

SUPPLEMENTAL CORONAVIRUS RELIEF LEGISLATION SUMMARY

Summary of select provisions related to COVID-19 aid in the Consolidated Appropriations Act, 2021

On December 27, 2020, President Trump signed into law an economic aid and relief package passed by Congress that addresses the public health and economic impact caused by the COVID-19 outbreak. The law allocated roughly \$900 billion in economic aid to individuals and businesses in addition to providing funding for vaccine distribution and other purposes. Below are the key elements of the relief program:

1. Direct payments of up to \$600 for each individual/\$2,400 for a family of four (2 kids and married couple)
2. Over \$284 billion in small business loans, loan guarantees, and grants
3. An expansion of unemployment insurance benefits
4. Additional funds to support state and local governments and public health agencies

This document summarizes the portions that are most relevant to **individuals** and **small businesses**. It includes information about the **financial resources available**, **eligibility requirements**, and **timeline for the resources**. This summary does not reference provisions related to healthcare, education, and other relief, as well as the annual government funding legislation that was passed alongside the COVID-19 economic aid.

The individuals section highlighted in the document comprises the one-time Economic Impact Payments (EIPs) being provided to families, unemployment benefits for those impacted by COVID-19, and financial relief for renters.

The small business section highlighted in the document focuses on paycheck protection programs, emergency economic injury grants, debt relief for existing and new SBA borrowers, and payroll credit tax information.

The document **includes** information on **how to apply or access the financial resources for some of the aid offered in the new law**. More information **will be shared and updated** as it becomes readily available from federal and state government entities.

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I. INDIVIDUALS AND FAMILIES

- A. **One-Time Economic Impact Payments-** Individuals who earned \$75,000 or less in annual adjusted gross income will get a *one-time* direct payment of \$600 each. Married couples earning up to \$150,000 will receive \$1,200. An additional \$600 will be added to the payment for each child 16 years-old or younger. An eligible family of four would receive \$2,400. The payment would scale down by income, phasing out entirely at \$99,000 for individuals and \$198,000 for couples without children.

1. <https://www.irs.gov/newsroom/economic-impact-payments-what-you-need-to-know>
2. **Eligibility Requirements:**
 - a) Must be a U.S. resident with annual adjusted gross income below the established thresholds
 - b) An individual considered a dependent on a tax return (i.e. college student) is ineligible for EIP and will not receive a payment of their own
 - c) Must have a work eligible social security number
 - d) **New change:** Citizens who are married to an undocumented spouse may now receive their individual EIP. Individuals married to spouses without a social security number were ineligible to receive EIPs in the CARES Act.
3. **Accessing EIPs**
 - a) No action required for the vast majority of Americans. Payments will be distributed similarly to the first round of direct payments.
 - b) IRS will use taxpayers' most recently filed tax return (2019 tax return filed this year or 2018 tax return if 2019 has not been filed yet)
 - c) **Important Note:** If your address has changed since your last tax filing, then please update it immediately! Otherwise the check will be mailed to your old address. (<https://www.irs.gov/faqs/irs-procedures/address-changes>)
4. **Timeline:** While the exact timeline is still to be determined, checks are expected to arrive via direct deposit or via postal mail beginning late December 2020 or early January 2021
5. **FAQs - Stimulus Payments**
 - a) **What if the income reported on my last tax return made me ineligible, but I anticipate being eligible because of a loss of income in 2020? Do I get a payment?** The plan does not help people in that circumstance now, but you may benefit once you file your 2020 taxes. You may be able to file for unemployment or apply for one of the new loans for small business owners.
 - b) **If my payment doesn't come soon, how can I be sure that it wasn't misdirected?** According to the bill, you will get a paper notice in the mail no later than a few weeks after your payment has been disbursed.
 - c) **What if I haven't filed tax returns recently? Will that affect my ability to receive a payment?** It could. File a return immediately, at least for 2018. This

could be accomplished for free online from home using the IRS Free file program (<https://www.irs.gov/filing/free-file-do-your-federal-taxes-for-free>).

