June 26, 2020

TO: USTOA Members

FR: Terry Dale

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Below is our COVID-19 Update for June 26, 2020:

**Congress**

**Senate Activities**

* Sen. Tom Cotton (R-AR) and Senate Minority Leader Chuck Schumer (D-NY) introduced the American Foundries Act of 2020, which encourages the domestic manufacturing of semiconductors. The bill is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/cotton-schumer-semiconductor-bills.pdf). The legislation follows on the CHIPS Act, which was introduced by Sens. John Cornyn (R-TX) and Mark Warner (D-VA) earlier this month, which proposed an investment tax credit for U.S. semiconductor producers.
* Sens. Lisa Murkowski (R-AK) and Cory Booker (D-NJ) [led a letter](https://www.energy.senate.gov/public/index.cfm?a=files.serve&File_id=9A86E744-EC2F-4D0F-94E8-C74F19483BEB" \t "_blank) with 18 bipartisan Senators asking for the Senate Armed Services Committee to include provisions supporting advanced nuclear power in the National Defense Authorization Act (NDAA).
* Sens. Amy Klobuchar (D-MN) and Joni Ernst (R-IA) [led a letter](https://www.klobuchar.senate.gov/public/index.cfm/news-releases?ID=6DA8462E-0010-49D6-8EC2-7B3098D66356" \t "_blank) with 16 other Senators to Environmental Protection Agency (EPA) Administrator Andrew Wheeler asking him to reject Renewable Fuel Standard exemption requests from 52 refiners.
* Sen. Amy Klobuchar (D-MN) [led a letter](https://www.klobuchar.senate.gov/public/index.cfm/news-releases?ID=DEFDF8F6-184A-4689-B098-7D2D3E2873FA" \t "_blank) with 6 Judiciary Committee Democrats to Judiciary Chairman Lindsay Graham (R-SC) asking him and Sen. Mike Lee (R-UT), who chairs the Senate Judiciary Subcommittee on Antitrust and Competition, to investigate allegations that certain anti-trust claims have been politicized. The letter included a reference to the Trump Administration utilizing the Department of Justice’s anti-trust division to attack the emissions deal that California made with four automakers last year. The letter can be found [here](https://www.klobuchar.senate.gov/public/_cache/files/3/e/3ef4546d-c486-4d84-acc6-1f1dbebab1c3/1668C172F388BBD7D60530102D342D88.062420antitrusthearingletter.pdf" \t "_blank).

**House Activities**

* The House passed H.R. 7120, the George Floyd Justice in Policing Act of 2020 by way of a 236-181 vote late last night. Reps. Brian Fitzpatrick (R-PA), Will Hurd (R-TX) and Fred Upton (R-MI) voted with all House Democrats to pass the bill. As a reminder, H.R. 7120 would ban certain police practices such as chokeholds and no-knock warrants and end qualified immunity for police officers. H.R. 7120 is unlikely to be considered by the Senate in its current form, though negotiations are possible.
* House leadership continues to indicate that a vote will occur on H.R. 2, the Moving Forward Act, next week. The House Rules Committee will meet on the hundreds of amendments on Monday. House Majority Leader Steny Hoyer (D-MD) said today that lawmakers will package amendments together as much as possible.
  + Majority Leader Hoyer stated that he spoke with Republican leadership about putting amendments in manager's packages or in en bloc tranches to avoid voting on individual amendments one at a time. The socially distanced voting process currently takes around an hour per vote.
* The House passed H.R. 51, the Washington, D.C. Admission Act, today in a 232-180 vote. The legislation would make Washington, D.C. the 51st state. The legislation is unlikely to be considered in the Senate and President Trump has also expressed his opposition to D.C. statehood.
* Rep. Mike Thompson (D-CA), along with 47 Democrats on the House Ways and Means Committee introduced H.R. 7330, the GREEN Act. The GREEN Act would expand green tax credits for technologies including onshore and offshore wind, solar, geothermal, carbon capture and hydropower. The legislation also raises limits on the electric vehicle tax credit and supports building charging infrastructure. The legislation is similar to provisions included in H.R. 2, the Moving Forward Act. A press release on the legislation can be found [here](https://mikethompson.house.gov/newsroom/press-releases/chairman-thompson-47-democratic-cosponsors-introduce-green-act" \t "_blank).
* House Energy and Commerce Communications and Technology Subcommittee Chairman Mike Doyle (D-PA) and Ranking Member Bob Latta (R-OH) introduced [H.R. 7310](https://www.congress.gov/bill/116th-congress/house-bill/7310?q=%7B%22search%22%3A%5B%22hr+7310%22%5D%7D&s=1&r=1" \t "_blank), a House companion to S. 3717, the Spectrum IT Modernization Act, introduced by Senate Commerce Committee Chairman Roger Wicker (R-MS), which requires the Department of Commerce (DOC) to submit a plan for revamping its IT technology.
* The House failed to override President Trump’s veto of legislation that would have blocked the Education Department’s “borrower defense” rule. The vote to override the veto was 238-173, which fell short of the 2/3 requirement.
* Reps. Brad Sherman (D-CA) and Ted Yoho (R-FL) have introduced a companion to the sanctions bill the Senate passed yesterday related to China’s violation of Hong Kong’s independence.
* The House NDAA dedicates $1B for a Pandemic Preparedness and Resilience National Security Fund, including $750M for military pandemic preparedness and $50M for rapid production of medical countermeasures.

