

AMENDMENT TO THE COMMITTEE PRINT

OFFERED BY M__ . _____

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

1 **TITLE IV—COMMITTEE ON**
2 **FINANCIAL SERVICES**
3 **Subtitle A—Defense Production Act**
4 **of 1950**

5 **SEC. 4101. COVID-19 EMERGENCY MEDICAL SUPPLIES EN-**
6 **HANCEMENT.**

7 (a) SUPPORTING ENHANCED USE OF THE DEFENSE
8 PRODUCTION ACT OF 1950.—In addition to funds other-
9 wise available, there is appropriated, out of amounts in
10 the Treasury not otherwise appropriated, for fiscal year
11 2021, \$10,000,000,000, to remain available until Sep-
12 tember 30, 2025, to carry out titles I, III, and VII of the
13 Defense Production Act of 1950 (50 U.S.C. 4501 et seq.)
14 in accordance with subsection (b).

15 (b) MEDICAL SUPPLIES AND EQUIPMENT.—

16 (1) TESTING, PPE, VACCINES, AND OTHER MA-
17 TERIALS.—Except as provided in paragraph (2),
18 amounts appropriated in subsection (a) shall be used
19 for the purchase, production (including the construc-

1 tion, repair, and retrofitting of government-owned or
2 private facilities as necessary), or distribution of
3 medical supplies and equipment (including durable
4 medical equipment) related to combating the
5 COVID–19 pandemic, including—

6 (A) in vitro diagnostic products (as defined
7 in section 809.3(a) of title 21, Code of Federal
8 Regulations) for the detection of SARS-CoV-2
9 or the diagnosis of the virus that causes
10 COVID–19, and the reagents and other mate-
11 rials necessary for producing, conducting, or
12 administering such products, and the machin-
13 ery, equipment, laboratory capacity, or other
14 technology necessary to produce such products;

15 (B) face masks and personal protective
16 equipment, including face shields, nitrile gloves,
17 N–95 filtering facepiece respirators, and any
18 other masks or equipment (including durable
19 medical equipment) determined by the Sec-
20 retary of Health and Human Services to be
21 needed to respond to the COVID–19 pandemic,
22 and the materials, machinery, additional manu-
23 facturing lines or facilities, or other technology
24 necessary to produce such equipment; and

1 (C) drugs and devices (as those terms are
2 defined in the Federal Food, Drug, and Cos-
3 metic Act (21 U.S.C. 301 et seq.)) and biologi-
4 cal products (as that term is defined by section
5 351 of the Public Health Service Act (42
6 U.S.C. 262)) that are approved, cleared, li-
7 censed, or authorized under either of such Acts
8 for use in treating or preventing COVID–19
9 and symptoms related to COVID–19, and any
10 materials, manufacturing machinery, additional
11 manufacturing or fill-finish lines or facilities,
12 technology, or equipment (including durable
13 medical equipment) necessary to produce or use
14 such drugs, biological products, or devices (in-
15 cluding syringes, vials, or other supplies or
16 equipment related to delivery, distribution, or
17 administration).

18 (2) RESPONDING TO PUBLIC HEALTH EMER-
19 GENCIES.—After September 30, 2022, amounts ap-
20 propriated in subsection (a) may be used for any ac-
21 tivity authorized by paragraph (1), or any other ac-
22 tivity that the Secretary of Health and Human Serv-
23 ices determines to be necessary, to meet critical pub-
24 lic health needs of the United States, with respect
25 to any pathogen that the President has determined

1 has the potential for creating a public health emer-
2 gency.

3 (c) DELEGATION AUTHORITY.—For purposes of
4 using amounts appropriated in subsection (a), the Presi-
5 dent shall only delegate authority to—

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

9 (2) with respect to uses described under sub-
10 section (b)(1), the head of any other agency respon-
11 sible for responding to the COVID-19 pandemic if
12 the President determines that such delegation is im-
13 portant to an effective response to such pandemic;
14 and

15 (3) with respect to uses described under sub-
16 section (b)(2), the head of any other agency respon-
17 sible for responding to any pathogen with the poten-
18 tial for creating a public health emergency if the
19 President determines that such delegation is impor-
20 tant to an effective response to a public health emer-
21 gency that may be created by such pathogen.

22 (d) APPLICATION OF LIMITATIONS UNDER THE DE-
23 FENSE PRODUCTION ACT OF 1950.—The requirements
24 described in section 304(e) of the Defense Production Act

1 of 1950 (50 U.S.C. 4534(e)) shall not apply to the funds
2 appropriated in subsection (a) until September 30, 2025.

3 **Subtitle B—Housing Provisions**

4 **SEC. 4201. EMERGENCY RENTAL ASSISTANCE.**

5 (a) FUNDING.—

6 (1) APPROPRIATION.—In addition to amounts
7 otherwise available, there is appropriated to the Sec-
8 retary of the Treasury for fiscal year 2021, out of
9 any money in the Treasury not otherwise appro-
10 priated, \$19,050,000,000, for making payments to
11 eligible grantees under this section—

12 (2) RESERVATION OF FUNDS.—Of the amount
13 appropriated under paragraph (1), the Secretary
14 shall reserve—

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

20 2(B) \$30,000,000 for costs of the Sec-
21 retary for the administration of emergency
22 rental assistance programs and technical assist-
23 ance to recipients of any grants made by the
24 Secretary to provide financial and other assist-
25 ance to renters; and

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

4 (b) ALLOCATION FOR RENTAL AND UTILITY ASSIST-
5 ANCE.—

6 (1) ALLOCATION FOR STATES AND UNITS OF
7 LOCAL GOVERNMENT.—

8 (A) IN GENERAL.—The amount appro-
9 priated under paragraph (1) of subsection (a)
10 that remains after the application of paragraph
11 (2) of such subsection shall be allocated to eligi-
12 ble grantees described in subparagraphs (A)
13 and (B) of subsection (i)(1) in the same man-
14 ner as the amount appropriated under section
15 501 of subtitle A of title V of division N of the
16 Consolidated Appropriations Act, 2021 (Public
17 Law 116–260) is allocated to States and units
18 of local government under subsection (b)(1) of
19 such section, except that section 501(b) of such
20 subtitle A shall be applied—

21 (i) without regard to clause (i) of
22 paragraph (1)(A);

23 (ii) by deeming the amount appro-
24 priated under paragraph (1) of subsection
25 (a) of this Act that remains after the ap-

1 plication of paragraph (2) of such sub-
2 section to be the amount deemed to apply
3 for purposes of applying clause (ii) of sec-
4 tion 501(b)(1)(A) of such subtitle A;

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

8 (iv) in subclause (I) of such section
9 501(b)(1)(A)(v), by substituting “under
10 section [4201 of the Act entitled ‘[To be
11 added]’]” for “under this section”; and

12 (v) in subclause (II) of such section
13 501(b)(1)(A)(v), by substituting “local
14 government elects to receive funds from
15 the Secretary under section [4201 of the
16 Act entitled ‘[To be added]’] and will use
17 the funds in a manner consistent with such
18 section” for “local government’s proposed
19 uses of the funds are consistent with sub-
20 section (d)”.

21 (B) PRO RATA ADJUSTMENT.—The Sec-
22 retary shall make pro rata adjustments in the
23 amounts of the allocations determined under
24 subparagraph (A) of this paragraph for entities
25 described in such subparagraph as necessary to

1 ensure that the total amount of allocations
2 made pursuant to such subparagraph does not
3 exceed the remainder appropriated amount de-
4 scribed in such subparagraph.

