

AMENDMENT NO. _____ Calendar No. _____

Purpose: To increase amounts authorized and appropriated for commitments for the Paycheck Protection Program authorized under section 7(a) of the Small Business Act, economic injury disaster loans and emergency grants under the CARES Act, to fund hospital and provider recovery and testing, and for other purposes.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

H. R. _____

(title) _____

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Paycheck Protection
5 Program and Health Care Enhancement Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 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, Re-
14 lief, 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”.

1 (b) INCREASED AUTHORIZATION FOR EMERGENCY
2 EIDL GRANTS.—Section 1110(e)(7) of division A of the
3 Coronavirus Aid, Relief, and Economic Security Act (Pub-
4 lic Law 116–136) is amended by striking
5 “\$10,000,000,000” and inserting “\$20,000,000,000”.

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

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

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

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

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

20 (d) SET ASIDE FOR INSURED DEPOSITORY INSTITU-
21 TIONS, CREDIT UNIONS, AND COMMUNITY FINANCIAL IN-
22 STITUTIONS.—Section 7(a)(36) of the Small Business Act
23 (15 U.S.C. 636(a)(36)) is amended—

24 (1) in subparagraph (A)—

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

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

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

6 “(x) the term ‘community develop-
7 ment financial institution’ has the meaning
8 given the term in section 103 of the Riegle
9 Community Development and Regulatory
10 Improvement Act of 1994 (12 U.S.C.
11 4702));

12 “(xi) the term ‘community financial
13 institutions’ means—

14 “(I) a community development fi-
15 nancial institution;

16 “(II) a minority depository insti-
17 tution, as defined in section 308 of
18 the Financial Institutions Reform, Re-
19 covery, and Enforcement Act of 1989
20 (12 U.S.C. 1463 note);

21 “(III) a development company
22 that is certified under title V of the
23 Small Business Investment Act of
24 1958 (15 U.S.C. 695 et seq.); and

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

3 “(xii) the term ‘credit union’ means a
4 State credit union or a Federal credit
5 union, as those terms are defined, respec-
6 tively, in section 101 of the Federal Credit
7 Union Act (12 U.S.C. 1752).”; and

8 (2) by adding at the end the following:

9 “(S) SET-ASIDE FOR INSURED DEPOSI-
10 TORY INSTITUTIONS, CREDIT UNIONS, AND
11 COMMUNITY FINANCIAL INSTITUTIONS.—

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

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

22 “(II) credit unions with consoli-
23 dated assets of not less than
24 \$10,000,000,000 and less than
25 \$50,000,000,000.

1 “(ii) COMMUNITY FINANCIAL INSTITU-
2 TIONS, SMALL INSURED DEPOSITORY IN-
3 STITUTIONS, AND CREDIT UNIONS.—In
4 making loan guarantees under this para-
5 graph after the date of enactment of this
6 clause, the Administrator shall guarantee
7 not less than \$30,000,000,000 in loans
8 made by—

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

11 “(II) insured depository institu-
12 tions with consolidated assets of less
13 than \$10,000,000,000; and

14 “(III) credit unions with consoli-
15 dated assets of less than
16 \$10,000,000,000.”.

17 **SEC. 102. EMERGENCY DESIGNATION.**

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

22 (b) DESIGNATION IN SENATE.—In the Senate, this
23 division is designated as an emergency requirement pursu-
24 ant to section 4112(a) of H. Con. Res. 71 (115th Con-

1 gress), the concurrent resolution on the budget for fiscal
2 year 2018.

3 **DIVISION B—ADDITIONAL EMERGENCY**
4 **APPROPRIATIONS FOR CORONAVIRUS**
5 **RESPONSE**

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

10 **TITLE I**
11 **DEPARTMENT OF HEALTH AND HUMAN**
12 **SERVICES**
13 **OFFICE OF THE SECRETARY**
14 **PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY**
15 **FUND**
16 **(INCLUDING TRANSFER OF FUNDS)**

17 For an additional amount for “Public Health and So-
18 cial Services Emergency Fund”, \$75,000,000,000, to re-
19 main available until expended, to prevent, prepare for, and
20 respond to coronavirus, domestically or internationally, for
21 necessary expenses to reimburse, through grants or other
22 mechanisms, eligible health care providers for health care
23 related expenses or lost revenues that are attributable to
24 coronavirus: *Provided*, That these funds may not be used
25 to reimburse expenses or losses that have been reimbursed

