June 23, 2020

TO: USTOA Members

FR: Terry Dale

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Below is our COVID-19 Updates for June 23, 2020:

**Congress**

**Senate Activities**

* It currently appears as if Senate Democrats will block the vote on the motion to proceed to Sen. Tim Scott’s (R-SC) police reform bill. However, Senate Minority Leader Chuck Schumer (D-NY) said that the Democrats would allow the Senate to proceed to the bill if an agreement on amendments can be reached. Senate Minority Whip Dick Durbin (D-IL) indicated that Democrats are looking for a specific commitment from Senate Majority Leader Mitch McConnell (R-KY) on the number of amendments that Democrats would be allowed to offer in return for moving to debate. Senate Republicans have indicated that they don’t wish to negotiate the bill prior to deliberating it on the Senate floor but would instead consider amendments to the bill.
* The Senate Judiciary Committee will mark up S. 3398, the EARN IT Act, on Thursday. The legislation would roll back Section 230 of the Communications Decency Act, which protects technology companies from liability.
* Sens. Jeff Merkley (D-OR), Patrick Leahy (D-VT), Richard Blumenthal (D-CT), Bernie Sanders (I-VT), Kamala Harris (D-CA), and Elizabeth Warren (D-MA) introduced the Frontline At-Risk Manual (FARM) Laborers Protection Act. The legislation would provide ten days of paid sick leave to agricultural workers, provide pandemic premium pay at an additional $13 per hour for these workers, help maintain payrolls and limit layoffs and furloughs, and implement recommendations made by the Centers for Disease Control and Prevention (CDC) regarding sanitation and social distancing in work sites, employer-provided housing, and transportation. In addition, the legislation would provide grants to agricultural producers to help them provide premium pay to their employees and purchase handwashing stations, portable restrooms, and Personal Protective Equipment (PPE).
* The Senate Banking, Housing, and Urban Affairs Committee held a hearing on oversight of the Export-Import Bank of the United States (EXIM) today. Our coverage of the hearing is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/2020-06-23-senate-banking-exim-hearing.pdf), and the only witness was Kimberly A. Reed, President and Chairman of the Board of Directors of EXIM. Topics discussed in the hearing included the stalled EXIM nominations, the United States’ competitiveness with other nations, including China, and outreach to rural, minority-owned, and small businesses.
* Senate Health, Education, Labor and Pensions (HELP) Committee Chairman Lamar Alexander (R-TN) announced that he supports additional relief for schools and colleges struggling during COVID-19. He specifically mentioned that they need money to safely reopen in the fall. School administrators have estimated that there may be a need for $50B-$75B in additional relief for public schools in the U.S.
* Senate Commerce, Science, and Transportation Committee Chairman Roger Wicker introduced S. 4021, the Accelerating Broadband Connectivity Act of 2020, with Sens. Shelley Moore Capito (R-WV) and Marsha Blackburn (R-TN). A press release on the legislation can be found [here](https://www.commerce.senate.gov/2020/6/wicker-capito-blackburn-introduce-bill-to-accelerate-deployment-of-rural-digital-opportunity-fund-broadband-networks" \t "_blank). The legislation would:
  + Create a fund to be used by the Federal Communications Commission (FCC) following the Rural Development Opportunity Fund (RDOF) Phase I auction to incentivize winning bidders to complete their buildout obligations on an accelerated timeline;
  + Build upon the existing RDOF process to get high-speed broadband service to rural consumers much faster than the current timetable for deployment using RDOF dollars;
  + Require service providers who receive funds from the Accelerating Broadband Connectivity (ABC) Fund to meet a series of accelerated milestones for their RDOF deployments; and
  + Allow the FCC to conduct the auction in a way that maximizes value to American taxpayers while connecting consumers more quickly.

