



## BOARD OF DIRECTORS

Wednesday, April 8, 2020

12:00 - 2:00 P.M.

WebEx Virtual Meeting (provided to members only by email)

Audio livestream available to public on COG website

### AGENDA

- 12:00 P.M.**
- 1. CALL TO ORDER**  
*Derrick L. Davis, COG Board Chair*
  - 2. CHAIRMAN'S REPORT**  
*Derrick L. Davis, COG Board Chair*
- 12:05 P.M.**
- 3. EXECUTIVE DIRECTOR'S REPORT**  
*Chuck Bean, COG Executive Director*
  - 4. AMENDMENTS TO THE AGENDA**  
*Derrick L. Davis, COG Board Chair*
- 12:15 P.M.**
- 5. APPROVAL OF THE MINUTES FROM MARCH 11, 2020**  
*Derrick L. Davis, COG Board Chair*  
**Recommended Action: Approve minutes.**
  - 6. ADOPTION OF CONSENT AGENDA ITEMS**  
*Derrick L. Davis, COG Board Chair*
    - A. Resolution R15-2020 – Resolution Ratifying Executive Committee Approval of Endorsing Support of National Capital Region as Priority Location for Federally-supported COVID-19 Testing Site  
**Recommended Action: Approve Resolution R15-2020.**
- 12:20 P.M.**
- 7. ALLOCATION OF ADDITIONAL FEDERAL FUNDS TO THE DISTRICT OF COLUMBIA TO COMBAT THE COVID-19 PANDEMIC**  
*Derrick L. Davis, COG Board Chair*

The Board will be asked to consider Resolution R16-2020 supporting the allocation of additional federal funds to the District of Columbia to combat the COVID-19 pandemic.

**Recommended Action: Receive briefing and adopt Resolution R16-2020.**

- 12:25 P.M. 8. COVID-19 PUBLIC HEALTH CONTAINMENT STRATEGIES: HOW THE REGION NEEDS TO WORK TOGETHER**  
*Dr. Travis Gayles, Montgomery County Dept. of Health and Human Services Chief*  
*Dr. Gloria Addo-Ayensu, Fairfax County Director of Health*
- The Board will be updated on the current health and medical response efforts to COVID-19 in the region.
- Recommended Action: Receive briefing.**
- 12:55 P.M. 9. COVID-19 MEDICAL & HOSPITAL SURGE: WHAT IS NEEDED & HOW JURISDICTIONS CAN SUPPORT THE EFFORT**  
*Patrick Ashley, District of Columbia Dept. of Health Senior Deputy Director*  
*Kristin Nickerson, Northern Virginia Hospital Alliance Executive Director*  
*Dennis Schrader, Maryland Secretary of Health*  
*Jeffrey Walker, Virginia Dept of Health Northern Region Emergency Coordinator*
- The Board will be briefed on the expected COVID-19 medical and hospital surge and discuss how jurisdictions can help support the response effort.
- Recommended Action: Receive briefing.**
- 1:30 P.M. 10. COVID-19 MEDICAL & ECONOMIC RECOVERY NATIONAL MODELS AND INITIATIVES**  
*Matt Chase, National Association of Counties Executive Director*  
*Joseph Parilla, Brookings Institution Metropolitan Policy Program Fellow*
- The Board will be briefed on national best practices for local economic recovery from impacts of the COVID-19 epidemic.
- Recommended Action: Receive briefing.**
- 1:55 P.M. 11. OTHER BUSINESS**
- 2:00 P.M. 12. ADJOURN**
- The next meeting is scheduled for Wednesday, May 13, 2020.

**AGENDA ITEM #2**

**CHAIRMAN'S REPORT**

# **AGENDA ITEM #3**

## **EXECUTIVE DIRECTOR'S REPORT**



## MEMORANDUM

**TO:** COG Board of Directors  
**FROM:** Chuck Bean, COG Executive Director  
**SUBJECT:** Executive Director's Report – April 2020  
**DATE:** April 3, 2020

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### COVID-19 COORDINATION

COG staff has been working diligently to support area officials in their efforts to prepare for and respond to COVID-19—sharing best practices, research, messaging, and information regarding medical surge, continuity of government operations, and contracting. This network includes city and county managers, health directors, emergency managers, law enforcement, fire and rescue, 9-1-1 directors, public information officers, attorneys, school superintendents, human services, food and agriculture, water and energy officials, as well as private and nonprofit sector partners.

### POLICY BOARD & COMMITTEE UPDATES

**National Capital Region Transportation Planning Board (TPB)** – For its March meeting, Chair Kelly Russell chaired an unprecedented virtual meeting due to COVID-19 precautions. Board members approved important action items like the Unified Planning Work Program (UPWP) that sets the budget and work program for the TPB. The board also approved the FY2021 Transportation Improvement Program and 2020 amendments to Visualize 2045 and the air quality conformity analysis related to those updates.

**Chesapeake Bay and Water Resources Policy Committee (CBPC)** – During its March webinar meeting, members approved the Regional Water Quality Management FY2021 Work Program and Budget. Members were also briefed by COG's Department of Homeland Security and Policy on regional COVID-19 coordination, with an emphasis on water and food and agriculture related coordination.



### JOINT STATEMENT ON COVID-19

Chief elected officials from 21 local governments joined together on March 31 to release a statement encouraging the region's residents to stay home to slow the spread of COVID-19. The messaging helped amplify the Stay at Home orders issued by Maryland Governor Larry Hogan, Virginia Governor Ralph Northam, and District of Columbia Mayor Muriel Bowser for their respective jurisdictions.

[View the statement](#)

**Human Services Policy Committee (HSPC)** – During its March webinar meeting, the committee was briefed on a service model to prevent and end homelessness. Chair Brianne Nadeau led members in an open discussion on how jurisdictions are addressing the needs of vulnerable populations during the COVID-19 response.

## OUTREACH & PROGRAM HIGHLIGHTS

**COG Housing Targets** – Chuck Bean participated in a *Mental Health and Housing* panel discussion for the LA Chamber on March 10. Bean also presented at Fairfax County and George Mason University’s *2020 Housing Challenge* conference on March 11, serving as the opening act for Fairfax County Chairman Jeff McKay.

**Census Coordination** – In partnership with local governments and non-profits, COG has helped coordinate efforts to ensure an accurate and complete 2020 Census count in the region. COG has worked with regional employers to spread awareness through PSA ads, workplace initiatives, and most recently a March 6 virtual town hall on Facebook Live.



**2020 CENSUS VIRTUAL TOWN HALL**  
To answer question on the Census, COG hosted experts and officials, including COG Board Chair Derrick L. Davis and Vice Chair and Christian Dorsey. Chuck Bean moderated the panel.

[Watch the town hall](#)

## MEDIA HIGHLIGHTS

**Hogan calls Trump testing claims ‘just not true’ as region’s virus cases continue surge**– Joint statement by 21 officials highlighted.

[The Washington Post story](#)

**What you can do to reduce greenhouse gasses in the DC region**– Steve Walz, COG Director of Environmental Programs, explains the work of the Climate, Energy, and Environment Policy Committee (CEEPC) as it updates the Regional Climate and Energy Action Plan.

[WTOP story](#)

**AGENDA ITEM #4**

**AMENDMENTS TO THE  
AGENDA**

## **AGENDA ITEM #5**

### **APPROVAL OF THE MINUTES**



**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS  
777 North Capitol Street, NE  
Washington, D.C. 20002**

**MINUTES  
COG Board of Directors Meeting  
March 11, 2020**

**BOARD MEMBERS AND ALTERNATES:** See attached chart for attendance.

**SPEAKERS:**

Dr. John Davies-Cole, District of Columbia Department of Health State Epidemiologist  
Dr. Travis Gayles, Montgomery County Department of Health and Human Services Chief  
Dr. Stephen A. Haering, Alexandria Health Department Director  
Steve Walz, COG Environmental Programs Director  
Dan Sze, COG Climate, Energy, and Environment Policy Committee Chair  
Benjamin Gilbert, U.S. Cybersecurity and Infrastructure Security Agency Cyber Security Advisor  
Richard Keech, COG Election Officials Committee Chair; Loudoun County Office of Elections Deputy Registrar

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

COG Board Chair Derrick L. Davis called the meeting to order at 12:00 P.M. and led the Pledge of Allegiance.

**2. UPDATE ON CORONAVIRUS (COVID-19)**

Dr. John Davies-Cole, District of Columbia Department of Health State Epidemiologist, Dr. Travis Gayles, Montgomery County Department of Health and Human Services Chief, and Dr. Stephen A. Haering, Alexandria Health Department Director provided an update on the status on COVID-19.

**3. AMENDMENTS TO AGENDA**

The board added Update on Coronavirus (COVID-19) to item two on the agenda and postponed the Regional Trail Network agenda item.

**4. CHAIRMAN'S REPORT**

- A. A reminder to participate in the 2020 Census
- B. COG held a Facebook Live virtual town hall to address questions about the census
- C. Eight public focus groups held by Dr. Tiffany Manuel to develop a messaging playbook for housing in the region.
- D. Board members shared housing production updates in their region.

**5. APPROVAL OF MINUTES**

The minutes from the February 12, 2020 board meeting were approved.

**6. EXECUTIVE DIRECTOR'S REPORT**

COG Executive Director Chuck Bean provided an update on the Transportation Alternatives Program (TAP), a TPB initiative that recently awarded \$5.5 million in project funding; the National Capital Trails Network, a goal of Visualize 2045; Human Services Policy Committee efforts to end homelessness in the region; Census 2020 coordination among the region.

**7. ADOPTION OF CONSENT AGENDA ITEMS**

- A. Resolution R12-2020 – Resolution authorizing COG to Receive A Grant, Procure and Enter into a Contract to Conduct Phase 35 of the Continuous Airport System Planning Program
- B. Resolution R13-2020 – Resolution Endorsing Disadvantaged Business Enterprise Program Policy

- C. Resolution R14-2020 – Resolution authorizing COG to Receive a Grant to Contract Professional Statistical Analysis Services for Stream Survey Trash Data

**ACTION: Approved Resolutions R12-2020 – R14-2020.**

#### **8. 2030 REGIONAL CLIMATE AND ENERGY ACTION PLAN**

COG Climate, Energy, and Environment Policy Committee Chair Dan Sze and Environmental Programs Director Steve Walz briefed the board on the plan to update the region’s 2030 targets to reduce greenhouse gas emissions.

**ACTION: Received briefing.**

#### **9. CYBERSECURITY OF ELECTIONS**

Benjamin Gilbert from the U.S. Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security and Richard Keech, COG Election Officials Committee Chair and Loudoun County Office of Elections Deputy Registrar provided an overview of cyber threats targeting elections infrastructure and an update on the work of the Elections Officials Committee and how the region is preparing for cybersecurity of upcoming elections.

**ACTION: Received briefing.**

#### **14. OTHER BUSINESS**

There was no other business.

#### **15. ADJOURN**

Upon motion duly made and seconded, the meeting was adjourned at 2:00 P.M.

**March 2020 Attendance**

<u>Jurisdiction</u>	<u>Member</u>	<u>Y/N</u>	<u>Alternate</u>	<u>Y/N</u>
<b><i>District of Columbia</i></b>				
<b>Executive</b>	Hon. Muriel Bowser		Ms. Beverly Perry Mr. Wayne Turnage Ms. Lucinda Babers	Y (phone)
	Mr. Rashad Young	N		
<b>Council</b>	Hon. Phil Mendelson	Y		
	<b><i>Hon. Robert White</i></b>	Y		
<b><i>Maryland</i></b>				
Bowie	Hon. Tim Adams	N		
Charles County	Hon. Reuben Collins	Y	Thomasina Coates Gilbert Bowling	
City of Frederick	Hon. Michael O'Connor	Y (phone)		
Frederick County	Hon. Jan Gardner	N	Ms. Joy Schaefer	
College Park	Hon. Monroe Dennis	Y	Hon. Patrick Wojahn	
Gaithersburg	Hon. Robert Wu	N	Hon. Neil Harris	
Greenbelt	Hon. Colin Byrd		Hon. Emmett Jordan	Y
Laurel	Hon. Craig Moe	N	Hon. Michael Leszcz	Y
Montgomery County				
<b>Executive</b>	Hon. Marc Elrich		Mr. Andrew Kleine	
<b>Council</b>	Hon. Tom Hucker	Y (phone)		
	Hon. Nancy Navarro	Y (phone)		
Prince George's County				
<b>Executive</b>	Hon. Angela Alsobrooks		Mr. Major F. Riddick	
<b>Council</b>	Hon. Sydney Harrison	Y		
	<b><i>Hon. Derrick Leon Davis</i></b>	Y		
Rockville	Hon. Bridget Newton			
Takoma Park	Hon. Kate Stewart	N	Hon. Cindy Dyballa Hon. Peter Kovar	Y
Maryland General Assembly	Hon. Brian Feldman	N		
<b><i>Virginia</i></b>				
Alexandria	Hon. Justin Wilson	Y	Hon. Redella Pepper	
Arlington County	<b><i>Hon. Christian Dorsey</i></b>	Y		
City of Fairfax	Hon. David Meyer	N	Michael DeMarco	
Fairfax County	Hon. Jeff McKay	N	Hon. James Walkinshaw	
	Hon. Penelope Gross	Y	Hon. Daniel Storck	
	Hon. Rodney Lusk	Y	Hon. Walter Alcorn	
Falls Church	Hon. David Snyder		Hon. David Tarter	
Loudoun County	Hon. Juli Briskman	Y		
Loudoun County	Hon. Phyllis Randall	Y		
Manassas	Hon. Mark Wolfe	Y		
Manassas Park	Hon. Hector Cendejas	Y	Hon. Miriam Machado	
Prince William County	Hon. Ann Wheeler	Y		
	Hon. Andrea Bailey	Y (phone)		
Virginia General Assembly	Hon. George Barker			



# **AGENDA ITEM #6**

## **ADOPTION OF CONSENT AGENDA ITEMS**

**ADOPTION OF CONSENT AGENDA ITEMS**

**April 2020**

**A. Resolution R15-2020 – RESOLUTION ENDORSING SUPPORT OF NATIONAL CAPITAL REGION AS PRIORITY LOCATION FOR FEDERALLY-SUPPORTED COVID-19 TESTING SITE**

The board will be asked to ratify Resolution R15-2020, supporting the request of the District of Columbia, the State of Maryland, and the Commonwealth of Virginia to add the National Capital Region to the priority locations for federally-supported COVID-19 testing sites; and encouraging COG local governments to communicate their support to the President of the United States.

**RECOMMENDED ACTION: Ratify Resolution R15-2020, previously adopted by the COG Board of Directors Executive Committee on March 17, 2020.**

## **AGENDA ITEM #7**

**ALLOCATION OF ADDITIONAL  
FEDERAL FUNDS TO THE  
DISTRICT OF COLUMBIA TO  
COMBAT THE COVID-19  
PANDEMIC**

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS  
777 NORTH CAPITOL STREET, NE  
WASHINGTON, DC 20002**

**RESOLUTION SUPPORTING THE ALLOCATION OF ADDITIONAL FEDERAL FUNDS TO THE DISTRICT OF COLUMBIA TO COMBAT THE COVID-19 PANDEMIC**

**WHEREAS**, the Metropolitan Washington Council of Governments (COG) is comprised of the 24 jurisdictions of the National Capital Region's local governments and their governing officials, plus area members of the Maryland and Virginia legislatures and the U.S. Senate and House of Representatives, and COG provides a focus for action on issues of regional concern; and

**WHEREAS**, the National Capital Region is home to over 6 million residents and the seat of the federal government, with hundreds of thousands of employees and contractors serving the country; and

**WHEREAS**, the health of the National Capital Region is a top priority for the continuity of our democratic government and critical to continuing federal government functions; and

**WHEREAS**, addressing the COVID-19 epidemic in the metropolitan Washington region is of top concern to the COG Board of Directors; and

**WHEREAS**, on March 27, 2020 the federal government passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act allocating funds for state and local governments to combat the epidemic and provide economic relief; and

**WHEREAS**, the CARES Act classifies the District of Columbia as a territory, allocating funds of \$500 million, less than half of the minimum \$1.25 billion guaranteed to each state;

**WHEREAS**, the District of Columbia has a population of over 700,000 residents and pays \$6.5 billion in federal taxes; and

**WHEREAS**, the inter-connectivity of the population living and working in the District of Columbia, northern Virginia and suburban Maryland urges a need to combat the epidemic as a region; and

**WHEREAS**, the allocation of additional federal funds to the District of Columbia is essential to helping combat COVID-19 in the District of Columbia and throughout the metropolitan Washington region.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS THAT:**

The Board urges the federal government to allocate additional federal funds to the District of Columbia to support efforts to combat the COVID-19 epidemic and authorizes the Executive Director, or his designee, to send a letter on behalf of the COG Board of Directors to congressional leadership communicating this request.





April 8, 2020

The Honorable Mitch McConnell  
U.S. Senate Majority Leader  
317 Russell Senate Office Building  
Washington, DC 20510

The Honorable Nancy Pelosi  
Speaker of the U.S. House of Representatives  
1236 Longworth House Office Building  
Washington, DC 20515

Dear Senate President McConnell and House Speaker Pelosi:

We are writing to request additional federal funding be allocated to the District of Columbia to combat the COVID-19 pandemic.

The Metropolitan Washington Council of Governments (COG) commends your leadership and quick passage of the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide assistance to state and local governments to combat the epidemic and provide economic relief to our residents and businesses.

However, the bill does not provide adequate or appropriate funding for the District of Columbia. While the District is not a state, with a population of over 700,000 and annual federal taxes of \$6.5 billion, they are typically included in state funding formulas. We believe the allocation of \$500 million, less than half of the minimum \$1.25 billion guaranteed to each state, has shortchanged the nation's capital by \$725 million.

This decision impacts the entire National Capital Region - home to over 6 million residents and the seat of the federal government, with hundreds of thousands of employees and contractors serving the country. The health of the National Capital Region is a top priority for the continuity of our democratic government and critical to continuing federal government functions.

Given the inter-connectivity of the population living and working in the District of Columbia, northern Virginia and suburban Maryland, the allocation of additional federal funds to the District of Columbia is essential to helping combat COVID-19 in the District of Columbia and throughout the metropolitan Washington region.

We strongly urge you to reconcile this decision by allocating additional funds to the District of Columbia as soon as possible to combat the COVID-19 epidemic.

We look forward to hearing your next steps on moving this reconciliation forward. If you have any questions, please reach out to COG's Executive Director Chuck Bean at [cbean@mwkog.org](mailto:cbean@mwkog.org) or (202)962-3260.

Sincerely,

Derrick L. Davis  
Chair, Board of Directors  
Prince George's County

Christian Dorsey  
Vice Chair, Board of Directors  
Arlington County

Robert C. White, Jr.  
Vice Chair, Board of Directors  
District of Columbia

## **AGENDA ITEM #8**

**COVID-19 PUBLIC HEALTH  
CONTAINMENT STRATEGIES:  
HOW THE REGION NEEDS TO  
WORK TOGETHER**



[Home / News](#)

# President Trump Signs \$2 Trillion CARES Act – Local Government Highlights

Local governments gain access to additional disaster relief and a wide range of stimulus grant funding and loan programs.

By Elizabeth Kellar | Mar 26, 2020 | ARTICLE

What can local governments expect now that President Trump has signed the Coronavirus Aid Relief and Economic Security (CARES) Act on March 27? The next order of business is to await clarifications on the new law and the agency guidance required to implement it. We already know, for example, that HR 6201 (Families First Act, passed March 18), requires local government employers to provide two weeks of paid sick leave to their employees, effective April 1. Employers also are expected to e-mail a [DOL Poster](#) to all employees or display it in a prominent place. [Department of Labor Guidelines DOL FAQs](#) Here is what we know so far about HR 748 (CARES Act):



**Community Development Block Grant (CDBG) receives \$5 billion in supplemental funding.** \$2 billion will be distributed according to the 2020 allocation formulas within 30 days. \$1 billion will be distributed to states to combat the spread of COVID-19 within 45 days; the amounts will be determined by the Secretary of HUD based on best available data and need. The balance of the supplemental funding will be distributed to states based on a formula determined by the Secretary of HUD using best available data on COVID-19 and associated economic and housing disruptions.

**\$150 billion in direct aid to state and local governments.** All states are to receive at least \$1.5 billion. Local governments with a population of over 500,000 also may receive direct grants for COVID-19-related expenses. It does not cover lost revenues. Cities and counties with a population under 500,000 are expected to seek aid from their state government. The inspector general of the Treasury is charged with conducting oversight of receipt and distribution.

**\$454 billion in emergency loans for businesses, states, and local governments.** The legislation permits the U.S. Treasury to "purchase obligations {of States, local governments, instrumentalities and political subdivisions of them} or other interests in secondary markets or otherwise." It allows the Federal Reserve to participate as an institutional investor in securities that mature in greater than 6 months. Municipal bonds were added to the package after the municipal bond market froze last week as rates rose in the secondary market. Guidelines from Treasury are required within 10 days after enactment, but are needed immediately to stabilize the \$3.8 trillion municipal bond market.

This emergency loan fund was created primarily to provide loans and loan guarantees to small businesses. [SBA Coronavirus Resources](#) Loans are for COVID-19 losses and there are restrictions on eligibility. Loans may be used for cash flow, among other needs. Some loans may be forgiven in three years if the business meets certain requirements. The Small Business Administration also will receive \$240 million for small business development centers and technical assistance for women's business centers. One unique difference for business owners is that they may be eligible to apply for unemployment in this public health crisis, unlike in prior economic downturns..

**\$45 billion added to FEMA's Disaster Relief Fund.** Reimbursable activities include medical response, personal protective equipment, National Guard deployment, logistics coordination, safety measures, and community services. \$200 million is included for shelter, food, and services; \$100 million for enhanced sanitation at airport security checkpoints and other airport costs.

**Personal Protective Equipment (PPE).** The Defense Production Act allows \$1 billion for the Department of Defense to invest in manufacturing capabilities to increase the production rate of personal protective equipment and medical equipment to meet the demand of healthcare workers all across the nation. The bill also provides \$100 million in firefighter grants for first responders' PPE needs.

**Economic Development Administration (EDA) receives \$1.5 billion** in supplemental funding, directed to the Economic Adjustment Assistance account. The agency also receives

surge hiring authority to allow EDA to properly staff the agency during this crisis; a 2% carve out of the supplemental funds is directed toward ‘salaries and expenses’ to support the surge.

**Provides \$100 billion in funding for local hospitals** to address medical surge capacity issues and offset the cost of increased healthcare related expenses and loss revenue. Eligible health care providers include public entities, Medicare or Medicaid enrolled suppliers or providers and other health care facilities. The bill would delay statutory cuts to Medicaid Disproportionate Share Hospital (DSH) payments until FY 2021 to help hospitals, including eligible local government-owned hospitals, serving indigent and underinsured people make up for revenue losses.

**Community health centers can access \$1.32 billion in FY2020.**

**\$450 million is provided to support 2020 elections.** Funds can be used for increase in paper ballots, on-line voting, and more poll workers.

**USDA Rural Development (USDA-RD) receives \$145.5 million. \$20.5 million for the Rural Business-Cooperative Service** that will make \$1 billion in lending authority available, \$100 million in grants for rural broadband service, \$25 million in grants for distance learning and telemedicine.

**No fix for unfunded mandate related to additional paid sick leave.** Despite intense efforts to persuade Senators, local governments still cannot get the benefit of a tax credit that is provided to private sector employers subject to the mandate. Governments are required to provide two weeks of paid sick leave and paid emergency family leave (required in HR 6201).

**\$10 billion to maintain operations at the nation’s airports.** Funds will be distributed by formula through the Federal Aviation Administration’s Airport Improvement Program. \$56 million is provided to maintain existing air service to rural communities.

**\$25 billion in transit infrastructure grants for transit providers, including local governments, for operating and capital expenses.** Funding will be distributed using existing Federal Transit Administration formulas.

**\$900 million to help lower income households heat and cool their homes through the Low Income Energy Assistance Program**

**\$700,000 for Superfund program to prevent, prepare for, and respond to the coronavirus.**

HUD program increases include \$4 billion in homeless assistance grants, \$1.25 billion for tenant-based rental assistance, \$650 million for the public housing operating fund, \$50 million in housing for the elderly and \$15 million in housing for persons with disabilities.

Byrne-Justice Assistance Grant Program (Department of Justice) receives \$850 million; Family Violence Prevention Services receives \$45 million to support families during this uncertain time, and to prevent and respond to family and domestic violence.

**Real ID deadline for enforcement extended to October 1, 2021.**

ICMA has worked closely with the National League of Cities, National Association of Counties, U.S. Conference of Mayors, and Government Finance Officers Association to provide data to Congress and the White House on the fiscal impact of COVID-19. In just 24 hours, 750 chief administrative officers responded to an [ICMA survey with estimates of current and anticipated costs](#) of the response effort. Respondents reported that every source of local government revenue is falling.