5 (2) ALLOCATIONS FOR TERRITORIES.—The
6 amount reserved under subsection (a)(2)(A) shall be
7 allocated to eligible grantees described in subsection
8 (i)(1)(C) in the same manner as the amount appro-
9 priated under section 501(a)(2)(A) of subtitle A of
10 title V of division N of the Consolidated Appropria-
11 tions Act, 2021 (Public Law 116–260) is allocated
12 under section 501(b)(3) of such subtitle A to eligible
13 grantees under subparagraph (C) of such section
14 501(b)(3), except that section 501(b)(3) of such sub-
15 title A shall be applied—

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

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

25 (c) PAYMENT SCHEDULE.—

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

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

16 (d) USE OF FUNDS.—

17 (1) IN GENERAL.—An eligible grantee shall
18 only use the funds provided from payments made
19 under this section as follows:

20 (A) FINANCIAL ASSISTANCE.—

21 (i) IN GENERAL.—Subject to clause
22 (ii) of this subparagraph, funds received by
23 an eligible grantee from payments made
24 under this section shall be used to provide
25 financial assistance to eligible households,

1 not to exceed 18 months, including the
2 payment of—

3 (I) rent;

4 (II) rental arrears;

5 (III) utilities and home energy
6 costs;

7 (IV) utilities and home energy
8 costs arrears; and

9 (V) other expenses related to
10 housing.

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

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

1 (C) ADMINISTRATIVE COSTS.—Not more
2 than 15 percent of the total amount paid to an
3 eligible grantee under this section may be used
4 for administrative costs attributable to pro-
5 viding financial assistance, housing stability
6 services, and other affordable rental housing
7 and eviction prevention activities under sub-
8 paragraphs (A), (B), and (D), respectively, in-
9 cluding for data collection and reporting re-
10 quirements related to such funds.

11 (D) OTHER AFFORDABLE RENTAL HOUS-
12 ING AND EVICTION PREVENTION ACTIVITIES.—
13 An eligible grantee may use any funds from
14 payments made under this section that are un-
15 obligated on October 1, 2022, for purposes in
16 addition to those specified in this paragraph,
17 provided that—

18 (i) such other purposes are affordable
19 housing purposes, as defined by the Sec-
20 retary, serving very low-income families (as
21 such term is defined in section 3(b) of the
22 United States Housing Act of 1937 (42
23 U.S.C. 1437a(b))); and

24 (ii) prior to obligating any funds for
25 such purposes, the eligible grantee has ob-

1 ligated not less than 75 percent of the
2 total funds allocated to such eligible grant-
3 ee in accordance with this section.

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

12 (e) REALLOCATION OF FUNDS.—

13 (1) IN GENERAL.—After September 30, 2022,
14 the Secretary shall reallocate funds allocated to eligi-
15 ble grantees in accordance with subsection (b) but
16 not yet paid in accordance with subsection (c)(2) ac-
17 cording to a procedure established by the Secretary.

18 (2) ELIGIBILITY FOR REALLOCATED FUNDS.—
19 The Secretary shall require an eligible grantee to
20 have obligated 50 percent of the total amount of
21 funds allocated to such eligible grantee under sub-
22 section (b) to be eligible to receive funds reallocated
23 under paragraph (1) of this subsection.

24 (3) PAYMENT OF REALLOCATED FUNDS BY THE
25 SECRETARY.—The Secretary shall pay to each eligi-

1 ble grantee eligible for a payment of reallocated
2 funds described in paragraph (2) of this subsection
3 the amount allocated to such eligible grantee in ac-
4 cordance with the procedure established by the Sec-
5 retary in accordance with paragraph (2) of this sub-
6 section.

7 (4) USE OF REALLOCATED FUNDS.—Eligible
8 grantees may use any funds received in accordance
9 with this subsection only for purposes specified in
10 paragraph (1) of subsection (d).

11 (f) INAPPLICABILITY OF PAPERWORK REDUCTION
12 ACT.—Subchapter I of chapter 35 of title 44, United
13 States Code, shall not apply to the collection of informa-
14 tion for reporting or research requirements specified in
15 this section if the Secretary determines the non-applica-
16 bility is necessary to expedite the efficient use of funds
17 under this section.

18 (g) TREATMENT OF ASSISTANCE.—Assistance pro-
19 vided to a household from a payment made under this sec-
20 tion shall not be regarded as income and shall not be re-
21 garded as a resource for purposes of determining the eligi-
22 bility of the household or any member of the household
23 for benefits or assistance, or the amount or extent of bene-
24 fits or assistance, under any Federal program or under

1 any State or local program financed in whole or in part
2 with Federal funds.

3 (h) INFORMATION REQUIRED BY SECRETARY.—Each
4 eligible grantee that receives an allocation of funds under
5 subsection (b) and at least one payment under subsection
6 (c) shall submit to the Secretary information required by
7 the Secretary to monitor and evaluate activities carried
8 out by the eligible grantee under subsection (d).

9 (i) DEFINITIONS.—In this section:

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

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

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

16 (C) The Commonwealth of Puerto Rico,
17 the United States Virgin Islands, Guam, the
18 Commonwealth of the Northern Mariana Is-
19 lands, and American Samoa.

20 (2) ELIGIBLE HOUSEHOLD.—The term “eligible
21 household” means a household of 1 or more individ-
22 uals who are obligated to pay rent on a residential
23 dwelling and with respect to which the eligible grant-
24 ee involved determines that—

1 (A) 1 or more individuals within the house-
2 hold has—

3 (i) qualified for unemployment bene-
4 fits; or

5 (ii) experienced a reduction in house-
6 hold income, incurred significant costs, or
7 experienced other financial hardship during
8 or due, directly or indirectly, to the
9 coronavirus pandemic;

10 (B) 1 or more individuals within the
11 household can demonstrate a risk of experi-
12 encing homelessness or housing instability; and

13 (C) the household is a low-income family
14 (as such term is defined in section 3(b) of the
15 United States Housing Act of 1937 (42 U.S.C.
16 1437a(b)).

17 (3) INSPECTOR GENERAL.—The term “Inspec-
18 tor General” means the Inspector General of the De-
19 partment of the Treasury.

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

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

1 division N of the Consolidated Appropriations Act,
2 2021 (Public Law 116–260).

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

6 (k) EXTENSION OF AVAILABILITY UNDER PROGRAM
7 FOR EXISTING FUNDING.—Paragraph (1) of section
8 501(e) of subtitle A of title V of division N of the Consoli-
9 dated Appropriations Act, 2021 (Public Law 116–260) is
10 amended by striking “December 31, 2021” and inserting
11 “September 30, 2022”.

12 **SEC. 4202. EMERGENCY HOUSING VOUCHERS.**

13 (a) APPROPRIATION.—In addition to amounts other-
14 wise available, there is appropriated to the Secretary of
15 Housing and Urban Development (in this section referred
16 to as the “Secretary”) for fiscal year 2021, out of any
17 money in the Treasury not otherwise appropriated,
18 \$5,000,000,000, to remain available until September 30,
19 2030, for—

20 (1) incremental emergency vouchers under sub-
21 section (b);

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

24 (3) fees for the costs of administering vouchers
25 under subsection (b) and other eligible expenses de-

1 fined by notice to prevent, prepare, and respond to
2 coronavirus to facilitate the leasing of the emergency
3 vouchers, such as security deposit assistance and
4 other costs related to retention and support of par-
5 ticipating owners; and;

6 (4) adjustments in the calendar year 2021 sec-
7 tion 8 renewal funding allocation, including main-
8 stream vouchers, for public housing agencies that ex-
9 perience a significant increase in voucher per-unit
10 costs due to extraordinary circumstances or that, de-
11 spite taking reasonable cost savings measures, would
12 otherwise be required to terminate rental assistance
13 for families as a result of insufficient funding.

14 (b) EMERGENCY VOUCHERS.—

15 (1) IN GENERAL.—The Secretary shall provide
16 emergency rental assistance vouchers under sub-
17 section (a), which shall be tenant-based rental assist-
18 ance under section 8(o) of the United States Hous-
19 ing Act of 1937 (42 U.S.C. 1437f(o)).

