

116TH CONGRESS
2D SESSION

S. 4381

To amend the Internal Revenue Code of 1986 to provide supplementary
2020 recovery rebates to eligible individuals.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2020

Mr. CASSIDY (for himself, Mr. DAINES, Mr. ROMNEY, and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to provide
supplementary 2020 recovery rebates to eligible individuals.

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.**

4 This Act may be cited as the “Coronavirus Assistance
5 for American Families Act”.

6 **SEC. 2. SUPPLEMENTARY 2020 RECOVERY REBATES FOR IN-**
7 **DIVIDUALS.**

8 (a) IN GENERAL.—Subchapter B of chapter 65 of
9 subtitle F of the Internal Revenue Code of 1986 is amend-

1 ed by inserting after section 6428 the following new sec-
 2 tion:

3 **“SEC. 6428A. SUPPLEMENTARY 2020 RECOVERY REBATES**
 4 **FOR INDIVIDUALS.**

5 “(a) IN GENERAL.—In addition to the credit allowed
 6 under section 6428, in the case of an eligible individual,
 7 there shall be allowed as a credit against the tax imposed
 8 by subtitle A for the first taxable year beginning in 2020
 9 an amount equal to the sum of—

10 “(1) \$1,000 (\$2,000 in the case of eligible indi-
 11 viduals filing a joint return), plus

12 “(2) an amount equal to the product of \$1,000
 13 multiplied by the number of dependents (as defined
 14 in section 152(a)) of the taxpayer.

15 “(b) TREATMENT OF CREDIT.—The credit allowed by
 16 subsection (a) shall be treated as allowed by subpart C
 17 of part IV of subchapter A of chapter 1.

18 “(c) LIMITATION BASED ON ADJUSTED GROSS IN-
 19 COME.—The amount of the credit allowed by subsection
 20 (a) (determined without regard to this subsection and sub-
 21 section (e)) shall be reduced (but not below zero) by 5
 22 percent of so much of the taxpayer’s adjusted gross in-
 23 come as exceeds—

24 “(1) \$150,000 in the case of a joint return,

1 “(2) \$112,500 in the case of a head of house-
2 hold, and

3 “(3) \$75,000 in the case of a taxpayer not de-
4 scribed in paragraph (1) or (2).

5 “(d) ELIGIBLE INDIVIDUAL.—For purposes of this
6 section, the term ‘eligible individual’ means any individual
7 other than—

8 “(1) any nonresident alien individual,

9 “(2) any individual with respect to whom a de-
10 duction under section 151 is allowable to another
11 taxpayer for a taxable year beginning in the cal-
12 endar year in which the individual’s taxable year be-
13 gins, and

14 “(3) an estate or trust.

15 “(e) COORDINATION WITH ADVANCE REFUNDS OF
16 CREDIT.—

17 “(1) IN GENERAL.—The amount of credit
18 which would (but for this paragraph) be allowable
19 under this section shall be reduced (but not below
20 zero) by the aggregate refunds and credits made or
21 allowed to the taxpayer under subsection (f). Any
22 failure to so reduce the credit shall be treated as
23 arising out of a mathematical or clerical error and
24 assessed according to section 6213(b)(1).

1 “(2) JOINT RETURNS.—In the case of a refund
 2 or credit made or allowed under subsection (f) with
 3 respect to a joint return, half of such refund or cred-
 4 it shall be treated as having been made or allowed
 5 to each individual filing such return.

6 “(f) ADVANCE REFUNDS AND CREDITS.—

7 “(1) IN GENERAL.—Subject to paragraph (5),
 8 each individual who was an eligible individual for
 9 such individual’s first taxable year beginning in
 10 2019 shall be treated as having made a payment
 11 against the tax imposed by chapter 1 for such tax-
 12 able year in an amount equal to the advance refund
 13 amount for such taxable year.

14 “(2) ADVANCE REFUND AMOUNT.—For pur-
 15 poses of paragraph (1), the advance refund amount
 16 is the amount that would have been allowed as a
 17 credit under this section for such taxable year if this
 18 section (other than subsection (e) and this sub-
 19 section) had applied to such taxable year.

