



Federal Stimulus Packages to Address COVID-19 *(as of March 29, 2020)*

Beginning with the Coronavirus Preparedness and Response Supplemental Appropriations Act ([P.L. 116-123](#)), the Families First Coronavirus Response Act ([P.L. 116-127](#)) and culminating with the Coronavirus Aid, Relief, and Economic Security (CARES) Act ([P.L. 116-36](#)), Congress and the administration have recently enacted several measures to provide relief to individuals, families, businesses, and the U.S. economy in response to the COVID-19 crisis.

The CARES Act provides the most significant benefits to individuals and families, including a one-time cash infusion for most Americans, the expansion of unemployment benefits, temporary student loan relief, and relief for small businesses.

This document provides an overview of the federal legislation and/or regulations recently enacted following the COVID-19 outbreak in the United States, which may be useful to landscape architects and/or landscape architecture firms. This document does not serve as legal advice; individuals and firms should consult their own counsel, accountants, and state and local governing bodies about how these policies will impact them specifically.

Federal Income Tax Filings and Payments

On March 18, 2020, the Department of the Treasury and the Internal Revenue Service issued Notice 2020-17, which postponed the due date for certain federal income tax payments from April 15, 2020 until July 15, 2020. This notice applies to federal income tax payments **ONLY**. State income filing due dates are determined on a state-by-state basis. As of this writing, many states have followed the federal government and extended their filing and payment deadline to July 15, 2020. However, individuals and firms should check with respective state taxation departments to determine accurate filing and payment deadlines.

On the federal side, the new July 15th deadline does **NOT** apply to all federal income tax filings and payments – it does **not** apply to payroll, excise, estate, and gift taxes. These filings and payments are still due on April 15. Please visit the [Internal Revenue Service Coronavirus Tax Relief website](#) and the [Frequently Asked Questions section](#) for more details.

Cash Payments to Individuals

As part of the CARES Act, many Americans will see a one-time direct payment of **up to \$1,200** from the federal government. These payments will be delivered via direct deposit or check and are expected to be arriving starting the third week of April. The exact payment amount is on a sliding scale based on your most recent federal tax filings; 2019 if you have already submitted and 2018 if you have not. You must have a Social Security Number to receive a payment.

The breakdown of how much an individual or family will receive is as follows:

- All individuals making up to \$75,000 a year (gross adjusted) will receive \$1,200. Anyone making between \$75,000 and \$99,000 a year will receive a reduced payment. Those making above \$99,000 a year will not receive a payment from the federal government

- Married couples who file together will receive a \$2,400 payment if their combined earnings are under \$150,000 a year (gross adjusted). As with the individual payments, the payment are smaller above \$150,000 a year and phase out at \$198,000 a year.
 - Married couples with children will receive an additional \$500 per child under the age of 17.
- People that file as “head of household” and make under \$112,000 a year (gross adjusted) will also receive the full \$1,200. Reduced payments for this category phase out at \$136,500 a year.
 - Most who file under this heading are usually single parents and therefore they are also eligible to receive \$500 per child under the age of 17.

The *Washington Post* has a free calculator tool to help estimate payments. [Click here](#) to use it and find out more information about these one-time payments.

Unemployment Benefits

Under the CARES Act, the federal government requires states to expand eligibility for unemployment benefits to certain workers and provides states with an infusion of funding to increase and extend their current unemployment benefits. Under the new law, those who are unemployed, are partly unemployed, or cannot work for a wide variety of coronavirus-related reasons will be more likely to receive benefits.

Under well-established law, each state determines its own eligibility levels, benefit payments, and duration of benefits. Unemployment benefits generally provide about half of what an individual was earning before losing their job for up to 26 weeks (with a few exceptions).

