

## COVID-19 Update: Federal Developments – Federal Government

News	Notes
<ul style="list-style-type: none"> <li>Treasury Secretary Steven Mnuchin told reporters on Aug. 4 that if there were a deal to be had on COVID-19 relief, it would have to be reached by Friday. Congressional leaders seem less optimistic.</li> </ul>	
<ul style="list-style-type: none"> <li>President Trump extended the federal deployment of nearly 25,000 National Guard members detailed to coronavirus relief efforts until the end of 2020 but ordered states to start picking up 25% of the tab, which is millions per month at a time states are struggling financially. Though many states are reporting record cases and hospitalizations amid a resurgence of the virus, the memorandum released Monday night says the decrease in financial support comes "as the United States transitions to a period of increased economic activity and recovery in those areas of the Nation where the threat posed by COVID-19 has been sufficiently mitigated." The decision came after the National Governors Association criticized the administration for "unnecessary delays," that were creating "significant challenges for states and territories, which are amplified in the middle of a crisis." Federal support for the National Guard's work had been set to end on August 21, meaning states would pull Guard members off the front lines by August 7 to quarantine for two weeks before returning home. Yet even with the extension, it is not clear states will be able to shoulder their part of the financial burden without more federal help.</li> </ul>	
<ul style="list-style-type: none"> <li>The Federal Pandemic Unemployment Compensation (FPUC) providing an additional \$600 per week in unemployment benefits for those who lost their jobs due to the pandemic expired on July 31.</li> </ul>	
<ul style="list-style-type: none"> <li>The U.S. Chamber of Commerce, the National Association of Manufacturers (NAM), the National Retail Federation (NRF) and other trade groups suing the Administration over visa restrictions imposed by President Donald Trump in June have asked a federal court for a preliminary injunction. Trump's policy will cause "specific, acute and irreparable" harm to the members of the trade groups if an injunction isn't granted, the trade groups' lawyers argued on July 31 in a motion.</li> </ul>	
<ul style="list-style-type: none"> <li>On July 29, President Donald Trump and Treasury Secretary Steven Mnuchin suggested in remarks outside the White House that the Administration would be open to passing a short-term extension on unemployment benefits and a moratorium on evictions. The additional unemployment benefits are set to expire July 31, and the moratorium on evictions expired the weekend of July 25.</li> </ul>	
<ul style="list-style-type: none"> <li>National Institute of Allergy and Infectious Diseases Director Dr. Anthony Fauci said an experimental COVID-19 vaccine being developed by the National Institutes of Health (NIH) and Moderna might have results by November. The public-private partnership to develop the vaccine moved into a crucial stage on July 27 with the start of a Phase 3 clinical trial that aims to enroll 30,000 people around the country. NIH Director Francis Collins said three more potential vaccines which also part of the administration's Operation Warp Speed effort may soon enter the final phase of testing.</li> </ul>	
<ul style="list-style-type: none"> <li>The Trump administration has renewed the public health emergency for the coronavirus. This will ensure critical resources are available to continue to fight the pandemic. The public health emergency declaration gives the</li> </ul>	

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<p>Administration additional flexibilities to waive certain requirements for providers and states. The current declaration was set to expire July 25. Public health emergencies last for 90 days, so the latest renewal will expire in late October without another extension.</p>	
<ul style="list-style-type: none"> <li>• White House Coronavirus Task Force Coordinator Dr. Deborah Birx privately told a group of state and local health officials on July 22 about a concerning rise in coronavirus cases in 12 cities. "There are cities that are lagging behind, and we have new increases in Miami, New Orleans, Las Vegas, San Jose, St. Louis, Indianapolis, Minneapolis, Cleveland, Nashville, Pittsburgh, Columbus and Baltimore, so we're tracking this very closely. We're working with the state officials to make sure we're responding together, but when you first see that increased test positivity, that is when to start the mitigation efforts," Birx said during the call.</li> </ul>	
<ul style="list-style-type: none"> <li>• President Trump held on July 22 the first coronavirus task force briefing since April. During the briefing, he reversed his rhetoric on mask wearing, urging Americans to wear a mask and saying masks "have an impact." President Trump also shared developments on vaccines and therapeutics but warned a surge in cases may be coming soon. He said, "It will probably unfortunately get worse before it gets better." He urged Americans to wear masks, avoid crowded bars and "be smart."</li> </ul>	
<ul style="list-style-type: none"> <li>• The Trump administration is still pushing for a payroll tax cut in the next economic rescue package, but Republican leaders aren't crazy about the idea as they begin stimulus negotiations with Democrats. On the other hand, the White House and GOP are more united on cutting unemployment insurance payments.</li> </ul>	
<ul style="list-style-type: none"> <li>• President Trump told reporters on July 20 that he will resume giving regular coronavirus briefings this week, beginning on Tuesday at 5 p.m. It would mark his first time participating in a coronavirus briefing since late April. Trump signaled the briefings would be heavily focused on the development of a vaccine and drugs to treat the virus, which has advanced significantly since he last held regular media sessions on the pandemic.</li> </ul>	
<ul style="list-style-type: none"> <li>• Treasury Secretary Steven Mnuchin said on July 20 that Republicans view \$1 trillion as their starting point for the upcoming negotiations on coronavirus relief legislation. "We're focused on starting with another trillion. We think that will make a big impact. The focus is ... really about kids and jobs and vaccines," Mnuchin told reporters at the White House.</li> </ul>	
<ul style="list-style-type: none"> <li>• The U.S. Chamber of Commerce sent a letter to President Donald Trump, House Speaker Nancy Pelosi, D-Calif., and Senate Majority Leader Mitch McConnell, R-Ky., this morning laying out what it would like to see in the coronavirus legislation that Congress is preparing to hash out. The trade group's first ask is unsurprising—liability reform. The Chamber also asked Congress to make a variety of changes to the Paycheck Protection Program (PPP), including extending the deadline and making the loans available to trade groups; to shore up the Economic Injury Disaster Loan program; to bolster the Employee Retention Credit; to set aside money to help schools reopen safely; to extend federal unemployment benefits passed in March but pare them down from the current amount of \$600 a week; and to provide help to state and local governments, which Democratic lawmakers have championed for months. Read the letter <a href="#">here</a>.</li> </ul>	

