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COVID-19 Response – Weekly Wrap-up

APRIL 24, 2020 – 2:00 PM

CONGRESS

COVID news...

Congress passed, and the President signed, the [Paycheck Protection Program and Healthcare Enhancement Act](#), which increases the funding levels for programs that were expanded or authorized under the CARES Act, as well as some additional provisions. [A link to the VNF Alert on the measure is here.](#)

Additionally, the House passed, along party lines, a [resolution](#) establishing an investigative oversight committee that will oversee the implementation of the CARES Act and the associated economic recovery in the post-COVID-19 landscape.

Democrats released proposed changes to House rules that would allow Members of Congress to vote by proxy for the first time in U.S. history, but the proposal was quickly sidelined after objections mounted from Republicans, who were not consulted on the proposed changes.

Lawmakers will now turn to further recovery and stimulus measures. Speaker Nancy Pelosi (D-CA) and other Democrats are calling for swift action legislation to provide aid to state and local governments, a potential second round of stimulus checks to citizens, funding for expanded health care coverage for recently laid-off workers, COVID-related expansions to Occupational Safety and Health Administration rules, money for mail-in voting in the November elections and additional funding to the Supplemental Nutrition Assistance Program.

Senate Majority Leader Mitch McConnell (R-KY) and other Republicans have called for discussions on any future bill to occur only when lawmakers return to Washington, which currently is slated for the week of May 4. Republicans are likely to seek a wide variety of provisions, including: a payroll tax holiday; COVID-19 liability waivers for employers and companies; funding for state, local and tribal governments – a major priority for Democrats – but with substantial guideposts to limit states' bailouts of pensions; additional funding for testing and healthcare; sector-specific stimulus and infrastructure projects; food and housing assistance; and provisions to address supply chain issues.

House Energy and Commerce Chairman Frank Pallone, Jr. (D-NJ) sent a [letter](#) to White House Coronavirus Task Force Coordinator Dr. Deborah Birx calling on the Administration to develop a widespread COVID-19 testing strategy as part of its efforts to reopen the economy.

In other Capitol Hill news...

The Senate Committee on Environment and Public Works [released](#) drafts of two pieces of water infrastructure legislation totaling \$19.5 billion, America's Water Infrastructure Act of 2020 (AWIA 2020) and the Drinking Water Infrastructure Act of 2020. The Committee will conduct an [information-gathering process](#) in the weeks ahead.

ADMINISTRATION

COVID news...

The White House and federal agencies pushed out COVID-related announcements throughout the week. Those developments include, but are not limited to, the following:

President Trump announced a ban on immigration for up to 60 days by [Executive Order](#). He also announced he would like to begin the process of reopening public lands, including national parks. The National Parks Service has not yet released a statement with specific details.

The **Federal Reserve** [announced](#) that it would make monthly disclosures of the recipients of funding allocated by the CARES Act. Additionally, the Fed [announced](#) that it is working to expand access to its Paycheck Protection Program Liquidity Facility for additional SBA-qualified lenders as soon as possible.

The **Department of the Treasury**, released [guidance](#) providing direction to State, Territorial, Local, and Tribal Governments regarding funding available under the CARES Act, which established the Coronavirus Relief Fund, and appropriated \$150 billion for COVID related expenses. [See our related Practical Tips for Tribal Organization Access to the PPP program here.](#)

The **Internal Revenue Service** released a set of [FAQs](#) on Net Operating Loss tax break matters.

The **Pipeline and Hazardous Materials Safety Administration** issued a [notice](#) of enforcement discretion for gas pipeline operators, temporarily suspending enforcement related to the compliance with certain new gas pipeline safety regulations. [See our Pipeline Safety Update for more information here.](#)

The **Department of Health and Human Services** [announced](#) it will begin distributing an additional \$40 billion from the Provider Relief Fund, with \$10 billion allocated for hospitals in areas that have been hardest hit by COVID-19 and another \$10 billion reserved for rural hospitals and clinics. Additionally, HHS [awarded](#) nearly \$165 million to combat the COVID-19 pandemic in rural communities.

The **Centers for Medicare & Medicaid Services** released a new [toolkit](#) to help state and local healthcare decision makers maximize workforce flexibilities when confronting COVID-19 in their communities.

The **National Institutes of Health** panel released its first round of [judgments](#) on potential COVID-19 therapies, concluding that no drug has been proven effective in the treatment of COVID-19, but several promising options warrant further study with larger groups of patients.

The **Department of Agriculture** [announced](#) the purchase and distribution of up to \$3 billion of agricultural products to those in need as part of the Coronavirus Farm Assistance Program.

The **Food and Drug Administration** released new [guidance](#) regarding flexibility to the food industry to support food supply chain and meet consumer demand during the pandemic.

The **Department of Education** [announced](#) the availability of an additional \$6 billion in grant funding to support continued education at America's colleges and universities. The Department also [announced](#) the availability of more than \$13.2 billion in emergency funds for states to help K-12 students whose schools were closed due to COVID-19.

In other agency news...

The **Environmental Protection Agency** and the **Army Corps of Engineers** published in the Federal Register their [final rule](#) revising the definition of "Waters of the United States" and the scope of waters subject to federal regulation under the Clean Water Act. [See the alert we wrote about the final rule here.](#)

STATES

The **National Governors Association** and state health officials released a [roadmap](#) for reopening the economy that outlines ten key steps and related operational considerations for governors to guide critical decisions in support of the public's health and well-being.

ICYMI

Visit our Resource Center to read the updates prepared by VNF professionals over the past week:

- [U.S. Supreme Court Holds Clean Water Act Covers Groundwater in Limited Circumstances](#)
- [Practical Tips for Tribal Organization Access to the SBA Paycheck Protection Program \("PPP"\)](#)
- [SCOTUS Decision Clarifies Property Owners' Restoration Claims at Superfund Sites](#)
- [Senate Passes Intermediate COVID-19 Relief Package](#)
- [Business Interruption Insurance Coverage for COVID-19 Losses - Recent Developments](#)
- [Pipeline Safety Update - Issue No. 157](#)

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