

116TH CONGRESS  
2D SESSION

# H. R. 9050

To amend the Internal Revenue Code of 1986 to provide for additional recovery rebates for individuals, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 24, 2020

Ms. TLAIB (for herself, Ms. JAYAPAL, Ms. PRESSLEY, and Ms. OMAR) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to provide for additional recovery rebates for individuals, 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. ADDITIONAL 2020 RECOVERY REBATES FOR IN-**  
4 **DIVIDUALS.**

5 (a) IN GENERAL.—Subchapter B of chapter 65 of  
6 subtitle F is amended by inserting after section 6428 the  
7 following new section:

1 **“SEC. 6428A. ADDITIONAL 2020 RECOVERY REBATES FOR IN-**  
2 **DIVIDUALS.**

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

8 “(1) \$2,000 (\$4,000 in the case of eligible indi-  
9 viduals filing a joint return), plus

10 “(2) an amount equal to the product of \$600  
11 multiplied by the number of qualifying children  
12 (within the meaning of section 24(c)) of the tax-  
13 payer.

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

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

23 “(1) \$150,000 in the case of a joint return or  
24 a surviving spouse (as defined in section 2(a)),

25 “(2) \$112,500 in the case of a head of house-  
26 hold (as defined in section 2(b)), and

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

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

6           “(1) any nonresident alien individual,

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

12          “(3) an estate or trust.

13          “(e) COORDINATION WITH ADVANCE REFUNDS OF  
14          CREDIT.—

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

23          “(2) JOINT RETURNS.—Except as otherwise  
24          provided by the Secretary, in the case of a refund  
25          or credit made or allowed under subsection (f) with

1 respect to a joint return, half of such refund or cred-  
2 it shall be treated as having been made or allowed  
3 to each individual filing such return.

4 “(f) ADVANCE REFUNDS AND CREDITS.—

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

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

19 “(A) any individual who was deceased be-  
20 fore January 1, 2020, shall be treated for pur-  
21 poses of applying subsection (g) in the same  
22 manner as if the valid identification number of  
23 such person was not included on the return of  
24 tax for such taxable year, and

1           “(B) no amount shall be determined under  
2 this subsection with respect to any qualifying  
3 child of the taxpayer if—

4                   “(i) the taxpayer was deceased before  
5 January 1, 2020, or

6                   “(ii) in the case of a joint return, both  
7 taxpayers were deceased before January 1,  
8 2020.

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

10                   “(A) TIMING.—

11                           “(i) IN GENERAL.—The Secretary  
12 shall, subject to the provisions of this title,  
13 refund or credit any overpayment attrib-  
14 utable to this subsection as rapidly as pos-  
15 sible.

16                           “(ii) DEADLINE.—

17                                   “(I) IN GENERAL.—Except as  
18 provided in subclause (II), no refund  
19 or credit shall be made or allowed  
20 under this subsection after January  
21 15, 2021.

22                                   “(II) EXCEPTION FOR MIRROR  
23 CODE POSSESSIONS.—In the case of a  
24 possession of the United States which  
25 has a mirror code tax system (as such

1 terms are defined in section 2(c) of  
2 the COVID-related Tax Relief Act of  
3 2020), no refund or credit shall be  
4 made or allowed under this subsection  
5 after the earlier of—

6 “(aa) such date as is deter-  
7 mined appropriate by the Sec-  
8 retary, or

9 “(bb) September 30, 2021.

10 “(B) DELIVERY OF PAYMENTS.—Notwith-  
11 standing any other provision of law, the Sec-  
12 retary may certify and disburse refunds payable  
13 under this subsection electronically to—

14 “(i) any account to which the payee  
15 authorized, on or after January 1, 2019,  
16 the delivery of a refund of taxes under this  
17 title or of a Federal payment (as defined  
18 in section 3332 of title 31, United States  
19 Code),

20 “(ii) any account belonging to a payee  
21 from which that individual, on or after  
22 January 1, 2019, made a payment of taxes  
23 under this title, or

1                   “(iii) any Treasury-sponsored account  
2                   (as defined in section 208.2 of title 31,  
3                   Code of Federal Regulations).

