

---

# Window On Washington - October 29, 2018, Vol. 2, Issue 43

Oct 29, 2018

## Outlook for This Week in the Nation's Capital

**Recess.** The House and Senate remain in recess until after the election and will return on November 13.

**Disaster Aid.** Politico is hearing rumors that a disaster aid bill to assist farmers hurt by the recent hurricane is being worked on for action in the lame duck.

**Election Update:** With only a little over a week left until Election Day, Democrats continue to have a high chance of winning control of the House. FiveThirtyEight currently has the chance at 6 in 7 or 84.9 percent. The latest outlook from Cook Political Report on the House races is available [here](#).

## Last Week in the Nation's Capital

### CONGRESS

#### Budget

**GOP Lawmaker Proposes Legislative Maneuver to Fund Trump's Border Wall:** Rep. Bradley Byrne (R-AL) announced legislation aimed at allowing Republicans to circumvent Senate Democrats and provide funding for President Trump's wall along the U.S.-Mexico border. The 50 Votes for the Wall Act would allow Congress to use the budget reconciliation process — which was used to pass the GOP's tax overhaul bill in 2017 — to get around the 60-vote threshold needed to pass legislation in the Senate, where Republicans hold a 51-49 majority. ([The Hill](#))

**Budget Overhaul Proposals Likely to Stay in Play After Nov. 30:** The legislative proposals under development by the Joint Select Committee on Budget and Appropriations Process Reform could enjoy a life of their own after the special panel's work is done later this year. Members of the 16-member bicameral committee are hoping to agree on a package of proposed changes to improve the budget process by a Nov. 30 deadline, allowing their recommendations to be submitted to Congress for action. But whatever recommendations may or may not emerge, the proposals developed by the select committee are likely to play a role in further congressional deliberations. ([Roll Call](#))

#### Health

**Dem Analysis: More Than 15 Million Could Lose Coverage if Trump-Backed Lawsuit Succeeds:** If a Trump administration backed lawsuit against ObamaCare succeeds, more than 15 million people could either lose their health coverage or face premium increases as a result of their pre-existing conditions, gender or age, according to a new report released by congressional Democrats. The report, released by Democratic staff on the House Oversight Committee, serves as a counterpoint to claims by Republican heading into the midterms that they will protect people with pre-existing conditions. The Trump administration is supporting a federal lawsuit brought by 20 GOP state attorneys general that seeks to overturn ObamaCare's protections for people with pre-existing conditions. ([The Hill](#))

#### Tax Reform

**Brady and Hatch Appear to Rule Out Lame-Duck Action on Trump Tax Cut:** The chairman of the House tax-writing panel on Friday appeared to rule out taking action on President Trump's proposed middle-class tax cut until next year. Rep. Kevin Brady (R-Texas) said a 10-percent cut for middle-income Americans would be a priority for Republicans if they retain their majorities in Congress. "We expect to advance this in the new session of Congress if Republicans maintain control of the House and Senate," Brady, who leads the House Ways and Means Committee, said during an interview with CNBC. Senate Finance Committee Chairman Orrin Hatch (R-Utah) also said Wednesday that it's "highly unlikely" the Senate would vote by the end of the year on a new tax cut proposal teased by President Trump. ([The Hill](#))

#### Defense

**U.S. House Bill Would Close Door on Saudi Arms Sales:** A bipartisan group of 21 House lawmakers have introduced a bill to immediately stop all military sales and aid to Saudi Arabia's government. The bill, led by Rep. Jim McGovern, D-Mass., came as President Donald Trump said the killing of a Saudi journalist was a botched operation and his administration has taken its first steps in punishing the Saudis by deciding to revoke the visas of the suspects. Halting arms sales could have repercussions for the U.S. defense industry, which considers Saudi Arabia a lucrative overseas market. ([Defense News](#))

