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Outlook for This Week in the Nation's Capital

Appropriations. The Senate will continue its work on the appropriations process and attempt to pass its first series of FY20 bills, which include a package containing the Agriculture, Commerce-Justice-Science, Transportation-HUD, and Interior appropriations bills. Several more controversial amendments on topics like gun control and immigration have been filed, but at this point, it is unclear if they will have votes. Originally, the Senate planned to next take up a package containing the Defense and Labor-HHS appropriations bills, but Senators are now saying that they'll likely wait to proceed until both chambers reach an agreement on top-line spending levels for the 12 appropriations bills.

Turkey. The House plans to vote on legislation that would impose sanctions on senior Turkish officials involved in the invasion of Syria, as well as Turkish banks active in the defense sector. Senate Majority Leader Mitch McConnell (R-KY) is not yet willing to take up a sanctions bill in the Senate, but is considering taking up a resolution condemning Turkey for the increased violence in Syria.

Defense Authorization. Senate Armed Services Committee Chairman Jim Inhofe (R-OK) said that he plans to introduce a "skinny" version of the annual defense authorization act that avoids any of the controversial measures currently holding up the conference process, such as the border wall, the transgender ban, nuclear weapons limitations, and congressional authorization for the conflict in Yemen, amongst others. However, House Armed Services Committee Chairman Adam Smith (D-WA) said that he does not believe that a "skinny" version of the bill is necessary, and that an agreement can be reached on the remaining items.

Last Week in the Nation's Capital

CONGRESS

Budget & Appropriations

Shelby: Next Stopgap Could Last Until February or March: Senate Appropriations Chairman Richard Shelby (R-AL) said the next continuing resolution to fund government agencies beyond the current stopgap's Nov. 21 expiration might have to run beyond the end of this calendar year — perhaps into early spring. Shelby said that though he'd prefer a shorter stopgap, the House's impeachment inquiry and possible Senate trial will likely take all of the "oxygen out of the room" until the process is over. ([Roll Call](#))

Congress Faces Major Hurdles to Spending Deal: Senators broke a months-long stalemate over funding the government by starting to work on a package of four spending bills, but major hurdles remain to avoid a shutdown next month. House and Senate lawmakers are stuck over issues related to a mammoth defense bill and GOP demands for President Trump's border wall. The divisions are raising the prospect of another continuing resolution (CR) to keep the government operating once the current one runs out on Nov. 21. ([The Hill](#))

Health

Conservative Republicans Unveil Obamacare Replacement Plan: The Republican Study Committee unveiled what members described as a "framework," nine months in the making, even as the White House continues to develop its own set of principles behind closed doors. It includes no legislative text and does not have the formal backing of the White House or broader GOP conference. The conservatives behind it hope the plan could help inoculate Republican congressional candidates against the perception that Republicans have no ideas for fixing a system they've vowed to destroy. ([CNN](#))

House Committee Advances Measure Taxing Nicotine in Vaping Products: The House Ways and Means Committee approved legislation that would impose a federal tax on the nicotine used in liquid vaping products. The move comes amid growing concerns over the health effects of vaping, as a respiratory illness linked to vaping products spreads across the country. ([The Hill](#))

Defense

Smith Dumps Cold Water on 'Skinny NDAA': House Armed Services Chairman Adam Smith is tossing cold water on a slimmed-down version of the National Defense Authorization Act, which lawmakers are considering as a Plan B in case they can't get a full defense policy bill through conference. ([Politico](#))

Nuclear Command Nominee Sidesteps Questions on Arms Control Treaties: Vice Adm. Charles Richard, the nominee to be commander of US Strategic Command, told the Senate Armed Services Committee he would give the president his "best military advice" on the New START Treaty and Open Skies Treaty, and listed several pros and cons with each. ([The Hill](#))

US Military 'Will Be Tested' After Syria Withdrawal, Key Lawmaker Warns: "It may well be by Iran in the Gulf. It may be by Russia and (leaders) in Syria, it may be by terrorists in Afghanistan or elsewhere, or someplace else in the world," said Rep. Mac Thornberry (R-TX), the ranking member on the House Armed Services Committee. "But we will be tested." ([Military Times](#))