20 (2) QUALIFYING INDIVIDUALS OR FAMILIES DE-
21 FINED.—For the purposes of this section, qualifying
22 individuals or families are those who are—

23 (A) homeless (as such term is defined in
24 section 103(a) of the McKinney-Vento Home-
25 less Assistance Act (42 U.S.C. 11302(a));

1 (B) at risk of homelessness (as such term
2 is defined in section 401(1) of the McKinney-
3 Vento Homeless Assistance Act (42 U.S.C.
4 11360(1)));

5 (C) fleeing, or attempting to flee, domestic
6 violence, dating violence, sexual assault, stalk-
7 ing, or human trafficking; or

8 (D) recently homeless, as determined by
9 the Secretary, and for whom providing rental
10 assistance will prevent the family's homeless-
11 ness or having high risk of housing instability.

12 (3) ALLOCATION.—The Secretary shall notify
13 public housing agencies of the number of emergency
14 vouchers provided under this section to be allocated
15 to the agency not later than 60 days after the date
16 of the enactment of this Act, in accordance with a
17 formula that includes public housing agency capacity
18 and ensures geographic diversity, including with re-
19 spect to rural areas, among public housing agencies
20 administering the Housing Choice Voucher program.

21 (4) TERMS AND CONDITIONS.—

22 (A) ELECTION TO ADMINISTER.—The Sec-
23 retary shall establish a procedure for public
24 housing agencies to accept or decline the emer-
25 gency vouchers allocated to the agency in ac-

1 cordance with the formula under subparagraph
2 (3).

3 (B) FAILURE TO USE VOUCHERS PROMPT-
4 LY.—If a public housing agency fails to lease
5 its authorized vouchers under subsection (b) on
6 behalf of eligible families within a reasonable
7 period of time, the Secretary may revoke and
8 redistribute any unleased vouchers and associ-
9 ated funds, including administrative fees and
10 costs referred to in subsection (a)(3), to other
11 public housing agencies according to the for-
12 mula under paragraph (3).

13 (5) WAIVERS AND ALTERNATIVE REQUIRE-
14 MENTS.—Any provision of any statute or regulation
15 used to administer the amounts made available
16 under this section (except for requirements related
17 to fair housing, nondiscrimination, labor standards,
18 and the environment), shall be waived upon a find-
19 ing that any such waivers or alternative require-
20 ments are necessary to expedite or facilitate the use
21 of amounts made available in this section.

22 (6) TERMINATION OF VOUCHERS UPON TURN-
23 OVER.—After September 30, 2023, a public housing
24 agency may not reissue any vouchers made available

1 under this section when assistance for the family as-
2 sisted ends.

3 (c) **TECHNICAL ASSISTANCE AND OTHER COSTS.**—

4 The Secretary may use not more \$20,000,000 of the
5 amounts made available under this section for the costs
6 to the Secretary of administering and overseeing the im-
7 plementation of this section and the Housing Choice
8 Voucher program generally, including information tech-
9 nology, financial reporting, and other costs. Of the
10 amounts set aside under this subsection, the Secretary
11 may use not more than \$10,000,000, without competition,
12 to make new awards or increase prior awards to existing
13 technical assistance providers to provide an immediate in-
14 crease in capacity building and technical assistance to
15 public housing agencies.

16 (d) **IMPLEMENTATION.**—The provisions of this sec-
17 tion may be implemented by notice.

18 **SEC. 4203. EMERGENCY ASSISTANCE FOR RURAL HOUSING.**

19 In addition to amounts otherwise available, there is
20 appropriated for fiscal year 2021, out of any money in
21 the Treasury not otherwise appropriated, \$100,000,000,
22 to remain available until September 30, 2022, to provide
23 grants under section 521(a)(2) of the Housing Act of
24 1949 or agreements entered into in lieu of debt forgiveness
25 or payments for eligible households as authorized by sec-

1 tion 502(c)(5)(D) of the Housing Act of 1949, for tem-
2 porary adjustment of income losses for residents of hous-
3 ing financed or assisted under section 514, 515, or 516
4 of the Housing Act of 1949 who have experienced income
5 loss but are not currently receiving Federal rental assist-
6 ance.

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

9 (a) APPROPRIATION.—In addition to amounts other-
10 wise available, there is appropriated for fiscal year 2021,
11 out of any money in the Treasury not otherwise appro-
12 priated, \$750,000,000, to remain available until Sep-
13 tember 30, 2025, to prevent, prepare for, and respond to
14 coronavirus, for activities and assistance authorized under
15 title I of the Native American Housing Assistance and
16 Self-Determination Act of 1996 (NAHASDA) (25 U.S.C.
17 4111 et seq.), under title VIII of NAHASDA (25 U.S.C.
18 4221 et seq.), and under title I of the Housing and Com-
19 munity Development Act of 1974 with respect to Indian
20 tribes (42 U.S.C. 5301 et seq.), which amounts shall be
21 made available as follows:

22 (1) HOUSING BLOCK GRANTS.—\$455,000,000
23 shall be available for the Native American Housing
24 Block Grants and Native Hawaiian Housing Block
25 Grant programs, as authorized under titles I and

1 VIII of NAHASDA, subject to the following terms
2 and conditions:

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

8 (B) NATIVE HAWAIIANS.—Of the amounts
9 made available under this paragraph,
10 \$5,000,000 shall be for grants under title VIII
11 of NAHASDA.

12 (C) USE.—Amounts made available under
13 this paragraph shall be used by recipients to
14 prevent, prepare for, and respond to
15 coronavirus, including to maintain normal oper-
16 ations and fund eligible affordable housing ac-
17 tivities under NAHASDA during the period
18 that the program is impacted by coronavirus. In
19 addition, amounts made available under sub-
20 paragraph (B) shall be used to provide rental
21 assistance to eligible Native Hawaiian families
22 both on and off the Hawaiian Home Lands.

23 (D) TIMING OF OBLIGATIONS.—Amounts
24 made available under this paragraph shall be
25 used, as necessary, to cover or reimburse allow-

1 able costs to prevent, prepare for, and respond
2 to coronavirus that are incurred by a recipient,
3 including for costs incurred as of January 21,
4 2020.

5 (E) WAIVERS.—Any provision of statute or
6 regulation used to administer amounts made
7 available under this paragraph (except for re-
8 quirements related to fair housing, non-
9 discrimination, labor standards, and the envi-
10 ronment), shall be waived upon a finding that
11 any such waivers or alternative requirements
12 are necessary to expedite or facilitate the use of
13 amounts made available under this paragraph.

14 (F) UNOBLIGATED AMOUNTS.—Amounts
15 made available under this paragraph which are
16 not accepted, are voluntarily returned, or other-
17 wise recaptured for any reason shall be used to
18 fund grants under paragraph (2).

19 (2) INDIAN COMMUNITY DEVELOPMENT BLOCK
20 GRANTS.—\$280,000,000 shall be available for grants
21 under title I of the Housing and Community Devel-
22 opment Act of 1974, subject to the following terms
23 and conditions:

24 (A) USE.—Amounts made available under
25 this paragraph shall be used, without competi-

1 tion, for emergencies that constitute imminent
2 threats to health and safety and are designed to
3 prevent, prepare for, and respond to
4 coronavirus.

5 (B) PLANNING.—Not to exceed 20 percent
6 of any grant made with funds made available
7 under this paragraph shall be expended for
8 planning and management development and ad-
9 ministration.

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

16 (D) INAPPLICABILITY OF PUBLIC SERVICES
17 CAP.—Notwithstanding section 105(a)(8) of the
18 Housing and Community Development Act of
19 1974 (42 U.S.C. 5305(a)(8)), there shall be no
20 per centum limitation for the use of funds made
21 available under this paragraph for public serv-
22 ices activities to prevent, prepare for, and re-
23 spond to coronavirus.

