

Amendment in the Nature of a Substitute to Committee Print

**(Providing for reconciliation pursuant to S. Con. Res. 5, the
Concurrent Resolution on the Budget for Fiscal Year 2021)**

Strike all after the heading and insert the following:

1 **TITLE VII—COMMITTEE ON**
2 **TRANSPORTATION AND IN-**
3 **FRASTRUCTURE**

4 **Subtitle A—Transportation and**
5 **Infrastructure**

6 **SEC. 7001. FEDERAL EMERGENCY MANAGEMENT AGENCY**
7 **APPROPRIATION.**

8 In addition to amounts otherwise available, there is
9 appropriated to the Federal Emergency Management
10 Agency for fiscal year 2021, out of any money in the
11 Treasury not otherwise appropriated, \$50,000,000,000, to
12 remain available until September 30, 2025, for major dis-
13 asters declared pursuant to the Robert T. Stafford Dis-
14 aster Relief and Emergency Assistance Act (42 U.S.C.
15 5121 et sec.).

1 **SEC. 7002. FUNERAL ASSISTANCE.**

2 (a) IN GENERAL.—For the emergency declaration
3 issued by the President on March 13, 2020, pursuant to
4 section 501(b) of the Robert T. Stafford Disaster Relief
5 and Emergency Assistance Act (42 U.S.C. 5191(b)), and
6 for any subsequent major disaster declaration under sec-
7 tion 401 of such Act (42 U.S.C. 5170) that supersedes
8 such emergency declaration, the President shall provide fi-
9 nancial assistance to an individual or household to meet
10 disaster-related funeral expenses under section 408(e)(1)
11 of the Robert T. Stafford Disaster Relief and Emergency
12 Assistance Act (42 U.S.C. 5174(e)(1)), for which the Fed-
13 eral cost share shall be 100 percent.

14 (b) USE OF FUNDS.—Funds appropriated under sec-
15 tion 7001 may be used to carry out subsection (a) of this
16 section.

17 **SEC. 7003. ECONOMIC ADJUSTMENT ASSISTANCE.**

18 (a) ECONOMIC DEVELOPMENT ADMINISTRATION AP-
19 PROPRIATION.—In addition to amounts otherwise avail-
20 able, there is appropriated for fiscal year 2021, out of any
21 money in the Treasury not otherwise appropriated,
22 \$3,000,000,000, to remain available until September 30,
23 2022, to the Department of Commerce for economic ad-
24 justment assistance as authorized by sections 209 and 703
25 of the Public Works and Economic Development Act of
26 1965 (42 U.S.C. 3149 and 3233) to prevent, prepare for,

1 and respond to coronavirus and for necessary expenses for
2 responding to economic injury as a result of coronavirus.

3 (b) Of the funds provided by this section, up to 2
4 percent shall be used for Federal costs to administer such
5 assistance utilizing temporary Federal personnel as may
6 be necessary consistent with the requirements applicable
7 to such administrative funding in fiscal year 2020 to pre-
8 vent, prepare for, and respond to coronavirus and which
9 shall remain available until September 30, 2027.

10 (c) Of the funds provided by this section, 15 percent
11 shall be for assistance to communities that have suffered
12 economic injury as a result of job losses in the travel, tour-
13 ism, or outdoor recreation sectors.

14 (d) The total amount provided by this section shall
15 be allocated to eligible recipients in the States and Terri-
16 tories according to the total level of economic injury of
17 such States and Territories as a result of coronavirus be-
18 ginning on March 1, 2020, as measured by the change
19 in economic activity, demonstrated by current Federal eco-
20 nomic data sources such as unemployment claims and
21 gross domestic product, before and after such date.

1 **SEC. 7004. GREAT LAKES ST. LAWRENCE SEAWAY DEVELOP-**
2 **MENT CORPORATION OPERATIONS AND**
3 **MAINTENANCE.**

4 In addition to amounts otherwise available, there is
5 appropriated for fiscal year 2021, out of amounts not oth-
6 erwise appropriated from the Harbor Maintenance Trust
7 Fund pursuant to section 210 of the Water Resources De-
8 velopment Act of 1986 (33 U.S.C. 2238), \$1,500,000, to
9 remain available until expended, to prevent, prepare for,
10 and respond to coronavirus by conducting the operations,
11 maintenance, and capital infrastructure activities of the
12 Seaway International Bridge.

13 **SEC. 7005. GRANTS TO THE NATIONAL RAILROAD PAS-**
14 **SENGER CORPORATION.**

15 (a) **NORTHEAST CORRIDOR APPROPRIATION.**—In ad-
16 dition to amounts otherwise available, there is appro-
17 priated for fiscal year 2021, out of any money in the
18 Treasury not otherwise appropriated, \$820,388,160, to re-
19 main available until September 30, 2024, for grants as
20 authorized under section 11101(a) of the FAST Act (Pub-
21 lic Law 114–94) to prevent, prepare for, and respond to
22 coronavirus.

23 (b) **NATIONAL NETWORK APPROPRIATION.**—In addi-
24 tion to amounts otherwise available, there is appropriated
25 for fiscal year 2021, out of any money in the Treasury
26 not otherwise appropriated, \$679,611,840, to remain

1 available until September 30, 2024, for grants as author-
2 ized under section 11101(b) of the FAST Act (Public Law
3 114–94) to prevent, prepare for, and respond to
4 coronavirus.

