

In the Senate of the United States,

April 21, 2020.

Resolved, That the bill from the House of Representatives (H.R. 266) entitled “An Act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the following:

1 *SECTION 1. SHORT TITLE.*

2 *This Act may be cited as the “Paycheck Protection*
3 *Program and Health Care Enhancement Act”.*

4 *SEC. 2. TABLE OF CONTENTS.*

5 *The table of contents for this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

DIVISION A—SMALL BUSINESS PROGRAMS

Sec. 101. Amendments to the Paycheck Protection Program, economic injury disaster loans, and emergency grants.

Sec. 102. Emergency designation.

DIVISION B—ADDITIONAL EMERGENCY APPROPRIATIONS FOR
CORONAVIRUS RESPONSE

1 **SEC. 3. REFERENCES.**

2 *Except as expressly provided otherwise, any reference*
3 *to “this Act” contained in any division of this Act shall*
4 *be treated as referring only to the provisions of that divi-*
5 *sion.*

6 ***DIVISION A—SMALL BUSINESS***
7 ***PROGRAMS***

8 **SEC. 101. AMENDMENTS TO THE PAYCHECK PROTECTION**
9 **PROGRAM, ECONOMIC INJURY DISASTER**
10 **LOANS, AND EMERGENCY GRANTS.**

11 *(a) INCREASED AUTHORITY FOR COMMITMENTS AND*
12 *APPROPRIATIONS FOR PAYCHECK PROTECTION PRO-*
13 *GRAM.—Title I of division A of the Coronavirus Aid, Relief,*
14 *and Economic Security Act (Public Law 116–136) is*
15 *amended—*

16 *(1) in section 1102(b)(1), by striking*
17 *“\$349,000,000,000” and inserting*
18 *“\$659,000,000,000”; and*

19 *(2) in section 1107(a)(1), by striking*
20 *“\$349,000,000,000” and inserting*
21 *“\$670,335,000,000”.*

22 *(b) INCREASED AUTHORIZATION FOR EMERGENCY*
23 *EIDL GRANTS.—Section 1110(e)(7) of division A of the*
24 *Coronavirus Aid, Relief, and Economic Security Act (Pub-*

1 *lic Law 116–136) is amended by striking*
 2 *“\$10,000,000,000” and inserting “\$20,000,000,000”.*

3 *(c) ELIGIBILITY OF AGRICULTURAL ENTERPRISES FOR*
 4 *ECONOMIC INJURY DISASTER LOANS AND EMERGENCY*
 5 *GRANTS.—Section 1110(a)(2) of division A of the*
 6 *Coronavirus Aid, Relief, and Economic Security Act (Pub-*
 7 *lic Law 116–136) is amended—*

8 *(1) in subparagraph (D), by striking “or” at the*
 9 *end;*

10 *(2) in subparagraph (E), by striking the period*
 11 *at the end and inserting “; or”; and*

12 *(3) by adding at the end the following:*

13 *“(F) an agricultural enterprise (as defined*
 14 *in section 18(b) of the Small Business Act (15*
 15 *U.S.C. 647(b)) with not more than 500 employ-*
 16 *ees.”.*

17 *(d) SET ASIDE FOR INSURED DEPOSITORY INSTITU-*
 18 *TIONS, CREDIT UNIONS, AND COMMUNITY FINANCIAL INSTI-*
 19 *TUTIONS.—Section 7(a)(36) of the Small Business Act (15*
 20 *U.S.C. 636(a)(36)) is amended—*

21 *(1) in subparagraph (A)—*

22 *(A) in clause (viii), by striking “and” at*
 23 *the end;*

24 *(B) in clause (ix), by striking the period at*
 25 *the end and inserting a semicolon; and*

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

2 “(x) the term ‘community development
3 financial institution’ has the meaning given
4 the term in section 103 of the Riegle Com-
5 munity Development and Regulatory Im-
6 provement Act of 1994 (12 U.S.C. 4702));

7 “(xi) the term ‘community financial
8 institutions’ means—

9 “(I) a community development fi-
10 nancial institution;