**General Congress**

* House Speaker Nancy Pelosi (D-CA) and Senate Majority Leader Mitch McConnell (R-KY) identified retired Gen. Joseph Dunford as the top choice to chair the five-member commission tasked with monitoring the Trump Administration’s economic rescue effort amid the COVID-19 pandemic. Gen. Dunford still has to undergo an ethics review and the final decision is pending. Gen. Dunford stepped down last fall after four years serving as Chairman of the Joint Chiefs of Staff.
* Members of the Maine Congressional Delegation, including Sen. Angus King (I-ME), Sen. Susan Collins (R-ME) and Rep. Chellie Pingree (D-ME), [praised President Trump’s decision](https://www.king.senate.gov/newsroom/press-releases/after-delegation-letter-urging-action-collins-king-pingree-applaud-administration-move-to-support-lobster-industry" \t "_blank) to extend farmer bailout funds to lobster fishermen who have seen a decline in demand for lobster exports.

**Administration**

* Secretary of State Mike Pompeo announced visa restrictions on current and former Chinese Communist Party members believed to be responsible for undermining Hong Kong’s right to govern itself.
* The White House announced that they will fund a test of an oral COVID-19 vaccine as part of Operation Warp Speed. The vaccine will be manufactured by Vaxart. This would be the first product Vaxart has brought to the market.
* Centers for Disease Control and Prevention (CDC) Director Robert Redfield said that based on data from antibody tests, the CDC believes that COVID-19 cases may be ten times higher than reported. CDC estimates that almost 24M Americans could have been infected with the virus.
* National Institute of Allergy and Infectious Diseases Director Dr. Anthony Fauci said the Trump Administration is reconsidering their testing strategy for COVID-19. Fauci said that the Administration is considering pool testing, which would test large groups of people and could lead to easier isolation of infected individuals.
* A report from the Department of Commerce said that American’s increased consumer spending by 8.2% in May. The numbers come even with a 4.2% loss reported in income.
* United States Trade Representative (USTR) Robert Lighthizer said that he will not use a trade deal to change Section 230 of the Communications Decency Act, which gives websites protections from comments their users make. Lighthizer said any changes must be made through legislation.
* The Federal Communications Commission (FCC) is halting applications for its new COVID-19 Telehealth Program, which was formed with $200M in stimulus cash allocated as part of the CARES Act. The fund that supports the program has nearly run out of the money.
  + FCC had dedicated $157.6M as of the last round of grants and says current demand among applicants exceeds the cash that is left.
* The U.S. and the United Kingdom (U.K.) completed the second phase of talks on a trade deal. USTR Lighthizer said that some provisions of the trade deal could be closed out this week. As a reminder, both sides are attempting to reach a trade deal by the U.S. elections in November.
* Mexican President Andrés Manuel López Obrador will meet with President Donald Trump for the first time in-person next month to discuss the U.S.-Mexico-Canada Agreement (USMCA) trade deal.
  + USMCA is set to go into effect this Wednesday, July 1.
* The Department of Interior recommended offering almost 19M acres in the National Petroleum Reserve in Alaska for mineral development as part of its preferred planning scenario in its Integrated Activity Plan and Environmental Impact Statement. A press release on the recommendation is [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.doi.gov%2fpressreleases%2finterior-supports-responsible-development-americas-energy-resources-alaska&c=E,1,f3-jHvPrX-JwhOobYG8TUxO1I5J7uRT1AomGbyVlQOVy3_yJHuS8GFf44PHis7S95WFVRRxcKGkU-CZEMKfZW6LwLBaqFI-JPygNbtPwEbHGUZGiollzjgAhghG7NQ,,&typo=1" \t "_blank).