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# LEGISLATIVE ALERT

March 26, 2020

On Wednesday, March 25 the Senate approved the Coronavirus Aid, Relief, and Economic Security (CARES) Act (S. 3548) by a 96-0 vote. The House is expected to approve the bill by tomorrow and President Trump has indicated his intent to sign it into law. This bill will provide emergency assistance and increase access to care for individuals, families, and businesses affected by the COVID-19 pandemic. The legislation specifically addresses four priorities by providing:

- Support to patients and health care professionals.
- Financial assistance to individuals living in the country.
- Relief to small businesses and their employees.
- Stabilization of the economy.

## Resources

- [Bill language for policy provisions](#)
- [Bill language for emergency appropriations for coronavirus health response and agency operations](#)
- [Summary of funding by appropriations subcommittees](#)

This legislation is nearly 1,000 pages in length. Therefore, it is very likely ASTHO's legislative alert below did not capture every single policy provision. Below is a high-level summary, which only focuses on key public health appropriations and policy provisions included in the legislation. Please note the ASTHO government relations team will provide a more comprehensive analysis within the next two weeks after we have time to fully analyze the bill.

If you have any questions or concerns please contact a member of the ASTHO government affairs team: [Jeffrey Ekoma](#) or [Carolyn Mullen](#).

Below is a high-level summary of key public health provisions:

## CDC

\$4.3 billion total for CDC which will remain available until Sept. 20, 2024 to prevent, prepare for, and respond to COVID-19 internationally or domestically. This includes:

- No less than \$1.5 billion shall be allocated for cooperative agreements with states, localities, territories, tribes, tribal organizations, urban Indian health organizations or health service providers to tribes to carry out surveillance, epidemiology, laboratory capacity, infection control, mitigation, communications and other preparedness and response activities.
  - Every grantee that received a PHEP grant for FY19 shall not receive less than 100 percent of that grant level from funds provided here.
  - No less than \$125 million shall be allocated to tribes.

- While not included in bill language, some summaries have indicated Congressional intent for CDC to utilize \$1.5 billion to support CDC efforts related to repatriation and quarantine efforts, purchase and distribution of diagnostic test kits, support for laboratory testing, workforce training programs, combatting antimicrobial resistance and antibiotic resistant bacteria and communicating with and informing public, state, local, and tribal governments.
- \$500 million for global disease detection and emergency response.
- \$500 million for public health data surveillance and analytics infrastructure modernization.
- \$300 million for the Infectious Disease Rapid Reserve Fund.

### **Public Health and Social Services Emergency Fund**

\$27 billion total to remain available until Sept. 30, 2024 to prevent, prepare for, and respond to coronavirus—domestically or internationally—including the development of necessary countermeasures and vaccines, prioritizing platform-based technologies with U.S.-based manufacturing capabilities, the purchase of vaccines, therapeutics, diagnostics, necessary medical supplies. It also includes medical surge capacity, addressing blood supply chain, workforce modernization, telehealth access and infrastructure, initial advanced manufacturing, novel dispensing, enhancements to the U.S. Commissioned Corps, and other preparedness and response activities. Specifically:

- \$16 billion to replenish the Strategic National Stockpile. Pharmaceuticals, PPE, and other medical supplies to be distributed to state and local health agencies, hospitals, and other healthcare entities.
- \$3.5 billion for the Biomedical Advanced Research and Development Authority for necessary expenses of manufacturing, production, and purchase—at the discretion of the Secretary—of vaccines, therapeutics, diagnostics, and small molecule active pharmaceutical ingredients.
- \$1.5 million for the Secretary to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine report on the security of the United States medical product supply chain.
- At least \$250 million to expand the Hospital Preparedness Program's support of emergency preparedness.

\$100 billion to remain available until expended, to prevent, prepare for, and respond to coronavirus—domestically or internationally—for necessary expenses to reimburse, through grants or other mechanisms, eligible health care providers for health care-related expenses or lost revenues that are attributable to coronavirus. Specifically:

- These funds may not be used to reimburse expenses or losses that have been reimbursed from other sources or that other sources are obligated to reimburse.
- Recipients for this funding include public entities, Medicare or Medicaid enrolled suppliers and providers, and such for-profit entities and not-for-profit entities.
- Funds shall be available for building or construction of temporary structures, leasing of properties, medical supplies and equipment. This includes personal protective equipment and testing supplies, increased workforce and trainings, emergency operation centers, retrofitting facilities, and surge capacity.

### **SAMHSA**

\$425 million total for SAMHSA to remain available through Sept. 30, 2021 to prevent, prepare for, and respond to coronavirus, domestically or internationally.

- \$250 million available for Certified Community Behavioral Health Clinic Expansion Grant program.
- \$50 million shall be available for suicide prevention programs.

### **HRSA**



- \$90 million for the Ryan White HIV/AIDS Program to remain available until Sept. 30, 2022 for modifications to existing contracts, and supplements to existing grants and cooperative agreements to respond to coronavirus, domestically or internationally.
- \$180 million for Rural Health programs to prevent, prepare for, and respond to coronavirus, domestically or internationally.
- \$5 million to improve the capacity of poison control centers to respond to increased calls.
- \$1.32 billion in supplemental funding for community health centers.
- Reauthorizes Health Resources and Services Administration (HRSA) grant programs that promote the use of telehealth technologies for health care delivery, education, and health information services.

#### **Territories and Freely Associated States**

- \$55 million for the Department of Interior Office of Insular Affairs to support U.S. Territories and Freely Associated States with needs related to the prevention and mitigation of COVID-19, including the purchase of medical supplies and equipment, as well as healthcare services and facilities.
- \$200 million to support nutrition assistance for the Commonwealth of the Northern Mariana Islands, Puerto Rico, and American Samoa.

#### **Coronavirus Relief Fund**

- \$150 billion for states, tribal governments, and units of local government to cover costs incurred between March 1, 2020 and December 30, 2020 that were not accounted for during the enactment of state or government budgets, with respect to COVID-19. Of this amount \$3 billion is set aside for making payments to the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa. \$8 billion is also made available to Tribal governments.

#### **FEMA**

\$45 billion for the Federal Emergency Management Agency to support immediate needs of state, local, tribal, and territorial governments. Reimbursable activities include medical response, PPE, National Guard deployment, and other critical services.

#### **Agency for Toxic Substance and Disease Registry**

\$12 million for critical research and disease surveillance activities.

#### **Department of Defense**

\$1 billion for the Defense Production Act to support the production of PPE, ventilators, and other medical supplies.

#### **Nutrition Program**

\$15.51 billion to support the Supplemental Nutrition Assistance Program.

#### **Policy Provisions**

- Clarifies that every laboratory that performs or analyzes a COVID-19 test shall report results to the Secretary of Health and Human Services (HHS), in addition to reporting made to state health departments.
- Clarifies that the SNS can stockpile medical supplies, such as swabs necessary for diagnostic testing.

- Clarifies that all testing for COVID-19 is to be covered by private insurance plans, with no cost-sharing for patients.
- Provides free coverage, without cost-sharing, for vaccines that have a rating of “A” or “B” in the current recommendations of the United States Preventive Services Task Force or a recommendation from the Advisory Committee on Immunization Practices.
- Establishes a Ready Reserve Corps to ensure that there is an appropriate capacity to respond to COVID-19 and other public health emergencies.
- Clarifies that all care provided by doctors during public health emergencies is done so with full liability protections.
- Allows for additional care coordination by aligning the 42 CFR Part 2 regulations, with Health Insurance Portability and Accountability Act (HIPAA).
- Requires the Department of Health and Human Services to issue guidance on allowable instances where a patient record is shared during a public health emergency.
- Allows the Secretary of HHS to reassign members of the National Health Service Corps (NHSC) to sites close to the one to which they were originally assigned—with the Corps member’s voluntary agreement—in order to respond to the COVID-19 public health emergency.
- Temporarily Suspends Alcohol Taxes on Spirits Denatured Outside of a DSP and Used in the Emergency Production of Hand Sanitizer in Compliance with FDA Guidance.

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## **Coronavirus Aid, Relief, and Economic Security Act**

### **Question and Answers**

#### ***HOSPITALS AND HEALTH SYSTEM***

##### ***What financial assistance is available for hospitals, health systems and health care providers in the bill?***

One of the primary ways the bill supports our health system is a \$100 billion fund, run through the Public Health and Social Services Emergency Fund (PHSSEF), to cover non-reimbursable expenses attributable to Covid-19. All health care entities that provide health care, diagnoses or testing are eligible for funding. Additional funding mechanisms, such as Medicare payment boosts, support for community health centers and additional appropriated funding, are discussed in more detail below.

##### ***What is the process and criteria for hospitals, health systems and health care providers to receive the PHSSEF funding?***

The \$100 billion PHSSEF fund is designed to be immediately responsive to needs. HHS is instructed to review applications and make payments on a rolling basis, in order to get money into the health system as quickly as possible. This is in contrast to a more traditional competitive grant process, under which HHS would solicit applications by a certain deadline and review all applications together – a process that would take considerably more time. HHS will instead release the funds to health care entities on a rolling basis as qualified applications are received. As such, HHS is given significant flexibility in determining how the funds are allocated, as opposed to operating under a mandated formula or process for awarding the funds. This is to ensure that the funding is nimble enough to meet all needs and that the fund disperses money fast enough to help struggling entities. The Secretary is expected to release guidance on the application process shortly, and Congress will continue to work with the Administration to ensure that the funding and application process works as intended.

##### ***What expenses qualify for funding?***

All non-reimbursable expenses attributable to Covid-19 qualify for funding. Examples include building or retrofitting new ICUs, increased staffing or training, personal protective equipment, the building of temporary structures and more. Forgone revenue from cancelled procedures, which has put significant strain on the health care system, is also a qualified expense. It is important to note that this fund can only be used for non-reimbursable expenses. Any expenses reimbursed or obligated to be reimbursed by insurance or other mechanisms are not eligible. The bill instructs the Secretary to establish a reconciliation process under which payments will have to be returned to the fund if other sources provide reimbursement for expenses.

##### ***Can health care entities access funds under the PHSSEF if they are also eligible for funding from another government program?***

Yes. The language states that the funds may not be used for expenses or losses that have been reimbursed from other sources or that other sources are *obligated* to reimburse. Even if qualified

expenses are *eligible* for reimbursement from another mechanism, an entity may still apply for funding from the PHSSEF fund while simultaneously applying for funding from other sources. However, should the entity subsequently receive reimbursement for expenses from any other source after receiving funding for the same expenses from the PHSSEF fund, the entity will be required to re-pay the funding it received from the PHSSEF fund. This same principal also applies to the new SBA7(a) loans Paycheck Protection Program forgivable loans, the SBA's Economic Injury Disaster Loan (EIDL) Program, and the new EIDL Emergency Grant Program..

***What is the process for hospitals, health systems and health care providers to apply for and receive funding under the 7(a) SBA Paycheck Protection Program?***

Small businesses and 501(c)(3) non-profit organizations, including hospitals, health systems, and health care providers, are eligible to apply for the Small Business Administration's Paycheck Protection Program. Through this program, a small business or organization can apply to an SBA-approved lender for a loan of up to 250% of your average monthly payroll costs to cover eight weeks of payroll as well as help with other expenses like rent, mortgage payments, and utilities. This loan can be forgiven based on maintaining employee and salary levels. For any portion of the loan that is not forgiven, the terms include a maximum term of 10 years, a maximum interest rate of 4 percent. Small businesses and organizations will be able to apply if they were harmed by COVID-19 between February 15, 2020 and June 30, 2020. To be eligible, small businesses and 501(c)(3) non-profit organizations must have fewer than 500 employees, or more if SBA's size standards for the non-profit allows. This program is retroactive to February 15, 2020, in order to help bring workers who may have already been laid off back onto payrolls. Loans are available through June 30, 2020.

***What support is included for community health centers?***

The Coronavirus Aid, Relief, and Economic Security Act provides \$1.32 billion in supplemental funding for community health centers (CHCS), which are on the front lines in addressing COVID-19 in underserved communities across the country. This funding is in addition to the \$100 million distributed by the Health Resources and Services Administration (HRSA) to CHCs on March 24<sup>th</sup>. Community Health Centers can also access the PHSEFF fund.

***If I have private insurance, will I have to pay for a coronavirus test?***

The Families First Coronavirus Act required that all private insurance plans cover coronavirus testing without deductibles, coinsurance, or co-pays. That bill also prohibited plans from using tools like prior authorization to limit access to testing. The CARES Act makes a technical correction to ensure that the policy covers all tests that meet the appropriate standards. Insurers also have to cover fees for visits to the ER, an urgent care center, or a doctor's office associated with getting a test without cost sharing.

***If I have private insurance, how does this bill affect the cost of a vaccine when one becomes available?***

The Affordable Care Act required that preventive services and vaccines be covered by private insurance without cost-sharing. Normally, these services and vaccines are covered starting on the

first day of the plan year beginning after they get a favorable rating or recommendation from the United States Preventive Services Task Force or the Advisory Committee on Immunization Practices. This section requires that coverage without cost sharing begin fifteen days after getting a favorable rating or recommendation.

## ***MEDICARE***

### ***How does this bill increase access to telehealth services for seniors and other Medicare beneficiaries?***

The CARES Act gives the Secretary of Health and Human Services (HHS) broad authority to allow more health care providers to provide telehealth services to Medicare beneficiaries, including in the beneficiaries' homes to avoid potential exposure to COVID-19, and provide more flexibility in terms of how those telehealth services can be provided. Once enacted into law, the HHS Secretary must put out guidance explaining how this expanded waiver authority will be used to increase access to telehealth services for seniors and other Medicare beneficiaries.

### ***I've heard from Federally Qualified Health Centers (FQHCs) (including Community Health Centers (CHCs)) and Rural Health Clinics (RHCs) that the Administration won't allow them to use telehealth and get paid. Does this bill help those providers deliver care via telehealth?***

Yes. The CARES Act requires the HHS Secretary to provide Medicare payment to FQHCs (including CHCs) and RHCs for telehealth services provided to seniors and other Medicare beneficiaries, including in the beneficiaries' homes to avoid potential exposure to COVID-19, during the COVID-19 public health emergency. Medicare would be required to pay the FQHC or RHC at rates similar to those for telehealth services provided from a doctor's office. Costs associated with those telehealth services would not affect the prospective payment system for FQHCs or the all-inclusive rates for RHCs.

### ***How does this bill help clinical laboratories when it comes to Medicare?***

The CARES Act prevents scheduled Medicare payment cuts for clinical diagnostic laboratory tests furnished to Medicare beneficiaries in 2021. It also delays by one year—until 2022—the upcoming reporting period during which laboratories are required to report private payor data.

### ***How much will patients have to pay for the COVID-19 vaccine once it becomes available?***

The CARES Act ensures that the vaccine itself and its administration is free to beneficiaries with Medicare Part B and those with Medicare Advantage who receive the vaccine from an in-network provider.

Additionally, the Families First Coronavirus Act required that all private insurance plans cover coronavirus testing without deductibles, coinsurance, or co-pays. That bill also prohibited plans from using tools like prior authorization to limit access to testing. The CARES Act makes a technical correction to ensure that the policy covers all tests that meet the appropriate standards. Insurers also have to cover fees for visits to the ER, an urgent care center, or a doctor's office associated with getting a test without cost sharing.

The Affordable Care Act required that preventive services and vaccines be covered by private insurance without cost-sharing. Normally, these services and vaccines are covered starting on the first day of the plan year beginning after they get a favorable rating or recommendation from the United States Preventive Services Task Force or the Advisory Committee on Immunization Practices. This section requires that coverage without cost sharing begin fifteen days after getting a favorable rating or recommendation.

***How will seniors access the medications they need while also being told it's better to stay at home? In the past, Medicare drug plans only let beneficiaries receive a 30 day supply of their prescription.***

Under the CARES Act, during the COVID-19 Public Health Emergency (PHE) a senior on Medicare can get up to 90 days of a prescription if that is what the doctor prescribed, as long as there are no safety concerns. Medicare drug plans will also allow beneficiaries to fill prescription early for refills up to 90 days, depending on the prescription.

***Hospitals are facing cash flow challenges due to canceling elective services. Is there anything in this bill to help hospitals stay afloat, even temporarily?***

The COVID-19 emergency has created significant cash flow concerns for many hospitals. Hospitals need reliable and stable cash flow to help them maintain and support their workforce, buy essential supplies, create additional infrastructure, and keep their doors open to care for patients. During the COVID-19 public health emergency (PHE), the CARES Act creates the opportunity for hospitals to receive accelerated payments. Specifically, acute care hospitals, critical access hospitals (CAHs), children's hospitals, and prospective payment system-exempt cancer hospitals (PCHs) will be able to request accelerated Medicare payments for inpatient hospital services. This is an expanded set of hospitals compared with the existing accelerated payment program.

Rather than waiting until claims have been processed to issue payment, Medicare will work with qualified and interested hospitals to estimate their upcoming payments and give that money to the hospital in advance. Qualified facilities can request a lump sum or periodic payment reflecting up to six months of Medicare services. Accelerated payments must be repaid to Medicare, however a qualifying hospital would not be required to start paying Medicare back for four months after receiving the first payment. Hospitals would have at least 12 months to complete repayment without paying interest.

Hospitals interested in receiving accelerated payments should contact their Medicare Administrative Contractor (MAC). To learn which MAC to contact, please look [here](#).

***Does the bill give additional flexibility for hospice providers?***

Yes. In order for a qualified beneficiary to receive hospice benefits, a hospice physician or nurse practitioner must certify their eligibility. Typically, a recertification must be done in person. The CARES Act allows hospice physicians and nurse practitioners to conduct these visits via telehealth for the duration of the PHE.

***Many hospitals are concerned that there aren't enough ICU beds to take care of those with COVID-19, and inpatient rehabilitation hospitals (IRF) and long-term care hospitals (LTCH) are trying to help build capacity. However, current rules and regulations won't allow them to take certain patients. What does The CARES Act do to help?***

The CARES Act makes changes to both IRFs and LTCHs to provide hospitals with more flexibility when discharging patients in order to maximize bed capacity. It also opens up existing beds at IRFs and LTCHs to increase the availability of post-acute services.

Currently, in order to be admitted to an IRF, Medicare patients must be expected to participate in at least three hours of intensive rehabilitation at least five days per week (also known as the “three-hour rule”). The CARES Act waives this requirement so that IRFs have the ability to accept more patients who may otherwise be sent to other post-acute facilities, such as nursing homes.

Patients who are admitted to LTCHs usually must meet certain clinical criteria for an LTCH to receive a higher Medicare payment. If less than half of an LTCH's patients meet these criteria, they are no longer eligible to receive any LTCH payments. The CARES Act waives both of these policies for the duration of the PHE so that LTCHs may accept as many patients as necessary at their LTCH rate, without regard to the clinical criteria. By waiving these criteria, an LTCH will be able to take more patients from an acute care hospital and still get paid.

***With more patients needing to stay at home, and a growing concern over health care workforce shortages due to COVID-19, how does The CARES Act help those who depend on the home health benefit?***

Under current law, only physicians are able to certify the need for home health services. The CARES Act makes a permanent, statutory change to allow physician assistants, nurse practitioners, and clinical nurse specialists to order home health services for beneficiaries, reducing delays and increasing beneficiary access to care in the safety of their home.

The CARES Act also directs the Secretary of Health and Human Services (HHS) to encourage the use of telecommunications systems, including remote patient monitoring, to deliver home health services consistent with the beneficiary care plan during the COVID-19 emergency period. This allows patients to receive certain home health services without a provider entering their home.

***Treating patients with COVID-19 is very resource intensive for hospitals. How will Medicare ensure that hospitals are adequately reimbursed for treating COVID-19 patients?***

The CARES Act increases Medicare reimbursement to care for a COVID-19 patient by 20 percent (specifically, the Act increases the weighting factor of DRGs for inpatients diagnosed with COVID-19 by 20 percent). This add-on payment for inpatient hospital services recognizes the increased costs incurred by providers and will be applied for the duration of the COVID-19 emergency.

***If a hospital has not treated any cases of COVID-19, are there other ways it can benefit from the Medicare policies in the bill?***

Yes. The CARES Act temporarily lifts the Medicare sequester, effectively adding an additional two percent for services provided from May 1 through December 31, 2020. This will boost payments for hospital, physician, nursing home, home health, and other care, giving prompt economic assistance to health care providers that treat Medicare patients.

***If a patient has COVID-19 and has to enter the hospital, can their regular personal care attendant, who they depend on at home, still help while the patient is in the hospital?***

Under the CARES Act, state Medicaid programs now have the ability, should they choose to pick up the option, to allow direct support professionals to continue to provide care and services for patients they are supporting in the hospital, including seniors and individuals with disabilities.

## ***SMALL BUSINESSES***

***What support is there for small businesses?***

Refundable tax credits are available for private-sector employers that are required to offer coronavirus related paid leave to employees. IRS will be posting information soon on these credits on its website ([www.irs.gov](http://www.irs.gov)), including information on how to obtain advance payment of these credits.

The employer side of certain payroll taxes are deferred through the end of 2020. Deferred taxes will not become due until end of 2021 and end of 2022, with 50% of the liability being paid at each date. Any business that does not have a loan forgiven under the new SBA Paycheck Protection Program is eligible for the payroll tax deferral.

An employee retention tax credit is available for struggling businesses that are not eligible or choose not to participate in the new SBA Paycheck Protection Program. Any business that has been forced to fully or partially suspend operations, or that has seen a significant drop in revenues is eligible for a 50-percent credit for wages paid to furloughed or reduced-hour employees. For businesses with 100 employees or less, the credit is based on all wages paid, regardless of whether an employee is furloughed. There is an overall limit on wages per employee of \$10,000. The credit can be claimed against the business's quarterly payroll tax liability and is fully refundable to the extent of excess. There will also be options to receive advance payments. Small business owners should lookout for information at [IRS.gov](http://IRS.gov) and talk to their payroll service provider, as applicable.

\$350 billion is made available for a new Small Business Administration Paycheck Protection Program (PPP). The program would provide cash-flow assistance through 100 percent federally guaranteed loans to employers who maintain their payroll during this emergency. If employers maintain their payroll, the loans would be forgiven, which would help workers remain employed, as well as help affected small businesses and our economy to snap-back quicker after the crisis.



PPP has a host of attractive features, such as forgiveness of up to 8 weeks of payroll based on employee retention and salary levels, no **SBA** fees and at least six months of deferral with maximum deferrals of up to a year. Small businesses and other eligible entities will be able to apply if they were harmed by COVID-19 between February 15, 2020 and June 30, 2020. This program is would be retroactive to February 15, 2020, in order to help bring workers who may have already been laid off back onto payrolls. **Loans are available through June 30, 2020.**

\$17 billion is available for immediate relief to small businesses with non-disaster SBA loans, in particular 7(a), 504, and microloans. Under it, SBA will cover all loan payments on these SBA loans, including principal, interest, and fees, for six months. This relief will also be available to new borrowers who take out loans within six months of the President signing the bill into law.

The *CARES Act* creates a new SBA Economic Injury Emergency Grant Program. These grants provide an emergency advance of up to \$10,000 to small businesses and private non-profits harmed by COVID-19 within three days of applying for an SBA Economic Injury Disaster Loan (EIDL). To access the advance, you must first apply for an EIDL and then request the advance. The advance does not need to be repaid under any circumstance, and may be used to keep employees on payroll, to pay for sick leave, meet increased production costs due to supply chain disruptions, or pay business obligations, including debts, rent and mortgage payments.

***What type of assistance will independent contractors be eligible for?***

Refundable tax credits are available for independent contractors who would have qualified for coronavirus related paid leave if they were employees. IRS will be posting information soon on these credits on its website ([www.irs.gov](http://www.irs.gov)), including information on how to claim these credits.

50 percent of certain self-employment taxes are deferred through the end of 2020. Deferred taxes will not become due until end of 2021 and end of 2022, with 50% of the liability being paid at each date.

Independent contractors are also eligible for assistance through the Small Business Administration's new Paycheck Protection Program and Economic Injury Emergency Grant Program.

***What assistance is there for nonprofits?***

The employer side of certain payroll taxes are deferred through the end of 2020. Deferred taxes will not become due until end of 2021 and end of 2022, with 50% of the liability being paid at each date. Any business that does not have a loan forgiven under the new SBA Paycheck Protection Program is eligible for the payroll tax deferral.