11 “(II) a minority depository insti-
12 tution, as defined in section 308 of the
13 Financial Institutions Reform, Recov-
14 ery, and Enforcement Act of 1989 (12
15 U.S.C. 1463 note);

16 “(III) a development company
17 that is certified under title V of the
18 Small Business Investment Act of 1958
19 (15 U.S.C. 695 et seq.); and

20 “(IV) an intermediary, as defined
21 in section 7(m)(11); and

22 “(xii) the term ‘credit union’ means a
23 State credit union or a Federal credit
24 union, as those terms are defined, respec-

tively, in section 101 of the Federal Credit
 Union Act (12 U.S.C. 1752).”; and
 (2) by adding at the end the following:

“(S) SET-ASIDE FOR INSURED DEPOSITORY
 INSTITUTIONS, CREDIT UNIONS, AND COMMUNITY
 FINANCIAL INSTITUTIONS.—

“(i) INSURED DEPOSITORY INSTITU-
 TIONS AND CREDIT UNIONS.—In making
 loan guarantees under this paragraph after
 the date of enactment of this clause, the Ad-
 ministrator shall guarantee not less than
 \$30,000,000,000 in loans made by—

“(I) insured depository institu-
 tions with consolidated assets of not
 less than \$10,000,000,000 and less
 than \$50,000,000,000; and

“(II) credit unions with consoli-
 dated assets of not less than
 \$10,000,000,000 and less than
 \$50,000,000,000.

“(ii) COMMUNITY FINANCIAL INSTITU-
 TIONS, SMALL INSURED DEPOSITORY INSTI-
 TUTIONS, AND CREDIT UNIONS.—In making
 loan guarantees under this paragraph after
 the date of enactment of this clause, the Ad-

1 *ministrator shall guarantee not less than*
 2 *\$30,000,000,000 in loans made by—*
 3 *“(I) community financial institu-*
 4 *tions;*
 5 *“(II) insured depository institu-*
 6 *tions with consolidated assets of less*
 7 *than \$10,000,000,000; and*
 8 *“(III) credit unions with consoli-*
 9 *dated assets of less than*
 10 *\$10,000,000,000.”.*

11 **SEC. 102. EMERGENCY DESIGNATION.**

12 *(a) IN GENERAL.—The amounts provided under this*
 13 *division are designated as an emergency requirement pur-*
 14 *suant to section 4(g) of the Statutory Pay-As-You-Go Act*
 15 *of 2010 (2 U.S.C. 933(g)).*

16 *(b) DESIGNATION IN SENATE.—In the Senate, this di-*
 17 *vision is designated as an emergency requirement pursuant*
 18 *to section 4112(a) of H. Con. Res. 71 (115th Congress), the*
 19 *concurrent resolution on the budget for fiscal year 2018.*

20 **DIVISION B—ADDITIONAL EMERGENCY**
 21 **APPROPRIATIONS FOR CORONAVIRUS**
 22 **RESPONSE**

23 *The following sums are hereby appropriated, out of*
 24 *any money in the Treasury not otherwise appropriated, for*

1 *the fiscal year ending September 30, 2020, and for other*
 2 *purposes, namely:*

3 *TITLE I*
 4 *DEPARTMENT OF HEALTH AND HUMAN*
 5 *SERVICES*

6 *OFFICE OF THE SECRETARY*
 7 *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*
 8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For an additional amount for “Public Health and So-*
 10 *cial Services Emergency Fund”, \$75,000,000,000, to re-*
 11 *main available until expended, to prevent, prepare for, and*
 12 *respond to coronavirus, domestically or internationally, for*
 13 *necessary expenses to reimburse, through grants or other*
 14 *mechanisms, eligible health care providers for health care*
 15 *related expenses or lost revenues that are attributable to*
 16 *coronavirus: Provided, That these funds may not be used*
 17 *to reimburse expenses or losses that have been reimbursed*
 18 *from other sources or that other sources are obligated to re-*
 19 *imburse: Provided further, That recipients of payments*
 20 *under this paragraph in this Act shall submit reports and*
 21 *maintain documentation as the Secretary of Health and*
 22 *Human Services (referred to in this paragraph as the “Sec-*
 23 *retary”)* *determines are needed to ensure compliance with*
 24 *conditions that are imposed by this paragraph in this Act*
 25 *for such payments, and such reports and documentation*

