
Window On Washington - April 15, 2019, Vol. 3, Issue 16

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Outlook for This Week in the Nation's Capital

Congress. After a frantic first three months, the House and Senate have now adjourned for a much needed two week recess, with many questions remaining on how various legislative and investigative story lines will play out over the rest of this year. In the Senate, Minority Leader Schumer accused the Senate of being “dysfunctional” under Majority Leader McConnell’s tenure, with McConnell returning fire. House Democrats meanwhile decamped Washington last Wednesday for their annual legislative retreat (delayed from earlier this year), hoping to show unity as they look to formalize their summer agenda which is expected to center on infrastructure and drug pricing, two areas that could receive bipartisan support. Just before leaving town, they canceled a planned vote on a FY20 budget bill because parts of it were causing some acrimonious divisions within the caucus that the leadership is seeking to avoid.

White House. The White House continues to brace for the public release of the Mueller Report. In delaying its release until next week, the Attorney General has somewhat helped the President since Congress is out of town. The White House next week may also roll out additional proposed immigration regulations to deal with the growing problems at the southern border this year. The White House is apparently frustrated by the granting of work permits to asylum seekers so soon after entering the country.

Budget & Appropriations. The Senate departed for the recess without completing work on the still pending disaster supplemental. Senate Appropriations Chairman Shelby met with President Trump at the White House on Thursday afternoon to discuss a path forward on disaster aid, but it accomplished nothing and it remains unclear how to resolve the President’s concerns about previously appropriated but presently unspent funds for Puerto Rico recovery. Also, White House adviser Larry Kudlow stated that if Congress doesn’t support the President’s spending plan he would allow \$125 billion in across-the-board “sequester” spending cuts to take place in FY20 - of the \$125B, \$71B would come from defense and \$54B from non-defense discretionary current levels - about a 10 percent across-the-board cut. Trump could force these cuts simply by scuttling a proposed Senate deal to raise the caps – even if a continuing resolution is passed by Congress and signed by the President to initially fund government at FY19 levels, starting in December the cuts would begin automatically. Given the acrimony that already exists between Trump and some Senate Republicans on other issues, finding a path forward for a cap raising deal could be very delicate and complicated.

Last Week in the Nation's Capital

CONGRESS

Health

Sanders Sets Bar for 2020 Dems With 'Medicare For All' Rollout: Sen. Sanders (I-VT) is setting a high bar for other candidates with his “Medicare for all” plan. Sanders has made his plan to move the U.S. to a single-payer, government-run health care system a center point of his second presidential campaign, with no room for compromise or other proposals that would take incremental steps toward universal coverage. ([The Hill](#))

Tax

New Bipartisan Legislation Would Expand Federal Electric Vehicle Tax Credit: On Wednesday morning, legislation was introduced in the House and Senate that would address this issue by raising this cap the per-manufacturer cap to 600,000 vehicles. The bill, titled the Driving America Forward Act, is intended to promote the growth of the EV consumer market in the U.S. and, in turn, support domestic EV manufacturing by companies like GM and Tesla. ([Forbes](#))

House Backs Bill Barring IRS from Offering Free Tax Filing Services: Liberals abandoned a last-minute rebellion Tuesday over a bill to change the Internal Revenue Service, with Democratic leaders easily pushing legislation through the House that would bar the IRS from creating free tax preparation software. ([Washington Post](#))

Labor & Workforce

Democrats Unveil Bill to Expand Protections Against Workplace Harassment and Discrimination: A group of House and Senate Democratic lawmakers last week unveiled sweeping legislation to strengthen and expand federal protections aimed at preventing workplace harassment and discrimination nationwide, a bill they have titled the “BE HEARD in the Workplace Act”. While the Democratic-backed bill faces tough odds of passage given the Republican-controlled Senate, the effort comes after Congress passed long-stalled legislation at the end of last year to reform the way sexual harassment is handled on Capitol Hill. ([CNN](#))

Justice/DOJ

House Oversight Threatens Justice Department Official with Contempt for Bucking Subpoena: The House Committee on Oversight and Reform threatened Thursday to hold a Department of Justice official in contempt of Congress after the agency refused to comply with a subpoena seeking testimony and documents related to the 2020 census citizenship question. ([NBC](#))

