



JSCVR PROPOSED LEGISLATIVE CONCEPTS: CROSSWALK WITH FEDERAL ACTION

Prepared for: Joint Special Committee on Coronavirus Response (JSCVR)

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SUMMARY

The following information compares the policy proposals considered by Oregon's Joint Special Committee on Coronavirus Response ([JSCVR](#)) with key federal action. Discussion and action on this topic at the state and federal levels are continuing to evolve; this crosswalk includes federal legislative action through March 27, 2020. Please feel free to contact the Legislative Policy and Research Office at 503-986-1813 or LPRO.Request@oregonlegislature.gov for further analysis or to answer specific questions about this overview.

Table 1 lists the [policy proposals](#) considered by the Joint Committee, cross-walking them with recent federal legislation or other federal action related to COVID-19. A circle indicates recent Congressional or other federal action. For each policy proposal category in which there is recent federal policy, click on the individual JSCVR proposal to access additional information.

One item of general interest that crosses over all committee proposals is contained in the third federal stimulus bill, HR 748. Division A, Title V, Section 5001 establishes a \$150 billion Coronavirus Relief Fund for the Secretary of the Treasury to make payments for COVID-19 response efforts to states, tribal governments, and local governments with populations of 500,000 or more.

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Table 1: Policy Proposals Considered by the Joint Special Committee on Coronavirus Response and Related Federal Action

JSCVR Proposal	HR 6074	HR 6201	HR 748, CARES Act	Other Federal Action
Stability for Working Families (page 5)				
1: Moratorium on all evictions			●	●
2: Increase access to rental and mortgage assistance			●	
3: Support and flexibility for DHS to expedite SNAP benefits		●	●	●
4: Support for food banks		●		
9: Amend definition to cover leave for parents during statewide public health emergencies		●	●	
Other support for working families			●	
Health Care System (page 10)				
11: Eliminate out-of-network status for COVID-19	●	●	●	●
40: Prohibition on new bed taxes for hospitals				
Other support for health care system			●	
Short Term Employer Support (page 19)				
17: Direct OED to spread UI rate increase				
19: Repurpose Business Oregon funds to provide direct relief for certain sectors			●	
24: Regulatory Relief: pause non-essential rulemaking				
38: Extend payment deadlines			●	
33: Prohibit commercial and residential foreclosures for duration of declaration			●	●
Small business loans and other support for employers			●	

JSCVR Proposed Legislative Concepts: Crosswalk with Federal Action

JSCVR Proposal	HR 6074	HR 6201	HR 748, CARES Act	Other Federal Action
For Immediate Action (page 31)				
26: CAT tax – redraft HB 4009, delay implementation of CAT tax by one quarter			?	
27: Fund for those ineligible for UI	●		●	●
29: Supervision of physician assistants – can practice without supervision during declaration				
31: Homeless Shelters – time-limited super siting (HB 4001)			●	
5: Assistance to utilities for low-income households and small businesses			●	
10: Support for community partners for outreach/basic needs			●	
28: Homelessness response – assistance to self-quarantine in hotels			●	
30: Forbearing mortgage payments for 90 days			●	●
34: Transient lodging tax flexibility				
36: HS Diplomas – allow seniors to graduate with credit they have			?	
42: Training requirements, extensions on licensing			●	
43: Maximize workforce				●
44: Financial relief for specific sectors			●	
45: Additional incentives for businesses				
46: Rent Relief			●	
47: Stability of UI Fund			●	

STABILITY FOR WORKING FAMILIES

JSCVR Proposal 1: Moratorium on all evictions

- HR 748 Division A, Title IV, Sections 4022-4024:
 - Section 4022: Prohibits servicers of federally backed mortgages, as defined, from initiating any foreclosure process until approximately May 18, 2020, except with respect to vacant or abandoned property.

Allows borrowers with federally backed mortgages, experiencing hardship due to the current emergency to request forbearance from January 31, 2020 until 120 days after the current emergency is terminated, regardless of delinquency status. Requires forbearance be granted for up to 180 days and extended for up to 180 days at borrower's request so long as request is made within certain time frame, and borrower also requested shortening either the initial or the extended period of forbearance. Prohibits fees, penalties, or interest beyond original contract terms as if no disruption occurred.
 - Section 4023: Allows multifamily borrowers with federally backed mortgages, experiencing hardship due to current emergency to request forbearance between March 24, 2020 and the date the current emergency is terminated or December 31, 2020, whichever is earlier. Requires payments be current as of February 1, 2020. Requires servicer to document financial hardship and to forebear up to 30 days, and to extend up to two additional 30-day periods at borrower's request so long as the request is made within certain time frame. Prohibits multifamily borrower in receipt of forbearance, for the duration of forbearance, from: evicting tenants in the subject property solely for nonpayment of financial obligations; charging any additional moneys for late rent; requiring tenants to vacate before 30 days have lapsed from when tenant was notified to vacate; and issuing notices to vacate before the period of forbearance expires.
 - Section 4024: Prohibits landlords with federally backed mortgages and multifamily mortgages from doing any of the following, from March 25, 2020 through approximately July 25, 2020: initiating any action to recover possession from tenants for nonpayment of financial obligations; charging fees or penalties; requiring tenants to vacate before 30 days have lapsed from when the tenant was notified; and issuing notices to vacate.

- Other federal action:
 - Department of Housing and Urban Development (HUD) [suspended evictions and foreclosures for the next 60 days](#); applies to homeowners of single-family homes with mortgages insured by the Federal Housing Administration (FHA); prevents new foreclosure actions and suspends all foreclosure actions currently in process.
 - The Federal Housing Finance Agency (FHFA) provided payment forbearance to borrowers with enterprise-backed mortgages impacted by COVID-19 for up to 12 months due to hardship. FHFA has established a website with information for borrowers. Borrowers will not incur late fees and there will be no delinquencies on their credit histories.

JSCVR Proposal 2: Increase access to rental and mortgage assistance

- HR 748 Division B, Title XII, Dept of Housing and Urban Development section provides:
 - \$1.25 billion in tenant-based rental assistance: \$850 million for Section 8, \$400 million for adjustments in Section 8 renewal;
 - \$685 million distributed to public housing agencies pursuant to the operating fund formula at part 990 of Title 24 of the Code of Federal Regulations;
 - \$300 million for Native American housing assistance;
 - \$65 million for people with AIDS;
 - \$5 billion for the Community Development Fund and an additional \$1 billion for states;
 - \$1 billion in project-based rental assistance;
 - \$50 million for elderly housing; and
 - \$15 million for housing for people with disabilities.

JSCVR Proposal 3: Support and flexibility for DHS to expedite SNAP benefits

- HR 6201:
 - Provides \$500 million additional allocation to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), added flexibility for school nutrition programs, WIC, and the Supplemental Nutrition

Assistance Program (SNAP). Waives work requirement for SNAP, allows states with declared emergency to request additional funding. Does not allow increase in individual benefits but allows for more families to enroll. Lifts certain limits on eligibility. Allows provision of meals to any household in which at least one student is eligible. Allows waivers from certain federal requirements for National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, Summer Food Service Program, and WIC.

- Allocates \$250 million to nutrition services for the elderly, including \$160 million for home-delivered nutrition, \$80 million for congregate care nutrition services, and \$10 million for Native communities.
- HR 748 Division A, Title III, Section 3222:
 - For purposes of nutrition assistance and delivery to older Americans in an emergency: allows state agency or area agency on aging to exercise discretion over up to 100 percent of specified funds appropriated under certain provisions of Older Americans Act; treats persons practicing social distancing the same as persons homebound due to illness; and authorizes Secretary to waive certain dietary guidelines for certain meals.
- HR 748 Division B, Title I allocates \$15.8 billion to SNAP:
- Other federal action: The US Department of Agriculture (USDA) announced [feeding program](#) partnership in response to COVID-19: plans to deliver 1 million meals per week to students in rural schools closed due to COVID-19.

