



COVID-19 COMBINED FEDERAL LEGISLATIVE RESPONSE

3/26/20 1:30pm PDT

Congress has so far passed two coronavirus response packages, and reached a deal on a third, the CARES Act. There are already discussions about a fourth response bill and additional action will likely be needed beyond that as the coronavirus spreads.

Below you'll find highlights of what's been included in the three bills.

C1 = Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 ([H.R. 6074](#)) signed into law 3/6/20

C2 = Families First Coronavirus Response Act ([H.R. 6201](#)) signed into law on 3/18/20

C3 = CARES Act ([H.R. 478](#)), passed by Senate 3/25/20, expected to be signed 3/27/20

HEALTH CARE

- **Hospital & other provider funding:** \$150 billion for hospitals, community health centers, and nursing homes [C3]
- **Testing:**
 - **Medicaid:** States are eligible for a 6.2% increase in their federal medical assistance percentages (FMAP). Under the bill, States can receive a 100% federal match to cover testing costs. [C2]
 - **Private Insurance:** Insurers are required to cover coronavirus tests. \$1 billion for the National Disaster Medical System to reimburse providers for testing uninsured individuals. [C2]
- **CDC:**
 - \$2.2 billion for the CDC, including \$950 million for state and local preparedness grants, \$300 million for global disease detection and response, and \$300 million for the Infectious Diseases Rapid Response Reserve Fund. [C1]
 - \$4.3 billion to support federal, state, and local public health agencies [C3]
- **National Institutes of Health:** \$836 million for National Institute of Allergy and Infectious Diseases. Includes training to prevent and reduce exposure to health workers. [C1]
- **Community Health Centers:** \$100 million [C1] + access to \$150 billion pool of funds above
- **Indian Health Service:**
 - \$64 million for COVID-19 testing [C2]
 - \$1 billion [C3]
- **Vaccines & Medical supplies:** \$3.1 billion for the Public Health and Social Services Emergency Fund [C1]
- **Medicine supply and development:**
 - \$61 million for the FDA [C1]

- \$80 million for the FDA to continue efforts related to shortages of critical medicines, enforcement work on counterfeit and misbranded products, emergency use authorizations and pre and post market work on medical countermeasures, therapies, vaccines, and research. [C3]

INCOME SUPPORTS

- **Direct payments:** Checks to many Americans that fall below a certain income threshold. Provides \$1,200 per adult and \$500 for each child. Individuals making \$75,000 or less, or married couples making \$150,000 or less, are entitled to the full payment. It phases out for those above the threshold and is unavailable for individuals with income above \$99,000. [C3]
- **Boost to unemployment insurance,** including for furloughed employees of small businesses. Workers can receive an additional \$600 a week for four months, on top of what state unemployment programs pay. Eligibility extended to the self-employed and workers in the gig economy [C3]
- **Paid Leave:**
 - **Emergency sick leave:** Employers with fewer than 500 workers and government entities would have to provide employees with up to 10 days of paid sick time to self-quarantine, get tested for coronavirus, and care for family members with COVID-19. [C2]
 - **Emergency leave:** 12 weeks leave, of which first 14 days unpaid, then paid at $\frac{2}{3}$ regular pay. For private sector employers with fewer than 500 workers and government entities. Allowed where an employee can't work or telework because his or her child's school, day care, or child care is unavailable. [C2]
 - **Employer tax credits:** Payroll tax credits for employers to cover paid leave. [C2]

ECONOMY

- **Industry, State, Local, Tribal, and large nonprofits bailout loans:** \$504 billion fund for industries, with transparency measures and restrictions on use of funds. Of the funds above, \$454 billion supports lending facilities that would be leveraged to provide up to \$4.5 trillion in lending for distressed businesses as well as states, municipalities, tribes and large nonprofits that have between 500 and 10,000 employees (smaller nonprofits are eligible for small business loans described below).
- **State and local government:** \$150 billion for state and local government expenses related to coronavirus response [C3]
- **Small Business Support:**
 - \$7 billion in low-interest disaster loans [C1]
 - \$377 billion loan program for small businesses and nonprofits. This consists of the following: [C3]
 - \$350 billion in loan forgiveness grants to small businesses and nonprofits to maintain existing workforce and help pay for other expenses like rent, mortgage, and utilities.
 - \$10 billion for SBA emergency grants of up to \$10,000 to provide immediate relief for small business operating costs.

