

S 350

American Recovery and Reinvestment Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Economics and Public Finance

Introduced: Jan 29, 2009

Current Status: Star Print ordered on the bill.

Latest Action: Star Print ordered on the bill. (Jan 30, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/350>

Sponsor

Name: Sen. Baucus, Max [D-MT]

Party: Democratic • **State:** MT • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Reported Original Measure	Jan 29, 2009

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
111 HR 2452	Related bill	May 15, 2009: Referred to the House Committee on Ways and Means.
111 S 823	Related bill	Apr 2, 2009: Read twice and referred to the Committee on Finance.
111 HR 1	Related bill	Feb 17, 2009: Became Public Law No: 111-5.
111 HR 861	Related bill	Feb 4, 2009: Referred to House Budget
111 HR 598	Related bill	Jan 28, 2009: Supplemental report filed by the Committee on Ways and Means, H. Rept. 111-8, Part II.
111 HR 290	Related bill	Jan 8, 2009: Referred to the House Committee on Ways and Means.
111 HR 291	Related bill	Jan 8, 2009: Referred to the House Committee on Ways and Means.
111 S 156	Related bill	Jan 6, 2009: Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S139)

American Recovery and Reinvestment Act of 2009 - American Recovery and Reinvestment Tax Act of 2009 - Amends the Internal Revenue Code to: (1) allow individual taxpayers a refundable tax credit through 2010 for the lesser of 6.2% of earned income or \$500; (2) increase in 2009 or 2010 the earned income tax credit, the refundable portion of the child tax credit, and the Hope scholarship tax credit; (3) allow payment of purchases of computer technology or equipment from qualified tuition plans in 2009 or 2010; (4) extend until September 1, 2009, the first-time home buyer tax credit and waive repayment of credit amounts; (5) exclude from gross income in 2009 the first \$2,400 of unemployment compensation; (6) extend through 2009 exemptions from the alternative minimum tax; (7) extend for three years the tax credit for production of electricity from renewable resources; (8) increase allocations of new clean renewable energy and qualified energy conservation bonds; (9) modify and extend the tax credits for nonbusiness energy property and residential energy efficient property; (10) increase and extend through 2010 the tax credit for alternative fuel vehicle refueling property; (11) allow an increased research tax credit in 2009 or 2010 for energy research expenditures; (12) allow a five-year carryback of general business tax credits and a 100% offset of such credits against income tax liabilities; (13) expand the alternative motor vehicle tax credit for the purchase of plug-in electric drive motor vehicles; (14) extend through 2009 bonus depreciation provisions and the increased expensing allowance for depreciable business assets; (15) allow a five-year carryback period for net operating losses, including operating losses of insurance companies, incurred in 2009 or 2010; (16) allow a work opportunity tax credit for the hiring of disconnected youth (certain youth who are not regularly employed or attending school) and certain unemployed veterans in 2009 or 2010; (17) allow the deferral of the recognition of income from the discharge of indebtedness in connection with the repurchase of a debt instrument after 2008 and before 2011; (18) increase the tax exclusion of gain for certain small business stock acquired in 2009 or 2010; (19) allow an investment tax credit for broadband expenditures in rural and underserved areas; and (20) expand tax-exempt bond financing in 2009 or 2010 to include facilities for manufacturing intangible property.

Limits the applicability of Treasury Notice 2008-83 (suspending restrictions on the offset of net operating losses and unrealized built-in losses against the taxable income of certain corporate entities that acquire or merge with other entities) to periods prior to January 16, 2009.

Provides for the issuance of tax-exempt recovery zone economic development, recovery zone facility, and tribal economic development bonds.

Increases the national limitation for allocations of the new markets tax credit.

Disregards in 2009 or 2010: (1) certain limitations on the tax deductibility of interest payments made by financial institutions; and (2) interest earned on tax-exempt private activity bonds for purposes of the alternative minimum tax.

Delays until 2012 the requirement for withholding 3% of payments made to contractors who provide goods or services to governmental entities.

Allows a new tax credit for investment in school construction bonds and build America bonds.

Requires the Secretary of the Treasury to make a one-time \$300 economic recovery payment to recipients of specified social security and other federal benefits.

Extends through 2010 provisions of the trade adjustment assistance program.

Prohibits the Secretary of Homeland Security from collecting certain payments of antidumping or countervailing duties

made under the Continued Dumping and Subsidy Offset Act of 2000.

Applies federal wage rate requirements for public building and works to certain energy conservation and other projects financed with the proceeds of tax-exempt bonds.

Increases the public debt limit to \$12.14 trillion.

Assistance for Unemployed Workers and Struggling Families Act - Amends the Supplemental Appropriations Act, 2008 to extend the Emergency Unemployment Compensation (EUC) program.

Provides for federal-state agreements for increased regular unemployment compensation payments to individuals.

Requires federal payments to states to cover 100% of such additional payments.

Amends the Social Security Act (SSA) to direct the Secretary of Labor to make special transfers to state accounts in the Unemployment Trust Fund for unemployment compensation modernization incentive payments and for administration.

