CITY OF
LONG BEACH

Memorandum

Date: December 30, 2020

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager

Subject: **Update on COVID-19 Federal Relief Advocacy**

On December 21, 2020, Congress passed another round of federal relief legislation in response to the COVID-19 pandemic. President Trump delayed signing the legislation until December 27, 2020, requesting increased direct payments to individuals. As outlined in a memorandum dated April 27, 2020, prior to this latest round, there have been three main phases of federal relief. The third and largest relief package, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), was enacted on March 27, 2020. Shortly thereafter, Congress passed a smaller interim spending package, and there have been numerous Congressional proposals and contending priorities for a fourth phase of relief.

This memorandum provides an update on these COVID-19 relief negotiations and City staff's federal advocacy efforts, in addition to information about how the most recent relief legislation may impact the City. Staff frequently engage with federal representative offices, affiliated organizations, and the City's federal legislative advocate, Dentons, to elevate the City's relief requests. Attachment A ("2020 Omnibus Legislation"), prepared by Dentons, provides a detailed summary of the new bipartisan agreement.

Federal COVID-19 Relief Advocacy and Priorities

Prior to the COVID-19 pandemic, City staff held quarterly legislative advocacy meetings in person with the City's county, state, and federal representatives' offices. Due to the urgency of the City's emergency response efforts, on March 24, 2020, staff changed the legislative delegation meetings to a weekly virtual conversation. Given the rapidly evolving nature of the City's response to COVID-19, it was necessary to adapt advocacy efforts to the virtual environment and adopt new efforts to quickly inform the delegation offices of the City's priorities for COVID-19 relief. As the pandemic has evolved, so has the frequency of these meetings—from weekly to bi-weekly and now monthly calls with the full delegation.

These delegation meetings are an opportunity for City staff to update local and Capitol offices regarding the City's COVID-19 response efforts and for the delegation to share information concerning proposed legislation and relief negotiations. The updates include COVID-19 data, changes to the City's Health Order, and COVID-19 relief efforts. City staff share advocacy priorities pertaining to State and federal COVID-19 relief, and each meeting includes a presentation from a relevant City department. Throughout the pandemic, we have provided presentations related to, among others, the City's participation in Project Roomkey and Project Homekey; the City's emergency rental assistance program, and an overview of the CARES Act programs; the coordination challenges with Caltrans regarding trash and debris cleanup and homeless services outreach during the pandemic; and, the fiscal impact of the pandemic on small businesses, nonprofits, and community members.

Additional methods of communication and advocacy between City staff and federal representatives include:

- Bi-Weekly Calls with Lobbyist: Staff connect with Dentons bi-weekly and more often, as needed, to get the most up-to-date information from the Capitol on matters that pertain to the City. Dentons assists the City on a regular basis by sharing positions or concerns with Congressional representatives, providing staff insight on upcoming legislative proposals, and continuously representing the City in Washington, D.C. Consistent representation is vital to retain the City's positive reputation among federal lawmakers and agencies.

- One-on-One Monthly Calls with Delegation: In addition to the monthly delegation meetings described above, staff have regularly scheduled calls at least once a month with local and Capitol office representatives from the delegation. These one-on-one calls help amplify the City's legislative and funding priorities in a comprehensive manner. Staff regularly follow-up by sharing materials or serving as a liaison between the federal representatives and City departments knowledgeable about specific concerns. Furthermore, staff are available to the City's legislative delegation at a moment's notice, given the rapid changes in pandemic response.

- Monthly Delegation Newsletter: Staff share a monthly newsletter with representatives from the City's entire legislative delegation. The newsletter includes the City's registered legislative positions, timely advocacy efforts, announcements, and upcoming events. Prior to the newsletter's distribution, each office is encouraged to share content with staff to be included in the newsletter, making it a platform to share all advocacy efforts throughout Long Beach.

- Coalition Advocacy: The City also participates in advocacy efforts through a variety of bipartisan coalitions, including the Big City Mayors representing California's 13 most-populous cities, the National League of Cities, and the U.S. Conference of Mayors, among others. The City has actively engaged in advocacy strategy meetings with these groups and joined coalition letters to support additional relief for cities, businesses, and community members.

There are numerous advocacy priorities for the fourth and future federal COVID-19 relief packages. Foremost, City staff advocate for direct and flexible aid to State and local governments, which is a consistent theme among coalitions such as the National League of Cities and U.S. Conference of Mayors. As described in a memorandum dated March

30, 2020, the City did not meet the 500,000-population threshold for direct federal relief through the CARES Act. Following enactment of the CARES Act, various alternative thresholds and allocation methodologies have been proposed to expand relief to more cities, and staff continues to advocate for funding directly to the City. Since Long Beach is a local health jurisdiction, staff advocate for direct resources for public health as well. Another challenge is the CARES Act funds could not be spent to backfill revenue loss brought on by the COVID-19 pandemic. Long Beach and other cities have consistently asked for additional flexibility with any future relief funds to include revenue loss and infrastructure investment.

