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COVID-19 Legislative Update

December 17, 2020

The COVID-19 Legislative Update is published on Monday and Thursday evenings. **If we see a deal finalized, there will be another update this week.** 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](#).

12.17.2020. COVID-19 Legislative Update

Legislation

Supplemental IV

Timeline: After multiple [productive](#) meetings, both Leader McConnell and Speaker Pelosi say they are close to a deal. We're at the [sports metaphor](#) stage again. There's a handful of issues on the omnibus that have been kicked up to leadership but remain unresolved as leadership's energy is focused on COVID negotiations. **The current assumption is that the omnibus won't be released until a COVID deal is reached.**

Last week's short-term continuing resolution runs out Friday at midnight, but leadership in both the House and Senate have told offices to prepare for the possibility of votes this weekend. Senate Majority Whip John Thune has [said there's a possibility of a short-term shutdown](#) from when funding runs out Friday night until the omni is passed. House Majority Whip Steny Hoyer has pushed for another CR. **Most members do not want to leave DC without a COVID deal**, and leadership seems committed to making that happen.

Process: While discussions continue between the four corners, committees are engaged in drafting text and still working out a variety of issues. Any COVID package will likely be added to the omnibus in an amendment during the Rules Committee meeting. Other add-ons (surprise billing, energy package, Water Resources Development Act, tax package) could potentially be added on as an amendment or baked into the base text (as omni text has yet to be released).

leave out aid for state, local, and tribal governments as well as liability protections.

Those two pieces had been the most difficult to make progress on. The topline of the current package is around \$900 billion, significantly higher than the \$748 billion proposal the 908 coalition released on Monday. The extra \$152 billion may be dedicated to direct stimulus payments, which were not included in the 908 coalition's proposal. However, the math may require pushing up the topline (a problem for Republicans) or moving funds from other items (a problem for Democrats). **The inclusion of stimulus checks likely affects whip counts on the deal and could make it more likely that the President signs the bill.** On Tuesday, Congressional Progressive Caucus Chair Pramila Jayapal [called](#) for the package to include stimulus checks, while Sens. Josh Hawley and Bernie Sanders have been vocal about the inclusion of stimulus checks.

Policy: It seems the nutrition, housing, health, education pieces are relatively settled, while other pieces (unemployment insurance, stimulus payments, transportation, and broadband) have been more challenging to finalize. Highlights of policies under discussion below.

- \$600 in **direct stimulus payments**, with additional \$600 per child/dependent
 - The income cutoff is unclear (CARES had jointly filed \$150k income phase out),
 - There's been discussions around limiting people from receiving both federal unemployment boost and a stimulus payment.
- \$300 weekly **unemployment insurance**
 - It is unclear for how many weeks – 908 coalition had 16 weeks, but it's been suggested that it may end a month earlier than what the 908 coalition proposed.
- Inclusion of **restaurants** in the Paycheck Protection Program (or a separate program)
- \$90 billion **FEMA** fund for state emergencies
 - Republicans have seen this is a state/local/tribal aid “backdoor attempt” at adding direct assistance to state, local, and tribal governments.
- Extension of **expiring provisions** included in CARES – PPP, telehealth waiver, student loan forbearance, etc.
 - It is unclear which ones will be extended and which ones will not.
- Paycheck Protection Program **deductibility**
 - There's a possibility of inclusion of a cap – loans over a certain amount would not be deductible.

Problem Solvers/Bipartisan Framework: On December 15, the 908 coalition released text for their a COVID package framework. [Text](#) on the \$748 billion main package. [Summary](#) of the main package. [Text](#) on liability protection/state aid package. **The text and the highlights below are all currently under discussion.**

- \$300 billion for the SBA, \$138 billion repurposed from unspent **Paycheck Protection Program** (PPP) allocations.

