

116TH CONGRESS
2D SESSION

S. 3740

To assist older Americans and people with disabilities affected by COVID-19.

IN THE SENATE OF THE UNITED STATES

MAY 14, 2020

Mr. CASEY (for himself, Mr. BROWN, Mr. JONES, Mrs. SHAHEEN, Mr. VAN HOLLEN, Ms. HARRIS, Mr. MENENDEZ, Mr. REED, Mr. MARKEY, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To assist older Americans and people with disabilities affected by COVID-19.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “COVID-19 Recovery for Seniors and People with Dis-
6 abilities Act of 2020”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SOCIAL SECURITY

- Sec. 101. Definitions.
- Sec. 102. Pausing continuing disability reviews during the COVID–19 public health emergency.
- Sec. 103. Pausing all collection of overpayments during the COVID–19 public health emergency.
- Sec. 104. Pausing all suspension of benefits for failure to cooperate during the COVID–19 public health emergency.
- Sec. 105. Update in eligibility thresholds for supplemental security income; elimination of marriage penalty.
- Sec. 106. Elimination of Social Security disability and Medicare waiting periods.
- Sec. 107. Support and maintenance furnished in kind not included as income for purposes of SSI.
- Sec. 108. Suspension of certain regulations.
- Sec. 109. Discharge of student loans.
- Sec. 110. Elimination of separate account requirement for past-due supplemental security income benefits paid to child beneficiaries.
- Sec. 111. Increasing the substantial gainful activity limit.
- Sec. 112. State grants to protect the legal rights of SSI and SSDI applicants and beneficiaries.
- Sec. 113. Social security assistance and representation grants.

TITLE II—MEDICARE

- Sec. 201. Fairness in Medicare enrollment and coverage periods.
- Sec. 202. Permitting an attestation of employment-based health insurance coverage during the COVID–19 public health emergency.
- Sec. 203. Suspension of the Medicare part D low-income subsidy asset test.

TITLE III—MEDICAID

- Sec. 301. Suspension of asset test for medical assistance for Medicare cost sharing during COVID–19 emergency period.
- Sec. 302. Temporary increase of Medicaid FMAP for medicare cost-sharing.
- Sec. 303. Delay in reduction of FMAP for medicaid personal care services furnished without an electronic visit verification system.

TITLE IV—AGRICULTURE

- Sec. 401. Commodity supplemental food program.

TITLE V—SUPPLEMENTAL APPROPRIATIONS

- Sec. 501. COVID–19 public awareness campaign.
- Sec. 502. Senior legal assistance; services for older individuals with limited English proficiency.
- Sec. 503. Information and translation through statewide independent councils.

1 **TITLE I—SOCIAL SECURITY**

2 **SEC. 101. DEFINITIONS.**

3 In this title:

1 (1) COMMISSIONER.—The term “Commis-
2 sioner” means the Commissioner of Social Security.

3 (2) COVID–19 EMERGENCY PERIOD.—The
4 term “COVID–19 emergency period” means the pe-
5 riod of months—

6 (A) beginning with the first month that be-
7 gins on or after the date of enactment of this
8 Act; and

9 (B) ending with the sixth month that be-
10 gins on or after the last day of the public health
11 emergency described in section 1135(g)(1)(B)
12 of such Act (42 U.S.C. 1320b–5(g)(1)(B)).

13 **SEC. 102. PAUSING CONTINUING DISABILITY REVIEWS DUR-**
14 **ING THE COVID–19 PUBLIC HEALTH EMER-**
15 **GENCY.**

16 (a) IN GENERAL.—Notwithstanding any other provi-
17 sion of law and except as provided in subsection (b), the
18 Commissioner shall not conduct any continuing disability
19 review (as such term is defined in section 201(g)(1)(A)
20 of the Social Security Act (42 U.S.C. 401(g)(1)(A))) dur-
21 ing the COVID–19 emergency period.

22 (b) EXCEPTION FOR CDR APPEALS.—Subsection (a)
23 shall not apply to a continuing disability review that—

24 (1) is in progress on the date of enactment of
25 this Act; and

1 (2) is being conducted pursuant to an appeal by
2 an individual of an adverse decision of the Commis-
3 sioner with respect to the individual's eligibility for
4 benefits under title II or XVI of the Social Security
5 Act (42 U.S.C. 401 et seq., 1381 et seq.), or the
6 amount of such benefits for which the individual is
7 eligible.

8 **SEC. 103. PAUSING ALL COLLECTION OF OVERPAYMENTS**
9 **DURING THE COVID-19 PUBLIC HEALTH**
10 **EMERGENCY.**

11 (a) **IN GENERAL.**—Notwithstanding any other provi-
12 sion of law and except as provided in subsection (b), dur-
13 ing the COVID-19 emergency period, the Commissioner
14 shall not make any downward adjustment to a benefit
15 amount payable to an individual under title II or XVI of
16 the Social Security Act (42 U.S.C. 401 et seq., 1381 et
17 seq.), or take any other action, for the purpose of col-
18 lecting an overpayment made to such individual.

19 (b) **EXCEPTION FOR FRAUD.**—Subsection (a) shall
20 not apply to any downward adjustment or any other action
21 with respect to a benefit amount payable to an individual
22 under title II or XVI of the Social Security Act (42 U.S.C.
23 401 et seq., 1381 et seq.) if such adjustment is made, or
24 such action taken, on the basis that the individual is in-
25 volved in fraud or similar fault.

1 **SEC. 104. PAUSING ALL SUSPENSION OF BENEFITS FOR**
 2 **FAILURE TO COOPERATE DURING THE**
 3 **COVID-19 PUBLIC HEALTH EMERGENCY.**

4 Notwithstanding any other provision of law, during
 5 the COVID-19 emergency period, the Commissioner shall
 6 not suspend, modify, or terminate an individual's entitle-
 7 ment to, or eligibility for, benefits under title II or XVI
 8 of the Social Security Act (42 U.S.C. 401 et seq., 1381
 9 et seq.) on the basis that the individual has failed to co-
 10 operate with a request of the Commissioner.

11 **SEC. 105. UPDATE IN ELIGIBILITY THRESHOLDS FOR SUP-**
 12 **PLEMENTAL SECURITY INCOME; ELIMI-**
 13 **NATION OF MARRIAGE PENALTY.**

14 (a) UPDATE IN GENERAL INCOME EXCLUSION.—
 15 Section 1612(b)(2)(A) of the Social Security Act (42
 16 U.S.C. 1382a(b)(2)(A)) is amended by striking “\$240”
 17 and inserting “\$1,476 (increased as described in section
 18 1617(d) for each calendar year after 2020)”.

19 (b) UPDATE IN EARNED INCOME EXCLUSION.—Sec-
 20 tion 1612(b)(4) of such Act (42 U.S.C. 1382a(b)(4)) is
 21 amended by striking “\$780” each place it appears and
 22 inserting “\$4,788 (increased as described in section
 23 1617(d) for each calendar year after 2020)”.

