

Congressional Hispanic Caucus
Coronavirus Aid, Relief, and Economic Security Act
“CARES Act”

The Coronavirus Aid, Relief, and Economic Security Act, otherwise known as the “CARES Act,” provides critical unemployment assistance, small business relief, and funding for health care that will benefit Latino families and businesses. However, many essential benefits will not be available to millions of immigrants and their families, including mixed-status families with U.S. citizen children.

Financial Assistance and Unemployment Insurance (UI) Benefits

- Direct cash assistance of \$1,200 per person earning up to \$75,000 and \$150,000 if married; an additional \$500 cash payment available per child.
- \$600 increase in weekly unemployment benefits starting the week of March 29 and ending July 31st.
- An additional 13 weeks of federally funded unemployment insurance benefits.
- Allows part-time, self-employed, and gig economy workers to access UI benefits.

**Ineligibility for Cash Assistance/Recovery Rebate: A Social Security Number (SSN) is the main criteria for determining eligibility for the recovery rebate. Individuals who use Individual Tax Identification Numbers (ITIN) are excluded from the direct cash assistance. Meaning, mixed-status families are not eligible for the rebate as the statute requires both parents to have a SSN, unless one is in the military. DACA and TPS recipients are eligible for SSNs, so if they have a SSN they should receive a recovery rebate. Undocumented people are excluded because they do not have SSNs and so are people who have certain nonimmigrant/temporary visas, including tourist visas, student visas, and consular visas. Physical presence in the U.S. is also considered for eligibility as “non-resident aliens” are ineligible. Some non-immigrants like H1-B and L workers do qualify, if they live here for more than 6 months per year.*

**Ineligibility for Unemployment Insurance: Immigrants who are lawfully present and work authorized are eligible for Unemployment Compensation (UC) and Pandemic Unemployment Assistance (PUA). PUA –which is the new/expanded eligibility for self-employed individuals, et al – follows the same rules as UC normally regarding citizenship, which are that you have to have been working lawfully in the job you were laid off from and legally allowed to work during the time you are getting UC benefits. Noncitizens who lack work authorizations or who were not “authorized” to work while they were working are ineligible.*

**Public Charge: Neither the cash assistance/recovery rebate or the unemployment insurance will count for public charge purposes. However, having a low income and/or having a poor history of employment can be used as negative factors.*

General Health, Community, and Small Business Provisions

- \$100 billion to provide grants to hospitals, public entities, not-for-profit entities, and Medicare and Medicaid enrolled suppliers and institutional providers to cover reimbursed health care related expenses or lost revenues attributable to the public health emergency resulting from the coronavirus.
- \$27 billion for the Public Health and Social Services Emergency Fund (PHSSEF), which will help provide personal protective equipment, ventilators, and other medical supplies, as well as research and development of vaccines and diagnostics.
- \$450 million for food banks, which can provide food assistance to families, regardless of immigration status.
- \$3.5 billion for the Child Care Development Block Grant for immediate assistance to childcare providers to prevent them from going out of business and to otherwise support childcare for families.
- \$10 billion for SBA emergency grants of up to \$10,000 to provide immediate relief for small businesses and non-profits that apply for an SBA Emergency Injury Disaster Loans.
- \$350 billion in loan forgiveness grants to small businesses and non-profits to maintain existing workforce and help pay for other expenses like rent, mortgage, and utilities.

**Ineligibility for Medicaid State Option for Coronavirus Testing for the Uninsured: Previous welfare laws enacted in 1996 prevent undocumented individuals from getting any non-emergency Medicaid services.*

Other Immigrant-Specific Provisions

- No new funds are included for Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP).
- Transfer and reprogramming restrictions attached to Department of Homeland Security (DHS) to prevent use of funds from advancing anti-immigrant agenda. Prevents DoD from diverting funds to build wall at the southern border.
- \$350 million for “Migration and Refugee Assistance” under the Department of State. This funding will extend life-saving services to refugees and displaced persons living in refugee-host countries to prevent and respond to COVID-19 outbreaks. This allocation is critical to ensure that the necessary services, including medical, shelter, food, clothing, etc. are provided to these populations, and should target particularly vulnerable camps, shelters, encampments, and peri-urban settlements.