

# Window on Washington – April 4, 2022, Vol. 6, Issue 13

April 4, 2022

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

**Congress.** The House and Senate are both in session this week. With the Senate's passage of USICA/COMPETES last week, the House and Senate are now able to kick off the formal conference process for the Bipartisan Innovation Act, and their goal is to finish the legislation by Memorial Day Weekend. For this week, the Senate is also working on Russian sanctions legislation, and the House will [vote](#) on numerous Energy and Commerce, Homeland Security, and Foreign Affairs bills, including one on medical marijuana research. [Hearings](#) for the week include examining nominations, Title 42, wildfire management, FEMA's 2022 priorities, electric postal service fleets, implementation of the Drinking Water and Wastewater Infrastructure Act, mental health, WIOA reauthorization, the 2022 Farm Bill, critical mineral demand and recycling, and the FY23 budget requests of numerous agencies.

**Budget and Appropriations.** The [House](#) and [Senate](#) Appropriations Committees will hold numerous FY23 hearings this week following the release of the Biden Administration's FY23 budget request. Senate Finance and House Ways and Means will also hold hearings on the FY23 budget request for HHS, Senate EPW will hold one on the request for the Environmental Protection Agency, and Senate Armed Services will discuss the Defense Department's budget and authorization requests.

**COVID-19 Relief.** A bipartisan group of senators indicated they are nearing agreement on a [\\$10 billion relief package](#) that focuses on treatments and vaccines. They are still looking at offsets for the funding but have moved away from using money originally allocated to states and localities. The updated proposal would scale back the United States' global vaccination efforts, and it is less than half the size of the Biden administration's request. The House is preparing to vote on separate restaurant relief legislation this week, though it remains unclear if they will try to combine this bill with the larger relief package. Meanwhile, the Senate has prepared a legislative vehicle for a supplemental COVID-19 spending plan in case negotiators reach an agreement before the Senate's Easter recess, which begins April 11.

**Supreme Court.** The Senate Judiciary Committee today plans to vote on sending Judge Ketanji Brown Jackson's nomination to the Senate floor. With Sen. Susan Collins (R-ME) stating that she will support her nomination, Judge Jackson now has the support of all 50 Democratic senators and 1 Republican senator, which guarantees that she will be confirmed. A full Senate vote has not yet been scheduled.

## Last Week in the Nation's Capital

CONGRESS

## Budget & Appropriations

**Senate Negotiators Reach ‘Agreement in Principle’ on Slimmer Covid Aid Package:** Congressional negotiators said last Thursday they have “reached an agreement in principle” on a Covid relief package they think will garner enough Republican support to make it through the Senate. The \$10 billion funding proposal, which follows days of intense talks, is about \$5 billion less than what was being discussed earlier this week. The eventual legislation is expected to draw from previously allocated Covid aid, meaning it wouldn’t consist of new spending. ([NBC News](#))

## Health

**House Passes \$35-a-Month Insulin Cap as Dems Seek Wider Bill:** The House on Thursday passed a bill capping the monthly cost of insulin at \$35 for insured patients, part of an election-year push by Democrats for price curbs on prescription drugs at a time of rising inflation. ([AP](#))

**Senate Finalizing \$10 Billion Deal on Coronavirus Aid:** Senators are finalizing an agreement to provide \$10 billion in new coronavirus aid as they race to try to pass a bill before a two-week break set to start in days. Senators negotiating the deal signaled that they were close to a finalized agreement, but said they were still ironing out legislative text, waiting for an analysis from the Congressional Budget Office (CBO), and haggling over final details. ([The Hill](#))

## Labor & Workforce

**Moderate Dems Hand Biden his First Nomination Vote Defeat:** A trio of moderate Senate Democrats dealt a fatal blow to David Weil’s bid to head the Labor Department’s Wage and Hour Division Wednesday night by unexpectedly voting against moving forward on his nomination and, in the process, undermining President Joe Biden’s labor agenda. ([Politico](#))

## Education

**Ahead of the Final Four, Democrats Weigh College Athletes’ Struggles:** Sen. Chris Murphy (D-CT) said he was riveted to the television Monday night as the University of Connecticut women’s basketball team defeated the North Carolina State Wolfpack to advance to the Huskies’ 14th consecutive Final Four. But being an admitted college sports fan has made the Connecticut senator and several of his fellow congressional Democrats all the more aware of the challenges facing college athletes. And a group of Senate and House Democrats convened a series of virtual panels Wednesday making the case for improved rights, compensation, and equity for NCAA student-athletes. ([Roll Call](#))

