
Window On Washington - October 5, 2020, Vol. 4, Issue 40

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Outlook for This Week in the Nation's Capital

Congress. The House begins its month-long recess today, though members could be called back with 24 hours' notice for votes on a COVID-19 relief package. The full Senate will not return today as scheduled due to three Republican lawmakers – Senators Thom Tillis (R-NC), Mike Lee (R-UT), and Ron Johnson (R-WI) – testing positive for COVID-19. Previously-scheduled floor activity will be rescheduled for after Oct. 19. Meanwhile, there are no indications that Republicans plan to delay the beginning of the Supreme Court confirmation hearings on Oct. 12 for Judge Amy Coney Barrett, as the Senate Judiciary Committee can still meet when the Senate is not in session. However, for the Judiciary Committee to advance Judge Barrett's nomination as planned on Oct. 22, the Committee would need in-person votes from committee members Tillis or Lee. Separately, tomorrow, the House Administration Committee will hold a hearing on voting rights, election administration, and misinformation in the 2020 election, and the Senate Commerce, Science and Transportation Committee is scheduled to hear testimony from Amtrak CEO William Flynn and others from the rail industry about the current status of the network and rail ahead. On Wednesday, the House Oversight and Reform Subcommittee on Government Operations has a hearing on the IRS and the COVID-19 pandemic.

Next COVID Package Negotiations. Coronavirus stimulus package talks remain in limbo after the House passed a Democrat-only \$2.2 trillion package that received no GOP support. Sharp disagreements remain on components of the relief, including the price tag, the scale of aid for state and local governments, weekly unemployment insurance benefits, child tax credits, earned income tax credits, child care, and funding for COVID-19 testing and tracing. House Speaker Nancy Pelosi (D-CA) and Treasury Secretary Steven Mnuchin are continuing to work on the packages proposed by both sides in hopes of reaching an agreement.

President Trump's Coronavirus Diagnosis. President Donald Trump and First Lady Melania Trump tested positive for the coronavirus, along with numerous others who recently spent time with the President on the campaign trail or at the White House. President Trump is currently hospitalized at the Walter Reed National Military Medical Center, though some of his physicians indicate he could be discharged as early as today, while others question that prediction. Despite daily medical briefings over the weekend, numerous questions remain given the inconsistencies and incomplete picture surrounding the President's health, such as when he contracted the virus, what the findings from his chest scans show as it may indicate to the public the severity of his case, and why he is receiving an array of three different medications.

2020 Elections. Vice President Mike Pence and Sen. Kamala Harris (D-CA) will participate in the first and only vice-presidential debate on Wednesday at the University of Utah in Salt Lake City, moderated by Susan Page of USA Today. The Commission on Presidential Debates has agreed to seat Sen. Harris and Vice President Pence 12 feet apart instead of the original 7 feet. The Commission has not yet announced format changes to the upcoming presidential debates or any other changes in light of President Trump's COVID-19 diagnosis. Separately, according to a new [NBC News/Wall Street Journal poll](#) conducted in the two days after the first presidential debate but before the President tested positive and was hospitalized for COVID-19, Biden leads President Trump by 14 points among registered voters, his largest lead in the NBC News/WSJ poll during the entirety of the 2020 election cycle.

Last Week in the Nation's Capital

CONGRESS

Budget & Appropriations

House Approves \$2.2T COVID-19 Relief Bill as White House Talks Stall: House Democrats last Thursday approved a massive, \$2.2 trillion package of coronavirus relief, lending political cover to party centrists in tough races while putting fresh pressure on Senate Republicans to move another round of emergency aid before the coming elections. ([The Hill](#))

Heavy Hitters in House Urge Return of Spending Bill Earmarks: House Majority Leader Steny H. Hoyer (D-MD), the No. 2 House Democrat, and James E. Clyburn (D-SC), the party whip and third-ranking Democrat, told the Rules Committee that earmarks should be restored with "safeguards" Democrats instituted in 2007 and expanded two years later. ([Roll Call](#))

Health

House Panel Says Drugmakers Inflated Prices to Boost Profits and Reap Bonuses: Major pharmaceutical companies raised drug prices exponentially by hundreds or thousands of percent to boost profits and executives' bonuses, "taking full advantage" of Medicare rules, a House panel said last Wednesday. ([Politico](#))

