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## COVID-19 Legislative Update

*July 20, 2020*

Please see below for updates on legislation related to COVID-19. Updates are sent every Monday evening. For past updates, click [here](#). For updates before May 8, click [here](#). If you believe you have been accidentally unsubscribed, you can re-subscribe [here](#).

### 7.20.2020. COVID-19 Legislative Update

#### Legislation

##### ***Supplemental IV***

Timeline: We could see a **draft from the Senate majority as early as Wednesday**, though others have said early next week may be more likely. When text is released, it will be the product of a majority-only exercise – **bipartisan negotiations have yet to begin**. House leadership has told their membership to be prepared to vote the first week of August, so the July 31 enhanced unemployment insurance deadline may come and go. Notably, in a House Budget hearing last week, a witness said it would take states a full **two to three weeks for states to restart the current unemployment insurance (UI) programs if they expire**. In a White House [press conference](#) with Republican leaders today, Treasury Secretary Mnuchin said the administration was committed to passing a bill before the July 31 deadline.

Process/Politics: Leader McConnell, Secretary Mnuchin, and White House Chief of Staff Mark Meadows will be outlining what is in the bill to Republican senators at the Senate GOP lunch tomorrow. Feedback from that meeting as well as others will continue to inform what is included as drafting continues.

**Democrats likely won't put out anything new before they see what Republicans present**. Democrats have continued to roll out new proposals (Sen. Wyden and Leader Schumer proposal on unemployment insurance, white papers on health care and testing) and highlight various provisions from the Heroes Act. Democrats are keeping a number of issues on the table – many see discarding anything this early as short-sighted, since no

have been talking about many other issues, including **rental assistance** and **supporting communities of color**, which have been disproportionately impacted by the virus.

Policy: The House passed the Democrats' opening bid for the next bill, the Heroes Act, on May 15. While it's been over two months since House passage of the bill and the contours of the debate and which issues are most pressing have shifted slightly, it can still serve as a marker of what Senate Republicans will be responding to in their bill. Heroes Act text (as of 5/12/2020) [here](#). Section by section [here](#). One pager [here](#). State and Local one pager [here](#). NCAL's summary on tribal provisions [here](#). Manager's amendment [here](#). House Rules Committee report [here](#).

While text of the Senate Republican bill has yet to be released, the will likely include the following:

- **Liability protections** for employers and other organizations
  - An [outline](#) believed to be from McConnell's office was released last week and dictated that organizations would only be liable if they failed to make "reasonable efforts to follow applicable public-health guidelines and committed an act of gross negligence or intentional misconduct".
  - *While the Heroes Act did not include broad liability protection, Rep. Lou Correa is said to be leading Democratic efforts to find what Democrats could live with. Reps. Garret Graves (R-LA) and Henry Cuellar (D-TX) have also [released](#) a liability protection proposal a few weeks ago. Text [here](#).*
- Health funding, specifically for **testing and vaccines**
  - *The Heroes Act included \$75 billion for testing and \$3.5 billion for BARDA vaccine development.*
- Education funding, specifically for **school reopening**
  - Assistance likely not be conditional on a school reopening.
  - *The Heroes Act included \$100 billion for state and local funding for schools.*
- Changes to the **Paycheck Protection Program**
  - Nonprofits will be eligible.
  - Application will require businesses to show a 50% or more reduction in revenues to qualify for a second PPP loan.
  - Eligible businesses will be limited by the number of employees it has.
    - *Senate legislation has the limit at 500 employees, while House legislation places the cap at 100.*
- **Sector-specific provisions** – Senate GOP leadership has indicated that these types of provisions must be COVID-19 related, have strong support from Republican members, and be necessary for immediate relief.
- Some form of funding for **funding for state, local, and tribal governments**, though the level of funding and whether to included flexibilities or certain limitations has yet to be agreed upon.
  - *The Heroes Act designated a little under \$1 trillion for state, local, tribal, and territorial governments.*
- A "fix" for enhanced **unemployment insurance**.

