
Window On Washington - December 16, 2019, Vol. 3, Issue 47

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Outlook for This Week in the Nation's Capital

Appropriations. All signs are currently positive that the appropriations process will wrap up in time to meet the December 20 deadline. Last week, the House, Senate, and White House reached an agreement in principle on all 12 appropriations bills. It is expected that the final bills will be released sometime today and that the House will vote on Tuesday. The bills are likely to come to the floor in minibus packages instead of one large omnibus package. The package would then go to the Senate for a vote by the end of the week.

Impeachment. The House Judiciary Committee last week recommended by a party-line vote that the full House proceed with impeachment against President Trump on two counts – one charging him with abuse of power and the second with obstruction of Congress. The House will vote on the two articles on Wednesday and is expected to vote to proceed to a trial in the Senate. The Senate trial will occur in January after Congress returns from recess.

Other Legislative Actions. The House is also expected to vote on the USMCA trade deal on Thursday as well as potentially a SALT rollback bill. The Senate will take up the defense authorization bill that the House passed last week and must also vote on the appropriations bills. The Senate will not vote on USMCA until the new year. Senate Republicans are also already beginning to discuss their post-impeachment agenda for next year, which includes more focus on legislation, rather than nominees.

Last Week in the Nation's Capital

CONGRESS

Budget & Appropriations

Lawmakers Reach a Bipartisan Deal 'In Principle' to Fund the Government: Top congressional appropriators announced last Thursday that they've reached a "deal in principle" to fund the federal government and boost defense and domestic budgets by \$49 billion in fiscal 2020, with plans for a House vote as early as tomorrow. The bipartisan agreement would avert a government shutdown that otherwise would kick in when a stopgap spending bill expires on December 20, or yet another stopgap that would stretch into the new year. ([Politico](#))

Health

Senate Confirms Dr. Stephen Hahn as FDA Commissioner: The US Senate confirmed Dr. Stephen Hahn to be the next commissioner of the US Food and Drug Administration. The Senate vote was 72 to 18. Hahn, 59, is a well-known radiation oncology expert and is the current chief medical executive of The University of Texas MD Anderson Cancer Center in Houston, where has been a professor of radiation oncology since January 2015. ([CNN](#))

House Passes Speaker Nancy Pelosi's Drug Pricing Bill: The House of Representatives passed Speaker Nancy Pelosi's (D-CA) drug pricing legislation, a sweeping bill that will allow the US government to negotiate lower prices on the costliest drugs each year. The legislation, which passed the House 230 to 192, was widely expected to be approved in the House. Pelosi reached an agreement days before with a key bloc of liberal Democrats who thought the bill didn't go far enough and were threatening to oppose it on the House floor. Two Republicans voted in support of the bill. The bill's chances of becoming law are slim. The legislation is unlikely to be taken up in the Senate, where lawmakers have introduced a competing health-care bill. ([CNBC](#))

Ways and Means Offers Its Own Plan on Surprise Medical Bills: The House Ways and Means Committee released its own proposal for ending surprise medical bills, potentially complicating an effort by some lawmakers to include a rival proposal in a year-end spending bill. The Ways and Means Committee plan appears to resolve payment disputes by allowing health care providers and insurers to enter into arbitration, a method favored by hospitals and most doctors' groups. The committee's leaders called on lawmakers to slow down the process, while the leaders of the House Energy and Commerce Committee have been pushing for action within the next two weeks. ([Roll Call](#))

Defense

House Passes Compromise Defense Bill, Creating a Space Force: In a 377- to-48 vote, lawmakers approved the fiscal 2020 National Defense Authorization Act - with both House Democrats and President Donald Trump taking credit for its marquee provisions, which also include parental leave for federal workers and a repeal of the military "widow's tax." The bill is expected to be considered in the Senate this week. ([Politico](#))

Senate Panel Advances Turkey Sanctions Bill Despite Trump Objections: A Senate panel last Wednesday advanced a sanctions bill targeting Turkey over its offensive in Syria and its purchase of a Russian missile defense system. ([The Hill](#))

Senate Passes Resolution Recognizing Armenian Genocide, in Defiance of Trump: The Senate voted unanimously last Thursday to recognize the Armenian genocide as a matter of American foreign policy, a move that was made over the objections of the Trump administration and that underscored lawmakers' bipartisan rage at Turkey. ([New York Times](#))

