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COVID-19 Legislative Update

March 8, 2021

Last Saturday, the Senate passed the American Rescue Plan, exactly one year after the passage of the first coronavirus supplemental. **After the American Rescue Plan is signed into law, the COVID-19 Legislative Update will cease publishing.** The goal of the update has been to provide up to date and accurate information on the status and details of coronavirus supplementals and after the American Rescue Plan is passed, Congress will be focused on legislation outside the realm of COVID-19 response. **There will be a final update after the bill is passed and signed into law as well as an additional email providing resources for all the COVID-19 bills passed over the past year.** For past updates, click [here](#). For updates before May 8, 2020 click [here](#). If you believe you have been accidentally unsubscribed, you can re-subscribe [here](#).

3.8.2021. COVID-19 Legislative Update

Legislation

Supplemental V – The American Rescue Plan

Timeline: After a [record-setting](#) vote-a-rama, the Senate passed the American Rescue Plan 50-49 on Saturday afternoon. The vote was split by party line and Sen. Sullivan (R-AK) was absent. The House plans to vote on the bill tomorrow evening or “at the latest on Wednesday”, [according](#) to Speaker Pelosi. The hope remains to have President Biden sign the bill into law before expanded unemployment benefits expire this coming Sunday.

Process/Politics: It was a fun weekend for the Senate. Senate Democrats originally planned to begin the 20 hours of debate on the bill after Majority Leader offered a substitute amendment with the changes to the bill. However, **Sen. Johnson (R-WI) objected to bypassing the reading of the amendment aloud**, a process [usually skipped](#) in the Senate. **The clerks then read the entire 648-page amendment aloud and finished doing so 11 hours later, at 2:05 a.m. on Friday morning.** However, Sen. Van Hollen (D-MD) [proposed](#) limiting debate from the mandated 20 hours to three. When no Republicans, including Sen. Johnson who was on the floor, objected, the Senate recessed

However, Friday posed another late night for the Senate. **On the first vote of vote-a-rama Friday morning, we saw nearly 12-hour standstill.** The vote itself was on an amendment from Sen. Sanders and would have raised the federal minimum wage to \$15 an hour, but eight Democrats [voted](#) no. However, **the delay was caused by Sen. Joe Manchin (D-WV) attempting to negotiate unemployment insurance provisions.** Democrats had planned to offer an amendment, from Sen. Carper, which would cut the federal unemployment benefit from \$400 to \$300 per week but extend it through September and make the first \$10,200 of it non-taxable. Sen. Manchin, however, indicated he may be more inclined to support an amendment from Sen. Portman, which would cut the unemployment benefit to \$300 per week and cut it off on July 18. **If Sen. Manchin supported the Portman amendment over Carper's, the bill [likely](#) would not have been able to [re-pass](#) the House.** After hours of uncertainty, Sen. Manchin and other Democrats, including the White House, reached a deal where tax deductibility of UI would be only available to those under a certain income and UI benefits would be a couple weeks shorter than the original Carper amendment. The Portman amendment did pass, but it was overruled by a later amendment that contained this deal. **Eleven hours and fifty minutes after the first vote had begun, it finally closed.** The Senate then proceeded to vote on nearly [40 amendments](#), with seven amendments passing. The bill finally passed at just after noon on Saturday.

Policy: It's expected that the House passes the bill with no changes, as changes this late in the game will threaten passing the bill within the March 14 UI deadline. **Senate text, though unclear if it is final text, [here](#).** Summary (from Sen. Sanders's office, as of March 3) [here](#). Summary of the Senate changes [here](#), one-pager on changes [here](#). Highlights of Senate changes to the bill below:

- **Extends the Employee Retention Tax Credit (ERTC)** through 12/31/21, adopts the expansions from the December Omnibus, and codifies the ERTC by adding it to the Internal Revenue Code as § 3134. The December 2020 Omni made a handful of expansions to the original CARES ERTC including: increased the credit percentage from 50 to 70; increased the maximum credit from \$10k per employee to \$10k per quarter per employee; extended the credit from 12/31/20 through 6/31/21; and, loosened the gross receipts test from 50 percent (relative to 2019) to 80 percent (relative to 2019).
- \$10 billion **Critical Infrastructure Project program aimed at assisting state, territorial, and tribal governments** with COVID-19 response. Also establishes a requirement that small states receive at least the amount they received under the CARES Act's Coronavirus Relief Fund.
- Makes **higher educational debt forgiveness tax-free** on loans discharged between 12/31/20 and 12/31/25. This will apply to any governmental debt relief during that time period but is also generally drafted to apply to debts discharged by higher educational institutions.
- \$8.5 billion for **Provider Relief Fund for rural providers**.
- Boost to **COBRA premium assistance** from 85 to 100 percent.