City staff have also advocated for a longer CARES Act expenditure timeline. The City received $40.28 million from the State's CARES Act allotment, roughly three months after the initial federal allocations were made. As discussed in a memorandum dated December 15, 2020, the City has faced challenges to fully expend the funds within the December 30, 2020 deadline. Ideally, the City would have the flexibility to devote relief funds and develop community and business support programs based on the ongoing needs of the pandemic, rather than an arbitrary deadline defined in legislation.

Staff further prioritize advocacy efforts for direct federal relief funding in line with the City Council-approved CARES Act spending plan approved on July 14, 2020, including COVID-19 emergency and public health response expenditures, economic relief, and community support. The COVID-19 pandemic has exacerbated inequitable health outcomes amongst populations of lower socioeconomic status and especially amongst racial and ethnic minorities. In response, staff advocate for federal public health resources, including increased Medicaid funding and benefit programs, such as Supplemental Nutrition Assistance Program (SNAP). For economic and community support, staff advocate specifically for restaurant revitalization, housing resources, suspension of the State and Local income tax deduction cap, and expanded eligibility for Earned Income Tax Credits.

Federal COVID-19 Relief Negotiations

Since the passage of the CARES Act on March 27, 2020, Congress has gone back and forth for months on the provisions of a fourth federal COVID-19 relief package. Several proposals have been introduced, but debates over the scale of the relief and the specific provisions have led to stagnation until recent weeks. While there has generally been bipartisan support in Congress for many important provisions, including small business relief, unemployment insurance, and direct stimulus payments to taxpayers, the primary issues of State and local government aid and business liability protections have often stalled negotiations.

Two proposals were the focus of Congressional negotiations during the summer months: the HEROES Act and the HEALS Act. The $3.5 trillion HEROES Act included almost $1 trillion in direct State and local funding, extended supplemental unemployment benefits into 2021, and included an expansion of small business relief. The House passed the

HEROES Act with a vote of 208-199 in May, but it did not move in the Senate. Instead, Republican leadership in the Senate introduced the $1.1 trillion HEALS Act, a much smaller relief package with no funding for State and local governments, less unemployment relief, and the inclusion of business indemnification protections. Both legislative packages were unsuccessful at acquiring bipartisan support. Disagreements were and remain contingent upon negotiations over the scope of State and local funding and business liability protections.

Recently, there has been renewed effort to pass a COVID-19 relief package along with the federal 2021 omnibus appropriations package. Leaders of both houses have moved forward on a compromise COVID-19 relief package without direct aid to State and local governments or business indemnification. Congressional leaders have acknowledged it is unlikely to be the last COVID-19 relief package. Another COVID-19 relief package is anticipated in the early months of 2021, and there is continued interest for future legislation to include direct State and local funding, in addition to other relief related to the City's advocacy priorities.

The COVID-19 Emergency Relief package enacted on December 27, 2020, includes support for individuals in the form of direct payments, expanded unemployment insurance, and housing assistance. An extension of direct stimulus payments for employed individuals has been reinstated for $600 to individuals earning up to $75,000, with an additional $600 payment per child dependent. Unemployed individuals will receive a $300 per week supplement as an enhancement to the Federal Pandemic Unemployment Compensation program between December 26, 2020 and March 14, 2021. The Pandemic Unemployment Assistance program expands coverage to non-traditional employment models such as self-employed and gig workers. The package also establishes a new Emergency Rental Assistance program composed of $25 billion to help with past due rent, upcoming rent, and utility expenses. The federal eviction moratorium has been extended until January 31, 2021. Additionally, $3.2 billion is directed to emergency funding for low-income families to access broadband.

The COVID-19 relief includes small business and community support. The bill allocates an additional $284 billion for the Small Business Administration's Paycheck Protection Program (PPP), which is extended until March 31, 2021. PPP support will be tax deductible, along with Economic Injury Disaster Loans (EIDL) and other grants, retroactive to the establishment of the CARES Act. Small businesses and non-profit organizations in low-income communities are eligible for EIDL grants of $10,000 with an additional $20 billion allocated to the EIDL grant program. Shuttered venue operators are also eligible for up to $10 million grants from a $15 billion allotment for SBA grants for live venue operators and cultural institutions.

The package also contains several comprehensive public health measures. Specific to COVID-19 relief, roughly $30 billion is allotted for vaccine distribution, $22 billion for testing and contact tracing, and $9 billion for health care provider support. Public health grants will continue to be made available with $2.5 billion to specifically target underserved areas, including communities of color.

