



**COVID-19 Legislative Action Comparison - April 27, 2020**

Areas of Interest	Phase 2- <u>Families First Coronavirus Response Act</u>	Phase 3- <u>Coronavirus Aid, Relief, and Economic Security Act or CARES Act</u>	Phase 3.5 - <u>Paycheck Protection Program and Health Care Enhancement Act</u>
	Status: PASSED and Signed into Law	Status: PASSED and Signed into Law	Status: PASSED and Signed into Law
Child Care		<p align="center"><b>DIVISION B—Emergency Appropriations For Coronavirus Health Response and Agency Operations</b></p> <p align="center"><b>TITLE VIII - Department of Health and Human Services</b></p> <p><b>Child Care Development Block Grant (\$3.5 billion).</b> Funds may be used to support providers due to decreased enrollment, continue to pay staff salaries, and to provide child care assistance to health care sector employees, emergency responders, sanitation workers, and other workers deemed essential during the response to the coronavirus without regard to the income eligibility requirement.</p>	

**Title IX – Legislative Branch**

Unspecified funding for Senate Employees Child Care Center, House Child Care Center, GAO child care center. And \$700,000 for the reimbursement costs for the staff of the Library of Congress' child care center.

**DIVISION B**

**Title II – Departments of Commerce, Justice, Science, and Related Agencies**

**Economic Development Administration (EDA) (\$1.5 billion).** Directs funds for economic adjustment assistance to help revitalize local communities after the pandemic. EDA assistance can be used to help rebuild impacted industries, capitalize local funds to provide low-interest loans to businesses of all sizes, and support other locally-identified priorities for economic recovery.

<p><b>Head Start</b></p>		<p><b>DIVISION B</b></p> <p><b>Title VIII – Departments Health and Human Services</b></p> <p><b>Head Start (\$750 million).</b> Helps Head Start programs respond to the needs of children and families related to coronavirus and allows some of those funds to be used to operate supplemental summer programs through existing grantees.</p>	
<p><b>Small Business Administration</b></p>		<p><b>DIVISION A</b></p> <p><b>TITLE I—Keeping American Workers Paid and Employed Act</b></p> <p>This legislation includes various opportunities for loans and grants for small businesses. Among other changes to SBA loans, this expands eligibility for small businesses to include 501(c)(3) nonprofits and those who are self-employed or independent contractors.</p> <p><b>TITLE II—Assistance for American Workers, Families, and Businesses</b></p> <p><b>Subtitle C – Business Provisions</b></p> <p><b>Sec. 2302.</b> Allows employers and</p>	

		<p>self-employed individuals to defer payment of the employer share of the Social Security tax they otherwise are responsible for paying to the federal government with respect to their employees. Employers generally are responsible for paying a 6.2% Social Security tax on employee wages. The provision requires that the deferred employment tax be paid over the following two years, with half of the amount required to be paid by December 31, 2021 and the other half by December 31, 2022.</p>	
<p><b>Access to Capital</b></p>		<p style="text-align: center;"><b>DIVISION A</b></p> <p style="text-align: center;"><b>TITLE I—Keeping American Workers Paid and Employed Act</b></p> <p><b>Sec. 1102.</b> Establishes the maximum 7(a) loan amount to \$10 million through December 31, 2020 and provides a formula by which the loan amount is tied to payroll costs incurred by the business to determine the size of the loan.</p> <p><b>SBA Express Loans.</b> Increased maximum to SBA Express Loans to \$1 million which provide borrowers with credit for working capital purposes.</p> <p>Increases the government guarantee of</p>	

