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# *Weekly COVID-19 Oversight & Enforcement Report*

February 11, 2021

## **A. Congress**

1. The Select Subcommittee on the Coronavirus Crisis [sent letters](#) to the White House and the Department of Health and Human Services summarizing initial results of the panel's investigation into the previous administration's political interference in the pandemic response and seeking additional material to continue its investigation.
2. House and Senate Democrats [introduced](#) a bill that seeks to ensure consumers' privacy is protected as part of COVID-19 contact-tracing efforts. The bill would require any collected information to be anonymized and eventually deleted by 30 days after the end of the COVID-19 emergency declaration.
3. More than 100 House and Senate Democrats [wrote](#) to House Speaker Nancy Pelosi (D-CA) and Senate Majority Leader Chuck Schumer (D-NY), urging them to cut businesses' net operating loss benefits in the CARES Act. The lawmakers say the tax breaks help only corporations and the wealthy.

## **B. Executive Agencies**

1. In an [interview with Law360](#), Brenna Jenny, HHS Deputy General Counsel in the Trump Administration, predicted a significant uptick in COVID-related federal enforcement activity. She explained that CMS provided dozens of blanket waivers of statutory and regulatory requirements in response to the public health emergency, but those waivers apply only in the absence of any determination of fraud or abuse. As a result, even well-intentioned healthcare providers might find themselves on the receiving end of a DOJ document request. Ms. Jenny also predicted inquiries into providers' use of telehealth, as well as increased enforcement activity relating to nursing homes and skilled-nursing facilities.
2. A Texas engineer [pleaded](#) guilty on Tuesday to filing fraudulent bank loan applications seeking more than \$10 million in PPP loans. He admitted to claiming in his applications that he had over 250 employees, when in fact he had no employees and paid no wages.
3. Acting SEC Chair Allison Herren Lee has [restored](#) the use of delegated authority to allow the enforcement division's senior officers to issue subpoenas and launch formal investigations. This policy was first instituted in 2009 and then curbed four years ago.

**C. State Attorneys General**

*No updates this week.*

**D. Special Inspector General for Pandemic Recovery (SIGPR)**

*No updates this week.*

**E. Pandemic Recovery Accountability Committee (PRAC)**

1. In an update to PRAC's Top Challenges report from June 2020, PRAC issued a [new report](#) that identifies four new challenges facing federal agencies managing pandemic-related programs and funding: (1) preventing and detecting fraud against government programs (like PPP); (2) informing and protecting the public from pandemic-related fraud; (3) collecting complete data (recipients of pandemic-related funds are not always reporting required data); and (4) ensuring that a return to in-person work is safe for federal employees.

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