

AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the bill.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

H. R. 1319

To provide for reconciliation pursuant to title II of S. Con.
Res. 5.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by
_____ to the amendment (No. 891)
proposed by Mr. SCHUMER

Viz:

1 On page 17, line 27, strike “(a)—” and insert “(a)
2 for purposes described in this subsection by—”.

3 On page 18, line 1, strike “(1) to” and insert “(1)
4 using not less than 5 percent of the total amount of fund-
5 ing provided under subsection (a) to”.

6 On page 18, line 9, strike “(2) to” and insert “(2)
7 using not less than 5 percent of the total amount of fund-
8 ing provided under subsection (a) to”.

1 On page 18, line 14, strike “(3) to support” and in-
2 sert “(3) using not less than 0.5 percent of the total
3 amount of funding provided under subsection (a) to fund”.

4 On page 18, lines 17 and 18, strike “, using
5 \$5,000,000 of the amount made available pursuant to sub-
6 section (a)”.

7 On page 18, line 19, strike “(4) to” and insert “(4)
8 using not less than 5 percent of the total amount of fund-
9 ing provided under subsection (a) to”.

10 On page 18, line 22, strike “at—” and insert “by—
11 ”.

12 On page 18, line 23, insert “using not less than 1
13 percent of the total amount of funding provided under
14 subsection (a) at” after “(A)”.

15 On page 19, line 3, insert “using not less than 1 per-
16 cent of the total amount of funding provided under sub-
17 section (a) at” after “(B)”.

1 On page 19, line 7, insert “using not less than 1 per-
2 cent of the total amount of funding provided under sub-
3 section (a) at” after “(C)”.

4 On page 19, line 13, insert “using not less than 1
5 percent of the total amount of funding provided under
6 subsection (a) at” after “(D)”.

7 On page 19, line 18, insert “using not less than 1
8 percent of the total amount of funding provided under
9 subsection (a) at” after “(E)”.

10 On page 19, line 24, strike “(5) to” and insert “using
11 not less than 5 percent of the total amount of funding
12 provided under subsection (a) to”.

13 On page 33, line 12, strike “\$125,804,800,000” and
14 insert “\$122,774,800,000”.

15 On page 34, line 2, strike “87.5” and insert “90”.

16 On page 41, line 19, insert “and” after the semicolon.

1 Beginning on page 41, strike line 20 and all that fol-
2 lows through page 42, line 6.

3 On page 42, line 7, strike “(5)” and insert “(4)”.

4 On page 57, between lines 20 and 21, insert the fol-
5 lowing:

6 **SEC. 2014. FUNDING FOR THE INDIVIDUALS WITH DISABIL-**
7 **ITIES EDUCATION ACT.**

8 (a) AMOUNTS FOR IDEA.—There is appropriated to
9 the Secretary of Education for fiscal year 2021, out of
10 any money in the Treasury not otherwise appropriated—

11 (1) \$2,580,000,000 for grants to States under
12 part B of the Individuals with Disabilities Education
13 Act;

14 (2) \$200,000,000 for preschool grants under
15 section 619 of the Individuals with Disabilities Edu-
16 cation Act; and

17 (3) \$250,000,000 for programs for infants and
18 toddlers with disabilities under part C of the Individ-
19 uals with Disabilities Education Act.

20 (b) GENERAL PROVISIONS.—Any amount appro-
21 priated under subsection (a) is in addition to other
22 amounts appropriated or made available for the applicable
23 purpose.

1 (2) in the fourth sentence, by striking “March
2 14, 2021” and inserting “September 6, 2021”.

3 (b) **CLARIFICATION ON AUTHORITY TO USE**
4 **FUNDS.**—Funds appropriated under subparagraph (B) of
5 section 2(a)(5) of the Railroad Unemployment Insurance
6 Act (45 U.S.C. 352(a)(5)) shall be available to cover the
7 cost of recovery benefits provided under such section
8 2(a)(5) by reason of the amendments made by subsection
9 (a) as well as to cover the cost of such benefits provided
10 under such section 2(a)(5) as in effect on the day before
11 the date of enactment of this Act.

12 **SEC. 2902. EXTENDED UNEMPLOYMENT BENEFITS UNDER**
13 **THE RAILROAD UNEMPLOYMENT INSURANCE**
14 **ACT.**

15 (a) **IN GENERAL.**—Section 2(c)(2)(D) of the Rail-
16 road Unemployment Insurance Act (45 U.S.C.
17 352(c)(2)(D)) is amended—

18 (1) in clause (i)—

19 (A) in subclause (I), by striking “185
20 days” and inserting “330 days”;

21 (B) in subclause (II),

22 (i) by striking “19 consecutive 14-day
23 periods” and inserting “33 consecutive 14-
24 day periods”; and

1 (ii) by striking “6 consecutive 14-day
2 periods” and inserting “20 consecutive 14-
3 day periods”;

4 (2) in clause (ii)—

5 (A) by striking “120 days of unemploy-
6 ment” and inserting “265 days of unemploy-
7 ment”;

8 (B) by striking “12 consecutive 14-day pe-
9 riods” and inserting “27 consecutive 14-day pe-
10 riods”; and

11 (C) by striking “6 consecutive 14-day peri-
12 ods” and inserting “20 consecutive 14-day peri-
13 ods”;

14 (3) in clause (iii)—

15 (A) by striking “June 30, 2021” and in-
16 serting “June 30, 2022”; and

17 (B) by striking “the provisions of clauses
18 (i) and (ii) shall not apply to any employee
19 whose extended benefit period under subpara-
20 graph (B) begins after March 14, 2021, and
21 shall not apply to any employee with respect to
22 any registration period beginning after April 5,
23 2021.” and inserting “the provisions of clauses
24 (i) and (ii) shall not apply to any employee with

1 respect to any registration period beginning
2 after September 6, 2021.”; and

3 (4) in clause (v), by adding at the end the fol-
4 lowing: “In addition to the amount appropriated by
5 the preceding two sentences, out of any funds in the
6 Treasury not otherwise appropriated, there are ap-
7 propriated \$2,000,000 to cover the cost of additional
8 extended unemployment benefits provided under this
9 subparagraph, to remain available until expended.”.

10 (b) **CLARIFICATION ON AUTHORITY TO USE**
11 **FUNDS.**—Funds appropriated under the first, second, or
12 third sentence of clause (v) of section 2(c)(2)(D) of the
13 Railroad Unemployment Insurance Act shall be available
14 to cover the cost of additional extended unemployment
15 benefits provided under such section 2(c)(2)(D) by reason
16 of the amendments made by subsection (a) as well as to
17 cover the cost of such benefits provided under such section
18 2(c)(2)(D) as in effect on the day before the date of enact-
19 ment of this Act.

20 **SEC. 2903. EXTENSION OF WAIVER OF THE 7-DAY WAITING**
21 **PERIOD FOR BENEFITS UNDER THE RAIL-**
22 **ROAD UNEMPLOYMENT INSURANCE ACT.**

23 (a) **IN GENERAL.**—Section 2112(a) of the CARES
24 Act (15 U.S.C. 9030(a)) is amended by striking “March
25 14, 2021” and inserting “September 6, 2021”.

1 (b) CLARIFICATION ON AUTHORITY TO USE
2 FUNDS.—Funds appropriated under section 2112(c) of
3 the CARES Act (15 U.S.C. 9030(c)) shall be available to
4 cover the cost of additional benefits payable due to section
5 2112(a) of such Act by reason of the amendments made
6 by subsection (a) as well as to cover the cost of such bene-
7 fits payable due to such section 2112(a) as in effect on
8 the day before the date of enactment of this Act.