Certain tax-exempt organizations that have been forced to fully or partially suspend operations, or that have seen a significant drop in revenues are eligible for a 50-percent credit for wages paid to furloughed or reduced-hour employees. Organizations that participate in the SBA Paycheck Protection Loan Program are not eligible for the credit. For organizations with 100 employees or less, the credit is based on all wages paid, regardless of whether an employee is furloughed. There is an overall limit on wages per employee of \$10,000. The credit can be claimed against

the organization's quarterly payroll tax liability and is fully refundable to the extent of excess. There will also be options to receive advance payments.

501(c)(3) nonprofit organizations, along with small businesses, 501(c)(19) veterans organizations, and tribal businesses, are eligible to apply for the Small Business Administration's Paycheck Protection Program. Through this program, a nonprofit organization can apply to an SBA-approved lender for a loan of up to 250% of your average monthly payroll costs to cover eight weeks of payroll as well as help with other expenses like rent, mortgage payments, and utilities. The maximum loan amount is \$10 million. This loan can be forgiven based on maintaining employee and salary levels. For any portion of the loan that is not forgiven, the terms include a maximum term of 10 years, a maximum interest rate of 4 percent. Nonprofit organizations will be able to apply if they were harmed by COVID-19 between February 15, 2020 and June 30, 2020. To be eligible, nonprofit organizations must have fewer than 500 employees, or more if SBA's size standards for the non-profit allows, and comply with the SBA's affiliation rules for nonprofits. This program is retroactive to February 15, 2020, in order to help bring workers who may have already been laid off back onto payrolls. Loans are available through June 30, 2020.

A provision in the CARES package would authorize a program to allow any mid-sized nonprofit between 500 and 10,000 employees to get access to quick, low cost, government guaranteed credit through their local lender or financial institution. These organizations need cash now and so this program is set up to get money quickly in the hands of those who need it in order to preserve workforce during the COVID-19 health emergency.

The Treasury Department and Federal Reserve will have a degree of flexibility in designing the new program, but the expectation is for loan terms to last for no more than five years and to cover up to 100% of payroll over the previous 180 days, or 50% of revenues for the past year, for eligible organizations. Underwriting requirements should be kept simple, based on employer size, creditworthiness as of January 2020, and the ability to produce recent tax returns or audited financial statements. The legislation prescribes that the loans must carry an interest rate of no greater than 2% and to provide forbearance on principal and interest for at least the first 6 months. Borrowers will also be required to protect workers. Any loan recipient will have to attest that they'll use the money to keep workers employed – at least to 90% of their payroll – and keep workers paid at close to full compensation and benefits. Borrowers will also commit to rehiring their workforce back to preexisting levels upon the end of the COVID-19 health emergency.

The most efficient way to deliver fast credit to eligible organizations is through existing relationships with local lenders. Under the program, any qualified organization should be able to receive financing at a local bank, credit union, CDFI, or qualified nonbank lender.

***What types of businesses and entities are eligible for a PPP loan?***

- Businesses and entities must have been in operation on February 15, 2020.
- Small business concerns, as well as any business concern, a 501(c)(3) nonprofit organization, a 501(c)(19) veterans organization, or Tribal business concern described in section

31(b)(2)(C) that has fewer than 500 employees, or the applicable [size standard](#) in number of employees for the North American Industry Classification System (NAICS) industry as provided by SBA, if higher.

- Individuals who operate a sole proprietorship or as an independent contractor and eligible self-employed individuals.
- Any business concern that employs not more than 500 employees per physical location of the business concern and that is assigned a North American Industry Classification System code beginning with 72, for which the affiliation rules are waived.
- Affiliation rules are also waived for any business concern operating as a franchise that is assigned a franchise identifier code by the Administration, and company that receives funding through a Small Business Investment Company

### ***What are SBA affiliation rules?***

Affiliation rules become important when SBA is deciding whether a business's affiliations preclude them from being considered "small." Generally, affiliation exists when one business controls or has the power to control another or when a third party (or parties) controls or has the power to control both businesses. Please see [this resource](#) for more on these rules and how they can impact your business's eligibility.

### ***What types of non-profits are eligible for the SBA PPP assistance?***

In general, 501(c)(3) and 501(c)(19) non-profits with 500 employees or fewer as most non-profit SBA size standards are based on employee count, not revenue. You can check [here](#).

### ***How is the PPP loan size determined?***

Depending on your business's situation, the loan size will be calculated in different ways (see below). The maximum loan size is always \$10 million.

- If you were in business February 15, 2019 – June 30, 2019: Your max loan is equal to 250 percent of your average monthly payroll costs during that time period. If your business employs seasonal workers, you can opt to choose March 1, 2019 as your time period start date.
- If you were not in business between February 15, 2019 – June 30, 2019: Your max loan is equal to 250 percent of your average monthly payroll costs between January 1, 2020 and February 29, 2020.
- If you took out an Economic Injury Disaster Loan (EIDL) between February 15, 2020 and June 30, 2020 and you want to refinance that loan into a PPP loan, you would add the outstanding loan amount to the payroll sum.

### ***What costs are eligible for payroll under the PPP?***

- Compensation (salary, wage, commission, or similar compensation, payment of cash tip or equivalent)
- Payment for vacation, parental, family, medical, or sick leave
- Allowance for dismissal or separation
- Payment required for the provisions of group health care benefits, including insurance premiums
- Payment of any retirement benefit
- Payment of State or local tax assessed on the compensation of employees

***What costs are not eligible for payroll under the PPP?***

- Employee/owner compensation over \$100,000
- Taxes imposed or withheld under chapters 21, 22, and 24 of the IRS code
- Compensation of employees whose principal place of residence is outside of the U.S
- Qualified sick and family leave for which a credit is allowed under sections 7001 and 7003 of the [Families First Coronavirus Response Act](#)

***What are allowable uses of loan proceeds with a PPP loan?***

- Payroll costs (as noted above)
- Costs related to the continuation of group health care benefits during periods of paid sick, medical, or family leave, and insurance premiums
- Employee salaries, commissions, or similar compensations (see exclusions above)
- Payments of interest on any mortgage obligation (which shall not include any prepayment of or payment of principal on a mortgage obligation)
- Rent (including rent under a lease agreement)
- Utilities
- Interest on any other debt obligations that were incurred before the covered period

***What are the loan term, interest rate, and fees for a PPP loan?***

For any amounts not forgiven, the maximum term is 10 years, the maximum interest rate is 4 percent, zero loan fees, zero prepayment fee (SBA will establish application fees caps for lenders that charge).

***How is the forgiveness amount calculated under PPP?***

Forgiveness on a covered loan is equal to the sum of the following payroll costs incurred during the covered 8 week period compared to the previous year or time period, proportionate to maintaining employees and wages (excluding compensation over \$100,000):

Payroll costs **plus** any payment of interest on any covered mortgage obligation (not including any prepayment or payment of principal on a covered mortgage obligation) **plus** any payment on any covered rent obligation **plus** and any covered utility payment.

***How do I get forgiveness on my PPP loan?***

You must apply through your lender for forgiveness on your loan. In this application, you must include:

- Documentation verifying the number of employees on payroll and pay rates, including IRS payroll tax filings and State income, payroll and unemployment insurance filings
- Documentation verifying payments on covered mortgage obligations, lease obligations, and utilities.
- Certification from a representative of your business or organization that is authorized to certify that the documentation provided is true and that the amount that is being forgiven was used in accordance with the program's guidelines for use.

***What happens after the forgiveness period for a PPP loan?***

Any loan amounts not forgiven is carried forward as an ongoing loan with max terms of 10 years, at 4% max interest. Principal and interest will continue to be deferred, for a total of 6 months to a year after disbursement of the loan. The clock does not start again.

***Can I get more than one PPP loan?***

No, an entity is limited to one PPP loan. Each loan will be registered under a Taxpayer Identification Number at SBA to prevent multiple loans to the same entity.

***What kind of lender can I get a PPP loan from?***

All current SBA 7(a) lenders are eligible lenders for PPP. The Department of Treasury will also be in charge of authorizing new lenders, including non-bank lenders, to help meet the needs of small business owners.

***How does the PPP loan coordinate with SBA's existing loans?***

Borrowers may apply for PPP loans and other SBA financial assistance, including Economic Injury Disaster Loans (EIDLs), 7(a) loans, 504 loans, and microloans, and also receive investment capital from [Small Business Investment Corporations](#) (SBICs).

***How does the PPP loan work with the temporary Emergency Economic Injury Grants and the Small Business Debt Relief program?***

Emergency Economic Injury Grant recipients and those who receive loan payment relief through the Small Business Debt Relief Program may apply for and take out a PPP loan. Refer to those sections for more information.

### ***SMALL BUSINESS DEBT RELIEF PROGRAM***

#### ***Which SBA loans are eligible for debt relief under this program?***

7(a) loans not made under the Paycheck Protection Program (PPP), 504 loans, and microloans. Disaster loans are not eligible.

#### ***How does debt relief under this program work with a PPP loan?***

Borrowers may separately apply for and take out a PPP loan, but debt relief under this program will not apply to a PPP loan.

#### ***How do I know if I'm eligible for a 7(a), 504, or microloan?***

In general, businesses must meet [size standards](#), be based in the U.S., be able to repay, and have a sound business purpose. To check whether your business is considered small, you will need your business's 6-digit North American Industry Classification System (NAICS) code and 3-year average annual revenue. Each program has different requirements, see <https://www.sba.gov/funding-programs/loans> for more details.

#### ***What is a 7(a) loan and how do I apply?***

7(a) loans are an affordable loan product of up to \$5 million for borrowers who lack credit elsewhere and need access to versatile financing, providing short-term or long-term working capital and to purchase an existing business, refinance current business debt, or purchase furniture, fixtures and supplies. In the program, banks share a portion of the risk of the loan with SBA. There are many different types of 7(a) loans, you can visit [this site](#) to find the one that's best for you. You apply for a 7(a) loan with a bank or a mission-based lender. SBA has a free referral service tool called [Lender Match](#) to help find a lender near you.

#### ***What is a 504 loan and how do I apply?***

The [504 Loan Program](#) provides loans of up to \$5.5 million to approved small businesses with long-term, fixed-rate financing used to acquire fixed assets for expansion or modernization. It is a good option if you need to purchase real estate, buildings, and machinery. You apply through a Certified Development Company, which is a nonprofit corporation that promotes economic development. SBA has a free referral service tool called [Lender Match](#) to help find a lender near you.

#### ***What is a microloan and how do I apply?***

The [Microloan Program](#) provides loans up to \$50,000 to help small businesses and certain not-for-profit childcare centers to start up and expand. The average microloan is about \$13,000.

These loans are delivered through mission-based lenders who are also able to provide business counseling. SBA has a free referral service tool called [Lender Match](#) to help find a microlender near you.

***I am unfamiliar with SBA loans, can anyone help me apply?***

Yes, SBA resource partners are available to help guide you through the loan application process. You can find your nearest Small Business Development Center (SBDC) or Women's Business Center [here](#).

***ECONOMIC INJURY DISASTER LOANS & EMERGENCY ECONOMIC INJURY GRANTS***

***Are businesses and private non-profits in my state eligible for an EIDL related to COVID-19?***

Yes, those suffering substantial economic injury in all 50 states, DC, and the territories may apply for an EIDL.

***What is an EIDL and what is it used for?***

EIDLs are lower interest loans of up to \$2 million, with principal and interest deferment available for up to 4 years that are available to pay for expenses that could have been met had the disaster not occurred, including payroll and other operating expenses.

***Who is eligible for an EIDL?***

- Small business concerns (including sole proprietorships, with or without employees)
- Independent contractors
- Cooperatives and employee owned businesses
- Private non-profits
- Tribal small businesses

Small business concerns and small agricultural cooperatives that meet the applicable size standard for SBA are also eligible, as well as most private non-profits of **any** size. See [below](#) for more info on size standards.

***My private non-profit is not a 501(c)(3). Is it still eligible for an EIDL and a grant?***

Yes, if you are a private non-profit with an effective ruling letter from the IRS, granting tax exemption under sections 501(c), (d), or (e) of the Internal Revenue Code of 1954, **or** if you can provide satisfactory evidence from the State that the non-revenue producing organization or entity is a non-profit one organized or doing business under State law. However, a recipient that is principally engaged in teaching, instructing, counseling, or indoctrinating religion or religious beliefs, whether in a religious or secular setting, or primarily engaged in political or lobbying

activities is not eligible to receive an EIDL. If you are uncertain whether you qualify, please consult with legal counsel to determine whether your organization meets program criteria.

***Who is eligible for an Emergency Economic Injury Grant?***

Those eligible for an EIDL and who have been in operation since **January 31, 2020**, when the public health crisis was announced.

***How long are Emergency Economic Injury Grants available?***

January 31, 2020 – December 31, 2020. The grants are backdated to January 31, 2020 to allow those who have already applied for EIDLs to be eligible to also receive a grant.

***If I get an EIDL and/or an Emergency Economic Injury Grant, can I get a PPP loan?***

Whether you've already received an EIDL unrelated to COVID-19 or you receive a COVID-19 related EIDL and/or Emergency Grant between January 31, 2020 and June 30, 2020, you may also apply for a PPP loan. If you ultimately receive a PPP loan or refinance an EIDL into a PPP loan, any advance amount received under the Emergency Economic Injury Grant Program would be subtracted from the amount forgiven in the PPP. However, you cannot use your EIDL for the same purpose as your PPP loan. For example, if you use your EIDL to cover payroll for certain workers in April, you cannot use PPP for payroll for those same workers in April, although you could use it for payroll in March or for different workers in April.

***How do I know if my business is a small business?***

Please visit <https://www.sba.gov/size-standards/> to find out if your business meets SBA's small business size standards. You will need the 6-digit North American Industry Classification Code for your business and your business' 3-year average annual revenue.

***How do I apply for an economic injury disaster loan?***

To apply for an EIDL online, please visit <https://disasterloan.sba.gov/ela/>. Your [SBA District Office](#) is an important resource when applying for SBA assistance.

***I am unfamiliar with the EIDL process, can anyone help me apply?***

Yes, SBA resource partners are available to help guide you through the EIDL application process. You can find the nearest Small Business Development Center (SBDC), Women's Business Center, or SCORE mentorship chapter at <https://www.sba.gov/local-assistance/find/>.

## **COUNSELING AND TRAINING**

***Do I have to pay for counseling and training through SBDCs, WBCs, and MBDCs?***

Counseling is free and training is low-cost with these partners. The additional funds that Congress provided will help keep this possible. Mentorship through SCORE is always free.

***What is a SBDC?***



SBDCs are a national network of nearly 1,000 centers that are located at leading universities, colleges, state economic development agencies and private partners. They provide counseling and training to new and existing businesses. Each state has a lead center that coordinates services specifically for that state, which you can find by clicking the link above. To find out more about SBDCs, visit <https://americassbdc.org/about-us/>.

***What is a WBC; is it only for women?***

WBCs are a national network of more than 100 centers that offer one-on-one counseling, training, networking, workshops, technical assistance and mentoring to entrepreneurs on numerous business development topics. In addition to women, WBCs are mandated to serve the needs of underserved entrepreneurs, including low-income entrepreneurs. They often offer flexible hours to meet the needs of their diverse clientele. To find out more about WBCs, visit <https://www.awbc.org/>.

***What is SCORE?***

SCORE provides free, confidential business advice through our volunteer network of 10,000+ business experts. You can meet with a mentor online. Find out more [here](#)

***Who do MBDCs serve?***

MBDCs are a good option for minority-owned businesses (including those owned by Black, Hispanic, Asian American/Pacific Islander, and American Indian business owners), especially those seeking to penetrate new markets — domestic & global — and grow in size and scale

## ***UNEMPLOYMENT INSURANCE***

***How much can I get from Unemployment Insurance?***

The exact amount you can receive through Unemployment depends on your state and your previous earnings. Between now and July 31, an additional \$600 will be added to every unemployment compensation check, so no one will receive less than \$600 per week.

***What if I'm not eligible for traditional Unemployment Insurance?***

The CARES Act temporarily expands unemployment insurance to cover individuals who are not traditionally covered, including the self-employed, gig-workers, independent contractors, and workers with irregular work history. It also expands the list of allowable criteria for claiming unemployment compensation to include many reasons related to the COVID-19 public health emergency. Contact the unemployment office in the state where you worked to determine your eligibility.

***What if I've been out of work because of COVID-19 for several weeks already?***

If you exhaust the weeks of unemployment compensation available to you through your state's laws, you will be eligible for an additional 13 weeks of benefits. These benefits will be federally-funded, but you will still receive them through your state.

***How long will the expanded benefits be in place?***

Expanded eligibility for unemployment insurance will be in effect until December 31, 2020. A \$600 additional benefit will be added to unemployment compensation received for weeks between when the bill is enacted and July 31, 2020.

***Is there a waiting period?***

The CARES Act includes incentives for states to waive the waiting week between applying for unemployment compensation and receiving it. Contact the unemployment office in the state where you worked to determine whether there will be a waiting week.

***How do I file for unemployment insurance?***

You can apply for unemployment compensation through the unemployment office in the state where you worked. In most states, you can apply online.

***EMERGENCY LEAVE***

***Who is a covered employer?***

In general, a private employer with fewer than 500 employees is a “covered employer” for both the paid sick leave and paid family leave requirements. However, the Secretary of Labor has additional authority to exempt employers with fewer than 50 employees from the requirement to provide leave for caring for children due to closures of schools or child care, both in the paid sick leave and paid family leave context. Additionally, employers of Health Care Providers or Emergency Responders have authority to unilaterally exclude their employees from all of the paid sick leave and paid family leave requirements. Finally, while most public employers with 1 or more employees are covered by the paid sick leave requirements and most public employers with fewer than 500 employees are covered by the paid family leave requirements, most federal employers are excluded from the paid family leave requirements—and OMB has the authority to exclude any federal employers from both the paid sick leave and paid family leave requirements.

***Who is a covered employee?***

To be a “covered employee,” an individual must first be working for a “covered employer” explained above. In general, an individual who is employed by a covered employer is covered by both the paid sick leave and paid family leave; the definition of “employee” is based in the Fair Labor Standards Act (FLSA) and is broad and intended to capture most people. However, paid family leave has an additional requirement that an individual has been employed by the employer for at least 30 days to qualify; if an individual was laid off by their employer after March 1, 2020, had worked for that employer for 30 of the 60 calendar days before being laid-off, and is re-hired by the employer, then that employee qualifies as a covered employee even though upon their rehire they have not been working for 30 days for the employer. Most federal employees

are excluded from the paid family leave, and OMB has the authority to exclude any federal employees from both the paid sick leave and paid family leave.

***How much paid sick leave are employees eligible to take?***

For paid sick leave, employees are eligible to take up to 80 hours (two weeks) of paid time, depending on the employee's regular schedule, at 100% of the employee's regular rate of pay (up to \$511 per day) due to quarantine/isolation order, health-care provider guidance to self-quarantine, or seeking diagnosis for symptoms of COVID-19; the pay is limited to 2/3 of the employee's regular rate of pay (up to \$200 per day) for caring for someone who is isolated/quarantined and for taking care of a child due to a closure of school or child care.

***How much paid family leave are employees eligible to take?***

For paid family leave, employees are eligible to take up to 10 additional weeks of paid time at 2/3 of the employee's regular rate of pay (up to \$200 per day) solely to take care of a minor child due to a closure of school or child care or the unavailability of a child care provider.

***What are the qualifying reasons for leave?***

*For paid sick leave:*

Unable to work or telework due to

- The employee is covered by a quarantine or isolation order by a federal, state, or local authority;
- The employee has been advised by a health care provider to self-quarantine due to concerns over COVID-19;
- The employee is experiencing symptoms of COVID-19 and is seeking diagnosis;
- The employee is caring for an individual who is covered by a quarantine or isolation order or who has been advised by a health care provider to self-quarantine;
- The employee is caring for a son or daughter if, due to COVID-19, the school or place of care is closed or if the child care provider is unavailable; or
- The employee is experiencing a "substantially similar condition" as specified by HHS and DOL.

*For paid family leave:*

The employee is unable to work or telework due to needing to care for a son or daughter under 18 years of age because, due to COVID-19, the child's school or place of care is closed or the child's child care provider is unavailable

***Are there documentation requirements an employee must provide to prove they are caring for an individual or child whose school or place of care is closed?***

If the need for paid family leave is foreseeable, an employee must provide the employer with notice as soon as practicable; and an employer may require reasonable notice procedures to receive paid sick leave. However, while DOL may clarify this through guidelines or regulation, we do not read the Act to allow an employer to require any documentation to prove the employee is caring for an individual or child.

***When do these provisions go into effect?***

According to DOL, they will go into effect on April 1 and will apply to leave taken between April 1 and December 31, 2020.

***CASH PAYMENTS TO AMERICANS***

***Who qualifies to receive a check and how much will an individual receive?***

Anyone who filed a tax return this year or last year. Individuals receive \$1,200, married couples receive \$2,400, and child dependents (under 17) receive \$500.

***What are qualified income levels based off of?***

There is no qualified income threshold or requirement to receive the rebate. However, the rebate phases out at a 5 percent rate above adjusted gross incomes of \$75,000 for single filers, \$112,500 for heads of household, and \$150,000 for joint filers.

***Can those collecting Social Security or disability receive a check?***

Yes, if they filed a tax return this year or last year, or received a form SSA-1099. Otherwise, they need to file a tax return.

***Will SSA administer the funds to my EBT/Debit card that I receive my SSA benefits through?***

Our understanding is that IRS is sending out the rebates (via direct deposit or checks)

***How does an individual claim their check?***

They do not need to claim their checks (unless they have not either filed a tax return this year or last year) – IRS will send out rebates automatically to their direct deposit or to the address provided on the last tax return submitted.

***How long will it take for this check to be delivered?***

Rebates sent via direct deposit will take a few weeks. Rebates sent via checks may take a few months.

***Will I be taxed on this check?***

No, rebates are not taxable.

***Will I be eligible if I haven't finished filing my 2018 taxes?***

You need to have filed either a 2018 tax return or a 2019 tax return. If you have not filed either, you will not be eligible. You can file a 2019 tax return now to claim the rebate.

***Will I be eligible if I have a lien against me, but I am in non-collect status?***

Yes. Rebates will not be subject to garnishment, except if back child support is owed.

***I withdrew my retirement in 2018- so my income that year was inflated. Is there any waiver for one time sources of income?***

In this case, the taxpayer should file a 2019 tax return.

## ***CHANGES TO TAX FILING***

***What has changed for income tax filing this year?***

The tax filing due date has been extended to July 15. Tax returns and any income taxes owed will not be due until July 15.

***Are there any changes to tax filing for businesses?***

The income tax return due date for calendar year corporations has also been extended to July 15. Tax returns and any income taxes owed will not be due until July 15. Employers can defer paying the employer portion of certain payroll taxes through the end of 2020, with all 2020 deferred amounts due in two equal installments, one at the end of 2021, the other at the end of 2022. Deferral is not provided to employers that avail themselves of SBA 7(a) loans designated for payroll.

## ***AID TO STATES AND MUNICIPALITIES***

***How much money do states and municipalities receive?***

In total, states and municipalities will receive \$150 billion. Reserved within that amount is \$8 billion for Indian Tribes and \$3 billion for DC and U.S. Territories.

***What can the allocated funding be used for?***

Necessary expenditures incurred due to the COVID-19 public health emergency or state and local expenditures not accounted for in the most recent approved budget. Only applies to expenditures incurred between March 1 and December 30, 2020.

***What is the formula for state, county and city assistance?***

Funds are allocated proportionally based on state population. No state that is one of the 50 states will receive less than \$1.25 billion. Localities with more than 500,000 people can apply directly to Treasury for their relative share by population (compared to the state's total population) of 45 percent of the total allocated to a state.

***How can a state, territory, or local government unit apply?***

Treasury will automatically award each state its share within 30 days. Qualifying localities, however, must apply to Treasury to access their share of state funds.

***STATE-LOCAL CORONAVIRUS RELIEF FUND***

***What can this money be used for?***

The Coronavirus Relief Fund makes available \$150 billion to States, Indian tribes, territories and units of local government for necessary expenditures incurred due to the public health emergency with respect to COVID-19. Eligible expenditures are those made between March 1, 2020, and December 30, 2020, and must not have been accounted for in the most recently approved budget. This funding is available directly to states and localities from Treasury and requires no state or local matching requirement. The Treasury Secretary has pledged to Leader Schumer that the funds will be deployed quickly and flexibly.

***How is it distributed to states/localities?***

Of the \$150 billion total, \$3 billion is set aside for the District of Columbia, Puerto Rico and the territories. \$8 billion is set aside for Indian tribes.

Out of the funding available to the 50 states, payments to states are allotted proportionally based on their share of the U.S. population according to the latest annual data from the Bureau of the Census. States are guaranteed a minimum payment of \$1.25 billion.

