

Summary of Significant Federal Actions Related to COVID-19

For more information, please visit the following websites:

- <https://www.whitehouse.gov/>
- <https://www.whitehouse.gov/presidential-actions/>
- <https://www.federalregister.gov/presidential-documents/executive-orders/donald-trump/2020>
- <https://www.congress.gov>
- <https://www.coronavirus.gov/>

Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019

- Directs that up to \$44 billion from the Department of Homeland Security's Disaster Relief Fund (DRF) be made available for lost wages assistance to eligible claimants. Sets aside at least \$25 billion in DRF funding to support ongoing disaster response and recovery efforts.
- Calls on States to provide temporarily enhanced assistance to those whose jobs or wages have been adversely impacted by COVID-19. Allows such assistance to be applied to the State's cost share with Federal DRF funding. Recommends that States identify other funding sources to keep the enhanced aid going until December 27, 2020, in case the federal funding is depleted.
- Directs other federal agencies to provide additional assistance, subject to certain requirements, as needed.
- This Memorandum was issued by President Trump on August 8, 2020.

Memorandum on Deferring Payroll Tax Obligations in Light of the Ongoing COVID-19 Disaster

- Directs the Secretary of the Treasury to defer the withholding, deposit and payment of certain payroll taxes beginning

September 1, 2020 through December 31, 2020, subject to certain conditions.

- Requires the Secretary of the Treasury to explore avenues to eliminate the obligation to pay the deferred taxes.
- This Memorandum was issued by President Trump on August 8, 2020.

Executive Order on Fighting the Spread of COVID-19 by Providing Assistance to Renters and Homeowners

- Requires the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention to consider whether any measures temporarily halting residential evictions for failure to pay rent are reasonably necessary to prevent the spread of COVID-19 from one State to another.
- Requires the Secretary of the Treasury and the Secretary of Housing and Urban Development to identify funding to provide temporary financial assistance to renters and homeowners struggling to meet their rental or mortgage obligations because of financial hardships caused by COVID-19.
- Requires certain federal agencies to promote the ability of renters and homeowners to avoid eviction or foreclosure resulting from financial hardship caused by COVID-19.
- This Executive Order was issued by President Trump on August 8, 2020.

Memorandum on Continued Student Loan Payment Relief During the COVID-19 Pandemic

- Requires the Secretary of Education to take action related to extending student loan payment relief until December 31, 2020.

- This Memorandum was issued by President Trump on August 8, 2020.

Executive Order 13917: Delegating Authority Under the Defense Production Act With Respect to Food Supply Chain Resources During the National Emergency Caused by the Outbreak of COVID-19

- Finds that the meat and poultry industry meets the criteria of the Defense Production Act in order to help ensure a continued supply of protein to Americans.
- Requires the Secretary of Agriculture to take all appropriate actions to ensure meat and poultry processors continue operations.

Paycheck Protection Program and Health Care Enhancement Act

- The Paycheck Protection Program and Health Care Enhancement Act (the “Act”) provides additional funding for small business loans, health care and COVID-19 testing in response to the ongoing COVID-19 public health emergency.
- The Act was signed into law by President Trump on April 24, 2020. For a copy of the Act, please visit <https://www.congress.gov/116/bills/hr266/BILLS-116hr266enr.pdf>.

Proclamation Suspending Entry of Immigrants Who Present Risk to the U.S. Labor Market During the Economic Recovery Following the 2019 COVID-19 Outbreak

- Prohibits immigration into the United States for those who:
 - Are outside the United States beginning April 23, 2020 at 11:59 PM (Eastern Daylight Time); AND
 - Do not have a valid immigrant visa; AND

- Do not have a valid official travel document other than a visa that permits travel to the United States and seek entry or admission.
- This prohibition does not apply to:
 - Any lawful permanent resident of the United States.
 - Anyone seeking to enter on an immigrant visa as a healthcare professional to assist with COVID-19 or that person's spouse and any unmarried children under 21.
 - Anyone applying for an EB-5 Immigrant Investor Program visa.
 - Spouses, children under 21, and prospective adoptees of United States' citizens.
 - Anyone who furthers important United States law enforcement objectives.
 - Members of the United States Armed Forces, their spouses and their children.
 - Anyone seeking a Special Immigrant Visa in the SI or SQ classification, along with their spouse and children.
 - Anyone whose entry would be in the national interest.
- This Proclamation was signed by President Trump on April 22, 2020 and takes effect beginning April 23, 2020 at 11:59 PM (Eastern Daylight Time) and will expire 60 days from that time, unless renewed. To review a full copy of the Proclamation, please visit <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-immigrants-present-risk-u-s-labor-market-economic-recovery-following-covid-19-outbreak/>.