CDFIs/MDIs

- Includes support for restaurants, types of 501(c)(6)s, and live events
- \$180 billion for **Unemployment Insurance (UI)**
 - \$300/week for 16 weeks (through April 2021)
 - \$1 billion for state technology modernization/fraud prevention
- \$6 billion for **vaccine development/distribution**, including:
 - \$3.42 billion for direct grants to state/localities/tribes
 - \$2.58 billion for CDC vaccines distribution and infrastructure (\$129 million for tribes and relevant tribe-serving organizations).
- \$10 billion for **testing and tracing**, including:
 - \$3.5 billion in direct grants to state/localities/tribes,
 - \$2.32 billion to hot spots, and another \$827.5 million to be used for states at the Secretary's discretion,
 - \$350 million to tribes and relevant tribe-serving organizations.
 - \$2 billion for nursing homes, long term care, HCBS, and assisted living facilities.
 - \$700 million for additional research and medial supply needs
- \$35 billion for the Healthcare **Provider Relief Fund**, including
 - \$7 billion for rural providers and \$1 billion for tribes and relevant tribe-serving organizations.
 - Provisions that allow certain flexibilities with PRF funds (lost revenue calculations, movement of funds)
 - Authorized interstate compacts for COVID-19 tests and supplies
 - Extends telehealth flexibility through December 31, 2021.
- \$4.6 billion for **opioids and mental health**, including
 - \$3.15 billion for SAMHSA programs,
 - \$1.3 billion for State Opioid Response (SOR) Grants
- \$45 billion for **transportation** support, including
 - Extension of the Payroll Support Program from the CARES Act until March 31, 2021,
 - Funding for airlines/airports through March 31, 2021,
 - Funding for buses and motorcoaches, public transit systems, and Amtrack through March 31, 2021.
- \$10 billion for **Child Care Stabilization Grants**, funded through HHS for child care providers.
- \$13 billion for **farmers, ranchers, growers, and rural** communities, as well as \$600 million for fishery disaster relief.
- \$12 billion for emergency investments, including
 - \$2 billion for the **CDFI fund**, relief to minority communities, minority-owned lenders, (\$800 million for minority lending institutions),
 - \$10 billion for **CDFIs and MDIs** for immediate economic relief in low-income and minority communities hard hit by the pandemic.
- \$10 billion for U.S. Postal Service
- \$26 billion for nutrition/agriculture, including

- Funding for senior nutrition services and extends flexibilities,
- Funding for US territories not served by SNAP,
- Funding for food distribution programs on tribal reservations.
- \$25 billion for **rental assistance** to state, local, and tribal governments, including
 - Prioritization of low-income households,
 - Funding can be used for rent, utilities, and other related housing expenses,
 - Extension of current eviction moratorium to January 31, 2021.
- \$82 billion for **education**, including
 - \$7.5 billion for Governors Emergency Education Relief Fund (\$2.5 billion for private schools),
 - \$54 billion for K-12,
 - \$20 billion for higher education.
- Extension of student loan forbearance created in CARES to April 1, 2021.
- \$10 billion for **broadband**, including
 - \$6.25 billion for state grants,
 - \$3 billion for E-Rate,
 - \$475 million for FCC COVID-19 Telehealth Program,
 - \$100 million for the VA Telehealth and Connected Care Program.
- Reallocates \$429 billion in unused Treasury loans and excess funds from Federal Reserve.

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 (7): Rep. Robert Aderholt (R-AL), **Rep. Ken Calvert (R-CA)**, **Rep. Barry Loudermilk (R-GA)**, **Rep. Devin Nunes (R-CA)**, **Rep. Joe Wilson (R-SC)**, **Rep. Mike Rogers (R-AL)**, **Rep. Cedric Richmond (D-LA)**,

Recovered from COVID-19 (48): Rep. Ben McAdams (D-UT), Rep. Mario Diaz-Balart (R-FL), Rep. Joe Cunningham (D-SC), Sen. Rand Paul (R-KY), 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. Dan Meuser (R-PA), Rep. Jenniffer Gonzalez-Colon (R-Puerto Rico at large), Rep. Jahana Hayes (D-CT), Sen. Mike Lee (R-UT), Sen. Thom Tillis (R-NC), Sen. Ron Johnson (R-WI), Rep. Salud Carbajal (D-CA), Rep. Mike Bost (R-IL), Rep. Bill Huizenga (R-MI), Rep. Drew Ferguson (R-GA), Rep. Don Young (R-AK), Sen. Rick Scott (R-FL), Rep. Tim Walberg (R-MI), Rep. Cheri Bustos (D-IL), Sen. Chuck

(D-CT), Rep. Virginia Foxx (R-TX), Rep. Rep. Susie Lee (D-NV), Rep. Austin Scott (R-GA), Rep. Ted Budd (R-NC)

Currently Self-Quarantined (0):

Completed Quarantine (49): Sen. Ted Cruz (R-TX), 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), 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. 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), Sen. Shelley Moore Capito (R-WV), Rep. Lisa Blunt Rochester (D-DE), Sen. Ben Sasse (R-NE), Sen. James Lankford (R-OK), Sen. Ted Cruz (R-TX), Rep. Mike Johnson (R-LA), Sen. Kamala Harris (D-CA), Rep. Mark Pocan (D-WI)



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