The CARES Act:

- Creates a temporary Pandemic Unemployment Assistance program through December 31, 2020 to provide payment to those not traditionally eligible for unemployment benefits (self-employed, independent contractors, those with limited work history, and others) who are unable to work as a direct result of the coronavirus public health emergency.
- Provides an “Emergency Increase in Unemployment Compensation Benefits” of an additional \$600 per week payment to each recipient of unemployment insurance or Pandemic Unemployment Assistance for up to four months, covering weeks of unemployment ending July 31, 2020.
- Provides all eligible workers with an additional 13 weeks of coverage – so participants in states with 26 weeks would be eligible for a total of 39 weeks. The total amount cannot exceed 39 weeks, but it may be shorter in certain states.
- Provides funding to support “short-time compensation” programs, where employers reduce employee hours instead of laying off workers and the employees with reduced hours receive a pro-rated unemployment benefit. This provision would pay 100 percent of the costs employers incur in providing this short-term compensation through December 31, 2020.

Workers who are able to work from home and those receiving paid sick leave or paid family leave are **not** covered under the new CARES law. New entrants to the work force who cannot find jobs are also ineligible.

The U.S. Department of Labor has issued [guidance](#) on the new unemployment insurance flexibilities. Each state administers a separate unemployment insurance program, but all states follow the same guidelines established by federal law. **For more information regarding rules in your state, [contact your state's unemployment insurance program](#).**

Student Loan Relief

Under the CARES Act, people who have borrowed money from the federal government in the past 10 years for student loans—a so-called direct loan—are eligible for a temporary suspension of payments.

The CARES Act:

- Requires the Secretary of Education to suspend all student loan payments due under the Federal Family Education Loan Program or the William D. Ford Federal Direct Loan Program so that student loan payments can be deferred until September 30, 2020.
 - Requires that interest “shall **not** accrue” on the loan during the suspension period.
 - Older Federal Family Educational Loans (F.F.E.L.) that the U.S. Department of Education does not own are **not eligible**, nor are Perkins loans, loans from state agencies, or loans from private lenders like Discover, Sallie Mae, and Wells Fargo. The holders of all those kinds of loans may be offering their own assistance programs.
- Authorizes eligibility for institutions of higher education to make payments to affected work-study students for the period of time (not to exceed one academic year) they were unable to fill work-study obligations due to a qualifying emergency, such as COVID-19.

(As of this writing, the U.S. Department of Labor has not yet issued guidance or guidelines on implementing this section of the CARES Act.)

Health Care Provisions

Testing

Under the Families First Coronavirus Response Act insurers would be required to cover the entire cost for coronavirus testing and related services. This includes waiving non-referral fees and not charging a co-pay for medical visits regarding testing. This provision also applies to those who receive medical coverage through Medicaid, Medicare, TRICARE, veterans' health programs, the Indian Health Service, and coverage provided to federal civilian employees. Under this provision the uninsured would also be eligible for no-cost testing for coronavirus.

Food and Nutrition Assistance Programs

The Families First Coronavirus Response Act appropriates additional funding to federal programs that provide food benefits and free and discounted meals to Americans with food-scarcity issues. This includes

- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).
- The Emergency Food Assistance Program (TEFAP).
- Grants to the Northern Mariana Islands, Puerto Rico, and American Samoa.
- Supplemental Nutrition Assistance Programs (SNAP).

Schools that provide free or discounted lunch to students through SNAP or other programs may receive waivers from the United States Department of Agriculture (USDA) to continue providing these meals despite being closed. If schools are unable to offer meals, families that usually receive free or discounted school lunches are eligible for additional SNAP benefits equivalent to the estimated school lunch costs.

Work requirements are waived for SNAP beneficiaries during this pandemic.

Sick and Emergency Leave

Sick Leave

Under the Families First Coronavirus Response Act and the CARES Act private employers with fewer than 500 employees and government-sectors employers must provide paid sick leave. Paid sick leave benefits would apply to employees who must take off for any of the following reasons:

- To self-quarantine.
- To obtain a medical diagnosis or care for coronavirus.
- To provide care for a family member who has been diagnosed or is in quarantine due to coronavirus.
- To provide care for a child whose school or daycare has closed due to coronavirus

Under this provision, full-time employees are guaranteed 80 hours of sick leave while part-time employees are guaranteed the equivalent to their scheduled or normal work hours in a two-week period. Employees taking sick leave under these provisions would have to be paid at least their normal wage or the federal, state, or local minimum wage, whichever is greater. Employees would only receive two-thirds of their regular pay for serving as a caregiver to a family member.