Out of each state's share of funding, up to 45 percent is set aside for units of local government to apply for directly to the Secretary of the Treasury. Units of local government larger than 500,000 persons can receive this funding, and a locality's share will be equal to its share of the state population multiplied by the 45% set aside for local governments. Any funding remaining once eligible localities have applied is awarded to the State.

***Why cannot smaller localities apply for this funding?***

Treasury explained that because localities can apply directly to the Secretary, it would not be feasible administratively to have all local units of government of any size to directly access this funding. Localities of any size can still work with their State governments to access funding.

***TERRITORIES AND FREELY ASSOCIATED STATES***

***Are the territories eligible for aid in this package?***

Yes, Puerto Rico, U.S. Virgin Islands, Guam, the Northern Mariana Islands, American Samoa are eligible for the new Pandemic Unemployment Assistance program, which benefits individuals who do not qualify for regular unemployment compensation and are unable to work because of the COVID-19 public health emergency. All territories are also eligible for the

individual rebates. In addition, nutrition assistance is available through the existing supplemental nutrition assistance program (SNAP) for the U.S. Virgin Islands and Guam and through additional funding made available to Puerto Rico, the Northern Mariana Islands and American Samoa to ensure individuals and families receive the food they need.

***Are the freely associated states eligible for aid in this package?***

Yes, the Republic of Palau, the Federated States of Micronesia and the Republic of the Marshall Islands are eligible for the new Pandemic Unemployment Assistance program, which benefits individuals who do not qualify for regular unemployment compensation and are unable to work because of the COVID-19 public health emergency.

### **HIGHER EDUCATION**

***Is there any aid that the public universities are eligible for?***

Yes. Under the Education Stabilization Fund, just over \$13.9 billion is available for a Higher Education Emergency Relief Fund for institutions of higher education to directly support students facing urgent needs related to coronavirus and to support colleges and universities as they cope with the immediate effects of coronavirus and school closures. From this amount, just over \$12.5 billion will be available to all institutions of higher education based on the proportion of Pell and non-Pell full-time-equivalent students who were not enrolled exclusively in distance education prior to the coronavirus emergency. Public colleges will receive the vast majority of funding under this formula. Over \$1 billion in additional funding is also provided to minority-serving institutions and HBCUs, many of which are public colleges and universities. Finally, \$348 million is available to the Secretary to provide grants to institutions that have the greatest unmet needs related to the coronavirus.

\$3 billion is also available in flexible formula funding to allow Governors to address the needs of their elementary and secondary schools and institutions of higher education. Public colleges can therefore be eligible for additional funding if the Governor determines they have been most significantly impacted by the coronavirus or if the Governor deems such institution essential for carrying out emergency educational services to students, such as child care and early childhood education and social and emotional support.

***What forms of relief are students impacted by COVID-19 eligible for?***

Students will be eligible for emergency financial aid grants from their institutions to meet unexpected and urgent needs related to the coronavirus, such as expenses related to food, housing, course materials, technology, health care, and child care. Students who are currently participating in the Federal Work Study program can continue to receive work-study payments from their institution if they are unable to work due to workplace closures.

Relief also exists for students who must drop out of school due to COVID-19. Students will have the portion of their student loan taken out for the semester (or equivalent) canceled. Further,

students who received a Pell Grant or subsidized student loan will not have those types of financial aid counted toward their lifetime limits.

***What relief is provided to federal student loan borrowers?***

Borrowers do not need to make payments on student loans held by the federal government (Direct Loans and FFEL Loans held by the U.S. Department of Education) through September 30, 2020. Borrowers with commercially-held FFEL loans and Perkins Loans are not eligible, and private student loan borrowers are also not eligible. No interest will accrue on such loans for the same time period. This provides more than 37 million borrowers with relief from the financial pressure of making monthly payments for approximately six months.

During this period, borrowers will not be subject to involuntary collections (garnishment of wages, tax refunds, and Social Security benefits) and will not have any negative credit reporting for late payments during this time period. Student borrowers will continue to receive credit toward Public Service Loan Forgiveness, Income-Driven Repayment forgiveness, and loan rehabilitation even though they will not be making payments. If borrowers want to continue making payments during this time to pay down principal and previously accrued interest (since no interest is accruing as of March 13) they are free to do so.

***When will payments resume for federal student loan borrowers?***

Starting August, student loan borrowers will receive notices to help inform them that their regular loan payments and interest accrual will resume after September 30, 2020. These notices will help protect borrowers by providing them with a transition period to stay on track as regular loan payments resume and to offer them the option to enroll in other relief options (such as income-driven repayment, which can lower a borrower's monthly payment).

***I'm currently enrolled in a foreign institution abroad and am hearing that I might lose my student loans if I take classes online. Does this bill help me?***

Yes. The CARES Act allows the U.S. Secretary of Education to permit a foreign institution to offer any part of its program through distance education if there is a public health emergency or other disaster or emergency declared by the government authorities in the country where the college is located. These distance education programs may be offered for the length of the emergency or disaster and the following payment period, to ensure students can maintain their student loans and finish out their coursework before reverting back to in-person instruction.

***I'm currently enrolled in a foreign institution abroad and due to personal circumstances would like to take part of my coursework at another foreign college or a college in the U.S. Can I do so and maintain my student loans?***

As long as there is still a public health emergency or other major disaster or emergency related to the coronavirus declared by U.S. government officials, then you may take part of your coursework at a U.S. institution of higher education with which your home institution (the foreign institution) enters and is permitted by the U.S. Secretary of Education, and maintain your student loans. This allows you to maintain your primary enrollment in your degree program with



your original foreign institution, but gives you flexibility to take some coursework back in the U.S. if you need to come home. However, the CARES Act only allows this flexibility with U.S. institutions of higher education, and not other foreign institutions that are not already eligible for the federal student loan program.

***I am an administrator at a foreign institution and my college had to transition to distance education before the CARES Act was passed. We encouraged our American students with student loans to continue taking their coursework online even though they were not permitted to at the time due to existing requirements in the Higher Education Act. Will our program lose eligibility for U.S. student loans?***

The CARES Act recognizes that many institutions had to transition to distance education well before the Act was passed. If the program at the foreign institution was otherwise in compliance with requirements for federal student loan eligibility but transitioned to distance education between March 1, 2020 and the date of this Act's enactment, then that program will be deemed eligible for the federal student loan program. That eligibility will last the length of the public health emergency or other major disaster or emergency related to the coronavirus, as declared by U.S. government officials, and the following payment period. After that point, the program must return to its original in-person instruction delivery mode in order to maintain eligibility for federal student loans. If your college transitions to distance education during the 2019-2020 award year, you must report that change to the U.S. Secretary of Education by June 30, 2020. If your college transitions to distance education on or after July 1, 2020, then you must report that change to the Education Secretary within 30 days.

***Does the six-month suspension of payments and waiver of interest apply to borrowers who have federally-guaranteed but commercially-held loans through the FFEL and Perkins Loan Programs?***

No. The suspension only applies to all Direct Loans and FFEL loans held by the Department Education (which is about 25% of the FFEL portfolio). Approximately 37 million borrowers (or 87 percent of federal student loan borrowers in repayment) will receive relief under this plan. This is not the plan Senate Democrats would have written on their own, and will be continuing to fight to extend relief to borrowers of commercially-held FFEL loans and Perkins Loans

***Does the sixty-day protection from involuntary collections apply to these FFEL and Perkins borrowers?***

No.

***Will outstanding interest on student loans capitalize during the six-month suspension of payments and waiver of interest?***

During the six-month period until September 30, 2020 when payments are suspended, interest is also not accruing on federally-held loans. Therefore, there is no interest cannot capitalize (be added to the principal) on the loan. It remains unclear how interest that accrued prior to March 13th will be treated as this decision is left up to the Secretary of Education, but Senate Democrats will be strongly encouraging the Secretary not to penalize borrowers. Generally,

interest only capitalizes when you leave deferment, forbearance, or income-driven repayment. Borrowers who do not change their loan repayment, or who move from “standard” to “income-driven” plans do not risk any capitalization.

## ***K-12 EDUCATION***

### ***How will funds under the Education Stabilization Fund flow to school districts?***

Funds will be allocated on the same basis as the Title I-A formula under the Elementary and Secondary Education Act (ESEA).

### ***Can funding for schools be used to support online or distance learning for students?***

Yes. Funds that school districts receive under the Education Stabilization Fund may be used to purchase broadband connectivity and educational technology for students, including computers, tablets, software, and hotspots. Funds may also be used to purchase assistive technology or adaptive equipment for students with disabilities, and to support professional development for educators and other school staff to support online learning.

### ***How can funds be used to support students and families experiencing homelessness?***

School districts may use funds under the Education Stabilization Fund for any activity authorized under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act. Additionally, school districts have broad flexibility to use funds to meet the unique needs of students experiencing homelessness and purchase educational technology or broadband connectivity for such students.

### ***Do students who attend private schools get any relief?***

Yes. Under the Education Stabilization Fund, school districts that receive funding have to provide equitable services to low-income children who attend private schools in the same manner as they provide those services under the ESEA.

### ***Can Betsy DeVos waive any provision of the Elementary and Secondary Education Act?***

No. The waiver authority provided under Section 3511 largely restates the authority she has under the ESEA. Section 3511 does establish an expedited process for certain waivers and does permit Secretary DeVos to waive the Title I carryover provision and Section 421(b) of the General Education Provisions Act (GEPA) to allow federal grantees to spend their federal education funds over a longer time period. Otherwise, the provisions included in Section 3511 are already waivable under ESEA and do not constitute new, broad authority for Secretary DeVos.

### ***Can Betsy DeVos waive any provision of the Individuals with Disabilities Education Act (IDEA)?***

No. Secretary DeVos will provide a report to Congress in 30 days on her recommendations for waivers under IDEA. However, it would take an act of Congress to implement any of her

recommendations. No new waiver authority was granted to Secretary DeVos for IDEA under CARES.

### ***CHILD CARE***

***I am a frontline worker in need of child care. Does this bill help me?***

Yes. States can use their funding through the Child Care and Development Block Grant (CCDBG) to provide child care assistance to health care sector employees, emergency responders, sanitation workers, and other workers that are deemed essential during the COVID-19 response by public officials.

### ***AMERICORPS***

***I'm an AmeriCorps member and I'm unable to complete my term of service as a result of COVID-19. What happens to my education award?***

Many AmeriCorps members will have difficulty completing the required number of volunteer hours due to current limitations on volunteer opportunities. The CARES Act allows the Corporation for National and Community Service (CNCS) to have flexibility to waive the required number of volunteer hours so that members may still receive a full Segal Education Award even if their service was interrupted as a result of COVID-19. Additionally, the CARES Act increases the upper age limit for AmeriCorps members and expands the maximum term of service so that AmeriCorps members whose service was impacted by COVID-19 are able to re-enroll once the emergency is over.

### ***STRATEGIC PETROLEUM RESERVE***

***Does this include purchase of crude oil to fill the Strategic Petroleum Reserve (SPR)?***

No, funds for crude oil purchases are not included.

***How does this impact the SPR?***

Section 404 of the Bipartisan Budget Act of 2015 required the sale of oil from the SPR by 2020. This bill provides the Department of Energy with flexibility to delay the sale of oil until 2022. The purpose is to protect taxpayers from significant loss of value due to the price of crude oil recently falling to its lowest level in nearly two decades.

### ***VETERANS AFFAIRS***

***What support is included for VA health care facilities and their COVID-19 response?***

The CARES Act includes \$19.57 billion in funding to ensure the Department of Veterans Affairs (VA) has the equipment, tests, telehealth capabilities and support services necessary to support veterans and the health care workforce at facilities nationwide.

***I am a veteran living in a rural area and am being told that my appointments will now be through telehealth, but I can't afford internet services or don't have a good internet connection. How will this bill help me?***

Talk to your provider and local VA about getting an iPad or other tablet from VA. This bill allows VA to enter into partnerships with local telecommunications companies to subsidize or completely pay for broadband internet services. Call your local VA facility or send a secure message to your provider on My HealtheVet to ask about this option.

***I run a State Veterans Home. Will I be penalized if my residents come down with COVID-19 and are transferred to acute care, putting me under the 90% occupancy rate threshold needed for payment from VA?***

No. Under Section 20005 of the CARES Act, State Veterans Homes will continue to receive payment from VA during the COVID-19 pandemic, even if they don't meet the 90% occupancy rate or the 75% veteran occupancy rate requirements for per diem payment.

***I run a State Veterans Home and I don't have enough PPE or supplies. What support can VA provide?***

In addition to requesting emergency supplies and PPE from your county or state emergency coordinator, Section 20005 of the CARES Act also allows VA to share PPE and supplies with State Veterans Homes to keep residents and staff safe.

***I'm a veteran in need of home-based care. Can I still enroll or renew my participation in the Veteran Directed Care program?***

Yes. Under Section 20006 of the CARES Act, you can enroll or renew your participation in the Veteran Directed Care program through telephone or telehealth, no in-home visit required.

***I run an area agency on aging or other agency that provides services to veterans in the Veteran Directed Care program. Our county is telling us to limit face-to-face services and home visits. Can I still process new participants and renewals?***

Yes. Under Section 20006 of the CARES Act, agencies can now enroll or renew veterans in the Veteran Directed Care program through telephone or telehealth, no in-home visit required.

***I'm a veteran using the Veteran Directed Care program for home-based care, but I can't get to a printer or post office to send in my renewal paperwork due to COVID-19. Will I be kicked out of the program?***

No. Under Section 20006 of the CARES Act, veterans and their caregivers will not be penalized for late paperwork and will not be dis-enrolled or suspended from the program.

***I'm a veteran using the Veteran Directed Care program for home-based care, but I am currently living outside of my home state and can't travel home due to COVID-19 restrictions and health concerns. Can my caregiver still be paid for services, even if we are out of state?***

Yes. Under Section 20006 of the CARES Act, veterans and their caregivers will not be penalized for being out of state for more than 14 days during the COVID-19 emergency, and should continue to receive payments for care.

***I use VA's prosthetics service and need to get my prosthetic adjusted, but am nervous to go into a VA facility because I have underlying conditions that make me more at risk of complications from COVID-19. Where can I go to get my prosthetic adjusted?***

This bill gives VA more flexibility to allow veterans who need their prosthetics created or adjusted to do so in their local community. Call your local VA provider or message them on MyHealtheVet and ask about this option.

***I'm a VA employee working lots of overtime due to COVID-19. Can I still receive overtime pay for hours worked, even if it puts me above the Federal pay caps?***

Yes. Under Section 20008 of the CARES Act, any VA employee involved in COVID-19 response efforts can receive pay for all hours worked, even above the normal pay caps, for work done in support of VA's response to COVID-19.

***I'm a home health care worker for the VA, can I receive PPE for providing home care services to veterans?***

Yes. Under Section 20009 of the CARES Act, VA must provide PPE to any home health worker employed by or contracted with VA to provide services to veterans.

***I'm a veteran receiving pension and health care benefits from VA. Will the emergency income from the CARES Act (the Recovery Rebate) count towards my income for determining my eligibility for pension, health care, and other needs-based benefits?***

No. Under Section 20010 of the CARES Act, the 2020 Recovery Rebate payment cannot be counted as income when determining a veteran's eligibility for any VA needs-based benefits.

***I am a VA HUD-VASH caseworker, how can I make sure I am keeping up with my veterans in the HUD-VASH program?***

This bill encourages VA to use more telehealth capabilities for yourself and your veterans. Call each other or use Apple FaceTime, Facebook Messenger Video Chat, Google Hangouts Video, or Skype. Ask your local VA about access to an iPad or other tablet for you or your veterans to use to facilitate virtual meetings.

***I am a Grant and Per Diem provider. Will I be able to keep my veterans enrolled after they are absent for 14 days?***

Yes. This bill waives VA's requirement to automatically dis-enroll veterans using the GPD program if they are absent more than 14 days.

***Will I continue to get paid for veterans who are absent from my program for more than 3 days?***

This bill gives VA the authority to pay GPD providers for a veteran even if they are absent from the program for more than 3 days. Contact your local VA about this option.

***Will I get paid the same amount as before?***

This bill waives the current limit on the amount VA can pay GPD providers during the COVID-19 emergency. Contact your local VA about this option. This bill includes additional funding for VA to increase payments to many service providers, including the GPD program.

***I am an SSVF provider. How does this bill allow me to continue to help homeless veterans?***

This bill includes additional funding for VA to increase payments to many service providers, including the SSVF program. For more information about how to help veterans during COVID-19, visit <https://www.va.gov/homeless/ssvf/>.

***I run a veteran-owned small business. Can the CARES Act help me?***

Yes. If you are a veteran-owned small business, you can receive support through the Small Business Paycheck Protection Program to cover 8-weeks of your payroll, the mortgage interest, rent, and utility costs. There will be up to 100% loan forgiveness options for a veteran-owned small businesses that protects/fully maintains their workers.

***I have a VA-backed mortgage, am I protected against foreclosure during the COVID-19 emergency declaration?***

Yes, under CARES Act Section 4022, federally backed mortgages, including those guaranteed or insured by the VA are protected from foreclosure for 60 days beginning on March 18, 2020. If borrowers are facing financial hardship, they can by requesting a forbearance for up to 6 months, with a possible extension for another 6 months, through their mortgage holder.

## ***STUDENT VETERANS***

***My school is converting to online education because of COVID-19, will I still receive my housing allowance?***

Yes, with the passage of Senate Bill 3503 into law, VA will continue to make housing allowance payments to students using VA education benefits at the on campus rate, if the school converted to online education due to COVID-19.

## ***UTILITY SHUTOFFS***

***Are there protections to prevent people from being shut off of their power, gas, and water utilities?***

Utility service is regulated by the states rather than the federal government. Many states have ordered their utilities not to terminate service to customers during the crisis.

***What resources are available to states and utilities to offset costs of power, water and fuel service that must remain online?***

For eligible households, \$900 million is included for the Low Income Home Energy Assistance Program to help low income households with heating and cooling in homes, weatherization, and energy-related low-cost home repairs or replacements. Under the Small Business Loans provided in the bill, utility costs (electricity, water, gas, trash, and internet services) are eligible costs for which loans can be provided. An additional \$600 million is included for Community Services Block Grants to states, tribes and territories, which can be used to cover utility costs.

## **WORKFORCE**

***I serve on a Workforce Development Board and I am concerned about the ability of our American Job Centers to provide career and employment services remotely. What can be done to assist?***

The CARES Act allows for workforce funds to be shifted to areas of need so that local boards are able to address immediate challenges, such as moving services offered by American Job Centers online.

## **TRIBES, TRIBAL ORGANIZATIONS, AND TRIBAL ENTERPRISES**

***How can Tribes apply for the Coronavirus Relief fund? Are there limitations?***

Once enacted, the Treasury Secretary will consult with the Interior Secretary and Tribes to develop the specific method for applying for and distributing the \$8 billion reserved for Indian Tribes and Tribal enterprises in the Coronavirus Relief Fund. The CARES Act specifies that the Secretary can only provide funding to cover additional expenditures incurred by Tribes or Tribal enterprises in 2020 compared to expenses incurred in 2019. Tribes should be able to work with the Secretaries of Treasury and the Interior to help determine how this calculation is made.

***How will the \$2+ billion emergency supplemental funding for federal Indian programs be distributed? Will it be competitive?***

Distribution will be conducted on a case-by-case basis for each federal Department. Some Departments may opt to utilize existing funding streams, but Congress's intent is that all Departments engage in direct consultation with Tribes on how to distribute these emergency supplemental funds. Congress will also conduct strong oversight to ensure the distribution process for CARES Act funds will be smoother and more efficient than Tribes and urban Indian health centers reportedly experienced under previous COVID-19 packages.

***My Tribal government closed its businesses due to the virus. What relief is available to recoup employee salaries and other expenses?***

Tribal business concerns are eligible for increased government loan guarantees under the Small Business Act Section 7(a) Paycheck Protection Program, which will provide 100% federal loan guarantees up to \$10 million to cover costs like employee salaries, paid sick leave/medical leave, mortgages/rents, and health insurance premiums.

***Instead of paying traditional unemployment insurance premiums, my Tribe/Tribal business opts to pay a dollar-for-dollar reimbursement to State unemployment programs for any unemployment costs incurred by former Tribal employees. Will my Tribe/Tribal business be eligible for the CARES Act unemployment insurance reimbursements?***

Yes. Through the Emergency Unemployment Relief for Governmental Entities and Nonprofit Organizations provision, the CARES Act reduces the amount Indian Tribes and their Tribally-owned business entities are required to reimburse states for benefits paid to their workers who claim unemployment insurance by 50 percent through December 31, 2020. Tribes and Tribal businesses that incur additional unemployment insurance costs in 2020 are also eligible to make a claim for reimbursement through the Tribal Coronavirus Relief Fund.

***Are all Bureau of Indian Education schools, including Tribally operated 638 contract and 297 grant schools, eligible to receive waivers for federal education law requirements that will be difficult/impossible to comply with due to COVID-19 related school closures (e.g., annual testing and reporting requirements)?***

The CARES Act gives the Department of Education the authority to grant BIE schools and Indian Tribes waivers of certain federal education laws under Elementary and Secondary Education Act (ESEA), the Individuals with Disabilities Act (IDEA), and the Higher Education Act (HEA). To ensure all students' rights are protected while schools have the flexibilities they need under the COVID-19 crisis, Congress authorized these waivers to cover a range of topics (e.g., annual testing, reporting, and annual funding use limitations) but prohibited universal exemptions for all federal education laws. As such, Tribes are encouraged to check Department of Education websites and communications over the coming days for specific lists of federal statutory provisions that are eligible for waivers. To design the application process for waivers under this authority, the Secretary of Education will create a streamlined waiver applications process for this academic year only.

***The IHS health clinics serving my Tribe are dangerously low on personal protective equipment and other medical supplies. Does the CARES Act provide any resources to help us make sure our health workers have the supplies they need?***

Yes. The CARES Act will provide Indian Tribes and the IHS with \$15 million in emergency supplemental funding through the Public Health and Social Service Emergency Fund to purchase personal protective equipment (PPE) and other medical supplies. Additionally, the CARES Act provides the IHS with over \$1 billion in flexible emergency supplemental funding that can be used for procurement of PPE and other medical supplies, including health IT for public health



data surveillance. IHS will work with Tribes and urban Indian health centers over the coming days to determine how these funds will be distributed.

***Many of my Tribal Members enrolled in school are being asked to complete class work online, but Internet access is very limited on my reservation and many families can't afford the computer equipment needed for online distance learning. Are there resources to help address this learning gap for Native students?***

The CARES Act includes \$25 million for Distance Learning and Telemedicine (DLT) Program, administered by the Rural Utility Service. Funding goes toward initial capital assets for equipment (e.g., video conferencing equipment, computers) that operate via telecommunications to rural end-users of telemedicine and distance learning. Broadband facilities (if owned by the applicant) are also eligible. Federally recognized tribes are eligible to apply for DLT grants. Approved purposes can be found at 7 CFR part 1734.31, which can be found [here](#).

The CARES Act also includes \$100 million for the Re-connect program (Broadband Loan and Grant Program), which offers loans and grants to build infrastructure and install equipment that provides modern, reliable, high-speed Internet service in rural America. The ReConnect program offers three products: 100% Loans, 50% Loan-50% Grant combinations, and 100% Grants. To be eligible, at least 90% of the households to be served by a project receiving a loan or grant under the pilot program must be in a rural area without sufficient access to fixed broadband at a minimum speed of 10 Mbps/1 Mbps. Wireless and satellite is not eligible. Additional information about the Re-connect program can be found [here](#).

Finally, the CARES Act includes flexible direct support through the Departments of Education and the Interior for BIE-funded schools (i.e., federally-operated, Tribal 638 contract, and Tribal 297 grant) as well as Tribal Colleges and Universities to address needs such as student IT. Specifically, the CARES Act will provide \$69 million to BIE at the Department of Interior to address the needs of Tribal K-12 and higher education schools. Tribes should reach out to the BIE to receive guidance on how these funds will be distributed. Congress also provided \$30.75 billion to establish an Education Stabilization Fund that BIE-funded schools and Tribal Colleges and Universities will qualify for. Tribes should reach out to the Department of Education for guidance on how and when these funds will be distributed.

***Are there any additional health resources for Indian Tribes and urban Indian health clinics outside of the IHS in the CARES Act?***

Yes. In addition to the \$1+ billion in emergency supplemental funding for IHS in the CARES Act, Indian Tribes will receive health-specific resources from HRSA, CDC, SAMHSA, and the Public Health and Social Services Emergency Fund. Specifically, Indian health entities will received:

- \$15 million for telehealth/rural health COVID-19 activities emergency supplemental funding at the HRSA;
- \$15 million in emergency supplemental funding at SAMHSA;

- \$15 million in emergency supplemental funding reserved for Indian health entities under the Public Health and Social Services Emergency Fund; and
- \$120 million in emergency supplemental funding reserved for Indian health entities at the CDC.

