

Window on Washington – August 23, 2021, Vol. 5, Issue 34

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Outlook for This Week in the Nation's Capital

Congress. The Senate is still in recess this week, though the House is returning from its August recess for what leaders hope will be a short session. The House Rules Committee is scheduled to meet today to set up a rule for the Senate-passed bipartisan Infrastructure Investment and Jobs Act ([H.R. 3684](#)), the \$3.5 trillion budget resolution ([S.Con.Res.14](#)), and the John Lewis Voting Rights Advancement Act ([H.R. 4](#)). House Speaker Nancy Pelosi (D-CA) noted that she is planning for floor votes on the budget resolution and the voting rights bill tomorrow but will hold off on holding a final vote on the bipartisan infrastructure bill until the Senate passes a reconciliation bill. The House may also vote on [legislation](#) from the House Oversight and Reform, Natural Resources, and Education and Labor Committees.

Budget Reconciliation and Infrastructure. All nine moderate House Democrats who indicated that they will not vote for the budget resolution unless the House also votes on the bipartisan infrastructure bill have reiterated their stance has not changed. Meanwhile, dozens of progressive House Democrats have indicated they will not vote for the infrastructure bill unless House and Senate moderates support the reconciliation bill. Speaker Pelosi has said that delays in passing the budget resolution will delay Democrats' policy goals, and she still aims to hold a floor vote for final passage of the budget resolution tomorrow. Passing the budget resolution is key as it will allow the reconciliation bill to be brought to the floor for a vote once it is drafted; however, with the continuation of these competing Democratic priorities, there could be later updates as it is currently unclear if Pelosi's approach will change over these next two days of work on the infrastructure, reconciliation, and voting rights plans.

Separately, Senate Budget Committee Chair Bernie Sanders (I-VT) plans to hold town halls in Indiana and Iowa this week to pitch the Democrats' \$3.5 trillion package. He will travel to two congressional districts where former President Donald Trump increased his number of voters between the 2016 and 2020 elections.

Biden Administration. President Joe Biden will host Israeli Prime Minister Naftali Bennett at the White House on Thursday. Vice President Kamala Harris is currently visiting Singapore and will head to Vietnam tomorrow, which will be the first time a U.S. vice president has visited Vietnam. Harris' Southeast Asia trip aims to establish deeper ties with the region and will focus on security, economic partnership, and global health interests.

Last Week in the Nation's Capital

CONGRESS

Budget & Appropriations

Dem Centrists Say DCCC is Threatening to Withhold Fundraising if They Oppose Biden Priority: Multiple House Democratic centrists have fielded calls from their caucus's campaign arm that they took as a warning they would be cut off financially if they oppose their party's \$3.5 trillion budget framework, according to two people familiar with the conversations. The calls from DCCC are the latest evidence of the Democratic leadership's high-stakes whipping operation to bring those centrist holdouts aboard this week's budget vote. ([Politico](#))

Health

Senators Wicker, King, Hickenlooper Test Positive for Covid-19 After Vaccination: Sens. Roger Wicker (R-MS), Angus King (I-ME), and John Hickenlooper (D-CO) all have Covid-19 breakthrough infections, their respective offices announced last Thursday. ([Politico](#))

Banking & Housing

Wyden Announces New Bill to End Homelessness and Ensure Affordable Housing for All: Senate Finance Committee Chair Ron Wyden (D-OR) last week announced the Decent, Affordable, Safe Housing for All (DASH) Act, legislation to make a generational investment to house all people experiencing homelessness, tackle the housing affordability crisis, and expand homeownership opportunities for young people by creating a new down payment tax credit for first-time homebuyers. ([Clark Hill Insight](#))

Transportation

DeFazio Looks to Try Again on His Progressive Transportation Agenda: House Transportation and Infrastructure Chair Peter DeFazio (D-OR) was once deeply skeptical of the budget reconciliation process. But now, that process may present his best shot at effecting the "transformative" change the Oregon Democrat wants in transportation policy. ([Roll Call](#))

