

Window on Washington – April 25, 2022, Vol. 6, Issue 16

April 25, 2022

Outlook for This Week in the Nation's Capital

Congress. The House and Senate are both back in session this week after their two-week recess. The House and Senate are in the formal conference process for the Bipartisan Innovation Act, and their goal is to finish the legislation by Memorial Day Weekend. They will also focus on the COVID relief package, Title 42, and Ukraine aid. The House plans to [vote](#) on numerous small business, judiciary, foreign affairs, and natural resources bills in the meantime. [Hearings](#) for the week include examining nominations, FY23 agency budget requests, the Department of Energy's science and energy research infrastructure needs, and pandemic prevention through U.S. wildlife-borne disease surveillance.

Budget and Appropriations. The [House](#) and [Senate](#) Appropriations Committees will have a busy week holding numerous FY23 hearings. The House's hearings include discussing budget requests for the Department of Homeland Security (DHS), Food and Drug Administration (FDA), U.S. Forest Service (USFS), State Department, Army Corps of Engineers (USACE), Bureau of Reclamation (BOR), Department of Interior (DOI), Department of Agriculture (USDA), Cybersecurity and Infrastructure Security Agency (CISA), Department of Justice (DOJ), Department of Energy (DOE), Environmental Protection Agency (EPA), and Department of Labor (DOL). The Senate will hold FY23 hearings on the FDA, State, and DOJ.

Biden Administration. Secretary of State Antony Blinken and Secretary of Defense Lloyd Austin met with Ukrainian President Volodymyr Zelenskyy in Kyiv yesterday, signaling an intensification of the Administration's efforts to support Ukraine in its war with Russia. The State Department [read out](#) on the meeting provides new details on this effort. Separately, President Joe Biden will speak at former Secretary of State Madeleine Albright's funeral at the Washington National Cathedral on Wednesday. Later in the week, Biden and First Lady Jill Biden will attend the White House Correspondents' Dinner on April 30.

Last Week in the Nation's Capital

CONGRESS

Health

Democratic Senators Press NIH On 'Slow Pace' Of Long COVID Research: Sens. Sheldon Whitehouse (D-RI) and Ed Markey (D-MA) last Wednesday [released a letter](#) to the National Institutes of Health pressing the agency for answers over what they called the "slow pace" of research into long COVID-19. Lawmakers are turning increasing attention to long COVID-19, the name for a range of symptoms like fatigue and difficulty concentrating that can linger for months after some

people initially get COVID-19. But Whitehouse and Markey say they are concerned that NIH has been slow to research potential treatments, given that there currently are not any that have been proven to work. ([The Hill](#))

Lawmakers, Advocates Hopeful for More Bills to Curb Maternal Deaths: The push to reduce poor maternal health outcomes has seen new momentum as lawmakers and Biden administration officials previewed their priorities — including reversing a rise in maternal disparities among Black women. The United States leads among developed nations in its poor maternal mortality rates, referring to deaths during or up to one year after childbirth. These deaths — alongside maternal morbidity, or long-term health problems arising from pregnancy or childbirth — are growing problems nationally. ([Roll Call](#))

Labor & Workforce

Democrats Introduce Bill to Expand Congressional Workplace Protections: A coalition of House Democrats on Tuesday introduced a bill that aims to bolster workplace harassment and discrimination rules for matters involving congressional lawmakers. The bill, dubbed the Congressional Accountability Act (CAA) Enhancement Act, builds on a measure passed in 2018 that overhauled how Congress manages sexual harassment claims. ([The Hill](#))

Crypto/Blockchain

House Democrats Call for Scrutiny on Crypto Mining as Environmental Threat: Rep. Jared Huffman (D-CA) and almost two dozen Democratic colleagues are urging federal environmental officials to devote further scrutiny to the consequences of cryptocurrency mining. In the letter sent to Environmental Protection Agency Administrator Michael Regan, the group expressed serious concerns regarding reports that cryptocurrency facilities across the country are polluting communities and are having an outsized contribution to greenhouse gas emissions. ([CoinDesk](#))

Tax Reform

Tax Collectors ‘Gasping for Air’ To Keep Up with Filing Season: Anyone waiting on a delayed tax refund from the IRS may not want to look to Congress for a speedy solution. A House Oversight and Reform subcommittee hearing Thursday laid bare the partisan divide over whether a funding boost would fix a beleaguered tax agency suffering from staffing shortfalls and outdated technology. Government Operations Subcommittee Chairman Gerald E. Connolly (D-VA) said it was time to reverse “decades of starvation of the IRS by the Congress” that he said has hamstrung the timely processing of tax returns. “And today, as we head into this year’s tax season, the IRS often finds itself gasping for air,” Connolly said in opening the hearing. ([Roll Call](#))

