

Sec.

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SUBCHAPTER I—KEEPING AMERICAN WORKERS PAID AND EMPLOYED

§ 9001. Definitions

In this title—¹

(1) the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively; and

(2) the term “small business concern” has the meaning given the term in section 632 of this title.

(Pub. L. 116–136, div. A, title I, §1101, Mar. 27, 2020, 134 Stat. 286.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2022 AMENDMENT

Pub. L. 117–165, §1, Aug. 5, 2022, 136 Stat. 1363, provided that: “This Act [amending sections 636, 9009, and 9009b of this title] may be cited as the ‘COVID–19 EIDL Fraud Statute of Limitations Act of 2022.’”

SHORT TITLE OF 2021 AMENDMENT

Pub. L. 117–2, §1, Mar. 11, 2021, 135 Stat. 4, provided that: “This Act [see Tables for classification] may be cited as the ‘American Rescue Plan Act of 2021.’”

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116–260, div. N, title II, §200, Dec. 27, 2020, 134 Stat. 1950, provided that: “This chapter [chapter 1 (§§200–266) of subtitle A of title II of div. N of Pub. L. 116–260, see Tables for classification] may be cited as the ‘Continued Assistance for Unemployed Workers Act of 2020.’”

Pub. L. 116–260, div. N, title III, §301, Dec. 27, 2020, 134 Stat. 1993, provided that: “This title [see Tables for classification] may be cited as the ‘Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act.’”

Pub. L. 116–260, div. N, title IV, §420, Dec. 27, 2020, 134 Stat. 2061, provided that: “This subtitle [subtitle B (§§420, 421) of title IV of div. N of Pub. L. 116–260, enacting part D of subchapter III of this chapter] may be cited as the ‘Coronavirus Economic Relief for Transportation Services Act.’”

Pub. L. 116–139, §1, Apr. 24, 2020, 134 Stat. 620, provided that: “This Act [amending sections 636, 9006, and 9009 of this title] may be cited as the ‘Paycheck Protection Program and Health Care Enhancement Act.’”

SHORT TITLE

Pub. L. 116–136, §1, Mar. 27, 2020, 134 Stat. 281, provided that: “This Act [see Tables for classification]

may be cited as the ‘Coronavirus Aid, Relief, and Economic Security Act’ or the ‘CARES Act.’”

Pub. L. 116–136, div. A, title II, §2101, Mar. 27, 2020, 134 Stat. 313, provided that: “This subtitle [subtitle A (§§2101–2116) of title II of div. A of Pub. L. 116–136, enacting subchapter II of this chapter, amending section 3306 of Title 26, Internal Revenue Code, section 1103 of Title 42, The Public Health and Welfare, and section 352 of Title 45, Railroads, enacting provisions set out as a note under section 352 of Title 45, amending provisions set out as a note under section 3304 of Title 26, and repealing provisions set out as a note under section 3306 of Title 26], may be cited as the ‘Relief for Workers Affected by Coronavirus Act.’”

Pub. L. 116–136, div. A, title IV, §4001, Mar. 27, 2020, 134 Stat. 469, provided that: “This subtitle [subtitle A (§§4001–4029) of title IV of div. A of Pub. L. 116–136, enacting part A of subchapter III of this chapter, amending section 1681s–2 of this title, sections 84, 1795a, 1795c, 1795e, 1795f, and 5612 of Title 12, Banks and Banking, and section 5302 of Title 31, Money and Finance, and enacting provisions set out as notes under sections 84, 1795a, and 5236 of Title 12 and section 4532 of Title 50, War and National Defense] may be cited as the ‘Coronavirus Economic Stabilization Act of 2020.’”

DEFINITIONS

Pub. L. 116–260, div. N, title III, §302, Dec. 27, 2020, 134 Stat. 1993, provided that: “In this Act [probably means ‘this title’], title III of div. N of Pub. L. 116–260, see Tables for classification]:

“(1) ADMINISTRATION; ADMINISTRATOR.—The terms ‘Administration’ and ‘Administrator’ mean the Small Business Administration and the Administrator thereof, respectively.

“(2) SMALL BUSINESS CONCERN.—The term ‘small business concern’ has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).”