4                   “(C) WAIVER OF CERTAIN RULES.—Not-  
5                   withstanding section 3325 of title 31, United  
6                   States Code, or any other provision of law, with  
7                   respect to any payment of a refund under this  
8                   subsection, a disbursing official in the executive  
9                   branch of the United States Government may  
10                  modify payment information received from an  
11                  officer or employee described in section  
12                  3325(a)(1)(B) of such title for the purpose of  
13                  facilitating the accurate and efficient delivery of  
14                  such payment. Except in cases of fraud or reck-  
15                  less neglect, no liability under section 3325,  
16                  3527, 3528, or 3529 of title 31, United States  
17                  Code, shall be imposed with respect to pay-  
18                  ments made under this subparagraph.

19                  “(4) NO INTEREST.—No interest shall be al-  
20                  lowed on any overpayment attributable to this sub-  
21                  section.

22                  “(5) APPLICATION TO CERTAIN INDIVIDUALS  
23                  WHO DO NOT FILE A RETURN OF TAX FOR 2019.—

24                  “(A) IN GENERAL.—In the case of a speci-  
25                  fied individual who, at the time of any deter-

1 mination made pursuant to paragraph (3), has  
2 not filed a tax return for the year described in  
3 paragraph (1), the Secretary may use informa-  
4 tion with respect to such individual which is  
5 provided by—

6 “(i) in the case of a specified social  
7 security beneficiary or a specified supple-  
8 mental security income recipient, the Com-  
9 missioner of Social Security,

10 “(ii) in the case of a specified railroad  
11 retirement beneficiary, the Railroad Retire-  
12 ment Board, and

13 “(iii) in the case of a specified vet-  
14 erans beneficiary, the Secretary of Vet-  
15 erans Affairs (in coordination with, and  
16 with the assistance of, the Commissioner of  
17 Social Security if appropriate).

18 “(B) SPECIFIED INDIVIDUAL.—For pur-  
19 poses of this paragraph, the term ‘specified in-  
20 dividual’ means any individual who is—

21 “(i) a specified social security bene-  
22 ficiary,

23 “(ii) a specified supplemental security  
24 income recipient,



1           “(iii) a specified railroad retirement  
2 beneficiary, or

3           “(iv) a specified veterans beneficiary.

4           “(C) SPECIFIED SOCIAL SECURITY BENE-  
5 FICIARY.—

6           “(i) IN GENERAL.—For purposes of  
7 this paragraph, the term ‘specified social  
8 security beneficiary’ means any individual  
9 who, for the last month for which the Sec-  
10 retary has available information as of the  
11 date of enactment of this section, is enti-  
12 tled to any monthly insurance benefit pay-  
13 able under title II of the Social Security  
14 Act (42 U.S.C. 401 et seq.), including pay-  
15 ments made pursuant to sections 202(d),  
16 223(g), and 223(i)(7) of such Act.

17           “(ii) EXCEPTION.—For purposes of  
18 this paragraph, the term ‘specified social  
19 security beneficiary’ shall not include any  
20 individual if such benefit is not payable for  
21 such month by reason of section  
22 202(x)(1)(A) of the Social Security Act  
23 (42 U.S.C. 402(x)(1)(A)) or section 1129A  
24 of such Act (42 U.S.C. 1320a–8a).

1           “(D) SPECIFIED SUPPLEMENTAL SECUR-  
2           RITY INCOME RECIPIENT.—

3           “(i) IN GENERAL.—For purposes of  
4           this paragraph, the term ‘specified supple-  
5           mental security income recipient’ means  
6           any individual who, for the last month for  
7           which the Secretary has available informa-  
8           tion as of the date of enactment of this  
9           section, is eligible for a monthly benefit  
10          payable under title XVI of the Social Secu-  
11          rity Act (42 U.S.C. 1381 et seq.), includ-  
12          ing—

13                   “(I) payments made pursuant to  
14                   section 1614(a)(3)(C) of such Act (42  
15                   U.S.C. 1382e(a)(3)(C)),