Trade

With Trump Gone, Republicans Look to Weaken his China Tariffs: Congressional Republicans continue to talk tough about confronting China economically, echoing the populist rhetoric of former President Donald Trump. But with Trump and the political cover he provided gone from Washington, GOP senators are turning away from some of the most restrictive China trade policies his administration instituted. ([Politico](#))

Judiciary/Justice

Senators Want to Mandate Anti-Piracy Technology Across the Web: Two senators have introduced legislation that would give the US Copyright Office power to mandate the adoption of anti-piracy technology across the Internet. Websites that failed to comply would face damages as high as \$150,000 on the first offense. The bill, known as the SMART Copyright Act, is co-sponsored by Sen. Thom Tillis (R-NC) and Sen. Patrick Leahy (D-VT), one of the Senate’s most senior Democrats. ([Ars Technica](#))

Cyber

House introduces cyber bill intended to safeguard energy sectors: House lawmakers introduced a cybersecurity bill on Thursday that would address rising cyber threats against U.S. energy sectors. The Energy Cybersecurity University Leadership Program Act, a bill co-sponsored by Reps. Mike Carey (R-OH) and Deborah Ross (D-NC), would establish a grant program based at the Department of Energy intended to financially assist graduate students and postdoctoral researchers studying cybersecurity and energy infrastructure. ([The Hill](#))

EXECUTIVE BRANCH

Health/HHS/NIH

Biden Admin To Rescind Trump ‘Conscience’ Rule For Health Workers: The Biden administration is preparing to scrap a [Trump-era rule](#) that allows medical workers to refuse to provide services that conflict with their religious or moral beliefs, three people familiar with the deliberations told POLITICO. A spokesperson for the Department of Health and Human Services confirmed that the policy change is underway, saying: “HHS has made clear through the unified regulatory agenda that we are in the rulemaking process.” ([Politico](#))

CDC says Kindergarten Vaccination Rates Drop Across the U.S.: Vaccination coverage for kindergartners dropped across the country in the 2020-2021 school year, according to data released by the Centers for Disease Control and Prevention last Thursday, part of a worrying decline in childhood immunization since the start of the pandemic. Coverage for three state-required vaccines for public and private schools — measles, mumps and rubella (MMR), diphtheria, tetanus, and whooping cough (DTaP) as well as chicken pox (varicella) — fell by about 1 percent to approximately 94 percent, with most states reporting a drop. Nationally, 2.2 percent of kindergartners had at least one vaccine exemption, and an additional 4 percent of kindergartners without an exemption were not up to date on their MMR shot during the school year. ([Politico](#))

Biden Administration Says It Won’t Keep Messing with Texas’ Trump-era Medicaid Waiver: The Biden administration is dropping out of litigation against a Texas Medicaid waiver that the Trump administration approved during its final week in office, saying the yearlong court fight has overtaxed the federal government’s resources. ([Politico](#))

Biden Administration Seeks to Expand Access to Treatment amid Opioid Epidemic: The Biden administration sent its drug control strategy to Congress on Thursday as officials scramble for ways to curb the deepening opioid and overdose crisis. The 2022 National Drug Control Strategy focuses on addressing untreated addiction and drug trafficking, two critical drivers of the overdose epidemic, which claimed nearly 107,000 lives from November 2020 to November 2021, the White House said in a fact sheet. ([NBC News](#))

Department of Education

Biden Administration Eases Student Loan Forgiveness Through Income-Based Repayment Plans: The Biden administration last Tuesday announced changes to federal student loan repayment plans that will make it easier for millions of borrowers to have their debts forgiven after being required to pay for 20 or 25 years. Education Department officials said they would make a one-time revision to millions of borrower accounts to compensate for what they called longstanding failures of how the agency and its contracted loan servicers managed the income-driven repayment programs. Democrats and consumer groups have been calling on the Biden administration to enact such a policy in recent months. ([Politico](#))

Banking & Housing/HUD

The Fed is Looking to Speed Up Payments: Traditional money is speeding up. The Federal Reserve has promised a new service to banks and credit unions around the country called FedNow, a 24/7 payment settlement service. ([Axios](#))

Powell says Taming Inflation ‘Absolutely Essential,’ and a 50 Basis Point Hike Possible for May: Federal Reserve Chairman Jerome Powell affirmed the central bank’s determination to bring down inflation and said Thursday that

aggressive rate hikes are possible as soon as next month. ([CNBC](#))

