

Coronavirus— Congressional Action



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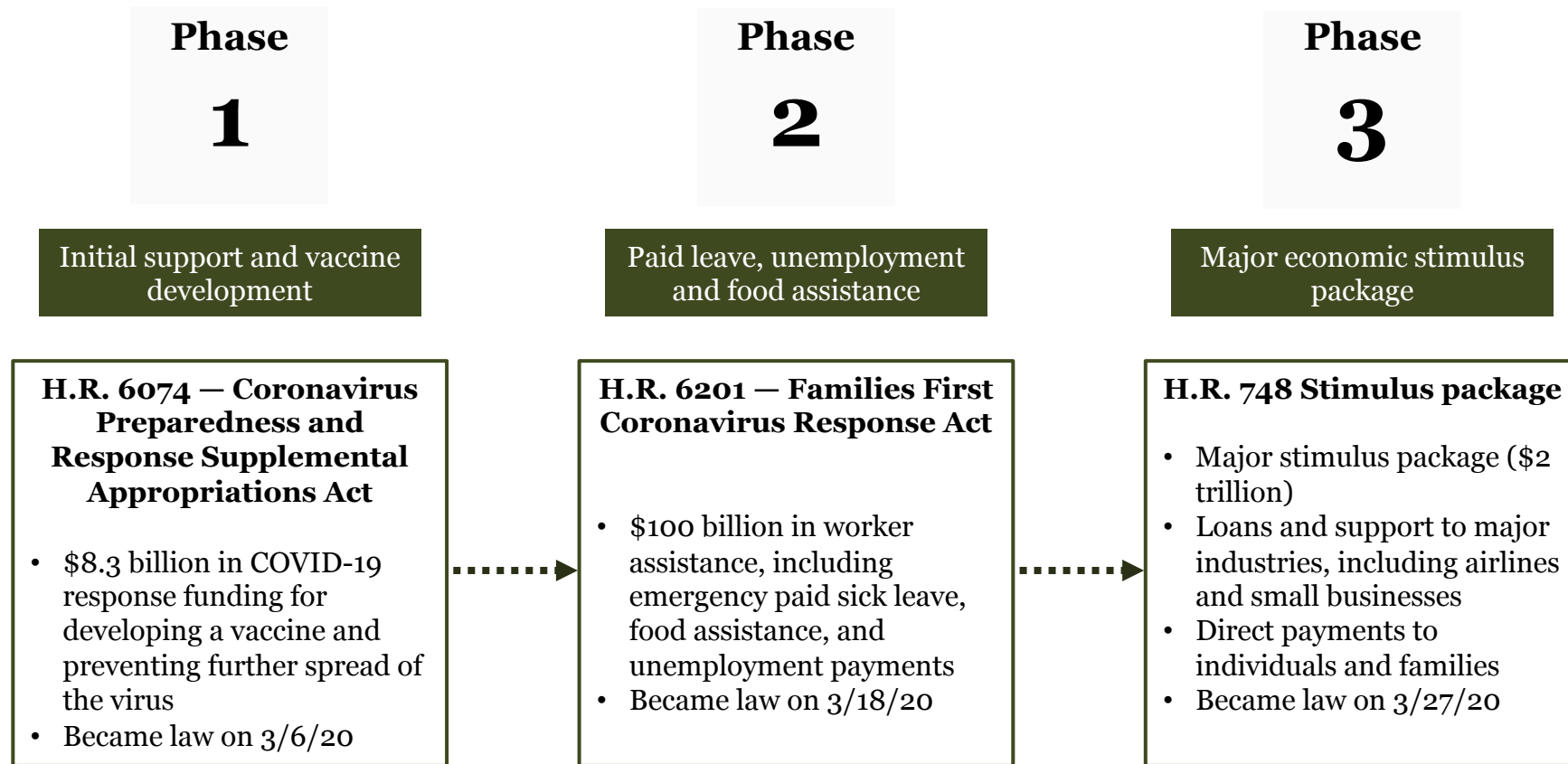
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Information on Congress' response to the coronavirus crisis, including bill summaries, proposed changes to voting procedure, and age breakdown of the 116th Congress.

March 27, 2020



Congress's three-phase response to the coronavirus crisis



Sources: The Wall Street Journal, The Washington Post, Congress.gov.

