

COVID-19 Response Overview and Next Steps

Updated April 17, 2020

Actions and Events

- **Federal government Coronavirus responses**
 - Overview of the first three laws
 - National Emergency Declarations
- **What to watch as the virus compresses the congressional calendar**
 - Outlook on additional response legislation
 - Fiscal 2021 appropriations
 - Defense authorization
 - Surface transportation reauthorization
 - Health-care agenda

Three Wide-Ranging Coronavirus Laws Enacted So Far

- **Public Law 116-123 (H.R. 6074) provided:**
 - \$8 billion for health and international programs
- **Public Law 116-127 (H.R. 6201) provided:**
 - Paid leave and tax credits, expanded unemployment and nutrition assistance, free virus testing
- **Public Law 116-136 (H.R. 748) provided \$2.2 Trillion in individual, business aid**
 - \$500 billion for loans and other aid to companies and governments
 - \$349 billion in small business loans with potential forgiveness
 - Payments of as much as \$1,200 for Individual taxpayers, and \$500 per child
 - An additional \$600 per week in unemployment benefits
 - \$150 billion for state, local, and tribal governments
 - \$340 billion in supplemental appropriations for many federal agencies, including \$100 billion for hospitals

National Emergency Frees Up Federal Aid

- **President issued a national emergency declaration March 13**
 - Trump also declared a major disaster in all 50 states
- **National emergency declaration lets FEMA provide broad assistance and other agencies take actions not otherwise authorized by federal law**
 - HHS can enable telehealth, allow doctors to practice across state lines, waive restrictions on stays in critical hospitals and nursing homes
 - States can adjust their Medicaid and CHIP eligibility and coverage
 - FEMA has been coordinating testing with states
- **President used Defense Production Act for critical medical products**
 - Required companies to accept and prioritize federal ventilator orders
 - Authorized federal agencies to allocate materials for medical equipment
 - Banned hoarding and price gouging; seized hoarded products
 - Restricted export of personal protective equipment

Notes: CHIP – Children’s Health Insurance Program; FEMA – Federal Emergency Management Agency; HHS – Health and Human Services Department

WHAT'S NEXT?

Congress Faces Long To-Do List, Shortened Calendar

- **Coronavirus pandemic has disrupted schedule in already packed year**
 - Congress out until at least May 4
 - Current schedule includes recesses for August (including conventions), election
 - House could meet during some of those periods to make up time
- **Government funding, major programs up for renewal Sept. 30**
 - Government funding for Fiscal Year 2021 must be addressed to avoid shutdown
 - Annual defense authorization, surface transportation also on deck
- **Other expirations include:**
 - Surveillance authorities that lapsed on March 15
 - Federal health programs, which are now set to expire Nov. 30
 - Pandemic response programs, many of which expire at the end of the year
 - Tax extenders, including for energy and alcohol, which expire Dec. 31

2020 Congressional Calendar

January

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25 Memorial Day	26	27	28	29	30
31						

June

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July

S	M	T	W	T	F	S
			1	2	3	4 Independence Day
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17 Democratic Convention	18 Democratic Convention	19 Democratic Convention	20 Democratic Convention	21	22
23	24 Republican Convention	25 Republican Convention	26 Republican Convention	27 Republican Convention	28	29
30	31					

September

S	M	T	W	T	F	S
		1	2	3	4	5
6	7 Labor Day	8	9	10	11	12
13	14	15	16	17	18 Rosh Hashanah Begins	19
20 Rosh Hashanah Ends	21	22	23	24	25	26
27 Sim Kippur Begins	28 Sim Kippur Ends	29	30			

October

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November

S	M	T	W	T	F	S
1	2	3 Election Day	4	5	6	7
8	9	10	11 Veterans Day	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26 Thanksgiving Day	27	28
29	30					

December

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10 Hanukkah Begins	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25 Christmas Day	26
27	28	29	30	31		