JSCVR Proposal 4: Support for food banks

- HR 6201 allocated \$400 million for the Commodity Assistance Program within the Emergency Food Assistance Program.

JSCVR Proposal 9: Amend definition to cover leave for parents during statewide public health emergencies

- HR 6201: Requires businesses with fewer than 500 employees, as well as all state and local governments, to provide family medical leave and paid sick leave. Provides tax credits for private employers who give paid sick leave and paid family medical leave. Provides credits for employers and for certain self-employed individuals. Does not impact the Family Medical Leave Act (FMLA) or Oregon Family Leave Act (OFLA).

- HR 748, Division A, Title III, Sections 3601-3611 enact limits on the leave requirements enacted in HR 6201:
 - Section 3601: Provides that an employer is not required to pay more than \$200 per day and \$10,000 in the aggregate for each employee for paid leave under 1993 FMLA as amended by Emergency Family and Medical Leave Expansion Act (Division C of Families First Coronavirus Response Act (FFCRA)).
 - Section 3602: Amends the Emergency Paid Sick Leave Act (Division E of FFCRA). Limits an employer to pay no more than:
 - \$511 per day and \$5,110 in the aggregate for each employee (1) subject to a federal, state, or local quarantine or isolation order related to COVID-19; (2) that has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or (3) is experiencing symptoms of COVID-19 and seeking medical diagnosis.
 - \$200 per day and \$2,000 in the aggregate for each employee taking leave for (1) caring for an individual who is subject to a federal, state, or local quarantine order, or is caring for an individual who has been advised to self-quarantine due to concerns related to COVID-19; (2) caring for the employee's son or daughter, if the child's school or childcare facility has been closed or the child's care provider is unavailable due to COVID-19 precautions; or (3) if the employee is experiencing any other substantially similar condition specified by HHS in consultation with the Department of the Treasury and the Department of Labor.
 - Section 3604: Amends the 1993 FMLA and FFCRA and Emergency Paid Sick Leave Act (Division E of FFCRA) to allow the Director of the Office of Management and Budget (OMB) authority to exclude certain employees of the federal government or exempt certain federal agencies from the requirements.
 - Section 3605: For purposes of public health emergency leave under the Emergency Family and Medical Leave Expansion Act (Division C of FFCRA), defines "eligible employee" as someone who has been employed at least 30 days and "employed for at least 30 calendar days" includes an employee who was laid off by that employer not earlier than March 1, 2020, has worked for the employer for at least 30 of the last 60 calendar days prior to the layoff, and was rehired by the employer.
 - Section 3606: Amends the payroll credit for required paid sick leave in sections 7001 and 7003 (Division E) of the FFCRA and allows the waiving of any penalty for failing to make a deposit of the imposed tax if it was due to the anticipation of the tax credit.

- Section 3610: Allows funds to be used by federal agency to modify contracts to reimburse up to an average of 40 hours per week any paid leave, including sick leave, that a contractor provides to keep its employees or subcontractors, where those employees or subcontractors cannot perform work on approved sites due to facility closures or other restrictions and who cannot telework.
- Section 3611: Makes other related technical corrections.

Other support for working families

- HR 748, Division A, Title III, Subtitle E, section 3824 extends TANF through November 30, 2020. Temporary Assistance for Needy Families (TANF) was last reauthorized in 2005 and expired in 2010. It has since been funded through short-term extensions. The CARES Act extends TANF through November 30, 2020.

HEALTH CARE SYSTEM

JSCVR Proposal 11: Eliminate out-of-network status for COVID-19

- HR 6074 gives Secretary the authority to temporarily waive or modify application of Medicare requirements with respect to telehealth services during a declared emergency.
 - [Fact Sheet](#) on new Medicare telemedicine flexibilities
- HR 6201 allocates \$1.2 billion for COVID-19 testing. Prohibits commercial health plans, insurers, Medicare, Medicaid, CHIP, and Medicare Advantage from charging or cost-sharing for COVID-19 testing and related items.
 - Provides state eligibility for 6.2% increase in Medicaid federal medical assistance percentage (FMAP). Applies to regular FMAP, not Medicaid expansion rates. Provides 100% FMAP to cover COVID-19 testing costs for uninsured individuals not eligible for Medicaid or Affordable Care Act (ACA) coverage.
 - Requires that personal respiratory protective devices are covered countermeasures.
- HR 748 Title III, Sections 3201-3203 (coverage):
 - [Section 3201](#): Modifies Families First Coronavirus Response Act provisions governing coverage of in vitro test.
 - [Section 3202](#): Requires certain plans to reimburse providers at rates specified: if negotiated prior to emergency, rate shall apply throughout declaration; if no negotiated rate, an amount that equals the cash price for such service as listed by the provider on a public website or negotiated for less. Requires providers to disclose test price on website during emergency. Authorizes HHS Secretary to impose \$300-per-day penalty for noncompliance.
 - [Section 3203](#): Directs Health and Human Services, Labor, and Treasury Secretaries to require specified health insurance to cover any qualifying coronavirus prevention service without cost-sharing within 15 days (by approximately April 9, 2020).
- Other federal action:
 - The Food and Drug Administration ([FDA](#)) [allowed expanded use of devices to monitor vital signs remotely](#).

- The Center for Medicare and Medicaid Services (CMS) issued telehealth toolkits for [General Practitioners](#) and [End Stage Renal Disease providers](#).
- CMS also issued [guidance to PACE programs](#).

JSCVR Proposal 40: Prohibition on new bed taxes for hospitals

- None.

Other support for health care system

- HR 748 Division A, Title III:

Addressing Supply Shortages

- Section 3101: Directs Secretary of Health and Human Services (Secretary) to enter into agreement with National Academies within 60 days of passage of Act to examine and report on medical product supply chain as specified.
- Section 3102: Adds certain medical supplies to Strategic National Stockpile, including personal protective equipment, ancillary medical supplies, and other supplies required for the administration of drugs, vaccines, and other biological products, medical devices, and diagnostic tests.
- Section 3103: Expands items treated as covered countermeasures in Public Health Services Act to include approved respiratory protective devices.
- Section 3111: Refines provisions of Federal Food, Drug, and Cosmetic Act governing incentives to prioritize reviews of drug applications.
- Section 3112: Adds to drug manufacturer reporting requirements information about active pharmaceutical drugs in supply chain, including: discontinuance or interruption of drug likely to disrupt supply, reasons for same, alternatives, expected duration, and associated devices. Requires specified risk management planning by drug manufacturers. Requires Secretary to report to Centers for Medicare and Medicaid Services on drugs on current drug shortage list within 180 days of passage and every 90 days thereafter. Requires Food and Drug Administration (FDA) be informed, with respect to manufacture of specified drugs, whether drug has been listed on drug shortage list within preceding 5 years. Requires annual reports to Secretary regarding amounts of specified drugs, and reports at Secretary's discretion following declaration of emergency. Provides Secretary with discretion to exclude certain regulated biological products.

- Section 3121: Requires Secretary to be notified of permanent discontinuance of manufacture of certain critical devices likely to disrupt supply chain and reasons for same, at least six months in advance or as soon as practicable. Directs Secretary to distribute information. Specifies enforcement and process. Authorizes Secretary to conduct corresponding inspections/reviews concerning potential device shortage. Establishes device shortage list and specifies content.

