

116TH CONGRESS
2D SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Interim Emergency
5 COVID–19 Relief Act”.

6 **SEC. 2. REFERENCES.**

7 Except as expressly provided otherwise, any reference
8 to “this Act” contained in any division of this Act shall
9 be treated as referring only to the provisions of that divi-
10 sion.

1 **DIVISION A—PAYCHECK PRO-**
2 **TECTION PROGRAM IN-**
3 **CREASE ACT OF 2020**

4 **SEC. 101. SHORT TITLE.**

5 This division may be cited as the “Paycheck Protec-
6 tion Program Increase Act of 2020”.

7 **SEC. 102. DIRECT APPROPRIATION FOR THE PAYCHECK**
8 **PROTECTION PROGRAM.**

9 There is appropriated, out of amounts in the Treas-
10 ury not otherwise appropriated, for the fiscal year ending
11 September 30, 2020, to remain available until September
12 30, 2021, for an additional amount \$185,000,000,000
13 under the heading “Small Business Administration—
14 Business Loans Program Account, CARES Act” for the
15 cost of guaranteed loans as authorized under paragraph
16 (36) of section 7(a) of the Small Business Act (15 U.S.C.
17 636(a)), as added by section 1102(a) of the CARES Act
18 (Public Law 116–136).

19 **SEC. 103. AMENDMENTS TO THE PAYCHECK PROTECTION**
20 **PROGRAM.**

21 (a) **IN GENERAL.**—Section 7(a)(36) of the Small
22 Business Act (15 U.S.C. 636(a)(36)) is amended—

23 (1) in subparagraph (A)—

24 (A) in clause (viii), by striking “and” at
25 the end;

1 (B) in clause (ix), by striking the period at
2 the end and inserting a semicolon; and

3 (C) by adding at the end the following:

4 “(ix) the term ‘covered agricultural
5 enterprise’ has the meaning given in sec-
6 tion 18(b);

7 “(x) the term ‘Bank Secrecy Act’
8 means—

9 “(I) section 21 of the Federal
10 Deposit Insurance Act (12 U.S.C.
11 1829b);

12 “(II) chapter 2 of title I of Pub-
13 lic Law 91–508 (12 U.S.C. 1951 et
14 seq.); and

15 “(III) subchapter II of chapter
16 53 of title 31, United States Code;

17 “(xi) the term ‘community develop-
18 ment financial institution’ has the meaning
19 given that term under section 103 of the
20 Riegle Community Development and Regu-
21 latory Improvement Act of 1994 (12
22 U.S.C. 4702));

23 “(xii) the term ‘community financial
24 institutions’ means—

1 “(I) a community development fi-
2 nancial institution;

3 “(II) a minority depository insti-
4 tution (as defined in section 308 of
5 the Financial Institutions Reform, Re-
6 covery, and Enforcement Act of 1989
7 (12 U.S.C. 1463 note));

8 “(III) a certified development
9 company (as defined under title V of
10 the Small Business Investment Act of
11 1958 (15 U.S.C. 695 et seq.)); and

12 “(IV) an intermediary (as de-
13 fined in section 7(m)(11) of this Act);

14 “(xiii) the term ‘credit union’ means a
15 State credit union or a Federal credit
16 union, as such terms are defined, respec-
17 tively, under section 101 of the Federal
18 Credit Union Act; and

19 “(xiv) the term ‘non-bank CDFI’
20 means a community development financial
21 institution that is not an insured deposi-
22 tory institution or insured credit union.”;

23 (2) in subparagraph (D), by inserting “covered
24 agricultural enterprise,” after “veterans organiza-
25 tion,” each place it appears; and

1 (3) by adding at the end the following:

2 “(S) SET-ASIDE FOR COMMUNITY FINAN-
3 CIAL INSTITUTIONS.—

4 “(i) COMMUNITY FINANCIAL INSTITU-
5 TIONS.—In making loan guarantees under
6 this paragraph, the Administrator shall
7 guarantee not less than \$15,000,000,000
8 in loans made by—

9 “(I) community financial institu-
10 tions;

11 “(II) insured depository institu-
12 tions with consolidated assets of less
13 than \$50,000,000,000; and

14 “(III) credit unions with consoli-
15 dated assets of less than
16 \$50,000,000,000.

17 “(ii) SMALL COMMUNITY FINANCIAL
18 INSTITUTIONS.—In making loan guaran-
19 tees under this paragraph, the Adminis-
20 trator shall guarantee not less than
21 \$45,000,000,000 in loans made by—

22 “(I) community financial institu-
23 tions;

1 “(II) insured depository institu-
2 tions with consolidated assets of less
3 than \$10,000,000,000; and

4 “(III) credit unions with consoli-
5 dated assets of less than
6 \$10,000,000,000.

7 “(T) NON-BANK CDFIS.—The Secretary of
8 the Treasury and the Administrator shall
9 amend any rules or guidance issued to carry
10 out this paragraph to specify that a non-bank
11 CDFI does not have to go through a
12 reverification of information about an existing
13 customer for purposes of the Bank Secrecy Act,
14 if the non-bank CDFI has maintained an ongo-
15 ing financial relationship with the customer for
16 the previous 24 months that is well docu-
17 mented, and there is no need for further due
18 diligence based on the non-bank CDFI’s risk-
19 based approach to Bank Secrecy Act compli-
20 ance.

