

Window on Washington - June 7, 2021, Vol. 5, Issue 23

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Outlook for This Week in the Nation's Capital

Congress. The House will meet this week for committee work, and the Senate is back in session. Along with votes on a couple of judicial nominations, the Senate is set to take up the House-passed Paycheck Fairness Act ([H.R. 7](#)) as well as the U.S. Innovation and Competition Act ([S. 1260](#)), which includes the Endless Frontier Act. While the Senate plans to consider election reform legislation this month, the future of the legislation remains unclear in the evenly split chamber, as Sen. Joe Manchin (D-WV) yesterday said he will not vote for the House-passed For the People Act ([S. 1](#)) but that he does support the John Lewis Voting Rights Advancement Act.

Separately, [hearings for this week](#) include the House Science Committee discussing accelerating ocean and Great Lakes science and technology, the House Armed Services Committee discussing Army and Marine Corps ground systems modernization programs as well as the FY22 budget request for military readiness, the Senate Armed Services Committee discussing Defense Authorization Requests, and the House Homeland Security Committee discussing border security.

FY22 Budget and Appropriations. The House Appropriations Committee will hold a few [hearings](#) on the FY22 budget this week, including with acting Office of Management and Budget (OMB) Director Shalanda Young. The Senate Appropriations Committee also has a handful of FY22 budget [hearings](#) this week, including for the Department of Housing and Urban Development (HUD), the Food and Drug Administration (FDA), the Department of Justice (DOJ), the Environmental Protection Agency (EPA), the Department of Health and Human Services (HHS), the U.S. Army Corps of Engineers (USACE), and the Air Force and Space Force. The Senate Budget Committee will also hold a [hearing](#) on the president's FY22 budget request, and the House Energy and Commerce Committee will hold a [hearing](#) on the Department of Commerce's FY22 budget.

Infrastructure Package. President Joe Biden and Sen. Shelley Moore Capito (R-WV) are set to speak again today to continue their discussions around the infrastructure package. This week seems to be the informal deadline for the Administration to secure a bipartisan agreement with Senate Republicans as well as to unite Congressional Democrats on certain pieces of the package, as House Speaker Nancy Pelosi (D-CA) wants the House to vote on infrastructure legislation by the Fourth of July. The White House may have to pursue the reconciliation route if a bipartisan agreement does not come to fruition, but it remains to be seen if all Democratic senators would be comfortable with that approach.

Senate Parliamentarian Elizabeth MacDonough has indicated that only one more automatic budget reconciliation is permissible this year, dealing a major blow to Democrats as it effectively means Senate Majority Leader Charles Schumer (D-NY) will not be able to divide up the \$2.3 trillion American Jobs Plan and the \$1.8 trillion American Families Plan, as well as calls to expand Medicare and lower prescription drug prices, into multiple reconciliation packages as was

initially expected. As such, any legislative priorities that do not make it into the next reconciliation package will have to wait until next year for the fiscal year 2023 budget resolution, but they would likely get only one shot at reconciliation then as well.

Biden Administration. Biden will leave for his first international trip as president this week, with visits planned to the United Kingdom for the G7 summit and meetings with Prime Minister Boris Johnson and Queen Elizabeth, to Belgium for the NATO Summit and the U.S.-E.U. Summit, and to Switzerland for a meeting with Russian President Vladimir Putin.

Last Week in the Nation's Capital

CONGRESS

Budget & Appropriations

Yarmuth Says Democrats Likely to Adopt Biden's Spending Targets: The House is on track to take up spending limits next month that would likely match President Joe Biden's proposed defense and nondefense discretionary targets for next year, according to House Budget Chairman John Yarmuth (D-KY). ([Roll Call](#))

Parliamentarian Guidance Deals Blow to Reconciliation Strategy: Using a revised budget resolution to take an extra crack at reconciliation to advance Democratic priorities through the Senate appears unlikely during this Congress, given a new opinion from the Senate parliamentarian. The new guidance, issued to Senate staff last Friday, suggests that Democrats will get just one more try this year to pass a filibuster-proof legislative package to enact additional priorities ranging from infrastructure to immigration policy proposed by President Joe Biden and party leaders on Capitol Hill. ([Roll Call](#))

