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# Congressional & Administration News

**What to Know in Washington: Nevada Democrats Fear Iowa Repeat**

February 21, 2020

Nevada Democrats are holding last-minute training classes to train volunteers on a new tool to calculate and report results of their presidential caucuses on Saturday, trying to stave off a repeat of the debacle with Iowa’s caucuses on Feb. 3.

Party leaders caution the results of the presidential nominating contest may not come quickly, even while saying they hope to know the winner on Saturday.

As in Iowa, the party will report results from three steps in the caucus process — requiring the use of a new calculator to compute the number of county delegates from each precinct. Nevada Democrats announced Wednesday that it would hold 55 sessions that will include “hands-on guidance on caucus calculator.”

The last-minute training efforts worried some caucus volunteers and raised the specter of reporting glitches like the ones that plagued Iowa.

“I would be the happiest person in the world if everything works, but I am nervous,” said Seth Morrison, a caucus volunteer. “We have a new tool that is untested, then we have a very complex caucus process.”

Another volunteer, who requested anonymity for fear of a potential backlash, said he was encouraged by the training, which he completed Tuesday, and the reporting tools themselves.

It wasn’t complicated “for people familiar with iPads and tablets in general,” he said, in a text. But he added that he was worried about the people “who aren’t comfortable with tablets.”

Nevada Democrats had originally planned to use the same reporting app that Iowa Democrats used. But glitches with that app caused a days-long delay in reporting results from Iowa’s presidential caucus, a major embarrassment for Democrats nationwide.

**Defense & Foreign Affairs**

**U.S. Plans to Sign Peace Agreement With Taliban on Feb. 29:** The U.S. plans to sign a peace agreement with the Taliban on Feb. 29, after negotiators in Doha reached an understanding on a reduction in violence in what’s become America’s longest-running war. U.S. negotiators “have come to an understanding with the Taliban on a significant and nationwide reduction in violence across Afghanistan,” Secretary of State Mike Pompeo said in a statement. If successful, the deal will be signed in Qatar next week. Once the signing occurs, dialogue will start between the Afghanistan government and the Taliban, the department said in a statement.

**Lawmakers Push Pompeo on Syria Crisis:**The leaders of the House Foreign Affairs Committee urged Pompeo to do more about the humanitarian crisis in Syria, as the Russia-backed Assad regime conducts an offensive that’s fueling a new wave of displaced persons. “Russia has repeatedly bombed hospitals and attacked medical workers in Syria for years, in violation of international norms,” wrote Chairman Eliot Engel (D-N.Y.) and ranking member Michael McCaul (R-Texas). “Russia’s seat on the Security Council should not give them a license to murder civilians.”

The two lawmakers cited the recent U.S. troop withdrawal in northeastern Syria as contributing to the crisis. “An abrupt withdrawal of United States military personnel is beneficial to adversaries of the United States government, including Syria, Iran, and Russia,” they wrote.

**Russia Denies Charges It’s Meddling in Presidential Vote:** Kremlin spokesman Dmitry Peskov said on a conference call Friday that U.S. allegations that Russia is meddling in the presidential election campaign now under way are “paranoid” and “have nothing in common with the truth.”

**Coast Guard Warns Mission ‘Unsustainable’**: Increasing demands for defense missions, shipping support, and operations in the Arctic are stretching the Coast Guard’s funding, Commandant Admiral Karl Schultz said. The guard is left “on an unsustainable path to support our growing operational requirements,” he said, because “many of our defense contributions” aren’t funded by the Department of Defense. The service faces mounting Great Power challenges from China and Russia and in the polar regions, while struggling with inadequate funds for key technology, personnel, and facilities, he said.

**Virginia-Class Sub Tops Wish List**: Funding for a second Virginia-class fast-attack submarine for fiscal 2021 is the Navy’s first unfunded priority, according to Rep. Joe Courtney (D-Conn.), a member of the House Armed Services panel with jurisdiction over naval shipbuilding. The Navy sends its unfunded priorities requests to congressional defense panels, spotlighting programs and weapons systems that are said to be important but weren’t in the officially submitted budget request.

