

Window on Washington - This Week in the Nation's Capital - July 21, 2017, Vol. 1, Issue 18

Jul 21, 2017

CONGRESS

Budget

- **The Senate Appropriations Committee Did Three Things This Week:**

Marked up the FY2018 Energy and Water Development Appropriations Bill, a measure to fund the nation's priorities for energy development, research, and water infrastructure requirements. This bill provides \$38.4 billion to fund U.S. Department of Energy (DOE) programs, critical infrastructure projects administered by the Army Corps of Engineers and Bureau of Reclamation, and related agencies. The bill is \$629 million above the FY2017 enacted level and \$4.1 billion above the President's request.

Marked up the FY2018 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill with funding for programs that support American agriculture, conservation and nutrition programs. This provides \$145.4 billion in discretionary and mandatory funding, \$4.85 billion above the President's budget request and \$7.9 billion below the FY2017 enacted level. It contains \$20.525 billion in discretionary funding, \$352 million below the FY2017 enacted level, and includes \$124.9 billion in mandatory funding. It was approved 31-0.

Released & approved the Committee's overall allocation of funds between the 12 appropriations subcommittees - named "302b allocations" for the section of the Budget Act providing this authority to do so each year). There are some twists from the House action on this – a lot more money for the Labor, HHS and Education Subcommittee and the Transportation-Housing Subcommittee, but less for Defense and Homeland Security.

([Senate Appropriations](#)).

- **Next Week, Senate Appropriations Committee Will:**

Markup Transportation-Housing

Markup Commerce Justice Science (includes NASA & NOAA)

Markup of Legislative Branch

([Senate Appropriations](#)).

- **House GOP Releases \$1.1 Trillion Budget:** The House Budget Committee unveiled a budget plan for the next fiscal year that would cut \$203 billion in mandatory spending and seek to balance the budget in a decade ([The Hill](#)).
- **House Republican 2018 Budget Ties Tax Reform to Spending Cuts:** Republicans in the U.S. House of Representatives released a fiscal 2018 budget plan on Tuesday that could pose a major new political test for President Donald Trump's legislative agenda by combining tax reform with controversial spending cuts ([Reuters](#)).
- **Senate Panel Begins Moving \$38.4B Energy, Water Spending Bill:** Congressional appropriators announced plans to move forward on energy budget and spending bills, approving higher levels of spending than the White House recommended. Neither chamber has approved spending caps and the House of Representatives has not reached a budget resolution ([E&E News](#)).
- **House Budget Committee Proposes Boosting Defense Spending, Reshaping Welfare Programs:** The House Budget Committee unveiled a spending proposal that would boost defense funding and dramatically reshape social welfare programs such as Medicare and food stamps ([CNBC](#)).
- **House GOP Leaders Start Whipping 12-Bill Omnibus:** House Republican leaders are set to begin whipping support for a 12-bill, \$1 trillion appropriations package that they want to bring to the floor a few days before the August recess starts ([Bloomberg](#)).
- **Senate Committee Ignores Trump, House Budgets in Favor of 2017 Funding Levels:** The Senate Appropriations Committee departed from the budget plans of President Trump and the House, choosing to stick to 2017 funding levels for its fiscal 2018 spending plan. The committee's funding guidance laid out on Thursday \$1.07 trillion in discretionary funding: \$551 billion for defense and \$518.5 billion for non-defense, and an additional \$103.7 billion for the Overseas Contingency Operations (OCO) fund, which does not count toward budget caps ([The Hill](#)).

Education

- **House Education Subcommittee Considers ESSA Oversight:** Some Republican representatives have expressed frustration with the department's federal oversight of state accountability plans that have been submitted for approval thus far, while Democrats on the committee are still struggling to

figure out what the feedback from the department to states could mean — especially when they strongly disagree with other aspects of DeVos' approach ([Education Dive](#)).