Zachary Goldstein | Slide last updated on: March 27, 2020

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Phase 1 (H.R. 6074): Coronavirus Preparedness & Response Supplemental Appropriations Act



Rep. Nita Lowey
(D-NY-17)
Bill sponsor

Votes in Congress

- **House:** Passed with a vote of 415-2
- **Senate:** Passed with a vote of 96-1

Bill overview

- Provides \$8.3 billion in emergency funding in response to the coronavirus outbreak for:
 - The development and manufacturing of vaccines and other supplies
 - State, local and tribal public health agencies
 - Loans for affected small businesses
 - Evacuations and emergency preparedness activities
 - Humanitarian assistance for affected countries
- The supplemental appropriations will be provided to the FDA, CDC, NIH, Public Health and Social Services Emergency Fund, Small Business Administration, Department of State, and USAID
- Designates the supplemental appropriations as emergency spending, which is exempt from discretionary spending limits



Phase 2 (H.R. 6201): Families First Coronavirus Response Act



Rep. Nita Lowey
(D-NY-17)
Bill sponsor

Co-sponsors: 6



Votes in Congress

- **House:** Passed with a vote of 363-40
- **Senate:** Passed with a vote of 90-8

Bill overview

- Creates a **federal emergency paid leave program** administered by SSA
- Provides funds for nutrition assistance, including \$500 million for WIC and \$400 million for TEFAP
- Includes \$5 million for the Department of Labor to administer an emergency paid sick days program and \$250 for the Senior Nutrition Program in the Administration for Community Living
- Offers provisions to ensure children's access to school lunches
- Suspends SNAP work requirements
- Requires OSHA to issue an ETS requiring employers in the health care sector to develop a comprehensive exposure control plan to protect workers from COVID-19
- Offers states \$1 billion for emergency grants and interest-free loans to support processing and paying unemployment insurance
- Requires private insurers to expand coverage of certain COVID-19 related expenses



Phase 3 (H.R. 748): Middle Class Health Benefits Tax Repeal Act (Vehicle for third coronavirus package)



Total cost: \$2 trillion

- **Direct payments to individuals:**

- \$1,200 per adult, with an additional \$500 per child
- The full amount will go to individuals who earn >\$75,000/year or \$150,000 for married couples; the payments scale down for higher-earning individuals, phasing out completely at \$99,000 for individuals, \$146,500 for heads of households with one child, and \$198,000 for joint filers without children

- **Hospital investments**

- \$100 billion for hospitals
- \$1 billion to Indian Health Service
- \$16 billion for building a stockpile of medical equipment
- Increases reimbursements by 20% for treating Medicare patients with coronavirus

- **\$500 billion lending funds for industries, states, and localities**

- Loans for companies with more than 500 employees
- \$25 billion in loans to airlines; \$4 billion to cargo carriers
- Bans loans to businesses owned by the president, vice president, heads of executive departments, or members of Congress

- **\$350 billion in loans for small businesses**

- Loans to small businesses would be forgiven if payrolls are maintained
- **Unemployment benefits increased \$600/week for four months**
- **New Treasury IG and Congressional Oversight Board**
- **State and Local Funds**
 - \$150 billion for state and local funds, including \$8 billion for tribal governments



Responding to the coronavirus crisis will limit negotiating time for other legislative priorities

