

- Are you in favor of suspending SNAP's three-month time limit for unemployed adults not raising minor children at home until economic measures show that unemployment is no longer significantly elevated?
 - **Answer:** The Families First Coronavirus Response Act provided for a temporary and partial suspension of the time limit rule for the Able-Bodied Adults Without Dependents (ABAWD) test in the Supplemental Nutrition Assistance Program (SNAP). Under this, an individual not meeting the ABAWD work requirement by working, and who is not offered qualifying work opportunities by a state agency, will not be disqualified. This temporary suspension on the time limit rule will remain in effect until the end of the month in which the public health emergency declaration is lifted.
- If an organization that does not pay into unemployment, such as a religious organization providing child and family services, has to lay off workers due to the COVID-19 crisis, are those workers eligible for unemployment, based on the changes to eligibility made in the CARES Act?
 - **Answer:** They are eligible. The CARES Act expanded the length in which people could remain on unemployment benefits by an additional 13 weeks and made benefits available to those who are self-employed, have limited work history, or otherwise wouldn't qualify for unemployment benefits.

The CARES Act ensured that these expanded benefits would be available to all individuals who are in quarantine, caring for an affected family member, or out of work due to the coronavirus, regardless of their employer's payment into unemployment.
- What is being done to help families who are struggling to pay their rent or mortgage? The mortgage deferment option delays the payments, but there could still be an increase in foreclosures when the payments come due.
 - **Answer:** The CARES Act was a great first step in providing temporary relief through mortgage deferment for those financially impacted by COVID-19. I share your concerns about protecting families who are struggling to pay their rent, and am doing everything

in my power to ensure that Congress doesn't forget about these families.

Congress is working on additional relief packages, which will be addressing a number of COVID-19 related issues. While it is unclear what will be included on the next supplement, I will continue to work with my colleagues in a bipartisan manner to address this issue and work to prevent wide-spread foreclosures.

- How can nonprofits help families who are struggling with the process of applying for unemployment?

- **Answer:** The best way to assist families struggling to apply for unemployment is to direct them to the WorkForce West Virginia's website at <https://workforcewv.org/>

The website will walk an applicant through the process to apply online.

If the individuals or families do not have access to the internet, they can apply over the phone by calling 1-800-252-JOBS (5627). If anyone cannot get through on the phone to apply, please contact my office in Charleston at (304) 342-5855.

- Will the Senate make changes to the Cares Act to address it's oversight in treating reimbursable nonprofits, governmental, and tribal entities equal to for-profits and hold them 100% harmless for all COVID -19 unemployment claims?

- **Answer:** Pursuant to the CARES Act, the federal government will reimburse states for half of the costs to provide unemployment benefits to laid-off employees of self-funded nonprofits. The intent was that the states would then reimburse the nonprofit employers.

While this issue has been a large part of the coronavirus funding discussions, there has not been an agreement in either party on the future of reimbursement for unemployment claims. Rest assured that if the stay at home orders and the social distancing requirements continue, this issue will have to be addressed. Regardless, I will continue to work with my colleagues in a bipartisan manner to address the unemployment issue.

- Can people who have had their hours cut or had their salaries reduced apply for unemployment or some other form of aid?

- **Answer:** Yes, individuals can receive benefits for what's called "partial unemployment." In West Virginia, you would be considered partially unemployed if you have been working fulltime, but due to business being slow, a breakdown of equipment, or similar reasons, your employer has to reduce your hours during the week.

An individual is entitled to partial unemployment benefits for the week if you earned less than what your weekly unemployment benefit amount would be **plus \$60**. If you are eligible, your employer should issue a Low Earnings Report for the week, showing your gross wages. You must then complete the claims portion of the Low Earnings Report and file it with the local unemployment office as directed on the form.

- How will voluntary employee resignations affect PPP loan forgiveness?

- **Answer:** The CARES act included language that provided a de minimis exemption for circumstances like this but the SBA or Treasury has yet to develop regulations on how those circumstances will inevitably affect forgiveness. Senator Manchin will continue to push for further guidance from both the SBA and Treasury to clarify this important issue.

- If there are employees who are funded by grants or other contributions that have already been secured, should their salaries be excluded from PPP applications?

- **Answer:** The SBA has stated that in determining a business's eligible borrowing amount, it should aggregate payroll costs over the previous twelve months, subtract any compensation paid to an employee in excess of an annual salary of \$100,000 or any amounts paid to an independent contractor or sole proprietor in excess of \$100,000 per year, and divide that amount by 12. After that number is obtained, a business should multiple it by 2.5 to determine the maximum loan amount it is eligible for.