Cyber

House Marks Up Cybersecurity Bill to Support Local Governments: [H.R. 4237](#), the Advancing Cybersecurity Diagnostics and Mitigation Act, aims to help state and local governments defend themselves against ransomware attacks by making tools used in the DHS Continuous Diagnostics and Mitigation (CDM) program available to state and local governments. The CDM program is one of the signature DHS cyber initiatives for protecting other federal agencies. The bill is sponsored by Rep. Ratcliffe (R-TX), and would codify existing elements of CDM and order a strategy for the program to counter evolving cyber threats. The bill passed through the House Homeland Security committee last week with no amendments. (Clark Hill Insight)

Senate Bill Aims to Help People Delete Facebook by Making Data More Portable: The ACCESS Act would require the large platforms, including Facebook and Twitter, to make their user data more portable, as well as make their services inter-operable. The bill also would allow users to designate third-party services to manage their privacy and account settings. ([Market Watch](#))

House Homeland Security Committee Advances Online Extremism Bill: The House Homeland Security Committee unanimously voted to advance the National Commission on Online Platforms and Homeland Security Act, greenlighting one of the first legislative efforts to address internet extremism and bigotry after a string of mass shooters were tied to white supremacist online footprints this year. ([The Hill](#))

As Zuckerberg Hearing Opens, Maxine Waters Lays Into Facebook: Though the hearing was largely devoted to Facebook's cryptocurrency project, Chairwoman Maxine Waters (D-CA) lit into Facebook in her opening statement, making clear that the hearing would be about all the other charges lawmakers have leveled against the social network, too — including monopolistic behavior, discrimination, privacy violations, breaches in election security, and whether the government should break up Facebook. ([Axios](#))

Homeland Security/Immigration

House Homeland Security Committee Subpoenas Security Officials for Testimony on Terrorism: House Homeland Security Committee Chairman Bennie Thompson (D-MS) issued subpoenas for the public testimony of two senior Trump administration officials on terror threats facing the country. ([The Hill](#))

Environment/Interior

Senators Launch Bipartisan Climate Change Initiative: Sen. Mike Braun (R-IN) and Sen. Chris Coons (D-DE) are introducing the first-ever bipartisan Senate Climate Solutions Caucus. ([NBC News](#))

Congress Quickly Losing Patience With EPA on PFAS: The EPA was on the receiving end of bipartisan criticism from lawmakers Oct. 23 over its process for regulating PFAS chemicals in drinking water, another sign that Congress may be moving toward wresting this process away from the agency. ([Bloomberg Environment](#))

Trade

US Trade Envoy Meets Lawmakers on US-Mexico-Canada Deal as Time Runs Short: US Trade Representative Robert Lighthizer met last week with Democratic lawmakers to try to resolve their concerns about the U.S.-Mexico-Canada (USMCA) trade agreement as Republicans increased pressure to get the deal passed by the end of 2019. ([Reuters](#))

Banking & Housing

House Chairwoman Waters Clashes With Trump Officials Over “Disastrous” Housing Plans: A hearing last Tuesday highlighted the deep divide between House Democrats and the Trump administration over housing policy as lawmakers pressed officials on their plans and accused them of ignoring what they said was a housing affordability crisis. Three top Trump administration officials testified before the House Financial Services Committee, to explain their ambitious plan to reform the federal housing finance system, and were met with significant resistance to their proposals to overhaul the housing government sponsored enterprises. ([The Hill](#))

Senate Examines Mortgage Data Privacy Issues: The Senate Committee on Banking, Housing, and Urban Affairs Hearing held a hearing last week to examine data ownership, focusing on exploring implications for data privacy rights and data valuation. Earlier this year, the Banking Committee discussed the structure and practices of the data broker industry and technology companies, such as large social media platforms and the gaps that exist in federal privacy law as well as the changes to federal law, including the Fair Credit Reporting Act (FCRA), that should be considered to give individuals real control over their data. ([DS News](#))

Labor & Workforce

House Democrats Look for ‘Future’ Workplace Protection Ideas: House Democrats plan to craft a list of legislative recommendations to update protections in the modern workplace, informed by a series of hearings. A pair of House Education and Labor subcommittees Oct. 23 held the first of a planned trio of “future of work” hearings, to examine the issues of automation on the job, the use of artificial intelligence tools for hiring and recruiting, and gig economy worker rights, among others. ([Bloomberg Law](#))

Transportation

Congress Ramps Up Scrutiny of Boeing Executives, Board: US lawmakers probing the 737 MAX jet crisis are ratcheting up scrutiny of Boeing Co. leaders as new details point to management pressure on engineers and pilots in its commercial-aircraft unit. ([Wall Street Journal](#))