1 from other sources or that other sources are obligated to
2 reimburse: *Provided further*, That recipients of payments
3 under this paragraph in this Act shall submit reports and
4 maintain documentation as the Secretary of Health and
5 Human Services (referred to in this paragraph as the
6 “Secretary”) determines are needed to ensure compliance
7 with conditions that are imposed by this paragraph in this
8 Act for such payments, and such reports and documenta-
9 tion shall be in such form, with such content, and in such
10 time as the Secretary may prescribe for such purpose: *Pro-*
11 *vided further*, That “eligible health care providers” means
12 public entities, Medicare or Medicaid enrolled suppliers
13 and providers, and such for-profit entities and not-for-
14 profit entities not otherwise described in this proviso as
15 the Secretary may specify, within the United States (in-
16 cluding territories), that provide diagnoses, testing, or
17 care for individuals with possible or actual cases of
18 COVID–19: *Provided further*, That the Secretary shall, on
19 a rolling basis, review applications and make payments
20 under this paragraph in this Act: *Provided further*, That
21 funds appropriated under this paragraph in this Act shall
22 be available for building or construction of temporary
23 structures, leasing of properties, medical supplies and
24 equipment including personal protective equipment and
25 testing supplies, increased workforce and trainings, emer-

1 gency operation centers, retrofitting facilities, and surge
2 capacity: *Provided further*, That, in this paragraph, the
3 term “payment” means a pre-payment, prospective pay-
4 ment, or retrospective payment, as determined appropriate
5 by the Secretary: *Provided further*, That payments under
6 this paragraph in this Act shall be made in consideration
7 of the most efficient payment systems practicable to pro-
8 vide emergency payment: *Provided further*, That to be eli-
9 gible for a payment under this paragraph in this Act, an
10 eligible health care provider shall submit to the Secretary
11 an application that includes a statement justifying the
12 need of the provider for the payment and the eligible
13 health care provider shall have a valid tax identification
14 number: *Provided further*, That, not later than 3 years
15 after final payments are made under this paragraph in
16 this Act, the Office of Inspector General of the Depart-
17 ment of Health and Human Services shall transmit a final
18 report on audit findings with respect to this program to
19 the Committees on Appropriations of the House of Rep-
20 resentatives and the Senate: *Provided further*, That noth-
21 ing in this paragraph limits the authority of the Inspector
22 General or the Comptroller General to conduct audits of
23 interim payments at an earlier date: *Provided further*,
24 That not later than 60 days after the date of enactment
25 of this Act, the Secretary shall provide a report to the

1 Committees on Appropriations of the House of Represent-
2 atives and the Senate on obligation of funds, including ob-
3 ligations to such eligible health care providers summarized
4 by State of the payment receipt: *Provided further*, That
5 such reports shall be updated and submitted to such Com-
6 mittees every 60 days until funds are expended: *Provided*
7 *further*, That such amount is designated by the Congress
8 as being for an emergency requirement pursuant to sec-
9 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
10 gency Deficit Control Act of 1985.

11 For an additional amount for “Public Health and So-
12 cial Services Emergency Fund”, \$25,000,000,000, to re-
13 main available until expended, to prevent, prepare for, and
14 respond to coronavirus, domestically or internationally, for
15 necessary expenses to research, develop, validate, manu-
16 facture, purchase, administer, and expand capacity for
17 COVID–19 tests to effectively monitor and suppress
18 COVID–19, including tests for both active infection and
19 prior exposure, including molecular, antigen, and sero-
20 logical tests, the manufacturing, procurement and dis-
21 tribution of tests, testing equipment and testing supplies,
22 including personal protective equipment needed for admin-
23 istering tests, the development and validation of rapid,
24 molecular point-of-care tests, and other tests, support for
25 workforce, epidemiology, to scale up academic, commer-

