116TH CONGRESS
2D SESSION

H. R. _____

To establish a commission to determine essential employment during the COVID–19 crisis period and provide loan repayment and education credit to workers employed in such essential employment during such crisis, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. Kuster of New Hampshire introduced the following bill; which was referred to the Committee on ______________________

A BILL

To establish a commission to determine essential employment during the COVID–19 crisis period and provide loan repayment and education credit to workers employed in such essential employment during such crisis, and for other purposes.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the

“Opportunities for Heroes Act of 2020”.

(Original Signature of Member)
(b) TABLE OF CONTENTS.—The table of contents for this Act are as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—COMMISSION ON ESSENTIAL EMPLOYMENT

Sec. 101. Commission established.

TITLE II—BORROWER RELIEF

Sec. 201. Student loan relief as a result of essential work during the COVID–19 crisis period.
Sec. 203. Notification to borrowers.
Sec. 204. Data to implement.
Sec. 205. Memorandums of understanding.
Sec. 206. Exclusion from gross income.
Sec. 207. Transfer of benefits to survivors of essential workers.

3 SEC. 2. DEFINITIONS.

In this Act:

(1) COVERED LOAN.—The term “covered loan” means—

(A) a loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

(B) a loan made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.); and

(C) a Federal Perkins Loan made pursuant to part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.).

(2) COVID–19 CRISIS PERIOD.—The term “COVID–19 crisis period” means the period begin-

(3) ESSENTIAL WORKER.—The term “essential worker” means an individual who—

(A) was employed in an essential employment area (as published in the list required under section 101(b)(1)) for not less than 480 hours in a 120-day consecutive period during the COVID–19 crisis period;

(B) was employed in an essential employment area (as published in the list required under section 101(b)(1)) but was unable to complete 480 hours of work in a 120-day consecutive period due to the diagnosis or suspected case of COVID–19 with respect to such individual or the family member (a child, spouse, grandparent, or relative that lives in the primary residence of the essential worker) of such individual for which such individual provided care; or

(C) was employed in an essential employment area (as published in the list required under section 101(b)(1)) but was unable to complete 480 hours of work in a 120-day con-
secutive period due perishing from COVID–19
or a suspected case of COVID–19.

(4) PRIVATE EDUCATION LOAN.—The term
“private education loan” has the meaning given the
term in section 140 of the Truth in Lending Act (15

(5) QUALIFIED BORROWER.—The term “quali-
fied borrower” means—

(A) a borrower of a covered loan or a pri-
ivate education loan; and

(B) who is an essential worker.

(6) SECRETARIES CONCERNED.—The term
“Secretaries concerned” means—

(A) the Secretary of Education, with re-
spect to covered loans and borrowers of such
covered loans; and

(B) the Secretary of the Treasury, with re-
spect to private education loans and borrowers
of such private education loans.

(7) INSTITUTION OF HIGHER EDUCATION.—The
term “institution of higher education” means an in-
stitution of higher education, as defined in section
101, or a postsecondary vocational institution, as de-
defined in section 102(c), of the Higher Education
Act.
(8) WORKFORCE DEVELOPMENT PROGRAM.—
The term “workforce development program” means
a program of training services, provided through an
eligible training provider, as described under section
122(d) of the Workforce Innovation and Opportunity
Act.

(9) CONTINUING MEDICAL EDUCATION.—The
term “continuing medical education” means edu-
cational activities which serve to maintain, develop,
or increase the knowledge, skills, and professional
performance and relationships that a physician uses
to provide services for patients, the public or the
profession. The content of continuing medical edu-
cation is the body of knowledge and skills generally
recognized and accepted by the profession as within
the basic medical sciences, the discipline of clinical
medicine and the provision of health care to the pub-

TITLE I—COMMISSION ON
ESSENTIAL EMPLOYMENT

SEC. 101. COMMISSION ESTABLISHED.

(a) ESTABLISHMENT.—Not less than 30 days after

the date of the enactment of this Act, the Secretary of

Labor shall establish a commission to be known as the
“Essential Employment Commission” (in this Act referred to as the “Commission”).

(b) DUTY OF THE COMMISSION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commission shall, publish a list of the types of employment that are essential during the COVID–19 crisis period.

(2) CONSIDERATIONS.—In determining the types of employment that are essential under paragraph (1), the Commission shall consider whether—

(A) the employment protected the health, safety, or well-being of the American public; and

(B) the employment involved considerable risk of exposure to COVID–19.

(3) CERTAIN EMPLOYMENT REQUIRED ESSENTIAL.—The Commission shall determine the following types of employment to be essential under paragraph (1):

(A) Employment in the sale of food and pharmaceuticals, including employment by grocery stores, pharmacies, convenience stores, and other businesses that primarily sell food and beverages.
(B) Employment in the field of healthcare, including as a home health aid or a pharmacist.

(C) Employment as a firefighter or emergency medical technician.

(D) Employment as an emergency responders, including a paramedic.

(E) Employment at a 911 call center.

(F) Employment in health manufacturing for essential medical products, including personal protective equipment, isolation barriers, medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

(G) Employment in manufacturing of materials and products necessary to produce the products described in subparagraph (F).

(H) Employment in producing, harvesting, or processing agricultural goods, meat, poultry, and dairy products for human consumption.

(I) Employment in cafeterias that serve other essential workers, medical patients, students, or vulnerable populations, including the homeless.
(J) Employment in postal, parcel, courier, last-mile delivery, and shipping.

(K) Employment in the distribution or delivery of food, pharmaceuticals, or medical products.

(L) Employment in the delivery of pre-cooked food.

