

Insights

Federal - COVID-19 Community Resource Guide

April 2020

Firm Thought Leadership

Updated - July 2020

To help address the concerns of individuals in our communities affected by COVID-19, Baker Botts has published an extensive COVID-19 Community Resource Guide.

The page below pertains specifically to Federal resources. To see all of the jurisdictions covered, please [click here](#).

This Guide provides general information only that may or may not be applicable in individual circumstances. It is not intended as legal advice. For legal advice in specific circumstances, please consult your own lawyer. This material may constitute attorney advertising in some jurisdictions.

Topics Include:

- ABILITY TO WITHDRAW FROM 401(K)/IRA WITHOUT PENALTY
- BANKRUPTCY
- EMPLOYEE BENEFITS/HEALTH INSURANCE
- EMPLOYMENT
- FRAUD/PRICE GOUGING AND COVID-19 FRAUD
- GOVERNMENT GRANTS, LOAN AND OTHER PROGRAMS/EVICTIONS
- IMMIGRATION ISSUES
- IMPACT ON STUDENT LOANS
- MENTAL HEALTH RESOURCES
- OTHER EMERGENCY/NEW GOVERNMENT PROGRAMS
- RENEWING GOVERNMENT ASSISTANCE, LICENSES AND OTHER DOCUMENTS
- SBA ASSISTANCE/RELIEF
- SHELTER-IN-PLACE RULES AND THEIR RAMIFICATIONS
- TAXES AND THE STIMULUS CHECK
- UNEMPLOYMENT BENEFITS
- VOTING RIGHTS/RESTRICTIONS
- RESOURCES FOR CHILDREN, SENIORS AND CAREGIVERS
- APPENDIX & SOURCES
- GENERAL RESOURCES
- FEDERAL RESOURCES

ABILITY TO WITHDRAW FROM 401(K)/IRA WITHOUT PENALTY

I need additional income right now due to reduced hours, job loss, or other circumstances related to COVID-19. May I withdraw money from my 401(k) account?

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”) was signed into law and became effective. Under the CARES Act, if you have experienced financial hardship related to COVID-19, you can withdraw up to \$100,000 from certain retirement accounts without incurring the usual 10% tax penalty. The most common retirement accounts that you may withdraw from under the CARES Act are Individual Retirement Accounts (“IRAs”), 401(k)s, and 403(b)s. However, you MUST pay the money back to the same retirement account, or you will incur a tax penalty after 2020 (see below for more information). The full text of the CARES Act can be found at the following link:
<https://www.congress.gov/116/bills/hr748/BILLS-116hr748enr.pdf>.

How much money can I withdraw from my 401(k)? Is there a deadline to make this withdrawal?

The waiver of the 10% tax penalty under the CARES Act only covers withdrawals up to \$100,000 made on or after Jan. 1, 2020 until Dec. 31, 2020. The 10% penalty applies to withdrawals made after Dec. 31, 2020.

Do I have to pay the money back and when?

Yes, you have to pay the money back within three years from the date of the withdrawal or you will incur the 10% penalty for early withdrawal.

Will I be taxed on this withdrawal?

Yes, you will incur income tax liability on this withdrawal. Remember that the account you are withdrawing from is “tax-deferred,” which means that you did not pay income tax on this money when it was earned, thus you will pay income tax when you withdraw the money. For tax purposes, there are two ways to pay the income tax: (1) claim the income all together in 2020 or (2) spread the income evenly over the next three years. For most, dividing the income tax liability evenly over three years will result in a better tax situation because it is less likely to bump you into a higher tax bracket in 2020. If you pay back all the money that you withdrew within three years, you can claim a refund for the income tax resulting from the withdrawal.

Note: income tax liability does not apply to Roth IRAs and Roth 401(k)s.

For more information, please visit <https://www.nerdwallet.com/blog/investing/cashing-out-401k-covid-19/>.

What are some more details about withdrawing from my retirement account?

Coronavirus-Related Distributions. You may be able to take a “Coronavirus-Related Distribution” or “CRD” from your 401(k) account if:

- You are diagnosed with the virus SARS-CoV-2 or with COVID-19 by a test approved by the CDC;
- Your spouse or dependent is diagnosed with the virus or disease; or
- You experience adverse financial consequences as a result of being quarantined, being furloughed or laid off, or having work hours reduced due

to such virus or disease, being unable to work due to lack of child care due to such virus or disease, closing or reducing hours of a business owned or operated by the individual due to such virus or disease, or other factors as determined by the Secretary of the Treasury.

The maximum amount for a CRD is the lesser of:

- \$100,000; or
- Your 401(k) account balance.

For a CRD, the 10% early distribution penalty for individuals under age 59½ will not apply. Additionally, the plan will not be required to withhold from your distribution (at the regular 20% withholding rate). Although the CRD is still a taxable distribution, it may be included in your gross income over a period of three years.

You may recontribute the amount of the CRD to your 401(k) plan or IRA during the 3-year period following the distribution.

You may also be able to take a CRD from an IRA (however, the total amount of the CRDs from all sources cannot exceed \$100,000).

What are some more details about withdrawing from my retirement account?

401(k) Plan Distributions Following Termination of Employment. If you have terminated employment from the employer sponsoring the 401(k) plan, you may be eligible to take a distribution from your plan account, but such distribution will generally be subject to regular income tax and a 10% early distribution penalty if you are not yet age 59½, unless you rollover the amount to another employer's retirement plan or an IRA. You may be able to take a distribution from your 401(k) account on more favorable terms as a Coronavirus-Related Distribution (described above).

In-Service Withdrawals of After-Tax and Rollover Contributions. If your employer's plan allows after-tax (non-Roth) contributions and/or rollover contributions, the plan may permit in-service withdrawals of after-tax and/or rollover contributions you have made to the plan. However, unless it is a Coronavirus-Related Distribution (described above) or you are not yet age 59½, a 10% early distribution tax will apply to the earnings and other pre-tax amounts, in addition to regular income taxes.

Plan Loans. You may be able to take out a loan from your 401(k) account if your employer's plan permits loans. Generally, the loan must be paid back to your plan account within a set period of time prescribed by your employer's plan. If you meet the requirements above for a CRD, then your plan may provide that any new plan loan made between March 27, 2020 and September 23, 2020 will be subject to an increase in the maximum loan amount to the lesser of:

- \$100,000; or
- Your 401(k) account balance.

Additionally, if you meet the requirements for a CRD, any loan repayments due between March 27, 2020 and December 31, 2020 may be delayed for one year. When

you recommence payments, the repayment amount will be adjusted to reflect the delay in payment and any interest that accrued during that delay period.

Hardship Withdrawals. If your plan permits, you may be able to take a hardship withdrawal (which is separate from a CRD) from your 401(k) account while you remain employed, if your employer's plan permits hardship withdrawals. Note that hardship distributions are subject to the 10% early distribution penalty for individuals under age 59½. The hardship events that may help if you need additional cash due to COVID-19 include:

- Medical expenses for you, your spouse, your dependent, or your beneficiary under the 401(k) plan, such as medical expenses not covered by medical insurance;
- Preventing eviction from or foreclosure on your principal residence (e.g., if you are placed on unpaid leave);
- Paying certain tuition costs; and
- Covering expenses and losses due to a disaster declared by FEMA.

Required Minimum Distribution Waived. The CARES ACT waives the required minimum distribution for 2020 for terminated plan participants.

To determine whether you can take a CRD loan or hardship withdrawal from your 401(k) plan account, you should review the plan's Summary Plan Description or call the helpline listed for your plan.

Before you take a distribution from your 401(k) plan, make sure you understand any taxes and early distribution penalties that may apply to the distribution.

BACK TO TOP

BANKRUPTCY

Can I still file for bankruptcy during this time?

Yes. As of March 27, 2020, courts accepted new filings. Because this is a rapidly evolving situation, however, you should check with your court's website or contact one of the court's clerks to make sure they are accepting new filings and determine any updated procedures related to filing.

Do I still have to pay a filing fee?

Yes. At this time, debtors are still responsible for paying fees in accordance with set deadlines.

Will this affect my automatic stay?

No. Other than the exceptions to the automatic stay, the automatic stay will remain in place during this time, if the case is not dismissed.

Where can I find information about COVID-19-related changes in bankruptcy courts?

Federal bankruptcy courts are individually coordinating with state and local health officials to map the best course of action for matters pending in their courts. As of July 3, 2020, many districts had issued orders with updates related to the postponement of hearings, limiting the number of individuals permitted to attend in-person hearings, and telephonic appearance policies. For the most up-

to-date orders, you may find your court at <https://www.uscourts.gov/about-federal-courts/court-website-links/court-orders-and-updates-during-covid19-pandemic#bankruptcy>.

Additionally, the federal judiciary regularly is updating a chart to reflect the latest status for each federal district. The chart may be accessed at <https://www.uscourts.gov/about-federal-courts/court-website-links/court-orders-and-updates-during-covid19-pandemic>. For more information, see <https://www.uscourts.gov/news/2020/07/02/coronavirus-covid-19-response-and-recovery>.

My small business is financially struggling—what can I do to avoid liquidation?

You should know your documents, review any lease and loan documents, make sure you understand any default provisions, and identify any grace periods under the contracts. Additionally, you should determine whether your contracts contain a *force majeure* clause, which, in some circumstances, may provide a contractual basis for terminating or suspending performance of a contractual obligation.

If you're concerned about your ability to meet your contractual obligations, communicate with your lenders and landlords before you fail to perform. On April 7, 2020, an interagency group including the Federal Deposit Insurance Corporation, ("FDIC"), Office of the Comptroller of the Currency, Consumer Financial Protection Bureau, and state banking regulators issued a joint statement encouraging financial institutions to work with borrowers who are or may be unable to meet their contractual obligations because of the effects of COVID-19. The joint statement also clarified prior guidance with respect to the *Coronavirus Aid, Relief, and Economic Security Act* (the "CARES Act") and offered supervisory views on consumer protection. The most recent FDIC statements are available at <https://www.fdic.gov/news/news/financial/index.html>.

As of May 27, 2020, the FDIC updated a list of frequently asked questions for financial institutions affected by COVID-19, available at <https://www.fdic.gov/coronavirus/faq-fi.pdf>. Similarly, answers to frequently asked questions for bank customers are available at <https://www.fdic.gov/coronavirus/faq-customer.pdf>.

You should also review your insurance policies. Many policies provide relief during times like this; however, every policy is different. If you already have coverage, be sure to check your individual policies.

Assuming filing for bankruptcy is still available, you could consider restructuring options under chapter 11. Chapter 11 bankruptcy could offer a pause button for distressed small businesses. A chapter 11 bankruptcy imposes an "automatic stay" of actions against the debtor, which halts collection on a business's debts existing at the time of filing. For more information about the recently-enacted Small Business Reorganization Act ("SBRA"), visit <https://www.justice.gov/opa/pr/us-trustee-program-ready-implement-small-business-reorganization-act-2019>.

