



(Original Signature of Member)

116TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To establish a \$120,000,000,000 Restaurant Revitalization Fund to provide structured relief to food service or drinking establishments through December 31, 2020, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. BLUMENAUER introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To establish a \$120,000,000,000 Restaurant Revitalization Fund to provide structured relief to food service or drinking establishments through December 31, 2020, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Real Economic Sup-  
5 port That Acknowledges Unique Restaurant Assistance  
6 Needed To Survive Act of 2020” or the “RES-  
7 TAURANTS Act of 2020”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COVERED PERIOD.—The term “covered pe-  
4 riod” means the period beginning on February 15,  
5 2020 and ending on December 31, 2020.

6 (2) 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, or other similar place of business—

11 (i) in which the public or patrons as-  
12 semble for the primary purpose of being  
13 served food or drink; and

14 (ii) that, as of March 13, 2020, is not  
15 part of a chain or franchise with not less  
16 than 20 locations doing business under the  
17 same name, regardless of the type of own-  
18 ership of the locations; and

19 (B) does not include an entity described in  
20 subparagraph (A) that is—

21 (i) publicly-traded, including a sub-  
22 sidiary or affiliate thereof; or

23 (ii) part of a State or local govern-  
24 ment facility, not including an airport.

1           (3) **FUND.**—The term “Fund” means the Res-  
2           taurant Revitalization Fund established under sec-  
3           tion 3.

4           (4) **PAYROLL COSTS.**—The term “payroll costs”  
5           has the meaning given the term in section  
6           7(a)(36)(A) of the Small Business Act (15 U.S.C.  
7           636(a)(36)(A)).

8           (5) **SECRETARY.**—The term “Secretary” means  
9           the Secretary of the Treasury.

10 **SEC. 3. RESTAURANT REVITALIZATION FUND.**

11           (a) **IN GENERAL.**—There is established in the Treas-  
12           ury of the United States a fund to be known as the Res-  
13           taurant Revitalization Fund.

14           (b) **APPROPRIATIONS.**—

15           (1) **IN GENERAL.**—There is appropriated to the  
16           Fund, out of amounts in the Treasury not otherwise  
17           appropriated, \$120,000,000,000, to remain available  
18           until December 31, 2020.

19           (2) **REMAINDER TO TREASURY.**—Any amounts  
20           remaining in the Fund after December 31, 2020  
21           shall be deposited in the general fund of the Treas-  
22           ury.

23           (c) **USE OF FUNDS.**—The Secretary shall use  
24           amounts in the Fund to make grants described in section  
25           4.

1 **SEC. 4. RESTAURANT REVITALIZATION GRANTS.**

2 (a) IN GENERAL.—The Secretary shall award grants  
3 to eligible entities in the order in which the application  
4 is received by the Secretary.

5 (b) REGISTRATION.—The Secretary shall register  
6 each grant awarded under this section using the employer  
7 identification number of the eligible entity.

8 (c) APPLICATION.—

9 (1) IN GENERAL.—An eligible entity desiring a  
10 grant under this section shall submit to the Sec-  
11 retary an application at such time, in such manner,  
12 and containing such information as the Secretary  
13 may require.

14 (2) CERTIFICATION.—An eligible entity apply-  
15 ing for a grant under this section shall make a good  
16 faith certification—

17 (A) that the uncertainty of current eco-  
18 nomic conditions makes necessary the grant re-  
19 quest to support the ongoing operations of the  
20 eligible entity;

21 (B) acknowledging that funds will be used  
22 to retain workers, maintain payroll, and for  
23 other allowable expenses described in subsection  
24 (e);

25 (C) that the eligible entity does not have  
26 an application pending for a grant under sub-

1 section (a)(36) or (b)(2) of section 7 of the  
2 Small Business Act (15 U.S.C. 636) for the  
3 same purpose and duplicative of amounts ap-  
4 plied for or received under this section; and

5 (D) during the covered period, that the eli-  
6 gible entity has not received amounts under  
7 subsection (a)(36) or (b)(2) of section 7 of the  
8 Small Business Act (15 U.S.C. 636) for the  
9 same purpose and duplicative of amounts ap-  
10 plied for or received under this section.

11 (3) HOLD HARMLESS.—An eligible entity apply-  
12 ing for a grant under this section shall not be ineli-  
13 gible for a grant if the eligible entity is able to docu-  
14 ment—

15 (A) an inability to rehire individuals who  
16 were employees of the eligible entity on Feb-  
17 ruary 15, 2020; and

18 (B) an inability to hire similarly qualified  
19 employees for unfilled positions on or before  
20 December 31, 2020.

21 (d) PRIORITY IN AWARDING GRANTS.—During the  
22 initial 14 day-period in which the Secretary awards grants  
23 under this section, the Secretary shall—

24 (1) prioritize awarding grants to marginalized  
25 and underrepresented communities, with a focus on

1 women and minority-owned and operated eligible en-  
2 tities; and

3 (2) only award grants to eligible entities with  
4 annual revenues of less than \$1,500,000.