21 “(U) APPLICATION INFORMATION.—

22 “(i) IN GENERAL.—The Administrator
23 shall ensure that any form required by the
24 Administrator to be used in applying for a
25 covered loan complies with the following:

1 “(I) APPLICANT OWNERSHIP.—

2 In the case of an applicant (other
3 than an individual), the form requires
4 the applicant to list all individuals
5 who own 25 percent or more of the
6 equity of the applicant.

7 “(II) PROOF OF IDENTIFICA-

8 TION.—In the case of each individual
9 who own 25 percent or more of the
10 equity of the applicant, the form re-
11 quires the applicant to provide at
12 least one current, unexpired govern-
13 ment issued proof of identification for
14 such individual, which may include a
15 United States driver’s license, an
16 identification card issued by a State
17 or territory of the United States, a
18 United States permanent resident
19 card, a United States alien registra-
20 tion card, or any valid passport. El-
21 derly or disabled persons may present
22 a health insurance card or current
23 utility bill with proof of current ad-
24 dress.

1 “(FF) State, City, or
2 County issued Business or
3 Professional License.

4 “(GG) Association
5 Charter Papers or Organiza-
6 tional Minutes.

7 “(HH) IRS Certifi-
8 cation of Accuracy or IRS
9 EIN Letter.

10 “(II) Certificate of Sole
11 Proprietorship (Sole Prop).

12 “(JJ) Fictitious or As-
13 sumed Name Certificate or
14 documentation of Applica-
15 tion.

16 “(KK) Certified Trade
17 Name Certificate or docu-
18 mentation of Application.

19 “(LL) If DBA, a Ficti-
20 tious Name or assumed
21 name Certificate is required
22 in addition to at least ONE
23 other document herein

1 “(bb) For a non-profit: One
2 item described under item (aa)
3 and one of the following:

4 “(AA) IRS Form 1023
5 or 1023–EZ tax-exemption
6 application.

7 “(BB) Signed Organi-
8 zational Minutes.

9 “(CC) Organizational
10 Resolution.

11 “(DD) IRS Letter
12 (TIN Verification).

13 “(EE) Organizational
14 Charter.

15 “(FF) Bylaws.

16 “(cc) For a sole proprietor-
17 ship: A Fictitious or Assumed
18 Name Certificate or documenta-
19 tion of Application and one of the
20 following:

21 “(AA) United States
22 driver’s license.

23 “(BB) Identification
24 card issued by a State or

1 territory of the United
2 States.

3 “(CC) United States
4 permanent resident card.

5 “(DD) United States
6 alien registration card.

7 “(EE) United States
8 passport.

9 “(IV) VERIFICATION OF CON-
10 TROL.—In the case of an applicant
11 that is a legal entity, the form re-
12 quires the applicant to provide identi-
13 fying information for at least one indi-
14 vidual with significant responsibility
15 for managing or directing the legal
16 entity, such as an executive officer or
17 senior manager (e.g., Chief Executive
18 Officer, Chief Financial Officer, Chief
19 Operating Officer, Managing Member,
20 General Partner, President, Vice
21 President, or Treasurer) or any other
22 individual who regularly performs
23 similar functions.

24 “(ii) TREATMENT OF OLD FORMS.—

1 “(I) IN GENERAL.—If a lender
2 receives an application using an old
3 form, the lender may process the cov-
4 ered loan using the old form and a
5 lender may not be held liable for using
6 an old form instead of a form that
7 complies with the requirements of
8 clause (i).

9 “(II) OLD FORM DEFINED.—In
10 this clause, the term ‘old form’ means
11 a form to be used in applying for a
12 covered loan that was required by the
13 Administrator before the date of en-
14 actment of this subparagraph.

15 “(V) SATISFACTION OF CERTAIN BANK SE-
16 CRETACY ACT REQUIREMENTS.—The certification
17 by an applicant for a covered loan of the ‘pur-
18 pose’ of the loan shall satisfy the ‘nature and
19 purpose’ of the Customer Due Diligence re-
20 quirements under the Bank Secrecy Act for
21 purposes of the lender of the covered loan, but
22 solely applied to the covered loan itself.”.

23 (b) DELEGATED AUTHORITY.—Section
24 7(a)(36)(F)(ii) of the Small Business Act (15 U.S.C.
25 636(a)(36)(F)(ii)) is amended—

1 (1) by redesignating subclause (II) as subclause
2 (III); and

3 (2) by inserting after subclause (I) the fol-
4 lowing new subclause:

5 “(III) COMMUNITY FINANCIAL
6 INSTITUTIONS.—Community financial
7 institutions are authorized to make
8 loans under this paragraph and shall
9 be deemed to have been delegated au-
10 thority by the Administrator to make
11 and approve covered loans, subject to
12 the provisions of this paragraph.”.

13 **SEC. 104. INCLUSION OF AGRICULTURAL ENTERPRISES IN**
14 **EMERGENCY EIDL GRANTS.**

15 Section 1110(a)(2) of the CARES Act (Public Law
16 116–136) is amended—

17 (1) in subparagraph (D), by striking “or” at
18 the end;

19 (2) in subparagraph (E), by striking the period
20 at the end and inserting “; or”; and

21 (3) by adding at the end the following new sub-
22 paragraph:

23 “(F) an agricultural enterprise (as defined
24 in section 18(b) of the Small Business Act (15

1 U.S.C. 647(b)(1))) with not more than 500 em-
2 ployees.”.

3 **SEC. 105. LOAN AMOUNT FOR THE PAYCHECK PROTECTION**
4 **PROGRAM.**

5 Section 7(a)(36)(E) of the Small Business Act (15
6 U.S.C. 636(a)(36)(E)) is amended by striking “2.5” each
7 place it appears and inserting “3.0”.