16                   “(II) payments made pursuant to  
17                   section 1619(a) (42 U.S.C. 1382h(a))  
18                   or subsection (a)(4), (a)(7), or (p)(7)  
19                   of section 1631 (42 U.S.C. 1383) of  
20                   such Act, and

21                   “(III) State supplementary pay-  
22                   ments of the type referred to in sec-  
23                   tion 1616(a) of such Act (42 U.S.C.  
24                   1382e(a)) (or payments of the type  
25                   described in section 212(a) of Public

1 Law 93–66) which are paid by the  
2 Commissioner under an agreement re-  
3 ferred to in such section 1616(a) (or  
4 section 212(a) of Public Law 93–66).

5 “(ii) EXCEPTION.—For purposes of  
6 this paragraph, the term ‘specified supple-  
7 mental security income recipient’ shall not  
8 include any individual if such monthly ben-  
9 efit is not payable for such month by rea-  
10 son of section 1611(e)(1)(A) of the Social  
11 Security Act (42 U.S.C. 1382(e)(1)(A)) or  
12 section 1129A of such Act (42 U.S.C.  
13 1320a–8a).

14 “(E) SPECIFIED RAILROAD RETIREMENT  
15 BENEFICIARY.—For purposes of this para-  
16 graph, the term ‘specified railroad retirement  
17 beneficiary’ means any individual who, for the  
18 last month for which the Secretary has avail-  
19 able information as of the date of enactment of  
20 this section, is entitled to a monthly annuity or  
21 pension payment payable (without regard to  
22 section 5(a)(ii) of the Railroad Retirement Act  
23 of 1974 (45 U.S.C. 231d(a)(ii))) under—

24 “(i) section 2(a)(1) of such Act (45  
25 U.S.C. 231a(a)(1)),

1 “(ii) section 2(c) of such Act (45  
2 U.S.C. 231a(c)),

3 “(iii) section 2(d)(1) of such Act (45  
4 U.S.C. 231a(d)(1)), or

5 “(iv) section 7(b)(2) of such Act (45  
6 U.S.C. 231f(b)(2)) with respect to any of  
7 the benefit payments described in subpara-  
8 graph (C)(i).

9 “(F) SPECIFIED VETERANS BENE-  
10 FICIARY.—

11 “(i) IN GENERAL.—For purposes of  
12 this paragraph, the term ‘specified vet-  
13 erans beneficiary’ means any individual  
14 who, for the last month for which the Sec-  
15 retary has available information as of the  
16 date of enactment of this section, is enti-  
17 tled to a compensation or pension payment  
18 payable under—

19 “(I) section 1110, 1117, 1121,  
20 1131, 1141, or 1151 of title 38,  
21 United States Code,

22 “(II) section 1310, 1312, 1313,  
23 1315, 1316, or 1318 of title 38,  
24 United States Code,

1                   “(III) section 1513, 1521, 1533,  
2                   1536, 1537, 1541, 1542, or 1562 of  
3                   title 38, United States Code, or

4                   “(IV) section 1805, 1815, or  
5                   1821 of title 38, United States Code,  
6                   to a veteran, surviving spouse, child, or  
7                   parent as described in paragraph (2), (3),  
8                   (4)(A)(ii), or (5) of section 101, title 38,  
9                   United States Code.

10                   “(ii) EXCEPTION.—For purposes of  
11                   this paragraph, the term ‘specified vet-  
12                   erans beneficiary’ shall not include any in-  
13                   dividual if such compensation or pension  
14                   payment is not payable, or was reduced,  
15                   for such month by reason of section 1505  
16                   or 5313 of title 38, United States Code.

17                   “(G) SUBSEQUENT DETERMINATIONS AND  
18                   REDETERMINATIONS NOT TAKEN INTO AC-  
19                   COUNT.—For purposes of this section, any indi-  
20                   vidual’s status as a specified social security ben-  
21                   eficiary, a specified supplemental security in-  
22                   come recipient, a specified railroad retirement  
23                   beneficiary, or a specified veterans beneficiary  
24                   shall be unaffected by any determination or re-  
25                   determination of any entitlement to, or eligi-

1 bility for, any benefit, payment, or compensa-  
2 tion, if such determination or redetermination  
3 occurs after the last month for which the Sec-  
4 retary has available information as of the date  
5 of enactment of this section.