- See [here](#) for Sen. Wyden and Leader Schumer's liability protection proposal.
- Republicans Sen. Portman and House W&M Chairman Brady have both presented proposals that would offer bonuses to workers returning to work. See [here](#) for Brady's proposal.
- While a **payroll tax cut** hasn't necessarily been mentioned by GOP leadership, President Trump has pushed for it in the past. In response to a question he received on it today, he said it was very important, though only one of the many elements being discussed.
- In today's press conference, Secretary Mnuchin also mentioned **tax credits** for businesses to purchase personal protective equipment.
- While it's been made clear by Republican leadership that non-COVID items will not be included in the next bill, **there are several expiring authorizations that need to be reauthorized**. If those programs are included in this bill in a miscellaneous title, it could open the door for non-COVID-related items to be included.

### **Passed Legislation**

Moving forward, this section will only include new information and guidance. For past information and guidance and legislation, please refer to the [archives](#). For a summary of all supplementals, please see [here](#).

### ***New Implementation Information and Guidance***

- 7/17 – The Federal Reserve announced that it had expanded the Main Street Lending Program to include options for nonprofit organizations. Applications and other key forms will be posted soon. Press release [here](#). Nonprofit term sheet [here](#).
- 7/17 - HHS announced that a second round of money for hot spots will go out this week, possibly as early as today. Qualifying hospitals will be paid \$50,000 per eligible admission. HHS press release [here](#). To be eligible for this round, hospitals needed to have one of the following be true:
  - Have more than 161 COVID-19 admissions between January 1 and June 10, 2020; OR
  - One COVID-19 admission per day; OR
  - Have experienced a disproportionate intensity of COVID admissions (exceeding the average ratio of COVID admissions/bed).
- 7/15 – SBA and Treasury released updated data on the SBA's Economic Injury Disaster Loans (EIDL) programs. EIDL data [here](#). EIDL Advance data [here](#).

### **Members of Congress in Quarantine or Treatment** (new additions in bold)

Tested Positive (1): **Rep. Morgan Griffith (R-VA)**

Currently Self-Quarantined (0):

Recovered (8): Sen. Rand Paul (R-KY), Rep. Joe Cunningham (D-SC), Rep. Ben McAdams (D-UT), Rep. Mario Diaz-Balart (R-FL), Rep. Mike Kelly (R-PA), Rep. Nydia Velazquez (D-NY), Rep. Neal Dunn (R-FL), Rep. Tom Rice (R-SC)

Completed Quarantine (39): Sen. Ted Cruz (R-TX), Rep. Mark Meadows (R-NC), Sen. Lindsay Graham (R-SC), Rep. Don Beyer (D-VA), Rep. Sharice Davids (D-KS), Rep. Doug

Ben Ray Luján (D-NM), Rep. Gwen Moore (D-WI), Rep. Stephanie Murphy (D-FL), Rep. John Yarmuth (D-KY), Rep. Adam Schiff (D-CA), Rep. Vincente Gonzalez (D-TX), Rep. Drew Ferguson (R-GA), Rep. David Schweikert (R-AZ), Rep. Anthony Brindisi (D-NY), Rep. David Price (D-NC), Rep. Ann Wagner (R-MO), Rep. Kathleen Rice (D-NY), Rep. Matt Cartwright (D-PA), Rep. Tom Cole (R-OK), Rep. Steve Scalise (R-LA), Rep. Frederica Wilson (D-FL), Rep. Andy Kim (D-NJ), Rep. Kendra Horn (D-OK), Sen. Mike Lee (R-UT), Sen. Mitt Romney (R-UT), Rep. Katie Porter (D-CA), Rep. Seth Moulton (D-MA), Rep. Lizzie Fletcher (D-TX), Rep. Josh Gottheimer (D-NJ), Rep. Ayanna Pressley (D-MA), Rep. Mikie Sherrill (D-NJ), Sen. Lamar Alexander (R-TN)



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