9 On page 116, between lines 9 and 10, insert the fol-
10 lowing:

11 (c) DEFINITION.—In this section, the term “State”
12 means each of the 50 States of the United States, the
13 District of Columbia, the Commonwealth of Puerto Rico,
14 American Samoa, Guam, the United States Virgin Is-
15 lands, and the Commonwealth of the Northern Mariana
16 Islands.

17 On page 121, lines 1 through 3, strike “notwith-
18 standing section 304(e) of the Defense Production Act of
19 1950 (50 U.S.C. 4534(e)),”.

20 Beginning on page 166, strike line 16 and all that
21 follows through page 167, line 12.

1 On page 167, line 13, strike “(f)” and insert “(d)”.

2 On page 169, line 7, strike “(g)” and insert “(e)”.

3 On page 169, line 18, strike “(h)” and insert “(f)”.

4 On page 171, line 18, strike “(i)” and insert “(g)”.

5 On page 175, line 7, strike “that—” and insert
6 “that”.

7 On page 175, line 8, strike “(I)”.

8 On page 175, line 12, strike “costs;” and insert
9 “costs.”

10 Beginning on page 175, strike line 13 and all that
11 follows through page 176, line 3.

12 On page 194, after line 25, add the following:

1 **SEC. 4015. ELIGIBILITY FOR WORKERS' COMPENSATION**
2 **BENEFITS FOR FEDERAL EMPLOYEES DIAG-**
3 **NOSED WITH COVID-19.**

4 (a) IN GENERAL.—Subject to subsection (c), a cov-
5 ered employee shall, with respect to any claim made by
6 or on behalf of the covered employee for benefits under
7 subchapter I of chapter 81 of title 5, United States Code,
8 be deemed to have an injury proximately caused by expo-
9 sure to the novel coronavirus arising out of the nature of
10 the covered employee's employment. Such covered em-
11 ployee, or a beneficiary of such an employee, shall be enti-
12 tled to such benefits for such claim, including disability
13 compensation, medical services, and survivor benefits.

14 (b) DEFINITIONS.—In this section:

15 (1) COVERED EMPLOYEE.—

16 (A) IN GENERAL.—The term “covered em-
17 ployee” means an individual—

18 (i) who is an employee under section
19 8101(1) of title 5, United States Code, em-
20 ployed in the Federal service at anytime
21 during the period beginning on January
22 27, 2020, and ending on January 27,
23 2023;

24 (ii) who is diagnosed with COVID-19
25 during such period; and

1 (iii) who, during a covered exposure
2 period prior to such diagnosis, carries out
3 duties that—

4 (I) require contact with patients,
5 members of the public, or co-workers;
6 or

7 (II) include a risk of exposure to
8 the novel coronavirus.

9 (B) TELEWORKING EXCEPTION.—The
10 term “covered employee” does not include any
11 employee otherwise covered by subparagraph
12 (A) who is exclusively teleworking during a cov-
13 ered exposure period, regardless of whether
14 such employment is full time or part time.

15 (2) COVERED EXPOSURE PERIOD.—The term
16 “covered exposure period” means, with respect to a
17 diagnosis of COVID–19, the period beginning on a
18 date to be determined by the Secretary of Labor.

19 (3) NOVEL CORONAVIRUS.—The term “novel
20 coronavirus” means SARS–CoV–2 or another
21 coronavirus declared to be a pandemic by public
22 health authorities.

23 (c) LIMITATION.—

24 (1) DETERMINATIONS MADE ON OR BEFORE
25 THE DATE OF ENACTMENT.—This section shall not

1 apply with respect to a covered employee who is de-
2 termined to be entitled to benefits under subchapter
3 I of chapter 81 of title 5, United States Code, for
4 a claim described in subsection (a) if such deter-
5 mination is made on or before the date of enactment
6 of this Act.

7 (2) LIMITATION ON DURATION OF BENEFITS.—
8 No funds are authorized to be appropriated to pay,
9 and no benefits may be paid for, claims approved on
10 the basis of subsection (a) after September 30,
11 2030. No administrative costs related to any such
12 claim may be paid after such date.

13 (d) EMPLOYEES' COMPENSATION FUND.—

14 (1) IN GENERAL.—The costs of benefits for
15 claims approved on the basis of subsection (a) shall
16 not be included in the annual statement of the cost
17 of benefits and other payments of an agency or in-
18 strumentality under section 8147(b) of title 5,
19 United States Code.

20 (2) FAIR SHARE PROVISION.—Costs of adminis-
21 tration for claims described in paragraph (1)—

22 (A) may be paid from the Employees'
23 Compensation Fund; and

1 (B) shall not be subject to the fair share
2 provision in section 8147(c) of title 5, United
3 States Code.

4 On page 197, line 4, insert “that, but for clause
5 (ix)(IV),” after “entity”.

6 On page 212, line 10, strike “\$25,000,000,000” and
7 insert “\$28,600,000,000”.

8 On page 212, line 19, strike “\$20,000,000,000” and
9 insert “\$23,600,000,000”.

10 On page 230, lines 17 and 18, strike “and develop
11 regulations to develop a process to make emergency list-
12 ings for injurious species”.

13 On page 360, line 3, insert “or any similar authority
14 permitting offset” before “, or”.

15 On page 371, line 12, insert “or any similar authority
16 permitting offset” before “, or”.

1 On page 428, line 24, strike “3132(e)(2)(A)(iii)” and
2 insert “3131(e)(2)(A)(iii)”.

3 On page 429, line 20, strike “3132(e)(3)(A)(iii)” and
4 insert “3131(e)(3)(A)(iii)”.

5 On page 459, lines 12 and 13, strike “such quarter”
6 and insert “the calendar quarter for which the credit is
7 determined under subsection (a)”.

8 On page 459, line 14, insert “calendar” before “quar-
9 ter”.

10 Beginning on page 532, strike like 14 and all that
11 follows through page 535, line 7 and insert the following:

12 **SEC. 9801. CHILD CARE ASSISTANCE.**

13 (a) APPROPRIATION.—

14 (1) IN GENERAL.—Section 418(a)(3) of the So-
15 cial Security Act (42 U.S.C. 618(a)(3)) is amended
16 to read as follows:

17 “(3) APPROPRIATION.—For grants under this
18 section, there are appropriated \$3,550,000,000 for
19 each fiscal year, of which—

20 “(A) \$3,375,000,000 shall be available for
21 grants to States;

1 “(B) \$100,000,000 shall be available for
2 grants to Indian tribes and tribal organizations;
3 and

4 “(C) \$75,000,000 shall be available for
5 grants to territories.”.

6 (2) CONFORMING AMENDMENT.—Section
7 418(a)(2)(A) of such Act (42 U.S.C. 618(a)(2)(A))
8 is amended by striking “paragraph (3), and remain-
9 ing after the reservation described in paragraph (4)
10 and” and inserting “paragraph (3)(A),”.

11 (b) MODIFICATION OF STATE MATCH REQUIREMENT
12 FOR FUNDING INCREASES IN FISCAL YEARS 2021 AND
13 2022.—With respect to the amounts made available by
14 section 418(a)(3) of the Social Security Act for each of
15 fiscal years 2021 and 2022, section 418(a)(2)(C) of such
16 Act shall be applied and administered with respect to any
17 State that is entitled to receive the entire amount that
18 would be allotted to the State under section 418(a)(2)(B)
19 of such Act for the fiscal year in the manner authorized
20 for fiscal year 2020, as if the Federal medical assistance
21 percentage for the State for the fiscal year were 100 per-
22 cent.