Although the agreement does not provide new direct State and local funding, it does include targeted resources that may be beneficial to the City. The deadline to expend existing CARES Act Coronavirus Relief Funds has been extended through December 31, 2021. Targeted relief funds in the bill include the following: $82 billion toward education, $25 billion for housing assistance, $14 billion for transit agencies, $10 billion for state highways, $2 billion for airports, and $22 billion for the health-related expenses of state, local, tribal and territorial governments. The additional support for education is anticipated to benefit Long Beach Unified School District, Long Beach Community College, and California State University, Long Beach, which received aid from the CARES Act. The allocations for airports, transit, and highways are promising for infrastructure needs in and surrounding Long Beach.

Next Steps

While the fourth COVID-19 relief package was enacted on December 27, 2020, there is continued discussion about potentially expanding the direct stimulus checks to taxpayers—from $600 up to $2,000. Staff will continue to monitor these negotiations and analyze the legislation, especially as it relates to resources to the City. Many of these details will become available after the federal agencies and departments review the legislative text and follow up with details about the allocation methodologies and funding opportunities. Staff will continue to advocate for the City's interests and strengthen relations with federal representatives, with representation in Washington D.C. from Dentons. If you have any questions, please contact Tyler Bonanno-Curley, Manager of Government Affairs, at (562) 570-5715 or Tyler.Curley@longbeach.gov.

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MEMORANDUM

To: Tom Modica

From: John Russell and Darry Sragow

Date: December 22, 2020

Subject: 2020 Omnibus Legislation

Congress passed a $2.3 trillion government funding and coronavirus relief measure that, once signed into law by President Donald Trump, will keep the federal government running for the rest of the fiscal year, send $600 in direct payments to Americans, revive a $300-per-week supplemental benefit for the unemployed and provide billions of dollars in aid for businesses. The passage of the $900 billion COVID-19 stimulus package caps months of negotiations that followed the $2.2 trillion CARES ACT enacted in March; earlier in the day, President-elect Joe Biden pledged that additional aid - especially relief for state and local governments, which was axed in negotiations over the latest package - would be forthcoming once he takes office.

More than $900 billion would be provided for unemployment aid, direct payments, and business loans under the Covid-19 relief portion of the further amendment to HR 133, which would also fund the government for the balance of fiscal 2021.

The measure would provide funding for vaccines and testing, airline payroll support, farmers, and broadband. It would extend a moratorium on evictions through Jan. 31 and expand food aid programs. It would also provide additional funds for the Paycheck Protection Program and allow businesses to obtain a second loan.

The measure omits limits on Covid-related liability and funding for state and local governments, though it would extend the expiration of funds provided under the CARES Act for state aid.

FED & TREASURY PROGRAMS

The CARES Act provided $500 billion for the Treasury Department's Exchange Stabilization Fund (ESF), to be used to make loans, loan guarantees, and other investments to businesses, states, and municipalities. Some funds were carved out for passenger and cargo airlines and for businesses critical to national security.

As much as $454 billion, and any other unused loan funds, was set aside to support programs or facilities established within the Federal Reserve. Funds could be used to purchase obligations or other interests from businesses, states, and municipalities, directly or in secondary markets.

The measure would:

- Immediately rescind $429 billion in unobligated balances from the ESF. Certain funds, such as those appropriated for administrative expenses and for Covid-19 relief oversight bodies, would be exempt from rescission.
- Rescind additional remaining funds by Jan. 9, 2021, if they aren't needed to meet commitments through the Fed's programs.
- Reduce to zero the funding levels for the ESF and the amounts set aside for certain businesses. The provision wouldn't affect amounts obligated before Jan. 1, 2021.
- Bar the Fed from making new investments or extending credit to facilities established under the CARES Act after Dec. 31, 2020. The Fed's Main Street Lending Program would have until Jan. 8, 2021, to fulfill its obligations.
- Bar the use of ESF funds to re-establish the same Fed facilities or programs that were formed under the CARES Act, with the exception of the Term Asset-Backed Securities Loan Facility that supports entities making loans to companies with asset-backed securities backed by consumer and business loans.
- Clarify that the bill's provisions wouldn't affect the Fed's emergency authority under Section 13(3) of the Federal Reserve Act as it existed before the CARES Act.

SMALL BUSINESS AID

Paycheck Protection Program

The measure would authorize a second round of loans under the Paycheck Protection Program, which offered low-interest, forgivable loans guaranteed by the Small Business Administration for small businesses and other entities to keep workers on the payroll during the Covid-19 crisis.

Funding: The measure would increase the program's combined lending authority to $806.5 billion, from $659 billion, and extend it to March 31, 2021, from Aug. 8.

