July 1, 2020

TO: USTOA Members

FR: Terry Dale

Below is our COVID-19 Updates for June 30 & July 1, 2020:

**Congress**

**July 1, 2020 Updates**

**Senate**

* The Senate continued consideration of H.R. 4049, the National Defense Authorization Act for Fiscal Year 2021 (NDAA). As a reminder, it is not expected that consideration of the NDAA will conclude by tomorrow when the Senate departs for the July 4 recess.
* The Senate last night passed S. 4116 by unanimous consent, which extended the Paycheck Protection Program (PPP) and other loans under the Small Business Administration’s (SBA) 7(a) program through August 8. As a reminder, the authorization of funding for the PPP expired June 30. The House still has to pass the legislation.
* Energy and Natural Resources Committee Ranking Member Joe Manchin (D-WV) said he would oppose the nomination of William Perry Pendley to be the Administrator of the Bureau of Land Management. Manchin cited past comments of Pendley’s describing the Endangered Species Act as ‘a joke.’
* In a letter to the Treasury Department, Senator Bill Cassidy (R-LA) led a group of nine bipartisan Senators asking for an extension for off-shore wind projects that qualify for the production tax credit and investment tax credit. The letter can be found [here](https://www.cassidy.senate.gov/imo/media/doc/offshore%20wind-circulate%20(2).pdf" \t "_blank).
* Senate Majority Leader Mitch McConnell (R-KY) said that the Democrats should not end the filibuster if they take control of the Senate and White House in November. The filibuster rule is used, mostly by the minority party, as a procedural tool to delay consideration of legislation.
* Senator Michael Bennet (D-CO) introduced S. 4113, the BRIDGE Act of 2020, which would provide flexible funding to state and tribal governments to deploy “future-proof” broadband networks. A press release on the legislation can be found [here](https://www.bennet.senate.gov/public/index.cfm/press-releases?id=3A1ED978-7409-407F-A50F-B05B57821966" \t "_blank) and bill text can be found [here](https://www.bennet.senate.gov/public/_cache/files/d/9/d99e4d9f-4446-43e5-910a-a9d4708e8ce4/B8DA606B4236EFF82C688C0B1670DD1B.bridge-act---text.pdf" \t "_blank).
* Senators Kevin Cramer (R-ND), Bob Menendez (D-NJ), Thom Tillis (R-NC) and Kyrsten Sinema (D-AZ) introduced S. 4117, the Paycheck Protection Small Business Forgiveness Act, which would simplify PPP loan forgiveness processes for small businesses. A press release on the legislation can be found [here](https://www.cramer.senate.gov/news/press-releases/sens-cramer-menendez-tillis-sinema-introduce-bill-to-simplify-ppp-loan-forgiveness-for-small-businesses" \t "_blank) and bill text can be found [here](https://senatorkevincramer.app.box.com/s/hoc7zaxkrw8p55nkkw3zw7qjszn6p93l" \t "_blank).
* The Senate Parliamentarian ruled that the Senator Josh Hawley’s (R-MO) resolution to withdraw the United States from the World Trade Organization (WTO) could not be voted in in the Senate unless the Senate Finance Committee discharged the resolution within a 45 day window that soon expires. The reversal by the Parliamentarian came after leaders of the Senate Finance Committee, with jurisdiction over trade, provided their analysis on the requirements for a full vote by the Senate.
* The Senate Commerce, Science, and Transportation Committee held a hearing entitled “Exploring a Compensation Framework for Intercollegiate Athletes.” Our coverage of the hearing is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/7-1-20-senate-commerce-hearing-on-nil.pdf). Witnesses included:
  + Mr. Keith Carter, Vice Chancellor for Intercollegiate Athletics, The University of Mississippi
  + Dr. Michael Drake, Chairman, National Collegiate Athletic Association, Board of Governors
  + Mr. Greg Sankey, Commissioner, Southeastern Conference
  + Mr. Eric Winston, Former National Football League Player and College Athlete
* The Senate Commerce, Science, and Transportation Committee held a hearing yesterday entitled “Safety on Our Roads: Overview of Traffic Safety and NHTSA Grant Programs.” The hearing examined the implementation of the National Highway Traffic Safety Administration’s (NHTSA) highway safety grant programs, as well as key highway traffic safety issues. A summary of the hearing is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/2020-06-30-senate-commerce-subcommittee-hearing-on-nhtsa-overview-of-traffic-safety.pdf). Witnesses included:
  + Mr. Chris Peterson, Captain, Lincoln Nebraska Police Department
  + Mr. John Saunders, Region Three Representative, Governors Highway Safety Association, Governors Highway Safety Association; Director of Highway Safety, Virginia Department of Motor Vehicles
  + Ms. Jane Terry, Vice President of Government Affairs, National Safety Council