Chicago Fed President Charles Evans to Retire in Early 2023: Chicago Federal Reserve President Charles Evans will retire from his position in early 2023, the central bank announced Thursday. Long one of the Fed's most consistent policy doves, or in favor of lower rates and more accommodation, Evans, 64, did not elaborate on why he was stepping down. ([CNBC](#))

McHenry signals he will stay at House Financial Services rather than run for a Leadership slot: Rep. Patrick McHenry (R-NC) has begun to tell colleagues that he will remain the top Republican on the House Financial Services Committee if the GOP retakes the House this fall. McHenry's decision will set off a scramble in the race for House GOP Majority Whip, a position for which he had been heavily favored. ([Punchbowl News](#))

Transportation/DOT

FAA Did Not Inform Capitol Police of Plane that Sparked Capitol Evacuation: The Federal Aviation Administration (FAA) announced Friday it did not "provide advance notification" to the U.S. Capitol Police of a plane in the highly restricted Capitol airspace that led to an evacuation of the building Wednesday. ([The Hill](#))

Biden to Require U.S.-made Steel, Iron for Infrastructure: The Biden administration is taking a key step toward ensuring that federal dollars will support U.S. manufacturing — issuing requirements for how projects funded by the \$1 trillion bipartisan infrastructure package source their construction material. ([AP](#))

Space/NASA & NOAA

NASA Selects Six Companies to Demonstrate Commercial Successors to TDRS: Six companies, including both traditional satellite operators and constellation developers, have won NASA awards to demonstrate services that could ultimately replace the agency's existing fleet of communications satellites. NASA announced on April 20 the Communications Services Project (CSP) awards, totaling \$278.5 million, to test how commercial satellites in both low Earth orbit and geostationary orbit could support missions that currently use the Tracking and Data Relay Satellite (TDRS) constellation of NASA-owned spacecraft that have provided service since the 1980s. ([Space News](#))

VP Harris Pledges No Destructive ASAT Tests, Calls for Others to Join: Vice President Kamala Harris announced last week that the US will not conduct debris-generating direct-ascent antisatellite tests, leading by example to establish international norms of responsible behavior in space. The U.S. is one of four countries that have launched missiles to impact their own satellites to demonstrate they have the ability to destroy others. Russia conducted the most recent such test in November, imperiling the astronauts and cosmonauts in the International Space Station. ([Space Policy Online](#))

NASA is Supporting Some Seriously Risky Missions to the Moon—it's About Time: In recent years, in addition to the tens of billions spent on the Artemis program to get humans back to the moon, NASA has been funding a second, much smaller-scale Moon program, at just 3 percent of the cost of Artemis. This is the "Commercial Lunar Payload Services" program, which seeks to use private companies to send small- and medium-size landers to the Moon's surface for primarily science-based missions. Its budget is about \$250 million per year. ([Ars Technica](#))

Defense/DOD

Calling All Weapons Makers: Pentagon Seeks New Ideas to Arm Ukraine: In its effort to quickly arm Ukraine against Russia, the Pentagon has announced the equivalent of an open casting call for companies to offer weapons and commercial systems that can be rushed to the fight. The Defense Department on Friday posted a broad request for information from the industry on the federal contracting website [sam.gov](#). The move is part of a stepped-up dialogue between the Pentagon and industry, and a sign of the [challenge](#) of boosting arms production in response to the ongoing conflict. ([Defense News](#))

The Navy's New Long-Range Shipbuilding Plan Is More Like a Menu: The U.S. Navy's new long-range shipbuilding plan is actually three scenarios, reflecting the rising difficulty of looking more than about a decade ahead, service officials said Wednesday. The 30-year plan—this year's edition of the annual update [required](#) by Congress—offers definite quantities of various ship types only out to 2027. To cover the rest of the years through 2052, the [28-page document](#) offers three sets of numbers—albeit with a common plan for ship retirements. ([Defense One](#))

DHS & Immigration

Biden White House Stands Behind Title 42 Decision amid Party Revolt: Facing a growing rebellion from within the Democratic Party, the White House is standing behind its decision to end on May 23 a Trump-era deportation policy for migrants encountered at the southern border. That decision to end the use of the public health order known as Title 42 has placed President Joe Biden in a political bind. The president is attempting to balance his long-standing promise to revoke the policy — which, under the banner of fighting the Covid pandemic, justified the immediate expulsion of migrants without due process — right as Republicans weaponize immigration before the midterms and as a growing number of Democratic senators want restrictions to remain in place for fear that the administration is not prepared for a summer surge of migrants to the border. ([Politico](#))