23 (c) FUNDING FOR THE TERRITORIES.—Section
24 418(a)(4) of such Act (42 U.S.C. 618(a)(4)) is amended
25 to read as follows:

1 “(4) TERRITORIES.—

2 “(A) GRANTS.—The Secretary shall use
3 the amounts made available by paragraph
4 (3)(C) to make grants to the territories under
5 this paragraph.

6 “(B) ALLOTMENTS.—The amount de-
7 scribed in subparagraph (A) shall be allotted
8 among the territories in proportion to their re-
9 spective needs.

10 “(C) REDISTRIBUTION.—The 1st sentence
11 of clause (i) and clause (ii) of paragraph (2)(D)
12 shall apply with respect to the amounts allotted
13 to the territories under this paragraph, except
14 that the 2nd sentence of paragraph (2)(D) shall
15 not apply and the amounts allotted to the terri-
16 tories that are available for redistribution for a
17 fiscal year shall be redistributed to each terri-
18 tory that applies for the additional amounts, to
19 the extent that the Secretary determines that
20 the territory will be able to use the additional
21 amounts to provide child care assistance, in an
22 amount that bears the same ratio to the
23 amount so available for redistribution as the
24 amount allotted to the territory for the fiscal
25 year bears to the total amount allotted to all

1 the territories receiving redistributed funds
2 under this paragraph for the fiscal year.

3 “(D) INAPPLICABILITY OF PAYMENT LIM-
4 TATION.— Section 1108(a) shall not apply with
5 respect to any amount paid under this para-
6 graph.

7 “(E) TERRITORY.—In this paragraph, the
8 term ‘territory’ means the Commonwealth of
9 Puerto Rico, the United States Virgin Islands,
10 Guam, American Samoa, and the Common-
11 wealth of the Northern Mariana Islands.”.

12 On page 558, line 7, strike “7.35” and insert “10”.

13 Beginning on page 575, strike line 16 and all that
14 follows through page 605, line 25, and insert the following:

15 **SEC. 9901. CORONAVIRUS STATE AND LOCAL FISCAL RE-**
16 **COVERY FUNDS.**

17 (a) IN GENERAL.—Title VI of the Social Security Act
18 (42 U.S.C. 801 et seq.) is amended by adding at the end
19 the following:

20 **“SEC. 602. CORONAVIRUS STATE FISCAL RECOVERY FUND.**

21 “(a) APPROPRIATION.—In addition to amounts oth-
22 erwise available, there is appropriated for fiscal year 2021,

1 out of any money in the Treasury not otherwise appro-
2 priated—

3 “(1) \$219,800,000,000, to remain available
4 through December 31, 2024, for making payments
5 under this section to States, territories, and Tribal
6 governments to mitigate the fiscal effects stemming
7 from the public health emergency with respect to the
8 Coronavirus Disease (COVID–19); and

9 “(2) \$50,000,000, to remain available until ex-
10 pended, for the costs of the Secretary for adminis-
11 tration of the funds established under this title.

12 “(b) AUTHORITY TO MAKE PAYMENTS.—

13 “(1) PAYMENTS TO TERRITORIES.—

14 “(A) IN GENERAL.—The Secretary shall
15 reserve \$4,500,000,000 of the amount appro-
16 priated under subsection (a)(1) to make pay-
17 ments to the territories.

18 “(B) ALLOCATION.—Of the amount re-
19 served under subparagraph (A)—

20 “(i) 50 percent of such amount shall
21 be allocated by the Secretary equally to
22 each territory; and

23 “(ii) 50 percent of such amount shall
24 be allocated by the Secretary as an addi-
25 tional amount to each territory in an

1 amount which bears the same proportion
2 to $\frac{1}{2}$ of the total amount reserved under
3 subparagraph (A) as the population of the
4 territory bears to the total population of all
5 such territories.

6 “(C) PAYMENT.—The Secretary shall pay
7 each territory the total of the amounts allocated
8 for the territory under subparagraph (B) in ac-
9 cordance with paragraph (6).

10 “(2) PAYMENTS TO TRIBAL GOVERNMENTS.—

11 “(A) IN GENERAL.—The Secretary shall
12 reserve \$20,000,000,000 of the amount appro-
13 priated under subsection (a)(1) to make pay-
14 ments to Tribal governments.

15 “(B) ALLOCATION.—Of the amount re-
16 served under subparagraph (A)—

17 “(i) \$1,000,000,000 shall be allocated
18 by the Secretary equally among each of the
19 Tribal governments; and

20 “(ii) \$19,000,000,000 shall be allo-
21 cated by the Secretary to the Tribal gov-
22 ernments in a manner determined by the
23 Secretary.

24 “(C) PAYMENT.— The Secretary shall pay
25 each Tribal government the total of the

1 amounts allocated for the Tribal government
2 under subparagraph (B) in accordance with
3 paragraph (6).

4 “(3) PAYMENTS TO EACH OF THE 50 STATES
5 AND THE DISTRICT OF COLUMBIA.—

6 “(A) IN GENERAL.—The Secretary shall
7 reserve \$195,300,000,000 of the amount appro-
8 priated under subsection (a)(1) to make pay-
9 ments to each of the 50 States and the District
10 of Columbia.

11 “(B) ALLOCATIONS.—Of the amount re-
12 served under subparagraph (A)—

13 “(i) \$25,500,000,000 of such amount
14 shall be allocated by the Secretary equally
15 among each of the 50 States and the Dis-
16 trict of Columbia;

17 “(ii) an amount equal to
18 \$1,250,000,000 less the amount allocated
19 for the District of Columbia pursuant to
20 section 601(c)(6) shall be allocated by the
21 Secretary as an additional amount to the
22 District of Columbia; and

23 “(iii) an amount equal to the remain-
24 der of the amount reserved under subpara-
25 graph (A) after the application of clauses

1 (i) and (ii) of this subparagraph shall be
2 allocated by the Secretary as an additional
3 amount to each of the 50 States and the
4 District of Columbia in an amount which
5 bears the same proportion to such remain-
6 der as the average estimated number of
7 seasonally-adjusted unemployed individuals
8 (as measured by the Bureau of Labor Sta-
9 tistics Local Area Unemployment Statistics
10 program) in the State or District of Co-
11 lumbia over the 3-month period ending
12 with December 2020 bears to the average
13 estimated number of seasonally-adjusted
14 unemployed individuals in all of the 50
15 States and the District of Columbia over
16 the same period.

17 “(C) PAYMENT.—

18 “(i) IN GENERAL.—Subject to clause
19 (ii), the Secretary shall pay each of the 50
20 States and the District of Columbia, from
21 the amount reserved under subparagraph
22 (A), the total of the amounts allocated for
23 the State and District of Columbia under
24 subparagraph (B) in accordance with para-
25 graph (6).

1 “(ii) MINIMUM PAYMENT REQUIRE-
2 MENT.—

3 “(I) IN GENERAL.—The sum
4 of—

5 “(aa) the total amounts allo-
6 cated for 1 of the 50 States or
7 the District of Columbia under
8 subparagraph (B) (as determined
9 without regard to this clause);
10 and

11 “(bb) the amounts allocated
12 under section 603 to the State
13 (for distribution by the State to
14 nonentitlement units of local gov-
15 ernment in the State) and to
16 metropolitan cities and counties
17 in the State;

18 shall not be less than the amount allo-
19 cated to the State or District of Co-
20 lumbia for fiscal year 2020 under sec-
21 tion 601, including any amount paid
22 directly to a unit of local government
23 in the State under such section.