5 (c) LONG-DISTANCE SERVICE RESTORATION AND
6 EMPLOYEE RECALLS.—Not less than \$165,926,000 of the
7 aggregate amounts made available under subsections (a)
8 and (b) shall be for use by the National Railroad Pas-
9 senger Corporation to—

10 (1) restore, not later than 90 days after the
11 date of enactment of this Act, the frequency of rail
12 service on long-distance routes (as defined in section
13 24102 of title 49, United States Code) that the Na-
14 tional Railroad Passenger Corporation reduced the
15 frequency of on or after July 1, 2020, and continue
16 to operate such service at such frequency; and

17 (2) recall and manage employees furloughed on
18 or after October 1, 2020, as a result of efforts to
19 prevent, prepare for, and respond to coronavirus.

20 (d) USE OF FUNDS IN LIEU OF CAPITAL PAY-
21 MENTS.—Not less than \$109,805,000 of the aggregate
22 amounts made available under subsections (a) and (b)—

23 (1) shall be for use by the National Railroad
24 Passenger Corporation in lieu of capital payments
25 from States and commuter rail passenger transpor-

1 tation providers that are subject to the cost alloca-
2 tion policy under section 24905(c) of title 49, United
3 States Code; and

4 (2) notwithstanding sections 24319(g) and
5 24905(c)(1)(A)(i) of title 49, United States Code,
6 such amounts do not constitute cross-subsidization
7 of commuter rail passenger transportation.

8 (e) USE OF FUNDS FOR STATE PAYMENTS FOR
9 STATE-SUPPORTED ROUTES.—

10 (1) IN GENERAL.—Of the amounts made avail-
11 able under subsection (b), \$174,850,000 shall be for
12 use by the National Railroad Passenger Corporation
13 to offset amounts required to be paid by States for
14 covered State-supported routes.

15 (2) FUNDING SHARE.—The share of funding
16 provided under paragraph (1) with respect to a cov-
17 ered State-supported route shall be distributed as
18 follows:

19 (A) Each covered State-supported route
20 shall receive 7 percent of the costs allocated to
21 the route in fiscal year 2019 under the cost al-
22 location methodology adopted pursuant to sec-
23 tion 209 of the Passenger Rail Investment and
24 Improvement Act of 2008 (Public Law 110–
25 432).

1 (B) Any remaining amounts after the dis-
2 tribution described in subparagraph (A) shall be
3 apportioned to each covered State-supported
4 route in proportion to the passenger revenue of
5 such route and other revenue allocated to such
6 route in fiscal year 2019 divided by the total
7 passenger revenue and other revenue allocated
8 to all covered State-supported routes in fiscal
9 year 2019.

10 (3) COVERED STATE-SUPPORTED ROUTE DE-
11 FINED.—In this subsection, the term “covered
12 State-supported route” means a State-supported
13 route, as such term is defined in section 24102 of
14 title 49, United States Code, but does not include a
15 State-supported route for which service was termi-
16 nated on or before February 1, 2020.

17 (f) USE OF FUNDS FOR DEBT REPAYMENT OR PRE-
18 PAYMENT.—Not more than \$100,885,000 of the aggre-
19 gate amounts made available under subsections (a) and
20 (b) shall be—

21 (1) for the repayment or prepayment of debt in-
22 curred by the National Railroad Passenger Corpora-
23 tion under financing arrangements entered into prior
24 to the date of enactment of this Act; and

1 (2) to pay required reserves, costs, and fees re-
2 lated to such debt, including for loans from the De-
3 partment of Transportation and loans that would
4 otherwise have been paid from National Railroad
5 Passenger Corporation revenues.

6 (g) PROJECT MANAGEMENT OVERSIGHT.—Not more
7 than \$2,000,000 of the aggregate amounts made available
8 under subsections (a) and (b) shall be for activities author-
9 ized under section 11101(c) of the FAST Act (Public Law
10 114–94).

11 **SEC. 7006. FEDERAL TRANSIT ADMINISTRATION GRANTS.**

12 (a) FEDERAL TRANSIT ADMINISTRATION APPRO-
13 PRIATION.—

14 (1) IN GENERAL.—In addition to amounts oth-
15 erwise made available, there are appropriated for fis-
16 cal year 2021, out of any funds in the Treasury not
17 otherwise appropriated, \$30,000,000,000, to remain
18 available until September 30, 2024, that shall—

19 (A) be for grants under chapter 53 of title
20 49, United States Code, to eligible recipients to
21 prevent, prepare for, and respond to
22 coronavirus; and

23 (B) not be subject to any prior restriction
24 on the total amount of funds available for im-
25 plementation or execution of programs author-

1 ized under sections 5307, 5310, or 5311 of
2 such title.

3 (2) AVAILABILITY OF FUNDS FOR OPERATING
4 EXPENSES.—

5 (A) IN GENERAL.—Notwithstanding sub-
6 section (a)(1) or (b) of section 5307 of title 49,
7 United States Code, section 5310(b)(2)(A), or
8 any other provision of chapter 53 of such title,
9 funds provided under this section, other than
10 subsection (b)(4), shall be available for the op-
11 erating expenses of transit agencies to prevent,
12 prepare for, and respond to the coronavirus
13 public health emergency, including, beginning
14 on January 20, 2020—

15 (i) reimbursement for payroll of public
16 transportation (including payroll and ex-
17 penses of private providers of public trans-
18 portation);

19 (ii) operating costs to maintain service
20 due to lost revenue due as a result of the
21 coronavirus public health emergency, in-
22 cluding the purchase of personal protective
23 equipment; and

1 (iii) paying the administrative leave of
2 operations or contractor personnel due to
3 reductions in service.