Trade

Peters, Stabenow, Brown Urge Taiwan to Continue Efforts to Address Ongoing Semiconductor Chip Shortage Affecting Auto Workers, Manufacturers: U.S. Senators Gary Peters (D-MI), Debbie Stabenow (D-MI), and Sherrod Brown (D-OH) urged the Taiwanese government to continue working to mitigate the ongoing semiconductor chip shortage that has impacted American auto manufacturers, causing plants to idle and resulting in layoffs for workers throughout the auto industry's supply chain. In their letter to Taiwan's representative to the U.S. Bi-khim Hsiao, the Senators thanked Taiwan for working to address the global chip shortage, while emphasizing that additional steps can be taken to increase chip production. ([Clark Hill Insight](#))

Judiciary/Justice

House Revises Voting Rights Bill to Boost Justice Department Powers to Challenge States: House Democrats last Tuesday introduced the latest version of what's been dubbed the John Lewis Voting Rights Advancement Act. The effort still faces significant Republican opposition, however, and the prospects of a filibuster in the Senate. With the Census Bureau having recently released the detailed data states and localities will use to draw new legislative and congressional districts, the process has kicked civil rights and activists groups into a new gear to pressure Congress to act as nine states will draw new maps without Justice Department oversight for the first time in decades. ([Roll Call](#))

EXECUTIVE BRANCH

Health/HHS/NIH

FDA Approval of Pfizer Covid Shot Could Come this Week: The Food and Drug Administration is on track to approve Pfizer's coronavirus vaccine for adults as soon as this week, three people with knowledge of the matter told Politico. The

long-anticipated announcement would make Pfizer's Covid-19 shot the first to receive full licensure from the federal government, a milestone in the nation's year-and-a-half pandemic battle. ([Politico](#))

Biden Ties Federal Funds to Nursing Home Vaccine Mandates: President Joe Biden announced last Wednesday that nursing homes must require their workers to be vaccinated against Covid-19 in order to continue receiving Medicare and Medicaid funds. The Centers for Medicare and Medicaid Services is expected to release an emergency rule in September affecting 1.3 million staffers in roughly 15,000 nursing homes. Federal data shows that around 60 percent of nursing home staff are currently vaccinated, although that falls as low as 44 percent in some states. ([Roll Call](#))

Department of Education

States Can't Block Federal Funds for Districts that Mandate Masks: Public schools who want to institute mask mandate rules can't be denied federal funds, even if their state governments try to pressure them out of mask mandates, Education Secretary Miguel Cardona said. Cardona added that the administration is prepared to launch investigations into states barring masking rules through the Office for Civil Rights — a move the administration floated last week. ([Politico](#))

Banking & Housing/HUD

Appeals Court Leaves Biden Eviction Ban in Effect: A federal appeals court last Friday declined to block the Biden administration's new eviction moratorium, setting up a showdown at the Supreme Court. The three-judge panel at the U.S. Court of Appeals for the D.C. Circuit acted without recorded dissent and did not provide a detailed explanation for its ruling. ([Politico](#))

Biden Administration Releases Guidance Limiting International Financing for Fossil Fuels: The Biden administration last Monday said it would vote against decisions by the World Bank and other multilateral development banks to fund most projects that would develop fossil fuels. The announcement was released in guidance that said the U.S. would oppose new coal-based projects and would also oppose most oil-based projects — with a few exceptions. ([The Hill](#))

FHFA Proposes 2022-2024 Housing Goals for Fannie Mae and Freddie Mac: Last Wednesday, the Federal Housing Finance Agency (FHFA) proposed housing goals for Fannie Mae and Freddie Mac (the Enterprises) for 2022 to 2024. The proposed housing goals are designed to ensure the Enterprises responsibly promote equitable access to affordable housing that reaches low- and moderate-income families, minority communities, rural areas, and other underserved populations. ([Clark Hill Insight](#))

Crypto/Blockchain

Crypto-Friendly CFTC Commissioner Brian Quintenz Reportedly Plans to Step Down: He hinted that his future career could include a focus on “innovation, particularly related to cryptocurrency and DeFi” and planned to continue advocating for the crypto space. ([Coin Telegraph](#))

Tax Reform/IRS

Treasury Says Few Small Business Owners Will See Tax Hikes Under Biden Proposal: The White House issued a fact sheet highlighting a new Treasury Department analysis that found that less than 3 percent of small-business owners would be affected by Biden's proposal to increase the top federal income tax rate from 37 percent to 39.6 percent. ([The Hill](#))