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<ul style="list-style-type: none"> <li>• ABA joined today with a group of other trade associations, led by The Beer Institute, on a letter to The White House urging that the federal government not impose additional tariffs, or institute quotas, on aluminum imported from Canada. The group noted the financially disastrous impact tariffs or quotas would have on American manufacturers of all sizes, many of whom are already struggling due to the effects of COVID-19. You can read the letter <a href="#">here</a>.</li> </ul>	
<ul style="list-style-type: none"> <li>• The Trump administration is planning to extend restrictions barring non-essential travel across the Mexican and Canadian borders until at least late August as coronavirus cases and deaths continue to spike in the U.S. and Mexico. The U.S., in separate agreements with Mexico and Canada, will make a formal announcement before July 21 that non-essential travel will be restricted for at least another 30 days.</li> </ul>	
<ul style="list-style-type: none"> <li>• Senior Trump administration officials have begun signaling their willingness to approve a narrow extension of the enhanced unemployment benefits helping tens of millions of jobless Americans hurt by the coronavirus pandemic. There is little appetite among the Senate GOP for an extension of these benefits.</li> </ul>	
<ul style="list-style-type: none"> <li>• First Lady Melania Trump took to social media on July 14 to urge Americans to wear face coverings and maintain social distancing amid the coronavirus pandemic.</li> </ul>	
<ul style="list-style-type: none"> <li>• On July 9, Dr. Anthony Fauci, the nation's top infectious disease expert, said hard-hit states should not be moving forward with reopening but stopped short of calling for full shutdowns. "I would think we need to get the states pausing in their opening process, looking at what did not work well and try to mitigate that," Fauci said. "I don't think we need to go back to an extreme of shutting down." Fauci struck a different note than he did a day earlier in an interview with The Wall Street Journal when he said states should consider shutdowns. "I think any state that is having a serious problem, that state should seriously look at shutting down," he said on July 8. On July 9, though, he softened his remarks, saying, "I would hope we don't have to resort" to shutdowns, as they "would not be viewed very favorably." He pointed to California, Arizona, Texas and Florida as accounting for 50% of new positive cases.</li> </ul>	
<ul style="list-style-type: none"> <li>• The Internal Revenue Service (IRS) reminded taxpayers on July 8 that individuals who took advantage of the People First Initiative tax relief and did not make previously owed tax payments between March 25 to July 15 need to restart their payments. As the IRS continues to reopen its operations across the country, taxpayers who were in payment agreements and skipped any payments from March 25 and July 15 should start paying again to avoid penalties and possible default on their agreements. IRS Commissioner Chuck Rettig said, "As we resume a phased-in approach to our normal operations, we are sympathetic to the many Americans still suffering COVID-related hardships and stand ready to continue offering help to those who need it."</li> </ul>	
<ul style="list-style-type: none"> <li>• Vice President Mike Pence and U.S. Department of Health and Human Services Secretary Alex Azar suggested to governors that the Trump administration will extend the coronavirus public health emergency before it expires later this month. In a private call between White House Coronavirus Task Force officials and state leaders, Maryland Gov. Larry Hogan raised the issue of the expiring public health emergency. Azar said it was likely the emergency would be renewed, but stopped short of a firm commitment. Pence said state leaders should be "at ease" that an extension of the</li> </ul>	