- d) **Is the one-time EIP taxable or will I have to pay back any amount?** No, EIP is treated like other refundable tax credits, such as the child tax credit and earned income tax credit, and not considered income.
- e) **Who qualifies as a child for purposes of the receiving EIP?** In general, a child is any dependent of a taxpayer 16 years or younger.
- f) **Do dependents, other than children 16 years or younger, qualify a taxpayer for an additional \$500 per dependent?** No, the additional \$500 per child is limited to children 16 or younger.
- g) **Are individuals with little to no income, such as SSI, eligible for EIP?** Yes, there is no qualifying income requirement. Even individuals with \$0 of income are eligible for a one-time, direct payment so long as they are not the dependent of another taxpayer and have a work-eligible SSN.
- h) **Are seniors whose only income is from Social Security eligible?** Yes, as long as they are not the dependent of another taxpayer.

B. Unemployment Insurance Provisions

- 1. Unemployment Insurance for COVID-19
 - a) <https://www.dol.gov/coronavirus/unemployment-insurance>
 - b) Identify your state and contact information for state unemployment benefits to start the unemployment benefits process
 - c) **Federal and State Unemployment Insurance Information:**
<https://www.dol.gov/general/topic/unemployment-insurance>
- 2. **Expansion of Unemployment Compensation Eligibility** - Many individuals who are traditionally not eligible for unemployment insurance benefits (e.g., self-employed, independent contractors, freelancers, gig economy workers, and 1099 workers, limited work history, quarantine, part-time workers) and are unable to work as a direct result of the coronavirus public health emergency will be eligible for pandemic unemployment insurance compensation through April 5, 2021.
- 3. **Increase in Unemployment Compensation Benefits** - Recipients of unemployment insurance or Pandemic Unemployment Assistance will receive an **additional \$300 per week** on top of normal unemployment insurance compensation, from December 26th, 2020 to March 14th, 2021.
- 4. **Expansion of Duration of Unemployment Compensation** - While the duration of unemployment insurance benefits available to an individual varies by state, the law extends the maximum benefits by another 11 weeks, to a maximum of 50 weeks in some states, through April 5th, 2021.
- 5. Unemployment is not covered for new entrants to the workforce who cannot find a job, workers who are able to work from home, workers receiving paid sick leave or family leave
- 6. **FAQs - Unemployment Insurance**
 - a) **How much would I receive?** It depends on your state. Benefits would be expanded in a bid to replace the average worker's paycheck. The average worker earns about \$1,000 a week, and unemployment benefits often replace roughly 40 to 45 percent of that. The expansion would pay an extra amount to fill the gap. Under the plan, eligible workers would get an extra \$300 per week on top of their state benefit. But some states are more generous than others.

According to the Century Foundation, the maximum weekly benefit in Alabama is \$275, but it's \$450 in California and \$713 in New Jersey. So let's say a worker was making \$1,100 per week in New York; she'd be eligible for the maximum state unemployment benefit of \$504 per week. Under the new program, she gets an additional \$300 of federal pandemic unemployment compensation, for a total of \$804, slightly less than her original paycheck. States have the option of providing the entire amount in one payment, or sending the extra portion separately. But it must all be done on the same weekly basis.

- b) **Are gig workers, freelancers and independent contractors covered in the bill?** Yes, self-employed people would be newly eligible for unemployment benefits. Benefit amounts would be calculated based on previous income, using a formula from the [Disaster Unemployment Assistance program](#). Self-employed workers would also be eligible for the additional \$300 weekly benefit provided by the federal government.
- c) **What if I'm a part-time worker who lost my job because of a coronavirus reason, but my state doesn't cover part-time workers? Would I still be eligible?** Yes. Part-time workers would be eligible for benefits, but the benefit amount and how long benefits would last depend on your state. They would also be eligible for the additional \$300 weekly benefit.
- d) **What if my child's school or daycare shut down?** If you rely on a school, a day care, or another facility to care for a child, elderly parent or another household member so that you can work and you are now unable to work because that facility has shut down due to coronavirus, you would be eligible.
- e) **I was about to start a new job and now can't get there because of an outbreak.** You'd be eligible for benefits. You would also be covered if you were immediately laid off from a new job and did not have a sufficient work history to qualify for benefits under normal circumstances.
- f) **I had to quit my job as a direct result of coronavirus. Would I be eligible to apply for benefits?** It depends. Let's say your employer didn't lay you off but you had to quit because of a quarantine recommended by a healthcare provider, or because your child's day care closed and you're the primary caregiver. Situations like that are covered. But this provision wasn't intended to cover people who quit (or want to quit) because they fear that continuing to work puts them at risk of contracting coronavirus, according to congressional aides.
- g) **The breadwinner of my household has died as a result of coronavirus. I relied on that person for income, and I'm not working. Would that be covered?** Yes.
- h) **How long would the payments last?** Many states already provide 26 weeks of benefits, though some states have trimmed that back while others provide a sliding scale tied to unemployment levels. The bill would provide all eligible workers with an additional 24 weeks. So participants in states with 26 weeks would be eligible for a total of 50 weeks. The total amount cannot exceed 50 weeks, but it may be shorter in certain states. The extra \$300 payment would last for approximately an additional two months, covering weeks of unemployment ending March 14th, 2021.
- i) **How long would the broader program last?** Expanded coverage would be available to workers through March 2021.

