

Committee Print

(Providing for reconciliation pursuant to S. Con. Res. 5, the
Concurrent Resolution on the Budget for Fiscal Year 2021)

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 necessary to expedite the efficient use of
16 funds under this section.

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

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

7 (i) DEFINITIONS.—In this section:

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

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

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

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

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

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

1 (i) qualified for unemployment bene-
2 fits; or

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

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

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

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

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

20 (5) UNIT OF LOCAL GOVERNMENT.—The term
21 “unit of local government” has the meaning given
22 such term in section 501 of subtitle A of title V of
23 division N of the Consolidated Appropriations Act,
24 2021 (Public Law 116–260).

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

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

10 **SEC. 4202. EMERGENCY HOUSING VOUCHERS.**

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

18 (1) incremental emergency vouchers under sub-
19 section (b);

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

22 (3) fees for the costs of administering vouchers
23 under subsection (b) and other eligible expenses de-
24 fined by notice to prevent, prepare, and respond to
25 coronavirus to facilitate the leasing of the emergency

1 vouchers, such as security deposit assistance and
2 other costs related to retention and support of par-
3 ticipating owners; and;

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

12 (b) EMERGENCY VOUCHERS.—

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

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

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

24 (B) at risk of homelessness (as such term
25 is defined in section 401(1) of the McKinney-

1 Vento Homeless Assistance Act (42 U.S.C.
2 11360(1)));

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

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

10 (3) ALLOCATION.—Public housing agencies
11 shall be notified of the number of emergency vouch-
12 ers allocated to the agency not later than 60 days
13 after the date of the enactment of this Act, in ac-
14 cordance with a formula that includes public housing
15 agency capacity and ensures geographic diversity, in-
16 cluding with respect to rural areas, among public
17 housing agencies administering the Housing Choice
18 Voucher program.

19 (4) TERMS AND CONDITIONS.—

20 (A) ELECTION TO ADMINISTER.—The Sec-
21 retary shall establish a procedure for public
22 housing agencies to accept or decline the emer-
23 gency vouchers allocated to the agency in ac-
24 cordance with the formula under subparagraph
25 (3).

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

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

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

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

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

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

17 In addition to amounts otherwise available, there is
18 appropriated for fiscal year 2021, out of any money in
19 the Treasury not otherwise appropriated, \$100,000,000,
20 to remain available until September 30, 2022, to provide
21 grants under section 521(a)(2) of the Housing Act of
22 1949 or agreements entered into in lieu of debt forgiveness
23 or payments for eligible households as authorized by sec-
24 tion 502(c)(5)(D) of the Housing Act of 1949, for tem-
25 porary adjustment of income losses for residents of hous-

1 ing financed or assisted under section 514, 515, or 516
2 of the Housing Act of 1949 who have experienced income
3 loss but are not currently receiving Federal rental assist-
4 ance.

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

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

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

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

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

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

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

1 including for costs incurred as of January 21,
2 2020.

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

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

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

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

1 prevent, prepare for, and respond to
2 coronavirus.

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

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

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

22 (E) WAIVERS.—Any provision of any stat-
23 ute or regulation used to administer amounts
24 made available under this paragraph (except for
25 requirements related to fair housing, non-

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

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

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

19 **SEC. 4205. HOUSING COUNSELING.**

20 (a) **APPROPRIATION.**—There is appropriated, out of
21 amounts in the Treasury not otherwise appropriated, to
22 the Neighborhood Reinvestment Corporation (in this sec-
23 tion referred to as the “Corporation”) established under
24 the Neighborhood Reinvestment Corporation Act (42
25 U.S.C. 8101 et seq.) and consistent with the discretion

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

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

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

21 (b) LIMITATION.—The aggregate amount provided to
22 NeighborWorks organizations under this section shall not
23 exceed 15 percent of the total of grant funds made avail-
24 able by subsection (a).

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

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

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

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

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

20 **SEC. 4206. HOMELESSNESS ASSISTANCE AND SUPPORTIVE**
21 **SERVICES PROGRAM.**

22 (a) APPROPRIATION.—In addition to amounts other-
23 wise available, there is appropriated for fiscal year 2021,
24 out of any money in the Treasury not otherwise appro-
25 priated, \$5,000,000,000, to remain available until Sep-

1 tember 30, 2025, except that amounts authorized under
2 subsection (d)(3) shall remain available until September
3 30, 2029, for assistance under title II of the Cranston-
4 Gonzalez National Affordable Housing Act (42 U.S.C.
5 12721 et seq.) for the following activities to primarily ben-
6 efit qualifying individuals or families:

7 (1) Tenant-based rental assistance.

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

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

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

18 (B) housing counseling; and

19 (C) homeless prevention services.

