

Congress and COVID-19: What passed and what comes next Questions and Answers

Questions in *italics*, answers in standard formatting.

How can we make the case that food assistance like SNAP is a powerful economic stimulus tool?

During the Great Recession, increasing SNAP food assistance was judged to produce some of the biggest “bangs for the buck” of any policy options. That is, for every dollar distributed as SNAP benefits, from \$1.50 to \$1.80 was returned in increased economic activity. That’s because people spend their SNAP benefits each month they receive them, and that supports supermarkets and other food stores, who can keep their employees on the job, enabling those workers to pay their bills, with the benefits multiplying through the economy. SNAP is always important in an economic downturn, but it is especially important now, since food stores are some of the few establishments open for business. (One of many citations of SNAP’s strong economic stimulus effect from the [Hamilton Project at Brookings Institution.](#))

Are there things states can do given the challenge of federal action?

A Better Balance has information about state paid sick days and paid leave efforts, including model legislation: <https://www.abetterbalance.org/covid19/>

Any thoughts on expansions of TANF? Or a broad implementation of exemption rules?

The [Center on Budget and Policy Priorities has suggested that including an Emergency Fund similar to the TANF Emergency Fund in the Great Recession of 2008-2009 in a next COVID-19 package would be a helpful step. Such a fund could provide emergency aid to struggling families with children and/or could subsidize employment.](#)

The Families First Act prevents the Trump Administration from implementing work requirements in SNAP for adults without dependents; other proposals not yet enacted would bar work or other rules from being implemented for SNAP or Medicaid during the COVID crisis. The House Democratic bill put forth as an alternative to the CARES bill included a temporary suspension of work requirements for TANF.

Is there any talk of increasing SNAP? Either by more money for folks who currently receive it or by who is eligible for it? Especially since we have some many cuts to it in the past 2 years.

Yes – lots. There was a proposal to increase maximum SNAP benefits by 15% and to increase the minimum benefit to \$30/month that was blocked by the Trump Administration in the CARES bill negotiations. Speaker Pelosi has made such an increase a top priority in a COVID 4 package. The CARES bill that was enacted did increase funding for SNAP by \$15.8b, anticipating that caseloads would grow, but it did not increase benefit levels.

How do you update tax information for those who have new babies or children that are not reflected on tax return?

Here's what an [ABC news affiliate said about brand new babies](#):

“Yes, you do get the \$500 -- but not this year. The payment is based on your last tax filing when you did not declare your child. However, under the bill, you are supposed to get that \$500 bucks next year in the form of a tax credit.”

What about people married filing separate. Will they get the \$2400 separate too?

It appears that people filing separately are entitled to \$1,200 if their income is less than \$75,000; that would be true of each spouse if they file separately.

If a tax return is for a mixed status family, I heard that no stimulus payment will come to that family even if everyone except one person has a Social Security number. Is that true?

Yes, except for military families. See this from the [ACLU](#): “Under the bill, if ITIN users file jointly with a spouse or child with a SSN, everyone in the household will be denied access to the cash assistance. While Congress did create an exception to allow military families to be able to use an ITIN number, this narrow exception only demonstrates that members of Congress understood that they created this cruel carve out and still deliberately chose to leave out millions.”

No one has been able to answer what happens after the forbearance period. Are people who have been unemployed going to be expected to pay all their back rent/mortgage at once?

The CARES Act provides a small amount of funding, relatively speaking, for Emergency Solutions Grants (\$4b) to help people who are at risk of homelessness or already homeless; also provides \$3b in new rental assistance. That could be used to help people who cannot pay their back rent or mortgage, but it is woefully inadequate. The House Democratic alternative bill included \$100b in Emergency Rental Assistance,

\$35b to assist with mortgage and utility payments, and \$5b in Emergency Solutions grants.

What is the role of Congress to ensure areas are not missed, such as Washington DC?

