



Consolidated Appropriations Act of 2021

Below is a summary of key funding and authorizing provisions in the \$900 billion Consolidated Appropriations Act of 2021 (H.R. 133), the economic relief package signed into law on December 27, 2020, that may be beneficial to international educators. The relief package was part of a \$1.4 trillion omnibus spending bill consisting of fiscal year 2021 appropriations bills and authorizations. President-elect Biden has indicated support for a future economic relief bill, as funding needs continue to be significant. NAFSA will continue to seek the necessary support from Congress for all international education and exchange programs and activities.

Education Funding (K-12 & Higher Education)	
Education Stabilization Funds - Higher Education Emergency Relief Fund: Includes \$20 billion for public and private, non-profit institutions of higher education, including those that serve students enrolled exclusively in distance education, to be distributed by a formula considering head count and full-time equivalent enrollment; \$1.7 billion for Historically Black Colleges and Universities, Tribal Colleges and Universities, Hispanic Serving Institutions, and certain other institutions; \$113.5 million for institutions of higher education with unmet need; and a cap on funding for proprietary institutions and restrictions on use of funds; and \$680.9 million for student emergency aid for students at for-profit institutions.	\$22.7 Billion
Education Stabilization Fund: Flexible funding to support the educational needs of states, school districts, and institutions of higher education, and the students they serve in response to coronavirus.	\$82 Billion
Elementary and Secondary School Emergency Relief Fund: Formula funding to states and school districts to help schools respond to coronavirus, including new allowable uses of funds for school facilities repairs and improvements, including heating, ventilation, and air conditioning systems projects to improve indoor air quality in school facilities; and addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care.	\$54.3 Billion
Governor's Emergency Education Relief Fund: Includes \$2.75 billion for Emergency Assistance to Non-Public Schools grants, and language prohibiting states from using any funds to support vouchers or tax credit scholarship programs.	\$4.1 Billion
Student Aid Administration, Program Administration, and the Office of the Inspector General	\$50 Million

Small Business	
Paycheck Protection Program (PPP) Second Draw Loans: Created a second loan from the PPP for smaller and harder-hit businesses with a maximum amount of \$2 million. Eligible entities must have no more than 300 employees, have used or will use the full amount of their first PPP, and be able to demonstrate at least a 25% reduction in gross receipts in the first, second, or third quarter of 2020 relative to the same 2019 quarter. Eligibly entities include businesses, certain non-profit organization, veterans' organizations, tribal businesses, self-employed individuals, sole proprietors, independent contractors, and others.	\$284.45 Billion (initial and second draw)
Targeted Economic Injury Disaster Loans (EIDL) Advance program: Small businesses and nonprofits applying for an EIDL from the Small Business Administration (SBA) may request an advance of up to \$10,000 to be paid within 3 days of submitting the application to cover paid sick leave, payroll, increased supply chain costs, rent, mortgage, and debt. This would not need to be repaid, even if the employer is denied for an EIDL. This is the first time a virus or pandemic event has been defined as a disaster, and with the national emergency declaration, businesses in every state and territory are eligible to apply. Website: https://www.sba.gov/disaster	\$20 Billion
Other Small Business Relief and Program Expenses	\$6 Billion
Research Funding	
<i>Will contribute to funding for research at U.S. higher education institutions, which helps attract talented international graduate students, postdocs and researchers.</i>	
National Institutes of Health: To support research and clinical trials related to COVID-19.	\$1.25 Billion
Business Provisions	
Employee retention tax credit for employers subject to closure due to COVID-19: Extends and expands the refundable payroll tax credit of up to 70 percent of \$10,000 in the wages paid for each employee per quarter. Employers whose operations were "fully or partially" suspended due to government orders related to COVID-19 are eligible for the credit, or if significant income was lost during a quarter in 2020 or the first two quarters of 2021 compared to the same quarter in 2019. Public colleges and universities are now eligible for this credit.	\$20 Billion
Extend CARES Act Employer-Paid Student Loan Exclusion Through 2025: Extends the time period during which employers are able to make tax-free payments of up to \$5,250 towards employees' student loans.	\$3 Billion
Coronavirus Relief Fund	
Extends the date by which state and local governments must make expenditures with CARES Act. Coronavirus Relief Fund will make payments to states, tribal governments, and local governments to cover necessary expenditures incurred due to the public health emergency with respect to the COVID-19. Public institutions might be eligible depending on how the State chooses to disperse funds.	\$150 Billion
Vaccine Distribution	
Department of Health and Human Services: Public health support to fund research, development, manufacturing, procurement, and distribution of vaccines and therapeutics; diagnostic testing and contact tracing; mental health and	\$73 Billion