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

23 (A) be converted to permanent affordable
24 housing;

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

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

9 (D) remain as non-congregate shelter
10 units.

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

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

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

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

23 (4) in other populations where providing sup-
24 portive services or assistance under section 212(a) of
25 the Act (42 U.S.C. 12742(a)) would prevent the

1 family's homelessness or would serve those with the
2 greatest risk of housing instability; or

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

6 (c) TERMS AND CONDITIONS.—

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

16 (2) ADMINISTRATIVE COSTS.— Notwithstanding
17 sections 212(c) and (d)(1) of the Act (42 U.S.C.
18 12742(c) and (d)(1)), of the funds made available in
19 this section for carrying out activities authorized in
20 this section, a grantee may use up to fifteen percent
21 of its allocation for administrative and planning
22 costs.

23 (3) OPERATING EXPENSES.—Notwithstanding
24 sections 212(a) and (g) of the Act (42 U.S.C.
25 12742(a) and (g)), a grantee may use up to an addi-

1 tional five percent of its allocation for the payment
2 of operating expenses of community housing develop-
3 ment organizations and nonprofit organizations car-
4 rying out activities authorized under this section,
5 but only if—

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

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

15 (d) ALLOCATION.—

16 (1) FORMULA ASSISTANCE.—Except as pro-
17 vided in paragraphs (2) and (3), amounts made
18 available under this section shall be allocated pursu-
19 ant to section 217 of the Act (42 U.S.C. 12746) to
20 grantees that received allocations pursuant to that
21 same formula in fiscal year 2021, and such alloca-
22 tions shall be made within 30 days of enactment of
23 this Act.

24 (2) TECHNICAL ASSISTANCE.—Up to
25 \$25,000,000 of the amounts made available under

1 this section shall be used, without competition, to
2 make new awards or increase prior awards to exist-
3 ing technical assistance providers to provide an im-
4 mediate increase in capacity building and technical
5 assistance available to any grantees implementing
6 activities or projects consistent with this section.

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

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

21 **SEC. 4207. HOMEOWNER ASSISTANCE FUND.**

22 (a) APPROPRIATION.—There is appropriated, out of
23 amounts in the Treasury not otherwise appropriated, for
24 the fiscal year ending September 30, 2021, to remain
25 available until September 30, 2025, \$9,961,000,000 to the

1 Homeowner Assistance Fund established under subsection
2 (c) for qualified expenses that meet the purposes estab-
3 lished under subsection (c) and expenses described in sub-
4 section (d)(1).

5 (b) DEFINITIONS.—In this section:

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

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

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

24 (A) a State; or

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

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

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

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

13 (5) FUND.—The term “Fund” means the
14 Homeowner Assistance Fund established under sub-
15 section (c).

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

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

23 (c) ESTABLISHMENT OF FUND.—

24 (1) ESTABLISHMENT; QUALIFIED EXPENSES.—

25 There is established in the Department of the Treas-

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

16 (A) mortgage payment assistance;

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

21 (C) principal reduction;

22 (D) facilitating interest rate reductions;

23 (E) payment assistance for—

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

- 1 (ii) internet service, including
2 broadband internet access service, as de-
3 fined in section 8.1(b) of title 47, Code of
4 Federal Regulations (or any successor reg-
5 ulation);
- 6 (iii) property taxes;
- 7 (iv) homeowner's insurance, flood in-
8 surance, and mortgage insurance; and
- 9 (v) homeowner's association, condo-
10 minium association fees, or common
11 charges;
- 12 (F) reimbursement of funds expended by a
13 State, local government, or designated entity
14 under subsection (e) during the period begin-
15 ning on January 21, 2020, and ending on the
16 date that the first funds are disbursed by the
17 eligible entity under the Homeowner Assistance
18 Fund, for the purpose of providing housing or
19 utility payment assistance to individuals or oth-
20 erwise providing funds to prevent foreclosure or
21 eviction of a homeowner or tenant or prevent
22 mortgage delinquency or loss of housing or util-
23 ities as a response to the coronavirus disease
24 (COVID) pandemic; and

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

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

18 (d) ALLOCATION OF FUNDS.—

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

22 (A) to the Department of the Treasury, an
23 amount not to exceed \$40,000,000 to admin-
24 ister and oversee the Fund, and to provide tech-
25 nical assistance to eligible entities for the cre-

1 ation and implementation of State and tribal
2 programs to administer assistance from the
3 Fund; and

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

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

20 (A) the number of individuals who are un-
21 employed;

22 (B) the total number or mortgagors with—

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

25 (ii) mortgages in foreclosure.

1 (3) SMALL STATE MINIMUM.—

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

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

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

1 data are available from the United States Census
2 Bureau.