8 **SEC. 106. COMMITMENTS FOR 7(A) LOANS.**

9 Section 1102(b) of the CARES Act (Public Law 116–
10 136)is amended by striking “June 30, 2020” and all that
11 follows through the period at the end and inserting “June
12 30, 2020, the amount authorized for commitments for
13 loans made under paragraph (36) of section 7(a) of the
14 Small Business Act, as added by subsection (a), shall be
15 \$534,000,000,000.”.

16 **SEC. 107. BUDGETARY EFFECTS.**

17 (a) IN GENERAL.—The amounts provided under this
18 division, division C, and each succeeding division are des-
19 ignated as an emergency requirement pursuant to section
20 4(g) of the Statutory Pay-As-You-Go Act of 2010.

21 (b) DESIGNATION IN THE SENATE.—In the Senate,
22 this division, division C, and each succeeding division are
23 designated as emergency requirements pursuant to section
24 4112(a) of H. Con. Res. 71 (115th Congress), the concur-
25 rent resolution on the budget for fiscal year 2018.

1 **DIVISION B—EMERGENCY APPROPRIA-**
2 **TIONS FOR SMALL BUSINESS AND**
3 **HOSPITAL RECOVERY**

4 The following sums are hereby appropriated, out of
5 any money in the Treasury not otherwise appropriated,
6 for the fiscal year ending September 30, 2020, and for
7 other purposes, namely:

8 **TITLE I**

9 **OTHER INDEPENDENT AGENCIES**

10 **SMALL BUSINESS ADMINISTRATION**

11 **DISASTER LOANS PROGRAM ACCOUNT**

12 For an additional amount for “Disaster Loans Pro-
13 gram Account” for the cost of direct loans authorized by
14 section 7(b) of the Small Business Act, including for the
15 cost of emergency EIDL grants authorized by section
16 1110 division A of the CARES Act (Public Law 116–136),
17 \$65,000,000,000, to remain available until expended: *Pro-*
18 *vided*, That up to \$15,000,000,000 of the amounts pro-
19 vided under this heading in this Act shall be for the cost
20 of emergency EIDL grants authorized by section 1110 of
21 the CARES Act (Public Law 116–136): *Provided further*,
22 That up to \$1,000,000,000 of the amounts provided under
23 this heading in this Act may be transferred to and merged
24 with “Small Business Administration—Salaries and Ex-
25 penses”: *Provided further*, That such amount is designated

1 by the Congress as being for an emergency requirement
2 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
3 et and Emergency Deficit Control Act of 1985.

4 TITLE II

5 DEPARTMENT OF HEALTH AND HUMAN

6 SERVICES

7 OFFICE OF THE SECRETARY

8 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

9 FUND

10 For an additional amount for “Public Health and So-
11 cial Services Emergency Fund”, \$100,000,000,000, to re-
12 main available until expended, to prevent, prepare for, and
13 respond to coronavirus, domestically or internationally, for
14 necessary expenses to reimburse, through grants or other
15 mechanisms, eligible health care providers for health care
16 related expenses or lost revenues that are attributable to
17 coronavirus: *Provided*, That these funds may not be used
18 to reimburse expenses or losses that have been reimbursed
19 from other sources or that other sources are obligated to
20 reimburse: *Provided further*, That recipients of payments
21 under this paragraph shall submit reports and maintain
22 documentation as the Secretary determines are needed to
23 ensure compliance with conditions that are imposed by
24 this paragraph for such payments, and such reports and
25 documentation shall be in such form, with such content,

1 and in such time as the Secretary may prescribe for such
2 purpose: *Provided further*, That “eligible health care pro-
3 viders” means public entities, Medicare or Medicaid en-
4 rolled suppliers and providers, and such for-profit entities
5 and not-for-profit entities not otherwise described in this
6 proviso as the Secretary may specify, within the United
7 States (including territories), that provide diagnoses, test-
8 ing, or care for individuals with possible or actual cases
9 of COVID–19: *Provided further*, That the Secretary of
10 Health and Human Services shall, on a rolling basis, re-
11 view applications and make payments under this para-
12 graph in this Act: *Provided further*, That funds appro-
13 priated under this paragraph in this Act shall be available
14 for building or construction of temporary structures, leas-
15 ing of properties, medical supplies and equipment includ-
16 ing personal protective equipment and testing supplies, in-
17 creased workforce and trainings, emergency operation cen-
18 ters, retrofitting facilities, and surge capacity: *Provided*
19 *further*, That, in this paragraph, the term “payment”
20 means a pre-payment, prospective payment, or retrospec-
21 tive payment, as determined appropriate by the Secretary:
22 *Provided further*, That payments under this paragraph
23 shall be made in consideration of the most efficient pay-
24 ment systems practicable to provide emergency payment:
25 *Provided further*, That to be eligible for a payment under

