
Window On Washington - February 24, 2020, Vol. 4, Issue 8

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Outlook for This Week in the Nation's Capital

Congress Returns. The House and Senate return from a week-long recess. The House will likely take up two bills aimed at addressing the youth use of vaping devices: one would increase taxes on e-cigarettes and the other would ban some flavored tobacco products. The House will also vote on a measure that would designate lynching as a hate crime. The Senate will take procedural votes on two abortion-related bills. One would ban abortion beginning at 20 weeks except in certain cases and the other would require doctors to provide medical care to a child that survives an abortion procedure.

Appropriations Hearings. Both the House and Senate Appropriations Committees have numerous hearings scheduled. Secretary of Health Alex Azar and Acting Secretary of Homeland Security Chad Wolf are scheduled to appear before both committees. The House schedule is available [here](#) and the Senate is [here](#).

Election Update. With Super Tuesday just over a week away, the latest guide to the 2020 elections is available [here](#).

Last Week in the Nation's Capital

CONGRESS

Budget & Appropriations

House Appropriators to Start Fiscal 2021 Markups April 21: The House Appropriations Committee is officially two months away from kicking off this year's process. House appropriators plan to start subcommittee markups for FY 2021 spending bills on April 21. A week later on April 28, they plan to follow up with the first full committee markup and adoption of subcommittee allocations showing how the panel would split up nearly \$1.4 trillion in discretionary spending among the various federal agencies. ([Roll Call](#))

Candidates for Appropriations Gavel Laying Groundwork: The race to succeed House Appropriations Chairwoman Nita Lowey is well underway, even though the House Democratic Caucus won't make a final decision until after the November elections. At this early stage, it's a three-way contest with Rosa DeLauro of Connecticut, Marcy Kaptur of Ohio and Florida's Debbie Wasserman Schultz actively campaigning, although others haven't yet ruled out a bid. ([Roll Call](#))

Health

Coronavirus Outbreak Helps Lawmakers Make Case on Drug Shortage Bills: The coronavirus outbreak is prompting fears of drug shortages in the United States because of how deeply the pharmaceutical supply chain relies on China. For lawmakers who were already working on bills to address shortages and bring more drug manufacturing back to the US, the epidemic is helping them prove their point. No drug manufacturers had notified the Food and Drug Administration about any risks to their supply chains as of earlier this month. But with no end in sight for the outbreak, experts predict it will happen sooner or later. ([Roll Call](#))

Ernst Endorses Bipartisan Grassley-Wyden Bill to Lower Drug Prices: Sen. Joni Ernst (R-IA) announced her support for a bipartisan bill to lower drug prices, adding another GOP senator facing a competitive reelection race to the list of supporters. Ernst endorsed a bill from fellow Iowan Sen. Chuck Grassley (R-IA) and Sen. Ron Wyden (D-OR). Sen. Martha McSally (R-AZ), who also faces a tough campaign this year, recently endorsed the bill as well, helping to add some momentum to the effort. ([The Hill](#))

Defense

Lawmakers Are Warned That Russia Is Meddling to Re-elect Trump: Intelligence officials warned House lawmakers last week that Russia was interfering in the 2020 campaign to try to get President Trump re-elected, five people familiar with the matter said, a disclosure to Congress that angered President Trump, who complained that Democrats would use it against him. ([New York Times](#))

Homeland Security/Immigration

Lawmakers Push Back at Trump's Pentagon Funding Grab for Wall: The top Democrat and Republican on the House Armed Services Committee are among the numerous lawmakers that last week pushed back on President Trump's move to divert \$3.8 billion from various weapons programs into its counter-drug fund to be used to build his signature project. ([The Hill](#))

Top Democrats Demand Answers on DHS Plans to Deploy Elite Agents to Sanctuary Cities: In a letter to acting Homeland Security Secretary Chad Wolf last Monday, the Democratic lawmakers demanded a "full briefing" within a week as well as documents by March 2 listing details such as the cities where the specially trained officers are expected to be deployed and the duration of their assignment. ([The Hill](#))

Justice

Judge Defends Congress in Roger Stone Sentencing: A federal judge in Washington vigorously defended congressional power to investigate national security matters when giving Roger Stone a 40-month prison sentence last Thursday, a punishment that “has to send the message that witnesses to do not get to decide for themselves” whether they can mislead lawmakers. ([Roll Call](#))

Banking & Housing

Lawmakers Paint Different Pictures of Trump's “Opportunity Zone” Program: Lawmakers on opposite sides of the aisle painted contrasting pictures Thursday of the “opportunity zones” created by President Trump’s 2017 tax law during a forum in Charlotte, NC, hosted by The Hill. Potential changes to ensure tax credits go to truly low income areas and delivering more low income housing were points of discussion, among others. ([The Hill](#))

