

AMENDMENT TO THE COMMITTEE PRINT

OFFERED BY M__ . _____

Strike the text of the Committee Print and insert
the following:

1 **TITLE VI—COMMITTEE ON**
2 **SMALL BUSINESS**

3 **SEC. 6001. MODIFICATIONS TO PAYCHECK PROTECTION**
4 **PROGRAM.**

5 (a) **ELIGIBILITY OF CERTAIN NONPROFIT ENTITIES**
6 **FOR COVERED LOANS UNDER THE PAYCHECK PROTEC-**
7 **TION PROGRAM.—**

8 (1) **IN GENERAL.—**Section 7(a)(36) of the
9 Small Business Act (15 U.S.C. 636(a)(36)), as
10 amended by the Economic Aid to Hard-Hit Small
11 Businesses, Nonprofits, and Venues Act (title III of
12 division N of Public Law 116–260), is amended—

13 (A) in subparagraph (A)—

14 (i) in clause (xv), by striking “and” at
15 the end;

16 (ii) in clause (xvi), by striking the pe-
17 riod at the end and inserting “; and”; and

18 (iii) by adding at the end the fol-
19 lowing:

1 “(xvii) the term ‘additional covered
2 nonprofit entity’—

3 “(I) means an organization de-
4 scribed in any paragraph of section
5 501(c) of the Internal Revenue Code
6 of 1986, other than paragraph (3),
7 (4), (6), or (19), and exempt from tax
8 under section 501(a) of such Code;
9 and

10 “(II) does not include any entity
11 that, if the entity were a business con-
12 cern, would be described in section
13 120.110 of title 13, Code of Federal
14 Regulations (or in any successor regu-
15 lation or other related guidance or
16 rule that may be issued by the Admin-
17 istrator) other than a business con-
18 cern described in paragraph (a) or (k)
19 of such section.”; and

20 (B) in subparagraph (D)—

21 (i) in clause (iii), by adding at the end
22 the following:

23 “(III) ELIGIBILITY OF CERTAIN
24 ORGANIZATIONS.—Subject to the pro-

1 visions in this subparagraph, during
2 the covered period—

3 “(aa) a nonprofit organiza-
4 tion shall be eligible to receive a
5 covered loan if the nonprofit or-
6 ganization employs not more
7 than 500 employees per physical
8 location of the organization;

9 “(bb) an additional covered
10 nonprofit entity and an organiza-
11 tion that, but for subclauses
12 (I)(dd) and (II)(dd) of clause
13 (vii), would be eligible for a cov-
14 ered loan under clause (vii) shall
15 be eligible to receive a covered
16 loan if the entity or organization
17 employs not more than 300 em-
18 ployees per physical location of
19 the entity or organization.”;

20 (ii) in clause (iv)—

21 (I) in subclause (III), by striking
22 “and” at the end;

23 (II) in subclause (IV)—

24 (aa) by striking “(aa)”;

1 (bb) by striking “; or” and
2 inserting a semicolon; and

3 (cc) by striking item (bb);
4 and

5 (III) by adding at the end the
6 following:

7 “(V) any nonprofit organization,
8 additional covered nonprofit entity, or
9 any organization made eligible for a
10 loan under clause (vii); and”;

11 (iii) by striking clause (vi) and insert-
12 ing the following:

13 “(vi) ELIGIBILITY OF ADDITIONAL
14 COVERED NONPROFIT ENTITIES.—An addi-
15 tional covered nonprofit entity shall be eli-
16 gible to receive a covered loan if—

17 “(I) the additional covered non-
18 profit entity does not receive more
19 than 15 percent of its receipts from
20 lobbying activities;

21 “(II) the lobbying activities of
22 the additional covered nonprofit entity
23 do not comprise more than 15 percent
24 of the total activities of the organiza-
25 tion;

1 “(III) the cost of the lobbying ac-
2 tivities of the additional covered non-
3 profit entity did not exceed
4 \$1,000,000 during the most recent
5 tax year of the additional covered non-
6 profit entity that ended prior to Feb-
7 ruary 15, 2020; and

8 “(IV) the additional covered non-
9 profit entity employs not more than
10 300 employees.”.

11 (2) ELIGIBILITY FOR SECOND DRAW LOANS.—
12 Paragraph (37)(A)(i) of section 7(a) of the Small
13 Business Act (15 U.S.C. 636(a)), as added by the
14 Economic Aid to Hard-Hit Small Businesses, Non-
15 profits, and Venues Act (title III of division N of
16 Public Law 116–260), is amended by inserting “‘ad-
17 ditional covered nonprofit entity’,” after “the
18 terms”.

