

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

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

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

**H. R.** \_\_\_\_\_

(title) \_\_\_\_\_

---



---

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

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

Viz:

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

3 **SECTION 1. SHORT TITLE.**

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

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

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

DIVISION A—SMALL BUSINESS PROGRAMS

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

Sec. 102. Emergency designation.

DIVISION B—ADDITIONAL EMERGENCY APPROPRIATIONS FOR  
CORONAVIRUS RESPONSE

1 **SEC. 3. REFERENCES.**

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

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

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

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

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

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

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

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

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

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

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

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

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

24               (1) in subparagraph (A)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 **SEC. 102. EMERGENCY DESIGNATION.**

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

21         (b) DESIGNATION IN SENATE.—In the Senate, this  
22         division is designated as an emergency requirement pursu-  
23         ant to section 4112(a) of H. Con. Res. 71 (115th Con-  
24         gress), the concurrent resolution on the budget for fiscal  
25         year 2018.

1 **DIVISION B—ADDITIONAL EMERGENCY**  
2 **APPROPRIATIONS FOR CORONAVIRUS**  
3 **RESPONSE**

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

## 1           GENERAL PROVISIONS—THIS TITLE

2                           (INCLUDING TRANSFER OF FUNDS)

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

9           SEC. 102. Funds appropriated by this Act under the  
10 heading “Department of Health and Human Services”,  
11 except for the amounts specified in the first and second  
12 provisos in the second paragraph under the heading “Pub-  
13 lic Health and Social Services Emergency Fund”, may be  
14 transferred to, and merged with, other appropriation ac-  
15 counts under the headings “Centers for Disease Control  
16 and Prevention”, “Public Health and Social Services  
17 Emergency Fund”, “Food and Drug Administration”, and  
18 “National Institutes of Health” to prevent, prepare for,  
19 and respond to coronavirus following consultation with the  
20 Office of Management and Budget: *Provided*, That the  
21 Committees on Appropriations of the House of Represent-  
22 atives and the Senate shall be notified 10 days in advance  
23 of any such transfer: *Provided further*, That, upon a deter-  
24 mination that all or part of the funds transferred from  
25 an appropriation by this Act are not necessary, such

1 amounts may be transferred back to that appropriation:  
2 *Provided further*, That none of the funds made available  
3 by this Act may be transferred pursuant to the authority  
4 in section 205 of division A of Public Law 116–94 or sec-  
5 tion 241(a) of the Public Health Service Act.

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

## 22

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

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

13 DISASTER LOANS PROGRAM ACCOUNT

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

23 EMERGENCY EIDL GRANTS

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

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

9

## TITLE III

10

## GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

18                                           BUDGETARY EFFECTS

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

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



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

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

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