Senate Democrat Schumer Proposes Plan to Swap Gas Cars for Electric Vehicles: Sen. Chuck Schumer (D-NY), the top Senate Democrat, last Thursday proposed a \$454 billion plan over 10 years to help shift the United States away from gasoline-powered vehicles by offering cash vouchers to help Americans buy cleaner vehicles. ([Reuters](#))

Energy

Democrats Vow to Push for Repeal of Other Trump Rules After Loss on Power Plant Rollback: Senate Democrats say they will continue to try to use congressional powers to repeal executive branch regulations, even though the tactic failed during an effort to overturn a rollback of power plant pollution. ([The Hill](#))

Murkowski Sets Nov. 5 Hearing for Danly, MacGregor: The Senate Energy and Natural Resources Committee will consider two high-profile energy nominations on Nov. 5, according to a [notice](#) posted last Friday. The panel will examine the selections of Republican FERC nominee James Danly and deputy Interior secretary pick Katharine MacGregor. ([Senate Energy Committee](#))

Education

House Democrats Threaten to Subpoena Betsy DeVos: In a letter sent to DeVos, Rep. Bobby Scott (D-VA), the chairman of the Education and Labor Committee, said department officials have failed to substantively respond to questions and provide requested documents since July, undermining the committee's ability to conduct oversight. ([USN&WR](#))

Tax Reform

Senate Rejects Repeal of State and Local Tax Deduction Cap Rule: The Senate rejected an attempt to repeal a Treasury Department rule that thwarts workarounds employed by several states to bypass the \$10,000 limitation on state and local taxes that was a key feature of the 2017 tax code overhaul. ([Roll Call](#))

Impeachment Inquiry

Laura Cooper, Pentagon Official Overseeing Ukraine, Testifies in Impeachment Inquiry After GOP Delay: Laura Cooper, the top Pentagon official overseeing US policy regarding Ukraine, testified in front of House impeachment investigators last Wednesday after a five-hour delay caused by a group of House Republicans who stormed the secure room where the deposition was taking place. ([NBC News](#))

Democrats Say Whistleblower's Testimony is Unnecessary as Other Witnesses Come Forward: The whistleblower who initially unmasked President Trump's effort to pressure Ukraine for political favors has moved steadily toward the periphery of the House impeachment inquiry as several Democrats said Thursday they have ample testimony from senior Trump administration officials to back his claims. ([Washington Post](#))

Chaotic Scene as Republicans Disrupt Impeachment Deposition: Republicans briefly brought the Democrat-led impeachment investigation to a halt last Wednesday when around two dozen GOP House members stormed into a closed-door deposition with a Defense Department official. Democrats said the move compromised national security because some of the Republicans took electronic devices into a secure room. ([New York Times](#))

44 Republicans Sign onto Graham Resolution Condemning Impeachment Inquiry: Sen. Lindsey Graham (R-SC) introduced a resolution in the Senate last Thursday condemning the impeachment inquiry into President Trump, calling on the House to vote to open a formal inquiry and provide Trump with "fundamental constitutional protections." ([Axios](#))

Impeachment Inquiry Is Legal, Judge Rules, Giving Democrats a Victory: The House Judiciary Committee is lawfully entitled to view secret grand jury evidence gathered by the special counsel, Robert S. Mueller III, Judge Beryl A. Howell of the Federal District Court for the District of Columbia ruled in a 75-page opinion. Attorney General William P. Barr had withheld the material from lawmakers. ([New York Times](#))

EXECUTIVE BRANCH

Health/HHS/NIH

Trump Set to Nominate Texas Cancer Doctor to Head FDA: President Trump is poised to nominate Stephen Hahn, a top official at MD Anderson Cancer Center in Houston, to be the next commissioner of the Food and Drug Administration, according to people familiar with the situation. He would succeed acting FDA chief Norman "Ned" Sharpless, who was also a major contender for the commissioner's post. Sharpless, who previously directed the National Cancer Institute, was named acting FDA chief in March, when the previous commissioner, Scott Gottlieb, announced that he was stepping down. ([The Washington Post](#))