1 cial, public health, and hospital laboratories, to conduct
2 surveillance and contact tracing, support development of
3 COVID–19 testing plans, and other related activities re-
4 lated to COVID–19 testing: *Provided*, That of the amount
5 appropriated under this paragraph in this Act, not less
6 than \$11,000,000,000 shall be for States, localities, terri-
7 tories, tribes, tribal organizations, urban Indian health or-
8 ganizations, or health service providers to tribes for nec-
9 essary expenses to develop, purchase, administer, process,
10 and analyze COVID–19 tests, including support for work-
11 force, epidemiology, use by employers or in other settings,
12 scale up of testing by public health, academic, commercial,
13 and hospital laboratories, and community-based testing
14 sites, health care facilities, and other entities engaged in
15 COVID-19 testing, conduct surveillance, trace contacts,
16 and other related activities related to COVID–19 testing:
17 *Provided further*, That of the amount identified in the pre-
18 ceding proviso, not less than \$2,000,000,000 shall be allo-
19 cated to States, localities, and territories according to the
20 formula that applied to the Public Health Emergency Pre-
21 paredness cooperative agreement in fiscal year 2019, not
22 less than \$4,250,000,000 shall be allocated to States, lo-
23 calities, and territories according to a formula method-
24 ology that is based on relative number of cases of COVID–
25 19, and not less than \$750,000,000 shall be allocated in

1 coordination with the Director of the Indian Health Serv-
2 ice, to tribes, tribal organizations, urban Indian health or-
3 ganizations, or health service providers to tribes: *Provided*
4 *further*, That the Secretary of Health and Human Services
5 (referred to in this paragraph as the “Secretary”) may
6 satisfy the funding thresholds outlined in the first and sec-
7 ond provisos under this paragraph in this Act by making
8 awards through other grant or cooperative agreement
9 mechanisms: *Provided further*, That not later than 30 days
10 after the date of enactment of this Act, the Governor or
11 designee of each State, locality, territory, tribe, or tribal
12 organization receiving funds pursuant to this Act shall
13 submit to the Secretary its plan for COVID–19 testing,
14 including goals for the remainder of calendar year 2020,
15 to include: (1) the number of tests needed, month-by-
16 month, to include diagnostic, serological, and other tests,
17 as appropriate; (2) month-by-month estimates of labora-
18 tory and testing capacity, including related to workforce,
19 equipment and supplies, and available tests; and (3) a de-
20 scription of how the State, locality, territory, tribe, or trib-
21 al organization will use its resources for testing, including
22 as it relates to easing any COVID–19 community mitiga-
23 tion policies: *Provided further*, That the Secretary shall
24 submit such formula methodology identified in the first
25 proviso under this paragraph in this Act to the Commit-

1 tees on Appropriations of the House of Representatives
2 and the Senate one day prior to awarding such funds: *Pro-*
3 *vided further*, That such funds identified in the first and
4 second provisos under this paragraph in this Act shall be
5 allocated within 30 days of the date of enactment of this
6 Act: *Provided further*, That of the amount appropriated
7 under this paragraph in this Act, not less than
8 \$1,000,000,000 shall be transferred to the “Centers for
9 Disease Control and Prevention—CDC-Wide Activities
10 and Program Support” for surveillance, epidemiology, lab-
11 oratory capacity expansion, contact tracing, public health
12 data surveillance and analytics infrastructure moderniza-
13 tion, disseminating information about testing, and work-
14 force support necessary to expand and improve COVID–
15 19 testing: *Provided further*, That of the amount appro-
16 priated under this paragraph in this Act, not less than
17 \$306,000,000 shall be transferred to the “National Insti-
18 tutes of Health—National Cancer Institute” to develop,
19 validate, improve, and implement serological testing and
20 associated technologies for the purposes specified under
21 this paragraph in this Act: *Provided further*, That of the
22 amount appropriated under this paragraph in this Act, not
23 less than \$500,000,000 shall be transferred to the “Na-
24 tional Institutes of Health—National Institute of Bio-
25 medical Imaging and Bioengineering” to accelerate re-

1 search, development, and implementation of point of care
2 and other rapid testing related to coronavirus: *Provided*
3 *further*, That of the amount appropriated under this para-
4 graph in this Act, not less than \$1,000,000,000 shall be
5 transferred to the “National Institutes of Health—Office
6 of the Director” to develop, validate, improve, and imple-
7 ment testing and associated technologies; to accelerate re-
8 search, development, and implementation of point of care
9 and other rapid testing; and for partnerships with govern-
10 mental and non-governmental entities to research, develop,
11 and implement the activities outlined in this proviso: *Pro-*
12 *vided further*, That funds in the preceding proviso may be
13 transferred to the accounts of the Institutes and Centers
14 of the National Institutes of Health (referred to in this
15 paragraph as the “NIH”) for the purposes specified in
16 the preceding proviso: *Provided further*, That the transfer
17 authority provided in the preceding proviso is in addition
18 to all other transfer authority available to the NIH: *Pro-*
19 *vided further*, That of the amount appropriated under this
20 paragraph in this Act, not less than \$1,000,000,000 shall
21 be available to the Biomedical Advanced Research and De-
22 velopment Authority for necessary expenses of advanced
23 research, development, manufacturing, production, and
24 purchase of diagnostic, serologic, or other COVID–19
25 tests or related supplies, and other activities related to