Program to Allow Americans to Sponsor Displaced Ukrainians: The Biden administration announced a new program Thursday that would offer relief to Ukrainians fleeing Russia's invasion by allowing Americans to sponsor them for temporary admission to the U.S. Under the Homeland Security Department program, dubbed "Uniting for Ukraine," American individuals and groups, including nonprofit organizations and churches, will apply to sponsor displaced Ukrainian citizens. The application site will go live today, April 25. ([Roll Call](#))

Judiciary/DOJ

DOJ To Appeal Travel Mask Mandate Ruling After CDC Says Masks Still Needed on Public Transportation: The Department of Justice is appealing a court ruling to reinstate the Biden administration's mask mandate on planes, trains and other public transportation, after the Centers for Disease Control and Prevention said the facial coverings were still necessary for indoor travel. The CDC asked the DOJ last Wednesday to appeal the ruling in order to protect Americans' health as well as the CDC's authority. ([Politico](#))

Cyber

Hackers Find 122 Vulnerabilities — 27 Deemed Critical — During First Round of DHS Bug Bounty Program: The DHS bug bounty program, launched in December 2021, brought the agency up to speed with other agencies that already had bug bounty programs, such as the Department of Defense and the Internal Revenue Service, which both launched their programs in 2016. ([Cyber Scoop](#))

Cybersecurity Pros Signal Regulatory Challenge for Securing Industrial Control Systems: The discovery of a malware tool targeting the operational technology in critical infrastructure like power plants and water treatment facilities is highlighting issues policymakers are grappling with in efforts to establish a regulatory regime for cybersecurity. The tool enables the adversary to move laterally across industrial control system environments by effectively targeting their crucial programmable logic controllers. ([Next Gov](#))

Agriculture/USDA

EO to Strengthen America's Forests, Boost Wildfire Resilience, and Combat Global Deforestation: President Biden signed an executive order on Earth Day that will focus on tackling the climate crisis, making the U.S. more resilient to extreme weather, and strengthening local economies. ([White House](#))

EPA & DOI

Biden Administration Reverses Trump-Era Rule Limiting Scrutiny of Environmental Impacts: The White House last Tuesday finalized a rule that will once again require federal agencies to consider indirect and cumulative environmental impacts of their actions, including those related to climate change. The rule effectively restores portions of the long-standing rules for how agencies conduct environmental reviews under the National Environmental Policy Act that were altered by the Trump administration. It will allow agencies to expand consideration of environmental justice factors in decision-making — aligning with the stated priorities of the Biden administration. ([Politico](#))

EPA Floats Emissions Cuts for Gas Plants: The Environmental Protection Agency (EPA) is floating ways to cut planet-warming emissions for gas-fired power plants as it waits for a Supreme Court ruling that could limit its regulatory power. The agency last Thursday [issued a new technical “white paper”](#) that laid out potential ways to limit the plants’ contributions to climate change. These methods include efficiency improvements, co-firing natural gas with other fuels like hydrogen, and implementing carbon capture technology to prevent the plants’ emissions from going into the air and heating up the planet. ([The Hill](#))

Biden Climate Order Aims at Forest Protection: President Biden issued an executive order Friday aimed at protecting forests domestically and overseas and more broadly boosting natural carbon absorption to fight climate change. ([Axios](#))

GSA Announces Emissions Cut Milestone in Federal Buildings: The General Services Administration (GSA) — the federal agency in charge of government products, services, and facilities — announced a major milestone towards its climate goals on Thursday. The agency said that, compared to a 2008 baseline level, federal building owns and leases have cut their emissions by 51 percent. This represents savings of 1.1 million tons of emissions each year compared to 2008, the agency said. ([The Hill](#))

Department of Energy

FERC Unveils Transmission Plan seen as Key for Renewables: The Federal Energy Regulatory Commission released a proposal on Thursday that could play a pivotal role in modernizing the nation’s power grid and advancing the transition to clean energy. The commission plan offers some of the most significant federal changes in over a decade to the transmission planning process, which could help speed up the development of high-voltage power lines considered critical for adding more renewable energy to the grid. Approved in a bipartisan 4-1 vote at the commission’s monthly meeting, the proposed rules seek to address key challenges in the process for planning new transmission projects and for determining how to fairly allocate their costs. Once the commission has reviewed comments on the proposal, it may issue final rules, most likely by the end of the year. ([E&E News](#))

