



Federal Relief to Address the COVID-19 Pandemic

To help keep you apprised of the various Federal relief packages to address the COVID-19 pandemic, please find below key information regarding the status, summary of key provisions, and other relevant information, generally in reverse chronological order.

Biden Economic Recovery Legislation

Status: Announced

Biden is expected to propose a second economic recovery plan in the coming weeks that would address his longer-term job creation and development goals, which has been tagged as the Build Back Better plan.

Biden Emergency Relief Legislation

Status: Signed into law

In January 2021, President Joe Biden has laid out the details of his \$1.9 trillion emergency relief plan – the *American Rescue Plan*. The wide-ranging package aimed at containing the pandemic and supporting the economy includes:

- increased direct payments to individual Americans,
- increased unemployment insurance benefits, and
- expanded medical and family leave.

Congressional Democrats decided to employ the budgetary maneuver known as reconciliation to pass the *American Rescue Plan*. After establishing the budgetary rules for reconciliation as part of [S.Con.Res.5](#), which passed both the House and Senate on February 5, the House passed the key legislation ([H.R. 1319](#)) in the early hours of Saturday, February 27 by a vote of 219 to 212. No Republicans voted in support of the bill, and two Democrats – Reps. Jared Golden (Maine) and Kurt Schrader (Ore.) – voted against it. Summaries of the legislation (by Committee) can be found [here](#) (Energy and Commerce), [here](#) (Ways and Means), [here](#) (Oversight and Government Reform), and [here](#) (Education and Labor).

The Senate amended the bill (by striking the provisions that violated the Byrd rule, like the minimum wage provisions) and made other changes to the legislation, as detailed [here](#). The Senate then passed the *American Rescue Plan Act* on March 6 following more than 25 hours of amendment votes. The legislation advanced along party lines 50-49. Vice President Kamala Harris was not required to cast the tie-breaking vote because Sen. Dan Sullivan (R-Alaska) had returned home for the funeral of his late father-in-law.

The House on March 10 approved the Senate changes by a vote of 220-211 vote (with the Congressional Budget Office score [here](#)), sending the [legislation](#) to the White House with the official signing of the legislation on March

11, ahead of the expiration of enhanced unemployment benefits which were set to expire on March 14. A section-by-section summary of the law can be found [here](#).

Coronavirus 5 – Infrastructure

Status: [passed the House; dead in Senate](#)

On July 1, the House passed, by a vote of 233-288, [H.R. 2](#), a \$1.5 T highway and infrastructure package. The White House has said President Trump would veto the bill, and Majority Leader Mitch McConnell says it will go nowhere in the Senate.

Coronavirus 4.75 – Postal Service

Status: [passed the House; dead in Senate](#)

On Saturday, August 22, the House passed a bill aimed at rolling back service cuts at the U.S. Postal Service that Democrats say could harm the ability of Americans to vote by mail in the November presidential election that's being shadowed by the coronavirus pandemic. The "[Delivering for America](#)" measure, which would allocate an additional \$25 billion for the Postal Service, had limited Republican support. It passed 257 to 150, with 26 GOP members voting yes.

Coronavirus 4.5 – PPP Extension

Status: [signed into law](#)

On June 30, the Senate passed S. 4115, which would extend the Paycheck Protection Program (PPP) until August 8, 2020. The House passed the legislation the following day, with the President signing it on July 4. Before the law's passage, approximately \$130 B was still available in the program account, but the funds were not able to be accessed due to the previous statutory program termination on June 30.

Coronavirus 4/CARES 2.0

Status: [signed into law](#)

On April 7, Sen. Schumer (D-NY) [unveiled](#) his hazard pay proposal, dubbed the "Heroes Fund," noting that it should be included in the phase IV legislation. On May 12, House Democrats' [introduced](#) a \$3 trillion coronavirus response bill, named the "Health and Economic Recovery Omnibus Emergency Solutions Act" or the "HEROES Act," would expand on some CARES Act provisions: boosting unemployment insurance and direct payments, sending roughly \$1 trillion to state and local governments, and adding a variety of other measures. For more information, see the [one-pager](#), [section-by-section summary](#), [resource on state and local relief provisions](#), [summary of health provisions](#), and [summary of immigration-related provisions](#), and summary of small business provisions ([here](#) and [here](#)). Before passing the bill on May 15 by a vote of 208-199, a manager's [amendment](#) was considered as adopted by the Rules Committee. Senate Republicans quickly rejected the opening offer plan and are discussing a package of as much as \$1 trillion in total spending.