**House**

* The House voted on passage of H.R. 2, the Moving Forward Act today. The bill passed by way of a 233 to 188 vote, mostly along party lines.
  + Our up-to-date amendment tracker is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/7-01-20-moving-forward-act-amendment-tracker.xlsx). A majority of the amendments that were eligible to be considered en bloc were adopted. Only one en bloc package, containing exclusively Republican amendments, was not adopted.
  + Senate Majority Leader Mitch McConnell (R-KY) commented today that the Senate will not consider H.R. 2 once it passes the House. He specifically described it as a “cousin to the Green New Deal.”
* The House Armed Services Committee began its markup of the House NDAA today. As of the writing of this update, the Committee has not completed the markup. The legislation is expected to advance out of the Armed Services Committee and could be considered on the House floor as soon as the end of July. However, with appropriations also on the schedule, that timing could change.
  + Among the amendments considered today was one seemingly aimed directly at Ligado. The amendment would prohibit the Department of Defense (DoD) from using funds to mitigate interference with GPS devices or networks caused from the specific frequency bands the Federal Communications Commission (FCC) approved for Ligado's use. The amendment does not mention Ligado specifically outside of the findings section.
* House Energy and Commerce Committee Chairman Frank Pallone (D-NJ) wrote a letter to ten companies and an association requesting information on potential price gouging of COVID-19 tests. The companies included in the request are Oklahoma ER & Hospital, Stat Emergency Center, Resilient Health Care, Laredo Premier Health Care/LPH Health Care LLC, Gibson Diagnostic Tests, Memorial Village ER, Tulsa ER and Hospital, Dallas ER/Advance ER, Genesis Laboratory, Genesis Reference Laboratories, and the National Association of Freestanding Emergency Centers. The request includes:
  + All documents that describe the company’s policies regarding billing of issuers for all items and services related to diagnostic testing for the detection of COVID-19, and for items and services related to serological testing used to detect antibodies against COVID-19;
  + All documents that describe the company’s policies regarding billing of individuals, including uninsured individuals and individuals receiving out-of-network care, for all items and services related to diagnostic testing for the detection of COVID-19, and for items and services related to serological testing used to detect antibodies against COVID-19;
  + All available information on how much the company charges for a diagnostic test for the detection of COVID-19, and for serological testing used to detect antibodies against COVID-19; and
  + Whether the company has received complaints from consumers billed for diagnostic tests or serological tests for COVID-19 and related items and services, and copies and records of all such consumer complaints, and any documentation of action the company took in response.
* House Transportation and Infrastructure Chairman Peter DeFazio (D-OR) announced that he will introduce a bill responding to the Boeing 737 MAX crashes after Congress’ August recess. The bill will likely include policy on safety-critical systems, reforms to the Federal Aviation Administration’s (FAA) delegation program and workforce and appropriateness of amended type certificates.

**June 30, 2020 Updates**

**General Congress**

* House Speaker Nancy Pelosi (D-CA) and Senate Minority Leader Chuck Schumer (D-NY) wrote a letter to Senate Majority Leader Mitch McConnell (R-KY) urging additional action on COVID-19 relief in the Senate. McConnell announced that the Senate will focus on COVID-19 relief upon its return from the July 4 recess on July 20.
  + Majority Leader McConnell also announced plans pass and send the next package to the President for his signature before Congress departs for the August recess, giving lawmakers three weeks to pass the legislation.

**Senate**

* The Senate continued consideration of S. 4049, the National Defense Authorization Act for Fiscal Year 2021 (NDAA). Senate Armed Services Committee Chairman James Inhofe (R-OK) offered a substitute amendment last night that included almost 80 noncontroversial amendments. It is still unlikely that the Senate will pass the NDAA before the July 4 recess.
  + The text of the substitute amendment ([here](https://ustoa.com/r/ustoa-filemanager/source/resources/arm20a03.pdf)) and a spreadsheet of all amendments that were included, with brief summaries, are [here](https://ustoa.com/r/ustoa-filemanager/source/resources/6-29-20-senate-ndaa-inhofe-substitute-included-amendments.xlsx). Please let us know if you would like us to provide the text of any of the amendments and please also let us know if you have any questions about specific amendments, NDAA process, or otherwise.
* Senate Minority Leader Schumer and Health, Education, Labor and Pensions (HELP) Committee Ranking Member Patty Murray (D-WA) introduced the “Coronavirus Child Care and Education Relief Act,” which includes $430B for childcare, K-12 education and higher education institutions. The bill includes a provision that would prevent the exclusion of undocumented college students from receiving funding. The bill text can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/coronavirus-child-care-and-education-relief-act.pdf).
* The Senate HELP Committee held a hearing on returning to school and work amid COVID-19. Our coverage of the hearing is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/6-30-20-senate-help-hearing-on-returning-to-work-and-school-amid-covid-19.pdf). As a reminder, 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
* The Senate Commerce, Science, and Transportation Committee held a hearing today entitled “Safety on Our Roads: Overview of Traffic Safety and NHTSA Grant Programs.” The hearing examined the implementation of the National Highway Traffic Safety Administration’s (NHTSA) highway safety grant programs, as well as key highway traffic safety issues. Witnesses included:
  + Mr. Chris Peterson, Captain, Lincoln Nebraska Police Department
  + Mr. John Saunders, Region Three Representative, Governors Highway Safety Association, Governors Highway Safety Association; Director of Highway Safety, Virginia Department of Motor Vehicles
  + Ms. Jane Terry, Vice President of Government Affairs, National Safety Council
    - Elevate will include a summary of this hearing in our update tomorrow.