5 (e) GRANT AMOUNT.—

6 (1) DETERMINATION OF GRANT AMOUNT.—

7 (A) IN GENERAL.—The amount of a grant  
8 made to an eligible entity under this section  
9 shall be based on the difference in revenues or  
10 estimated revenues of the eligible entity during  
11 a calendar quarter in 2020 as compared to the  
12 same calendar quarter in 2019.

13 (B) VERIFICATION.—An eligible entity  
14 shall submit to the Secretary such revenue  
15 verification documentation as the Secretary  
16 may require to determine the amount of a grant  
17 under subparagraph (A).

18 (C) REPAYMENT.—Any amount of a grant  
19 made under this section to an eligible entity  
20 based on estimated revenues in a calendar quar-  
21 ter in 2020 that is above the actual revenues of  
22 the eligible entity during that calendar quarter  
23 shall be converted to a loan that has—

24 (i) an interest rate of 1 percent; and

1 (ii) a maturity date of 10 years begin-  
2 ning on January 1, 2021.

3 (2) REDUCTION BASED ON PPP FORGIVENESS  
4 OR EIDL EMERGENCY GRANT.—If an eligible entity  
5 has, at the time of application for a grant under this  
6 section, received an emergency grant under section  
7 1110(e) of the CARES Act (Public Law 116–136)  
8 or loan forgiveness under section 1106 of such Act  
9 related to expenses incurred during the covered pe-  
10 riod, the maximum amount of a grant awarded to  
11 the eligible entity under this section shall be reduced  
12 by the amount of funds expended by or forgiven for  
13 the eligible entity for those expenses using amounts  
14 received under such section 1110(e) or forgiven  
15 under such section 1106.

16 (3) LIMITATION.—An eligible entity may not re-  
17 ceive more than 1 grant under this section.

18 (f) USE OF FUNDS.—

19 (1) IN GENERAL.—During the covered period,  
20 an eligible entity that receives a grant under this  
21 section may use the grant funds for—

22 (A) payroll costs;

23 (B) payments of principal or interest on  
24 any mortgage obligation;

1 (C) rent payments, including rent under a  
2 lease agreement;

3 (D) utilities;

4 (E) maintenance, including construction to  
5 accommodate outdoor seating;

6 (F) supplies, including protective equip-  
7 ment and cleaning materials;

8 (G) food and beverage;

9 (H) debt obligations to suppliers that were  
10 incurred before the covered period; and

11 (I) any other expenses that the Secretary  
12 determines to be essential to maintaining the el-  
13 igible entity.

14 (2) RETURNING FUNDS.—If an eligible entity  
15 that receives a grant under this section permanently  
16 ceases operations on or before December 31, 2020,  
17 the eligible entity shall return to the Treasury any  
18 funds that the eligible entity did not use for the al-  
19 lowable expenses under paragraph (1).

20 (3) CONVERSION TO LOAN.—Any grant  
21 amounts received by an eligible entity under this sec-  
22 tion that are unused after December 31, 2020 shall  
23 be immediately converted to a loan with—

24 (A) an interest rate of 1 percent; and

25 (B) a maturity date of 10 years.

1 (g) TAXABILITY.—For purposes of the Internal Rev-  
2 enue Code of 1986—

3 (1) the amount of a grant awarded to an eligi-  
4 ble entity under this section shall be excluded from  
5 the gross income of the eligible entity;

6 (2) no deduction shall be denied or reduced, no  
7 tax attribute shall be reduced, and no basis increase  
8 shall be denied, by reason of the exclusion from  
9 gross income provided by subsection; and

10 (3) an eligible entity that receives a grant under  
11 this section shall not be eligible for the credit de-  
12 scribed in section 2301 of the CARES Act (Public  
13 Law 116–136).

14 (h) REGULATIONS.—Not later than 15 days after the  
15 date of enactment of this Act, the Secretary shall issue  
16 regulations to carry out this section without regard to the  
17 notice and comment requirements under section 553 of  
18 title 5, United States Code.

19 (i) APPROPRIATIONS FOR STAFFING AND ADMINIS-  
20 TRATIVE EXPENSES.—

21 (1) IN GENERAL.—There is appropriated to the  
22 Secretary, out of amounts in the Treasury not other-  
23 wise appropriated, \$300,000,000, to remain avail-  
24 able until December 31, 2020, for staffing and ad-

1       ministrative expenses related to administering grants  
2       awarded under this section.

3           (2) SET ASIDE.—Of amounts appropriated  
4       under paragraph (1), \$60,000,000 shall be allocated  
5       for outreach to traditionally marginalized and under-  
6       represented communities, with a focus on women,  
7       veteran, and minority-owned and operated eligible  
8       entities, including the creation of a resource center  
9       targeted toward these communities.

10 **SEC. 5. EMERGENCY DESIGNATION.**

11       (a) IN GENERAL.—The amounts provided by this Act  
12       are designated as an emergency requirement pursuant to  
13       section 4(g) of the Statutory Pay-As-You-Go Act of 2010  
14       (2 U.S.C. 933(g)).

15       (b) DESIGNATION IN SENATE.—In the Senate, this  
16       Act is designated as an emergency requirement pursuant  
17       to section 4112(a) of H. Con. Res. 71 (115th Congress),  
18       the concurrent resolution on the budget for fiscal year  
19       2018.