1 *shall be in such form, with such content, and in such time*
 2 *as the Secretary may prescribe for such purpose: Provided*
 3 *further, That “eligible health care providers” means public*
 4 *entities, Medicare or Medicaid enrolled suppliers and pro-*
 5 *viders, and such for-profit entities and not-for-profit enti-*
 6 *ties not otherwise described in this proviso as the Secretary*
 7 *may specify, within the United States (including terri-*
 8 *ories), that provide diagnoses, testing, or care for individ-*
 9 *uals with possible or actual cases of COVID–19: Provided*
 10 *further, That the Secretary shall, on a rolling basis, review*
 11 *applications and make payments under this paragraph in*
 12 *this Act: Provided further, That funds appropriated under*
 13 *this paragraph in this Act shall be available for building*
 14 *or construction of temporary structures, leasing of prop-*
 15 *erties, medical supplies and equipment including personal*
 16 *protective equipment and testing supplies, increased work-*
 17 *force and trainings, emergency operation centers, retro-*
 18 *fitting facilities, and surge capacity: Provided further,*
 19 *That, in this paragraph, the term “payment” means a pre-*
 20 *payment, prospective payment, or retrospective payment, as*
 21 *determined appropriate by the Secretary: Provided further,*
 22 *That payments under this paragraph in this Act shall be*
 23 *made in consideration of the most efficient payment systems*
 24 *practicable to provide emergency payment: Provided fur-*
 25 *ther, That to be eligible for a payment under this paragraph*

1 *in this Act, an eligible health care provider shall submit*
2 *to the Secretary an application that includes a statement*
3 *justifying the need of the provider for the payment and the*
4 *eligible health care provider shall have a valid tax identi-*
5 *fication number: Provided further, That, not later than 3*
6 *years after final payments are made under this paragraph*
7 *in this Act, the Office of Inspector General of the Depart-*
8 *ment of Health and Human Services shall transmit a final*
9 *report on audit findings with respect to this program to*
10 *the Committees on Appropriations of the House of Rep-*
11 *resentatives and the Senate: Provided further, That nothing*
12 *in this paragraph limits the authority of the Inspector Gen-*
13 *eral or the Comptroller General to conduct audits of interim*
14 *payments at an earlier date: Provided further, That not*
15 *later than 60 days after the date of enactment of this Act,*
16 *the Secretary shall provide a report to the Committees on*
17 *Appropriations of the House of Representatives and the*
18 *Senate on obligation of funds, including obligations to such*
19 *eligible health care providers summarized by State of the*
20 *payment receipt: Provided further, That such reports shall*
21 *be updated and submitted to such Committees every 60 days*
22 *until funds are expended: Provided further, That such*
23 *amount is designated by the Congress as being for an emer-*
24 *gency requirement pursuant to section 251(b)(2)(A)(i) of*

1 *the Balanced Budget and Emergency Deficit Control Act*
 2 *of 1985.*

3 *For an additional amount for “Public Health and So-*
 4 *cial Services Emergency Fund”, \$25,000,000,000, to re-*
 5 *main available until expended, to prevent, prepare for, and*
 6 *respond to coronavirus, domestically or internationally, for*
 7 *necessary expenses to research, develop, validate, manufac-*
 8 *ture, purchase, administer, and expand capacity for*
 9 *COVID–19 tests to effectively monitor and suppress*
 10 *COVID–19, including tests for both active infection and*
 11 *prior exposure, including molecular, antigen, and sero-*
 12 *logical tests, the manufacturing, procurement and distribu-*
 13 *tion of tests, testing equipment and testing supplies, includ-*
 14 *ing personal protective equipment needed for administering*
 15 *tests, the development and validation of rapid, molecular*
 16 *point-of-care tests, and other tests, support for workforce,*
 17 *epidemiology, to scale up academic, commercial, public*
 18 *health, and hospital laboratories, to conduct surveillance*
 19 *and contact tracing, support development of COVID–19*
 20 *testing plans, and other related activities related to*
 21 *COVID–19 testing: Provided, That of the amount appro-*
 22 *priated under this paragraph in this Act, not less than*
 23 *\$11,000,000,000 shall be for States, localities, territories,*
 24 *tribes, tribal organizations, urban Indian health organiza-*
 25 *tions, or health service providers to tribes for necessary ex-*