19 (b) ELIGIBILITY OF INTERNET PUBLISHING ORGANI-
20 ZATIONS FOR COVERED LOANS UNDER THE PAYCHECK
21 PROTECTION PROGRAM.—

22 (1) IN GENERAL.—Section 7(a)(36)(D) of the
23 Small Business Act (15 U.S.C. 636(a)(36)(D)), as
24 amended by subsection (a), is further amended—

1 (A) in clause (iii), by adding at the end the
2 following:

3 “(IV) ELIGIBILITY OF INTERNET
4 PUBLISHING ORGANIZATIONS.—A
5 business concern or other organization
6 that was not eligible to receive a cov-
7 ered loan the day before the date of
8 enactment of this subclause, is as-
9 signed a North American Industry
10 Classification System code of 519130,
11 certifies in good faith as an Internet-
12 only news publisher or Internet-only
13 periodical publisher, and is engaged in
14 the collection and distribution of local
15 or regional and national news and in-
16 formation shall be eligible to receive a
17 covered loan for the continued provi-
18 sion of news, information, content, or
19 emergency information if—

20 “(aa) the business concern
21 or organization employs not more
22 than 500 employees, or the size
23 standard established by the Ad-
24 ministrator for that North Amer-
25 ican Industry Classification code,

1 per physical location of the busi-
2 ness concern or organization; and

3 “(bb) the business concern
4 or organization makes a good
5 faith certification that proceeds
6 of the loan will be used to sup-
7 port expenses at the component
8 of the business concern or orga-
9 nization that supports local or re-
10 gional news.”;

11 (B) in clause (iv), by adding at the end the
12 following:

13 “(VI) any business concern or
14 other organization that was not eligi-
15 ble to receive a covered loan the day
16 before the date of enactment of this
17 subclause, is assigned a North Amer-
18 ican Industry Classification System
19 code of 519130, certifies in good faith
20 as an Internet-only news publisher or
21 Internet-only periodical publisher, and
22 is engaged in the collection and dis-
23 tribution of local or regional and na-
24 tional news and information, if the
25 business concern or organization—

1 “(aa) employs not more
2 than 500 employees, or the size
3 standard established by the Ad-
4 ministrator for that North Amer-
5 ican Industry Classification code,
6 per physical location of the busi-
7 ness concern or organization; and

8 “(bb) is majority owned or
9 controlled by a business concern
10 or organization that is assigned a
11 North American Industry Classi-
12 fication System code of
13 519130.”;

14 (C) in clause (v), by striking “clause
15 (iii)(II), (iv)(IV), or (vii)” and inserting “sub-
16 clause (II), (III), or (IV) of clause (iii), sub-
17 clause (IV) or (VI) of clause (iv), clause (vi), or
18 clause (vii)”;

19 (D) in clause (viii)(II)—

20 (i) by striking “business concern made
21 eligible by clause (iii)(II) or clause (iv)(IV)
22 of this subparagraph” and inserting “busi-
23 ness concern made eligible by subclause
24 (II) or (IV) of clause (iii) or subclause (IV)

1 or (VI) of clause (iv) of this subpara-
2 graph”; and

3 (ii) by inserting “or organization”
4 after “such business concern”.

5 (2) ELIGIBILITY FOR SECOND DRAW LOANS.—

6 Section 7(a)(37)(A)(iv)(II) of the Small Business
7 Act, as amended by the Economic Aid to Hard-Hit
8 Small Businesses, Nonprofits, and Venues Act (title
9 III of division N of Public Law 116–260), is amend-
10 ed by striking “clause (iii)(II), (iv)(IV), or (vii)” and
11 inserting “subclause (II) or (III) of clause (iii), sub-
12 clause (IV) or (V) of clause (iv), clause (vi), or
13 clause (vii)”.

14 (c) COORDINATION WITH CONTINUATION COVERAGE
15 PREMIUM ASSISTANCE.—

16 (1) PAYCHECK PROTECTION PROGRAM.—Sec-
17 tion 7A(a)(12) of the Small Business Act (as reded-
18 icated, transferred, and amended by section 304(b)
19 of the Economic Aid to Hard-Hit Small Businesses,
20 Nonprofits, and Venues Act (Public Law 116–260))
21 is amended—

22 (A) by striking “CARES Act or” and in-
23 serting “CARES Act,”; and

24 (B) by inserting before the period at the
25 end the following: “, or premiums taken into

1 account in determining the credit allowed under
2 section 6432 of the Internal Revenue Code of
3 1986”.

