

Congress of the United States
Washington, DC 20515

April 24, 2020

The Honorable Nancy Pelosi
Speaker of the House
United States House of Representatives
H-232, U.S. Capitol
Washington, D.C. 20515

The Honorable Mitch McConnell
Majority Leader
United States Senate
S-230, U.S. Capitol
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
H-204, U.S. Capitol
Washington, D.C. 20515

The Honorable Charles Schumer
Minority Leader
United States Senate
S-220, U.S. Capitol
Washington, D.C. 20510

Dear Speaker Pelosi, Leader McCarthy, Majority Leader McConnell, and Minority Leader Schumer,

The coronavirus, or COVID-19, pandemic has upended the lives of every American and created considerable uncertainty about the future of our economy. One aspect of this uncertainty is that individuals who have contributed to a Flexible Spending Account (FSA) may have to forfeit their hard-earned money at the end of the year.

During a time when businesses are closed and states are enforcing shelter-in-place orders, individuals may not be able to spend the funds they have set aside to pay for things such as healthcare and childcare expenses. Congress should act quickly to ensure that these individuals are not penalized for planning ahead. They should allow these individuals to immediately withdraw these funds after taxes or roll the balance over to next year. This temporary remedy will ensure these individuals are not unfairly burdened while preserving the structure of these accounts going forward.

The Internal Revenue Service lacks the authority to make these changes administratively, necessitating a legislative fix. As Congress weighs additional legislative action in response to the COVID-19 pandemic, we ask that language be included that would ensure that individuals utilizing any type of FSA, including healthcare and dependent care accounts, receive the flexibility they need to manage their finances during these unprecedented times.

Sincerely,



Gary Palmer
Member of Congress

The following members of the U.S. House of Representatives have also signed this letter:

Robert B. Aderholt
Troy Balderson
Ken Buck
Ben Cline
Paul Cook
Rick Crawford
Brian Fitzpatrick
Russ Fulcher
Matt Gaetz
Bob Gibbs
Paul A. Gosar D.D.S.
Jim Hagedorn
Andy Harris, M.D.
Vicky Hartzler
Dusty Johnson
John Katko

Steve King
Doug LaMalfa
Stephen F. Lynch
Roger Marshall, M.D.
Ralph Norman
Scott Perry
David Rouzer
Chip Roy
Mike Simpson
Pete Stauber
Chris Stewart
Steve Stivers
Ann Wagner
Randy K. Weber
Bruce Westerman
Ron Wright

cc: Acting Director Russ Vought