		<p>7(a) loans to 100% through December 31, 2020.</p> <p><b>Small Business Debt Relief (\$17 billion).</b> SBA will pay all principal, interest, and fees on all existing SBA loan products (including 7(a), Community Advantage, 504, and Microloan programs), for six months to provide relief to small businesses negatively affected by COVID-19.</p> <p style="text-align: center;"><b>DIVISION B</b></p> <p style="text-align: center;"><b>TITLE V - Financial Services and General Government</b></p> <p><b>\$562 million to help small businesses</b> by ensuring SBA has the resources to provide Economic Injury Disaster Loans (EIDL) to businesses that need financial support.</p> <p style="text-align: center;"><b>DIVISION A</b></p> <p style="text-align: center;"><b>TITLE I—Keeping American Workers Paid and Employed Act</b></p> <p><b>Sec. 1110. Emergency Economic Injury Disaster Loans (EIDL) Grants (\$10 billion).</b> Expands eligibility for entities suffering economic harm because of COVID-19 to include sole</p>	<p style="text-align: center;"><b>DIVISION B—ADDITIONAL EMERGENCY APPROPRIATIONS FOR CORONAVIRUS RESPONSE</b></p> <p style="text-align: center;"><b>TITLE II—Independent Agencies Small Business Administration</b></p> <p>Includes an additional \$50 billion for the Disaster Loans Program Account. The</p>
--	--	---	--

		<p>proprietors and private nonprofits, while also giving SBA more flexibility to process and disperse small dollar loans. Businesses would be able to apply for expedited access to capital through an Emergency Grant, \$10,000 advance within three days to maintain payroll, provide sick leave, and service other debt obligations.</p>	<p>Disaster Loans Program allows non-farm businesses, private nonprofits, homeowners, and renters to access capital to repair damage as a result of a declared disaster.</p> <p>Includes an additional \$10 billion for Emergency Economic Injury Disaster (EIDL) Grants.</p>
Forgiveness		<p style="text-align: center;"><b>DIVISION A</b></p> <p style="text-align: center;"><b>TITLE I—Keeping American Workers Paid and Employed Act</b></p> <p><b>Sec. 1106.</b> Outlines how SBA loans can be forgiven, which cannot exceed 100% of loan and is tied to employee retention during the loan period. Also, makes rent, mortgage, and utility costs eligible for SBA loan forgiveness.</p>	
Paycheck Protection		<p style="text-align: center;"><b>DIVISION A</b></p> <p style="text-align: center;"><b>TITLE I—Keeping American Workers Paid and Employed Act</b></p> <p><b>Sec. 1102. Paycheck Protection Program (\$350 billion).</b> A new loan program to help small businesses survive this time and incentivize them to maintain employment levels. This program is for small employers with 500</p>	<p style="text-align: center;"><b>DIVISION A—SMALL BUSINESS PROGRAMS</b></p> <p><b>Sec. 101. Amendments to the Paycheck Protection Program, Economic Injury Disaster Loans, and Emergency Grants.</b> Increases the appropriation level for the Paycheck Protection Program by \$310 billion and creates a set-aside for PPP loans to be made by certain institutions as follows:</p>

employees or fewer (per location) as well as employers who meet current Small Business Administration (SBA) size standards. Additionally, self-employed individuals and 501(c)(3) nonprofits, among others, would be eligible. The size of the loan would be equal to 250% (about ten weeks) of an employer's average monthly payroll, with a \$10 million maximum. Covered payroll costs include, but are not limited to, salary, wages, health care benefits, insurance premiums, and covered leave. There will be automatic deferment of payments for one year and no repayment penalties. This loan program will be available immediately through existing SBA-certified lenders and will bring additional lenders into the program. This loan could then be forgiven for up to eight weeks of payroll, rent, utilities, and other essential operating expenses. Forgiveness would be reduced proportionally to any layoffs, as well as any reductions in salary above 25%. This program also provides incentives to rehire workers who may have already been laid off.

**TITLE II—Assistance for American Workers, Families, and Businesses**

- \$30 billion for loans made by Insured Depository Institutions and Credit Unions that have assets between \$10 billion and \$50 billion; and
- \$30 billion for loans made by Community Financial Institutions, Small Insured Depository Institutions, and Credit Unions with assets less than \$10 billion.

Note: Community Financial Institutions are defined in the bill as minority depository institutions, certified development companies, microloan intermediaries, and State or Federal Credit Unions.