4 (B) USE OF FUNDS.—Funds described in
5 subparagraph (A) shall be—

6 (i) available for immediate obligation,
7 notwithstanding the requirement for such
8 expenses to be included in a transportation
9 improvement program, long-range trans-
10 portation plan, statewide transportation
11 plan, or statewide transportation improve-
12 ment program under sections 5303 and
13 5304 of title 49, United States Code;

14 (ii) directed to payroll and operations
15 of public transportation (including payroll
16 and expenses of private providers of public
17 transportation), unless the recipient cer-
18 tifies to the Secretary that the recipient
19 has not furloughed any employees;

20 (iii) subject to the requirements of
21 section 5333 of such title, notwithstanding
22 any waiver authority under section 5324 of
23 such title; and

24 (iv) used to provide a Federal share of
25 the costs for any grant made under this

1 section of 100 percent, notwithstanding
2 any provision of chapter 53 of such title.

3 (b) ALLOCATION OF FUNDS.—

4 (1) URBANIZED AREA FORMULA GRANTS.—

5 (A) IN GENERAL.—Of the amounts made
6 available under subsection (a), \$26,086,580,227
7 shall be for grants to recipients and subrecipi-
8 ents under section 5307 of title 49, United
9 States Code, and shall be administered as if
10 such funds were provided under section 5307 of
11 such title.

12 (B) ALLOCATION.—Amounts made avail-
13 able under subparagraph (A) shall be appor-
14 tioned to urbanized areas based on data con-
15 tained in the National Transit Database such
16 that—

17 (i) each urbanized area shall receive
18 an apportionment of an amount that, when
19 combined with amounts that were other-
20 wise made available to such urbanized area
21 for similar activities to prevent, prepare
22 for, and respond to coronavirus, is equal to
23 132 percent of the urbanized area's 2018
24 operating costs; and

1 (ii) for funds remaining after the ap-
2 portionment described in clause (i), such
3 funds shall be apportioned such that—

4 (I) each urbanized area that did
5 not receive an apportionment under
6 clause (i) shall receive an appor-
7 tionment equal to 25 percent of the ur-
8 banized area’s 2018 operating costs;
9 and

10 (II) each urbanized area under
11 clause (i), when the amounts that
12 were otherwise made available, prior
13 to clause (i) to that urbanized area
14 for similar activities to prevent, pre-
15 pare for, and respond to coronavirus
16 are equal to or greater than 130 per-
17 cent of the urbanized area’s 2018 op-
18 erating costs but do not exceed 132
19 percent of such costs, such urbanized
20 area shall receive an apportionment
21 equal to 10 percent of the urbanized
22 area’s 2018 operating costs, in addi-
23 tion to amounts apportioned to the
24 urbanized area under clause (i).

1 (2) FORMULA GRANTS FOR THE ENHANCED
2 MOBILITY OF SENIORS AND INDIVIDUALS WITH DIS-
3 ABILITIES.—

4 (A) IN GENERAL.—Of the amounts made
5 available under subsection (a), \$50,000,000
6 shall be for grants to recipients or subrecipients
7 eligible under section 5310 of title 49, United
8 States Code, and shall be apportioned in ac-
9 cordance with such section.

10 (B) ALLOCATION RATIO.—Amounts made
11 available under subparagraph (A) shall be allo-
12 cated in the same ratio as funds were provided
13 under section 5310 of title 49, United States
14 Code, for fiscal year 2020.

15 (3) FORMULA GRANTS FOR RURAL AREAS.—

16 (A) IN GENERAL.—Of the amounts made
17 available under subsection (a), \$280,858,479
18 shall be for grants to recipients or subrecipients
19 eligible under section 5311 of title 49, United
20 States Code, other than subsections (b)(3) and
21 (c)(1)(B) of such section and shall be adminis-
22 tered as if the funds were provided under sec-
23 tion 5311 of such title.

24 (B) ALLOCATION RATIO.—Amounts made
25 available under subparagraph (A) shall be allo-

1 cated to States, as defined in section 5302 of
2 title 49, United States Code, based on data con-
3 tained in the National Transit Database, such
4 that—

5 (i) any State that received an amount
6 for similar activities to prevent, prepare
7 for, and respond to coronavirus that is
8 equal to or greater than 150 percent of the
9 combined 2018 rural operating costs of the
10 recipients and subrecipients in such State
11 shall receive an amount equal to 5 percent
12 of such State's 2018 rural operating costs;

13 (ii) any State that does not receive an
14 allocation under clause (i) that received an
15 amount for similar activities to prevent,
16 prepare for, and respond to coronavirus
17 that is equal to or greater than 140 per-
18 cent of the combined 2018 rural operating
19 costs of the recipients and subrecipients in
20 that State shall receive an amount equal to
21 10 percent of such State's 2018 rural op-
22 erating costs; and

23 (iii) any State that does not receive an
24 allocation under clauses (i) or (ii) shall re-

1 ceive an amount equal to 20 percent of
2 such State's 2018 rural operating costs.

3 (4) CAPITAL INVESTMENTS.—

4 (A) IN GENERAL.—Of the amounts made
5 available under subsection (a)—

6 (i) \$1,000,000,000 shall be for grants
7 administered under subsections (d) and (e)
8 of section 5309 of title 49, United States
9 Code, and section 3005(b) of the FAST
10 Act (Public Law 114–94); and

11 (ii) \$250,000,000 shall be for grants
12 administered under subsection (h) of sec-
13 tion 5309 of title 49, United States Code.

14 (B) FUNDING DISTRIBUTION.—

15 (i) Amounts made available in sub-
16 paragraph (A)(i) shall be proportionally
17 provided to each recipient to all projects
18 with existing full funding grant agreements
19 and all projects under section 3005(b) of
20 Public Law 114–94 that received alloca-
21 tions for fiscal year 2019 or 2020, except
22 that recipients with projects open for rev-
23 enue service are not eligible to receive a
24 grant under this paragraph.