Transportation/DOT

U.S. Probing Autopilot Problems on 765,000 Tesla Vehicles: The U.S. government has opened a formal investigation into Tesla's Autopilot partially automated driving system after a series of collisions with parked emergency vehicles. The investigation covers 765,000 vehicles, almost everything that Tesla has sold in the U.S. since the start of the 2014 model

year. Of the crashes identified by the National Highway Traffic Safety Administration as part of the probe, 17 people were injured, and one was killed. ([AP](#))

TSA Extends Face Mask Requirement through January 18, 2022: The Transportation Security Administration (TSA) is extending the face mask requirement for individuals across all transportation networks throughout the United States, including at airports, on board commercial aircraft, on over-the-road buses, and on commuter bus and rail systems through January 18, 2022. ([Clark Hill Insight](#))

Space/NASA & NOAA

NASA's Hopes for Infrastructure Funding Grow to \$15.7 Billion: NASA Administrator Bill Nelson revealed earlier this year that he was seeking \$11.5 billion as part of the infrastructure/jobs bill to pay for a second Human Landing System for the Artemis program, repairing and upgrading NASA facilities, and other needs that were not included in the agency's FY2022 budget request. That number has now grown to \$15.7 billion. The likelihood of getting any or all of it is anyone's guess. ([Space Policy Online](#))

NASA Pauses Work with SpaceX on HLS Contract: In light of Blue Origin's lawsuit against NASA for awarding only SpaceX a contract for a lunar lander, NASA has "voluntarily paused work" with SpaceX until at least November 1, further putting in doubt NASA's ambitious 2024 goal to return US astronauts to the moon. ([Space.com](#))

Where the Sun Always Shines – Putting Solar in Space: Caltech recently announced that a member of its board of trustees had given over \$100 million meant to foster the development of space-based power, and with breakthroughs in materials and lower launch costs, a large-scale demonstration may soon be feasible. ([Ars Technica](#))

Report Says Space Security a Growing Concern as Activities Proliferate in Orbit: The Space Foundation and KMPG have released a new report titled 'Navigating Space: A Vision for the Space Domain' which examines the challenges the U.S. Space Force will face regarding unfettered access and freedom to navigate in outer space in the coming years and decades as more countries and commercial players pursue new ventures in low earth orbit. ([Space News](#))

Defense/DOD

White House Defends Afghanistan Moves Ahead of Senate Probes: The White House defended President Joe Biden's handling of the U.S. withdrawal from Afghanistan last Tuesday, while the Democratic Chairmen of the Senate Armed Services, Intelligence, and Foreign Relations Committees said their panels would investigate the rapid collapse of the Afghan government and the Taliban's subsequent takeover in the coming weeks. ([Roll Call](#))

The Taliban Have Access to U.S. Military Aircraft. Now What Happens? Once the Taliban seized control of Afghanistan's airfield in Kandahar two weeks ago, it didn't take long for photos to appear on social media showing Taliban fighters posing with U.S.-made Black Hawk and MD-530 military helicopters as well as A-29 light attack aircraft. The Pentagon has yet to announce what measures it is taking, if any, to minimize the amount of aircraft from the U.S.-equipped Afghan Air Force that is falling into Taliban hands. ([Defense News](#))

Pentagon Warns of Worsening Terrorist Threat as Taliban Seize Afghanistan: The Pentagon is warning that terrorist networks based in Afghanistan could gain power faster than expected after the Taliban seized control in a stunning guerrilla campaign last week. Defense Secretary Lloyd Austin made clear to lawmakers last week that he wants to "reassess" the potential for terrorist groups such as al Qaeda and the Islamic State to reconstitute inside Afghanistan in light of the Taliban's takeover. ([Politico](#))

Climate Change Is Already Disrupting the Military. It Will Get Worse, Officials Say: The Pentagon is in the midst of a massive, multi-year effort to better adapt to climate change and reduce greenhouse emissions. But the changing climate is

already imposing costs on the military and even challenging how well it can prepare to fight other nation states. ([Defense One](#))