24 “(II) PRO RATA ADJUSTMENT.—
25 The Secretary shall adjust on a pro

1 rata basis the amount of the alloca-
2 tions for each of the 50 States and
3 the District of Columbia determined
4 under subparagraph (B)(iii) (without
5 regard to this clause) to the extent
6 necessary to comply with the require-
7 ment of subclause (I).

8 “(4) PRO RATA ADJUSTMENT AUTHORITY.—
9 The amounts otherwise determined for allocation
10 and payment under paragraphs (1), (2), and (3)
11 may be adjusted by the Secretary on a pro rata
12 basis to the extent necessary to ensure that all avail-
13 able funds are allocated to States, territories, and
14 Tribal governments in accordance with the require-
15 ments specified in each such paragraph (as applica-
16 ble).

17 “(5) POPULATION DATA.—For purposes of de-
18 termining allocations for a territory under this sec-
19 tion, the population of the territory shall be deter-
20 mined based on the most recent data available from
21 the Bureau of the Census.

22 “(6) TIMING.—

23 “(A) STATES AND TERRITORIES.—

24 “(i) IN GENERAL.—To the extent
25 practicable, subject to clause (ii), with re-

1 spect to each State and territory allocated
2 a payment under this subsection, the Sec-
3 retary shall make the payment required for
4 the State or territory not later than 60
5 days after the date on which the certifi-
6 cation required under subsection (d)(1) is
7 provided to the Secretary.

8 “(ii) AUTHORITY TO SPLIT PAY-
9 MENT.—

10 “(I) IN GENERAL.—The Sec-
11 retary shall have the authority to
12 withhold payment of up to 50 percent
13 of the amount allocated to each State
14 and territory (other than payment of
15 the amount allocated under paragraph
16 (3)(B)(ii) to the District of Columbia)
17 for a period of up to 12 months from
18 the date on which the State or terri-
19 tory provides the certification required
20 under subsection (d)(1). The Sec-
21 retary shall exercise such authority
22 with respect to a State or territory
23 based on the unemployment rate in
24 the State or territory as of such date.

1 “(II) PAYMENT OF WITHHELD
2 AMOUNT.—Before paying to a State
3 or territory the remainder of an
4 amount allocated to the State or terri-
5 tory (subject to subclause (III)) that
6 has been withheld by the Secretary
7 under subclause (I), the Secretary
8 shall require the State or territory to
9 submit a second certification under
10 subsection (d)(1), in addition to such
11 other information as the Secretary
12 may require.

13 “(III) RECOVERY OF AMOUNTS
14 SUBJECT TO RECOUPMENT.—If a
15 State or territory is required under
16 subsection (e) to repay funds for fail-
17 ing to comply with subsection (c), the
18 Secretary may reduce the amount oth-
19 erwise payable to the State or terri-
20 tory under subclause (II) by the
21 amount that the State or territory
22 would otherwise be required to repay
23 under such subsection (e).

24 “(B) TRIBAL GOVERNMENTS.—To the ex-
25 tent practicable, with respect to each Tribal

1 government for which an amount is allocated
2 under this subsection, the Secretary shall make
3 the payment required for the Tribal government
4 not later than 60 days after the date of enact-
5 ment of this section.

6 “(C) INITIAL PAYMENT TO DISTRICT OF
7 COLUMBIA.—The Secretary shall pay the
8 amount allocated under paragraph (3)(B)(ii) to
9 the District of Columbia not later than 15 days
10 after the date of enactment of this section.

11 “(c) REQUIREMENTS.—

12 “(1) USE OF FUNDS.—Subject to paragraph
13 (2), and except as provided in paragraph (3), a
14 State, territory, or Tribal government shall only use
15 the funds provided under a payment made under
16 this section, or transferred pursuant to section
17 603(c)(4), to cover costs incurred by the State, terri-
18 tory, or Tribal government, by December 31,
19 2024—

20 “(A) to respond to the public health emer-
21 gency with respect to the Coronavirus Disease
22 2019 (COVID–19) or its negative economic im-
23 pacts, including assistance to households, small
24 businesses, and nonprofits, or aid to impacted

1 industries such as tourism, travel, and hospi-
2 tality;

3 “(B) to respond to workers performing es-
4 sential work during the COVID–19 public
5 health emergency by providing premium pay to
6 eligible workers of the State, territory, or Tribal
7 government that are performing such essential
8 work, or by providing grants to eligible employ-
9 ers that have eligible workers who perform es-
10 sential work;

11 “(C) for the provision of government serv-
12 ices to the extent of the reduction in revenue of
13 such State, territory, or Tribal government due
14 to the COVID–19 public health emergency rel-
15 ative to revenues collected in the most recent
16 full fiscal year of the State, territory, or Tribal
17 government prior to the emergency; or

18 “(D) to make necessary investments in
19 water, sewer, or broadband infrastructure.

20 “(2) FURTHER RESTRICTION ON USE OF
21 FUNDS.—

22 “(A) IN GENERAL.—A State or territory
23 shall not use the funds provided under this sec-
24 tion or transferred pursuant to section
25 603(c)(4) to either directly or indirectly offset

1 a reduction in the net tax revenue of such State
2 or territory resulting from a change in law, reg-
3 ulation, or administrative interpretation during
4 the covered period that reduces any tax (by pro-
5 viding for a reduction in a rate, a rebate, a de-
6 duction, a credit, or otherwise) or delays the
7 imposition of any tax or tax increase.

8 “(B) PENSION FUNDS.—No State or terri-
9 tory may use funds made available under this
10 section for deposit into any pension fund.

11 “(3) TRANSFER AUTHORITY.—A State, terri-
12 tory, or Tribal government receiving a payment from
13 funds made available under this section may transfer
14 funds to a private nonprofit organization (as that
15 term is defined in paragraph (17) of section 401 of
16 the McKinney-Vento Homeless Assistance Act (42
17 U.S.C. 11360(17)), a Tribal organization (as that
18 term is defined in section 4 of the Indian Self-Deter-
19 mination and Education Assistance Act (25 U.S.C.
20 5304)), a public benefit corporation involved in the
21 transportation of passengers or cargo, or a special-
22 purpose unit of State or local government.

23 “(d) CERTIFICATIONS AND REPORTS.—

24 “(1) IN GENERAL.—In order for a State or ter-
25 ritory to receive a payment under this section, or a

1 transfer of funds under section 603(c)(4), the State
2 or territory shall provide the Secretary with a certifi-
3 cation, signed by an authorized officer of such State
4 or territory, that such State or territory requires the
5 payment or transfer to carry out the activities speci-
6 fied in subsection (c) of this section and will use any
7 payment under this section, or transfer of funds
8 under section 603(c)(4), in compliance with sub-
9 section (c) of this section.

10 “(2) REPORTING.—Any State, territory, or
11 Tribal government receiving a payment under this
12 section shall provide to the Secretary periodic re-
13 ports providing a detailed accounting of—

14 “(A) the uses of funds by such State, terri-
15 tory, or Tribal government, including, in the
16 case of a State or a territory, all modifications
17 to the State’s or territory’s tax revenue sources
18 during the covered period; and

19 “(B) such other information as the Sec-
20 retary may require for the administration of
21 this section.