**House Activities**

* House Majority Leader Steny Hoyer (D-MD) said the House will vote on H.R. 1957, the Great American Outdoors Act, in late July. The legislation will not be considered under suspension of the rules, which opens the door for amendments to be considered on the House floor. The legislation is still expected to pass the House with bipartisan support.
  + As a reminder, the Senate passed the bill last week.
* The four remaining House Armed Services Subcommittees advanced their portions of the National Defense Authorization Act (NDAA) today, including the Subcommittees on Tactical Air and Land Forces, Military Personnel, Readiness and Seapower and Projection Forces. As a reminder, the full committee is scheduled to consider the NDAA next Wednesday, July 1.
  + As a reminder, the Seapower Subcommittee wants to force the Pentagon to hand over a long-awaited shipbuilding plan as part of annual defense policy legislation. The Seapower Subcommittee’s portion of NDAA would also authorize a second attack submarine left out of the Navy's budget request.
* In a letter to Acting Homeland Security Secretary Chad Wolf, House Homeland Security Committee Chairman Bennie Thompson (D-MS) asked why Nigel Farage was allowed into the United States to attend President Trump’s rally. Farage is from the U.K. and his visit to the United States would be considered a violation of President Trump’s travel restrictions. The letter can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/2020-06-22-t-dhs-act-sec-seeking-documents-re-nigel-farage.pdf).
* In a letter to House leadership, Reps. Suzanne Bonamici (D-OR) and Don Young (R-AK), who Co-Chair the House Oceans Caucus, asked for federal investment to help coastal economies and the “blue economies.” The letter specifically asked for $10B to support coastal restoration and resilience programs, the creation of an Advanced Research Project Agency-Ocean and investments into federal ocean research. The letter can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/oceans-letter.pdf).
* House Judiciary Committee Chairman Jerry Nadler will subpoena Attorney General William Barr for testimony on July 2. Chairman Nadler has chosen not to subpoena Barr in the past, due to concerns that Attorney General Barr would object to the subpoena. It is still expected that Attorney General Barr will contest the subpoena, though Ranking Member Jim Jordan (R-OH) has indicated that Attorney General Barr plans to testify after the pandemic.
* The House Energy and Commerce Committee heard from Trump Administration officials in charge of the COVID-19 response today. The hearing featured testimony from:
  + Anthony S. Fauci, M.D., Director, National Institute for Allergy and Infectious Diseases, National Institutes of Health
  + ADM Brett P. Giroir, M.D., Assistant Secretary for Health, U.S. Department of Health and Human Services
  + Stephen M. Hahn, M.D., Commissioner, U.S. Food and Drug Administration
  + Robert R. Redfield, M.D., Director, Centers for Disease Control and Prevention
* House Budget Committee Chairman John Yarmuth (D-KY) wrote a letter to the White House Office of Management and Budget (OMB) asking for a commitment that the White House would not seek rescissions and slow apportionments this year. The Administration has attempted to rescind funds appropriated by Congress twice during President Trump’s first term. The letter is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/6-23-20-yarmuth-letter-to-omb.pdf).
* The House Science, Space and Technology Committee held a hearing on “R&D to Support Healthy Air Travel in the COVID-19 Era and Beyond.” During the hearing, Heather Krause with the Government Accountability Office (GAO) argued that the Department of Transportation (DOT) should have followed a 2015 GAO recommendation on implementing a disease plan for aviation. She stressed that this would have reduced confusion among passengers, including on face coverings. As a reminder, DOT has argued that the Departments of Homeland Security (DHS) and Health and Human Services (HHS) should be responsible for such a plan. Our coverage of the hearing is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/2020-06-23-house-science-r-d-to-support-healthy-air-travel-covid-19.pdf), and the witnesses included:
  + Ms. Heather Krause, Director, Physical Infrastructure Issues, Government Accountability Office
  + Dr. Byron Jones P.E., Professor, Alan Levin Department of Mechanical and Nuclear Engineering; Director, National Gas Machinery Laboratory, Kansas State University
  + Dr. Vicki Hertzberg, Professor and Director, Center for Data Science, Nell Hodgson Woodruff School of Nursing, Emory University
* The House Rules Committee is officially accepting amendments to H.R.2, the Moving Forward Act, through Thursday morning in preparation of Rules Committee and House floor consideration next week.
* The House Appropriations Committee held a Member Day Hearing today on FY 2021 Appropriations. Members, among others, raised issues related to telehealth and climate change.
  + Appropriations Chairwoman Nita Lowey (D-NY) warned during the hearing that July will be very busy with markups and floor votes, but stated that the committee plans to work through the bills in as regular order as possible.