1 this paragraph, an eligible health care provider shall sub-
2 mit to the Secretary of Health and Human Services an
3 application that includes a statement justifying the need
4 of the provider for the payment and the eligible health
5 care provider shall have a valid tax identification number:
6 *Provided further*, That, not later than 3 years after final
7 payments are made under this paragraph, the Office of
8 Inspector General of the Department of Health and
9 Human Services shall transmit a final report on audit
10 findings with respect to this program to the Committees
11 on Appropriations of the House of Representatives and the
12 Senate: *Provided further*, That nothing in this section lim-
13 its the authority of the Inspector General or the Comp-
14 troller General to conduct audits of interim payments at
15 an earlier date: *Provided further*, That not later than 60
16 days after the date of enactment of this Act, the Secretary
17 of Health and Human Services shall provide a report to
18 the Committees on Appropriations of the House of Rep-
19 resentatives and the Senate on obligation of funds, includ-
20 ing obligations to such eligible health care providers sum-
21 marized by State of the payment receipt: *Provided further*,
22 That such reports shall be updated and submitted to such
23 Committees every 60 days until funds are expended: *Pro-*
24 *vided further*, That such amount is designated by the Con-
25 gress as being for an emergency requirement pursuant to

1 section 251(b)(2)(A)(i) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 TITLE III—GENERAL PROVISIONS—THIS
4 DIVISION

5 SEC. 201. Each amount appropriated or made avail-
6 able by this Act is in addition to amounts otherwise appro-
7 priated for the fiscal year involved.

8 SEC. 202. No part of any appropriation contained in
9 this Act shall remain available for obligation beyond the
10 current fiscal year unless expressly so provided herein.

11 SEC. 203. Unless otherwise provided for by this Act,
12 the additional amounts appropriated by this Act to appro-
13 priations accounts shall be available under the authorities
14 and conditions applicable to such appropriations accounts
15 for fiscal year 2020.

16 SEC. 204. Each amount designated in this Act by the
17 Congress as being for an emergency requirement pursuant
18 to section 251(b)(2)(A)(i) of the Balanced Budget and
19 Emergency Deficit Control Act of 1985 shall be available
20 (or rescinded or transferred, if applicable) only if the
21 President subsequently so designates all such amounts
22 and transmits such designations to the Congress.

23 SEC. 205. Any amount appropriated by this Act, des-
24 ignated by the Congress as an emergency requirement
25 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-

1 et and Emergency Deficit Control Act of 1985 and subse-
2 quently so designated by the President, and transferred
3 pursuant to transfer authorities provided by this Act shall
4 retain such designation.

5 SEC. 206. Not later than 14 days after the date of
6 the enactment of this Act, the Secretary of Health and
7 Human Services, in coordination with the Federal Emer-
8 gency Management Agency, and in collaboration with
9 other agencies and departments, as appropriate, shall sub-
10 mit to the Committees on Appropriations of the House
11 and Senate, the Committee on Energy and Commerce of
12 the House of Representatives, the Committee on Health,
13 Education, Labor, and Pensions of the Senate, and other
14 relevant congressional committees, as appropriate, a for-
15 mal strategy for COVID–19 diagnostic and serological
16 testing in the United States, and implementation of such
17 testing strategy in the United States, and communicate
18 such strategy to State, local, territorial, and tribal health
19 departments, including relevant public health, laboratory,
20 healthcare and industry partners, and other stakeholders:
21 *Provided*, That such strategy shall be updated every 30
22 days until the end of the COVID–19 public health emer-
23 gency first declared by the Secretary on January 31,
24 2020: *Provided further*, That such strategy shall include:

1 (1) A plan to increase domestic testing capacity
2 to a level that is sufficient to monitor and contribute
3 to the control of the transmission of SARS–CoV–2
4 in the United States; ensure that any reduction in
5 social distancing efforts, when determined appro-
6 priate by public health officials, can be undertaken
7 in a manner that optimizes the health and safety of
8 the people of the United States; and reduce dispari-
9 ties (including disparities related to race, ethnicity,
10 sex, age, disability status, socioeconomic status, and
11 geographic location) in the prevalence of, incidence
12 of, and health outcomes with respect to, COVID–19.

13 (2) A description of what level, types of, and
14 approaches to testing are necessary to sufficiently
15 monitor SARS–CoV–2 in the United States, ensure
16 that any reduction in social distancing efforts, when
17 deemed appropriate by public health officials, can be
18 undertaken in a manner that optimizes the health
19 and safety of Americans, reduce racial and ethnic
20 disparities (including disparities related to race, eth-
21 nicity, sex, age, disability status, socioeconomic sta-
22 tus, and geographic location) in the prevalence, inci-
23 dence and health outcomes of COVID–19, and spe-
24 cific benchmarks for achieving such level, types of,
25 and approaches to testing;

1 (3) Specific plans and benchmarks to ensure—

2 (A) sufficient availability of all necessary
3 testing materials and supplies, including extrac-
4 tion and testing kits, reagents, transport media,
5 swabs, instruments, analysis equipment, per-
6 sonal protective equipment for testing, if nec-
7 essary, and other equipment;

8 (B) allocation of testing materials and sup-
9 plies in a manner that optimizes public health,
10 including by considering the variable impact of
11 SARS–CoV–2 on specific States, Territories,
12 Tribes, communities, industries, and profes-
13 sions;

14 (C) sufficient evidence of validation for
15 tests that are deployed as a part of such strat-
16 egy;

17 (D) sufficient public health personnel, in-
18 cluding personnel to collect testing samples,
19 conduct and analyze testing, and conduct con-
20 tact tracing, as appropriate; and

21 (E) public reporting regarding testing, in-
22 cluding numbers of tests performed, racial and
23 demographic data related to tests performed,
24 results of tests performed, and the location of
25 tests performed;

1 (4) Specific plans to ensure adequate testing in
2 rural areas, frontier areas, health professional short-
3 age areas, and medically underserved areas;

4 (5) Specific plans to ensure adequate testing of
5 medically underserved populations or Native Ameri-
6 cans, including Indian tribes, urban Indians, or trib-
7 al organizations, and populations at increased risk
8 related to COVID–19; and

9 (6) Specific plans for broadly developing and
10 implementing serological testing in the U.S. in a
11 manner sufficient to monitor SARS–CoV–2 in the
12 United States, ensure that any reduction in social
13 distancing efforts, when deemed appropriate by pub-
14 lic health officials, can be undertaken in a manner
15 that optimizes the health and safety of Americans,
16 and reduce racial and ethnic disparities (including
17 disparities related to race, ethnicity, sex, age, dis-
18 ability status, socioeconomic status, and geographic
19 location) in the prevalence, incidence and health out-
20 comes of COVID–19.