Please note that the CARES Act amends the SBRA to make provisions of new subchapter V of chapter 11 of the Bankruptcy Code available to small business debtors carrying debt up to \$7.5 million, an increase from the original SBRA debt limit of \$2,725,625.

Bankruptcy courts around the country are moving quickly to adopt temporary rules to implement the changes under the CARES Act for a period of one year. For pending changes in the bankruptcy forms, see <https://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments/pending-changes-bankruptcy-forms>.

BACK TO TOP

EMPLOYEE BENEFITS/HEALTH INSURANCE

Will my health insurance pay for COVID-19 testing?

Effective as of March 18, 2020, most group health plans provided through an employer or individual private health insurance plans, as well as coverage provided through TRICARE and Veterans Affairs, are required to cover 100% of testing for the COVID-19 virus, with no out-of-pocket costs, like deductibles, copayments, or coinsurance. This is required by the *Families First Coronavirus Response Act* (the “FFCRA”), which was signed into law on March 18, 2020, and became effective on April 1, 2020. The full text of the FFCRA can be found here: <https://www.congress.gov/116/bills/hr748/BILLS-116hr748enr.pdf>.

This includes the cost of all items and services that may be provided to you during an office, urgent care center, or emergency room visit that are related to the COVID-19 test.

Please be aware that this does not apply to certain private insurance coverages, such as short-term policies, health care sharing ministries, and certain Farm Bureau health plans. (Please also note that some states, such as California, are requiring certain insured health policies subject to state insurance regulations to cover the cost of testing).

If you received a test for the COVID-19 virus prior to March 18, 2020, the test may be covered at 100% or at a lower percentage with applicable cost-sharing provisions, like deductibles, copayments, or coinsurance, based on the terms of your plan or insurance.

The *Coronavirus Aid, Relief, and Economic Security Act* (the “CARES Act”) expands the group of tests that health plans are required to cover under the FFCRA. While the CARES Act established a price-setting mechanism for tests administered by out-of-network providers, services provided by out-of-network providers may be covered at a lower rate by your plan. This could include emergency room physicians if the visit to the emergency room is not considered a true emergency. See below for more information on in-network and out-of-network healthcare providers.

Medicare will pay for lab tests for COVID-19, with no out-of-pocket costs, like deductibles, copayments, or coinsurance.

You can read more about Medicare’s coverage related to COVID-19, including options for telemedicine, at <https://www.medicare.gov/medicare-coronavirus>. Coverage provided by Medicaid programs will vary by state. In order to find out if testing is covered by your state’s Medicaid program, you should contact your state’s Medicaid program.

Will my health insurance pay for treatment related to COVID-19?

Currently, there is no federal legislation requiring private health insurance or government insurance programs to cover treatment for COVID-19. Unless your employer or insurer, as applicable, elects to amend your plan or policy to provide otherwise, generally any health coverage that you may have will likely pay for treatment of COVID-19 at the same rates that it pays for treatment of other health conditions, depending on terms of your plan or insurance. For example, if your plan pays for in-network office visits and hospitalizations at 60%, then any in-network office visits and hospitalizations related to COVID-19 would likely be covered at 60%, and your costs would be limited by your plan's in-network out-of-pocket maximums.

It is important to know that many health insurance plans pay for treatment provided by network doctors and hospitals at a more favorable rate than treatment provided by doctors and hospitals that have not agreed to be in the insurance provider's network. To avoid being "balance-billed" by the healthcare provider for the cost of out-of-network care that is not covered by your insurance plan, it is important to determine whether a doctor or hospital with which you might seek treatment is within your insurance provider's network.

You can find out whether a provider is in your health plan's network by asking your health plan or by specifically asking the provider if they are in your insurance plan's network. Asking the provider if they take your plan's insurance is not sufficient to confirm that the provider is in your network. The provider may take your insurance but could still be out-of-network, which means you could be balance-billed for amounts that you would not be responsible for if your provider was in-network. Medicare covers all medically necessary hospitalizations, including hospitalization related to COVID-19.

You can read more about Medicare's coverage related to COVID-19, including options for telemedicine, at <https://www.medicare.gov/medicare-coronavirus>. Additionally, you can find more information about what each insurer is doing at https://www.ahip.org/health-insurance-providers-respond-to-coronavirus-covid-19/?mod=article_inline.

Will my health insurance pay for a vaccine against COVID-19?

Most group health plans and individual plans must cover listed preventive services at 100%. This is a requirement of the Patient Protection and Affordable Care Act of 2010. But there is currently no COVID-19 preventative vaccine.

Under the CARES Act, 15 days after the Department of Health and Human Services adds a COVID-19 vaccine to the list of required preventive services, most group health plans and individual plans will be required to cover the vaccine at 100%.

If you have any questions about whether this requirement applies to your healthcare plan, you should contact the insurance company, group health plan administrator, or your employer.

How will my high-deductible health plan ("HDHP") be affected?

On March 11, 2020, the Internal Revenue Service ("the IRS") said that health plans that otherwise qualify as HDHPs will not lose that status merely because they cover the cost of testing for or treatment of COVID-19 before plan deductibles have been met. For more information, see Notice 2020-15 at <https://www.irs.gov/pub/irs-drop/n-20-15.pdf>.

Notice 2020-15 applies to only HSA-eligible HDHPs.

In an effort to facilitate social distancing, the CARES Act allows HDHPs to cover telehealth services for any condition before the deductible is satisfied.

Additionally, plan participants may use funds in their health savings accounts (“HSAs”) and flexible spending accounts for the purchase of over-the-counter medical products, including those needed in quarantine and social distancing, without a prescription from a physician.

How can I learn more about what my healthcare plan covers?

The insurance policy or summary plan description for your healthcare plan should describe your coverage, including any required deductibles, copayments, or coinsurance. You can request this from your insurance company, group health plan administrator, or employer.

If you have any questions about whether a medical service or product is covered under your plan, whether the requirements of any federal law related to COVID-19 applies to your plan, or whether a doctor or hospital is within your plan’s network of providers, contact your insurance company, your group health plan administrator, or your employer’s human resources department.

The information in this guide is a general description of rules applicable to many health plans. In order to know what your health plan covers, you must review the plan policies or summaries provided by the insurance company or group health plan.

BACK TO TOP

EMPLOYMENT

My supervisor told my department that one of our co-workers was “presumed positive” for COVID-19. What does that mean?

Many people are unable to get test results for COVID-19, so healthcare providers have told them to assume that they are positive. Your employer should treat the employee as though they have tested positive, and not let them come to work.

Generally, employers determine the right steps to take in their workplaces when other employees have been exposed to an employee who tests positive or is presumed positive. For example, employees may be asked to self-quarantine at home for a period of time or they could be asked to monitor themselves for potential symptoms each day.

I think I have COVID-19 so I called in sick, but I don’t want to tell my employer. Do I have to tell my supervisor?

If you have been working in an environment where other people are present and your employer has issued instructions asking employees to disclose whether they have symptoms, you are required to do that. The Americans with Disabilities Act permits employers to ask employees who call in sick if they are experiencing symptoms of COVID-19. Employers must maintain all information about employee illness as a confidential medical record.

Also, disclosing your symptoms will allow the employer to take additional cleaning measures and warn co-workers to look for symptoms. If you are later diagnosed with COVID-19, the employer must report your case to the local health authorities and will need to tell employees who work close to you that they may have come in contact with someone with a diagnosis. Employers typically do not use names when they make these disclosures to co-workers.

I thought we were under a “Stay at Home” order, but my employer says that we are an essential business and I have to report to work. Do I?

“Stay at Home” orders have exceptions for individuals employed by “Essential Businesses,” which fall under a number of categories, including healthcare, government, critical infrastructure, and retail businesses. Employers are looking at these orders and the categories to determine if they are essential, and which employees are needed to continue operations. If your employer has told you that the company qualifies as an “Essential Business” and you are needed at work, then you should report to work unless there is a reason that you are unable to do so.

Can my employer take my temperature?

Yes. The U.S. Equal Employment Opportunity Commission says that because the Centers for Disease Control and Prevention (“CDC”) and state/local health authorities have acknowledged community spread of COVID-19, employers may take employees' body temperature.

My job requires me to be face-to-face with customers. Am I protected if I say I can't perform my job because of the outbreak?

It depends. Workers are protected from retaliation from an employer if they refuse to take on what they consider an unsafe work assignment. However, it may depend on whether a reasonable employee would otherwise find the work safe. If a grocery store clerk, for example, has received training to protect against COVID-19, along with any necessary equipment such as gloves or a sneeze guard where customers would stand, it may not be considered reasonable to refuse to work.

Can I get paid sick leave?

If you work for an employer that has fewer than 500 employees, the Families First Coronavirus Response Act (the "FFCRA") provides for up to 80 hours of paid sick leave for an employee that is unable to work (or telework) because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19
2. has been advised by a healthcare provider to self-quarantine related to COVID-19
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis
4. is caring for someone who is under a quarantine or isolation order described above or has been advised by a healthcare provider to self-quarantine related to COVID-19; or
5. is caring for a child (under 18 years old) whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19

For the first three reasons, the employee is paid their regular rate or minimum wage, up to \$511 per day and \$5,110 in the aggregate over a 2-week period.

For reasons 4 and 5, the employee is paid at 2/3 of their regular rate or 2/3 of minimum wage, up to \$200 per day and \$2,000 in the aggregate over a 2-week period.

Can I get paid family leave?

If you work for an employer that has fewer than 500 employees and you have been an employee for at least 30 days, the FFCRA provides for up to 10 weeks of paid or “expanded family leave” for employees who are caring for a child (under 18 years old) whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.

An employee eligible for expanded family leave is paid at 2/3 of their regular rate or 2/3 of minimum wage, up to \$200 per day and \$10,000 in the aggregate over a 10-week period.

Small businesses with fewer than 50 employees may be exempt from the requirement to provide leave due to school closings or child care unavailability if the leave requirements would jeopardize the viability of the business as a going concern.

What documents do I need to give my employer to get paid sick leave or paid family leave?

You must provide your employer with documentation to support your paid sick leave as specified in applicable Internal Revenue Service (“IRS”) forms, instructions, and information. The employer may also require documentation to support the paid family leave. The U.S. Department of Labor (“DOL”) has given examples of such documentation, such as a notice of closure or unavailability from a child’s school, place of care, or child care provider, including a notice that may have been posted on a government, school, or day care website, published in a newspaper, or emailed to you from an employee or official of the school, place of care, or child care provider.

Please also note that all existing certification requirements under the Family and Medical Leave Act (the “FMLA”) remain in effect if you are taking unpaid leave for one of the existing qualifying reasons under the FMLA instead of under the FFCRA. For example, if you are taking leave beyond the two weeks of emergency paid sick leave because your medical condition for COVID-19-related reasons rises to the level of a serious health condition, you must continue to provide medical certifications under the FMLA if required by your employer.