1 COVID–19 testing at the discretion of the Secretary: *Pro-*
2 *vided further*, That of the amount appropriated under this
3 paragraph in this Act, \$22,000,000, shall be transferred
4 to the “Department of Health and Human Services—
5 Food and Drug Administration—Salaries and Expenses”
6 to support activities associated with diagnostic, sero-
7 logical, antigen, and other tests, and related administra-
8 tive activities: *Provided further*, That the amount appro-
9 priated under this paragraph in this Act may be used for
10 grants for the rent, lease, purchase, acquisition, construc-
11 tion, alteration, renovation, or equipping of non-federally
12 owned facilities to improve preparedness and response ca-
13 pability at the State and local level for diagnostic, sero-
14 logic, or other COVID–19 tests, or related supplies: *Pro-*
15 *vided further*, That the amount appropriated under this
16 paragraph in this Act may be used for construction, alter-
17 ation, renovation, or equipping of non-federally owned fa-
18 cilities for the production of diagnostic, serologic, or other
19 COVID–19 tests, or related supplies, where the Secretary
20 determines that such a contract is necessary to secure, or
21 for the production of, sufficient amounts of such tests or
22 related supplies: *Provided further*, That funds appro-
23 priated under this paragraph in this Act may be used for
24 purchase of medical supplies and equipment, including
25 personal protective equipment and testing supplies to be

1 used for administering tests, increased workforce and
2 trainings, emergency operation centers, and surge capacity
3 for diagnostic, serologic, or other COVID–19 tests, or re-
4 lated supplies: *Provided further*, That products purchased
5 with funds appropriated under this paragraph in this Act
6 may, at the discretion of the Secretary, be deposited in
7 the Strategic National Stockpile under section 319F–2 of
8 the Public Health Service Act: *Provided further*, That of
9 the amount appropriated under this paragraph in this Act,
10 \$600,000,000 shall be transferred to “Health Resources
11 and Services Administration—Primary Health Care” for
12 grants under the Health Centers program, as defined by
13 section 330 of the Public Health Service Act, and for
14 grants to federally qualified health centers, as defined in
15 section 1861(aa)(4)(B) of the Social Security Act: *Pro-*
16 *vided further*, That sections 330(e)(6)(A)(iii),
17 330(e)(6)(B)(iii), and 330(r)(2)(B) of the Public Health
18 Service Act shall not apply to funds provided under the
19 previous proviso: *Provided further*, That of the amount ap-
20 propriated under this paragraph in this Act, \$225,000,000
21 shall be used to provide additional funding for COVID–
22 19 testing and related expenses, through grants or other
23 mechanisms, to rural health clinics as defined in section
24 1861(aa)(2) of the Social Security Act, with such funds
25 also available to such entities for building or construction

1 of temporary structures, leasing of properties, and retro-
2 fitting facilities as necessary to support COVID–19 test-
3 ing: *Provided further*, That such funds shall be distributed
4 using the procedures developed for the Provider Relief
5 Fund authorized under the third paragraph under this
6 heading in division B of the Coronavirus Aid, Relief, and
7 Economic Security Act (Public Law 116–136); may be
8 distributed using contracts or agreements established for
9 such program; and shall be subject to the process require-
10 ments applicable to such program: *Provided further*, That
11 the Secretary may specify a minimum amount for each
12 eligible entity accepting assistance under the two previous
13 provisos: *Provided further*, That up to \$1,000,000,000 of
14 funds provided under this paragraph in this Act may be
15 used to cover the cost of testing for the uninsured, using
16 the definitions applicable to funds provided under this
17 heading in Public Law 116–127: *Provided further*, That
18 not later than 21 days after the date of enactment of this
19 Act, the Secretary, in coordination with other appropriate
20 departments and agencies, shall issue a report on COVID–
21 19 testing: *Provided further*, That such report shall in-
22 clude data on demographic characteristics, including, in
23 a de-identified and disaggregated manner, race, ethnicity,
24 age, sex, geographic region and other relevant factors of
25 individuals tested for or diagnosed with COVID–19, to the