1 (ii) For amounts made available in
2 subparagraph (A)(ii), eligible recipients
3 shall be any recipient of an allocation
4 under subsection (h) of section 5309 of
5 title 49, United States Code, or an appli-
6 cant in the project development phase de-
7 scribed in paragraph (2) of such sub-
8 section.

9 (iii) Amounts distributed under
10 clauses (i) and (ii) of subparagraph (A)
11 shall be provided notwithstanding the limi-
12 tation of any calculation of the maximum
13 amount of Federal financial assistance for
14 the project under subsection (k)(2)(C)(ii)
15 or (h)(7) of section 5309 of title 49,
16 United States Code, or section 3005(b)(9)
17 of the FAST Act (Public Law 114–94).

18 (5) SECTION 5311(F) SERVICES.—

19 (A) IN GENERAL.—Of the amounts made
20 available under subsection (a) and in addition
21 to the amounts made available under paragraph
22 (3), \$100,000,000 shall be available for grants
23 to recipients for bus operators that partner with
24 recipients or subrecipients of funds under sec-
25 tion 5311(f) of title 49, United States Code.

1 (B) ALLOCATION RATIO.—Notwithstanding
2 paragraph (3), the Secretary shall allocate
3 amounts under subparagraph (A) in the same
4 ratio as funds were provided under section
5 5311 of title 49, United States Code, for fiscal
6 year 2020.

7 (C) EXCEPTION.—If a State or territory
8 does not have bus providers eligible under sec-
9 tion 5311(f) of title 49, United States Code,
10 funds under this paragraph may be used by
11 such State or territory for any expense eligible
12 under section 5311 of title 49, United States
13 Code.

14 (6) PLANNING.—

15 (A) IN GENERAL.—Of the amounts made
16 available under subsection (a), \$25,000,000
17 shall be for grants to recipients eligible under
18 section 5307 of title 49, United States Code,
19 for the planning of public transportation associ-
20 ated with the restoration of services as the
21 coronavirus public health emergency concludes
22 and shall be available in accordance with such
23 section.

24 (B) AVAILABILITY OF FUNDS FOR ROUTE
25 PLANNING.—Amounts made available under

1 subparagraph (A) shall be available for route
2 planning designed to—

3 (i) increase ridership and reduce trav-
4 el times, while maintaining or expanding
5 the total level of vehicle revenue miles of
6 service provided in the planning period; or

7 (ii) make service adjustments to in-
8 crease the quality or frequency of service
9 provided to low-income riders and dis-
10 advantaged neighborhoods or communities.

11 (C) LIMITATION.—Amounts made available
12 under subparagraph (A) shall not be used for
13 route planning related to transitioning public
14 transportation service provided as of the date of
15 receipt of funds to a transportation network
16 company or other third-party contract provider,
17 unless the existing provider of public transpor-
18 tation service is a third-party contract provider.

19 (7) RECIPIENTS AND SUBRECIPIENTS REQUIR-
20 ING ADDITIONAL ASSISTANCE.—

21 (A) IN GENERAL.—Of the amounts made
22 available under subsection (a), \$2,207,561,294
23 shall be for grants to eligible recipients or sub-
24 recipients of funds under chapter 53 of title 49,
25 United States Code, that, as a result of

1 COVID-19, require additional assistance to
2 maintain operations.

3 (B) ADMINISTRATION.—Funds made avail-
4 able under subparagraph (A) shall, after alloca-
5 tion, be administered as if provided under sub-
6 sections (b)(1) or (b)(3), as applicable.

7 (C) APPLICATION REQUIREMENTS.—

8 (i) IN GENERAL.—The Secretary may
9 not allocate funds to an eligible recipient
10 or subrecipient of funds under chapter 53
11 of title 49, United States Code, unless the
12 recipient provides to the Secretary—

13 (I) estimates of financial need;

14 (II) data on reductions in farebox
15 or other sources of local revenue for
16 sustained operations; and

17 (III) a spending plan for such
18 funds.

19 (ii) EVALUATION.—

20 (I) IN GENERAL.—Applications
21 for assistance under this paragraph
22 shall be evaluated by the Secretary
23 based on the level of financial need
24 demonstrated by an eligible recipient
25 or subrecipient, including projections

1 of future financial need to maintain
2 service as a percentage of the 2018
3 operating costs that has not been re-
4 placed by the funds made available to
5 the eligible recipient or subrecipient
6 under paragraphs (1) through (5) of
7 this subsection when combined with
8 the amounts allocated to such eligible
9 recipient or subrecipient from funds
10 previously made available for the op-
11 erating expenses of transit agencies
12 related to the response to the
13 COVID-19 public health emergency.

14 (II) RESTRICTION.—Amounts
15 made available under this paragraph
16 shall only be available for operating
17 expenses.

18 (iv) STATE APPLICANTS.—A State
19 may apply for assistance under this para-
20 graph on behalf of an eligible recipient or
21 subrecipient, or a group of eligible recipi-
22 ents or subrecipients.

23 (D) UNOBLIGATED FUNDS.—If amounts
24 made available under this paragraph remain
25 unobligated on September 30, 2023, such

1 amounts shall be available for any purpose eligi-
2 ble under section 5324 of title 49, United
3 States Code.