If my employer closed down before April 1, 2020 (the effective date of the FFCRA), can I still get paid sick leave or paid family leave?

No. If, prior to the FFCRA’s effective date, your employer sent you home and stops paying you because it does not have work for you to do, you will not get paid sick leave or expanded family and medical leave, but you may be eligible for unemployment insurance benefits. This is true whether the employer closes the site for lack of business or because it is required to close because of a “Stay at Home” order.

If my employer closes down on or after April 1, 2020 (the effective date of the FFCRA), either before I go out on leave or while I am on paid leave, what happens?

If your employer closes after the FFCRA's effective date (even if you requested leave prior to the closure), you will not get paid sick leave or paid family leave, but you may be eligible for unemployment insurance benefits. If your employer closes while you are on paid sick leave or paid family leave, your employer must pay for any paid sick leave or paid family leave you used before the closure. As of the date your employer closes down, you are no longer entitled to paid sick leave or paid family leave, but you may be eligible for unemployment insurance benefits.

If my employer furloughs me on or after April 1, 2020 (the effective date of the FFCRA), can I receive paid sick leave or expanded family and medical leave?

No. If your employer furloughs you because it does not have enough work or business for you, you are not entitled to then take paid sick leave or expanded family and medical leave. However, you may be eligible for unemployment insurance benefits.

BACK TO TOP

FRAUD/PRICE GOUGING & COVID-19 FRAUD

What kind of COVID-19 fraud is out there?

- Fake vaccines;
- Fake home test kits;
- Fake cures or medicine that are supposed to treat or prevent the virus;
- Fake masks;
- Fake charities;
- Fake fees to receive financial support from the government, such as emergency relief payments or student loan forgiveness
- Claims that the government overpaid stimulus money and demands for a “refund” of the difference;
- COVID-19-themed phishing emails, texts, and social media posts; and
- Schemes using smartphone apps or websites claiming to be governmental entities associated with the *Coronavirus Aid, Relief, and Economic Security Act* (the “CARES Act”) programs and requesting personal information, including bank account information.

For more information about COVID-19 fraud, see the Department of Justice's COVID-19 website at <https://www.justice.gov/coronavirus/combatingfraud>.

How should I protect myself?

Always verify information directly from legitimate sources before doing anything.

Disregard online offers for COVID-19 vaccinations, home test kits, and cures. As of the date this was published, there are no over-the-counter products proven to treat or prevent COVID-19 and no home test kits authorized by the U.S. Food and Drug Administration (“FDA”) that are completely used and processed at home. However on April 20, 2020, the FDA authorized the first diagnostic test with a home collection option for COVID-19, LabCorp's COVID-19 RT-PCR Test. For up-to-

date information regarding COVID-19 products, visit the FDA's COVID-19 website at <https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/coronavirus-disease-2019-covid-19-frequently-asked-questions>.

Know or research who you're buying from. Not only do scammers sell fake products that don't work and may be potentially dangerous, some scammers also do not send you products after you pay for them.

Hang up on robocalls and don't press any numbers. There has been an influx of scams in general, and scammers are using illegal robocalls to offer everything from fake COVID-19 treatments to work-at-home schemes.

Don't click on links from sources you don't know. You may inadvertently download malware onto your computer or device.

Beware of requests for personal information or money.

Fact check correspondence claiming to be from legitimate sources like the Centers for Disease Control and Prevention (the "CDC"). There has been an influx of phishing emails from entities posing as either the World Health Organization ("WHO") or the CDC.

Verify charities or crowdfunding sites before donating. Beware of anyone who tries to rush you into donating or asks for donations in cash, by gift card, or by wiring money. Use a credit card, rather than cash or check, and do not share personal information online if you do not know the charity.

Ignore texts and emails about checks from the government or claims from scammers that they can get you money faster.

Never pay upfront to get money from the government. The government will not ask you to pay anything upfront to receive financial support.

Do not respond to calls claiming to be from the government that ask for your Social Security number, bank account, or credit card number. The government will never call you for this information.

For more information, see the Federal Trade Commission's website at <https://www.ftc.gov/coronavirus>.

Where can I find legitimate information about COVID-19?

- Coronavirus Disease 2019 (COVID-19): <https://www.coronavirus.gov/>
- CDC: <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- WHO: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>
- National Institutes of Health ("NIH"): <https://www.nih.gov/health-information/coronavirus>
- FDA: <https://www.fda.gov/home>
- Federal Trade Commission ("FTC"): <https://www.ftc.gov/coronavirus>
- Department of Justice ("DOJ"): <https://www.justice.gov/coronavirus>
- Links to Federal, State, and Local Governmental Agencies: <https://www.usa.gov/coronavirus>.

Who should I report scammers to?

- FTC: <http://www.ftc.gov/complaint>
- National Center for Disaster Fraud Hotline: (866) 720-5721 or disaster@leo.gov
- Federal Bureau of Investigation (“FBI”): <https://tips.fbi.gov/> and <https://www.ic3.gov/default.aspx> (for cyber scams)
- State Attorney General: <https://www.naag.org/naag/attorneys-general/whos-my-ag.php>
- FDA's Health Fraud Program: <https://www.fda.gov/safety/report-problem-fda/reporting-unlawful-sales-medical-products-internet>
- FDA's Office of Criminal Investigations: <https://www.accessdata.fda.gov/scripts/email/oc/oci/contact.cfm>

What is price gouging?

Price gouging is defined differently by various states but has to do with the opportunistic raising of prices for goods or services, often during emergency situations, that are “unfair,” “unreasonable,” or “unconscionable.” Theoretically, price gouging is illegal nationwide, but price gouging is generally addressed at the state level. This makes state attorneys general the main point of contact for victims.

Price gouging is explicitly illegal in most states. State price gouging laws vary widely among states, and many states have been taking further steps to protect consumers and crack down on bad actors. For more information about specific state price gouging laws, visit <https://www.consumerresources.org>

Though federal law does not specifically address price gouging, the federal government also has taken measures to prevent price gouging and has been working with state and local law authorities to combat price gouging nationwide.

For more information about price gouging and the federal government’s response to combat price gouging, see the Department of Justice’s COVID-19 website at <https://www.justice.gov/coronavirus>.

How should I protect myself and others from price gouging?

Be an informed consumer. Compare prices among other providers and use price tracking tools like CamelCamelCamel to see how prices have fluctuated recently. For CamelCamelCamel, visit <https://camelcamelcamel.com/>.

Record cases of price gouging by taking photos or screenshots and report them.

Who should I report price gouging to?

- Your state attorney general at <https://www.consumerresources.org/file-a-complaint/>
- The National Center for Disaster Fraud at (866) 720-5721 or disaster@leo.gov
- The company engaging in or facilitating price gouging. If you see unusually high prices online on websites like Amazon, report price gouging directly to the website so that the listings can be removed. To report cases of price gouging on Amazon, click the “report incorrect product information” option on the product page, select “other product details,” then “price issue.”

BACK TO TOP

GOVERNMENT GRANTS, LOANS AND OTHER PROGRAMS/EVICTIONS

What is the federal government doing in response to COVID-19 to provide assistance through grants, loans, or other programs?

The main pieces of legislation passed by the U.S. federal government are the *Families First Coronavirus Response Act* (the “FFCRA”) and the *Coronavirus Aid, Relief, and Economic Security Act* (the “CARES Act”), which are generally discussed throughout this guide.

See the “Other emergency/new government programs” section of this guide for more information about the CARES Act.

The U.S. Small Business Administration (“SBA”) has made low-interest Economic Injury Disaster Loans (“EIDL”) available. See the “SBA assistance/relief” section of this guide for information on how to obtain such loans from the SBA.

The Federal Housing Finance Agency (“FHFA”), the U.S. Department of Housing and Urban Development (“HUD”), the U.S. Department of Agriculture (“USDA”), and Fannie Mae and Freddie Mac all have announced a freeze on foreclosures and evictions until at least August 31, 2020,[1] as well as forbearance or disaster relief options for homeowners who can’t afford their mortgage payments. See the following for additional information:

- FHFA:
<https://www.fhfa.gov/Homeownersbuyer/MortgageAssistance/Pages/CoronavirusAssistance-Information.aspx>;
<https://www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Extends-Foreclosure-and-Eviction-Moratorium-6172020.aspx>
- HUD:
https://www.hud.gov/press/press_releases_media_advisories/HUD_No_20_081;
<https://www.hud.gov/coronavirus/homeowner>
- USDA: <https://www.rd.usda.gov/coronavirus>;
https://www.rd.usda.gov/sites/default/files/USDA_RD_AnnouncesExtension_Foreclosure-and-Eviction-Moratorium-6172020.aspx
- Fannie Mae: <https://www.fanniemae.com/portal/covid-19.html>
- Freddie Mac: <http://www.freddie.com/about/covid-19.html>

For tenants living in federally backed housing, eviction notices may not be served until July 25, 2020 and must provide a tenant with an additional 30 days to move out. In addition, tenants living in federally backed housing may be eligible for rental assistance. For more information see the following:

<https://www.hud.gov/coronavirus/renters>;
https://www.hud.gov/topics/rental_assistance.

BACK TO TOP

IMMIGRATION ISSUES

Immigration Courts

Are immigration courts open?

The operational status of each court changes frequently. Please use the following link to check the status of your particular court: <https://www.justice.gov/eoir/eoir-operational-status-during-coronavirus-pandemic>. You also may sign up for email

updates related to the pandemic at the following link:
https://public.govdelivery.com/accounts/USDOJ/subscriber/new?topic_id=USDOJ_621.

When is my filing due and where do I file?

Filing deadlines after March 30, 2020 remain in effect subject to the discretion of the immigration judge. Please check individual court websites and individual court orders. Parties are encouraged to file by mail or by the Executive Office of Immigration Review (“EOIR”) Courts & Appeals System, where available. For a closed court, filings should be made at the alternative court location listed online at <https://www.justice.gov/eoir/eoir-operational-status-during-coronavirus-pandemic>. For questions, please contact the EOIR Office of Policy, Communications and Legislative Affairs Division at PAO.EOIR@usdoj.gov.

Is EOIR’s automated online case system being updated?

Yes. The rollout of the EOIR Court & Appeals System (“ECAS”) has been delayed due to COVID-19. If you have already opted-in to ECAS, you are encouraged to use it, where available.

While case status and hearing date information may be delayed, the online system will be updated as soon as a hearing notice is issued. Please check for updates at the following link: <https://www.justice.gov/eoir/eoir-operational-status-during-coronavirus-pandemic>.

Remember, court documents, such as notices, are your official source of information.

What is the status of my non-detained hearing?

Certain immigration courts have resumed non-detained hearings. However, hearings in non-detained cases at courts without an announced date are postponed through, and including, July 17, 2020. For more information, visit <https://www.justice.gov/eoir/eoir-operational-status-during-coronavirus-pandemic>.