24 (c) UPDATE IN RESOURCE LIMIT FOR INDIVIDUALS
 25 AND COUPLES.—Section 1611(a)(3) of such Act (42
 26 U.S.C. 1382(a)(3)) is amended—

1 (1) in subparagraph (A), by striking “\$2,250”
2 and all that follows through the end of the subpara-
3 graph and inserting “\$20,000 in calendar year
4 2020, and shall be increased as described in section
5 1617(d) for each subsequent calendar year.”; and

6 (2) in subparagraph (B), by striking “\$1,500”
7 and all that follows through the end of the subpara-
8 graph and inserting “\$10,000 in calendar year
9 2020, and shall be increased as described in section
10 1617(d) for each subsequent calendar year.”.

11 (d) INFLATION ADJUSTMENT.—Section 1617 of such
12 Act (42 U.S.C. 1382f) is amended—

13 (1) in the section heading, by inserting “; IN-
14 FLATION ADJUSTMENT” after “BENEFITS”; and

15 (2) by adding at the end the following:

16 “(d)(1) In the case of any calendar year after 2020,
17 each of the amounts specified in sections 1611(a)(3),
18 1612(b)(2)(A), and 1612(b)(4) shall be increased by mul-
19 tiplying each such amount by the quotient obtained by di-
20 viding—

21 “(A) the average of the Consumer Price
22 Index for Elderly Consumers (CPI-E, as pub-
23 lished by the Bureau of Labor Statistics of the
24 Department of Labor) for the 12-month period

1 ending with September of the preceding cal-
2 endar year, by

3 “(B) such average for the 12-month period
4 ending with September 2019.

5 “(2) In no case shall the application of para-
6 graph (1) result in a reduction to the amounts speci-
7 fied in such paragraph.”.

8 (e) REPEAL OF MARRIAGE PENALTY.—

9 (1) IN GENERAL.—Section 1611(b)(2) of the
10 Social Security Act (42 U.S.C. 1382f(b)(2)) is
11 amended by striking “payable at the rate of” and all
12 that follows through the end of the paragraph and
13 inserting “payable—

14 “(A) for calendar years 1974 through 2019, at
15 the rate of \$2,628 (or, if greater, the amount deter-
16 mined under section 1617); and

17 “(B) for calendar year 2020 and any calendar
18 year thereafter, at twice the rate applicable for such
19 calendar year under paragraph (1) for an individual
20 who does not have an eligible spouse,

21 reduced by the amount of income, not excluded pursuant
22 to section 1612(b), of such individual and spouse.”.

23 (2) CONFORMING AMENDMENT.—Section
24 1617(a)(1) of the Social Security Act (42 U.S.C.
25 1382(a)(1)) is amended by striking “subsections

1 (a)(1)(A), (a)(2)(A), (b)(1), and (b)(2)” and insert-
2 ing “subsections (a)(1)(A), (a)(2)(A), and (b)(1)”.

3 (f) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect on the date of enactment of
5 this Act, and shall apply to eligibility determinations
6 made, and benefit amounts payable, under title XVI of
7 the Social Security Act (42 U.S.C. 1381 et seq.) on or
8 after such date.

9 **SEC. 106. ELIMINATION OF SOCIAL SECURITY DISABILITY**
10 **AND MEDICARE WAITING PERIODS.**

11 (a) TEMPORARY ELIMINATION OF WAITING PERIODS
12 FOR SOCIAL SECURITY DISABILITY BENEFITS AND RAIL-
13 ROAD RETIREMENT ACT DISABILITY BENEFITS.—During
14 the period that begins on the date of enactment of this
15 Act and ends on the last day of the sixth month that be-
16 gins on or after the last day of the public health emer-
17 gency described in section 1135(g)(1)(B) of the Social Se-
18 curity Act (42 U.S.C. 1320b–5(g)(1)(B))—

19 (1) section 202(e)(5) of the Social Security Act
20 (42 U.S.C. 402(e)(5)) shall be applied by striking
21 subparagraphs (A) and (B) and inserting the fol-
22 lowing: “The waiting period referred to in paragraph
23 (1)(F), in the case of any widow or surviving di-
24 vorced wife, is zero months.”;

1 (2) section 202(f)(5) of the Social Security Act
2 (42 U.S.C. 402(f)(5)) shall be applied by striking
3 subparagraphs (A) and (B) and inserting the fol-
4 lowing: “The waiting period referred to in paragraph
5 (1)(F), in the case of any widower or surviving di-
6 vorced husband, is zero months.”;

7 (3) section 223(c)(2) of the Social Security Act
8 (42 U.S.C. 423(c)(2)) shall be applied by sub-
9 stituting “zero months.” for “the earliest period of
10 five consecutive calendar months” and all that fol-
11 lows through the period; and

12 (4) section 5(a)(ii) of the Railroad Retirement
13 Act of 1974 (45 U.S.C. 231c(a)(ii)) shall be applied
14 by striking “the of (A)” and all that follows through
15 “(B)”.

16 (b) TEMPORARY ELIMINATION OF MEDICARE WAIT-
17 ING PERIOD.—For purposes of applying section 226 of the
18 Social Security Act (42 U.S.C. 426) to any individual dur-
19 ing the period described in subsection (a), the following
20 special rules apply:

21 (1) Subsection (b) of such section shall be ap-
22 plied as if there were no requirement for any entitle-
23 ment to benefits, or status, for a period longer than
24 1 month.

1 (2) The entitlement under such subsection shall
2 begin with the first month (rather than twenty-fifth
3 month) of entitlement or status.

4 (3) Subsection (f) of such section shall not be
5 applied.

6 (c) RULES OF APPLICATION.—

7 (1) SCOPE OF APPLICATION.—The provisions of
8 the Social Security Act and the Railroad Retirement
9 Act of 1974 specified in subsections (a) and (b) shall
10 be applied in the manner described in such sub-
11 sections with respect to any individual—

12 (A) for whom a waiting period under such
13 provision began before the date of enactment of
14 this Act; and

15 (B) for whom a waiting period under such
16 a provision begins on or after such date of en-
17 actment.

18 (2) EFFECT OF APPLICATION.—An individual
19 with respect to whom a waiting period under a pro-
20 vision specified in subsection (a) or (b) does not
21 apply as a result of the application of such sub-
22 section shall, for purposes of applying such provision
23 to such individual after the end of the period de-
24 scribed in subsection (a), be deemed to have met the
25 waiting period requirement under such provision.