20 “(3) TIMING AND MANNER OF PAYMENTS.—

21 “(A) TIMING.—The Secretary shall, sub-
 22 ject to the provisions of this title, refund or
 23 credit any overpayment attributable to this sec-
 24 tion as rapidly as possible. No refund or credit

1 shall be made or allowed under this subsection
2 after December 31, 2020.

3 “(B) DELIVERY OF PAYMENTS.—Notwith-
4 standing any other provision of law, the Sec-
5 retary may certify and disburse refunds payable
6 under this subsection electronically to any ac-
7 count to which the payee authorized, on or after
8 January 1, 2018, the delivery of a refund of
9 taxes under this title or of a Federal payment
10 (as defined in section 3332 of title 31, United
11 States Code).

12 “(C) WAIVER OF CERTAIN RULES.—Not-
13 withstanding section 3325 of title 31, United
14 States Code, or any other provision of law, with
15 respect to any payment of a refund under this
16 subsection, a disbursing official in the executive
17 branch of the United States Government may
18 modify payment information received from an
19 officer or employee described in section
20 3325(a)(1)(B) of such title for the purpose of
21 facilitating the accurate and efficient delivery of
22 such payment. Except in cases of fraud or reck-
23 less neglect, no liability under sections 3325,
24 3527, 3528, or 3529 of title 31, United States

1 Code, shall be imposed with respect to pay-
 2 ments made under this subparagraph.

3 “(4) NO INTEREST.—No interest shall be al-
 4 lowed on any overpayment attributable to this sec-
 5 tion.

6 “(5) ALTERNATE TAXABLE YEAR.—In the case
 7 of an individual who, at the time of any determina-
 8 tion made pursuant to paragraph (3), has not filed
 9 a tax return for the year described in paragraph (1),
 10 the Secretary may—

11 “(A) apply such paragraph by substituting
 12 ‘2018’ for ‘2019’, and

13 “(B) if the individual has not filed a tax
 14 return for such individual’s first taxable year
 15 beginning in 2018, use information with respect
 16 to such individual for calendar year 2019 pro-
 17 vided in—

18 “(i) Form SSA–1099, Social Security
 19 Benefit Statement, or

20 “(ii) Form RRB–1099, Social Secu-
 21 rity Equivalent Benefit Statement.

22 “(6) NOTICE TO TAXPAYER.—Not later than 15
 23 days after the date on which the Secretary distrib-
 24 uted any payment to an eligible taxpayer pursuant
 25 to this subsection, notice shall be sent by mail to

1 such taxpayer’s last known address. Such notice
 2 shall indicate the method by which such payment
 3 was made, the amount of such payment, and a
 4 phone number for the appropriate point of contact
 5 at the Internal Revenue Service to report any failure
 6 to receive such payment.

7 “(g) IDENTIFICATION NUMBER REQUIREMENT.—

8 “(1) IN GENERAL.—In the case of any taxpayer
 9 who does not include the valid identification number
 10 of such taxpayer on the return of tax for the taxable
 11 year, subsection (a)(1) shall be applied by sub-
 12 stituting ‘\$0’ for ‘\$1,000’.

13 “(2) JOINT RETURNS.—In the case of a joint
 14 return—

15 “(A) if the valid identification number of
 16 only 1 spouse is included on the return of tax
 17 for the taxable year—

18 “(i) subsection (a)(1) shall be applied
 19 by substituting ‘\$1,000’ for ‘\$2,000’, and

20 “(ii) subsection (c)(1) shall be applied
 21 by substituting ‘\$75,000’ for ‘\$150,000’,
 22 or

23 “(B) if the valid identification number of
 24 neither spouse is included on the return of tax

1 for the taxable year, subsection (a)(1) shall be
 2 applied by substituting ‘\$0’ for ‘\$2,000’.