Endangered Republicans Back Senate Democrats' Bill Opposing Obamacare Lawsuit: Senate Democrats' largely symbolic bid to cut off the Trump administration's support for a Supreme Court challenge to Obamacare failed as expected last Thursday, but several Republicans facing tough reelections crossed party lines to back the measure. ([Politico](#))

House Oversight Expands Probe of Pandemic Ad Blitz: A House oversight panel is expanding its probe of the Trump administration's \$300 million ad campaign to boost confidence in its pandemic response, citing POLITICO reports in questioning if contracts are being steered to people with ties to a senior administration official. ([Politico](#))

Labor & Workforce

Lawmakers Step Up Push for Administration to Make Payroll Tax Deferral Optional for Federal Workers: Lawmakers are stepping up their push to have the Trump administration make the president's payroll tax deferral optional for federal workers and members of the military. ([The Hill](#))

Banking & Housing

Velázquez Blasts SBA for 'Obstruction' in Probe of Massive Aid Programs: House Small Business Chair Nydia Velázquez (D-NY) last Thursday raised the possibility that Congress could cut funding for the Small Business Administration if the agency doesn't start cooperating with federal watchdogs scrutinizing its handling of hundreds of billions of dollars in coronavirus aid programs. ([Politico](#))

Tax

Congressional Tax Office Unlikely to have Trump's Tax Returns, Top Dem Says: There's been speculation the nonpartisan office may have the president's records — which House Democrats have been fighting in court to get — after the Joint Committee on Taxation made a surprise appearance in the recent New York Times story on Trump's taxes. ([Politico](#))

Transportation

FAST Act's Yearlong Extension Signed into Law: The federal law governing the country's transportation operations and funding, which expired September 30, was extended for a year after President Donald Trump's recent signing of a temporary funding measure that also averts a shutdown of the federal government. ([Transport Topics](#))

Airlines Furlough Tens of Thousands as Payroll Support Expires: As Congress remains at odds over the latest round of COVID-19 relief, U.S. airlines began furloughing tens of thousands of employees last week. Airlines had hoped for an extension of the \$32 billion in payroll support grants Congress approved as part of a \$2 trillion relief bill in March, but a proposed stand-alone bill to aid airlines now looks unlikely, so inclusion in a larger package may be the only path left. ([Roll Call](#))

Stand-Alone Bill to Provide Relief for Airlines Blocked On House Floor: House Transportation and Infrastructure Committee Chairman Peter DeFazio (D-OR) attempted to pass a stand-alone bill that would give relief to airlines on the House floor last Friday. ([The Hill](#))

Space/NASA & NOAA

Funding for Artemis Still Unclear After Senate NASA Hearings: The Senate committee that authorizes NASA activities met last week and heard from Administrator Bridenstine, but similar to the Senate Appropriations hearing the previous week, it offered no clue as to the strength of support for providing NASA with the money needed to land astronauts on the Moon by 2024. ([Space Policy Online](#))

Defense

Senate Confirms Allvin to be Air Force Vice Chief: Lt. Gen. David Allvin was confirmed by the Senate to be the Air Force's next vice chief of staff in a late-night vote last Wednesday. ([Air Force Times](#))

New COVID Bill Dampens Hopes for Defense Industry Aid: Democrats' updated HEROES Act does not include defense industry stimulus funding, hinting that the billions of dollars defense firms sought to diffuse the economic impact of the pandemic are not coming. ([Defense News](#))

Homeland Security & Immigration

Democrats Demand DHS Release Report Warning of Election Interference: A group of key Senate Democrats last Thursday demanded that the Department of Homeland Security (DHS) publicly release a bulletin that said a foreign actor is working to undermine faith in voting by mail this fall. ([The Hill](#))

Judiciary/Justice

McConnell Signals He's Open to Confirming Supreme Court Pick in Lane Duck: Senate Majority Leader Mitch McConnell (R-KY) signaled last Thursday night that he's open to confirming President Trump's Supreme Court nominee during an end-of-year lame-duck session. ([The Hill](#))

Comey Defends Russia Investigation as 'Essential' in Testimony to Senate Panel: Former FBI Director James Comey in a Senate hearing last Wednesday sought to defend the bureau's efforts to investigate President Donald Trump and his 2016 campaign's ties to Russia, amid attacks from Republican senators looking to tie him directly to some of the investigation's missteps. ([ABC News](#))