1 **SEC. 107. SUPPORT AND MAINTENANCE FURNISHED IN**
2 **KIND NOT INCLUDED AS INCOME FOR PUR-**
3 **POSES OF SSI.**

4 (a) IN GENERAL.—Section 1612(a)(2) of such Act
5 (42 U.S.C. 1382a(a)(2)) is amended—

6 (1) by inserting “(other than support or main-
7 tenance furnished in kind)” after “all other income”;
8 and

9 (2) in subparagraph (A)—

10 (A) by striking “or kind”;

11 (B) by striking clause (i) and redesign-
12 ating clauses (ii) and (iii) as clauses (i) and
13 (ii), respectively; and

14 (C) in clause (ii) (as so redesignated), by
15 striking “and the provisions of clause (i) shall
16 not be applicable”.

17 (b) CONFORMING AMENDMENTS.—

18 (1) Section 1611(c) of such Act (42 U.S.C.
19 1382(c)) is amended by striking paragraph (6) and
20 redesignating paragraphs (7) through (10) as para-
21 graphs (6) through (9), respectively.

22 (2) Section 1612(a)(2) of such Act (42 U.S.C.
23 1382a(a)(2)) is amended—

24 (A) in subparagraph (F), by inserting
25 “and” at the end;

1 (B) in subparagraph (G), by striking “;
2 and” and inserting a period;

3 (C) by moving subparagraph (G) 2 ems to
4 the right; and

5 (D) by striking subparagraph (H).

6 (3) Section 1621(c) of such Act (42 U.S.C.
7 1382j(c)) is amended to read as follows:

8 “(c) In determining the amount of income of an alien
9 during the period of 5 years after such alien’s entry into
10 the United States, support or maintenance furnished in
11 cash to the alien by such alien’s sponsor (to the extent
12 that it reflects income or resources which were taken into
13 account in determining the amount of income and re-
14 sources to be deemed to the alien under subsection (a)
15 or (b) of this section) shall not be considered to be income
16 of such alien under section 1612(a)(2)(A).”

17 **SEC. 108. SUSPENSION OF CERTAIN REGULATIONS.**

18 During the COVID–19 emergency period, the Com-
19 missioner shall not promulgate or revise (and shall sus-
20 pend any activities related to the promulgation or revision
21 of) any regulation relating to—

22 (1) the frequency of continuing disability re-
23 views under title II or XVI of the Social Security
24 Act (42 U.S.C. 401 et seq., 1381 et seq.);

1 (2) the authority of administrative appeals
2 judges of the Social Security Administration; or

3 (3) the medical-vocational guidelines for deter-
4 mining whether an individual is disabled for pur-
5 poses of title II or XVI of the Social Security Act.

6 **SEC. 109. DISCHARGE OF STUDENT LOANS.**

7 (a) FFEL LOANS AND FEDERAL DIRECT LOANS.—
8 Section 437(a) of the Higher Education Act of 1965 (20
9 U.S.C. 1087(a)) is amended—

10 (1) by redesignating paragraph (3) as para-
11 graph (4); and

12 (2) by inserting after paragraph (2) the fol-
13 lowing:

14 “(3) MINE DISABILITY DETERMINATIONS.—

15 “(A) IN GENERAL.—A student borrower
16 whom the Commissioner of Social Security has
17 classified as ‘medical improvement not expected’
18 for purposes of entitlement to benefits under
19 title II of the Social Security Act (42 U.S.C.
20 401 et seq.) on the basis of a disability—

21 “(i) shall be considered permanently
22 and totally disabled for the purpose of dis-
23 charging such borrower’s loans under this
24 subsection; and

1 “(ii) shall not be required to present
2 additional documentation for purposes of
3 this subsection.

4 “(B) PROCEDURES.—The Secretary and
5 the Commissioner of Social Security shall joint-
6 ly develop procedures through which the Com-
7 missioner shall, on not less than a quarterly
8 basis, provide the Secretary with such informa-
9 tion regarding individuals who are classified as
10 ‘medical improvement not expected’ for pur-
11 poses of entitlement to benefits under title II of
12 the Social Security Act on the basis of a dis-
13 ability as the Secretary shall require for pur-
14 poses of carrying out this paragraph.

15 “(C) OPT-OUT PROCESS.—After receiving
16 information regarding a borrower from the
17 Commissioner under subparagraph (B), the
18 Secretary shall—

19 “(i) identify whether the individual
20 has any loans under this title;

21 “(ii) if the individual is a student bor-
22 rower of a loan described in subparagraph
23 (A) or (B) of section 428(a)(1), or a loan
24 under part D, notify the borrower, in writ-
25 ing, that—

1 “(I) the borrower qualifies for
2 discharge under this section based on
3 the determination of the Commis-
4 sioner;

5 “(II) unless the borrower re-
6 quests otherwise within 30 days after
7 receiving the notification under sub-
8 clause (I), the Secretary shall dis-
9 charge the borrower’s liability on the
10 loan in accordance with the require-
11 ments of this section; and

12 “(III) there may be tax implica-
13 tions to the borrower for a discharge
14 under this paragraph; and

15 “(iii) if the borrower does not opt out
16 of the discharge under this paragraph by
17 the date specified in the notice, discharge
18 the borrower’s liability on the loan, in ac-
19 cordance with the requirements of this sec-
20 tion.

21 “(D) GRACE PERIOD.—Any borrower who
22 receives a discharge under this paragraph may,
23 during the 1-year period immediately following
24 the discharge, request that the Secretary re-

1 store the loan and reverse the discharge without
2 suffering any penalty.

3 “(E) TREATMENT OF CERTAIN REAS-
4 SIGNED INDIVIDUALS.—An individual who is
5 classified by the Commissioner of Social Secu-
6 rity as ‘medical improvement not expected’ for
7 purposes of entitlement to benefits under title
8 II of the Social Security Act (42 U.S.C. 401 et
9 seq.) on the basis of a disability and who is sub-
10 sequently reclassified for such purposes as a re-
11 sult of changes to the standards or procedures
12 under which the Commissioner makes such clas-
13 sifications—

14 “(i) shall, notwithstanding such re-
15 classification, be considered permanently
16 and totally disabled for the purpose of dis-
17 charging such borrower’s loans under this
18 subsection; and

19 “(ii) shall, notwithstanding such re-
20 classification, not be required to present
21 additional documentation for purposes of
22 this subsection.”.

23 (b) PERKINS LOANS.—Section 464(c) of the Higher
24 Education Act of 1965 (20 U.S.C. 1087dd(c)) is amended
25 by adding at the end the following:

1 “(8)(A) A student borrower whom the Commissioner
2 of Social Security has classified as ‘medical improvement
3 not expected’ for purposes of entitlement to benefits under
4 title II of the Social Security Act (42 U.S.C. 401 et seq.)
5 on the basis of a disability—

6 “(i) shall be considered permanently and totally
7 disabled for the purpose of cancelling such bor-
8 rower’s loans under paragraph (1)(F); and

9 “(ii) shall not be required to present additional
10 documentation for purposes of paragraph (1)(F).

