Below is our COVID-19 Update for January 15, 2021:

Both the Senate and House are in recess.

Developments Related to the Attack on the Capitol

* House Minority Leader Kevin McCarthy (R-CA) announced that he will not support calls from the Republican Caucus to remove Rep. Liz Cheney (R-WY) from her leadership position after she voted to impeach President Trump.
  + As a reminder, Rep. Cheney currently serves as the Republican Conference Chair.
* Federal Bureau of Investigations (FBI) Director Christopher Wray announced that the FBI has made over 100 arrests and received over 140,000 tips relating to the attack on the Capitol. Federal prosecutors are considering charging those involved in the attack with sedition, describing the event as a “violent insurrection that attempted to overthrow the United States Government.”
  + Sedition is a powerful charge that carries with it the possibility of up to 20 years in prison.
* The impeachment trial in the Senate could begin on January 20 at 1:00pm, one hour after President-elect Biden is inaugurated.
  + Senate Democrats, conscious of the delay the trial would cause in the confirmation process of President-elect Biden’s nominees, as well as advancing a new COVID-19 relief package continue to work on a plan to split days in the Senate with half dedicated to the impeachment trial and the other half focused on more regular business.
    - All 100 Senators would have to agree to such a plan, which amplifies the focus on outgoing Majority Leader Mitch McConnell (R-KY) given his ability to rally support from other Republican Senators.
* Rep. Stephanie Murphy (D-FL) introduced a bill to prevent those who participated in the attack on the Capitol and those who are QAnon followers from holding security clearances, blocking access to national security jobs and classified information.
  + The bill would require additional questions during the security clearance application process to determine eligibility.
* Additionally, there are currently 7,000 members of the National Guard in Washington, DC to help prevent further violence, though that number is expected to increase to 21,000 troops by Inauguration Day.

Election and Transition News

* The Senate Intelligence Committee announced that the confirmation hearing for Avril Haines to be Director of National Intelligence has been postponed, after having been previously scheduled for today. It is unclear when the hearing will now take place.
* The Senate Commerce, Science and Transportation has announced the confirmation hearing for Mayor Pete Buttigieg to be Secretary of Transportation. The hearing will be held next Thursday, January 21 at 10:00am.
* President-elect Biden nominated Janet McCabe to be Deputy Administrator of the Environmental Protection Agency (EPA). McCabe previously served as the EPA Acting Assistant Administrator for the Office of Air and Radiation during the Obama Administration, where she helped create the Clean Power Plan.
* President-elect Biden nominated Shalanda Young to be Deputy Director of the Office of Management and Budget (OMB). Young is currently the Staff Director for the House Appropriations Committee. House Appropriations Chair Rosa DeLauro (D-CT) [described](https://appropriations.house.gov/news/press-releases/delauro-statement-on-biden-nomination-of-shalanda-young-as-omb-deputy-director) Young as “a legislative expert whose deep knowledge of the federal budget will be critical as we work to Build Back Better."
* President-elect Biden is also expected to nominate Deanne Criswell as Federal Emergency Management Agency (FEMA) Administrator. Crisswell currently serves as Commissioner of New York City’s Emergency Management Department and also previously served as a leader of a FEMA National Incident Management Assistance Team.
* Additionally, President-elect Biden announced Jason Miller as deputy OMB Director for Management.

COVID-19

* President-elect Biden has announced Dr. David Kessler, who served as Food and Drug Administration Administrator under Presidents George H. W. Bush and Clinton, as the new lead scientific official for Operation Warp Speed. Dr. Kessler will replace the current lead, Dr. Moncef Slaoui, who will continue to act as an advisor to Operation Warp Speed.
  + The Biden team also plans to change the name of the vaccine effort, no long using the “Warp Speed” moniker and referring to the effort simply as “COVID Response.”
* The Federal Energy Regulatory Commission (FERC) sent a [letter](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fcms.ferc.gov%2fsites%2fdefault%2ffiles%2f2021-01%2fFERC%2520Letter%2520to%2520CDC.pdf&c=E,1,SEC27TcwJz1wc3UTUM_uAayWAYFLLRQ7YdkugvPBMQI2RD5M3UV0S83fivyTqggGq19labtHAalzG3987lTllFzT0wNoyZw1MVCFUs8SWA,,&typo=1) to the Centers for Disease Control and Prevention (CDC) asking for power grid control and maintenance utility workers to be given higher priority for COVID-19 vaccines.
  + According to the letter, the workers are essential and their “duties can only be performed on-site, usually in close quarters, where full adherence to social distancing guidelines is impossible.”