It would appropriate $284.5 billion in new funds for the SBA to guarantee first and second round loans. Of that amount, it would set aside:

- At least $15 billion for first and second loans issued by community financial institutions.
- At least $15 billion for first and second loans issued by insured depository institutions, credit unions, and Farm Credit System institutions with less than $10 billion in assets.
- At least $15 billion for first loans issued to entities with 10 or fewer employees and for first loans of $250,000 or less issued to entities in low- or moderate-income areas. It also would set aside at least $25 billion for second loans to entities that meet those criteria.
- At least $35 billion for first loans to entities that haven't received a loan.

The measure also would rescind $146.5 billion in unobligated small business funds from the CARES Act and from a subsequent law that replenished the program (Public Law 116-139).

Second Loans: The PPP was open to businesses and 501(c)(3) nonprofits with 500 or fewer employees, as well as self-employed workers and some companies that are part of food or hotel chains, among others.

To qualify for a second loan, entities would have to:

- Employ 300 or fewer workers, instead of the current 500-employee threshold.
- Demonstrate that they had at least a 25% reduction in gross revenue during a quarter in 2020 compared with the same period in 2019, with some exceptions.
- Exhaust their first loan before receiving a second one.

Ineligible entities would include:

- Entities primarily engaged in political or lobbying activities, including think tanks.
- Businesses that are partially owned by Chinese entities or that have a Chinese resident on their board.
- Individuals and entities that are required to register under the Foreign Agents Registration Act.

Most eligible borrowers could receive second loans for as much as $2 million or 250% of their average monthly payroll costs, whichever is less. Restaurants and hospitality businesses could receive the lesser of $2 million or 350% of their average monthly payroll costs.

Loan Expenditures & Forgiveness: The legislation would expand the use of PPP funds that would qualify for loan forgiveness. Approved expenditures for nonpayroll costs would include:

- Payments for software or cloud computing services that facilitate operations, product delivery, payroll expenses, and other functions.
- Costs related to property damage, vandalism, or looting due to public disturbances in 2020, if the damage wasn't covered by insurance.
- Payments made to suppliers of essential goods under contracts and purchase orders in effect before a PPP loan was issued.
- Purchases of personal protective equipment.
- Adaptations such as drive-through windows, ventilation systems, sneeze guards, and screening capabilities to comply with social distancing, sanitation, and other requirements related to Covid-19.

PPP borrowers could choose a loan forgiveness period ranging from eight to 24 weeks.

Businesses that received PPP loans of less than $150,000 could submit simplified applications for forgiveness with limited documentation.

Other Eligible Borrowers: The measure would expand eligibility rules for PPP loans to include certain 501(c)(6) groups and tourism bureaus that employ 300 or fewer people and don't receive more than 15% of their revenue from lobbying.

Professional sports leagues and groups formed to participate in political campaigns would be excluded.

It also would allow loans to be issued to qualifying newspaper publishers and radio or television broadcasters to produce local news or emergency information. Eligible recipients would need to have 500 or fewer employees per physical location or be designated as a nonprofit public broadcaster.

Tax Deductions: The measure would stipulate that borrowers could deduct eligible expenses paid for with forgiven PPP loans, effectively reversing guidance from the Internal Revenue Service.

Bankruptcy: The bill would allow small business debtors to receive PPP loans if approved by a bankruptcy court. PPP loans would be given a priority claim in bankruptcy proceedings, meaning they would be repaid before other debt.

The provision would expire two years following the bill's enactment.

Other PPP Provisions: The measure also would:

- Bar the use of PPP funds for lobbying activities.
- Bar publicly traded companies from receiving PPP loans.
- Prohibit entities from receiving PPP loans following the bill's enactment if they're owned in part by the president, vice president, cabinet members, lawmakers, or their spouses.
- Expand a liability safe harbor for PPP lenders that act in good faith based on certifications and documentation provided by borrowers.
- Require interest rates on PPP loans to be calculated without compounding or adjustments.
- Modify reimbursement rates for PPP lenders.
- Ensure that churches and other religious entities can qualify for PPP loans.
- Expand the definition of seasonal employers that would qualify for PPP loans.
- Specify a formula to calculate loans for certain farmers and ranchers under the first round of PPP funds.
- Clarify that approved PPP payroll costs include employer-provided group insurance benefits.
- Clarify that businesses must have been in operation on Feb. 15 to qualify for a PPP loan.

Live Venue Operators

The measure would provide $15 billion for the SBA to issue grants to live venue operators, promoters, theatrical producers, performing arts groups, movie theaters, and talent representatives, as well as nonprofit museums and similar institutions such as botanic gardens, historic homes, and zoos. It would require at least a 25% reduction in gross revenue during a quarter in 2020 compared with the previous year to qualify, along with other specified criteria.