**Pentagon's International Policy Chief Exits to Join McConnell's Office:** The Pentagon's assistant defense secretary for international security affairs, Robert Karem, is leaving his Senate-confirmed post to work for Senate Majority Leader Mitch McConnell. Karem departs the far-reaching Pentagon policy job 18 months after the Senate confirmed him and two weeks before midterm elections to advise McConnell, R-Ky., and the Senate Republican Conference on matters of national security, foreign policy, defense and the intelligence community. He will replace Thomas Hawkins, who left the Senate Majority leader's office to join vehicle manufacturer Oshkosh. ([Defense News](#))

#### Banking & Housing

**Is Bitcoin Secretly Messing with the Midterms?:** In an era of Russian hackers, super PACs and shell corporations being used by foreign entities to

---

influence voting, officials tasked with maintaining the integrity of state and local elections have one more thing to worry about: crypto-candidates. The Center for Public Integrity found 20 crypto-candidates of various political stripes, seeking all levels of office, who have been requesting or have received cryptocurrency to support their efforts. At least three were candidates in a state that has since banned such donations. Another was accepting cryptocurrencies marketed as untraceable. The confusion over campaign cryptocurrency is widespread, and the implications are far from isolated. But the effort to establish uniform rules is lagging behind. ([Politico](#))

*Space, NASA & NOAA*

**NASA'S Gateway Faces Questions in Congress and Updates on Space Force Plans:** NASA Administrator Jim Bridenstine faces a tough task selling Capitol Hill on the agency's ambitious lunar Gateway program, House space subcommittee Chairman Brian Babin tells us. The program envisions an orbiting platform around the moon by 2023 and is a main plank of the space agency's plans for deep-space exploration — but first, the Texas Republican says, the Trump administration “has to make the case.” He wrote an Oct. 10 letter asking Bridenstine to lay out how the Gateway will support trips to both the lunar surface and Mars and how it can make deep space exploration more sustainable. Also, President Donald Trump will act “very shortly” on six recommendations from the National Space Council this week on standing up a military Space Force, Vice President Mike Pence said. ([Politico](#))

**Democratic Takeover Could Mean Boost for NASA's Climate Science:** With control of the House in Democrats' grasp, one potentially major policy shift on the horizon for NASA watchers is a renewed emphasis on the space agency's efforts to track climate change and carry out other Earth science programs, says a leading member of the space panel. The Science, Space and Technology Committee, now chaired by retiring Republican Rep. Lamar Smith of Texas, a noted climate change skeptic, is likely to rejuvenate the issue through oversight hearings and budget deliberations if party control flips, predicts Rep. Don Beyer, a Virginia Democrat. ([Politico](#))

*Transportation*

**Herrera Beutler Introduces Bill to Reinstate Oil-train Safety Rules:** Rep. Jaime Herrera Beutler (R-WA) introduced legislation to reinstate safety regulations for oil trains. The Obama-era rules were rolled back by the Trump administration in September. The 2015 regulations require railroads to ensure trains with either crude oil or flammable liquids onboard to be outfitted with electronic braking systems. The updated systems are considered both more responsive and effective than traditional air-braking systems. ([The Columbian](#))

**Why Not to Bet on a \$1 Trillion Infrastructure Deal:** President Donald Trump and key Democrats are talking about a possible grand bargain on infrastructure, with each side suggesting they could cooperate on a trillion dollar plan if control of the House flips next month. But basic math and the tortured history of past infrastructure initiatives suggest they are likely to be disappointed once again. It's been just eight months since Trump unfurled a \$1.5 trillion infrastructure proposal that promptly sank without a trace in the Congress his party controls. Republicans and outside conservative groups fretted at the cost, while Democrats feared that the details of Trump's plan would shortchange blue states and cities like New York while shredding environmental safeguards. ([Politico](#))