EXECUTIVE BRANCH

Health/HHS/NIH

Trump’s Support for Bipartisan Senate Drug Pricing Bill May Not Be Enough to Push It into Law: A Senate bill to control prescription drug prices seemed to have everything it needed: bipartisan backing, President Trump’s endorsement and broad public support. But its status on legislative life support reveals the perils of tackling one of the nation’s most hot-button topics just months before a presidential election. Even though Trump has said he supports the measure, he has stopped far short of trying to ensure its passage. ([Washington Post](#))

Problems with CDC Coronavirus Test Delay Expanded US Screening: Problems with a coronavirus test developed by the CDC have delayed the Trump administration’s efforts to expand screening to state and local public health labs, more than two weeks after the FDA granted permission to distribute the CDC test nationwide. Only three of the more than 100 public health labs across the country have verified the CDC test for use, according to the Association of Public Health Laboratories. ([Politico](#))

Defense

DOD Brass Tally \$18 billion FY 21 Wish Lists: The Defense Department’s top brass have identified a collective \$18 billion in “priority” projects not funded in the Trump administration’s \$705 billion fiscal year 2021 budget request, a set of wish lists prepared at Congress’ direction nearly each year since the mid-1990s that circumvent the Pentagon’s budget formulation process. ([Inside Defense](#))

Top Pentagon Policy Official Who Warned Against Withholding Ukraine Aid Resigns at Trump’s Request: John Rood, Under Secretary of Defense for Policy at the Pentagon, is the latest senior national security official involved in the Ukraine controversy to be forced out following Trump’s acquittal in the Senate impeachment trial, but sources say that he broke with the administration on several issues, in addition to the handling of aid to Ukraine, leading to a loss of support from leadership. ([CNN](#))

Trade

Trump Teases More Trade Bailout Money for Farmers: President Trump suggested on Twitter that he would give more bailout payments to farmers this year as they wait for trade deals to boost agricultural exports. ([Politico](#))

Labor and Workforce

New NLRB Decisions Hiding in Plain Sight: The Department of Labor and the National Labor Relations Board have been working overtime to enact several new regulations and implement decisions which modify a number of key Obama-era regulations and prior NLRB decisions. Employers should make note of the recent changes to prepare for workplace environment shifts on the horizon. These changes adjust employer and employee standards in areas such as union elections, the union dues checkoff rule, regular pay rates, work email limitations, and FLSA joint employer status. ([National Law Review](#))

Labor’s Civil War Over ‘Medicare for All’ Threatens its 2020 Clout: “Medicare for All” is roiling labor unions across the country, threatening to divide a critical part of the Democratic base ahead of several major presidential primaries. In union-heavy primary states like California, New York, and Michigan, the fight over single-payer health care is fracturing organized labor, sometimes pitting unions against Democratic candidates that vie for their support. ([Politico](#))

Energy/DOE

One of the World’s Tiniest Nuclear Plants Is Coming to Idaho: An experimental nuclear reactor in Idaho could be the first of its kind in the United States: a commercial reactor providing power using fuel that reduces nuclear waste. The small power plant could power about 1,000 homes and can run almost autonomously for 20 years. ([Popular Mechanics](#))

Exclusive: Westinghouse Set to Sign Pact with Indian Firm for Nuclear Reactors During Trump Visit: US energy firm Westinghouse is expected to sign a new agreement with state-run Nuclear Power Corporation of India for the supply of six nuclear reactors during President Trump’s visit next week, officials said, aiming to kickstart a long-running project. ([Reuters](#))

Dept. of Ed

Foreign Gift Investigations Expand and Intensify: The Department of Education continues to step up its scrutiny of universities receiving foreign gifts and contracts. In going after Harvard and Yale Universities last week, the department sent a clear signal it was serious about enforcing the law, which requires colleges to report all gifts and contracts involving foreign sources valued at \$250,000 or more. ([Inside Higher Ed](#))

DOJ

William Barr to Meet Republican Senators Amid Tensions with Trump: The gathering — which is supposed to center on certain intelligence-gathering statutes that expire soon — comes as congressional Republicans have mounted an all-out defense of the attorney general, who was reported to have considered quitting over President Donald Trump's public commentary on Justice Department criminal cases. ([Politico](#))

DHS/Immigration

Trump Has Declared War on Sanctuary Cities: President Trump and his administration have used every available tool to try to crack down on local governments that refuse to hold unauthorized immigrants in criminal custody, block immigration agents from working in county jails or deny federal authorities access to immigrants' records. ([Axios](#))