* The Justice Department met today with state attorneys general to decide if they should launch an anti-trust probe into Google’s advertising practices.
* Britain, France, Italy and Spain [sent a letter](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.politico.eu%2fwp-content%2fuploads%2f2020%2f06%2fLetter-Mnuchin-IT-FR-UK-SP-FINAL-SIGNED%25E2%2580%2594CLEANED.pdf%3fsource%3demail&c=E,1,mt36XE60Q9ad4mLiqx1RKDzOMgwyzYlawwsJj6sHwHn0Ku04JantHu6L2sCxK6NLCHqeiQTEwNrb5kOpR8g1qxKPmAJ0ZM5aNGRMAITKWlPlQ4kKO3VZMso,&typo=1" \t "_blank) to Treasury Secretary Steven Mnuchin suggesting a “phased approach” to global digital tax negotiations that have occurred through the Organization for Economic Co-operation and Development (OECD).
  + As a reminder, the U.S. pulled out of the OECD talks last week.
* The Treasury Department has signed off on $27B in payroll assistance to airlines and contractors, according to a new Government Accountability Office (GAO) report. Additionally, the Department has fielded 200 applications for separate loans asking for over $34B. The report can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/gao-report-on-transportation.pdf).
* In the same report GAO reported that the Federal Transit Administration has awarded 291 grants and obligated 58% of CARES Act funding towards transit agencies.
* The Treasury Department issued new answers to Frequently Asked Questions (FAQs) that permit state and local governments to use coronavirus relief funds (CRFs) to promote travel and tourism.
  + The FAQs were issued in response to [a letter](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.ustravel.org%2fsites%2fdefault%2ffiles%2fmedia_root%2fdocument%2fUST%2520Letter%2520to%2520Treasury%2520RE%2520CRF%2520Eligibility%2520for%2520DMOs.pdf%3futm_source%3dMagnetMail%26utm_medium%3demail%26utm_content%3d6%252E25%252E20%2520%252D%25202020%2520COVID%2520Research%2520Weekly%26utm_campaign%3dust&c=E,1,VrpDuTWvCKl_kFMSaPPf0eun4b87G7WCJqP54vksWJWQospPn7yD7KUHmOkldTvMEkF1B_zaht-QGljacl4YRLg2gO00ze-wQbfF3hXFFw,,&typo=1" \t "_blank) sent by the U.S. Travel Association to Treasury Secretary Mnuchin asking him for guidance on usage of these funds.
* Federal Register Notices:
  + FCC issued a final rule on the Connect America Fund. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13632%2fconnect-america-fund-etc-annual-reports-and-certifications-establishing-just-and-reasonable-rates&c=E,1,bqvx5HMF6YseCnrkFbIVMH84yHnvHxn1xdF90nyKN4TwGCOqPlnmiqZJhGD0aORcg3RWpkvnQOMQJD10QZuEiyvw5uWzLLRQiF6GTcdcIjvwcJrp2BysAWdzW0hWdg,,&typo=1" \t "_blank).
  + FCC issued a final rule on Advanced Methods to Target and Eliminate Unlawful Robocalls. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13748%2fadvanced-methods-to-target-and-eliminate-unlawful-robocalls&c=E,1,EWEghHfgTc1Tin3mkvYgBHzRxS1AeAaaLSk8LC8EmLwEl7EyNIwbwMseueuQ1EG9ijx4qQG_QH2daFzPjM5ynTAcBDadgNKIyDb99gjZipMuBUeTTS2ZYkk,&typo=1" \t "_blank).
  + FCC issued a final rule on Implementing the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-11252%2fimplementing-the-pallone-thune-telephone-robocall-abuse-criminal-enforcement-and-deterrence-act&c=E,1,YKGB4n8cEANHJfXzg-Bv7X-ixB6ludUcLnC46N90NF93CGmvHrnwxTRSn-YT8G_wvJj_MXV2Bb6i8MmnS5oEITpoBwuUq4yaQ7vb8yZaSQ,,&typo=1" \t "_blank).