## EXECUTIVE BRANCH

*HHS*

**Trump Signs Sweeping Opioid Bill with Vow to End 'Scourge' of Drug Addiction:** Almost a year after declaring the opioid epidemic a public health emergency, President Donald Trump signed into law a sweeping legislative package that lawmakers and public health experts believe will help curb the growing crisis in the United States. Moments before signing the bill, known as the SUPPORT for Patients and Communities Act, the president called the package the “single largest bill to combat the drug crisis in the history of our country.” The legislative package directs funding to federal agencies and states so they can make increasing access to addiction treatment a priority, and sets in place interventions to help mitigate the crisis, like preventing overprescription and training law enforcement to intercept shipments, including the deadly and highly addictive drug fentanyl, at U.S. borders. ([NBC News](#))

**U.S. 'Turning the Tide' on the Opioid Crisis, Health Secretary Says:** The U.S. is “beginning to turn the tide” on the opioid epidemic, HHS Secretary Alex Azar said, pointing to new federal data showing a slight dip in overdose deaths last year. Preliminary CDC data released last week shows drug overdose deaths, which spiked in 2017, dropped 2.8 percent toward the end of last year and the beginning of 2018. Azar credited federal, state and local efforts. ([Politico](#))

**Amazon, NIH Partner to Link Biomedical Researchers:** Amazon's cloud computing platform Amazon Web Services teamed up with the National Institutes of Health's research initiative to connect biomedical researchers and their work through cloud computing, the NIH announced. The goal of the collaboration is to help NIH researchers connect with their colleagues across more than 2,500 academic institutions receiving NIH support and integrate Amazon' range of technologies and cloud computing capabilities. ([Becker's Hospital Review](#))

*Defense*

**Pentagon Officials Debating How Fast to Launch Space Force, Deputy Says:** Pentagon officials drawing up the blueprints for its future Space Force are debating which of the Defense Department's space-related missions to transfer immediately into the new sixth branch of the military. The Air Force and the other military service branches all have various space-related missions or interests, and opinions about which of them should be shifted into the new Space Force. Shanahan acknowledged the department has not settled on a timeline for bringing all of these organizations under one umbrella. ([Defense One](#))

---

**Pentagon Preparing Two Budget for FY 2020:** The Pentagon is preparing to budget proposals for fiscal year 2020, one at its desired defense spending level of \$733 billion and another at the \$700 billion level, a figure that reflects the president's instructions to reduce costs across the government, Deputy Defense Secretary Patrick Shanahan said. (Clark Hill Insight)

#### *Labor & Workforce*

**United States Department of Labor Announces Regulatory Agenda:** Last week, the Trump administration released the Fall 2018 Regulatory Agenda describing the intended regulatory activity among the various department or agencies within the Federal Government. The Department of Labor's Wage and Hour Administration announced several items in its regulatory agenda that are of interest. First, the Wage and Hour Administration indicated that it will be issuing new proposed overtime regulations, presumably to replace the enjoined and abandoned "FairPay" regulations that were to have gone into effect at the end of the Obama administration. The Occupational Safety and Health Administration announced its intent to issue a number of regulations as well, including a new standard for prevention of workplace violence in healthcare and social assistance settings (to be issued in March 2019) and a final regulation changing the method of maintaining workplace injury and illness logs. (Lexology)

**5 Keys to Better Align College Training with Workforce Needs:** A new report highlights five key elements to successfully resolving a thorny and much-discussed issue that dogs colleges and universities: the reported misalignment of the skills employers need and the training colleges offer. The Education Commission of the States examined four states' efforts to develop workforce and postsecondary systems — Connecticut, Oregon, South Carolina and Texas. It identified common themes of data utilization, stakeholder coordination and collaboration, leaders committed to raising awareness around the issue, aligning curriculum with workforce needs, and access to federal and industry funding. (Education Dive)

#### *DOE*

**GE Secures Funding for Advanced Fuel Development:** The US Department of Energy has awarded a USD33.7 million project to continue the development of advanced fuel rod technologies to GE's Global Research Center. The new fuel, using the IronClad and ARMOR advanced fuel solutions, will be developed in partnership with three US national laboratories. (World Nuclear News)