Is my Migrant Protection Protocols (“MPP”) hearing canceled?

No. MPP hearings will be postponed and rescheduled through, and including, July 17, 2020. For additional information, visit <https://www.justice.gov/eoir/eoir-operational-status-during-coronavirus-pandemic>.

U.S. Citizenship and Immigration Services (“USCIS”)

What USCIS services are currently available?

USCIS resumed in-person services on June 4, 2020 for only scheduled visits. For visitor requirements, visit <https://www.uscis.gov/about-us/uscis-response-covid-19>. To schedule an appointment, contact the USCIS Contact Center at <https://www.uscis.gov/contactcenter>. For additional information regarding USCIS office closures, please visit <https://www.uscis.gov/about-us/uscis-office-closings>.

What is the status of my scheduled interview or naturalization ceremony appointment?

USCIS domestic field offices will send notices with instructions to applicants and petitioners with scheduled interview appointments or naturalization ceremonies. Hearings are expected to be shorter than normal and attendance is limited to only applicants and a parent or trusted adult for candidates who are a minor or need disability assistance. If you have not already rescheduled your InfoPass appointment, you are encouraged to do so with a field office through the USCIS Contact Center at <https://www.uscis.gov/contactcenter>. For more up-to-date information, visit <https://www.uscis.gov/about-us/uscis-response-coronavirus-disease-2019-covid-19>.

What is the status of my asylum interview appointment?

USCIS asylum offices will automatically reschedule asylum interviews that have been cancelled. When the interview is rescheduled, asylum applicants should receive a new interview notice with updated information for the interview. You can contact an asylum office by email, mail, or phone. Contact information for each asylum office is found using the Asylum Office Locator at <https://egov.uscis.gov/office-locator>.

You also can check your case status online at www.uscis.gov/casestatus. You will need the receipt number mailed to you after you filed your application.

Visas – Overview

What visa services are available during the pandemic?

The U.S. Department of State (the “State Department”) has suspended all routine visa services at all U.S. embassies and consulates. For more information, visit <https://travel.state.gov/content/travel/en/News/visas-news/suspension-of-routine-visa-services.html>.

Please note that President Trump signed a proclamation suspending entry into the United States of certain immigrants and nonimmigrants through December 31, 2020. Proclamation 10014 is intended to apply to immigrants and nonimmigrants who present a risk to the U.S. labor market during the COVID-19 outbreak: <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-immigrants-present-risk-u-s-labor-market-economic-recovery-following-covid-19-outbreak/>. For additional information, see <https://travel.state.gov/content/travel/en/News/visas-news/presidential-proclamation-coronavirus.html>.

What if I need to travel?

Applicants should check the appropriate embassy website, which will have information about COVID-19, including permitted travel, flight information, entry and exit requirements, and how to schedule an emergency appointment. You may check embassy information at <https://www.usembassy.gov/>.

Will USCIS consider special situations, including the COVID-19 pandemic, if I apply for a visa extension or status change?

Yes. When applying for an extension or change of status due to a special situation that prevented your planned and timely departure, USCIS may take into consideration how the special situation prevented your departure. If you do not apply for the extension or change of status before your authorized period of

admission expires, USCIS may excuse the delay if it was due to extraordinary circumstances beyond your control. For information on special situations, visit <https://www.uscis.gov/humanitarian/special-situations>.

Work Visas for Foreign Nationals

What happens to my work visa if my company shuts down?

Employees with temporary work visas could find themselves “out of status” if their company shuts down and they are no longer working. If this happens, the individual must change to another status or else may face a minimum 3-year “unlawful presence” bar to reentry for overstay periods of less than 12 months or 10 years for overstays of a year or more. For additional information, visit <https://www.shrm.org/resourcesandtools/hr-topics/talent-acquisition/pages/covid19-coronavirus-upends-us-immigration.aspx>. Information regarding COVID-19 delays in extension and change of status filings is available at <https://www.uscis.gov/news/alerts/covid-19-delays-extensionchange-status-filings>.

My H-1B visa requires me to work at my employer's physical location. Will I be allowed to telecommute and work from home?

Although USCIS has not made a final decision, a senior Department of Homeland Security (“DHS”) official said, in a press briefing the week of March 23, 2020, that DHS supports steps for safer working conditions in light of the pandemic and that the USCIS should take that into account when deciding whether to allow telecommuting. If a foreign national on an H-1B visa starts working remotely, the remote location was not on the original H-1B visa, and the remote work will continue for more than 30 days, a Labor Condition Application (“LCA”) posting or a new LCA and amended petition may be required. Additional information is available at <https://economictimes.indiatimes.com/nri/visa-and-immigration/uscis-expected-to-allow-h-1b-visa-holders-to-work-remotely-in-the-us/articleshow/74827408.cms> and <https://www.natlawreview.com/article/covid-19-and-employer-responsibilities-to-workers-visas>.

Can employers still submit U.S. H1-B visa petitions?

Yes. USCIS is currently accepting petitions for work visa applications. Additionally, USCIS has resumed the premium processing service for the 2021 fiscal year. For additional information, see <https://www.uscis.gov/news/alerts/uscis-resumes-premium-processing-certain-petitions>.

Expired Visas

My visa will expire while I am in the United States. Is there a problem with that?

No. If the DHS Customs and Border Protection Immigration Officer at the port of entry admitted you into the United States for a specific period of time, the officer will note your authorized period of stay on your admission stamp or paper Form I-94, which is called an Arrival/Departure Record. You will be able to remain in the United States during your authorized period of stay, even if your visa expires during the time you are in the United States. Since your admission stamp or paper Form I-94 documents your authorized stay and is the official record of your permission to be in the United States, it is very important to keep it inside your

passport. For more information, visit <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/frequently-asked-questions/about-basics.html>.

What if my F-1 student visa has expired?

You may remain in the United States on an expired F-1 visa as long as you maintain your student status. However, if you are returning home or traveling to a country where automatic revalidation does not apply, you must have a valid visa to return to the United States. For additional information, visit <https://www.ice.gov/sevis/travel>. Answers to frequently asked questions from Student and Exchange Visitor Program stakeholders related to COVID-19 are available at <https://www.ice.gov/doclib/coronavirus/covid19faq.pdf>.

Will my employment authorization promptly end in the U.S. when my STEM Optional Practical Training (“OPT”) period expires?

It depends. If you file your STEM OPT extension application on time and your OPT period expires while your extension application is pending, USCIS will automatically extend your employment authorization for 180 days. This automatic 180-day extension ceases once USCIS adjudicates your STEM OPT extension application. For more information, visit <https://www.uscis.gov/opt>.

What if my H-2 visa has expired?

Applicants whose previous visas expired in the last 48 months and who did not require a waiver of ineligibility the last time they applied do not need to be interviewed in person if they are applying for the same visa classification as their previous visa. For additional information, visit <https://travel.state.gov/content/travel/en/News/visas-news/important-announcement-on-h2-visas.html>.

What is the impact on H and J visas for medical professionals?

Medical professionals seeking to work in the United States on a work or exchange visa, particularly those working to treat or mitigate the effects of COVID-19, are encouraged to reach out to the nearest embassy or consulate to request a visa appointment. For those foreign medical professionals already in the United States, J-1 Alien Physicians (medical residents) may consult with their program sponsor, the Educational Commission for Foreign Medical Graduates, to extend their programs in the United States. Generally, a J-1 program for a foreign medical resident can be extended one year at a time for up to seven years. For additional information, see <https://travel.state.gov/content/travel/en/News/visas-news/update-on-h-and-j-visas-for-medical-professionals.html>.

Passport Services for U.S. Citizens

Can I still apply for and get a passport?

In one limited circumstance, yes. The State Department has suspended all passport services, except for customers with a qualified life or death emergency and who need a passport for immediate international travel within 72 hours. Life or death emergencies are serious illnesses, injuries, or deaths in your immediate family that require you to travel outside the United States within 72 hours. For additional passport information, visit

<https://travel.state.gov/content/travel/en/traveladvisories/ea/passport-covid-19.html>.

What materials are necessary to obtain the life or death emergency passport?

A passport application with supporting documents. Proof of the life-or-death emergency such as a death certificate, a statement from a mortuary, or a signed letter from a hospital or medical professional qualify as supporting documents. Additionally, these documents must be in, or translated into English. Proof of international travel is also required (e.g., reservation, ticket, itinerary, etc.). For more information, see

<https://travel.state.gov/content/travel/en/traveladvisories/ea/passport-covid-19.html>.

How do I make an appointment to get a life or death emergency passport?

Call the State Department's National Passport Information Center at (877) 487-2778 or (888) 874-7793, Monday through Friday, 8:00 am to 5:00 pm Eastern Time, except for on federal holidays. To make an appointment outside of these hours, call (202) 647-4000. Additional passport information is available at

<https://travel.state.gov/content/travel/en/traveladvisories/ea/passport-covid-19.html>.

I applied for a passport before March 19, 2020. Will I still receive it?

Yes. If you applied and requested expedited service on or before March 19, 2020, you may still receive it; however, you may experience significant delays of several months. If you receive a letter from the State Department requesting additional information to process your passport application, you may mail your response to the address in the letter.

The Department will resume operations through phases. As additional employees return to the passport agencies and centers, they will work aggressively to address the high volume of pending applications. For up-to-date passport information, visit <https://travel.state.gov/content/travel/en/traveladvisories/ea/passport-covid-19.html>.

Stranded U.S. Citizens

What if I'm a U.S. citizen stranded abroad?

Citizens in need of emergency help should contact the local embassy or consulate or the Overseas Citizens Service at +1 (202) 501-4444. Also, citizens abroad should register in the Smart Traveler Enrollment Program, which informs the U.S. federal government who is abroad and allows the U.S. federal government to better facilitate notice to travelers. To enroll, visit <https://step.state.gov/step/>.

In exceptional circumstances, the government has provided or otherwise facilitated transportation to repatriate U.S. citizens facing travel restrictions. Because those efforts vary from country to country, travelers should pay attention to updates from local embassies. For COVID-19-related updates, visit <https://www.state.gov/coronavirus/>.

Do U.S. travel restrictions affect U.S. citizens who are currently abroad?

Closures at Canadian and Mexican ports of entry do not affect U.S. citizens and lawful permanent residents. For more information, visit <https://www.cdc.gov/coronavirus/2019-ncov/travelers/from-other-countries.html>.

Additionally, U.S. citizens, lawful permanent residents and their families, and other discrete classes of people who have been to identified countries—China; Iran; European Schengen Area; the United Kingdom; the Republic of Ireland; and Brazil—in the last 14 days *are* permitted to return *but* they will be redirected to one of 15 specific airports and may be subject to screening and mandatory quarantine. For relevant information and guidelines, visit <https://www.cdc.gov/coronavirus/2019-ncov/travelers/from-other-countries.html> and <https://www.dhs.gov/publication/notices-arrival-restrictions-coronavirus>.