**General Congress**

* The House and Senate Parliamentarians ruled that resolutions to withdraw the United States from the World Trade Organization (WTO) should receive votes in their respective chambers.
  + In the Senate, Sen. Josh Hawley (R-MO) has been pushing for his resolution to be considered.
  + In the House, House Transportation and Infrastructure Committee Chairman Peter DeFazio (D-OR) and House Energy and Commerce Committee Chairman Frank Pallone (D-NJ) have introduced a resolution calling on the United States to leave the WTO.

**Administration**

* President Trump signed an Executive Order to extend foreign-worker restrictions through the end of the year. The full Executive Order can be found [here](https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/" \t "_blank).
  + As a reminder, the new Executive Order extends the original ban through Dec. 30 and expands it by imposing restrictions on work visas. The Executive Order includes a freeze that will apply to H-1B visas designed for high-skilled workers, particularly in the tech industry, and H-2B visas used by seasonal workers, like those in the construction and hospitality industries.
    - Tech companies have already spoken out against the suspension of the H-1B visa program. Tech companies utilize this program to employ foreign-born workers with in-demand tech skills. The program sees thousands of applications each year from technology companies looking to hire workers for critical roles in research and engineering.
* Treasury Secretary Steven Mnuchin commented that he expects the U.S. to make a strong economic recovery in the rest of 2020 and be out of the recession by the end of this year. He specifically cited improving employment data and retail sales numbers as indicators of the upcoming recovery.
  + Secretary Mnuchin also today declined to rule out another delay in the tax-filing deadline.
* Reports indicate that the Administration could reimpose aluminum tariffs on Canada later this week. The U.S. has been pressing Canada to impose quotas to slow the surge of aluminum exports or face a 10% tariff. Re-imposing tariffs would likely bring retaliation and could overshadow the implementation of the U.S.-Mexico-Canada Agreement (USMCA).
* The Internal Revenue Service (IRS) is expected to release rules for net operating loss changes enacted by the CARES Act in the near term.
* The Environmental Protection Agency (EPA) began reopening its headquarters in Washington, D.C. today. However, EPA is still encouraging employees that do not have to return to the physical building to continue working remotely. Initially, it is expected that political leadership of the EPA will return to the office in person.
  + The EPA announced that the agency will end their loosened enforcement policies during the COVID-19 pandemic. John Irving, the EPA Deputy Administrator for Enforcement, said that they will give 7 days’ notice before ending the policy and noted that the EPA will retain their enforcement procedures.
* The Interior Department’s Inspector General will investigate the U.S. Park Police’s role in the violent attack on protestors in front of the White House earlier this month.
  + This is a response from a request made by Sen. Ron Wyden (D-OR) and Reps. Raul Grijalva (D-AZ) and Deb Haaland (D-NM).
* The Administration announced plans for a three-year, $40M program with the Morehouse School of Medicine to deliver COVID-19 information to minority and rural communities, and to fight the virus’ spread. The program was announced by Brett Giroir today.
* Federal Register Notices:
  + The Department of Education posted a supplemental notice asking for applications for the FY 2020 Education Stabilization Fund-Reimagine Workforce Preparation (ESF-RWP) Grants Program. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f23%2f2020-13480%2fnotice-inviting-applications-nia-for-the-fy-2020-education-stabilization-fund-reimagine-workforce&c=E,1,NXPG6tYpZ7mULC2Moe8U8hd_3S1dohVgzlGOOSbmWJ4FnRu7-QzflCLHVLUy8kH3b7BRmjmK6LGB0MlPtV5JZ6hcNma5i99Hgc9AkFn-wq8ZZ-yrm-ewS5uLRQ,,&typo=1" \t "_blank).

