



Overview of Key Provisions in Legislation Related to Coronavirus Response

April 17, 2020

BACKGROUND:

Congress has thus far taken action on three pieces of legislation, which have called Phase 1, 2, and 3.

- Phase 1- [P.L. 116-123 "Coronavirus Preparedness and Response Supplemental Appropriations Act"](#) (signed into law on 3/6); \$8.3 billion in emergency funding for federal agencies to respond to the coronavirus outbreak. Of the \$8.3 billion, \$6.7 billion (81%) is designated for the domestic response and \$1.6 billion (19%) for the international response
- Phase 2- [H.R. 6201 "Families First Coronavirus Response Act"](#) (signed into law 3/18)
- [Phase 3- Senate Amendments to H.R. 748 "Coronavirus Aid, Relief, and Economic Security Act"](#) (passed Senate on 3/25)

The below focuses on key provisions in the Phase 2 and 3 bills that might impact community resilience and equity. These are not complete summaries of the bills. Use the links above to access more complete summaries. The primary focus is on provisions from Phase 3. Where provisions are from earlier phases, we try to make a note.

INCOME SUPPORTS:

Paid Leave: ("Families First" Bill); DOL [Final Rule](#) & [Summary](#)

- [Paid Sick Days](#)- up to 14 days (through 2020)
 - Eligibility- unable to work b/c of a quarantine order, seeking a medical diagnosis; caring for a family member who is subject to a quarantine order; caring for a child due to school/child care closure
 - Benefit- regular pay up to \$511/day and \$5110 over benefit period
 - Duration- up to 80 hours
 - Applies to all public employers and private employers with fewer than 500 employees (some small employers <50 are excluded)
 - Government funds through a tax credit to employers
 - DOL [Final Rule](#)
- [Paid Family Leave](#)- (through 2020)
 - Eligibility- to care for a child b/c school or child care is closed due to a public health emergency, employee must have worked with employer for 30 days
 - Benefit- up to 12 weeks with job protection; wage replacement of at least 2/3rd up to \$200/day and \$10,000 over the benefit period
 - Applies to all public employers and all private with fewer than 500 employees

Unemployment Insurance: DOL [Guidance Documents](#)

- [\\$1 billion to states](#) to administer UI programs + hiring flexibility to staff up to meet current demands ("Families First" Bill)
- Creates a temporary Pandemic Unemployment Assistance program through December 31, 2020 to provide payment to those not traditionally eligible for unemployment benefits (self-employed, independent contractors, those with limited work history, and others) who are

unable to work as a direct result of the coronavirus public health emergency; NOTE- individual states need to elect to implement this

- Extends UI benefits by 13 weeks
- Provides an additional \$600/week above a state's regular UI benefit (e.g. if max weekly benefit is around \$400, now it would be 1000); provision in effect for 4 months (until July 31, 2020)
- Federal funding to support "short-time compensation" programs (aka "Work Share"), where employers reduce employee hours instead of laying off workers and the employees with reduced hours receive a pro-rated unemployment benefit. Funding = 100% in states with existing programs (see list [here](#)); 50% in states that begin them now. Effective through December 31, 2020.

Direct Payments:

- All U.S. residents with adjusted gross income up to \$75,000 (\$150,000 married), who are not a dependent of another taxpayer and have a work eligible social security number, are eligible for the full \$1,200 (\$2,400 married) rebate. In addition, they are eligible for an additional \$500 per child. This is true even for those who have no income, as well as those whose income comes entirely from non-taxable means-tested benefit programs, such as SSI benefits. For the vast majority of Americans, no action on their part will be required in order to receive a rebate check as IRS will use a taxpayer's 2019 tax return if filed, or in the alternative their 2018 return. This includes many low-income individuals who file a tax return in order to take advantage of the refundable Earned Income Tax Credit and Child Tax Credit. The rebate amount is reduced by \$5 for each \$100 that a taxpayer's income exceeds the phase-out threshold. The amount is completely phased-out for single filers with incomes exceeding \$99,000, \$146,500 for head of household filers with one child, and \$198,000 for joint filers with no children. (Note: individuals with child support arrears [will have their direct payment intercepted](#) to offset that obligation; tax, student loan, or other government owed debts are exempted)

CDC/Public Health:

- \$4.3 billion to support federal, state, and local public health agencies to prevent, prepare for, and respond to the coronavirus, including:
 - \$1.5 billion to support States, locals, territories, and tribes in their efforts to conduct public health activities, including purchase of personal protective equipment; surveillance for coronavirus; laboratory testing to detect positive cases; contact tracing to identify additional cases; infection control and mitigation at the local level to prevent the spread of the virus; and other public health preparedness and response activities
 - \$1.5 billion in flexible funding to support CDC's continuing efforts to contain and combat the virus, including repatriation and quarantine efforts, purchase and distribution of diagnostic test kits (including for state and local public health agencies) and support for laboratory testing, workforce training programs, combating antimicrobial resistance and antibiotic resistant bacteria as a result of secondary infections related to COVID-19, and communicating with and informing public, state, local, and tribal governments and healthcare institutions
 - \$500 million for public health data surveillance and analytics infrastructure modernization
- [CDC Funding Summary](#) (page 9)

