

1 mental payments to substantially impacted small
2 businesses, supplemental payments described in
3 paragraph (2), and payments described in paragraph
4 (1), in the order that the Administrator receives ap-
5 plications for those payments.

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

11 **SEC. 6003. SUPPORT FOR RESTAURANTS.**

12 (a) DEFINITIONS.—In this section:

13 (1) ADMINISTRATOR.—The term “Adminis-
14 trator” means the Administrator of the Small Busi-
15 ness Administration.

16 (2) AFFILIATED BUSINESS.—The term “affili-
17 ated business” means a business in which an eligible
18 entity has an equity or right to profit distributions
19 of not less than 50 percent, or in which an eligible
20 entity has the contractual authority to control the
21 direction of the business, provided that such affili-
22 ation shall be determined as of any arrangements or
23 agreements in existence as of March 13, 2020.

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

1 (A) beginning on February 15, 2020; and
2 (B) ending on December 31, 2021, or a
3 date to be determined by the Administrator
4 that is not later than 2 years after the date of
5 enactment of this section.

6 (4) ELIGIBLE ENTITY.—The term “eligible enti-
7 ty”—

8 (A) means a restaurant, food stand, food
9 truck, food cart, caterer, saloon, inn, tavern,
10 bar, lounge, brewpub, tasting room, taproom, li-
11 censed facility or premise of a beverage alcohol
12 producer where the public may taste, sample, or
13 purchase products, or other similar place of
14 business in which the public or patrons assem-
15 ble for the primary purpose of being served food
16 or drink;

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

20 (C) does not include—

21 (i) an entity described in subpara-
22 graph (A) that—

23 (I) is a State or local govern-
24 ment-operated business;

1 (II) as of March 13, 2020, owns
2 or operates (together with any affili-
3 ated business) more than 20 locations,
4 regardless of whether those locations
5 do business under the same or mul-
6 tiple names; or

7 (III) has a pending application
8 for or has received a grant under sec-
9 tion 324 of the Economic Aid to
10 Hard-Hit Small Businesses, Non-
11 profits, and Venues Act (title III of
12 division N of Public Law 116–260);

13 or

14 (ii) a publicly-traded company.

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

19 (6) FUND.—The term “Fund” means the Res-
20 taurant Revitalization Fund established under sub-
21 section (b).

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

1 (A) except as provided in subparagraphs
2 (B), (C), and (D), the gross receipts, as estab-
3 lished using such verification documentation as
4 the Administrator may require, of the eligible
5 entity during 2020 subtracted from the gross
6 receipts of the eligible entity in 2019, if such
7 sum is greater than zero;

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

10 (i) the difference between—

11 (I) the product obtained by mul-
12 tiplying the average monthly gross re-
13 cepts of the eligible entity in 2019 by
14 12; and

15 (II) the product obtained by mul-
16 tiplying the average monthly gross re-
17 cepts of the eligible entity in 2020 by
18 12; or

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

21 (C) if the eligible entity opened during the
22 period beginning on January 1, 2020, and end-
23 ing on the day before the date of enactment of
24 this section—

1 (i) the expenses described in sub-
2 section (c)(5)(A) that were incurred by the
3 eligible entity minus any gross receipts re-
4 ceived; or

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

7 (D) if the eligible entity has not yet opened
8 as of the date of application for a grant under
9 subsection (c), but has incurred expenses de-
10 scribed in subsection (c)(5)(A) as of the date of
11 enactment of this section—

12 (i) the amount of those expenses; or

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

15 For purposes of this paragraph, the pandemic-re-
16 lated revenue losses for an eligible entity shall be re-
17 duced by any amounts received from a covered loan
18 made under paragraph (36) or (37) of section 7(a)
19 of the Small Business Act (15 U.S.C. 636(a)) in
20 2020 or 2021.

21 (8) PAYROLL COSTS.—The term “payroll costs”
22 has the meaning given the term in section
23 7(a)(36)(A) of the Small Business Act (15 U.S.C.
24 636(a)(36)(A)), except that such term shall not in-
25 clude—

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

5 (B) premiums taken into account in deter-
6 mining the credit allowed under section 6432 of
7 the Internal Revenue Code of 1986.

8 (9) PUBLICLY-TRADED COMPANY.—The term
9 “publicly-traded company” means an entity that is
10 majority owned or controlled by an entity that is an
11 issuer, the securities of which are listed on a na-
12 tional securities exchange under section 6 of the Se-
13 curities Exchange Act of 1934 (15 U.S.C. 78f).

