June 19, 2020

TO: USTOA Members

FR: Terry Dale

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

**Congress**

**Senate Activities**

* Sens. Ted Cruz (R-TX), Marco Rubio (R-FL) and Tim Scott (R-SC) introduced [S. 3992](https://www.congress.gov/bill/116th-congress/senate-bill/3992" \t "_blank), a bill to expand eligibility for the Paycheck Protection Program (PPP) to certain chambers of commerce and destination marketing organizations (DMOs). The bill's provisions generally match H.R. 6697, the Local Chamber, Tourism, and 501(c)(6) Protection Act of 2020, introduced in the House last month by Reps. Chris Pappas (D-NH) and Brian Fitzpatrick (R-PA). However, it is important to note that the Senate legislation, unlike H.R. 6697, would not expand the PPP to all 501(c)(6) organizations. Full bill text can be found [here](https://www.cruz.senate.gov/files/documents/Bills/Expanding%20PPP%20to%20Chambers.pdf" \t "_blank).
* Senate Finance Committee Chairman Chuck Grassley (R-IA) and Ranking Member Ron Wyden (D-OR) both expressed opposition to the implementation of digital service taxes that would disproportionately affect United States (U.S.) tech companies during the Senate Finance Committee hearing with United States Trade Representative (USTR) Robert Lighthizer this week.
  + As a reminder, the U.S. walked away from Organization for Economic Cooperation and Development (OECD)-coordinated discussions about instituting a digital service tax on technology firms.
* Sens. Catherine Cortez Masto (D-NV) and Bob Casey (D-PA) introduced legislation to include the protection of women’s rights in the criteria for developing countries to receive trade benefits under the Generalized System of Preferences (GSP) program. The text of the “Women’s Economic Empowerment in Trade Act of 2020” can be found attached.
  + The GSP program will expire this year and it is unclear if the Trump Administration plans to renew it.
* Sen. Dianne Feinstein (D-CA), along with Senate Minority Leader Chuck Schumer (D-NY), Sens. Richard Blumenthal (D-CT), Kirsten Gillibrand (D-NY), Ed Markey (D-MA), and Kamala Harris (D-CA) introduced [S. 3946](https://www.congress.gov/bill/116th-congress/senate-bill/3946?q=%7B%22search%22%3A%5B%22s+3946%22%5D%7D&s=3&r=1" \t "_blank), the Kobe and Gianna Bryant Helicopter Safety Act, on Wednesday. The bill would require the Federal Aviation Administration (FAA) to strengthen federal safety standards for equipping helicopters.
  + Rep. Brad Sherman (D-CA) introduced the House companion, [H.R. 7274](https://www.congress.gov/bill/116th-congress/house-bill/7274?q=%7B%22search%22%3A%5B%22congressId%3A116+AND+billStatus%3A%5C%22Introduced%5C%22%22%5D%7D&s=1&r=11" \t "_blank), on Thursday. A press release on the House legislation can be found [here](https://sherman.house.gov/media-center/press-releases/congressman-sherman-dedicates-legislation-to-the-memory-of-kobe-gianna" \t "_blank).
* The Senate confirmed Sethuraman Panchanathan to be director of the National Science Foundation by a voice vote on Thursday.
* It is expected that the Senate will consider a motion to proceed to the JUSTICE Act, the Senate Republican police reform legislation next week, pushing back the debate on the National Defense Authorization Act (NDAA), potentially into mid-July.