6 “(H) PAYMENT TO REPRESENTATIVE PAY-  
7 EES AND FIDUCIARIES.—

8 “(i) IN GENERAL.—If the benefit,  
9 payment, or compensation referred to in  
10 subparagraph (C)(i), (D)(i), (E), or (F)(i)  
11 with respect to any specified individual is  
12 paid to a representative payee or fiduciary,  
13 payment by the Secretary under paragraph  
14 (3) with respect to such specified indi-  
15 vidual shall be made to such individual’s  
16 representative payee or fiduciary and the  
17 entire payment shall be used only for the  
18 benefit of the individual who is entitled to  
19 the payment.

20 “(ii) APPLICATION OF ENFORCEMENT  
21 PROVISIONS.—

22 “(I) In the case of a payment de-  
23 scribed in clause (i) which is made  
24 with respect to a specified social secu-  
25 rity beneficiary or a specified supple-

1           mental security income recipient, sec-  
2           tion 1129(a)(3) of the Social Security  
3           Act (42 U.S.C. 1320a-8(a)(3)) shall  
4           apply to such payment in the same  
5           manner as such section applies to a  
6           payment under title II or XVI of such  
7           Act.

8                   “(II) In the case of a payment  
9           described in clause (i) which is made  
10          with respect to a specified railroad re-  
11          tirement beneficiary, section 13 of the  
12          Railroad Retirement Act (45 U.S.C.  
13          2311) shall apply to such payment in  
14          the same manner as such section ap-  
15          plies to a payment under such Act.

16                   “(III) In the case of a payment  
17          described in clause (i) which is made  
18          with respect to a specified veterans  
19          beneficiary, sections 5502, 6106, and  
20          6108 of title 38, United States Code,  
21          shall apply to such payment in the  
22          same manner as such sections apply  
23          to a payment under such title.

24                   “(I) INELIGIBILITY FOR SPECIAL RULE

25                   NOT TO BE INTERPRETED AS GENERAL INELI-

1 GIBILITY.—An individual shall not fail to be  
2 treated as an eligible individual for purposes of  
3 this subsection or subsection (a) merely because  
4 such individual is not a specified individual (in-  
5 cluding by reason of subparagraph (C)(ii),  
6 (D)(ii), or (F)(ii)).

7 “(6) NOTICE TO TAXPAYER.—As soon as prac-  
8 ticable after the date on which the Secretary distrib-  
9 uted any payment to an eligible taxpayer pursuant  
10 to this subsection, the Secretary shall send notice by  
11 mail to such taxpayer’s last known address. Such  
12 notice shall indicate the method by which such pay-  
13 ment was made, the amount of such payment, and  
14 a phone number for the appropriate point of contact  
15 at the Internal Revenue Service to report any failure  
16 to receive such payment.

17 “(g) IDENTIFICATION NUMBER REQUIREMENT.—

18 “(1) IN GENERAL.—In the case of a return  
19 other than a joint return, the \$2,000 amount in sub-  
20 section (a)(1) shall be treated as being zero unless  
21 the taxpayer includes the valid identification number  
22 of the taxpayer on the return of tax for the taxable  
23 year.



1           “(2) JOINT RETURNS.—In the case of a joint  
2 return, the \$4,000 amount in subsection (a)(1) shall  
3 be treated as being—

4           “(A) \$2,000 if the valid identification  
5 number of only 1 spouse is included on the re-  
6 turn of tax for the taxable year, and

7           “(B) zero if the valid identification number  
8 of neither spouse is so included.