Immigration Agencies

Has U.S. Immigration and Customs Enforcement (“ICE”) changed its enforcement priorities?

Yes. ICE has shifted its priorities to “focus enforcement on public safety risks and individuals subject to mandatory detention based on criminal grounds.” ICE will not carry out enforcement operations at or near healthcare facilities and has stated that “[i]ndividuals should not avoid seeking medical care because they fear civil immigration enforcement.” ICE also has stated that it will not deport anyone with a 100.4-degree fever or above. For more information about changes to ICE policies, please see <https://www.ice.gov/covid19> and <https://www.cato.org/blog/timeline-list-us-immigration-actions-covid-19>. ICE’s latest COVID-19 update is available at <https://www.ice.gov/coronavirus#tab4>.

BACK TO TOP

IMPACT ON STUDENT LOANS

Student Loan Relief

Will any part of my federal student loan be forgiven?

As of July 3, 2020, the federal government has not announced any plans to forgive any federally owned student loans, and no such program has been signed into law.

What programs have been implemented or actions taken by the federal government to provide relief to student loan borrowers?

The President announced on March 13, 2020, several federal government actions and programs providing for federal student loan borrower relief. Such actions and programs were further extended upon the passage of the *Coronavirus Aid, Relief, and Economic Security Act* (the “CARES Act”). These actions and programs include:

- An interest waiver for all loans owned by the U.S. Department of Education (the “DoEd”) until September 30, 2020;
- The suspension of payments on all loans owned by the DoEd until September 30, 2020, through non-capping forbearance; and

- A halt on involuntary collection activities engaged in by the DoEd, including social security withholding, tax return withholding, and wage garnishment, until September 30, 2020.

The below Q&A outlines the various forms of relief, whether your loan might qualify for relief and how to take advantage of the programs. For the Office of Federal Student Aid's Question and Answer outline, which was used to develop the guidance below, visit <https://studentaid.gov/announcements-events/coronavirus#government-sites>.

Interest Waiver for all Loans Owned by the Department of Education

Which student loans are eligible for interest relief?

All loans owned by the DoEd will have interest waived. That is, such loans will not accrue interest on the outstanding balance due on the loan until September 30, 2020.

This includes the following types of federal student loans owned by the DoEd:

- Defaulted and non-defaulted Direct Loans
- Defaulted and non-defaulted Federal Family Education Loan ("FFEL") program loans
- Federal Perkins Loans; and
- Defaulted Health Education Assistance Loan ("HEAL") program loans.

Some FFEL program loans are owned by commercial lenders, and some Perkins Loans are held by the institution a borrower attended. These loans are not eligible for this benefit at this time.

If my loans are owned by DoEd, do I need to do anything for the interest on my loans to be waived?

No. The DoEd will automatically adjust your account so that interest does not accrue. The account adjustment will be effective March 13, 2020. During this period of no interest, if you continue to make payments, the full amount will be applied to the principal. However, if your loan had already accrued interest prior to March 13, 2020, your payments will first be used to pay off the outstanding interest.

How can I take advantage of this program if I have FFEL program and Federal Perkins loans not owned by DoEd?

You could consolidate your FFEL program or Federal Perkins loans not owned by DoEd into a Direct Consolidation Loan owned by the DoEd. However, if you consolidate, after the 0% interest rate waiver ends, the interest rate may be higher than what you are currently paying. Additionally, any outstanding interest will capitalize, meaning that any outstanding interest is added to your principal balance. Your servicer can provide you with information about how your loan balance, interest rate, and total amount paid would change if you consolidated into a Direct Consolidation Loan.

Who can tell me if my loans will have their interest rate reduced?

Contact your loan servicer online or by phone to determine if your loans are eligible. Your servicer is the entity to which you make your monthly payment. If you do not know who your servicer is or how to contact them, visit <https://studentaid.gov/fsa-id/sign-in/landing> or call (800) 433-3243; TTY for the deaf or hearing-impaired (800) 730-8913 for assistance.

The DoEd has notified affected federal student loan borrowers that actions have been taken to waive interest accrual.

How will I know when interest will start accumulating again?

The DoEd will post that information on <https://studentaid.gov/announcements-events/coronavirus>. Moreover, the CARES Act has directed the Secretary of Education to begin providing notice to federal student loan borrowers on August 1, 2020, regarding the date that interest will start accruing again. Your servicer should also do additional outreach to help you remember that you will need to make a payment.

Are private student loans eligible for this benefit?

No. The DoEd does not have legal authority over private student loans, so they are not covered by the President's forbearance announcement or the CARES Act.

“Non-Capping” Forbearance

If my loans are owned by the DoEd, do I need to do anything to have my loan placed in forbearance?

No, payments on all federal student loans owned by the DoEd are automatically suspended.

How long will the forbearance last?

The suspension of payments will last from March 13, 2020 to September 30, 2020.

Are private student loans eligible for this benefit?

No. The DoEd does not have legal authority over private student loans, so they are not covered by the President's forbearance announcement or the CARES Act.

However, many private student loan lenders, such as Sofi Mohela, are processing forbearance requests. Some private student loan lenders are even providing for a two-month interest free forbearance. The terms of any forbearance with a private student loan lender may vary from the terms of the non-capping forbearance that are provided for federal student loans owned by the DoEd. For instance, interest may continue to accumulate during the time of any such forbearance.

Accordingly, you are encouraged to review and consider the terms of any forbearance with a private student loan lender.

What will happen to my regular auto-debit payments if I do nothing?

Auto-debit payments should be automatically suspended during the forbearance. Any auto-debit payments processed between March 13, 2020 and September 30, 2020, can be refunded to you. Contact your loan servicer to request that your payment be refunded.

If you don't want a forbearance and want to continue making payments, contact your loan servicer to opt out of the forbearance and your auto-debit payments will resume.

You also have the option to remain in the forbearance and make manual (i.e., not auto-debit) payments during the forbearance period. Visit your loan services website to make a payment, or, for more information, contact your loan servicer directly.

What if I want to continue making payments while my loan is in forbearance?

As long as you are in forbearance, you will not be penalized for making a payment, even if that payment is less than your usual monthly payment. You still have the option to make a payment on your loan to make progress toward reducing your balance.

If you can afford to make your loan payments during the COVID-19 national emergency, you may want to continue to do so to pay off as much of your loan as possible while there is a 0% interest rate.

How will I know when I need to start making payments again?

The 0% interest period and administrative forbearance is currently set to expire on September 30, 2020. Your servicer should contact you no later than August 2020 to remind you that you will need to start making payments again. Make sure your contact information is up to date in your loan servicer account profile.

Considerations Regarding Public Service Loan Forgiveness and Income-Driven Repayment Forgiveness

If I am currently in an income-driven repayment (“IDR”) plan, will my suspended payments count toward IDR forgiveness?

Yes. Your suspended payments will count toward your IDR forgiveness.

Will suspended payments count toward Public Service Loan Forgiveness (“PSLF”)?

If you have a Direct Loan, were on a qualifying repayment plan prior to the suspension, and work full time for a qualifying employer during the suspension, you will receive credit toward PSLF for the period of suspension as though you made on-time monthly payments.

Will the forbearance apply to rehab payments?

Yes. The forbearance provided for under the CARES Act applies to defaulted loans owned by the DoEd.

My company has closed because of COVID-19. I'm not making any money and cannot pay my student loan bill. Can I stop making payments until I'm working again?

If you're having trouble making payments, including on loans that are not owned by the DoEd, contact your loan servicer as soon as possible. If you have a Federal Perkins Loan, contact your school. You can easily avoid the consequences of delinquency or default by staying in touch with your servicer or school.

Your servicer or school can provide information about deferment or forbearance options that allow you to temporarily stop making payments on your loans. You

may also be able to change to a different repayment plan that would give you a lower monthly payment.

I am currently on an IDR plan. I am making a lot less money because of the COVID-19 outbreak and don't know when my income will return to the same level. What can I do?

IDR participants should automatically be placed into an administrative forbearance that allows you to stop making your payments from March 13, 2020 through September 30, 2020. If you are on an IDR plan and your income has changed significantly, you can update your information and get a new payment amount based on your current income. To do so, visit <https://studentaid.gov/manage-loans/repayment/plans/income-driven>, click on "Apply Now," and then start the application by clicking on the button next to "Recalculate my monthly payment." After the administrative forbearance ends on September 30, 2020, your monthly payments will resume at the new amount.

If you would like to enroll in an IDR plan for the first time, visit <https://studentaid.gov/manage-loans/repayment/plans/income-driven>, click on "Apply Now," and then start the application.

Involuntary Collection and Withholding Activities

In order to pay my federal student loans, my wages are currently being garnished, and other payments from the federal government, including my tax refund and social security payments have previously had amounts withheld in order to make payments. Will there be changes to this arrangement?

Yes. In connection with the passage of the CARES Act, the DoEd was directed to suspend involuntary collections on federally-owned student loans. This includes wage garnishments, reductions in federal tax refunds and reductions in social security payments, and other involuntary collection activity that has been engaged in by the DoEd.

Payments due to me through a tax refund and/or social security payment have already been taken. Can I get any of those payments back?

The portion of your federal tax refund or social security payment that was withheld should be returned to you if the applicable tax refund or social security payment was in the process of being withheld on or after March 13, 2020. This flexibility will last until at least September 30, 2020. Your federal tax refund or social security payment will not be returned to you if the process to withhold your refund or social security payment was completed before March 13, 2020. If you have questions about whether your federal tax refund or social security payment was withheld, call the DoEd's Default Resolution Group at (800) 621-3115 (TTY for the deaf or hearing-impaired (877) 825-9923).

Money is still being taken from my paycheck to pay for a federal student loan. What should I do?

If your wages continue to be garnished after March 13, 2020, you should contact your employer's human resources department. If the DoEd receives funds from your paycheck that should have been stopped, it should refund your garnished wages.

What will happen regarding involuntary collection activities after September 30, 2020?

The federal government has not announced any relief from involuntary collections activities after September 30, 2020, and no such relief is contemplated in the CARES Act. After September 30, 2020, your loan servicer should communicate information to you about resuming your payments. The message may be emailed or posted to your online account.

Negotiated Arrangements and Collection Agencies

On March 25, 2020, the DoEd announced that Department-contracted private collection agencies stopped making collection calls and sending letters or billing statements.

What should I do if I want to continue the payment arrangements I started before the DoEd's announcement?

You can continue your payment arrangement related to your defaulted federal student loan. Private collection agencies have been instructed to not make collection calls and not accept auto-debit payments from March 13, 2020 through September 30, 2020. However, private collection agencies are available to assist you if you contact them during this period. To be connected to your private collection agency to continue your current payment arrangement, call the DoEd's Default Resolution Group at (800) 621-3115 (TTY for the deaf or hearing-impaired (877) 825-9923).

On March 25, 2020, the DoEd announced that Department-contracted private collection agencies stopped making collection calls and sending letters or billing statements. What should I do if I want to consolidate my defaulted federal student loans or start a loan rehabilitation arrangement now?