		<p align="center"><b>Subtitle C – Business Provisions</b></p> <p><b>Sec. 2301.</b> Provides a refundable payroll tax credit for 50% of wages paid by employers, up to \$10,000 per employee, to employees during the COVID-19 crisis if an employer’s operations or gross receipts were impacted by the crisis.</p>	
<p>Entrepreneurial Assistance</p>		<p align="center"><b>DIVISION A</b></p> <p align="center"><b>TITLE I—Keeping American Workers Paid and Employed Act</b></p> <p><b>Sec. 1103. Entrepreneurial development (\$265 million).</b> These funds will provide grants to SBA resource partners such as the Small Business Development Centers, Women’s Business Center. These partners provide counseling, training, and related assistance to small businesses. The program’s non-federal match is waived.</p> <p><b>Sec. 1108. Minority Business Development Agency (\$10 million).</b> These funds will be available for the Minority Business Development Agency to provide services through Minority Business Centers and Minority Chambers of Commerce. The</p>	



		<p>program’s non-federal match is waived for three months and centers can waive fee-for-service requirements through September 2021.</p>	
<p><b>Supports for Mid-Sized Businesses</b></p>		<p><b>TITLE IV—Economic Stabilization and Assistance to Severely Distressed Sectors Of The United States Economy</b></p> <p><b>Subtitle A—Coronavirus Economic Stabilization Act of 2020</b></p> <p><b>Sec. 4003.</b> Provides \$500 billion to the Treasury’s Exchange Stabilization Fund to provide loans, loan guarantees, and other investments to states, municipalities, and “eligible businesses,” which is defined to include a business that has not otherwise received adequate economic relief in the form of loans or loan guarantees provided under the CARES Act. Pursuant to this section, Treasury will endeavor to implement a special program or facility to target nonprofit organizations and businesses with between 500 and 10,000 employees. Loans would have an interest rate of no more than 2% and no principal or interest would be due for at least the first six months of the loan. Among other conditions, funds must be used to retain at least 90% of the</p>	

		<p>recipient’s workforce, with full compensation and benefits, through September 30, 2020. Additionally, the recipient is prohibited from outsourcing jobs and from abrogating existing collective bargaining agreements for the term of the loan plus an additional two years. Recipients must also remain neutral in any union organizing effort for the term of the loan. These loans cannot be forgiven.</p>	
<b>Paid Leave</b>		<p><b>DIVISION A</b></p> <p><b>Sec 3605. Paid Leave for Rehired Employees.</b> Allows employees laid off not earlier than March 1, 2020 to access paid family and medical leave if rehired when they had worked for the employer for not less than 30 of the last 60 calendar days prior to the layoff.</p>	
Tax Credit Offset	<p><b>DIVISION E—Emergency Paid Sick Leave Act</b></p> <p><b>Sec. 5102 - 5111.</b> Establishes a 100% refundable tax credit for small and medium size businesses (under 500 employees) to provide paid sick leave to employees affected by COVID-19 who are unable to work or telework and meet one of the specified conditions</p>	<p><b>DIVISION A</b></p> <p><b>Subtitle C—Labor Provisions</b></p> <p><b>Sec. 3601.</b> Clarifies an employer is not required to pay more than \$200 per day and \$10,000 in the aggregate for each employee for paid leave.</p> <p><b>Sec. 3602.</b> Specifies an employer is not required to pay more than either \$511 per day (\$5110 in the aggregate) when</p>	

	<p>Paid leave for employees who are quarantined or being tested for COVID-19 is calculated based on regular compensation with a \$511 daily cap</p> <p>Paid leave for employees who are caring for someone because of COVID-19 or are included in the catch-all category is <math>\frac{2}{3}</math> of regular compensation with a \$200 daily cap</p> <p><b>DIVISION C—Emergency Family and Medical Leave Expansion Act</b>  <b>Sec. 3102 - 3106.</b> Establishes a 100% refundable tax credit for small and medium-size businesses (under 500 employees) to provide paid family leave to employees who are unable to work or telework and are caring for a child if the school or place of care has been closed, or the child care provider is unavailable due to COVID-19 precautions</p> <p>Eligible full-time employees can receive leave pay at a rate not less than <math>\frac{2}{3}</math> of their regular pay with \$200 daily cap</p> <p><b>Sec. 7002. Credit Against Self-Employment Tax.</b> In the case of</p>	<p>the employee is taking leave due to quarantine or isolation order or is experiencing COVID-19 symptoms and seeking a diagnosis OR \$200 per day (\$2000 in the aggregate) when the employee is taking leave to care for an individual in quarantine or isolation or for the employee’s child due to school closure or lack of child care.</p> <p><b>Sec. 3606.</b> Allows employers to receive an advance tax credit from Treasury instead of having to be reimbursed on the back end.</p>	
--	--	---	--