SAFETY NET

Medicaid:

- [6.2% FMAP](#) (the formula that determines how much the federal government covers) increase (“Families First” Bill)
- Temporary increase in FMAP [summary](#)
- FAQs regarding state eligibility for [FMAP increase](#)

Child Welfare:

- [6.2% FMAP](#) increase for IV-E reimbursements (“Families First” Bill)
- \$45 million under title IV-B for grants to states

Nutrition:

- [“Families First” Bill](#)
 - WIC- \$500 million
 - Meal Delivery (CACFP/Meals on Wheels)- \$250 million
 - The Emergency Food Assistance Program (TEFAP)- \$400 million
 - SNAP- suspend all work requirements
- [“CARES” Bill](#)
 - The Emergency Food Assistance Program (TEFAP)- \$450 million in commodities assistance for food banks
 - SNAP- \$15.5 billion in additional funding
 - School Nutrition- \$8.8 billion to support remote distribution of meals

Community Health Centers:

- \$1.3 billion for Community Health Centers responding to COVID-19 ([FAQs](#) from HRSA); Additionally, the Phase I supplemental appropriations legislation included \$100 million to [HRSA](#) to fund Community Health Centers in responding to COVID-19 (Award recipients by [state](#));

Utilities:

- \$900 million for [LIHEAP](#) (Low Income Heating Energy Assistance Program) to states, territories, Tribes, and Tribal organizations. [Program Guidance](#) from HHS

Flexible Funding/Block Grants:

- [Community Services Block Grant- \\$1 billion](#) to states and local Community Action Agencies (CSBG stated purpose is to “alleviate the causes and conditions of poverty”); raises eligibility to 200% federal poverty line vs. 125% under current law; administered by HHS’s Administration for Children and Families
 - [ACE](#) immediate guidance for CSBG state officials and eligible entities
- [Community Development Block Grant-](#) \$5 billion administered by HUD and distributed using formula to states, cities, and local governments
 - CARES Act [flexibilities](#) for CDBG funds use during COVID-19
 - Guidance on how to expedite funding process
 - [Guide](#) to CDBG eligible activities to support COVID-19 response

- CDBG [Q&A](#) for staff costs and unused/partially utilized space

Mental Health:

- SAMHSA
 - Certified Community Behavioral Health Clinics: \$250 million to increase access to mental health care services
 - Suicide Prevention: \$50 million to provide increased support for those most in need of intervention
 - SAMHSA Emergency Response Grants: \$100 million in flexible funding to address mental health, substance use disorders, and provide resources and support to youth and the homeless during the pandemic.
 - Brief summary of [SAMHSA funding](#) (page 11)
 - COVID-19 [FAQs](#) for SAMHSA grant recipients
 - SAMHSA post-award amendment [reference sheet](#)
 - Instructions on applying for additional funding with revised budgets
 - Training and technical assistance [guidance](#)
 - [Guidance](#) on telehealth services and patient consent (42 CFR Part 2)

Family Violence:

- [\\$45 million](#) through the Family Violence Prevention Services Act to support family violence shelters
- \$2 million in additional support for the National Domestic Violence Hotline

Homeless/Housing:

- [Eviction Moratorium](#)- extends for 120 days from date of enactment; covers all government housing programs (e.g. section 8) and properties with federally backed loans; includes a moratorium on late fees [there is also foreclosure forbearance for the multi-family property mortgage holder]
- \$25 million for Runaway and Homeless Youth Act programs, including shelters
- Homeless Assistance Grants – \$4 billion. These funds will enable state and local governments to address coronavirus among the homeless population. These grants, in combination with additional waiver authority, will provide effective, targeted assistance to contain the spread of coronavirus among homeless individuals. These grants will also provide state and local governments with homelessness prevention funding for individuals and families who would otherwise become homeless due to coronavirus
- Emergency Food and Shelter Program- \$200 million

VULNERABLE POPULATIONS

Indian Country

- [\\$8 billion](#) set-aside for tribal governments in Coronavirus Relief Fund
- [\\$1.032 billion](#) for Indian Health Service (IHS)
 - Breakdown of funding under [“detailed summary”](#)
- \$453 million in additional appropriations to tribal governments
- [\\$305 million](#) for Indian Housing programs
 - \$200 million for the Indian Housing Block Grant Program

- \$100 million for Indian Community Development Block Grant Program
- \$5 million for Office of Public and Indian Housing
- [\\$100 million](#) for Food Distribution Program on Indian Reservations
 - \$50 million for Facility Upgrades
 - \$50 million for Additional Food Purchases
- [\\$69 million](#) for Bureau of Indian Education
 - No less than \$20 million for Tribal Colleges and Universities (TCUs)
- \$40 million from the \$8 billion dollars is being distributed through grants to federally recognized tribes
 - CDC [non-competitive grant](#) for supporting tribal public health preparedness and response
 - Application [site](#)
 - [Summary](#) of grant eligibility, amounts funded, etc.