Recipients could use the funds for eligible PPP expenses, payments to independent contractors, advertising, state and local taxes and fees, production transportation, certain mortgage and debt payments, maintenance expenses, and administrative costs. They couldn't use the grants to purchase real estate, repay loans issued after Feb. 15, invest or re-lend funds, or donate to political parties or candidates.

Initial grants would be the lesser of 45% of an entity's gross revenue in 2019 or $10 million. At least $2 billion in initial grant funds would be set aside for entities with 50 or fewer employees. They would be prioritized at the outset for entities with significant revenue losses. Initial grants would cover costs incurred from March 1, 2020, through Dec. 31, 2021.

Entities with recent quarterly revenue losses of at least 30% as of April 1, 2021, could qualify for supplemental grants, which would be half the amount of initial grants. They could cover costs incurred through June 30, 2022.

Entities couldn't receive more than $10 million in total grant funds.

Ineligible entities would include those that are publicly traded, operate venues in multiple countries or more than 10 states, employ more than 500 workers, receive more than 10% of their gross revenue from federal funding, or hold performances of a "prurient sexual nature," with some exceptions.

Disaster Loans

The CARES Act expanded the SBA's Economic Injury Disaster Loan (EIDL) program and authorized the agency to advance as much as $10,000 for recipients to pay sick leave to workers affected by Covid-19, retain employees, and make other covered payments.

The measure would double the authorization for advance funds to $40 billion, from $20 billion, and extend it through Dec. 31, 2021.

It also would provide $20 billion for certain entities to receive the difference between $10,000 and the advance funds they received under the CARES Act. Eligible recipients would include those with 300 or fewer employees that are located in low-income communities and that had economic losses of at least 30% over eight weeks compared with a similar period before the pandemic.

The measure also would repeal a provision from the CARES Act that requires PPP forgiveness amounts to be reduced based on EIDL advances.

Loan Payment Relief

The CARES Act provided $17 billion for the SBA to pay the principal, interest, and associated fees for loans under the 7(a), 504, and microloan programs for six months.

The measure would provide $3.5 billion to extend the payment relief for additional periods depending on the program and the small business type. The longest extension would be available to small businesses in industries such as food services, lodging, entertainment, and recreation, among others.

Monthly payments would be capped at $9,000 per borrower.

Additional Small Business Provisions

The measure would provide $1.92 billion for the SBA to:

- Increase its maximum guarantees for 7(a) loans to 90% through Sept. 30, 2021.
- Temporarily increase 7(a) express loans.
- Temporarily waive certain fees associated with the 7(a) and 504 loan programs.
- Allow eligible small businesses to use 504 program funds to refinance existing debt equal to 100% of the cost to expand those businesses.
- Support as much as $7.5 billion each year in debt refinancing for 504 program projects that don't involve expanding a small business.

It also would:

- Exclude live venue grants, advance disaster loans, and certain other types of small business aid under the measure from borrowers' gross income for tax purposes.
- Temporarily increase outstanding amounts that can be committed to intermediary lenders under the Microloan Program to $10 million.
- Authorize the SBA to issue $80 million in microloan technical assistance grants per year from fiscal 2021 through 2025, and $110 million in annual direct loans.
- Authorize certain Certified Development Companies that participate in the 504 program to approve and guarantee express loans of $500,000 or less.
- Allow businesses participating in the 8(a) program on or before Sept. 9 to extend their participation by one year.

UNEMPLOYMENT & LEAVE

The measure would restore and reduce to $300 per week, from $600, the Federal Pandemic Unemployment Compensation (FPUC) created under the CARES Act.

The extra payments, which expired on July 31, would apply to weeks of unemployment after Dec. 26 and through March 14, 2021.

The measure would extend through March 14, 2021, other CARES Act unemployment benefits slated to expire on Dec. 31, with changes that would include:

- Increasing the duration of Pandemic Unemployment Assistance benefits to as long as 50 weeks, from 39 weeks, for individuals who don't qualify for regular benefits. Individuals applying for benefits would have to submit documentation to verify employment. States also would have to verify the identity of applicants.
- Extending to 24 weeks, from 13 weeks, benefits for those who've exhausted regular benefits under the Pandemic Emergency Unemployment Compensation program. States would establish or defer the establishment of a new benefit year to provide regular or emergency benefits.

The additional benefits could continue through April 5, 2021, for individuals who haven't exhausted them yet.

The measure also would extend through March 14, 2021:

- Federal payments to nonprofits and government agencies for half of their costs of providing unemployment benefits.
- Interest-free federal loans for state unemployment trust funds.
- Full federal funding to qualifying states for the Extended Benefit (EB) and work-sharing programs.
- Partial federal funding for states to provide regular unemployment benefits without a waiting period.
- Extra payments to railroad workers, which would be reduced to $600, from $1,200.