Cyber

Congress Wants More Answers on Cyber Operations and Tools: The National Defense Authorization Act, which was finalized late December 9 by congressional defense committees, has over 30 cyber-related provisions. ([Fifth Domain](#))

House Democrat Questions Google, Apple Over Handling of Foreign-Linked Apps: Chairman of the House Oversight and Reform Subcommittee on National Security Stephen Lynch (D-MA) pressed Google and Apple to provide information on whether they require mobile app developers to disclose foreign affiliations prior to the apps being offered to consumers, citing specific concerns around apps TikTok and FaceApp. ([The Hill](#))

Environment/Interior

Congress to Halt Military Use of Toxic Foam Contaminating Drinking Water: Congress has reached a deal on a spending bill that would require the military to stop using firefighting foam containing toxic chemicals linked to cancer, but would abandon efforts to place stronger regulations on the chemicals. ([LA Times](#))

Trade

Official: White House Not Worried Senate's Lack of Input Might Sink USMCA: The White House has no concerns that Republican senators might jump ship on President Trump's sweeping USMCA trade pact after they were told last Thursday a deal with House Democrats will leave them unable to press for further changes. ([Roll Call](#))

House Democrats Praise New Trade Deal to Replace NAFTA Amid Impeachment: Democratic leaders last Tuesday praised a new trade deal to replace the decades-old North American Free Trade Agreement, which President Trump and Democrats had frequently criticized. ([NBC News](#))

Banking & Housing

Fed's Top Regulator Takes Heat From Both Parties: The Federal Reserve's top regulatory official took heat from lawmakers in both parties last week over the impact of post-financial crisis regulations and the central bank's efforts to loosen them. Randal Quarles, the Fed's vice chairman of supervision, fielded many concerns from lawmakers during a House Financial Services Committee hearing over the pace of the central bank's attempts to revamp bank regulations. ([The Hill](#))

Transportation

NDAA Provision Targets Chinese Rail Cars and Electric Buses: The final version of the conference report for the National Defense Authorization Act released last week would bar federal dollars from being used to purchase passenger rail cars or buses from state-owned or state-controlled enterprises, such as those from China. ([Roll Call](#))

Justice

In Scrutinizing IG Report on FBI, Senators Differ on What's Important: Justice Department Inspector General Michael Horowitz told a Senate Committee last Wednesday that although the FBI's counterintelligence probe of Donald Trump's campaign was not motivated by political bias, the agency misled a surveillance court in seeking to obtain warrants for tracking a campaign surrogate. ([Roll Call](#))

Homeland Security/Immigration

New Bill Gives This Homeland Security Agency Authority to Get ISP Info: The bipartisan legislation, introduced by Sens. Ron Johnson (R-WI), and Maggie Hassan (D-NH) would give the Cybersecurity and Infrastructure Security the authority to compel ISPs to provide information on customers that CISA has identified as operating vulnerable critical infrastructure. ([Fifth Domain](#))

The House Passed a Bipartisan Bill that Could Legalize 325,000 Unauthorized Immigrants: The House passed a bipartisan bill last Wednesday night that could give legal status and a path to citizenship to hundreds of thousands of unauthorized immigrants working in agriculture. ([Vox](#))

Energy

Senate Democrats Not Done With PFAS: Lawmakers looking to pass key PFAS provisions into law aren't ready to throw in the towel, even though they were excluded from the National Defense Authorization Act. "I'm going to make sure we use every hour between now and the end of the session to do the right thing," Environment and Public Works ranking member Tom Carper told reporters Tuesday, saying "there are other opportunities" for advancing language to regulate the chemicals in drinking water and force cleanups under Superfund. ([Politico](#))

Education

Congress Finalizes Bill to Help Millions Pay Back Student Loans: Congress took final action December 10 on legislation intended to improve the system for repaying federal student loans for approximately 8 million borrowers now enrolled in income-driven repayment plans and those who enroll in the future. ([Pew Charitable Trusts](#))

Tax Reform

House Bill to Temporarily Repeal SALT Deduction Cap to Get Floor Vote: The House is expected to hold a floor vote this week on a bill to temporarily repeal the GOP tax law's cap on the state and local tax (SALT) deduction, allowing Democrats from high-tax states to take action on one of their top priorities before the end of the year. ([The Hill](#))