Executive Documents

EX. ORD. NO. 14002. ECONOMIC RELIEF RELATED TO THE COVID–19 PANDEMIC

Ex. Ord. No. 14002, Jan. 22, 2021, 86 F.R. 7229, provided: By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. *Background.* The pandemic caused by the coronavirus disease 2019 (COVID–19) has led to an economic crisis marked by the closure of small businesses, job loss, food and housing insecurity, and increased challenges for working families balancing jobs and caregiving responsibilities. The current economic crisis has affected Americans throughout the Nation, but it is particularly dire in communities of color. The problems are exacerbated because State and local governments are being forced to consider steep cuts to critical programs to address revenue shortfalls the pandemic has caused. In addition, many individuals, families, and small businesses have had difficulties navigating relief programs with varying eligibility requirements, and some are not receiving the intended assistance. The economic crisis resulting from the pandemic must be met by the full resources of the Federal Government.

SEC. 2. *Providing Relief to Individuals, Families, and Small Businesses; and to State, Local, Tribal, and Territorial Governments.* (a) All executive departments and agencies (agencies) shall promptly identify actions they can take within existing authorities to address the current economic crisis resulting from the pandemic. Agencies should specifically consider actions that facilitate better use of data and other means to improve access to, reduce unnecessary barriers to, and improve coordination among programs funded in whole or in part by the Federal Government.

(b) Agencies should take the actions identified in subsection (a) of this section, as appropriate and consistent with applicable law, and in doing so should prioritize actions that provide the greatest relief to in-

¹ See References in Text note below.

dividuals, families, and small businesses; and to State, local, Tribal, and territorial governments.

(c) Independent agencies, as enumerated in 44 U.S.C. 3502(5), are strongly encouraged to comply with this section.

SEC. 3. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

J.R. BIDEN, JR.

§ 9002. Entrepreneurial development

(a) Definitions

In this section—

(1) the term “covered small business concern” means a small business concern that has experienced, as a result of COVID-19—

(A) supply chain disruptions, including changes in—

(i) quantity and lead time, including the number of shipments of components and delays in shipments;

(ii) quality, including shortages in supply for quality control reasons; and

(iii) technology, including a compromised payment network;

(B) staffing challenges;

(C) a decrease in gross receipts or customers; or

(D) a closure;

(2) the term “resource partner” means—

(A) a small business development center; and

(B) a women’s business center;

(3) the term “small business development center” has the meaning given the term in section 632 of this title; and

(4) the term “women’s business center” means a women’s business center described in section 656 of this title.

(b) Education, training, and advising grants

(1) In general

The Administration may provide financial assistance in the form of grants to resource partners to provide education, training, and advising to covered small business concerns.

(2) Use of funds

Grants under this subsection shall be used for the education, training, and advising of covered small business concerns and their employees on—

(A) accessing and applying for resources provided by the Administration and other Federal resources relating to access to capital and business resiliency;

(B) the hazards and prevention of the transmission and communication of COVID-19 and other communicable diseases;

(C) the potential effects of COVID-19 on the supply chains, distribution, and sale of products of covered small business concerns and the mitigation of those effects;

(D) the management and practice of telework to reduce possible transmission of COVID-19;

(E) the management and practice of remote customer service by electronic or other means;

(F) the risks of and mitigation of cyber threats in remote customer service or telework practices;

(G) the mitigation of the effects of reduced travel or outside activities on covered small business concerns during COVID-19 or similar occurrences; and

(H) any other relevant business practices necessary to mitigate the economic effects of COVID-19 or similar occurrences.

(3) Grant determination

(A) Small business development centers

(i) In general

The Administration shall award 80 percent of funds authorized to carry out this subsection to small business development centers, which shall be awarded pursuant to a formula jointly developed, negotiated, and agreed upon, with full participation of both parties, between the association formed under section 648(a)(3)(A) of this title and the Administration.

(ii) Clarification of use

Awards made under clause (i) shall be in addition to, and separate from, any amounts appropriated to make grants under section 648(a) of this title and such an award may be used to complement and support such a grant, except that priority with respect to the receipt of that assistance shall be given to small business development centers that have been affected by issues described in paragraph (2).

(B) Women’s business centers

The Administration shall award 20 percent of funds authorized to carry out this subsection to women’s business centers, which shall be awarded pursuant to a process established by the Administration in consultation with recipients of assistance.

(C) No matching funds required

Matching funds shall not be required for any grant under this subsection.

(4) Goals and metrics

(A) In general

Goals and metrics for the funds made available under this subsection shall be jointly developed, negotiated, and agreed upon, with full participation of both parties, between the resource partners and the Administrator, which shall—

(i) take into consideration the extent of the circumstances relating to the spread of COVID-19, or similar occurrences, that affect covered small business concerns located in the areas covered by the resource partner, particularly in rural areas or economically distressed areas;