Washington, DC is generally treated the same as the 50 states in applying a formula by which to distribute federal grant funding. But in the case of the CARES Act, DC was not included with the states for the formula for divvying up state/local aid funds, an omission that is said to cost DC about \$700,000. Congress should not shortchange DC through a last-minute change in the standard way of distributing funding.

For student loan payments, does it depend on the lender if they are suspending payment for 6 months?

Yes – the CARES Act only applies to certain federal education loans, not private ones. See this from [Student Loans Borrower Assistance](#): The CARES Act includes several provisions that apply to certain loans owed by some federal student loan borrowers. Most provisions apply only to [Direct Loans and Federal Family Education Loans \(FFEL loans\) currently owned](#) by the U.S. Department of Education (Department). Critically, neither Perkins Loans nor commercially-held FFEL loans are covered by the bill. We estimate roughly 9 million federal student loan borrowers have at least one loan not covered by the Act. [Private student loans](#) are also not covered by most of the provisions discussed below.

Is there one place with info for people to find the info they need for individual payments, housing assistance, protections from evictions, benefits, etc?

One-stop-shop for paid sick days and paid leave resources, which is being updated as we get new information: <https://paidleaveforall.org/coronavirus-emergency-and-paid-leave-resources/>

Also, see [CHN's COVID-19 Special Resource Page – lots of topics covered.](#)

What can social workers do to help out with this pandemic crisis?

Apart from the same physical distancing everyone should be doing, social workers can help by making use of technology to connect with clients remotely, and to provide people with as much information as possible about assistance that may be available to them. If they need to file a tax form, try to find out how they can get free tax preparation help in your community. Make sure people know how to find whether they are eligible for unemployment benefits (many more will be because of the new law), home

heating/cooling assistance, or SNAP. Stay connected to CHN or other groups so you can join in advocating for more services and funding to respond adequately to COVID.

It has been unclear whether or not a person will receive their stimulus, if they owe back taxes or child support. Could you speak to this concern?

According to [Credit Karma, if you owe back child support, it could be subtracted from the amount you receive from the recovery rebate check.](#)

Some employers are not able to pay sick leave to employees due to the extreme cost, paying for sick leave relief for employees could potentially bankrupt entire businesses. For employees unable to qualify for unemployment, (due to not enough hours worked, part-time workers), what other benefits are available to them, if any?

If they don't qualify for regular unemployment, they will likely be eligible for Pandemic Unemployment Assistance. For more info:

<https://www.nelp.org/publication/unemployment-insurance-provisions-coronavirus-aid-relief-economic-security-cares-act/>

Additionally, employers are reimbursed by the federal government for 100% of the amount they are legally required to pay in wages for paid sick days and paid family leave. The CARES Act sets up a structure where employers can receive an "advance" on the reimbursements by deducting the reimbursable amount from their payroll taxes. This advance credit is meant to help mitigate cash flow issues and make things easier for small businesses – it was specifically designed so the requirements are **not** burdensome.

Will DACA recipients with a pending work permit able to apply for unemployment benefits? I have a client whose work permit expired 2 years ago and she applied for another one but the application has not yet been approved.

The best and most complete info we can provide on immigrants' rights to UI is all in this document: <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/>

What about people placed on furlough without choice, can they apply for these unemployment benefits?

Yes.

If someone is unable to work because the business was forced to closed due to the pandemic and they apply for unemployment, could that affect their retirement benefits in the future?

Unfortunately, it's possible.

If you lose a job that is a side job (not your primary source of income but supplemental) will you be eligible for unemployment benefits?

Probably not if you are still working full time at your primary job.

For PUA, if you cannot get a diagnosis because of a lack of testing, do you still qualify?

Yes.

What is covered under "partially unemployed"? What if someone's hours/salary has been reduced by the business?

That's exactly what this means.

Does the PUC count as income for SNAP applications (like other UI benefits) since it's weekly and not a lump sum payment?

Yes.