Defense

Senators Show Deep Skepticism on Space Force Proposal: Members of the Senate Armed Services Committee from both parties on Thursday aired their skepticism about President Trump's Space Force proposal as Pentagon brass sought to defend the plan. ([The Hill](#))

House Sets \$1.3T Spending Cap, Budget Talks Begin: The House on Tuesday lifted an overall spending cap to \$1.3 trillion to allow its appropriators to craft 2020 spending bills. The measure, which codified a \$733 billion top-line for national defense in fiscal 2020, passed 219-201. Seven Democrats voted "no." ([Defense News](#))

Financial Services

Military Personnel Caught in Crossfire over Lending Law: CFPB Director Kathy Kraninger and her congressional critics are clashing over a law meant to protect military personnel from predatory lenders, who can charge interest rates of as much as 400 percent. Kraninger says the bureau lacks the power to monitor violations of the statute — even though the CFPB did just that during the Obama administration — while Democrats insist that it can. ([Politico](#))

Education

Betsy DeVos Takes Heat from House Democrats Over \$5 billion School Choice Proposal: Democrats took aim at Education Secretary Betsy DeVos' proposed school choice tax credit at a House Education and Labor hearing Wednesday, arguing that it could siphon away funds from public schools. ([CNN](#))

EPA/Environment

Dems Grill EPA Chief over Auto Emissions Rollback Plan: While last week's hearing before the House Energy and Commerce subcommittee on environment and climate change was meant to critique the agency's 2020 budget plan, Wheeler faced numerous questions from lawmakers about his agency's not-yet-finalized plan to weaken the emissions standards for cars and light trucks. ([The Hill](#))

Transportation/DOT

Markey Pushes to Mandate More Plane Safety Features: Sen. Ed Markey (D-MA) introduced a bill Thursday that would require aircraft manufacturers to provide additional safety features to airlines at no additional cost in the wake of a pair of high-profile deadly crashes. ([The Hill](#))

EXECUTIVE BRANCH

Health/HHS/NIH

NIH Calling Pain Investigators to Join HEAL Initiative Research: In April 2018, NIH launched the HEAL (Helping to End Addiction Long-term) Initiative, an aggressive, trans-agency effort to speed scientific solutions to attack the national opioid public health crisis. At a recent American Pain Society Scientific Meeting, a leading NIH official said the HEAL Initiative offers a tremendous opportunity to advance the science of pain and more effective, nonaddictive treatments, and urged wider participation in an expanding clinical trial network supported by the NIH. ([News Wise](#))

Neuroimaging Draws a Bead on Alzheimer's: If the litany of clinical trial setbacks in recent years has cast a long shadow over chances for a breakthrough Alzheimer's drug in the near-term, it has thrown a spotlight on the challenge and opportunity that await radiology in this high-stakes field, due to its role in helping to identify those at risk, which is necessary for clinical trials on drugs meant to prevent the disease. ([Radiology Business](#))

Space/NASA & NOAA

Space Symposium 2019: NASA Administrator Calls Proposed Return to Moon a 'Proving Ground' for Mars Mission: The U.S. space agency plans to test launch the rocket next year that eventually will return astronauts to the moon. The manned mission will orbit the moon as part of a plan to have a "sustainable" presence on the celestial body by 2028, Bridenstine said at The Broadmoor hotel in Colorado Springs. ([Gazette](#))

SpaceX Drops Protest of NASA Launch Contract: SpaceX has withdrawn its protest of a launch contract NASA awarded to United Launch Alliance earlier this year for a planetary science mission. SpaceX withdrew a protest April 4 that it had filed with the U.S. Government Accountability Office Feb. 11 regarding a NASA launch procurement formally known as RLSP-35. That covered a contract NASA awarded Jan. 31 to ULA for the launch of Lucy, a mission slated for launch in October 2021 to visit several Trojan asteroids in the same orbit around the sun as Jupiter. ([Space News](#))

The Future of Black Hole Photography: What's Next for the Event Horizon Telescope: Last week, the Event Horizon Telescope (EHT) collaboration announced that it had photographed the contours of the supermassive black hole at the heart of M87, a huge elliptical galaxy that lies 55 million light-years from Earth. They are already searching for new targets and methods to improve the images. ([Space](#))