**Iran Votes With Hard-Liners:**Iranian hard-liners looked set to take control of parliament today in an election dominated by the country’s turbulent standoff with the United States. Conservative factions fiercely loyal to Supreme Leader Ayatollah Ali Khamenei and generally opposed to engaging with the West are widely expected to prevail after hundreds of more moderate politicians were disqualified from standing. The military exchanges and highly charged rhetoric that have characterized the confrontation with Washington, meanwhile, have energized Khamenei’s base.

**Racial Profiling of Chinese Scientists:**Allegations that federal investigators are targeting Chinese-American scientists in a campaign to halt intellectual property theft has prompted a House panel to launch a probe of its own. Oversight and Reform Civil Rights Subcommittee Chairman Jamie Raskin (D-Md.) and Congressional Asian Pacific American Caucus Chairwoman Judy Chu (D-Calif.) released letters to the FBI and National Institutes of Health indicating they are investigating potential racial profiling. The move follows high-profile cases involving researchers backed by U.S. tax dollars, who failed to disclose ties to foreign governments.

**More Elections, Politics & Influence**

**Trump, RNC Raised $33.6M Last Month:**President Donald Trump and the Republican National Committee reported raising a combined $33.6 million in January, according to the Federal Election Commission, part of a $60.5 million haul that’s keeping the president well ahead of the fundraising pace of previous incumbents. Trump raised $6.4 million and the RNC took in $27.2 million. The total doesn’t include funds raised by two joint fundraising committees which file reports with the FEC quarterly. Trump’s re-election effort ended last month with over $200 million in the bank, the RNC and the campaign announced.

* Meanwhile, Sen. Bernie Sanders (I-Vt.) ended January with $16.8 million in the bank after a $25 million haul that marked his best month for fundraising, his latest filing with the FEC showed. The strong fundraising has allowed Sanders to look beyond both Nevada and the next contest, the South Carolina primary. On Feb. 6, his campaign announced it was adding staffers and launching seven-figure ad buys in 10 states that vote in March. Ryan Teague Beckwith and Bill Allison have more.

New Polls:

* Biden at 24%, Sanders at 19%, Steyer at 15% in S.C. Winthrop Poll
* Sanders at 22%, Bloomberg at 17%, Biden at 14% in Illinois Poll

**Trump Ads Will Take Over YouTube’s Homepage on Election Day:** In the immediate run up to the U.S. presidential election and on Election Day, the homepage of YouTube is set to advertise just one candidate: Trump. The president’s re-election campaign purchased the coveted advertising space atop the country’s most-visited video website for early November, said two people with knowledge of the transaction. The deal ensures Trump will be featured prominently in the key days when voters across the country prepare to head to the polls Nov. 3.

**Warren Defends Super PAC:**Sen. Elizabeth Warren (D-Mass.), a long critic of super PACs, didn’t disavow the newly formed super PAC backing her bid even though she has long said she would only rely on small donors to fund her campaign. She said that if all the men in the presidential race have a super PAC or are billionaires, she and Sen. Amy Klobuchar (D-Minn.) shouldn’t be the only two without. “If all the candidates want to get rid of Super PACs, count me in,” Warren said yesterday. “It can’t be the case that a bunch of people keep them and only one or two don’t.”

**Warren Again Asks Bloomberg to End NDAs:** Warren yesterday again challenged Michael Bloomberg to release former employees from nondisclosure agreements, saying she had even drawn up a legal document for him to sign. “So, I used to teach contract law and I thought I would make this easy. All Mayor Bloomberg has to do is download it. I’ll text it. Sign it,” Warren said. “And then the women or men will be free to speak, and tell their own stories.

**Gunmakers’ Liability for Shootings:**Former Vice President Joe Biden said he would send legislation to Congress on his first day in office that would seek to remove a shield that gives gunmakers protection from being liable for shootings. Mass shootings in the U.S. will not stop until “we ban killer assault weapons,” and until “we hold gun manufacturers liable,” Biden said at an event in Las Vegas, Jennifer Epstein reports. A gunman in 2017 killed 58 people on the Las Vegas Strip, the deadliest mass shooting by an individual in U.S. history.