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

18 (b) RESTAURANT REVITALIZATION FUND.—

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

22 (2) APPROPRIATIONS.—

23 (A) IN GENERAL.—In addition to amounts
24 otherwise available, there is appropriated to the
25 Restaurant Revitalization Fund for fiscal year

1 2021, out of any money in the Treasury not
2 otherwise appropriated, \$25,000,000,000, to re-
3 main available until expended.

4 (B) DISTRIBUTION.—

5 (i) IN GENERAL.—Of the amounts
6 made available under subparagraph (A)—

7 (I) \$5,000,000,000 shall be avail-
8 able to eligible entities with gross re-
9 ceipts during 2019 of not more than
10 \$500,000; and

11 (II) \$20,000,000,000 shall be
12 available to the Administrator to
13 award grants under subsection (c) in
14 an equitable manner to eligible enti-
15 ties of different sizes based on annual
16 gross receipts.

17 (ii) ADJUSTMENTS.—The Adminis-
18 trator may make adjustments as necessary
19 to the distribution of funds under clause
20 (i)(II) based on demand and the relative
21 local costs in the markets in which eligible
22 entities operate.

23 (C) GRANTS AFTER INITIAL PERIOD.—
24 Notwithstanding subparagraph (B), on and
25 after the date that is 60 days after the date of

1 enactment of this section, or another period of
2 time determined by the Administrator, the Ad-
3 ministrator may make grants using amounts
4 appropriated under subparagraph (A) to any el-
5 igible entity regardless of the annual gross re-
6 ceipts of the eligible entity.

7 (3) USE OF FUNDS.—The Administrator shall
8 use amounts in the Fund to make grants described
9 in subsection (c).

10 (c) RESTAURANT REVITALIZATION GRANTS.—

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

16 (2) APPLICATION.—

17 (A) CERTIFICATION.—An eligible entity
18 applying for a grant under this subsection shall
19 make a good faith certification that—

20 (i) the uncertainty of current eco-
21 nomic conditions makes necessary the
22 grant request to support the ongoing oper-
23 ations of the eligible entity; and

24 (ii) the eligible entity has not applied
25 for or received a grant under section 324

1 of the Economic Aid to Hard-Hit Small
2 Businesses, Nonprofits, and Venues Act
3 (title III of division N of Public Law 116–
4 260).

5 (B) PREVENTION OF WASTE, FRAUD, AND
6 ABUSE.—The Administrator may impose re-
7 quirements on applicants for the purpose of re-
8 ducing waste, fraud, and abuse.

9 (C) BUSINESS IDENTIFIERS.—In accepting
10 applications for grants under this subsection,
11 the Administrator shall prioritize the ability of
12 each applicant to use their existing business
13 identifiers over requiring other forms of reg-
14 istration or identification that may not be com-
15 mon to their industry and imposing additional
16 burdens on applicants.

17 (3) PRIORITY IN AWARDING GRANTS.—

18 (A) IN GENERAL.—During the initial 21-
19 day period in which the Administrator awards
20 grants under this subsection, the Administrator
21 shall prioritize awarding grants to eligible enti-
22 ties that are small business concerns owned
23 controlled by women (as defined in section 3(n)
24 of the Small Business Act (15 U.S.C. 632(n))),
25 small business concerns owned and controlled

1 by veterans (as defined in section 3(q) of such
2 Act (15 U.S.C. 632(q))), or socially and eco-
3 nomically disadvantaged small business con-
4 cerns (as defined in section 8(a)(4)(A) of the
5 Small Business Act (15 U.S.C. 637(a)(4)(A))).
6 The Administrator may take such steps as nec-
7 essary to ensure that eligible entities described
8 in this subparagraph have access to grant fund-
9 ing under this section after the end of such 21-
10 day period.

11 (B) CERTIFICATION.—For purposes of es-
12 tablishing priority under subparagraph (A), an
13 applicant shall submit a self-certification of eli-
14 gibility for priority with the grant application.

15 (4) GRANT AMOUNT.—

16 (A) AGGREGATE MAXIMUM AMOUNT.—The
17 aggregate amount of grants made to an eligible
18 entity and any affiliated businesses of the eligi-
19 ble entity under this subsection—

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

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

23 (B) DETERMINATION OF GRANT
24 AMOUNT.—

1 (i) IN GENERAL.—Except as provided
2 in this paragraph, the amount of a grant
3 made to an eligible entity under this sub-
4 section shall be equal to the pandemic-re-
5 lated revenue loss of the eligible entity.