24 (E) WAIVERS.—Any provision of any stat-
25 ute or regulation used to administer amounts

1 made available under this paragraph (except for
2 requirements related to fair housing, non-
3 discrimination, labor standards, and the envi-
4 ronment), shall be waived upon a finding that
5 any such waivers or alternative requirements
6 are necessary to expedite or facilitate the use of
7 amounts made available under this paragraph.

8 (3) **TECHNICAL ASSISTANCE.**—\$10,000,000
9 shall be used, without competition, to make new
10 awards or increase prior awards to existing technical
11 assistance providers to provide an immediate in-
12 crease in training and technical assistance to Indian
13 tribes, Indian housing authorities, and tribally des-
14 ignated housing entities for activities under this sec-
15 tion.

16 (4) **OTHER COSTS.**—\$5,000,000 shall be used
17 for the administrative costs to oversee and admin-
18 ister the implementation of this section, and pay for
19 associated information technology, financial report-
20 ing, and other costs.

21 **SEC. 4205. HOUSING COUNSELING.**

22 (a) **APPROPRIATION.**—There is appropriated, out of
23 amounts in the Treasury not otherwise appropriated, to
24 the Neighborhood Reinvestment Corporation (in this sec-
25 tion referred to as the “Corporation”) established under

1 the Neighborhood Reinvestment Corporation Act (42
2 U.S.C. 8101 et seq.) and consistent with the discretion
3 set forth at in section 606 (a)(5) of such Act (42 U.S.C.
4 8105(a)(5)) to design and administer grant programs, for
5 grants to housing counseling intermediaries approved by
6 the Department of Housing and Urban Development,
7 State housing finance agencies, and NeighborWorks orga-
8 nizations for providing housing counseling services,
9 \$100,000,000 for the fiscal year ending September 30,
10 2021, which shall remain available until September 30,
11 2025. Of all grant funds appropriated, not less than 40
12 percent shall be provided to counseling organizations
13 that—

14 (1) target counseling services to minority and
15 low-income homeowners, renters, individuals experi-
16 encing homelessness, and individuals at risk of
17 homelessness; or

18 (2) provide counseling services in neighborhoods
19 having high concentrations of minority and low-in-
20 come homeowners, renters, individuals experiencing
21 homelessness, and individuals at risk of homeles-
22 ness.

23 (b) LIMITATION.—The aggregate amount provided to
24 NeighborWorks organizations under this section shall not

1 exceed 15 percent of the total of grant funds made avail-
2 able by subsection (a).

3 (c) ADMINISTRATION AND OVERSIGHT.— Of the
4 funds made available for this purpose, the Corporation
5 shall be entitled to retain a portion of such funds con-
6 sistent with its standard rate for program administration
7 in order to cover its expenses related to program adminis-
8 tration and oversight.

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

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

16 (2) education, outreach, training, technology
17 upgrades, and other program related support as de-
18 termined by the Corporation; and

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

22 **SEC. 4206. HOMELESSNESS ASSISTANCE AND SUPPORTIVE**
23 **SERVICES PROGRAM.**

24 (a) APPROPRIATION.—In addition to amounts other-
25 wise available, there is appropriated for fiscal year 2021,

1 out of any money in the Treasury not otherwise appro-
2 priated, \$5,000,000,000, to remain available until Sep-
3 tember 30, 2025, except that amounts authorized under
4 subsection (d)(3) shall remain available until September
5 30, 2029, for assistance under title II of the Cranston-
6 Gonzalez National Affordable Housing Act (42 U.S.C.
7 12721 et seq.) for the following activities to primarily ben-
8 efit qualifying individuals or families:

9 (1) Tenant-based rental assistance.

10 (2) The development and support of affordable
11 housing pursuant to section 212(a) of the Cranston-
12 Gonzalez National Affordable Housing Act (42
13 U.S.C. 12742(a)) (“the Act” herein).

14 (3) Supportive services to qualifying individuals
15 or families not already receiving such supportive
16 services, including—

17 (A) activities listed in section 401(29) of
18 the McKinney-Vento Homeless Assistance Act
19 (42 U.S.C. 11360(29)).

20 (B) housing counseling; and

21 (C) homeless prevention services.

22 (4) The acquisition and development of non-
23 congregate shelter units, all or a portion of which
24 may—

1 (A) be converted to permanent affordable
2 housing;

3 (B) be used as emergency shelter under
4 subtitle B of title IV of the McKinney-Vento
5 Homeless Assistance Act (42 U.S.C. 11371-
6 11378);

7 (C) be converted to permanent housing
8 under subtitle C of title IV of the McKinney-
9 Vento Homeless Assistance Act (42 U.S.C.
10 11381-11389); or

11 (D) remain as non-congregate shelter
12 units.

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

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

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

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

1 (4) in other populations where providing sup-
2 portive services or assistance under section 212(a) of
3 the Act (42 U.S.C. 12742(a)) would prevent the
4 family's homelessness or would serve those with the
5 greatest risk of housing instability; or

6 (5) veterans and families that include a veteran
7 family member that meet one of the preceding cri-
8 teria.

9 (c) TERMS AND CONDITIONS.—

10 (1) FUNDING RESTRICTIONS.—The cost limits
11 in section 212(e) (42 U.S.C. 12742(e)), the commit-
12 ment requirements in section 218(g) (42 U.S.C.
13 12749(g)), the matching requirements in section 220
14 (42 U.S.C. 12750), and the set-aside for housing de-
15 veloped, sponsored, or owned by community housing
16 development organizations required in section 231 of
17 the Act (42 U.S.C. 12771) shall not apply for
18 amounts made available in this section.

19 (2) ADMINISTRATIVE COSTS.— Notwithstanding
20 sections 212(c) and (d)(1) of the Act (42 U.S.C.
21 12742(c) and (d)(1)), of the funds made available in
22 this section for carrying out activities authorized in
23 this section, a grantee may use up to fifteen percent
24 of its allocation for administrative and planning
25 costs.

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

9 (A) such funds are used to develop the ca-
10 pacity of the community housing development
11 organization or nonprofit organization in the ju-
12 risdiction or insular area to carry out activities
13 authorized under this section; and

14 (B) the community housing development
15 organization or nonprofit organization complies
16 with the limitation on assistance in section
17 234(b) of the Act (42 U.S.C. 12774(b)).

18 (d) ALLOCATION.—

19 (1) FORMULA ASSISTANCE.—Except as pro-
20 vided in paragraphs (2) and (3), amounts made
21 available under this section shall be allocated pursu-
22 ant to section 217 of the Act (42 U.S.C. 12746) to
23 grantees that received allocations pursuant to that
24 same formula in fiscal year 2021, and such alloca-

1 tions shall be made within 30 days of enactment of
2 this Act.

3 (2) TECHNICAL ASSISTANCE.—Up to
4 \$25,000,000 of the amounts made available under
5 this section shall be used, without competition, to
6 make new awards or increase prior awards to exist-
7 ing technical assistance providers to provide an im-
8 mediate increase in capacity building and technical
9 assistance available to any grantees implementing
10 activities or projects consistent with this section.

11 (3) OTHER COSTS.—Up to \$50,000,000 of the
12 amounts made available under this section shall be
13 used for the administrative costs to oversee and ad-
14 minister implementation of this section and the
15 HOME program generally, including information
16 technology, financial reporting, and other costs.

17 (4) WAIVERS.—Any provision of any statute or
18 regulation used to administer the amounts made
19 available under this section (except for requirements
20 related to fair housing, nondiscrimination, labor
21 standards, and the environment), may be waived
22 upon a finding that any such waivers or alternative
23 requirements are necessary to expedite or facilitate
24 the use of amounts made available in this section.

1 **SEC. 4207. HOMEOWNER ASSISTANCE FUND.**

2 (a) APPROPRIATION.—There is appropriated, out of
3 amounts in the Treasury not otherwise appropriated, for
4 the fiscal year ending September 30, 2021, to remain
5 available until September 30, 2025, \$9,961,000,000 to the
6 Homeowner Assistance Fund established under subsection
7 (c) for qualified expenses that meet the purposes estab-
8 lished under subsection (c) and expenses described in sub-
9 section (d)(1).

