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### **Eviction Executive Order**

Citing conclusions from the CDC that racial and ethnic minority groups have been disproportionately impacted by the pandemic, which can lead to higher homelessness or sharing of housing, and that homelessness and shelters “exacerbate and amplify the spread of COVID-19,” the President instructed the HHS Secretary Azar to “consider whether any measures temporarily halting residential evictions of any tenants for failure to pay rent are reasonably necessary”, identify available funds to provide housing assistance to renters/homeowners affected by the pandemic, “promote the ability of renters and homeowners to avoid eviction or foreclosure resulting from financial hardships caused by COVID-19,” and have Treasury Secretary Mnuchin work with FHFA to “review all existing authorities and resources that may be used to prevent evictions and foreclosures” due to the pandemic.

### **Lost Wages Executive Order**

In the longest of the executive orders signed on Saturday, the president began by noting the \$80 billion in funds left in the Coronavirus Relief Fund (CRF) established by the CARES Act to assist state, territorial, tribal, and some local governments and \$70 billion in Homeland Security’s Disaster Relief Fund (DRF). He then directed FEMA to use DRF funds and states their CRF allocations to continue supplemental UI assistance from 8/1-12/27, 2020. The program would have a 75% federal match with state CRF funds usable to meet the states’ 25% cost sharing burden, although he encouraged them to “identify funds to be spent without a Federal match should the total DRF balance deplete to \$25 billion.” He then detailed the program structure, established under his 42 U.S.C. 5174(e)(2) authorities (“lost wages assistance”), that would provide a \$400 weekly payment (\$300 federal/\$100 state) to anyone receiving at least \$100 weekly in existing UI benefits, pandemic compensation from CARES Act UI programs, extended benefits under 26 U.S.C. 3304, short-time compensation under 26 U.S.C. 3306(v), Trade Adjustment Allowances under 19 U.S.C. 2291-2293, or payments under the Self-Employment Assistance program of 26 U.S.C. 3306(t). He finally instructed Labor Secretary Scalia to assist with implementation before specifying that additional benefits would end once the week of 12/6/2020 had passed, the DRF balance reached \$25 billion (for “ongoing disaster response and recovery efforts”), or if new UI legislation was passed.

### **Payroll Tax Executive Order**

Relying on 26 U.S.C. 7508A, which allows him to “postpone certain deadlines by reason of Presidentially declared disaster or terroristic or military actions,” the President deferred payments on the 6.2% Social Security/OASDI wage tax [26 U.S.C. 3101(a)] for any wages made from 9/1/2020-12/31/2020. The deferment is limited to employees whose “wages or compensation” are under \$104k/year and does not incur any penalties, interest, or additions. He then instructed Treasury Secretary Mnuchin to issue guidance on implementation (no deadline set) and tasked the Secretary with “explor(ing) avenues, including legislation, to eliminate the obligation to pay the taxes deferred pursuant to the implementation of this memorandum.”

### **Student Loan Executive Order**

On March 20<sup>th</sup>, 2020, the President suspended loan payments and temporarily set interest rates to 0% for student loan borrowers. While the initial actions were only guaranteed to last for 60 days, the CARES Act extended this expiration date to September 30, 2020. Stating that it is “appropriate to extend this policy until such time that the economy has stabilized, schools have re-opened, and the crisis brought on by the COVID-19 pandemic has subsided,” the President instructed Education Secretary DeVos to “effectuate” waivers and modifications to student loans under the economic hardship provisions in the Higher Education Act [20 U.S.C. 1087e(f)(2)(D)] to continue the payment suspensions and interest waivers on student loans through December 31<sup>st</sup>, 2020. The Order explicitly allows individuals to continue making payments regardless of suspension or waiver status.