Access to Health Care for COVID-19 Patients (See also Section 3201-3203 for [Proposal #11](#) above)

- Section 3211: Appropriates \$1.32 billion in fiscal year (FY) 2020 for supplemental awards for health centers to detect SARS-CoV-2 and prevent, diagnose, and treat COVID-19.
- Section 3212: Refines provisions governing telehealth-related grant programs. Replaces "mental health" with "mental health and substance use disorder" throughout; clarifies that at least 50 percent of awarded funds are for rural projects; reduces a percentage amount from 40 to 20 percent in subparagraphs pertaining to equipment; requires report on grant programs to specified committees within four years of passage; changes amount to \$29 million for each fiscal year from 2021 through 2025.
- Section 3213: Refines provisions governing grant programs for rural health care outreach services, network development, and quality improvement for small providers. Authorizes awards for up to five years. Requires Secretary to report to specified committees within four years of passage and every five years thereafter. Changes amount to \$79.5 million for each fiscal year from 2021 through 2025.
- Section 3214: Refines provisions updating U.S. Public Health Service. Clarifies that Ready Reserve Corps is available in public health emergency. Changes references to Reserve Corps to Ready Reserve Corps throughout. Adds Regular Reserve Corps everywhere Regular Corps is referenced.
- Section 3215: Limits liability for volunteer health care professionals providing good faith care within scope of licensure specific to COVID-19 response, unless not sober at the time services are rendered. Pre-empts state unless state provides greater protection. Incorporates provisions into Volunteer Protection Act. Effective on passage for duration of emergency.
- Section 3216: Authorizes Secretary discretion to assign National Health Service Corps members to respond during emergency within the terms of their agreement under certain conditions.

- Section 3221: Makes conforming changes in Public Health Services Act and elsewhere concerning confidentiality around substance use disorders.
- Section 3222: For purposes of nutrition assistance and delivery to older Americans in an emergency: allows state agency or area agency on aging to exercise discretion over up to 100 percent of specified funds appropriated under certain provisions of Older Americans Act; treats persons practicing social distancing the same as persons homebound due to illness; and authorizes Secretary to waive certain dietary guidelines for certain meals.
- Section 3223: Authorizes Secretary of Labor to: extend duration of older Americans' pre-existing participation in community service activities interrupted or suspended by emergency; increase the participation cap; and increase the amount available to pay administrative costs for certain projects.
- Section 3224: Directs Secretary to issue guidance on sharing protected health information with respect to COVID-19 for duration of emergency, within 180 days of enactment, as specified.
- Section 3225: Refines provisions reauthorizing Healthy Start. Appropriates \$125.5 million for each fiscal year 2021 through 2025; permits certain additional information to be included in evaluations; requires independent evaluation by Comptroller General be submitted to appropriate committees within four years of passage and describes reporting requirements.
- Section 3226: Requires Secretary to engage in national public awareness campaign for duration of emergency and support like outreach by health community, on importance of blood donation and safe blood supply. Describes corresponding scope of authority, consultation with other entities, and reporting requirements to specified committees within two years of enactment.

Innovation

- Section 3301: Prohibits termination of transactions entered into during emergency pursuant to Secretary's "other transaction authority" (OTA) solely due to emergency's end, if emergency ends before transaction is complete. Requires Secretary to report to specified committees at end of emergency on exercise of OTA.
- Section 3302: Directs applications for new drugs or for conditional approval of new drugs for zoonotic disease in animals, that may benefit prevention in humans, to be expedited at request of sponsor if certain criteria are met; allows sponsor to request priority designation as specified; requires

determinations to be made within 60 days; and describes discretionary actions to expedite development.

Health Care Workforce

- Section 3401: Appropriates amounts for reauthorization of specified workforce training programs for health professions for fiscal years from 2021 to 2025 and requires report by September 30, 2023, and at least every five years thereafter to specified committees.
- Section 3402: Directs Secretary to develop comprehensive plan in coordination with other agencies with respect to health care workforce development programs within one year of enactment. Specifies plan requirements and requires report to specified committees within two years of enactment.
- Section 3403: Modifies provisions of Public Health Services Act governing education relating to geriatrics. Directs Secretary to award funds to entities to establish and support training programs for health professionals in geriatrics for up to five years each. Specifies program requirements and activities. Directs Secretary with regard to prioritizing applications and programs with special consideration for entities that provide services in areas with a shortage of geriatric workforce professionals. Authorizes Secretary discretion to provide additional support to entities in areas of demonstrated need. Requires recipients to report certain information to Secretary at Secretary's discretion and for Secretary to report certain content to specified committees within four years of passage of Health Care Workforce Reauthorization Act and every five years thereafter. Directs Secretary to establish program to award grants of at least \$75,000 each in fiscal year 2021 and adjusted going forward according to consumer price index, for at least five years, to entities on behalf of individuals to promote and support career development of academic geriatrics health professionals; specifies eligibility and application requirements, equitable geographic distribution, and service requirements for recipients. Authorizes appropriation of \$40,737,000 for each fiscal year 2021 through 2025.
- Section 3404: Modifies provisions governing nursing workforce development to address national nursing needs and improve nursing workforce. Adds definition of Nurse Managed Health Clinic; clarifies that certain federal funds supplement existing nonfederal expenditures; refines requirements to address challenges related to distribution of nursing workforce, existing and predicted nursing shortages, increasing access to and quality of services in a variety of delivery settings; and authorizing Secretary's discretion to enter into contracts with public or private entities. Adds reporting requirement for Secretary to submit certain information to

specified committees by September 30, 2020, and biennially thereafter. Adds eligibility requirements for clinical nurse specialist programs. Appropriates \$137,837,000 for each fiscal year 2021 through 2025, and authorizes appropriation of \$117,135,000 for specified purpose for each fiscal year from 2021 through 2025. Adds provisions governing evaluation of and reporting on nurse loan reimbursement programs. Requires Comptroller General to evaluate nurse loan repayment programs administered by Health Resources and Services Administration; specifies content of evaluation. Requires Comptroller to report to specified committees within 18 months of enactment.

Medicare Provisions

- Section 3801: Extends until December 1, 2020, an adjustment to the Work GPCI (Geographic Practice Cost Index) to 1.000 for all localities that have a Work GPCI of less than 1.00 (increases payments for the work component of the Physician Fee Schedule in areas where labor costs are lower than the national average).
- Section 3802: Extends funding for Medicare quality measure endorsement, input, and selection to November 30, 2020.
- Section 3803: Extends funding for Medicare low-income enrollment outreach and assistance to November 30, 2020.

Medicaid Provisions

- Section 3811: Extends Money Follows the Person Rebalancing Demonstration Program to November 30, 2020.
- Section 3812: Extends spousal impoverishment protections to November 30, 2020 (allows states to disregard individuals' spousal income and assets when determining eligibility for Medicaid home and community-based services and supports).
- Section 3813: Delays scheduled disproportionate share hospital (DSH) reductions and reduces first reduction from \$8 billion to \$4 billion.
- Section 3814: Extends the community mental health services demonstration program (underway in eight states, including Oregon) through November 30, 2020, and directs the HHS Secretary to expand the program to two additional states. Authorizes the eight currently participating states to receive two years of an enhanced matching rate for program expenditures, beginning January 1, 2020; Requires the Government Accountability Office (GAO) to submit to Congress, no later than 18 months following the bill's enactment, a report on states' experiences with the

program, its effects on patient health and cost of care, and federal efforts to evaluate the program.

Over-the-Counter Drugs

- Section 3851: Reforms the regulatory process for over-the-counter (OTC) drug monographs by allowing the Food and Drug Administration (FDA) to approve changes to OTC drugs administratively, rather than going through a full notice and comment rulemaking. Incentivizes companies to create more innovative products by providing an 18-month market-exclusivity component that rewards a return on investment for new OTC drugs.
- Section 3852: Clarifies that an OTC drug that does not comply with the monograph requirements is misbranded.
- Section 3853: Clarifies that nothing in this bill will apply to drugs previously excluded by the FDA from the Over-the-Counter Drug Review under a specified Federal Register document.
- Section 3854: Clarifies that sponsors of sunscreen ingredients with pending orders have the option to see review in accordance with the Sunscreen Innovation Act or to see review under the new monograph review process.
- Section 3855: Requires an annual update to Congress regarding FDA's progress in evaluating certain pediatric indications for certain cough and cold monograph drugs for children under age six.
- Section 3856: Includes technical corrections to the Food and Drug Administration Reauthorization Act of 2017 and existing law.
- Section 3861: Declares that the fees paid pursuant to this section will be dedicated to FDA review of over-the-counter monograph drugs.
- Section 3862: Establishes a new FDA user fee to allow the agency to hire additional staff members to ensure there is adequate agency oversight to approve changes to OTC drugs.