11 “(B) The Secretary and the Commissioner of Social
12 Security shall jointly develop procedures through which
13 the Commissioner shall, on not less than a quarterly basis,
14 provide the Secretary with such information regarding in-
15 dividuals who are classified as ‘medical improvement not
16 expected’ for purposes of entitlement to benefits under
17 title II of the Social Security Act on the basis of a dis-
18 ability as the Secretary shall require for purposes of car-
19 rying out this paragraph.

20 “(C) After receiving information regarding a bor-
21 rower from the Commissioner under subparagraph (B),
22 the Secretary shall—

23 “(i) identify whether the individual has any
24 loans under this part;

1 “(ii) if the individual is a student borrower of
2 a loan under this part, notify the borrower, in writ-
3 ing, that—

4 “(I) the borrower qualifies for cancellation
5 under this subsection based on the determina-
6 tion of the Commissioner;

7 “(II) unless the borrower requests other-
8 wise within 30 days after receiving the notifica-
9 tion under subclause (I), the Secretary shall
10 cancel the borrower’s liability on the loan in ac-
11 cordance with the requirements of this sub-
12 section; and

13 “(III) there may be tax implications to the
14 borrower for a loan cancellation under this
15 paragraph; and

16 “(iii) if the borrower does not opt out of the
17 cancellation under this paragraph by the date speci-
18 fied in the notice, cancel the borrower’s liability on
19 the loan, in accordance with the requirements of this
20 subsection.

21 “(D) Any borrower who receives a cancellation under
22 this paragraph may, during the 1-year period immediately
23 following the cancellation, request that the Secretary re-
24 store the loan and reverse the cancellation without suf-
25 fering any penalty.”.

1 (c) EFFECTIVE DATE.—The amendments made by
 2 subsections (a) and (b) shall take effect on the date that
 3 is 120 days after the date of enactment of this Act.

4 **SEC. 110. ELIMINATION OF SEPARATE ACCOUNT REQUIRE-**
 5 **MENT FOR PAST-DUE SUPPLEMENTAL SECU-**
 6 **RITY INCOME BENEFITS PAID TO CHILD**
 7 **BENEFICIARIES.**

8 (a) IN GENERAL.—Section 1631(a)(2)(F) of the So-
 9 cial Security Act (42 U.S.C. 1383(a)(2)(F)) is amended—

10 (1) in clause (i)(I), by striking “Each rep-
 11 resentative payee” and inserting “Subject to clause
 12 (v), each representative payee”; and

13 (2) by adding at the end the following clause:

14 “(v) Beginning on the date of enact-
 15 ment of this clause, the requirements of
 16 clause (i) shall cease to be effective, and
 17 any amounts maintained in an account es-
 18 tablished on behalf of an individual under
 19 clause (i) shall be subject to the same re-
 20 quirements, and may be used in the same
 21 manner, as monthly benefits payable to
 22 such an individual under this title.”.

23 (b) RULE OF CONSTRUCTION.—Amounts transferred
 24 into the account of an individual pursuant to subsection
 25 (a) shall not be taken into account as income or resources

1 of such individual for purposes of determining the eligi-
2 bility of such individual or any other individual for benefits
3 or assistance, or the amount or extent of such benefits
4 or assistance, under title XVI of the Social Security Act
5 (42 U.S.C. 1381 et seq.), under any other Federal pro-
6 gram, or under any State or local program financed in
7 whole or in part with Federal funds.

8 **SEC. 111. INCREASING THE SUBSTANTIAL GAINFUL ACTIV-**
9 **ITY LIMIT.**

10 Section 223(d)(4) of the Social Security Act (42
11 U.S.C. 423(d)(4)) is amended—

12 (1) in subparagraph (A), by striking the second
13 sentence; and

14 (2) by adding at the end the following new sub-
15 paragraphs:

16 “(D)(i) Earnings derived from services shall
17 demonstrate an individual’s ability to engage in sub-
18 stantial gainful activity when the amount of such
19 earnings exceeds, on a monthly basis—

20 “(I) for calendar year 2020, \$2,400; and

21 “(II) for any calendar year after 2020,
22 subject to clause (ii), an amount equal to
23 \$2,400 multiplied by the quotient obtained by
24 dividing—

1 “(aa) the national average wage index
2 (as defined in section 209(k)(1)) for the
3 12-month period ending with September of
4 such preceding calendar year; by

5 “(bb) the national average wage index
6 (as so defined) for the 12-month period
7 ending with September 2019.

8 “(ii) In no case shall the amount determined
9 for a calendar year under subclause (II) of clause (i)
10 be less than the amount that applied under this sub-
11 paragraph for the preceding calendar year.”.

12 **SEC. 112. STATE GRANTS TO PROTECT THE LEGAL RIGHTS**
13 **OF SSI AND SSDI APPLICANTS AND BENE-**
14 **FICIARIES.**

15 Title XI of the Social Security Act (42 U.S.C. 1301
16 et seq.) is amended by inserting after section 1150B the
17 following new section:

18 **“SEC. 1150C. STATE GRANTS TO PROTECT THE LEGAL**
19 **RIGHTS OF SUPPLEMENTAL SECURITY AND**
20 **DISABILITY INSURANCE APPLICANTS AND**
21 **BENEFICIARIES.**

22 “(a) IN GENERAL.—The Commissioner may make
23 payments in each State to the protection and advocacy
24 system established pursuant to part C of title I of the De-
25 velopmental Disabilities Assistance and Bill of Rights Act

1 for the purpose of protecting the legal rights of bene-
2 ficiaries with a disability.

3 “(b) SERVICES PROVIDED.—Services provided to
4 beneficiaries with a disability pursuant to a payment made
5 under this section may include—

6 “(1) information and advice about accessing
7 and applying for benefits under title II or title XVI
8 on the basis of a disability and appealing eligibility
9 decisions with respect to such benefits;

10 “(2) advocacy and other services that a bene-
11 ficiary with a disability may need related to such
12 benefits; and

13 “(3) services described in section 1150(b).

14 “(c) APPLICATION.—In order to receive payments
15 under this section, a protection and advocacy system shall
16 submit an application to the Commissioner, at such time,
17 in such form and manner, and accompanied by such infor-
18 mation and assurances as the Commissioner may require.

19 “(d) AMOUNT OF PAYMENTS.—

20 “(1) IN GENERAL.—Subject to the amount ap-
21 propriated for a fiscal year for making payments
22 under this section, a protection and advocacy system
23 shall not be paid an amount that is less than—

24 “(A) in the case of a protection and advo-
25 cacy system located in one of the 50 States, the

1 District of Columbia, or Puerto Rico, \$200,000;
2 and

3 “(B) in the case of a protection and advo-
4 cacy system located in Guam, American Samoa,
5 the United States Virgin Islands, or the Com-
6 monwealth of the Northern Mariana Islands,
7 \$100,000.