4 (2) PAYCHECK PROTECTION PROGRAM SECOND
5 DRAW.—Section 7(a)(37)(J)(iii)(I) of the Small
6 Business Act, as amended by the Economic Aid to
7 Hard-Hit Small Businesses, Nonprofits, and Venues
8 Act (title III of division N of Public Law 116–260),
9 is amended—

10 (A) by striking “or” at the end of item
11 (aa);

12 (B) by striking the period at the end of
13 item (bb) and inserting “; or”; and

14 (C) by adding at the end the following new
15 item:

16 “(cc) premiums taken into
17 account in determining the credit
18 allowed under section 6432 of the
19 Internal Revenue Code of 1986.”.

20 (3) APPLICABILITY.—The amendments made
21 by this subsection shall apply only with respect to
22 applications for forgiveness of covered loans made
23 under paragraphs (36) or (37) of section 7(a) of the
24 Small Business Act, as amended by the Economic
25 Aid to Hard-Hit Small Businesses, Nonprofits, and

1 Venues Act (title III of division N of Public Law
2 116–260), that are received on or after the date of
3 the enactment of this Act.

4 (d) COMMITMENT AUTHORITY AND APPROPRIA-
5 TIONS.—

6 (1) COMMITMENT AUTHORITY.—Section
7 1102(b)(1) of the CARES Act (Public Law 116–
8 136) is amended by striking “\$806,450,000,000”
9 and inserting “\$813,700,000,000”.

10 (2) DIRECT APPROPRIATIONS.—In addition to
11 amounts otherwise available, there is appropriated to
12 the Administrator of the Small Business Administra-
13 tion for fiscal year 2021, out of any money in the
14 Treasury not otherwise appropriated,
15 \$7,250,000,000, to remain available until expended,
16 for carrying out this section.

17 **SEC. 6002. TARGETED EIDL ADVANCE.**

18 (a) DEFINITIONS.—In this section—

19 (1) the term “Administrator” means the Ad-
20 ministrator of the Small Business Administration;

21 (2) the terms “covered entity” and “economic
22 loss” have the meanings given the terms in section
23 331(a) of the Economic Aid to Hard-Hit Small
24 Businesses, Nonprofits, and Venues Act (title III of
25 division N of Public Law 116–260);

1 (3) the term “severely impacted small business”
2 means a covered entity that—

3 (A) has suffered an economic loss of great-
4 er than 50 percent; and

5 (B) employs not more than 10 employees;

6 (4) the term “substantially impacted small busi-
7 ness” means a covered entity that—

8 (A) employs not more than 10 employees;
9 and

10 (B) is not a severely impacted small busi-
11 ness; and

12 (5) the term “supplemental payment” means a
13 payment—

14 (A) made by the Administrator under sec-
15 tion 1110(e) of the CARES Act (15 U.S.C.
16 9009(e)) to a severely impacted small business
17 or a substantially impacted small business;

18 (B) in an amount that is \$5,000; and

19 (C) that, with respect to a covered entity,
20 is in addition to any payment made to the cov-
21 ered entity under section 1110(e) of the
22 CARES Act (15 U.S.C. 9009(e)) or section 331
23 of the Economic Aid to Hard-Hit Small Busi-
24 nesses, Nonprofits, and Venues Act (title III of
25 division N of Public Law 116–260).

1 (b) PAYMENTS.—The Administrator shall take the
2 following actions:

3 (1) Not later than 14 days after the date of the
4 enactment of this subsection, the Administrator shall
5 begin processing applications for payments, and may
6 make payments, to covered entities that have not re-
7 ceived the full amounts to which the covered entities
8 are entitled under section 331 of the Economic Aid
9 to Hard-Hit Small Businesses, Nonprofits, and
10 Venues Act (title III of division N of Public Law
11 116–260).

12 (2)(A) During the 14-day period beginning on
13 the date that is 28 days after the date of enactment
14 of this subsection, and subject to the availability of
15 funds, the Administrator shall—

16 (i) begin processing applications for sup-
17 plemental payments to severely impacted small
18 businesses; and

19 (ii) continue to process applications for the
20 payments described in paragraph (1).

21 (B) During the period described in subpara-
22 graph (A), the Administrator may make supple-
23 mental payments to severely impacted small busi-
24 nesses, and payments described in paragraph (1), in

1 the order that the Administrator receives applica-
2 tions for those payments.

3 (3)(A) Beginning on the date that is 42 days
4 after the date of enactment of this subsection, and
5 subject to the availability of funds, the Adminis-
6 trator shall—

7 (i) begin processing applications for sup-
8 plemental payments to substantially impacted
9 small businesses; and

10 (ii) continue to process applications for the
11 supplemental payments described in paragraph
12 (2) and payments described in paragraph (1).

