

seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 50 and Tables.

The date of enactment of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, referred to in subsec. (h)(1), (4), (5), is the date of enactment of title III of div. N of Pub. L. 116-260, which was approved Dec. 27, 2020.

Such Act, referred to in subsec. (h)(1), means the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, which is title III of div. N of Pub. L. 116-260, Dec. 27, 2020, 134 Stat. 1993. For complete classification of this Act to the Code, see Short Title of 2020 Amendment note set out under section 9001 of this title and Tables.

AMENDMENTS

2020—Subsec. (c)(1). Pub. L. 116-260, §325(a)(1)(A), added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: “The Administrator shall pay the principal, interest, and any associated fees that are owed on a covered loan in a regular servicing status—

“(A) with respect to a covered loan made before March 27, 2020, and not on deferment, for the 6-month period beginning with the next payment due on the covered loan;

“(B) with respect to a covered loan made before March 27, 2020, and on deferment, for the 6-month period beginning with the next payment due on the covered loan after the deferment period; and

“(C) with respect to a covered loan made during the period beginning on March 27, 2020, and ending on the date that is 6 months after March 27, 2020, for the 6-month period beginning with the first payment due on the covered loan.”

Subsec. (c)(4) to (9). Pub. L. 116-260, §325(a)(1)(B), added pars. (4) to (9).

Subsecs. (f) to (i). Pub. L. 116-260, §325(a)(2), (3), added subsecs. (f) to (h) and redesignated former subsec. (f) as (i).

EFFECTIVE DATE OF 2020 AMENDMENT

Pub. L. 116-260, div. N, title III, §325(b), Dec. 27, 2020, 134 Stat. 2036, provided that: “The amendments made by subsection (a) [amending this section] shall be effective as if included in the CARES Act (Public Law 116-136; 134 Stat. 281).”

CLARIFICATION OF TAX TREATMENT OF CERTAIN LOAN FORGIVENESS AND OTHER BUSINESS FINANCIAL ASSISTANCE

Payment described in subsec. (c) of this section not included in gross income of person on whose behalf such payment was made, see section 278 of div. N of Pub. L. 116-260, set out as a note under section 9008 of this title.

§ 9012. Emergency rulemaking authority

Not later than 15 days after March 27, 2020, the Administrator shall issue regulations to carry out this title¹ and the amendments made by this title¹ without regard to the notice requirements under section 553(b) of title 5.

(Pub. L. 116-136, div. A, title I, §1114, Mar. 27, 2020, 134 Stat. 312.)

REFERENCES IN TEXT

This title, referred to in text, is title I of div. A of Pub. L. 116-136, Mar. 27, 2020, 134 Stat. 286, which enacted this subchapter and amended, and enacted provisions set out as notes under, section 636 of this title and several sections in Title 11, Bankruptcy. For complete classification of title I to the Code, see Tables.

¹ See References in Text note below.

EMERGENCY RULEMAKING AUTHORITY IN PUBLIC LAW 116-260

Pub. L. 116-260, div. N, title III, §303, Dec. 27, 2020, 134 Stat. 1993, provided that: “Not later than 10 days after the date of enactment of this Act [Dec. 27, 2020], the Administrator [of the Small Business Administration] shall issue regulations to carry out this Act [probably means “this title”, title III of div. N of Pub. L. 116-260, see Tables for classification] and the amendments made by this Act without regard to the notice requirements under section 553(b) of title 5, United States Code.”

SUBCHAPTER II—UNEMPLOYMENT INSURANCE PROVISIONS

§ 9021. Pandemic unemployment assistance

(a) Definitions

In this section:

(1) COVID-19

The term “COVID-19” means the 2019 Novel Coronavirus or 2019-nCoV.

(2) COVID-19 public health emergency

The term “COVID-19 public health emergency” means the public health emergency declared by the Secretary of Health and Human Services on January 27, 2020, with respect to the 2019 Novel Coronavirus.

(3) Covered individual

The term “covered individual”—

(A) means an individual who—

(i) is not eligible for regular compensation or extended benefits under State or Federal law or pandemic emergency unemployment compensation under section 9025 of this title, including an individual who has exhausted all rights to regular unemployment or extended benefits under State or Federal law or pandemic emergency unemployment compensation under section 9025 of this title;

(ii) provides self-certification that the individual—

(I) is otherwise able to work and available for work within the meaning of applicable State law, except the individual is unemployed, partially unemployed, or unable or unavailable to work because—

(aa) the individual has been diagnosed with COVID-19 or is experiencing symptoms of COVID-19 and seeking a medical diagnosis;

(bb) a member of the individual’s household has been diagnosed with COVID-19;

(cc) the individual is providing care for a family member or a member of the individual’s household who has been diagnosed with COVID-19;

(dd) a child or other person in the household for which the individual has primary caregiving responsibility is unable to attend school or another facility that is closed as a direct result of the COVID-19 public health emergency and such school or facility care is required for the individual to work;

(ee) the individual is unable to reach the place of employment because of a quarantine imposed as a direct result