Executive Order 13916: National Emergency Authority to Temporarily Extend Deadlines for Certain Estimated Payments

- Requires the Secretary of the Treasury to consider taking appropriate action to temporarily extend deadlines for importers that are suffering significant financial hardship due to COVID-19.
- This Executive Order was signed by President Trump on April 18, 2020.

Opening Up America Again Guidelines

- On April 16, 2020, President Trump unveiled Guidelines for Opening Up America Again, a three-phased approach for lifting government restrictions put in place in response to COVID-19. These guidelines are to be implemented either on a statewide or county-by-county basis as decided by each state's governor.
- The following proposed state or regional gating criteria are recommended prerequisites to the proposed phased comeback outlined below:
 - There is a downward trajectory of reported flu-like symptoms within a 14-day period; AND
 - There is a downward trajectory of reported COVID-19-like syndromic cases within a 14-day period; AND
 - There is a downward trajectory of documented COVID-19 cases within a 14-day period or there is a downward trajectory of COVID-19 positive tests as a percent of total tests within a 14-day period (flat or increasing volume of tests); AND
 - Hospitals are able to treat all patients without crisis care; AND
 - There is a robust testing program in place for at-risk healthcare workers (which could include antibody testing).
- **Phase One:**

- All vulnerable individuals, including elderly individuals and those with serious underlying health conditions (such as high blood pressure, chronic lung disease, diabetes, obesity, asthma and those with compromised immune systems) should continue sheltering in place.
 - When in public, all individuals should maximize physical distancing and gather in groups of no more than ten people.
 - Non-essential travel should be minimized.
 - Employers should continue to encourage telework, return to work in phases, close common areas in the workplace, minimize non-essential travel and strongly consider special accommodations for vulnerable employees.
 - Schools, daycare, youth camps, etc. should remain closed.
 - Hospital and senior living visitation should be prohibited.
 - Large venues may operate under strict physical distancing protocols.
 - Elective surgeries may resume on an outpatient basis.
 - Bars should remain closed.
 - Gyms may reopen if they can do so with physical distancing and sanitation protocols.
- **Phase Two:**
 - All vulnerable individuals should continue sheltering in place.
 - When in public, all individuals should maximize physical distancing and gather in groups of no more than 50 people.

- Non-essential travel may resume.
- Employers should continue to encourage telework, close common areas in the workplace and strongly consider special accommodations for vulnerable employees.
- Schools, daycare, youth camps, etc. may reopen.
- Hospital and senior living visitation should be prohibited.
- Large venues may operate under moderate physical distancing protocols.
- Elective surgeries may resume on an outpatient basis.
- Bars may reopen with diminished standing-room occupancy where appropriate.
- Gyms may reopen if they can do so with physical distancing and sanitation protocols.

- **Phase Three:**

- All vulnerable individuals may resume public interactions, but should practice physical distancing and other precautionary measures.
- Low-risk individuals should consider minimizing time spent in crowded areas
- Employers may resume unrestricted staffing of the workplace.
- Hospital and senior living visitation may resume.
- Large venues may operate under limited physical distancing protocols.

- Bars may reopen with increased standing room, where appropriate.
- Gyms may reopen if they can do so with standard sanitation protocols.
- The President's Guidelines also establish (1) core state preparedness responsibilities related to testing and contact tracing, healthcare system capacity and planning, (2) guidance for individuals during all phases, including practicing good hygiene and staying home if you feel sick and (3) guidance for employers during all phases, including developing appropriate policies, monitoring symptoms and developing contact-tracing procedures.
- For a copy of the Guidelines, please visit <https://www.whitehouse.gov/openingamerica/>.