Appropriations

- Division B, Title VII:
 - National Forest System: funds for baseline health testing for first responders
 - Wildland Fire Management: \$7 million for personal protective equipment and baseline health testing for first responders
 - Department of Health and Human Services: \$1 billion for Indian Health Services

- Agency for Toxic Substances And Disease Registry - Toxic Substances And Environmental Public Health - \$5 million for awards to Pediatric Environmental Health Specialty Units and state health departments to provide guidance and outreach on safe practices for disinfection for home, school, and daycare facilities.
- Division B, Title VIII:
 - Centers for Disease Control (CDC): \$4.3 billion, including: not less than \$1.5 billion 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; not less than \$125 million shall be allocated to tribes, tribal organizations, urban Indian health organizations, or health service providers to tribes.
 - National Institute of Health (NIH): additional funding to the National Heart, Lung, and Blood Institute (\$103 million), the National Institute of Allergy and Infectious Disease (\$706 million), the National Institute of Biomedical Imaging and Bioengineering (\$60 million), the National Library of Medicine (\$10 million), and the National Center for Advancing Translational Science (\$36 million) through September 2024. These allocations include funding for vaccine research facilities.
 - Substance Abuse and Mental Health Services - \$425 million, with \$250 million for Certified Community Behavioral Health Clinic Expansion Grant program; not less than \$50 million for suicide prevention programs; not less than \$100 million for activities authorized under section 501(o) of the Public Health Services Act; and not less than \$100 million for tribes and tribal organizations.
 - Centers for Medicare & Medicaid Services (CMS): \$200 million through September 2023 for program management specific to COVID-19 response; \$100 million dedicated to expenses related to a survey and certification program prioritizing nursing home facilities in localities with community transmission of COVID-19.
 - Public Health and Social Services Emergency Fund: \$27 billion funding for the development of necessary countermeasures and vaccines, prioritizing platform-based technologies with U.S.-based manufacturing capabilities, and the purchase of vaccines, therapeutics, diagnostics, and necessary medical supplies in quantities determined by the HHS Secretary to meet the public health need. Funding also provides support for medical surge capacity, addressing the 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.

- Also includes \$100 billion to reimburse eligible health care providers for expenses or lost revenues attributable to COVID-19.
- Also includes \$275 million to increase health system capacity through specific programs and rural health initiatives.

SHORT TERM EMPLOYER SUPPORT

JSCVR Proposal 17: Direct Oregon Employment Department to spread Unemployment Insurance (UI) rate increase

- None.

JSCVR Proposal 19: Repurpose Business Oregon funds to provide direct relief for certain sectors

- HR 748, Division A, Title IV, Sections 4001-4120 is not directly related to Business Oregon but provides support for the aviation industry, community banks, and credit unions.
 - Section 4003: Authorizes Secretary of Treasury (Secretary) to make loans, loan guarantees, and other investments up to \$500 billion total, to support eligible businesses, States, and municipalities, and to provide subsidy amounts for same. Directs up to:
 - \$25 billion for passenger air carriers and certain other eligible businesses;
 - \$4 billion for cargo air carriers;
 - \$17 billion for critical national security businesses; and
 - \$454 billion plus any unused amounts for programs or facilities established by the Federal Reserve System to provide liquidity as specified.

Describes general terms and conditions of instruments and Secretary's discretion. Requires Secretary to publish application process and minimum requirements as soon as practicable by approximately April 4, 2020. Authorizes Secretary to enter into agreements with eligible applicants if specified criteria are met, such as:

- applicant has no reasonably available credit;
- obligation is prudent;
- sufficient security exists;
- duration is as short as practicable and no longer than five years;
- applicant nor any affiliate is permitted to purchase equity security as specified, except pursuant to contract in effect on March 25, 2020, nor pay dividends or make capital contributions, until one year after the obligation is satisfied;
- applicant certifies it is U.S.-based, as specified; and
- operations are in jeopardy.

Describes equivalent terms, conditions, and other details, specific to Federal Reserve programs and facilities that provide direct loans, as defined. Requires eligible businesses to agree not to repurchase equity security as specified except pursuant to contract in effect on March 25, 2020, nor pay dividends or make capital distributions until one year after obligation is satisfied, and to comply with compensation limitations herein. Allows Secretary to waive such requirements upon finding of necessity to protect interests of federal government and requires testimony before certain committees if waiver granted. Requires obliged program or facility to purchase other interests, as specified, or make loans or other advances, only to U.S.-based businesses as described.

Directs the Secretary to seek implementation of program or facility that provides financing to banks and other lenders who make direct loans to eligible businesses including nonprofits with between 500 and 10,000 employees. Requires such loans be subject to annualized interest rate no higher than two percent per annum and not become due for six months or longer at Secretary's discretion. Required borrowers to certify in good faith that:

- loan is necessary to support operations;
- funds will be used to retain at least 90 percent of workforce at full compensation and benefits until September 30, 2020;
- borrower intends to restore at least 90 percent of February 1, 2020 workforce with compensation and benefits within four months of termination of current emergency;
- borrower is U.S.-domiciled or U.S.-based, as described;
- is not a bankruptcy debtor;
- will not pay dividends or repurchase equity security as specified, while direct loan is outstanding, unless pursuant to contract in effect on March 25, 2020;
- will not outsource jobs for duration of obligation and for two years after obligation is satisfied;
- will not abrogate existing collective bargaining agreements for term of loan and two years following repayment; and
- will remain neutral as to union organizing for term of loan.

Directs Secretary to seek implementation of program or facility that supports lending to states and municipalities.

Requires Secretary to secure warrant or equity interest or senior debt instrument in order to issue loan or guarantee to certain eligible businesses. Authorizes Secretary to take certain actions for primary benefit of taxpayer. Prohibits reduction of principal amount of certain obligations via loan forgiveness.

Caps Secretary's administrative costs at \$100 million; authorizes discretion to take action as necessary to carry-out provisions; authorizes delegation. Treats loans and guarantees as indebtedness for purposes of Internal Revenue Code; directs Secretary or delegate to prescribe guidance, including guidance that acquisition of certain instruments does not result in change of ownership for purposes of relevant provision of Internal Revenue Code.

- Section 4004: Requires certain loan and guarantee agreements to limit total compensation, as well as benefits at termination, paid to certain persons, from date of execution through one year after loan or guarantee is no longer outstanding, as follows:
 - amounts paid to earners of more than \$425,000 in 2019 calendar year, cannot exceed amounts paid to highest earner during the same calendar year, unless pursuant to collective bargaining agreement in effect prior to March 1, 2020; and
 - amounts paid to earners of more than \$3 million in 2019 calendar year cannot exceed that amount plus 50 percent of any amount in excess of that amount the same year, during any 12 consecutive - month period, for the duration of the agreement.
- Section 4005: Authorizes Secretary of Transportation discretion to require air carrier loan or guarantee recipients to maintain service to all points served by the respective carrier before March 1, 2020. Requires Secretary to consider specified factors when exercising discretion. Terminates discretion March 1, 2022.
- Section 4006: Requires Secretaries of Treasury and Transportation to coordinate.
- Section 4007: Suspends certain aviation excise taxes beginning after March 25, 2020 and ending before January 1, 2021.
- Section 4008: Modifies Dodd-Frank Act. Adds provision to approve the Federal Deposit Insurance Corporation (FDIC) to establish specified debt guarantee program so long as it and any corresponding guarantee expire by December 31, 2020. Requires inclusion of maximum amount of outstanding debt guaranteed. Permits National Credit Union Administration Board to increase share insurance coverage amount on any noninterest-bearing transaction account in any federally insured credit union by vote, so long as increase terminates by December 31, 2020.
- Section 4009: Allows Board of Governors of Federal Reserve System to conduct meetings without regard to specified requirements from March 24, 2020 through termination of current emergency or December 31, 2020, whichever is earlier, if Chairman makes written determination that exigent

circumstances exist. Requires record of all votes and reasons for same during specified period.