  + FCC issued a final rule on a World Radiocommunication Conference 2015 (WRC-15) Order. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-04203%2fwrc-15-order&c=E,1,8fMk6rohK8vS7hwkilRwRMbCzw5DmQmYXTh0zpvB1rDaStvuXnbeTNKkkXA8gTSvtzTEIkRLpug5G_hycXBUaDKIyAp7oK--78LP2HDvyni7&typo=1" \t "_blank).
  + The Federal Deposit Insurance Corporation (FDIC) issued a final rule on Assessments, Mitigating the Deposit Insurance Assessment Effect of Participation in the Paycheck Protection Program (PPP), the PPP Liquidity Facility, and the Money Market Mutual Fund Liquidity Facility. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13751%2fassessments-mitigating-the-deposit-insurance-assessment-effect-of-participation-in-the-paycheck&c=E,1,La1EmbRQdhfF3_FwFHV4nbxYtQaTs3fvOHmPBySEsA5nQGmaQ6IpP0CnedntdnzqN08aM8VaC8QHFJTUh_LP56vpHzJY9YLUWW_mZuW4tw,,&typo=1" \t "_blank).
  + The Food and Drug Administration (FDA) issued a notice of availability of guidance documents related to COVID-19. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13829%2fguidance-documents-related-to-coronavirus-disease-2019-covid-19-availability&c=E,1,7j_bvA7vBoqXOnUFT0z2jdXkyqmsXLynVsqpRKqp2ToTxmryJKUc5PJAhSkuCc0SSgZubqWQJ7f52sFXwu-2sPDwj3R380B9G6IQZAuPJQ,,&typo=1" \t "_blank).
  + The National Aeronautics and Space Administration (NASA) issued a notice of a meeting on the Aerospace Safety Advisory Panel. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13754%2faerospace-safety-advisory-panel-meeting&c=E,1,EA08mp-2WCrqElM1yUWJtvX7d0cBEtRKWyedi3p1HJm21x0jKft-YawzZO76iMKjfnL6sUPFxGrXAGck-nLKWac1yhvUMj0KiD8C6LJ_nEcq94Co&typo=1" \t "_blank).
  + DOC issued a notice of open meeting for the Commerce Spectrum Management Advisory Committee meeting. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13799%2fcommerce-spectrum-management-advisory-committee-meeting&c=E,1,LwItUQ9vxKCr8pDT77VRM26_NKT0vqNVNJJL-miMUvJix1dp_QYBWehNxoPucidflUMRafzhH2O3bKA2bevQgn0WdyNCodi-23HGnusvccfZe_LTiGaWPj0,&typo=1" \t "_blank).
  + The Small Business Administration (SBA) issued an interim final rule on PPP-Additional Eligibility Revisions. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13942%2fbusiness-loan-program-temporary-changes-paycheck-protection-program-additional-eligibility-revisions&c=E,1,zq-uj7wpOHmiMNQP4587vV9p7qx7wSHaNwK9RALDH6pduCVcENHiEtgG_EGBnjyQCoKyFB7pz-UaIvATpC-hVQBEubf3TICNMd-fMy-rR9vlCdg,&typo=1" \t "_blank).
  + SBA and the Department of Treasury issued a final rule on PPP Revisions to Loan Forgiveness and Loan Review Procedures. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13782%2fbusiness-loan-program-temporary-changes-paycheck-protection-program-revisions-to-loan-forgiveness&c=E,1,DV_MvptEJKFSg7ItbQxb2K4iXM8gxjDGKODZXAU1R0Kfq6Vxa9yjUMHfi1J0cx49QnI8rtLa4HWflWGUpm7gAIgpGZj14Uu-jb-bxAcmdnH0lzd4gNGWT55-Lw,,&typo=1" \t "_blank).
  + The Office of the United States Trade Representative issued a notice and request for comments Concerning the Extension of Particular Exclusions Granted Under the $300 Billion Action Pursuant to Section 301: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13805%2frequest-for-comments-concerning-the-extension-of-particular-exclusions-granted-under-the-300-billion&c=E,1,Qyl1EVzJebyy8P5xrukchROADAKJRBtbW535Ue9U36Lc4zq_W1DP-c4Er-9TuXC3wEkSJzwSDDCCwD954vDmztr7MzMOlD9AS4GQ0uWph2CHcrtXI7F7UA,,&typo=1" \t "_blank).
  + USTR issued a request for comments on Enforcement of U.S.-World Trade Organization (WTO) Rights in Large Civil Aircraft Dispute. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f26%2f2020-13824%2freview-of-action-enforcement-of-us-wto-rights-in-large-civil-aircraft-dispute&c=E,1,qYPjF7DS8VKHa-TycUt-QfuclFzjVIcOBGaqJ3CUy_MF0l3yIUA5rBzRMXI1NkVfF3LibcS-y0-teMsko4N-Zpcv1kg7BljLtChbM_T8Zoea&typo=1" \t "_blank).

