no qualifying children to claim the EITC if the individual is between ages 19 and 25 and is not a full-time student. It also allows individuals to claim the credit until they reach age 66. It increases the maximum credit, the earned income, and the phaseout amounts and indexes the earned income amount to inflation. It permanently modifies the EITC rules to allow families with children who do not meet the identification requirements for the EITC (for instance, if they do not have a valid Social Security Number) to claim the no-child EITC; allows credit eligibility in certain cases of married

individuals living apart; and repeals provisions that would deny the credit to taxpayers due to excess investment income. Finally, it permanently provides an EITC match for Puerto Rico and other U.S. territories.

### **Subtitle C – Child Tax Credit**

For 2020 through 2025, this provision removes the earned income component for calculating the refundable credit (i.e., the credit is fully refundable regardless of income) and eliminates the \$1,400 cap on refundability. It increases the value of the credit from \$2,000 to \$3,000 and also provides a larger credit of \$3,600 for children under the age of 6. Residents of Puerto Rico are able to claim the credit by filing a return with the IRS, and for the other U.S. territories, payments will be made for them to distribute in a manner that replicates the U.S. child tax credit.

### **Subtitle D – Dependent Care Assistance**

For 2020 and 2021, this provision would double the CDCTC, increase the income threshold above which the CDCTC is phased out from \$15,000 to \$120,000, and adjust these amounts for inflation. It would also make the credit refundable and modify the phase-out calculation. For 2020 and 2021, the provision would increase the exclusion for employer-provided dependent care assistance from \$5,000 to \$10,500 and adjusts this amount for inflation.

### **Subtitle E – Net Operating Losses**

**Sec. 241. Net Operating Loss Carrybacks.** Before the Republican tax bill, businesses with current losses and profits in earlier years could claim a tax refund by carrying back the loss. This provision would temporarily allow businesses to carry back losses from 2018, 2019 and 2020 to any of the last five years. The provision also suspends the 80% taxable income limitation for 2018, 2019 and 2020. Net operating loss carrybacks and the suspension of the 80% taxable income limitation do not apply to disqualified taxpayers. Disqualified taxpayers include corporations subject to the limitations on deductibility on excessive executive compensation and on golden parachute payments, and corporations that have returned more than 5% of the fair market value of their stock to shareholders in the form of stock buybacks and pay dividends. Special rules apply to life insurance companies, as well as to real estate investment trusts and for losses attributable to excess interest expense.

### **Subtitle F – Employee Retention Credit**

**Sec. 251. Employee Retention Credit.** In order to incentivize employers to keep their employees on payroll rather than laying off those employees, this section would offer a fully refundable tax credit, tied to the payment of employee wages, against the employer's share of Social Security taxes. All eligible employers would be permitted to claim an 80 percent credit on wages up to \$10,000 per employee. Eligible employers must have no more than \$41.5 million in gross receipts or no more than 1,500 full-time equivalent employees to qualify. They must also have experienced a 20 percent loss in gross receipts in the current calendar quarter compared to the prior year calendar quarter. An eligible employer can no longer claim the credit

if their trade or business earns greater than 90 percent of the gross receipts it had in the same calendar quarter in the prior year. The credit applies to wages paid from January 31, 2020 to December 31, 2020.

### **Subtitle G – Credits for Paid Sick and Family Leave**

**Sec. 263. Fund Mandated Paid Leave for Governmental Employers.** This provision would ensure that governmental employers, including public universities, can receive tax credits for the costs of providing mandated paid sick and family leave as passed in the Families First Coronavirus Response Act.

**Sec. 264. Tax Credits for Mandated Paid Leave.** This provision expands the tax credits for paid sick leave and paid family leave in the Families First Coronavirus Response Act. These changes align with changes made to the respective mandates in the Act, applying a \$511 per day limitation for all types of paid sick leave to the payroll tax credit for employers and to the individual tax credit for self-employed workers. It also limits the paid sick leave and paid family and medical leave employer credits to employers with up to 500 full-time employees. Additionally, this provision allows governmental employers to access both the paid sick leave and paid family leave credits, regardless of employer size.

### **TITLE III – Administrative**

**Sec. 301. Delay of certain deadlines.** This provision extends the April 15th filing date to July 15th, providing individuals more time to file their tax returns given the limitations caused by the COVID-19 emergency. This extension aligns with the extended filing and payment dates for federal income taxes already announced by the Internal Revenue Service. This provision also allows all individuals to postpone estimated tax payments due from the date of enactment until October 15, 2020. There is no cap on the amount of tax payments postponed, and any individual required to make estimated tax payments can take advantage of the postponement. This delay should increase the available cash flow for individuals experiencing cash shortfalls as a result of the COVID-19 emergency.

