June 4, 2020

TO: USTOA Members

FR: Terry Dale

Below is our COVID-19 Evening Update for June 4, 2020:

**Congress**

**Senate Activities**

* Senate Majority Leader Mitch McConnell (R-KY) indicated that if a next COVID-19 package happens, it would be considered in the Senate in late July or early August prior to summer recess. Currently, he plans to consider S.3422, the Great American Outdoors Act, then judicial nominees, and bring the Senate National Defense Authorization Act (NDAA) to the floor before the July 4th recess. NDAA floor consideration is usually a 2-week process.
  + Majority Leader McConnell has scheduled the first procedural vote on the Great American Outdoors Act for June 8. We expect the Senate to work on the bill for most of next week.
  + Six former Interior Secretaries wrote a letter to Congressional leaders urging them to allow the Great American Outdoors Act to pass without amendments. A copy of the letter is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/2020-06-04-interior-secretaries-letter-on-public-lands.pdf).
* Senator Richard Blumenthal (D-CT) introduced [S. 3884](https://www.congress.gov/bill/116th-congress/senate-bill/3884?q=%7B%22search%22%3A%5B%22congressId%3A116+AND+billStatus%3A%5C%22Introduced%5C%22%22%5D%7D&s=1&r=5" \t "_blank), which requires the Secretary of Transportation to support the efforts of state and local governments by providing priority COVID-19 testing to transportation workers and to require the owners and operators to clean and disinfect equipment and provide personal protective equipment (PPE) for employees. Transportation workers have been vocal in their concerns about exposure to the virus throughout the pandemic.
* The Senate passed H.R. 7010, the Paycheck Protection Program (PPP) Flexibility Act, late yesterday and the bill now heads to the President’s desk for signature. As a reminder, the legislation extends the period for borrowers to spend their PPP loan to 24 weeks and decreases the amount of the loan that has to be spent on payroll from 75% to 60%.
* The Senate Environment and Public Works Committee held a hearing today entitled "Infrastructure: The Road to Recovery." The hearing focused on the viability of infrastructure investment as an economic stimulus, flexibility for state and local governments in spending infrastructure funds, and the gas tax. Democrats, led by Ranking Member Tom Carper (D-DE) emphasized the need to invest in infrastructure in a sustainable fashion, while Republicans, including Chairman John Barrasso (R-WY), considered infrastructure a major stimulus opportunity for the economy in a post-COVID-19 world. Our coverage of the hearing is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/6-4-20-senate-environment-and-public-works-committee-hearing-on-infrastructure.pdf). Witnesses included:
  + Steve McGough, Chairman of the American Road & Transportation Builders Association, President and Chief Financial Officer of HCSS
  + Dr. Doug Holtz-Eakin, President, American Action Forum
  + The Honorable Greg Fischer, Mayor, Louisville, KY, Incoming President of the U.S. Conference of Mayors

**House Activities**

* In a letter to House Appropriations Committee members, Chairwoman Nita Lowey (D-NY) said that markups in subcommittees and full committees will be held the weeks of July 6 and July 13 respectively, with floor votes during the weeks of July 20 and 27. We believe the 13 bills will be split into two mini-buses for floor consideration. The full letter is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/2020-06-04-lowey-letter-on-appropriations-schedule.pdf).
* The House Judiciary Committee scheduled a hearing on police brutality for next week amid a push by House leadership to pass a police reform bill by the end of the month. The proposal could include developing a federal “use-of-force” standard for police officers, a ban on chokeholds or other aggressive restraint techniques, a national database of police officers fired for misconduct or other offenses, and ending the “qualified immunity doctrine” that protects police officers from lawsuits, among other items. The proposal is scheduled to be marked up in mid-June by the Judiciary Committee, according to Chairman Jerry Nadler (D-NY), and will be considered on the Floor when the House returns by the end of June.
* Centers for Disease Control and Prevention (CDC) Director Robert Redfield testified before the House Appropriations Subcommittee on Labor, Health and Human Services and Education today. The hearing largely focused on the CDC’s response to COVID-19, ensuring more data was being released, especially relating to the pandemic’s effect on communities of color, how the United States is fairing in comparison to the rest of the world, and plans for reopening the economy. Our full coverage is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/6-4-20-house-appropriations-hearing-on-pandemic-response.pdf).
* After the release of House Majority Transportation and Infrastructure (T&I) surface transportation reauthorization package yesterday, rail and state transportation advocacy groups and Republican lawmakers are calling the proposal strictly partisan. T&I Chairman Peter DeFazio (D-OR) indicated that he purposefully left time between the proposal and the markup to allow for Republican amendments and noted that Republicans did not offer much room to engage on environmentally focused proposals.
* T&I staff expect the House Water Resources Development Act (WRDA) legislation for 2020 to be introduced either this month or in early July. Staff commented that negotiations are progressing, and their goal is for it to be a bipartisan proposal. As a reminder, the Senate introduced and marked up its two-part water resources legislation, the America’s Water Infrastructure Act and the Drinking Water Infrastructure Act, last month which passed the Committee unanimously.
* House Democrats have asked for a 60-day extension, through September 4, to file an opening brief in their bid to appeal a decision in a case involving President Trump’s New York state tax returns. The opening brief is currently due to the U.S. Court of Appeals in Washington, D.C. on July 6.