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<p>declaration is in the works. Public health emergencies must be renewed by HHS every 90 days, and the coronavirus declaration is set to expire July 25. The emergency was first issued in January, shortly after the coronavirus emerged in China, and was renewed in late April.</p>	
<ul style="list-style-type: none"> <li>• A senior administration official confirmed that the White House has officially withdrawn the United States from the World Health Organization (WHO). The U.S. notice of withdrawal was submitted yesterday to the United Nations Secretary-General, and will be effective on July 6, 2021.</li> </ul>	
<ul style="list-style-type: none"> <li>• According to new research based on Census Bureau data and conducted by economists at Northwestern University, nearly four in ten Black and Hispanic households with children are struggling to feed their families during the coronavirus pandemic. The percentage of families considered food insecure has surged across all groups and is already much higher than during the depths of the Great Recession. Read the study <a href="#">here</a>.</li> </ul>	
<ul style="list-style-type: none"> <li>• On June 5, Labor Secretary Eugene Scalia was on Fox News Sunday with Mike Emanuel and reiterated the Administration’s stance against enhanced unemployment benefits—“In terms of the unemployment benefit, it was a really important thing to do as we were shutting our economy down, Americans across the country were basically being told – and we needed to take measures, but they were basically being told you can’t go to work right now. And so, we needed that substantial unemployment benefit. But, you know, there are some states where you can get on an annual basis, \$75,000 a year right now on unemployment. And I think as we reopen the economy, I don’t know that we need a benefit like that.”</li> </ul>	
<ul style="list-style-type: none"> <li>• During the week of June 30, the Department of Transportation (DOT), Department of Homeland Security (DHS) and Department of Health and Human Services (HHS) released guidance for airlines and airports to combat the spread of COVID-19. The guidance aims to provide greater consistency with recommendations, as so far, airlines and airports were making their own recommendations to travelers. The guidance says the measures outlined in the document “should be implemented as soon as feasible.” It strongly encourages everyone to wear a mask or face covering and recommends airlines and airports make them available to people who do not have them. The guidance says airlines “should consider the feasibility of limiting seat availability to enable passengers to maintain social distance from each other during the flight.” When a flight starts to fill up, the airline should tell passengers and give them “alternative flight options, such as a flight change, without penalty.” The guidance recommends airlines use health self-declarations, saying they “encourage passengers to pause and make an honest evaluation of their health status prior to flight.” The guidance is available <a href="#">here</a>.</li> </ul>	
<ul style="list-style-type: none"> <li>• National Institute of Allergy and Infectious Diseases Director Dr. Anthony Fauci indicated he would “settle” for a COVID-19 vaccine that is 70 to 75% effective, but this level of protection, coupled with the fact many Americans say they will not get a coronavirus vaccine, makes it unlikely the country will achieve herd immunity. Herd immunity occurs when enough people are immune to an infectious disease, either through prior illness or vaccination, so spread</li> </ul>	

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<p>from person to person is unlikely. A recent <a href="#">poll</a> found one-third of Americans indicate they would not get a COVID-19 vaccine even if it was affordable and widely available.</p>	
<ul style="list-style-type: none"> <li>• For the first time in more than five weeks, the White House Coronavirus Task Force held on June 26 a briefing to discuss current Administration efforts to combat the spread of the coronavirus. Present at the briefing were: Vice President Mike Pence; Ambassador Dr. Deborah Birx, the coronavirus response coordinator; Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases; Health and Human Services (HHS) Secretary Alex Azar; and Centers for Disease Control and Prevention (CDC) Director Robert Redfield. The Administration focused on the increase in infections in sunbelt states, which the Administration attributes to individuals under 40 increasingly getting tested and asymptomatic individuals finding out they are infected. The Administration further focused on federal efforts to mitigate spread, treat infected individuals and continue the search for a vaccine. Vice President Pence also noted all 50 states and territories are now reopening safely and responsibly.</li> </ul>	
<ul style="list-style-type: none"> <li>• With Texas seeing increased numbers of COVID-19 outbreaks in several parts of the state, the Administration reversed its decision to wind down federal testing facilities in Texas at the request of Gov. Greg Abbott and U.S. Sens. John Cornyn and Ted Cruz. HHS Assistant Secretary Brett Giroir, the appointed COVID-19 testing czar, said HHS will continue funding the Texas sites for two weeks past the previously planned June 30 end date. The federal government is still set to end funding for federal testing sites in six sites across four states – Pennsylvania, New Jersey, Illinois and Colorado.</li> </ul>	
<ul style="list-style-type: none"> <li>• Operation Warp Speed is organizing a test in monkeys of an oral coronavirus vaccine as part of the effort to accelerate the development of COVID-19 drugs and vaccines. The vaccine's manufacturer, Vaxart, announced its participation in the government-funded trial. The animals in the study will be given the oral vaccine and then exposed to the coronavirus to see if they are protected from infection. Operation Warp Speed leaders have said the program will ultimately select a total of seven vaccine candidates to speed development.</li> </ul>	
<ul style="list-style-type: none"> <li>• Department of Agriculture Secretary Sonny Perdue and Food &amp; Drug Administration Commissioner Stephen Hahn released a joint statement yesterday that stated there is “no evidence that people can contract COVID-19 from food or from food packaging,” and that moves by some countries to restrict food exports are “not consistent with the known science of transmission.” Read the statement <a href="#">here</a>.</li> </ul>	
<ul style="list-style-type: none"> <li>• The federal government is transitioning 13 COVID-19 testing sites to “more efficient and effective” state-managed testing operations, according to Admiral Brett Giroir, who is leading the Administration’s COVID-19 testing efforts. Seven sites are in Texas, which is experiencing record numbers of confirmed coronavirus cases and hospitalizations. Dallas’ Director of Emergency Management Rocky Vaz stated the city asked the federal government for an extension of funding past June 30 but was denied. Giroir <a href="#">indicated</a> the government is still supporting increased testing capacity through a federal bundled payment program for retail pharmacies setting up testing sites. HHS added that governors can also use CARES Act funding to maintain operations at the testing sites.</li> </ul>	