3 “(3) DEPENDENT.—A dependent of a taxpayer
 4 shall not be taken into account under subsection
 5 (a)(2) unless—

6 “(A) the taxpayer includes the valid identi-
 7 fication number of such taxpayer (or, in the
 8 case of a joint return, the valid identification
 9 number of at least 1 spouse) on the return of
 10 tax for the taxable year, and

11 “(B) the valid identification number of
 12 such dependent is included on the return of tax
 13 for the taxable year.

14 “(4) VALID IDENTIFICATION NUMBER.—

15 “(A) IN GENERAL.—For purposes of this
 16 subsection, the term ‘valid identification num-
 17 ber’ means a social security number (as such
 18 term is defined in section 24(h)(7)).

19 “(B) ADOPTION TAXPAYER IDENTIFICA-
 20 TION NUMBER.—For purposes of paragraph
 21 (3)(B), in the case of a dependent who is adopt-
 22 ed or placed for adoption, the term ‘valid identi-
 23 fication number’ shall include the adoption tax-
 24 payer identification number of such dependent.

1 “(5) SPECIAL RULE FOR MEMBERS OF THE
 2 ARMED FORCES.—Paragraph (2) shall not apply in
 3 the case where at least 1 spouse was a member of
 4 the Armed Forces of the United States at any time
 5 during the taxable year and the valid identification
 6 number of at least 1 spouse is included on the re-
 7 turn of tax for the taxable year.

8 “(6) MATHEMATICAL OR CLERICAL ERROR AU-
 9 THORITY.—Any omission of a correct valid identi-
 10 fication number required under this subsection shall
 11 be treated as a mathematical or clerical error for
 12 purposes of applying section 6213(g)(2) to such
 13 omission.

14 “(h) REGULATIONS.—The Secretary shall prescribe
 15 such regulations or other guidance as may be necessary
 16 to carry out the purposes of this section, including any
 17 such measures as are deemed appropriate to avoid allow-
 18 ing multiple credits or rebates to a taxpayer.”.

19 (b) DEFINITION OF DEFICIENCY.—Section
 20 6211(b)(4)(A) of the Internal Revenue Code of 1986 is
 21 amended by striking “and 6428” and inserting “6428,
 22 and 6428A”.

23 (c) TREATMENT OF POSSESSIONS.—Rules similar to
 24 the rules of subsection (c) of section 2201 of the CARES

1 Act (Public Law 116–136) shall apply for purposes of this
2 section.

3 (d) EXCEPTION FROM REDUCTION OR OFFSET.—
4 Any credit or refund allowed or made to any individual
5 by reason of section 6428A of the Internal Revenue Code
6 of 1986 (as added by this section) or by reason of sub-
7 section (c) of this section shall not be—

8 (1) subject to reduction or offset pursuant to
9 section 3716 or 3720A of title 31, United States
10 Code,

11 (2) subject to reduction or offset pursuant to
12 subsection (d), (e), or (f) of section 6402 of the In-
13 ternal Revenue Code of 1986, or

14 (3) reduced or offset by other assessed Federal
15 taxes that would otherwise be subject to levy or col-
16 lection.

17 (e) PUBLIC AWARENESS CAMPAIGN.—The Secretary
18 of the Treasury (or the Secretary’s delegate) shall conduct
19 a public awareness campaign, in coordination with the
20 Commissioner of Social Security and the heads of other
21 relevant Federal agencies, to provide information regard-
22 ing the availability of the credit and rebate allowed under
23 section 6428A of the Internal Revenue Code of 1986 (as
24 added by this section), including information with respect

1 to individuals who may not have filed a tax return for tax-
2 able year 2018 or 2019.

3 (f) CONFORMING AMENDMENTS.—

4 (1) Paragraph (2) of section 1324(b) of title
5 31, United States Code, is amended by inserting
6 “6428A,” after “6428,”.

7 (2) The table of sections for subchapter B of
8 chapter 65 of subtitle F of the Internal Revenue
9 Code of 1986 is amended by inserting after the item
10 relating to section 6428 the following:

“Sec. 6428A. Supplementary 2020 Recovery Rebates for individuals.”.

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