**Senators Revive School Lunch Debate with Bill to Extend Universal Free Meals:** Sens. Debbie Stabenow (D-MI) and Lisa Murkowski (R-AK) introduced a bill Thursday that would allow the nation’s schools to serve free meals to all students for another year. The move comes after Republican leadership objected to extending the pandemic flexibility in a recent spending bill — a surprise move that enraged school leaders and anti-hunger advocates across the country. ([Politico](#))

## Banking & Housing

**Retirement Savings Bill Passes House as Senate Deliberates:** The House passed a bipartisan package aimed at growing Americans’ retirement savings Tuesday evening, sending it to the Senate with broad bipartisan backing. The bill passed on a 415-5 vote, with just a handful of Republicans voting against it. Ahead of the vote, the Ways and Means Committee added changes to expand and simplify an incentive for low-income savers, incorporate pieces of a similar measure from House Education and Labor Committee leaders and shift effective dates later to account for the year that’s gone by since its introduction. ([Roll Call](#))

## Crypto/Blockchain

**Newly Introduced Bill Aims to Bring Transparency to the Stablecoin Marketplace:** Rep. Trey Hollingsworth (R-IN) and Sen. Bill Hagerty (R-TN) introduced a bill in both the House of Representatives and Senate aimed at bringing greater

transparency to the stablecoin marketplace. The Stablecoin Transparency Act would set standards for the “quality of assets held in reserves” as well as require stablecoin issuers to report on their reserves. ([CoinDesk](#))

**Reps. Meeks, McCaul Introduce Russia Crypto Transparency Act:** Representatives Gregory Meeks (D-NY) and Michael McCaul (R-TX), Chair and Ranking Member of the House Foreign Affairs Committee, introduced the Russia Cryptocurrency Transparency Act, bipartisan legislation that would exercise oversight of the State Department’s use of cryptocurrency as part of its rewards program, as well as measures to improve the efficacy and enforcement of U.S. sanctions against Russia. ([House Foreign Affairs Committee](#))

**Elizabeth Warren Calls for US to Create a CBDC:** U.S. Sen. Elizabeth Warren (D-MA) says it’s time for the U.S. to create its own central bank digital currency (CBDC). “So a lot that banks do wrong, if you think, ‘We could improve that in a digital world,’ the answer is, ‘Sure you could.’ But in that case, let’s do a central bank digital currency,” Warren told Todd. “Yes, I think it’s time for us to move in that direction.” ([CoinDesk](#))

## Transportation

**U.S. House Panel Sets Hearing to Press for Electric Postal Vehicles:** A U.S. House of Representatives committee said on Wednesday it will hold an April 5 hearing on U.S. Postal Service (USPS) plans to purchase electric vehicles, where lawmakers expect to push for purchases of many more zero-emission delivery trucks. ([Reuters](#))

**U.S. Senate Approves Bill to Ease Export Shipping Backlogs:** The U.S. Senate on Thursday unanimously passed a bill to improve oversight of ocean shipping, a step supporters say will help ease export backlogs. The Ocean Shipping Reform Act, led by Senators John Thune (R-SD) and Amy Klobuchar (D-MN), would strengthen the investigatory authority of the Federal Maritime Commission (FMC), the U.S. agency that oversees ocean shipping, and boost transparency of industry practices. ([Reuters](#))

**Lawmakers Warn US Could Lose EV, AV Race:** As Congress prepares to consider a multibillion-dollar semiconductor investment package meant to develop American independence from China, Rep. Bob Latta (R-OH) and Sen. Gary Peters (D-MI) maintain that the domestic production of electric and autonomous vehicles should be treated as another essential element of global competition. ([The Hill](#))

## Trade

**Senate Votes to Advance Alvaro Bedoya’s FTC Confirmation:** One of President Joe Biden’s key administrative nominees is a step closer to confirmation after Alvaro Bedoya, Biden’s pick for Federal Trade Commissioner, narrowly cleared a key procedural vote in the Senate on Wednesday. ([CNN](#))

## Defense

**Lawmakers Already Sparring Over Biden Defense Budget Proposal:** Republicans are largely united in their calls to invest even more in defense as the threat from China grows, and the U.S. works to back Ukraine and other allies against Russia and inflation climbs. Democrats, on the other hand, are split on Biden’s proposed 4% increase. Liberals are decrying a Democratic president seeking to pump more money into the Pentagon, which has already seen its budget swell over the years. But centrist Democrats, eyeing a difficult midterm election when their party is on its back foot, want to be seen as backing U.S. defense, leading experts to predict Biden’s proposal is merely a floor for what the Pentagon could get. ([The Hill](#))