DHS & Immigration

Biden Proposes Long-Awaited Overhaul to U.S. Asylum System: The Biden administration last Wednesday has proposed a major overhaul to the U.S. asylum system that would speed up processing, a move that comes as migrant apprehensions at the U.S. southern border have reached a 21-year high. The Department of Homeland Security and Justice Department has published a proposed rule that aims to end a years-long backlog in immigration court cases and cut the time migrants seeking asylum wait to hear if their request has been granted. ([Politico](#))

SCOTUS Temporarily Halts Reinstatement of Trump’s “Remain-in-Mexico” Program: The Supreme Court last Friday temporarily blocked a federal judge’s order that would have reinstated a Trump-era policy requiring immigrants seeking asylum at the southern border to wait in Mexico while their applications are pending. ([Axios](#))

Judiciary/DOJ

FBI Finds Scant Evidence Jan. 6 Attack Was Coordinated: The FBI has found little evidence at this point to suggest that the Jan. 6 attack on the Capitol was largely coordinated by supporters of former President Trump or right-wing groups, according to a Reuters report. ([The Hill](#))

Cyber

New Cyber Executive Order a ‘Necessary Shock to the System,’ NIST Says: The Biden administration last week issued new guidelines to agencies, giving them 60 days to identify 12 types of on-premise critical software and another 12 months to implement critical software protections from the National Institute of Standards and Technology (NIST). OMB has said the next phase of EO implementation will come as CISA updates the list of critical software and NIST releases new guidance to secure them. To meet those requirements, software companies are worried they’ll have completely new compliance regimes to conform to, on top of the assurance schemes they already have. ([Federal News Network](#))

Schools, Colleges Brace for Cyberattacks as Students Return: Threats against the education sector have spiked over the past year, as classes have moved online with little time to prepare and under-resourced schools and colleges have struggled to cope with the increase in cyber threats that digital learning brought. ([The Hill](#))

Why it’s So Hard for the U.S. to Go After Hackers’ Digital Wallets: Countries are moving at vastly different paces to tackle the abuse of virtual currencies, leaving regulatory gray areas where small cryptocurrency exchanges can hide, and many countries disagree on what transactions to permit and how tightly to control them. ([Politico](#))

Agriculture/USDA

USDA Boosts Food Stamps After Revised Calculation of Basic Diet: Agriculture Secretary Tom Vilsack announced revisions last Monday to the Thrifty Food Plan to help individuals and families receiving monthly food benefits through SNAP to better afford healthy basic diets. The changes will result in a 21 percent increase in maximum benefits for a family of four, raising the monthly amount to \$835, the department said. The average increase will be 25 percent at other benefit levels, resulting in a boost of \$36 per person per month, the department said. ([Roll Call](#))

EPA & DOI

Court Orders Biden Administration to Redo ‘Legally Flawed’ Reviews of Conoco Alaska Oil Project: A federal court last Wednesday ordered the Biden administration to re-do environmental reviews necessary for permits for a controversial Alaskan oil project, throwing the decision to approve the project back to the agencies. The ruling out of the United States District Court for the District of Alaska voided several environmental reviews of the ConocoPhillips Willow project approved under the Trump administration, calling the analysis behind them “legally flawed.” ([Politico](#))

EPA Bans All Food Uses for the Pesticide Chlorpyrifos: The EPA last Wednesday announced it will ban the use of the pesticide chlorpyrifos on all food in response to an appellate court ruling. The pesticide has been linked to neurodevelopmental disorders in children, including low birth weight and delayed motor development. Chlorpyrifos is typically used on crops such as strawberries, apples, broccoli, citrus and corn. ([Roll Call](#))

Biden Administration Launches Review of Coal Leasing on Federal Lands: The Interior Department is kicking off its review of leasing federal lands for coal mining, asking questions about climate change and rate of return for taxpayers. The department had previously said it planned to review its federal coal leasing program, but the review’s official launch was announced in a Federal Register notice that was published last Friday. ([The Hill](#))

Department of Energy

Solar Costs Dropped More Than 70% Over the Last Decade, and Biden Wants to Accelerate the Trend: Solar power in the U.S. has grown 4,000% percent over the last decade, but it still only accounts for 3% of electricity generation. The Biden administration wants to change that and last Tuesday said that solar could provide 40% of the country’s electricity by 2035 — if the government enacts supportive policies. ([CNBC](#))