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<ul style="list-style-type: none"> <li>On June 23, the Trump administration released guidance on insurance coverage on COVID-19 tests. The guidance, prepared by the Department of Health &amp; Human Services, the Department of Labor and the Department of the Treasury, said plans must cover tests for people with COVID-19 symptoms or when a clinician says it is “medically appropriate.” Health insurers do not have to cover coronavirus surveillance tests or diagnostics to clear employees to go back to work. The industry says paying for widespread testing that is not medically necessary will drive the costs up and affect premiums. The guidance also confirms health plans will have to fully cover facility fees and any other services supplied to determine if patients should be tested - including respiratory panel tests, flu tests, X-rays and X-ray reading. The guidance is available <a href="#">here</a>.</li> </ul>	
<ul style="list-style-type: none"> <li>There are reports that the Trump administration has been considering scaling back the national emergency declared earlier this year to control the pandemic. This has raised concerns among public health leaders, physicians, hospital officials and others who fear that would make it more difficult for state and local governments and health systems to keep the coronavirus in check. When asked on June 23, White House Press Secretary Kayleigh McEnany said no such move was imminent. She said, “I just spoke with the president, and he said we are not looking at lifting the national emergency declarations.” Several industry officials have said the Administration has indicated that lifting emergency declarations was being considered. A Department of Health &amp; Human Services (HHS) spokesperson said, “At this time, HHS expects to renew the Public Health Emergency (PHE) due to COVID-19 before it expires. We have already renewed this PHE once.”</li> </ul>	
<ul style="list-style-type: none"> <li>Three-fourths of the U.S. Citizenship and Immigration Services workforce — more than 13,000 employees — could be told as soon as June 24 that they face extended furloughs starting August 3.</li> </ul>	
<ul style="list-style-type: none"> <li>On June 24, Environmental Protection Agency (EPA) employees have the option to return to the office as the agency begins Phase 1 reopening of its Washington headquarters. EPA Spokesperson James Hewitt said employees "are encouraged to continue teleworking" while in Phase 1. "We do expect members of EPA's political leadership team to return to the office and those returning should follow CDC guidelines to ensure a safe work environment," he added. The reopening also applies to the EPA’s satellite office in Arlington, Va. Phase 1 will last at least two weeks, after which agency leadership will decide whether to move on to the next step.</li> </ul>	
<ul style="list-style-type: none"> <li>President Donald Trump is expected to extend through the end of 2020 foreign worker restrictions that were initially enacted in April due to COVID-19. The President will expand on the Executive Order blocking most people from receiving a permanent residency visa, or green card, by including most guest workers who come to the United States for temporary or seasonal work. However, the new order is expected to continue to have broad exemptions, including for healthcare professionals and those entering for law enforcement or national security reasons, which will be expanded to include those with economic interests. Foreign visitors from China, Europe, Brazil, Canada and Mexico have already been restricted, and most routine visa processing and refugee cases have been paused.</li> </ul>	