- j) **I'm already receiving unemployment benefits. Would I receive any help?** Yes. Even if you're already receiving unemployment benefits for reasons unrelated to the coronavirus, your state-level benefits would still be extended by 24 weeks. You would also receive the extra \$300 weekly benefit from the federal government.
- k) **My unemployment recently ran out — could I sign up again?** Yes. If you've exhausted your benefits, eligible workers could generally reapply. But how much you would get and for how long would depend on the state where you worked. Everyone would get at least another 24 weeks, along with the extra \$300 payment.
- l) **Would this income disqualify me from any other programs?** Maybe. The additional \$300 benefit would count as income when determining eligibility for means-tested programs, except for Medicaid and the Children's Health Insurance Program, known as CHIP.
- m) **How long would I need to wait for benefits?** States have been incentivized to waive the one-week waiting period, but it's unclear how long it would take to process claims — especially with state offices so strained by a flood of claims. If you do not hear back regarding your benefits for several weeks, reach out to your state representative's district office and they should be able to help facilitate the process. Find your state representative [here](#).

C. Relief for Homeowners and Renters

1. Emergency Rental Assistance: \$25 billion given to state and local govts. within 30 days.
2. If you have a conforming mortgage, backed by Fannie Mae or Freddie Mac, a lender or servicer cannot start foreclosure proceedings against you **until at least January 31, 2021**. If you have an FHA, VA, or USDA mortgage, you're protected from foreclosure **until at least February 28, 2021**. ([The Mortgage Reports](#))
 - a) Some homeowners with federally-backed loans can also make an initial request for loan forbearance up to February 28, 2021.
 - b) What loan do you have?:
 - (1) Fannie Mae Mortgage Loan Lookup: <https://www.knowyouroptions.com/loanlookup>
 - (2) Freddie Mac Loan Lookup Tool: <https://www3.freddie.mac.com/loanlookup/>
3. Does your apartment fall under the bill?: <https://www.dontgetkickedout.com/>
4. **The eviction moratorium is extended through the end of January 2021.**
5. Video: [5 steps to ask for mortgage forbearance due to the Coronavirus](#)
6. Eligible households are renters who can demonstrate risk of homelessness or housing instability due to the pandemic. Households qualifying for rental assistance should apply through their own state and local governments directly.
7. Assistance is prioritized for renter households whose incomes do not exceed 50 % of AMI as well as renter households who are currently unemployed and have been unemployed for 90 or more days.
8. Financial assistance provided under this section is non-taxable for households receiving such assistance.

D. Supplemental Nutrition Assistance Program (SNAP)

1. SNAP, largest federal nutrition assistance program, provides benefits to eligible low-income individuals and families via an Electronic Benefits Transfer card. This card can be used like a debit card to purchase eligible food in authorized retail food stores.
 - a) Provides \$13 billion for food aid.
2. SNAP FAQ: <https://www.fns.usda.gov/snap/recipient/eligibility>
3. New bill increases the monthly SNAP benefit level by 15% based on the June 2020 Thrifty Food Plan through June 30, 2021.
4. **Who's eligible?:** People 18 to 50 years old who do not have children and are not pregnant. Can get SNAP benefits for 3 months in a 3-year period unless they are working or participating in a work or workfare program.
5. *New bill extends SNAP eligibility to college students who are eligible for a federal or state work study program or has an expected family contribution of zero. Eligible students will need to submit new applications through their respective state agencies.*
6. *If you have a person in your household who is disabled or who is age 60 or older, you may be eligible for a larger SNAP allotment.*