1 extent such information is available: *Provided further,*
2 That such report shall include information on the number
3 and rates of cases, hospitalizations, and deaths as a result
4 of COVID–19: *Provided further,* That such report shall be
5 submitted to the Committees on Appropriations of the
6 House and Senate, and the Committee on Energy and
7 Commerce of the House of Representatives and the Com-
8 mittee on Health, Education, Labor, and Pensions of the
9 Senate, and updated and resubmitted to such Committees,
10 as necessary, every 30 days until the end of the COVID–
11 19 public health emergency first declared by the Secretary
12 on January 31, 2020: *Provided further,* That not later
13 than 180 days after the date of enactment of this Act,
14 the Secretary shall issue a report on the number of posi-
15 tive diagnoses, hospitalizations, and deaths as a result of
16 COVID–19, disaggregated nationally by race, ethnicity,
17 age, sex, geographic region, and other relevant factors:
18 *Provided further,* That such report shall include epidemio-
19 logical analysis of such data: *Provided further,* That not
20 later than 30 days after the date of the enactment of this
21 Act, the Secretary, in coordination with other departments
22 and agencies, as appropriate, shall report to the Commit-
23 tees on Appropriations of the House and Senate, the Com-
24 mittee on Energy and Commerce of the House of Rep-
25 resentatives, and the Committee on Health, Education,

1 Labor, and Pensions of the Senate on a COVID–19 stra-
2 tegic testing plan: *Provided further*, That such plan shall
3 assist States, localities, territories, tribes, tribal organiza-
4 tions, and urban Indian health organizations, in under-
5 standing COVID-19 testing for both active infection and
6 prior exposure, including hospital-based testing, high-com-
7 plexity laboratory testing, point-of-care testing, mobile-
8 testing units, testing for employers and other settings, and
9 other tests as necessary: *Provided further*, That such plan
10 shall include estimates of testing production that account
11 for new and emerging technologies, as well as guidelines
12 for testing: *Provided further*, That such plan shall address
13 how the Secretary will increase domestic testing capacity,
14 including testing supplies; and address disparities in all
15 communities: *Provided further*, That such plan shall out-
16 line Federal resources that are available to support the
17 testing plans of each State, locality, territory, tribe, tribal
18 organization, and urban Indian health organization: *Pro-*
19 *vided further*, That such plan shall be updated every 90
20 days until funds are expended: *Provided further*, That such
21 amount is designated by the Congress as being for an
22 emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 GENERAL PROVISIONS—THIS TITLE

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 101. The requirements, authorities, and condi-
4 tions described in sections 18108, 18109, and 18112 of
5 division B of the Coronavirus Aid, Relief, and Economic
6 Security Act (Public Law 116–136) shall apply to funds
7 appropriated in this Act to the Department of Health and
8 Human Services.

9 SEC. 102. Funds appropriated by this Act under the
10 heading “Department of Health and Human Services”,
11 except for the amounts specified in the first paragraph
12 and the first and second provisos in the second paragraph
13 under the heading “Public Health and Social Services
14 Emergency Fund”, may be transferred to, and merged
15 with, other appropriation accounts under the headings
16 “Centers for Disease Control and Prevention”, “Public
17 Health and Social Services Emergency Fund”, “Food and
18 Drug Administration”, and “National Institutes of
19 Health” to prevent, prepare for, and respond to
20 coronavirus following consultation with the Office of Man-
21 agement and Budget: *Provided*, That the Committees on
22 Appropriations of the House of Representatives and the
23 Senate shall be notified 10 days in advance of any such
24 transfer: *Provided further*, That, upon a determination
25 that all or part of the funds transferred from an appro-

1 priation by this Act are not necessary, such amounts may
2 be transferred back to that appropriation: *Provided fur-*
3 *ther*, That none of the funds made available by this Act
4 may be transferred pursuant to the authority in section
5 205 of division A of Public Law 116–94 or section 241(a)
6 of the Public Health Service Act.