To consolidate or start a loan rehabilitation arrangement related to your defaulted federal student loans, call the DoEd's Default Resolution Group at (800) 621-3115 (TTY for the deaf or hearing-impaired (877) 825-9923) for assistance.

BACK TO TOP

MENTAL HEALTH RESOURCES

Recognize, Acknowledge, and Manage Anxiety and Stress

Everyone reacts differently to stressful situations; thus, it is important to recognize signs of stress and use effective strategies to cope. The Centers for Disease Control and Prevention ("CDC") has published helpful information about stress and coping with the COVID-19 outbreak at <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/>.

As teams transition to working remotely, strong, calm, and trustworthy leadership as well as good communication skills can help minimize stress and anxiety. For helpful leadership strategies for business managers, educators, parents, and anyone else working with teams during this crisis, visit <https://www.apa.org/news/apa/2020/03/covid-19-leadership>.

As children transition to learning remotely, parents and caregivers need strategies for being prepared, planning new routines, and helping children cope

with stress. The National Child Traumatic Stress Network provides targeted information in this factsheet:

https://www.nctsn.org/sites/default/files/resources/factsheet/outbreak_factsheet_1.pdf.

Mental Health America is also a great resource for information and tools regarding mental health during the COVID-19 outbreak, including specific resources for first responders, parents, caregivers, older adults, domestic violence survivors, LGBTQ+ individuals and veterans. Those resources can be accessed at: <https://mhanational.org/covid19>.

Implement daily strategies for self-care and awareness. The National Alliance on Mental Illness (“NAMI”) suggests the following:

- Maintain familiar routines in daily life as much as possible
- Eat healthy food and engage in physical activity
- Stay connected with others and maintain your social networks via email, social media, videoconference, and telephone
- Find a free online support group
- Reach out to a hotline when you need additional support

These strategies, hotline references, and more can be found in the NAMI Resource Guide available at <https://www.nami.org/getattachment/About-NAMI/NAMI-News/2020/NAMI-Updates-on-the-Coronavirus/COVID-19-Updated-Guide-1.pdf?lang=en-US>.

Learn about the feelings you may experience and how to cope with social distancing and isolation in the tip sheet from the Substance Abuse and Mental Health Services Administration, which is available at <https://www.samhsa.gov/sites/default/files/tips-social-distancing-quarantine-isolation-031620.pdf>.

Take time to learn how to build productive habits to reduce stress:

- Meditate: <https://www.headspace.com/meditation/meditation-for-beginners>
- Learn through Yale University’s free course entitled “The Science of Well-Being” at <https://www.coursera.org/learn/the-science-of-well-being>

Seek Accurate COVID-19 News and Information from Trusted Sources

World Health Organization (“WHO”): https://www.who.int/health-topics/coronavirus#tab=tab_1

CDC: <https://www.cdc.gov/coronavirus/2019-ncov/index.html>

National Institutes of Health (“NIH”): <https://www.nih.gov/health-information/coronavirus>

If You Need Help or Know Someone Who Does, Ask for It!

Disaster Distress Helpline: <https://www.samhsa.gov/disaster-preparedness> or call (800) 985-5990

National Domestic Violence Hotline: <https://www.thehotline.org> or call (800) 799-7233, TTY (800) 787-3224

National Suicide Prevention Lifeline: <https://suicidepreventionlifeline.org> or call (800) 273-TALK (8255)

NAMI HelpLine: <https://www.nami.org> or call (800) 950-6264

Veterans Crisis Line: <https://www.veteranscrisisline.net> or call (800) 273-8255 or text 838255

BACK TO TOP

OTHER EMERGENCY/NEW GOVERNMENT PROGRAMS

What are the key provisions of the Families First Coronavirus Response Act ("FFCRA")?

Generally, employers with fewer than 500 employees must provide up to 12 weeks of leave to employees (full-time and part-time) who have been employed for at least 30 calendar days if such employees are unable to work (or telework) due to a need for leave to care for a child if their school or place of care is closed, or the child's care provider is unavailable, due to a public health emergency. Children must be under age 18, unless they are incapable of self-care due to mental or physical disability. Ten of the 12 weeks of leave are paid at two-thirds of the employee's regular rate of pay, which is capped at \$200 per day, or \$10,000 in the aggregate. For more information, see <https://www.dol.gov/agencies/whd/pandemic>.

Generally, employers with fewer than 500 employees must provide up to 80 hours of paid sick time to full-time employees for certain reasons related to COVID-19. Part-time employees are entitled to paid leave based on the average number of hours they worked each week for the previous six months. Sick leave is paid at 100% of the employee's regular rate of pay if the absence is due to the employee's own condition, and at two-thirds the regular rate if the absence is to care for someone else, with caps and maximums on the amounts.

In order to provide financial assistance to employers and self-employed individuals, a refundable tax credit is provided for qualified wages paid by employers with fewer than 500 employees or for a portion of the self-employment tax for certain self-employed individuals.

Federally-approved forms of testing for COVID-19 will be provided without any cost-sharing (deductibles, copays, or coinsurance) by insurance plans or other prior authorization requirements and without any charges for office, urgent care, or emergency room visits related to the testing

States are allowed to provide emergency Supplemental Nutrition Assistance Program ("SNAP") assistance to households with children who would otherwise receive free or reduced-price meals if not for their schools being closed due to the COVID-19 pandemic. In order to be eligible, the child's school must be closed for no less than 5 consecutive days. For more information, see <https://www.fns.usda.gov/snap/supplemental-nutrition-assistance-program>

The FFCRA provides access to nutritious foods to low-income pregnant women or mothers with young children who lose their jobs or are laid off due to the COVID-19 pandemic. For more information on eligibility, see <https://www.fns.usda.gov/wic>. The special supplemental program has been

extended through September 30, 2020: <https://www.fns.usda.gov/wic/covid-19-waiver-extensions-through-september-2020>.

For additional information on the FFCRA, please see <https://bakerbotts.com/insights/publications/2020/march/president-trump-signs-into-law-families-first-coronavirus-response-act>.

For summaries of the FFCRA's key provisions, visit <https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/F> and <https://www.kff.org/global-health-policy/issue-brief/the-families-first-coronavirus-response-act-summary-of-key-provisions>.

What are the key provisions of the CARES Act?

Stimulus Checks - Qualifying individuals will receive a stimulus check (or "economic impact payment") up to \$1,200. See the "Taxes and the Stimulus Check" section below for more details.

Unemployment Benefits - Far more workers than usual are eligible for unemployment benefits, including self-employed people and part-time workers. See the "Unemployment Benefits" section below for more details.

Student Loans - Until September 30, 2020, there will be automatic payment suspensions for any student loan held by the federal government, and it is retroactive to March 13, 2020. See the "Impact on Student Loans" section above for more details.

Retirement Accounts - You can make an early withdrawal from your retirement account (up to \$100,000) this year without the usual 10-percent penalty, as long as it is because of the COVID-19 outbreak. See the "Ability to Withdraw from 401(k)/IRA Without Penalty" section above for more details.

For additional information, the New York Times has provided a helpful list of FAQs regarding the *Coronavirus Aid, Relief, and Economic Security Act* (the "CARES Act"), available at: <https://www.nytimes.com/article/coronavirus-stimulus-package-questions-answers.html>.

BACK TO TOP

RENEWING GOVERNMENT ASSISTANCE, LICENSES AND OTHER DOCUMENTS

Due to public health measures to prevent the spread of COVID-19, your ability to renew federal government assistance, licenses, and other documents may be affected.

REAL ID

What if I have not obtained an identification that meets the REAL ID requirements?

If you have not obtained a form of identification that meets the REAL ID standards (which will be needed to board domestic flights, visit military bases, or enter some federal buildings), the deadline has been extended a full year past the current deadline to **October 1, 2021**. You can obtain a form of identification that meets the REAL ID standards at your state's motor vehicle department.

Although every state lists the required documents needed to obtain a REAL ID, you generally need to bring documents proving your age and identity, Social

Security number, and address, which means bringing a birth certificate or passport, a Social Security card or tax form such as a W-2, and two proofs of address. If you've changed your name through marriage, you will also need a marriage certificate.

More information about REAL IDs can be found at <https://www.dhs.gov/real-id>.

Passports

What if I need to renew my passport in the upcoming weeks?

The State Department advises U.S. citizens to avoid all international travel at this time due to the global impact of COVID-19.

Changes to Passport Services Operations are available at <https://travel.state.gov/content/travel/en/traveladvisories/ea/passport-covid-19.html>.

If you currently need a passport, the State Department is only able to offer services to those with a qualified life-or-death emergency **and** who need a passport for immediate international travel within 72 hours.

Life-or-death emergencies are serious illnesses, injuries, or deaths in your immediate family (e.g., parent, child, spouse, sibling, aunt, uncle, etc.) that require you to travel outside the United States within 72 hours (3 days). You must provide:

- A passport application with supporting documents;
- Proof of the life-or-death emergency such as a death certificate, a statement from a mortuary, or a signed letter from a hospital or medical professional. Documents must be in or translated into English; and
- Proof of international travel (e.g., reservation, ticket, itinerary).

To make an appointment at a passport agency or center for a life-or-death emergency passport request, call the National Passport Information Center at (877) 487-2778 or (888) 874-7793 TDD/TTY.

You can call the above numbers Monday through Friday between the hours of 8:00 am and 5:00 pm Eastern Time, except for on federal holidays. Call (202) 647-4000 outside the above hours to make an appointment if necessary.

What if I applied for a passport before March 19, 2020?

If you applied and requested expedited service on or before March 19, 2020, you may not have received your passport within the normal 2-3 week period because passport agencies are experiencing significant delays.

Social Security

How has the COVID-19 outbreak affected my ability to obtain assistance from the Social Security Administration (the "SSA")?

First, the SSA suspended face-to-face service to the public in all their field offices and hearings offices nationwide until further notice. However, you may still receive assistance online or by calling (800) 772-1213. For more information, visit <https://www.ssa.gov/coronavirus/>.

Additionally, you will continue to receive your Social Security benefits or Supplemental Security Income whether you receive such benefits by direct deposit or mail.

What services are offered online?

You can do most of your business online, including:

- File a claim for retirement, disability, or Medicare benefits;
- Apply for Extra Help with Medicare prescription drugs;
- Check your application status;
- File an appeal if you were recently denied disability benefits;
- Request a replacement Social Security card (in most areas);
- Print proof of your benefits;
- Explore all the benefits you may be eligible for at [Benefits.gov](https://www.benefits.gov);
- Request a replacement Medicare card (although your healthcare provider can verify coverage if you know your Medicare Beneficiary Identifier (“MBI”) number);
- Print an SSA-1099;
- Change your address, if you receive benefits; and
- Set up or change your direct deposit.

What if I lost my Social Security card and need a replacement?

