June 12, 2020

TO: USTOA Members

FR: Terry Dale

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Below is our COVID-19 Updates for June 12, 2020:

**Congress**

**Senate Activities**

* Last night, the Senate passed another procedural hurdle in the passage of H.R. 1957, the Great American Outdoors Act, voting 65-19 to invoke cloture on the Senate’s substitute amendment. The next vote is scheduled for Monday and the bill is expected to pass next week.
  + The bill was considered without amendments, despite opposition from Sen. Mike Lee (R-UT).
  + Multiple Senators, including Energy and Natural Resources Committee Chairwoman Lisa Murkowski (R-AK), expressed their disappointment that amendments were not allowed on the Senate Floor. Sen. Murkowski did say, however, that she would support the legislation’s final passage.
* All 47 Senate Democrats sent a letter to the Small Business Administration (SBA) and the Department of the Treasury outlining specific ways to simplify the Paycheck Protection Program (PPP) forgiveness process, which is a priority for small businesses. The Senators argued that the process is too arduous as it stands. The letter can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/allsenators-small-business-letter.pdf).
* Sens. Richard Blumenthal (D-CT) and Ed Markey (D-MA) wrote a [letter](https://www.markey.senate.gov/imo/media/doc/NHTSA%20Cybersecurity%20Followup.pdf" \t "_blank) to the National Highway Traffic Safety Administration (NHTSA), emphasizing the need to improve vehicle cybersecurity. They also called on NHTSA to take a more active role in the development of vehicle cybersecurity standards. The letter followed a request sent by the two Senators in August 2019 for NHTSA to outline its work on vehicle cybersecurity.
* Sens. Ed Markey (D-MA), Maria Cantwell (D-WA), Tammy Baldwin (D-WI) and Richard Blumenthal (D-CT) wrote a letter to Department of Transportation (DOT) Secretary Elaine Chao about a proposed DOT rule that would formally define parts of DOT's consumer protection authority, including what DOT considers “unfair” or “deceptive” practices. The rule would harmonize the DOT definitions with the Federal Trade Commission (FTC) definitions of those practices. The Senators argued that harmonizing the definitions do not take in to account the important differences between DOT and FTC. The letter can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/dot-letter.pdf).
* Sen. Rand Paul (R-KY) introduced the “Justice for Breonna Taylor Act.” The [bill](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.nrdc.org%2fsites%2fdefault%2ffiles%2fscientists-opposing-beck-cpsc-chair.pdf&c=E,1,twtli7j9APj2Spyoa41GoTY7sH5e1WgL21smxbFlqSK4XutYSNZgmjIww1udy4rv8MRctkWZ9kePBfPTkSI8yh5bCgDyk1YmM4fITDnpTVAxCE2GoJ2vcEBkPdU,&typo=1" \t "_blank) would ban no-knock warrants. This is also a major provision in the House Democrats’ police reform package.
  + Sen. Paul has said that he agrees with many of the provisions in the House police reform package.
  + As a reminder, House Republican Leader Kevin McCarthy (R-CA) has not raised any issues with the House Democrats’ bill to date.
* Sen. Roger Wicker (R-MS) [introduced](https://www.commerce.senate.gov/2020/6/wicker-introduces-marad-reauthorization-bill" \t "_blank) the S.3930, the Maritime Administration (MARAD) Reauthorization Act on Thursday. Sen. Wicker had previously introduced a MARAD reauthorization bill in May 2019. Elevate continues to hear that MARAD reauthorization faces an uphill battle this year. The full text of the bill can be found [here](https://www.commerce.senate.gov/services/files/9FB30ECA-0CC5-448F-A338-781AAF6366A6" \t "_blank), but at a high level the bill would:
  + Provide COVID-19 related relief for ships participating in the Maritime Security Program (MSP), so they can continue to support the military sealift;
  + Authorize the Tanker Security Program to support U.S. maritime sealift capacity for military refueling operations;
  + Improve MARAD’s Marine Highways Program by streamlining eligibility and application requirements;
  + Authorize funding for the Port and Intermodal Improvement Program, also known as the Port Infrastructure Development Program, to ensure the safety, efficiency and reliability of the movement of goods through ports and intermodal connections – the bill would also allow for smaller ports to be more competitive in the grant program;
  + Reauthorize the National Ocean Partnership Program to increase the federal coordination of ocean research;
  + Authorize a Community College Maritime Career Training Grants Program to provide funding for community and technical colleges to offer or improve educational or career training programs for maritime workers along the nation’s coasts, the Great Lakes, the Mississippi River System and other bodies of water;
  + Authorize increased funding for the Small Shipyard Grant program and ensure full funding for the Title XI Maritime Guaranteed Loan Program; and
  + Reauthorize the National Oceanic and Atmospheric Administration's Commissioned Officer Corps.
* The Senate Appropriations Subcommittee on Financial Services and General Government is set to hear from Federal Communications Commission (FCC) Chairman Ajit Pai regarding the FCC’s 5G airwave auctions.