## Homeland Security & Immigration

**Vulnerable Democrats Warn Biden about Reopening Asylum:** The Biden administration’s decision to end sweeping asylum limits at the border this May satisfied demands by prominent Democrats eagerly awaiting the end of a program created by Donald Trump in the name of public health. But it creates thorny political challenges for border-region

Democrats who face the likely prospect of an increase in migrants who have for two years been denied the chance to seek asylum in the United States. ([AP](#))

## Judiciary/Justice

**U.S. Reps. Lawrence and Slotkin Lead Letter Urging CDC Director to Prioritize Funding Research to Prevent Gun Violence in Schools:** U.S. Representative Brenda L. Lawrence (D-MI) and Rep. Elissa Slotkin (D-MI) led a letter with 25 House members to Centers for Disease Control and Prevention Director Dr. Rochelle Walensky urging her to prioritize funding projects—including through policy evaluation research—to prevent firearm-related violence in schools. ([Clark Hill Insight](#))

**Panel Vote Likely Split on Ketanji Brown Jackson for Supreme Court:** The Senate Judiciary Committee appears on track for a tied, party-line vote today on whether to send to the Senate floor Ketanji Brown Jackson's nomination for the Supreme Court, though that would not derail Democrats' plan for a final confirmation vote later this week. ([Roll Call](#))

**Democrats Suffer Rare Court Losses in Redistricting Battles:** Judges in two deep-blue states in the last week have struck down Democratic efforts to draw favorable congressional district map lines, stinging rebukes to a party that for the last decade has used the judicial branch to even the playing field with Republicans. ([The Hill](#))

**Senators Unite to Slam FOIA Compliance:** The often bitterly divided Senate Judiciary Committee had little difficulty Tuesday finding consensus that the nation's premier transparency law, the Freedom of Information Act, isn't working well. ([Politico](#))

## Cyber

**Key Lawmaker Defends SEC's Cyber Incident Reporting Proposal:** Rep. Jim Langevin (D-RI) responded to an industry assertion that the Securities and Exchange Commission (SEC) proposal undercuts the will of Congress, given recently enacted legislation. Rules the SEC have proposed that would require public companies to disclose their cyber incidents are needed and are not in conflict with a new law – which offers protections from liability for reporting such incidents to the Cybersecurity and Infrastructure Security Agency – according to Langevin. ([Next Gov](#))

## Energy

**Pelosi Dismisses Gas Tax Hiatus, says Consumers Wouldn't Benefit:** House Speaker Nancy Pelosi (D-CA) on Thursday appeared to shoot down the idea of a gas tax holiday, dismissing the idea as “very showbiz” and arguing it would not have a practical impact on consumers. ([Roll Call](#))

## EXECUTIVE BRANCH

### Budget & Appropriations

**Biden's FY23 Budget Request:** The Biden Administration has put forward a \$5.8 trillion budget request for FY23. The request includes proposals that would reduce the nation's deficit by over \$1 trillion over the next decade with tax hikes targeting the wealthy, and it also outlines spending boosts for military and domestic programs. ([White House](#))

### Banking & Housing/HUD

**White House Proposes Increase in HUD Budget, LIHTCs:** President Joe Biden's fiscal 2023 budget proposal calls for \$32.1 billion for the Housing Choice Voucher program, which would accommodate an additional 200,000 households. It would be the largest one-year increase in vouchers since the program was authorized in 1974, according to housing officials. ([HousingFinance](#))

**FDIC tells Big Banks “It’s the Climate, Stupid”:** The message wasn’t quite so blunt, but there was a measure of “duh” in the proposed guidance that the Federal Deposit Insurance Corporation published yesterday, which calls on banks to assess and disclose basic climate risks. The measure comes on the heels of the SEC’s 3-1 vote on March 21 to issue new proposed rules for financial institutions on climate disclosures. The FDIC is telling large banks to consider the physical impacts of climate change, as well as governance measures and how the institutions might be affected by the energy transition.