21 SEC. 207. Not later than May 15, the Secretary of
22 Health and Human Services, in coordination with the Cen-
23 ters for Disease Control and Prevention (“CDC”), shall
24 issue a report on the demographic characteristics, includ-
25 ing race, ethnicity, age, and sex, of individuals diagnosed

1 with COVID–19: *Provided*, That such report shall include
2 information on the number of cases, hospitalizations, and
3 deaths as a result of COVID–19: *Provided further*, That
4 such report shall include, as appropriate, demographic
5 data and information collected by State, local, tribal, or
6 territorial departments of public health: *Provided further*,
7 That such report shall detail, to the extent possible,
8 whether the diagnoses, hospitalizations, or deaths are sole-
9 ly attributable to COVID–19: *Provided further*, That the
10 Secretary and the Director of the CDC may consult with
11 State, local, tribal, or territorial departments of public
12 health, public health entities, health care entities, aca-
13 demic institutions, or other entities, as appropriate: *Pro-*
14 *vided further*, That the Secretary and the Director of the
15 CDC shall collaborate with State, local, tribal or territorial
16 health departments to improve the collection of such de-
17 mographic data: *Provided further*, That such report shall
18 be updated and submitted to the Committees on Appro-
19 priations of the House and Senate, and the Committee on
20 Energy and Commerce of the House of Representatives
21 and the Committee on Health, Education, Labor, and
22 Pensions of the Senate, every 30 days until the end of
23 the COVID–19 public health emergency first declared by
24 the Secretary on January 31, 2020: *Provided further*, That
25 not later than 180 days after the date of enactment of

1 this Act, the Secretary shall issue a comprehensive report
2 on the difference in the number of positive diagnoses, hos-
3 pitalizations, and deaths as a result of COVID–19,
4 disaggregated by race, ethnicity, age, and sex, and an
5 analysis of any variances of positive diagnoses, hospitaliza-
6 tions, and deaths by demographic characteristic, and pro-
7 vide policy recommendations to reduce disparities related
8 to COVID–19.

9 SEC. 208. (a) The last proviso under the heading
10 “Election Assistance Commission—Election Security
11 Grants” in the Financial Services and General Govern-
12 ment Appropriations Act, 2020 (division C of Public Law
13 116–93; 133 Stat. 2461) shall not apply with respect to
14 any payment made to a State using funds appropriated
15 or otherwise made available to the Election Assistance
16 Commission under the Coronavirus Aid, Relief, and Eco-
17 nomic Security Act (Public Law 116–136).

18 (b) The first proviso under the heading “Election As-
19 sistance Commission—Election Security Grants” in the
20 Coronavirus Aid, Relief, and Economic Security Act (Pub-
21 lic Law 116–136) is amended by striking “within 20 days
22 of each election in the 2020 Federal election cycle in that
23 State,” and inserting “not later than October 30, 2021,”.

24 (c) The fourth proviso under the heading “Election
25 Assistance Commission—Election Security Grants” in the

1 Coronavirus Aid, Relief, and Economic Security Act (Pub-
2 lic Law 116–136) is amended by striking “December 31,
3 2020” and inserting “September 30, 2021”.

4 (d) Notwithstanding any requirement that a State
5 legislature appropriate and release any funds made avail-
6 able under the Help America Vote Act of 2002, the chief
7 election official of each State shall have access to the funds
8 made available under the heading “Election Assistance
9 Commission—Election Security Grants” in the
10 Coronavirus Aid, Relief, and Economic Security Act (Pub-
11 lic Law 116–136) without any such action by the State
12 legislature.

13 (e) A State may elect to reallocate funds allocated
14 under the heading “Election Assistance Commission—
15 Election Security Grants” in the Coronavirus Aid, Relief,
16 and Economic Security Act (Public Law 116–136) as
17 funds allocated under the heading “Election Assistance
18 Commission—Election Security Grants” in the Financial
19 Services and General Government Appropriations Act,
20 2020 (division C of Public Law 116–93; 133 Stat. 2461)
21 that were spent to prevent, prepare for, and respond to
22 coronavirus, domestically or internationally, for the 2020
23 Federal election cycle; or funds allocated under the head-
24 ing “Election Assistance Commission—Election Reform
25 Program” in the Financial Services and Government Ap-

1 appropriations Act, 2018 (division E of Public Law 115–
2 141) that were spent to prevent, prepare for, and respond
3 to coronavirus, domestically or internationally, for the
4 2020 Federal election cycle.

5 (f) This section shall take effect as if included in the
6 enactment of the Coronavirus Aid, Relief, and Economic
7 Security Act (Public Law 116–136).