Employers are prohibited from certain actions including,

- Requiring employees to use other paid leave before accessing sick leave.
- Requiring employees to find replacement coverage for their positions.
- Removing employees due to requesting sick leave.
- Removing employees who file complaints about employer non-compliance to this provision.

Emergency Paid Leave

The Families First Coronavirus Response Act and the CARES Act create an emergency paid leave program for those who must take leave for any of the following reasons:

- Have been required or recommended to quarantine due to exposure to or symptoms of coronavirus.
- Need to provide care to family members who are complying with quarantine requirements or recommendations.
- Need to provide care for children under the age of 18 due to coronavirus-related school and daycare closures.

The emergency paid leave program applies to private sector companies with fewer than 500 employees and to government-sector employers. Small businesses with fewer than 50 employees are also exempted from the emergency paid leave program. This program only applies to leave taken between April 1 and December 31, 2020.

Under this program the first 10 days of leave could be unpaid, though an employee could choose to use accrued vacation days, personal leave, or other available paid leave for unpaid time off. Following the first 10 days, employees would receive a benefit from their employers that will be at least two-thirds of their normal pay rate. This benefit is capped at \$10,000 per employee.

Small Business Assistance

As part of the CARES Act, the Keeping American Workers Paid and Employed Act would provide \$377 billion to help prevent workers from losing their jobs and small businesses from going out of business due to economic losses caused by COVID-19. The bill provides up to eight weeks of cash-flow assistance through federally guaranteed loans to employers who maintain their payroll during the COVID-19 crisis. The measure would be retroactive to February 15, 2020.

The Keeping American Workers Paid and Employed Act:

- Creates the Paycheck Protection Program:
 - Provides \$350 billion to support loans for small employers with 500 employees or fewer who meet current Small Business Administration (SBA) requirements and size standards.
 - Self-employed, “gig economy” individuals, and certain non-profits may be eligible, too.
 - The size of the loan would equal 250 percent of an employer’s monthly payroll, with a \$10 million limit.
 - Covers payroll costs, including: salary and wages; employee group health care benefits, including insurance premiums; retirement contributions; covered leave; and other benefits.
 - Loans would be available immediately through more than 800 existing SBA-certified lenders, including banks, credit unions, and other financial institutions.

- The Treasury Secretary is authorized to expedite the addition of new lenders.
 - If the employer maintains its payroll during the crisis, the portion of the loan used for covered payroll costs, interest on mortgage obligations, rent, and utilities would be forgiven, thereby converting a portion of the loan to a grant.
 - Allows the maximum loan for SBA Express loans to be increased from \$350,000 to \$1 million. Express loans provide borrowers with revolving lines of credit for working capital.
- Provides \$265 million for grants to Small Business Development Centers and Women’s Business Centers to offer counseling, training, and related assistance to small business impacted by COVID-19.
 - Provides \$10 million for the Minority Business Development Agencies to provide these services.

In addition, the CARES Act provides \$562 million to SBA for expanded [eligibility Economic Injury Disaster Loans \(EIDL\)](#) to businesses that need financial support as a result of COVID-19. SBA has signed emergency declarations for all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands, so the EIDL program will be available to assist small businesses across the country.

This small business package also includes \$10 billion in direct grants for businesses that do not qualify for the EIDL program, and \$17 billion to provide for SBA’s payment of six months’ worth of principle and interest payments for all SBA-backed business loans.

Learn more about the U.S. Small Business Administration’s [COVID-19 resources](#). SBA’s programs, including loan, grant and counseling programs are administered at the local level—[you can find local assistance here](#).