(M) Employment in the fields of research, development, and testing related to COVID–19.

(N) Employment in security and sanitation of locations where other essential workers are employed.

(O) Employment in providing child care for children of other essential workers.

(P) Employment in transportation, including as a truck driver, bus driver, dispatcher, maintenance and repair technician, warehouse worker, truck stop or rest area worker, towing and recovery service employee, roadside assistance worker, intermodal transportation personnel, maintenance worker, taxi driver, vehicle rental service provider, car-sharing driver, transportation network provider, air traffic controller, maintenance personnel, ramp worker, aviation or aerospace safety worker, pilot or
flight crew, operations personnel, or accident investigations personnel.

(Q) Employment as a social worker.

(R) Employment in mortuary services, including cremation, burial, coffin making, and funeral home services.

(S) Employment as a community advocate for survivors of domestic and sexual violence.

(T) Employment as a law enforcement or corrections officer.

(c) COMPOSITION.—The Commission shall include the following members:

(1) The Secretary of Health and Human Services (or designee).

(2) The Secretary of Homeland Security (or designee).

(3) The Secretary of Education (or designee).

(4) The governors of the three States with the highest incidences of COVID–19 on the date of enactment of this Act (or a designee for each such governor).

(5) Three representatives from national labor organizations certified by the National Labor Relations Board, National Mediation Board, Federal
Labor Relations Authority, or State agencies with similar jurisdiction and authority.

(6) A member of the U.S. House of Representatives appointed by the Speaker of the House of Representatives (or designee).

(7) A member of the Senate appointed by the Majority Leader of the Senate (or designee).

(8) A physician.

(d) TERMINATION.—The Commission shall terminate on the date the list required under subsection (b)(1) is published.

TITLE II—BORROWER RELIEF

SEC. 201. STUDENT LOAN RELIEF AS A RESULT OF ESSENTIAL WORK DURING THE COVID–19 CRISIS PERIOD.

(a) IN GENERAL.—Not later than 1 year after the date the list required under section 101(b)(1) is published, the Secretaries concerned shall jointly carry out a program under which a qualified borrower, with respect to the covered loans and private education of loans of such qualified borrower, shall be eligible to receive in accordance with subsection (b) an amount equal to the lesser of the following:

(1) The total amount of each covered loan and each private education loan of the borrower and the
total amount of each covered loan of the spouse or
children of the essential worker.

(2) $25,000.

(b) ELECTION BY BORROWER.—A qualified borrower
may elect to apply the amount determined with respect
to such borrower under subsection (a) to—

(1) any covered loan of the borrower;

(2) any private education loan of the borrower;

(3) any covered loan or private education loan
of the spouse or child of the borrower; and

(4) any combination of the loans described in
paragraphs (1) through (3).

SEC. 202. ESSENTIAL WORKER CREDIT.

(a) IN GENERAL.—The Secretary of the Treasury
shall make available to each essential worker an amount
equal to—

(1) $25,000; minus

(2) the amount the essential worker received
under section 201(a).

(b) USE OF CREDIT.—The amount an essential work-
er receives under subsection (a) may only be used to at-
tend an institution of higher education, a workforce devel-
opencv program, or continuing medical education (as de-
defined in section 2) by the essential worker and their spouse
or children.
(c) AVAILABILITY.—The amount available to an essential worker under subsection (a) may be used in accordance with subsection (b) not later than December 31, 2070.

SEC. 203. NOTIFICATION TO BORROWERS.

Not later than 30 days after the date described in section 201(a), the Secretaries concerned shall notify each qualified borrower and essential worker of—

(1) the requirements to provide loan relief and essential worker credits to essential workers and their children or spouse under this title;

(2) the opportunity for such a borrower to make an election under section 201(b) with respect to the application of such loan relief to the covered loans and private education loans of such borrower and their children or spouse; and

(3) the opportunity for such an essential worker and their children or spouse to receive a credit under section 202.

SEC. 204. DATA TO IMPLEMENT.

(a) SECRETARY OF EDUCATION.—Contractors of the Secretary of Education and lenders, institutions that are holders of loans made under part E, and guaranty agencies holding loans made, insured, or guaranteed under part B shall report, to the satisfaction of the Secretary
of Education, the information necessary to calculate the amount to be applied under sections 201 and 202.

(b) Secretary of Treasury.—Holders and servicers of private education loans shall report, to the satisfaction of the Secretary of the Treasury, the information necessary to calculate the amount to be applied under sections 201 and 202.

(c) Report to Congress.—Not later than 2 years after the date of the enactment of this Act and every subsequent 5 years until 2070, the Secretaries shall jointly submit to Congress a report on the implementation of this Act.

SEC. 205. MEMORANDUMS OF UNDERSTANDING.

The Secretaries concerned shall enter into a memorandum of understanding to carry out this title and to share any information necessary to carry out this title.

SEC. 206. EXCLUSION FROM GROSS INCOME.

(a) In General.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 139H the following new section:

“SEC. 139I. ESSENTIAL WORKER PAYMENTS DURING COVID–19 CRISIS PERIOD.

“Gross income shall not include any payment made on behalf of the taxpayer under section 201 and 202 of the Opportunities for Heroes Act of 2020.”
(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 139H the following new item:

“Sec. 139I. Student loan payments resulting from the COVID–19 national emergency.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

SEC. 207. TRANSFER OF BENEFITS TO SURVIVORS OF ESSENTIAL WORKERS.

The Secretaries of Treasury and Education shall develop a process for the spouse and children of essential workers who died due to COVID–19 to receive benefits under sections 201 and 202.