**House**

* The House began debate on H.R. 2, the Moving Forward Act, and amendments to it. Of the close to 400 amendments that were filed, the House Rules Committee included 134 Democratic, 19, Republican, and 17 bipartisan amendments in the [rule](https://rules.house.gov/sites/democrats.rules.house.gov/files/Rule_HR2_0.pdf" \t "_blank), making them eligible for House floor consideration. Our amendment tracker which includes summaries, status of the amendments as of the writing of this update and has them grouped by eligibility to be offered en bloc together, is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/6-29-20-moving-forward-act-amendment-tracker.xlsx).
  + As a reminder, the White House issued a [Statement of Administration Policy (SAP)](https://www.whitehouse.gov/wp-content/uploads/2020/06/SAP_-HR-2.pdf" \t "_blank) on H.R. 2, indicating plans to veto H.R. 2 in its current form last night.
  + The Congressional Budget Office (CBO) announced that H.R. 2 would add $450B to the deficit. They also announced that the bill would increase direct spending by $502.5B and decrease revenues by $213B over the next 10 years.
* House Majority Leader Steny Hoyer (D-MD) announced that the House is not expected to be in session on Thursday. The House expects to proceed with consideration and final passage of H.R. 2, the Moving Forward Act tomorrow.
* The House Financial Services Committee held a hearing on the Treasury and Federal Reserve’s COVID-19 response. Our coverage of the hearing is [here](https://ustoa.com/r/ustoa-filemanager/source/resources/6-30-20-house-financial-services-hearing-on-covid-19-relief.pdf) and featured testimony from:
  + Steven Mnuchin, Secretary of the Treasury
  + Jerome Powell, Chairman, Federal Reserve
* The House Select Committee on the Climate Crisis released its [Congressional Action Plan](https://climatecrisis.house.gov/report" \t "_blank) to combat climate change. A set of one-page summaries of various components of the report, including agriculture, carbon capture, buildings, and others, can be found [here](https://drive.google.com/drive/folders/1_aeMl-nlmX_dZzEozbRPQI82G8M4-Aso" \t "_blank).
* After Republican lawmakers received a briefing from the White House yesterday regarding reports that Russia offered bounties for militants to kill U.S. troops in Afghanistan, Democratic lawmakers received one today. The Democrats, who included House Majority Leader Hoyer, Intelligence Committee Chairman Adam Schiff (D-CA), Armed Services Committee Chairman Adam Smith (D-WA), Foreign Affairs Committee Chairman Eliot Engel (D-NY) and Reps. Brad Sherman (D-CA), Gregory Meeks (D-NY), Mikie Sherrill (D-NJ), Abigail Spanberger (D-VA), Elissa Slotkin (D-MI), Ruben Gallego (D-AZ) and Bill Keating (D-MA), indicated that the briefing lacked substantive information.
  + Lawmakers on both sides of the aisle and both sides of the Capitol have continued to express extreme concern with these reports and reports that intelligence was not shared with President Trump and Vice President Pence.
* The House passed H.R. 1425, the State Health Care Premium Reduction Act, in a 234-179 vote. Reps. Brian Fitzpatrick (R-PA) and Jeff Van Drew (R-NJ) voted with all Democrats except Collin Peterson (D-MN) to support the legislation. H.R. 1425 would expand Affordable Care Act subsidies for private health insurance, encourage Medicaid expansion in states that have not yet done so, and reverse Administration policies seen as undermining the Affordable Care Act.
* In a letter to several Federal agencies including the State Department, the Department of Health and Human Services (HHS), the Environmental Protection Agency (EPA), the Office of Management of Budget (OMB) and the United States Agency for International Development (USAID), House Appropriations Chairwoman Nita Lowey (D-NY), Budget Chairman John Yarmuth (D-KY) and Oversight Chairwoman Carolyn Maloney (D-NY) requested information into the Trump Administration’s withdrawal from the World Health Organization (WHO) and compliance with their investigation. The letter to EPA Administrator Andrew Wheeler can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/who-letter.pdf).