1 *penses to develop, purchase, administer, process, and ana-*
 2 *lyze COVID–19 tests, including support for workforce, epi-*
 3 *demiology, use by employers or in other settings, scale up*
 4 *of testing by public health, academic, commercial, and hos-*
 5 *pital laboratories, and community-based testing sites,*
 6 *health care facilities, and other entities engaged in COVID–*
 7 *19 testing, conduct surveillance, trace contacts, and other*
 8 *related activities related to COVID–19 testing: Provided*
 9 *further, That of the amount identified in the preceding pro-*
 10 *viso, not less than \$2,000,000,000 shall be allocated to*
 11 *States, localities, and territories according to the formula*
 12 *that applied to the Public Health Emergency Preparedness*
 13 *cooperative agreement in fiscal year 2019, not less than*
 14 *\$4,250,000,000 shall be allocated to States, localities, and*
 15 *territories according to a formula methodology that is based*
 16 *on relative number of cases of COVID–19, and not less than*
 17 *\$750,000,000 shall be allocated in coordination with the Di-*
 18 *rector of the Indian Health Service, to tribes, tribal organi-*
 19 *zations, urban Indian health organizations, or health serv-*
 20 *ice providers to tribes: Provided further, That the Secretary*
 21 *of Health and Human Services (referred to in this para-*
 22 *graph as the “Secretary”) may satisfy the funding thresh-*
 23 *olds outlined in the first and second provisos under this*
 24 *paragraph in this Act by making awards through other*
 25 *grant or cooperative agreement mechanisms: Provided fur-*

1 *ther, That not later than 30 days after the date of enactment*
 2 *of this Act, the Governor or designee of each State, locality,*
 3 *territory, tribe, or tribal organization receiving funds pur-*
 4 *suant to this Act shall submit to the Secretary its plan for*
 5 *COVID–19 testing, including goals for the remainder of cal-*
 6 *endar year 2020, to include: (1) the number of tests needed,*
 7 *month-by-month, to include diagnostic, serological, and*
 8 *other tests, as appropriate; (2) month-by-month estimates*
 9 *of laboratory and testing capacity, including related to*
 10 *workforce, equipment and supplies, and available tests; and*
 11 *(3) a description of how the State, locality, territory, tribe,*
 12 *or tribal organization will use its resources for testing, in-*
 13 *cluding as it relates to easing any COVID–19 community*
 14 *mitigation policies: Provided further, That the Secretary*
 15 *shall submit such formula methodology identified in the*
 16 *first proviso under this paragraph in this Act to the Com-*
 17 *mittees on Appropriations of the House of Representatives*
 18 *and the Senate one day prior to awarding such funds: Pro-*
 19 *vided further, That such funds identified in the first and*
 20 *second provisos under this paragraph in this Act shall be*
 21 *allocated within 30 days of the date of enactment of this*
 22 *Act: Provided further, That of the amount appropriated*
 23 *under this paragraph in this Act, not less than*
 24 *\$1,000,000,000 shall be transferred to the “Centers for Dis-*
 25 *ease Control and Prevention—CDC-Wide Activities and*