Congress

Senate

* Senate committee ratios are expected to be divided equally between Democrats and Republicans for the 117th Congress, just as they were when the Senate was tied in 2001. Funding for the Committees also is likely to be evenly split – a change from the distribution in the 116th Congress.

Administration

* The Federal Aviation Administration (FAA) finalized its “Operation of Small Unmanned Aircraft Systems over People” rule. The final rule allows routine operations of small unmanned aircraft over people and at night under certain conditions, effective March 16. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2020-28947%2foperation-of-small-unmanned-aircraft-systems-over-people&c=E,1,ZKvtwpBrkIMhZr3NIc03u3xFwZTPb2YYjNkxiOfFU1-grv9k1UDs8i5b9KwrJPLnlrEcFmz_foLtdN5ExWTuYEgkiBxRl0dOO_f4Cpv_VpagDag,&typo=1).
  + The FAA also issued the final rule on the remote identification of unmanned aircraft in U.S. airspace to address integration-related concerns over safety, national security, and law enforcement. The rule is effective March 16. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2020-28948%2fremote-identification-of-unmanned-aircraft&c=E,1,N9z6_MJyWePCT7sROTFvZ6eFpvwir7sijHJbR-Qee04PTqd04CCeLlIN5yGVP_-YD2QcKtMqJgqKZYwwiw2Dza1al0xnEuvwscxsBQmVUT_RuBe1&typo=1).
* The Department of Defense’s Inspector General announced that it will conduct an investigation into extremism in the military, following a [letter](https://www.blumenthal.senate.gov/imo/media/doc/2021.01.14%20Letter%20to%20DoD%20IG%20-%20Extremism%20in%20Military.pdf?source=email) from 14 Democratic Senators. The investigation will cover “policy and procedures that prohibit active advocacy and active participation related to supremacist, extremist, or criminal gang doctrine, ideology, or causes by active-duty military personnel.”
  + The letter calls for “a comprehensive investigation into instances of white supremacist and violent fringe extremist activity within the military” in light of the attack on the Capitol.
* The National Highway Traffic Safety Administration (NHTSA) may add four new aspects to the New Car Assessment Program, including lane keeping support, pedestrian automatic emergency braking, blind spot warning, and blind spot intervention. The NHTSA [requested](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.nhtsa.gov%2fpress-releases%2fpublic-comment-on-ncap-modernization&c=E,1,KK60BVUnDgUiT1Q23Q8Hyq_XVR1DBo9uQ14qzBuEEEEwF_tJqKcsy9Rv0NaSNO58poX6pPr5p6OFG8X9ifPYQ5bxmQ85PzAY82DXmvLA0qp0pxf3jTZJbBETJjV9sg,,&typo=1) comments on the proposal and the development of a rating system for automated technology.
* The Administration published three final rules, including the Department of Interior’s oil, gas, and coal royalty rule and the Department of Energy’s water heater and furnace rule, which were both reported on yesterday. The third final rule, from the Office of the Comptroller of the Currency, will [restrict](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2focc.gov%2fnews-issuances%2fnews-releases%2f2021%2fnr-occ-2021-8.html&c=E,1,WBcALnGhxe9w_BWT57IZ8rYN8Bo1bekihUu4zrd_clBuM8R74Njef4cl-hxnwPs8oNYgkYYav4LRZxEQz4nD1jKCMBY3IMV4mas7uV57RJk8M5rdO0haMA9zSa9VHg,,&typo=1) banks from denying loans to entire industries, mainly targeting the fossil fuel industry.
* President Trump [announced](https://www.whitehouse.gov/presidential-actions/proclamation-continuation-facilitating-positive-adjustment-competition-imports-large-residential-washers/) that import restrictions on large washing machines will be extended for two years. These Section 203 restrictions were implemented in 2018 to protect the domestic washer industry after an emergency request from Whirlpool.
* The Administration released its implementation plan for the National Strategy to Secure 5G, though the plan does not have to be followed by the Biden Administration. The plan gives increased authority to the White House National Security and Economic councils and includes:
  + The development and distribution of new technology with an emphasis on secure global networks.
  + Virtualizing 5G radio access network hardware to reduce dependence on Chinese producers.
  + The plan is attached.
* Amtrak CEO Bill Flynn [announced](https://media.amtrak.com/2021/01/statement-from-amtrak-ceo-bill-flynn/) that he supports the creation of a rail passenger service “No Fly List” after the attack on the Capitol. Flynn reflected statements by the airline industry, calling on the federal government " to make assaults against rail workers a Federal crime.”
  + Amtrak will increase police presence on trains and in stations and ban customers that do not comply with its policies ahead of Inauguration Day.