([Axios](#))

**SEC to Crack Down on Blank Check Companies that Overpromise Gains to Investors:** The Securities and Exchange Commission on Wednesday proposed a crackdown on blank-check companies known as SPACs, looking to give investors the power to sue if they’re presented with too rosy a picture about future financial gains. ([Politico](#))

## Crypto/Blockchain

**White House Officials Open Crypto Climate Inquiry:** The White House science office is seeking input about climate harm from expanding use of cryptocurrencies — and ways to tackle the problem. The Office of Science and Technology Policy wants info on “protocols, hardware, resources, economics, and other factors that shape the energy use and climate impacts of all types of digital assets.” ([Axios](#))

## Transportation/DOT

**U.S. Transportation Secretary Pete Buttigieg Announces the President’s Fiscal Year 2023 Budget for the U.S.**

**Department of Transportation:** The Biden-Harris Administration submitted to Congress the President’s Budget for fiscal year 2023 (FY 2023). The President’s Budget details his vision to expand on the historic progress our country has made over the last year and deliver the agenda he laid out in his State of the Union address—to build a better America, cut costs for families, reduce the deficit, and grow the economy from the bottom up and middle out. ([Clark Hill Insight](#))

**Biden Administration Boosts Mileage Standards Slashed by Trump:** The Transportation Department on Friday announced that it boosted car efficiency standards that had been cut by the Trump administration. The department finalized standards that would require automakers to produce fleets of cars and light trucks averaging 49 miles per gallon in model year 2026. ([The Hill](#))

**New U.S. Rule Requires Pipeline Operators to Install Valves to Improve Safety:** The U.S. Department of Transportation’s pipeline regulator on Thursday announced a new rule that would require automatic or remotely operated shut-off valves to mitigate safety-related and environmental impacts due to pipeline failures. ([Reuters](#))

**CDC Drops Travel Warnings for Cruise Ships:** The Centers for Disease Control and Prevention (CDC) on Wednesday ended its tiered warning system for COVID-19 on cruise ships. The system had been in place for the past two years and served to warn about the risk of contracting COVID-19 while on a cruise. ([The Hill](#))

## Trade

**Tai Says U.S. Must Shift Trade Policy Focus:** U.S. Trade Representative Katherine Tai said the U.S. must shift the focus of its trade policy to rebuilding its domestic manufacturing industries and lessening ties to unfriendly economies. Appearing before the House Ways and Means Committee last Wednesday, Tai said global events such as Russia’s invasion of Ukraine and the supply-chain disruptions triggered by the Covid-19 pandemic point to the need for new priorities. ([AgWeb](#))

**USTR’s FY23 Budget Request:** The FY23 budget request for the Office of the U.S. Trade Representative includes \$61.54 million available directly to USTR and \$15.0 million allocated through the Trade Enforcement Fund. ([USTR](#))

## Space/NASA & NOAA

**Russia Asked NASA to End Sanctions to Save the ISS, But the West Didn't Blink:** For a few weeks now, the chief of Russia's spaceflight activities, Dmitry Rogozin, has said that the United States and its Western allies must end sanctions on his country by March 31, or face the consequences when it comes to partnering on the International Space Station. However, despite the bluster, deadlines have come and gone with the partnership intact. ([Ars Technica](#))

**Biden Administration Embraces Office of Space Commerce in FY23 Budget:** After more than a year in office, the Biden Administration is finally showing support for NOAA's Office of Space Commerce. The FY2023 budget request includes a huge increase in funding for OSC to become the civil Space Situational Awareness agency and advocate for the U.S. commercial space sector. The office still lacks a permanent director, but if Congress goes along it will be in a much better position to fulfill its mandate. ([Space Policy Online](#))

**Biden's 2023 Defense Budget Adds Billions for U.S. Space Force:** Air Force Secretary Frank Kendall said the anti-satellite capabilities of adversaries like Russia and China require DoD to invest in advanced space systems. "This budget is driven by the threat," he told reporters. President Biden's \$773 billion budget request for the Defense Department for FY23 includes \$24.5 billion for the U.S. Space Force and the Space Development Agency — about \$5 billion more than what Congress enacted in 2022. ([Space News](#))

## Defense/DOD

**New Tech Budget Request is the Defense Department's Largest Ever:** Efforts to outpace China are driving up the share of Pentagon spending devoted to emerging science and technology, with the Biden administration is requesting \$130 billion for the department's research, engineering, development, and testing for 2023, nearly 10 percent up from last year's request. Of that, \$16.5 billion will go toward emerging science and technology, officials mentioning specifically investing in more mature artificial intelligence and 5G programs. ([Defense One](#))

## DHS & Immigration

**CDC will End Sweeping Order Used to Expel Migrants at U.S. Borders during Covid Pandemic:** The Centers for Disease Control and Prevention will lift a sweeping public health order that has allowed the U.S. to expel more than 1.7 million migrants, overwhelmingly at the southern border, since the Covid-19 pandemic began. In a statement Friday, the CDC said it will lift the order on May 23 to give the Department of Homeland Security time to scale up a program to provide vaccinations to migrants crossing into the U.S. CDC Director Dr. Rochelle Walensky determined the order was no longer necessary after reviewing current public health conditions, agency spokesperson Kristen Nordlund said. ([CNBC](#))