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<ul style="list-style-type: none"> <li>On June 21, White House Director of Trade and Manufacturing Policy Peter Navarro said in an interview that the White House is working to prepare for the possibility of a second wave of COVID-19 this fall. He indicated the Administration is filling the stockpile and doing everything it can to prepare for a possible influx of cases. Navarro’s announcement comes as virus numbers in the United States are on the rise. Nationwide, cases went up 15% over the last two weeks and cases are rising in 18 states across the South, West and Midwest. At least four states announced record-breaking numbers of new cases over Father’s Day weekend.</li> </ul>	
<ul style="list-style-type: none"> <li>President Donald Trump, Treasury Secretary Steven Mnuchin and Small Business Administrator Jovita Carranza hosted Governors Pete Ricketts, R-Neb., and Kevin Stitt, R-Okla., at the White House this afternoon for a <a href="#">roundtable discussion</a> with four small business owners about the reopening of America's small businesses.</li> </ul>	
<ul style="list-style-type: none"> <li>On June 16, the Trump administration announced the coronavirus vaccine will be provided free of charge to Americans who cannot afford it.</li> </ul>	
<ul style="list-style-type: none"> <li>In an <a href="#">interview</a> on June 14, Dr. Anthony Fauci, a leading member of the White House Coronavirus Task Force and the director of the National Institutes of Health’s (NIH) National Institute of Allergy and Infectious Diseases (NIAID), predicted that something resembling normal life in the United States would likely return in a year or so, adding that social distancing and other mitigation efforts would be necessary to control the pandemic through the fall and winter. He also indicated many states are reporting infections are higher than they were previously as several states begin to reopen and try to return to normal.</li> </ul>	
<ul style="list-style-type: none"> <li>Over the weekend of June 13, White House Trade Adviser Peter Navarro signaled that in the next relief package currently being considered President Donald Trump is looking for at least \$2 trillion to help buoy an economy devastated by the coronavirus pandemic. The White House also would like to see a “critical” payroll tax cut and a focus on bringing manufacturing jobs back to the U.S. in any further relief bill.</li> </ul>	
<ul style="list-style-type: none"> <li>The <a href="#">Center for American Progress released a report saying</a> those who kept the nation fed and the skeletal economy running during the worst of the global pandemic, are also those most likely to depend upon SNAP in order to feed their own families. The report found that nearly 14 percent of grocery store workers and 12 percent of those working in agriculture reported using SNAP benefits at some point in 2018, the year in which the data were gathered.</li> </ul>	
<ul style="list-style-type: none"> <li>The United States is expected to have a supply of at least 180 million N95 respirator masks each month from August through October, exceeding the estimated need of approximately 160 million for that period. The <a href="#">projections</a>, created by the White House Supply Chain Task Force and released by the office of Senator Maggie Hassan, D-N.H., also estimate needs for gowns, surgical masks, gloves and face shields, as well as how much the United States is expected to manufacture or import.</li> </ul>	
<ul style="list-style-type: none"> <li>Assistant Secretary for Preparedness and Response at the Department of Health and Human Services (HHS) Dr. Robert Kadlec indicated on June 8 that the U.S. supply of the COVID-19 treatment, remdesivir, is on pace to run out at the end</li> </ul>	

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<p>of the month. He added that manufacturer Gilead Sciences is scheduled to send the government a final shipment the week of June 29, but after that, the agency is unsure when it will get more. The federal government received over 600,000 vials of the drug in early May, which it planned to use over six weeks on 78,000 patients in the hardest-hit states. Kadlec added the Administration is working with Gilead to overcome supply chain challenges to obtain raw materials for manufacturing the drug.</p>	
<ul style="list-style-type: none"> <li>• During the June 5 signing ceremony of H.R. 7010 (116), which provides more flexibility to the Paycheck Protection Program (PPPR), President Donald Trump told those present that the administration will be pursuing several policies in the next COVID-19 legislation package, including a payroll tax cut, more stimulus money and additional aid for the restaurant and entertainment industries.</li> </ul>	
<ul style="list-style-type: none"> <li>• A senior Administration official said President Trump is planning to meet with his senior advisers as soon as prior to the end of the week of June 1 to discuss policy options for the next coronavirus relief package as the administration prepares for negotiations with Capitol Hill.</li> </ul>	
<ul style="list-style-type: none"> <li>• The Trump administration has said businesses can make diagnostic coronavirus tests and temperature checks a condition for returning to work. However, the administration has not yet answered key questions like when, or how often, to test workers or whether there should be a blanket testing policy for job seekers. Employers worried about this approach are asking Congress to give them broad legal protections in case workers or customers contract COVID-19.</li> </ul>	
<ul style="list-style-type: none"> <li>• Brett Giroir is stepping down as the coronavirus testing czar and returning to his regular job at the U.S. Department of Health and Human Services (HHS) later this month. HHS said he'll still be involved with testing work.</li> </ul>	
<ul style="list-style-type: none"> <li>• On May 29, President Donald Trump announced that the U.S. will terminate its relationship with the World Health Organization (WHO), which he has alleged is under Chinese control and failed to provide accurate information about the spread of the coronavirus.</li> </ul>	
<ul style="list-style-type: none"> <li>• As of May 28, White House officials have decided not to release updated economic projections this summer, opting against publishing forecasts that would almost certainly codify an administration assessment that the coronavirus pandemic has led to a severe economic downturn. Traditionally, the White House unveils a federal budget proposal every February and then typically provides a 'mid-session review' in July or August with updated projections on economic trends such as unemployment, inflation and economic growth. Budget experts say they are not aware of any previous White House opting against providing forecasts in this 'mid-session review' document in any other year since at least the 1970s.</li> </ul>	
<ul style="list-style-type: none"> <li>• On May 19, the White House issued an Executive Order directing federal agencies to aid businesses by “rescinding, modifying, waiving, or providing exemptions from regulations and other requirements that may inhibit economic recovery.” The Executive Order also directed agencies to ensure businesses, especially small businesses, have the confidence necessary to reopen by providing clear guidance and recognizing the efforts of businesses to comply with often-complex regulations. Read more about the executive order <a href="#">here</a>.</li> </ul>	