E. Childcare + Nutrition Programs :

1. Info: <https://www.fns.usda.gov/coronavirus>
2. Can access needed nutrition benefits by clarifying that states may issue Pandemic Electronic Benefit Transfer benefits to children under the age of 6 who live in households receiving SNAP benefits and residing in an area in which schools or child care facilities are closed or operating with reduced hours or attendance (without the need to verify child care enrollment at the individual household level.)

F. Aging and Disability Service Programs

1. Info: <https://acl.gov/>
2. Provides \$175 million in emergency funding for Older Americans Act nutrition programs. Elderly includes 60 and older.

II. SMALL BUSINESSES

- A. Small businesses are facing an unprecedented economic disruption and new law creates several programs in the U.S. Small Business Administration (SBA) and the Department of Treasury to alleviate economic burdens. To keep up to date on when these programs become available, please stay in contact with your local Small Business Administration (SBA) District Office, which you can locate: [here](#)
- B. Quick Reference Guide to Navigate the Small Business Section
 1. → Capital to cover the cost of retaining employees?
 - a) Then the **Paycheck Protection Program** might be right for you.
 2. → A quick infusion of a smaller amount of cash to cover you right now?
 - a) You might want to look into an **Emergency Economic Injury Grant**.
 3. → To ease your fears about keeping up with payments on your SBA loan?
 - a) The **Small Business Debt Relief Program** could help.
 4. **Useful Resources:**
 - a) Find Your Local SBA Field Office: <https://www.sba.gov/tools/local-assistance/districtoffices> or [PDF version](#)

- b) Find an SBA approved lender: <https://www.sba.gov/funding-programs/loans/lender-match>
- c) Find Small Business Development Centers:
<https://americassbdc.org/small-business-consulting-and-training/find-your-sbdc/>
- d) Find Minority Business Development Agency:
<https://www.mbda.gov/index.php/mbda-programs>

C. **Paycheck Protection Program (PPP)** - This program will provide 8 weeks of cash-flow assistance through federally guaranteed loans to small businesses and the self-employed (500 employees or fewer) who maintain their payroll during this emergency. While the loan can be used for many purposes, the portion used to cover payroll may be forgiven, if the small business maintains payroll for the 8-week period.

1. Best Sources:

- a) Treasury Department Page:
<https://home.treasury.gov/policy-issues/top-priorities/cares-act/assistance-for-small-businesses>
- b) SBA CARES Act Interim Final Rule:
<https://home.treasury.gov/system/files/136/PPP--IFRN%20FINAL.pdf>
- c) Paycheck Protection Program FAQ:
<https://home.treasury.gov/system/files/136/Paycheck-Protection-Program-Frequently-Asked-Questions.pdf>

(1) More Detailed References: See [Appendix A](#).

- 2. **IMPORTANT NOTE:** *Jamati members should expect the system to be overburdened. Applying sooner, rather than waiting, can help you get your application processed in a timely manner. Please keep your confirmation ID number on hand.*
- 3. **Eligibility Requirements:** Sole-proprietors, independent contractors, and other self-employed individuals are eligible.
 - a) Restaurant, foodservice, caterers, and hotels that employ not more than 500 employees per physical location of the business are also eligible to receive a single loan
 - b) Up to \$10 million.
 - c) Maximum interest rate at 4%. No fees.
 - d) Principal and interest is deferred for up to a year.
- 4. If the employer maintains its payroll, then the portion of the loan used for covered payroll costs, interest on mortgage obligations, rent, and utilities would be forgiven
 - a) Additionally, any PPP received will not reduce the amount of EIDL funding that will be forgiven, which is a change from the CARES Act.
- 5. **Timeline:** Small businesses and other eligible entities will be able to apply if they were harmed by COVID-19 **Loans are available through March 31, 2021.**
 - a) Loans would be available immediately through more than 800 existing SBA-certified lenders, including banks, credit unions, and other financial institutions.
- 6. **FAQs Paycheck Protection Program**
 - a) **What types of businesses and entities are eligible for a PPP loan?** Any business concern that employs not more than 500 employees per physical location of the business concern
 - b) **How is the loan size determined?** Depending on your business's situation, the loan size will be calculated in different ways. The maximum loan size is always \$10 million. If you were in business February 15, 2019 – June 30, 2019: Your max loan is equal to 250 percent of your average monthly payroll costs during that time period.
 - c) **What costs are eligible for payroll?** Compensation (salary, wage, commission, tip), paid

leave, payment of any retirement benefit.