8 “(2) INFLATION ADJUSTMENT.—For each fiscal
9 year in which the total amount appropriated to carry
10 out this section exceeds the total amount appro-
11 priated to carry out this section in the preceding fis-
12 cal year, the Commissioner shall increase each min-
13 imum payment under subparagraphs (A) and (B) of
14 paragraph (1) by a percentage equal to the percent-
15 age increase in the total amount so appropriated to
16 carry out this section.

17 “(e) ANNUAL REPORT.—Each protection and advo-
18 cacy system that receives a payment under this section
19 shall submit an annual report to the Commissioner on the
20 services provided to individuals by the system.

21 “(f) FUNDING.—

22 “(1) ALLOCATION OF PAYMENTS.—Payments
23 under this section shall be made from amounts made
24 available for the administration of title II and
25 amounts made available for the administration of

1 title XVI, and shall be allocated among those
2 amounts as appropriate.

3 “(2) CARRYOVER.—Any amounts allotted for
4 payment to a protection and advocacy system under
5 this section for a fiscal year shall remain available
6 for payment to or on behalf of the protection and
7 advocacy system until the end of the succeeding fis-
8 cal year.

9 “(g) DEFINITIONS.—In this section:

10 “(1) BENEFICIARY WITH A DISABILITY.—The
11 term ‘beneficiary with a disability’ means an indi-
12 vidual who—

13 “(A) is a title II disability beneficiary or a
14 title XVI disability beneficiary (as such terms
15 are defined under section 1148(k)); or

16 “(B) is an applicant or prospective appli-
17 cant for benefits under title II or title XVI on
18 the basis that such individual has a disability.

19 “(2) COMMISSIONER.—The term ‘Commis-
20 sioner’ means the Commissioner of Social Security.

21 “(3) PROTECTION AND ADVOCACY SYSTEM.—
22 The term ‘protection and advocacy system’ means a
23 protection and advocacy system established pursuant
24 to part C of title I of the Developmental Disabilities
25 Assistance and Bill of Rights Act.

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$25,000,000 for each of fiscal years 2021 through 2025.”.

4 **SEC. 113. SOCIAL SECURITY ASSISTANCE AND REPRESENTATION GRANTS.**
5

6 (a) IN GENERAL.—For each fiscal year during the
7 5-year period beginning with fiscal year 2020, the Com-
8 missioner shall award not less than 10 grants under this
9 section to community-based organizations for the purpose
10 of assisting beneficiaries with disabilities—

11 (1) during the process of applying for benefits
12 under title II or XVI of the Social Security Act (42
13 U.S.C. 401 et seq., 1381 et seq.) on the basis of a
14 disability;

15 (2) any appeals processes before the Commis-
16 sioner, an administrative judge of the Social Secu-
17 rity Administration, or a State Disability Determina-
18 tion Services office; and

19 (3) in accessing such benefits.

20 (b) GRANT REQUIREMENTS.—

21 (1) DURATION AND AMOUNT OF GRANTS.—A
22 grant awarded to a community-based organization
23 under this section—

24 (A) shall be for an amount that is not less
25 than \$500,000; and

1 (B) shall be for a period of 5 years.

2 (2) USE OF FUNDS.—Grant funds shall only be
3 used for a purpose described in subsection (a).

4 (c) APPLICATION.—

5 (1) IN GENERAL.—To receive a grant under
6 this section, a community-based organization shall
7 submit an application to the Commissioner, at such
8 time and in such form and manner and accompanied
9 by such information and assurances as the Commis-
10 sioner may require.

11 (2) REQUIRED INFORMATION.—An application
12 for a grant under this section shall include the fol-
13 lowing information:

14 (A) The region to be served by the appli-
15 cant.

16 (B) A description of the needs of bene-
17 ficiaries with a disability in such region.

18 (C) A description of services to be provided
19 under such grant.

20 (D) The personnel that would provide such
21 services.

22 (E) The applicant's plan for disseminating
23 awareness of the services provided under the
24 grant to beneficiaries with a disability in the re-
25 gion.

1 (3) MEMORANDUM OF UNDERSTANDING.—An
2 application for a grant under this section shall in-
3 clude a memorandum of understanding among any
4 collaborating entities as to roles and allocation of
5 grant funds for each collaborating agency.

6 (4) ASSURANCE OF AVAILABILITY.—An applica-
7 tion for a grant under this section shall include a
8 commitment by the applicant that all services pro-
9 vided under the grant, including information about
10 such services, shall be accessible to beneficiaries with
11 a disability.

12 (d) DEFINITIONS.—

13 (1) BENEFICIARY WITH A DISABILITY.—The
14 term “beneficiary with a disability” has the meaning
15 given such term in section 1150C of the Social Secu-
16 rity Act (as added by section 112).

17 (2) COMMISSIONER.—The term “Commis-
18 sioner” means the Commissioner of Social Security.

19 (3) COMMUNITY-BASED ORGANIZATION.—The
20 term “community-based organization” means a non-
21 profit agency or collaboration of non-profit agencies
22 that—

23 (A) serves a region of one or more States;

24 (B) includes—

1 (i) a legal team of lawyers licensed to
2 practice in the State or States served by
3 the organization;

4 (ii) experts in disability benefits pro-
5 vided under title II and XVI of the Social
6 Security Act (42 U.S.C. 401 et seq., 1381
7 et seq.), including application, and appeals
8 procedures under such titles; and

9 (iii) individuals currently receiving
10 benefits on the basis of a disability under
11 such a title, or who were beneficiaries
12 under such a title on the basis of a dis-
13 ability within the past 5 years; and

14 (C) is overseen by a board or advisory
15 group composed of at least $\frac{1}{3}$ members who are
16 current or former beneficiaries on the basis of
17 a disability under title II or XVI of the Social
18 Security Act.

19 (4) STATE.—The term “State” means the 50
20 states, the District of Columbia, Puerto Rico, the
21 Virgin Islands, Guam, American Samoa, and the
22 Commonwealth of Northern Mariana Islands.

23 (e) APPROPRIATION.—There is appropriated to the
24 Commissioner, for each of fiscal years 2020 through 2024,
25 \$15,000,000 for the purpose of carrying out this section.

1 (f) REPORTS.—

2 (1) IN GENERAL.—Each community-based or-
3 ganization that receives a grant under this sections
4 shall provide the Commissioner with—

5 (A) for each year of the grant period, an
6 annual report on the services provided; and

7 (B) at the conclusion of the grant period,
8 a final report of activities provided under the
9 grant.

10 (2) EVALUATION GRANT.—From the adminis-
11 trative funds of title II and title XVI, there shall be
12 awarded an evaluation grant to an independent enti-
13 ty to evaluate the impact of the grants under this
14 section. The amount to be awarded to the evaluation
15 entity shall be at least \$500,000 for each of the 5
16 years of the grant period and at least \$500,000 for
17 the 2 years following the grant period.