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

7 (e) DISTRIBUTION OF FUNDS TO STATES.—

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

15 (2) REALLOCATION.—If a State does not re-
16 quest allocated funds by the 90th day after the date
17 of enactment of this Act, such State shall not be eli-
18 gible for a payment from the Secretary pursuant to
19 this section, and the Secretary shall reallocate any
20 funds that were not requested by such State among
21 the States that have requested funds by the 90th
22 day after the date of enactment of this Act. For any
23 such reallocation of funds, the Secretary shall ad-
24 here to the requirements of subsection (d), except
25 for paragraph (1), to the greatest extent possible,

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

13 (f) TRIBAL SET-ASIDE.—

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

23 (2) ALLOCATION AND PAYMENT.—The Sec-
24 retary shall allocate the funds set aside under para-
25 graph (1) using the allocation formulas described in

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

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

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

20 (a) APPROPRIATION.—In addition to amounts other-
21 wise made available, there is appropriated for fiscal year
22 2021, out of funds in the Treasury not otherwise appro-
23 priated, \$39,000,000, to remain available until September
24 30, 2023, for direct loans made under sections 502 and
25 504 of the Housing Act of 1949 (42 U.S.C. 1472, 1474).

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

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

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

7 (a) REAUTHORIZATION.—

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

11 (A) in section 3003—

12 (i) in subsection (b)—

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

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

22 (II) in paragraph (2)—

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

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

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

9 (dd) in subparagraph (C)(i),
10 by striking “2007” and inserting
11 “2019”; and

12 (ee) by adding at the end
13 the following:

14 “(C) SEPARATE ALLOCATION FOR TRIBAL
15 GOVERNMENTS.—

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

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

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

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

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

24 (III) by striking paragraph (3);
25 and

1 (ii) in subsection (c)—

2 (I) in paragraph (1)(A)(iii), by
3 inserting before the period the fol-
4 lowing: “that have delivered loans or
5 investments to eligible businesses”;
6 and

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

9 “(4) TERMINATION OF AVAILABILITY OF
10 AMOUNTS NOT TRANSFERRED.—

11 “(A) IN GENERAL.—Any portion of a par-
12 ticipating State’s allocated amount that has not
13 been transferred to the State under this section
14 may be deemed by the Secretary to be no longer
15 allocated to the State and no longer available to
16 the State and shall be returned to the general
17 fund of the Treasury or reallocated as described
18 under subparagraph (B), if—

19 “(i) the second $\frac{1}{3}$ of a State’s allo-
20 cated amount has not been transferred to
21 the State before the end of the end of the
22 3-year period beginning on the date that
23 the Secretary approves the State for par-
24 ticipation; or

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

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

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

22 (C) in section 3005(b), by striking “date of
23 enactment of this Act” each place it appears
24 and inserting “date of the enactment of section
25 3003(d)”;

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

4 (E) in section 3007(b), by striking “March
5 31, 2011” and inserting “March 31, 2022”;

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

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

14 (2) APPROPRIATION.—

15 (A) IN GENERAL.—There is hereby appro-
16 priated to the Secretary of the Treasury, out of
17 funds in the Treasury not otherwise appro-
18 priated, \$10,000,000,000 to carry out the State
19 Small Business Credit Initiative established
20 under the State Small Business Credit Initia-
21 tive Act of 2010, including to pay reasonable
22 costs of administering such Initiative.

23 (B) RESCISSION.—With respect to
24 amounts appropriated under subparagraph
25 (A)—

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

5 (ii) any amounts that remain unex-
6 pended (whether obligated or unobligated)
7 on September 30, 2030, shall be rescinded
8 and deposited into the general fund of the
9 Treasury.

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

16 “(d) ADDITIONAL ALLOCATIONS TO SUPPORT BUSI-
17 NESS ENTERPRISES OWNED AND CONTROLLED BY SO-
18 CIALY AND ECONOMICALLY DISADVANTAGED INDIVID-
19 UALS.—Of the amounts appropriated to carry out the Pro-
20 gram, the Secretary shall—

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

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

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

14 “(f) INCENTIVE ALLOCATIONS TO SUPPORT BUSI-
15 NESS ENTERPRISES OWNED AND CONTROLLED BY SO-
16 CIALY AND ECONOMICALLY DISADVANTAGED INDIVID-
17 UALS.—Of the amounts appropriated to carry out the Pro-
18 gram, the Secretary shall set aside \$1,000,000,000 for an
19 incentive program under which the Secretary shall in-
20 crease the second $\frac{1}{3}$ and last $\frac{1}{3}$ allocations for States that
21 demonstrate robust support, as determined by the Sec-
22 retary, for business concerns owned and controlled by so-
23 cially and economically disadvantaged individuals in the
24 deployment of prior allocation amounts.”.