Cyber

House Passes Bills to Secure Energy Sector Against Cyberattacks: The House last week unanimously passed four bills aimed at securing the power grid and other energy infrastructure against cyberattacks. All four of the bipartisan bills were approved by voice vote and supported by the leaders of the House Energy and Commerce and House Science, Space, and Technology panels. ([The Hill](#))

Agriculture

House HEROES 2.0 Ag Provisions: The bill contains a number of agricultural provisions that were in the earlier Heroes Act, including additional support for dairy producers, expansion of the Soil Health and Income Protection Program, and an increase of 15% in Supplemental Nutrition Assistance Program benefits. ([House Agriculture Committee](#))

Environment & Interior

House Passes ACE Act: Congress approved the bipartisan America's Conservation Enhancement Act by a voice vote last Thursday, reauthorizing the North American Wetlands Conservation Act (NAWCA), National Fish and Wildlife Foundation (NFWF) Act and Chesapeake Bay Program through 2025. The legislation was already approved by the Senate but still needs presidential approval to become law. ([The Hill](#))

Asbestos Ban Stalls in Congress Amid Partisan Fight: Democrats and Republicans are each accusing the other of holding up a bill to ban asbestos that had been expected to pass with little controversy last week. The legislation initially moved ahead in Congress after the Environmental Protection Agency moved last year to restrict asbestos but stopped short of banning it outright. ([The Hill](#))

EXECUTIVE BRANCH

Budget & Appropriations

Trump Signs Stopgap Spending Measure to Avert a Shutdown: President Donald Trump signed a stopgap spending bill to avert a government shutdown last Thursday morning after the Senate cleared the continuing resolution last Wednesday night in a bipartisan 84-10 vote. ([Politico](#))

Mnuchin Coronavirus Relief Plan Includes More State, Local Funds: Treasury Secretary Steven Mnuchin offered a \$1.62 trillion COVID-19 relief proposal during his talks with Speaker Nancy Pelosi (D-CA) last Wednesday, which Pelosi and other House committee leaders rejected. ([Roll Call](#))

Health/HHS/NIH

Trump Administration to Renew Coronavirus Emergency Declaration: The renewal will take effect Oct. 23, and the emergency declaration is now scheduled to lapse right after the next presidential inauguration. ([Politico](#))

Azar Says HHS Reviewing \$300M Pandemic Ad Campaign Amid Scrutiny: HHS Secretary Alex Azar last Friday said he's ordering a review of a \$300 million-plus ad campaign aimed at boosting confidence in the Trump administration's coronavirus response, one day after Democratic lawmakers expanded their probe into the taxpayer-funded effort. ([Politico](#))

HHS Says Gilead, Distributor Can Directly Sell COVID-19 Drug in U.S.: HHS said last Thursday that U.S. hospitals can now buy Gilead Sciences Inc's antiviral COVID-19 drug remdesivir from the company and its distributor. ([Reuters](#))

CDC Money for COVID Tracking, Tests Has Been Stalled for Months: The bulk of a \$1 billion funding package intended to help the CDC fight the pandemic in the U.S. has remained unspent since being authorized more than five months ago, according to people familiar with the matter. ([Bloomberg Law](#))

Labor & Workforce

Economy Adds 661K Jobs in Final Jobs Report Before Election Day: The U.S. gained 661,000 jobs in September, the Labor Department reported last Friday in the final jobs report before Election Day. The report, however, came in well below the projections of economists and contained several red flags about the strength of the recovery from the coronavirus recession. ([The Hill](#))

Banking & Housing/HUD

Fed Extends Freeze on Share Buybacks, Cap on Dividends: The Federal Reserve is extending through the fourth quarter its ban on share repurchases, as well as its cap on dividends for banks with more than \$100 billion in assets, the central bank announced last Wednesday. The restrictions were set to expire that day. ([Banking Dive](#))

Tax Reform/IRS

Trump Tax Revelations Shine a Spotlight on IRS Enforcement: The New York Times's blockbuster story on President Trump's taxes has boosted the push to give the IRS more funding to scrutinize wealthy taxpayers. ([The Hill](#))

Space/NASA & NOAA

SpaceX Wins Yet Another Launch Contract for a NASA Space Science Mission: NASA has selected SpaceX to launch a space science mission and several secondary payloads, the latest in a series of wins by SpaceX for NASA science missions. NASA announced Sept. 28 it awarded a contract to SpaceX for the launch of its Interstellar Mapping and Acceleration Probe (IMAP) spacecraft in 2024 from Cape Canaveral on a Falcon 9. ([Space News](#))