Trump Seeks Deal on Foreign Workers That Could Anger Base: A White House official confirmed the ongoing negotiations on the guest worker proposal and said the effort is an attempt to generate action on a smaller immigration proposal after a larger one stalled and won few adherents. ([Politico](#))

Environment/EPA/DOI

EPA Moves to Limit Financial Pressure on 'Forever Chemical' Manufacturers Under Cleanup Law: A proposal from the Environmental Protection Agency (EPA) would absolve the nation's manufacturers of cancer-linked "forever chemicals" from broad financial responsibility for cleaning up their product as it leaches into the water supply across the country. ([The Hill](#))

Cyber

Cyber Command Seeks \$106M For Unfunded Priorities Worldwide: Alongside the detailed multi-billion-dollar wishlists released by other parts of the Pentagon, there's a single-page unclassified summary of US Cyber Command's Unfunded Priorities List with just three items, totaling \$106 million. ([Breaking Defense](#))

2020 Election Briefing Contributed to DNI Leadership Change: A recent election security briefing played a part in President Donald Trump switching up leadership atop the intelligence community, and the new pick looks to be simpatico with Trump's views on Russian election meddling. ([Politico](#))

Agriculture/USDA

USDA Hopes to Cut Farms' Environmental Footprint in Half by 2050: The US Department of Agriculture (USDA) laid out a series of goals last Thursday to make the farming sector more environmentally friendly, part of an effort to cut the carbon footprint of agriculture in half. The USDA wants to use public private partnerships and industry goals to both increase production by 40 percent while also cutting pollution from multiple aspects of the industry. ([The Hill](#))

Trump Teases More Trade Bailout Money for Farmers: Trump's dangling of extra bailout money should delays in finalizing trade deals and the coronavirus outbreak in China slow US exports stands in contrast to his recent boasts that farmers should start buying more land and "bigger tractors" to keep up with the historic boom that he promised his new trade agreements would deliver. Additional aid could also draw some criticism from Democrats in Congress who have questioned the fairness of how the funding is distributed geographically and among commodity sectors. ([Politico](#))

Transportation/DOT

Airlines to Feel \$29 Billion Revenue Impact from Coronavirus: The near-total shutdown of air travel in and out of China because of the coronavirus will result in a 4.7% contraction in global traffic and deprive global carriers of \$29.3 billion in revenue, according to an initial impact assessment by the airline industry. ([FreightWaves](#))

DOT Issues Compliance Notice Cautioning Truck Drivers About CBD Products: The Department of Transportation has issued a compliance notice warning truck drivers and other safety-sensitive transportation workers about the potential mislabeling of hemp-derived products that could contain illegal levels of marijuana that might test positive in a DOT drug test. ([Transportation Topics](#))

Space/NASA & NOAA

NOAA Warns of Risks From Relying on Aging Space Weather Missions: The head of NOAA's space weather office used a recent Senate Commerce Committee hearing on "space missions of global importance" to caution that a failure of an aging spacecraft in the next few years could leave the agency "hurting a little bit" in its ability to monitor solar activity, and Committee members asked specifically about the possibility of accelerating plans for the Solar Weather Follow-On mission. ([Space News](#))

China Wants to Build a New Space Station - A Planned Launch in April Will Set the Stage: A Long March 5B rocket will carry a "trial version" of China's new spaceship, which is designed to carry crews of up to six people – double the capacity of previous modules, before starting to launch segments

possibly later this year. China plans to finish the space station by 2022, after more than 10 missions for construction and in-orbit assembly. ([Space.Com](#))

Commerce Stresses Urgent Need for Budget Increase: A Department of Commerce (DOC) official said in recent hearings on Capitol Hill that there is an “urgent need” for funding to enable the Office of Space Commerce (OSC) to move forward with Space Situational Awareness (SSA) efforts. Congress appropriated only \$2.3 million for OSC in FY2020, about 20 percent of the request. The Trump Administration is asking for \$15 million for FY2021. ([Space Policy Online](#))

Tax Reform/IRS

IRS Issues Guidances on Carbon Capture Tax Credit: The Internal Revenue Service (IRS) last Wednesday issued two guidances aimed at helping businesses take advantage of a tax credit for those using use equipment to capture carbon from the atmosphere. ([The Hill](#))

Baking & Housing/HUD

Treasury Secretary Sets Goal for Cryptocurrency Regulation: Treasury Secretary Steven Mnuchin last Wednesday at a Senate Finance Committee hearing previewed coming regulations but supplied no details on what they might entail. The Trump administration has recently expressed concern that cryptocurrencies like Bitcoin are being used to execute illegal transactions and evade US sanctions, which these regulations would aim to address. ([Compliance Weekly](#))