### **TITLE IV – Retirement Provisions**

**Sec. 401. Special Rules for Use of Retirement Funds:** This provision provides early distribution and loan relief for retirement plans during the coronavirus relief period. Specifically, this provision would:

- Waive penalty of 10% on early withdrawals
- Allow individuals three years to repay distributions
- Allow individuals to include distributions in income ratably over three years
- Increase loan limitations to lesser of \$100,000 or 100% of participants vested account balance (this doubles current loan limits)
- Loan repayment beginning dates delayed one year

**Sec. 402. Plan Funding Rules.** With the volatility in the markets and the low interest rate environment – and at a time when many businesses revenues are being devastated, many

employers are struggling to meet their contribution requirements to their pension plans. To address this issue, this provision provides funding relief for single employer defined benefit pension plans. Specifically, this provision provides companies with more time to meet their funding obligations by delaying the due date for any contribution otherwise due during 2020 until January 1, 2021. At that time, contributions due earlier would be due with interest. The provision also provides that a plan's status for benefit restrictions as of December 31, 2019 will apply throughout 2020.

**Sec. 403. Temporary Waiver of Required Minimum Distribution Rules for Certain**

**Retirement Plans and Accounts:** Under current law, generally at the age of 72, individuals must take a required minimum distribution (“RMD”) from their defined contribution plans and IRAs. Due to the market downturn, the balances in these accounts have sharply decreased – in many instances, the market has reduced taxpayers’ accounts more than what their RMD would have been for 2020. This provision waives the required minimum distributions for 2020, allowing individuals to keep funds in their retirement plans.

**Sec. 404. Modification of Special Rules for Minimum Funding Standards for Community**

**Newspapers.** Community newspapers are generally family-owned, non-publicly traded, independent newspapers. The recently enacted SECURE Act provided pension funding relief for a number of community newspaper plan sponsors by increasing the interest rate to calculate those funding obligations to 8%. Additionally, the SECURE Act provided for a longer amortization period of 30 years from 7 years. These two changes reduced the annual amount these struggling community newspaper employers are required to contribute to their pension plan. This provision expands the SECURE Act relief to additional community newspapers.

**Sec. 405. 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.**

This provision provides that a pension plan sponsored by a non-profit employer meeting certain conditions will be subject to the pension funding rules applicable to “Cooperative and Small Employer Charity Pension Plans” (CSEC Plans). Specifically, it amends the definition of CSEC Plans to provide that a pension plan will be CSEC plan if, as of January 1, 2000, the plan was sponsored by an employer that (i) is exempt from taxation under Code section 501(c)(3), (ii) has been in existence since 1938, (iii) conducts medical research directly or indirectly through grant making, and (iv) has as its primary exempt purpose providing services with respect to mothers and children. This section is effective for plan years beginning after December 31, 2018.

**Sec. 406. Extended Amortization for Single Employer Plans.**

In light of an ongoing pattern of interest rate and market volatility, the current-law requirement to amortize funding shortfalls over seven years is no longer appropriate. Pension plans, participants, and plan sponsors need more stability and a longer period over which to pay for long-term liabilities that can stretch out for more than 50 years. Accordingly, under this proposal, the following rules would apply to all single employer pension plans, effective for plan years beginning after December 31, 2019:

- All shortfall amortization bases for all plan years beginning before January 1, 2020 (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero.

- All shortfalls would be amortized over 15 years, rather than seven years.

**Sec. 407. Extension of Pension Funding Stabilization Percentages for Single Employer Plans.** In 2012, 2014, and 2015, Congress provided for pension interest rate smoothing in order to address concerns that historically low interest rates were creating inflated pension funding obligations, diverting corporate assets away from jobs and business recovery. Under interest rate smoothing, the interest rates used to value pension liabilities must be within 10% of 25-year interest rate averages. The smoothed interest rates will begin phasing out in 2021, with the 10% corridor around the 25-year interest rate averages increasing five percentage points each year until interest rates need only be within 30% of the 25-year averages. Because of this phase-out, smoothing will soon cease to have much effect. In order to preserve the stabilizing effects of smoothing, the 10% interest rate corridor would be reduced to 5%, effective in 2020. Additionally, the phase-out of the 5% corridor would be delayed until 2026, at which point the corridor would, as under current law, increase by 5 percentage points each year until it attains 30% in 2030, where it would stay. Finally, a 5% floor would be put on the 25-year interest rate averages. This floor would establish stability and predictability on a longer term basis, so that interest rate variations do not create excessive volatility. In addition, this floor would protect funding rules from the extremes of interest rate movements.

## **TITLE V – REHABILITATION FOR MULTIEMPLOYER PENSIONS**

**Sec. 501-508. Pension Plan Relief (The Butch Lewis Act).** More than a million Americans participate in multiemployer pension plans that are quickly running out of money. This provision addresses the worsening crisis that threatens the retirement savings of workers and retirees who – year after year – gave up wage increases in order to fund their pension plans. The health of these pension plans suffers under economic stress. This provision would help shore up the financial health of these plans, and the retirees who depend on them.