	<p>an eligible self-employed individual, there would be allowed paid leave as a credit against the tax imposed by subtitle A of the Internal Revenue Code of 1986 for any taxable year an amount equal to the qualified sick leave equivalent amount with respect to the individual.</p> <p><b>Sec. 7004. Credit for Family Leave for Certain Self-Employed Individuals.</b> In the case of an eligible self-employed individual, there shall be allowed as a credit against the tax imposed by subtitle A of the Internal Revenue Code of 1986 for any taxable year an amount equal to 100% of the qualified family leave equivalent amount with respect to the individual.</p>		
<p><b>Unemployment</b></p>	<p><b>Sec. 4102. Emergency Transfers For Unemployment Compensation Administration.</b> Provides additional unemployment funding to states.</p>	<p><b>DIVISION A</b></p> <p><b>TITLE II—Assistance for American Workers, Families, and Businesses</b></p> <p><b>Subtitle A—Unemployment Insurance Provisions</b></p> <p><b>Sec. 2102. Pandemic Unemployment Assistance.</b> Creates a temporary</p>	

Pandemic Unemployment Assistance program through December 31, 2020 to provide payment to those not traditionally eligible for unemployment benefits (self-employed, independent contractors, those with limited work history, and others) who are unable to work as a direct result of the coronavirus public health emergency.

**Sec. 2103. Emergency Unemployment Relief for Governmental Entities and Nonprofit Organizations.** Provides payment to states to reimburse nonprofits, government agencies, and Indian tribes for half of the costs they incur through December 31, 2020 to pay unemployment benefits.

**Sec. 2104. Emergency Increase in Unemployment Compensation Benefits.** Provides an additional \$600 per week payment to each recipient of unemployment insurance or Pandemic Unemployment Assistance for up to four months.

**Sec. 2105. Temporary Full Federal Funding of the First Week of Compensable Regular Unemployment**

**for States with No Waiting Week.**

Provides funding to pay the cost of the first week of unemployment benefits through December 31, 2020 for states that choose to pay recipients as soon as they become unemployed instead of waiting one week before the individual is eligible to receive benefits.

**Sec. 2106. Emergency State Staffing Flexibility.**

Provides states with temporary, limited flexibility to hire temporary staff, rehire former staff, or take other steps to quickly process unemployment claims.

**Sec. 2107. Pandemic Emergency Unemployment Compensation.**

Provides an additional 13 weeks of unemployment benefits through December 31, 2020 to help those who remain unemployed after weeks of state unemployment benefits are no longer available.

**Sec. 2108. Temporary Financing of Short-Time Compensation Payments in States with Programs in Law.**

Provides funding to support “short-time compensation” programs, where employers reduce employee hours instead of laying off workers and the employees with reduced hours receive

a prorated unemployment benefit. This provision would pay 100% of the costs they incur in providing this short-time compensation through December 31, 2020.

**Sec. 2109. Temporary Financing of Short-Time Compensation**

**Agreements.** Provides funding to support states that begin “short-time compensation” programs. This provision would pay 50% of the costs that a state incurs in providing short-time compensation through December 31, 2020.

**Sec. 2110. Grants for Short-Time Compensation Programs.** Provides \$100 million in grants to states that enact “short-time compensation” programs to help them implement and administer these programs.

**Sec. 2111. Assistance and Guidance in Implementing Programs.** Requires the Department of Labor to disseminate model legislative language for states, provide technical assistance, and establish reporting requirements related to “short-time compensation” programs.