7 SEC. 103. Of the funds appropriated by this Act
8 under the heading “Public Health and Social Services
9 Emergency Fund”, up to \$6,000,000 shall be transferred
10 to, and merged with, funds made available under the head-
11 ing “Office of the Secretary, Office of Inspector General”,
12 and shall remain available until expended, for oversight
13 of activities supported with funds appropriated to the De-
14 partment of Health and Human Services to prevent, pre-
15 pare for, and respond to coronavirus, domestically or
16 internationally: *Provided*, That the Inspector General of
17 the Department of Health and Human Services shall con-
18 sult with the Committees on Appropriations of the House
19 of Representatives and the Senate prior to obligating such
20 funds: *Provided further*, That the transfer authority pro-
21 vided by this section is in addition to any other transfer
22 authority provided by law.

22

1 TITLE II
2 INDEPENDENT AGENCIES
3 SMALL BUSINESS ADMINISTRATION
4 SALARIES AND EXPENSES

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

13 DISASTER LOANS PROGRAM ACCOUNT

14 For an additional amount for “Disaster Loans Pro-
15 gram Account” for the cost of direct loans authorized by
16 section 7(b) of the Small Business Act, \$50,000,000,000,
17 to remain available until expended, to prevent, prepare for,
18 and respond to coronavirus, domestically or internation-
19 ally: *Provided*, That such amount is designated by the
20 Congress as being for an emergency requirement pursuant
21 to section 251(b)(2)(A)(i) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985.

23 EMERGENCY EIDL GRANTS

24 For an additional amount for “Emergency EIDL
25 Grants” for the cost of emergency EIDL grants author-

1 ized by section 1110 of division A of the CARES Act
2 (Public Law 116–136), \$10,000,000,000, to remain avail-
3 able until expended, to prevent, prepare for, and respond
4 to coronavirus, domestically or internationally: *Provided*,
5 That such amount is designated by the Congress as being
6 for an emergency requirement pursuant to section
7 251(b)(2)(A)(i) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9

TITLE III

10

GENERAL PROVISIONS—THIS ACT

11 SEC. 301. Each amount appropriated or made avail-
12 able by this Act is in addition to amounts otherwise appro-
13 priated for the fiscal year involved.

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

17 SEC. 303. Unless otherwise provided for by this Act,
18 the additional amounts appropriated by this Act to appro-
19 priations accounts shall be available under the authorities
20 and conditions applicable to such appropriations accounts
21 for fiscal year 2020.

22 SEC. 304. Notwithstanding any other provision of
23 law, funds made available in this Act, or transferred pur-
24 suant to authorization granted in this Act, may only be
25 used to prevent, prepare for, and respond to coronavirus.

1 SEC. 305. In this Act, the term “coronavirus” means
2 SARS–CoV–2 or another coronavirus with pandemic po-
3 tential.

4 SEC. 306. Each amount designated in this Act by the
5 Congress as being for an emergency requirement pursuant
6 to section 251(b)(2)(A)(i) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985 shall be available
8 (or rescinded or transferred, if applicable) only if the
9 President subsequently so designates all such amounts
10 and transmits such designations to the Congress.

11 SEC. 307. Any amount appropriated by this Act, des-
12 igned by the Congress as an emergency requirement
13 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
14 et and Emergency Deficit Control Act of 1985 and subse-
15 quently so designated by the President, and transferred
16 pursuant to transfer authorities provided by this Act shall
17 retain such designation.

18 BUDGETARY EFFECTS

19 SEC. 308. (a) STATUTORY PAYGO SCORECARDS.—
20 The budgetary effects of this division shall not be entered
21 on either PAYGO scorecard maintained pursuant to sec-
22 tion 4(d) of the Statutory Pay As-You-Go Act of 2010.

23 (b) SENATE PAYGO SCORECARDS.—The budgetary
24 effects of this division shall not be entered on any PAYGO

1 scorecard maintained for purposes of section 4106 of H.
2 Con. Res. 71 (115th Congress).

3 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
4 Notwithstanding Rule 3 of the Budget Scorekeeping
5 Guidelines set forth in the joint explanatory statement of
6 the committee of conference accompanying Conference Re-
7 port 105–217 and section 250(c)(7) and (c)(8) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985,
9 the budgetary effects of this division shall be estimated
10 for purposes of section 251 of such Act.

11 This division may be cited as the “Additional Emer-
12 gency Appropriations for Coronavirus Response”.