- Section 4010: Authorizes Secretary of Housing and Urban Development, Securities and Exchange Commission (SEC), and Commodity Futures Trading Commission to fill temporary and term appointments without regard to certain requirements upon determination that such action is necessary and appropriate to function, from March 25, 2020 through the end of the current emergency or December 31, 2020, whichever is earlier.
- Section 4011: Allows Comptroller of Currency to order transactions exempt from certain requirements upon finding that same is in the public interest and consistent with purposes of governing section, from March 25, 2020 through termination of current emergency or December 31, 2020, whichever comes earlier.
- Section 4012: Requires appropriate federal banking agencies to issue interim rule that Community Bank Leverage Ratio is eight percent and qualifying community banks falling below same have reasonable grace period to satisfy it, for purposes of specified section of Economic Growth, Regulatory Relief, and Consumer Protection Act for the period beginning on March 25, 2020 until the end of the current emergency or December 31, 2020, whichever is earlier. Allows subject qualifying community banks to continue to be treated as such and presumes they meet the relevant capital and leverage requirements.
- Section 4013: Allows financial institutions to suspend generally accepted accounting requirements for COVID-19 related loan modifications that would otherwise be considered troubled debt restructuring, and any determinations that such loans are troubled debt restructuring, including impairment for accounting purposes, for the term of the subject loan, unless loan or other arrangement was more than 30 days past due on December 31, 2019. Allows such suspensions from March 1, 2020 through December 31, 2020, or 60 days after the current emergency is terminated, whichever is earlier, and prohibits suspension of adverse impact on borrower credit that is not related to COVID-19. Requires deference to financial institution's suspension decisions, on the part of the appropriate federal banking agency.
- Section 4014: Relieves institutions from compliance with specified accounting standard, including current expected credit losses (CECL) methodology for estimating allowances for credit losses, from March 25, 2020 through termination of the current emergency or December 31, 2020, whichever is earlier.

- Section 4015: Suspends specified section of Emergency Economic Stabilization Act from March 25, 2020 through December 31, 2020. Requires any resulting guarantee be limited to the total value of a shareholder's account in a participating fund by the close of business on the day before the announcement of the guarantee, terminating by December 31, 2020.

Appropriates amounts necessary on January 1, 2021, to reimburse any funds used for Treasury Money Market Funds Guaranty Program for the United States money market mutual fund industry to the extent a claim payment made exceeds the balance of fees collected by the fund.

- Section 4016: Modifies Federal Credit Union Act. Permits extension of credit without first requiring evidence of applicant's reasonable efforts to use other sources to address liquidity needs. Modifies certain Board power with condition that total face value of relevant obligations must not exceed 16 times the subscribed capital stock and surplus of the facility from March 25, 2020 until December 31, 2020. Restores certain pre-existing provisions on December 31, 2020.
- Section 4017: Suspends applicability of certain provisions of Defense Production Act governing access to materials necessary for national security and pandemic recovery for one and two years from March 25, 2020.
- Section 4018: Establishes Office of Special Inspector General for Pandemic Recovery within Treasury, appointed by President with advice and consent of Senate. Specifies details of nomination, removal, employment status and pay. Specifies particular duties with regard to administration of Treasury programs and investments including collecting data regarding loans, loan guarantees, loan amounts, and loan recipients; general duties pursuant to Inspector General Act; and other relevant provisions including reporting requirements. Designates \$25 million to Special Inspector General from amounts available to Secretary of Treasury. Terminates office effective five years after March 25, 2020.
- Section 4019: Makes any entity in which a controlling interest is held by the President, Vice President, heads of executive departments, or members of Congress, or their spouses, children, or children's spouses, or any pair of these who are related, ineligible for emergency relief transactions described herein. Directs entities seeking such relief to certify in advance that they are eligible.

- Section 4020: Establishes Congressional Oversight Commission. Describes composition, organization, staffing, contracting, agents, funding, scope of oversight and review responsibility and specifies reporting requirements, including report content and deadlines. Abolishes Commission September 30, 2025.
- Section 4021: Modifies Fair Credit Reporting Act, to provide for recordation of accommodations made for consumers or borrowers affected by the current emergency, from January 31, 2020 until 120 days after the emergency is terminated.
- Section 4025: Prohibits issuance of federal loan or loan guarantee specified herein from being conditioned on an air carrier's or eligible business' engagement in collective bargaining as specified, from loan issuance until one year after the loan or guarantee is no longer outstanding.
- Section 4026: Requires Secretary of Treasury to publish specified information on website within 72 hours of certain transactions. Requires certain information be reported to specified committees within seven days of loan or loan guarantee being made. Requires publication of same on website within seven days of reporting to committees. Requires Secretary to publish summaries of specified information on website every 30 days while loan or guarantee is outstanding. Requires specified reports from Federal Reserve System to specified committees; certain reports within seven days, and every 30 days; and to publish same on website within seven days of submission to committees. Requires quarterly testimony before certain committees from Treasury and Federal Reserve System. Requires Secretary to upload loan and guarantee criteria, guidelines, eligibility requirements, and application materials on website; and loan administration contracts within 24 hours of execution. Requires GAO to study and report on loans, guarantees, and other investments by approximately December 25, 2020, to specified committees, and annually thereafter until one year after such investments are no longer outstanding.
- Section 4027: Appropriates \$500 billion to implement this subtitle. Transfers any remaining funds on January 1, 2026 to be used for deficit reduction.
- Section 4028: Rule of construction.
- Section 4029: Terminates authority December 31, 2020, except with regard to any investments still outstanding on that date: allows same to be modified but not forgiven. Such modifications or restructuring may not extend more than five years from the initial origination date.

- HR 748, Division A, Title IV, Subtitle B — Air Carrier Worker Support:
 - Section 4111: Definitions.
 - Section 4112: Directs Secretary to provide up to the following aggregate amounts to continue payment of employee wages, salaries and benefits and for no other purpose, and caps administrative expenses at \$100 million:
 - \$25 billion to passenger air carriers;
 - \$4 billion to cargo air carriers; and
 - \$3 billion to contractors
 - Section 4113: Requires financial assistance equal to salary and benefits paid from April 1, 2019 through September 30, 2019, as reported to Department of Transportation or certified by recipient, as specified. Provides for Secretary's discretion as to form, terms, and conditions. Directs Secretary: to publish procedures to request assistance by March 30, 2020; to make initial payments on approved requests by approximately April 4, 2020; and to determine method for timely distributions thereafter of any funds remaining. Authorizes Secretary to reduce amounts on pro rata basis to address shortfalls and requires that requested amounts that were certified by assistance recipients be audited by the Inspector General of the Treasury Department.
 - Section 4114: Requires assistance recipients to agree not to furlough or reduce pay or benefits until September 30, 2020; not to engage in described self-dealing through September 30, 2021; and to meet other requirements. Authorizes Department of Transportation to condition assistance on continuation of service as specified; outlines factors to be considered; and terminates authority and any corresponding requirements on March 1, 2022.
 - Section 4115: Prohibits conditioning assistance on recipient's engagement in collective bargaining as specified, from the date assistance issued until September 30, 2020.
 - Section 4116: Requires agreements between Secretary and assistance recipients to limit total compensation, as well as benefits at termination, paid to certain earners, from March 24, 2020 through March 24, 2022 (unless pursuant to a collective bargaining agreement in effect before March 25, 2020) as follows:
 - amounts paid to earners of more than \$425,000 in 2019 calendar year, cannot exceed 2019 amount during any 12 consecutive-month period;

- termination benefits paid to earners of more than \$425,000 in 2019 calendar year, cannot exceed twice the maximum total compensation received by the earner that year; and
- amounts paid to earners of more than \$3 million in 2019 calendar year cannot exceed that amount plus 50 percent of any amount in excess of that amount the same year, during any 12 consecutive-month period.
- Section 4117: Authorizes Secretary to receive financial instruments issued by recipients which Secretary deems appropriate to compensate for provision of assistance.
- Section 4118: Requires Secretary to report to specified committees by November 1, 2020 and update them by March 25, 2021.
- Section 4119: Requires Secretaries of Treasury and Transportation to coordinate.
- Section 4120: Appropriates \$32 billion.