On July 27, Republicans introduced eight bills containing elements of a COVID package, called the "Health, Economic Assistance, Liability Protection, and Schools Act," or "HEALS Act," including:

- [Liability protections \(S. 4317\)](#)

- [Unemployment insurance, direct payments, health, and tax credits \(S. 4318\)](#) (Finance Committee)
 - [Section-by-section](#)
- [Business Meals Deduction \(S. 4319\)](#)
 - [Sponsor press release](#)
- [Emergency appropriations \(S. 4320\)](#)
 - [Summary](#)
 - [Sponsor press release](#)
- [Small business aid programs \(S. 4321\)](#) (PPP changes, among other items)
 - [Summary](#)
 - [Section-by-section](#)
 - [Sponsor press release](#)
- Child care and health care programs ([S. 4322](#)) (HELP Committee provisions)
 - [Summary](#)
- [Trust fund solvency \(S. 4323\)](#)
 - [Summary](#)
 - [Section-by-section](#)
 - [Sponsor press release](#)
 - Other information – [House letter](#), [Neal statement](#), and [Wyden statement](#)
- [Supply chain, intellectual property, and stockpiles \(S. 4324\)](#)
 - [Sponsor press release](#)

In August, Senate Republicans circulated a “skinny” COVID-relief package that was not formally introduced. In September, Senate Republicans unveiled an amendment to S. 178, as an alternative “skinny” COVID-relief package, which included liability protections, an option for \$300/week in extra unemployment benefits, extension of the PPP program (with some key programmatic changes), postal service assistance, provisions related to education and child care, funding for additional PPE through the SNS and state stockpiles, additional funding for contact tracing and vaccines, among other items. The [cloture vote](#) to move to the amendment failed by a vote of 52-47 on Thursday, September 10.

On September 29, the House Democrats [released](#) a revised HEROES bill, with a summary [here](#). The \$2.2 trillion proposal is closer to the dollar amount recently floated by President Donald Trump of \$1.5 trillion in aid -- higher than the \$650 billion put forth in a “skinny” aid package by Senate Republicans. The House passed the proposal by a vote of 214-207 on October 1 (an amended [HR 925](#), with the Rules Committee print [here](#)). The Senate is unlikely to take up the package.

On October 19, the Senate Republicans unveiled a roughly \$500 billion [package](#) that would:

- Revive the Federal Pandemic Unemployment Compensation program through Dec. 27, with payments of \$300 per week, down from \$600 when the program lapsed at the end of July.
- Protect businesses, schools, and other establishments from liability related to coronavirus exposure.
- Allow the U.S. Postal Service to receive as much as \$10 billion in forgivable aid.
- Provide emergency funding for health, child care, education, and farm programs.
- Create new tax credits and grants for education expenses that could be used to support students who are in private school or homeschooled.
- Rescind about \$200 billion in unused funds from Federal Reserve programs that were established to assist businesses and state and local governments affected by the pandemic.

On October 20, the Senate held a procedural vote on an amendment to the broader package to modify the extension of the Paycheck Protection Program included within the underlying proposal ([amendment No. 2680](#),

with additional information [here](#)). The vote on the motion to table, or kill, the proposal was 40-57, and because a majority did not agree, the amendment remained pending. On October 21, Senate Democrats blocked the Republicans' [\\$500 billion](#) stimulus bill (S. 178), by a procedural vote is 51-44, with 60 votes needed to advance.

On December 21, as a large package that included the \$1.4 T in FY21 appropriations, \$900 B in COVID-relief provisions, health extenders, and other key items, the House and Senate Leadership unveiled H.R. 133, the *Consolidated Appropriations Act, 2021* (Rules Committee Print [116-68](#)), The CBO provided a [score](#) for portions of the legislation (Divisions A-L) and [Division M](#). Later that same day, the House passed the measure in a series of two votes: The first vote passed 327 – 85 -- on the vote to concur in the Senate Amendment with Portion of Divided Question Comprising Divisions B, C, E, and F. The second vote passed 359-53 -- on the vote to concur in the Senate Amendment with Amendment (Except for Divisions B, C, E, and F. Around midnight, the Senate then passed the measure by a vote of 92-6. The President signed the legislation on December 27.