**House Activities**

* The House Transportation and Infrastructure Committee advanced H.R. 2, the INVEST in America Act, out of Committee on a party line vote (35-25) on Thursday night. The markup lasted a full two days during which the Committee worked through a majority of the over 300 amendments that were offered to the bill. The bill is set to be considered on the House floor before the July 4 recess on June 30. It is unlikely to be considered in the Senate but will be the basis for negotiations with the Senate on the reauthorization of surface transportation programs.
  + As a reminder, while the Senate has passed its highway title out of the Senate Environment and Public Works Committee, the transit, rail, freight, and safety titles, which are under the jurisdictions of the Senate Banking, Housing and Urban Affairs and Senate Commerce, Science and Transportation Committees, have not yet been released and considered.
  + Neither Chamber has passed a financing title.
* The House Homeland Security Committee held a hearing on safely returning to flying Thursday afternoon. Members of both parties expressed concerns about the Federal government utilizing temperature checks at airports during the hearing. Our full coverage of the hearing is attached. The hearing featured testimony from:
  + Kevin M. Burke, President and Chief Executive Officer, Airports Council International-North America
  + Sara Nelson, International President, Association of Flight Attendants-Communications Workers of America
  + Neema Singh Guliani, Senior Legislative Counsel, American Civil Liberties Union
  + Victoria Emerson Barnes, Executive Vice President for Public Affairs and Policy, U.S. Travel Association
* House Speaker Nancy Pelosi (D-CA) indicated support for conference negotiations on police reform with the Senate. Republican Minority Leader Kevin McCarthy (R-CA) was also supportive of the negotiations but expressed concerns over the language surrounding police chokeholds included in the House police reform legislation.
* House Ways and Means Chairman Richie Neal (D-MA) said that the Democrats’ new infrastructure package would rely mostly on Build America Bonds and deficit spending for financing. As a reminder, the overall package carries a $1.5T price tag, a third of which is the INVEST in America Act.
  + House Energy and Commerce Chairman Frank Pallone (D-NJ) said that the House Democrats’ infrastructure plan would include $25B for drinking water and $70B for clean energy projects.
* 20 House Republicans, led by Rep. Paul Gosar (R-AZ), wrote a letter to House leadership requesting amendments to the Great American Outdoors Act when it comes to the floor. The letter is attached. As a reminder, amendments were not allowed on the Senate floor, due to fears they would further delay passage of the legislation.
* Rep. Mark Pocan (D-WI) introduced [H.R. 7266](https://www.congress.gov/bill/116th-congress/house-bill/7266?q=%7B%22search%22%3A%5B%22congressId%3A116+AND+billStatus%3A%5C%22Introduced%5C%22%22%5D%7D&s=1&r=19" \t "_blank), the Refusal to Accept Losses or Liability In Every Situation (RALLIES) Act. The bill will prevent liability waivers from being enforced during indoor gatherings of more than 1000 people if the 14-day COVID-19 case trend is increasing in the locality. A press release on the legislation can be found [here](https://pocan.house.gov/media-center/press-releases/pocan-announces-rallies-act" \t "_blank).
  + The bill is a response to President Donald Trump’s rally in Tulsa, OK tomorrow.
* Rep. Mark Green (R-TN) introduced [H.R. 7249](https://www.congress.gov/bill/116th-congress/house-bill/7249?q=%7B%22search%22%3A%5B%22congressId%3A116+AND+billStatus%3A%5C%22Introduced%5C%22%22%5D%7D&s=1&r=36" \t "_blank), the Our Money in China Transparency Act. The bill requires detailed annual reporting on any Federal funds spent on activities conducted with China’s entities and institutions. A press release on the legislation can be found [here](https://markgreen.house.gov/press-releases?ID=24C344DC-BED4-4233-8C60-CA7611CDCCFA" \t "_blank).
* House Appropriations Chairwoman Nita Lowey (D-NY) said that House Appropriations markups for FY 2021 will begin on July 6. A full Committee markup will occur on July 9, which will include consideration of the subcommittee allocations, also known as 302(b)s, as well as the State and Foreign Operations, Agriculture, and Military Construction and Veterans Affairs bills. The full committee then plans to consider the Energy and Water bill on July 10. Lowey plans to have all bills out of the committee by July 16 and the House plans to pass all of its bills by the end of July. The markups will allow for both remote and in-person participation. The schedule for individual subcommittee markups is as follows:
  + **July 6**  
    4:00 p.m. — State-Foreign Operations  
    6:00 p.m. — Agriculture-FDA  
    8:00 p.m. — Military Construction-VA
  + **July 7**  
    9:00 a.m. — Homeland Security  
    11:00 a.m. — Interior-Environment  
    1:00 p.m. — Legislative Branch  
    3:00 p.m. — Energy-Water  
    5:00 p.m. — Labor-HHS-Education
  + **July 8**  
    9:00 a.m. — Commerce- Justice-Science  
    11:00 a.m. — Transportation-HUD  
    1:00 p.m. — Financial Services  
    3:00 p.m. — Defense

