

Executive Summary

COVID Provisions from the Committee on Commerce, Science, and Transportation

The Committee on Commerce, Science, and Transportation contributed to much needed COVID relief legislation by including language to extend the highly successful Aviation Workers Payroll Support Program (PSP) that was part of the CARES Act. The PSP extension will provide \$16 billion in assistance through March 31, 2021. Of that, \$15 billion will go to passenger air carrier workers and \$1 billion for the employees of contractors that provide ground services directly to air carriers, such as catering services or on-airport functions. The legislation is based upon the highly successful CARES Act PSP that has helped hundreds of thousands of critical aviation industry workers remain employed during the worst downturn in passenger air travel demand in history. Since the CARES Act PSP expired at the end of September 2020, tens of thousands of airline workers have been involuntarily furloughed and some communities have lost air service. The PSP extension will get these infrastructure workers back on the job just as the vaccine brings hope for a recovery in the air travel market, while protecting taxpayer dollars by including all the same taxpayer protections required under the CARES Act. This legislation will help support a strong air transportation system that is critical to our economy and recovery.

The COVID pandemic has put a tremendous strain on individuals, students, and businesses, with the internet quickly becoming an absolute necessity for many daily activities. The Commerce committee addressed these issues by including \$7 billion in funding for a variety of broadband issues. Included in the COVID relief legislation are measures that will extend the temporary FCC Telehealth Program which was part of the CARES Act. The bill also includes funding to establish a temporary program at the FCC for eligible households experiencing economic hardship as a result of the COVID-19 pandemic. Other provisions include funding for the FCC to collect highly detailed broadband coverage data, enhance supply chain security, help connect minority communities, support for Tribal connectivity and infrastructure, and promoting broadband expansion to unserved Americans. Finally, the bill also includes a package of four consumer product bills that will enhance consumer safety, fight counterfeit products from foreign countries entering our ports, and empower the FTC to fight scammers looking to defraud the public during the pandemic.

AVIATION WORKERS PAYROLL SUPPORT PROGRAM (PSP) EXTENSION

The CARES Act created a six-month \$32 billion payroll support program (PSP) to assist aviation workers who support passenger airlines, cargo airlines, and on-airport contractors. The PSP extension provisions will provide \$16 billion in additional assistance through March 31, 2021. From this amount, the Treasury is authorized to provide up to:

- \$15 billion for passenger air carrier workers; and
- \$1 billion for the employees of contractors that provide ground services directly to air carriers, such as catering services or on-airport functions.

The PSP extension specifies that the amount received by each air carrier or contractor is to be based on the amount each received under the CARES Act, but reduced proportionally to account for a smaller total amount of funds and a shorter time frame (late December to March 31, 2021, compared to the instead CARES Act six-month period of April through September 2020). As with the original PSP, the PSP extension requires that the payroll support funds must be used exclusively for continuing the payment of employee wages, salaries, and benefits. The PSP extension also requires that air carriers or contractors receiving payroll support must refrain from conducting involuntary layoffs or furloughs or reducing pay rates and benefits until March 31, 2021; however, those requirements for contractors apply until funds are expended.

As with the CARES Act PSP, air carriers and contractors receiving PSP extension funds also must comply with other program terms and conditions, including continuation of certain air service deemed necessary by the Secretary of Transportation, refraining from stock buybacks or dividend payments through March 2021, and limiting the compensation of highly paid employees through October 2022.

The PSP extension requires passenger airlines and contractor to recall any employees involuntarily furloughed after October 1, 2020, which was when the CARES Act PSP prohibition on involuntary furloughs ended. All of those workers will receive back pay for some of the time they have been out of work.

The PSP extension will also amend the CARES Act to require any contractor that still has original PSP funds to recall any employees who were involuntarily furloughed before they signed agreements with the Treasury that prohibited such furloughs.

Finally, the CARES Act direct loan program for businesses critical to maintaining national security would be amended to allow businesses that manufacture or produce aerospace-related products to be eligible for such loans.

Telecommunications

Accurate Broadband Maps, fully funds the Broadband DATA Act, Public Law 116-130, which directs the Federal Communications Commission to collect more granular broadband coverage data and develop a broadband map depicting the availability of broadband services throughout the country. The map will be used to target federal broadband resources to areas lacking service to ensure all Americans are connected. The Broadband DATA Act was sponsored by Senator Wicker.

Supply Chain Security, fully funds the implementation of the Secure and Trusted Communications Network Act, Public Law No: 116-124, which provides assistance to small, rural telecommunications operators to remove components from their networks that pose a national security threat, and replace it with equipment from trusted suppliers. Senator Wicker was the lead sponsor of this law in the Senate.

Emergency Broadband Benefit, establishes an Emergency Broadband Benefit program at the Federal Communications Commission for eligible households experiencing economic hardship as a result of the COVID-19 pandemic. This temporary, one-time program will provide assistance to qualifying low-income individuals and families to get connected or remain connected to internet access for the duration of the public health emergency.

S. 4422, Connecting Minority Communities Act, establishes an Office of Minority Broadband Initiatives at the National Telecommunications and Information Administration (NTIA) and appropriates \$285 million to support historically black colleges and universities, Minority Serving Institutions, and qualifying partnerships with minority-owned businesses to receive internet access. Senators Roger Wicker and Tim Scott are the lead sponsors of this legislation.

Promoting Broadband Expansion to Unserved Americans, establishes a \$300 million broadband deployment program at NTIA to support broadband infrastructure deployment to unserved areas, prioritizing unserved areas and areas that are more rural.

Enhances Tribal Connectivity, establishes a \$1 billion program at NTIA to support broadband infrastructure deployment, telehealth, and broadband adoption activities for federally recognized tribal nations.

COVID-19 FCC Telehealth Program, provides an additional \$250 million to the FCC to carry out the temporary telehealth pilot program authorized under the CARES Act and requires that the Commission equitably distributes the funding to the extent feasible.

Consumer Protection

H.R. 8132, American Competitiveness Of a More Productive Emerging Tech Economy Act” or the “American COMPETE Act,” requires the Federal Trade Commission and the Secretary of Commerce to conduct studies and submit reports on the impact of artificial intelligence and other innovative technologies on United States businesses conducting interstate commerce. This legislation is intended to help develop strategies to enhance the United States’ global leadership in next-generation technologies.

S. 1341, COVID-19 Regulatory Relief and Work from Home Safety Act, requires the CPSC to adopt a certain flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability. As more Americans stay home during the pandemic, this legislation will help protect consumers and reduce the risk of upholstered furniture fires. This legislation is sponsored by Senator Wicker.

CPSC Port Inspection Enhancement, restores CPSC personnel to U.S. ports to protect against unsafe or counterfeit consumer products entering the United States.

COVID-19 Consumer Protection Act, empowers the Federal Trade Commission to take enforcement action against scammers and other bad actors seeking to exploit the pandemic for illegal purposes.