22 “(e) RECOUPMENT.—Any State, territory, or Tribal
23 government that has failed to comply with subsection (c)
24 shall be required to repay to the Secretary an amount
25 equal to the amount of funds used in violation of such

1 subsection, provided that, in the case of a violation of sub-
2 section (c)(2)(A), the amount the State or territory shall
3 be required to repay shall be lesser of—

4 “(1) the amount of the applicable reduction to
5 net tax revenue attributable to such violation; and

6 “(2) the amount of funds received by such
7 State or territory pursuant to a payment made
8 under this section or a transfer made under section
9 603(c)(4).

10 “(f) REGULATIONS.—The Secretary shall have the
11 authority to issue such regulations as may be necessary
12 or appropriate to carry out this section.

13 “(g) DEFINITIONS.—In this section:

14 “(1) COVERED PERIOD.—The term ‘covered pe-
15 riod’ means, with respect to a State, territory, or
16 Tribal government, the period that—

17 “(A) begins on March 3, 2021; and

18 “(B) ends on the last day of the fiscal year
19 of such State, territory, or Tribal government
20 in which all funds received by the State, terri-
21 tory, or Tribal government from a payment
22 made under this section or a transfer made
23 under section 603(c)(4) have been expended or
24 returned to, or recovered by, the Secretary.

1 “(2) ELIGIBLE WORKERS.—The term ‘eligible
2 workers’ means those workers needed to maintain
3 continuity of operations of essential critical infra-
4 structure sectors and additional sectors as each Gov-
5 ernor of a State or territory, or each Tribal govern-
6 ment, may designate as critical to protect the health
7 and well-being of the residents of their State, terri-
8 tory, or Tribal government.

9 “(3) PREMIUM PAY.—The term ‘premium pay’
10 means an amount of up to \$13 per hour that is paid
11 to an eligible worker, in addition to wages or remu-
12 neration the eligible worker otherwise receives, for
13 all work performed by the eligible worker during the
14 COVID–19 public health emergency. Such amount
15 may not exceed \$25,000 with respect to any single
16 eligible worker.

17 “(4) SECRETARY.—The term ‘Secretary’ means
18 the Secretary of the Treasury.

19 “(5) STATE.—The term ‘State’ means each of
20 the 50 States and the District of Columbia.

21 “(6) TERRITORY.—The term ‘territory’ means
22 the Commonwealth of Puerto Rico, the United
23 States Virgin Islands, Guam, the Commonwealth of
24 the Northern Mariana Islands, and American
25 Samoa.

1 “(7) TRIBAL GOVERNMENT.—The term ‘Tribal
2 Government’ means the recognized governing body
3 of any Indian or Alaska Native tribe, band, nation,
4 pueblo, village, community, component band, or com-
5 ponent reservation, individually identified (including
6 parenthetically) in the list published most recently as
7 of the date of enactment of this Act pursuant to sec-
8 tion 104 of the Federally Recognized Indian Tribe
9 List Act of 1994 (25 U.S.C. 5131).

10 **“SEC. 603. CORONAVIRUS LOCAL FISCAL RECOVERY FUND.**

11 “(a) APPROPRIATION.—In addition to amounts oth-
12 erwise available, there is appropriated for fiscal year 2021,
13 out of any money in the Treasury not otherwise appro-
14 priated, \$130,200,000,000, to remain available through
15 December 31, 2024, for making payments under this sec-
16 tion to metropolitan cities, nonentitlement units of local
17 government, and counties to mitigate the fiscal effects
18 stemming from the public health emergency with respect
19 to the Coronavirus Disease (COVID–19).

20 “(b) AUTHORITY TO MAKE PAYMENTS.—

21 “(1) METROPOLITAN CITIES.—

22 “(A) IN GENERAL.—Of the amount appro-
23 priated under subsection (a), the Secretary
24 shall reserve \$45,570,000,000 to make pay-
25 ments to metropolitan cities.

1 “(B) ALLOCATION AND PAYMENT.—From
2 the amount reserved under subparagraph (A),
3 the Secretary shall allocate and, in accordance
4 with paragraph (7), pay to each metropolitan
5 city an amount determined for the metropolitan
6 city consistent with the formula under section
7 106(b) of the Housing and Community Devel-
8 opment Act of 1974 (42 U.S.C. 5306(b)), ex-
9 cept that, in applying such formula, the Sec-
10 retary shall substitute ‘all metropolitan cities’
11 for ‘all metropolitan areas’ each place it ap-
12 pears.

13 “(2) NONENTITLEMENT UNITS OF LOCAL GOV-
14 ERNMENT.—

15 “(A) IN GENERAL.—Of the amount appro-
16 priated under subsection (a), the Secretary
17 shall reserve \$19,530,000,000 to make pay-
18 ments to States for distribution by the State to
19 nonentitlement units of local government in the
20 State.

21 “(B) ALLOCATION AND PAYMENT.—From
22 the amount reserved under subparagraph (A),
23 the Secretary shall allocate and, in accordance
24 with paragraph (7), pay to each State an
25 amount which bears the same proportion to

1 such reserved amount as the total population of
2 all areas that are non-metropolitan cities in the
3 State bears to the total population of all areas
4 that are non-metropolitan cities in all such
5 States.

6 “(C) DISTRIBUTION TO NONENTITLEMENT
7 UNITS OF LOCAL GOVERNMENT.—

8 “(i) IN GENERAL.—Not later than 30
9 days after a State receives a payment
10 under subparagraph (B), the State shall
11 distribute to each nonentitlement unit of
12 local government in the State an amount
13 that bears the same proportion to the
14 amount of such payment as the population
15 of the nonentitlement unit of local govern-
16 ment bears to the total population of all
17 the nonentitlement units of local govern-
18 ment in the State, subject to clause (iii).

19 “(ii) DISTRIBUTION OF FUNDS.—

20 “(I) EXTENSION FOR DISTRIBUTION.—If an authorized officer of a
21 State required to make distributions
22 under clause (i) certifies in writing to
23 the Secretary before the end of the
24 30-day distribution period described
25

1 in such clause that it would constitute
2 an excessive administrative burden for
3 the State to meet the terms of such
4 clause with respect to 1 or more such
5 distributions, the authorized officer
6 may request, and the Secretary shall
7 grant, an extension of such period of
8 not more than 30 days to allow the
9 State to make such distributions in
10 accordance with clause (i).

11 “(II) ADDITIONAL EXTEN-
12 SIONS.—

13 “(aa) IN GENERAL.—If a
14 State has been granted an exten-
15 sion to the distribution period
16 under subclause (I) but is unable
17 to make all the distributions re-
18 quired under clause (i) before the
19 end of such period as extended,
20 an authorized officer of the State
21 may request an additional exten-
22 sion of the distribution period of
23 not more than 30 days. The Sec-
24 retary may grant a request for

1 an additional extension of such
2 period only if—

3 “(AA) the authorized
4 officer making such request
5 provides a written plan to
6 the Secretary specifying, for
7 each distribution for which
8 an additional extension is re-
9 quested, when the State ex-
10 pects to make such distribu-
11 tion and the actions the
12 State has taken and will
13 take in order to make all
14 such distributions before the
15 end of the distribution pe-
16 riod (as extended under sub-
17 clause (I) and this sub-
18 clause); and

19 “(BB) the Secretary
20 determines that such plan is
21 reasonably designed to dis-
22 tribute all such funds to
23 nonentitlement units of local
24 government by the end of

1 the distribution period (as so
2 extended).