4 **SEC. 7007. RELIEF FOR AIRPORTS.**

5 (a) IN GENERAL.—

6 (1) IN GENERAL.—In addition to amounts oth-
7 erwise available, there is appropriated for fiscal year
8 2021, out of any funds in the Treasury not other-
9 wise appropriated, \$8,000,000,000, to remain avail-
10 able until September 30, 2024, for assistance to air-
11 ports under sections 47101 through 47144 of title
12 49, United States Code, to be made available to pre-
13 vent, prepare for, and respond to coronavirus.

14 (2) REQUIREMENTS AND LIMITATIONS.—
15 Amounts made available under this section—

16 (A) shall not be subject to the require-
17 ments of chapter 471 of title 49, United States
18 Code, except the requirements of chapter 471
19 (other than eligibility requirements) shall apply
20 to any contract awarded after the date of enact-
21 ment of this Act for airport development;

22 (B) may not be used for any purpose not
23 directly related to the airport; and

24 (C) may not be provided to any airport
25 that was allocated in excess of 4 years of oper-

1 ating funds to prevent, prepare for, and re-
2 spond to coronavirus in fiscal year 2020.

3 (b) ALLOCATIONS.—The following terms shall apply
4 to the amounts made available under this section:

5 (1) OPERATING EXPENSES AND DEBT SERVICE
6 PAYMENTS.—

7 (A) IN GENERAL.—Not more than
8 \$6,492,000,000 shall be made available for pri-
9 mary airports, as such term is defined in sec-
10 tion 47102 of title 49, United States Code, and
11 certain cargo airports, for costs related to oper-
12 ations, personnel, cleaning, sanitization, jani-
13 torial services, combating the spread of patho-
14 gens at the airport, and debt service payments.

15 (B) DISTRIBUTION.— Amounts made
16 available under this paragraph—

17 (i) shall not be subject to the reduced
18 apportionments under section 47114(f) of
19 title 49, United States Code;

20 (ii) shall first be apportioned as set
21 forth in sections 47114(c)(1)(A),
22 47114(c)(1)(C)(i), 47114(c)(1)(C)(ii),
23 47114(c)(2)(A), 47114(c)(2)(B), and
24 47114(c)(2)(E) of title 49, United States
25 Code; and

1 (iii) shall not be subject to a max-
2 imum apportionment limit set forth in sec-
3 tion 47114(c)(1)(B) of title 49, United
4 States Code.

5 (C) REMAINING AMOUNTS.—Any amount
6 remaining after distribution under subpara-
7 graph (B) shall be distributed to the sponsor of
8 each primary airport (as such term is defined
9 in section 47102 of title 49, United States
10 Code) based on each such primary airport’s
11 passenger enplanements compared to the total
12 passenger enplanements of all such primary air-
13 ports in calendar year 2019.

14 (2) FEDERAL SHARE FOR DEVELOPMENT
15 PROJECTS.—

16 (A) IN GENERAL.—Not more than
17 \$608,000,000 allocated under subsection (a)(1)
18 shall be available to pay a Federal share of 100
19 percent of the costs for any grant awarded in
20 fiscal year 2021, or in fiscal year 2020 with less
21 than a 100-percent Federal share, for an air-
22 port development project (as such term is de-
23 fined in section 47102 of title 49).

1 (B) REMAINING AMOUNTS.—Any amount
2 remaining under this paragraph shall be distrib-
3 uted as described in paragraph (1)(C).

4 (3) NONPRIMARY AIRPORTS.—

5 (A) IN GENERAL.—Not more than
6 \$100,000,000 shall be made available for gen-
7 eral aviation and commercial service airports
8 that are not primary airports (as such terms
9 are defined in section 47102 of title 49, United
10 States Code) for costs related to operations,
11 personnel, cleaning, sanitization, janitorial serv-
12 ices, combating the spread of pathogens at the
13 airport, and debt service payments.

14 (B) DISTRIBUTION.—Amounts made avail-
15 able under this paragraph shall be apportioned
16 to each non-primary airport based on the cat-
17 egories published in the most current National
18 Plan of Integrated Airport Systems, reflecting
19 the percentage of the aggregate published eligi-
20 ble development costs for each such category,
21 and then dividing the allocated funds evenly
22 among the eligible airports in each category,
23 rounding up to the nearest thousand dollars.

1 (C) REMAINING AMOUNTS.—Any amount
2 remaining under this paragraph shall be distrib-
3 uted as described in paragraph (1)(C).

4 (4) AIRPORT CONCESSIONS.—

5 (A) IN GENERAL.—Not more than
6 \$800,000,000 shall be made available for spon-
7 sors of primary airports to provide relief from
8 rent and minimum annual guarantees to airport
9 concessions, of which at least \$640,000,000
10 shall be available to provide relief to eligible
11 small airport concessions and of which at least
12 \$160,000,000 shall be available to provide relief
13 to eligible large airport concessions located at
14 primary airports.

15 (B) DISTRIBUTION.—The amounts made
16 available for each set-aside in this paragraph
17 shall be distributed to the sponsor of each pri-
18 mary airport (as such term is defined in section
19 47102 of title 49, United States Code) based on
20 each such primary airport's passenger
21 enplanements compared to the total passenger
22 enplanements of all such primary airports in
23 calendar year 2019.

24 (C) CONDITIONS.—As a condition of ap-
25 proving a grant under this paragraph—

1 (i) the sponsor shall provide such re-
2 lief from the date of enactment of this Act
3 until the sponsor has provided relief equal-
4 ing the total grant amount, to the extent
5 practicable and to the extent permissible
6 under State laws, local laws, and applicable
7 trust indentures; and

8 (ii) for each set-aside, the sponsor
9 shall provide relief from rent and minimum
10 annual guarantee obligations to each eligi-
11 ble airport concession in an amount that
12 reflects each eligible airport concession's
13 proportional share of the total amount of
14 the rent and minimum annual guarantees
15 of those eligible airport concessions at such
16 airport.