- \$17 billion for SBA to cover 6 months of payments for small businesses with existing SBA loans.
- **Mortgage and eviction relief**
 - **Penalty-free Forbearance and Moratorium on Foreclosures:** Homeowners with FHA, USDA, VA or other federally-backed mortgages including those guaranteed by Fannie Mae and Freddie Mac may request forbearance on payments for up to 12 months with no fees, penalties, or extra interest. The bill also includes a 60 day moratorium on foreclosures and evictions of homeowners with FHA, USDA, VA, or 184/184A loans, or whose mortgages are backed by Fannie Mae and Freddie Mac. [C3]
 - **Moratorium on Evictions:** Owners of multifamily rental properties with federally-backed loans will be eligible to receive forbearance on those loans for 90 days, during which period they may not evict or charge late fees or other penalties to tenants for nonpayment of rent. Owners of federally-subsidized properties or properties with a federally-backed mortgage loan may not evict or charge penalties or fees to a tenant who cannot pay rent for 120 days following enactment of the CARES Act. [C3]
 - Note: U.S. regulators have already mandated forbearance to borrowers facing financial hardships due to coronavirus, in addition to suspending foreclosures and evictions through the end of April and in some cases longer.
- **Mitigation of the local economic crisis:**
 - Community Development Block Grants: \$5 billion [C3]
 - Economic Development Administration: \$1.5 billion [C3]

NUTRITION

- **SNAP:**
 - \$15.5 billion funding boost [C3]
 - **SNAP Benefits for Kids:** States can alter their SNAP programs to provide direct aid to households with children eligible for free or reduced price school meals, if a school is closed for at least five consecutive days because of the coronavirus; [C2]
 - **SNAP Work Requirements:** The bill would waive federal work requirements for SNAP eligibility; [C2]
 - States could request emergency allotments of food aid to support increased participation in SNAP. [C2]
- **Child Nutrition Programs:** \$8.8 billion [C3]
- **WIC:** \$500 million in emergency funding for the WIC program and gives states flexibility to waive certain administrative requirements for recipients; [C2]
- **Emergency food aid to food banks:**
 - \$400 million for the Commodity Assistance Program for the emergency food assistance program (TEFAP) [C2]
 - An additional \$450 million for food banks through TEFAP [C3]
- **Older Americans food programs:** \$250 million to HHS to support nutrition programs for elderly Americans. [C2]
- **Food Distribution Program on Indian Reservations:** \$100 million [C3]

- **Nutrition assistance to Puerto Rico and the territories:** \$200 million [C3]

MENTAL HEALTH

- **Substance Abuse and Mental Health Services Administration:** \$425 million to address mental health and substance use disorders as a result of the coronavirus pandemic. This includes: [C3]
 - **Certified Community Behavioral Health Clinics:** \$250 million to increase access to mental healthcare 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.

CRIMINAL JUSTICE

- **Bureau of Prisons:** \$100 million to prevent, prepare for, and respond to coronavirus. Following policy provisions are included: [C3]
 - Department of Health and Human Services (HHS) instructed to assist the Bureau of Prisons (BOP) with regard to personal protective equipment and testing for COVID-19.
 - BOP given more authority to release prisoners to home confinement, providing an alternative to keeping certain inmates in prison facilities.
 - People in prison can access video teleconferencing visitation at no charge, to mitigate restrictions on in-person visits.
- **Court proceedings:** Courts are authorized to limit in-person proceedings in order to help stop the spread of the coronavirus and conduct certain criminal proceedings by videoconference or telephonically, provided that the defendant consents after consultation with counsel. [C3]
- **Byrne-Justice Assistance Grant Program for Federal, State and Local Law Enforcement:** \$850 million [C3]

CHILDREN & FAMILIES

- Administration for Children and Families: \$6.3 billion, which includes:
 - **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.
 - **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.
 - **Community Services Block Grant:** \$1 billion in direct funding to local community-based organizations to provide a wide-range of social services and emergency assistance for those who need it most.

- **Low Income Home Energy Assistance Program:** \$900 million in grants to states to support immediate home energy assistance for low-income households affected by coronavirus.
- **Family Violence Prevention and Services:** \$45 million to provide additional support to family violence shelters, and \$2 million in additional support for the National Domestic Violence Hotline.
- **Runaway and Homeless Youth Programs:** \$25 million for additional immediate assistance to current programs providing critical services and housing for runaway and homeless youth.
- **Child Welfare Services:** \$45 million for grants to states to support the child welfare needs of families during this crisis, and to help keep families together.

SENIORS

- **Administration for Community Living:** \$955 million for aging and disability services programs, including senior nutrition; home and community-based supportive services; family caregivers; elder justice; and independent living. [C3]
- **Older Americans food programs:** As noted above in the “nutrition” section, \$250 million to HHS to support nutrition programs for elderly Americans. [C2]

HOMELESS

- **Affordable Housing and Homeless programs:** More than \$7 billion for affordable housing and homelessness assistance programs. This funding will help low-income and working class Americans avoid evictions and minimize any impacts caused by loss of employment, and child care, or other unforeseen circumstances related to COVID-19, and support additional assistance to prevent eviction and for people experiencing homelessness. [C3]
 - **Funding to Support Individuals Experiencing Homelessness:** \$4 billion in Homeless Assistance Grants to mitigate the impacts created by coronavirus. These funds will remain available until September 30, 2022 [C3]
 - **Healthcare Funding Support for Veterans Experiencing Homelessness:** \$14 billion to fund healthcare delivery and other support to veterans who are homeless or at risk of becoming homeless. These funds will remain available until September 30, 2021. [C3]
 - **SAMHSA Emergency Response Grants:** As noted above under “mental health” \$100 million in flexible funding is provided to address mental health, substance use disorders, and provide resources and support to youth and the homeless during the pandemic. [C3]
 - **Runaway and Homeless Youth Programs:** As noted above under “children & families” \$25 million for additional immediate assistance to current programs providing critical services and housing for runaway and homeless youth.