18 **TITLE II—MEDICARE**

19 **SEC. 201. FAIRNESS IN MEDICARE ENROLLMENT AND COV-**
20 **ERAGE PERIODS.**

21 (a) ELIMINATION OF MEDICARE COVERAGE GAPS
22 FOR NEW ENROLLEES.—In the case of an individual who
23 enrolled under part A of title XVIII of the Social Security
24 Act during the general enrollment period under section
25 1818 of such Act (42 U.S.C. 1395i–2) or enrolled under

1 part B of such title during the general enrollment period
2 under section 1837(e) of such Act (42 U.S.C. 1395p(e)),
3 the following shall apply:

4 (1) COVERAGE PERIOD.—Notwithstanding sub-
5 section (c) of such section 1818 and subsection
6 (a)(2)(E) of section 1838 of such Act (42 U.S.C.
7 1395q), such individual’s coverage period under such
8 sections 1818 and 1838 shall begin on April 1,
9 2020, rather than on July 1, 2020.

10 (2) INSTALLMENT PLAN FOR RETROACTIVE
11 PREMIUM PAYMENTS.—Notwithstanding subsection
12 (d) of such section 1818 and section 1839 of such
13 Act (42 U.S.C. 1395r), if the individual is required
14 to make any back payments of the monthly premium
15 under such subsection (d) or such section 1839 by
16 reason of the retroactive coverage period under para-
17 graph (1), the Secretary of Health and Human
18 Services shall permit the individual, if requested by
19 the individual, to pay such back payments in install-
20 ments, as determined by the Secretary.

21 (b) SPECIAL PART B OPEN ENROLLMENT PERIOD
22 RELATING TO THE COVID–19 PUBLIC HEALTH EMER-
23 GENCY.—

1 (1) ENROLLMENT.—Section 1837 of the Social
2 Security Act (42 U.S.C. 1395p) is amended by add-
3 ing at the end the following new subsection:

4 “(m) SPECIAL OPEN ENROLLMENT PERIOD RELAT-
5 ING TO THE COVID–19 PUBLIC HEALTH EMERGENCY.—
6 In the case of any individual who is eligible to enroll but
7 who has elected not to enroll (or to be deemed enrolled)
8 under this part, there shall be a special enrollment period
9 during the emergency period described in section
10 1135(g)(1)(B).”.

11 (2) COVERAGE PERIOD.—Section 1838 of the
12 Social Security Act (42 U.S.C. 1395q) is amended
13 by adding at the end the following new subsection:

14 “(g) Notwithstanding subsection (a), in the case of
15 an individual who enrolls during a special enrollment pe-
16 riod pursuant to section 1837(m), the coverage period
17 under this part shall begin on the date the individual ap-
18 plied for such enrollment (but in no case earlier than Jan-
19 uary 31, 2020).”.

20 (3) CONFORMING AMENDMENT.—Section
21 1839(b) of the Social Security Act (42 U.S.C.
22 1395r(b)) is amended, in the first sentence, by strik-
23 ing “or (l)” and inserting “(l), or (m)”.

1 **SEC. 202. PERMITTING AN ATTESTATION OF EMPLOYMENT-**
 2 **BASED HEALTH INSURANCE COVERAGE DUR-**
 3 **ING THE COVID-19 PUBLIC HEALTH EMER-**
 4 **GENCY.**

5 Subsection (b) of section 1839 of the Social Security
 6 Act (42 U.S.C. 1395r) is amended by inserting the fol-
 7 lowing after the second sentence: “With respect to enroll-
 8 ments under this part during the emergency period de-
 9 scribed in section 1135(g)(1)(B), for purposes of dem-
 10 onstrating enrollment in a group health plan or a large
 11 group health plan for a period of time under the preceding
 12 sentence, the Secretary shall accept an attestation from
 13 an individual regarding the individual’s coverage during
 14 such period in lieu of the individual providing otherwise
 15 required documentation.”.

16 **SEC. 203. SUSPENSION OF THE MEDICARE PART D LOW-IN-**
 17 **COME SUBSIDY ASSET TEST.**

18 Section 1860D-14(a)(3) of the Social Security Act
 19 (42 U.S.C. 1395w-114(a)(3)) is amended—

20 (1) in subparagraph (A)(iii), by striking
 21 “meets” and inserting “subject to subparagraph
 22 (H), meets”; and

23 (2) by adding at the end the following new sub-
 24 paragraph:

25 “(H) SUSPENSION OF THE ASSET TEST.—

26 During the period beginning on the date of en-

1 actment of this subparagraph and ending on
 2 December 31 of the year following the year that
 3 includes the date of the end of the emergency
 4 period described in section 1135(g)(1)(B), sub-
 5 paragraph (A) shall be applied without regard
 6 to clause (iii) of such subparagraph.”.

7 **TITLE III—MEDICAID**

8 **SEC. 301. SUSPENSION OF ASSET TEST FOR MEDICAL AS-** 9 **SISTANCE FOR MEDICARE COST SHARING** 10 **DURING COVID-19 EMERGENCY PERIOD.**

11 (a) IN GENERAL.—During the period described in
 12 subsection (b), for purposes of determining eligibility for
 13 medical assistance for medicare cost-sharing under section
 14 1902(a)(10)(E) of the Social Security Act (42 U.S.C.
 15 1396a(a)(10)(E))—

16 (1) subsection (p)(1) of section 1905 of the So-
 17 cial Security Act (42 U.S.C. 1396d) shall be applied
 18 by disregarding subparagraph (C) of such sub-
 19 section; and

20 (2) subsection (s) of such section shall be ap-
 21 plied by disregarding paragraph (3) of such sub-
 22 section.

23 (b) COVID-19 EMERGENCY PERIOD.—The period
 24 described in this subsection is the period—

1 (1) beginning on the date of enactment of this
2 Act; and

3 (2) ending with the last day of the twelfth
4 month that begins on or after the last day of the
5 public health emergency described in section
6 1135(g)(1)(B) of such Act (42 U.S.C. 1320b-
7 5(g)(1)(B)).

8 **SEC. 302. TEMPORARY INCREASE OF MEDICAID FMAP FOR**
9 **MEDICARE COST-SHARING.**

10 (a) IN GENERAL.—Notwithstanding any other provi-
11 sion of law, for each calendar quarter occurring during
12 the period described in section 301(b), the Federal medical
13 assistance percentage applicable under section 1903(a) of
14 the Social Security Act (42 U.S.C. 1396b(a)) for each
15 State, including the District of Columbia, American
16 Samoa, Guam, the Northern Mariana Islands, Puerto
17 Rico, and the Virgin Islands, with respect to amounts ex-
18 pended by such State on medical assistance for medicare
19 cost-sharing (as defined in section 1905(p)(3) of such Act
20 (42 U.S.C. 1396d(p)(3))) provided during such period,
21 shall be equal to 100 percent.

