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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

To direct the Administrator of the Federal Emergency Management Agency to establish a fund to provide financial assistance for funeral expenses related to a deceased individual who died of COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. OCASIO-CORTEZ introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Administrator of the Federal Emergency Management Agency to establish a fund to provide financial assistance for funeral expenses related to a deceased individual who died of COVID–19, and for other purposes.

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 “COVID–19 Funeral
5 Assistance Fund”.

1 **SEC. 2. FEDERAL ASSISTANCE FOR FUNERAL EXPENSES**
2 **RELATED TO COVID-19.**

3 (a) GENERAL RULE.—The Administrator of the Fed-
4 eral Emergency Management Agency shall provide finan-
5 cial assistance to individuals and funeral homes for funeral
6 expenses related to a deceased individual who died—

7 (1) of COVID-19; and

8 (2) without sufficient insurance to pay for such
9 funeral expenses.

10 (b) ESTABLISHMENT OF FUND.—Not later than 30
11 days after the date of the enactment of this Act, the Ad-
12 ministrator shall establish a fund to be known as the
13 “COVID-19 Funeral Assistance Fund” (in this Act re-
14 ferred to as the “Fund”) for the purpose of providing fi-
15 nancial assistance under subsection (a).

16 (c) FINANCIAL ASSISTANCE FOR FUNERAL EX-
17 PENSES.—

18 (1) ELIGIBILITY.—

19 (A) INDIVIDUALS.—To be eligible to re-
20 ceive financial assistance from the Fund, an in-
21 dividual shall—

22 (i) submit to the Administrator an ap-
23 plication based on the criteria under para-
24 graph (2); and

1 (ii) demonstrate a common familial
2 relationship to the deceased individual de-
3 scribed in subsection (a).

4 (B) FUNERAL HOMES.—To be eligible to
5 receive financial assistance from the Fund, a
6 funeral home shall—

7 (i) submit to the Administrator an ap-
8 plication based on the criteria under para-
9 graph (2); and

10 (ii) demonstrate that the funeral home
11 is licensed or registered as a business in a
12 State.

13 (C) NO CITIZENSHIP REQUIREMENT.—An
14 individual described in subparagraph (A) may
15 be—

16 (i) a citizen of the United States; or

17 (ii) a nonresident alien.

18 (2) APPLICATION CRITERIA.—

19 (A) IN GENERAL.—The application under
20 paragraph (1) shall include the following:

21 (i) Funeral expenses for a deceased
22 individual described in subsection (a) that
23 were incurred or will be incurred during
24 the period beginning on January 21, 2020
25 and ending on December, 31, 2021.

1 (ii) Proof of the date of death of the
2 deceased individual.

3 (iii) Proof that COVID–19 was the
4 cause of death (directly or indirectly) of
5 the deceased individual as determined by
6 the Administrator based on a death certifi-
7 cate from an official of competent jurisdic-
8 tion.

9 (iv) With respect to an individual,
10 proof of the identity of the individual ap-
11 plying for assistance under this section.

12 (v) With respect to a funeral home—

13 (I) a certification that a deceased
14 individual described in subsection (a)
15 has not been claimed by any indi-
16 vidual in 7 days or more; and

17 (II) proof that the funeral ex-
18 penses of the deceased individual de-
19 scribed in subclause (I) are commensurate with the funeral expenses of
20 other deceased individuals who are not
21 claimed at such funeral home or in
22 the county of such funeral home.

23 (B) ADDITIONAL REQUIREMENT IF IN-
24 SURED.—If the deceased individual described in
25

1 subsection (a) had insurance not greater than
2 \$10,000, the application shall include proof of
3 insurance with respect to the funeral expenses
4 of the deceased individual.

5 (C) ADDITIONAL REQUIREMENT FOR BUR-
6 IAL TRUST.—If a contract exists (including a
7 burial trust) for the purpose of paying the fu-
8 neral expenses in an amount not greater than
9 \$10,000 of a deceased individual described in
10 subsection (a), the application shall include
11 proof of such contract with respect to the fu-
12 neral expenses of the deceased individual.

13 (3) DISTRIBUTION.—Beginning not later than
14 30 days after the date of the enactment of this sec-
15 tion, the Administrator shall provide financial assist-
16 ance in accordance with the requirements under this
17 section to an individual who submitted such applica-
18 tion.

19 (4) LIMITATION.—The amount allowed for a
20 payment to an individual pursuant to paragraph (1)
21 shall not exceed \$10,000 with respect to each de-
22 ceased individual described in subsection (a).

23 (5) NO REQUIREMENT TO RESIDE IN A PRESI-
24 DENTIALLY DECLARED DISASTER AREA.—The Ad-
25 ministrator may not require an individual to reside

1 in a Presidentially declared disaster area to receive
2 financial assistance pursuant to this section.

3 (d) VERIFICATION AND APPLICATION PROCESS RE-
4 QUIREMENTS.—In carrying out this section, the Adminis-
5 trator shall—

6 (1) verify the identity and address of an indi-
7 vidual that receives financial assistance under this
8 section;

9 (2) minimize the risk of making a duplicative
10 payment for a fraudulent application under this sec-
11 tion;

12 (3) recover any duplicate payment provided
13 pursuant to this section; and

14 (4) conduct an expedited and simplified review
15 and appeal process for an individual whose applica-
16 tion for assistance under this section is denied.

17 (e) FUNERAL ASSISTANCE DISREGARDED IN ADMIN-
18 ISTRATION OF FEDERAL PROGRAMS.—Notwithstanding
19 any other provision of law, financial assistance provided
20 to an individual under this section shall not be taken into
21 account as income, and shall not be taken into account
22 as resources for a period of 12 months from receipt, for
23 purposes of determining the eligibility of such individual
24 for benefits or assistance (or the amount or extent of bene-
25 fits or assistance) under any Federal program or under

1 any State or local program financed in whole or in part
2 with Federal funds.

3 (f) REPORT TO CONGRESS.—Not later than 60 days
4 after the date of the enactment of this Act, and 1 year
5 thereafter, the Administrator shall submit to Congress a
6 report on—

7 (1) the number of applications received pursu-
8 ant to subsection (c);

9 (2) the amount of financial assistance provided
10 pursuant to this section for funeral expenses related
11 to a deceased individual described in subsection (a);
12 and

13 (3) the recipients who received the financial as-
14 sistance described in paragraph (2) disaggregated by
15 socioeconomic factors.

16 (g) DIRECT APPROPRIATION.—There is appro-
17 priated, out of amounts in the Treasury not otherwise ap-
18 propriated, for the fiscal year ending September 30, 2020,
19 \$500,000,000 to carry out this Act.

20 (h) PRESIDENTIALLY DECLARED DISASTER AREA
21 DEFINED.—

22 (1) PRESIDENTIALLY DECLARED DISASTER
23 AREA.—The term “Presidentially declared disaster
24 area” means an area for which the President has de-
25 clared a major disaster under section 401 of the

1 Robert T. Stafford Relief and Emergency Assistance
2 Act (42 U.S.C. 5121 et seq.).

3 (2) STATE.—The term “State” means any of
4 the several States or any territory or possession of
5 the United States.