

FEDERAL GOVERNMENT AFFAIRS AND PUBLIC POLICY

Navigating COVID-19: Top Federal Government Issues

Manatt has closely tracked the ongoing federal response to the COVID-19 epidemic. Among other things, Congress and the President have directed more than \$2 trillion in relief to individuals, families and businesses affected by the virus.

Our bipartisan federal government team has decades of substantive experience in the House, Senate and White House. As companies seek to navigate and respond to evolving federal developments during the pandemic, our attorneys, strategists and advocates offer advocacy, issue tracking and advisory services to move your agenda forward.

Key Issues to Consider

Small-Business Hardship Waivers for Expanded FMLA and Paid Sick Leave

The Issue: In the Families First Coronavirus Response Act, small businesses (those with fewer than 50 employees) are eligible to apply for a hardship exemption from the expanded Family and Medical Leave Act provisions. How liberal will the Department of Labor (DOL) be in granting these exemptions/waivers? What will their criteria be?

How Manatt Can Help: Manatt's federal government team has both the contacts and the regulatory knowledge to obtain answers to these questions and pursue positive client outcomes at the DOL or any other federal agency.

Will Other Congressional Business Come to a Halt?

The Issue: The COVID-19 crisis brings concern that pressing congressional business will come to a halt in a legislative year that will already be curtailed by the election. Individuals and companies with pressing needs before this Congress need to act now or see their efforts pushed to a new Congress and possibly a new administration.

How Manatt Can Help: Manatt's contacts on both sides of the aisle of Congress run deep. We can identify those members or senior staff who will have the final say on what moves for the remainder of 2020 and advocate for clients' needs accordingly.

Regulatory Relief Due to Emergency Declaration

The Issue: With a national emergency declared, which regulations will agencies waive now that they have increased powers to do so? There have been and will continue to be significant regulatory changes aimed at making the federal government more responsive and efficient in the face of this crisis.

How Manatt Can Help: Tracking these changes can be a challenge, but Manatt's government and regulatory monitoring services can keep you abreast of the most subtle movements in the federal bureaucracy.

Effects on Ongoing Rulemaking

The Issue: Will the agencies continue to work effectively while much of their workforce is remote due to virus concerns? How will rulemaking be affected, particularly on non-COVID-19-related matters? It is possible that rule changes that have been promised for years could see delays, and with the election and possible change in administration on the horizon, these delays could turn into something more permanent.

How Manatt Can Help: Manatt can help businesses ensure that any cost-saving measures being utilized do not run afoul of applicable state and federal laws, including in the areas of wage and hour, WARN Act, and state-specific mini-WARN Act requirements and related considerations.

Phase 4 COVID-19 Response Legislation (and Beyond)

The Issue: There is a growing, bipartisan consensus that additional COVID-19 relief legislation is necessary. While the House and Senate are both out of session until after April 20, work on the next phases has already begun, and businesses need to reach out to Congress now to ensure their voices are heard.

How Manatt Can Help: Manatt's federal government team successfully lobbied Congress to include certain provisions in the Coronavirus Aid, Relief, and Economic Security (CARES) Act and has been closely tracking the next steps in Congress and communicating with key members and staff on behalf of clients in affected industries.

Paycheck Protection Program

The Issue: The Paycheck Protection Program (PPP), passed as part of the CARES Act, is intended to help small businesses with fewer than 500 employees survive the COVID-19 recession by offering substantial, forgivable loans to cover payroll and other necessities. However, the rollout of the program, which is administered by the Small Business Administration and the Treasury but funneled through nongovernmental lenders, has not been entirely smooth.

How Manatt Can Help: We can help by providing clarity on who can apply, how they can receive these loans and how much can be forgiven. Additionally, it is a near certainty that Congress will have to authorize additional funds to keep the program running as the economic crisis worsens. Manatt is already monitoring those talks in Congress and can keep you abreast of any potential changes in the program.

Implementation of the CARES Act

The Issue: The CARES Act is a massive piece of legislation that will take time to fully implement. In particular, the Treasury and the Federal Reserve still need to offer guidance to midsize businesses on Title IV (the Coronavirus Economic Stabilization Act). This section covers the \$500 billion appropriated for targeted industry relief.

How Manatt Can Help: Our federal government team is tracking CARES Act implementation from multiple angles and can keep clients updated with the latest information being discussed at the agencies. Additionally, we can connect clients with the relevant decision makers as the regulations are being finalized.

We're Here to Help:



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