Appropriation provisions. Highlights of key appropriations provisions are included [here](#) (Agricultural bill, including FDA) and [here](#) (Labor-HHS), along with a NIH fact sheet can be found [here](#) as well as health appropriations provisions [here](#). One page fact sheet related to Democratic priorities can be found [here](#). The joint explanatory statement for Front Matter is [here](#), Division A [here](#) (Agriculture/FDA), Division B [here](#) (CJS), Division C [here](#) (Defense), Division D [here](#) (Energy and Water), Division E [here](#) (Financial Services), Division F [here](#) (Homeland Security), Division G [here](#) (Interior), Division H [here](#), Division I [here](#) (Labor-HHS), Division J [here](#), Division K [here](#) (VA), and Division L [here](#) (T-HUD). An overall summary can be found [here](#). A division-by-division summary of the appropriations provisions is [here](#).

Virus relief. A division-by-division summary of the coronavirus relief provisions is [here](#). A Ways and Means fact sheet can be found [here](#), A summary of the small business provisions (including the PPP program) can be found [here](#), with a section by section [here](#). One page fact sheet related to Democratic priorities can be found [here](#).

According to the Bloomberg, the main relief provisions include:

- \$600 direct payments to most Americans,
- \$300 a week in extra unemployment benefits through March,
- \$284 billion for the Paycheck Protection Program that helps small businesses,
- \$82 billion for K-12 schools and universities,
- \$69 billion for vaccine development, testing and community health,
- \$25 billion in rental assistance,
- \$15 billion for performance venues,
- \$15 billion in aid for airlines,
- \$14 billion for public transit,
- \$13 billion for food-stamp benefits,
- \$13 billion in aid to farmers and ranchers, and
- \$10 billion for childcare.

Other provisions. A division-by-division of the authorizing matters is [here](#). Republican Leadership provided the following summaries: [Surprise billing fact sheet](#), [Summary of Medicare, Medicaid, and Human Services provisions](#); and [Summary of surprise billing, public health, and transparency provisions](#), and a [Summary of the provisions within the Energy and Commerce Committee](#). One-page fact sheets on Democratic priorities can be found [here](#).

Coronavirus 3.75 – PPP Reforms

Status: signed into law

On May 28, the House passed [H.R. 7010](#), the *Paycheck Protection Program Flexibility Act of 2020*, as amended. The House measure would give companies much more time to spend the money -- within 24 weeks or until the end of the year, whichever comes first -- and still qualify to have their PPP loans forgiven. Businesses would also have up to five years, instead of two years, to repay any money owed on a loan and could use a greater percentage of proceeds on rent and other approved non-payroll expenses (to 40% instead of the current 25%) and still receive full loan forgiveness. The 417-1 vote sends the measure to the Senate. On June 3, after some debate, the Senate passed the bill unamended by voice vote. The President signed the bill on June 5.

Coronavirus 3.5 – Small Business Infusion

Status: signed into law

On April 7, Secretary Mnuchin announced that an additional \$250 billion would be needed for the Paycheck Protection Program (PPP). After some discussion, the Senate passed [H.R. 266](#), the *Paycheck Protection Program and Health Care Enhancement Act*, on April 21, with the House passing it on April 23, and the President signing it on April 24. The bill provides the initial \$250 billion for the PPP requested by Secretary Mnuchin, along with an additional \$60 billion set aside for smaller banks, \$10 billion for EIDL emergency grants, and \$50 billion for EIDL. To learn more about these various small business programs, please visit our resources [here](#) (overview), [here](#) (PPP), and [here](#) (PPP FAQ). To address additional health care needs, the bill also included an additional \$75 billion for the CARES Act Provider Relief Fund as well as \$25 billion for additional testing initiatives. To learn more about these health initiatives, please visit our resources [here](#) (testing) and [here](#) (Physician provisions, including the Provider Relief Fund).

Coronavirus 3.25 – Major Disaster

Status: major disaster declared

On March 20, President Trump declared a major disaster for the State of [New York](#). Other states with such a designation can be found [here](#). Previously, the President noted that he had been considering declaring the pandemic a “major disaster,”¹ which would add additional levels of Federal assistance.

Coronavirus 3 – Economic Aid

Status: signed into law

On March 25, the Senate passed H.R. 748, the *Coronavirus Aid, Relief, and Economic Security (CARES) Act* unanimously with a vote of 96-0. Before proceeding to final passage, the Sasse unemployment insurance amendment failed 48-48. The final bill text is [here](#), with the appropriations summary (Division B) from Republicans [here](#) and Democrats [here](#), unemployment/retirement summary [here](#), Finance Committee health provisions summary [here](#), HELP Committee summary [here](#), HELP Committee one pager [here](#), Small Business Committee

¹ See March 13 [letter](#) which states: “In addition, after careful consideration, I believe that the disaster is of such severity and magnitude nationwide that requests for a declaration of a major disaster as set forth in section 401(a) of the Stafford Act may be appropriate.”

summary [here](#), and one pager [here](#). The package included an additional \$45.8 billion of funding that the Office of Management and Budget ([OMB](#)) requested to help address the pandemic.