Can self-employed and independent contractors apply for small business loan and PUA? Which program is better?

Only one or the other – each biz would have to compare and make the best decision for itself.

If you have more than one job, and lose one of them, are you eligible due to that job that you lost?

If it's your primary job, yes – if you have two part time jobs, then probably yes – but if it's clearly the secondary job, probably not.

The stimulus package administers a \$1200 check to those claimed as independent, it is my understanding that an additional \$500 for dependents under 17. For college

students (of which many work and are financially independent, and have large deficits due to loans, and graduating during a possible recession) what coverage is available to them?

An individual over 17 with income under \$75,000 should be eligible for the \$1,200 if they have a Social Security number and are not a dependent on someone else's taxes. So if they are living independently, they should qualify.

Is the 3 week waiting period for any UI claim?

Yes – and it may be more than 3 – this is just our optimistic view of when benefits could be up and running.

What about someone who was working “under the table” and got laid off due to covid19? Can they apply for unemployment?

They can but the UI agency would first go after either the worker or the employer for not paying into UI in the first place.

What should we tell people in crisis who are worried about a 3+ week wait?

Apply for any and all other public benefits they may be eligible for; look into emergency food and monetary assistance available from community-based orgs and churches. We know this is a significant hardship but the fact is that the states can only move so quickly on this truly herculean task. People WILL get back pay.

What if a job cuts employees from full time to .6 time? Does that qualify for the emergency unemployment compensation?

Yes.

What if someone has two part time jobs?

Apply for UI.

Is there mental health support included in that?

For paid sick days/paid family leave – mental health support is typically included in permanent legislation that's been passed at the state/local level, but is not included in the emergency provisions in the Families First Act and the CARES Act.

What happens if you get furloughed? If your job requires you to use PTO and you don't have any left do you take those unpaid or apply for unemployment even though you haven't been laid off?

Yes, you can get UI.

What happens if you cannot get a diagnosis?

The Families First Act requires someone to be experiencing symptoms *and* have or be “seeking” a diagnosis,” but also allows for “if one is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.” We don’t have those regs yet, but as long as you are seeking a diagnosis or following a quarantine order, you are covered.

"Unable to work or telework?" What if you are teleworking, but need to take a sick day under any of those criteria. (Just cause you have a telework option doesn't mean you are able to work?)

If you are unable to work due to any of the qualifying circumstances that would allow you to take paid sick days or paid family leave, you are allowed to take leave even if you would normally otherwise telework.

Can laid off employees, including part-time (like my husband, who worked in the service sector), get both UI and paid leave? Or one kicks in, then the other?

One or the other only – paid sick/leave first than UI. Laid off employees would not qualify for paid sick leave or paid family leave.

For the FMLA, they get to keep their employer insurance?

Yes

I believe the CARES Act made it so you have to use your entire allotment of paid sick days and paid family leave at one time (i.e., you can't use 5 days of paid sick days to care for a family member, go back to work for a week, and try to use the next 5 days). Is that correct?

That was in a previous Republican draft of the CARES Act, not in the final. However, the regs for Families First say that you can only take intermittent leave *if your employer allows it,* which is found nowhere in the statute and is a very harmful interpretation by DOL.

Does the CARES Act include any monetary assistance for nonprofits that are helping individuals and families deal with the impact of the coronavirus epidemic?

Yes, there are the Paycheck Protection Program (PPP) loans for small businesses, including nonprofits. \$349b for these loans was enacted in the CARES Act. They are for businesses with fewer than 500 employees. These loans can be up to \$10m, covering 8 weeks of payroll, and can also include some expenditures for rent or other expenses, but non-payroll costs should not exceed about one-quarter of the amount sought. If the employer keeps their employees on (not certain for how long), the loan does not have to be paid back. These loans are in high demand, and there is apparent agreement that the funding for them should be increased (by about \$250 billion).

How does the paid family and medical leave interact with FMLA leave?