9           “(3) QUALIFYING CHILD.—A qualifying child of  
10 a taxpayer shall not be taken into account under  
11 subsection (a)(2) unless—

12           “(A) the taxpayer includes the valid identi-  
13 fication number of such taxpayer (or, in the  
14 case of a joint return, the valid identification  
15 number of at least 1 spouse) on the return of  
16 tax for the taxable year, and

17           “(B) the valid identification number of  
18 such qualifying child is included on the return  
19 of tax for the taxable year.

20           “(4) VALID IDENTIFICATION NUMBER.—

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

1           “(B) ADOPTION TAXPAYER IDENTIFICA-  
2           TION NUMBER.—For purposes of paragraph  
3           (3)(B), in the case of a qualifying child who is  
4           adopted or placed for adoption, the term ‘valid  
5           identification number’ shall include the adop-  
6           tion taxpayer identification number of such  
7           child.

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

15          “(6) COORDINATION WITH CERTAIN ADVANCE  
16          PAYMENTS.—In the case of any payment under sub-  
17          section (f) which is based on information provided  
18          under paragraph (5) of such subsection, a valid  
19          identification number shall be treated for purposes  
20          of this subsection as included on the taxpayer’s re-  
21          turn of tax if such valid identification number is  
22          provided pursuant to subsection (f)(5).

23          “(7) MATHEMATICAL OR CLERICAL ERROR AU-  
24          THORITY.—Any omission of a correct valid identi-  
25          fication number required under this subsection shall

1 be treated as a mathematical or clerical error for  
2 purposes of applying section 6213(g)(2) to such  
3 omission.

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

9 (b) ADMINISTRATIVE AMENDMENTS.—

10 (1) DEFINITION OF DEFICIENCY.—Section  
11 6211(b)(4)(A) is amended by striking “and 6428”  
12 and inserting “6428, and 6428A”.

13 (2) MATHEMATICAL OR CLERICAL ERROR AU-  
14 THORITY.—Section 6213(g)(2)(L) is amended by  
15 striking “or 6428” and inserting “6428, or 6428A”.

16 (c) TREATMENT OF POSSESSIONS.—

17 (1) PAYMENTS TO POSSESSIONS.—

18 (A) MIRROR CODE POSSESSION.—The Sec-  
19 retary of the Treasury shall pay to each posses-  
20 sion of the United States which has a mirror  
21 code tax system amounts equal to the loss (if  
22 any) to that possession by reason of the amend-  
23 ments made by this section. Such amounts shall  
24 be determined by the Secretary of the Treasury

1 based on information provided by the govern-  
2 ment of the respective possession.

3 (B) OTHER POSSESSIONS.—The Secretary  
4 of the Treasury shall pay to each possession of  
5 the United States which does not have a mirror  
6 code tax system amounts estimated by the Sec-  
7 retary of the Treasury as being equal to the ag-  
8 gregate benefits (if any) that would have been  
9 provided to residents of such possession by rea-  
10 son of the amendments made by this section if  
11 a mirror code tax system had been in effect in  
12 such possession. The preceding sentence shall  
13 not apply unless the respective possession has a  
14 plan, which has been approved by the Secretary  
15 of the Treasury, under which such possession  
16 will promptly distribute such payments to its  
17 residents.

18 (2) COORDINATION WITH CREDIT ALLOWED  
19 AGAINST UNITED STATES INCOME TAXES.—No cred-  
20 it shall be allowed against United States income  
21 taxes under section 6428A of the Internal Revenue  
22 Code of 1986 (as added by this section) to any per-  
23 son—

1 (A) to whom a credit is allowed against  
2 taxes imposed by the possession by reason of  
3 the amendments made by this section, or

4 (B) who is eligible for a payment under a  
5 plan described in paragraph (1)(B).

6 (3) DEFINITIONS AND SPECIAL RULES.—

7 (A) POSSESSION OF THE UNITED  
8 STATES.—For purposes of this subsection, the  
9 term “possession of the United States” includes  
10 the Commonwealth of Puerto Rico and the  
11 Commonwealth of the Northern Mariana Is-  
12 lands.