13 (B) During the period described in subpara-
14 graph (A), the Administrator may make supple-
15 mental payments to substantially impacted small
16 businesses, supplemental payments described in
17 paragraph (2), and payments described in paragraph
18 (1), in the order that the Administrator receives ap-
19 plications for those payments.

20 (c) APPROPRIATIONS.—In addition to amounts other-
21 wise available, there is appropriated to the Administrator
22 for fiscal year 2021, out of any money in the Treasury
23 not otherwise appropriated, \$15,000,000,000, to remain
24 available until expended, for carrying out this section.

1 **SEC. 6003. SUPPORT FOR RESTAURANTS.**

2 (a) DEFINITIONS.—In this section:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the Small Busi-
5 ness Administration.

6 (2) AFFILIATED BUSINESS.—The term “affili-
7 ated business” means a business in which an eligible
8 entity has an equity or right to profit distributions
9 of not less than 50 percent, or in which an eligible
10 entity has the contractual authority to control the
11 direction of the business, provided that such affili-
12 ation shall be determined as of any arrangements or
13 agreements in existence as of March 13, 2020.

14 (3) COVERED PERIOD.—The term “covered pe-
15 riod” means the period—

16 (A) beginning on February 15, 2020; and

17 (B) ending on December 31, 2021, or a
18 date to be determined by the Administrator
19 that is not later than 2 years after the date of
20 enactment of this section.

21 (4) ELIGIBLE ENTITY.—The term “eligible enti-
22 ty”—

23 (A) means a restaurant, food stand, food
24 truck, food cart, caterer, saloon, inn, tavern,
25 bar, lounge, brewpub, tasting room, taproom, li-
26 censed facility or premise of a beverage alcohol

1 producer where the public may taste, sample, or
2 purchase products, or other similar place of
3 business in which the public or patrons assem-
4 ble for the primary purpose of being served food
5 or drink;

6 (B) includes an entity described in sub-
7 paragraph (A) that is located in an airport ter-
8 minal or that is a Tribally-owned concern; and

9 (C) does not include—

10 (i) an entity described in subpara-
11 graph (A) that—

12 (I) is a State or local govern-
13 ment-operated business;

14 (II) as of March 13, 2020, owns
15 or operates (together with any affili-
16 ated business) more than 20 locations,
17 regardless of whether those locations
18 do business under the same or mul-
19 tiple names; or

20 (III) has a pending application
21 for or has received a grant under sec-
22 tion 324 of the Economic Aid to
23 Hard-Hit Small Businesses, Non-
24 profits, and Venues Act (title III of

1 division N of Public Law 116–260);
2 or
3 (ii) a publicly-traded company.

4 (5) EXCHANGE; ISSUER; SECURITY.—The terms
5 “exchange”, “issuer”, and “security” have the
6 meanings given those terms in section 3(a) of the
7 Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

8 (6) FUND.—The term “Fund” means the Res-
9 taurant Revitalization Fund established under sub-
10 section (b).

11 (7) PANDEMIC-RELATED REVENUE LOSS.—The
12 term “pandemic-related revenue loss” means, with
13 respect to an eligible entity—

14 (A) except as provided in subparagraphs
15 (B), (C), and (D), the gross receipts, as estab-
16 lished using such verification documentation as
17 the Administrator may require, of the eligible
18 entity during 2020 subtracted from the gross
19 receipts of the eligible entity in 2019, if such
20 sum is greater than zero;

21 (B) if the eligible entity was not in oper-
22 ation for the entirety of 2019—

23 (i) the difference between—

24 (I) the product obtained by mul-
25 tiplying the average monthly gross re-

1 receipts of the eligible entity in 2019 by
2 12; and

3 (II) the product obtained by mul-
4 tiplying the average monthly gross re-
5 ceipts of the eligible entity in 2020 by
6 12; or

7 (ii) an amount based on a formula de-
8 termined by the Administrator;

9 (C) if the eligible entity opened during the
10 period beginning on January 1, 2020, and end-
11 ing on the day before the date of enactment of
12 this section—

13 (i) the expenses described in sub-
14 section (c)(5)(A) that were incurred by the
15 eligible entity minus any gross receipts re-
16 ceived; or

17 (ii) an amount based on a formula de-
18 termined by the Administrator; or

19 (D) if the eligible entity has not yet opened
20 as of the date of application for a grant under
21 subsection (c), but has incurred expenses de-
22 scribed in subsection (c)(5)(A) as of the date of
23 enactment of this section—

24 (i) the amount of those expenses; or

1 (ii) an amount based on a formula de-
2 termined by the Administrator.