Due to the COVID-19 outbreak, all SSA offices are closed to the public. However, you may still use the SSA's online services available at <https://www.ssa.gov/onlineservices/> or call (800) 772-1213.

What other information should I be aware of regarding Social Security benefits?

Scams - Many Americans are receiving fraudulent letters threatening the suspension of their Social Security benefits due to COVID-19-related office closures. The SSA will not suspend or discontinue benefits because offices are closed to the public for in-person service. For more advice on how to protect yourself from COVID-19 fraud, please read the Department of Health and Human Services Office of Inspector General's alert, which is available at https://oig.hhs.gov/coronavirus/fraud-alert-covid19.asp?utm_source=web&utm_medium=web&utm_campaign=covid19-fraud-alert, and the materials in this guide on price gouging and fraud.

If you suspect that you encountered COVID-19 fraud, please report the scam to the National Center for Disaster Fraud Hotline by calling (866) 720-5721 or emailing disaster@leo.gov.

BACK TO TOP

SBA ASSISTANCE/RELIEF

How do I obtain a low-interest Economic Injury Disaster Loan ("EIDL") from the U.S. Small Business Administration ("SBA")?

The SBA has an Economic Injury Disaster Loan Emergency Advance program that provides up to \$2 million of economic relief to businesses that are currently experiencing temporary difficulties. Small business owners are eligible to apply for an advance of up to \$10,000 for businesses that are currently experiencing a

temporary loss of revenue. Small businesses that share common ownership with other companies may have difficulty obtaining funds under this program. Funds will be made available following a successful application and the first \$10,000 “advance” will not have to be repaid.

At this time, the SBA has started accepting new application for Economic Injury Disaster Loans (“EIDL”) to qualified small businesses and U.S. agricultural businesses. For more information, including eligibility, visit <https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/economic-injury-disaster-loan-emergency-advance>.

What is the Paycheck Protection Program and how do I apply for it?

Note: The Paycheck Protection Program (“PPP”) application deadline passed on June 30, 2020. Please continue to check the following website for updates regarding the program: <https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program#section-header-0>.

The PPP authorizes SBA participating lenders to make potentially forgivable loans that are completely guaranteed by the U.S. federal government to U.S. businesses with 500 or fewer employees (or that otherwise qualify as a small business under SBA rules) in an amount equal to 2.5 times a company’s average monthly payroll. Sole proprietors, independent contractors and self-employed persons are also eligible, subject to some restrictions. Small businesses that share common ownership with other companies may have difficulty obtaining funds under this program as the SBA applies certain affiliation rules that aggregate the number of employees of affiliates.

Funds received under the PPP must be used for payroll costs, group health benefits, mortgage interest, rent, utilities, or interests on other debt obligations. Subject to certain restrictions, the funds available under the PPP are forgivable. These restrictions include a requirement that 75% of the funds be used for payroll purposes, retention or rehiring of employees, and payroll not being cut below certain levels.

A completed application must be submitted to an SBA participating lender, who will then assess eligibility for financial assistance. Many banks are in the process of (or have already launched) application websites to streamline this process. Most banks are requiring that the borrower have a preexisting relationship with the bank in order to utilize their application website. A list of SBA lenders can be found at <https://www.sba.gov>.

Loans will be due in two years at a 1.00% fixed interest rate and may be prepaid without any penalties or fees. Loans will not require collateral or any personal guarantees. While banks will provide their own form, the questions will generally follow those found on the sample available at this site: <https://home.treasury.gov/system/files/136/Paycheck-Protection-Program-Application-3-30-2020-v3.pdf>.

Lenders began processing loan applications on April 3, 2020, and the PPP will be available through June 30, 2020, subject to availability. Though the SBA momentarily halted accepting applications due to the number of applicants and limitations on funding availability, the SBA resumed accepting applications on April 27, 2020.

Are there other loans that I can obtain?

The SBA has an Express Bridge Loan Pilot Program that allows small businesses who currently have a business relationship with an SBA Express Lender to access up to \$25,000 with little paperwork. These loans can provide vital economic support to small businesses to help overcome the temporary loss of revenue they are experiencing and can be a term loan or used to bridge the gap while applying for a direct SBA EIDL. If a small business has an urgent need for cash while waiting for a decision and/or disbursement of an EIDL, it may qualify for an SBA Express Disaster Bridge Loan. For more information, visit <https://www.sba.gov/document/support--express-bridge-loan-pilot-program-guide>.

On April 9, 2020, the Federal Reserve announced the Main Street Lending Program and expanded the program on April 30, 2020. The Main Street Lending Program offers 4-year loans to small and mid-sized U.S. businesses with fewer than 15,000 workers or 2019 revenues less than \$5 billion. Additionally, under this program, businesses with existing eligible loans may be qualified for increased borrowing under such loans. Businesses complying with employee retention and payroll obligations under the PPP may be eligible for Main Street loans as well. New loans under the Main Street Lending Program start at \$500,000 and go up to the lesser of \$25 million or four times the business's adjusted earnings before interest, taxes, depreciation and amortization ("EBITDA") (subject to certain calculation requirements). More information is available at <https://www.federalreserve.gov/newsevents/pressreleases/monetary20200409a.htm>

BACK TO TOP

SHELTER-IN-PLACE RULES AND THEIR RAMIFICATIONS

What You Need to Know About Stay-at-Home Orders

What is a Stay-at-Home Order?

By now, many states, counties, and cities have enacted what they refer to as "Stay-at-Home," "Shelter-in-Place," or "Self-Isolation" orders, as part of a growing escalation in tactics to combat the spread of COVID-19.

Generally, these orders require all individuals to stay at home, with certain exceptions. The orders specifically explain what activities are and are not allowed while the order is in place.

The purpose of these orders is to limit contact with other people, with the goal of slowing and/or reducing the spread of COVID-19, which can be spread by physical contact.

Who is subject to these orders?

The New York Times is maintaining and updating a list of which states are reopening/reclosing and what the new rules are for each state; this list provides links to state specific regulations. Please visit the list at <https://www.nytimes.com/interactive/2020/us/states-reopen-map-coronavirus.html>. Certain states have begun to reopen in phases. Information

about the phases can be found at <https://www.latimes.com/politics/story/2020-04-20/trump-reopening-plan-phases-coronavirus>.

How long will these orders be in place?

Many orders specifically say that they will cover a particular period of time; however, they may be shortened, extended, or changed based on the circumstances. It is important to remain flexible and stay current on your jurisdiction's requirements.

Certain states have begun to reopen in phases. Information about the phases can be found at <https://www.latimes.com/politics/story/2020-04-20/trump-reopening-plan-phases-coronavirus>.

What are we required to do?

There are plenty of variations among the orders that have been put in place so far, but many share the following general requirements:

Stay Home

- The orders require everyone to stay at home as much as possible, with limited exceptions for what's generally characterized as "essential activities" or working at "essential businesses" (see below for more information).
- That means adults must work from home or "telecommute," and children and students must engage in their studies at home.

Protect At-Risk Persons

Many orders specifically encourage (i) persons who are currently experiencing any cold or flu-like symptoms, or (ii) any persons who are considered as higher risk for developing COVID-19 or complications from the virus (such as the elderly, persons with pre-existing conditions, etc.), to try to avoid going out in public—even for "essential activities." For example, San Francisco's order states that "people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care."

That means to the extent practicable, we should encourage higher-risk persons to stay home and look for ways we can help to limit their contact with the public. For example, we should look for opportunities to go grocery shopping or run errands for an elderly neighbor or relative with asthma so that they can limit their exposure in public places.

Engage in Social Distancing in Public

- To the extent that you do go out in public to participate in "essential activities" or work at "essential businesses," you are required to engage in "social distancing." Social distancing is generally defined as maintaining a physical distance of approximately six feet from all other persons, to the fullest extent possible.

Avoid Traveling

- Travel is generally prohibited, except when necessary to engage in “essential activities” or operate “essential businesses.”

The orders contain a long list of “essential activities” that you are still allowed to do. Generally, that includes any tasks that are essential to the health, well-being, or safety of you and your household (including pets), such as:

- Buying groceries, household consumer products (like cleaning supplies), medication, or medical supplies;
- Obtaining care, consultations, products, or other services from doctors, dentists, pharmacists, veterinarians, mental health professionals, or other healthcare professionals;
- Exercising outdoors, such as walking, running, biking, or hiking, as long as you can maintain “social distancing” from others;
- Caregiving for family members, pets, or close friends in another household; and
- Maintaining “minimal operations” at “non-essential businesses” to continue the functions necessary to run that business. For example, an employee for a non-essential business who is otherwise working from home is still allowed to visit the office on occasion to pick up and open the mail, send checks for payroll, and complete other tasks necessary to keep the business running.

WORKING AT “ESSENTIAL BUSINESSES”

Operate Essential Businesses

The orders also contain a long list of essential businesses that must continue to operate, despite the Stay-at-Home Orders. Generally, those include:

- Producing, selling, delivering, and shipping groceries, meals, and household consumer products: *Examples:* food and household consumer product retailers, such as grocery stores, supermarkets, farmer's markets, hardware stores, convenience stores; food cultivation, such as farming, livestock, and fishing; businesses that ship or deliver groceries, food, goods or services directly; and restaurants providing food delivery and take-out.
- Healthcare operations: *Examples:* hospitals; clinics for doctors, dentists, or veterinarians; pharmacies; pharmaceutical and biotechnology companies; mental health providers; and other related healthcare services.
- Transportation services: *Examples:* public transportation; taxis; and other transportation networks that provide transportation for essential activities or essential businesses.
- Certain necessary government services: *Examples:* emergency responders and dispatchers; and law enforcement, judges, and other courtroom personnel.
- News and media: *Examples:* newspaper, television, radio, and other media services.
- Infrastructure operations: *Examples:* public transportation; airport operations; water, sewer, gas, and electrical services; waste collection and removal; internet and telecommunications systems; roads and highways; construction of public works or housing; and electricity and energy industry producers, providers, and distributors, such as those in the solar, wind, oil, natural and propane gas, and petroleum industries, among others.

- Sanitation services: *Examples:* businesses such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintain the safety, sanitation, and essential operation of residences and businesses.
- Laundry services: *Examples:* laundromats, dry cleaners, and laundry service providers.
- Social services: *Examples:* businesses and nonprofits that provide food, shelter, social services, and other necessities of life for people in need.

What are the penalties for failing to comply?

Some orders provide that any violations are a misdemeanor that can be punishable by up to several months in jail and impose fines ranging from several hundred to several thousand dollars. In other locations, the orders are advisory and rely on social pressure to be effective.

Note that if you are a business owner that fails to comply with one of these orders, you may be at risk of having your business shut down.

Some states have also provided online tools to report violations of Stay-at-Home Orders. For example, New York created an online form to report businesses, entities, or locations that appear to be violating its local order. For more information, see <https://mylicense.custhelp.com/app/ask>.