Upcoming legislative deadlines

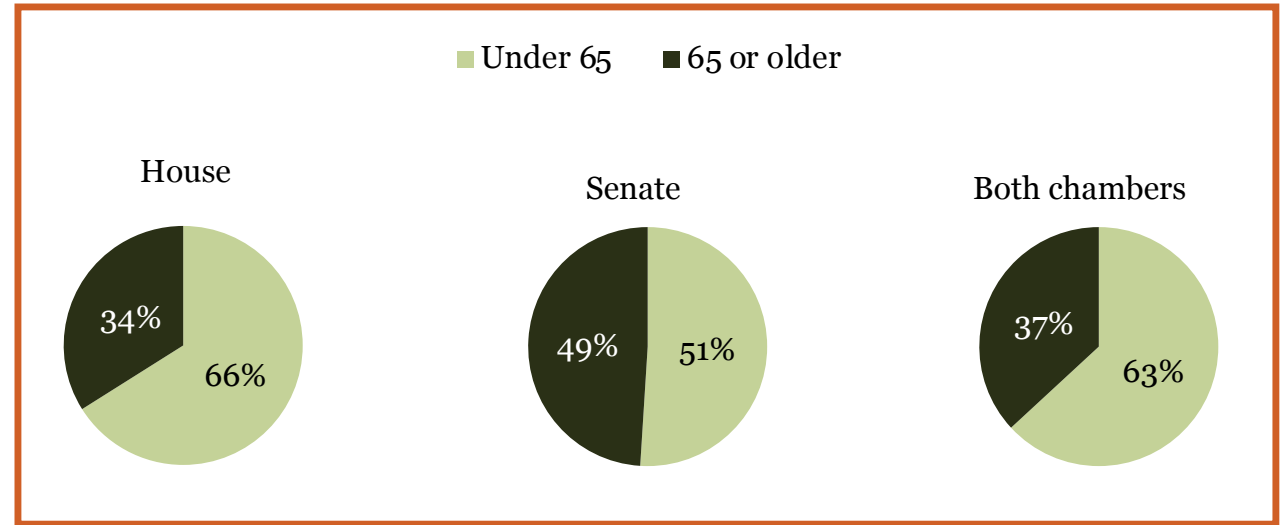
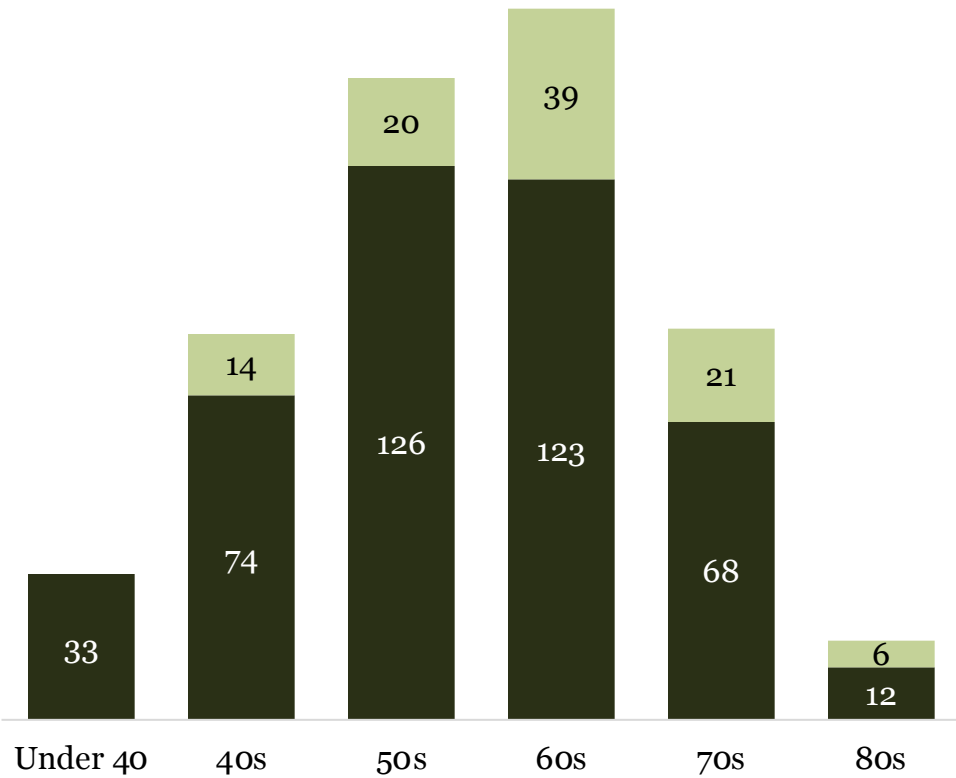
Topic	Expiration date	Description
FISA Reauthorization	March 15, 2020	<ul style="list-style-type: none">Four FISA provisions—the “roving wiretap” provision, “lone wolf” provision, “business records” provision, and “call detail records” program—were temporarily extended in the 2019 Continuing Resolution
TANF & CCES Reauthorization	May 22, 2020	<ul style="list-style-type: none">Temporary Assistance for Needy Families (TANF) programs and the Child Care Entitlement to States (CCES) provide child care assistance for low-income families
Health Extenders	May 22, 2020	<ul style="list-style-type: none">Various Medicare and Medicaid policies are set to expire, including the community mental health services demonstration program
Appropriations	Sept. 30, 2020	<ul style="list-style-type: none">The House and Senate began hearings from Fiscal Year 2021 appropriations, although work on coronavirus could delay some negotiations

- The Senate passed a 77 day extension of 3 out of 4 provisions (excluded call detail records)
- The new deadline would be May 30th
- S.3501 passed the Senate on March 16th and would be retroactive to March 14th



Age breakdown of the 116th Congress

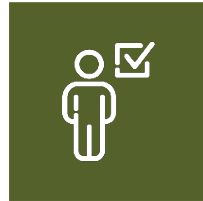
■ House ■ Senate



*Includes the non-voting representative from D.C. Sources: National Journal Almanac



Congress is contemplating new voting procedures during the COVID-19 outbreak



Current procedures

Unanimous consent

- All members agree to a motion without voting
- One member can block the motion

Roll call voting

- Each member must enter the chamber and verbally or physically announce their vote
- All Senate votes take place this way

Vote by electronic device - only in House

- Members insert a card into devices located throughout the chamber and then press a button to vote



Changes proposed

Vote by proxy

- A member of Congress allows another member to vote for them in their absence
- Currently allowed in Senate committee votes

Remote voting

- Voting online or by phone from any location

Extended voting periods

- Elongating the time allowed for voting to reduce crowding in the chambers

Raising unanimous consent threshold

- Requiring more than one member to object for a UC motion to be blocked

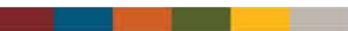




The mission of the Federal Bar Association is to strengthen the federal legal system and administration of justice by serving the interests and the needs of the federal practitioner, both public and private, the federal judiciary and the public they serve.

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