October 29, 2020

**Evening Update for October 29, 2020**

***\*\*Note:*** [***Click here***](https://ustoa.com/r/ustoa-filemanager/source/resources/elevate-government-affairs-biden-administration-primer.pdf) ***for Elevate Government Affairs’ primer on a potential Biden Administration.*** *In the event of a Biden victory, we are providing our perspectives on potential key decisionmakers in a Biden Administration, as well as where the new Administration may pursue policy objectives on key issues.\*\**

**Both the Senate and House are in recess.**

**COVID-19 Relief**

* House Speaker Nancy Pelosi (D-CA) sent a [letter](https://www.speaker.gov/sites/speaker.house.gov/files/10.29.20_Mnuchin_COVID_Relief_Letter.pdf) to Treasury Secretary Steven Mnuchin detailing the outstanding items of their COVID-19 relief negotiations and requested a response on each issue from the Administration. According to Speaker Pelosi’s letter, the items are:
  + Funding for state, local, tribes, and territories
  + Funding to safely reopen schools
  + Childcare funding
  + The Earned Income Tax Credit and Child Tax Credit
  + Unemployment insurance
  + Occupational Safety and Health Administration (OSHA) and liability protections
* Secretary Mnuchin responded with his own [letter](https://twitter.com/stevenmnuchin1/status/1321907499805659136/photo/1) specifically citing the areas in which the Administration has been willing to compromise and criticizing Speaker Pelosi’s unwillingness to compromise.
* Speaker Pelosi said that she still hopes to reach a relief deal before the end of the year, regardless of who wins the election next week. She expressed her desire to reach an agreement with Secretary Mnuchin and have a clean slate for the new Congress and potential new Administration.

**Congress**

**Senate**

* Senate Finance Committee Chairman Chuck Grassley (R-IA) said that the free trade agreement between the U.S. and United Kingdom must be completed before Trade Promotion Authority (TPA) expires next year. TPA allows the White House to submit trade agreements for a vote in Congress without amendments or filibusters. Additionally, the U.S. Trade Representative must give Congress 90 days before voting on the agreement, which means that negotiations must be finished by April 1, 2021.
  + Chairman Grassley expressed his concern that renewing TPA in the next Congress would be difficult.
  + TPA authority last lapsed from 2007-2015.

**House**

* House Armed Services Committee Chairman Adam Smith (D-WA) criticized his Senate counterparts, commenting that he advocated for negotiations between Armed Services Committee leaders in the House and Senate on the National Defense Authorization Act to begin already. Smith said that his counterparts in the Senate have delayed negotiations until after next week’s election.

**Administration**

* The Department of Commerce [reported](https://www.bea.gov/index.php/news/2020/gross-domestic-product-third-quarter-2020-advance-estimate) that U.S. GDP increased by 33.1% in the third quarter. While this is the fastest pace of growth recorded, economic output is still below pre-COVID-19 levels. In comparison to the third quarter of 2019, the U.S. economy has shrunk by 2.9%. This is the second largest recession in the last 50 years, only behind the 3.9% decline during the 2009 financial crisis.
* The Small Business Administration’s (SBA) inspector general released a [report](https://www.sba.gov/sites/default/files/2020-10/SBA%20OIG%20Report%2021-02.pdf) which found that the SBA approved $78B in aid under the Economic Injury Disaster Loan (EIDL) program that may have been obtained fraudulently or given to ineligible businesses. The report found that this lack of oversight may have been due to the desire to expedite aid to businesses.
  + SBA Administrator Jovita Carranza rejected the report and argued that the arguments in the report “rest on hasty, incomplete conclusions."
  + The SBA has already seized $450M in 15,000 fraudulent loans and fired employees involved in loan approval.
* The Department of Agriculture [announced](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fpublic-inspection.federalregister.gov%2f2020-23984.pdf&c=E,1,K2oKuyeZkCJyUBRwIg20Lhd2LW7lYP6uLccV_o40u7bzpcfkfoGHa7dLsnw1VqHPZKEpS4cZ9ZTZ95O1Bim8XQfNwN7-gTTKZ9PKPawyDrHLEKcsQJcu&typo=1) that it will exempt the Tongass National Forest from the U.S. Forest Service’s 2001 Roadless Area Conservation Rule. This will make Tongass’ 9.3 M acres of temperate rainforest available for logging and road construction.
  + The Department said that this change will benefit timber, mining, and infrastructure while not harming recreation, fishing, or tourism.
  + Senate Energy and Natural Resources Committee Chairwoman Lisa Murkowski (R-AK) [tweeted](https://twitter.com/lisamurkowski/status/1321493007443677191?s=20) her support of the exemption.
* The Department of Justice (DOJ) charged Jason Energy Technologies, a Chinese manufacturer of oil and gas parts, with industrial espionage. The grand jury indictment accused the company of stealing U.S. oil field technology trade secrets and proprietary manufacturing information on coiled piping.
* Federal Aviation Administration (FAA) Deputy Administrator Dan Elwell will step down from his position at the end of November. Elwell was Acting Administrator during the Boeing 737 MAX crashes and made the initial decision to ground the plane in March 2019.
  + As a reminder, the FAA’s final approval for the MAX to return to service is expected in November.
  + Matching the FAA’s MAX timeline, European Union Aviation Safety Agency (EASA) Director Patrick Ky said that the decision to unground the Boeing 737 MAX will be published at the end of November. EASA will then hold a four-week period for feedback and give formal confirmation of the airworthiness directive at the end of the year.
* Twitter temporarily suspended U.S. Customs and Border Protection Acting Commissioner Mark Morgan’s account after the platform claimed a tweet violated its policies. The tweet in question praised the value of the border wall being constructed between the U.S. and Mexico. Twitter has since reversed the suspension.