Justice/DOJ

'Spying on a Political Campaign is a Big Deal': Attorney General Barr says Justice Department Will Look at Origins of Russia Probe: Attorney General William Barr on Wednesday confirmed that his Justice Department will be reviewing the origins and the methods of investigations into then-candidate Donald Trump's 2016 presidential campaign. ([CNBC](#))

Labor & Workforce

Department of Labor Proposes New Definition to Joint Employment under FLSA: On April 1, 2019, the Wage and Hour Division of the Department of Labor (DOL) proposed a new, clear-cut test for determining “joint employment” under the Fair Labor Standards Act (FLSA). According to the DOL, the proposed changes are designed to promote certainty for employers and employees, reduce litigation, promote greater uniformity among court decisions, and encourage innovation in the economy. (Clark Hill Insight)

GAO: Better Data Needed to Assess and Plan for Effects of Advanced Technologies on Jobs: The Government Accountability Office (GAO) has issued a new report regarding how robots, artificial intelligence, and other advanced technologies are changing the workplace in different ways. They conclude that current workforce data doesn't identify the causes of employment shifts, making it difficult to assess technology's effects, and that additional information could help agencies design programs to prepare workers for jobs of the future. (GAO)

Energy

Trump Signs Orders Making It Harder to Block Pipelines: President Trump's support for shifting more power to states on Wednesday faded next to his affinity for oil and gas production, as he aimed to make it harder for states to block pipelines and other energy projects due to environmental concerns. (AP)

Cyber

Julian Assange Arrested in London as U.S. Unseals Hacking Conspiracy Indictment: The WikiLeaks founder Julian Assange was arrested on Thursday in London to face a charge in the United States of conspiring to hack into a Pentagon computer network in 2010, bringing to an abrupt end a seven-year saga in which he had holed up in Ecuador's embassy in Britain to avoid capture. (New York Times)

Immigration

Trump Considering Sending Undocumented Immigrants to Sanctuary Cities: President Trump announced Friday that his administration is “giving strong consideration” to releasing detained undocumented immigrants into so-called sanctuary cities — contradicting a previous statement from the White House that the policy was no longer being considered. (Politico)

Defense

Pentagon Awards Nearly \$1 Billion in Two New Contracts for President Trump's Border Wall: The Pentagon announced two military contracts Tuesday worth \$976 million to construct a wall along the U.S. border with Mexico, marking the first step toward President Trump's long-promised goal since he declared a national emergency nearly two months ago. (Time)

Trade

WTO Delivers Mixed Ruling in U.S.-Canada Lumber Dispute: The World Trade Organization on Tuesday said the U.S. violated international trade rules in the way it calculated tariffs on Canadian imports of softwood lumber. The decision also provided a boost to the U.S.'s use of a controversial methodology used when calculating anti-dumping duties on Canadian lumber. In the past, the WTO has struck down American use of the process, called zeroing, which typically results in higher duty margins. That part of the ruling is a victory for the U.S. (Bloomberg)

Homeland Security

White House Eyeing Former Head of Anti-Immigration Group for DHS job: The White House is considering nominating the former head of an anti-immigration group to lead U.S. Citizenship and Immigration Services, according to a White House official and three people briefed on the deliberations, the latest development in a series of staffing shakeups that have alarmed some Republican senators. (Politico)

TSA Chief to Temporarily Fill No. 2 Post at Homeland Security: Transportation Security Administration (TSA) Administrator David Pekoske will fill the role of deputy Homeland Security secretary on a temporary basis, the department announced Thursday. (The Hill)

Treasury

Treasury Dept. Declines House Request for Trump's Tax Returns: The Treasury Department said on Wednesday evening that it would not immediately comply with a congressional request to hand over President Trump's tax returns, setting up a protracted legal battle between two branches of government. (New York Times)

FEC

White House Seeks Tighter Oversight of Regulations Issued by Fed and Other Independent Agencies: The White House on Thursday for the first time said it was requiring the Federal Reserve and other independent agencies to submit new guidelines for review, a controversial step that has long been a goal of conservative groups. (Washington Post)