The measure would waive the restriction on states to trigger Extended Benefit programs retroactive to Nov. 1, 2020, and through Dec. 31, 2021.

States would be required to have procedures in place to address unemployment claimants who refuse to return to work or refuse to accept an offer of work without good cause, such as:

- A reporting method for employers to notify the state of refusals.

- Notifications for claimants about state return to work laws, rights to refuse work, and information on appealing claim denials.

New Unemployment Program

The measure would provide an additional $100 weekly jobless benefit to self-employed individuals who earn at least $5,000 in the most recent tax year but weren't eligible for benefits under the Pandemic Unemployment Assistance program. The additional benefit would be voluntary for states and would be added to the FPUC benefit through March 14, 2021.

Federal Contractor Leave

The measure would extend through March 31, 2021, reimbursements for federal contractors to provide paid leave to employees or subcontractors who can't telework. The authority was set to expire Sept. 30 but has been extended by continuing resolutions.

DIRECT PAYMENTS & TAX

The measure would provide another round of direct payments of as much as $600 for an individual, $1,200 for joint filers, and $600 for each qualifying child.

It would apply the similar income limits and phase-out as the CARES Act, reducing the payments by 5% for individuals with adjusted gross incomes of more than $75,000. Filers with an AGI greater than $87,000 wouldn't receive a payment. The CARES Act provided payments of $1,200 per individual.

The measure also would provide the following amounts to deliver the payments:

- $509 million for the IRS.
- $38 million for the Social Security Administration.

Payments would be based on 2019 taxes. Payments could be issued for certain beneficiaries who didn't file 2019 returns, including retired and disabled workers, Supplemental Security Income recipients, and veterans receiving VA benefits.

The measure would reduce the payment to $600 for joint filers if the Social Security Number of only one spouse is included in the most recent return. It would provide an extra $600 for each child with an SSN or adoption taxpayer identification number.

Other Tax Provisions

Payroll Tax Deferral: Workers who've had their payroll taxes deferred since September would be given until Dec. 31, 2021, to pay back the government, instead of through April 30, 2021, as originally directed by the Treasury Department.

Paid Leave Credits: The measure would extend credits for paid sick and family leave provided under the second coronavirus relief package (Public Law 116-127) through March 31, 2021.

The measure also would:

- Clarify that gross income wouldn't include certain forgiven debt, emergency SBA disaster loans, and loan repayment aid provided by the CARES Act.
- Allow employers to elect through 2021 to end certain transfers from pension plans to retiree health benefit or life insurance accounts, according to a summary from House Democrats. Under current law, as many as 10 years of retiree health and life expenses can be moved via a "qualified future transfer" provided a plan meets funding and maintenance of effort requirements.
- Allow farmers to retain a two-year carryback, instead of five, for operating losses.
- Direct the Treasury Department to issue regulations to make personal protective equipment and other supplies used to prevent the spread of Covid-19 eligible for the educator expense deduction. The rule would apply retroactively to March 12.
- Exclude certain financial aid grants provided under the CARES Act from the gross income of college students.

HOUSING & EVICTIONS

Rental Assistance

The measure would provide $25 billion for emergency rental assistance payments through the Treasury Department.

It would set aside $400 million for and U.S. territories and $800 million for tribal grantees.

The remaining funds would be allocated, within 30 days of enactment, to states and to localities with at least 200,000 people. Each state, as well as the District of Columbia, would receive at least $200 million.

Each grantee would have to use at least 90% of its allocation to provide financial assistance to eligible households, including for rental and utilities payments. Other funds could be used to provide housing stability services.

Households would qualify for rental assistance if they have:

- At least one member who qualified for unemployment benefits, had their income reduced, or experienced other financial hardship due to Covid-19.
- At least one member who can provide an eviction notice, evidence of unsafe living conditions, or other information to show they're at risk of homelessness or housing instability.
- Household income that doesn't exceed 80% of the area median income.

Funds provided to grantees would remain available through Dec. 31, 2021, with some exceptions.

Eviction Moratorium

The CARES Act temporarily barred landlords with federally backed mortgages from evicting tenants. After the moratorium expired, the Centers for Disease Control and Prevention expanded it to cover additional tenants and extended it through Dec. 31 to prevent the further spread of Covid-19.

The measure would extend the CDC's eviction moratorium for one month, through Jan. 31, 2021.

BANKING

Minority & Community Lenders

The measure would provide $9 billion for the Treasury Department to establish an "Emergency Capital Investment Program."

The program would support the efforts of community development financial institutions and minority depository institutions to provide loans, grants, and forbearance to small and minority-owned businesses and consumers. It would focus on low-income communities that may be disproportionately affected by Covid-19.