13 (B) MIRROR CODE TAX SYSTEM.—For pur-  
14 poses of this subsection, the term “mirror code  
15 tax system” means, with respect to any posses-  
16 sion of the United States, the income tax sys-  
17 tem of such possession if the income tax liabil-  
18 ity of the residents of such possession under  
19 such system is determined by reference to the  
20 income tax laws of the United States as if such  
21 possession were the United States.

22 (C) TREATMENT OF PAYMENTS.—For pur-  
23 poses of section 1324 of title 31, United States  
24 Code, the payments under this subsection shall  
25 be treated in the same manner as a refund due

1 from a credit provision referred to in subsection  
2 (b)(2) of such section.

3 (d) ADMINISTRATIVE PROVISIONS.—

4 (1) EXCEPTION FROM REDUCTION OR OFF-  
5 SET.—Any refund payable by reason of section  
6 6428A(f) of the Internal Revenue Code of 1986 (as  
7 added by this section), or any such refund payable  
8 by reason of subsection (e) of this section, shall not  
9 be—

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

13 (B) subject to reduction or offset pursuant  
14 to subsection (c), (d), (e), or (f) of section 6402  
15 of the Internal Revenue Code of 1986, or

16 (C) reduced or offset by other assessed  
17 Federal taxes that would otherwise be subject  
18 to levy or collection.

19 (2) ASSIGNMENT OF BENEFITS.—

20 (A) IN GENERAL.—The right of any per-  
21 son to any applicable payment shall not be  
22 transferable or assignable, at law or in equity,  
23 and no applicable payment shall be subject to,  
24 execution, levy, attachment, garnishment, or

1 other legal process, or the operation of any  
2 bankruptcy or insolvency law.

3 (B) ENCODING OF PAYMENTS.—In the  
4 case of an applicable payment described in sub-  
5 paragraph (E)(iii)(I) that is paid electronically  
6 by direct deposit through the Automated Clear-  
7 ing House (ACH) network, the Secretary of the  
8 Treasury (or the Secretary’s delegate) shall—

9 (i) issue the payment using a unique  
10 identifier that is reasonably sufficient to  
11 allow a financial institution to identify the  
12 payment as an applicable payment, and

13 (ii) further encode the payment pursu-  
14 ant to the same specifications as required  
15 for a benefit payment defined in section  
16 212.3 of title 31, Code of Federal Regula-  
17 tions.

18 (C) GARNISHMENT.—

19 (i) ENCODED PAYMENTS.—In the case  
20 of a garnishment order that applies to an  
21 account that has received an applicable  
22 payment that is encoded as provided in  
23 subparagraph (B), a financial institution  
24 shall follow the requirements and proce-

1           dures set forth in part 212 of title 31,  
2           Code of Federal Regulations, except—

3                   (I) notwithstanding section 212.4  
4                   of title 31, Code of Federal Regula-  
5                   tions (and except as provided in sub-  
6                   clause (II)), a financial institution  
7                   shall not fail to follow the procedures  
8                   of sections 212.5 and 212.6 of such  
9                   title with respect to a garnishment  
10                  order merely because such order has  
11                  attached, or includes, a notice of right  
12                  to garnish Federal benefits issued by  
13                  a State child support enforcement  
14                  agency, and

15                  (II) a financial institution shall  
16                  not, with regard to any applicable  
17                  payment, be required to provide the  
18                  notice referenced in sections 212.6  
19                  and 212.7 of title 31, Code of Federal  
20                  Regulations.

21                  (ii) OTHER PAYMENTS.—In the case  
22                  of a garnishment order (other than an  
23                  order that has been served by the United  
24                  States) that has been received by a finan-  
25                  cial institution and that applies to an ac-



1 count into which an applicable payment  
2 that has not been encoded as provided in  
3 subparagraph (B) has been deposited elec-  
4 tronically on any date during the lookback  
5 period or into which an applicable payment  
6 that has been deposited by check on any  
7 date in the lookback period, the financial  
8 institution, upon the request of the account  
9 holder, shall treat the amount of the funds  
10 in the account at the time of the request,  
11 up to the amount of the applicable pay-  
12 ment (in addition to any amounts other-  
13 wise protected under part 212 of title 31,  
14 Code of Federal Regulations), as exempt  
15 from a garnishment order without requir-  
16 ing the consent of the party serving the  
17 garnishment order or the judgment cred-  
18 itor.