***Are urban Indian health centers eligible for any CARES Act resources?***

Yes. Urban Indian health centers are eligible for funding through the \$1+ billion in emergency supplemental funding for IHS in the CARES Act; the \$15 million for telehealth/rural health COVID-19 activities emergency supplemental funding at the HRSA; the \$15 million in emergency supplemental funding at SAMHSA; the \$15 million in emergency supplemental funding reserved for Indian health entities under the Public Health and Social Services Emergency Fund; and the \$120 million in emergency supplemental funding reserved for Indian health entities at the CDC.

***My Tribe needs to set up COVID-19 response child care coverage to help the families of health care workers, emergency personnel, and other “front line” workers. Will the CARES Act help with this?***

Yes. The CARES Act provides Tribes with two options to address this concern. First, Tribes can opt to receive reimbursement for any of these expenses through the \$8 billion Tribal Coronavirus Relief Fund operated by the Department of Treasury. Second, Tribes that operate child care centers through the Department of Health and Human Services’ Indian Child Care Development Block Grant Program will receive a portion of the emergency supplemental funding appropriated by Congress for this program.

***POSTAL SERVICE***

***Will the Postal Service be able to keep delivering through the COVID-19 emergency, even as businesses are shutting down?***

- The Postal Service has a public-service obligation to deliver to every U.S. household and business every day. During this public health emergency, it has continued to serve as a lifeline for households, businesses, and medical facilities.
- The stimulus bill provides critical emergency relief for the Postal Service, so it can continue serving the public during this crisis and delivering to every American – while also working to protect its workers and customers.

***The Postal Service delivers to every American, and millions of us are now staying home to help stop the spread of COVID-19 and relying on deliveries for prescriptions and other necessities. USPS is facing strained budgets – what is being done to make sure USPS survives this economic downturn?***

The stimulus bill provides critical emergency relief that is necessary for the U.S. Postal Service to continue operating and serving the public during this crisis.

The Postal Service serves every U.S. household and business every day, and is a lifeline during this public health emergency.

COVID-19 has imposed additional costs on the Postal Service, and the economic downturn has caused a huge loss of revenues, which the Postal Service relies on to fund its nationwide service. Without immediate relief, the Postal Service would run out of operating revenues in fiscal year 2020 and would be unable to continue delivering to all Americans.

The bill allows the Postal Service to access a \$10 billion emergency loan from the U.S. Treasury. This loan will help the Postal Service survive this economic downturn, if Treasury provides it quickly and fairly to the Postal Service. [Given that the Postal Service faces unfair financial burdens while providing nationwide, equitable service,] Additional, meaningful relief and reforms will be necessary to ensure the Postal Service can continue its mission and achieve long-term stability.

***Lots of commercial delivery services are modifying drop-off practices to accommodate social distancing, especially in relation to at-risk populations like nursing homes. What can USPS do to address these issues?***

This bill allows the Postal Service to establish alternative delivery points during the COVID-19 emergency, if it is unable to safely reach all addresses due to outbreaks. This will help keep customers and postal employees safe, while allowing critical deliveries to continue. Facilities such as nursing homes who have concerns about mail delivery due to COVID-19 will be able to contact the Postal Service to help find a solution.

***There are serious shortages of personal protective equipment and potential shortages of other medical supplies. Can the USPS help move this equipment around the country quickly?***

The Postal Service is working overtime to continue delivering to every household, business, and medical facility during this emergency to fulfill their needs. It is a critical lifeline for medical supplies, especially in underserved areas of the country.

This bill directs the Postal Service to prioritize the delivery of medical supplies during the COVID-19 emergency. This will allow the Postal Service to continue ensuring all medical supplies are delivered on-time, even as community infrastructure, medical facilities, and the Postal Service are if affected by the COVID-19 emergency.

***Congress just spent over \$2 trillion, what is being done to make sure that the government's response is effective and that money isn't being wasted?***

This bill establishes strong transparency and accountability mechanisms to monitor the Coronavirus response and ensure that taxpayer dollars are spent responsibly and effectively. These measures include:

- Creation of the Pandemic Response Accountability Committee – a group of independent agency watchdogs charged with investigating and auditing both the coronavirus response efforts and stimulus spending.
- Charging the Government Accountability Office, Congress’s watchdog, with a similar oversight program
- Establishing a Special Inspector General and a Congressional Oversight Commission to specifically oversee billions of dollars in federal loans and investments for private businesses.
- Requiring regular reporting for entities receiving significant federal financial assistance to further ensure transparency and accountability.

### ***OVERSIGHT***

***Businesses – big and small – will be receiving a lot of assistance in this package. What is being done to make sure they are not abusing these programs or defrauding taxpayers?***

The comprehensive oversight initiatives under both Congressional and executive branch watchdogs will allow for timely oversight over the trillions of dollars in stimulus spending. From public tracking of stimulus spending to regular updates for Congress and the public, we can help ensure taxpayer dollars are being used efficiently, effectively, and responsibly. The accountability mechanism, such as the Pandemic Response Accountability Committee and the authorities provided to the Government Accountability Office, have a broad mandate designed to root out waste, fraud, and abuse in order to discourage businesses receiving significant financial assistance from abusing assistance programs and defrauding taxpayers.

***Is there any oversight and accountability over grant and loan programs?***

Grants are subject to audits by Department of Treasury and the Department of Transportation Inspector General, to make sure that information submitted is correct and that they are implemented properly. If airline carriers and contractors do not comply with required assurances the Secretary of the Treasury can require them to repay the grants. The Secretary of the Treasury is also required to report to Congress on the implementation of the grants.

For the loan program, the bill mandates regular reporting requirements by the Treasury Department and Federal Reserve. The Secretary of the Treasury is required to provide transaction disclosures within 72 hours and provide weekly reports to Congress. The Federal Reserve is required to provide weekly transaction disclosures and monthly reports to Congress. All of the disclosures and reports will be made public.

Additional Congressional oversight under the bill includes quarterly testimony before the oversight committees and a mandatory study by the General Accounting Office (GAO) on the implementation of the loan program.

### ***REAL ID***

***I do not have a Real ID-compliant identification but I am concerned about going to a crowded DMV in the coming months before the October 1, 2020 deadline – what should I do?***

There is no need to visit a DMV just to obtain a REAL ID by October 1, 2020 because the deadline will be extended for one year, until October 1, 2021.

### ***TRANSPORTATION***

***Why will airlines receive \$29 billion in grants?***

The aviation industry accounts for more than 5 percent of America's GDP, contributing \$1.6 million in economic activity and supporting nearly 11 million jobs. Aerospace manufacturing employs 2.5 million highly-trained and skilled workers nationwide. Airline traffic has fallen significantly as the American public has made the smart decision to stop traveling to avoid catching and spreading the virus. We need to ensure that those businesses that, through no fault of their own, are impacted by the coronavirus are able to retain their highly skilled workforces and not drive them to find new jobs. The \$29 billion in grants will go directly towards employees' wages, salaries and benefits. Additionally, \$3 billion in grants will go towards wages, salaries, and benefits of airline contractors, like catering and ground support staff.

***What other financial assistance is available to airlines and the aerospace industry?***

A total of \$29 billion is available in loans and loan guarantees for airlines, including \$25 billion for passenger airlines, aircraft repair companies, and ticket agents. \$4 billion is available in loans for cargo airlines. An additional \$17 billion is available in loans and loan guarantees for businesses critical to national security, including businesses in the crucial aerospace manufacturing supply chain.

***What protections are included for workers and taxpayers?***

Grants dedicated to sustaining payroll for workers will be immediately available. The bill provides additional protections for workers and taxpayers by including prohibitions on stock buybacks and dividends, and limitations on executive compensation. Collective bargaining agreements will be protected and businesses will be required to retain employees. The government will also receive warrants or equity in publicly traded companies to make sure the taxpayers are protected in the event of a loan or loan guarantee default.

***Do the grants and loans account for impacted small and rural communities?***

The Secretary of Transportation will make decisions about scheduled air transportation service deemed necessary and is directed to consider needs of small and remote communities and the need to maintain the health care and pharmaceutical supply chains. These provisions ensure that air carriers that get grants and loans are still subject to the Secretary's requirements to serve communities.

***HOUSING***

***Is there any relief for upcoming rent, mortgage, and utility payments?***

Any homeowner with an FHA, VA, USDA, 184/184A mortgage, or a mortgage backed by Fannie Mae or Freddie Mac, who is experiencing financial hardship is eligible for up to 6 months' forbearance on their mortgage payments, with a possible extension for another 6 months. At the end of the forbearance, borrowers can work within each agency's existing programs to help them get back on track with payments, but they will have to pay missed payments at some point during the loan, so if borrowers can pay they should continue to do so.

Renters who have trouble paying rent also have protections under the bill if they live in a property that has a federal subsidy or federally backed loan. Owners of these properties cannot file evictions or charge fees for nonpayment of rent for 120 days following enactment of the bill, and cannot issue a renter a notice to leave the property before 150 days after enactment. After this period renters will be responsible for making payments and getting back on track, so they should continue to make payments if they're financially able to do so. Renters who receive housing subsidies such as public housing or Section 8 who have had their incomes fall should recertify their incomes with their public housing agency or property owner because it may lower the rent they owe.

***Will homeowners be foreclosed on if they can't make their loan payments?***

The bill includes a 60-day foreclosure moratorium starting on March 18, 2020, for all federally-backed mortgage loans. Borrowers with FHA, VA, USDA, or 184/184A loans, or loans backed by Fannie Mae and Freddie Mac, will not see foreclosure actions and cannot be removed from their homes due to foreclosure during that time.

***Will multifamily property owners be foreclosed on if they can't make loan payments?***

The bill provides owners of multifamily properties with federally backed loans having a financial hardship up to 90 days of forbearance on their loan payments. Property owners would have to request the forbearance and document their hardship in order to qualify, in 30-day increments. During a forbearance period, the property owner may not evict or initiate the eviction of a tenant for nonpayment of rent and may not charge the tenant any fees or penalties for nonpayment of rent. This protection applies to loans issued or backed by federal agencies (including FHA and USDA) or Fannie Mae and Freddie Mac.

***Who does the rental eviction moratorium apply to?***

This provision applies to all renters who live in properties that receive a federal subsidy, such as public housing, Section 8 rental assistance vouchers or subsidies, USDA rental housing assistance, or Low Income Housing Tax Credits. It also covers any renters in properties where the owner has a federally backed mortgage loan, which includes loans backed by the FHA, USDA, and Fannie Mae and Freddie Mac. This includes any size of property, from single family houses to multifamily apartment buildings.

***BANKING***

***I have a loan and I am worried that I won't be able to make my monthly payments. What can I do?***

Contact your lender directly. The CARES Act allows banks and credit unions more flexibility to work with borrowers affected by the COVID-19 pandemic.

***Does bill provide any relief for consumers who can't pay their bills?***

This bill does not. This section of the bill only provides instruction on how lenders or creditors should report consumers who have received a forbearance or some other accommodation to help them make payments.

Individuals having problems paying their bills should contact their lenders directly. The CARES Act allows banks and credit unions more flexibility to work with borrowers affected by the COVID-19 pandemic.

We will continue to work to enact credit reporting relief for borrowers who are struggling to make their payments during this crisis.

***Who can use the Fed lending facilities?***

The Federal Reserve will design the facilities. According to government officials, we expect there to be potentially over a dozen different facilities. The legislation specifically indicates that there should be a facility for states, municipalities, and tribes, as well as a facility for medium-sized business that are not eligible for the SBA program. It will also be critical for the Fed to consider other needs, such as protecting homeowners and renters.

***DEFENSE PRODUCTION ACT***

***What provisions does this bill include on the Defense Production Act?***

The bill provides \$1 billion for the Defense Production Act and waives certain DPA notification, prior Congressional approval and spending requirements so that the administration could use this funding immediately to address shortages in personal protective equipment, ventilators, beds,

diagnostic test kits, and other urgently-needed medical supplies and equipment, and engage in other essential activities during the COVID-19 emergency.

### ***BANKRUPTCY***

***My small business is in financial trouble and I'm considering filing for bankruptcy – how does this bill help?***

This bill allows more small businesses to reorganize under Chapter 11 using procedures that are less expensive and that allow small business owners to retain control of their operations through the bankruptcy reorganization process. Under this bill, small businesses with up to \$7.5 million in debt can take advantage of these streamlined Chapter 11 procedures. This new relief will be available for one-year.

***I have been in Chapter 13 bankruptcy for 3 years. I recently lost my job and I can't afford my plan payments right now. I'm worried that I won't be able to complete the Chapter 13 process – does this bill help me?***

Yes. This bill allows individuals and families currently in Chapter 13 who are experiencing financial hardship due to the COVID-19 pandemic to request a modification of their Chapter 13 plans, including by extending their payments for up to 7 years. This new relief will be available for one-year.

***If I receive a stimulus check from the federal government, will it impact my ability to file for bankruptcy?***

No. Under this bill, stimulus checks from the federal government cannot be used to determine whether you are eligible for filing bankruptcy. And, if you file for Chapter 13 bankruptcy, you will not have to turn your stimulus check over to your creditors. This new relief will be available for one-year.

### ***PRISON RELATED***

***I have an elderly or ill family member in prison. Is there any opportunity for early release?***

Yes. This bill gives the Director of the Bureau of Prisons expanded authority to release people who are serving the last year of their sentence to home confinement.

***I am not being allowed to visit my family member in prison because of the coronavirus. Is there an alternative to in-person visits?***

This bill instructs the Director of the Bureau of Prisons to do more to set up video visitation for inmates, free of charge.

***I have a family member involved in the federal justice system, what is going to happen to their case?***



This bill allows courts to hold some hearings by video, but only if the defendant agrees.

## **AGENDA ITEM #9**

**COVID-19 MEDICAL &  
HOSPITAL SURGE: WHAT IS  
NEEDED & HOW  
JURISDICTIONS CAN  
SUPPORT THE EFFORT**

# **AGENDA ITEM #10**

## **COVID-19 MEDICAL & ECONOMIC RECOVERY NATIONAL MODELS AND INITIATIVES**

# BROOKINGS

The Avenue

## **How cities are helping workers and small businesses during the coronavirus crisis**

Joseph Parilla Monday, March 16, 2020

**A**cross the country, public events are being cancelled, shops and restaurants are shutting down, and workers are being sent home in response to the COVID-19 pandemic. This reduction in commerce is necessary as a public health response to the virus, but its adverse effects are already rippling through local economies—and will likely worsen in the coming weeks.

The scale of the crisis and the economic shocks it's creating will warrant a major federal stimulus package to avoid a damaging recession. As a first step, the U.S. House of Representatives passed the Families First Coronavirus Response Act this weekend, which would provide paid leave, access to free testing, and other benefits to children and families.

That legislation awaits passage in the Senate, but even after it does, the bill will likely leave several critical areas of economic stabilization unaddressed. In this absence, local governments are well-positioned to step in with economic aid in the near-term.

### **Protecting workers and families**

Worker protections are a critical first step in any city-level economic stabilization plan.

To prevent the spread of the virus, workers must not be forced to choose between supporting their families and following proper safety and health protocols; thus, new laws are needed. On Tuesday, the Washington, D.C. city council will vote on emergency legislation to ensure that any workers affected by COVID-19—either because of quarantines or reduced hours—receive unemployment insurance. Similar initiatives have started in California and Washington.

In addition to stabilizing incomes, some cities are seeking to prevent the downstream effects of job losses or wage reductions. In San Jose, Calif., the City Council approved Mayor Sam Liccardo's proposal to stop evictions for anyone impacted by the coronavirus. Several other cities have followed suit. The D.C. Council's legislation also includes a prohibition on the disconnection of utilities during the public health emergency.

## **Assisting small businesses**

The second major policy response among cities has been small business stabilization. Businesses with fewer than 100 workers account for about one-third of national employment, and serve as vital anchors in local communities.

Last week, the city of Seattle announced that it will allow eligible businesses to defer business and occupation taxes, expand its Small Business Stabilization Fund, and provide technical assistance to business owners seeking relief from the U.S. Small Business Administration.

New York City Mayor Bill de Blasio put forward a plan to provide up to \$75,000 in interest-free loans to businesses with fewer than 100 employees that experience at least a 25% drop in sales. For microbusinesses—those with less than five employees—the city will provide grants that cover 40% of payroll costs for two months.

And in Birmingham, Ala., the city and corporate partners are spearheading the

creation of a fund to support small businesses through low-interest loans.

Small business stabilization funds are one way to inject temporary relief, but technical assistance is also useful. Small businesses not only need help connecting to federal resources, but they also could benefit from low-cost advising. One local official I spoke with suggested helping less tech savvy restaurateurs connect to Uber Eats or DoorDash so they can take advantage of the recent spike in online ordering and recoup lost sales.

## **Cities must act quickly**

Local efforts will never be able to match the scale of federal relief packages, but they do have one advantage the feds do not: speed. And speed is of the essence. According to the [JPMorgan Chase Institute](#), 47% of small businesses have less than two weeks of cash liquidity on hand, with restaurants and retail operating at the slimmest margins. According to [OpenTable](#), year-over-year restaurant visits are down 63% in Seattle, 61% in New York, and 53% in San Francisco due to COVID-19.

This humanitarian crisis is rapidly turning into an economic crisis. Cities alone cannot blunt the impacts for workers and businesses, but they can be vital first responders.

# BROOKINGS

The Avenue

## **Cities and states are on the front lines of the economic battle against COVID-19**

Joseph Parilla and Reniya Dinkins Friday, March 20, 2020

**T**he full economic impact of the COVID-19 pandemic came into sharp relief this week, as unemployment claims and small business closures both skyrocketed.

Addressing the fallout will require a massive federal stimulus, and both Congress and the White House have proposed aid packages exceeding \$1 trillion. But as we noted on Monday, immediate assistance to workers and small businesses will initially be supplied by local and regional coalitions of governments, nonprofits, larger businesses, and philanthropies.

To be clear, no individual city or state has the resources to fully address the economic and public health crisis we're facing. But this week we are seeing how these recovery coalitions are providing direct assistance and access to state and national resources on two key priorities: protecting workers and families and saving small businesses.

### **Help for workers and families**

Between March 8 and March 14, unemployment claims spiked nationwide by 71,000, a larger one-week increase than at any point during the Great Recession. This week, unemployment claims will be orders of magnitude worse, and will disproportionately include low-wage workers that were already economically insecure.

Federal policymakers want to send direct payments to Americans in need. In the meantime, dozens of communities have launched **worker relief funds** to support incomes as jobs are lost and workers' hours decline (see this helpful Good Jobs Institute roundup). Whether housed at the local community foundation (as in Baltimore and San Diego), United Way office (in Birmingham, Ala., Detroit, and Indianapolis), or city government (Boston), worker relief funds use philanthropic and/or public funds to ensure households have their basic food, shelter, and utility needs met.

Considering that many workers are losing their jobs as businesses close and lay off staff, most large cities are approving moratoriums on evictions, including Washington, D.C., Atlanta, and Detroit. Some places, such as Los Angeles, are only halting evictions for people affected by the loss or reduction of work hours because of the pandemic. Wayne County, Mich. (where Detroit is located) is preventing foreclosures on all homes for the rest of 2020.

The city of Atlanta is rolling out one of the heftiest relief packages. The \$7 million assistance fund will provide emergency assistance for children's and seniors' food programs, homelessness responses, the purchase of telework technology, assistance to employees and hourly wage earners for businesses engaged with the city, and support to small businesses.

Eventually, though, local dollars will be exhausted. This is why it is critical for local intermediaries to serve as **connectors to state and national resources**.

Several local governments have been liaisons in connecting their constituents to these resources. The city of Seattle, for example, is using their website's COVID-19 page to connect workers in need of support to the state's unemployment benefits, paid family and medical leave, and other state financial resources. St. Louis is doing the same to share guidance on accessing state resources to file for unemployment and workers' compensation, as well as addressing racial discrimination.



Local organizations can also connect businesses to state policies that can support workers. As my colleague Annelies Goger has pointed out, 26 states have policies that compensate employers who undertake “work-sharing,” a practice where businesses reduce hours instead of laying people off. Workers get to keep their employment status and benefits but are compensated for lost hours by unemployment insurance. Historically, companies that pursue work-sharing are quite satisfied with it, but the program is not well-known nor well-utilized. Every intermediary in a state with a work-share policy should be touting this program.

## **Saving small businesses**

The scale of the small business challenge during this crisis is daunting. Earlier this week, the Small Business Administration announced it would be extending disaster relief loans to small businesses, but only after their states meet the federal designation. Undoubtedly, more federal small business relief will be needed, and several groups have proposed their own slate of policy ideas.

In the interim, community-based small business responses are occurring at two levels: direct relief and information provision. First, more and more cities are launching **small business relief funds**. On Thursday, San Diego Mayor Kevin Faulconer announced a partnership with local financial institutions to provide zero-interest microloans for affected businesses through a \$4 million revolving loan fund. Meanwhile, the city of Philadelphia and the Philadelphia Industrial Development Corporation have proposed a plan to help businesses maintain payroll obligations and preserve jobs by providing a mix of new grants and zero-interest loans for Philadelphia businesses that make under \$5 million in annual revenue.

To give businesses some wiggle room and allow them to get back on their feet after losing income from closures, many cities are deferring business taxes. San Diego has implemented a program to delay payments of business tax certificates

and associated fees. Washington, D.C. is allowing businesses to defer February and March sales taxes to July 20, 2020. San Francisco's Small Business Relief Program is providing a deferral of business taxes and licensing fees.

Restaurants and airport businesses are particularly struggling right now, and there are some cities specifically addressing those needs. Detroit has created a temporary program called the Restaurant Carryout Zone to provide restaurants with an on-street pickup area for customers, so that they can continue selling meals. Atlanta's mayor just signed a relief bill specifically for employees of airport businesses. The bill lets Atlanta temporarily suspend the businesses' rental payments for four months so they can use that money to provide relief to employees who are experiencing lower hours and lost wages.

At a second level, the nation's network of economic development organizations, chambers of commerce, and local governments can be critical **connectors and information distributors** between local businesses and state and federal resources.

Florida is currently asking business owners to fill out a Business Damage Assessment Survey. According to the city of Tampa's website, the survey will “allow Governor DeSantis to request that the federal government declare Hillsborough County [Tampa's county] a federal disaster area, which will open-up additional sources of business funding through the Small Business Administration, FEMA and federal agencies.”

The Indy Chamber in Indianapolis is providing application coaching for businesses that are applying for SBA disaster loans. In addition, they are giving small businesses the opportunity to receive quick, small emergency business loans. All this information is captured at the chamber's Rapid Response Hub.

## What comes next?

Local leaders are now looking to Washington for action. This week, the White House and Congress are both drafting economic stimulus packages. The U.S. Treasury has proposed a \$1 trillion relief package that would include sending checks to individual Americans (\$500 billion), supporting key industries (\$200 billion), and small business loans (\$300 billion). Congress is contemplating similar measures.

Mayors, nonprofits, and other civic institutions are fighting the early stages of the crisis with the tools, information, and resources they have at their disposal. But the true economic impact of the coronavirus is only beginning to unfold; our cities and states urgently need Washington to send more resources to the front.

# BROOKINGS

The Avenue

## What the Great Recession can tell us about the COVID-19 small business crisis

Sifan Liu and Joseph Parilla Wednesday, March 25, 2020

**T**he drastic measures to keep people at home as the COVID-19 pandemic spreads have decimated the small business sector. These vital businesses provide local amenities and experiences that enrich our lives and anchor our communities, and they're a critical source of income and wealth generation for their owners. And a subset of small businesses—young businesses, which are zero to five years old—are the primary drivers of the nation's net job creation and productivity growth.

Because small businesses have greater credit constraints and are more sensitive to weak consumer demand, they are often hit the hardest in economic downturns. The COVID-19 recession is uniquely damaging to them, especially those relying on foot traffic and social interaction.

As policymakers prepare relief measures to support small businesses, it's helpful to look back at what happened to small businesses during the last major economic downturn, 2007 to 2009's Great Recession. The COVID-19 recession will likely differ in severity and duration from the Great Recession, but it may nonetheless offer clues as to how small businesses experience economic contractions compared to larger businesses.