Immigrations

- Requires [Social Security Number](#) for cash assistance (excluding immigrant families)
- [“Non-resident aliens”](#) excluded from unemployment insurance
 - Another [article](#)
- Prevents exclusion of sanctuary jurisdictions from Byrne Justice Assistance Grants
 - Under “Byrne Justice Assistance Grants” [section](#) - page 3
- Prohibits transfer of funds to [border wall](#)

Incarcerated Individuals

- \$100 million for Bureau of Prisons for coronavirus prevention, preparation and response
 - [Summary on page 4](#) - Department of Justice
- [\\$850 million](#) for Byrne Justice Assistance Grants to law enforcement and jails for coronavirus, preparation and response, including PPE
- Allows longer release to home confinement

Seniors & People with Disabilities

- [\\$955 million](#) for nutrition programs, home and community based services, support for family caregivers, and other programs for seniors and individuals with disabilities
- [\\$200 million](#) to mitigate spread of coronavirus in nursing homes
- \$50 million in housing for low-income seniors
 - Brief summary of funding under [“Other HUD Programs”](#) heading
 - Summary from HUD Section 202 funding on [page 22](#)
- \$15 million for housing for people with disabilities
 - “Housing Programs” - [Section 811 Housing](#)

EDUCATION:

ECE:

- [Child Care and Development Block Grant](#): \$3.5 billion in grants to states for immediate assistance to child care providers to prevent them from going out of business and to otherwise support child care for families, including for healthcare workers, first responders, and others playing critical roles during this crisis.
 - [Summary](#) of Child Care provisions of CARES ACT

- States, territories, and tribal governments funding percentage calculation
 - CCDF [FAQs](#) in response to COVID-19
 - CCDF [guidance](#) in CCDF fund spending flexibilities in response to emergency situations
 - [Guidance](#) for CCDF lead agencies: flexibilities in CCDF law
 - State-level [information](#) for essential workers seeking child care
- [Head Start](#): \$750 million for grants to all Head Start programs to help them respond to coronavirus-related needs of children and families, including making up for lost learning time.

K-12 & Higher Education:

- Establishes a \$30.75 billion [“Education Stabilization”](#) fund for costs related to coronavirus. Funds are flexible and include
 - Formula grants to states to distribute to LEAs for planning for and coordinating during long-term school closures; purchasing educational technology to support online learning for all students served by the local educational agency; mental health supports
 - \$3 billion in grants to governors for K-12 and higher education; highly discretionary
 - Higher education emergency relief funds that may be used to defray expenses for institutions of higher education, such as lost revenue, technology costs associated with a transition to distance education, and grants to students for food, housing, course materials, technology, health care, and child care.
- Department of Education COVID-19 funding guidance for chief state school officers
 - Flexibility in K-12 education [funding](#) (flexibility through waivers)
 - Flexibility in [assessment](#) and accountability requirements
 - States can request a waiver for administering statewide assessments
- \$3 billion going to the Governor’s Emergency Education Relief Fund from the “Education Stabilization Fund”
 - [Information](#) on funding
- [Fact Sheet](#) on serving students with disabilities

Student Loan Deferments/Collection:

- [Suspending](#) all monthly repayments on federally-held student loans through September 30, 2020, with no interest accruing during this suspension ([summary](#))
 - These months will still be counted for the loan forgiveness program

NON-PROFIT SUSTAINABILITY:

Access to Small Business Loans:

- [Most nonprofits](#) would get access to immediate small business loans, with some generous loan forgiveness provisions (loans turn into grants with assistance passed through to employees). Note- Initial drafts included a provision prohibiting non-profits that receive Medicaid reimbursement from accessing these loans, but that provision was ultimately removed.
- [Small Business Guidance and Loan Resources](#)

Charitable Giving Incentives:

- \$300 above the line tax deduction for charitable giving, eligible to both itemizers and non-itemizers
- Waives the 50% AGI limitation on deductible donations

- Increases corporate deduction cap from 10% to 25% of taxable income (deductions for food income donations increased from 15% to 25%)
- All provisions in effect for only 2020 tax year
- [Summary for charitable giving incentives](#) (page 4)

Unemployment Insurance:

- [Payment to states](#) to reimburse nonprofits, government agencies, and Indian tribes for half of the costs they incur through December 31, 2020 to pay unemployment benefits.

OTHER ITEMS:

Extension of Existing Programs/Law:

- The following programs were extending without change until November 30, 2020:
 - TANF
 - Child Care Entitlement to States
 - HPOG (Health Professions Opportunities Grants)