TO: NAW Direct Members

FROM: NAW Government Relations Team

RE: NAW Critical Update Number 102 – October 19 at 4:00 PM

1. **Latest on the Next Congressional Pandemic Relief Package**

    This week, the Senate will vote on Republican proposals for a roughly $500 billion COVID-19 relief bill and additional funding to aid small businesses. A standalone vote on more funds for the Paycheck Protection Program will be held tomorrow, followed by the main relief bill on Wednesday. Both bills are purely messaging and not expected to become law. NAW continues to work with our trade association allies for passage of a new relief measure that includes liability protection, protects the business tax credits included in the CARES bill, and restarts and/or expands the PPP.

    To read a one-page summary GOP Continuing Paycheck Protection Program Act, click **HERE**.

    To read a section-by-section of the GOP Targeted Relief Bill, click **HERE**.

    House Speaker Nancy Pelosi set a deadline of tomorrow to reach an agreement with the White House on a much larger coronavirus relief package. This is complicated as Treasury Secretary Steven Mnuchin, the White House's lead negotiator, is traveling to Israel, Bahrain and the UAE this week. However, the two are expected to speak by phone later this afternoon. President Trump said he's ready to match the $2.2 trillion spending levels demanded by Democrats -- or go higher -- despite repeated warnings by Leader McConnell that most GOP senators will oppose a measure that big.

    Speaker Pelosi said yesterday on ABC's "This Week" the two sides are still haggling over language on a national plan to control the virus. Differences also remain on several key issues, including aid to states and GOP demands for an employer liability shield, which have stalled a deal for months.

    Tomorrow's deadline "only relates to if we want to get it done before the election, which we do," Speaker Pelosi said, indicating they could continue talking about passing a stimulus measure after November 3.

The House is not scheduled to be back in session until after the November election, however, House Majority Leader Hoyer has advised his members that they may still be called back this month if a deal comes together at the last minute.

2. Latest on Paycheck Protection Program

According to a story in the *Wall Street Journal*, the Treasury Department privately encouraged lenders to prioritize existing customers when issuing loans for the federal government's small-business coronavirus aid program, according to a House report released Friday by a Democratic-led congressional oversight subcommittee.

The Treasury Department, which helped run the program along with the Small Business Administration, denied to the subcommittee that it had told banks to prioritize existing customers, the report said. The report said that documents obtained by the subcommittee show the Treasury Department instructed PPP lenders to "go to their existing customer base" when issuing the loans.

The SBA had no immediate comment Friday. To read the full story in the *WSJ*, click **HERE**.

3. Latest on the Main Street Lending Program

According to a story in the *Washington Post*, hundreds of billions of dollars already set aside by lawmakers to support the Federal Reserve's emergency aid programs may never be touched.

In March, Congress allotted $454 billion to the Treasury Department to support the central bank's emergency lending programs, including those for struggling businesses and local governments. Of that pot, only $195 billion has been specifically committed to cover any losses the Fed might take, including those loans that companies fail to repay. Seven months into the crisis, the remaining $259 billion still has not been committed to any of the Fed's specific programs or for any other purpose, and it is unlikely that it will be anytime soon.

The Fed's Main Street Lending Program has the capacity to issue up to $600 billion in loans to midsize businesses. But for months, businesses and banks have said that the program's rules are so restrictive that companies desperately in need of a lifeline are being turned away. The ongoing question is whether the Fed and Treasury can agree on a new set of rules to significantly expand the reach of the program, although the Treasury Department has favored a more conservative approach in the past. To read the full *Washington Post* story, click **HERE**.

4. **Latest on Economic Recovery and Re-Opening the Workplace**

As the Coronavirus Pandemic continues to impact the United States economy and businesses across the nation, it can be hard to decipher how new regulations and laws may impact your business. To help you manage these issues NAW is providing information about reports, webinars and seminars that you may find useful:

Webinar from *Littler Law Firm*:
Changes to Family Medical and Sick Leave Obligations in the Time of COVID-19
Thursday, October 22, 2020 | 8:45 am-10:00 am EDT

Before the COVID-19 pandemic situation, employers were already struggling to comply with myriad employee leave obligations. With the passage of the federal Families First Coronavirus Response Act (FFCRA) and local "emergency" paid sick leave laws, an additional level of complexity has been added to their necessary compliance efforts. This session will provide key insights into how employers can manage medical and sick leave obligations now and in the future. To register for this webinar, click **HERE**.

From *Littler Law Firm*:
Recent Developments and Compliance Challenges

It is apparent that COVID-19 is going to dominate employment and labor law issues for the foreseeable future, and the laws relating to the pandemic are changing virtually every day.

To address evolving labor and employment law challenges, Littler offers a COVID-19 webinar on the first Friday of each month. The series is designed so that business leaders, human resources professionals, and in-house counsel can stay current with the best thinking that Littler has to offer during the crisis. To watch their latest webinar, click **HERE**.

From the Department of Labor:
U.S. DEPARTMENT OF LABOR’S OSHA ANNOUNCES $1,222,156 IN CORONAVIRUS VIOLATIONS

Since the start of the coronavirus pandemic through October 8, 2020, the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has cited 85 establishments for violations relating to coronavirus, resulting in proposed penalties totaling $1,222,156.

OSHA inspections have resulted in the agency citing employers for violations, including failures to:

- Implement a written respiratory protection program;
- Provide a medical evaluation, respirator fit test, training on the proper use of a respirator and personal protective equipment;
- Report an injury, illness or fatality;
- Record an injury or illness on OSHA recordkeeping forms; and
- Comply with the General Duty Clause of the Occupational Safety and Health Act of 1970

OSHA has already announced citations relating to 62 establishments, which can be found at dol.gov/newsroom. OSHA provides more information about individual citations at its Establishment Search website, which it updates periodically.

Stateside Associates publishes a daily report about State and Local Government responses to the evolving situation. To read their latest report, click **HERE**.

We are also providing a link to a spreadsheet that includes state and local COVID-19 response information provided by ***MultiState Associates.*** To view their spreadsheet, click **HERE**.

Click here *for links to Critical Updates sent previously.*

Many thanks—

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