Tax Deal Crunch Time: With the House planning to vote as soon as Tuesday on the spending "deal in principal" that top appropriators struck last week, tax writers do not have much time to get their own negotiations unstuck, with Republicans and Democrats having had vastly different visions for how a year-end measure should look. ([Politico](#))

Craft Distillers, Retailers Wait Anxiously for Tax Extenders: Rep. Denver Riggleman (R-VA) says a looming tax increase on small craft distillers will lead to layoffs at the distillery his family operates in Afton, Virginia, where they make a handful of spirits with colorful names like Strange Monkey Gin and Blackback Bourbon. ([Roll Call](#))

Impeachment Inquiry

Trump 'Ignored and Injured' the National Interest, Democrats Charge in Impeachment Articles: House Democratic leaders last Tuesday formally called for President Trump's removal from office, asserting that he "ignored and injured the interests of the nation" in two articles of impeachment that charged him with abusing his power and obstructing Congress. ([New York Times](#))

Democrats Approve Two Articles of Impeachment Against Trump in Judiciary Vote: Democrats on the House Judiciary Committee approved two articles of impeachment last Friday that charge President Trump with high crimes and misdemeanors, setting up a historic House vote next week that all but guarantees Trump will be just the third president to be impeached in US history. ([The Hill](#))

House Democrat Calls on McConnell to Recuse Himself from Impeachment Trial: Rep. Val Demings (D-FL) last Friday called on Senate Majority Leader Mitch McConnell (R-KY) to recuse himself from the Senate impeachment trial, citing the GOP leader's remarks the previous night about coordinating with the White House. ([The Hill](#))

EXECUTIVE BRANCH

Health/HHS/NIH

Alex Azar and Seema Verma Were Called to the White House to Settle Their Feud: President Trump's top two health officials were called to the White House for a mediation. The message they received from Vice President Mike Pence and White House Chief of Staff Mick Mulvaney was simple, per reports: They need to figure out a way to get along. Health and Human Services Secretary Alex Azar and Medicare and Medicaid chief Seema Verma have been engaged in a public power struggle over the last year, with each seemingly seeking to undermine the other both on policy and in the press. ([Vox](#))

NIH Director Pledges to Move Quickly on Recommendations to Stop Sexual Harassment: An advisory group issued a sweeping set of recommendations to crack down on sexual harassment in labs funded by the National Institutes of Health (NIH). The panel's advice included mandating that NIH-funded institutions report confirmed harassers to NIH as well as broad changes aimed at changing the culture of biomedical science to make it less dominated by white men. NIH Director Francis Collins said he was "supportive of these solid recommendations" and would move immediately to follow up on several of them. ([Science Magazine](#))

Labor & Workforce/DOL

CEO Group Pushes Trump, Congress on Paid Family, Medical Leave: An association of CEOs from major US corporations wrote to President Trump and congressional leaders urging them to pass federal legislation to make paid family and medical leave available to more Americans. The Business Roundtable offered to work with lawmakers to advance legislation on the issue and said a federal solution was necessary so there are uniform standards for employees. ([The Hill](#))

Defense/DOD

Pentagon Watchdog Investigating \$400M Border Wall Contract: The Defense Department's internal watchdog is investigating a \$400 million border wall contract awarded to a firm that used multiple appearances on Fox News to push for the job. ([Military Times](#))

At War With the Truth: A confidential trove of government documents obtained by The Washington Post reveals that senior US officials failed to tell the truth about the war in Afghanistan throughout the 18-year campaign, making rosy pronouncements they knew to be false and hiding unmistakable evidence the war had become unwinnable. ([Washington Post](#))

Trade

Trump, China Announce 'Phase One' Trade Deal: President Trump and China last Friday announced that they had reached a Phase One trade deal that would see a reduction in tariffs from both sides and increase China's purchases of US agricultural products. ([The Hill](#))

DHS/Immigration

Homeland Security Announces Easing of Facial Recognition Rule: Homeland Security officials continue to step back from their published plan to require use of facial recognition technology on American citizens at US airports when they arrive from or depart to international destinations. ([Roll Call](#))