JSCVR Proposal 24: Regulatory Relief: pause non-essential rulemaking

- None.

JSCVR Proposal 38: Extend payment deadlines

- HR 748, Division A, Title II, Sections 2301-2308 provide payroll tax delay
 - Section 2301: Establishes credit against employment taxes of up to 50 percent of qualified wages for each employee that eligible employer retains. The amount of qualified wages for each employer will not exceed \$10,000 per quarter. Defines eligible employer as any employer who was carrying on a trade or business during calendar year 2020 whose operation was fully partially suspended due to orders from an appropriate government authority, or who experienced at least an 80 percent decline in gross receipts over the prior year. Waives closure and gross receipt requirement for tax-exempt organizations. Prohibits employers receiving a covered small business interruption loan from receiving credit. Applies credit to wages paid after March 12, 2020 and before January 1, 2021.

- Section 2302: Allows employers to defer payment of payroll taxes from enactment date of act through December 31, 2020. Requires half of deferred amount to be paid December 31, 2021, and remainder by December 31, 2022.
- Section 2303: Temporarily repeals taxable income limitation for aggregate of net operating losses carryovers and establishes limits based on excess taxable income.
- Section 2304: Removes limitation on excess farm losses for certain taxpayers for tax years 2018 through 2025. Modifies excess business loss provisions and treatment of capital gains and losses for certain taxpayers.
- Section 2305: Allows corporate filers to accelerate recovery of refundable alternative minimum tax credits (allows company to increase cash flow by taking credit earlier than would otherwise be allowed).
- Section 2306: Temporarily increases amount of interest expense a business can deduct from 30 percent to 50 percent of taxable income for tax years 2019 and 2020.
- Section 2307: Allows for immediate write-off of qualified improvement property (rather than depreciated over the life of the building).
- Section 2308: Creates exception from Excise Tax for Alcohol for distilled spirits removed during 2020 and 2021 calendar years for use in hand sanitizer produced consistent with FDA guidelines.
- HR 748, Division A, Title III, Section 3608: Delays payment of minimum required contributions for single-employer plans to January 1, 2021.
- HR 748, Division B, Title I: Allows Secretary of Agriculture to extend terms of marketing assistance loans for 12 months.
- Other federal action: Internal Revenue Service [delayed filing deadline to July 15](#).

JSCVR Proposal 33: Prohibit commercial and residential foreclosures for duration of declaration

- HR 748 Division A, Title IV, Sections 4022-4024
 - Section 4022: Prohibits servicers of federally backed mortgages, as defined, from initiating any foreclosure process until approximately May 18, 2020, except with respect to vacant or abandoned property.

Allows borrowers with federally backed mortgages experiencing hardship due to the current emergency, to request forbearance from January 31, 2020 until 120 days after the current emergency is terminated, regardless of delinquency status. Requires forbearance be granted for up to 180 days and extended for up to 180 days at borrower's request so long as request is made within certain time frame and borrower also requested shortening either the initial or the extended period of forbearance. Prohibits fees, penalties, or interest beyond original contract terms as if no disruption occurred.

- Section 4023: Allows multifamily borrowers with federally backed mortgages, experiencing hardship due to current emergency, to request forbearance between March 24, 2020 and the date the current emergency is terminated or December 31, 2020, whichever is earlier. Requires payments be current as of February 1, 2020. Requires servicer to document financial hardship and to forebear up to 30 days; and to extend up to two additional 30-day periods at borrower's request so long as the request is made within certain time frame. Prohibits multifamily borrower in receipt of forbearance, for the duration of forbearance, from: evicting tenants in the subject property solely for nonpayment of financial obligations; charging any additional moneys for late rent; requiring tenants to vacate before 30 days have lapsed from when tenant was notified to vacate; and from issuing notices to vacate before the period of forbearance expires.
- Section 4024: Prohibits landlords with federally backed mortgages and multifamily mortgages from doing any of the following, from March 25, 2020 through approximately July 25, 2020: initiating any action to recover possession from tenants for nonpayment of financial obligations; charging fees or penalties; requiring tenants to vacate before 30 days have lapsed from when the tenant was notified; and from issuing notices to vacate.
- Other federal action:
 - Department of Housing and Urban Development (HUD) [suspended evictions and foreclosures for the next 60 days](#); applies to homeowners of single-family homes with mortgages insured by the Federal Housing Administration (FHA); prevents new foreclosure actions and suspends all foreclosure actions currently in process.
 - The Federal Housing Finance Agency (FHFA) provided payment forbearance to borrowers with enterprise-backed mortgages impacted by the coronavirus for up to 12 months due to hardship. FHFA has established a website with information for borrowers. Borrowers will not incur late fees and there will be no delinquencies on their credit histories.

Small business loans and other support for employers

- HR 748, Division A, Title I, Sections 1102-1114:
 - Section 1102: Establishes paycheck protection program. Establishes eligibility for self-employed, sole proprietors, and independent contractors. Provides loans for businesses to cover payroll costs. Establishes eligibility for businesses with fewer than 500 employees, or fewer than 500 employees at each location. Establishes formula for loan amount equal to (average monthly payroll x 2.5) plus outstanding amount of previous loans. Allows use of funds for payroll, continuation of group health care, salaries and commissions, mortgage interest, rent, utilities, and debt interest payments. Waives fees. Requires loans have interest rate less than 4 percent. Provides for lenders to be reimbursed for processing fees. Establishes priority for underserved and rural markets.
 - Section 1103: Establishes education, training, and advisory grants and resource partner association grants.
 - Section 1104: Establishes state trade expansion program. Allows for continuation of existing grants to the end of FY21.
 - Section 1105: Waives matching funds required for women's business center program.
 - Section 1106: Establishes loan forgiveness paid by Small Business Administration to lenders. Establishes loan forgiveness amount equal to the amount of principal spent on payroll + mortgage interest + rent + utilities. Reduces forgiveness amount for businesses laying off employees, with an exemption for re-hires. Reduces forgiveness if salary or wages are reduced by more than 25 percent for any employee. Allows forgiveness for tips paid to workers. Requires that forgiveness may not exceed principal of the loan and forgiveness amount will be excluded from gross income.
 - Section 1107: Provides the following:
 - \$349 billion for loans in section 1102
 - \$675 million for Small Business Administration (SBA) salaries/expenses
 - \$25 million for SBA Inspector General
 - \$265 million for SBA entrepreneurial development
 - \$240 million for grants in section 1103(b)
 - \$25 million for Department of Commerce Minority Business Development Agency
 - \$10 billion for SBA Economic Injury Disaster Loan grants in section 1110
 - \$17 billion for SBA loans in section 1112