Unfortunately the regs made it so that any FMLA leave you've taken in the past year counts against your emergency paid family leave allotment. However, it does not impact your right to take emergency paid sick days.

Note that paid family leave under Families First is only to care for a child whose school or place of care has closed.

If you are home to care for a child whose school/childcare is closed, but you can technically telework but need to spend your time providing care, can you get paid sick leave?

If you are unable to work due to any of the qualifying circumstances that would allow you to take paid sick days or paid family leave, you are allowed to take leave even if you would normally otherwise telework.

Do any of you plan to have your own webinars to go into the details and answer questions? It may be helpful to have individual webinars on UI and Paid-sick/leave.

Once we get more guidance from DOL on the nuances of the UI law, NELP will do a webinar exclusively about that.

Do employees who were laid off or whose hours were reduced need to apply separately for each type of unemployment assistance that they may be eligible for? Or do they just apply through their state system once, and the state determines what they are eligible for?

Just apply once and the state will sort it out.

Can you please explain how paid sick and paid leave works for self-employed/independent contractors?

If you file taxes as a self-employed individual, you can receive reimbursement from the government for the cost of your leave, up to the caps.

Can Emergency Paid Sick Leave be used in coordination with remaining leave from the employee place of work?

Emergency paid sick leave is required to be in addition to any other benefits an employee might already have. Someone could exhaust their emergency paid sick days, and then take any additional leave they have. Also, if the emergency paid sick days wage replacement is less than someone's regular pay, you could top up the wages with your regular PTO/vacation.

What is the bill number for the PAID Leave Act?

S. 3513/H.R. 6442 – there is an organizational sign-on here:

<https://forms.gle/rmBqS1CG7eYhVRmb7>

I am 72 and on Social Security and I recently received an email that said that the kinks were worked out and all seniors and disabled persons would get the \$1200, even if we didn't file a tax return. You seemed to indicate that wasn't the case. What is truth?

Social Security beneficiaries and those receiving Social Security Disability Insurance (SSDI) benefits who don't need to file tax forms will get their \$1,200 payment added to their benefits. But if you receive Supplemental Security Income (SSI) or certain veterans' benefits, while you ***are eligible*** to get the \$1,200, at this point the IRS is saying you have to file a tax form to get the money. See [this from the IRS](#).

Is there much discussion of EITC or TANF contingency emergency funds?

As noted above, some have pointed to the TANF emergency funds as were used during and after the Great Recession – that could be a model for funding this time. While the emphasis so far is on cash aid, UI and paid leave rather than the EITC or Child Tax Credit, advocates have favored increases in these as ways to increase income for low/moderate income workers and would support their inclusion in a COVID 4 package.

Can you please clarify: if people ALREADY filed tax returns this year before the rebates were announced, do they have to file another return in order to get the rebates?

No. If you've filed already for 2019, or if you haven't but the IRS has your 2018 tax return on file, the IRS will deposit the amount your tax filing unit should get in the bank account they know about for you, or will send you a check.

I think the people who have not filed taxes in 2018 and 2019 but get Social Security benefits are NOT having to file to get the recovery rebate.

<https://www.forbes.com/sites/kellyphillipserb/2020/04/01/after-controversy-treasury-confirms-social-security-recipients-dont-need-to-file-a-tax-return-to-get-a-stimulus-check/#65d860d666f3>

Is it only Social Security Numbers accepted or are ITINs included?

SSN's are required for every member of the family to qualify for the Recovery Rebate payments, unless it's a military family.

If you have already taken leave under FMLA will it affect your ability to take advantage of the leave under the act?

Unfortunately the regs made it so that any FMLA leave you've taken in the past year counts against your emergency paid family leave allotment. However, it does not impact your right to take emergency paid sick days.

Note that paid family leave under Families First is only to care for a child whose school or place of care has closed.

Do you have to use all your paid leave at once?

No.