**Administration**

**July 1, 2020 Updates**

* President Trump [threatened](https://twitter.com/realDonaldTrump/status/1278176059876401152?s=20&source=email" \t "_blank) to veto the NDAA over provisions that would rename the U.S. Military bases honoring Confederate military officials. Language on renaming the facilities is in both the House and Senate NDAA bills and likely will not be removed in conference. It remains to be seen whether President Trump will follow through on his threat and veto a major, must-pass bill and whether Congress could subsequently override his veto.
* The U.S.-Mexico-Canada Agreement (USMCA) entered in to force today. The deal will replace the North American Free Trade Agreement (NAFTA) and is one of the main achievements of the Administration to date.
* Mexican President Andrés Manuel López Obrador will visit the United States on July 8-9 to celebrate the new USMCA trade deal. This will mark the first face-to-face meeting between President Trump and President Lopez Obrador.
* However, tensions remain including over the Administration’s threat to potentially reimpose steel tariffs on Canada and Mexico’s enforcement of labor standards included in the USMCA.
* The Secretary General of the Organization for Economic Cooperation and Development (OECD) Angel Gurria announced that any deal on digital taxation will wait until after the November 3 election in the United States.
* Department of Health and Human (HHS) Services Assistant Secretary Brett Giroir said that the current surge of COVID-19 cases is putting the testing capacity at risk of being overwhelmed.
* Secretary of Energy Dan Brouillette sent a letter to Senate Armed Services Committee Chairman Jim Inhofe (R-OK) stating an NDAA amendment that would grant authority to members of the Nuclear Weapons Council to influence National Nuclear Security Administration funding levels would violate the Department of Energy’s (DOE) position as an equal cabinet agency. The Nuclear Weapons Council is made up of mainly DoD officials. The letter can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/inhofe-ndaa-doe-letter.pdf).
* A report from the Inspector General of the Department of Transportation (DOT) revealed that the Maneuvering Characteristics Augmentation System (MCAS) control feature was not an “area of emphasis” during the original FAA review of the Boeing 737 MAX. Boeing had originally told the FAA that the MCAS system was an update to an already existing system, but made the system more powerful than was communicated to the FAA.
* The certification flight tests for the Boeing 737 MAX ended on Wednesday, which clears a major hurdle for ungrounding the plane. However, the FAA said there are multiple steps remaining before the jet is ungrounded.
* The United Nations International Civil Aviation Organization agreed to change the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) deal which regulates aviation emissions agreements. The change means that the baseline for calculating the CORSIA will be 2019 emissions, rather than 2020.
* The Export-Important Bank (EXIM) issued its annual competitiveness report. The report argues China utilizes two official export credit agencies, along with multiple state-owned entities, to increase economic competitiveness. The full report can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.exim.gov%2fsites%2fdefault%2ffiles%2freports%2fcompetitiveness_reports%2f2019%2f2019-EXIM-Competitiveness-Report-FINAL.pdf&c=E,1,N8FN5opB_b9wSFkgdkiAYc6o7SCKMPnr1JC6YWJuhpRyGCUhkOadQaGWF6snzPqgvIFFmFHuK6vmZRNshBGWPs3q9NfxRw0mVexUZ5gxmAj-xc92vJgmYs4,&typo=1" \t "_blank).
* United Kingdom (U.K.) International Trade Secretary Liz Truss said that the U.K. will maintain high animal welfare standards in any trade deal with the U.S., despite a warning from the U.S. that the deal could fall apart over meat imports.
* According to a Department of Commerce report, foreign investment in the U.S. and U.S. businesses totaled $194.7B in 2019, a 37.7% drop from 2018. The full report can be found [here](https://www.bea.gov/sites/default/files/2020-07/fdi0720.pdf?source=email" \t "_blank).
* The White House released the spring Unified Agenda yesterday showing the Administration’s regulatory plan in the near and long term. It is important to note that the Unified Agenda is non-binding and timelines often slip. However, the document can give insight into what regulation and deregulation Federal agencies are prioritizing. The Spring 2020 Unified Agenda can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.reginfo.gov%2fpublic%2fdo%2feAgendaMain&c=E,1,peHu4GBk4CSfMSJvOEpdoy-u9BGczhmDLE2bZ95d-g2eF8_AF_QjOYrVxFM-sKYlIg9rLE_Xo9IHEIQz0x3YCI3t_YXDof1LBbBG4VPDb2brLgZkAYFG&typo=1" \t "_blank).
* Reports indicate that the Federal Reserve’s Main Street Lending Program may not see high subscription. Some bankers are still weighing whether to participate amid concerns over unappealing terms. The central concern remains that companies who might need loans under the program most may not be approved and those who are more creditworthy could find similar, or even better terms elsewhere.