The House passed the bill by voice vote on Friday, March 27, and the President signed it shortly thereafter ([P.L. 116-136](#)).

Coronavirus 2.5 – Defense Production Act

Status: [invoked](#)

On March 18, 2020, the President invoked the [Defense Production Act \(DPA\)](#), which allows the federal government to compel companies through loans, loan guarantees, purchases and purchase commitments to prioritize and expedite the manufacture of medical supplies that are in short supply. The President delegated the key authority for implementing the DPA to Secretary Azar. Shortly thereafter, Secretary Azar issued a [press release](#). For more information on the DPA, visit [here](#) and [here](#) (CRS reports), [here](#) (FEMA fact sheet), and [here](#) (FEMA April 14 information).

On March 24, 2020, [press reports](#) indicated that, according to FEMA Director Gaynor, the authority was being used to help secure 60,000 test kits and 500 million PPE masks. Subsequent [reports](#) indicated that the Administration opted not to utilize the authority, given that companies were willing to comply voluntarily. The phase III proposal included \$1 billion to implement the DPA.

On March 27, 2020, President Trump [announced](#) that he had formally utilized the DPA to compel General Motors Co. to make ventilators, while also issuing another Executive Order ([EO](#)) to “guarantee loans by private institutions, make loans, make provision for purchases and commitments to purchase, and take additional actions” to produce the health-care supplies.

On April 2, 2020, President Trump issued two EOs – (1) invoke the DPA for [3M](#) to produce N95 masks and (2) invoke the DPA for [ventilators](#) with respect to General Electric Company; Hill-Rom Holdings, Inc.; Medtronic Public Limited Company; ResMed Inc.; Royal Philips N.V.; and Vyair Medical, Inc. On April 8, HHS [announced](#) the GM contract for \$489.4 million for 30,000 ventilators to be delivered to the Strategic National Stockpile by the end of August 2020, with a production schedule allowing for the delivery of 6,132 ventilators by June 1, 2020. On April 8, HHS [announced](#) a \$646.7 million contract with Philips, allowing for the delivery of 2,500 ventilators to the Strategic National Stockpile by the end of May 2020 and a total of 43,000 ventilators to be delivered by the end of December 2020. On April 13, HHS [announced](#) five new contracts for ventilator production rated under the Defense Production Act (DPA), to General Electric, Hill-Rom, Medtronic, ResMed, and Vyair, as well as two other contracts for ventilator production, to Hamilton and Zoll. On April 16, HHS [announced](#) a DPA \$336 million contract with GE, in partnership with Ford, for 50,000 ventilators to be produced by July 13.

On April 11, 2020, the DoD [announced](#) use of the DPA to assist in securing 39 M N95 masks in the next 90 days, for a total of \$133 million.

On April 28, 2020, the White House [invoked](#) the use of the DPA to meat and poultry in the food supply chain.

On April 29, 2020, the Department of Defense [announced](#) it will invest \$75.5 million in Defense Production Act Title 3 funding to increase swab production by 20 million per month starting in May.

On May 14, 2020, the White House issued an [executive order](#) delegating DPA authorities to the Chief Executive Officer of the United States International Development Finance Corporation (DFC).

On May 23, 2020, the Department of Defense [announced](#) a \$2.2 million contract with Hollingsworth & Vose to increase U.S. domestic production of 27.5 million N95 ventilator filters, and 3.1 million N95 respirators per month, starting in August.

In [July 2020](#), during a press conference, President Trump [announced](#) a \$765 million loan to Kodak to produce generic active pharmaceutical ingredients. At that press conference, he noted that it was the 33rd time the DPA has been used during the pandemic, although not all of those instances were directly related to healthcare or pandemic items.

On August 10, 2020, the Department of Defense [announced](#) a \$3.1 million agreement with BioFire Defense, LLC, a subsidiary of bioMérieux, to expand the production of the BioFire® COVID-19 Test for the DOD.

On August 20, 2020, HHS [announced](#) use of the DPA to apply priority rated orders for contracts with [Becton Dickinson \(BD\)](#) and [Quidel Corporation](#) through September for rapid SARS-CoV-2 tests.

On January 20, 2021, President Biden issued an [Executive Order](#) related to the COVID-19 pandemic, which noted that the COVID-19 Response Coordinator shall coordinate “coordinate the Federal Government’s efforts to produce, supply, and distribute personal protective equipment, vaccines, tests, and other supplies for the Nation’s COVID-19 response, including through the use of the Defense Production Act, as amended (50 U.S.C. 4501 et seq.)”