1 *Program Support” for surveillance, epidemiology, labora-*
 2 *tory capacity expansion, contact tracing, public health data*
 3 *surveillance and analytics infrastructure modernization,*
 4 *disseminating information about testing, and workforce*
 5 *support necessary to expand and improve COVID–19 test-*
 6 *ing: Provided further, That of the amount appropriated*
 7 *under this paragraph in this Act, not less than*
 8 *\$306,000,000 shall be transferred to the “National Insti-*
 9 *tutes of Health—National Cancer Institute” to develop,*
 10 *validate, improve, and implement serological testing and*
 11 *associated technologies for the purposes specified under this*
 12 *paragraph in this Act: Provided further, That of the*
 13 *amount appropriated under this paragraph in this Act, not*
 14 *less than \$500,000,000 shall be transferred to the “National*
 15 *Institutes of Health—National Institute of Biomedical Im-*
 16 *aging and Bioengineering” to accelerate research, develop-*
 17 *ment, and implementation of point of care and other rapid*
 18 *testing related to coronavirus: Provided further, That of the*
 19 *amount appropriated under this paragraph in this Act, not*
 20 *less than \$1,000,000,000 shall be transferred to the “Na-*
 21 *tional Institutes of Health—Office of the Director” to de-*
 22 *velop, validate, improve, and implement testing and associ-*
 23 *ated technologies; to accelerate research, development, and*
 24 *implementation of point of care and other rapid testing;*
 25 *and for partnerships with governmental and non-govern-*

1 *mental entities to research, develop, and implement the ac-*
 2 *tivities outlined in this proviso: Provided further, That*
 3 *funds in the preceding proviso may be transferred to the*
 4 *accounts of the Institutes and Centers of the National Insti-*
 5 *tutes of Health (referred to in this paragraph as the “NIH”)*
 6 *for the purposes specified in the preceding proviso: Provided*
 7 *further, That the transfer authority provided in the pre-*
 8 *ceding proviso is in addition to all other transfer authority*
 9 *available to the NIH: Provided further, That of the amount*
 10 *appropriated under this paragraph in this Act, not less*
 11 *than \$1,000,000,000 shall be available to the Biomedical*
 12 *Advanced Research and Development Authority for nec-*
 13 *essary expenses of advanced research, development, manu-*
 14 *facturing, production, and purchase of diagnostic, serologic,*
 15 *or other COVID–19 tests or related supplies, and other ac-*
 16 *tivities related to COVID–19 testing at the discretion of the*
 17 *Secretary: Provided further, That of the amount appro-*
 18 *priated under this paragraph in this Act, \$22,000,000, shall*
 19 *be transferred to the “Department of Health and Human*
 20 *Services—Food and Drug Administration—Salaries and*
 21 *Expenses” to support activities associated with diagnostic,*
 22 *serological, antigen, and other tests, and related adminis-*
 23 *trative activities: Provided further, That the amount appro-*
 24 *priated under this paragraph in this Act may be used for*
 25 *grants for the rent, lease, purchase, acquisition, construc-*

1 tion, alteration, renovation, or equipping of non-federally
 2 owned facilities to improve preparedness and response ca-
 3 pability at the State and local level for diagnostic, serologic,
 4 or other COVID–19 tests, or related supplies: Provided fur-
 5 ther, That the amount appropriated under this paragraph
 6 in this Act may be used for construction, alteration, renova-
 7 tion, or equipping of non-federally owned facilities for the
 8 production of diagnostic, serologic, or other COVID–19
 9 tests, or related supplies, where the Secretary determines
 10 that such a contract is necessary to secure, or for the pro-
 11 duction of, sufficient amounts of such tests or related sup-
 12 plies: Provided further, That funds appropriated under this
 13 paragraph in this Act may be used for purchase of medical
 14 supplies and equipment, including personal protective
 15 equipment and testing supplies to be used for administering
 16 tests, increased workforce and trainings, emergency oper-
 17 ation centers, and surge capacity for diagnostic, serologic,
 18 or other COVID–19 tests, or related supplies: Provided fur-
 19 ther, That products purchased with funds appropriated
 20 under this paragraph in this Act may, at the discretion
 21 of the Secretary, be deposited in the Strategic National
 22 Stockpile under section 319F–2 of the Public Health Service
 23 Act: Provided further, That of the amount appropriated
 24 under this paragraph in this Act, \$600,000,000 shall be
 25 transferred to “Health Resources and Services Administra-