Interim Guidance for Critical Workers

- On April 8, 2020, the Centers for Disease Control and Prevention (CDC) issued interim guidance stating that critical infrastructure workers may continue working even after being exposed to COVID-19, provided that they are not showing symptoms and that they take additional precautions to protect themselves and others. This guidance is designed to ensure that essential functions continue operating.
- Critical infrastructure workers include, but are not limited to, the following:
 - Law enforcement personnel.
 - 911 call center employees.
 - Fusion center employees.
 - Hazardous material responders (government and private).

- Janitorial or custodial staff.
- Workers in the following industries: (1) food and agriculture, (2) critical manufacturing, (3) information technology, (4) transportation, (5) energy and (6) government facilities.
- Critical workers who have been exposed to COVID-19 but remain asymptomatic should do the following prior to and during their work:
 - Pre-screen – employers should assess the employee’s temperature and asses symptoms prior to starting work.
 - Regular monitoring – employees should self-monitor for any symptoms while working.
 - Wear a mask – employees should wear a face mask at all times while working for at least 14 days after being exposed to COVID-19.
 - Social distance – employees should maintain at least six feet of distance from others to the extent possible.
 - Disinfect and clean – equipment and all areas in the workspace should be cleaned and disinfected routinely.
- For more information, please visit <https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>.

Major Disaster Declaration for Arizona

- On April 1, 2020, Governor Ducey wrote a letter to President Trump requesting a Presidential Major Disaster Declaration that would give Arizona access to more federal resources in responding to COVID-19.
- On April 4, 2020, President Trump approved a Presidential Major Disaster Declaration for the State of Arizona.

Recommendation to Wear Cloth Face Coverings

- Drawing upon recent studies showing that COVID-19 can be spread by individuals showing no symptoms, the Centers for Disease Control and Prevention issued a recommendation on April 3, 2020 to wear cloth face coverings in public settings where it may be difficult to practice social distancing, such as in grocery stores or at pharmacies. This is especially recommended in areas where there is significant community-based transmission.
- Cloth face coverings are recommended in order to save face masks for healthcare workers and other healthcare first responders.
- This recommendation does not replace the President's Coronavirus Guidelines for America.
- For more information, please visit <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>.

Coronavirus Guidelines for America

- On March 16, 2020, President Trump and the White House Coronavirus Task Force issued guidance to all Americans to help protect people in response to COVID-19. This guidance applies for 15 days to help slow the spread of COVID-19.
- On March 29, 2020, President Trump extended the effective period of the coronavirus guidelines to April 30, 2020, and the Guidelines were updated on March 31, 2020.
- A copy of the guidelines can be found here: <https://www.whitehouse.gov/>.

Coronavirus Aid, Relief, and Economic Security Act (CARES Act)

- Provides emergency assistance to combat the effects of the COVID-19 pandemic.

- **Individuals and families:**

- The CARES Act establishes and provides funding for a tax credit to individuals and families as follows:
 - For individuals, the lesser of either that individual's net income tax liability or \$1,200 (\$2,400 for joint filers). The amount will not be less than \$600 per individual (\$1,200 for joint filers).
 - \$500 per qualifying child.
- The tax credit is reduced by five percent (but not reduced to zero) of so much of an individual's adjusted gross income exceeding \$75,000 (\$150,000 for joint filers).
- The Act requires the tax credit to be made as rapidly as possible.

- **Businesses:**

- Authorizes emergency loans and loan guarantees to distressed businesses, including the airline industry, as a result of COVID-19. Airlines receiving loans may be required to maintain scheduled air transportation services as deemed necessary by the Secretary of Transportation.
- Establishes and provides funding for interruption loans for small businesses (businesses with less than 500 employees) for payroll support, mortgage payments or rent, utilities and any other debt obligations incurred prior to March 1, 2020. The loan may be forgiven if the business meets certain qualifications.
- Establishes grants for the purpose of providing education, training and other assistance related to COVID-19 to small businesses.

- **Education:**

- Temporarily suspends all student-loan payments for three months without the accrual of interest during that time.
- Allows for deferred payment for institution loans.
- Revises provisions related to campus-based aid, supplemental educational-opportunity grants, federal work-study, subsidized loans, Pell grants and foreign institutions.