**General Congress**

* A Congressional Budget Office [estimate](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.cbo.gov%2fsystem%2ffiles%2f2020-06%2f56387-CBO-Grassley-Letter.pdf&c=E,1,dsLy1mrmS2el8jJwEqgh3wgcolBUi2JiR8ZNmT3xPMSDFSIOUSa4VZv896QqsQKwHmDQ9UHLEA2s-xhBn-6NvN93GaSso3-i3GIqvdeJ1Oy0s8V2&typo=1" \t "_blank) released today indicates that extending the $600 weekly boost to unemployment benefits from the CARES act by six months will lead to greater economic output but lower employment in the second half of 2020, and reduced output and employment in 2021.

**Administration**

* President Donald Trump plans to sign an Executive Order, which will direct federal agencies to use their authorities to push through infrastructure, energy, and environmental projects to help the economy recover.
  + Additionally, the Executive Order authorizes waivers on environmental reviews typically required under the Endangered Species Act and the National Environmental Policy Act.
* The Labor Department reported that 1.9M new claims for unemployment benefits were filed last week, bringing the COVID-19 crisis total to roughly 42.6M.
* The U.S. Department of Transportation (DOT) issued a notice late yesterday that allows air carriers to suspend service to either five percent of the points that they have service to, or five points, whichever is greater, easing service requirements that came with CARES Act funds for airlines. The final order can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/2020-06-04-dot-service-requirements-order.pdf).
* In a [letter](https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Letter%20from%20Acting%20Inspector%20General%20Elliott%5E06-02-20_Redacted%20%281%29.pdf" \t "_blank) to House T&I Chairman Peter DeFazio (D-OR), House Oversight Chair Carolyn Maloney (D-NY), and Government Operations Subcommittee Chair Gerry Connolly (D-VA), DOT Inspector General Skip Elliott said that he plans to stay in his role but will recuse himself from any probes related to the Pipeline and Hazardous Materials Safety Administration (PHMSA), as he also serves as Administrator of PHMSA.
  + He did not say whether or not he would recuse himself from the 13 investigations and 11 audits related to the Office of the Secretary.
  + Former Acting Inspector General Mitch Behm gave lawmakers [a list](https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Letter%20from%20Deputy%20Inspector%20General%20Behm%5E06-02-20_Redacted.pdf" \t "_blank) of audits and investigations that were ongoing prior to Elliott’s appointment.
* The Environmental Protection Agency (EPA) is expected to release its proposed changes to cost-benefit calculations under the Clean Air Act after industry advocates suggested that the EPA has overestimated benefits and underestimated compliance costs.
* The Commerce Department reported that U.S. exports fell 20.5% in April, while imports fell 13.7% in the same period. U.S. exports to China also remain well below the pace of the phase one trade deal that was signed in mid-January, coming in at 25% less than 2017 levels.
* Less than four weeks before entry into force for the U.S.-Mexico-Canada Agreement (USMCA) trade deal, the three signatory nations have released [uniform regulations](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.gob.mx%2fcms%2fuploads%2fattachment%2ffile%2f555628%2fUniform_Regulations_for_Rules_of_Origin_-_June_3_-_Final.pdf&c=E,1,uypHfhcE7ZbgVBv0T-GKXxIeVsh17epD_4UD7LpI6Lh2OnVfuXIF-llrXBXT0Rg2Wy_5IYzvJ1Ni4vY5alMReLt5KZ8JWyK0MqHVkfmIiMM,&typo=1" \t "_blank) for implementation, including rule of origin rules. The regulations include important formulas and information on how automakers must comply with the new rules to qualify for reduced tariffs under USMCA, which automakers have said will be costly and time consuming, especially amid the COVID-19 crisis.
* According to the Bureau of Transportation Statistics, April jet fuel consumption reached its lowest level in 20 years. 447M gallons of fuel were consumed in April, a 70% drop from 1.5B the year before.
* Federal Register Notices
  + The Office of Science within the Department of Energy announced an open teleconference meeting of the President's Council of Advisors on Science and Technology (PCAST). The full notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f04%2f2020-12015%2fpresidents-council-of-advisors-on-science-and-technology-pcast&c=E,1,mzoH75Hl62baQeo6GZvlKSpDKq3-CqlmnS-P9uDD2ib83aHwAvAc0QS8OAmg9cMH55-oGFdMtK_vruQoavUGVC9IneABSjqOahIn78x2UKa-hucmnMuxwKtf&typo=1" \t "_blank).
  + The Federal Aviation Administration (FAA) is holding an Aviation Rulemaking Advisory Committee (ARAC) meeting on June 18. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f04%2f2020-12092%2faviation-rulemaking-advisory-committee-meeting&c=E,1,PmQ-CNSTrat8lpFBjYcz4QGje5GtvakzwIvyGjqfcPBPogQkBkvoSkFn8STvLQtcfxcJaM07o9C6tGCybvgmIywKkE-X3OxvE-nOv1LeBeBBNEk,&typo=1" \t "_blank).
  + The U.S. is suspending Entry as Nonimmigrants of Certain Students and Researchers from the People's Republic of China. The full notice and details can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f04%2f2020-12217%2fsuspension-of-entry-as-nonimmigrants-of-certain-students-and-researchers-from-the-peoples-republic&c=E,1,0MdtLmSyrzAbIOsIheDH2ONZn-jePhj77bfL9FbuHyeKIhWWRAJicT-R2APRULIoDMEdu0y8GYD3kdMExKC7ORmHF2uhsXYzLhIYuisO8BEk7Vkq&typo=1" \t "_blank). This notice aligns with the SECURE Campus Act introduced last week in Congress.

**Other News**

* More than 100 companies, including Unilever and Warby Parker, have signed onto an initiative asking Congressional leaders to provide more federal funding to expand mail-in voting.