1 tion—Primary Health Care” for grants under the Health
 2 Centers program, as defined by section 330 of the Public
 3 Health Service Act, and for grants to federally qualified
 4 health centers, as defined in section 1861(aa)(4)(B) of the
 5 Social Security Act: Provided further, That sections
 6 330(e)(6)(A)(iii), 330(e)(6)(B)(iii), and 330(r)(2)(B) of the
 7 Public Health Service Act shall not apply to funds provided
 8 under the previous proviso: Provided further, That of the
 9 amount appropriated under this paragraph in this Act,
 10 \$225,000,000 shall be used to provide additional funding
 11 for COVID–19 testing and related expenses, through grants
 12 or other mechanisms, to rural health clinics as defined in
 13 section 1861(aa)(2) of the Social Security Act, with such
 14 funds also available to such entities for building or con-
 15 struction of temporary structures, leasing of properties, and
 16 retrofitting facilities as necessary to support COVID–19
 17 testing: Provided further, That such funds shall be distrib-
 18 uted using the procedures developed for the Provider Relief
 19 Fund authorized under the third paragraph under this
 20 heading in division B of the Coronavirus Aid, Relief, and
 21 Economic Security Act (Public Law 116–136); may be dis-
 22 tributed using contracts or agreements established for such
 23 program; and shall be subject to the process requirements
 24 applicable to such program: Provided further, That the Sec-
 25 retary may specify a minimum amount for each eligible

1 *entity accepting assistance under the two previous provisos:*
 2 *Provided further, That up to \$1,000,000,000 of funds pro-*
 3 *vided under this paragraph in this Act may be used to cover*
 4 *the cost of testing for the uninsured, using the definitions*
 5 *applicable to funds provided under this heading in Public*
 6 *Law 116–127: Provided further, That not later than 21*
 7 *days after the date of enactment of this Act, the Secretary,*
 8 *in coordination with other appropriate departments and*
 9 *agencies, shall issue a report on COVID–19 testing: Pro-*
 10 *vided further, That such report shall include data on demo-*
 11 *graphic characteristics, including, in a de-identified and*
 12 *disaggregated manner, race, ethnicity, age, sex, geographic*
 13 *region and other relevant factors of individuals tested for*
 14 *or diagnosed with COVID–19, to the extent such informa-*
 15 *tion is available: Provided further, That such report shall*
 16 *include information on the number and rates of cases, hos-*
 17 *pitalizations, and deaths as a result of COVID–19: Pro-*
 18 *vided further, That such report shall be submitted to the*
 19 *Committees on Appropriations of the House and Senate,*
 20 *and the Committee on Energy and Commerce of the House*
 21 *of Representatives and the Committee on Health, Edu-*
 22 *cation, Labor, and Pensions of the Senate, and updated and*
 23 *resubmitted to such Committees, as necessary, every 30 days*
 24 *until the end of the COVID–19 public health emergency first*
 25 *declared by the Secretary on January 31, 2020: Provided*

1 *further, That not later than 180 days after the date of enact-*
2 *ment of this Act, the Secretary shall issue a report on the*
3 *number of positive diagnoses, hospitalizations, and deaths*
4 *as a result of COVID–19, disaggregated nationally by race,*
5 *ethnicity, age, sex, geographic region, and other relevant*
6 *factors: Provided further, That such report shall include ep-*
7 *idemiological analysis of such data: Provided further, That*
8 *not later than 30 days after the date of the enactment of*
9 *this Act, the Secretary, in coordination with other depart-*
10 *ments and agencies, as appropriate, shall report to the*
11 *Committees on Appropriations of the House and Senate,*
12 *the Committee on Energy and Commerce of the House of*
13 *Representatives, and the Committee on Health, Education,*
14 *Labor, and Pensions of the Senate on a COVID–19 strategic*
15 *testing plan: Provided further, That such plan shall assist*
16 *States, localities, territories, tribes, tribal organizations,*
17 *and urban Indian health organizations, in understanding*
18 *COVID–19 testing for both active infection and prior expo-*
19 *sure, including hospital-based testing, high-complexity lab-*
20 *oratory testing, point-of-care testing, mobile-testing units,*
21 *testing for employers and other settings, and other tests as*
22 *necessary: Provided further, That such plan shall include*
23 *estimates of testing production that account for new and*
24 *emerging technologies, as well as guidelines for testing: Pro-*
25 *vided further, That such plan shall address how the Sec-*