**House Activities**

* A group of seven House Democrats, led by Rep. Chris Pappas (D-NH), sent a [letter](https://pappas.house.gov/sites/pappas.house.gov/files/Mariners%20Letter%2006-11-2020_2.pdf" \t "_blank) to the Trump Administration requesting assistance in bringing U.S. mariners back home who have been stranded on their ships, some up to 11 months, due to the pandemic.
* In a letter to Environmental Protection Agency (EPA) Administrator Andrew Wheeler, House Energy and Commerce Chairman Frank Pallone (D-NJ), House Transportation and Infrastructure Committee Chairman Peter DeFazio (D-OR), and Appropriations Interior-Environment Subcommittee Chairwoman Betty McCollum (D-MN) expressed concerns with the EPA’s COVID-19 enforcement policies and potential looser enforcement of environmental laws as a result of the pandemic. The letter can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/defazio-pallone-epa-letter-6-12.pdf).
* House Speaker Nancy Pelosi (D-CA) [named](https://www.speaker.gov/newsroom/61120" \t "_blank) Cathy Feingold, AFL-CIO International Director, and Fred Ross Jr. to the recently created Independent Mexico Labor Expert Board, which will monitor whether Mexico is implementing promised labor reforms, required under the U.S.-Mexico-China Agreement (USMCA) in a timely manner.
* As we have reported, the House Ways and Means Committee Select Revenue Measures Subcommittee is set to hold a hearing next week related to tax relief and how that relief has supported workers and families during the pandemic.
  + It is expected that refundable tax credits and other “safety net”-type tools will be discussed at the hearing.
  + Rep. Gwen Moore (D-WI) is expected to raise her legislation that would widen Earned Income Tax Credit beneficiaries to include family caregivers and college students.
  + Rep. Suzan DelBene (D-WA) is expected to raise language in the HEROES Act that increases eligibility for the employee retention tax credit.
  + Rep. Tom Suozzi (R-NY) is expected to push for a section in the HEROES Act to temporarily lift the cap on the state and local tax deduction.
  + Rep. Lloyd Doggett (D-TX) is expected to raise cutting back benefits companies can claim by shifting losses they are incurring to earlier tax years.
* The House Transportation and Infrastructure Committee released a substitute amendment to H.R. 2, House Democrats’ surface transportation reauthorization legislation. The amendment, which reportedly incorporates some negotiated provisions with Republicans who had previously been excluded from the drafting process, does not appear to have substantive changes. The lack of substantive changes, including to the topline amount of the legislation, indicate that there may be additional Republican amendments during the markup scheduled for June 17. The amendment text is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/6-12-20-house-surface-transportation-substitute-amendment.pdf) to tonight’s update.
* The House Energy and Commerce Subcommittees on Communications and Technology and Consumer Protection will hold a joint, remote hearing on June 24 relating to disinformation online. Witnesses are not yet public. A full press release on the hearing can be found [here](https://energycommerce.house.gov/newsroom/press-releases/ec-announces-joint-subcommittee-hearing-on-disinformation-online-and-a" \t "_blank).
  + The House Intelligence Committee will also hold its own hearing targeting social media next Thursday. The hearing will specifically focus on emerging trends in online foreign influence operations. Witnesses are not yet public.