## **DIVISION U – Consumer Protection and Telecommunications Provisions**

*Prepared by the Democratic staff of the House Committee on Energy and Commerce*

**Section 102. Anti-Price Gouging During COVID-19 Emergency.** This section provides the Federal Trade Commission and State attorneys general the authority to seek civil penalties from individuals and companies engaging in price gouging of goods and services during the COVID-19 public health emergency.

**Section 201. Broadband Hotspots and Connected Devices for Schools and Libraries During COVID-19 Emergency.** This section authorizes increased funding and provides flexibility to the Federal Communication Commission’s (FCC) E-Rate program to enable schools and libraries, including tribal schools and libraries, to offer broadband hotspots and connected devices to facilitate distance learning and connectivity during the COVID-19 public health emergency.

**Section 301. Expansion of Low-Income Broadband Subsidies During COVID-19 Emergency.** This section authorizes increased funding and provides flexibility for the FCC’s

Lifeline program to expand access to broadband for low-income Americans during the COVID-19 public health emergency.

**Section 401. Telecommunications Consumer Protections During COVID-19 Emergency.**

This section makes certain practices, including the stopping of telephone or broadband services, if a consumer is unable to pay for reasons related to the COVID-19 emergency, unlawful during the COVID-19 public health emergency.

**Section 501. Public Safety Use of the T-Band.** This section repeals the requirement on the FCC to reallocate and auction the T-Band (470-512 MHz), which allows first responders to continue the use of the band for their public safety communications.

## **DIVISION V – GROW Act**

**Section 101. Short Title.** The short title for the bill is the “Giving Retirement Options to Workers Act of 2020.”

**Section 102. Composite Plans.** Reforms the multiemployer pension system by “composite plans.” These new plans are composed of features of a traditional defined benefit plan and certain attributes of a 401(k)-style defined contribution plan. The composite plan option is intended to establish a hybrid model of providing lifetime income to multiemployer plan participants while offering employers greater certainty and stability.

## **DIVISION W – Other Matters**

*Prepared by the Democratic staff of the House Committee on the Judiciary*

**Protecting Small Business and Consumer Debtors in Bankruptcy** – Ensures that more small businesses and consumer debtors have access to a fresh start through the bankruptcy system during this period of economic disruption, including:

- **Qualifying More Small Businesses for Streamlined Bankruptcy Protections** – Expands the eligibility for small businesses to qualify for reorganization under the streamlined process under subchapter V to chapter 11 of the Bankruptcy Code.
- **Expanding Consumer Bankruptcy Relief** – Includes protections for consumers by extending their payment plans from five to seven years and preventing financial assistance from the federal government related to the COVID-19 pandemic—such as direct cash deposits—from being treated as “income” for purposes of filing bankruptcy.

## **DIVISION X – Other Matters**

**Sec. 199991. Home Energy and Water Service Continuity.** This section requires that states and utilities receiving funds pursuant to the Act adopt or maintain in force policies to prevent the shutoff of electricity, home heating and cooling, and drinking and wastewater services to residential customers during the COVID-19 public health emergency.

**Sec. 199992. Low-Income Household Drinking Water and Wastewater Assistance.** This section provides financial assistance to low income and other adversely affected consumers to assist with payments for drinking water and wastewater expenses by authorizing \$1.5 billion for grants to states, territories and Indian Tribes.

**Sec. 199993. Delay of Strategic Petroleum Reserve (SPR) Oil Sales Required by Law.** This section delays for one year the sale of oil from the SPR required by Section 404 of the Bipartisan Budget Act of 2015. The price of crude oil has fallen to its lowest level in nearly two decades, so selling oil from the SPR now would result in a significant loss of value to the taxpayer.

**Sec. 199994. Expansion of DOL Authority to Postpone Certain Deadlines.** This section provides the Department of Labor limited ability to postpone certain ERISA filing deadlines for a period of up to one year. This provision would allow the Secretary of Labor to delay filings by notice or otherwise in the case of a public health emergency declared by the Secretary of Health and Human Services pursuant to section 319 of the Public Health Service Act.

**Sec. 199995. Access to Information from Institutions of Higher Education.** This section would clarify that colleges and universities are permitted to provide the Census Bureau information about students living on campus for purposes of responding to the 2020 Census. With many colleges closed due to the coronavirus outbreak, this section would ensure that the Census Bureau will still be able to get an accurate count of students by receiving information directly from schools. This section would require schools to provide ten days of public notice and an opportunity for students to opt-out before transmitting this information. This section would apply only to the 2020 Census.

**Sec. 199996. State Stabilization Fund** – \$200 billion to provides States, territories and tribes with funding to cover revenue lost because of coronavirus. The funding will be provided in two tranches, with the first tranche immediate and the second to follow based on unemployment rates or on July 1, whichever trigger is hit first. Of the funding in the first tranche, \$10 billion is set aside for tribes, \$1 billion for territories, and \$2.5 billion for small states.