**Administration**

* President Trump indicated in an interview that mail-in voting is the biggest threat to his reelection and said that his campaign is involved in a multimillion-dollar legal effort to block expanded ballot access. President Trump said winning a second term is dependent on blocking mail-in voting, which has been used by many states in past elections.
* Former National Security Advisor John Bolton’s book continued to anger both Democrats and Republicans. Republicans have accused Bolton of lying and Democrats have expressed frustration that Bolton refused to testify in front of Congress.
* Department of Transportation (DOT) Secretary Elaine Chao announced Thursday that the Administration plans to award $906M to 20 different projects in 20 different states through the Infrastructure for Rebuilding America (INFRA) Program. A press release and the full list of awards can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.transportation.gov%2fbriefing-room%2fus-secretary-transportation-elaine-l-chao-announces-906-million-investment-revitalize&c=E,1,byzjZxHi7NUOI7y94xm21GQpZmAw61Ka_QaCmOtxnBhe_DelPolBta6G2_klEcQRYZCbV8z0-YfWyAONq1VtDPjeznDUk6B7QTSm-XxAa_HA9-HxpLf6vE6pCQ,,&typo=1" \t "_blank).
* The Federal Transit Administration (FTA) announced that reduced ridership numbers will not affect transit agencies’ formula apportionments for the next few years. They also announced that for FY 2022, the FTA will use the higher of either 2019 or 2020 data and for FY 2023, the FTA will use the higher of either 2019 or 2021 data. This is according to an updated frequently asked questions (FAQ) [document](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.transit.dot.gov%2ffrequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19&c=E,1,Mm0D-8haNRdTL-Fi_I4wuF_1DPEMZzGvHE74A-_dh4W_NUHDbfuRisZHUKcnrCaiJ5xtTSynB7Owp6avztSSYVExmoN2QcuBgqlH-8lO9mH78uZ9QZ-OaLSNUg,,&typo=1" \t "_blank) published yesterday by FTA.
* Federal Communications Commission (FCC) Chairman Ajit Pai urged Congress in a statement to ensure that consumers are able to stay online past the June 30 end of the voluntary Keep Americans Connected pledge. When the pledge expires, Chairman Pai is asking internet service providers (ISPs) to maintain a policy of not disconnecting consumers and small businesses. He also requested that companies explore options for extending or deferring payments and expanding help for low-income families, veterans and remote learning initiatives.
* The Internal Revenue Service (IRS) plans to examine hundreds of individuals with business entities like partnerships and S-corporations to see how their tax planning has changed based on the 2017 Tax Cuts and Jobs Act.
  + The IRS has recently come under fire for not auditing wealthier Americans, as a study revealed that the Government lost out on billions of tax dollars from people who failed to file.
* Kenya has delayed trade negotiations with the United States until the African Continental Free Trade Area takes full effect. United States Trade Representative (USTR) Robert Lighthizer has indicated that the United States would model its trade deals with other Sub-Saharan African countries after their deal with Kenya.
* A coalition of 22 environmental and public health groups including the NAACP sued the Environmental Protection Agency (EPA) over its revisions to the Mercury and Air Toxic Standards. The groups are expected to argue that EPA's cost-benefit analysis was flawed, and that EPA undermined the rule's legal underpinning.
* The Federal Energy Regulatory Commission (FERC) is seeking comments on whether or not it should expand its reliability standards to account for cybersecurity risks and create new incentives for utility companies to invest in stronger cyber protections. The notice can be found attached.
* Mary Elizabeth Taylor, the Assistant Secretary of State for Legislative Affairs, resigned on Thursday. In her resignation letter, she cited her frustration with Trump’s handling of the racial injustice occurring in the United States. Ms. Taylor is viewed as a strong conservative and one of the highest-ranking Black officials in the Trump Administration.
* The Navy upheld the firing of Capt. Brett Crozier, the former commanding officer of the aircraft carrier USS Theodore Roosevelt, who was fired after expressing concern about a COVID-19 outbreak on the ship in March. Crozier was fired after forcing the stop in Guam to offload its 5,000 sailors.