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<ul style="list-style-type: none"> <li>The Administration released its “<a href="#">COVID-19 Strategic Testing Plan</a>” to Congress on May 24 as required by law. The 81-page document is prepared by the Department of Health and Human Services (HHS) and holds individual states responsible for planning and carrying out all coronavirus testing. According to the report, the federal government’s role is to “enable innovation, help scale supplies, and provide strategic guidance,” while states, territories and tribes are ultimately responsible for setting and meeting testing goals, with some help from private companies.</li> </ul>	
<ul style="list-style-type: none"> <li>President Donald Trump signed on May 20 an <a href="#">executive order</a> directing federal agencies to address the current economic emergency by “rescinding, modifying, waiving, or providing exemptions from regulations and other requirements that may inhibit economic recovery.” The order also encourages agencies to recognize the “efforts of businesses to comply with often-complex regulations in complicated and swiftly changing circumstances” and commit “to fairness in administrative enforcement and adjudication.”</li> </ul>	
<ul style="list-style-type: none"> <li>At a White House briefing on the food supply chain on May 19, President Donald Trump announced the details of the United States Department of Agriculture’s (USDA) <a href="#">Coronavirus Food Assistance Program</a>, including \$16 billion in direct payments split between compensation for losses of both specialty and non-specialty crops in the first four months of the year as well as compensation through the Commodity Credit Corporation Charter Act.</li> </ul>	
<ul style="list-style-type: none"> <li>President Trump and Treasury Secretary Steven Mnuchin sent positive signals during a May 18 meeting with restaurant industry leaders seeking changes to the Paycheck Protection Program (PPP), which includes strict rules about how small businesses are allowed to use the emergency loans. Some of these changes include the ability to spend more of the loan money on non-payroll expenses and a “technical fix” with regard to the eight-week window to spend PPP loan funds.</li> </ul>	
<ul style="list-style-type: none"> <li>President Donald Trump met on May 18 with members of the restaurant industry at a roundtable meeting at the White House to discuss the impact of COVID-19. Attendees included chefs and other restaurant executives, as well as representatives of the Independent Restaurant Coalition, a group organized during the pandemic to represent the interests of independent restaurants around the country. The coalition’s leadership includes José Andrés, Sam Kass, Andrew Zimmerman and Tom Colicchio.</li> </ul>	
<ul style="list-style-type: none"> <li>President Donald Trump formally <a href="#">announced</a> on May 15 the appointment of Moncef Slaoui as chief advisor and General Gustave Perna as chief operating officer of Operation Warp Speed (OWS), the Administration's national program to accelerate development, manufacture and distribution of COVID-19 vaccines, therapeutics, and diagnostics. OWS aims to have large quantities of an effective vaccine available by January 2021.</li> </ul>	
<ul style="list-style-type: none"> <li>On May 14, the White House issued a <a href="#">Statement of Administration Policy</a> (SAP) opposing the HEROES Act. The SAP outlined White House priorities for future additional legislation – “a payroll tax holiday, safe-harbor provisions to protect businesses from frivolous lawsuits, permitting reform to facilitate infrastructure projects, and other policies to spur our economic comeback.”</li> </ul>	
<ul style="list-style-type: none"> <li>The Mexican federal government <a href="#">announced</a> it would ease restrictions on hundreds of counties starting on May 18 and move to gradually reopen the rest of the country on June 1. The announcement covers 15 states and include places with</li> </ul>	