10 (b) DEFINITIONS.—In this section:

11 (1) CONFORMING LOAN LIMIT.—The term “con-
12 forming loan limit” means the applicable limitation
13 governing the maximum original principal obligation
14 of a mortgage secured by a single-family residence,
15 a mortgage secured by a 2-family residence, a mort-
16 gage secured by a 3-family residence, or a mortgage
17 secured by a 4-family residence, as determined and
18 adjusted annually under section 302(b)(2) of the
19 Federal National Mortgage Association Charter Act
20 (12 U.S.C. 1717(b)(2)) and section 305(a)(2) of the
21 Federal Home Loan Mortgage Corporation Act (12
22 U.S.C. 1454(a)(2)).

23 (2) DWELLING.—The term “dwelling” means
24 any building, structure, or portion thereof which is
25 occupied as, or designed or intended for occupancy
26 as, a residence by one or more individuals.

1 (3) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means—

3 (A) a State; or

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

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

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

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

16 (5) FUND.—The term “Fund” means the
17 Homeowner Assistance Fund established under sub-
18 section (c).

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

21 (7) STATE.—The term “State” means any
22 State of the United States, the District of Columbia,
23 the Commonwealth of Puerto Rico, Guam, American
24 Samoa, the United States Virgin Islands, and the
25 Commonwealth of the Northern Mariana Islands.

1 (c) ESTABLISHMENT OF FUND.—

2 (1) ESTABLISHMENT; QUALIFIED EXPENSES.—

3 There is established in the Department of the Treas-
4 ury a Homeowner Assistance Fund to mitigate fi-
5 nancial hardships associated with the coronavirus
6 pandemic by providing such funds as are appro-
7 priated by subsection (a) to eligible entities, and to
8 require an eligible entity that receives funds pursu-
9 ant to this section to periodically submit to the Sec-
10 retary a report that describes the activities carried
11 out by the eligible entity using the funds provided
12 under this section, for the purpose of preventing
13 homeowner mortgage delinquencies, defaults, fore-
14 closures, loss of utilities or home energy services,
15 and displacements of homeowners experiencing fi-
16 nancial hardship after January 21, 2020, through
17 qualified expenses related to mortgages and housing,
18 which include—

19 (A) mortgage payment assistance;

20 (B) financial assistance to allow a home-
21 owner to reinstate a mortgage or to pay other
22 housing related costs related to a period of for-
23 bearance, delinquency, or default;

24 (C) principal reduction;

25 (D) facilitating interest rate reductions;

1 (E) payment assistance for—

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

4 (ii) internet service, including
5 broadband internet access service, as de-
6 fined in section 8.1(b) of title 47, Code of
7 Federal Regulations (or any successor reg-
8 ulation);

9 (iii) property taxes;

10 (iv) homeowner's insurance, flood in-
11 surance, and mortgage insurance; and

12 (v) homeowner's association, condo-
13 minium association fees, or common
14 charges;

15 (F) reimbursement of funds expended by a
16 State, local government, or designated entity
17 under subsection (e) during the period begin-
18 ning on January 21, 2020, and ending on the
19 date that the first funds are disbursed by the
20 eligible entity under the Homeowner Assistance
21 Fund, for the purpose of providing housing or
22 utility payment assistance to individuals or oth-
23 erwise providing funds to prevent foreclosure or
24 eviction of a homeowner or tenant or prevent
25 mortgage delinquency or loss of housing or util-

1 ities as a response to the coronavirus disease
2 (COVID) pandemic; and

3 (G) any other assistance to promote hous-
4 ing stability for homeowners, including pre-
5 venting eviction, mortgage delinquency or de-
6 fault, foreclosure, or the loss of utility or home
7 energy services, as determined by the Secretary.

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

20 (d) ALLOCATION OF FUNDS.—

21 (1) ADMINISTRATION.—Of any amounts made
22 available under this section, the Secretary shall re-
23 serve—

24 (A) to the Department of the Treasury, an
25 amount not to exceed \$40,000,000 to admin-

1 ister and oversee the Fund, and to provide tech-
2 nical assistance to eligible entities for the cre-
3 ation and implementation of State and tribal
4 programs to administer assistance from the
5 Fund; and

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

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

22 (A) the number of individuals who are un-
23 employed;

24 (B) the total number or mortgagors with—

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

3 (ii) mortgages in foreclosure.

4 (3) SMALL STATE MINIMUM.—

5 (A) IN GENERAL.—Each State of the
6 United States, the District of Columbia, and
7 the Commonwealth of Puerto Rico shall receive
8 no less than \$40,000,000 for the purposes es-
9 tablished in (c).

10 (B) PRO RATA ADJUSTMENTS.—The Sec-
11 retary shall adjust on a pro rata basis the
12 amount of the payments for each State of the
13 United States, the District of Columbia, and
14 the Commonwealth of Puerto Rico determined
15 under this subsection without regard to this
16 subparagraph to the extent necessary to comply
17 with the requirements of subparagraph (A).

18 (4) TERRITORY SET-ASIDE.—Notwithstanding
19 any other provision of this section, of the amounts
20 appropriated under subsection (a), the Secretary
21 shall reserve \$30,000,000 to be disbursed to eligible
22 entities for Guam, American Samoa, the United
23 States Virgin Islands, and the Commonwealth of the
24 Northern Mariana Islands based on each such terri-
25 tory's share of the combined total population of all

1 such territories, as determined by the Secretary. For
2 the purposes of this paragraph, population shall be
3 determined based on the most recent year for which
4 data are available from the United States Census
5 Bureau.

6 (5) TRIBAL SET-ASIDE.—The Secretary shall
7 allocate funds to any eligible entity designated under
8 subsection (f) pursuant to the requirements of that
9 subsection.

10 (e) DISTRIBUTION OF FUNDS TO STATES.—

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

18 (2) REALLOCATION.—If a State does not re-
19 quest allocated funds by the 90th day after the date
20 of enactment of this Act, such State shall not be eli-
21 gible for a payment from the Secretary pursuant to
22 this section, and the Secretary shall reallocate any
23 funds that were not requested by such State among
24 the States that have requested funds by the 90th
25 day after the date of enactment of this Act. For any

1 such reallocation of funds, the Secretary shall ad-
2 here to the requirements of subsection (d), except
3 for paragraph (1), to the greatest extent possible,
4 provided that the Secretary shall also take into con-
5 sideration in determining such reallocation a State's
6 remaining need and a State's record of using pay-
7 ments from the Fund to serve homeowners at dis-
8 proportionate risk of mortgage default, foreclosure,
9 or displacement, including homeowners having in-
10 comes equal to or less than 100 percent of the area
11 median income for their household size or 100 per-
12 cent of the median income for the United States, as
13 determined by the Secretary of Housing and Urban
14 Development, whichever is greater, and minority
15 homeowners.

16 (f) TRIBAL SET-ASIDE.—

17 (1) SET-ASIDE.—Notwithstanding any other
18 provision of this section, of the amounts appro-
19 priated under subsection (a), the Secretary shall use
20 5 percent to make payments to entities that are eli-
21 gible for payments under clauses (i) and (ii) of sec-
22 tion 501(b)(2)(A) of subtitle A of title V of division
23 N of the Consolidated Appropriations Act, 2021
24 (Public Law 116-260) for the purposes described in
25 subsection (c).