d) **What costs are not eligible for payroll?**

Employee/owner compensation over \$100,000 etc.

e) **How do I get forgiveness on my PPP loan?** You must apply through your lender for forgiveness on your loan. In this application, you must include payroll documentation.

f) **Where should I go to get a PPP loan from?** All current SBA 7(a) lenders eligible lenders for PPP. This includes most FDIC-approved banks and credit unions.

g) **How does the PPP loan work with the temporary Emergency Economic Injury Grants and the Small Business Debt Relief program (next section)?** Emergency Economic Injury Grant and Economic Injury Disaster Loan (EIDL) recipients may apply for and take out a PPP loan as long as there is no duplication in the use of funds.

h) **Are business expenses paid with PPP funds tax deductible?** Yes, business expenses paid with funds received through PPP are tax deductible. The second round of relief clarified that expenses paid with PPP funds already received are also eligible to be deducted from tax liability in addition to any expenses paid from new PPP funds a business may receive in 2021.

D. **PPP 2nd Draw** - Recipients of PPP during the first round may be eligible for **PPP 2nd Draw**, which provides a second, potentially forgivable loan of up to \$2 million.

1. **Eligibility Requirements:** The requirements to qualify for additional PPP loan funding include employing not more than 300 people, having used or will use the entire first round of PPP, and demonstrating at least a 25% reduction in gross receipts of a 2020 quarter relative to the same quarter in 2019.
2. Loan amount forgiven may equal the sum of payroll costs, mortgage/rent, utility payments, covered operation expenditures, covered property damage costs, and covered worker protection expenditures. Cost allocation must be 60/40 between payroll and non-payroll costs.

E. **Emergency Economic Injury Loans (EIDL) and EIDL Grants** -

1. **Eligibility:** If you have a small business with 500 or fewer employees, and you were harmed by COVID-19, you can apply for an Economic Injury Disaster Loan (EIDL) through the SBA website.
 - a) <https://covid19relief.sba.gov/#/>
2. **What exactly is an EIDL?:** EIDLs are loans of up to \$2 million that carry interest rates up to 3.75% for companies, as well as principal and interest deferment for up to 4 years.
3. **What exactly is an Emergency Economic Injury Grant?:** When you apply for an EIDL, you can request an advance of \$10,000 on that loan. This advance is called an Emergency Economic Injury Grant. **This advance does not need to be repaid under any circumstance.** The advance must be used to keep employees on the payroll, pay for sick leave, pay for increased production costs, or pay any business debts, rent, or mortgage payments.
4. **FAQs Emergency Economic Injury Grants**
 - a) **How do I know if my business is a small business?** Please visit <https://www.sba.gov/size-standards/> to find out if your business meets SBA's small business size standards. You will need the 6-digit North American Industry Classification Code for your business and your business's 3-year average annual revenue.
 - b) **Can you expand on who exactly is eligible for an EIDL loan?:** Those eligible are the following with 500 or fewer employees:
 - Sole proprietorships, with or without employees
 - Independent contractors
 - Cooperatives and employee owned businesses

Small business concerns and small agricultural cooperatives that meet the applicable size standard for SBA are also eligible, as well as most private non-profits of any size.