3 For purposes of this paragraph, the pandemic-re-
4 lated revenue losses for an eligible entity shall be re-
5 duced by any amounts received from a covered loan
6 made under paragraph (36) or (37) of section 7(a)
7 of the Small Business Act (15 U.S.C. 636(a)) in
8 2020 or 2021.

9 (8) PAYROLL COSTS.—The term “payroll costs”
10 has the meaning given the term in section
11 7(a)(36)(A) of the Small Business Act (15 U.S.C.
12 636(a)(36)(A)), except that such term shall not in-
13 clude—

14 (A) qualified wages (as defined in sub-
15 section (c)(3) of section 2301 of the CARES
16 Act) taken into account in determining the
17 credit allowed under such section 2301; or

18 (B) premiums taken into account in deter-
19 mining the credit allowed under section 6432 of
20 the Internal Revenue Code of 1986.

21 (9) PUBLICLY-TRADED COMPANY.—The term
22 “publicly-traded company” means an entity that is
23 majority owned or controlled by an entity that is an
24 issuer, the securities of which are listed on a na-

1 tional securities exchange under section 6 of the Se-
2 curities Exchange Act of 1934 (15 U.S.C. 78f).

3 (10) TRIBALLY-OWNED CONCERN.—The term
4 “Tribally-owned concern” has the meaning given the
5 term in section 124.3 of title 13, Code of Federal
6 Regulations, or any successor regulation.

7 (b) RESTAURANT REVITALIZATION FUND.—

8 (1) IN GENERAL.—There is established in the
9 Treasury of the United States a fund to be known
10 as the Restaurant Revitalization Fund.

11 (2) APPROPRIATIONS.—

12 (A) IN GENERAL.—In addition to amounts
13 otherwise available, there is appropriated to the
14 Restaurant Revitalization Fund for fiscal year
15 2021, out of any money in the Treasury not
16 otherwise appropriated, \$25,000,000,000, to re-
17 main available until expended.

18 (B) DISTRIBUTION.—

19 (i) IN GENERAL.—Of the amounts
20 made available under subparagraph (A)—

21 (I) \$5,000,000,000 shall be avail-
22 able to eligible entities with gross re-
23 ceipts during 2019 of not more than
24 \$500,000; and

1 (II) \$20,000,000,000 shall be
2 available to the Administrator to
3 award grants under subsection (c) in
4 an equitable manner to eligible enti-
5 ties of different sizes based on annual
6 gross receipts.

7 (ii) ADJUSTMENTS.—The Adminis-
8 trator may make adjustments as necessary
9 to the distribution of funds under clause
10 (i)(II) based on demand and the relative
11 local costs in the markets in which eligible
12 entities operate.

13 (C) GRANTS AFTER INITIAL PERIOD.—
14 Notwithstanding subparagraph (B), on and
15 after the date that is 60 days after the date of
16 enactment of this section, or another period of
17 time determined by the Administrator, the Ad-
18 ministrator may make grants using amounts
19 appropriated under subparagraph (A) to any el-
20 igible entity regardless of the annual gross re-
21 ceipts of the eligible entity.

22 (3) USE OF FUNDS.—The Administrator shall
23 use amounts in the Fund to make grants described
24 in subsection (c).

25 (c) RESTAURANT REVITALIZATION GRANTS.—

1 (1) IN GENERAL.—Except as provided in sub-
2 section (b) and paragraph (3), the Administrator
3 shall award grants to eligible entities in the order in
4 which applications are received by the Adminis-
5 trator.

6 (2) APPLICATION.—

7 (A) CERTIFICATION.—An eligible entity
8 applying for a grant under this subsection shall
9 make a good faith certification that—

10 (i) the uncertainty of current eco-
11 nomic conditions makes necessary the
12 grant request to support the ongoing oper-
13 ations of the eligible entity; and

14 (ii) the eligible entity has not applied
15 for or received a grant under section 324
16 of the Economic Aid to Hard-Hit Small
17 Businesses, Nonprofits, and Venues Act
18 (title III of division N of Public Law 116–
19 260).

20 (B) PREVENTION OF WASTE, FRAUD, AND
21 ABUSE.—The Administrator may impose re-
22 quirements on applicants for the purpose of re-
23 ducing waste, fraud, and abuse.

24 (C) BUSINESS IDENTIFIERS.—In accepting
25 applications for grants under this subsection,

1 the Administrator shall prioritize the ability of
2 each applicant to use their existing business
3 identifiers over requiring other forms of reg-
4 istration or identification that may not be com-
5 mon to their industry and imposing additional
6 burdens on applicants.

