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Outlook for This Week in the Nation's Capital

So much to do with little time: Lawmakers are back from Thanksgiving break and facing chaos on Capitol Hill, as Republicans hope to overhaul the tax code, reform Obamacare, and avoid a government shutdown. There are 34 days until the end of 2017 but only 12 legislative days left in the calendar as it stands and only 11 days until the government runs out of funding.

Go-Time on Tax Reform in the Senate: It is crunch time for the Senate on tax reform this week, as the chamber heads into a marathon debate aiming to hold a floor vote as early as Thursday. Republican Senator Rand Paul finally decided to support the tax plan, giving the effort a small jolt of momentum. However, several senators still need to be won over, including Sens. Ron Johnson, Steve Daines, Jerry Moran, Bob Corker, Jeff Flake, John McCain, Lisa Murkowski, and Susan Collins. Senate Republicans are considering last-minute revisions to win over these reluctant lawmakers, including Senator Susan Collins' request to allow Americans to deduct \$10,000 in local property taxes from taxable income. Finding the money to pay for the changes could be an issue, as Republicans can cut taxes by no more than \$1.5 trillion over a decade.

Government Shutdown—FY18 Appropriations Wrap-Up: The White House and Congressional leaders of both parties are scheduled to meet tomorrow to continue discussions on averting a government shutdown on December 8 when the current Continuing Resolution is scheduled to expire. Complicating matters is that to fund the Defense Department at the level many Republicans want for FY18, the current Budget Control Act caps need to be increased. To receive the needed support of Senate Democrats to pass new spending caps, the caps for nondefense spending also need to be increased. Previous efforts to reach an agreement have been unsuccessful, and staffers from both parties warned that if a deal is not reached this week, the passage of a broad appropriations package for FY18 before Christmas is unlikely, and therefore, Congress would face another Continuing Resolution or a government shutdown.

DACA—Healthcare: In the mix to complicate spending negotiations are also several immigration and healthcare issues that many believe need to be resolved by yearend. Immigration groups plan to push hard over the next few weeks to force Congress to reconsider an immigration deal that would resolve the DACA issue. Caravans of DACA supporters will storm Washington this week, and a "war room" will be set up inside the Capitol where Republican and Democratic supporters can conduct satellite interviews with national and local press. Related to healthcare, many Democrats want to see the Alexander-Murray legislation to restore the cost-sharing reduction payments included in a yearend spending package negotiation to help stabilize insurance marketplaces. Additional healthcare issues include repealing the individual mandate, as it is a provision in the Senate tax-reform bill, and reauthorizing the Children's Health Insurance Program, which lapsed on September 30.

Nominations of Note: The Senate this week also continues its work on the backlog of Presidential nominations, with the Senate Commerce Committee on Wednesday holding the nomination hearing for Barry Myers to be Under Secretary of Commerce for Oceans and Atmosphere and Administrator of NOAA. The hearing could be contentious, as several senators expressed skepticism whether he is the right person for the job given his lack of training as a scientist and his previous efforts to prevent the National Weather Service from distributing weather information free on the Internet because it would compete with his business interests.

Last Week in the Nation's Capital

Congress

Budget

Senate Released Its Remaining Appropriations Bills and Reports: The Senate Appropriations Committee released its 4 remaining bills that were not marked up: [Interior](#), [Homeland Security](#), [Defense](#), and [Financial Services](#). This year, the House Appropriations Committee marked up all 12 of its bills, whereas the Senate Appropriations Committee marked up only eight. The Senate Defense bill is \$70 billion over the budget cap for FY18, which would trigger a sequester highlighting the need for an increase in the Budget Control Act spending caps to complete this year's appropriations process. The White House and Congressional leaders are scheduled to meet this week to discuss a yearend funding agreement that would include the revised budget caps and avert a government shutdown. (*Clark Hill Insight*)

Tax Reform

Here's Where the GOP Tax Plan Stands Right Now: The Senate Finance Committee released the text of its bill late on November 20. Murkowski said on November 21 that she won't oppose the individual mandate provision in the tax bill, improving its chances to pass. The CBO reported that so far, there hasn't been time to compile a macroeconomic study of the Senate tax legislation. (*Bloomberg*)