The measure would set aside $4 billion for institutions with less than $2 billion in assets.

Program applicants would have to submit an emergency investment lending plan and show that at least 30% of their lending over the past two fiscal years was provided to low- or moderate-income borrowers.

The department could purchase preferred stock from participating financial institutions, subject to caps on dividend and interest payments, among other restrictions.

The Treasury Department's investment authority would expire six months after the declared Covid-19 national emergency ends.

The measure also would provide $3 billion for the department's Community Development Financial Institutions Fund to assist community and minority lenders.

Accounting Rules

The CARES Act gave banks and credit unions a temporary exemption from a 2016 accounting rule on credit losses issued by the Financial Accounting Standards Board. The rule included a methodology for current expected credit losses (CECL) opposed by banks that requires them to set aside reserves to cover potential losses over the life of a loan.

The CARES Act also allowed financial institutions to exempt themselves from accounting rules that would otherwise categorize certain loan modifications related to Covid-19, such as payment deferrals, as troubled debt restructurings (TDRs). Loan modifications that qualify as TDRs typically result in stricter accounting and disclosure requirements.

The measure would extend both exemptions through Jan. 1, 2022.

It also would permit the Housing and Urban Development Department to cover certain operating losses for health-care facilities insured under the National Housing Act that were financially sound before the Covid-19 pandemic.

HEALTHCARE

The measure would provide the following emergency health-care funding:

- $22.4 billion for testing and tracing for states, localities, territories, and tribes, including $2.5 billion to improve testing in minority populations and rural areas.
- $19.7 billion for the Biomedical Advanced Research and Development Authority to produce and purchase vaccines, and $3.25 billion for the Strategic National Stockpile.
- $8.75 billion for the Centers for Disease Control and Prevention for vaccine distribution, of which $4.5 billion would be for states, localities, territories, and tribes.
- $4.25 billion for the Substance Abuse and Mental Health Services Administration.
- $3 billion for health-care providers.
- $1.25 billion for the National Institutes of Health to research Covid-19.

Doctor Payments: The measure would increase payments for physicians and other professionals by 3.75% for calendar year 2021. It would transfer $3 billion from the general fund to the Medicare Part B trust fund to increase the payments, and allow any additional amounts from the trust fund as needed.

Medicare Sequestration: The measure would suspend automatic Medicare payment cuts to hospitals and doctors, known as sequestration, through March 31, 2021. The CARES Act had suspended it through Dec. 31.

The sequestration, which is required under the Budget Control Act (Public Law 112-25), reduces Medicare payments by 2% annually, including $15.3 billion for fiscal 2020.

EDUCATION

The measure would provide $81.9 billion for the Education Stabilization Fund created by the CARES Act. It would allocate the following amounts:

- $54.3 billion for elementary and secondary schools.
- $22.7 billion for higher education institutions, including $1.7 billion for historically Black colleges and universities, tribal colleges, and other institutions, and $680.9 million for for-profit colleges for financial aid.
- $4.05 billion for emergency relief grants to states, $2.75 billion of which would be for private schools.
- $818.8 million for territories and tribal education programs.

Schools that receive funding would have to continue to pay their employees and contractors during any closures, to the greatest extent practicable.

States that receive funds would have to maintain their support for schools in fiscal 2022 at proportional levels to the average over fiscal 2017 through 2019. The Education Department could waive the requirement to relieve burdens on states with precipitous declines in resources.

TRANSPORTATION

The measure would provide the following amounts for transportation:

- $15 billion for airlines to cover payroll expenses and $1 billion for airline contractors' payroll expenses.
- $14 billion for transit, including to cover operating expenses.
- $10 billion for highway programs, which is intended to help state departments of transportation, as well as some local agencies, according to a summary from House Democrats.
- $2 billion for airports.
- $2 billion for private motorcoaches, school buses, ferries, and other transportation service providers.
- $1 billion for Amtrak.

Airline Requirements

To qualify for support, airlines couldn't reduce pay rates and benefits or furlough employees until March 31, 2021. Air carriers and their affiliates would be prohibited through March 31, 2022, from purchasing stock in the air carrier or paying dividends.

Air carriers would have to recall and compensate certain employees who were furloughed or laid off. The measure would also extend a CARES Act provision barring aid from being conditioned on entering into collective bargaining negotiations.

Airlines would have to agree to limit compensation for higher-paid officers and employees until Oct. 1, 2022.

The Transportation Department could require air carriers receiving financial aid to maintain services at any points they served before March 1, 2020. Its authority and any requirements it imposed would expire on March 1, 2022.