Premiums for Popular Obamacare Plans to Drop 4 Percent: Premiums for key plans sold on HealthCare.gov will drop by four percent on average next year, with several states seeing double-digit declines, the Trump administration said. This marks the second straight year that the so-called benchmark premium has dropped and is a further sign that the Obamacare insurance marketplaces are stabilizing, even as the administration supports a lawsuit that

could destroy the health care law. ([Politico](#))

Labor & Workforce

Public Sector Training Partnerships Build Power: The Center for American Progress has a new report out that examines why policymakers and advocates often pay less attention to existing partnerships between unionized public sector workers and their employers, despite the fact that these workers now account for about half of all union members and that there is a long history of public sector partnerships providing professional development opportunities to workers, and what can be done to improve the provision of worker training through more such agreements. ([Center for American Progress](#))

Defense/DOD

US to Send 'Mechanized Forces' to Secure Syrian Oil Fields: The plan to send armor to Syria could add extra manpower and logistical strains for US forces in Syria at a time when President Trump is seeking to end America's involvement in the country and put a stop to the forever wars. ([Military Times](#))

Trump Claims Credit for a Syria Cease-Fire and Says US Role in Region Is Over: President Trump announced last Wednesday that Turkey had agreed to a permanent cease-fire in northeast Syria, claiming that the United States was bringing peace to the region after decades of failed efforts. ([New York Times](#))

Pentagon, With an Eye on China, Pushes for Help From American Tech: Pentagon officials have been holding private discussions with tech industry executives to wrestle with a key question: how to ensure future supplies of the advanced computer chips needed to retain America's military edge. ([New York Times](#))

Space/NASA & NOAA

Former US Representative John Culberson Receives Award from NASA at 70th International Astronautical Conference: Space News has comprehensive coverage of the IAC in Washington last week, the largest annual gathering of the aerospace industry and government. NASA Administrator Jim Bridenstine spoke to the gathering on several topics including lunar exploration and search for life/exoplanet missions, and also awarded Clark Hill's own John Culberson NASA's Distinguished Public Service Medal, the Agency's highest award for non-NASA employees, for his support of NASA's science and exploration missions. ([Space News](#))

New NOAA Weather Prediction System Improves Severe Weather Forecasts: The National Oceanic and Atmospheric Administration updated its weather prediction system this June with a climate model that will include data from updated oceanic science, allowing for more accurate climate change-related severe weather forecasting. The new weather model, called Finite-Volume Cube-Sphere dynamical core (FV3), also provides faster forecasts and can assess storm movement at the county level as weather extremes accelerate in an increasingly unstable climate. ([Medill Reports](#))

NASA Sets Launch Date for Starliner Mission to Space Station: Last Thursday, NASA invited media to the launch of Boeing's Starliner spacecraft from Cape Canaveral Air Force Station in Florida. The news release included a launch date for the mission: December 17. This uncrewed test flight will validate the in-flight capabilities of the Starliner vehicle and the Atlas V rocket that will launch it into orbit. This mission is a precursor to human flights on Starliner, which NASA has paid Boeing to develop for astronaut transport to the International Space Station. ([Ars Technica](#))

Trade

US and China Are Close to Finalizing Some Sections of Trade Deal, US Trade Representative Says: The U.S. and China have made progress in trade discussions and have come close to finalizing parts of a phase one deal, the Office of the U.S. Trade Representative said Friday. ([CNBC](#))

Trump Announces He's Lifting Turkey Sanctions as His Syria Envoy Says Turkish-Backed Forces Committed War Crimes: Last week, President Trump announced he was lifting all sanctions on Turkey after it agreed to halt its attack on America's former Kurdish allies in northeastern Syria, shortly after his special envoy to Syria told Congress Turkey's incursion was a "tragedy" and that Ankara-backed forces are likely behind several war crimes. ([CNN](#))

DHS/Immigration

Trump Administration's Immigration Policies Violate Civil Rights, Government Agency Says: The report, written by the U.S. Commission on Civil Rights, raises grave concerns about the Trump administration's asylum policies, detention practices and previously widespread use of family separation. It echoes and references a number of issues raised in other government watchdog reports and media accounts. ([USN&WR](#))

Former DHS Secretary Kirstjen Nielsen Says She Left Post Because 'Saying No' Wasn't Enough: Kirstjen Nielsen, President Donald Trump's former Department of Homeland Security secretary, said Tuesday she left her post after "it became clear that saying no and refusing it to do it myself was not going to be enough" regarding some policies. ([USA Today](#))