- **Committee Sends Large GI Bill Expansion to House Floor for a Vote:** The House Committee on Veterans' Affairs decided unanimously Wednesday to send a bill that expands GI Bill benefits to the House floor for a vote ([Stars and Stripes](#)).

Energy/Environment

- **Nuclear Storage:** The Senate Appropriations energy and water subcommittee approved the energy and water development spending bill for a full committee vote. Unlike the House version of the measure, it does not include the request for \$120 million to restart licensing for nuclear waste storage ([The Las Vegas Review-Journal](#)).
- **Senate Panel OKs Energy Bill that Differs from Trump, House:** The Senate Appropriations Committee advanced an energy and water bill this afternoon that diverges sharply from the priorities of House lawmakers and President Trump ([E&E News](#)).
- **Democrats Caught in Green Crossfire Over Senate Energy Bill:** The sprawling Senate energy package is again sowing discord among environmental groups, but one of their biggest Senate allies says the bill may provide a good opportunity for bipartisanship. Friends of the Earth and Food and Water Watch are spearheading opposition to the bill (S. 1460), branding it a "pro-fracking" measure that perpetuates U.S. dependence on fossil fuel energy. But other conservation-minded groups, such as the National Wildlife Federation and The Nature Conservancy, argue that the legislation's public lands provisions outweigh any drawbacks ([Bloomberg](#)).
- **Natural Gas Building Boom Fuels Climate Worries, Enrages Landowners:** Scientists warn that the rush to more fully tap the rich Marcellus and Utica shales is bad for a dangerously warming planet, extending the country's fossil-fuel habit by half a century ([NPR](#)).
- **Senate Banking Leaders Introduce Flood Insurance Bill:** The leaders of the Senate Banking Committee on Monday evening released a bipartisan bill to keep the federal flood insurance program funded for six years and create new risk mitigation procedures for communities to follow ([The Hill](#)).
- **ANWAR:** Democrats and environmentalists criticized the House GOP budget proposal for its requested \$5 billion in revenue to pave the way for permitting oil and gas drilling in the Arctic National Wildlife Refuge ([The Hill](#)).
- **Ozone Protection:** The House passed a bill that would prevent the Environmental Protection Agency from adding new ozone regulations before states meet the previous 2008 standards for smog pollution ([Washington Examiner](#)).
- **Realtors Endorse House Flood Insurance Extension:** The National Association of Realtors (NAR) endorsed a House plan to renew and revamp the National Flood Insurance Program (NFIP) after holding out for several changes ([The Hill](#)).
- **Permitting:** The House voted to streamline the federal permitting process for oil and natural gas pipelines by giving the Federal Energy Regulatory Commission jurisdiction over interstate pipeline permitting matters ([The Hill](#)).
- **House GOP Leader Says Energy Tweak Near in Sanctions Bill:** House Majority Leader Kevin McCarthy said there's a consensus among lawmakers to change legislation on Russian sanctions so that U.S. companies won't be blocked from lucrative foreign oil deals ([Bloomberg](#)).

Healthcare

- **McConnell Moves On From Replace to Repeal:** Senate Majority Leader Mitch McConnell announced that the latest plans to repeal and replace Obamacare were dead and said he would attempt to hold a vote on a repeal-only bill, using essentially the same legislative language the vast majority of the GOP conference voted for last Congress ([CNN](#)).
- **Trump Blames Democrats and a "Few Republicans" for Health Care Bill Collapse:** President Donald Trump is pointing the finger at Democrats and a "few Republicans" after Monday night's collapse of Republicans' Senate health care bill ([ABC News](#)).
- **CBO: 22 Million Would Lose Coverage Under Senate ObamaCare Replacement:** The most recent version of the Senate Republican bill to repeal and replace ObamaCare would result in 22 million additional people without insurance over the next decade ([The Hill](#)).
- **Graham, Cassidy Healthcare Offer Shifts Decisions to States:** An amendment to the GOP's healthcare plan written by two Republican senators would shift the majority of federal funding and decision-making on ObamaCare directly to the states ([The Hill](#)).