Transportation

House Democrats Propose \$547B Boost for Highways, Transit Amid Infrastructure Talks: A group of House Democrats is proposing \$547 billion in additional spending to boost projects to fix bridges and roads and increase funding for rail systems amid ongoing infrastructure talks. The House Transportation and Infrastructure Committee is expected to take up the measure during a markup on June 9. ([The Hill](#))

Space/NASA & NOAA

House Bill Would Designate Space as Critical Infrastructure: The Space Infrastructure Act would add space systems to the 16 sectors currently classified as critical infrastructure by the Department of Homeland Security. The bill would direct the department and other agencies to develop guidance on how to protect it. ([Space News](#))

Judiciary/Justice

Republicans, Democrats Battle for High Ground After McGahn Testimony: After years of effort, congressional investigators finally got their chance last Friday to question former President Donald Trump's White House counsel. ([Politico](#))

Cyber

Warner Says Debate on Making it Illegal to Pay Ransoms 'Worth Having': Sen. Mark Warner (D-VA), the chairman of the Senate Intelligence Committee, said yesterday that it is worth debating whether to make paying ransoms illegal after cyberattacks disrupted operations at energy and meat production firms in the U.S. ([The Hill](#))

Agriculture

House Agriculture Chairman Objects to Biden Inheritance Tax Plan: House Agriculture Chairman David Scott (D-GA) objected last Wednesday to President Joe Biden's proposal to change the capital gains taxation on inherited property, signaling growing opposition among farm-state Democrats to a change Biden hoped would help to fund sweeping domestic spending proposals. ([Roll Call](#))

EXECUTIVE BRANCH

Health/HHS/NIH

Expanding Health Coverage is Top Priority for New Head of Medicare/Medicaid: Chiquita Brooks-LaSure, who was confirmed by the Senate on May 25 to lead the Centers for Medicare & Medicaid Services, said in one of her first interviews that her top priorities will be broadening insurance coverage and ensuring health equity. ([NPR](#))

Labor & Workforce

Biden OK with \$300 Unemployment Supplement Expiring: President Joe Biden is comfortable with a \$300 per week federal unemployment benefit lapsing on Labor Day as scheduled. Biden, delivering remarks on the May jobs report from Delaware last Friday, said the temporary boost in unemployment benefits has "helped people who lost their jobs through no fault of their own, and who still may be in the process of getting vaccinated." ([Roll Call](#))

Department of Education

White House Kicks Off College Vaccine Challenge: The Biden administration has launched an initiative called the COVID-19 College Challenge for colleges and universities to encourage their students, faculty, and staff to get vaccinated against the coronavirus. ([Inside Higher Ed](#))

Banking & Housing/HUD

U.S. Housing Regulator Extends Eviction Freeze for Some Multifamily Property: The Federal Housing Finance Agency (FHFA) announced last Thursday it was extending until the end of September an ongoing moratorium on evictions at multifamily properties backed by Fannie Mae and Freddie Mac. The move applies to any multifamily property owners who have sought forbearance with the enterprises due to financial hardship. Under the extension, which is now in effect until Sept. 30, those property owners cannot evict tenants for not paying rent, or charge late fees for unpaid rent. ([Reuters](#))

Fed Isn't Seeking to Make Climate Policy, Powell Says: The Federal Reserve is well positioned to assess climate change risk to the financial system but should steer clear of setting actual climate-related policy, Fed Chairman Jerome Powell said last Friday. ([American Banker](#))

Crypto/Blockchain

Ripple Files Motion Requesting SEC to Hand Over Documents Related to Ongoing Complaint: The company wants to force the agency to disclose why it views XRP differently than bitcoin and ether. ([Coindesk](#))