<p>substance abuse prevention and treatment services; child care support; includes funds for the Centers for Disease Control and Prevention (CDC) with \$300 million specifically reserved for a targeted effort to distribute and administer vaccines to high-risk and underserved populations, including racial and ethnic minority populations and rural communities.</p>	
Direct Payments	
<p>Economic stimulus checks: Congress has authorized stimulus checks worth \$600 per adult and child, with restrictions based on income. Unlike last spring’s CARES Act payments, this round of payments includes mixed status families, in which at least one family members files taxes with a social security number. This also allows retroactive relief to these mixed status families. However, U.S. citizen children without a U.S. citizen parent are still excluded from receiving stimulus money.</p>	\$166 Billion
Immigration Provisions	
<p>Conrad 30 Program Extended: Extends program until September 30, 2021, allowing individual state’s health departments (or the equivalent) to recommend waivers of the J exchange visitor 2-year home residency requirement for foreign medical graduates who have obtained U.S. graduate medical education or training. To be eligible for the waiver, the doctor must agree to practice “primary care or specialty medicine” for three years in an area designated by the Department of Health & Human Services as having a shortage of health care professionals.</p>	
<p>Liberian Refugee Immigration Fairness Program Filing Deadline Extended: Extends filing deadline until December 20, 2021, for Liberian nationals and their dependents living in the United States who meet certain requirements to apply for lawful permanent residence under the Liberian Refugee Immigration Fairness program. Further information: https://www.aila.org/infonet/uscis-issues-policy-guidance-on-liberian-refugee</p>	
<p>EB-5 Regional Center Program Extended: Extends program until June 30, 2021, that allows foreign nationals who invest the minimum funds required into qualifying job-creating or job-preserving U.S. businesses to apply for U.S. green cards for themselves and their immediate family members.</p>	
<p>E-Verify Program Extended: Extends until September 30, 2021, the web-based system that allows enrolled U.S. employers to confirm the eligibility of their employees to work in the United States.</p>	
<p>Non-minister Special Immigrant Religious Workers Program Extended: Extends program until September 30, 2021, that allows ministers and non-ministers in religious vocations and occupations to immigrate to or adjust status in the United States for the purpose of performing religious work in a full-time compensated position.</p>	
<p>Additional H-2B Visas: Grants the Secretary of Homeland Security the authority to issue additional seasonal non-agricultural workers (H-2B) visas beyond the statutory limit of 66,000. The Department of Homeland Security will likely have to issue a new regulation to authorize the additional visas.</p>	

ADDITIONAL RESOURCES:

U.S. Treasury Department and CARES Act: <https://home.treasury.gov/cares>

Assistance for Small Business: <https://home.treasury.gov/policy-issues/top-priorities/cares-act/assistance-for-small-businesses> (includes application for PPP)

U.S. Small Business Administration: www.sba.gov/coronavirus

U.S. Department of Education: <https://www.ed.gov/coronavirus/>

U.S. Chamber of Commerce Coronavirus Emergency Loans Small Business Guide:
<https://www.uschamber.com/report/guide-small-business-covid-19-emergency-loans>

National Council of Nonprofits – Nonprofits and Coronavirus, COVID-19:
<https://www.councilofnonprofits.org/nonprofits-and-coronavirus-covid-19>

American Council on Education – Summary of Consolidated Appropriations Act Higher Education Provisions: <https://www.acenet.edu/Documents/Summary-Higher-Education-Provisions-in-the-Consolidated-Appropriations-Act-of-2021.pdf>

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