Other News

* United Kingdom (U.K.) Prime Minister Boris Johnson announced that starting next week, all travelers arriving in the U.K. will have to self-isolate for 10-days upon arriving. The move was made an effort to curb the spread of different variants of the coronavirus that have surfaced that pose a risk to the U.K.’s vaccination efforts.
* The Chamber of Commerce and Bipartisan Policy Center [created](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.uschamber.com%2fpress-release%2fus-chamber-and-bpc-launch-build-the-fourth-of-july-campaign-diverse-coalition-urges&c=E,1,AwXyfhXmibTn8NOpDatjnM-bVdryBzuwAOoyn4Qiyr7W8iiPJ18DXsIHszIfLIn3sy8GNjkazHPOQUrztVTvStMqPnQbUbb_r813DXyf5ihsYGY,&typo=1) a coalition, “Build by the Fourth of July,” to advocate for the passage of an infrastructure package by July 4. The coalition specifically calls for legislation that:
  + Repairs infrastructure.
  + Stimulates the economy through job creation.
  + Addresses climate change.
  + Adopts fiscal and environmental responsibility.
  + Improves the approval process for federal projects.
  + Bridges the digital divide.
* A group of environmental and civil rights organizations filed two lawsuits against the Environmental Protection Agency’s (EPA) updated lead in drinking water rule. The final rule slows down the process of replacing service lines with high lead levels, which the suits argue will continue to cause damage to human health.
  + Other environmental groups are urging Congress to include funds to replace service lines in the future infrastructure package.
* Google announced a finalized deal to acquire FitBit, though the merger has not yet been approved by the Department of Justice. The merger has been undergoing antitrust review for 14 months and the companies are likely to be integrated before the Biden antitrust team is assembled to potentially take action.
  + The Department of Justice said that it “has not reached a final decision about whether to pursue an enforcement action.”
  + The merger was approved in the European Union and Japan. Australia is expected to reach a decision in March.