22 (b) EXCLUSION OF ENHANCED PAYMENTS FROM
23 TERRITORIAL PAYMENT LIMITS.—To the extent that a
24 Federal payment for medicare cost-sharing that is made
25 to American Samoa, Guam, the Northern Mariana Is-

1 lands, Puerto Rico, and the Virgin Islands is increased
 2 pursuant to subsection (a)—

3 (1) the limitations on payments to territories
 4 under subsections (f) and (g) of section 1108 of the
 5 Social Security Act (42 U.S.C. 1308) shall not apply
 6 to the amount of such increase; and

7 (2) the amount of such increase shall be dis-
 8 regarded in applying such subsections.

9 **SEC. 303. DELAY IN REDUCTION OF FMAP FOR MEDICAID**
 10 **PERSONAL CARE SERVICES FURNISHED**
 11 **WITHOUT AN ELECTRONIC VISIT**
 12 **VERIFICATION SYSTEM .**

13 Section 1903(l)(1) of the Social Security Act (42
 14 U.S.C. 1396b(l)(1)) is amended—

15 (1) by striking “January 1, 2020” and insert-
 16 ing “the date that is 6 months after the end of the
 17 emergency period described in section
 18 1135(g)(1)(B)”;

19 (2) in subparagraph (A), by inserting “(if appli-
 20 cable)” after “percentage points” each place it ap-
 21 pears.

22 **TITLE IV—AGRICULTURE**

23 **SEC. 401. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

24 (a) DEFINITIONS.—In this section:

1 (1) COVERED PERIOD.—The term “covered pe-
2 riod” means the period beginning on the date of en-
3 actment of this Act and ending on the date on which
4 the public health emergency declared by the Sec-
5 retary of Health and Human Services under section
6 319 of the Public Health Service Act (42 U.S.C.
7 247d) on January 31, 2020, with respect to
8 COVID–19, is terminated.

9 (2) PROGRAM.—The term “program” means
10 the commodity supplemental food program estab-
11 lished under section 4 of the Agriculture and Con-
12 sumer Protection Act of 1973 (7 U.S.C. 612c note;
13 Public Law 93–86).

14 (3) SECRETARY.—The term “Secretary” means
15 the Secretary of Agriculture.

16 (b) TEMPORARY MODIFICATIONS TO PROGRAM.—

17 (1) DELIVERY FLEXIBILITY.—Notwithstanding
18 any other provision of law, during the covered pe-
19 riod, the Secretary shall permit each State and State
20 agency to modify practices under the program to
21 achieve contactless delivery of commodities, includ-
22 ing by waiving the requirement for signature from
23 program participants at the time of delivery.

24 (2) MONTHLY DISTRIBUTION.—

1 (A) IN GENERAL.—Notwithstanding any
 2 other provision of law, during the covered pe-
 3 riod, the Secretary may use appropriated funds
 4 under the program to increase by not more
 5 than 200 percent the maximum monthly quan-
 6 tity of commodities distributed to each program
 7 participant.

8 (B) SUPPLEMENT NOT SUPPLANT.—The
 9 increased commodities described in subpara-
 10 graph (A) shall supplement and not supplant
 11 the regular distribution of commodities under
 12 the program.

13 **TITLE V—SUPPLEMENTAL** 14 **APPROPRIATIONS**

15 **SEC. 501. COVID-19 PUBLIC AWARENESS CAMPAIGN.**

16 (a) APPROPRIATIONS.—

17 (1) FEDERAL COMMUNICATIONS COMMISSION.—
 18 There is appropriated to the Federal Communica-
 19 tions Commission, out of any amounts in the Treas-
 20 ury not otherwise appropriated, \$25,000,000 for fis-
 21 cal year 2020, to remain available until expended, to
 22 establish a nationwide campaign to educate the pub-
 23 lic about COVID-19-related scams that—

24 (A) promise or offer a cure, treatment, or
 25 test for the virus; or

1 (B) seek to steal money or obtain personal
2 identifiable information from the victim.

3 (2) FEDERAL TRADE COMMISSION.—There is
4 appropriated to the Federal Trade Commission, out
5 of any amounts in the Treasury not otherwise appro-
6 priated, \$25,000,000 for fiscal year 2020, to remain
7 available until expended, to establish a nationwide
8 campaign to educate the public about COVID–19-re-
9 lated scams that—

10 (A) promise or offer a cure, treatment, or
11 test for the virus; or

12 (B) seek to steal money or obtain personal
13 identifiable information from the victim.

14 (3) INDEPENDENCE; COLLABORATION.—The
15 Federal Communications Commission and the Fed-
16 eral Trade Commission—

17 (A) shall each establish a separate nation-
18 wide campaign under paragraph (1) or (2), re-
19 spectively; and

20 (B) shall work in conjunction to establish
21 the nationwide campaigns described in subpara-
22 graph (A) of this paragraph, as appropriate.

23 (b) REQUIREMENTS.—In conducting their respective
24 and joint nationwide campaigns under subsection (a), the

1 Federal Communications Commission and the Federal
2 Trade Commission shall—

3 (1) conduct live webinars and tele-town halls in
4 conjunction with relevant organizations with various
5 constituencies on the national and local levels;

6 (2)(A) create and publish public awareness ma-
7 terials describing recent scams and ways that the
8 public can avoid falling victim;

9 (B) post the materials described in subpara-
10 graph (A) to an easily noticeable location on their
11 respective websites in various formats, including
12 written, video, and web-interactive materials; and

13 (C) post the materials described in subpara-
14 graph (A) on the website of the Federal Communica-
15 tions Commission or the Federal Trade Commission,
16 as applicable, in a format that allows the materials
17 to be easily printed, shared, or posted on external
18 websites and social media;

19 (3) proactively share with national and local
20 news outlets materials or web posts created about
21 any new scam developments;

22 (4) conduct any other related activity in fur-
23 therance of efforts to make the public aware of co-
24 rona-virus related scams;

1 (5) collaborate with other Federal agencies,
2 such as the Consumer Financial Protection Bureau
3 and the Food and Drug Administration, and rel-
4 evant State agencies, as appropriate to carry out the
5 purposes of this subsection;

6 (6) in their collaborations with each other and
7 in their individual work—

8 (A) place a special focus on making efforts
9 to reach seniors who may not have—

10 (i) access to information posted on the
11 internet or web-based media; or

12 (ii) the ability to join webinars hosted
13 by the Federal Communications Commis-
14 sion or the Federal Trade Commission
15 (independently or separately); and

16 (B) in order to reach individuals described
17 in subparagraph (A), partner with organiza-
18 tions that provide in-person services to seniors
19 during the pandemic in order to ensure that
20 those seniors regularly receive awareness mate-
21 rials about COVID–19-related scams; and

22 (7) in order to ensure that the materials pro-
23 duced under this subsection are accessible to and
24 understandable by individuals who have limited
25 English proficiency—

1 (A) work to ensure that the materials are
2 translated into non-English languages; and

3 (B) consult with relevant stakeholder
4 groups representing such communities on the
5 best ways to ensure they such information is
6 available to them.

