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COVID-19 Legislative Update

September 17, 2020

Please see below for updates on legislation related to COVID-19. Updates are published every Monday and Thursday 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](#).

9.17.2020. COVID-19 Legislative Update

Legislation

Supplemental IV

Timeline/Process/Politics: Despite the activity this week, **it still seems highly unlikely that a bipartisan, bicameral deal comes together before Election Day**. It seems that the only thing that could lead to a deal at this point would be the White House weighing in and pushing Republicans to go along with a higher number. State/local/tribal government funding remains a top priority for Democrats, so there's little chance they would move forward without its inclusion.

With that being said, there is pressure mounting on Speaker Pelosi from frontliners in her caucus. In recent caucus calls they have asked her to consider at least release a new House package of some sort – smaller than the Heroes Act, but more robust than the Senate's skinny bill. **Frontliners have grown frustrated with the lack of action on COVID-19 relief** and have asserted that passage of the Heroes Act is losing its currency among voters, as it was passed so long ago. Majority Leader Hoyer has said explicitly that he wants to see an alternative to the Senate skinny bill on the floor. However, despite several members calling for a new package, **the majority of House Democrats still support Speaker Pelosi's tactic of standing firm**.

The bipartisan Problem Solvers Caucus released a [proposal](#) earlier this week, which clocked in around \$1.5 trillion. While it received some attention, Democratic leadership immediately dismissed it, [stating](#) that it "falls short of what is needed to save lives and

Surprisingly, the President [tweeted](#) in support of a higher number for COVID-19 relief. Republicans were [thrown off](#), but unless something more than a tweet comes from the White House, Republicans won't move higher. **The parties remain wide apart on a topline number** and therefore can't restart negotiations.

Time is running out to make a deal on COVID-19 relief. Negotiations on the continuing resolution (CR) are continuing in hopes to avoid a government shutdown. However, negotiations have been more difficult than anticipated and a couple sticking points have been bumped up to leadership. **The Senate has continued to veto any COVID-19 related issues from being added to the CR.** If consensus can be reached, the House will vote as soon as next Tuesday (members have an amendment deadline tomorrow and Rules goes through the bill on Monday). A Senate vote will likely follow soon after. **After votes on the CR are done, and a COVID-19 deal isn't imminent, members will likely leave town not to return until lame duck.**

Policy: Earlier this week, the Problems Solvers Caucus released a proposal. Proposal [here](#). Highlights below:

- \$290 billion in **for Small Business support**, including funding for PPP, Employee Retention Tax Credit, Main Street Lending program;
- \$120 billion in **for Unemployment Insurance** (\$450 a week for eight-week transition, then up to \$600/week but not to exceed 100 percent previous wages for five weeks, ends January 2021);
- \$500.3 billion for support for **State/Local/Tribal/Territorial governments**;
- \$100 billion for **testing** and healthcare, including provider support, testing, contact tracing
- \$316 billion for **assistance for individuals/families**, including stimulus checks, rental assistance/eviction moratorium, student loan forbearance, SNAP/WIC;
- Liability protections for organizations that follow OSHA guidelines, with increased OSHA enforcement.
- \$145 billion for **education**: (childcare, K-12, higher ed);
- \$52 billion for other appropriations, including **broadband, agriculture support, USPS, the Census**;
- \$400 million in **election support**; AND
- **Based on COVID hospitalizations and vaccine development**, there could be the below additions
 - \$400 billion in Automatic Boosters (additional UI, stimulus checks), and
 - (-)\$200 billion in Automatic Reducers (from PPP, state/local/tribal/territorial funding, rental support).

Last week Senate Republicans released and voted on another COVID proposal. While it did not pass the Senate, it can be seen as a marker for the priorities Republicans will focus on in negotiations. Text [here](#). Summary [here](#). The bill clocks in at \$300 billion, after offsets. There were many similarities between the bill and the one Republicans [released](#) mid-August. See below for the highlights.

small business funding from CARES Act.

- **Liability protections** for businesses and healthcare providers;
- \$300 per week in enhanced **unemployment insurance** through the end of the year;
- Small Business policies including:
 - Allows small businesses to take out a **second Paycheck Protection Program (PPP) loan** if they have revenue loss of 35 percent or more (HEALS set the threshold at 50 percent or more);
 - Provides \$257.7 billion for PPP, which includes \$100 billion in unused funds;
 - Simplification of the loan process (Sen. Cramer's Paycheck Protection Small Business Forgiveness Act);
 - Additional reporting required for businesses receiving loan forgiveness;
 - Funding for audits.
- \$10 billion for the **U.S. Postal Service** – the bill would convert a \$10 billion loan to the USPS into a grant if the USPS falls below \$8 billion in cash on hand.
- Education policies including:
 - Funding for scholarship-granting organizations for expenses like private school tuition and home-schooling expenses; Also, provides tax credits for two years dedicated for scholarship granting organizations (School Choice Now Act);
 - Allow students to use 529 plan funds for relevant expenses for two years (Student Empowerment Act);
 - **Childcare program** included in HEALS (see [here](#) for HEALS education text)
- Health policies and funding, including:
 - **Pandemic preparedness** program (supply chain, SNS) in HEALS (see [here](#) for HEALS education text)
- Extends when states/local/tribal governments must spend CARES Act funding until September 30, 2021 (extended from December 31, 2020).
- Increases **tax incentives for charity** from \$300 above-the-line deduction (as implemented in the CARES Act) to \$600 for individuals and \$1,200 for those filing a joint return.
- Appropriations title, including:
 - \$105 billion for **Education Stabilization Fund** (66 percent for K-12 and 29 percent for higher education and 5 percent to governors to use for either higher education or K-12);
 - \$16 billion for **testing/contact tracing**;
 - \$31 billion for **vaccine and treatment** development and distribution (the mid-August skinny bill allocated \$29 billion for these purposes);
 - \$20 billion for farm assistance,
 - \$500 million for fisheries, and
 - \$15 billion for child care (\$5 billion for Child Care Development Block Grant and \$10 billion for the program authorized above “Back to Work Child Care Grants”).

HEROES: 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

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](#).

Passed Legislation

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

New Implementation Information and Guidance

- There has been no new information and guidance since the previous update.

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

Tested Positive (0):

Currently Self-Quarantined (1): **Sen. Ron Johnson (R-WI)**

Recovered (15): 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), Rep. Morgan Griffith (R-VA), Rep. Louie Gohmert (R-TX), Rep. Raúl Grijalva (D-AZ), Rep. Rodney Davis (R-IL), Sen. Bill Cassidy (R-LA), Rep. Jenniffer Gonzalez-Colon (R-Puerto Rico at large), Rep. Dan Meuser (R-PA)

Completed Quarantine (45): 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 Collins (R-GA), Rep. Paul Gosar (R-AZ), Sen. Cory Gardner (R-CO), Sen. Rick Scott (R-FL), Rep. Matt Gaetz (R-FL), Rep. Jason Crow (D-CO), Rep. Julia Brownley (D-CA), Rep. 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), Rep. Randy Weber (R-TX), Rep. Kay Granger (R-TX), Rep. Mike Johnson (R-LA), Rep. Jody Hice (R-GA), Rep. Guy Reschenthaler (R-PA)

*Mark Meadows quarantined March 9 - 12 after coming in contact with a CPAC attendee who tested positive. On March 20, he resigned from his position in the House to become the White House Chief of Staff.

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