1 (c) CDFI AND MDI PARTICIPATION PLAN.—Section
2 3004 of the State Small Business Credit Initiative Act of
3 2010 (12 U.S.C. 5703) is amended by adding at the end
4 the following:

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

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

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

23 (e) TECHNICAL ASSISTANCE.—

24 (1) STATE TECHNICAL ASSISTANCE PLAN.—
25 Section 3004 of the State Small Business Credit Ini-

1 tiative Act of 2010 (12 U.S.C. 5703), as amended
2 by subsection (d), is further amended by adding at
3 the end the following:

4 “(g) STATE TECHNICAL ASSISTANCE PLAN.—

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

14 “(A) State programs under the Program;
15 and

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

18 “(2) CONTRACTING.—Services described under
19 paragraph (1) may be contracted with legal, ac-
20 counting, and financial advisory firms, with priority
21 given to business enterprises owned and controlled
22 by socially and economically disadvantaged individ-
23 uals.”.

24 “(2) FUNDING.—Section 3009 of the State
25 Small Business Credit Initiative Act of 2010 (12

1 U.S.C. 5708) is amended by adding at the end the
2 following:

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

6 “(1) provide funds to States to carry out tech-
7 nical assistance plans described under section
8 3004(g);

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

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

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

21 “(3) contract with legal, accounting, and finan-
22 cial advisory firms (with priority given to business
23 enterprises owned and controlled by socially and eco-
24 nomically disadvantaged individuals), to provide
25 technical assistance to business enterprises owned

1 and controlled by socially and economically disadvan-
2 tagged individuals applying to—

3 “(A) State programs under the Program;
4 and
5 “(B) other State or Federal programs that
6 support small businesses.”.

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

12 “(f) MULTI-STATE PARTICIPATION PROGRAM.—The
13 Secretary may establish a multi-State participation pro-
14 gram under which—

15 “(1) the Secretary determines which State pro-
16 grams are similar to each other, with respect to eli-
17 gibility criteria and such other criteria as the Sec-
18 retary determines appropriate; and

19 “(2) a State may elect to automatically deem a
20 person eligible for a State program if the person is
21 already participating in another State’s State pro-
22 gram that the Secretary has determined is similar
23 under paragraph (1).”.

24 (g) APPLICATION OF THE MILITARY LENDING
25 ACT.—Section 3004 of the State Small Business Credit

1 Initiative Act of 2010 (15 U.S.C. 5702), as amended by
2 subsection (d)(1), is further amended by adding at the end
3 the following:

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

13 (h) INCLUSION OF TRIBAL GOVERNMENTS.—Section
14 3002(10) of the State Small Business Credit Initiative Act
15 of 2010 (12 U.S.C. 5701(10)) is amended—

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

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

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

21 “(E) a Tribal government.”.

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

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

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

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

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

19 “(16) COMMUNITY DEVELOPMENT FINANCIAL
20 INSTITUTION.—The term ‘community development
21 financial institution’ has the meaning given that
22 term under section 103 of the Riegle Community
23 Development and Regulatory Improvement Act of
24 1994.

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

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

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

20 (j) RULE OF APPLICATION.—The amendments made
21 by this section shall apply with respect to funds appro-
22 priated under this section and funds appropriated on and
23 after the date of enactment of this section.

1 **Subtitle D—Airlines**

2 **SEC. 4401. AIR TRANSPORTATION PAYROLL SUPPORT PRO-**
3 **GRAM EXTENSION.**

4 (a) DEFINITIONS.—The definitions in section
5 40102(a) of title 49, United States Code, shall apply with
6 respect to terms used in this section, except that—

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

13 (2) the term “contractor” means—

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

18 (i) catering functions; or

19 (ii) functions on the property of an
20 airport that are directly related to the air
21 transportation of persons, property, or
22 mail, including the loading and unloading
23 of property on aircraft, assistance to pas-
24 sengers under part 382 of title 14, Code of
25 Federal Regulations, security, airport

1 ticketing and check-in functions, ground-
2 handling of aircraft, or aircraft cleaning
3 and sanitization functions and waste re-
4 moval; or

5 (B) a subcontractor that performs such
6 functions;

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

10 (4) the term “eligible air carrier” means an air
11 carrier that—

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

16 (B) provides air transportation as of
17 March 31, 2021;

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

23 (D) certifies to the Secretary that such air
24 carrier 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 air carrier or the parent
9 company of the air carrier 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 such air carrier 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 air carrier 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 air carrier in calendar
9 year 2020; or

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

18 (II) any officer or employee of
19 the air carrier 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 air carrier
5 in calendar year 2020; and

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

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

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

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

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

23 (D) certifies to the Secretary that such
24 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.