- \$5.5 billion for **school programs**, including summer school and afterschool programs and technology.

Other Resources:

- The National Association of Counties analysis of the Senate bill and calculations for per-county allocations. Analysis [here](#) and calculations found by clicking “Summary of Local Funding in Senate Substitute”.

House-passed text [here](#). House Committee summaries of House version of the bill below:

- **Ways and Means**: press release [here](#) (with links to text and section by section summaries), Joint Committee on Taxation summary [here](#)
- **Energy and Commerce**: more details specific to health response funding are [here](#), section by section in the committee memo [here](#), public health text [here](#), Medicaid section text [here](#), CHIP section text [here](#), other provisions text [here](#)
- **Oversight and Reform**: one pager [here](#), committee print [here](#)
- **Education and Labor**: press release [here](#), fact sheet [here](#), section by section [here](#), text [here](#)
- **Small Business**: committee print [here](#), text [here](#)
- **Transportation and Infrastructure**: text [here](#)
- **Financial Services**: committee print [here](#), section by section in the committee memo [here](#), text [here](#)
- **Agriculture**: text [here](#)
- **Veterans Affairs**: text [here](#), section by section [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 the supplementals that have been passed, please see [here](#).

New Implementation Information and Guidance

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

Members of Congress Affected by COVID-19

New additions in bold. As of January 15, the below list only includes members of the 117th Congress and thus is not cumulative across Congresses. Members of Congress began receiving COVID-19 vaccines in December, 2020.

Tested Positive Recently (0):

Died from COVID-19 (1): Rep. Ron Wright (R-TX)

Recovered from COVID-19 (68): Rep. Mario Diaz-Balart (R-FL), 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

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 Grassley (R-IA), Rep. Ed Perlmutter (D-CO), Rep. Dan Newhouse (R-WA), Rep. Doug Lamborn (R-CO), Rep. Brian Steil (R-WI), Rep. Joe Courtney (D-CT), Rep. Virginia Foxx (R-TX), Rep. Rep. Susie Lee (D-NV), Rep. Austin Scott (R-GA), Rep. Ted Budd (R-NC), 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. Rick Larsen (D-WA), Rep. Gwen Moore (D-WI), Rep. Maria Salazar (R-FL), Rep. Kay Granger (R-TX), Rep. Kevin Brady (R-TX), Rep. Michelle Steel (R-CA), Rep. Gus Bilirakis (R-FL), Rep. Jake LaTurner (R-KS), Rep. Chuck Fleischmann (R-TN), Rep. Bonnie Watson Coleman (D-NJ), Rep. Pramila Jayapal (D-WA), Rep. Brad Schneider (D-IL), Rep. Adriano Espaillat (D-NY), Rep. Lou Correa (D-CA), Rep. Raul Ruiz (D-CA), Rep. Stephen Lynch (D-MA), Rep. Lori Trahan (D-MA)

[Currently Self-Quarantined \(0\):](#)

[Completed Quarantine \(52\):](#) Sen. Ted Cruz (R-TX), Sen. Lindsay Graham (R-SC), Rep. Don Beyer (D-VA), Rep. Sharice Davids (D-KS), Rep. Paul Gosar (R-AZ), Rep. Matt Gaetz (R-FL), Rep. Jason Crow (D-CO), Rep. Julia Brownley (D-CA), Sen. Ben Ray Lujan (D-NM), 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), 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), Rep. Randy Weber (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. Mark Pocan (D-WI), Rep. Anna Eshoo (D-CA), Rep. Carolyn Maloney (D-NY), Sen. Mark Warner (D-VA)



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