7 (3) PRIORITY IN AWARDING GRANTS.—

8 (A) IN GENERAL.—During the initial 21-
9 day period in which the Administrator awards
10 grants under this subsection, the Administrator
11 shall prioritize awarding grants to eligible enti-
12 ties that are small business concerns owned
13 controlled by women (as defined in section 3(n)
14 of the Small Business Act (15 U.S.C. 632(n))),
15 small business concerns owned and controlled
16 by veterans (as defined in section 3(q) of such
17 Act (15 U.S.C. 632(q))), or socially and eco-
18 nomically disadvantaged small business con-
19 cerns (as defined in section 8(a)(4)(A) of the
20 Small Business Act (15 U.S.C. 637(a)(4)(A))).
21 The Administrator may take such steps as nec-
22 essary to ensure that eligible entities described
23 in this subparagraph have access to grant fund-
24 ing under this section after the end of such 21-
25 day period.

1 (B) CERTIFICATION.—For purposes of es-
2 tablishing priority under subparagraph (A), an
3 applicant shall submit a self-certification of eli-
4 gibility for priority with the grant application.

5 (4) GRANT AMOUNT.—

6 (A) AGGREGATE MAXIMUM AMOUNT.—The
7 aggregate amount of grants made to an eligible
8 entity and any affiliated businesses of the eligi-
9 ble entity under this subsection—

10 (i) shall not exceed \$10,000,000; and

11 (ii) shall be limited to \$5,000,000 per
12 physical location of the eligible entity.

13 (B) DETERMINATION OF GRANT
14 AMOUNT.—

15 (i) IN GENERAL.—Except as provided
16 in this paragraph, the amount of a grant
17 made to an eligible entity under this sub-
18 section shall be equal to the pandemic-re-
19 lated revenue loss of the eligible entity.

20 (ii) RETURN TO TREASURY.—Any
21 amount of a grant made under this sub-
22 section to an eligible entity based on esti-
23 mated receipts that is greater than the ac-
24 tual gross receipts of the eligible entity in
25 2020 shall be returned to the Treasury.

1 (5) USE OF FUNDS.—During the covered pe-
2 riod, an eligible entity that receives a grant under
3 this subsection may use the grant funds for the fol-
4 lowing expenses incurred as a direct result of, or
5 during, the COVID–19 pandemic:

6 (A) Payroll costs.

7 (B) Payments of principal or interest on
8 any mortgage obligation (which shall not in-
9 clude any prepayment of principal on a mort-
10 gage obligation).

11 (C) Rent payments, including rent under a
12 lease agreement (which shall not include any
13 prepayment of rent).

14 (D) Utilities.

15 (E) Maintenance expenses, including—

16 (i) construction to accommodate out-
17 door seating; and

18 (ii) walls, floors, deck surfaces, fur-
19 niture, fixtures, and equipment.

20 (F) Supplies, including protective equip-
21 ment and cleaning materials.

22 (G) Food and beverage expenses that are
23 within the scope of the normal business practice
24 of the eligible entity before the covered period.

1 (H) Covered supplier costs, as defined in
2 section 7A(a) of the Small Business Act (as re-
3 designated, transferred, and amended by sec-
4 tion 304(b) of the Economic Aid to Hard-Hit
5 Small Businesses, Nonprofits, and Venues Act
6 (Public Law 116–260)).

7 (I) Operational expenses.

8 (J) Paid sick leave.

9 (K) Any other expenses that the Adminis-
10 trator determines to be essential to maintaining
11 the eligible entity.

12 (6) RETURNING FUNDS.—If an eligible entity
13 that receives a grant under this subsection fails to
14 use all grant funds or permanently ceases operations
15 on or before the last day of the covered period, the
16 eligible entity shall return to the Treasury any funds
17 that the eligible entity did not use for the allowable
18 expenses under paragraph (5).

19 (7) LIMITATION WITH RESPECT TO PRIVATE
20 FUNDS.—

21 (A) DEFINITIONS.—In this paragraph:

22 (i) AFFILIATE.—

23 (I) IN GENERAL.—The term “af-
24 filiate” means, with respect to a per-
25 son, any other person directly or indi-

1 rectly controlling, controlled by, or
2 under direct or indirect common con-
3 trol with the person.

4 (II) CONTROL.—For purposes of
5 subclause (I), the term “control”
6 means the ability to make or block
7 management decisions of an entity.

8 (ii) EXECUTIVE.—The term “execu-
9 tive” means—

10 (I) any individual who serves an
11 executive or director of a person, in-
12 cluding the principal executive officer,
13 principal financial officer, comptroller
14 or principal accounting officer; and

15 (II) an executive officer, as de-
16 fined in section 230.405 of title 17,
17 Code of Federal Regulations, or any
18 successor regulation.