Immigration

- **Mixed Message from Trump on DACA Sparks Frustration from Dreamers as well as Critics of Illegal Immigration:** Thousands of DACA recipients have faced mixed messages, contradictory leaks and a lack of clarity about their future. Inside the administration, there has been talk of deportations, only to have the president himself sound a less dire tone ([LA Times](#)).
- **Justices Urged to Reject Trump Plea to Tighten Travel Ban:** Opponents of President Donald Trump's ban on refugees and visitors from six mostly Muslim countries are urging the Supreme Court to leave in place a federal judge's order that would relax restrictions on entry into the United States ([ABC News](#)).
- **Senators Make Another Run at Passing Dream Act for Young Immigrants:** Senator Lindsay Graham, R-S.C., is joining Sen. Dick Durbin, D-Ill., to try again to pass the Dream Act to provide a way for certain young immigrants who arrived or stayed in the country illegally to become legal permanent residents ([NBC News](#)).
- **Supreme Court Allows Broader Family Exceptions to Trump Travel Ban:** The U.S. Supreme Court Wednesday cleared the way for a broader list

of family exceptions to President Trump's ban on issuing visas to people in six Muslim-majority countries ([NBC News](#)).

Nominations

- **Senate Confirms the Pentagon's New No. 2:** The Senate on Tuesday confirmed Patrick Shanahan as the No. 2 official at the Pentagon, in a 92-7 vote ([CNN](#)).
 - **White House Under Pressure to Drop Export-Import Bank Nominee:** President Donald Trump is standing behind former Rep. Scott Garrett, his choice to head the Export-Import Bank, amid escalating pressure from business groups to pull the plug on the nomination ([Politico](#)).
 - **Energy and Interior:** Senate Energy and Natural Resources Committee Chairwoman Lisa Murkowski (R-Alaska) said she would spend the month of August moving the 38 Energy and Interior Departments nominees from President Donald Trump that have not made it through the committee. The August session will be extended by two weeks ([The Washington Examiner](#)).
-

Russia

- **Mueller Has Expanded the Russia Probe to Include Trump's Business Dealings:** Special counsel Robert Mueller has expanded his investigation into Russia's interference in the 2016 election and whether the Trump campaign colluded with Moscow to include an examination of President Donald Trump's business dealings ([Business Insider](#)).
-

Security

- **House Approves First Ever Reauthorization of DHS:** The House on Thursday passed the first-ever reauthorization of the Department of Homeland Security, which was created as a response to the 9/11 terrorist attacks ([Washington Examiner](#)).
-

Tax Reform

- **Paul Ryan Says Tax Reform Will Get Done Because GOP Is 'Much More Unified' on It:** House Speaker Paul Ryan said he feels more confident that tax reform can get done this year than a health-care overhaul because Republicans are "wired the same way" on the issue ([CNBC](#)).
-

Trade

- **White House Releases Its Plans for Remaking NAFTA:** The Trump administration released its road map for remaking the North American Free Trade Agreement that aims to preserve "Buy America" provisions and reduce the U.S. trade deficit, but steps back from some of President Donald Trump's most fiery campaign rhetoric on trade with Mexico and Canada ([Wall Street Journal](#)).
 - **U.S. Says It Aims to Cut Trade Deficits Through NAFTA Revamp:** President Donald Trump said the U.S. wants to reduce trade imbalances with Mexico and Canada and boost exports of everything from farm goods to financial services as it prepares to kick off talks to revamp the North American Free Trade Agreement ([Bloomberg](#)).
-

Transportation

- **Self-Driving Cars Get Boost With Unanimous Vote by House Panel:** Congress took the first step toward setting rules for self-driving cars, as a House panel unanimously approved a measure that would allow thousands of automated vehicles to hit the road while federal regulators develop safety standards and preempt state rules ([Bloomberg](#)).