**Administration**

* The European Union (E.U.) rejected United States Trade Representative (USTR) Robert Lighthizer’s criticism that the E.U. is doing “far more” than the U.S. to undermine the multilateral trading system by utilizing bilateral trading agreements. A spokesperson for the E.U. said they are the strongest supporter for the multilateral trading system and that they adhere to World Trade Organization (WTO) rules.
* Treasury Secretary Steven Mnuchin commented in an interview Thursday that the U.S. should not shut down the economy again, even if there is a second surge in COVID-19 cases. Mnuchin also supported President Trump’s actions on reducing social distancing requirements.
  + Additionally, Secretary Mnuchin has shown an interest in additional emergency federal lending and other stimulus, including refundable tax credits. He has also expressed support for additional relief for state and local governments.
* Secretary Mnuchin indicated that the PPP could be modified in a further COVID-19 relief package, notably to make the program more targeted to those businesses experiencing revenue shortfalls, and to help businesses reopen.
* Export-Import Bank (EXIM) Chairwoman Kimberly Reed hosted 140 artificial intelligence (AI), quantum computing and high-performance computing stakeholders for a roundtable teleconference on Thursday. The roundtable was part of the “Strengthening American Competitiveness” initiative. During the call, Reed highlighted EXIM’s partnership with the private sector and how EXIM can support and further the success of American companies. The main speakers during the discussion included David Trulio, who serves as Senior Vice President for the Program on China and Transformational Exports at EXIM. Additionally, the following people served as panelists and gave remarks during the discussion:
  + Paul Dabbar, Undersecretary for Science, U.S. Department of Energy (DOE)
  + Conner Prochaska, Chief Commercialization Officer, U.S. Department of Energy (DOE)
  + Kevin McGinnis, Director for Research and Analysis, National Security Commission on Artificial Intelligence (NSCAI)
  + Trae Stephens, Partner, Founders Fund
  + Mandy Birch, Senior Vice President, Engineering Strategy; Rigetti Computing
  + Bret Greenstein, Head of AI and Analytics for Cognizant Digital Business
  + Stephen Rodriguez, Partner, One Defense
* The Federal Energy Regulatory Commission (FERC) approved rules that would prevent pipeline companies from starting construction on new pipelines until the commission has addressed all challenges to a project’s approval.
* The Federal Reserve Bank [issued](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalreserve.gov%2fmonetarypolicy%2ffiles%2f20200612_mprfullreport.pdf%3fsource%3demail&c=E,1,OC9NULiP9C1GAUyKROHltSpe7eOvUosDjWnL2a0PX_-eXTYH1A-Zoz1Tu-kgTQn8vVBgSrxZEWanIf0qNq6hAmiP0BmXlgBu9B5H7-CTtJtpLdHsk_NUQxhLZxc01Q,,&typo=1" \t "_blank) a semiannual report to Congress on monetary policy on Friday and warned that small businesses may need additional government support even with the PPP and other assistance provided by Congress to date.
* DOT and the Federal Emergency Management Agency (FEMA) plan to deliver almost 100M face coverings to airports, Amtrak and transit agencies for use during the COVID-19 pandemic. Airports will receive 86.8M coverings and Amtrak, and more than 450 transit agencies, will receive 9.6M.
