
Weekly COVID-19 Oversight & Enforcement Report

September 24, 2020

A. Congress

1. Senators Elizabeth Warren (D-MA) and Corey Booker (D-NJ) sent a [letter](#) to OSHA regarding the agency's delayed response to the dozens of reports of COVID-19 outbreaks affecting thousands of workers in hundreds of meatpacking facilities across the country.
2. A group of eight Democratic senators [wrote](#) to seven health insurers on Tuesday asking why people are still being charged for corona virus diagnostic tests despite the CARES Act requiring the insurers to cover testing costs.
3. Senators John Kennedy (R-LA) and Doug Jones (D-AL) [introduced](#) legislation that would forgive PPP loans for small businesses hit by hurricanes.
4. Senate Commerce, Science, and Transportation Committee Chair Roger Wicker (R-MI) and Sen. Susan Collins (R-ME) announced a [bill](#) to provide an additional \$28 billion in pandemic aid to passenger air carriers, cargo air carriers, and airline contractors. The bill would tap unused loan money marked for national security businesses under the CARES Act. Airlines that accept the aid under the bill would be generally barred from laying off workers until March 31, 2021.
5. House Select Subcommittee on the Coronavirus Crisis Chair James Clyburn (D-SC) sent a [letter](#) to the CEO and President of Advanced Decision Vectors urging compliance with [earlier requests](#) from the Subcommittee and releasing new documents showing significant financial conflicts of interest among top advisors of Operation Warp Speed that, if not resolved, could bias the Administration's vaccine development process.
6. Select Subcommittee Chair Clyburn took a series of actions critical of the Trump Administration's politicization of the COVID-19 response: (1) he [wrote](#) to Vice President Mike Pence expressing concern that the White House Task Force "has weakened or retracted previous science-based recommendations." (2) he issued a [statement](#) in response to a new GAO [report](#) on the Administration's pandemic response, saying that President Trump "has downplayed the threat, cast doubt on the science, and failed to lead—resulting in the death of 200,000 Americans." (3) he [announced](#) "an investigation into efforts by senior Trump Administration officials to alter, delay, and block critical scientific reports from the [CDC] as part of President Trump's strategy to downplay the corona virus crisis." (4) he [announced](#) that HHS Secretary Alex Azar has agreed to testify before the panel on October 2. Democrats plan to ask Mr. Azar why the administration has failed to develop and implement a "science-based national strategy" to contain COVID-19 and press him on examples of political appointees in his department meddling with scientific reports or seeking to muzzle government experts.

7. Chair Clyburn, Financial Services Committee Chair Maxine Waters (D-CA), and Oversight & Reform Committee Chair Carolyn B. Maloney (D-NY) issued a [statement](#) critical of an internal report from Eastman Kodak Company lawyers regarding the Trump Administration’s proposed \$765 million federal loan to Kodak to support the production of ingredients for generic drugs, as well as trading activity by company executives and board members before this loan was publicly announced. The statement called on the SEC to “independently and carefully scrutinize this matter,” and also noted that “our Committees plan to vigorously pursue our ongoing investigation into this matter, and we expect full cooperation from Kodak and the Administration.”

B. Executive Agencies

1. California workers [could be](#) the beneficiaries of a COVID-19 safety rule in November, after a vote by the state’s Occupational Safety and Health Standards Board. Worker advocates hope the rule will require employers to create a COVID-19 “action plan” that will identify the workplace’s risks and determine how to control them through such measures as improving ventilation, social distancing, and protective gear.
2. DOJ filed a [statement of interest](#) in a New Mexico federal court asserting that the State’s COVID-19 rules limiting private schools to operating at 25% of capacity but allowing public schools to operate at 50% of capacity violate the U.S. Constitution’s Equal Protection Clause.
3. The IRS [announced](#) that a Rhode Island man—who was on supervised release after serving time for multiple bank robberies—has been charged with filing fraudulent loan applications seeking more than \$4.7 million in PPP loans.

C. State Attorneys General

1. D.C. Attorney General Karl A. Racine, leading a coalition of 22 state AGs, wrote a [letter](#) to the U.S. Department of Agriculture’s Food and Nutrition Service (FNS) urging it to relax during the pandemic certain administrative and eligibility requirements it places on states in the distribution of Supplemental Nutrition Assistance Program (SNAP) benefits to residents.

D. Special Inspector General for Pandemic Recovery (SIGPR)

No updates this week.

E. Pandemic Recovery Accountability Committee (PRAC)

1. Thirty-four Senate Democrats introduced the Science and Transparency Over Politics (STOP) Act, which would create a task force within PRAC to investigate allegations of political interference in health agencies’ response to the coronavirus pandemic. The bill instructs the task force to study communications between the White House, HHS, and other health agencies. The task force would then report its findings to congressional committees, which could publicly release the reports.
2. *Government Executive* published [an interview with PRAC’s executive director Robert Westbrook](#). When asked about PRAC’s accomplishments, Westbrook pointed to the nearly 70 oversight reports that the 21 PRAC IGs and other IGs have issued, as well as PRAC’s website, which makes available to the public details of the \$2.6 trillion coronavirus relief spending. Westbrook said PRAC “will now be focusing more on our oversight and accountability missions,” including by expanding outreach to federal, state, and local oversight partners, and leveraging its new hiring of a chief data officer to set up fraud data and analytics.