  + Additionally, the Navy will delay promoting Rear Admiral Lower Half Stuart Baker to Rear Admiral Upper Half as approved by the Senate pending further review. Baker was Crozier’s superior on the ship and argued for less drastic measures.
* Federal Register Notices:
  + The Department of Defense issued a notice of renewal of the Department of Defense Federal Advisory Committees. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f19%2f2020-13256%2fcharter-renewal-of-department-of-defense-federal-advisory-committees&c=E,1,8mIXq_tkv_FgVgbdwq6syH02jBR5yWsCkTeuJ4lMm8TvGDp1cmRTzUDpFH37IHa-xN2huFG-mfawl1wmlwJb_D-qMNpoqyr6odpuG6LRgA,,&typo=1" \t "_blank).
  + The Department of Education issued a notice and request for comments on the eligibility of students at institutions of higher education to receive funds under the CARES Act. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f19%2f2020-13246%2fagency-information-collection-activities-comment-request-eligibility-of-students-at-institutions-of&c=E,1,fgX5I3Ls4jCxHGwZ7DnPKzwFCOvq0y-MrC61xV0P0TC-DwjmqZQLjbp1pH2Fi-V7BZem-B36qO85hHuohEHksByXvDIadDyduVVgNZ19mezpQvD4DbsX2Qp-V9M,&typo=1" \t "_blank).
  + DOT issued a notice and request for comments on certification procedures for aircraft products and parts. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f19%2f2020-13259%2fagency-information-collection-activities-requests-for-comments-clearance-of-a-renewed-approval-of&c=E,1,c13h4YRkV8yHFE8dwxB-Am_FpSuradS3H5s7Jdua-zFtUYKq9ayWKwcgSSTWYSO_MqU6ZpN2j6nM-D9suGOC39f8f1E_Izu9qgMVGVIgFQskisgBjzwPO-R3&typo=1" \t "_blank).
  + FCC issued a final rule on promoting telehealth in rural America. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f19%2f2020-12844%2fpromoting-telehealth-in-rural-america&c=E,1,WEEBKQJlKMh8aWKnbJdTKV_2aIUvYrSjqac-6OdGLq9I-9NgOWs7U_-VzPj2ZCWofBI2IhDgvwm5XMmIMabYG__pf-_uU90EZlpExyaZ8McbaiTcs1YG&typo=1" \t "_blank).
  + FCC issued a notice on the relocation of the payment clearinghouse request for proposal, selection, criteria and application deadlines in 3.7-4.2 GHz band transition. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f19%2f2020-13213%2fwireless-telecommunications-bureau-announces-relocation-payment-clearinghouse-request-for-proposal&c=E,1,GMnPydMumCTrsVBqO2bNgF8DNBTRef7_XWJ4t0DJBYUzvm0Ra0ULl6q_bIhM4lRzgL1orWBK0bjYSpZ2DO_yMPLhMUn1yjpNUjw8a3DxMjeIHQXKYgVX&typo=1" \t "_blank).
  + The Federal Emergency Management Agency (FEMA) issued a request for comments on FEMA public customer satisfaction surveys. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f19%2f2020-13274%2fagency-information-collection-activities-submission-for-omb-review-comment-request-fema-public&c=E,1,FkcsHRue2j4m4xvwe7-vfs0tWJnuuoVtoNHlgmUFkGWNtGXMlrT1EYustmYEJpS_qyMdi03x7hQw4qWzBR5C5cyqQ94lhQU_2kmeDsTS5GWCMOoVhBT5kQ,,&typo=1" \t "_blank).
  + The Executive Office of the President issued an Executive Order on safe policing. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f19%2f2020-13449%2fsafe-policing-for-safe-communities&c=E,1,ijKgCbDoz2WI6iuUmc7A--3BwK2A2Cba2kC9T7GzuEnn4k4FtCDdw5M9D-kEqFNhpy6DOTXPjGBFrmYBj3HJSLJTXQ9exOFAxrK0qBdLDtBJ7LXgH1MZxw,,&typo=1" \t "_blank).
  + The Executive Office of the President issued a Presidential Document about the Continuation of the National Emergency with respect to North Korea. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f19%2f2020-13450%2fcontinuation-of-the-national-emergency-with-respect-to-north-korea&c=E,1,RqoiMME_Td5U_iJXgmYkNvm2b6PNhH6X1-wKvN8bnbPAMrI1mKbsvqUX6Z_r6k1xDySbeAOstzeOVhKPXFUUcKJfGF2mgleVCi7cLxG5HVmSL3PD&typo=1" \t "_blank).
  + The Small Business Administration (SBA) issued an interim final rule on Paycheck Protection Program revisions. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f19%2f2020-13293%2fbusiness-loan-program-temporary-changes-paycheck-protection-program-revisions-to-the-third-and-sixth&c=E,1,OkNw0udRtAGhKk8mvyx2OS4Ct1SfB3SjvyAYlgkoGwPcu5B_OWEFGb42aFT0VVDzdkVoqJjJa9bTBQoiA0EusKmb1F2LQKlMTezfxDX9tg,,&typo=1" \t "_blank).
  + The Department of State issued a notice updating the State Department’s 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%2f19%2f2020-13192%2fupdating-the-state-departments-list-of-entities-and-subentities-associated-with-cuba-cuba-restricted&c=E,1,KHrphA9asUwj9EaBCKoZAeRaELMVA4TW8AvJ2IVDM9vnZflLSfRf4vXx7bhlaWMtWHEeLfFXWP-axDMdiV_kXBJhpSszjZaqQvGuc4N2h6POYwYce8Q,&typo=1" \t "_blank).