1 *retary will increase domestic testing capacity, including*
 2 *testing supplies; and address disparities in all commu-*
 3 *nities: Provided further, That such plan shall outline Fed-*
 4 *eral resources that are available to support the testing plans*
 5 *of each State, locality, territory, tribe, tribal organization,*
 6 *and urban Indian health organization: Provided further,*
 7 *That such plan shall be updated every 90 days until funds*
 8 *are expended: Provided further, That such amount is des-*
 9 *ignated by the Congress as being for an emergency require-*
 10 *ment pursuant to section 251(b)(2)(A)(i) of the Balanced*
 11 *Budget and Emergency Deficit Control Act of 1985.*

12 **GENERAL PROVISIONS—THIS TITLE**

13 **(INCLUDING TRANSFER OF FUNDS)**

14 *SEC. 101. The requirements, authorities, and condi-*
 15 *tions described in sections 18108, 18109, and 18112 of divi-*
 16 *sion B of the Coronavirus Aid, Relief, and Economic Secu-*
 17 *rity Act (Public Law 116–136) shall apply to funds appro-*
 18 *priated in this Act to the Department of Health and*
 19 *Human Services.*

20 *SEC. 102. Funds appropriated by this Act under the*
 21 *heading “Department of Health and Human Services”, ex-*
 22 *cept for the amounts specified in the first paragraph and*
 23 *the first and second provisos in the second paragraph under*
 24 *the heading “Public Health and Social Services Emergency*
 25 *Fund”, may be transferred to, and merged with, other ap-*

1 *appropriation accounts under the headings “Centers for Dis-*
 2 *ease Control and Prevention”, “Public Health and Social*
 3 *Services Emergency Fund”, “Food and Drug Administra-*
 4 *tion”, and “National Institutes of Health” to prevent, pre-*
 5 *pare for, and respond to coronavirus following consultation*
 6 *with the Office of Management and Budget: Provided, That*
 7 *the Committees on Appropriations of the House of Rep-*
 8 *resentatives and the Senate shall be notified 10 days in ad-*
 9 *vance of any such transfer: Provided further, That, upon*
 10 *a determination that all or part of the funds transferred*
 11 *from an appropriation by this Act are not necessary, such*
 12 *amounts may be transferred back to that appropriation:*
 13 *Provided further, That none of the funds made available*
 14 *by this Act may be transferred pursuant to the authority*
 15 *in section 205 of division A of Public Law 116–94 or sec-*
 16 *tion 241(a) of the Public Health Service Act.*

17 *SEC. 103. Of the funds appropriated by this Act under*
 18 *the heading “Public Health and Social Services Emergency*
 19 *Fund”, up to \$6,000,000 shall be transferred to, and merged*
 20 *with, funds made available under the heading “Office of the*
 21 *Secretary, Office of Inspector General”, and shall remain*
 22 *available until expended, for oversight of activities sup-*
 23 *ported with funds appropriated to the Department of*
 24 *Health and Human Services to prevent, prepare for, and*
 25 *respond to coronavirus, domestically or internationally:*

1 *Provided, That the Inspector General of the Department of*
 2 *Health and Human Services shall consult with the Commit-*
 3 *tees on Appropriations of the House of Representatives and*
 4 *the Senate prior to obligating such funds: Provided further,*
 5 *That the transfer authority provided by this section is in*
 6 *addition to any other transfer authority provided by law.*