Federal Register Notices

* The Centers for Disease Control and Prevention (CDC) announced a meeting of the Advisory Committee on Immunization Practices (ACIP) that will take place on January 27 from 10:00am-5:00pm ET. The meeting will discuss COVID-19 vaccines. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-00870%2fadvisory-committee-on-immunization-practices-acip&c=E,1,17aA20PrImiJOfnfoCT6grZuXac9Jenoat_lnfeBSjp0J-XCVIidt72t8prb1O7DvDFiAa71VgJVJ6-aco9FuQMYMDLn-yZ_FbQgeLFTdSq3HM9Y&typo=1).
* The Coast Guard is considering the development of a rule to use Safety Management Systems (SMSs) to improve safety and reduce marine casualties on U.S.-flagged passenger vessels. Comments must be received by April 15. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-01058%2fsafety-management-systems-for-domestic-passenger-vessels&c=E,1,z4oiM04HDQ2RzPXTb-zTvUvVjSgyj8-8ymFcWiUzIZwCoYyrrt3iFszFkE8ioPh6EbM5cJtd67ueVXwUFO5rxG-eE8hNUjnQ1_dI2mEZ54yEIDlCJRAamZL6Ag4,&typo=1).
* The FAA amended the procedure for requesting a special flight authorization to operate in excess of Mach 1 over U.S. land, effective February 16. The rule aims to further the development of new supersonic aircraft and allow for flight tests. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-00113%2fspecial-flight-authorizations-for-supersonic-aircraft&c=E,1,Mj54z-OYInbNq1MFavmrdSbR2CKblZA3riS3vYFNhxJFlrzeK0xUb1um2C2fku94lxBz7KqDkojdtbdVrDZMkyw7O3k8m9YAXMLSH0uQboCxgyXIoYtmDSXRMos,&typo=1).
* The Federal Communications Commission (FCC) amended its forfeiture penalty rules to reflect annual adjustments for inflation, effective immediately. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-00432%2fannual-adjustment-of-civil-monetary-penalties-to-reflect-inflation&c=E,1,bN8h2y1hxa1MTxXf2Jw34dMA3rjraqVCV7sIUAkXOjqAA0pW7ck1YQB4FZZG0OWVd8h31RsVdHf_FpJobM7ZPw-E9MjsRPHaefySuic0ktJ6A27E&typo=1).
* The FCC announced a meeting of the Advisory Committee on Diversity and Digital Empowerment (ACDDE) that will take place on February 11 from 10:00am-4:00pm ET. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-00919%2fmeeting-of-the-federal-advisory-committee-on-diversity-and-digital-empowerment&c=E,1,MClsuSOhKd7Qm9Xww2HcMWeNdxOpsOIZTEKkogXy9rxx4SLiDPL34ifABR9GzVqvAZEyBJtHX402NqEG8ufLPsyYSJc46qLE04b_qKQYdlWSyM4XovbI4Bhe8Co,&typo=1).
* The Department of Homeland Security requested comments on an information collection on COVID-19 contract tracing. Comments are due by March 16. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-00927%2fagency-information-collection-activities-covid-19-contact-tracing-covid-19-contact-tracing-scripts&c=E,1,xgbWbm7CNQ0VWwdYvYncmge_41UN8IRhB1yDUc7DxFAafuQEfhB_S3mng8r469hAScjhTiVz725KXoBxcnefT5g217kMScdWfgoKDOJdQnmKIj_Ki3JRUoJ6MSU_&typo=1).
* The Department of Commerce’s Bureau of Industry and Security (BIS) added the China National Offshore Oil Corporation to the Entity List for national security purposes. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-00995%2faddition-of-entity-to-the-entity-list-and-addition-of-entity-to-the-military-end-user-meu-list-and&c=E,1,G1yplBqYnGHswlzLAJiIlR5fIJwiz9CrwhatdMEtY_2-HynBguzUthV0of5aZCPJA1Px5HBX3AWAYLxm4fwy7QbxIy6058m6DZXtuD9Z6BE6n-7IXbk,&typo=1).
* The U.S. Trade Representative (USTR) made a technical amendment and extended exclusions for Section 301 tariffs on $200B of Chinese goods. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-00865%2fnotice-of-amendment-to-product-exclusion-and-product-exclusion-extension-chinas-acts-policies-and&c=E,1,PuHcg9n3EHEhba58-dPsrE7P5Z4JXUL9UPZbN6uwGq9Lnu_GaPzXx0ckijW2ZF9gwoiJgLg_61pnB47uTD9WZxIJ5LQGFnOIsNKUh9pIWgBGFfTu9A,,&typo=1).
* The Department of Transportation requested comments on a draft Strategic Plan on Accessible Transportation to create inclusive transportation systems. Comments must be received by February 16. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-00871%2frequest-for-comments-on-draft-strategic-plan-on-accessible-transportation&c=E,1,M59s2HRT9QLRsVe4KIyOh50n05G6CRe_JY_ydsi9N6yY2Swf28nj9qTsI33FLn9CndMd-XD4OSQTNrCH9we2aDw6EgGcCLk1PUDOw4KsJx1sffA,&typo=1).
* The Department of the Treasury republished the final guidance on the Coronavirus Relief Fund for States, tribal governments, and certain eligible local governments. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2021%2f01%2f15%2f2021-00827%2fcoronavirus-relief-fund-for-states-tribal-governments-and-certain-eligible-local-governments&c=E,1,D0FjfFNM89nPgKwp79T2k6-AluwtTdGLY9I6PL72rXqmOF9P-Sc0PAq25MXahFU8T_G1w5_8no1bXJVvZ7cvw9OAA3E1XMV5BaV_kiglcCZq8VtU&typo=1).