6 (ii) RETURN TO TREASURY.—Any
7 amount of a grant made under this sub-
8 section to an eligible entity based on esti-
9 mated receipts that is greater than the ac-
10 tual gross receipts of the eligible entity in
11 2020 shall be returned to the Treasury.

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

17 (A) Payroll costs.

18 (B) Payments of principal or interest on
19 any mortgage obligation (which shall not in-
20 clude any prepayment of principal on a mort-
21 gage obligation).

22 (C) Rent payments, including rent under a
23 lease agreement (which shall not include any
24 prepayment of rent).

25 (D) Utilities.

1 (E) Maintenance expenses, including—

2 (i) construction to accommodate out-
3 door seating; and

4 (ii) walls, floors, deck surfaces, fur-
5 niture, fixtures, and equipment.

6 (F) Supplies, including protective equip-
7 ment and cleaning materials.

8 (G) Food and beverage expenses that are
9 within the scope of the normal business practice
10 of the eligible entity before the covered period.

11 (H) Covered supplier costs, as defined in
12 section 7A(a) of the Small Business Act (as re-
13 designated, transferred, and amended by sec-
14 tion 304(b) of the Economic Aid to Hard-Hit
15 Small Businesses, Nonprofits, and Venues Act
16 (Public Law 116–260)).

17 (I) Operational expenses.

18 (J) Paid sick leave.

19 (K) Any other expenses that the Adminis-
20 trator determines to be essential to maintaining
21 the eligible entity.

22 (6) RETURNING FUNDS.—If an eligible entity
23 that receives a grant under this subsection fails to
24 use all grant funds or permanently ceases operations
25 on or before the last day of the covered period, the

1 eligible entity shall return to the Treasury any funds
2 that the eligible entity did not use for the allowable
3 expenses under paragraph (5).

4 (7) LIMITATION WITH RESPECT TO PRIVATE
5 FUNDS.—

6 (A) DEFINITIONS.—In this paragraph:

7 (i) AFFILIATE.—

8 (I) IN GENERAL.—The term “af-
9 filiate” means, with respect to a per-
10 son, any other person directly or indi-
11 rectly controlling, controlled by, or
12 under direct or indirect common con-
13 trol with the person.

14 (II) CONTROL.—For purposes of
15 subclause (I), the term “control”
16 means the ability to make or block
17 management decisions of an entity.

18 (ii) EXECUTIVE.—The term “execu-
19 tive” means—

20 (I) any individual who serves an
21 executive or director of a person, in-
22 cluding the principal executive officer,
23 principal financial officer, comptroller
24 or principal accounting officer; and

1 (II) an executive officer, as de-
2 fined in section 230.405 of title 17,
3 Code of Federal Regulations, or any
4 successor regulation.

5 (iii) PRIVATE FUND.—The term “pri-
6 vate fund” means an issuer that would be
7 an investment company, as defined in the
8 Investment Company Act of 1940 (15
9 U.S.C. 80a–1 et seq.), but for paragraph
10 (1) or (7) of section 3(c) of that Act (15
11 U.S.C. 80a–3(c)).

12 (B) ANTI-EVASION.—No company in which
13 a private fund holds an ownership interest that
14 has, directly or indirectly, received amounts
15 under this subsection may pay any distribu-
16 tions, dividends, consulting fees, advisory fees,
17 interest payments, or any other fees, expenses,
18 or charges in excess of 10 percent of the net
19 operating profits of the company operating
20 profits for the calendar year ending December
21 31, 2021 (and for each successive year until the
22 covered period has ended), to—

23 (i) a person registered as an invest-
24 ment adviser under the Investment Advis-

1 ers Act of 1940 (15 U.S.C. 80b–1 et seq.)
2 who advises a private fund;
3 (ii) any affiliate of such adviser;
4 (iii) any executive of such adviser or
5 affiliate; or
6 (iv) any employee, consultant, or other
7 person with a contractual relationship to
8 provide services for or on behalf of such
9 adviser or affiliate.

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

11 (a) DEFINITIONS.—In this section:

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

14 (2) ADMINISTRATOR.—The term “Adminis-
15 trator” means the Administrator of the Small Busi-
16 ness Administration.

17 (3) COMMUNITY NAVIGATOR SERVICES.—The
18 term “community navigator services” means the out-
19 reach, education, and technical assistance provided
20 by community navigators that target eligible busi-
21 nesses to increase awareness of, and participation in,
22 programs of the Small Business Administration.

23 (4) COMMUNITY NAVIGATOR.—The term “com-
24 munity navigator” means a community organization,
25 community financial institution as defined in section