* The FAA and the Association for Unmanned Vehicle Systems International (AUVSI) will host the first episode of their virtual Unmanned Aircraft Systems (UAS) Symposium next week on July 8 and 9.
* Federal Register Notices:
* The Department of Education issued an interim final rule with a request for comments on CARES Act Programs and equitable services to teachers and students in non-public schools. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-14224%2fcares-act-programs-equitable-services-to-students-and-teachers-in-non-public-schools&c=E,1,-h8Pp77-zX4Rh9k56qi4eURz5lDfVf70gCo77pHK40UmQdmhxwCa8rBOAqLtLHjaSB0IVOk2md0DhOWDd6zZSDpDzl1n6DXBS4taytg4SOkwJL4mgQ,,&typo=1" \t "_blank).
* FCC issued a notice and solicitation of comments on the establishment of a new docket, and the process for comment, on Space Station Operator Transition Plans. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-14091%2fwireless-telecommunications-bureau-establishes-a-new-docket-and-describes-the-process-for-comment-on&c=E,1,z9onteLDEGB39_yahdOt516V1EznGh0GUqRoYbllGYH35HyQke8ClgomKovV89pKecPmWHdiDgXWm1Bv8h570KP4Qe-kGX_5tpE-KJTFxAWozEIK4THZ&typo=1" \t "_blank).
* The United States International Trade Commission issued a notice of five-year reviews on passenger vehicle and light truck tires from China. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-14125%2fpassenger-vehicle-and-light-truck-tires-from-china-institution-of-five-year-reviews&c=E,1,D34xaIetla6uMlKRx-ax-sX--I62adKeKcMNxPXmEBx-mm2sF9EUWmc43MhVYSri25mDeJYfqo_sEl65u9WjkmM_noZ4224idNMxI5o0DGFG1v-jLT_0Sw,,&typo=1" \t "_blank).
* DOT and the Maritime Administration (MARAD) issued a notice of a public meeting of the Maritime Transportation System National Advisory Committee. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-14204%2fus-maritime-transportation-system-national-advisory-committee-notice-of-public-meeting&c=E,1,ey_PVxCc3vnrjFmXSNXwNdglLjoxBo4HlIQ-vUwDL7x-CQnWbqNmTwxfZBW0QQJrKNdYywB73bGukePOm5jY8GY6USjcYVJcKsmerpfyqy0X7oJN0OuASw,,&typo=1" \t "_blank).
* The Executive Office of the President issued a Presidential Document on continuing the President’s National Council for the American Worker and the American Workforce Policy Advisory Board. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-14328%2fcontinuing-the-presidents-national-council-for-the-american-worker-and-the-american-workforce-policy&c=E,1,oaVYvRPS1tWyIXAlwA9m1blWkbOAltmub6VCXUKHDs4vQMWNaj-8ZGGsWWedcjXXr29tqMWSE1uVgQZQNT_nx-WEqIJiNPsF5oSjmIDUDiNj&typo=1" \t "_blank).
* The Executive Office of the President issued a Presidential Document on modernizing and reforming the assessment and hiring of federal job candidates. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-14337%2fmodernizing-and-reforming-the-assessment-and-hiring-of-federal-job-candidates&c=E,1,tulVKJScg75c4TuuHEN1_K5fdfQRFPWU5hCtU1uC4WuX2H4ZNdYETjKZE_crxm3Ms3Be5ltF3WNLcYGoe36sqkJT_qTCY2rU6hPkaWQtRHThOpeBaG67-A,,&typo=1" \t "_blank).
* The Office of the United States Trade Representative issued an amendment on enforcement of U.S. World Trade Organization rights in large civil aircraft disputes. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-14209%2famendment-to-review-of-action-enforcement-of-us-wto-rights-in-large-civil-aircraft-dispute&c=E,1,rErlOrsEQ9RJD4h8Qma-WRlozwCDmGywnC59fmAvVW43jREIBH-quoHe59j6niNieZ5XsZvqUXu7Ea6_bGsWsqnT-BlXZVCQ6qZWyLHJI3x62SJSD1uYbs5H&typo=1" \t "_blank).
* The Department of Homeland Security (DHS) and Department of the Treasury issued an interim final rule and request for comments on the implementation of the USMCA. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-13865%2fimplementation-of-the-agreement-between-the-united-states-of-america-the-united-mexican-states-and&c=E,1,583nNP-PEQNj1ZL_fMuky7_BLn9EH7zsXiqo5n2ccTIYi3T6gSAwlLAcmlPTVifzxJ1UY51GqFPmIFu4wD10H_Y3n01rtAJIf6Te4NMXfFwUooGKLVbswQ,,&typo=1" \t "_blank).
* The Department of Homeland Security issued a general notice on the modification of the National Customs Automation Program (NCAP) test regarding reconciliation for filing post-importation claims arising under the USMCA. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-14200%2fmodification-of-the-national-customs-automation-program-ncap-test-regarding-reconciliation-for&c=E,1,jjqOr-1sPygsytbbNdEBqLOngTh3FEok3rvje1x-v_quqgqA409JX01-iVhRJiu3syf-cUTBji_Ev8iWrxCa-5elNzhfKvQ0AkZInDtdSaoUMmYypSA3KoYoZw,,&typo=1" \t "_blank).
* The Department of Labor issued an interim final rule with a request for comments on the high-wage components of the labor value content requirements under the UMSCA. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f07%2f01%2f2020-14014%2fhigh-wage-components-of-the-labor-value-content-requirements-under-the-united-states-mexico-canada&c=E,1,A1zf8iQqwMOPvnF6Bw3zlK3fV6j38fEym0jphMsQu8GQ7XPneFJ3efoOtRvVxsgNeITCxNXpFLY3eMsmlEsv69fc0UyfbcmiKpHagGR9S9XuPvnRn0jIcou3w5XZ&typo=1" \t "_blank).