- \$25 million for Department of Treasury Expenses
- Section 1108: Establishes education, training, and advisory grants for the Minority Business Development Agency.
- Section 1109: Gives the U.S. Department of the Treasury authorization to add lenders and issue regulations.
- Section 1110: Provides for Emergency Economic Injury Disaster Loan (EIDL) grants for the time period from January 31, 2020 to December 31, 2020. Establishes eligibility for businesses with fewer than 500 employees, sole proprietors, independent contractors, cooperatives with fewer than 500 employees, and tribal businesses. Expands SBA 7(b)(2) to sole proprietors, independent contractors, co-ops, ESOP (Employee Stock Ownership Plan), and tribal businesses. Adds federal emergencies to disaster provisions.
- Section 1111: Requires that information must be provided in languages other than English.
- Section 1112: Establishes subsidies for certain loans and requires SBA to pay principal, interest, and fees owed on covered loans.
- Section 1113: Makes adjustments to bankruptcy law. Changes the definition of debtor, excludes payments made under emergency declaration from income, and allows modification of plan based on COVID-19.
- Section 1114: provides rulemaking authority.
- HR 748, Division B, Title I - Assistance to Fishery Participants - includes Tribes, persons, fishing communities, aquaculture businesses, processors, and others with economic revenue losses greater than 35 percent as compared to prior five year average revenue or any negative impacts to subsistence, cultural, or ceremonial fisheries. Appropriates \$300 million.
- HR 748, Division B, Title V - Small Business Administration: Disaster Loans Program Account – allocates \$562 million for cost of direct loans authorized by section 7(b) of Small Business Act.
- Other federal action:
 - The Small Business Administration (SBA) issued [disaster assistance loan guidance for small businesses](#). Businesses qualify for low-interest loans up to \$2 million. SBA is currently accepting applications.
 - SBA also [relaxed criteria](#) on states for requesting disaster assistance loans.

FOR IMMEDIATE ACTION

JSCVR Proposal 26: Corporate Activity Tax (CAT) tax – redraft HB 4009, delay implementation of CAT tax by one quarter

- HR 748, Division A, Title II, Sections 2301-2308. Not specific to CAT tax, but delays payroll tax (see committee [recommendation 38](#)).

JSCVR Proposal 27: Fund for individuals ineligible for Unemployment Insurance (UI)

- HR 6074 Authorization of expenses and allocation to the Disaster Loans Program (Section 7(b) of the Small Business Act). Classifies COVID-19 as disaster under the Disaster Loans Programs Account.
- HR 748, Division A, Title II, Subtitle A, Sections 2102-2116 provide pandemic UI coverage for those individuals ineligible for UI up to 39 weeks and additional pandemic weekly benefit of \$600/week for all UI and pandemic UI recipients through July 31, 2020.
 - Section 2102: Establishes Pandemic Unemployment Assistance (PUA), which are UI benefits for those who are unable to work due to the COVID-19 public health emergency. PUA benefits are available for those who would not otherwise be eligible, including independent contractors and individuals who have exhausted their state or federal UI benefits. PUA benefits are calculated at the same rate as UI benefits and are available for up to 39 weeks beginning January 27, 2020 and ending December 31, 2020. Benefits for independent contractors are calculated using net income from all self-employment in the most recent tax year filed. PUA benefits are administered by agreement with states, with full federal reimbursement for benefits and state administrative expenses.
 - Section 2103: Provides for federal reimbursement to state UI trust funds for one-half of all UI benefits paid from March 13, 2020, to December 31, 2020.
 - Section 2104: Establishes Federal Pandemic Unemployment Compensation (FPUC), which are additional benefits of \$600 paid in addition to weekly UI or PUA benefits. FPUC benefits are available for all weeks of unemployment from the enacted date of the measure through July 31, 2020. FPUC benefits are administered by agreement with states, with full reimbursement for benefits and state administrative expenses.

- Section 2105: Provides full federal funding for the first week of benefits for states that waive the waiting week requirement. Federal funding includes the first week of benefits and state administrative expenses.
 - Section 2106: Grants states additional flexibility to engage additional staff on a noncompetitive basis to quickly process applications and claims through December 31, 2020.
 - Section 2107: Establishes terms of agreement with states to administer UI benefits under act.
 - Section 2108: Provides full federal funding of short-time compensation benefits [partial UI benefits paid under the Oregon Work Share program] paid from the effective date of the act through December 31, 2020.
 - Section 2109: Establishes terms of agreement with states for federal funding of short-time compensation benefits.
 - Section 2110: Establishes federal grant program for the implementation or improvement of state short-time compensation programs.
 - Section 2111: Requires Secretary of Labor to provide model legislative language which may be used by states to develop and enact short-time compensation programs.
 - Section 2112: Waives waiting week for Railroad UI Act and appropriates funds for additional benefits.
 - Section 2113: Establishes one-time \$1,200 recovery benefit for claimants under the Railroad UI Act and appropriates funds additional benefits.
 - Section 2114: Allows for extended UI benefits under the Railroad UI Act through December 31, 2020.
 - Section 2115: Appropriates funds to the Office of the Inspector General for the Department of Labor to carry out audits, investigations, and other oversight activities.
 - Section 2116: Clarifies that Act is not subject to the Paperwork Reduction Act and authorizes the Secretary of Labor to issue any operating instructions or other guidance necessary to carry out the UI provisions of the Act.
- HR 748, Division A, Title II, Sections 2201-2206: Provide one-time recovery rebates to all filers of \$1,200 for filer and \$500 for eligible child.
 - Section 2201: Establishes recovery rebates, which are advance tax credits for the 2020 tax year, of \$1,200 for individuals, \$2,400 for individuals filing jointly, and \$500 for qualifying children. Reduces credit by five percent of

Adjusted Gross Income (AGI) in the most recent tax year that exceeds \$75,000, \$150,000 in the case of a joint return, or \$112,000 in the case of a head of household. Appropriates funds for distribution.

Example 1: A family with two working adults and two eligible children who filed a joint 2019 return with an AGI of \$80,000 would receive credit for joint filing, plus additional credit for each eligible child. Because their AGI is below the threshold for a joint return, it is not reduced.

$$\$2,400 + \$500 + \$500 = \$3,400 \text{ total credit}$$

Example 2: A single filer who has not yet filed for 2019, but filed a 2018 return with an AGI of \$80,000 would receive credit as a single filer. Because their AGI is above the threshold for a single filer, it would be reduced by 5percent of the amount in excess.

$$\$80,000 - \$75,000 = \$5,000 \times .05 = \$250 \text{ reduction}$$

$$\$1,200 - \$250 = \$950 \text{ total credit}$$

- Section 2202: Exempts distributions of up to \$100,000 from eligible retirement plans made during the 2020 calendar year from tax penalty for early withdrawal for individuals harmed personally or financially by the COVID-19 epidemic. Excludes distributions from gross income, and allows for repayment of distributions within three years to be treated as a transfer from an eligible plan.
- Section 2203: Waives minimum required distribution rules for distributions from eligible retirement plans made during the 2020 calendar year.
- Section 2204: Allows up to \$300 in charitable contributions to be counted as above-the-line deductions (reducing AGI) for the 2020 tax year.
- Section 2205: Waives limitations on charitable contribution deductions for 2020 tax year. Allows contributions by individuals which exceed excess of AGI to be treated as charitable deduction in successive years. Allows charitable contributions by corporations to be allowed as deductions up to 25 percent of the taxable income and allows excess to be applied as contributions in successive years. Increases limits on contribution of food inventory from 15 to 25 percent for the 2020 tax year.
- Section 2206: Includes payment of student loans by an employer in definition of “educational assistance” for purposes of determining gross income of an employee. Prohibits individual from claiming deduction of student loans paid which were paid by employer.

JSCVR Proposal 29: Supervision of physician assistants – can practice without supervision during declaration

- None.

JSCVR Proposal 31: Homeless Shelters – time-limited super siting (HB 4001)

- HR 748, Division B, Title VIII provides \$1.8 billion for Children and Family Services programs, including \$25 million for carrying out activities under the Runaway and Homeless Youth Act.
- HR 748, Division B, Title XII provides Homeless Assistance Grants and allocates \$4 billion for Emergency Solutions Grants as authorized by the McKinney-Vento Act, including temporary emergency shelters.

JSCVR Proposal 5: Assistance to utilities for low-income households and small businesses

- HR 748, Division B, Title VIII allocates \$900 million to the Administration for Children and Families for making payments under subsection (b) of section 2602 of the Low-Income Home Energy Assistance Act of 1981; of the amount provided, \$225 million allocated as though the total appropriation for such payments for fiscal year 2020 was less than \$1.9 million.