EXECUTIVE BRANCH

Department of Energy

- **Perry on Key Electric Grid Study:** 'I have not seen it yet': Energy Secretary Rick Perry says he has not seen a key department study into renewable energy and the electric grid, draft versions of which leaked to the public on Monday ([The Hill](#)).
- **Clean Energy:** The United States is still supporting clean energy and reducing carbon emissions despite withdrawing from the Paris climate

agreement, Energy Secretary Rick Perry argued. U.S. support for renewables also won accolades from the International Energy Agency ([Morning Consult](#)).

EPA

- **Nitrogen Dioxide:** The Environmental Protection Agency completed its review and announced a proposal to continue enforcing the existing standards and regulations for nitrogen dioxide, a pollutant from the burning of fossil fuels in industrial processes, transportation and power production ([The Hill](#)).
 - **Buyout:** Government employee unions shared with their members the EPA's plans to buy out more than 1,200 employees over the next two months ([The Washington Free Beacon](#)).
 - **Clean Power Plan:** The United Mine Workers of America and boiler and utility unions presented a legal basis for replacing the Obama administration's Clean Power Plan to the Office of Management and Budget. The proposal is not public while under review, but a Trump Clean Power Plan would likely support coal-fired power plants ([Washington Examiner](#)).
-

CFPB

- **House Republicans Move to Repeal New CFPB Arbitration Rule:** In the wake of the Consumer Financial Protection Bureau unveiling a new rule to ban companies from using mandatory arbitration clauses, Sen. Tom Cotton, R-Ark., immediately announced that he was launching an effort in the Senate to rescind the rule, stating that the CFPB has "gone rogue again" and is "abusing its power" ([Housing Wire](#)).
 - **CFPB Enforcement Actions Fall Off in Second Quarter:** Enforcement activity by the Consumer Financial Protection Bureau tailed off sharply in the second quarter, with no crackdowns against a bank ([Bloomberg](#)).
-

Regulations

- **Spring Regulatory Agenda Marks Start of Agency Deregulation:** Agencies have been scouring their stockpiles of existing regulations to find those that can be eliminated or modified in an effort to find offsets for the new regulations that they plan to issue in the future ([Bloomberg](#)).
-

NASA

- **SpaceX Drops Plans for Powered Dragon Landings:** SpaceX no longer plans to have the next version of its Dragon spacecraft capable of powered landings, a move that has implications for the company's long-term Mars plans ([Space News](#)).
 - **NASA Seeks Information on Developing Deep Space Gateway Module:** NASA is taking the next small step in the development of a proposed Deep Space Gateway in cislunar space by requesting information about one of its core modules ([Space News](#)).
 - **Planet Wins Second NGA Satellite-Imagery Contract:** Planet has won a second contract to provide satellite imagery to the U.S. National Geospatial Intelligence Agency (NGA), beating out contenders UrtheCast, Orbital Insight and Sky Hawk Drone Services ([Space News](#)).
 - **JPL Moves Ahead with Mars and Europa Missions Despite Funding Uncertainty:** The director of NASA's Jet Propulsion Laboratory said his center is pressing ahead with work on current and proposed missions to Mars and Europa despite ongoing debates on Capitol Hill about funding some of those missions and the impact they could have on the lab's capabilities and workforce ([Space News](#)).
-

White House

- **Trump Raises Vote Fraud but Drops Past Claim of Millions:** President Donald Trump spoke at the first public hearing of his vote fraud commission and raised the possibility that substantial voter fraud had occurred in the 2016 election, but he did not repeat past claims that millions of illegal ballots were cast ([NBC News](#)).
 - **Spicer Resigns as White House Press Secretary:** White House press secretary Sean Spicer has resigned, according to multiple officials, after President Donald Trump decided to name Anthony Scaramucci, a Wall Street financier and longtime Trump supporter, as the new White House communications director ([Politico](#)).
-

If you have any questions about this alert please contact your Clark Hill attorney.