7 **SEC. 502. SENIOR LEGAL ASSISTANCE; SERVICES FOR**
8 **OLDER INDIVIDUALS WITH LIMITED ENGLISH**
9 **PROFICIENCY.**

10 The following sums are hereby appropriated, out of
11 any money in the Treasury not otherwise appropriated,
12 for the fiscal year ending September 30, 2020, and for
13 other purposes, namely:

14 DEPARTMENT OF HEALTH AND HUMAN
15 SERVICES

16 ADMINISTRATION FOR COMMUNITY LIVING
17 AGING AND DISABILITY SERVICES PROGRAMS

18 For an additional amount for “Aging and Disability
19 Services Programs”, for carrying out the Older Americans
20 Act of 1965 (42 U.S.C. 3001 et seq.) (“OAA”),
21 \$40,000,000, to remain available through September 30,
22 2021, which shall be for making payments under title III
23 of the OAA (42 U.S.C. 3021 et seq.) to States with State
24 plans approved under section 307 of the OAA (42 U.S.C.
25 3027), to be distributed to the States as described in sec-

1 tion 304(a) of the OAA (42 U.S.C. 3024(a)): *Provided*,
2 That, of such amount appropriated under this heading,
3 \$20,000,000 shall be used to ensure that older individuals
4 have access to legal assistance by supporting the network
5 of statewide legal services for older individuals, including
6 (1) maintaining legal hotlines for older individuals that are
7 in operation on the date of enactment of this Act and ex-
8 panding such hotlines to all requesting States, and (2)
9 supporting legal assistance provided under part B of title
10 III of the OAA (42 U.S.C. 3030d et seq.): *Provided fur-*
11 *ther*, That, of such amount appropriated under this head-
12 ing, \$20,000,000 shall be used to provide services to sup-
13 port older individuals with limited English proficiency in
14 addressing concerns as a result of COVID–19: *Provided*
15 *further*, That in carrying out the requirements in the sec-
16 ond proviso under this heading, area agencies on aging
17 shall partner or contract with community-based organiza-
18 tions that provide translation and interpretation services
19 for older individuals with limited English proficiency: *Pro-*
20 *vided further*, That in seeking organizations with which
21 to enter into such partnerships or contracts, area agencies
22 on aging shall make an effort to include organizations that
23 assist older individuals speaking the most spoken non-
24 English language in the planning and service area served
25 by the area agency on aging and older individuals speaking

1 the least spoken non-English language in such area: *Pro-*
2 *vided further*, That the services provided under the second
3 proviso under this heading shall include services to provide
4 older individuals with limited English proficiency with (1)
5 the most up-to-date information on public health concerns
6 and suggested precautions related to COVID–19 and re-
7 lated issues, (2) one-on-one assistance to help older indi-
8 viduals with limited English proficiency understand eligi-
9 bility requirements for available Federal, State, and local
10 benefits and services, to translate applications and provide
11 oral interpretations necessary to receive such benefits and
12 services and provide oral interpretations necessary to re-
13 ceive such benefits and services, and to provide other sup-
14 portive services for such individuals to access such benefits
15 and services, and (3) related public awareness campaigns,
16 related to COVID–19 and related issues, in non-English
17 languages: *Provided further*, That each State agency re-
18 ceiving funding described in the second proviso under this
19 heading shall report to the Assistant Secretary for Aging
20 on the number of individuals receiving the services sup-
21 ported by such funding, number of services provided by
22 type, and the languages spoken by the individuals receiv-
23 ing such services: *Provided further*, That the amount ap-
24 propriated under this heading is designated by Congress
25 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
 2 gency Deficit Control Act of 1985 (2 U.S.C.
 3 901(b)(2)(A)(i)).

4 **SEC. 503. INFORMATION AND TRANSLATION THROUGH**
 5 **STATEWIDE INDEPENDENT COUNCILS.**

6 The following sums are hereby appropriated, out of
 7 any money in the Treasury not otherwise appropriated,
 8 for the fiscal year ending September 30, 2020, and for
 9 other purposes, namely:

10 DEPARTMENT OF HEALTH AND HUMAN
 11 SERVICES

12 ADMINISTRATION FOR COMMUNITY LIVING
 13 AGING AND DISABILITY SERVICES PROGRAMS
 14 (STATEWIDE INDEPENDENT LIVING COUNCILS)

15 For an additional amount for “Aging and Disability
 16 Services Programs”, for carrying out title VII of the Reha-
 17 bilitation Act of 1973 (29 U.S.C. 796 et seq.),
 18 \$10,000,000, to remain available through September 30,
 19 2021, which shall be for making payments under that title
 20 VII to States with State plans approved under section 704
 21 of that Act (29 U.S.C. 796c), to be distributed as de-
 22 scribed in section 711 of that Act (29 U.S.C. 796e), to
 23 the States for Statewide Independent Living Councils to
 24 enable the Councils to support limited English proficient
 25 individuals with disabilities and individuals who are deaf

1 or hard of hearing (which 2 types of individuals are re-
2 ferred to under this heading as “covered individuals”) in
3 addressing concerns as a result of COVID–19 through
4 services to provide covered individuals with (1) the most
5 up-to-date information on public health concerns and pre-
6 cautions related to COVID–19 and related issues; (2) one-
7 on-one assistance to understand eligibility requirements
8 for available Federal, State, and local benefits and serv-
9 ices, to translate applications and provide oral interpreta-
10 tion necessary for such individuals to receive such benefits
11 and services, and to provide other supports for such indi-
12 viduals to access such benefits and services; and (3) re-
13 lated public awareness campaigns in languages other than
14 English and in American Sign Language (which languages
15 and Language are referred to under this heading as “addi-
16 tional languages”): *Provided*, that the Councils shall pro-
17 vide support with funds appropriated under this heading
18 in partnership with, or through contracts with, agencies
19 carrying out State disability services programs or commu-
20 nity-based organizations that provide translation and in-
21 terpretation services for covered individuals: *Provided fur-*
22 *ther*, That in seeking agencies or organizations for such
23 partnerships or contracts in a geographic area, a Council
24 shall make efforts to include entities that assist covered
25 individuals that speak the most commonly spoken addi-

1 tional languages, and entities that assist covered individ-
2 uals that speak the least commonly spoken additional lan-
3 guages, in that geographical area: *Provided further*, That
4 the Councils shall report to the Administration about the
5 number of individuals served, the number of services pro-
6 vided by type, and the additional languages through which
7 services are provided, with funds appropriated under this
8 heading: *Provided further*, That the amount appropriated
9 under this heading is designated by Congress as being for
10 an emergency requirement pursuant to section
11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

○