8 (g) The amounts repurposed in this section that were
9 previously designated by the Congress as an emergency
10 requirement pursuant to the Balanced Budget and Emer-
11 gency Deficit Control Act of 1985 are designated by the
12 Congress as an emergency requirement pursuant to sec-
13 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985.

15 BUDGETARY EFFECTS

16 SEC. 209. (a) STATUTORY PAYGO SCORECARDS.—
17 The budgetary effects of this division shall not be entered
18 on either PAYGO scorecard maintained pursuant to sec-
19 tion 4(d) of the Statutory Pay-As-You-Go Act of 2010.

20 (b) SENATE PAYGO SCORECARDS.—The budgetary
21 effects of this division shall not be entered on any PAYGO
22 scorecard maintained for purposes of section 4106 of H.
23 Con. Res. 71 (115th Congress).

24 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
25 Notwithstanding Rule 3 of the Budget Scorekeeping
26 Guidelines set forth in the joint explanatory statement of

1 the committee of conference accompanying Conference Re-
2 port 105–217 and section 250(c)(7) and (c)(8) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985,
4 the budgetary effects of this division shall be estimated
5 for purposes of section 251 of such Act.

6 (d) ENSURING NO WITHIN-SESSION SEQUESTRA-
7 TION.—Solely for the purpose of calculating a breach with-
8 in a category for fiscal year 2020 pursuant to section
9 251(a)(6) or section 254(g) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985, and notwith-
11 standing any other provision of this division, the budg-
12 etary effects from this division shall be counted as
13 amounts designated as being for an emergency require-
14 ment pursuant to section 251(b)(2)(A) of such Act.

15 This division may be cited as the “Emergency Appro-
16 priations for Small Business and Hospital Recovery”.

17 **DIVISION C—ADDITIONAL**
18 **CORONAVIRUS RELIEF FUND**

19 **SEC. 301. ENHANCED FUNDING FOR CORONAVIRUS RELIEF**
20 **FOR STATES, TRIBAL GOVERNMENTS, AND**
21 **MUNICIPAL AND COUNTY GOVERNMENTS.**

22 (a) IN GENERAL.—Title VI of the Social Security Act
23 (42 U.S.C. 801 et seq.) is amended by adding at the end
24 the following:

1 **“SEC. 602. ENHANCED FUNDING FOR CORONAVIRUS RE-**
2 **LIEF FOR STATES, TRIBAL GOVERNMENTS,**
3 **AND MUNICIPAL AND COUNTY GOVERN-**
4 **MENTS.**

5 “(a) APPROPRIATION.—

6 “(1) IN GENERAL.—Out of any money in the
7 Treasury of the United States not otherwise appro-
8 priated, there are appropriated for making payments
9 under this section to States, Tribal governments,
10 and municipal and county governments,
11 \$150,000,000,000 for fiscal year 2020. Funds ap-
12 propriated under this paragraph and paid in accord-
13 ance with this section shall be in addition to the
14 funds appropriated under subsection (a) of section
15 601 and paid to States, Tribal governments, and
16 units of local government under that section.

17 “(2) RESERVATION OF FUNDS.—Of the amount
18 appropriated under paragraph (1), the Secretary
19 shall reserve—

20 “(A) \$3,000,000,000 of such amount for
21 making payments to the Commonwealth of
22 Puerto Rico, the United States Virgin Islands,
23 Guam, the Commonwealth of the Northern
24 Mariana Islands, and American Samoa;

25 “(B) \$8,000,000,000 of such amount for
26 making payments to Tribal governments; and

1 “(C) \$53,550,000,000 of such amount for
2 making payments to municipal and county gov-
3 ernments.

4 “(b) RULES GOVERNING THE DISTRIBUTION OF EN-
5 HANCED FUNDING.—The amount appropriated under
6 subsection (a) shall be allotted and paid to States, Tribal
7 governments, and municipal and county government in ac-
8 cordance with the succeeding provisions of this section and
9 shall be subject to the same requirements applicable to
10 the amounts paid under section 601, subject to the fol-
11 lowing:

12 “(1) SHORTENED DEADLINE FOR PAYMENTS.—
13 Subsection (b)(1) of section 601 shall apply to the
14 payments made under this section by substituting
15 ‘15 days’ for ‘30 days’.

16 “(2) PAYMENTS.—The amount paid under this
17 section to a State that is 1 of the 50 States or the
18 District of Columbia shall be the sum of—

19 “(A) the relative population proportion
20 amount determined for the State under para-
21 graph (3) of this subsection; and

22 “(B) the relative infection rate proportion
23 amount determined for the State under para-
24 graph (4) of this subsection.

1 “(3) RELATIVE POPULATION PROPORTION
2 AMOUNT.—

3 “(A) IN GENERAL.—Subject to subpara-
4 graph (B), the relative population proportion
5 amount for a State that is 1 of the 50 States
6 or the District of Columbia is the product of—

7 “(i) \$65,450,000,000; and

8 “(ii) the relative State population pro-
9 portion as determined under section
10 601(c)(4), except that, in applying such
11 section for purposes of this paragraph, the
12 District of Columbia shall be included in
13 the total population of all States.

14 “(B) MINIMUM PAYMENT.—

15 “(i) IN GENERAL.—The relative popu-
16 lation proportion amount determined for
17 any State that is 1 of the 50 States or the
18 District of Columbia shall not be less than
19 \$500,000,000.

20 “(ii) PRO RATA ADJUSTMENTS.—The
21 Secretary shall adjust on a pro rata basis
22 the relative population proportion amounts
23 determined under this paragraph to the ex-
24 tent necessary to comply with the require-
25 ment of clause (i).