Coronavirus 2 – Testing and Paid Leave

Status: signed into law

The House passed [H.R. 6201](#), the *Families First Coronavirus Act*, in the early hours of March 14. The large-scale economic relief plan aims to support Americans in combatting the spread of the coronavirus through the expansion of paid leave, food assistance, and unemployment assistance and through increased federal Medicaid funding. Speaker Pelosi and Secretary Mnuchin worked to negotiate the House-passed legislation, which was backed by President Trump. The bill would increase federal medical assistance percentages (FMAP) for state Medicaid programs by 6.2 percentage points. Medicaid funding for U.S. territories would also be increased. The bill includes a prohibition against cost sharing and prior authorization for certain coronavirus testing and related services, such as provider visits for testing. It also appropriates \$1 billion for the National Disaster Medical System to reimburse costs associated with testing the uninsured. The bill would add personal respiratory protective devices as a covered countermeasure under the Public Readiness and Emergency Preparedness Act and allow HHS to provide liability protections for certain emergency response products.

The chamber later passed “technical corrections” to the emergency aid bill which scale back “qualifying need” for Family and Medical Leave Act (FMLA) leave to circumstances in which an employee cannot work or telework because a child’s school, day care, or childcare is unavailable. The original version of the bill would have required employers to provide employees with 12 weeks of partially paid FMLA leave for quarantine, to care for a family member, or to care for a child. The Senate passed the bill unamended in the afternoon of March 18, by a vote of 90-8. The President signed the bill later that evening ([P.L. 116-137](#)).

Coronavirus 1.5 – Emergency Declarations

Status: emergency declared

On Friday, March 13, 2020, President Donald Trump [declared](#) a national emergency with respect to the COVID-19 pandemic. By declaring the emergency, billions of dollars in the Disaster Relief Fund and additional resources from the Federal Emergency Management Agency (FEMA) and other parts of the government are now available. The declaration also makes more federal funds available along with supplies, personnel, and other support. The emergency order confers new broad authorities to HHS Secretary Alex Azar. Azar has [waived](#) certain laws and regulations to give doctors and hospitals maximum flexibility to test and respond to the virus. In addition, as part of the emergency declaration, the Small Business Administration is now able to offer Economic Injury Disaster loans – up to \$2 million – for small businesses impacted by the virus. Previously, on January 31, 2020, U.S. Department of Health and Human Services (HHS) Secretary Alex Azar [determined](#) that a public health emergency existed because of confirmed cases of the coronavirus disease (COVID-19) under the authority granted by section 319 of the Public Health Service Act (PHSA). The nationwide determination took effect January 27, 2020 and was [renewed](#) effective as of April 26 and then again on [July 23, 2020](#) (effective July 25, 2020), [October 2, 2020](#) (effective October 23, 2020), and [January 7, 2021](#) (effective January 21, 2021).

Coronavirus 1 – Emergency Appropriations

Status: signed into law

President Trump signed into law a \$7.8 billion emergency spending bill ([H.R. 6074](#)) (P.L. 116-123) to combat the coronavirus outbreak on March 6. The bipartisan *Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020* also allows the Medicare program to spend \$500 million on telehealth programs used in response to the virus. The legislation includes \$6.5 billion for the U.S. Department of Health and Human Services (HHS), \$1.25 billion for the State Department and the U.S. Agency for International Development (USAID), and \$20 million for the Small Business Administration (SBA). The bill provides:

- \$3.1 billion for the Public Health and Social Services Emergency Fund to be used to develop and purchase vaccines and medical supplies;
- \$300 million in contingency funds to purchase vaccines if necessary;
- \$100 million for community health centers;
- \$2.2 billion to the CDC, including \$950 million for state and local preparedness grants, \$300 million for global disease detection and response, and \$300 million for the Infectious Disease Rapid Response Reserve Fund;
- \$836 million for the NIH;
- \$10 million for worker-based training and health worker protection;
- \$435 million for international public health programs, including \$200 million for the U.S. Emergency Reserve Fund; and
- \$300 million for humanitarian and health assistance in areas affected by the virus.

The bill will also allow HHS to regulate the commercial price of a coronavirus vaccine. It was advanced by the House of Representatives by a vote of 415-2 and was passed by the Senate by a vote of 96-1. Reps. Ken Buck (R-Colo.) and Andy Biggs (R-Ariz.) as well as Sen. Rand Paul (R-Ky.) voted against the measure.