

February 27, 2021

**HOUSE APPROVES AIRPORT CONCESSIONS IN COVID RELIEF BILL
—CONTACT SENATORS NOW**

NEW FAA GUIDANCE FOR AIRPORT CONCESSIONS MAG/RENT RELIEF

PPP PROGRAM TARGETS SMALL/DISADVANTAGED BUSINESSES

FAA Updates Concessions Relief Guidance

The FAA has issued revised guidance for airports on the airport grant and concessions relief program --Airport Coronavirus Response Grant Program (ACRGP} Frequently Asked Questions, attached-- enacted in the December Economic Aid Act, giving additional guidance and clarification to airports on how to administer the \$200 million in MAG and rent relief to concessionaires. The initial guidance was issued on January 19.

House Approves Additional Concessions and Airport Relief in New COVID-19 Relief Package

Late last night the House passed the next \$1.9 billion COVID-19 relief bill — dubbed the American Rescue Plan Act, H.R.1319 – by a 219-212 vote. Republicans and two Democrats voted against the measure. The measure bill the provision that provides \$800 million for MAG and rent relief for airport concessionaires as part of the \$8 billion in grants it will provide for airport operators.

Next steps:

- Senate Action – expected to consider and pass the bill next week
- Possible House Action – will consider the Senate version of the bill again, the following week, if the Senate amends the bill
- Presidential Signature – target date is March 14.

Because the bill is being pushed through under Budget Reconciliation -- a unique procedure that enables the Democrats to pass the bill without Republican support, if necessary -- it is subject to complex procedural rules that restrict provisions and amendments that are not related to spending and revenue measures. The Parliamentarian ruled out the \$15 minimum wage provision which means it cannot be included in the Senate bill, however the House left the provision in the bill. The Senate will consider the bill as passed by the House. If passed without amendment, it will go straight to the White House for President Biden's signature. If passed with changes, such as deleting the minimum wage increase, it will need to go back to the House to be passed once again, before being presented for the president's signature.

The bill also:

- Creates a Restaurant Stabilization Fund that will provide \$25 billion in grants to restaurants and food and beverage providers, including airport terminal concessions (see below)
- Provides \$1,400 in direct payments to individuals who earn up to \$75,000 and couples earning up to \$150,000

- Expands unemployment benefits that would expire in March, increasing from \$300 to \$400 per week
- Increases the child tax credit
- Provides more than \$50 billion for vaccine distribution, testing and tracing
- Provides \$200 billion to primary and secondary schools
- Provides \$350 billion for state, local and tribal governments

YOUR ACTION NEEDED: WITH SENATE ACTION EXPECTED NEXT WEEK, IT IS IMPORTANT THAT YOU REACH OUT TO YOUR SENATORS TO SUPPORT THE AIRPORT FUNDING AND CONCESSIONS RELIEF PROVISIONS AND PASS THE BILL. PLEASE ALSO CONTACT HOUSE MEMBER TO THANK THEM FOR SUPPORTING THE AIRPORT-CONCESSIONS RELIEF PROVISION AND URGE FINAL ADOPTION.

Restaurant Stabilization Fund Includes Airport Terminal Concessionaires

The relief bill also includes provisions to help restaurants and other food and beverage providers, or businesses in which “the public or patrons assemble for the primary purpose of being served food or drink.”

The Restaurant Stabilization Fund would provide \$25B in grants:

- \$5B for entities with gross receipts in 2019 of less than \$500,000
- \$20B for entities of different sizes based on annual gross receipts.

ARRA was able to include specific language making sure ‘eligible entities’ operating concessions in airport terminals can qualify for the grants. An entity is not eligible for grants if (as of March 13, 2020) it “owns or operates (together with any affiliated business) more than 20 locations, regardless of whether those locations are doing business under the same or multiple names”; or has applied for or received a Payroll Protection Program (PPP) grant under the Economic Aid Act (P.L. 116-260.)

Restaurant Stabilization Grants would be allocated as follows:

- during the initial 21-day period, priority for grants will go to small businesses owned and controlled by women, veterans and socially and economically disadvantaged small businesses.
- after 60 days of enactment, grants may go to any eligible entity regardless of annual gross receipts.
- grants will be equal to the business’ pandemic-related revenue loss

Grants can be used for:

- payroll costs
- mortgage obligations
- rent payments (including under a lease agreement)
- utilities

- maintenance expenses, including construction for outdoor seating, and walls, floors, furniture, fixtures and equipment
- supplies, including protective equipment and cleaning materials
- food and beverage expenses
- covered supplier costs
- operational expenses
- paid sick leave
- other expenses the SBA Administrator determines are essential to maintaining the entity

Biden Administration Gives Small/Minority Businesses Exclusive Period to Apply for Payroll Protection Program Forgivable Loans

This week the Biden Administration made changes in the PPP program to direct more assistance to small and minority-owned businesses. **Effective February 24, small businesses with fewer than 20 employees will have a two-week window to apply for assistance**, while larger companies will be held back from applying. The rule changes also allow self-employed, sole proprietors and independent contractors to qualify for more funds.

Only about half of the funds allocated in the relief bill passed in December have been allocated; they remain **available until March 31**. The new American Rescue Act relief bill Congress is considering would provide an additional \$7 billion for the PPP program, and \$15 billion for the SBA's Emergency Injury Disaster Loan Program.