19 (iii) PRIVATE FUND.—The term “pri-
20 vate fund” means an issuer that would be
21 an investment company, as defined in the
22 Investment Company Act of 1940 (15
23 U.S.C. 80a–1 et seq.), but for paragraph
24 (1) or (7) of section 3(c) of that Act (15
25 U.S.C. 80a–3(c)).

1 (B) ANTI-EVASION.—No company in which
2 a private fund holds an ownership interest that
3 has, directly or indirectly, received amounts
4 under this subsection may pay any distribu-
5 tions, dividends, consulting fees, advisory fees,
6 interest payments, or any other fees, expenses,
7 or charges in excess of 10 percent of the net
8 operating profits of the company operating
9 profits for the calendar year ending December
10 31, 2021 (and for each successive year until the
11 covered period has ended), to—

12 (i) a person registered as an invest-
13 ment adviser under the Investment Advis-
14 ers Act of 1940 (15 U.S.C. 80b–1 et seq.)
15 who advises a private fund;

16 (ii) any affiliate of such adviser;

17 (iii) any executive of such adviser or
18 affiliate; or

19 (iv) any employee, consultant, or other
20 person with a contractual relationship to
21 provide services for or on behalf of such
22 adviser or affiliate.

23 **SEC. 6004. COMMUNITY NAVIGATOR PILOT PROGRAM.**

24 (a) DEFINITIONS.—In this section:

1 (1) ADMINISTRATION.—The term “Administra-
2 tion” means the Small Business Administration.

3 (2) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the Small Busi-
5 ness Administration.

6 (3) COMMUNITY NAVIGATOR SERVICES.—The
7 term “community navigator services” means the out-
8 reach, education, and technical assistance provided
9 by community navigators that target eligible busi-
10 nesses to increase awareness of, and participation in,
11 programs of the Small Business Administration.

12 (4) COMMUNITY NAVIGATOR.—The term “com-
13 munity navigator” means a community organization,
14 community financial institution as defined in section
15 7(a)(36)(A) of the Small Business Act (15 U.S.C.
16 636(a)(36)(A)), or other private nonprofit organiza-
17 tion engaged in the delivery of community navigator
18 services.

19 (5) ELIGIBLE BUSINESS.—The term “eligible
20 business” means any small business concern, with
21 priority for small business concerns owned and con-
22 trolled by women (as defined in section 3(n) of the
23 Small Business Act (15 U.S.C. 632(n))), small busi-
24 ness concerns owned and controlled by veterans (as
25 defined in section 3(q) of such Act (15 U.S.C.

1 632(q))), and socially and economically disadvan-
2 tagged small business concerns (as defined in section
3 8(a)(4)(A) of the Small Business Act (15 U.S.C.
4 637(a)(4)(A))).

5 (6) PRIVATE NONPROFIT ORGANIZATION.—The
6 term “private nonprofit organization” means an en-
7 tity that is described in section 501(c) of the Inter-
8 nal Revenue Code of 1986 and exempt from tax
9 under section 501(a) of such Code.

10 (7) RESOURCE PARTNER.—The term “resource
11 partner” means—

12 (A) a small business development center
13 (as defined in section 3 of the Small Business
14 Act (15 U.S.C. 632));

15 (B) a women’s business center (as de-
16 scribed in section 29 of the Small Business Act
17 (15 U.S.C. 656)); and

18 (C) a chapter of the Service Corps of Re-
19 tired Executives (as defined in section
20 8(b)(1)(B) of the Act (15 U.S.C.
21 637(b)(1)(B))).

22 (8) SMALL BUSINESS CONCERN.—The term
23 “small business concern” has the meaning given
24 under section 3 of the Small Business Act (15
25 U.S.C. 632).

1 (9) STATE.—The term “State” means a State
2 of the United States, the District of Columbia, the
3 Commonwealth of Puerto Rico, the Virgin Islands,
4 American Samoa, the Commonwealth of the North-
5 ern Mariana Islands, and Guam, or an agency, in-
6 strumentality, or fiscal agent thereof.

7 (10) UNIT OF GENERAL LOCAL GOVERN-
8 MENT.—The term “unit of general local govern-
9 ment” means a county, city, town, village, or other
10 general purpose political subdivision of a State.