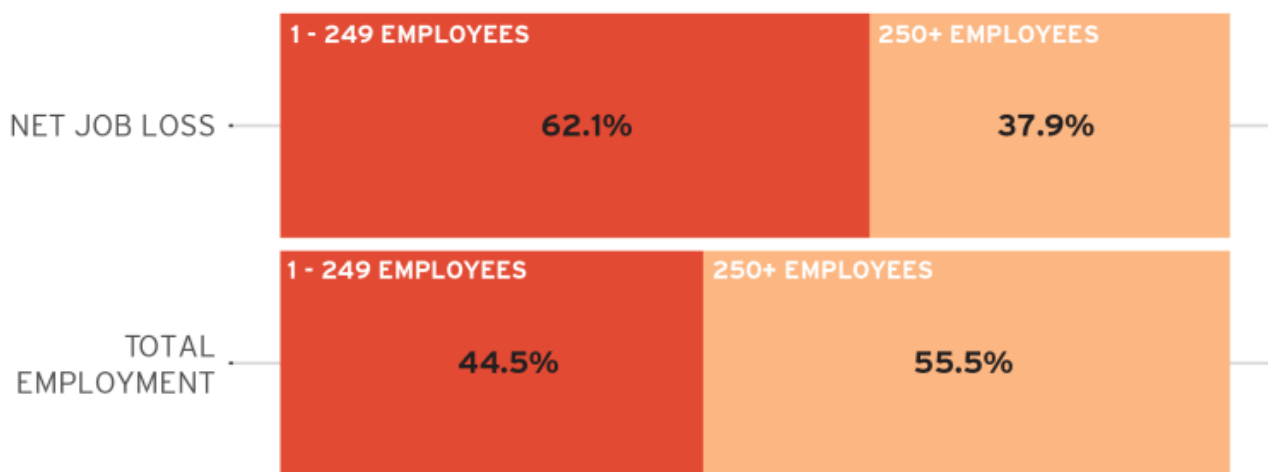
## Small businesses had fewer workers but larger job losses during the Great Recession

The Small Business Administration’s definition of “small” varies by industry, but for the purposes of this analysis, we define small businesses as those with fewer than 250 employees, which is the highest standard to qualify in most industries.

During the Great Recession, these small businesses experienced disproportionate job loss compared to their share of total employment in the economy. Nationally, small businesses accounted for 45% of employment, but as the economy shed about 5 million jobs from 2008 to 2009, they accounted for 62% of the net job loss (Figure 1). Compared to the Great Recession, the early stages of the COVID-19 economic crisis suggest that job losses will fall even more disproportionately within the small business sector.

FIGURE 1

**Small businesses experienced disproportionate job loss during the last recession**  
 Net job loss and total employment by firm size, 2008 to 2009



Source: Brookings analysis of the Census Bureau’s Business Dynamics Statistics (BDS)

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## Micro businesses and young businesses are particularly vulnerable

As policymakers develop responses to the severe economic contraction we're facing, they should consider that job loss varies considerably by the age and size of the small business.

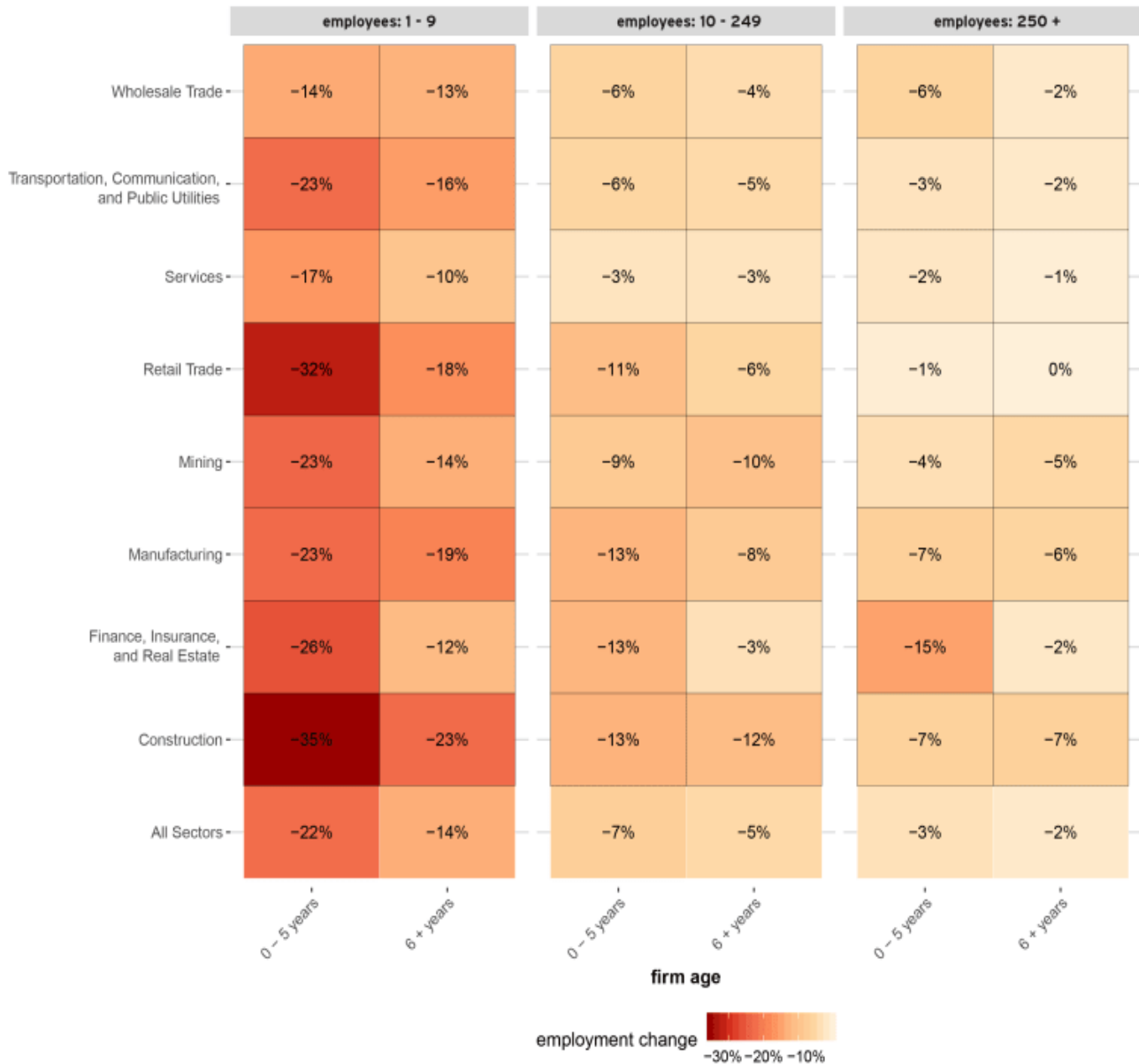
Generally, the older and larger a small business, the better it fared during the Great Recession. Micro businesses (fewer than 10 employees) and young businesses (zero to five years old) are most vulnerable across all sectors (Figure 2). The employment losses within young and micro businesses ranged from 15% in wholesale trade and services to nearly 35% in retail trade and construction, the latter of which reflects the role housing played in the Great Recession.

Restaurants and small retail outlets are likely to lead the losses during the early days of the coronavirus-fueled economic crisis. But eventually a major recession will hit every sector of the small business economy, as consumer and corporate demand decreases. This chain reaction begins first and most intensively with younger, smaller (and thus more vulnerable) businesses.

FIGURE 2

**Micro businesses and young businesses are most vulnerable across all sectors**

Change in net job creation by sectors, firm size, and firm age, 2008 to 2009



Source: Brookings analysis of the Census Bureau's Business Dynamics Statistics (BDS)

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**Geographic trends matter**

Broader industrial and technological trends—and how those influence the dynamism of metro area economies—also played a role in how small businesses experienced the Great Recession. Small businesses are predominantly locally serving, meaning their viability depends on the health of the key export industries in their local economies.

Among the nation's 100 large metropolitan areas, eight metro area economies actually managed to expand despite the Great Recession. This was mainly due to the energy boom, which kept demand for small business activity higher in regions in such as Louisiana, Oklahoma, and Texas (Map 1).

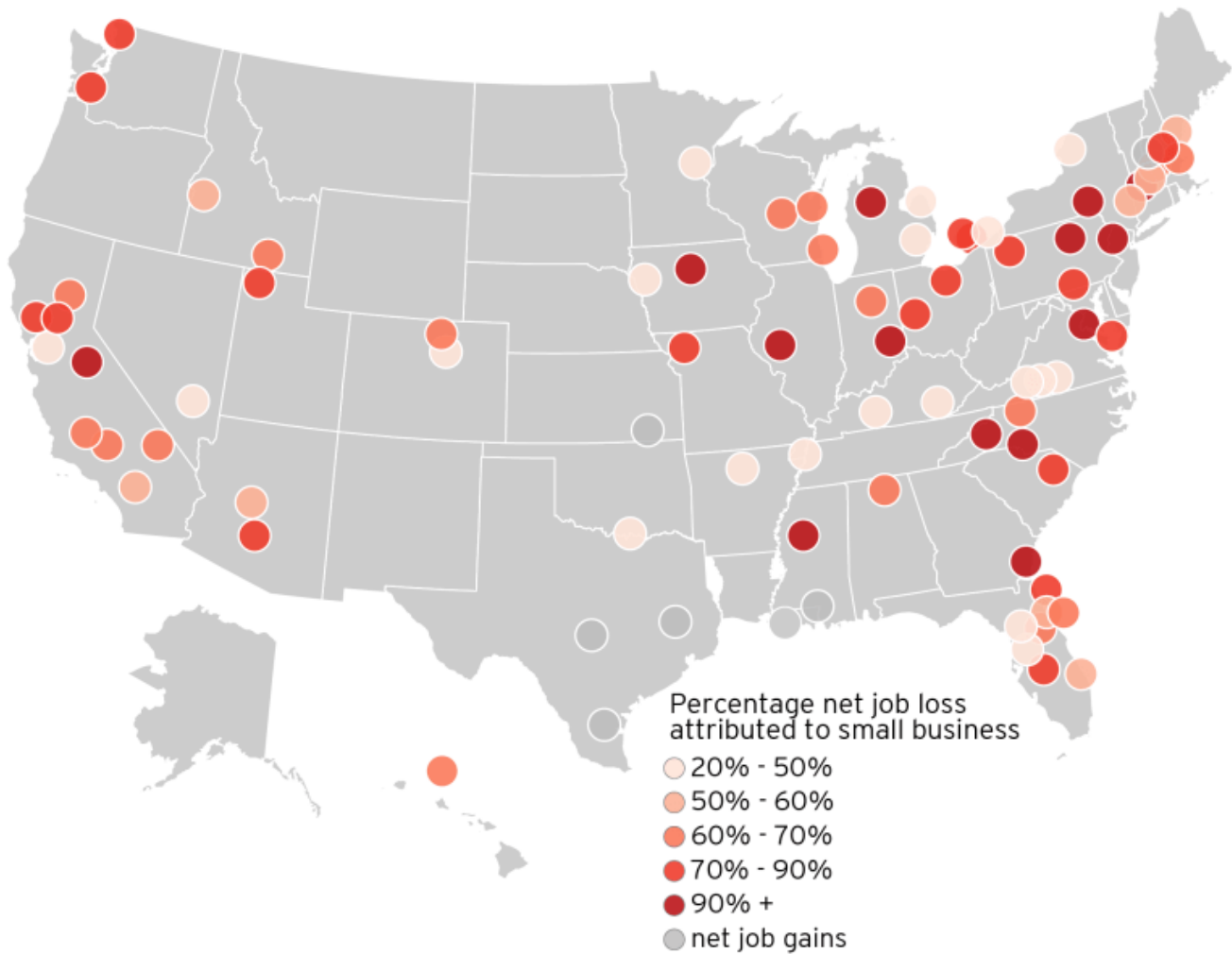
Most communities were not so lucky. In more than half of the nation's 100 largest metro areas, small businesses accounted for at least 60% of net job losses. In 16 large metro areas, small businesses were responsible for more than 90% of net job loss. Metro areas that were hit hardest included Philadelphia, Fresno, Calif., Jacksonville, Fla., Bridgeport, Conn., Louisville, Ky., and St. Louis, Mo., among others.



MAP 1

## Net job loss attributed to small businesses

Top 100 metro areas, 2008 to 2009



Source: Brookings analysis of the Census Bureau's Business Dynamics Statistics (BDS)

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## Mitigate, then recover

Last week, [we wrote about](#) several small business relief strategies that local and state governments are pursuing, including emergency loan funds and tax relief. Still, not every small business is equipped to survive this downturn. But because small businesses contribute disproportionately to job loss during recessions,

these policy responses are necessary. In our current crisis, these measures must occur immediately—which means that speed and simplicity are important considerations.

If speed and simplicity are required in the short-term, then scale is the operative word for the medium-term recovery. As of this posting, the Senate is on the verge of passing a relief package of at least \$350 billion for small businesses. This federal package is critical, because locally led capital support will only take local economies so far.

In the long-term, policymakers and business development providers should remember that the Great Recession was distinctly damaging to small businesses. And that was at a time when shops and restaurants could still rely on social interaction and foot traffic for business—COVID-19 has stripped even that advantage away.

This crisis will demand a set of policy supports that are both broader and longer-term than those pursued in 2009. Otherwise, small businesses are certain to face a calamity.



# NACo ANALYSIS OF THE THIRD COVID-19 SUPPLEMENTAL: THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (H.R. 748)

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## Counties Are on the Front Lines of Coronavirus Response Efforts

Counties are responding to the coronavirus 2019 (COVID-19) pandemic and are on the front lines of our nation’s local public health emergency response and overall public safety efforts. Now, more than ever, we need strong federal, state and local intergovernmental partnership to address this crisis.

As the ground troops in the fight against the COVID-19 pandemic, counties are rapidly disseminating factual and timely updates to the public, while pursuing containment and mitigation strategies. Counties invest \$83 billion annually in community health systems and support 903 hospitals, 824 long-term care facilities and over 1,900 public health departments. These local agencies are essential components of the Centers for Disease Control and Prevention’s COVID-19 efforts at the local level.

Counties nationwide are committed to working with both Congress and the administration to advance legislation that assists with the mitigation of this public health crisis and its potential far reaching economic, health and safety impacts on our nation.

Closely following the passage of the second supplemental package (H.R. 6201), Congress quickly shifted gears towards a third legislative package that would further address the economic impact of the coronavirus. The “Coronavirus Aid, Relief, and Economic Security (CARES) Act” (H.R. 748) and associated emergency supplemental appropriations was passed by the U.S. Senate on March 25 and would provide \$2 trillion towards coronavirus relief efforts.

The massive rescue package — the biggest in U.S. history — would provide hundreds of billions of dollars in loans and grants to major industries and small businesses, direct cash payments to taxpayers and significantly expand

FEDERAL COVID-19 ACTION TAKEN	
March 6	President signed the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123). NACo summary <a href="#">here</a> .
March 13	President declared a national emergency related to COVID-19. The declaration can be read <a href="#">here</a> .
March 18	President signed H.R. 6201, the Families First Coronavirus Response Act into law. NACo summary <a href="#">here</a> .
March 25	U.S. Senate passed The CARES Act (H.R. 748). Bill text <a href="#">here</a> . House to vote March 27.

unemployment benefits. Most importantly, it provides additional resources that counties can use towards our response efforts.

The analysis that follows highlights relevant components of the CARES Act for county governments, including a section-by-section breakdown outlining items of significance for county policy priorities.

## Executive Summary: Highlights for Counties

The legislation includes several key provisions and funding for county governments to assist our efforts with the coronavirus. The following are highlights:

- **Establishes new Coronavirus Relief Fund for state and local governments to address spending shortages related to the coronavirus pandemic:** The bill provides \$150 billion in aid to states, tribal governments, territories and local governments with populations of over 500,000 people to address necessary expenditures incurred due to the COVID-19 public health emergency. *NACo is asking Congress and the U.S. Treasury Department for clarification on details of this fund—including eligibility for counties with populations under 500,000.*
- **Silent on county eligibility for payroll tax credits:** The bill did not include a technical fix so that county governments are eligible for payroll tax credits established under the second supplemental appropriations bill (H.R. 6201/P.L. 116-127).
- **Gives U.S. Treasury new authority to authorize loans and make municipal bond purchases to aid state and local governments:** The bill would create a \$500 billion Economic Stabilization Fund that authorizes the U.S. Treasury to purchase obligations of states, local governments and political subdivisions of them, to cover losses incurred as a result of COVID-19. Thus, the Federal Reserve is permitted to participate as an investor in securities that mature in greater than six months. This fund also provides loans and loan guarantees to small businesses.
- **Provides hospitals and health care facilities with additional funding for response efforts:** The bill provides \$100 billion in funding for local hospitals to address medical surge capacity issues and offset the cost of increased healthcare related expenses and loss revenue. Eligible health care providers include public entities, Medicare or Medicaid enrolled suppliers or providers and other health care facilities.
- **Protects payments to hospitals serving the uninsured and underinsured:** The bill would delay statutory cuts to Medicaid Disproportionate Share Hospital (DSH) payments until FY 2021 to help hospitals, including eligible county-owned hospitals, serving indigent and underinsured people make up for revenue losses and continue to provide high quality care to all patients especially during this time of crisis.
- **Extends the Temporary Assistance for Needy Families (TANF) program:** The bill delays the expiration of TANF from May 22, 2020 to November 30, 2020, providing important short-term certainty for county human services agencies and helping vulnerable county residents maintain access to this safety net program.

The legislation also provides \$330 billion through emergency supplemental appropriations including some of the following highlights:

- **\$16 billion to replenish the Strategic National Stockpile** of pharmaceuticals, personal protective equipment, and other medical supplies, which are distributed to state and local health agencies, hospitals and other healthcare entities facing shortages during emergencies.
- **\$1 billion for the Defense Production Act** to bolster domestic supply chains, enabling industry to quickly ramp up production of personal protective equipment, ventilators, and other urgently needed medical supplies, and billions of dollars more for federal, state and local health agencies to purchase such equipment.
- **\$4.3 billion to support federal, state and local public health agencies** to prevent, prepare for, and respond to the coronavirus, including for the purchase of personal protective equipment; laboratory testing to detect positive cases; infection control and mitigation at the local level to prevent the spread of the virus; and other public health preparedness and response activities.
- **\$45 billion for FEMA’s Disaster Relief Fund**, to provide for the immediate needs of state, local, tribal and territorial governments, as well as private non-profits performing critical and essential services. Reimbursable activities may include medical response, personal protective equipment, National Guard deployment, coordination of logistics, safety measures and community services nationwide.
- **\$10 billion in grants to help airports** as the aviation sector grapples with the steepest and potentially sustained decline in air travel in history. This funding will be distributed by formulas broken down later in this document.
- **\$56 million for small and rural airports** in additional FY 2020 discretionary appropriations to maintain regularly scheduled air service to small and rural communities.
- **\$25 billion in aid for transit systems** for operational support to help protect public health and safety while ensuring access to jobs, medical treatment, food and other essential services. 100 percent of transit funding is allocated through formula grants to state, regional and local transit agencies, including those in rural areas.
- **\$400 million in election assistance** for the states to help prepare for the 2020 election cycle, including to increase the ability to vote by mail, expand early voting and online registration and increase the safety of voting in-person by providing additional voting facilities and more poll workers.
- **More than \$6.5 billion for CDBG, the Economic Development Administration, and the Manufacturing Extension Partnership** to help mitigate the local economic crisis and rebuild impacted industries such as tourism or manufacturing supply chains.
- **More than \$7 billion for affordable housing and homelessness assistance programs** to help low-income and working class Americans avoid evictions and minimize any impacts caused by loss of employment, and child

care, or other unforeseen circumstances related to COVID-19, and support additional assistance to prevent eviction and for people experiencing homelessness.

- **\$850 million in additional funding for the Byrne Justice Assistance Grant (JAG) Program** to help counties—among other eligible entities—address the needs of local police departments and jails, including the purchase of personal protective equipment and other needed medical items and to support overtime for officers on the front lines.
- **\$200 million for telehealth support from the Federal Communications Commission** to aid healthcare providers with equipment and services.
- **\$15.5 billion in additional funding for the Supplemental Nutrition Assistance Program (SNAP)** to support states and localities in deploying program flexibilities and meeting growing need for food assistance as a result of coronavirus.
- **\$3.5 billion in additional funding for the Child Care Development Block Grant** to provide childcare assistance to health care sector employees, emergency responders, sanitation workers and other workers deemed essential during the response to the coronavirus.
- **\$30.75 billion for grants to provide emergency support to local school systems** and higher education institutions to continue to provide educational services to students and support the ongoing functionality of school districts and institutions.
- **\$955 million for the Administration for Community Living (ACL)** to assist local Area Agencies on Aging in providing services to seniors and their caregivers, including home-based support, senior nutrition programs and elder protection.
- **\$88 million in additional funding for food systems** and safety including \$55 million in additional funding for animal and plant health inspections and an additional \$33 million for the Food and Safety Inspection Service.
- **\$1 billion and additional administrative flexibility for the Community Services Block Grant** for local Community Action Agencies to provide anti-poverty programs and services to residents experiencing increasing unemployment and financial instability as a result of the coronavirus.
- **\$19.6 billion in funding to support our nation’s veterans during the COVID-19 pandemic**, including key testing, treatment and telehealth program resources.

## DETAILED SUMMARY: SECTION BY SECTION

### Division A: Keeping Workers Paid and Employed, Health Care System Enhancements, and Economic Stabilization

#### Title I: Keeping American Workers Paid and Employed Act

##### Sec. 1106. Loan forgiveness.

- **Directs Small Business Administration (SBA) to Provide Loan Forgiveness (page 43):** The bill establishes that a borrower is eligible for loan forgiveness equal to the amount spent by the borrower during an 8-week period after the origination date of the loan for payroll costs; interest on any mortgages incurred prior to February 15, 2020; payment of rent on any lease established prior to February 15, 2020 and any utility payments for which service began before February 15, 2020.

Amounts forgiven may not exceed the principal amount of the loan. Eligible payroll costs do not include compensation above \$100,000 in wages. Forgiveness on a covered loan is equal to the payroll costs incurred during the covered 8-week period.

##### Sec. 1107. Direct appropriations.

- **Directs \$349 billion in loan guarantees (page 52):** The bill includes \$349 billion in loan guarantees through SBA.
- **Provides \$265 million for Small Business Entrepreneurial Development Programs (page 53):** The bill allots \$265 million for SBA entrepreneurial development programs to support small business centers, women’s business centers for technical assistance and resource partner associations to provide online information and training.
- **Allots \$10 billion for Small Business Administration – Emergency EIDL Grants (page 54):** The bill includes \$10 billion for the SBA Emergency Economic Injury Disaster Loans grants to help struggling small businesses cover expenses.
- **Includes \$17 billion in additional funding for Small Business Administration – Business Loan programs (page 54):** The bill includes \$17 billion for the SBA Business Loan Program subsidies to make six months of principal and interest payments for all SBA backed business loans.

##### Sec. 1108. Minority business development agency.

- **Provides funding for Minority Business Development Agency (page 61):** The bill authorizes \$10 million for the Minority Business Development Agency within the Department of Commerce to provide grants to Minority Business Centers and Minority Chambers of Commerce for counseling, training and education on federal resources and business response to COVID-19 for small businesses. It also waives the Minority

Business Center program's non-federal match requirement for three months beginning on the date of enactment.

## **Title II: Assistance for American Workers, Families, and Businesses**

### **Subtitle A – Unemployment Insurance Provisions**

#### **Sec. 2102. Pandemic Unemployment Assistance.**

- **Provides new temporary Pandemic Unemployment Assistance (page 84):** The bill includes new pandemic unemployment assistance through December 31, 2020 to provide unemployment benefits for those individuals that lose job as a direct result of COVID-19 and are not eligible for other unemployment compensation such as self-employed, independent contractors, and those with limited work history.

#### **Sec. 2103. Emergency unemployment relief for governmental entities and nonprofit organizations.**

- **Provides emergency unemployment relief for governmental entities and nonprofit organizations (page 96):** The bill includes payments to states to reimburse government agencies, nonprofits and Indian tribes for half of the costs incurred through December 31, 2020 to pay for unemployment benefits.

#### **Sec. 2104. Emergency increase in unemployment compensation benefits.**

- **Includes an increase in unemployment compensation benefits (page 96):** The bill includes an additional \$600 per week payment to each recipient of Unemployment Insurance or Pandemic Unemployment Assistance for up to four months.

#### **Sec. 2106. Emergency State staffing flexibility.**

- **Provides flexibility for personnel standards (page 111):** The bill provides for flexibility on a merit basis for temporary staff, rehiring retirees or former employees on a non-competitive basis, and other temporary actions to quickly process applications and claims

#### **Sec. 2107. Pandemic emergency unemployment compensation.**

- **Provides Emergency Unemployment Compensation (page 112):** The bill provides an additional 13 weeks of unemployment benefits through December 31, 2020 to help those who remain unemployed after the state unemployment benefits are no longer available in states that enter into federal-state agreements.