**June 30, 2020 Updates**

* The Office of the U.S. Trade Representative (USTR) has received hundreds of tariff exclusion requests for medical goods from China that could be used to help treat COVID-19. USTR already temporarily exempted some personal protective equipment (PPE) and medical goods from the Administration’s tariffs on more than $350B worth of Chinese goods but asked companies for additional suggestions in late March.
* The Internal Revenue Service (IRS) is facing a backlog of 5M tax returns, which could delay much needed tax refunds for individuals amid COVID-19. IRS Commissioner Charles Rettig was questioned during a Senate Finance Committee hearing about the backlog and other concerns, including audit rates for 2018 tax returns.
* The IRS and the Department of Treasury decided not to extend the tax filing deadline beyond July 15. The Administration had been lobbied by conservative groups and the union representing IRS employees to further extend the deadline. State and local governments had lobbied for the deadline not to be extended further in order to provide much needed revenue.
* Federal Aviation Administration (FAA) and Boeing test pilots made the first certification flight for the Boeing 737 MAX yesterday. The flights will continue throughout the week and will focus on the changes Boeing has made to the flight-control feature, Maneuvering Characteristics Augmentation System (MCAS), which was critically involved in both MAX crashes.
* According to the most recent Unified Agenda, the FAA plans to release a proposed rule on secondary cockpit barriers in April 2021. The rule was mandated by the 2018 FAA Reauthorization Act (Public Law 115-254). According to the entry in the Unified Agenda, the proposed rule would apply to new applications for new type certificates of transport category airplanes, as well as newly manufactured airplanes entering service three years after the rule’s effective date.
* The President’s Council of Advisors on Science and Technology met to discuss actions on future-of work issues, science, technology, engineering and mathematics (STEM) education, and Federal and national research labs. The council includes industry leaders and academics tasked with advising the president on science and tech policy matters that affect U.S. national security and the economy, the country’s standing in global innovation, and the general welfare of the American public. A list of members can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fscience.osti.gov%2fAbout%2fPCAST%2fAbout%2fMembers&c=E,1,XA46je1-FK2xCmA2rDEJa8FjhwW-207E6p_esaWterpm6F53P_G6srlU3Ty0kYZ_yS0oBJEqoVy2V0yTBA3tw1hXMwsAKAkQP4204go_CLLcckEfeNFF&typo=1" \t "_blank).
* The Food and Drug Administration (FDA) announced their guidelines for approving a COVID-19 vaccine. The guidelines include that any vaccine must be 50% more effective than a placebo.
* Administration officials, including from the Departments of Defense (DoD), Commerce (DOC), and Transportation (DOT) have recently advocated for the Federal Communications Commission (FCC) to reverse its approval of Ligado’s 5G plans. DoD also set up a [webpage](https://www.defense.gov/explore/spotlight/protecting-gps/" \t "_blank) dedicated to its complaints about Ligado. As a reminder, some Federal officials and lawmakers have concerns that the plans will disrupt GPS.
* The FCC announced that they are designating Huawei and ZTE as national security threats.
* Reports indicate that the Administration has poured $10B into Operation Warp Speed, the joint defense-health project to speed up vaccine development for COVID-19.
* EPA announced they will end their pandemic-related enforcement policies on August 31 according to a memo released by the agency today. The memo can be found [here](https://ustoa.com/r/ustoa-filemanager/source/resources/epa-memo.pdf).
  + As a reminder, the EPA was not pursuing penalties against companies that were failing to comply with EPA standards during the past few months due to the pandemic.