17 (c) ADMINISTRATION.—

18 (1) ADMINISTRATIVE EXPENSES.—The Admin-
19 istrator of the Federal Aviation Administration may
20 retain up to 0.1 percent of the funds provided under
21 this section to fund the award of, and oversight by
22 the Administrator of, grants made under this sec-
23 tion.

24 (2) WORKFORCE RETENTION REQUIRE-
25 MENTS.—

1 (A) REQUIRED RETENTION.—All airports
2 receiving funds under this section shall continue
3 to employ, through September 30, 2021, at
4 least 90 percent of the number of individuals
5 employed (after making adjustments for retire-
6 ments or voluntary employee separations) by
7 the airport as of March 27, 2020.

8 (B) WAIVER OF RETENTION REQUIRE-
9 MENT.—The Secretary shall waive the work-
10 force retention requirement if the Secretary de-
11 termines that—

12 (i) the airport is experiencing eco-
13 nomic hardship as a direct result of the re-
14 quirement; or

15 (ii) the requirement reduces aviation
16 safety or security.

17 (C) EXCEPTION.—The workforce retention
18 requirement shall not apply to nonhub airports
19 or nonprimary airports receiving funds under
20 this section.

21 (d) DEFINITIONS.—In this section:

22 (1) ELIGIBLE LARGE AIRPORT CONCESSION.—
23 The term “eligible large airport concession” means
24 a concession (as defined in section 23.3 of title 49,
25 Code of Federal Regulations), that is in-terminal

1 and has maximum gross receipts, averaged over the
2 previous three fiscal years, of more than
3 \$56,420,000.

4 (2) ELIGIBLE SMALL AIRPORT CONCESSION.—

5 The term “eligible small airport concession” means
6 a concession (as defined in section 23.3 of title 49,
7 Code of Federal Regulations), that is in-terminal
8 and—

9 (A) a small business with maximum gross
10 receipts, averaged over the previous 3 fiscal
11 years, of less than \$56,420,000; or

12 (B) is a joint venture (as defined in section
13 23.3 of title 49, Code of Federal Regulations).

14 **Subtitle B—Aviation**
15 **Manufacturing Jobs Protection**

16 **SEC. 7101. DEFINITIONS.**

17 In this subtitle:

18 (1) ELIGIBLE EMPLOYEE GROUP.—The term
19 “eligible employee group” means the portion of an
20 employer’s United States workforce that—

21 (A) does not exceed 25 percent of the em-
22 ployer’s total United States workforce as of
23 April 1, 2020; and

1 (B) contains only employees with a total
2 compensation level of \$200,000 or less per year;
3 and

4 (C) is engaged in aviation manufacturing
5 activities and services, or maintenance, repair,
6 and overhaul activities and services.

7 (2) AVIATION MANUFACTURING COMPANY.—
8 The term “aviation manufacturing company” means
9 a corporation, firm, or other business entity—

10 (A) that—

11 (i) actively manufactures an aircraft,
12 aircraft engine, propeller, or a component,
13 part, or systems of an aircraft or aircraft
14 engine under a Federal Aviation Adminis-
15 tration production approval; or

16 (ii) holds a certificate issued under
17 part 145 of title 14, Code of Federal Regu-
18 lations, for maintenance, repair, and over-
19 haul of aircraft, aircraft engines, compo-
20 nents, or propellers.

21 (B) which, as supported by demonstrable
22 evidence—

23 (i) is established, created, or orga-
24 nized in the United States or under the
25 laws of the United States; and

1 (ii) has significant operations in, and
2 a majority of its employees engaged in
3 aviation manufacturing activities and serv-
4 ices, or maintenance, repair, and overhaul
5 activities and services based in the United
6 States;

7 (C) which, as supported by demonstrable
8 evidence, has involuntarily furloughed or laid
9 off at least 10 percent of its workforce in 2020
10 as compared to 2019 or has experienced at
11 least a 15 percent decline in 2020 revenues as
12 compared to 2019;

13 (D) that, as supported by sworn financial
14 statements or other appropriate data, has iden-
15 tified the eligible employee group and the
16 amount of total compensation level for the eligi-
17 ble employee group;

18 (E) that agrees to provide private con-
19 tributions and maintain the total compensation
20 level for the eligible employee group for the du-
21 ration of an agreement under this subtitle;

22 (F) that agrees to provide immediate no-
23 tice and justification to the Secretary of invol-
24 untary furloughs or layoffs exceeding 10 per-
25 cent of the workforce that is not included in an

1 eligible employee group for the duration of an
2 agreement and receipt of public contributions
3 under this subtitle;

4 (G) that has not conducted involuntary
5 furloughs or reduced pay rates or benefits for
6 the eligible employee group, subject to the em-
7 ployer's right to discipline or terminate an em-
8 ployee in accordance with employer policy, be-
9 tween the date of application and the date on
10 which such a corporation, firm, or other busi-
11 ness entity enters into an agreement with the
12 Secretary under this subtitle; and

13 (H) that—

14 (i) in the case of a corporation, firm,
15 or other business entity including any par-
16 ent company or subsidiary of such a cor-
17 poration, firm, or other business entity,
18 that holds any type or production certifi-
19 cate or similar authorization issued under
20 section 44704 of title 49, United States
21 Code, with respect to a transport-category
22 airplane covered under part 25 of title 14,
23 Code of Federal Regulations, certificated
24 with a passenger seating capacity of 50 or
25 more, agrees to refrain from conducting in-

1 voluntary layoffs or furloughs, or reducing
2 pay rates and benefits, for the eligible em-
3 ployee group, subject to the employer’s
4 right to discipline or terminate an em-
5 ployee in accordance with employer policy
6 from the date of agreement until Sep-
7 tember 30, 2021, or the duration of the
8 agreement and receipt of public contribu-
9 tions under this subtitle, whichever period
10 ends later; or

11 (ii) in the case of corporation, firm, or
12 other business entity not specified under
13 subparagraph (i), agrees to refrain from
14 conducting involuntary layoffs or fur-
15 loughs, or reducing pay rates and benefits,
16 for the eligible employee group, subject to
17 the employer’s right to discipline or termi-
18 nate an employee in accordance with em-
19 ployer policy for the duration of the agree-
20 ment and receipt of public contributions
21 under this subtitle.