**Other News**

* New information on clusters of COVID-19 infections shows that the virus is now spreading in a more diverse set of locations. Initially, COVID-19 was largely spreading within nursing homes, prisons, and meatpacking plants. However, this new information shows that churches, bars, casinos, and other locations that serve larger groups of people and a more diverse age range are now seeing clusters. As we have reported, the number of infections continues to rise in a majority of U.S. states, though hospitalizations and deaths are not yet increasing dramatically as the virus is now affecting younger and healthier people.
* Los Angeles International Airport (LAX) is launching a thermal camera technology program, using the devices to screen both arriving and departing passengers. The program will screen passengers and if they detect someone with a higher temperature, they will receive a secondary screening. The program will be voluntary, and travelers will have to opt in.
  + LAX is currently evaluating three camera types from Schneider Electric. Faith Group will provide an evaluation of the technology and signage. The cameras are being loaned, meaning there is currently no cost to LAX for the testing.
  + LAX is gathering input from the Transportation Security Administration (TSA), the CDC, airlines, and the Los Angeles County Department of Health during the pilot program.
* Exports of American whiskey to the European Union (E.U.) have dropped 33% over the past two years due to a 25% tariff that has been placed on whiskey by the E.U. The E.U. tariffs are retaliatory to Section 232 tariffs on steel and aluminum placed on the E.U.
* Leaders from France and Germany said they will not continue with the digital services tax until after the election in November and would instead focus on an international deal focusing on international technology firms at the Organization for Economic Cooperation and Development (OECD).
  + While the United States has pulled out of the talks, Treasury Secretary Mnuchin said that he hopes the talks can begin at the end of the year.
* Puerto Rican officials selected Luma Energy, a Canadian-American company, to “transform” the grid of their state-owned electric utility. The company will take over maintenance and operation of the power grid for the next 15 years.
* The United States Chamber of Commerce released nine policy principles that it hopes will guide broadband spending and legislation. The Chamber’s proposal can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2famericaninnovators.com%2fwp-content%2fuploads%2f2020%2f06%2fCTEC_onepager_Broadband_v2.pdf&c=E,1,SFw8Bgi8C0s2LiyGKyAlaiAdwTs9heMAZBygoFmlYjcIx7tBYgw4IrMzgVxFy8J1tJNZgKjHjDh5y4rlq9DnnzkHqxfzV-oOvmP1f5UdtcAzxpcwE_D9jVr85qU,&typo=1" \t "_blank).
* The Anti-Defamation League (ADL) released the results from its annual online hate and harassment survey and said that 28% of Americans have endured severe online hate and harassment this year. The ADL’s full report can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/adl-hate-and-harassment.pdf).
* A [new study](https://www.povertycenter.columbia.edu/news-internal/coronavirus-cares-act-forecasting-poverty-estimates" \t "_blank) from the Center on Poverty and Social Policy at Columbia University estimates that about $2T in federal relief delivered by the CARES Act stopped the poverty rate from climbing to 16.3%. Instead, it rose only slightly, from 12.5% pre-pandemic to 12.7%.
* Cybersecurity experts expect increased cyber threats from the pandemic well after the end of the crisis, according to an annual survey of past attendees of the Black Hat Security Conference. The survey found that only 15% of experts “believe that cyber operations and threat flow will return to normal” after the pandemic ends. Additionally, 84% of respondents “believe that significant, lasting changes will occur, at least in some industries.”