11 (b) COMMUNITY NAVIGATOR PILOT PROGRAM.—

12 (1) IN GENERAL.—The Administrator of the
13 Small Business Administration shall establish a
14 Community Navigator pilot program to make grants
15 to, or enter into contracts or cooperative agreements
16 with, private nonprofit organizations, resource part-
17 ners, States, Tribes, and units of local government
18 to ensure the delivery of free community navigator
19 services to current or prospective owners of eligible
20 businesses in order to improve access to assistance
21 programs and resources made available because of
22 the COVID–19 pandemic by Federal, State, Tribal,
23 and local entities.

24 (2) APPROPRIATIONS.—In addition to amounts
25 otherwise available, there is appropriated to the Ad-

1 administrator for fiscal year 2021, out of any money
2 in the Treasury not otherwise appropriated,
3 \$100,000,000, to remain available until expended,
4 for carrying out this subsection.

5 (c) OUTREACH AND EDUCATION.—

6 (1) PROMOTION.—The Administrator shall de-
7 velop and implement a program to promote commu-
8 nity navigator services to current or prospective
9 owners of eligible businesses.

10 (2) CALL CENTER.—The Administrator shall
11 establish a telephone hotline to offer information
12 about Federal programs to assist eligible businesses
13 and offer referral services to resource partners, com-
14 munity navigators, potential lenders, and other per-
15 sons that the Administrator determines appropriate
16 for current or prospective owners of eligible busi-
17 nesses.

18 (3) OUTREACH.—The Administrator shall—

19 (A) conduct outreach and education, in the
20 10 most commonly spoken languages in the
21 United States, to current or prospective owners
22 of eligible businesses on community navigator
23 services and other Federal programs to assist
24 eligible businesses;

1 (B) improve the website of the Administra-
2 tion to describe such community navigator serv-
3 ices and other Federal programs; and

4 (C) implement an education campaign by
5 advertising in media targeted to current or pro-
6 spective owners of eligible businesses.

7 (4) APPROPRIATIONS.—In addition to amounts
8 otherwise available, there is appropriated to the Ad-
9 ministrator for fiscal year 2021, out of any money
10 in the Treasury not otherwise appropriated,
11 \$75,000,000, to remain available until expended, for
12 carrying out this subsection.

13 (d) SUNSET.—The authority of the Administrator to
14 make grants under this section shall terminate on Decem-
15 ber 31, 2025.

16 **SEC. 6005. SHUTTERED VENUE OPERATORS.**

17 In addition to amounts otherwise available, there is
18 appropriated for fiscal year 2021, out of any money in
19 the Treasury not otherwise appropriated, \$1,250,000,000,
20 to remain available until expended, to carry out section
21 324 of the Economic Aid to Hard-Hit Small Businesses,
22 Nonprofits, and Venues Act (title III of division N of Pub-
23 lic Law 116–260), of which \$500,000 shall be used to pro-
24 vide technical assistance to help applicants access the Sys-
25 tem for Award Management (or any successor thereto) or

1 to assist applicants with an alternative grant application
2 system, which the Administrator of the Small Business
3 Administration may develop for use for grant programs
4 of the Small Business Administration.

5 **SEC. 6006. DIRECT APPROPRIATIONS.**

6 (a) IN GENERAL.—In addition to amounts otherwise
7 available, there is appropriated to the Administrator for
8 fiscal year 2021, out of any money in the Treasury not
9 otherwise appropriated, to remain available until ex-
10 pended—

11 (1) \$840,000,000 for administrative expenses,
12 including to prevent, prepare for, and respond to the
13 COVID–19 pandemic, domestically or internation-
14 ally, including administrative expenses related to
15 paragraphs (36) and (37) of section 7(a) of the
16 Small Business Act, section 324 of the Economic
17 Aid to Hard-Hit Small Businesses, Nonprofits, and
18 Venues Act (title III of division N of Public Law
19 116–260), section 6002 of [the FY 2021 Reconcili-
20 ation Act], and section 6003 of [the FY 2021 Rec-
21 onciliation Act]; and

22 (2) \$460,000,000 to carry out the disaster loan
23 program authorized by section 7(b) of the Small
24 Business Act (15 U.S.C. 636(b)), of which
25 \$70,000,000 shall be for the cost of direct loans au-

1 thorized by such section and \$390,000,000 shall be
2 for administrative expenses to carry out such pro-
3 gram.

4 (b) INSPECTOR GENERAL.—In addition to amounts
5 otherwise available, there is appropriated to the Inspector
6 General of the Small Business Administration for fiscal
7 year 2021, out of any money in the Treasury not otherwise
8 appropriated, \$25,000,000, to remain available until ex-
9 pended, for necessary expenses of the Office of Inspector
10 General in carrying out the provisions of the Inspector
11 General Act of 1978.