22 (3) COVID–19 PUBLIC HEALTH EMERGENCY.—
23 The term “COVID–19 public health emergency”
24 means the public health emergency first declared on
25 January 31, 2020, by the Secretary of Health and

1 Human Services under section 319 of the Public
2 Health Service Act (42 U.S.C. 247d) with respect to
3 the 2019 Novel Coronavirus (COVID–19) and in-
4 cludes any renewal of such declaration pursuant to
5 such section 319.

6 (4) EMPLOYEE.—The term “employee” has the
7 meaning given that term in section 3 of the Fair
8 Labor Standards Act of 1938 (29 U.S.C. 203).

9 (5) EMPLOYER.—The term “employer” means
10 an aviation manufacturing company that is an em-
11 ployer (as defined in section 3 of the Fair Labor
12 Standards Act of 1938 (29 U.S.C. 203)).

13 (6) PRIVATE CONTRIBUTION.—The term “pri-
14 vate contribution” means the contribution funded by
15 the employer under this subtitle to maintain 50 per-
16 cent of the eligible employee group’s total compensa-
17 tion level, and combined with the public contribu-
18 tion, is sufficient to maintain the total compensation
19 level for the eligible employee group as of April 1,
20 2020.

21 (7) PUBLIC CONTRIBUTION.—The term “public
22 contribution” means the contribution funded by the
23 Federal Government under this title to provide 50
24 percent of the eligible employees group’s total com-
25 pensation level, and combined with the private con-

1 tribution, is sufficient to maintain the total com-
2 pensation level for those in the eligible employee
3 group as of April 1, 2020.

4 (8) SECRETARY.—The term “Secretary” means
5 the Secretary of Transportation.

6 (9) TOTAL COMPENSATION LEVEL.—The term
7 “total compensation level” means the level of total
8 base compensation and benefits being provided to an
9 eligible employee group employee, excluding overtime
10 and premium pay, and excluding any Federal, State,
11 or local payroll taxes paid, as of April 1, 2020.

12 **SEC. 7102. PAYROLL SUPPORT PROGRAM.**

13 (a) IN GENERAL.—The Secretary shall establish a
14 payroll support program and enter into agreements with
15 employers who meet the eligibility criteria specified in sub-
16 section (b) and are not ineligible under subsection (c), to
17 provide public contributions to supplement compensation
18 of an eligible employee group. There is appropriated for
19 fiscal year 2021, out of amounts in the Treasury not oth-
20 erwise appropriated, \$3,000,000,000, to remain available
21 until September 30, 2023, for the Secretary to carry out
22 the payroll support program authorized under the pre-
23 ceding sentence for which 1 percent of the funds may be
24 used for implementation costs and administrative ex-
25 penses.

1 (b) ELIGIBILITY.—The Secretary shall enter into an
2 agreement and provide public contributions, for a term no
3 longer than 6 months, solely with an employer that—

4 (1) agrees to use the funds received under an
5 agreement exclusively for the continuation of em-
6 ployee wages, salaries, and benefits, to maintain the
7 total compensation level for the eligible employee
8 group as of April 1, 2020 for the duration of the
9 agreement, and to facilitate the retention, rehire, or
10 recall of employees of the employer, except that such
11 funds may not be used for back pay of returning re-
12 hired or recalled employees; and

13 (2) agrees that any false, fictitious, misleading,
14 or fraudulent information made or submitted by the
15 employer, or the omission of any material fact by the
16 employer, may subject the employer to criminal,
17 civil, or administrative penalties for fraud, false
18 statements, false claims, or otherwise pursuant to
19 applicable Federal law.

20 (c) INELIGIBILITY.—The Secretary may not enter
21 into any agreement under this section with an employer
22 who was allowed a credit under section 2301 of the
23 CARES Act (26 U.S.C. 3111 note) for any calendar quar-
24 ter ending before such agreement is entered into, who re-
25 ceived financial assistance under section 4113 of the

1 CARES Act (15 U.S.C. 9073), or who is currently expend-
2 ing financial assistance under the paycheck protection pro-
3 gram established under section 7(a)(36) of the Small
4 Business Act (15 U.S.C. 636(a)(36)), as of the date the
5 employer submits an application under the payroll support
6 program established under subsection (a).

7 (d) REDUCTIONS.—To address any shortfall in assist-
8 ance that would otherwise be provided under this subtitle,
9 the Secretary shall reduce, on a pro rata basis, the finan-
10 cial assistance provided under this subtitle.

11 (e) AGREEMENT DEADLINE.—No agreement may be
12 entered into by the Secretary under the payroll support
13 program established under subsection (a) after the last
14 day of the 6 month period that begins on the effective
15 date of the first agreement entered into under such pro-
16 gram.