Astra Pitches Larger Rocket, Suborbital Cargo-Delivery Plan to Air Force: Last week, the U.S. Air Force convened an event during which American companies were invited to pitch ideas for how they could help the military further its ambitions in space. In turn, the Air Force offered entrepreneurs the potential to connect with government buyers. More than 800 teams submitted solutions to four different challenges under the AFWERX program, which seeks to foster innovative ideas. ([Ars Technica](#))

NASA Safety Panel Warns of Technical and Budgetary Risks to Artemis Program: A NASA safety committee warned that the effort to return humans to the moon by 2024, coupled with uncertain funding, could lead to “engineering compromises” in the Artemis program. At an Oct. 1 meeting of the Aerospace Safety Advisory Panel (ASAP), members said “real physical risks” could emerge as NASA presses ahead with the Artemis program without certainty about the funding that will be available to it. ([Space News](#))

Defense/DOD

Trump Executive Order Targets Rare Earths Minerals and China: President Trump last Wednesday signed an executive order declaring a national emergency in the mining industry, aimed at boosting domestic production of rare earth minerals critical for military technologies while reducing the country's dependence on China. ([Defense News](#))

How Robert O'Brien Helped Steer the Pentagon Toward a Bigger Navy: Current and former officials interviewed by Politico say O'Brien has waged a public and private crusade to get the Pentagon on board with Navy expansion and has been critical to getting the President's support as well. ([Politico](#))

U.S. Army Discontinues Rapid Equipping Force: The U.S. Army has discontinued its Rapid Equipping Force and Asymmetric Warfare Group, stood up during the wars in Iraq and Afghanistan to get urgently needed capabilities into the field in 180 days or less. As the Army shifts from a focus on counterinsurgency operations to going up against near-peer adversaries like Russia and China across air, land, sea, cyberspace and space domains in large-scale operations, the REF's utility and mission has been in question. ([Defense News](#))

Unresolved IG Recommendations Piling Up at DoD: When the Pentagon's inspector general makes recommendations to DoD officials as part of its audit and oversight work, the department's leadership usually agrees with them. Whether or not they're implemented is another matter. It's increasingly the case that they're not — at least not in a timely fashion. ([Federal News Network](#))

DHS & Immigration

Trump Administration Slashes Refugee Cap to New Historic Low: The Trump administration announced plans to allow no more than 15,000 refugees into the country this fiscal year, slashing its refugee admittance program to the lowest cap since the system's creation in 1980. ([Roll Call](#))

Judiciary/DOJ

Trump, GOP Aim to Complete Reshaping of Federal Judiciary: President Trump and congressional Republicans are on the precipice of securing what they view as a key part of their legacy: a top-down reshaping of the federal judiciary. ([The Hill](#))

Cyber

Treasury Department Warns Against Paying Hackers Involved in Ransomware Attacks: Both the Treasury Department's Office of Foreign Assets Control (OFAC) and Financial Crimes Enforcement Network (FinCEN) last Thursday issued advisories highlighting the dangers of ransomware cyberattacks and warning against paying ransoms demanded by hackers. ([The Hill](#))

Trump Requires Food Aid Boxes to Come with a Letter from Him: The USDA last week began mandating that millions of boxes of surplus food for needy families include a letter from President Donald Trump claiming credit for the program. ([Politico](#))

EPA & DOI

EPA Finalizes Rule Allowing Some Major Polluters to Follow Weaker Emissions Standards: The EPA last Thursday finalized a rule that could reclassify many “major” sources of pollution as minor ones, allowing facilities to abide by less-stringent emissions standards for dangerous substances such as mercury, lead and arsenic. ([The Hill](#))

Department of Energy

Here's How DOE's First Crop of Risky Energy Tech Investments Has Done: In 2009, the U.S. Department of Energy started funding energy research through the Advanced Research Projects Agency–Energy (or ARPA-E) program, deliberately taking more risks than traditional federal efforts and help new renewable energy technologies get off the ground. A team led by the University of Massachusetts has now looked at a limited sample of startups funded by ARPA-E and found some interesting ways in which these companies seem to have beaten out the competition—and some in which they haven't. ([Ars Technica](#))