**Other News**

* Rome's Fiumicino Airport is aiming to set an example for a “new global travel protocol.” In September, the airport began service to Milan for passengers who had tested negative for COVID-19 after taking a test with 30-minute results before boarding.
  + Fiumicino is currently the only airport that has received a five-star rating for COVID-19 transmission safety from Skytrax.
* United Airlines will provide free COVID-19 tests to passengers to increase both international air travel and cooperation. The pilot program will begin with a four-week trial on flights from Newark Liberty International Airport to London Heathrow. Passengers must arrive at the airport three hours before the flight to receive a rapid test which produces results in 20 minutes.
  + Passengers on this flight will still have to quarantine for two weeks when they arrive in London.
* ExxonMobil announced that it will lay off 1,900 employees in the U.S. Exxon has already laid off 1,600 workers in Europe and asked for voluntary departures from its Australian workforce. These job cuts are in response to decreased global fuel demand during COVID-19.
* Unemployment claims decreased last week to 751,000, which is 40,000 fewer cases than the previous week. This number is the lowest since March but is still historically high and may be exacerbated by the rising number of COVID-19 cases.
* The Port Authority of New York and New Jersey reported a $1.2B decrease in revenue during the first nine months of 2020, which is its worst financial loss. The Port Authority is expected to lose a total of $3B by March 2022. In a board meeting today, Executive Director Rick Cotton again stressed the Port Authority’s need for federal relief funds.

**Federal Register Notices**

* The Federal Communications Commission (FCC) announced a three-year information collection related to the Rules Regarding Public Notice of the Filing of Applications, Low Power FM Radio Service Technical Rules, Reexamination of the Comparative Standards, and Procedures for Licensing of Noncommercial Educational Broadcast Stations and Low Power FM Stations. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f10%2f29%2f2020-23441%2ffiling-of-applications-modernization-of-media-regulation-initiative-revision-of-the-public-notice&c=E,1,8oTbgAxqasQtK-jjdzB7zT7NG542rTQTTq06R-zcR2eMaq8kflg32P5vp-baUvrpIRTjfUA1TKwsr6q18-F7xGghO2g11YtWiLTNGS9WQw,,&typo=1).
* The Federal Motor Carrier Safety Administration (FMCSA) requested nominations for the Motor Carrier Safety Advisory Committee (MCSAC). The MCSAC consists of representatives from safety advocacy, safety enforcement, industry, and labor sectors. Nominations must be received by November 30. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f10%2f29%2f2020-23969%2fmotor-carrier-safety-advisory-committee-request-for-nominations&c=E,1,trE6Y8viFGvxFJdPzAp8pk-RWHFAL-hqAKwZWNXloYDIi4olu4J4SPL1QEy9vPgm320dWe6rSx0yHvVR21ypkZlcqI_87Bn9jgvzEVbcZwK5ymIvZU33&typo=1).
* The National Highway Traffic Safety Administration (NHTSA) proposed to amend the Federal Motor Vehicle Safety Standard (FMVSS) on “Occupant crash protection.” The amendment would update child restraint systems, making advanced air bag testing easier. Comments must be submitted by December 28. The notice can be found [here](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.federalregister.gov%2fdocuments%2f2020%2f10%2f29%2f2020-21476%2ffederal-motor-vehicle-safety-standards-occupant-crash-protection&c=E,1,qXEQ1vqOVPHkuqFQrwChD5V6QsvDfulHMrW1E0RdBV2Jtb0bUCwKQmcf5XfmizsPdomdkrxjp5QHz12KAvziAeg0zxGJtGv2xwlqJTHAhNdghEtDg9oOM_85&typo=1).