### **Subtitle B – Rebates and Other Individual Provisions**

#### **Sec. 2201. 2020 recovery rebates for individuals.**

- **Provides direct financial assistance payments to qualifying individuals (page 144):** The bill provides one-time, direct financial assistance payments of \$1,200 to individuals with Adjusted Gross Income (AGI) up to \$75,000 or \$2,400 for married couples with combined AGI up to \$150,000. Payments would increase by an additional \$500 per qualifying child. The rebate amount is reduced by \$5 for each \$100 that a taxpayer's



income exceeds the phase-out threshold. These payments will be administered by the Internal Revenue Service (IRS) and function as fully refundable tax credits, meaning individuals with no taxable income as well as those whose income comes entirely from non-taxable means-tested benefit programs will qualify for assistance. IRS will determine benefit levels and eligibility by using 2019 income tax filings and 2018 tax data and Social Security data when 2019 filings are not available.

## **Title III: Supporting America’s Health Care System in the Fight Against the Coronavirus**

### **Subtitle A – Health Provisions**

#### **PART I – ADDRESSING SUPPLY SHORTAGES**

##### **SUBPART A – MEDICAL PRODUCT SUPPLIES**

###### **Sec. 3102. Requiring the strategic national stockpile to include certain types of medical supplies.**

- **Increases availability of personal protective equipment (PPE) and diagnostics through the Strategic National Stockpile (page 217):** The bill would require the inclusion of “personal protective equipment, ancillary medical supplies, and other applicable supplies required for the administration of drugs, vaccines and other biological produces, medical devices and diagnostic tests in the stockpile,” which would benefit the more than 900 county owned hospitals and nearly 1,900 local health departments who need access to critical equipment for COVID-19 response efforts. The Strategic National Stockpile is the nation's largest supply of life-saving pharmaceuticals and medical supplies for use in a public health emergency and administered by the U.S. Department of Health and Human Services Office of the Assistant Secretary for Preparedness and Response.

#### **PART II – ACCESS TO HEALTH CARE FOR COVID-19 PATIENTS**

##### **SUBPART A – COVERAGE OF TESTING AND PREVENTIVE SERVICES**

##### **SUBPART B – SUPPORT FOR HEALTH CARE PROVIDERS**

###### **Sec. 3211. Supplemental awards for health centers.**

- **Increases funding to support health centers addressing COVID-19 (page 235):** The bill would provide \$1.32 billion in Fiscal Year (FY) 2020 for supplemental awards for the prevention, diagnosis, and treatment of COVID-19. These services would be administered by the Health Resources and Services Administration (HRSA) and directed to community health centers. This is a big win for counties given our role as safety net providers for low-income and indigent residents, who often receive care through a county operated health center. The supplemental funds will offset the tremendous financial burden on local county systems of care, who are already investing over \$80 billion in community health and hospital services each year.

**Sec. 3212. Telehealth network and telehealth resource centers grant programs.**

- **Provides funding to support telehealth projects addressing COVID-19 (page 236):** The bill would provide \$29 million for each fiscal year through FY 2025 for “evidence-based projects that utilize telehealth technologies through telehealth networks.”

**Sec. 3213. Rural health care services outreach, rural health network development, and small health care provider quality improvement grant programs.**

- **Provides \$79.5 million for rural outreach and improvements to healthcare services in rural communities (page 246):** The bill would provide \$79.5 million for each fiscal year until FY 2025 for rural outreach and critical medical services improvements in rural communities. The funding is aimed at assisting small rural healthcare providers increase care coordination, enhance chronic disease management and improve patient health outcomes.

**SUBPART C – MISCELLANEOUS PROVISIONS**

**Sec. 3222. Nutrition services.**

- **Increases flexibility for senior nutrition programs (page 266):** The bill increases options to provide home delivery and waives nutrition requirements for Older Americans Act (OAA) meal programs during the public health emergency to ensure local Area Agencies on Aging are able to maintain meal services for older members of the community.

**Sec. 3223. Continuity of service and opportunities for participants in community service activities under title V of the Older Americans Act of 1965.**

- **Supports ongoing employment activities for older Americans (page 268):** The bill allows the Secretary of Labor to extend older adults’ participation in community service projects under the Older Americans Act and make administrative adjustments to facilitate their continued employment under the program.

**Sec. 3224. Guidance on protected health information.**

- **Provides guidance on the sharing of protected patient health information (page 269):** The bill directs that “Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall issue guidance on the sharing of patients’ protected health information.” The guidance will include information on data sharing compliance with the Health Insurance Portability and Accountability Act (HIPAA). During this time of national emergency, it is essential that local public health agencies are able to quickly and efficiently share health records data, in order to effectively communicate community spread and provide comprehensive treatment for infected COVID-19 patients. This guidance will enhance local public health coordination while still protecting the privacy of our residents.

## PART IV—HEALTH CARE WORKFORCE

### Sec. 3401. Reauthorization of health professions workforce programs.

- **Increases funding for medical training programs with an emphasis on rural and tribal areas (page 282):** The legislation provides \$23.7 billion per year for FY 2021 through 2025 for public health workforce programs to “plan, develop, and operate a program that identifies or develops innovative models of providing care, and trains primary care physicians on such models.” It also directs that the HRSA administered grants prioritize awards for rural areas and particularly tribes and tribal organizations in rural areas, which will receive approximately \$49 million per year FY 2021 through 2025. This is an important investment for counties as nearly a quarter of the public sector health workforce has been cut since 2008, and a win for rural counties, who have been hard hit with the increased demand for services despite workforce and resource shortages.

### Sec. 3402. Health workforce coordination.

- **Instructs the Secretary of HHS to create a plan to strengthen the healthcare workforce (page 288):** The bill directs the Secretary of Health and Human Services to, in no later than one year of the bill's enactment, “develop a comprehensive and coordinated plan with respect to the health care workforce development programs of the Department of Health and Human Services, including education and training programs.” This guidance would include identifying current gaps and barriers and coordinating with other agencies to fund and administer related programs. Counties are addressing major public health issues year-round including HIV, food-borne illnesses and the nation's opioid and substance abuse epidemic. This new guidance will ensure that there is federal support in helping our local healthcare workforce prepare to take on the demands of all public health issues both in and outside of national emergencies.

### Sec. 3403. Education and training relating to geriatrics.

- **Establishes a grant program for geriatric education and training programs to build up the geriatric healthcare workforce (page 290):** The bill requires the HHS Secretary to establish the Geriatrics Workforce Enhancement Programs, which will award grants, contracts, or cooperative agreements to “support the training of health professionals in geriatrics, including traineeships or fellowships” with the aim of addressing health care gaps for older adults. This provision is important for counties, which operate over 800 nursing homes that care for our rapidly expanding population of aging Americans.

### Sec. 3404. Nursing workforce development.

## SUBTITLE B – EDUCATION PROVISIONS

### Sec. 3507. Exclusion from Federal Pell Grant duration limit.

- **Provides flexibility for Pell Grant recipients impacted by coronavirus (page 317):** The bill allows Pell Grant recipients who do not complete a school term due to the coronavirus to exclude that school term from the six-year maximum eligibility limitation for Federal Pell Grants. These grants are awarded to students with exceptional financial need who have yet to earn a degree.

### **Sec. 3508. Institutional refunds and Federal student loan flexibility.**

- **Protects students who drop out of school due to coronavirus from federally mandated repayment requirements for grants and loans (page 317):** The bill waives the requirement for students who dropped out as a result of COVID -19 and their college or university to reimburse the Secretary of Education for Pell Grants or student loans.

### **Sec. 3511. National emergency educational waivers.**

- **Allows waivers for federal education requirements (page 323):** The bill provides the Secretary of Education with the authority to grant requests from state and local educational agencies for waivers of federal requirements under the Elementary and Secondary Education Act (ESEA), except civil rights laws. The bill directs that such waivers must be “necessary and appropriate due to the COVID-19 declaration of disaster.”

### **Sec. 3513. Temporary Relief for Federal Student Loan Borrowers**

- **Provides short-term relief for federally-owned student loans (page 333):** The bill requires the Secretary of Education to defer student loan payments, principal, and interest for six months, through September 30, 2020, without penalty to the borrower for all federally owned loans. This provides relief for over 95 percent of student loan borrowers.

### **Sec. 3515. Workforce response activities.**

- **Allows local workforce boards flexibility in the use of Workforce Innovation and Opportunity Act funds (WIOA) (page 341):** The bill provides boards with the ability to use WIOA funds for administrative costs, including online resources, and lets governors utilize reserved workforce funds on rapid response activities for COVID-19.

## **SUBTITLE C – LABOR PROVISIONS**

### **Sec. 3601. Limitation on paid leave.**

- **Establishes ceiling for paid leave (page 349):** Establishes a limit on the amount of paid leave an employer must provide to no more than \$200 per day and/or \$10,000 per employee under this subtitle.

### **Sec. 3602. Emergency Paid Sick Leave Act Limitation.**

- **Creates limitations on paid sick leave (page 350):** The bill creates limitations and distinctions therein to require employers to provide no more than \$511 per day and/or \$5,110 in the aggregate for an employee for who is unable to work due to direct effects of COVID-19 OR \$200 per day and \$2,000 in the aggregate for an employee caring for an individual experiencing the effects of COVID-19.

### **Sec. 3603. Unemployment insurance.**

- **Increases access to unemployment insurance applications and assistance (page 350):** The bill directs each state to ensure that applications for unemployment compensation, and assistance during the application process, are accessible in at least two of the following: in person, by phone or online.

### **Sec. 3605. Paid leave for rehired employees.**

- **Creates paid leave program for recently rehired employees (page 352):** The bill allows an employee who was laid off by an employer March 1, 2020, or later to have access to paid family and medical leave in certain instances if they are rehired by the employer and had worked for them at least 30 days prior to being laid off.

### **Sec. 3606. Advance refunding of credits.**

- **Establishes payroll tax credit refunds (page 353):** The bill provides for advance refunding of the payroll tax credits enacted under H.R. 6201/P.L. 116-127. The credit for required paid sick leave and the credit for required paid leave can be refunded by the U.S. Treasury in advance using instructions that will be provided by the Internal Revenue Service.

## **SUBTITLE D – FINANCE COMMITTEE**

### **Sec. 3701. Exemption for telehealth services.**

- **Allows insurers to not face penalty for the coverage of telehealth services (page 363):** The bill creates a “safe harbor” exemption for health plans beginning before December 31, 2021 that do not have a deductible for telehealth or other remote care services.

### **Sec. 3704. Enhancing Medicare telehealth services for Federally qualified health centers and rural health clinics during emergency period.**

- **Enhances Medicare telehealth services for Federally Qualified Health Centers (FQHCs) and Rural Health Clinics during the emergency period (page 366):** The bill allows Federally Qualified Health Centers and Rural Health Clinics to provide telehealth services to Medicare beneficiaries in their home or other setting during the public health emergency. Medicare would reimburse for these services at a composite rate similar to payment provided for comparable telehealth services that currently exist under the Medicare Physician Fee Schedule. FQHCs and Rural Health Centers are outpatient clinics that expand health care reach in underserved areas. Rural counties and counties with workforce shortages have typically relied on Medicare's telehealth provisions to reach remote residents, and having federal support through this provision will assist with not only ensuring our residents have health care services, but that we are protecting vulnerable residents during this turbulent time.

### **Sec. 3705. Temporary waiver of requirement for face-to-face visits between home dialysis patients and physicians.**

- **Expands access to home dialysis treatments via telehealth (page 370):** The bill would temporarily waive restrictive face to face requirements for patients with kidney disease and their doctors and allow necessary

consultations to take place via telehealth. Flexibilities around telehealth provisions such as this one are extremely vital for counties as we work to protect our most vulnerable residents. This provision is particularly useful for rural counties, where the face-to-face requirement has historically been a barrier for patients receiving home dialysis treatment, however this waiver is particularly critical during the pandemic, due to the vulnerability of dialysis patients to infection.

**Sec. 3720. Delaying requirements for enhanced FMAP to enable State legislation necessary for compliance.**

- **Delays qualification enforcement for Medicaid Federal Assistance (page 394):** The bill would amend section 6008 of the Families First Coronavirus Response Act (Public Law 116-127) to allow states who didn't meet outlined requirements to still qualify for temporary increases to the federal medical assistance percentage (FMAP) provided through the previous legislation. Noncompliant states will have 30 days to make the changes necessary to meet qualifications outlined in the Families First Coronavirus Response Act. Medicaid is jointly funded by federal state and local governments, which in many states include counties. Increases in the federal share of the program help states and counties continue to provide lifesaving Medicaid services to residents impacted by COVID-19 at a time where the demand for the services is at an all-time high.

**SUBTITLE E – HEALTH AND HUMAN SERVICES EXTENDERS**

**PART II – MEDICAID PROVISIONS**

**Sec. 3811. Extension of the Money Follows the Person rebalancing demonstration program.**

- **Extends the Money Follows the Person demonstration program through 2021 (page 399):** The bill reauthorizes the Medicaid Money Follows the Person demonstration program at \$337 million through FY 2020. This program provides states and local governments with enhanced federal support for services and supports to help older adults and people with disabilities moving from institutions to a community-based setting.

**Sec. 3813. Delay of DSH reductions.**

- **Delays Cuts in funding for Disproportionate Share Hospitals (page 401):** The bill delays funding cuts for Disproportionate Share Hospitals (DSH) until FY 2021, which would push back cuts set to take place in May of this year. Counties applaud the inclusion of this provision as Medicaid DSH payments are critical to local hospitals that serve our nation's most vulnerable citizens, by enabling local hospitals to make up for those losses and continue to provide high quality care to all patients especially during this time of crisis.

**Sec. 3814. Extension of Community Mental Health Services demonstration program.**

- **Extends the Community Mental Health Services demonstration program (page 402):** The bill extends the Community Mental Health Services demonstration program through November 30 at current funding levels. Additionally, the bill directs the HHS secretary to select two additional states, beyond the original eight selected states, to participate in the program, which allows them to deliver mental and substance abuse disorder treatment to Medicaid beneficiaries with enhanced federal support.

It also directs the U.S. Comptroller General to submit a report no later than 18 months after the bill's enactment that would “measure the effects of access to certified community behavioral health clinics on patient health and cost of care.” Counties are essential behavioral health services providers and serve residents through over 750 behavioral health authorities; this demonstration project would help us serve residents in areas hard hit by the opioid crisis and grappling with increased rates of suicide and other mental illnesses.

### **PART III – HUMAN SERVICES AND OTHER HEALTH PROGRAMS**

#### **Sec. 3824. Extension of the Temporary Assistance for Needy Families program and related programs**

- **Extends the Temporary Assistance for Needy Families (TANF) program for 6 months (page 411):** The bill extends beyond its current scheduled expiration date of May 22, 2020 to November 30, 2020. TANF, which falls under the authority of the Department of Health and Human Services Administration of Children and Families, provides flexible funding to states to support vulnerable families through direct cash assistance as well as childcare, education, job training and work support programs. The bill directs the Department of the Treasury to “appropriate such sums as necessary” for this purpose. The extension will provide additional resources and certainty for counties in the 10 states which delegate administration of the TANF program to county governments responsible for administering the program, representing half of the national caseload.

### **PART IV – PUBLIC HEALTH PROVISIONS**

#### **Sec. 3831. Extension for community health centers, the National Health Service Corps, and teaching health centers that operate GME programs.**

- **Extends key health safety net programs (page 412):** The bill extends the Community Health Centers Fund, National Health Service Corps Fund and Teaching Health Center Graduate Medical Education (GME) programs at current funding through FY 2021. Community health centers will receive \$4 billion for FY 2020, the National Health Service Corps will get \$310 million and Teaching Health Center programs will get \$21 million. These programs are vital to counties as they support the training of health providers in underserved areas and strengthen the local health care safety net.

### **Title IV: Economic Stabilization and Assistance to Severely Distressed Sectors of the United States Economy**

#### **Subtitle A - Coronavirus Economic Stabilization Act of 2020**

#### **Sec. 4003. Emergency relief and taxpayer protections.**

- **The bill provides \$500 billion to the U.S. Treasury’s Exchange Stabilization Fund to provide loans, loan guarantees and other investments to industries, states and municipalities (page 512):** Of this total, direct lending includes \$25 billion for passenger air carriers, \$4 billion for cargo air carriers and \$17 billion for businesses important to maintaining national security. Additionally, of the \$500 billion total, the bill allocates \$454 billion towards businesses, states and municipalities, including counties, to cover losses incurred as a result of COVID-19. This level of funding is intended to support the Federal Reserve’s lending facilities to

eligible businesses, state and municipalities noting that the Federal Reserve’s lending is a “critical tool that can be used in times of crisis to help mitigate extraordinary pressure in financial markets that would otherwise have severe adverse consequences for households, businesses and the U.S. economy.”

**Sec. 4005. Continuation of certain air service.**

- **Maintains scheduled air service (page 531):** Authorizes the Secretary of the U.S. Department of Transportation (DOT) to require any air carrier receiving federal loans and loan guarantees to maintain scheduled air service as deemed necessary by the Secretary; in making this determination, the Secretary must consider the air service needs of small and rural communities and the need to maintain critical supply chains.

**Sec. 4007. Suspension of certain aviation excise taxes.**

- **Provides tax holiday to air carriers (page 532):** Provides tax relief to air carriers through a holiday on certain aviation excise taxes (26 U.S.C. 4261; 26 U.S.C. 4271) through January 1, 2021.

**Sec. 4015. Non-applicability of restrictions on ESF during national emergency.**

- **Allows U.S. Treasury to support money market mutual funds (page 543):** The bill temporarily authorizes the U.S. Department of Treasury to guarantee money market mutual funds. The temporary waiver runs through December 31, 2020.

**Sec. 4018. Special inspector general for pandemic recovery.**

- **Enhances Executive Branch oversight of federal investments (page 547):** The bill establishes the Office of the Special Inspector General for Pandemic Recovery within the U.S. Treasury and a Special Inspector General (IG) position, to be appointed by the President, who is responsible for providing oversight for investments made under this act, including the conducting, supervising and coordinating of audits and investigations regarding the making, purchase, management, and sale of loans and loan guarantees and other federal investments made by the U.S. Treasury in the COVID-19 response. The Special IG must make quarterly reports to Congress on the details of all investments made by the Treasury under this legislation.

**Sec. 4020. Congressional Oversight Commission.**

- **Enhances Legislative Branch oversight of federal investments (page 558):** The legislation creates a Congressional Oversight Commission whose responsibility is to oversee implementation of this subtitle by the U.S. Treasury and the Board of Governors of the Federal Reserve System by holding hearings, receiving testimony and securing from any federal agency information it deems necessary to carry out its responsibilities. The commission will consist of five members who are appointed as follows: one member appointed by the Speaker of the House; one member appointed by the House Majority Leader; one member appointed by the Senate Majority Leader; one member appointed by the Senate Minority Leader; and one member appointed by the Speaker of the House and the Senate Majority Leader, in consultation with Senate and House Minority Leaders. The commission must report to Congress every 30 days on the following: the impact of investments made under this act on the financial well-being of the nation; the extent to which



information made available on transactions occurring under this act has contributed to market transparency; and the effectiveness of loans made under this act in minimizing long-term costs for taxpayers.

**Sec. 4022. Foreclosure moratorium and consumer right to request forbearance.**

- **Provides moratorium on foreclosures (page 567):** Contains provisions to place moratorium on foreclosures of federally-backed mortgages and establishes a consumer’s right to request forbearance on federally-backed mortgage loans (p. 568). The provision also states that “no fees, penalties or interest beyond the amounts scheduled or calculated” will accrue on the borrower’s account.

**Sec. 4023. Forbearance of residential mortgage loan payments for multifamily properties with federally backed loans.**

- **Provides a forbearance to multi-family loans (page 570):** Includes language that would allow for a multifamily loan borrower of a federally-backed mortgage to request a forbearance for “up to 30 days and two additional 30 day periods upon request,” on loans due to hardship from the COVID-19 crisis so long as loan payments were current as of February 1, 2020. Additionally, the borrower is prohibited from evicting a tenant solely for unpaid rent during the forbearance period.

**Sec. 4024. Temporary moratorium on eviction filings.**

- **Provides moratorium on evictions (page 578):** The bill provides a 120-day moratorium on eviction filings effective the day of enactment of this legislation.

**Sec. 4112. Pandemic relief for aviation workers.**

- **Provides financial assistance to aviation workers (page 592):** Provides no more than \$25 billion to passenger air carriers; no more than \$4 billion to cargo air carriers; and no more than \$3 billion to contractors to be used exclusively for employee wages, salaries and benefits in order to “preserve aviation jobs and compensate air carrier industry workers” and mitigate the interruption to the air transportation industry caused by a drop in workers.

**Sec. 4113. Procedures for providing payroll support.**

- **Outlines procedures for air carrier payroll support (page 593):** Directs the U.S. Department of Transportation Secretary, in providing assistance under Section 4112, to provide amounts equal to wages, salaries and benefits paid to employees from April 1 to September 30, 2019 of the following eligible entities: air carriers who have reported this financial data to DOT; air carriers who have not reported to DOT but have provided this financial data using sworn statements or other appropriate data; and contractors who have provided this financial data using sworn statements and other appropriate data.

**Sec. 4114. Required assurances.**

- **DOT considerations for financial assistance to air carriers (page 593):** Among other directives, the DOT Secretary must consider, through March 1, 2022, the impact on small and rural communities—including any

potential interruptions to the health care supply chain—when deciding to provide, or continue providing, financial assistance to air carriers who have requested help.

## **Title V: Coronavirus Relief Funds**

### **Sec. 5001. Coronavirus Relief Fund.**

- **Provides funding to state, tribal and local governments for Coronavirus relief efforts (page 598):** The bill provides \$150 billion in funding for state, tribal and local governments to address necessary expenditures incurred due to the COVID-19 public health emergency. Of the \$150 billion, each state shall receive no less than \$1.25 billion, with additional funding being allocated based on each state’s proportion of the U.S. population. Additionally, the bill directs \$3 billion for the District of Columbia and U.S. Territories along with \$8 billion for tribal governments. All payments shall be issued by the U.S. Secretary of Treasury within 30 days of enactment.
- **Allocates direct assistance for eligible units of local governments with populations of 500,000 and above (page 599):** The bill directs the U.S. Treasury to make funding available directly to eligible units of local governments - including counties, municipalities, towns, villages, parishes and boroughs - with populations of 500,000 or more. The bill directs the chief executive for a respective unit of local government to certify that these funds are being used for budget costs not accounted for in the most recent adopted budget, necessary expenditures incurred due to the COVID-19 public health emergency and costs incurred between March 1 2020 and December 30, 2020, in order to be eligible. Any direct payment made to units of local governments shall be reduced from the state’s total allocation and cannot exceed more than 45 percent of the state total.

## **Division B: Emergency Appropriations for Coronavirus Health Response and Agency Operations**

### **Breakouts by Appropriations Subcommittee are as follows:**

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies [\$34.9 billion]

Commerce, Justice, Science, and Related Agencies [\$3.1 billion]

Defense [\$10.5 billion]

Energy and Water Development [\$221.4 million]

Financial Services and General Government [\$1.82 billion]

Homeland Security [\$45.9 billion]

Interior, Environment, and Related Agencies [\$2.0 billion]

Labor, Health and Human Services, Education, and Related Agencies [\$172.1 billion]

Legislative Branch [\$93 million]

Military Construction, Veterans Affairs, and Related Agencies [\$19.6 billion]

State, Foreign Operations, and Related Programs [\$1.1 billion]

Transportation, Housing and Urban Development, and Related Agencies [\$48.5 billion]

## **Title I: Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies**

### **Department of Agriculture**

#### **Animal and Plant Health Inspection Service**

- **Provides additional funding for the continuation of animal and plant health inspections (page 610):** The bill includes an additional \$55 million for salaries and expenses to help continuation of animal and plant health inspections.

#### **Food Safety and Inspection Service**

- **Ensures continuation of food safety inspections (page 611):** The bill includes an additional \$33 million for the Food and Safety Inspection Service for costs associated with food safety inspections, including supplementing support and temporary staff and relocation of inspectors.

#### **Rural Development Programs**

- **Provides funding for increased investment in rural business development (page 612):** The bill provides an additional \$20.5 million for the Rural Business Program Account under the Rural Business Cooperative Service to support loans for rural business development programs.
- **Includes additional funding for vital distance learning and telemedicine services (page 613):** The bill provides \$25 million for the Distance Learning and Telemedicine Program, which helps to provide broadband services in rural communities to support critical health, workforce development and educational services.
- **Provides additional funding for critical rural broadband deployment (page 619):** The bill includes \$100 million in grants for the ReConnect pilot program to provide broadband services to rural areas with more than 90 percent of households lacking broadband speeds of 10 Mbps downstream and 1 Mbps upstream.