House in session
 Senate in session
 Both chambers in session
 Federal holiday

Lawmakers Consider Additional Virus Response

- **Bipartisan support for \$250 billion increase for small business loans, but Democrats also want:**
 - Funds set aside for community financial institutions serving certain groups
 - \$150 billion for state and local aid
 - \$100 billion for hospitals and community health centers
 - A 15% increase in the maximum SNAP benefit
- **Policies under discussion for future response legislation include:**
 - More direct payments, broader paid leave, expanded unemployment insurance
 - Hazard pay and worker protection standards
 - Workforce development, training
 - Additional tax changes, such as a payroll tax cut or SALT deduction cap repeal
 - Provisions to address surprise medical bills
 - Infrastructure, multiemployer pensions, mandatory funding for park projects, climate measures, election funds

Notes: SNAP – Supplemental Nutrition Assistance Program, SALT – State and Local Tax

Appropriations Continue in Background

- **House appropriators have preliminary FY 2021 topline figures**
 - Drafting legislation remotely; will hold markups when Congress returns
 - Bipartisan support for amending two-year budget caps deal to exempt certain health programs so they can receive increases without requiring cuts elsewhere
- **Additional emergency spending could affect FY 2021 appropriations**
 - Transportation-HUD funding will vary based on whether infrastructure and housing aid are address in future coronavirus response emergency appropriations
- **Senate Appropriations hasn't set preliminary topline figures**

Note: HUD – Housing and Urban Development Department

Defense Authorization Outlook

- **Final defense authorization bill unlikely before start of FY 2021**
 - House Armed Services Committee leaders aiming for draft by May 1
 - Senate Armed Services Committee aiming for bill by end of May
- **The House measure could include:**
 - An Indo-Pacific Reassurance Initiative to assure allies and partners
 - Provisions to reduce U.S. dependence on Chinese pharmaceuticals
 - Proposals related to weapon planning, procurement, and sustainment
 - Support for military families
 - Rejection of a Pentagon proposal to classify its five-year budget projection
- **The measure may also include responses to the coronavirus, such as:**
 - Mass production of test swabs and other needed materials
 - Aid for the defense industrial base, particularly medium and small suppliers

Transportation Programs Expire Sept. 30

- **Trump called on Congress to invest \$2 trillion in infrastructure**
- **A major infrastructure package could be paired with surface transportation reauthorization**
 - Senate Environment and Public Works Committee approved a bipartisan 5-year measure (S.2302), which Trump has endorsed
 - House Transportation & Infrastructure Committee proposed a \$760 billion 5-year package focused on surface transportation and other infrastructure programs (water, energy, climate, broadband)
- **As the Highway Trust Fund faces insolvency, suggested fixes include:**
 - Increasing the gas tax or indexing it to inflation
 - Placing a new tax on electric vehicles
 - Creating a road user fee, such as a vehicle miles traveled (VMT) fee

Broader Health Agenda Tied to Coronavirus Response

- **Surprise billing, drug pricing pushed to later**
 - Lawmakers had eyed May 22 expiration of public health programs to act, but those programs were extended through November in third coronavirus package
- **Lawmakers trying to add surprise billing to next relief measure**
 - Effort has been hung up on how to resolve payment disputes
 - Ways & Means measure would send all disputes to arbitration
 - Two other measures would set benchmark rate, allow arbitration for bills over \$750
- **Health extenders now set to expire Nov. 30**
 - Includes mandatory funding for community health centers, National Health Service Corps, diabetes programs, and abstinence education program
 - Also includes delay to Medicaid disproportionate share hospital cuts
- **Expansion of telehealth**
 - Big influx of money for urban & rural areas to broaden scope of telehealth services
 - Push to incentivize adoption and deployment

Key Legislative Dates to Watch in 2020

Date	What to Watch
May	Armed Services committees aim to finish NDAA drafts Appropriations committees kick off action
June 30	Small business Paycheck Protection Program expires
July 31	Extra \$600 per week pandemic unemployment benefit expires
Sept. 30	Fiscal 2020 funding expires, as well as other major programs <ul style="list-style-type: none">• National Defense Authorization Act• Surface transportation authorization (FAST Act)• National Flood Insurance Program• National Institutes of Health authorization• Every Student Succeeds Act• Workforce Innovation and Opportunity Act• Child care and development block grants
Nov. 30	Health extenders and Temporary Assistance for Needy Families program expire
Dec. 31	Tax extenders, many pandemic response programs expire

Additional Resources

- [Van Ness Feldman COVID-19 Resource Center](#)
- [Contact our Public Policy Team](#)

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