**DHS and DOL to Supplement the H-2B Cap with Additional Visas for Second Half of Fiscal Year 2022:** The Department of Homeland Security (DHS) and the Department of Labor (DOL) announced the forthcoming publication of a joint temporary final rule to make available an additional 35,000 H-2B temporary nonagricultural worker visas for the second half of fiscal year (FY) 2022. ([Clark Hill Insight](#))

## Judiciary/DOJ

**Proposed DOJ Budget Strengthens Cybersecurity, Law Enforcement:** The White House has proposed \$37.65 billion for the Justice Department's fiscal year 2023 budget to focus on mitigating security threats like cybercrime and violence, as well as promoting civil rights and stronger justice systems. The proposed budget — which marks an increase of over \$2.6 billion over the previous fiscal year enacted level — provides \$20 billion to expand DOJ's law enforcement components and attorneys' offices. Of that amount, the White House has allocated \$10.8 billion to the FBI and nearly \$2.8 billion to the U.S. Attorneys' Offices to address "violent crime, cybercrime, hate crimes, terrorism, espionage and the proliferation and potential use of weapons of mass destruction," DOJ said. ([GovCIO](#))

**Executive Order Coming to Facilitate European Input on U.S. Government Surveillance:** The Biden administration plans to issue an executive order to oversee limitations on U.S. government surveillance activity that it believes will satisfy the

Court of Justice of the European Union in consideration of U.S. companies' data management and their citizens' privacy rights. ([NextGov](#))

## Cyber

**Biden Administration is Studying Whether to Scale Back Trump-Era Cyber Authorities at DOD:** The Biden administration is reviewing whether and how to change a Trump-era policy that gave unprecedented authority to the Department of Defense and U.S. Cyber Command to authorize cyber-operations without White House approval, two sources briefed on the discussions said. ([Cyber Scoop](#))

## Agriculture/USDA

**USDA's FY23 Budget Request:** The FY23 Budget Request includes \$31 billion for USDA. The proposal focuses on climate, conservation, clean energy, and research. ([AgWeb](#))

## EPA & DOI

**EPA Upholds Trump Decision Not to Regulate Chemical Linked to Fetal Brain Damage:** The Environmental Protection Agency (EPA) announced on Thursday that it will uphold a Trump-era decision not to regulate a chemical used in rocket fuel that may be tied to fetal brain damage. The EPA said in a statement that it would not regulate perchlorate in drinking water, saying the Trump administration's decision was based on the "best available peer reviewed science." ([The Hill](#))

**EPA Revives Obama-era Rule Removing Emergency Liability Protection for Polluters:** The Environmental Protection Agency (EPA) has resurrected an Obama-era proposal shelved during the Trump administration that would remove Clean Air Act (CAA) liability protections frequently invoked by industrial polluters. ([The Hill](#))

## Department of Energy

**Biden's Proposed Budget Includes Nearly \$45B for Climate and Clean Energy, a 7% Increase for DOE:** Biden proposed increasing the Department of Energy's budget by 7.1% to \$48.2 billion, up from \$45 billion enacted in fiscal year 2022, partly to reflect spending required by the bipartisan [infrastructure bill](#). The proposal includes \$200 million for a new Solar Manufacturing Accelerator program to help spur domestic solar equipment production. ([UtilityDive](#))

**Biden Announces Largest-Ever Oil Reserve Release:** The White House on Thursday announced plans for the largest-ever release of oil from the United States' strategic reserves. It said in a fact sheet that it would release an average of 1 million barrels per day for the next six months, resulting in a total release of about 180 million barrels. ([The Hill](#))

**Biden Eyes Using Wartime Powers for Minerals Needed in Clean Energy Push:** The White House announced it will use wartime executive powers to boost U.S. battery production to help secure supplies for the growing market for electric vehicles and power storage on the electric grid. ([Politico](#))

**Energy Department Announces New Standards for Federal Buildings:** The Energy Department on Wednesday announced new energy efficiency standards for federal buildings set to take effect in 2023. The new requirements will mandate all new federal buildings comply with the 2021 International Energy Conservation Code (IECC) beginning next April. Any major retrofits to existing federal buildings would also be covered under the updated codes. ([The Hill](#))