OTHER

- **Charitable Giving Incentive:** Includes a new above-the-line deduction (universal or non-itemized deduction that applies to all taxpayers) for total charitable contributions of up to \$300. The incentive applies to contributions made in 2020 and would be claimed on tax forms next year. The bill also lifts the existing cap on annual contributions for those who itemize, raising it from 60 percent of adjusted gross income to 100 percent. For corporations, the bill raises the annual limit from 10 percent to 25 percent. Food donations from corporations would be available to 25 percent, up from the current 15 percent cap. [C3]
- **Local school systems and higher education institutions:** \$30.75 billion for grants to provide emergency support to continue to provide educational services to their students and support the on-going functionality of school districts and institutions. [C3]
- **Public transit systems:** \$25 billion [C3]
- **Elections administration, including absentee and early voting:** \$400 million [C3] *far short of \$2B sought by voting rights advocates*
- **Rural Development:**
 - \$25 million to support the Distance Learning and Telemedicine program. [C3]
 - \$100 million is provided to the ReConnect program to help ensure rural Americans have access to broadband [C3]
- **Support for Legal Services Corporation:** \$50 million [C3]
- **Delay of REAL ID Act requirements:** deadline by which States are required to meet the driver license and identification card issuance requirements of the REAL ID Act is extended to September 30, 2021

WHAT THIS MEANS FOR IMMIGRANTS

- **Testing & Care For All:** There is coronavirus testing and care for all, regardless of status, in certain jurisdictions, such as Los Angeles County (under MyHealthLA) thanks to state and local policies.
- **Direct payments:** payments of \$1,200 per adult and \$500 for each child are subject to the income thresholds described above (under “income supports”) as well as the following:
 - SSN is required. Could be a drafting error, it appears that everyone in a tax filing unit (family) has to have a legal SSN. So children can't get the \$500 if their parents or a parent is undocumented. If a married couple files together and one person is undocumented, it disqualifies both of them from assistance.
 - LPR eligible
 - DACA, TPS, and those with asylum visas who have a SSN are eligible
 - Undocumented not eligible
- **Boost to unemployment insurance,** including for furloughed employees of small businesses. Workers can receive an additional \$600 a week for four months, on top of what state unemployment programs pay. [C3]
 - LPR eligible

- DACA, TPS, and those with asylum visas who have a SSN are eligible
- Undocumented not eligible

Services without restrictions based on immigration status:

- **Public Health and Social Services Emergency Fund:** \$27 billion [C3]
- **Emergency food aid to food banks:** The bill provides \$400 million for the Commodity Assistance Program for the emergency food assistance program (TEFAP) [C3]
- **Community Health Centers:** \$100 million in C1, and can tap into \$150 billion fund in C3.

The CARES Act (C3) does NOT include:

- **Status extensions for DACA, TPS, etc that were in the House Democratic bill** (which had a one-year extension).
- **Direct payments and unemployment benefits for more immigrant workers:** The House Democratic bill extended direct payments and unemployment benefits to any worker that files taxes using an individual tax identification number (ITIN). Such a provision would have extended these benefits to a larger pool of workers than what was ultimately included in the CARES Act, which restricts these benefits to only those using a social security number.
- **ICE & CBP detention center funds.** The Department of Homeland Security had requested over \$800 million in the CARES Act for expanding quarantine space, medical services in the immigrant detention system, charter flights for deportation, and expanded use of alternatives to detention.
- Bill does restrict DHS from transferring funds for other uses.

No legislation has thus far addressed the following:

- **Emergency Medicaid services for suspected COVID-19 Infections:** no waiver has been included yet that would enable all low-income individuals, regardless of status, to obtain free COVID-19 testing and treatment. NILC & CIPC spearheaded a letter to the CA Congressional Delegation on this.
- **Suspension of Public Charge:** Sought by advocates, several state Attorneys General, the Congressional Hispanic Caucus, and other Members of Congress. The administration issued an “alert” about two weeks ago that said immigrants’ use of some public services for coronavirus testing or treatment wouldn’t be held against them. But state AGs and local governments have said the response was “confusing and contradictory.”
- **Suspension of immigration enforcement activities:** this is especially needed at hospitals, clinics, labs, food banks, and emergency shelters across the country. Sought by Congressional Hispanic Caucus and advocates. ICE released a statement on March 18 saying it would limit enforcement action to “criminal removals” and avoid sensitive

locations, but DHS second-in-command Ken Cuccinelli contradicted the next day saying enforcement would be wider than that, including non-criminal removals.

For more detail, see these resources:

[Appropriations Committee Summary](#) [Bill text for appropriations provisions](#)

[Section-by-section summary of unemployment and tax provisions](#)

[Section-by-section summary of health provisions](#)

[Health, Education & Labor provisions summary](#)

[Judiciary Committee provisions summary \(incl. BOP, Courts\)](#)

[Banking Committee provisions summary \(incl. Stabilization funds\)](#)

[National Council of Nonprofits Summary](#)

[Full bill text](#)