3 “(bb) FURTHER ADDI-
4 TIONAL EXTENSIONS.—If a State
5 granted an additional extension
6 of the distribution period under
7 item (aa) requires any further
8 additional extensions of such pe-
9 riod, the request only may be
10 made and granted subject to the
11 requirements specified in item
12 (aa).

13 “(iii) CAPPED AMOUNT.—The total
14 amount distributed to a nonentitlement
15 unit of local government under this para-
16 graph may not exceed the amount equal to
17 75 percent of the most recent budget for
18 the nonentitlement unit of local govern-
19 ment as of January 27, 2020.

20 “(iv) RETURN OF EXCESS
21 AMOUNTS.—Any amounts not distributed
22 to a nonentitlement unit of local govern-
23 ment as a result of the application of
24 clause (iii) shall be returned to the Sec-
25 retary.

1 “(D) PENALTY FOR NONCOMPLIANCE.—If,
2 by the end of the 120-day period that begins on
3 the date a State receives a payment from the
4 amount allocated under subparagraph (B) or, if
5 later, the last day of the distribution period for
6 the State (as extended with respect to the State
7 under subparagraph (C)(ii)), such State has
8 failed to make all the distributions from such
9 payment in accordance with the terms of sub-
10 paragraph (C) (including any extensions of the
11 distribution period granted in accordance with
12 such subparagraph), an amount equal to the
13 amount of such payment that remains undis-
14 tributed as of such date shall be booked as a
15 debt of such State owed to the Federal Govern-
16 ment, shall be paid back from the State’s allo-
17 cation provided under section 602(b)(3)(B)(iii),
18 and shall be deposited into the general fund of
19 the Treasury.

20 “(3) COUNTIES.—

21 “(A) AMOUNT.—From the amount appro-
22 priated under subsection (a), the Secretary
23 shall reserve and allocate \$65,100,000,000 of
24 such amount to make payments directly to
25 counties in an amount which bears the same

1 proportion to the total amount reserved under
2 this paragraph as the population of each such
3 county bears to the total population of all such
4 entities and shall pay such allocated amounts to
5 such counties in accordance with paragraph (7).

6 “(B) SPECIAL RULES.—

7 “(i) URBAN COUNTIES.—No county
8 that is an ‘urban county’ (as defined in
9 section 102 of the Housing and Commu-
10 nity Development Act of 1974 (42 U.S.C.
11 5302)) shall receive less than the amount
12 the county would otherwise receive if the
13 amount paid under this paragraph were al-
14 located to metropolitan cities and urban
15 counties under section 106(b) of the Hous-
16 ing and Community Development Act of
17 1974 (42 U.S.C. 5306(b)).

18 “(ii) COUNTIES THAT ARE NOT UNITS
19 OF GENERAL LOCAL GOVERNMENT.—In
20 the case of an amount to be paid to a
21 county that is not a unit of general local
22 government, the amount shall instead be
23 paid to the State in which such county is
24 located, and such State shall distribute
25 such amount to each unit of general local

1 government within such county in an
2 amount that bears the same proportion to
3 the amount to be paid to such county as
4 the population of such units of general
5 local government bears to the total popu-
6 lation of such county.

7 “(iii) DISTRICT OF COLUMBIA.—For
8 purposes of this paragraph, the District of
9 Columbia shall be considered to consist of
10 a single county that is a unit of general
11 local government.

12 “(4) CONSOLIDATED GOVERNMENTS.—A unit
13 of general local government that has formed a con-
14 solidated government, or that is geographically con-
15 tained (in full or in part) within the boundaries of
16 another unit of general local government may receive
17 a distribution under each of paragraphs (1), (2), and
18 (3), as applicable, based on the respective formulas
19 specified in such paragraphs.

20 “(5) PRO RATA ADJUSTMENT AUTHORITY.—
21 The amounts otherwise determined for allocation
22 and payment under paragraphs (1), (2), and (3)
23 may be adjusted by the Secretary on a pro rata
24 basis to the extent necessary to ensure that all avail-
25 able funds are distributed to metropolitan cities,

1 counties, and States in accordance with the require-
2 ments specified in each paragraph (as applicable)
3 and the certification requirement specified in sub-
4 section (d).

5 “(6) POPULATION.—For purposes of deter-
6 mining allocations under this section, the population
7 of an entity shall be determined based on the most
8 recent data are available from the Bureau of the
9 Census or, if not available, from such other data as
10 a State determines appropriate.

11 “(7) TIMING.—

12 “(A) FIRST TRANCHE AMOUNT.—To the
13 extent practicable, with respect to each metro-
14 politan city for which an amount is allocated
15 under paragraph (1), each State for which an
16 amount is allocated under paragraph (2) for
17 distribution to nonentitlement units of local
18 government, and each county for which an
19 amount is allocated under paragraph (3), the
20 Secretary shall pay from such allocation the
21 First Tranche Amount for such city, State, or
22 county not later than 60 days after the date of
23 enactment of this section.

24 “(B) SECOND TRANCHE AMOUNT.—The
25 Secretary shall pay to each metropolitan city

1 for which an amount is allocated under para-
2 graph (1), each State for which an amount is
3 allocated under paragraph (2) for distribution
4 to nonentitlement units of local government,
5 and each county for which an amount is allo-
6 cated under paragraph (3), the Second Tranche
7 Amount for such city, State, or county not ear-
8 lier than 12 months after the date on which the
9 First Tranche Amount is paid to the city,
10 State, or county.

11 “(c) REQUIREMENTS.—

12 “(1) USE OF FUNDS.—Subject to paragraph
13 (2), and except as provided in paragraphs (3) and
14 (4), a metropolitan city, nonentitlement unit of local
15 government, or county shall only use the funds pro-
16 vided under a payment made under this section to
17 cover costs incurred by the metropolitan city, non-
18 entitlement unit of local government, or county, by
19 December 31, 2024—

20 “(A) to respond to the public health emer-
21 gency with respect to the Coronavirus Disease
22 2019 (COVID–19) or its negative economic im-
23 pacts, including assistance to households, small
24 businesses, and nonprofits, or aid to impacted

1 industries such as tourism, travel, and hospi-
2 tality;

3 “(B) to respond to workers performing es-
4 sential work during the COVID–19 public
5 health emergency by providing premium pay to
6 eligible workers of the metropolitan city, non-
7 entitlement unit of local government, or county
8 that are performing such essential work, or by
9 providing grants to eligible employers that have
10 eligible workers who perform essential work;

11 “(C) for the provision of government serv-
12 ices to the extent of the reduction in revenue of
13 such metropolitan city, nonentitlement unit of
14 local government, or county due to the COVID–
15 19 public health emergency relative to revenues
16 collected in the most recent full fiscal year of
17 the metropolitan city, nonentitlement unit of
18 local government, or county prior to the emer-
19 gency; or

20 “(D) to make necessary investments in
21 water, sewer, or broadband infrastructure.

22 “(2) PENSION FUNDS.—No metropolitan city,
23 nonentitlement unit of local government, or county
24 may use funds made available under this section for
25 deposit into any pension fund.

1 “(3) TRANSFER AUTHORITY.—A metropolitan
2 city, nonentitlement unit of local government, or
3 county receiving a payment from funds made avail-
4 able under this section may transfer funds to a pri-
5 vate nonprofit organization (as that term is defined
6 in paragraph (17) of section 401 of the McKinney-
7 Vento Homeless Assistance Act (42 U.S.C.
8 11360(17)), a public benefit corporation involved in
9 the transportation of passengers or cargo, or a spe-
10 cial-purpose unit of State or local government.