1 “(4) RELATIVE INFECTION RATE PROPORTION
2 AMOUNT.—With respect to a State that is 1 of the
3 50 States or the District of Columbia, the relative
4 infection rate proportion amount is the product of—

5 “(A) \$20,000,000,000; and

6 “(B) the quotient of—

7 “(i) the coronavirus infection rate de-
8 termined for the State; and

9 “(ii) the sum of the coronavirus infec-
10 tion rates determined for all such States.

11 “(5) DIRECT PAYMENTS TO MUNICIPAL AND
12 COUNTY GOVERNMENTS.—

13 “(A) DISTRIBUTION BASED ON CDBG AL-
14 LOCATIONS TO MUNICIPAL AND COUNTY GOV-
15 ERNMENTS.—The Secretary shall distribute the
16 amount reserved under subsection (a)(2)(C) di-
17 rectly to municipal and county governments
18 that received allocations under section 106 of
19 the Housing and Community Development Act
20 of 1974 (42 U.S.C. 5306) for fiscal year 2020
21 pursuant to the same formula used to make
22 such allocations under that section for such fis-
23 cal year.

24 “(B) CERTIFICATION OF USE OF FUNDS.—

25 Subsection (e) of section 601 shall apply to pay-

1 ments to municipal and county governments
2 under this section in the same manner as that
3 subsection applies to payments to units of local
4 governments under section 601.

5 “(C) NONAPPLICATION OF OTHER SECTION
6 601 PROVISIONS RELATING TO UNITS OF LOCAL
7 GOVERNMENT.—Subsections (b)(2), (c)(5), and
8 (g)(2) shall not apply to payments to municipal
9 and county governments under this section.

10 “(6) PAYMENTS TO TERRITORIES.—The
11 amount paid under this section to the Common-
12 wealth of Puerto Rico, the United States Virgin Is-
13 lands, Guam, the Commonwealth of the Northern
14 Mariana Islands, or American Samoa, shall be the
15 amount equal to the product of—

16 “(A) the amount set aside under sub-
17 section (a)(2)(A); and

18 “(B) each such territory’s share of the
19 combined total population of all such territories,
20 as determined by the Secretary.

21 “(7) PAYMENTS TO TRIBAL GOVERNMENTS.—
22 The amounts paid under this section to Tribal gov-
23 ernments from the amount set aside under sub-
24 section (a)(2)(B) shall be determined in the same

1 manner as the amounts paid to Tribal governments
2 under section 601(c)(7).

3 “(8) DATA.—Section 601(c)(8) shall apply to
4 the determinations of the payment amounts under
5 this section except that, for purposes of determining
6 the relative infection rate proportion amounts under
7 paragraph (4), the Secretary shall use the most re-
8 cently daily updated data on the number of COVID–
9 19 cases published on the Internet by the Centers
10 for Disease Control and Prevention.

11 “(c) APPLICATION OF OTHER PROVISIONS.—The
12 amounts paid under this section shall be subject to—

13 “(1) the use of funds, certification, and over-
14 sight requirements of subsections (d), (e), and (f) of
15 section 601 in the same manner as such require-
16 ments apply to the amounts paid under that section;

17 “(2) the definitions of each paragraph of sec-
18 tion 601(g) other than paragraph (2) of that section;
19 and

20 “(3) the requirements contained in Public Law
21 116–94 for funds for programs authorized under
22 sections 330 through 340 of the Public Health Serv-
23 ice Act (42 U.S.C. 254 through 256).”.

24 (b) TECHNICAL CORRECTION.—Effective as if in-
25 cluded in the enactment of the Coronavirus Aid, Relief,

1 and Economic Security Act (Public Law 116–136), para-
2 graph (2) of section 601(d) of the Social Security Act,
3 as added by section 5001(a) of the Coronavirus Aid, Re-
4 lief, and Economic Security Act, is amended by striking
5 “for the State or government” and inserting “for the
6 State, Tribal government, or unit of local government
7 that, without the use of such funds, the State, Tribal gov-
8 ernment, or unit of local government would be unable to
9 provide because of decreased or delayed revenues during
10 the period that begins on March 1, 2020, and ends on
11 December 30, 2020”.

12 **SEC. 302. PROVIDING PAYMENT TO THE DISTRICT OF CO-**
13 **LUMBIA FROM CORONAVIRUS RELIEF FUND**
14 **EQUAL TO MINIMUM PAYMENT TO STATES.**

15 Notwithstanding section 601 of the Social Security
16 Act (as added by section 5001(a) of the Coronavirus Aid,
17 Relief, and Economic Security Act (Public Law 116–
18 136)), out of any money in the Treasury of the United
19 States not otherwise appropriated, there are appropriated
20 for an additional amount for payments to the District of
21 Columbia such sums as may be necessary to increase the
22 amount of the payment made to the District of Columbia
23 under subsection (c)(6) of such section 601 to
24 \$1,250,000,000.

1 **DIVISION D—SUPPLEMENTAL**
2 **NUTRITION ASSISTANCE PRO-**
3 **GRAM**

4 **SEC. 401. NUTRITION ASSISTANCE ALLOTMENT AMOUNT.**

5 (a) VALUE OF BENEFITS.—Notwithstanding any
6 other provision of law, beginning on May 1, 2020, the
7 value of benefits determined under section 8(a) of the
8 Food and Nutrition Act of 2008 (7 U.S.C. 2017(a)), and
9 consolidated block grants for Puerto Rico and American
10 Samoa determined under section 19(a) of such Act (7
11 U.S.C. 2028(a)), shall be calculated using 115 percent of
12 the June 2019 value of the thrifty food plan (as defined
13 in section 3 of such Act (7 U.S.C. 2012)) if the value of
14 the benefits and block grants would be greater under that
15 calculation than in the absence of this subsection.