**Other News**

* American Airlines became the first major airline to show the stronger enforcement of mask standards on flights promised by Airlines for America. The airline removed and banned a passenger from flying with the airline after the passenger refused to wear a mask and then argued with flight attendants.
* The Trust and Safety Professional Association has formed to represent employees who serve as content reviewers and engineers to stop offensive content from going viral in social media companies like Facebook, Twitter and YouTube.
* In a letter to Senate Commerce, Science, and Transportation Committee and House Energy and Commerce Committee leadership, Ligado Networks accused the Trump Administration of politicizing the government’s review of their 5G plans. FCC approved Ligado’s plans in April. Recently, the Department of Defense has objected to the plans due to concerns that they would scramble GPS. The letter can be found attached.
  + House Energy and Commerce Committee members received a briefing on Thursday in advance of the letter.
* A group of singers and actors including Neil Young, Lady Gaga, Willie Nelson and Billy Joel signed a letter to lawmakers asking them to issue aid to independent music venues and concert halls. The letter stated that 90% of music venues will not reopen if the shutdown lasts six months and there is no federal assistance. The letter can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.nivassoc.org%2fartists-letter-to-congress&c=E,1,ReUlcAkc-YOPVTX6RVXg8p8BqO2K4x9yn-lNq3jmFawp58Cqwsn2nyHbVpykSAyERKN0lf9zv2tkwzYMU2rA-P28tujzBlepz0xDOTED9cum&typo=1" \t "_blank).