Justice/DOJ

Judge Rejects DOJ Effort to Delay House Lawsuit Against Barr, Ross: A federal judge last Friday rejected the Trump administration's request to delay a lawsuit against Attorney General William Barr and Commerce Secretary Wilbur Ross for defying congressional subpoenas as part of a probe into officials' handling of the 2020 census. ([The Hill](#))

Horowitz Pushes back at Barr over Basis for Trump-Russia Probe: The Justice Department's top watchdog last Wednesday reaffirmed that the FBI's investigation into Russian influence on Donald Trump's 2016 presidential campaign was adequately justified, despite Attorney General William Barr's comments expressing doubts about that conclusion. ([Politico](#))

Environment/EPA/DOI

Trump Calls for Review of Water Efficiency Standards, Saying People Flush the Toilet '10 Times, 15 Times': President Trump said the Environmental Protection Agency (EPA) is reviewing water efficiency standards, claiming that some people flush the toilet "10 times, 15 times" due to a lack of water pressure. ([The Hill](#))

Department of Education

After Months of Delay, DeVos Touts Limited Student Loan Forgiveness Plan: Education Secretary Betsy DeVos sought to defend her department's 18-month delay in processing rising numbers of student loan forgiveness claims, saying at a hearing last Thursday that officials lacked a proper process to review them. ([Roll Call](#))

Transportation/DOT

FAA Review Predicted Fatalities After First Boeing 737 Max Crash: About a month after a Boeing 737 Max plunged into the Java Sea, killing 189 people in October 2018, the FAA privately conducted a grim analysis that predicted more fatal crashes for the aircraft, according to a report released at a House hearing last Wednesday. ([Roll Call](#))

Banking & Housing/HUD

Regulators Warn About Fraudsters Creating "Synthetic Borrowers": The financial technology industry that's upending consumer finance could be the solution to a kind of identity fraud that's dogging traditional banks and fintech companies alike. It's called synthetic identity fraud, where instead of stealing one person's information, criminals synthesize a false identity using information from many people — usually those unlikely to monitor their credit, like children, the elderly, prisoners or the homeless. Fraudsters then establish a credit history for the fake person over time until they can trick banks or financial technology companies into lending them money. ([Roll Call](#))

Agriculture/USDA

China and US Reach Agreement on Agriculture Purchases: Beijing will increase US agricultural purchases significantly, Vice Minister of Agriculture and Rural Affairs Han Jun said, though he did not specify by how much, in the first part of an emerging new trade and tariff pact with China. Trump has insisted that China buy more American crops as part of a deal and cheered the commitment in his tweets. ([CNBC](#))

Climate Change or Not, Frequent Rain and Floods Forcing Some Farmers to Reassess: This year's devastating losses are forcing tough decisions about the future of farming in America's flood plains. Farmers who lost billions of dollars in grain, livestock, equipment, structures and unplanted crops are wondering whether they should or can return to the fertile bottomlands next year, as the Army Corps of Engineers struggle to repair dozens of damaged levees. ([The Gazette](#))

Space/NASA & NOAA

NASA Looks for Ways to Keep Artemis on Track Regardless of Budget Outcome: NASA Administrator Jim Bridenstine made recent remarks that indicated that NASA would have to "get more creative" if it does not get a the \$1.6 billion in additional funding requested for Artemis. "We have knobs that we can turn," he said, but suggested reduced funding would also reduce the chances of making the target 2024 date for returning NASA astronauts to the surface. ([Space News](#))

POLITICO Pro Q&A: Vice President Mike Pence on Space Policy: In a recent wide-ranging interview with the Vice President, Politico discussed the Lunar program and commercial space development, and Pence also commended Congress for taking steps to create a Space Force and spoke about his priorities for the National Space Council among other space policy topics. ([Politico Pro](#))

More and More Links Are Emerging between Warming and Extreme Weather: Extreme events all over the world were marked by the influence of climate change in 2018: wildfires in California, heat waves in Europe and Asia, and record-low sea ice in the Arctic. That's according to an annual special

report released in the Bulletin of the American Meteorological Society, which includes a collection of studies analyzing major events to determine whether climate change played a role—a field of research known as attribution science. ([Scientific America](#))

Impeachment

Trump, Allies Aim to Delegitimize Impeachment From the Start: They're calling it a circus, a farce and even zany. President Trump and his Republican allies spent weeks trivializing the House impeachment inquiry ahead of Tuesday's historic unveiling of formal charges against the president. ([AP](#))