17 **Subtitle C—Continued Assistance** 18 **to Rail Workers**

19 **SEC. 7201. ADDITIONAL ENHANCED BENEFITS UNDER THE** 20 **RAILROAD UNEMPLOYMENT INSURANCE ACT.**

21 (a) IN GENERAL.—Section 2(a)(5)(A) of the Railroad
22 Unemployment Insurance Act (45 U.S.C. 352(a)(5)(A)) is
23 amended—

24 (1) in the first sentence—

1 (A) by striking “March 14, 2021” and in-
2 serting “August 29, 2021”;

3 (B) by striking “or July 1, 2020” and in-
4 serting “July 1, 2020, or July 1, 2021”; and

5 (2) by adding at the end the following: “For
6 registration periods beginning after March 14, 2021,
7 but on or before August 29, 2021, the recovery ben-
8 efit payable under this subparagraph shall be in the
9 amount of \$800.”.

10 (b) CLARIFICATION ON AUTHORITY TO USE
11 FUNDS.—Funds appropriated under subparagraph (B) of
12 section 2(a)(5) of the Railroad Unemployment Insurance
13 Act (45 U.S.C. 352(a)(5)) shall be available to cover the
14 cost of recovery benefits provided under such section
15 2(a)(5) by reason of the amendments made by subsection
16 (a) as well as to cover the cost of such benefits provided
17 under such section 2(a)(5) as in effect on the day before
18 the date of enactment of this Act.

19 **SEC. 7202. EXTENDED UNEMPLOYMENT BENEFITS UNDER**
20 **THE RAILROAD UNEMPLOYMENT INSURANCE**
21 **ACT.**

22 (a) IN GENERAL.—Section 2(c)(2)(D) of the Rail-
23 road Unemployment Insurance Act (45 U.S.C.
24 352(c)(2)(D)) is amended—

25 (1) in clause (i)—

1 (A) in subclause (I), by striking “185
2 days” and inserting “305 days”;

3 (B) in subclause (II),

4 (i) by striking “19 consecutive 14-day
5 periods” and inserting “31 consecutive 14-
6 day periods”; and

7 (ii) by striking “6 consecutive 14-day
8 periods” and inserting “18 consecutive 14-
9 day periods”;

10 (2) in clause (ii)—

11 (A) by striking “120 days of unemploy-
12 ment” and inserting “240 days of unemploy-
13 ment”;

14 (B) by striking “12 consecutive 14-day pe-
15 riods” and inserting “24 consecutive 14-day pe-
16 riods”; and

17 (C) by striking “6 consecutive 14-day peri-
18 ods” and inserting “18 consecutive 14-day peri-
19 ods”; and

20 (3) in clause (iii)—

21 (A) by striking “June 30, 2021” and in-
22 sserting “June 30, 2022”; and

23 (B) by striking “the provisions of clauses
24 (i) and (ii) shall not apply to any employee
25 whose extended benefit period under subpara-

1 graph (B) begins after March 14, 2021, and
2 shall not apply to any employee with respect to
3 any registration period beginning after April 5,
4 2021.” and inserting “the provisions of clauses
5 (i) and (ii) shall not apply to any employee with
6 respect to any registration period beginning
7 after August 29, 2021.”

8 (b) CLARIFICATION ON AUTHORITY TO USE
9 FUNDS.—Funds appropriated under either the first or
10 second sentence of clause (v) of section 2(c)(2)(D) of the
11 Railroad Unemployment Insurance Act shall be available
12 to cover the cost of additional extended unemployment
13 benefits provided under such section 2(c)(2)(D) by reason
14 of the amendments made by subsection (a) as well as to
15 cover the cost of such benefits provided under such section
16 2(c)(2)(D) as in effect on the day before the date of enact-
17 ment of this Act.

18 **SEC. 7203. EXTENSION OF WAIVER OF THE 7-DAY WAITING**
19 **PERIOD FOR BENEFITS UNDER THE RAIL-**
20 **ROAD UNEMPLOYMENT INSURANCE ACT.**

21 (a) IN GENERAL.—Section 2112(a) of the CARES
22 Act (15 U.S.C. 9030(a)) is amended by striking “March
23 14, 2021” and inserting “August 29, 2021”.

24 (b) CLARIFICATION ON AUTHORITY TO USE
25 FUNDS.—Funds appropriated under section 2112(c) of

1 the CARES Act (15 U.S.C. 9030(e)) shall be available to
2 cover the cost of additional benefits payable due to section
3 2112(a) of such Act by reason of the amendments made
4 by subsection (a) as well as to cover the cost of such bene-
5 fits payable due to such section 2112(a) as in effect on
6 the day before the date of enactment of this Act.

7 **SEC. 7204. RAILROAD RETIREMENT BOARD AND OFFICE OF**
8 **THE INSPECTOR GENERAL FUNDING.**

9 In addition to amounts otherwise made available,
10 there are appropriated for fiscal year 2021, out of any
11 money in the Treasury not otherwise appropriated—

12 (1) \$27,975,000, to remain available until ex-
13 pended, for the Railroad Retirement Board, to pre-
14 vent, prepare for, and respond to coronavirus, of
15 which—

16 (A) \$6,800,000 shall be for additional hir-
17 ing and overtime bonuses as needed to admin-
18 ister the Railroad Unemployment Insurance
19 Act; and

20 (B) \$21,175,000 shall be to supplement,
21 not supplant, existing resources devoted to op-
22 erations and improvements for the Information
23 Technology Investment Initiatives of the Rail-
24 road Retirement Board; and

1 (2) \$500,000, to remain available until ex-
2 pended, for the Railroad Retirement Board Office of
3 Inspector General for audit, investigatory and review
4 activities, as authorized by the Inspector General
5 Act of 1978.