7 *TITLE II*

8 *INDEPENDENT AGENCIES*

9 *SMALL BUSINESS ADMINISTRATION*

10 *SALARIES AND EXPENSES*

11 *For an additional amount for “Salaries and Ex-*
 12 *penses”, \$2,100,000,000, to remain available until Sep-*
 13 *tember 30, 2021, to prevent, prepare for, and respond to*
 14 *coronavirus, domestically or internationally: Provided,*
 15 *That such amount is designated by the Congress as being*
 16 *for an emergency requirement pursuant to section*
 17 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*
 18 *Deficit Control Act of 1985.*

19 *DISASTER LOANS PROGRAM ACCOUNT*

20 *For an additional amount for “Disaster Loans Pro-*
 21 *gram Account” for the cost of direct loans authorized by*
 22 *section 7(b) of the Small Business Act, \$50,000,000,000, to*
 23 *remain available until expended, to prevent, prepare for,*
 24 *and respond to coronavirus, domestically or internation-*
 25 *ally: Provided, That such amount is designated by the Con-*

gress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCY EIDL GRANTS

For an additional amount for “Emergency EIDL Grants” for the cost of emergency EIDL grants authorized by section 1110 of division A of the CARES Act (Public Law 116–136), \$10,000,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE III

GENERAL PROVISIONS—THIS ACT

SEC. 301. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 302. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 303. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities

1 *and conditions applicable to such appropriations accounts*
2 *for fiscal year 2020.*

3 *SEC. 304. Notwithstanding any other provision of law,*
4 *funds made available in this Act, or transferred pursuant*
5 *to authorization granted in this Act, may only be used to*
6 *prevent, prepare for, and respond to coronavirus.*

7 *SEC. 305. In this Act, the term “coronavirus” means*
8 *SARS-CoV-2 or another coronavirus with pandemic poten-*
9 *tial.*

10 *SEC. 306. Each amount designated in this Act by the*
11 *Congress as being for an emergency requirement pursuant*
12 *to section 251(b)(2)(A)(i) of the Balanced Budget and*
13 *Emergency Deficit Control Act of 1985 shall be available*
14 *(or rescinded or transferred, if applicable) only if the Presi-*
15 *dent subsequently so designates all such amounts and trans-*
16 *mits such designations to the Congress.*

17 *SEC. 307. Any amount appropriated by this Act, des-*
18 *ignated by the Congress as an emergency requirement pur-*
19 *suant to section 251(b)(2)(A)(i) of the Balanced Budget and*
20 *Emergency Deficit Control Act of 1985 and subsequently*
21 *so designated by the President, and transferred pursuant*
22 *to transfer authorities provided by this Act shall retain such*
23 *designation.*

1 *BUDGETARY EFFECTS*

2 *SEC. 308. (a) STATUTORY PAYGO SCORECARDS.—The*
 3 *budgetary effects of this division shall not be entered on ei-*
 4 *ther PAYGO scorecard maintained pursuant to section 4(d)*
 5 *of the Statutory Pay As-You-Go Act of 2010.*

6 *(b) SENATE PAYGO SCORECARDS.—The budgetary ef-*
 7 *fects of this division shall not be entered on any PAYGO*
 8 *scorecard maintained for purposes of section 4106 of H.*
 9 *Con. Res. 71 (115th Congress).*

10 *(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Not-*
 11 *withstanding Rule 3 of the Budget Scorekeeping Guidelines*
 12 *set forth in the joint explanatory statement of the committee*
 13 *of conference accompanying Conference Report 105–217*
 14 *and section 250(c)(7) and (c)(8) of the Balanced Budget*
 15 *and Emergency Deficit Control Act of 1985, the budgetary*
 16 *effects of this division shall be estimated for purposes of sec-*
 17 *tion 251 of such Act.*

18 *This division may be cited as the “Additional Emer-*
 19 *gency Appropriations for Coronavirus Response”.*

Attest:

Secretary.

116TH CONGRESS
2D SESSION

H.R. 266

AMENDMENT