#### *Finance*

**Innovation: Opening the Door for Regulatory Engagement:** Since Donald Trump took office the hot topic has been "deregulation". However, contradicting this ideal are efforts by financial regulators to incorporate the use of financial technology by financial institutions and fintech entities in order to provide innovative products and services to businesses and consumers. In order to achieve these initiatives, the agencies are taking a new and more welcoming approach. (Clark Hill Insight)

#### *Space, NASA & NOAA*

**ULA Now Planning First Launch of Vulcan in 2021:** United Launch Alliance now expects to perform the first launch of its next-generation Vulcan rocket in the spring of 2021, a slip of nearly a year that the company says is due to requirements of a recent Air Force award. That initial April 2021 launch will be followed by a second in August 2021. Those launches are needed to win certification by the Air Force for military payloads. ULA is not alone in slipping schedules for launch vehicles. Blue Origin had previously planned to introduce its New Glenn orbital vehicle in 2020, but company executives have in recent weeks said the vehicle — which, like Vulcan, uses the BE-4 engine in its first stage — is now likely to enter service in 2021. (Space News)

#### *Cybersecurity*

**Top NSA Official Skeptical of 'Hack Back':** Despite what appears to be growing support among the cybersecurity community and some government officials, there are others pushing back against the idea that private firms should be allowed to "hack back," or retaliate in cyberspace. Senior Adviser to the National Security Agency Rob Joyce criticized the idea that private businesses should conduct offensive operations in cyberspace during an Oct. 23 event hosted by Palo Alto networks. (Fifth Domain)

#### *Trade*

**Mexico, Canada Play Hardball on Trade Deal Over Steel Tariffs:** Juan Carlos Baker, Mexico's deputy commerce minister, said Friday that his government may not sign the final text of the United States-Mexico-Canada Agreement on trade if the U.S. does not agree to provide exemptions to its tariffs on steel and aluminum. The Trump administration is balking at that demand, however, as its counter-proposal, a quota system, is getting the cold shoulder from both Mexico and Canada, which is also seeking an exemption from the tariffs. (Washington Examiner)

#### *DOT*

**Federal Regulator Halts Florida Tests of Self-driving School Shuttle:** The National Highway Traffic Safety Administration (NHTSA) ordered a transit service to stop transporting children to school in Florida using a driverless shuttle, calling it "unlawful." NHTSA said in a statement that Transdev North America's use of its EZ10 Generation II driverless shuttle to take children to school "is unlawful and in violation of the company's temporary importation authorization." According to NHTSA, regulators granted the company permission to use the driverless shuttle for "testing and demonstration purposes," not as a school bus. The company "failed to disclose or receive approval for this use," NHTSA added. (The Hill)

#### *DHS*

---

**DHS: States Will Have Help to Ensure Security of Midterms:** Every state will have help from the U.S. Department of Homeland Security to ensure the midterm elections are secure, one of the department's top cybersecurity officials. Jeanette Manfra, assistant secretary for cybersecurity and communications, met with officials in Rhode Island to talk about elections security. All states will have some interaction with DHS on Election Day, whether they're reporting any incidents, taking part in regular calls or working with the department's cybersecurity experts that are being sent to states, she added. ([US News](#))

*Immigration*

**Trump Preparing to Deliver Major Immigration Speech Just Days Before Midterms:** President Trump is preparing to announce a sweeping border crackdown in a speech Tuesday, a week before the midterm elections, in which he is expected to invoke emergency powers to stop migrants from entering the United States and depict them as a grave national security threat, administration officials said Friday. Trump is considering steps that would bar migrants from crossing the border and deny them a chance to apply for asylum in the United States, measures that legal scholars and immigrant rights groups say would contravene U.S. laws and international treaties, likely triggering challenges in federal court. ([The Washington Post](#))