Transportation/DOT

Biden-GOP Spending Talks Hit Critical Juncture as Patience Runs Thin: President Biden spoke again with Sen. Shelley Moore Capito (R-WV) last Friday afternoon to discuss a potential bipartisan compromise on infrastructure amid signs the talks are nearing their end as both sides remain far apart on key components. ([The Hill](#))

Biden's Labor Support May Stall Unless Senate Enacts Protections: Sen. Tim Kaine (D-VA), a member of the Health, Education, Labor and Pensions Committee, said getting the labor-friendly PRO Act's provisions into an infrastructure package is the top priority right now, since it's unlikely the legislation would get the 60 votes needed to end a filibuster. ([Roll Call](#))

Space/NASA & NOAA

Conferring with China About Space, Sort Of: U.S. law bars NASA from working with China's space industry, but academics and nongovernmental organizations from the erstwhile competitors are steadily increasing their engagement. ([Politico Space](#))

Yes, the Military is Serious About Rocketing Supplies Around the Planet: With a recently released new solicitation, the military wants to signal that there is a potential Department of Defense market for rocket cargo delivery and to begin to understand the technology needed to interface with these launch capabilities. ([Ars Technica](#))

Defense/DOD

US Navy Creates DDG(X) Program Office After Years of Delays for Large Combatant Replacement: The U.S. Navy has created a new program office to usher the next class of destroyer into the fleet, after the service has struggled to find a replacement for its aging cruisers and destroyers over the past decade. ([Defense News](#))

Pentagon's Budget Pressures Will Mount Soon: The Pentagon always faces tough choices about how to spend its money, even when the supply is ample, as it has been lately. But experts think the military's decisions about its priorities in the next few years will be particularly hard. ([Roll Call](#))

After Years of Flat Cybersecurity Budgets, DoD Asks for More Money and Cyber Mission Force Personnel: The Biden administration has proposed a \$10.4 billion cybersecurity budget for the Department of Defense next year, and plans to add 14 cyber "mission force teams" over the next three years, to grow the cyber mission force responsible for cyberspace national security. ([C4ISR Net](#))

DHS & Immigration

Biden Gives ICE Attorneys More Discretion to Drop Immigration Cases: A memo to Immigration and Customs Enforcement (ICE) prosecutors allows the agency's lawyers to drop cases against green card holders and those who are elderly, pregnant or have serious health conditions or have been in the U.S. from an early age. ([The Hill](#))

Judiciary/DOJ

FBI's Wray Reveals Scope of Ransomware Investigations: FBI Director Christopher Wray in a new interview compared the national security threat posed by ransomware to the terrorist attacks of Sept. 11, 2001, as the U.S. government and the private sector continue to grapple with a series of debilitating cyberattacks. ([Politico](#))

Cyber

Supreme Court Narrows Scope of Sweeping Cybercrime Law: The Supreme Court has sharply curtailed the scope of the nation's main cybercrime law, limiting a tool that civil liberties advocates say federal prosecutors have abused by seeking prison time for minor computer misdeeds. The 6-3 decision handed down last Thursday means federal prosecutors can no longer use the 1986 Computer Fraud and Abuse Act to charge people who misused databases they are otherwise entitled to access. ([Politico](#))

CEOs Need to Prepare Now for Exponential Increase in Ransomware Attacks, Top DOJ Official Says: A top Justice Department official warned that U.S. business leaders need to do more to prepare for an onslaught of ransomware attacks being carried out by states and criminal groups overseas. ([CNBC](#))

Department of Energy

FERC Should Expand Organized Markets Across the US, Former Chairs and Commissioners Say: A bipartisan group of former federal regulators are calling on the Federal Energy Regulatory Commission to expand organized wholesale power

markets across the U.S., urging the commission to flex their full authority under the Federal Power Act. ([Utility Dive](#))

Florida Solar Plans Stoke Fight Over ‘Environmental Racism’: A northern Florida town is at the center of a clash between renewable energy developers and residents of a historically Black community — one that highlights an emerging rift between President Biden’s environmental justice and clean energy goals. ([E&E News](#))