11 “(4) TRANSFERS TO STATES.—Notwithstanding
12 paragraph (1), a metropolitan city, nonentitlement
13 unit of local government, or county receiving a pay-
14 ment from funds made available under this section
15 may transfer such funds to the State in which such
16 entity is located.

17 “(d) REPORTING.—Any metropolitan city, nonentitle-
18 ment unit of local government, or county receiving funds
19 provided under a payment made under this section shall
20 provide to the Secretary periodic reports providing a de-
21 tailed accounting of the uses of such funds by such metro-
22 politan city, nonentitlement unit of local government, or
23 county and including such other information as the Sec-
24 retary may require for the administration of this section.

1 “(e) RECOUPMENT.—Any metropolitan city, non-
2 entitlement unit of local government, or county that has
3 failed to comply with subsection (c) shall be required to
4 repay to the Secretary an amount equal to the amount
5 of funds used in violation of such subsection.

6 “(f) REGULATIONS.—The Secretary shall have the
7 authority to issue such regulations as may be necessary
8 or appropriate to carry out this section.

9 “(g) DEFINITIONS.—In this section:

10 “(1) COUNTY.—The term ‘county’ means a
11 county, parish, or other equivalent county division
12 (as defined by the Bureau of the Census).

13 “(2) ELIGIBLE WORKERS.—The term ‘eligible
14 workers’ means those workers needed to maintain
15 continuity of operations of essential critical infra-
16 structure sectors and additional sectors as each chief
17 executive officer of a metropolitan city, nonentitle-
18 ment unit of local government, or county may des-
19 ignate as critical to protect the health and well-being
20 of the residents of their metropolitan city, non-
21 entitlement unit of local government, or county.

22 “(3) FIRST TRANCHE AMOUNT.—The term
23 ‘First Tranche Amount’ means, with respect to each
24 metropolitan city for which an amount is allocated
25 under subsection (b)(1), each State for which an

1 amount is allocated under subsection (b)(2) for dis-
2 tribution to nonentitlement units of local govern-
3 ment, and each county for which an amount is allo-
4 cated under subsection (b)(3), 50 percent of the
5 amount so allocated to such metropolitan city, State,
6 or county (as applicable).

7 “(4) METROPOLITAN CITY.—The term ‘metro-
8 politan city’ has the meaning given that term in sec-
9 tion 102(a)(4) of the Housing and Community De-
10 velopment Act of 1974 (42 U.S.C. 5302(a)(4)) and
11 includes cities that relinquish or defer their status as
12 a metropolitan city for purposes of receiving alloca-
13 tions under section 106 of such Act (42 U.S.C.
14 5306) for fiscal year 2021.

15 “(5) NONENTITLEMENT UNIT OF LOCAL GOV-
16 ERNMENT.—The term ‘nonentitlement unit of local
17 government’ means a ‘city’, as that term is defined
18 in section 102(a)(5) of the Housing and Community
19 Development Act of 1974 (42 U.S.C. 5302(a)(5))),
20 that is not a metropolitan city.

21 “(6) PREMIUM PAY.—The term ‘premium pay’
22 has the meaning given such term in section 602(g).

23 “(7) SECOND TRANCHE AMOUNT.—The term
24 ‘Second Tranche Amount’ means, with respect to
25 each metropolitan city for which an amount is allo-

1 cated under subsection (b)(1), each State for which
2 an amount is allocated under subsection (b)(2) for
3 distribution to nonentitlement units of local govern-
4 ment, and each county for which an amount is allo-
5 cated under subsection (b)(3), an amount not to ex-
6 ceed 50 percent of the amount so allocated to such
7 metropolitan city, State, or county (as applicable).

8 “(8) SECRETARY.—The term ‘Secretary’ means
9 the Secretary of the Treasury.

10 “(9) STATE.—The term ‘State’ means each of
11 the 50 States, the District of Columbia, the Com-
12 monwealth of Puerto Rico, the United States Virgin
13 Islands, Guam, the Commonwealth of the Northern
14 Mariana Islands, and American Samoa.

15 “(10) UNIT OF GENERAL LOCAL GOVERN-
16 MENT.—The term ‘unit of general local government’
17 has the meaning given that term in section
18 102(a)(1) of the Housing and Community Develop-
19 ment Act of 1974 (42 U.S.C. 5302(a)(1)).

20 **“SEC. 604. CORONAVIRUS CAPITAL PROJECTS FUND.**

21 “(a) APPROPRIATION.—In addition to amounts oth-
22 erwise available, there is appropriated for fiscal year 2021,
23 out of any money in the Treasury not otherwise appro-
24 priated, \$10,000,000,000, to remain available until ex-
25 pended, for making payments to States, territories, and

1 Tribal governments to carry out critical capital projects
2 directly enabling work, education, and health monitoring,
3 including remote options, in response to the public health
4 emergency with respect to the Coronavirus Disease
5 (COVID–19).

6 “(b) PAYMENTS.—

7 “(1) MINIMUM AMOUNTS.—From the amount
8 appropriated under subsection (a)—

9 “(A) the Secretary shall pay \$100,000,000
10 to each State;

11 “(B) the Secretary shall pay \$100,000,000
12 of such amount in equal shares to the United
13 States Virgin Islands, Guam, American Samoa,
14 the Commonwealth of the Northern Mariana Is-
15 lands, the Republic of the Marshall Islands, the
16 Federated States of Micronesia, and the Repub-
17 lic of Palau; and

18 “(C) the Secretary shall pay \$100,000,000
19 of such amount in equal shares to Tribal gov-
20 ernments and the State of Hawaii (in addition
21 to the amount paid to the State of Hawaii
22 under subparagraph (A)), of which—

23 “(i) not less than \$50,000 shall be
24 paid to each Tribal government; and

1 “(ii) not less than \$50,000, and not
2 more than \$200,000, shall be paid to the
3 State of Hawaii for the exclusive use of the
4 Department of Hawaiian Home Lands and
5 the Native Hawaiian Education Programs
6 to assist Native Hawaiians in accordance
7 with this section.

8 “(2) REMAINING AMOUNTS.—

9 “(A) IN GENERAL.—From the amount of
10 the appropriation under subsection (a) that re-
11 mains after the application of paragraph (1),
12 the Secretary shall make payments to States
13 based on population such that—

14 “(i) 50 percent of such amount shall
15 be allocated among the States based on the
16 proportion that the population of each
17 State bears to the population of all States;

18 “(ii) 25 percent of such amount shall
19 be allocated among the States based on the
20 proportion that the number of individuals
21 living in rural areas in each State bears to
22 the number of individuals living in rural
23 areas in all States; and

24 “(iii) 25 percent of such amount shall
25 be allocated among the States based on the

1 proportion that the number of individuals
2 with a household income that is below 150
3 percent of the poverty line applicable to a
4 family of the size involved in each State
5 bears to the number of such individuals in
6 all States.

7 “(B) DATA.—In determining the alloca-
8 tions to be made to each State under subpara-
9 graph (A), the Secretary of the Treasury shall
10 use the most recent data available from the Bu-
11 reau of the Census.

12 “(c) TIMING.—The Secretary shall establish a proc-
13 ess of applying for grants to access funding made available
14 under section (b) not later than 60 days after enactment
15 of this section.