BACK TO TOP

TAXES AND THE STIMULUS CHECK

Tax Day is Now July 15, 2020

The deadline to file federal individual income tax returns and pay taxes for tax year 2019 has been extended from April 15, 2020 to July 15, 2020. <https://www.irs.gov/newsroom/tax-day-now-july-15-treasury-irs-extend-filing-deadline-and-federal-tax-payments-regardless-of-amount-owed>. The extensions are automatic and apply to all taxpayers. You do not need to file any forms or call the Internal Revenue Service ("IRS") to qualify.

This extension also includes estimated tax payments for tax year 2020 that are due on April 15, 2020 (but not those due on June 15, 2020), and federal gift and generation-skipping transfer tax returns and payments. [https://www.irs.gov/newsroom/filing-and-payment-deadlines-questions-and-answers-\(Q7\)](https://www.irs.gov/newsroom/filing-and-payment-deadlines-questions-and-answers-(Q7)) or <https://www.irs.gov/pub/irs-drop/n-20-20.pdf>.

Returns with automatic six-month filing extensions (from the normal April 15 tax deadline) are still due October 15, 2020. [https://www.irs.gov/newsroom/filing-and-payment-deadlines-questions-and-answers-\(Q12\)](https://www.irs.gov/newsroom/filing-and-payment-deadlines-questions-and-answers-(Q12)).

If you cannot file your return by the July 15, 2020 deadline, you may also be able to request an extension:

- Individual taxpayers can request a filing extension by filing Form 4868 through their tax professional or tax preparation software or by using one of the IRS's Free File Online options available at <https://www.irs.gov/filing/free-file-do-your-federal-taxes-for-free>

- Businesses who need additional time must file Form 7004.
<https://www.irs.gov/newsroom/filing-and-payment-deadlines-questions-and-answers> (Q12)
- Many states have announced a similar extension to file and pay state income taxes. Also, many states automatically tie the deadline for income tax returns and payments to the federal deadlines. The Tax Foundation is tracking state legislative responses to COVID-19, including extensions of deadlines to file state tax returns and pay taxes: <https://taxfoundation.org/state-tax-coronavirus-covid19/#timeline>.

Key Compliance Programs Suspended Through July 15, 2020 Under the IRS's "People First Initiative"

Audits - Generally, the IRS will not commence any new audits between April 1, 2020 and July 15, 2020, except where necessary to preserve the three-year statute of limitations or if the taxpayer desires to begin an examination. Existing audits (including those before IRS Appeals) will continue on schedule, except that all in-person meetings will be suspended.

Refund Claims - The IRS will continue to process refund claims where possible, without in-person contact. The time to receive a refund is limited by statute. If you have not filed your tax returns during the last three years, you may still file these returns and claim your refund.

Status of IRS Collection Efforts:

- Existing Installment Agreements: If you have an existing installment agreement, you may suspend payments due between April 1, 2020 and July 15, 2020. The IRS should not default your installment agreement during this period, though interest will continue to accrue on any unpaid balances.
- Offers in Compromise ("OIC"): The IRS will suspend all OIC payments due between April 1 and July 15, 2020, although interest will continue to accrue by law. Also, the IRS will not default any OIC during this period for those taxpayers who are delinquent in filing their tax return for tax year 2018, provided however that such 2018 returns (and 2019 returns) are filed on or before July 15, 2020. For those taxpayers with pending OIC requests, the IRS will allow taxpayers until July 15, 2020 to provide requested additional information and will not close any pending OIC request before such time without the taxpayer's consent.
- Liens and Levies: The IRS will suspend all new automatic, systemic liens and levies through July 15, 2020. Also, liens and levies (including any seizures of a personal residence) initiated by field revenue officers will be suspended through July 15, 2020, although field revenue officers will continue to pursue high-income non-filers and perform other similar activities.
- Earned Income Tax Credit and Wage Verification: You will have until July 15, 2020 to respond to any pending IRS request to verify qualification for the Earned Income Tax Credit or to verify your income. Such taxpayers are encouraged to exercise their best efforts to obtain and submit all requested information, and if unable to do so, reach out to the IRS indicating the reason such information is not available. Until July 15, 2020, the IRS will not deny these credits for a failure to provide requested information.

For more information, see <https://www.irs.gov/newsroom/irs-unveils-new-people-first-initiative-covid-19-effort-temporarily-adjusts-suspends-key-compliance-program>.

The Stimulus Check

Under the *Coronavirus Aid, Relief, and Economic Security Act* (the “CARES Act”), qualifying individuals will receive a one-time stimulus check (also known as the “**economic impact payment**”) up to \$1,200. The economic impact payment will be distributed automatically, with no action required for most people. For IRS updates regarding the economic impact payments, see <https://www.irs.gov/coronavirus/economic-impact-payments>.

Who is eligible for the economic impact payment?

Tax filers with adjusted gross income up to \$75,000 for individuals and up to \$150,000 for married couples filing joint returns will receive the full payment. For filers with income above those amounts, the payment amount is reduced by \$5 for each \$100 above the \$75,000/\$150,000 thresholds. Single filers with income exceeding \$99,000 and \$198,000 for joint filers with no children are not eligible. Social Security recipients and railroad retirees who are otherwise not required to file a tax return are also eligible and will not be required to file a return.

Eligible taxpayers who filed tax returns for either 2018 or 2019 will automatically receive an economic impact payment of up to \$1,200 for individuals or \$2,400 for married couples and up to \$500 for each qualifying child.

When will I receive the economic impact payment?

The IRS started distributing economic impact payments in April 2020, and distributions may continue for several months. Starting in late May 2020, the number of paper checks being delivered to taxpayers is expected to sharply increase.

What action do I need to take and how will the IRS know where to send my payment?

The vast majority of people do not need to take any action. The IRS will calculate and automatically send the economic impact payment to those eligible. For people who have already filed their 2019 tax returns, the IRS will use this information to calculate the payment amount. For those who have not yet filed their return for 2019, the IRS will use information from their 2018 tax filing to calculate the payment. The economic impact payment will be deposited directly into the same banking account reflected on the return filed.

The IRS does not have my direct deposit information. What can I do?

The U.S. Department of the Treasury developed a web-based portal for individuals to provide their banking information to the IRS online so that individuals can receive payments immediately, as opposed to checks in the mail. For more information, see: <https://www.irs.gov/coronavirus/economic-impact-payments>. There are two tools: the “Get My Payment” tool, generally for use by taxpayers required to file tax returns, and “Non-Filers: Enter Payment Info Here” tool, generally for use by non-filers. Use the IRS guide to figure out which IRS tool is best for you: <https://www.irs.gov/newsroom/how-to-use-the-tools-on-irsgov-to-get-your-economic-impact-payment>.

I am not typically required to file a tax return. Can I still receive my payment?

You are not required to file a tax return and will automatically receive a \$1,200 payment if you received Social Security retirement, survivor, or disability benefits, Railroad Retirement benefits, Supplemental Security Income, or VA Compensation and Pension benefits in 2019. You do not need to contact the IRS, Social Security Administration, the Railroad Retirement Board or the U.S. Department of Veterans Affairs. The IRS will use the information from your 2019 benefits to generate an economic impact payment to you if you did not file tax returns in 2018 or 2019. You will receive your payment as a direct deposit or by mail, just as you would normally receive your federal benefits.

I have a tax filing obligation but have not filed my tax return for 2018 or 2019. Can I still receive an economic impact payment?

Yes. The IRS urges anyone with a tax filing obligation who has not yet filed a tax return for 2018 or 2019 to file as soon as they can to receive an economic impact payment. Taxpayers should include direct deposit banking information on the return.

If I owe taxes, or have a payment agreement with the IRS, or owe other federal or state debts or past-due child support, will my economic impact payment be reduced or offset?

No, with one exception. The economic impact payment may be offset only by past-due child support. The Bureau of the Fiscal Service will send you a notice if an offset occurs.

I need to file a tax return. How long are the economic impact payments available?

For those concerned about visiting a tax professional or local community organization in person to get help with a tax return, these economic impact payments will be available throughout the rest of 2020.

Will I receive notification from the IRS about my economic impact payment?

For security reasons, the IRS plans to mail a letter about the economic impact payment to the taxpayer's last known address within 15 days after the payment is paid. The letter will provide information on how the payment was made and how to report any failure to receive the payment. If a taxpayer is unsure whether they're receiving a legitimate letter, the IRS urges taxpayers to visit <https://www.irs.gov> first to protect against scam artists.

How do I avoid scams related to the economic impact payment or COVID-19?

The IRS urges taxpayers to be on the lookout for scam artists trying to use the economic impact payments as cover for schemes to steal personal information and money. Remember, the IRS will not call, text you, email you or contact you on social media asking for personal or bank account information even related to the economic impact payments. Also, watch out for emails with attachments or links claiming to have special information about economic impact payments or refunds.

Where can I get more information?

The IRS is regularly updating its economic impact payments Frequently Asked Questions page, so check there for the latest additions that answer many common questions. The page is available at <https://www.irs.gov/coronavirus/economic-impact-payment-information-center>.

The IRS has a reduced staff in many of its offices but remains committed to helping eligible individuals receive their payments expeditiously. Check for updated information on <https://www.irs.gov/coronavirus/economic-impact-payment-information-center>, rather than calling IRS assisters who are helping process 2019 returns.

Stay Up To Date—Tax Changes are Happening Fast!

The IRS established a special section focused on helping taxpayers, businesses, and others affected by COVID-19 and regularly updates a dedicated “Coronavirus Tax Relief” website, which can be found at <https://www.irs.gov/coronavirus>.

BACK TO TOP

UNEMPLOYMENT BENEFITS

Under the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act, far more workers than usual are eligible for unemployment benefits, including self-employed people and part-time workers.

Eligible workers will receive an extra \$600 per week in federal unemployment benefits for up to four months, ending July 31, 2020. This is in addition to unemployment benefits received under state law. State unemployment benefits are also extended by 13 weeks, not to exceed 39 weeks.

People who are ineligible for this extended coverage include: workers who are able to work from home; those receiving paid sick leave or paid family leave; and new entrants to the work force who cannot find jobs.

For more information, see <https://www.dol.gov/newsroom/releases/eta/eta20200402-0>. The U.S. Department of Labor intends to provide additional updates as needed.

BACK TO TOP

VOTING RIGHTS/RESTRICTIONS

Will the next presidential election still be held on November 3, 2020?

There has been no discussion of delaying the next presidential election, which is scheduled for November 3, 2020. Comprehensive information on each state’s election information can be found here: <https://www.vote.org/covid-19/>. The U.S. Senate and U.S. House of Representatives have each introduced legislation that could allow for voting by mail; however, both bills are still in committee. The House bill is available at <https://www.billtrack50.com/BillDetail/1223764>; and the Senate bill is available at <https://www.billtrack50.com/BillDetail/1223775>.

BACK TO TOP

RESOURCES FOR CHILDREN, SENIORS AND CAREGIVERS