For the purposes of determining payroll costs, the only costs that are expressly prohibited are compensation for employees who do not reside in the United States, employees/independent contractors/sole proprietors being paid over \$100,000/year, federal employment taxes imposed or withheld between February 15, 2020 and June 30, 2020, and qualified sick and family leave for which a credit has been allowed. If you have further questions on the eligibility of an employee for purposes of inclusion on a PPP application, we recommend that you reach out to your lender, the WV SBA office or the WV Small Business Development Center for further clarity.

- The statute and regulations don't have a lot of detail on how the PPP loan forgiveness will work. Should we expect more guidance to be released by the administration?
 - **Answer:** At this current moment, SBA's guidance on loan forgiveness states that over the course of the 8 week period of a business's PPP loan, a business may qualify for total forgiveness if:
 - I. It maintains staffing levels
 - II. It does not reduce payroll expenses on employees making less than \$100,000 by more than 25 percent
 - III. It uses no less than 75 percent of the loan on payroll costs

The SBA has stated in their interim final rule that was released in early April that businesses and lenders can expect additional guidance on loan forgiveness in the coming weeks

- Will there be funding available for nonprofits who are not directly delivering crisis assistance but provide long-term solutions, like Habitat for Humanity, who provides affordable housing opportunities?
 - **Answer:** The CARES Act allows nonprofits with 500 employees or less to qualify for the Paycheck Protection Program through a Small Business Administration loan to help cover the cost of payroll, benefits, and other expenditures like mortgage payments. This will help ensure the continuity of services provided by nonprofits during these challenging and uncertain times, including those who provide affordable housing opportunities.

Congress is continually working on additional legislation to address the impacts of COVID-19. Please know that I will continue working with my colleagues in a bipartisan manner to ensure that affordable housing is available and to protect low-income families who have or at-risk of losing their housing.

- We have heard that the SBA EIDL originally was going to offer loans of up to \$2M, but that now it has been capped at \$25K due to the high volume of applications. Will the new round of funding address this?
 - **Answer:** In recent weeks, the SBA has had to make changes to the EIDL program, which includes reducing the advance a business may request from a flat \$10,000 per business to \$1,000 per employee, because of a lack of funding. With that in mind, the Senate passed a \$484 billion interim coronavirus funding bill via voice vote on Tuesday, April 22, 2020.

The legislation, once signed by the President, will replenish the stimulus bill's emergency loan program for small businesses and make the \$10,000 request more feasible.

- How much funding has gone to West Virginia hospitals, health departments, and food banks?
 - **Answer:** West Virginia hospitals, health departments and health providers have experienced extreme financial distress during this pandemic. They have had to cancel non-essential procedures, significantly reducing their revenue, while still needing to serve as frontline responders. WV hospitals, health centers, and providers have received roughly \$300 million so far, and more help needs to be provided. We have over 1700 health providers in the state, and \$300 million is not nearly enough to keep the lights on. We need to focus funding on our rural providers, who were already operating on a shoe-string budget. That's why I am pushing for a rural formula for the remaining \$70 billion in the Provider Relief Fund. Unfortunately, Senator Manchin's proposed formula was not placed in the legislation that passed the Senate on Tuesday, April 21st, but he will continually push to have his formula utilized in any future funding.

In West Virginia, our Food Banks continue to provide critical resources for our communities and citizens. The West Virginia Department of Agriculture will be receiving nearly \$700,000 in The Emergency Food Assistance Program (TEFAP) administrative funding that will be split between both Mountaineer Food Bank and Facing Hunger Food Bank that was provided in coronavirus response legislation. These two food banks and other USDA commodity distributors in West Virginia, will also be receiving a portion of the commodities purchased with a food grant for just over \$2 million. If you'd like further clarification on these funds, please do not hesitate to contact my office.

- What can we do to raise awareness of the issues and disparities that West Virginia faces? Would it help to use our membership in national organizations?
 - **Answer:** Rural hospitals and healthcare providers throughout West Virginia are the first line of defense in the communities they serve. They often already operate on a shoestring budget to provide the best possible care, and we cannot allow these rural providers to close. The more awareness that can be shed on the issue of rural hospital and healthcare funding, from your national membership to the locals, the better. That's why Senator Manchin has led a bipartisan letter with 19 of his Senate colleagues urging Department of Health and Human Services (HHS) to use his formula to prioritize funding for rural providers. This \$100 billion healthcare fund I fought for in CARES Act is aimed to support all providers, hospitals, health centers, free clinics and other providers. By using my formula and targeting funding towards rural and areas most at need we will best be able to support our free clinics and rural hospitals. Unfortunately, the formula was not placed in the legislation that passed the Senate on Tuesday, April 21st but he will continually push to have his formula utilized in any future funding.