Executive Branch

CFPB

The CFPB Takes No Holiday for Thanksgiving, Leaving the Leadership of the Agency in Doubt: *(Clark Hill Insight)*

CFPB's Top Lawyer: Mick Mulvaney Is in Charge: The Consumer Financial Protection Board's general counsel issued a memo to top agency leaders that Office of Management and Budget Director Mick Mulvaney is in charge of the agency starting Monday. "Questions have been raised whether the president has the authority under the Federal Vacancies Reform Act to designate Mick Mulvaney, the Director of the Office of Management and Budget, as Acting Director of CFPB following the resignation of Richard Cordray as of midnight, Friday, November 24, 2017," General Counsel Mary McLeod wrote to top staffers. *(Washington Examiner)*

Official Files Lawsuit Challenging Trump's Pick to Lead Consumer Watchdog Agency: The tug-of-war over leadership of the Consumer Financial Protection Bureau intensified Sunday as a high-ranking agency official sued to block President Trump from installing his pick to temporarily lead the watchdog agency. *(Chicago Tribune)*

Trump Pick to Head Consumer Protection Office at Work Despite Legal Challenge: Amid a controversy over who will run the top consumer watchdog, Mick Mulvaney showed up Monday morning at the Consumer Financial Protection Bureau and took charge of the office's operations, according to a senior White House official. *(CNBC)*

FCC

FCC Pushes Forward with Net Neutrality Rollback Plans: The Federal Communications Commission announced it would vote at its December 14 monthly meeting on rolling back the legal underpinning for its net neutrality rules, forecasting a total repeal of the Obama-era safeguards that prevent paid content prioritization and other schemes that create "fast" and "slow" lanes for Internet content. *(Law 360)*

DOI

Ryan Zinke's Wife Helped Plan Official Government Travel and Events, Documents Show: Interior Secretary Ryan Zinke's wife helped plan his official government travel and events he attended in the first few months of the Trump Administration, according to documents made public. *(Washington Examiner)*

EPA

Scott Pruitt on a Mission to Change the EPA's Culture: EPA Administrator Scott Pruitt isn't just dismantling the Clean Power Plan and other high-profile environmental programs of the Obama era. He's on a mission to re-engineer the agency's culture by returning power to states and away from the Washington bureaucrats and coastal elites he said led it astray. *(USA Today)*

NASA

NASA, Department of Energy Testing "Kilopower" Space Nuclear Reactor: In preparing for possible missions to the Red Planet in the near future, NASA's Space Technology Mission Directorate has been given the go-ahead to test a small nuclear reactor that could one day run equipment on the Martian surface. The Kilopower project is working to advance a design for a compact, low-cost, and scalable nuclear fission power system for missions that require lots of power, such as a human mission to Mars. *(Space Flight Insider)*

Russian Investigation

Flynn's Lawyers Cut Talks with Trump Team, Signaling Mueller Cooperation: Lawyers for Michael Flynn, President Trump's former national security adviser, have told Trump's legal team they can no longer discuss a probe into Russian meddling in the US election, indicating Flynn might be cooperating with the investigation, the *New York Times* reported. *(Reuters)*

White House

Trump Adds Five Names to Supreme Court Potential List: The additions, which include 3 current circuit court judges, 2 of whom are Trump appointees—a Georgia Supreme Court justice and an Oklahoma Supreme Court justice—bring the tally of candidates to 25 and represent fulfillment of what the White House said was Trump's "Make the Judiciary Great Again" campaign promise. *(Law 360)*

Trump Calls North Korea State Sponsor of Terror: President Trump placed North Korea on the nation's list of state sponsors of terror, pledging that the isolated nation will soon be hit with the "highest level of sanctions" in a bid to counter its nuclear proliferation agenda. *(Law 360)*

Bush Administration Alums Rising in Trump's Orbit: For all the lingering tensions between President Donald Trump and former President George W. Bush, Trump's White House shares one thing in common with that of his Republican predecessor: people. Trump has installed more than three dozen Bush administration veterans, putting them in charge of running agencies, implementing foreign policy, and overseeing his schedule. *(AP News)*