* The Transportation Security Administration (TSA) announced the “Stay Healthy. Stay Secure” campaign prior to the July 4 holiday weekend. According to the full [press release](https://www.tsa.gov/news/press/releases/2020/06/30/tsa-administrator-pekoske-announces-stay-healthy-stay-secure-0" \t "_blank), Administrator David Pekoske joined leaders from three airport and airline industry associations to announce the campaign, which represents airport checkpoint modifications to contain the spread of COVID-19, comply with CDC guidelines, and support healthy and secure summer travel.
* Federal Register Notices:
  + EPA, OMB and Department of Treasury issued a notice on the Water Infrastructure Finance and Innovation Act (WIFIA) criteria. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f30%2f2020-13889%2fwater-infrastructure-finance-and-innovation-act-program-wifia-criteria-pursuant-to-the-further&c=E,1,SgV00wp4MR9n2KboDtKauJ0mj6lM18D2IUM7d2cMYN_hHWdzdFq7KEK3IA9jCYghFUmqO_mR4vS-VgpkNP3uH4nt33iYc3vIW4qXZWlVnw2Baes,&typo=1" \t "_blank).
  + FAA and DOT issued a notice of proposed special conditions with respect to Boeing Commercial Airplanes Model 777-9. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f30%2f2020-12701%2fspecial-conditions-boeing-commercial-airplanes-model-777-9-airplane-overhead-flightcrew-rest&c=E,1,eia8PPGJHX3CPokSWAnnWWklwz_vms9Tc8WhlW1C8HKd9mrikZhd2N3yViPqUQ5kZXCGm4Hr7cprOTzuTmEKFJkIbkLHSDhfXIl8rczkweD3wumv&typo=1" \t "_blank).
  + 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%2f30%2f2020-14078%2fconnect-america-fund-etc-annual-reports-and-certifications-establishing-just-and-reasonable-rates&c=E,1,GnrchFQJ2B3WRTPF3EjGH6uVCKyZaj9x9L8O2y7INTLMJSJABY7KXKLpM9od6mdTFCP1Y8ZHIphde_BXoERGY1Q0KQFzUSTXyTuyqAtqFNIYap0tWlqvOhJ-&typo=1" \t "_blank).
  + The Small Business Administration (SBA) issued an interim final rule on temporary changes to the Paycheck Protection Program. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f30%2f2020-14128%2fbusiness-loan-program-temporary-changes-paycheck-protection-program-certain-eligible-payroll-costs&c=E,1,XZTx6lV9j-6ztJbzsA3pQBUrOeP7TOM1j_F_ny4YfwioyXp5vWLYBWP6Xq0-2bba9mY1GZdq5uPHfwSmphV23MTDn6Eftb6NQ6k8R8e_YcdEtw,,&typo=1" \t "_blank).
  + USTR issued a notice that the Interagency Labor Committee for Monitoring and Enforcement (Interagency Labor Committee) invites public comments on the procedures for submissions by the public of information with respect to potential failures of Canada or Mexico to implement their labor obligations under the United States-Mexico-Canada Agreement (USMCA). The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f06%2f30%2f2020-14086%2finteragency-labor-committee-for-monitoring-and-enforcement-procedural-guidelines-for-petitions&c=E,1,ziVZwHsjZAKzsoYHr1hVeAluE89SofJFApeUBLBMD0A42l71c2welppa8hsDqbFokAZdJ4jsA3pP4javNTradhl84AUeGdjl64SjIoidwl7BEmprJP8,&typo=1" \t "_blank).

**Other News**

**July 1, 2020 Updates**

* Ohio Attorney General Dave Yost demanded General Motors return $60M in tax incentives that the state awarded to boost the company’s plant in Lordstown, Ohio. General Motors sold the plant last year and the Ohio Tax Credit Agency found that they had not met provisions of the agreement with the state to receive the job tax credit.
* The American Society of Association Executives (ASAE), a trade association which represents trade association leaders, led a group of 2,000 other trade associations in a letter to House and Senate leadership asking for trade groups to receive access to the PPP. The letter also asked for lawmakers to pass the [Pandemic Risk Insurance Act](https://maloney.house.gov/media-center/press-releases/rep-maloney-joins-with-industry-and-trade-association-leaders-to" \t "_blank), which was introduced by Rep. Carolyn Maloney (D-NY). The letter can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.thepowerofa.org%2fwp-content%2fuploads%2f2020%2f06%2fCommunity-Sign-On-Letter-Nonprofit-Associations-Urgently-Need-Support-June-2020.pdf&c=E,1,--jHEM6brBZiVKHcvoFp713NDSHen8DleWK1Dc7RcJiPod_1wNCcAxWp0j6UsAUXBlz091mHCN7ExQLdo3zKlZxfqdbTOchq384A1cQDDQxI3pwRgqKu_MMxH_vN&typo=1" \t "_blank).