JSCVR Proposal 10: Support for community partners for outreach/basic needs

- HR 748 Division B, Title VIII:
 - Payments to States for Child Care and Development Block Grant - \$3.5 billion to supplement, not supplant, state, territory, and tribal general revenue funds for child care assistance for low-income families in the US.
 - Children and Family Services Programs - \$1.8 billion, used as follows: (1) \$1 billion for carrying out activities under sections 674 through 679 of the Community Services Block Grant Act; (2) \$750 million for making payments under the Head Start Act; (3) \$2 million for the National Domestic Violence Hotline as authorized by section 303(b) of the Family Violence Prevention and Services Act; (4) \$45 million for Family Violence Prevention and

Services formula grants; (5) \$25 million for carrying out activities under the Runaway and Homeless Youth Act; (6) \$45 million for child welfare services as authorized by subpart 1 of part B of title IV 10 of the Social Security Act.

- Administration for Community Living - Aging and Disability Services Programs - \$955 million, of which \$820 million for activities under the Older Americans Act of 1965, including \$200 million for supportive services, \$480 million for nutrition services under subparts 1 and 2 of part C of title III; \$20 million for nutrition services under title VI; \$100 million for support services for family caregivers under part E of title III; \$20 million for elder rights protection activities, including the long-term ombudsman program under title VII; \$50 million for aging and disability resource centers; and \$85 million for centers for independent living that have received grants funded under part C of 2 chapter I of title VII of the Rehabilitation Act of 1973.

JSCVR Proposal 28: Homelessness response – assistance to self-quarantine in hotels

- HR 748, Division B, Title VIII provides \$1.8 billion for Children and Family Services programs, including \$25 million for carrying out activities under the Runaway and Homeless Youth Act.
- HR 748, Division B, Title X, Section 20013 provides funding to the Veterans Administration and requires the agency to provide comprehensive service programs for homeless veterans.
- HR 748, Division B, Title XII provides Homeless Assistance Grants and allocates \$4 billion for Emergency Solutions Grants as authorized by the McKinney-Vento Act, including temporary emergency shelters, support for sheltered and unsheltered homeless, and those at risk of becoming homeless.

JSCVR Proposal 30: Forbearing mortgage payments for 90 days

- HR 748, Division A, Title IV, Sections 4022 through 4024. See committee [proposal 1](#) for more information.

- Other federal action:
 - The Federal Housing Finance Agency (FHFA) provided payment forbearance to borrowers with enterprise-backed mortgages impacted by COVID-19 for up to 12 months due to hardship.

JSCVR Proposal 34: Transient lodging tax flexibility

- None.

JSCVR Proposal 36: High School Diplomas – allow seniors to graduate with credit they have

- HR 748, Division B, Title VIII, Sections 18001-18008: Provide over \$30 billion for K-12 schools for the Education Stabilization Fund and Governors' Emergency Education Relief Funds.
 - Section 18001 allocates ½ of one percent to outlying areas as determined by the Secretary of Education in consultation with the Secretary of the Interior, ½ of one percent to the Secretary of the Interior for education programs operated or funded by the Bureau of Indian Education, and one percent for grants to states with the highest COVID-19 burden. Requires the Secretary to issue a notice inviting applications within 30 days.
Reserves:
 - 9.8 percent to Emergency Education Relief Grants (section 18002)
 - 43.9 percent for the Elementary and Secondary School Emergency Relief Fund (section 18003)
 - 46.3 percent for the Higher Education Emergency Relief Fund (section 18004)
 - Section 18002: authorizes the Secretary of Education (Secretary) to make Emergency Education Relief grants to the Governor of each state with an approved application. Requires the Secretary to issue notice inviting applications within 30 days, and approve or deny applications within 30 days of receipt. Establishes formula for grants based on population and number of children. Allows grant funds to be used to provide emergency support to local education agencies most significantly impacted by COVID-19, provide emergency grants to institutions of higher education that the Governor determines to be most significantly impacted by COVID-19, and provide support to any other higher education institution, local education agency, or education-related entity within the state for activities including

the provision of child care and early childhood education, social and emotional support, and the protection of education-related jobs.

- Section 18003: authorizes the Secretary of Education to make grants to each state educational agency with an approved application. Allocates the amount to each state based on the proportion each state received under part A of Title I of the Elementary and Secondary Education Act for the most recent fiscal year. Establishes allowable uses.
- Section 18004: requires the Secretary of Education to allocate funding to institutions of higher education. Reserves 90 percent for institutions based on the share of Pell Grant recipients and total enrollment. Reserves 7.5 percent for additional awards to address needs directly related to COVID-19. Reserves 2.5 percent for institutions that the Secretary determines have the greatest unmet needs related to COVID-19. Establishes allowable uses and requires recipient to submit a report to the Secretary.
- Section 18005: Requires local education agencies receiving funds under sections 18002 or 18003 to provide equitable services to students and teachers in non-public schools, but requires public agency to maintain control of funds.
- Section 18006: Requires local education agencies, states, institutions of higher education, or other entities receiving funds to continue paying employees and contractors during closures.
- Section 18007: Defines terms.
- Sec 18008 Maintenance of Effort: Requires states applying for funds to include assurances that the state will maintain support for elementary and secondary education, and higher education. Allows Secretary of Education to waive this requirement for states experiencing a precipitous decline in financial resources.
- Safe Schools and Citizenship Education: provides \$100 million which can be used for distance learning.

JSCVR Proposal 42: Training requirements, extensions on licensing

- HR 748, Division B, Title VI, Section 16005: Licensure of health care professionals - authorizes specified healthcare professionals to practice their health care profession notwithstanding licensure requirements during the incident period of the emergency declared by the President on March 13, 2020.

JSCVR Proposal 43: Maximize workforce

- Other federal action: The Department of Homeland Security issued a [memorandum](#) listing essential workforce personnel and professions.

JSCVR Proposal 44: Financial relief for specific sectors

- HR 748 provides relief for specific sectors. See committee [proposal 19](#) for more information.

JSCVR Proposal 45: Additional incentives for businesses

- None.

JSCVR Proposal 46: Rent Relief

- HR 748, Division A, Title IV, Sections 4022-4024. See summary under [proposal 1](#).
- HR 748, Division B, Title XII. See summary under [proposal 2](#).

JSCVR Proposal 47: Stability of UI Fund

- HR 6201 allocates \$1 billion additional funding to UI. Establishes emergency transfers to states; allocates to each state an amount proportional to the share of federal UI taxes paid by its businesses. States can get half of allocation within 60 days if certain requirements are met.
- HR 748, Division A, Title II, Sections 2101-2116:
 - [Section 2103](#): Provides for federal reimbursement to state UI trust funds for one-half of all UI benefits paid from March 13, 2020 to December 31, 2020.
 - [Section 2104](#): Establishes Federal Pandemic Unemployment Compensation (FPUC), which are additional benefits of \$600 paid in addition to weekly UI or PUA benefits. FPUC benefits are available for all weeks of unemployment from the enacted date of the measure through July 31, 2020. FPUC benefits are administered by agreement with states, with full reimbursement for benefits and state administrative expenses.
 - [Section 2105](#): Provides full federal funding for the first week of benefits for states that waive the waiting week requirement. Federal funding includes the first week of benefits and state administrative expenses.

- Section 2108: Provides full federal funding of short-time compensation benefits [partial UI benefits paid under the [Oregon Work Share program](#)] paid from the effective date of the act through December 31, 2020.
 - Section 2110: Establishes federal grant program for the implementation or improvement of state short-time compensation programs.
 - Section 2111: Requires Secretary of Labor to provide model legislative language which may be used by states to develop and enact short-time compensation programs.
- HR 748, Division A, Title III, Section 3603: Requires services be provided in at least two of the following three ways: in person, via telephone, or online.