**Fracking Ban Puts Vulnerable Democrats on Defense:** House Democrats from districts reliant on oil and gas production are distancing themselves from a new bill to ban fracking even though the measure is unlikely to gain any traction in Congress. The bill (H.R. 5857) would end the use of fracking, or hydraulic fracturing, a method for removing oil and gas from shale, by 2025.

The measure sponsored by Rep. Alexandria Ocasio-Cortez (D-N.Y.), is a counterpart to legislation (S. 3247) introduced by Sanders. The National Republican Congressional Committee already is attempting to tie Sanders’ sponsorship of the proposed ban to vulnerable Democrats, such as Rep. Conor Lamb (D-Pa.), who represent districts where fracking is a big job generator and the president is popular.

**Global Law Firm Taps Frelinghuysen:**Global law firm Greenberg Traurig has hired former Rep. Rodney Frelinghuysen (R-N.J.) to be senior director of government law and policy at its Washington office. Frelinghuysen served in the House from 1995 to 2019, and was chairman of the House Appropriations Committee. “Chairman Frelinghuysen has been an effective and well-respected leader at all levels of government, and his experience and reputation make him an excellent fit for our team,” the firm’s co-president, Ernest L. Greer, said in a statement.

**Around the Administration**

**Trump Says He’s Considering Georgia’s Doug Collins as Spy Chief:** Trump said that he was considering Rep. Doug Collins (R-Ga.) as his formal nominee for director of national intelligence. Trump made the announcement during a flight to Las Vegas after a rally in Colorado Springs last night. The president has been on a tour of Western U.S. states for much of this week. Naming Collins to the post could simplify a Senate special election in Georgia, where the congressman has challenged Sen. Kelly Loeffler, who was appointed to the seat.

**Trump Stews Over McCabe:**Trump was surprised and angered by the Justice Department’s decision not to charge Andrew McCabe with crimes, but he’s also wary of acting against the former deputy FBI director out of concern he might push Attorney General William Barr to resign, according to people familiar with the matter. The Justice Department gave the White House no advance notice of its decision on McCabe, meaning Trump found out along with the public when it was announced on Tuesday, three of the people said.

That created fresh point of potential tension between Trump and Barr, who has publicly criticized Trump’s tweets about criminal cases DOJ is pursuing and has privately told associates he may quit. The president is considering his options to respond to the Justice Department’s non-prosecution decision on McCabe, but it isn’t clear he can do anything, the people said. He is aware he should proceed delicately, given Barr’s position, they said.

**California Sues Trump Over Water Plans:**California is fighting back against the president and his administration’s plans to change how water is distributed in the Golden State. Attorney General Xavier Becerra yesterday filed a lawsuit in U.S. District Court of Northern California saying that the Bureau of Reclamation adopted management plans that are inadequate and don’t protect imperiled species like salmon, smelt, and sturgeon.

**What to Watch Next Week in Congress**

**Anti-Vaping Bills Teed Up for House Action:**A pair of bills meant to curb youth use of vaping devices, including one to tax e-cigarettes the same as traditional tobacco products, will be scheduled for a House floor vote as early as next week, two people briefed on the plans said. The legislation has divided Democrats over the inclusion of a ban on menthol cigarettes. House leaders are working to bring the legislation to the House floor soon, according to a senior Democratic aide.

The measures (H.R. 2339, H.R. 4742) are likely to be combined into a joint package that together would assess on tobacco alternatives an excise tax equivalent to the $1.01 federal levy per pack. The package also would ban some popular flavored tobacco products, such as mint and menthol, according to an industry representative briefed on the plan. It would also require graphic health warnings on cigarette packs and advertising as well as other measures meant to reduce use of traditional cigarettes.

**Abortion Bills Teed Up:** The Senate has teed up procedural votes on two abortion-related bills. One ( S. 3275) would ban abortion beginning at 20 weeks, except for rape or incest or to save the mother’s life. Medical professionals who violate the ban could be fined and imprisoned for as long as five years. Women couldn’t be prosecuted for having an abortion in violation of the ban.

The other measure (S. 311) would require doctors to provide medical care to a child that survives an abortion procedure. They could be criminally charged and subject to civil liability if they don’t. The bill would also bar the prosecution of a woman who underwent the procedure.