Chad Wolf Under Consideration for Homeland Security Top Job: Wolf, a senior department official, previously served as chief of staff to former Homeland Security Secretary Kirstjen Nielsen. He was nominated by President Donald Trump in February to serve as undersecretary for the Office of Strategy, Policy, and Plans at DHS, a role he currently fills in an acting capacity. ([CNN](#))

Cyber

Trump Officials Battle Over Plan to Keep Technology Out of Chinese Hands: The Trump administration is divided over how aggressively to restrict China's access to United States technology as it looks for ways to protect national security without undercutting American industry. ([New York Times](#))

Energy/DOE

FERC Unlikely To Act Soon On Pipeline Policy, Chairman Says: FERC won't decide whether to revise its two-decade-old policy for approving natural gas pipelines until it regains a full complement of five commissioners, Chairman Neil Chatterjee said last Monday. ([Law 360](#))

Justice/DOJ

DOJ Inquiry into 2016 Election Becomes Criminal Investigation: The investigation, being conducted by the US attorney for Connecticut, John Durham, was launched as an effort by Barr to answer unspecified questions he had about why the FBI began the counterintelligence investigation that eventually led to the appointment of special counsel Robert Mueller. ([Politico](#))

DOJ Sues California to Stifle Cap-and-Trade Program with Quebec: DOJ is trying to put an end to a California program that caps carbon emissions from the transportation sector, arguing the state exceeded its authority by crafting the program alongside Canada. The program, underway since 2013, aims to improve California's air quality, allowing companies to trade credits with others in the province of Quebec. ([The Hill](#))

Environment/EPA/DOI

EPA Chief Espouses Benefits of Agency's Environmental Deregulation: Wheeler, speaking to the Detroit Economic Club, said he is often asked how the agency can protect the environment by rolling back regulations. ([The Hill](#))

Department of Education

DeVos Held in Contempt for Violating Judge's Order on Student Loans: A federal judge last Thursday held Education Secretary Betsy DeVos in contempt of court and imposed a \$100,000 fine for violating an order to stop collecting on the student loans owed by students of a defunct for-profit college. ([Politico](#))

Agriculture/USDA

Industry to USDA: Where Are The Federal Hemp Regulations? The hemp industry continues to look for federal guidance on production for 2020, which it believed would soon be forthcoming when more than a month ago the U.S. Department of Agriculture had completed its draft of the federal hemp production rules and submitted it to the White House Office of Budget and Management, which reviews all regulations adopted and implemented by a presidential administration. ([Hemp Industry Daily](#))

Food and Beverage Industries Receives Extension on Meeting New Federal Labeling Rules: The Food and Drug Administration will not focus on enforcement actions for six months after a new Nutrition Facts Label goes into effect on Jan. 1. Instead, during the first six months of 2020, the FDA will work with manufacturers to meet the new Nutrition Facts Label requirements. The FDA said it heard from several manufacturers and groups that more time may be needed to meet all the requirements. ([Food Business News](#))

Impeachment Inquiry

Acting OMB Director says He Will Not Testify in Impeachment Inquiry: Acting Office of Management and Budget (OMB) Director Russ Vought said last Monday that he and OMB's associate director for national security programs will not cooperate with the House's impeachment inquiry. ([The Hill](#))

US Diplomat Directly Ties Trump to Ukraine Quid Pro Quo: The top US diplomat in Ukraine, Bill Taylor, testified Tuesday that he had been told President Donald Trump would withhold military aid to the country until it publicly declared investigations would be launched that could help his reelection chances — including into former Vice President Joe Biden, according to a copy of Taylor's opening statement. ([CNN](#))

White House Delayed Ukraine Trade Decision in August, a Signal that US Suspension of Cooperation Extended Beyond Security Funds: The White House's trade representative in late August withdrew a recommendation to restore some of Ukraine's trade privileges after John Bolton, then-national security adviser, warned him that President Trump probably would oppose any action that benefited the government in Kyiv, according to people briefed on the matter. ([Washington Post](#))

Conservatives Cast Their Support Behind an Embattled Mick Mulvaney: More than 70 conservative leaders signed onto a letter Thursday expressing their support for Mick Mulvaney, the president's embattled acting chief of staff whose job has been in question since he made remarks last week that seemed to complicate the White House's defense against the impeachment inquiry into President Trump. ([CBS](#))