<p><b>Education Stabilization</b></p>		<p><b>TITLE VIII – Departments of Labor, Health and Human Services, Education And Related Agencies</b></p> <p><b>Department of Education, Education Stabilization Fund (\$30.75 billion).</b> Includes funds for grants to provide emergency support to local school systems and higher education institutions to continue to provide educational services to their students and support the on-going functionality of school districts and institutions.</p> <p>Designates \$3 billion for Governors in each state to allocate at their discretion for emergency support grants to local educational agencies that the State educational agency deems have been most significantly impacted by coronavirus.</p> <p>Designates \$14.25 billion for higher education emergency relief for institutions of higher education to prevent, prepare for, and respond to coronavirus. Funds may be used to defray expenses for institutions of higher education, such as lost revenue, technology costs associated with a transition to distance education, and grants to students for food, housing, course materials, technology, health</p>	
---------------------------------------	--	---	--



		care, and child care.	
<b>Tax Code</b>		<p style="text-align: center;"><b>DIVISION A</b></p> <p style="text-align: center;"><b>TITLE II—Assistance for American Workers, Families, and Businesses</b></p> <p style="text-align: center;"><b>Subtitle C— Business Provisions</b></p> <p><b>Sec. 2303.</b> Relaxes the limitations on a company’s use of losses. Net operating losses (NOL) are currently subject to a taxable-income limitation, and they cannot be carried back to reduce income in a prior tax year. The provision provides that an NOL arising in a tax year beginning in 2018, 2019, or 2020 can be carried back five years. The provision also temporarily removes the taxable income limitation to allow an NOL to fully offset income.</p> <p><b>Sec. 2304.</b> Modifies the loss limitation applicable to pass-through businesses and sole proprietors, so they can utilize excess business losses and access critical cash flow to maintain operations and payroll for their employees.</p> <p><b>Sec. 2305.</b> Accelerates the ability of companies to recover corporate alternative minimum tax (AMT)</p>	

		<p>(repealed as part of the Tax Cuts and Jobs Act, but corporate AMT credits were made available as refundable credits over several years, ending in 2021), permitting companies to claim a refund now and obtain additional cash flow during the COVID-19 emergency.</p> <p><b>Sec. 2306.</b> Temporarily increases the amount of interest expense businesses are allowed to deduct on their tax returns, by increasing the 30% limitation to 50% of taxable income (with adjustments) for 2019 and 2020.</p>	
<p><b>Direct Financial Assistance</b></p>		<p><b>TITLE II—Assistance for American Workers, Families, and Businesses</b></p> <p><b>Subtitle B—Recovery Rebates &amp; Other Individual Provisions</b></p> <p><b>Sec. 2201.</b> Authorizes recovery rebates of \$1,200 for all individuals with adjusted gross income up to \$75,000 (\$112,500 for head of household) and \$2,400 for married couples with adjusted gross income up to \$150,000 who file a joint return. Amounts increase by \$500 for every child. Income is based on tax returns.</p> <p>Decreases the rebate amount by \$5 for each \$100 a taxpayer’s income exceeds</p>	

		<p>the phase-out threshold; completely phases-out for single filers with incomes exceeding \$99,000 (\$136,500 for head of household), and \$198,000 for joint.</p> <p><b>Sec. 2206. Exclusion for certain employer payments of student loans.</b> Enables employers to provide a student loan repayment benefit to employees on a tax-free basis. Under the provision, an employer may contribute up to \$5,250 annually toward an employee’s student loans, and such payment would be excluded from the employee’s income. The \$5,250 cap applies to both the new student loan repayment benefit as well as other educational assistance (e.g., tuition, fees, books) provided by the employer under current law. The provision applies to any student loan payments made by an employer on behalf of an employee after the date of enactment and before January 1, 2021.</p>	
<p><b>Nutrition Supports</b></p>	<p style="text-align: center;"><b>TITLE I</b></p> <p>\$500,000,000 in additional funding for the Special Supplemental Nutrition Program for Women, Infants, and Children program</p> <p style="text-align: center;"><b>TITLE II—COVID-19 Child Nutrition Response Act</b></p>	<p style="text-align: center;"><b>DIVISION B</b></p> <p style="text-align: center;"><b>TITLE I—Department of Agriculture</b></p> <p><b>Supplemental Nutrition Assistance Program (\$15.5 billion).</b> Provides additional funding to prevent, prepare for, and respond to coronavirus.</p>	