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<p>no confirmed coronavirus cases in the counties as well as neighboring counties. In addition, three major Mexican states on the U.S. border, Chihuahua, Coahuila, and Nuevo Leon, are cleared to fully reopen on June 1. U.S. businesses with manufacturing facilities and suppliers in Mexico urged the Mexican government to ease its restrictions, warning of potential supply chain disruptions.</p>	
<ul style="list-style-type: none"> <li>• President Trump headed to Allentown, Pa., on May 14 to tour a medical equipment distributor.</li> </ul>	
<ul style="list-style-type: none"> <li>• The Trump administration is moving to extend its coronavirus border restrictions indefinitely. On March 21, the CDC imposed a 30-day restriction on all non-essential travel into the United States from Mexico and Canada, which was extended for another 30 days on April 20. A new order is currently under review and once issued by Centers for Disease Control and Prevention (CDC) Director Dr. Robert R. Redfield, the border restrictions would stay in effect until he decides the virus no longer poses a threat.</li> </ul>	
<ul style="list-style-type: none"> <li>• President Donald Trump plans to name Moncef Slaoui, the former head of GlaxoSmithKline’s vaccines division, and Gustave Perna, a four-star U.S. Army general, to lead a Manhattan Project-style effort to develop a vaccine for COVID-19. Slaoui and Perna will oversee the initiative, known as “Operation Warp Speed,” with a goal to produce 300 million doses of a COVID-19 vaccine by the end of 2020 by testing many different vaccine candidates and starting production before the vaccines complete clinical trials.</li> </ul>	
<ul style="list-style-type: none"> <li>• President Donald Trump addressed the nation's testing capabilities from the White House Rose Garden during an afternoon briefing on May 11. The briefing revealed the Administration’s plan to help states test at least 2% of their populations during May, amounting to at least 12.9 million tests, according to Brad Smith, director of the Center for Medicare and Medicaid Innovation. To meet this goal, the federal government is providing states with close to 13 million swabs and nearly 10 million tubes of chemicals used to transport testing samples. President Trump also revealed that the Administration plans to use a formula that considers a state’s number of infected citizens and total overall population to distribute the \$11 billion from the CARES Act slated for state testing efforts.</li> </ul>	
<ul style="list-style-type: none"> <li>• While Congress continues to build a “CARES 2” proposal, as of May 11 the White House sees action on another stimulus package bill being six to eight weeks away —although that timeline could change.</li> </ul>	
<ul style="list-style-type: none"> <li>• President Trump is visiting Philadelphia later in the week of May 11 and plans to hold an event focused on highlighting the government’s preparations for a fall surge of COVID-19 cases. Part of that effort will begin at a 4 p.m. press briefing on May 11.</li> </ul>	
<ul style="list-style-type: none"> <li>• ABA joined other food and consumer products trade groups today in sending a letter to Vice President Mike Pence asking for more guidance on the steps they should take as they prepare to reopen. You can read the letter <a href="#">here</a>.</li> </ul>	

## COVID-19 Update: Federal Developments – Federal Government

<ul style="list-style-type: none"> <li>In Oval Office remarks honoring nurses made on May 6, President Donald Trump reversed comments made earlier in the week about the Administration phasing out the White House’s coronavirus task force and shifting the efforts to individual departments and agencies. The President said he received numerous calls urging him to keep the group in place for the foreseeable future, but said two or three people would be added and an announcement would be made on May 11. He added a few people who had been involved in things such as procuring ventilators and building facilities for beds may take a lesser role.</li> </ul>	
<ul style="list-style-type: none"> <li>During the week of May 11, the House Energy and Commerce Committee will hear the testimony of Rick Bright, the former chief of the Biomedical Advanced Research and Development Agency. Bright filed a whistleblower complaint on May 5 .</li> </ul>	
<ul style="list-style-type: none"> <li>President Donald Trump took part in a <a href="#">Fox News virtual town hall</a> – “America Together: Returning to Work” – on the evening of May 3. He said the administration is not “doing anything” legislatively without a payroll tax cut and that he is “very confident” there would be a vaccine by the end of the year.</li> </ul>	
<ul style="list-style-type: none"> <li>The White House’s 30-day social distancing guidelines expired April 30.</li> </ul>	
<ul style="list-style-type: none"> <li>President Trump signed a proclamation on April 30 to declare May 'Older Americans Month,' outlining steps to protect seniors from the coronavirus.</li> </ul>	
<ul style="list-style-type: none"> <li>President Donald Trump will participate in “America Together: Returning to Work,” a virtual town hall to be televised live from the Lincoln Memorial on the evening of May 3.</li> </ul>	
<ul style="list-style-type: none"> <li>The White House Office of Intergovernmental Affairs held a National COVID-19 briefing call late in the afternoon of April 29. The call was for state, local, county and municipal officials. No further information is available.</li> </ul>	
<ul style="list-style-type: none"> <li>The Administration has released an <a href="#">Action Plan</a> for the expansion of COVID-19 testing and a <a href="#">Testing Blueprint</a> for states as they expand testing capabilities. Vice President Mike Pence indicated the Blueprint for testing is a “continuation” of the Administration’s April 16 reopening guidelines for states. Dr. Anthony Fauci said the United States should “at least double” coronavirus testing. Partners in the effort include Walgreens, Walmart, CVS, Rite Aid, Kroger, Thermo Fisher, U.S. Cotton, LabCorp, Quest Diagnostics and the American Clinical Laboratory Association.             <ul style="list-style-type: none"> <li>CVS Health expects to have 1,000 testing locations capable of conducting 1.5 million tests per month fully operational by the end of May. Testing will be scheduled online and will occur in parking lots or in drive-thru windows, not in CVS stores.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>The Trump Administration notified Congress on April 24 that the U.S.-Mexico-Canada Agreement (USMCA) will take effect on July 1.</li> </ul>	