- **Tax-related provisions:**

- Delays certain tax filing deadlines, including estimated tax payments for corporations and the payment of employer payroll taxes.
- Establishes special coronavirus-related rules for certain tax-favored withdrawals from retirement plans, and revises other tax provisions, such as those governing charitable deductions, losses and business interest.
- Suspends certain aviation excise taxes.

- **Health care:**

- Expands health-insurance coverage and prohibits any cost-sharing requirements for diagnostic testing for COVID-19.
- Requires rapid coverage of preventative services and vaccines for COVID-19.
- Provides funding for the prevention, diagnosis and treatment of COVID-19.
- Limits liability for volunteer healthcare professionals during the COVID-19 public health emergency.

- Prioritizes Food and Drug Administration's (FDA) review of certain drugs and allows emergency use of certain non-FDA approved diagnostic tests during the COVID-19 public health emergency, so long as they meet certain criteria set forth in the Act.
- Revises certain laws related to (1) the strategic national stockpile, (2) the medical supply chain, (3) the health care workforce, (4) telehealth services, (5) rural and small health care provider programs, (6) the Healthy Start program, (7) nutrition services, (8) the confidentiality and disclosure of records related to substance use disorders, (9) removing the cap on OTA, (10) extending the priority review program for agents presenting national security threats, (11) priority zoonotic animal drugs, treatment of direct primary care service arrangements, (12) certain Medicare provisions regarding COVID-19, (13) providing home and community-based services in acute care hospitals, (14) treatment of technology-enabled collaborative learning and capacity building models as medical assistance, (15) encouraging the development and use of disarm antimicrobial drugs and (16) novel medical products.
- **Labor:**
 - Provides certain revisions to labor laws, such as the Family and Medical Leave Act (FMLA), the Emergency Paid Sick Leave Act, and unemployment insurance laws.
- Temporarily permits the Treasury Department to guarantee money-market funds.
- Signed into law by President Trump on March 27, 2020. For a full copy of the CARES Act, please visit <https://www.congress.gov/116/bills/s3548/BILLS-116s3548is.pdf>.

Executive Order 13912: National Emergency Authority to Order the Selected Reserve and Certain Members of the Individual Read Reserve of the Armed Forces to Active Duty

- On March 27, 2020, President Trump signed an executive order authorizing the order of certain reserve forces to active duty in response to the COVID-19 national emergency.

Executive Order 13911: Delegating Additional Authority Under the Defense Production Act with Respect to Health and Medical Resources to Respond to the Spread of COVID-19

- On March 27, 2020, President Trump signed an executive order delegating authority to the Secretary of Health and Human Services and to the Secretary of Homeland Security to implement the Defense Production Act in response to COVID-19.

Families First Coronavirus Response Act (FFCRA)

- Amends the Family and Medical Leave Act (FMLA) to allow FMLA leave for the following reasons: (1) as a result of quarantine due to exposure or symptoms of COVID-19, (2) to care for an at-risk family member under quarantine due to COVID-19 and (3) to care for a child whose school or place of care has been closed due to COVID-19.
- Increases funding for, and implements adjustments to, domestic nutrition assistance programs in order to help those impacted by COVID-19.
- Requires private health plans to provide free COVID-19 testing.
- Establishes paid leave, enhances unemployment insurance and increases federal Medicaid funding in response to COVID-19.
- Signed into law by President Trump on March 18, 2020. The FFCRA becomes effective on April 2, 2020. To view a copy of

the FFCRA, please visit: <https://www.congress.gov/bill/116th-congress/house-bill/6201/text>.

Executive Order 13910: Preventing Hoarding of Health and Medical Resources to Respond to the Spread of COVID-19

- On March 23, 2020, President Trump signed an executive order delegating authority to the Secretary of Health and Human Services to prevent the hoarding of health and medical resources needed to respond to COVID-19.

Executive Order 13909: Prioritizing and Allocating Health Medical Resources to Respond to the Spread of COVID-19

- On March 18, 2020, President Trump signed an executive order related to prioritizing, allocating and distributing medical resources in response to COVID-19.

National Emergency Declared: *COVID-19*

- On March 13, 2020, President Trump declared a national emergency as a result of COVID-19.