- c) **Can you expand on who exactly is eligible for the Emergency Economic Injury Grant (i.e. the advance on the EIDL)?** Those eligible for an EIDL and who have been in operation since **January 31, 2020**, when the public health crisis was announced.
- d) **How long are Emergency Economic Injury Grants available?** TBA, the SBA will issue guidance in the coming days on the expected timetable for which to apply and receive funding
- e) **If I get an EIDL and/or an Emergency Economic Injury Grant, can I get a PPP loan?** Whether you've already received an EIDL unrelated to COVID-19 or you receive a COVID-19 related EIDL and/or Emergency Grant, you may also apply for a PPP loan. While in the first round an individual or business receiving a PPP loan who also received any advance through Emergency Economic Injury Grant needed to subtract the advance amount from the forgivable PPP funding, now **someone receiving both PPP and EIDL/Emergency Economic Injury Grant can have the entire PPP amount forgiven**. However, you cannot use your EIDL for the same purpose as your PPP loan. For example, if you use your EIDL to cover payroll for certain workers in April, you cannot use PPP for payroll for those same workers in April, although you could use it for payroll in March or for different workers in April.
- f) **How do I apply for an economic injury disaster loan?** To apply for an EIDL online, please visit <https://disasterloan.sba.gov/ela/>. Your **SBA District Office** is an important resource when applying for SBA assistance.
- g) **I am unfamiliar with the EIDL process, can anyone help me apply?** Answer: Yes, SBA resource partners are available to help guide you through the EIDL application process. You can find the nearest Small Business Development Center (SBDC), Women's Business Center, or SCORE mentorship chapter at <https://www.sba.gov/local-assistance/find/>.

- F. **Debt Relief for Existing and New SBA Borrowers** - This provision provides immediate relief to small businesses with standard SBA loans (e.g., 7(a), 504, microloans).
- 1. SBA will cover all loan payments for existing SBA borrowers, including principal, interest, and fees, for 3 months.
 - 2. While SBA borrowers are receiving the three months debt relief, they may apply for a PPP loan that provides capital to keep their employees on the job.
 - 3. Borrowers deemed underserved after receiving three months of relief may receive an **additional five months** of payment assistance
 - 4. For more information about SBA loans (7(a), 504, and micro loans, please visit the SBA website).

G. **State and Municipal Loan and Grant Programs**

- 1. States and various municipalities are creating their own relief programs. Review state specific research documents for information specific to your clients' areas of operation and recommend that they get in contact with local governments and trade organizations to find out about any additional programs that may be available at the local level.
- 2. Compilation of research (with full sourcing): [See State Specific Research Compiled Here.](#)
- 3. **State Specific Programs for Small Businesses:**
https://docs.google.com/document/d/1WlqJu_PwwEqQPp9Jlcnn4E9TKFAAUWuM/edit

III. BUSINESS PAYROLL

- A. **Payroll Tax Credit - Employee Retention Credit for Employers Subject to Closure or Experiencing Economic Hardship** - This provision would provide a refundable payroll tax credit for 70% of wages (up from 50% in the CARES Act) paid by eligible employers to certain employees. The total credit that may be claimed per employee is up to \$14,000 after the new law's passage.
1. <https://www.irs.gov/newsroom/irs-employee-retention-credit-available-for-many-businesses-financially-impacted-by-covid-19>
 2. **Eligibility Requirements for Credit:**
 - a) Employer whose operations were fully or partially suspended due to COVID-19
 - b) Employer whose gross receipts declined by more than 20% when compared to the same quarter in the prior year, down from 50%
 3. **New Change:** Businesses may now use both PPP and the Employee Retention Tax Credit (ERTC)
 4. For employers with 500 or fewer full-time employees, all employee wages are eligible, regardless of whether an employee is furloughed.
 5. All employee wages qualify for the credit, whether the employer is open for business or subject to shut-down order
 6. Credit is provided for the first \$10,000 of compensation, including health benefits, paid to an eligible employee
 7. **Eligibility Timeline:** The Employee Retention Tax Credit (ERTC) may be claimed through June 30, 2021 and paid family/sick leave has been extended through March 31, 2021.
- B. **Delay of Payment of Employer Payroll Taxes** - This provision would allow taxpayers to defer paying the employer portion of certain payroll taxes through the end of 2020.
- a) The deferred employment tax will be paid over the following two years with half the amount required to be paid by December 31st, 2021 and the other half by December 31st, 2022.

IV. STUDENTS

- A. No new *direct* student aid was included in the recently-passed aid
- B. Student loan payments will resume after January 31, 2021 unless separate legislation is passed and signed before the payments resume.