* During a press call on Friday, Jay Butler, the Deputy Director for infectious diseases of the Centers for Disease Control and Prevention (CDC) urged organizers of large events to “strongly encourage” the use of face masks.
* The Federal Aviation Administration (FAA) announced a virtual “General Aviation Town Hall” for Thursday, June 18 from 1:00 – 3:00pm EST. The town hall is aimed at coordinating government and industry best practices and will feature participation from FAA Deputy Administrator Dan Elwell and leadership from across the general aviation industry.
* Federal Register Notices
  + The Department of Agriculture announced a notice of funding opportunity for the Coronavirus Food Assistance Program (CFAP). The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f12%2f2020-12529%2fnotice-of-funding-availability-coronavirus-food-assistance-program-cfap-additional-commodities&c=E,1,nxXTS7qgIJ3XS3tlFn-bZEYkysA1u22nwb_csD92KnyBK806UandoWx1q_GHTtp2Uif5nIX0ZmAvio6hO7OcESv5C2kXHv0qswlxQizX9Rp_m0WH3YQOfsM7&typo=1" \t "_blank).
  + EPA invited nominations from a diverse range of qualified candidates to be considered to fill vacancies on the National Drinking Water Advisory Council. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f12%2f2020-12727%2fthe-national-drinking-water-advisory-council-request-for-nominations&c=E,1,y-xjQL596rlnbuC21tAiu-QnesCEV7yRk7QTbtPs5trmey-Y0MiKBY_WPhuw6w8uauTmJI7M1BAX6-xYwm1wW8ZO42viSs4tAArZrwRchBtVIgtp_C27qHczQ2M,&typo=1" \t "_blank).
  + FAA announced the charter renewal of the Drone Advisory Committee (DAC). The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f12%2f2020-12709%2fdrone-advisory-committee-dac-renewal&c=E,1,KFZEjDwW74C4J2ppmOPXBlFtSLHtf6SsLvHH7c5s8Zv7-BP3hjpdqKjRVbChnGq1coIYq6LfG4WcCcfmKMl8-wt0Wg4LZ8aBSGYJLEuwGxfrVMyblg5NQjvW&typo=1" \t "_blank).
  + The Federal Transit Administration (FTA) announced a Limitation on Claims Against Proposed Public Transportation Projects. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f12%2f2020-12747%2flimitation-on-claims-against-proposed-public-transportation-projects&c=E,1,liZRCmeTNl50sexWzZbXmR1xecHZ9ywgEzL3Dc8JHCF79gdIyIE4DCMIgU-y3rxUI7Qj1Twn_fjLofPJMcHq2lM6v7xsN0w55Z0Pi9lImoLWy5aVohSJmk2lT2zW&typo=1" \t "_blank).
  + The Department of State published an update to its List of Restricted Entities and Sub-entities Associated with Cuba. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f12%2f2020-12746%2fupdating-the-state-departments-list-of-entities-and-subentities-associated-with-cuba-cuba-restricted&c=E,1,iaGPCtjwrLII0WYSouFwt-QHxl_7WMK_OVr98SZVA7hvzvlRlmjkLjD0lvT7-uNlXyj3qRZpy3dQC3dRhTRmQ_GkDW0JgIeAPO4Hw6iOQkNnBxjbyIsjaL0,&typo=1" \t "_blank).
  + USTR announced product exclusions as they pertain to technology transfer, intellectual property, and innovation, with China. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f12%2f2020-12672%2fnotice-of-product-exclusions-chinas-acts-policies-and-practices-related-to-technology-transfer&c=E,1,08AF2GOcmniBgdeRjqjMlnDm233hvVSSbTQIUe0IzCE42ACf_FgmRChKRvjzga0y2Ebc7Xueh5TvnsPmrybtDwb7Kt2G147tRf0ltnV9UDN4HOBq9EsT9nDdqA,,&typo=1" \t "_blank).