#### **Food and Nutrition Service**

**Creates a Supplemental Nutrition Assistance Program (SNAP) Contingency Reserve Fund (page 614):** The bill provides \$15.5 billion for a Contingency Reserve Fund within SNAP to support waiver authorities included in the *Families First Coronavirus Pandemic Response Act* (PL 116-127) as well as anticipated increases in program participation. The contingency fund will be available through September 30, 2021 and will be

directed “as deemed necessary” by the Secretary of Agriculture. SNAP is county-administered in 10 states that account for 31 percent of the national caseload.

- **Increases funding for the Commodity Assistance Program (page 615):** The bill includes an additional \$450 million for the Emergency Food Assistance Program (TEFAP) including \$150 million for costs associated with the distribution of commodities.
- **Increases funding for Child Nutrition Programs (page 613):** The bill provides an additional \$8.8 billion through September 30, 2021 to support federal child nutrition programs. These programs include the National School Lunch and Breakfast Programs, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP), all of which have received additional flexibilities and may see increased demand in response to the coronavirus.

## **Department of Health and Human Services**

### **Food and Drug Administration**

- **Provides funding to develop necessary medical countermeasures and vaccines (page 616):** The bill includes \$80 million for the development of necessary medical countermeasures and vaccines, advanced manufacturing for medical products, the monitoring of medical product supply chains and related administrative activities.

## **Title II: Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies**

### **Department of Commerce**

- **Increases funding for the Economic Development Administration (EDA) (page 620):** The bill allocates \$1.5 billion for EDA through September 30, 2022. Funding for EDA represents a key priority for counties responding to the negative economic impacts of COVID-19 in local communities.
- **Provides funding for the Manufacturing Extension Partnership (MEP) (page 631):** The bill includes \$50 million for distribution to the 51 MEP centers to assist manufacturers recover from the economic impacts of the coronavirus and waives the statutory cost-match requirements for FY 2020 funding.

### **Department of Justice**

#### **State and Local Law Enforcement Activities - Office of Justice Programs**

- **Increases funding for the Byrne Justice Assistance Grant (JAG) Program (page 627):** The bill provides an additional \$850 million for the Byrne JAG program to help enable counties, among other eligible entities, to utilize emerging and evidence-based approaches to address the COVID-19 pandemic. The funds will allow state and local police departments and jails to meet local needs, including purchase of personal protective equipment and other needed medical items and to support overtime for officers on the front lines. The bill

clarifies that these funds “are not subject to restrictions or special conditions” to ensure their quick obligation.

## **National Science Foundation**

### **Research and Related Activities**

- **Boosts funding for research grants (page 629):** The bill includes an additional \$75 million in research grants and other necessary expenses to combat coronavirus. The bill also allocates an additional \$1 million to administer the research grants.

## **Title IV: Energy and Water**

### **Department of the Army**

#### **Corps of Engineers - Civil Department of the Army**

- **Supports Emergency Operations Centers in Corps districts (page 652):** The bill includes \$50 million to support Emergency Operations Centers and emergency operations in Corps districts to ensure the continuous operation of Corps projects across the country related to coronavirus prevention, preparation and response. The bill includes \$20 million to support remote access for Corps employees.

### **Department of the Interior**

#### **Bureau of Reclamation**

- **Prevents the spread of coronavirus to the nation’s water and related resources (page 653):** The bill contains \$12.5 million to prevent, prepare for and respond to coronavirus, domestically or internally. The bill includes \$8.1 million to support remote access for Bureau of Reclamation employees to continue their daily operations.

### **Department of Energy**

#### **Office of Science**

- **Supports operations for national laboratory scientific user facilities (page 654):** The bill includes \$99.5 million to support operations of the national laboratory scientific user facilities, including equipment, enabling technologies and personnel to support research and development efforts related to coronavirus.

## **Title V: Financial Services and General Government Department of the Treasury**

### **Independent Agencies**

#### **Election Assistance Commission**

- **Includes additional \$400 million to support elections (page 672):** The bill includes an additional \$400 million to the Election Assistance Commission to provide grants to states in response to COVID-19 for the 2020 election cycle. In the United States, the nation’s 3,069 counties traditionally administer and fund elections at the local level, including overseeing polling places and coordinating poll workers for federal, state and local elections. With concerns over transmission of COVID-19, counties are closely working with federal, state and local election officials to ensure the highest level of safety, security and integrity in our elections.

#### **Federal Communications Commission**

- **Includes additional \$200 million for telecommunications support (page 670):** The bill includes funding for the FCC to support health care providers through telehealth services and equipment.

#### **Small Business Administration**

- **Includes funding for the Direct Loans Program (page 675):** The bill provides \$562 million for administrative expenses and program subsidy for SBA Disaster Loans Program, “to prevent, prepare for and respond to the coronavirus, domestically or internationally.

#### **Department of the Treasury**

- **Increases funding for the Internal Revenue Service (page 659):** The bill provides \$250 million to the IRS to support taxpayer services in the extended filing season and to address the cost of implementation of the Families First Coronavirus Response Act.

### **Title VI: Department of Homeland Security**

#### **Federal Emergency Management Agency (FEMA)**

- **Increases funding for the Disaster Relief Fund (page 702):** The bill provides an infusion of \$45 billion to FEMA’s Disaster Relief Fund to assist state and local governments in their efforts to mitigate the spread of COVID-19 and protect public health.
- **Provides additional funding for federal assistance (page 703):** The bill includes \$400 million for prevention, preparation and response to the coronavirus and will be divided in the following ways: \$100 million for Assistance to Firefighter grants for the purchase of protective gear, supplies and related reimbursements; \$100 million for Emergency Management Performance Grants; and \$200 million for the Emergency Food and Shelter Program.

### **Title VII: Interior, Environment, and Related Agencies**

#### **Department of the Interior**

##### **Office of the Secretary**

- **Supports law enforcement and emergency personnel (page 711):** The bill includes \$158.4 million for equipment and supplies for cleaning buildings and public areas, supports law enforcement and emergency

personnel deployed to critical areas and increases telework capacity and capability for Interior employees to carry out daily operations.

## **Bureau of Indian Affairs**

- **Boosts funding to the operation of Indian programs (page 709):** The bill includes \$453 million to fund public safety and justice programs, executive direction to carry out deep cleaning of facilities, purchase of personal protective equipment, purchase of information technology to improve teleworking capability, welfare assistance and social services programs. \$400 million of that amount shall be made available to meet the direct needs of the tribes.
- **Supports the operation of Indian Education programs (page 710):** The bill includes \$69 million to fund tribal colleges and universities, salaries, transportation and information technology. At least \$20 million must be used for tribal colleges and universities.
- **Increases funding for Indian Health Services (page 718):** The bill includes \$1.032 billion for public health support, electronic health record modernization, telehealth and other information technology upgrades, Purchased/Referred Care, Catastrophic Health Emergency Fund, Urban Indian Organizations, Tribal Epidemiology Centers, Community Health Representatives and other activities to protect the safety of patients and staff. \$65 million of that funding will be used for electronic health record stabilization and support and \$450 million will be distributed through IHS directly operated programs.

## **Insular Affairs**

- **Provides funding to territories to respond to coronavirus (page 712):** The bill includes \$55 million to provide general technical assistance to territories in response to the coronavirus.

## **Environmental Protection Agency**

### **Science and Technology**

- **Boosts funding for research methods to reduce risks from environmental transmission (page 713):** The bill includes \$2.25 million to prevent, prepare for and respond to coronavirus. Of that amount, \$1.5 million is allocated for research on methods to reduce the risks from the environmental transmission of coronavirus via contaminated surfaces and materials.

## **U.S. Forest Service**

### **Forest and Rangeland Research**

- **Increases funding for experiments impacted by travel restrictions (page 715):** The bill includes \$3 million to re-establish experiments conducted under the Forest Inventory and Analysis (FIA) program, which serves as a national census for forests. FIA provides long-term projections for forest growth to inform land management and planning decisions made by state and local governments.

## National Forest System

- **Boosts funding for recreation sites and emergency personnel needs (page 716):** The bill provides an additional \$34 million for daily cleaning and disinfecting of recreation facilities, personal protective equipment and baseline testing for first responders.

## Wildland Fire Management

- **Increases funding for Wildland Fire Management (page 717):** The bill appropriates an additional \$7 million for personal protective equipment and baseline testing for wildland firefighters.

## Title VIII: Departments of Labor, Health and Human Services, Education, and Related Agencies

### Department of Labor

- **Increase funding for Dislocated Workers National Reserve (page 726):** The bill allots \$345 million for dislocated workers to remain available through September 30, 2022 to prepare for and respond to layoffs resulting from the COVID-19 pandemic.
- **Provides funding for Program Management (page 726):** The bill includes \$15 billion for the Department of Labor to implement the new paid leave and emergency Unemployment Insurance related to COVID-19. Of this amount, \$1 million shall be transferred to the Office of Inspector General for oversight activities.

### Department of Education

- **Creates an Education Stabilization Fund (page 752):** The bill includes \$30.75 billion for an Education Stabilization Fund for states, school districts and institutions of higher education for costs related to coronavirus. The funds will be available through September 30, 2021. The bill directs local educational agencies, states, institutions of higher education and other entities that receive this funding to continue paying employees and contractors to “the greatest extent practicable” during disruptions and closures caused by the coronavirus.
- **Elementary and Secondary Education Relief Fund (page 756):** The Education Stabilization Fund includes \$13.5 billion in direct formula funding, 90 percent of which states will distribute to local educational agencies according to the formula for Title I grants under the Elementary and Secondary Education Act (ESEA) of 1965. These funds will support coronavirus-response activities such as planning for and coordinating during long-term school closures, purchasing educational technology to support online learning for all students and additional activities allowed for under ESEA.
- **Governor’s Emergency Relief Fund (page 754):** The Education Stabilization Fund includes \$3 billion in flexible funding for states that governors may allocate at their discretion for emergency support grants to local educational agencies that have been most significantly impacted by coronavirus. These funds will support the educational continuity for elementary and secondary school students as well as emergency support for state institutions of higher education.



- **Higher Education Emergency Relief Fund (page 760):** The Education Stabilization Fund includes \$14.25 billion in funding to institutions of higher education to directly support students facing urgent needs related to coronavirus, and to support institutions as they cope with the immediate effects of coronavirus and school closures.
- **Increases Funding for Safe Schools and Citizenship Education (page 767):** The bill provides \$100 million in additional funding for Safe Schools and Citizenship Education to be available through September 30, 2021. The bill directs these funds to supplement the Project School Emergency Response to Violence (SERV) program to help elementary, secondary and post-secondary schools clean and disinfect affected schools and assist in counseling and distance learning and associated costs.

## Department of Health and Human Services

- **Increases funding to the Public Health and Social Services Emergency Fund (page 743):** The bill includes \$27 billion to develop the necessary countermeasures and vaccines for coronavirus, prioritizes platform-based technologies with the U.S.-based manufacturing, the purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, as well as medical surge capacity, addressing blood supply chain, workforce modernization, telehealth access and infrastructure, initial advanced manufacturing, novel dispensing, enhancements to the U.S. Commissioned Corps and other activities. Additionally, the bill sets aside \$180 million for the “Health Resources and Services Administration - Rural Health” to help carry out telehealth and rural health activities.
- **Boosts the Strategic National Stockpile (page 744):** The bill includes \$16 billion to procure personal protective equipment, ventilators and other medical supplies for federal and state response efforts. When combined with the first supplemental, the stockpile funding will see a total of an additional \$17 billion.
- **Increases funding to address hospital preparedness (page 745):** The bill includes \$250 million as grant funding to or cooperative agreements with entities that are either grantees or sub-grantees of the Hospital Preparedness Program.
- **Boosts funding available to the Biomedical Advanced Research and Development Authority (page 745):** The bill includes \$3.5 billion to the Biomedical Advanced Research and Development Authority for necessary expenses of manufacturing, production and purchase of vaccines, therapeutics and diagnostics.
- **Provides funding for Community Health Centers (page 747):** The bill includes \$275 million to expand services and capacity for rural hospitals, telehealth, poison control centers and the Ryan White HIV/AIDS program.
- **Reimburses hospitals for health care related to coronavirus (page 750):** The bill includes an additional \$100 billion to reimburse, through grants or other mechanisms, eligible health care providers for health care related expenses or lost revenues that are attributable to coronavirus. The recipients of payments under this section shall report and maintain documentation to ensure compliance with eligibility requirements. Eligible health care providers include public entities, Medicare or Medicaid enrolled suppliers or providers and other health care facilities.

## Centers for Disease Control and Prevention

- **Includes funding to state and local public health responders (page 728):** The bill includes \$4.3 billion for CDC-wide activities and program support. Of that total amount, \$1.5 billion shall be for grants to or cooperative agreements with states, localities, territories, tribes, tribal organizations, urban Indian health organizations, or health service providers to tribes, including to carry out surveillance, epidemiology, laboratory capacity, infection control, mitigation, communications and other preparedness and response activities. This grant funding may be used for grants for the rent, lease, purchase, acquisition, construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the state and local level. The bill includes \$500 million to invest in better coronavirus tools and build state and local public health data infrastructure.

## National Institutes of Health

- **Provides funding for vaccine research (pages 730-732):** The bill includes a total of \$915.4 million for vaccine, therapeutic, and diagnostic research to increase the public's understanding of coronavirus. The total breakdown funds the National Heart, Lung, and Blood Institute at \$103.4 million; the National Institute of Allergy and Infectious Diseases at \$706 million; the National Institute of Biomedical Imaging and Bioengineering at \$60 million; the National Library of Medicine at \$10 million; and the National Center for Advancing Translational Sciences at \$36 million.

## Substance Abuse and Mental Health Services Administration

- **Increases funding to Health Surveillance and Program Support Efforts (page 736):** The bill provides \$425 million through FY 2021. Of those funds, \$250 million was provided for the Certified Community Behavioral Health Clinic Expansion Grant program, which supports local behavioral health agencies. \$50 million shall be available for suicide prevention programs. \$100 million is available for substance use disorder activities authorized under section 501(o) of the Public Health Services Act. \$15 million is to be allocated to tribes, tribal organizations, urban Indian health organizations, or health or behavioral health service providers to tribes.

## Centers for Medicare & Medicaid Services

- **Increases the program management account (page 734):** The bill includes a total of \$200 million to respond to coronavirus both domestically and internationally. The bill allocates at least \$100 million for necessary expenses of the survey and certification program, prioritizing nursing home facilities in localities with community transmission of coronavirus.

## Agency for Toxic Substances and Disease Registry-

- **Provides funding for mapping the virus hot spots and cleaning recommendations (page 720):** The bill includes \$7.5 million to support spatial analysis and Geographic Information System mapping of infectious disease hot spots, including cruise ships. \$5 million will be awarded to Pediatric Environmental Health Specialty Units and state health departments to provide guidance and outreach on safe practices for home, school and daycare facilities.

## Administration for Children and Families

- **Increases funding for the Low Income Home Energy Assistance Program (LIHEAP) (page 735):** The bill provides \$900 million for the LIHEAP program to further support low-income, disabled and elderly populations in paying for their home heating and cooling. The funds will be available through September 30, 2021.
- **Increases funding for the Child Care Development Block Grant (CCDBG) (page 736):** The bill provides \$3.5 billion for CCDBG to provide child care assistance to essential workers and support publicly-funded child care providers in deploying various emergency flexibilities in response to the COVID-19 outbreak. The additional CCDBG funds will be available through September 30, 2021 and may support child care for health care sector employees, emergency responders, sanitation workers and other workers deemed essential during the response to the coronavirus without regard to existing CCDBG income eligibility requirements. States, territories and tribes are “encouraged to place conditions on payments to child care providers that ensure that child care providers use a portion of funds received to continue to pay the salaries and wages of staff,” and may also assist child care providers in the case of decreased enrollment or closures due to the coronavirus. CCDBG is state-supervised and county-operated in 12 states.
- **Increases funding for the Community Services Block Grant (CSBG) (page 738):** The bill provides \$1 billion for CSBG, which provides funds to states to distribute to eligible local entities (Community Action Agencies or CAAs) to design and implement anti-poverty programs. The bill also expands the income-eligibility requirement for CSBG programs from 125 percent to 200 percent of the federal poverty line, providing CAAs with greater flexibility to address the consequences of increasing unemployment and economic disruption caused by the coronavirus.
- **Increases funding for Head Start (page 738):** The bill provides \$750 million in additional funding to the Head Start program to continue serving eligible children, two-thirds of which is available for the operation of supplemental summer programs through non-competitive grant supplements to existing grantees chosen by the Office of Head Start. The influx of funding will assist those county governments serving as Head Start grantees in responding to coronavirus related needs of children and families, including making up for lost learning time.
- **Increases funding for Child Welfare Services (page 740):** The bill provides \$45 million for grants to states to support the child welfare needs of families during this crisis, and to help keep families together. Counties are fully responsible for administering child welfare systems in nine states and partially responsible in three states.

## Administration for Community Living

- **Increases funding for Aging and Disability Services Programs (page 741):** The bill provides \$955 million to the Administration for Community Living (ACL) services for seniors and disabled individuals as well as their caregivers to be available through September 30, 2021. Of this amount, \$820 million is allocated for programs under the Older Americans Act, including \$200 million for in-home supportive services, \$520 million for senior nutrition programs, \$100 million for family caregiver services and \$20 million for elder

rights protection activities. The bill further allocates \$50 million to support Aging Resource and Disability Centers and \$85 million for independent living centers receiving federal grant funding.

## **Title X: Veterans Affairs and Related Agencies**

- **Boosts COVID-19 treatment and testing resources for veterans (page 798):** The bill includes \$19.6 billion for the U.S. Department of Veterans Affairs (VA) to support the health and well-being of our nation’s veterans during the pandemic. Within this total, \$15.86 billion is directed to support the increased demand for health services at VA hospitals as a result of the COVID-19 pandemic, as well as for the purchase of personal protective equipment (PPE) and test kits. Funding is also allocated for treatment of veterans at community-based urgent care clinics and emergency rooms.
- **Supports programs that help counties meet the needs of at-risk veterans (page 799):** The legislation directs \$590 million to key VA programs, including the Health Care for Homeless Veterans (HCVC) program and the Supportive Services for Veterans Families (SSVF) program. Important to counties, the HCVC program provides outreach, case management and residential treatment services to assist veterans as they transition from living on the street into permanent housing. The SSVF program, meanwhile, provides funds to counties and other local entities to help very low-income veterans and their families who are homeless—or at risk of becoming homeless—obtain and retain permanent housing. The bill additionally supports the Homeless Providers Grant and Per Diem (GPD) program, which pairs VA Medical Center personnel with state, local and tribal grant recipients to fund, develop and operate transitional housing and service centers for homeless veterans.
- **Supports information technology (IT) systems for veterans health care delivery (page 800):** The legislation provides \$3.1 billion through the end of FY 2021 for the “costs, operations and maintenance, and IT systems development” to increase bandwidth for veterans telemedicine and call center volume during the pandemic. This will enhance capacity for telehealth visits and allow more veterans to receive care from home, while ensuring veterans’ health care providers can provide remote treatment for patients and continuity in processing veterans’ benefits.
- **Prioritizes rural veterans for information technology (IT) systems for veterans health care delivery (page 805):** The bill instructs the Secretary to prioritize services delivered through telehealth or VA Video Connection for “veterans who reside in rural and highly rural areas, as defined in the Rural-Urban Commuting Areas coding system of the U.S. Department of Agriculture.”

## **Title XII: Department of Transportation, Housing and Urban Development**

### **U.S. Department of Transportation (\$36.1 billion)**

- **Maintains essential air service to small and rural communities (page 831):** The bill includes an additional \$56 million to be derived from the general fund of the Treasury for the EAS and Rural Improvement Fund.

- **Provides direct grant funding for airports (page 832):** \$10 billion is directed to airports, of which counties directly support 34 percent nationally, through the Airport Improvement Program (AIP). Airports are entitled to a certain level of AIP funding each year based on passenger traffic and project needs. If capital needs are exceeded, DOT may choose to supplement airports entitlement levels by awarding discretionary funds (\$400 million in general funds were transferred to AIP in regular FY 2020 appropriations). \$10 billion is divided through formulas in the following ways: not less than \$500 million is made available to provide a 100 percent federal share for projects completed under this section; not less than \$7.4 billion is directed for any airport project that would typically be funded by user fees and is made available to all commercial airports and allocations are based on certain factors, including total enplanements and reserves versus debt; no more than \$2 billion is provided for any purposes that airport revenues would typically fund to be apportioned based on [statutory apportionments](#); and not less than \$100 million is made directly available through apportionments for general aviation (GA) airports, which are those that have scheduled air service with less than 2,500 passengers annually or those who do not have scheduled air service at all.
- **Provides financial relief to local public transit agencies (page 839):** The bill provides \$25 billion for public transit allocated through [formula funding](#) to urban and rural areas, state of good repair and growing states and high density transit grant programs. One hundred percent of federal transit dollars are allocated through formulas, and depending on the structure of the transit system, state, regional or local transit agencies receive these dollars directly from DOT.
- **Allows use of Harbor Maintenance Trust Fund (HMTF) annual receipts (page 657):** The legislation would allow the U.S. Army Corps of Engineers to utilize annual receipts collected in the HMTF for dredging, to take effect on either January 1, 2021 or the date of enactment of the next Water Resources Development Act (WRDA) reauthorization. The language does not appear to unlock the trust fund entirely but rather allow the expenditure of its yearly revenues, which would make available roughly \$1.6 billion each year that would not be counted towards spending caps for port projects.
- **Waives heavy truck weight limits (pg. 875):** Under the General Provisions title of Division B, language is included that would allow states, as a result of the presidential disaster declaration, to waive limits on truck weights for the duration of the fiscal year. States have this authority as a result of P.L. 112-141.
- **Funds safety operations and programs for heavy trucks (page 836):** The legislation repurposes prior year unobligated contract authority and liquidates cash provided for the Federal Motor Carrier Safety Administration (FMCSA) in [P.L. 105-178](#), [P.L. 109-59](#) and other prior appropriation and authorization acts to provide \$150,000 in additional FY 2020 obligation limitation to “support activities to prevent, prepare for, and respond to coronavirus.” Forty-seven percent of all heavy truck vehicle miles traveled (VMT) occur on local rural roads, contributing to the 46 percent of vehicular fatalities that occur on these roads each year nationally.
- **Improves rail safety and operations (page 839):** \$250,000 in additional appropriations is provided for the Federal Railroad Administration (FRA) safety and operations account to respond to ongoing effects of the COVID-19 pandemic.

- **Continues federal support of Amtrak (page 840):** Over \$1 billion is provided in the bill for Amtrak through grants, with \$492 million directed for Northeast Corridor Grants and \$526 million for National Network Grants.

#### **U.S. Department of Housing and Urban Development (HUD)**

- **Increases the Community Development Block Grant (CDBG) (page 857):** The bill commits \$5 billion to CDBG and would provide \$2 billion in direct funding to states and localities under the CDBG program’s current formula. The bill includes an additional \$1 billion directly for states, and the remaining \$2 billion would be allocated by the U.S. Housing and Urban Development Secretary based on a formula to be determined by the Secretary based on coronavirus related factors. Additionally, the bill waives the 15 percent public services cap. The funding boost represents a major win for counties, who use CDBG resources to fund vital community, infrastructure and economic development programs, and supports counties with recovery from disasters and economic downturns.
- **Includes funding for Homeless Assistance Grants (page 861):** The bill includes \$4 billion for Homeless Assistance Grants to “prevent, prepare for, and respond to coronavirus, domestically or internationally, among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the economic impacts created by coronavirus.” Of this amount \$2 billion is allocated by the current formula to assist state and local governments with homelessness prevention. The remaining \$2 billion will be allocated based on a new formula developed by the HUD Secretary factoring the number of homeless and those at risk of becoming homeless.
- **Provides increased support for Tenant-Based Rental Assistance (page 848):** The bill provides \$1.25 billion in additional funding for the program, which serves to preserve Section 8 voucher rental assistance for low-income families.
- **Provides increased support for Project-Based Rental Assistance (page 867):** The bill provides \$1 billion for Project-Based Rental Assistance, key for promoting housing affordability for low-income families.
- **Includes increase for Housing for the Elderly - Section 202 (page 869):** The bill provides \$50 million to remain available until September 30, 2023 to assist with special housing for elderly populations related to COVID-19. Of this amount \$10 million shall be available for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects.
- **Provides funding for Housing for Persons with Disabilities - Section 811 (page 870):** The bill includes \$15 million to remain available until September 30, 2023 for COVID-19 response and to assist owners or sponsors of properties receiving project-based assistance.

For complete NACo resources related to COVID-19, please visit [www.naco.org/coronavirus](http://www.naco.org/coronavirus)

**AGENDA ITEM #11**

**OTHER BUSINESS**

**AGENDA ITEM #12**

**ADJOURN**