19 (iii) LIABILITY.—A financial institu-  
20 tion that acts in good faith in reliance on  
21 clause (i) or (ii) shall not be subject to li-  
22 ability or regulatory action under any Fed-  
23 eral or State law, regulation, court or other  
24 order, or regulatory interpretation for ac-  
25 tions concerning any applicable payments.

1 (D) NO RECLAMATION RIGHTS.—This  
2 paragraph shall not alter the status of applica-  
3 ble payments as tax refunds or other nonbenefit  
4 payments for purpose of any reclamation rights  
5 of the Department of the Treasury or the Inter-  
6 nal Revenue Service as per part 210 of title 31,  
7 Code of Federal Regulations.

8 (E) DEFINITIONS.—For purposes of this  
9 paragraph—

10 (i) ACCOUNT HOLDER.—The term  
11 “account holder” means a natural person  
12 whose name appears in a financial institu-  
13 tion’s records as the direct or beneficial  
14 owner of an account.

15 (ii) ACCOUNT REVIEW.—The term  
16 “account review” means the process of ex-  
17 amining deposits in an account to deter-  
18 mine if an applicable payment has been de-  
19 posited into the account during the  
20 lookback period. The financial institution  
21 shall perform the account review following  
22 the procedures outlined in section 212.5 of  
23 title 31, Code of Federal Regulations and  
24 in accordance with the requirements of sec-

1                   tion 212.6 of title 31, Code of Federal  
2                   Regulations.

3                   (iii) APPLICABLE PAYMENT.—The  
4                   term “applicable payment” means—

5                   (I) any advance refund amount  
6                   paid pursuant to section 6428A(f) of  
7                   Internal Revenue Code of 1986 (as  
8                   added by this section),

9                   (II) any payment made by a pos-  
10                  session of the United States with a  
11                  mirror code tax system (as defined in  
12                  subsection (c) of this section) pursu-  
13                  ant to such subsection which cor-  
14                  responds to a payment described in  
15                  subclause (I), and

16                  (III) any payment made by a  
17                  possession of the United States with-  
18                  out a mirror code tax system (as so  
19                  defined) pursuant to subsection (c) of  
20                  this section.

21                  (iv) GARNISHMENT.—The term “gar-  
22                  nishment” means execution, levy, attach-  
23                  ment, garnishment, or other legal process.

24                  (v) GARNISHMENT ORDER.—The term  
25                  “garnishment order” means a writ, order,

1 notice, summons, judgment, levy, or simi-  
2 lar written instruction issued by a court, a  
3 State or State agency, a municipality or  
4 municipal corporation, or a State child  
5 support enforcement agency, including a  
6 lien arising by operation of law for overdue  
7 child support or an order to freeze the as-  
8 sets in an account, to effect a garnishment  
9 against a debtor.

10 (vi) LOOKBACK PERIOD.—The term  
11 “lookback period” means the two month  
12 period that begins on the date preceding  
13 the date of account review and ends on the  
14 corresponding date of the month two  
15 months earlier, or on the last date of the  
16 month two months earlier if the cor-  
17 responding date does not exist.

18 (3) AGENCY INFORMATION SHARING AND AS-  
19 SISTANCE.—

20 (A) IN GENERAL.—The Commissioner of  
21 Social Security, the Railroad Retirement Board,  
22 and the Secretary of Veterans Affairs shall each  
23 provide the Secretary of the Treasury (or the  
24 Secretary’s delegate) such information and as-  
25 sistance as the Secretary of the Treasury (or

1 the Secretary's delegate) may require for pur-  
2 poses of—

3 (i) making payments under section  
4 6428A(f) of the Internal Revenue Code of  
5 1986 to individuals described in paragraph  
6 (5)(A) thereof, or

7 (ii) providing administrative assist-  
8 ance to a possession of the United States  
9 (as defined in subsection (c)(3)(A)) to  
10 allow such possession to promptly dis-  
11 tribute payments under subsection (c) to  
12 its residents.