**Other News**

* In a [statement](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.aluminum.org%2fnews%2fgreat-canadian-aluminum-distraction&c=E,1,flE64O1N1FRsImOKJ1yMUM2wGvDFQyrjBahPI6iW1e-CGKh4k6fwdX7krOBUJri7y9dmyDLnwuS91JiMEqBbTLMxqiwXwPf5gy7AJgtYYrc,&typo=1" \t "_blank), the Aluminum Association asked the Trump Administration not to reimpose Section 232 tariffs on Canada, despite Alcoa and Rio Tinto, two of the United States’ largest aluminum producers, pushing for tariff reinstatement.
* In a [letter](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.nrdc.org%2fsites%2fdefault%2ffiles%2fscientists-opposing-beck-cpsc-chair.pdf&c=E,1,kLQ-lXSiN22WGLrcCVendZomH2_wTmpEzGH_avI2TAVP-W8Lha_G9YULDhfz_C8VI5tdNFHTPa7mvkQ8k9YXU3NBBB0lhoeDK2FaAtL1J7oUu57AGA1b3U2d&typo=1" \t "_blank), more than 90 scientists, academics and environmental advocates have opposed the nomination of Nancy Beck to lead the Consumer Product Safety Commission. The letter referenced Beck’s past work at the EPA where she helped overhaul the country’s toxic chemical laws, as well as her involvement with EPA’s controversial scientific transparency rule and how she handled per- and polyfluoroalkyl substances (PFAS) chemicals.
* The North American Transit Alliance, a coalition of private transit companies that operate services like airport and campus shuttles, argued on Thursday that contractors should be eligible for pandemic recovery funds, not just public transportation.
  + This proposal has been endorsed by the American Public Transportation Association (APTA).
  + FTA has issued a clarification saying that contractor reimbursement is an eligible expense for agencies with CARES Act money.
* Reports indicate that several major tax advocacy organizations, including the National Taxpayers Union and the National Treasury Employees Union, have requested that the tax filing deadline be pushed back from the already extended date of July 15.
  + Treasury Secretary Steven Mnuchin indicated that this was not an issue at the top of the docket moving forward.
* The United Kingdom (U.K.) is currently part of the E.U. General Data Protection Regulation (GDPR), which is a source of friction between the U.S. and the E.U.. As the U.S. and the U.K. continue trade talks, U.K. Trade Commissioner for North American Antony Phillipson indicated the U.K. may be open to a different arrangement that allows companies to “exploit all of the opportunities of the digital economy, while consumers and individuals in our societies have the necessary reassurance about the protection of their privacy.”
* Canadian Prime Minister Justin Trudeau announced that Canada will begin to mandate temperature checks for airline passengers and airport employees in Canada, which reversed the government’s earlier insistence that this policy would not be an effective way to catch coronavirus cases. Passengers with fevers will not be permitted to board their flights. This announcement comes as U.S. airlines and airports continue to discuss similar measures but have not made a decision on whether to institute temperature checks.
* Microsoft, Amazon and IBM this week all said that they would stop selling or limit their sales on facial recognition technology to law enforcement amid growing pressure from lawmakers and activist groups. Facial recognition technology has reportedly been used by law enforcement to surveil protestors.
* Oregon Governor Kate Brown (D) has paused lifting restrictions on the state as coronavirus cases have continued to rise. Brown joins Utah Governor Gary Herbert (R) as the only two states that have paused their states’ reopening.
  + Florida and Texas both reported the highest number of COVID-19 infections in a single day over the last two days. Even as infections have risen, both states have continued to ease their restrictions on their lockdowns.
  + In Florida, over 1,000 new infections have been reported every day since last Tuesday. It is important to note that there has not been a large spike in hospitalizations or COVID-19 related deaths.
  + According to the New York Times, Infections are also rising in California, North Carolina, Arizona, Tennessee, Louisiana and Washington state.
* Researchers are looking into whether blood plasma from coronavirus survivors can help current patients recover. Currently, thousands of patients around the world are being treated with plasma, but researchers are unsure if it is effective.
* Zoom announced yesterday that it took action against pro-democracy activists in Hong Kong and the United States to appease the Chinese Government. However, the company also announced that their actions will not impact users outside of China in the future.