1 (2) ALLOCATION AND PAYMENT.—The Sec-
2 retary shall allocate the funds set aside under para-
3 graph (1) using the allocation formulas described in
4 clauses (i) and (ii) of section 501(b)(2)(A) of sub-
5 title A of title V of division N of the Consolidated
6 Appropriations Act, 2021 (Public Law 116-260),
7 and shall make payments of such amounts to enti-
8 ties eligible for payment under clauses (i) and (ii) of
9 section 501(b)(2)(A) of subtitle A of title V of divi-
10 sion N of the Consolidated Appropriations Act, 2021
11 (Public Law 116-260) that notify the Secretary that
12 they intend to receive payments allocated by the Sec-
13 retary for purposes described under subsection (c)
14 and will use such payments in compliance with this
15 section.

16 (3) ADJUSTMENT.—Allocations provided under
17 this subsection may be further adjusted as provided
18 by section 501(b)(2)(B) of subtitle A of title V of di-
19 vision N of the Consolidated Appropriations Act,
20 2021 (Public Law 116-260).

21 **SEC. 4208. RELIEF MEASURES FOR SECTION 502 AND 504 DI-**
22 **RECT LOAN BORROWERS.**

23 (a) APPROPRIATION.—In addition to amounts other-
24 wise made available, there is appropriated for fiscal year
25 2021, out of funds in the Treasury not otherwise appro-

1 priated, \$39,000,000, to remain available until September
2 30, 2023, for direct loans made under sections 502 and
3 504 of the Housing Act of 1949 (42 U.S.C. 1472, 1474).

4 (b) ADMINISTRATIVE EXPENSES.—The Secretary
5 may use not more than 3 percent of the amounts appro-
6 priated under this section for administrative purposes.

7 **Subtitle C—Small Business (SSBCI)**

8 **SEC. 4301. REAUTHORIZATION OF THE STATE SMALL BUSI-** 9 **NESS CREDIT INITIATIVE ACT OF 2010.**

10 (a) REAUTHORIZATION.—

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

14 (A) in section 3003—

15 (i) in subsection (b)—

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

18 “(1) IN GENERAL.—Not later than 30 days
19 after the date of enactment of subsection (d), the
20 Secretary shall allocate Federal funds to partici-
21 pating States so that each State is eligible to receive
22 an amount equal to what the State would receive
23 under the 2021 allocation, as determined under
24 paragraph (2).”;

25 (II) in paragraph (2)—

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

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

7 (cc) in subparagraph (A), by
8 striking “The Secretary” and in-
9 serting “With respect to States
10 other than Tribal governments,
11 the Secretary”;

12 (dd) in subparagraph (C)(i),
13 by striking “2007” and inserting
14 “2019”; and

15 (ee) by adding at the end
16 the following:

17 “(C) SEPARATE ALLOCATION FOR TRIBAL
18 GOVERNMENTS.—

19 “(i) IN GENERAL.—With respect to
20 States that are Tribal governments, the
21 Secretary shall determine the 2021 alloca-
22 tion by allocating \$500,000,000 among the
23 Tribal governments in the proportion the
24 Secretary determines appropriate, includ-
25 ing with consideration to available employ-

1 ment and economic data regarding each
2 such Tribal government.

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

7 “(I) require Tribal governments
8 that wish to participate in the Pro-
9 gram to file a notice of intent with the
10 Secretary not later than 30 days after
11 the date of enactment of subsection
12 (d); and

13 “(II) notwithstanding paragraph
14 (1), allocate Federal funds to partici-
15 pating Tribal governments not later
16 than 60 days after the date of enact-
17 ment of subsection (d).

18 “(D) EMPLOYMENT DATA.—If the Sec-
19 retary determines that employment data with
20 respect to a State is unavailable from the Bu-
21 reau of Labor Statistics of the Department of
22 Labor, the Secretary shall consider such other
23 economic and employment data that is other-
24 wise available for purposes of determining the
25 employment data of such State.”; and

1 (III) by striking paragraph (3);

2 and

3 (ii) in subsection (c)—

4 (I) in paragraph (1)(A)(iii), by

5 inserting before the period the fol-

6 lowing: “that have delivered loans or

7 investments to eligible businesses”;

8 and

9 (II) by amending paragraph (4)

10 to read as follows:

11 “(4) TERMINATION OF AVAILABILITY OF

12 AMOUNTS NOT TRANSFERRED.—

13 “(A) IN GENERAL.—Any portion of a par-

14 ticipating State’s allocated amount that has not

15 been transferred to the State under this section

16 may be deemed by the Secretary to be no longer

17 allocated to the State and no longer available to

18 the State and shall be returned to the general

19 fund of the Treasury or reallocated as described

20 under subparagraph (B), if—

21 “(i) the second $\frac{1}{3}$ of a State’s allo-

22 cated amount has not been transferred to

23 the State before the end of the end of the

24 3-year period beginning on the date that

1 the Secretary approves the State for par-
2 ticipation; or

3 “(ii) the last $\frac{1}{3}$ of a State’s allocated
4 amount has not been transferred to the
5 State before the end of the end of the 5-
6 year period beginning on the date that the
7 Secretary approves the State for participa-
8 tion.

9 “(B) REALLOCATION.—Any amount
10 deemed by the Secretary to be no longer allo-
11 cated to a State and no longer available to such
12 State under subparagraph (A) may be reallo-
13 cated by the Secretary to other participating
14 States. In making such a reallocation, the Sec-
15 retary shall not take into account the minimum
16 allocation requirements under subsection
17 (b)(2)(B) or the specific allocation for Tribal
18 governments described under subsection
19 (b)(2)(C).”;

20 (B) in section 3004(d), by striking “date
21 of enactment of this Act” each place it appears
22 and inserting “date of the enactment of section
23 3003(d)”;

24 (C) in section 3005(b), by striking “date of
25 enactment of this Act” each place it appears

1 and inserting “date of the enactment of section
2 3003(d)”;

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

6 (E) in section 3007(b), by striking “March
7 31, 2011” and inserting “March 31, 2022”;

8 (F) in section 3009, by striking “date of
9 enactment of this Act” each place it appears
10 and inserting “date of the enactment of section
11 3003(d)”;

12 (G) in section 3011(b), by striking “date
13 of the enactment of this Act” each place it ap-
14 pears and inserting “date of the enactment of
15 section 3003(d)”.

16 (2) APPROPRIATION.—

17 (A) IN GENERAL.—In addition to amounts
18 otherwise available, there is hereby appropriated
19 to the Secretary of the Treasury for fiscal year
20 2021, out of any money in the Treasury not
21 otherwise appropriated, \$10,000,000,000, to re-
22 main available until expended, to carry out the
23 State Small Business Credit Initiative estab-
24 lished under the State Small Business Credit

1 Initiative Act of 2010, including to pay reason-
2 able costs of administering such Initiative.

3 (B) RESCISSION.—With respect to
4 amounts appropriated under subparagraph
5 (A)—

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

10 (ii) any amounts that remain unex-
11 pended (whether obligated or unobligated)
12 on September 30, 2030, shall be rescinded
13 and deposited into the general fund of the
14 Treasury.

15 (b) ADDITIONAL ALLOCATIONS TO SUPPORT BUSI-
16 NESS ENTERPRISES OWNED AND CONTROLLED BY SO-
17 CIALY AND ECONOMICALLY DISADVANTAGED INDIVID-
18 UALS.—Section 3003 of the State Small Business Credit
19 Initiative Act of 2010 (12 U.S.C. 5702) is amended by
20 adding at the end the following:

21 “(d) ADDITIONAL ALLOCATIONS TO SUPPORT BUSI-
22 NESS ENTERPRISES OWNED AND CONTROLLED BY SO-
23 CIALY AND ECONOMICALLY DISADVANTAGED INDIVID-
24 UALS.—Of the amounts appropriated to carry out the Pro-
25 gram, the Secretary shall—

1 “(1) ensure that \$1,500,000,000 from funds al-
2 located under this section shall be expended for busi-
3 ness enterprises owned and controlled by socially
4 and economically disadvantaged individuals; and

5 “(2) allocate such amounts to States based on
6 the needs of business enterprises owned and con-
7 trolled by socially and economically disadvantaged
8 individuals, as determined by the Secretary, in each
9 State, and not subject to the allocation formula de-
10 scribed under subsection (b).