13 (B) EXCHANGE OF INFORMATION WITH  
14 POSSESSIONS.—Any information provided to the  
15 Secretary of the Treasury (or the Secretary's  
16 delegate) pursuant to subparagraph (A)(ii) may  
17 be exchanged with a possession of the United  
18 States in accordance with the applicable tax co-  
19 ordination agreement for information exchange  
20 and administrative assistance that the Internal  
21 Revenue Service has agreed to with such pos-  
22 session.

23 (e) PUBLIC AWARENESS CAMPAIGN.—The Secretary  
24 of the Treasury (or the Secretary's delegate) shall conduct  
25 a public awareness campaign, in coordination with the

1 Commissioner of Social Security and the heads of other  
2 relevant Federal agencies, to provide information regard-  
3 ing the availability of the credit and rebate allowed under  
4 section 6428A of the Internal Revenue Code of 1986 (as  
5 added by this section), including information with respect  
6 to individuals who may not have filed a tax return for tax-  
7 able year 2019.

8 (f) APPROPRIATIONS TO CARRY OUT REBATES AND  
9 ADDRESS COVID-RELATED TAX ADMINISTRATION  
10 ISSUES.—

11 (1) IN GENERAL.—Immediately upon the enact-  
12 ment of this Act, the following sums are appro-  
13 priated, out of any money in the Treasury not other-  
14 wise appropriated, for the fiscal year ending Sep-  
15 tember 30, 2021:

16 (A) DEPARTMENT OF THE TREASURY.—

17 (i) For an additional amount for “De-  
18 partment of the Treasury—Internal Rev-  
19 enue Service—Taxpayer Services”,  
20 \$178,335,000, to remain available until  
21 September 30, 2021.

22 (ii) For an additional amount for  
23 “Department of the Treasury—Internal  
24 Revenue Service—Operations Support”,

1           \$273,237,000, to remain available until  
2           September 30, 2021.

3           (iii) For an additional amount for  
4           “Department of the Treasury—Internal  
5           Revenue           Service—Enforcement”,  
6           \$57,428,000, to remain available until  
7           September 30, 2021.

8           Amounts made available in appropriations  
9           under this subparagraph may be transferred be-  
10          tween such appropriations upon the advance no-  
11          tification of the Committees on Appropriations  
12          of the House of Representatives and the Sen-  
13          ate. Such transfer authority is in addition to  
14          any other transfer authority provided by law.

15          (B) SOCIAL SECURITY ADMINISTRATION.—  
16          For an additional amount for “Social Security  
17          Administration—Limitation on Administrative  
18          Expenses”, \$38,000,000, to remain available  
19          until September 30, 2021.

20          (C) RAILROAD RETIREMENT BOARD.—For  
21          an additional amount for “Railroad Retirement  
22          Board—Limitation on Administration”, \$8,300,  
23          to remain available until September 30, 2021.

24          (2) REPORTS.—No later than 15 days after en-  
25          actment of this Act, the Secretary of the Treasury

1 shall submit a plan to the Committees on Appropria-  
2 tions of the House of Representatives and the Sen-  
3 ate detailing the expected use of the funds provided  
4 by paragraph (1)(A). Beginning 90 days after enact-  
5 ment of this Act, the Secretary of the Treasury shall  
6 submit a quarterly report to the Committees on Ap-  
7 propriations of the House of Representatives and the  
8 Senate detailing the actual expenditure of funds pro-  
9 vided by paragraph (1)(A) and the expected expendi-  
10 ture of such funds in the subsequent quarter.

11 (g) CONFORMING AMENDMENTS.—

12 (1) Paragraph (2) of section 1324(b) of title  
13 31, United States Code, is amended by inserting  
14 “6428A,” after “6428,”.

15 (2) The table of sections for subchapter B of  
16 chapter 65 of subtitle F is amended by inserting  
17 after the item relating to section 6428 the following:

“Sec. 6428A. Additional 2020 recovery rebates for individuals.”.

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