	<p><b>Sec 202 (b).</b> Provides waivers for food from the Child and Adult Care Food Program (CACFP), including Head Start providers, to be distributed in non-congregate care settings; also provided a similar waiver for school breakfast and lunch programs</p>	<p><b>Child Nutrition Programs (\$8.8 billion).</b> Provides additional funding to prevent, prepare for, and respond to coronavirus.</p> <p><b>The Emergency Food Assistance Program (TEFAP) (\$450 million).</b> Allows food banks to continue to assist those Americans most in need.</p> <p><b>Food Distribution Program on Indian Reservations (\$100 million)</b> to guarantee participants of SNAP on Indian Reservations receive food and will ensure the facilities have the capacity to meet increased needs.</p> <p><b>Nutrition assistance to Puerto Rico and the territories (\$200 million)</b> for food assistance is provided to Puerto Rico and the territories.</p> <p><b>TITLE VI— Department of Homeland Security</b></p> <p><b>FEMA.</b> Includes \$200 million for the Emergency Food and Shelter Program, which provides shelter, food, and supportive services through local service organizations.</p>	
<p><b>Community Services Block</b></p>		<p><b>DIVISION B—Emergency Appropriations For Coronavirus</b></p>	

<b>Grant</b>		<p align="center"><b>Health Response and Agency Operations</b></p> <p align="center"><b>TITLE VIII - Department of Health and Human Services</b></p> <p><b>Community Services Block Grant (\$1 billion).</b> To help communities address the consequences of increasing unemployment and economic disruption.</p>	
<b>Healthy Start Program</b>		<p align="center"><b>DIVISION A</b></p> <p align="center"><b>TITLE III—Supporting America’s Health Care System in the Fight Against the Coronavirus</b></p> <p><b>Sec. 3225. Healthy Start Program.</b> Reauthorizes the Healthy Start Program which supports maternal and infant health during the COVID-19 crisis.</p>	
<b>Home Visiting</b>	Currently Not Included		
<b>Family Violence Prevention Services</b>		<p align="center"><b>Title VIII – Departments OF Labor, Health and Human Services, Education And Related Agencies</b></p> <p><b>Family Violence Prevention Services (\$45 million)</b> to support families during this uncertain time, and to prevent and respond to family and domestic</p>	

		violence, including offering shelter and supportive services to those who need it.	
<b>Temporary Assistance to Needy Families (TANF)</b>		<p style="text-align: center;"><b>DIVISION A</b></p> <p style="text-align: center;"><b>PART III—Human Services and Other Health Programs</b></p> <p><b>Sec. 3824.</b> Extends the Temporary Assistance for Needy Families program through November 30, 2020, in the manner authorized for FY2019.</p>	
<b>Public Housing</b>		<p style="text-align: center;"><b>DIVISION B</b></p> <p style="text-align: center;"><b>Title XII—Transportation, Housing and Urban Development, and Related Agencies</b></p> <p><b>Department of Housing and Urban Development, Public Housing Operating Fund (\$685,000,000).</b> Directs funds to be used for expenses related to preventing, preparing for, and responding to coronavirus, including activities to support or maintain the health and safety of assisted individuals and families and activities to support education and child care for impacted families.</p>	

		<p><b>Community Development Block Grant (\$5 billion).</b> This includes: (1) \$2 billion for states and localities that received an allocation under the fiscal year 2020 CDBG formula; (2) \$1 billion in direct funding to states to support a coordinated response across entitlement and non-entitlement communities; and (3) \$2 billion for states and localities based on the prevalence and risk of COVID-19, as well as related economic and housing disruptions.</p>	
--	--	---	--