11 “(e) SUPPORTING BUSINESS ENTERPRISES OWNED
12 AND CONTROLLED BY SOCIALLY AND ECONOMICALLY
13 DISADVANTAGED INDIVIDUALS.—In allocating funds to
14 participating States under this section, the Secretary shall
15 establish a minimum amount of support that a State shall
16 provide to business enterprises owned and controlled by
17 socially and economically disadvantaged individuals.

18 “(f) INCENTIVE ALLOCATIONS TO SUPPORT BUSI-
19 NESS ENTERPRISES OWNED AND CONTROLLED BY SO-
20 CIALLY AND ECONOMICALLY DISADVANTAGED INDIVID-
21 UALS.—Of the amounts appropriated to carry out the Pro-
22 gram, the Secretary shall set aside \$1,000,000,000 for an
23 incentive program under which the Secretary shall in-
24 crease the second $\frac{1}{3}$ and last $\frac{1}{3}$ allocations for States that
25 demonstrate robust support, as determined by the Sec-

1 retary, for business concerns owned and controlled by so-
2 cially and economically disadvantaged individuals in the
3 deployment of prior allocation amounts.”.

4 (c) CDFI AND MDI PARTICIPATION PLAN.—Section
5 3004 of the State Small Business Credit Initiative Act of
6 2010 (12 U.S.C. 5703) is amended by adding at the end
7 the following:

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

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

18 “(f) PANDEMIC RESPONSE PLAN.—The Secretary
19 may not approve a State to be a participating State unless
20 the State has provided the Secretary with a description
21 of how the State will expeditiously utilize funds to support
22 small businesses, including business enterprises owned and
23 controlled by socially and economically disadvantaged indi-
24 viduals, in responding to and recovering from the eco-
25 nomic effects of the COVID–19 pandemic.”.

1 (e) TECHNICAL ASSISTANCE.—

2 (1) STATE TECHNICAL ASSISTANCE PLAN.—

3 Section 3004 of the State Small Business Credit Ini-
4 tiative Act of 2010 (12 U.S.C. 5703), as amended
5 by subsection (d), is further amended by adding at
6 the end the following:

7 “(g) STATE TECHNICAL ASSISTANCE PLAN.—

8 “(1) IN GENERAL.—The Secretary may not ap-
9 prove a State to be a participating State unless the
10 State has provided the Secretary with a technical as-
11 sistance plan under which the State will use a por-
12 tion of the funds received under the Program to pro-
13 vide legal, accounting, and financial advisory services
14 to very small businesses and business enterprises
15 owned and controlled by socially and economically
16 disadvantaged individuals applying for—

17 “(A) State programs under the Program;
18 and

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

21 “(2) CONTRACTING.—Services described under
22 paragraph (1) may be contracted with legal, ac-
23 counting, and financial advisory firms, with priority
24 given to business enterprises owned and controlled

1 by socially and economically disadvantaged individ-
2 uals.”.

3 (2) FUNDING.—Section 3009 of the State
4 Small Business Credit Initiative Act of 2010 (12
5 U.S.C. 5708) is amended by adding at the end the
6 following:

7 “(e) TECHNICAL ASSISTANCE.—Of the amounts ap-
8 propriated to carry out the Program, \$500,000,000 may
9 be used by the Secretary to—

10 “(1) provide funds to States to carry out tech-
11 nical assistance plans described under section
12 3004(g);

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

21 “(A) State programs under the Program;
22 and

23 “(B) other State or Federal programs that
24 support small businesses; and

1 “(3) contract with legal, accounting, and finan-
2 cial advisory firms (with priority given to business
3 enterprises owned and controlled by socially and eco-
4 nomically disadvantaged individuals), to provide
5 technical assistance to business enterprises owned
6 and controlled by socially and economically disadvan-
7 taged individuals applying to—

8 “(A) State programs under the Program;
9 and

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

12 (f) MULTI-STATE PARTICIPATION PROGRAM.—Sec-
13 tion 3009 of the State Small Business Credit Initiative
14 Act of 2010 (12 U.S.C. 5708), as amended by subsection
15 (d)(2), is further amended by adding at the end the fol-
16 lowing:

17 “(f) MULTI-STATE PARTICIPATION PROGRAM.—The
18 Secretary may establish a multi-State participation pro-
19 gram under which—

20 “(1) the Secretary determines which State pro-
21 grams are similar to each other, with respect to eli-
22 gibility criteria and such other criteria as the Sec-
23 retary determines appropriate; and

24 “(2) a State may elect to automatically deem a
25 person eligible for a State program if the person is

1 already participating in another State’s State pro-
2 gram that the Secretary has determined is similar
3 under paragraph (1).”.

4 (g) APPLICATION OF THE MILITARY LENDING
5 ACT.—Section 3004 of the State Small Business Credit
6 Initiative Act of 2010 (15 U.S.C. 5702), as amended by
7 subsection (d)(1), is further amended by adding at the end
8 the following:

9 “(h) APPLICATION OF THE MILITARY LENDING
10 ACT.—The Secretary may not approve a State to be a par-
11 ticipating State unless the State has agreed that no lend-
12 ing activity supported by amounts received by the State
13 under the Program would result in interest rates being
14 charged at an annualized percentage rate above 36 per-
15 cent, as determined in accordance with section 987(b) of
16 title 10, United States Code (commonly known as the
17 ‘Military Lending Act’).”.

18 (h) INCLUSION OF TRIBAL GOVERNMENTS.—Section
19 3002(10) of the State Small Business Credit Initiative Act
20 of 2010 (12 U.S.C. 5701(10)) is amended—

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

23 (2) in subparagraph (D), by striking the period
24 at the end and inserting “; and”; and

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

1 “(E) a Tribal government.”.

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

5 “(15) BUSINESS ENTERPRISE OWNED AND CON-
6 TROLLED BY SOCIALLY AND ECONOMICALLY DIS-
7 ADVANTAGED INDIVIDUALS.—The term ‘business en-
8 terprise owned and controlled by socially and eco-
9 nomically disadvantaged individuals’ means a busi-
10 ness that—

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

14 “(B) if publicly owned, 51 percent of the
15 stock is owned by one or more socially and eco-
16 nomically disadvantaged individuals; and

17 “(C) in the case of a mutual institution, a
18 majority of the Board of Directors, account
19 holders, and the community which the institu-
20 tion services is predominantly comprised of so-
21 cially and economically disadvantaged individ-
22 uals.

23 “(16) COMMUNITY DEVELOPMENT FINANCIAL
24 INSTITUTION.—The term ‘community development
25 financial institution’ has the meaning given that

1 term under section 103 of the Riegle Community
2 Development and Regulatory Improvement Act of
3 1994.

4 “(17) MINORITY DEPOSITORY INSTITUTION.—
5 The term ‘minority depository institution’ has the
6 meaning given that term under section 308(b) of the
7 Financial Institutions Reform, Recovery, and En-
8 forcement Act of 1989.

9 “(18) SOCIALLY AND ECONOMICALLY DIS-
10 ADVANTAGED INDIVIDUAL.—The term ‘socially and
11 economically disadvantaged individual’ means an in-
12 dividual who is a socially disadvantaged individual or
13 an economically disadvantaged individual, as such
14 terms are defined, respectively, under section 8 of
15 the Small Business Act (15 U.S.C. 637) and the
16 regulations thereunder.

17 “(19) TRIBAL GOVERNMENT.—The term ‘Tribal
18 government’ means a government of an Indian Tribe
19 listed on the list of recognized Tribes published by
20 the Secretary of the Interior under section 104 of
21 the Federally Recognized Indian Tribe List Act of
22 1994 (25 U.S.C. 5131).”