## COVID-19 Update: Federal Developments – Federal Government

<ul style="list-style-type: none"> <li>• President Trump is expected to sign an Executive Order today blocking some individuals for 60 days from receiving a permanent residency visa or green card. However, the order will include exemptions, including visas for temporary employees, including farm laborers, a carve out for essential employees, including health care workers, and immigrants who come into the United States through immediate family members.</li> </ul>	
<ul style="list-style-type: none"> <li>• President Trump announced late on April 20 that he plans to issue an Executive Order suspending immigration into the country. The Department of Homeland Security is still drafting the order; the parameters of this suspension are not yet clear.</li> </ul>	
<ul style="list-style-type: none"> <li>• The White House released an <a href="#">Executive Order</a> on April 19 asserting the legal authority for Customs and Border Patrol (CBP) to defer duty payments. Additionally, CBP <a href="#">released guidance</a> detailing the scope of the 90-day duty deferral, clarifying deferrals only apply to payment of Most Favored Nation (MFN) duties and importers must be experiencing “significant financial hardship” due to COVID-19.</li> </ul>	
<ul style="list-style-type: none"> <li>• The Office of Management and Budget (OMB) and Office of Personnel Management (OPM) on April 20 <a href="#">released guidelines</a> regarding reopening of the federal government, mirroring the three-phase national reopening guidelines. Agencies are encouraged to continue mandatory telework whenever feasible with agency needs before returning to optimized operations. The availability of hygiene supplies, maintenance of facility cleanliness, and ability to maintain social distancing to the extent practical should be considered.</li> </ul>	
<ul style="list-style-type: none"> <li>• On April 16, President Trump unveiled guidelines for “<a href="#">Opening Up America Again.</a>” The guidelines provide governors and local leaders criteria – symptoms, cases and hospital capacity – and a phased approach to consider in deciding when and how to lift stay at home restrictions.</li> </ul>	
<ul style="list-style-type: none"> <li>• On April 15, ABA joined the larger food and beverage industry in asking the U.S. Department of Agriculture (USDA) to extend the compliance date for the National Bioengineered Food Disclosure Standard (NBFDS or rule). This extension is being sought because the food and beverage industry and regulatory agencies are necessarily focused on COVID-19 and unable to devote resources to new labeling schemes. Read the letter <a href="#">here</a>.</li> </ul>	
<ul style="list-style-type: none"> <li>• On April 14, President Trump announced the creation of the Great American Economic Revival Industry Groups. This group includes two ABA member company representatives — The Coca-Cola Company’s James Quincey and PepsiCo’s Ramon Laguarta. <a href="#">See full announcement here.</a></li> </ul>	
<ul style="list-style-type: none"> <li>• On April 8, President Trump unveiled a new hashtag to highlight Americans helping one another during the coronavirus pandemic. The President will use the #AmericaWorksTogether hashtag to promote companies that are hiring employees in the middle of the economic turmoil caused by COVID-19, as well as those who are donating food and other supplies to front line healthcare workers.</li> </ul>	
<ul style="list-style-type: none"> <li>• On March 29, President Trump extended the social distancing <a href="#">guidance</a> to April 30.</li> </ul>	

## COVID-19 Update: Federal Developments – Federal Government

<ul style="list-style-type: none"> <li>The implementation of the new North American trade pact – the U.S.–Mexico-Canada Agreement (USMCA) – may be delayed past the June 1 deadline. Each of the three countries are due to exchange letters before April 1 certifying that they’ve met all their obligations needed for the deal to enter into force — namely, developing uniform standards for automotive rules of origin. If these letters are not exchanged on time, it could push overall implementation to mid-summer at the earliest. This delay is being attributed to COVID-19.</li> </ul>	
<ul style="list-style-type: none"> <li>At the request of the American Trucking Association, the Fraternal Order of Police sent a <a href="#">letter</a> to the President requesting that truck drivers, truck stop and rest area workers, maintenance and repair technicians, dispatchers, towing/recovery and roadside assistance workers, warehouse workers, and intermodal transportation personnel be considered essential critical infrastructure workers for the duration of the COVID-19 pandemic. They urged that the guidelines defining essential critical infrastructure workers that were issued by the U.S. Department of Homeland Security be consistently applied by all State and local governments.</li> </ul>	
<ul style="list-style-type: none"> <li>On March 18, ABA sent a <a href="#">letter</a> to the Trump Administration requesting specific actions to assist the industry and others in food and beverage manufacturing and distribution in operating their businesses effectively in order to meet critical needs during this national emergency. They include: essential services exemptions to ensure continuous delivery of essential services; federal action on truck weight restricts to deliver more essential goods; and clarification on hours of service guidance issued earlier this week by the Federal Motor Carrier Safety Administration (FMCSA). The letter was sent to targeted media outlets, all of which covered: <a href="#">Politico Influence Newsletter</a>, <a href="#">Beverage Digest</a> and <a href="#">BevNet</a>.</li> </ul>	
<ul style="list-style-type: none"> <li>As more states like California and New York are ordering its millions of residents to stay home because of the coronavirus, the U.S. Department of Homeland Security (DHS) has listed which industries and workers are “essential” to fighting the pandemic. See <a href="#">here</a> for the list.</li> </ul>	
<ul style="list-style-type: none"> <li>Federal workers have been given maximum flexibility to telework.</li> </ul>	