Amends the SSA to deem, for a specified period through December 31, 2010, that interest payments otherwise due from a state for federal advances to its unemployment fund have been made by the state. Prohibits accrual of interest on such advances during such period.

Amends part A (Temporary Assistance for Needy Families) (TANF) of title IV of the SSA to establish in the Treasury the Emergency Contingency Fund for State Temporary Assistance for Needy Families Programs. Directs the Secretary of Health and Human Services (HHS) to make grants from such Fund related to: (1) caseload increases; (2) increased expenditures for non-recurrent short term benefits; and (3) increased expenditures for subsidized employment.

Amends the Deficit Reduction Act of 2005, as amended by the Medicare Improvements for Patients and Providers Act of 2008, to extend TANF supplemental grants.

Authorizes a state or tribe to use a TANF grant to provide, without fiscal year limitation, any benefit or service that may be provided under the state or tribal program funded under TANF.

Reinstates for a specified period the authority of the Secretary of HHS to provide federal matching payments for state spending of child support incentive payments.

Provides for payment of a portion of an individual's premiums for any COBRA coverage (health insurance continuation benefits).

Amends SSA title XIX (Medicaid) to extend transitional medical assistance (TMA) through December 31, 2010.

Gives states the option of simplifying TMA eligibility determinations.

Requires each state to collect and submit to the Secretary of HHS information on: (1) average monthly enrollment and average monthly participation rates for adults and children; and (2) the number and percentage of children who become ineligible for medical assistance whose medical assistance is continued under another eligibility category, or who are enrolled under the state's child health plan under SSA title XXI (State Children's Health Insurance) (SCHIP).

Extends the qualifying individual program from December 2009 to December 2010, as well as the total amount under such program available for allocation.

Prohibits state Medicaid programs from imposing cost-sharing requirements on an Indian when the beneficiary is receiving an item or service directly from an Indian health care provider or through referral from a Contract Health Services provider.

Requires that states disregard certain tribal property in determining the Medicaid or SCHIP eligibility of Indians.

Requires that the procedures used by state Medicaid programs for estate recovery exempt certain income, resources, and property that are exempt from related federal requirements because of the federal responsibility for Indian Tribes and Alaska Native Villages.

Establishes special rules applicable under Medicaid and SCHIP to managed care entities with respect to Indian enrollees and Indian health care providers and Indian managed care entities.

Directs the Secretary to maintain within the Centers for Medicaid & Medicaid Services a Tribal Technical Advisory Group.

Requires state Medicaid and SCHIP programs to seek advice on a regular, ongoing basis from Indian Health Programs and Urban Indian Organizations on all matters likely to have a direct effect on them, including plan amendments, waiver request, and proposals for demonstration projects.

Requires a state plan to apply prompt pay requirements to nursing facilities.

Health Information Technology for Economic and Clinical Health Act or the HITECH Act - Amends the Public Health Service Act to establish the Office of the National Coordinator for Health Information Technology.

Sets forth provisions governing the development and adoption of a nationwide health information technology infrastructure that allows for the electronic use and exchange of information.

Amends SSA title XVIII (Medicare) to establish incentive payments for certain eligible physicians and hospitals that adopt and use certified electronic health record (EHR) technology meaningfully, beginning in FY2011.

Directs the Secretary of HHS to recompute payments for certain inpatient hospital discharges without applying the phased-out indirect medical education adjustment factor.

Directs the Secretary of HHS to study and report to Congress on: (1) the application of EHR payment incentives for providers not receiving other incentive payments; and (2) the availability of open source health information technology systems.

Amends SSA title XIX (Medicaid) to establish incentive payments to encourage the adoption and use by Medicaid providers of qualified electronic health records.

Establishes a temporary increase in the federal medical assistance percentage (FMAP) with respect to Medicaid payments, as well as payments under SSA title IV part E (Foster Care and Adoption Assistance), for FY2009-FY2011 for eligible states, with FMAP increases authorized for specified U.S. territories.

Extends from FY2008 through FY2013 the special rule for increase of Medicaid disproportionate share (DSH) allotments for low DSH states.

Directs the Secretary of HHS to work with each state to reach an agreement on the amount of a payment for the state related to the Medicare program liability as a result of the Special Disability Workload project.

Makes appropriations to the HHS Inspector General.

Directs the Comptroller General to study and report to the appropriate congressional committees on the period of national economic downturn in effect on the date of enactment of this Act, as well as previous periods of national economic downturn since 1974, for the purpose of developing recommendations for addressing the needs of states during such periods.

Actions Timeline

- **Jan 30, 2009:** Star Print ordered on the bill.
- **Jan 29, 2009:** Introduced in Senate
- **Jan 29, 2009:** Committee on Finance. Original measure reported to Senate by Senator Baucus. Without written report.
- **Jan 29, 2009:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 20.
- **Jan 27, 2009:** Committee on Finance ordered to be reported an original measure.