16 (b) MINIMUM AMOUNT.—

17 (1) IN GENERAL.—The minimum value of bene-
18 fits determined under section 8(a) of the Food and
19 Nutrition Act of 2008 (7 U.S.C. 2017(a)) for a
20 household of not more than 2 members shall be \$30.

21 (2) EFFECTIVENESS.—Paragraph (1) shall re-
22 main in effect until the date on which 8 percent of
23 the value of the thrifty food plan for a household
24 containing 1 member, rounded to the nearest whole
25 dollar increment, is equal to or greater than \$30.

1 (c) REQUIREMENTS FOR THE SECRETARY.—In car-
2 rying out this section, the Secretary shall—

3 (1) consider the benefit increases described in
4 each of subsections (a) and (b) to be a “mass
5 change”;

6 (2) require a simple process for States to notify
7 households of the increase in benefits;

8 (3) not include any errors in the implementa-
9 tion of this section in the payment error rate cal-
10 culated under section 16(c) of the Food and Nutri-
11 tion Act of 2008 (7 U.S.C. 2025(c)); and

12 (4) disregard the additional amount of benefits
13 that a household receives as a result of this section
14 in determining the amount of overissuances under
15 section 13 of the Food and Nutrition Act of 2008
16 (7 U.S.C. 2022).

17 (d) PROVISIONS FOR IMPACTED WORKERS.—Not-
18 withstanding any other provision of law, the requirements
19 under subsections (d)(1)(A)(ii) and (o) of section 6 of the
20 Food and Nutrition Act of 2008 (7 U.S.C. 2015) shall
21 not be in effect during the period beginning on May 1,
22 2020, and ending 2 years after the date of enactment of
23 this Act.

24 (e) ADMINISTRATIVE EXPENSES.—

1 (1) IN GENERAL.—For the costs of State ad-
2 ministrative expenses associated with carrying out
3 this section and administering the supplemental nu-
4 trition assistance program established under the
5 Food and Nutrition Act of 2008 (7 U.S.C. 2011 et
6 seq.), the Secretary shall make available
7 \$150,000,000 for fiscal year 2020 and
8 \$150,000,000 for fiscal year 2021.

9 (2) TIMING FOR FISCAL YEAR 2020.—Not later
10 than 60 days after the date of the enactment of this
11 Act, the Secretary shall make available to States
12 amounts for fiscal year 2020 under paragraph (1).

13 (3) ALLOCATION OF FUNDS.—Funds described
14 in paragraph (1) shall be made available as grants
15 to State agencies for each fiscal year as follows:

16 (A) 75 percent of the amounts available
17 for each fiscal year shall be allocated to States
18 based on the share of each State of households
19 that participate in the supplemental nutrition
20 assistance program as reported to the Depart-
21 ment of Agriculture for the most recent 12-
22 month period for which data are available, ad-
23 justed by the Secretary (as of the date of the
24 enactment of this Act) for participation in dis-
25 aster programs under section 5(h) of the Food

1 and Nutrition Act of 2008 (7 U.S.C. 2014(h));
2 and

3 (B) 25 percent of the amounts available
4 for each fiscal year shall be allocated to States
5 based on the increase in the number of house-
6 holds that participate in the supplemental nu-
7 trition assistance program as reported to the
8 Department of Agriculture over the most recent
9 12-month period for which data are available,
10 adjusted by the Secretary (as of the date of the
11 enactment of this Act) for participation in dis-
12 aster programs under section 5(h) of the Food
13 and Nutrition Act of 2008 (7 U.S.C. 2014(h)).

14 (f) COMMONWEALTH OF THE NORTHERN MARIANA
15 ISLANDS.—There is hereby appropriated out of any money
16 in the Treasury not otherwise appropriated, for an addi-
17 tional amount for the Commonwealth of the Northern
18 Mariana Islands, \$1,822,200, to remain available until
19 September 30, 2021, for nutrition assistance to prevent,
20 prepare for, and respond to coronavirus.

21 (g) SNAP RULES.—No funds (including fees) made
22 available under this Act or any other Act for any fiscal
23 year may be used to finalize, implement, administer, en-
24 force, carry out, or otherwise give effect to—

1 (1) the final rule entitled “Supplemental Nutri-
2 tion Assistance Program: Requirements for Able-
3 Bodied Adults Without Dependents” published in
4 the Federal Register on December 5, 2019 (84 Fed.
5 Reg. 66782);

6 (2) the proposed rule entitled “Revision of Cat-
7 egorical Eligibility in the Supplemental Nutrition
8 Assistance Program (SNAP)” published in the Fed-
9 eral Register on July 24, 2019 (84 Fed.
10 Reg.35570); or

11 (3) the proposed rule entitled “Supplemental
12 Nutrition Assistance Program: Standardization of
13 State Heating and Cooling Standard Utility Allow-
14 ances” published in the Federal Register on October
15 3, 2019 (84 Fed. Reg. 52809).

16 (h) FUNDING.—There are hereby appropriated to the
17 Secretary of Agriculture, out of any money in the Treas-
18 ury not otherwise appropriated, such sums as may be nec-
19 essary to carry out this section.