23 (j) RULE OF APPLICATION.—The amendments made
24 by this section shall apply with respect to funds appro-

1 priated under this section and funds appropriated on and
2 after the date of enactment of this section.

3 **Subtitle D—Airlines**

4 **SEC. 4401. AIR TRANSPORTATION PAYROLL SUPPORT PRO-** 5 **GRAM EXTENSION.**

6 (a) DEFINITIONS.—The definitions in section
7 40102(a) of title 49, United States Code, shall apply with
8 respect to terms used in this section, except that—

9 (1) the term “catering functions” means prepa-
10 ration, assembly, or both, of food, beverages, provi-
11 sions and related supplies for delivery, and the deliv-
12 ery of such items, directly to aircraft or to a location
13 on or near airport property for subsequent delivery
14 to aircraft;

15 (2) the term “contractor” means—

16 (A) a person that performs, under contract
17 with a passenger air carrier conducting oper-
18 ations under part 121 of title 14, Code of Fed-
19 eral Regulations—

20 (i) catering functions; or

21 (ii) functions on the property of an
22 airport that are directly related to the air
23 transportation of persons, property, or
24 mail, including the loading and unloading
25 of property on aircraft, assistance to pas-

1 sengers under part 382 of title 14, Code of
2 Federal Regulations, security, airport
3 ticketing and check-in functions, ground-
4 handling of aircraft, or aircraft cleaning
5 and sanitization functions and waste re-
6 moval; or

7 (B) a subcontractor that performs such
8 functions;

9 (3) the term “employee” means an individual,
10 other than a corporate officer, who is employed by
11 an air carrier or a contractor;

12 (4) the term “eligible air carrier” means an air
13 carrier that—

14 (A) received financial assistance pursuant
15 section 402(a)(1) of division N of the Consoli-
16 dated Appropriations Act, 2021 (Public Law
17 116-260);

18 (B) provides air transportation as of
19 March 31, 2021;

20 (C) has not conducted involuntary fur-
21 loughs or reduced pay rates or benefits between
22 March 31, 2021, and the date on which the air
23 carrier makes a certification to the Secretary
24 pursuant to subparagraph (D); and

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

3 (i) refrain from conducting involun-
4 tary furloughs or reducing pay rates or
5 benefits until September 30, 2021, or the
6 date on which assistance provided under
7 this section is exhausted, whichever is
8 later;

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

14 (iii) refrain from paying dividends, or
15 making other capital distributions, with re-
16 spect to common stock (or equivalent inter-
17 est) of such air carrier through September
18 30, 2022;

19 (iv) during the 2-year period begin-
20 ning April 1, 2021, and ending April 1,
21 2023, refrain from paying—

22 (I) any officer or employee of the
23 air carrier whose total compensation
24 exceeded \$425,000 in calendar year
25 2020 (other than an employee whose

1 compensation is determined through
2 an existing collective bargaining
3 agreement entered into prior to the
4 date of enactment of this Act)—

5 (aa) total compensation that
6 exceeds, during any 12 consecu-
7 tive months of such 2-year pe-
8 riod, the total compensation re-
9 ceived by the officer or employee
10 from the air carrier in calendar
11 year 2020; or

12 (bb) severance pay or other
13 benefits upon termination of em-
14 ployment with the air carrier
15 which exceeds twice the max-
16 imum total compensation re-
17 ceived by the officer or employee
18 from the air carrier in calendar
19 year 2020;

20 (II) any officer or employee of
21 the air carrier whose total compensa-
22 tion exceeded \$3,000,000 in calendar
23 year 2020 during any 12 consecutive
24 months of such period total compensa-
25 tion in excess of the sum of—

1 (aa) \$3,000,000; and
2 (bb) 50 percent of the excess
3 over \$3,000,000 of the total com-
4 pensation received by the officer
5 or employee from the air carrier
6 in calendar year 2020; and

7 (v) repay all amounts provided under
8 this section if such air carrier breaches the
9 certifications listed in this subparagraph;

10 (5) the term “eligible contractor” means a con-
11 tractor that—

12 (A) received financial assistance pursuant
13 to section 402(a)(2) of division N of the Con-
14 solidated Appropriations Act, 2021 (Public Law
15 116-260);

16 (B) performs one or more of the functions
17 described under paragraph (2) as of March 31,
18 2021;

19 (C) has not conducted involuntary fur-
20 loughs or reduced pay rates or benefits between
21 March 31, 2021, and the date on which the
22 contractor makes a certification to the Sec-
23 retary pursuant to subparagraph (D); and

24 (D) certifies to the Secretary that such
25 contractor will—

1 (i) refrain from conducting involun-
2 tary furloughs or reducing pay rates or
3 benefits until September 30, 2021, or the
4 date on which assistance provided under
5 this section is exhausted, whichever is
6 later;

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

12 (iii) refrain from paying dividends, or
13 making other capital distributions, with re-
14 spect to common stock (or equivalent inter-
15 est) of the contractor through September
16 30, 2022;

17 (iv) during the 2-year period begin-
18 ning April 1, 2021, and ending April 1,
19 2023, refrain from paying—

20 (I) any officer or employee of the
21 contractor whose total compensation
22 exceeded \$425,000 in calendar year
23 2020 (other than an employee whose
24 compensation is determined through
25 an existing collective bargaining

1 agreement entered into prior to the
2 date of enactment of this Act)—

3 (aa) total compensation that
4 exceeds, during any 12 consecu-
5 tive months of such 2-year pe-
6 riod, the total compensation re-
7 ceived by the officer or employee
8 from the contractor in calendar
9 year 2020; or

10 (bb) severance pay or other
11 benefits upon termination of em-
12 ployment with the contractor
13 which exceeds twice the max-
14 imum total compensation re-
15 ceived by the officer or employee
16 from the contractor in calendar
17 year 2020;

18 (II) any officer or employee of
19 the contractor whose total compensa-
20 tion exceeded \$3,000,000 in calendar
21 year 2020 during any 12 consecutive
22 months of such period total compensa-
23 tion in excess of the sum of—

24 (aa) \$3,000,000; and

1 (bb) 50 percent of the excess
2 over \$3,000,000 of the total com-
3 pensation received by the officer
4 or employee from the contractor
5 in calendar year 2020; and

6 (v) repay all amounts provided under
7 this section if such contractor breaches the
8 certifications listed in this subparagraph;
9 and

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

12 (b) PAYROLL SUPPORT GRANTS.—

13 (1) IN GENERAL.—To preserve aviation jobs
14 and compensate air carrier industry workers, the
15 Secretary shall make available to eligible air carriers
16 and eligible contractors, financial assistance exclu-
17 sively for the continuation of payment of employee
18 wages, salaries, and benefits to—

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

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

23 (2) APPORTIONMENTS.—

24 (A) IN GENERAL.—The Secretary shall ap-
25 portion funds to eligible air carriers and eligible

1 contractors in accordance with the requirements
2 of this section not later than April 15, 2021.

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

7 (i) the amount received by the air car-
8 rier pursuant to section 403(a) of division
9 N of the Consolidated Appropriations Act,
10 2021 (Public Law 116-260) bears to

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

12 (C) ELIGIBLE CONTRACTORS.—The Sec-
13 retary shall apportion, to each eligible con-
14 tractor, an amount equal to the total amount
15 such contractor received pursuant to section
16 403(a) of division N of the Consolidated Appro-
17 priations Act, 2021 (Public Law 116-260).

18 (3) PROCEDURES FOR DISBURSEMENT.—The
19 Secretary shall publish streamlined and expedited
20 procedures not later than 5 days after the date of
21 enactment of this Act for air carriers and contrac-
22 tors to submit requests for financial assistance
23 under this section.

24 (c) FUNDING.—There is appropriated, out of
25 amounts in the Treasury not otherwise appropriated,

- 1 \$15,000,000,000 to carry out this section, to remain avail-
- 2 able until expended.