**Other News**

* Delta Airlines CEO Ed Bastian said that Delta has banned passengers from future Delta flights for refusing to wear masks on board their flights.
* The Metropolitan Washington Airports Authority, who manages both Washington Dulles International Airport and Ronald Reagan National Airport, implemented veriScan, a biometric identity management system that leverages facial recognition technology. This technology allows passengers to use their face as a passport and boarding pass. Biometric technology has faced criticism in Congress over privacy concerns.
* A group of Airline CEOs, including the CEOs of Southwest Airlines, American Airlines, Delta, United and JetBlue will meet with Vice President Mike Pence and other Administration officials on Tuesday to discuss issues facing the aviation industry.
* A coalition of Unions representing aviation industry employees, including the Air Line Pilots Association, the Transportation Trades Department, Transport Workers Union, International Association of Machinists and Aerospace Workers, and the Association of Flight Attendants, sent a letter to Congressional leaders asking for an extension of the CARES Act Payroll Support Program (PSP). The union said that the PSP has saved thousands of jobs and that mass layoffs will occur if the program is not renewed. The letter can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/airline-union-letter.pdf).
* Weekly spending on travel across the U.S. increased 5% to $10.6B billion last week. This once again marked a high point since states began to shut down in March. However, the growth in spending is showing signs of slowing as some states are becoming more hesitant to ease lockdown restrictions.
* The California Air Resources Board (CARB) unanimously approved a new rule yesterday mandating truck manufacturers to increase the proportion of electric trucks they sell in the state through 2035. The rule will start in 2024 with requirements for zero-emission trucks to make up 5-9% of sales, depending on truck size, and gradually increase through 2035, when 55% of sales of light trucks, 75% of medium- and heavy-duty trucks and 40% of tractor-trailers will have to be zero-emissions.
* According to [a new assessment](https://ec.europa.eu/commission/presscorner/detail/en/IP_20_1188?source=email" \t "_blank) done by the European Commission, all but four European Union countries will miss their emission targets to decrease air pollution.
* A new report from Johns Hopkins University recommends that the winner of the U.S. Presidential Election reverse the defense and trade actions that the Trump administration has pursued with Germany. The full report can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/hopkins-report.pdf).
* The District of Columbia [sued four oil companies](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2foag.dc.gov%2fsites%2fdefault%2ffiles%2f2020-06%2fDC-v-Exxon-BP-Chevron-Shell-Filed-Complaint.pdf&c=E,1,KTdMb3sMzmgipv-IlarYP2xcBkrV7KVqDB-iViLBcmGzZPHjAerc7n-M0HwjnXOmdRakhV9hqoAoa3zzzEm9u2rcKUHcMc4qYlXVdobcYyq9CUxgDUYo_vkY&typo=1" \t "_blank), including ExxonMobil, BP, Chevron and Shell, for misleading consumers on their role in climate change. Minnesota filed a similar lawsuit yesterday.
* Legislators in Oregon are moving closer to passing a bill that would increase cell phone taxes, while lowering taxes on landlines in the state. Supporters want to raise revenue to increase broadband access in rural parts of the state. The bill that is advancing “shifts the burden of financing rural telecommunications services from the dwindling number of landline subscribers to a broader pool of wireless phone customers.”
* Amazon is piloting a system that sends real-time warnings to workers if they are standing too close to each other and other major companies are testing technology to identify workers who have been in close contact with a coworker who has tested positive for COVID-19.
  + The use of digital tracking technology in the workplace to reduce virus transmission is becoming more widespread, but privacy experts, including an employment law expert at Washington University in St. Louis, have expressed worry that businesses will start using their newfound surveillance capabilities for purposes beyond public health.