NUTRITION & AGRICULTURE

SNAP Provisions

The measure would increase monthly benefits for the Supplemental Nutrition Assistance Program by 15% from the June 2020 level, effective from Jan. 1, 2021, through June 30, 2021. In June 2020, a family of four could receive as much as $646 per month in most states, though an increase to $680 per month took effect Oct. 1.

The agreement would:

- Exclude pandemic unemployment benefits from income for SNAP eligibility purposes.
- Allow work-study students and students with expected family contributions of $0 to be eligible for SNAP until the health emergency ends.

Other Nutrition Provisions

The agreement would provide:

- $614 million for nutrition assistance grants to Puerto Rico, American Samoa, and the Northern Mariana Islands.
- $400 million for the Emergency Food Assistance Program, with as much as $200 million used for distribution costs.
- $168 million for nutrition assistance to seniors, whether at their homes or in congregate settings.

The measure also would:

- Direct the Agriculture Department to reimburse state school meal programs and child and adult care food programs for pandemic-related emergency operational costs.
- Deem any child younger than 6 to be enrolled in a child-care facility for purposes of state plans related to extra meals provided to SNAP households during closures of such facilities.
- Treat seniors social distancing in their homes as if they are homebound by illness for purposes of determining eligibility for home-delivered nutrition services.

Farm Aid

The package would appropriate $11.2 billion for direct support to farmers and processors, as well as purchases of food and agricultural products, including seafood.

Additionally, the measure would provide the following amounts as emergency appropriations:

- $400 million for the USDA to create a program to compensate dairy producers and distributors for milk they donate rather than dump.
- $100 million for block grants to states to support specialty crops, which include fruits, vegetables, nuts, and flowers.
- $100 million for additional grants under the Local Agriculture Market Program.
- Such sums as may be necessary for supplemental dairy margin coverage payments to some dairy operators to account for the low market price of milk. The payment authority would lapse Dec. 31, 2023.

The measure also would require livestock dealers to hold livestock in trust for the benefit of unpaid sellers, such as farmers and ranchers, until payment has been made in full.

OTHER PROVISIONS

Postal Service

The CARES Act authorized the Treasury Department to lend the U.S. Postal Service as much as $10 billion in additional funds to cover operating expenses during the Covid-19 emergency. On July 29, the Postal Service announced it reached an “agreement in principle” with the department on the terms of the loan.

Under the measure, the Postal Service wouldn’t be required to repay any money it borrows.

The measure would allow international shipments that USPS or Customs and Border Protection determines to be at low risk of violating laws and regulations to be exempt from an electronic information requirement.

State & Local Aid

The CARES Act provided $150 billion for state, local, and tribal governments and U.S. territories to pay for unbudgeted expenses tied to the Covid-19 emergency.

It limited the use of funds to cover emergency-related costs incurred from March 1 through Dec. 30, if the spending wasn't already accounted for in state or local budgets.

The measure would extend the spending deadline to cover costs incurred through Dec. 31, 2021. It wouldn't provide any additional funding or spending flexibility.

Broadband

The measure would provide a total of $7 billion for broadband activities.

It would allocate $3.2 billion for a new Emergency Broadband Connectivity Fund to reimburse broadband service providers for discounts of as much as $50, or $75 on tribal land, to households that are low-income or affected by furloughs or layoffs. As much as $100 for one device per household could also be reimbursed.

Other broadband funds would be allocated as follows:

- $1.9 billion for a Federal Communications Commission program to assist small service providers replacing equipment made by Chinese firms Huawei Technologies Ltd. and ZTE Corp.
- $1 billion for grants to tribal governments for broadband deployment, telehealth, and distance learning.
- $300 million for grants to partnerships between state and local governments and broadband providers, to support rural broadband deployment.
- $285 million for a new Connecting Minorities Communities Fund to be used for a pilot grant program to support broadband service and equipment purchases at HBCUs and Minority-Serving Institutions to encourage broadband deployment and adoption in the areas around them.
- $250 million for the FCC's Covid-19 Telehealth Program to cover health-care providers' expenses for providing services using communications equipment.

Additional Emergency Appropriations

Child Care Funds: The bill would provide $10 billion through HHS for the Child Care and Development Block Grant for states, territories, and tribes to support child care providers in sustaining operations during the Covid-19 pandemic. Funds could be used to provide relief from copayments and tuition for families. States, territories and tribes would be encouraged to place conditions on payments to ensure providers continue to pay staff salaries.

Disaster Relief Fund: The measure would provide $2 billion for the Federal Emergency Management Agency's Disaster Relief Fund. It would allow a federal cost share of 100% for financial assistance to an individual or household to meet disaster-related funeral expenses through Dec. 31, 2020.

NOAA Appropriation: The measure would provide $300 million for the National Oceanic and Atmospheric Administration's fisheries disaster assistance. Of that amount, $30 million would be allocated for tribal fisheries.

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