**June 30, 2020 Updates**

* The deadline to apply for a Paycheck Protection Program (PPP) loan is tonight at midnight. Over $130B reportedly remains unused.
* The European Union (EU) released its travel plan, which excluded the United States on the list of countries that will no longer face a travel ban.
  + The EU has agreed to open their borders to some non-EU citizens beginning on July 1. Currently, only [15 countries](https://www.wsj.com/articles/eu-opens-up-to-some-travelers-but-not-americans-11593524652?mod=djemalertNEWS" \t "_blank) are on the list of countries that can travel to the EU, including Canada, China, Australia, and New Zealand. However, the EU is hoping for reciprocity in travel rights, especially with China. The EU has singled out China and said if they do not receive reciprocity, that they will revoke access to their borders for Chinese citizens.
* Air Canada indicated that they are prepared to fight refund complaints made by customers to DOT. Air Canada argued that it complied with all the relevant regulations, that DOT’s recently issued enforcement notice is nonbinding and contradicts existing law, and that DOT trying to take enforcement action against the airline would run afoul of extraterritoriality concerns and conflicting foreign laws. It remains to be seen whether other airlines will follow suit.
  + As a reminder, DOT received an extraordinary number of refund complaints this year amid the COVID-19 pandemic.
* The Port Authority of New York and New Jersey, along with JFKIAT, who operates Terminal 4 at John F. Kennedy International Airport, and XpresSpa’s new brand XpresCheck, launched the first COVID-19 testing and screening pilot program at a U.S. airport. The facility is open to all airport terminal employees, airline employees, and airport workers (including TSA and Customs and Border Protection (CBP) staff). The facility has the capacity to test 500 employees per day and can test both for the virus and the antibodies. A full press release on the pilot program can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.panynj.gov%2fport-authority%2fen%2fpress-room%2fpress-release-archives%2f2020-press-releases%2fxprescheck-pilot-program-for-airport-employees-opens-at-jfk-inte.html&c=E,1,60yIhrKCHH16i0P_BLxS_OeHTjpHuTEmcjwBXXXoVLUoWRa6CqYyPUQ-s8WjanYRVUprrsR4BXRJq_HgRCzqgm3GcOP3CXXTQL4b6c0uobq_Rw,,&typo=1" \t "_blank).
* Ford, Honda, Volkswagen and BMW decided not to join the legal challenge of the Administration’s Safer Affordable Fuel-Efficient (SAFE) Vehicles rule. The automakers have voluntarily entered into greenhouse gas emissions agreements with California, while the SAFE Vehicles rule would roll back federal emissions standards.
* Airbus announced that it will cut 15,000 jobs by next year due to the COVID-19 pandemic. The airplane manufacturer cited a steep decline in new orders from airlines. The majority of the jobs will be cut in Germany, France, the U.K and Spain.
* A coalition of states, cities, companies, trade groups and unions sent a letter to Senate Majority Leader McConnell and Senate Minority Leader Schumer asking for “robust and direct stimulus” to state and local governments. The letter can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.nga.org%2fpolicy-communications%2fletters-nga%2fcoalition-letter-advocating-for-federal-aid-to-state-and-local-governments%2f&c=E,1,8nCxSwsSV1Sd3SqMPOUdVCnRwlXIn9-l-9EQ3I0QuNydXFwe22Sf_w1koOMo9CFsDCKF-C-PQkre4wTLuSh2UDoaH9N9jr36fGV7FEU0Z_tEBPbmQyLh&typo=1" \t "_blank).
* The U.S. Chamber of Commerce said they will not support the H.R. 2, the Moving Forward Act, even after pressuring Congress to pass an infrastructure bill for the past several years. Neil Bradley, the Chamber’s Chief Policy Officer, wrote in a [letter](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.uschamber.com%2fletters-congress%2fus-chamber-letter-hr-2-the-moving-america-forward-act&c=E,1,oPYOigmTJiHIt2yXEydw6rQ53-MsWHDK2GcIY1_Bi3qpcM_3GAsrvPhyhAntlOb6MDLfu-1h04kMJHkeSL-6YtHCL38fnb4RI34ZOPtQ-0QTZZU0vQ,,&typo=1" \t "_blank) to lawmakers that H.R. 2 “does not and will not have the bipartisan support needed to become law.”
* California’s state budget proposal includes a cut of more than $200B in spending. Governor Gavin Newsom is trying to overcome the state’s first deficit in eight years.