16 “(d) DEFINITIONS.—In this section:

17 “(1) SECRETARY.—The term ‘Secretary’ means
18 the Secretary of the Treasury.

19 “(2) STATE.—The term ‘State’ means each of
20 the 50 States, the District of Columbia, and Puerto
21 Rico.

22 “(3) TRIBAL GOVERNMENT.—The term ‘Tribal
23 government’ has the meaning given such term in
24 section 602(g).

1 **“SEC. 605. LOCAL ASSISTANCE AND TRIBAL CONSISTENCY**
2 **FUND.**

3 “(a) APPROPRIATION.—In addition to amounts oth-
4 erwise available, there is appropriated for fiscal year 2021,
5 out of any money in the Treasury not otherwise appro-
6 priated, \$2,000,000,000 to remain available until Sep-
7 tember 30, 2023, with amounts to be obligated for each
8 of fiscal years 2022 and 2023 in accordance with sub-
9 section (b), for making payments under this section to eli-
10 gible revenue sharing counties and eligible Tribal govern-
11 ments.

12 “(b) AUTHORITY TO MAKE PAYMENTS.—

13 “(1) PAYMENTS TO ELIGIBLE REVENUE SHAR-
14 ING COUNTIES.—For each of fiscal years 2022 and
15 2023, the Secretary shall reserve \$750,000,000 of
16 the total amount appropriated under subsection (a)
17 to allocate and pay to each eligible revenue sharing
18 county in amounts that are determined by the Sec-
19 retary taking into account economic conditions of
20 each eligible revenue sharing county, using measure-
21 ments of poverty rates, household income, land val-
22 ues, and unemployment rates as well as other eco-
23 nomic indicators, over the 20-year period ending
24 with September 30, 2021.

25 “(2) PAYMENTS TO ELIGIBLE TRIBAL GOVERN-
26 MENTS.—For each of fiscal years 2022 and 2023,

1 the Secretary shall reserve \$250,000,000 of the total
2 amount appropriated under subsection (a) to allo-
3 cate and pay to eligible Tribal governments in
4 amounts that are determined by the Secretary tak-
5 ing into account economic conditions of each eligible
6 Tribe.

7 “(c) USE OF PAYMENTS.—An eligible revenue shar-
8 ing county or an eligible Tribal government may use funds
9 provided under a payment made under this section for any
10 governmental purpose other than a lobbying activity.

11 “(d) REPORTING REQUIREMENT.—Any eligible rev-
12 enue sharing county receiving a payment under this sec-
13 tion shall provide to the Secretary periodic reports pro-
14 viding a detailed accounting of the uses of fund by such
15 eligible revenue sharing county and such other information
16 as the Secretary may require for the administration of this
17 section.

18 “(e) RECOUPMENT.—Any eligible revenue sharing
19 county that has failed to submit a report required under
20 subsection (d) or failed to comply with subsection (c), shall
21 be required to repay to the Secretary an amount equal
22 to—

23 “(1) in the case of a failure to comply with sub-
24 section(c), the amount of funds used in violation of
25 such subsection; and

1 “(2) in the case of a failure to submit a report
2 required under subsection (d), such amount as the
3 Secretary determines appropriate, but not to exceed
4 5 percent of the amount paid to the eligible revenue
5 sharing county under this section for all fiscal years.

6 “(f) DEFINITIONS.—In this section:

7 “(1) ELIGIBLE REVENUE SHARING COUNTY.—
8 The term ‘eligible revenue sharing county’ means—

9 “(A) a county, parish, or borough—

10 “(i) that is independent of any other
11 unit of local government; and

12 “(ii) that, as determined by the Sec-
13 retary, is the principal provider of govern-
14 ment services for the area within its juris-
15 diction; and

16 “(iii) for which, as determined by the
17 Secretary, there is a negative revenue im-
18 pact due to implementation of a Federal
19 program or changes to such program; and

20 “(B) the District of Columbia, the Com-
21 monwealth of Puerto Rico, Guam, and the
22 United States Virgin Islands.

23 “(2) ELIGIBLE TRIBAL GOVERNMENT.—The
24 term ‘eligible Tribal government’ means the recog-
25 nized governing body of an eligible Tribe.

1 “(3) ELIGIBLE TRIBE.—The term ‘eligible
2 Tribe’ means any Indian or Alaska Native tribe,
3 band, nation, pueblo, village, community, component
4 band, or component reservation, individually identi-
5 fied (including parenthetically) in the list published
6 most recently as of the date of enactment of this
7 section pursuant to section 104 of the Federally
8 Recognized Indian Tribe List Act of 1994 (25
9 U.S.C. 5131).

10 “(4) SECRETARY.—The term ‘Secretary’ means
11 the Secretary of the Treasury.”.

12 (b) CONFORMING AMENDMENT.—The heading for
13 title VI of the Social Security Act (42 U.S.C. 801 et seq.)
14 is amended by striking “**FUND**” and inserting “, **FIS-**
15 **CAL RECOVERY, AND CRITICAL CAPITAL**
16 **PROJECTS FUNDS**”.

17 On page 606, strike lines 17 through 22.

18 On page 606, line 23, strike “(c)” and insert “(b)”.

19 On page 607, line 21, strike “(d)” and insert “(e)”.

20 On page 608, line 2, strike “(e)” and insert “(d)”.

1 On page 608, line 6, strike “(f)” and insert “(e)”.

2 On page 608, line 14, strike “1866(j), including” and
3 insert “1866(j) (including”.

4 On page 608, line 16, strike “period” and insert “pe-
5 riod)”.

6 On page 608, strike lines 20 through 22 and insert
7 the following:

8 “(iii) is a rural provider or supplier;

9 or

10 On page 609, strike line 13 and insert the following:

11 “(iii) is a rural provider or supplier.

12 On page 609, line 23, strike “training, including”
13 and insert “training (including”.

14 On page 609, line 24, strike “both” and insert
15 “both)”.

16 On page 610, strike lines 17 through 22 and insert
17 the following:

1 “(5) RURAL PROVIDER OR SUPPLIER.—The
2 term ‘rural provider or supplier’ means—

3 “(A) a—

4 “(i) provider or supplier located in a
5 rural area (as defined in section
6 1886(d)(2)(D)); or

7 “(ii) provider treated as located in a
8 rural area pursuant to section
9 1886(d)(8)(E);

10 “(B) a provider or supplier located in any
11 other area that serves rural patients (as defined
12 by the Secretary), which may include, but is not
13 required to include, a metropolitan statistical
14 area with a population of less than 500,000
15 (determined based on the most recently avail-
16 able data);

17 “(C) a rural health clinic (as defined in
18 section 1861(aa)(2));

19 “(D) a provider or supplier that furnishes
20 home health, hospice, or long-term services and
21 supports in an individual’s home located in a
22 rural area (as defined in section
23 1886(d)(2)(D)); or

24 “(E) any other rural provider or supplier
25 (as defined by the Secretary).”.

In the table of contents on page 2, insert after the item relating to section 2013 the following:

Sec. 2014. Funding for the Individuals with Disabilities Education Act.

In the table of contents on page 5, insert after the item relating to section 4014 the following:

Sec. 4015. Eligibility for workers' compensation benefits for Federal employees diagnosed with COVID-19.

In the table of contents on page 7, insert after the item relating to section 9032 the following:

PART 4—OTHER PROVISIONS

Sec. 9041. Extension of limitation on excess business losses of noncorporate taxpayers.

Sec. 9042. Suspension of tax on portion of unemployment compensation.