**Anti-Lynching Legislation Vote:**House Majority Leader Steny Hoyer (D-Md.) announced the chamber will vote Feb. 26 on H.R. 35, a measure introduced by Rep. Bobby Rush (D-Ill.) to designate lynching as a hate crime under federal law. “This legislation is long overdue, but it is never too late to do the right thing and address these gruesome, racially motivated acts of terror that have plagued our nation’s history,” Hoyer said in a statement yesterday.

# Agriculture News

**To Meet Goals, China Will Be ‘Ramping Up’ U.S. Ag Purchases, Says Perdue** February 21, 2020 – Successful Farming

Agriculture Secretary Sonny Perdue said he believes China will meet the goals of the Phase One trade agreement, although the USDA’s new estimate of sales — $14 billion this fiscal year — is only one third of the target. “We believe those numbers will be surpassed,” Perdue said Thursday at the USDA’s annual Ag Outlook Forum.

Phase One obliges China to buy $40 billion worth of U.S. food, agricultural, and seafood products this year and in 2021.When asked about the disparity between the USDA estimate and the terms of the trade deal, Perdue told reporters that he expects purchases to “start … ramping up in the spring.” No large grain sales have been announced since the agreement, which de-escalated the Sino-U.S. trade war, was signed on January 15.

Drawing on published descriptions of the agreement, USDA economists estimated ag exports of $14 billion to China this fiscal year, up $3 billion from a November forecast, made before the agreement was signed. In a quarterly report released in conjunction with the Outlook Forum, the USDA estimated worldwide ag sales of $139.5 billion this year, up $500 million from its previous forecast and $4 billion higher than in fiscal 2019.

“Nearly all of that projected increase [is] due to higher projected exports to China,” said USDA Chief Economist Rob Johansson in a speech that opened the Outlook Forum.

Soybeans would account for most of the increase in sales to China, with pork and cotton sales also rising. China is the world’s largest importer of soybeans and cotton and the world’s leading pork consumer. “The current outlook for exports to China is tempered by significant uncertainties surrounding the COVID-19 outbreak, which may affect the timing of China’s purchases under the Phase One Agreement during the calendar year,” said the export report.

China has not asked for a delay or for flexibility in meeting the Phase One goals, said Michael Ward, senior U.S. agricultural attache in Beijing, during a panel discussion.

Jason Grant, an associate professor at Virginia Tech, said it was still possible for China to meet its commitments. It could satisfy half of the $40 billion target with larger imports of six commodities, including soybeans, corn, wheat, pork, and beef, he said, before categories such as seafood are considered.

“I’d call that a conservative estimate,” said Grant, considering that Australia, ordinarily a strong competitor for sales to China, harvested its smallest wheat crop in 12 years.

The USDA has cautioned that the $40 billion target is based on the calendar year but its export forecasts follow the fiscal year. Chinese purchases, it said, could appear in multiple fiscal years. Further, the USDA’s definition of ag exports does not include all the products included in the Phase One agreement.

To meet the targets, “China will have to be in the market more often and perhaps counter-seasonally than we have typically seen,” said Grant.

U.S.-China trade has been further disrupted by the effects of the African swine fever epidemic that devastated China’s hog farms, reducing demand for livestock feed while boosting the appetite for imported meats, and the ongoing outbreak of the Wuhan coronavirus, said Ward.

“The bottom line is, China must take whatever steps necessary to meet its purchase commitments,” he said.

Before the Sino-U.S. trade war, China was the largest customer for U.S. ag exports, with purchases of about $21 billion a year. The forecast of $14 billion in sales is “a LONG way from Phase One targets,” said think tank economist Joe Glauber, Johansson’s predecessor at the USDA. He later said, “You will have to have a heck of a fall to hit $36b [billion] for calendar 2020.”

The USDA projects plantings this year of 94 million acres of corn, 85 million acres of soybeans, 45 million acres of wheat, 12.5 million acres of upland cotton, and 3.1 million acres of rice. The soy, cotton, and rice figures are higher than previous USDA projections, while the corn figure is 500,000 acres lower.

Soybean prices will rise modestly for this year’s crop, said Johansson, “under the expectation of a return to normal trade with our major trading partners.”

The USDA projects record meat and dairy production this year.

# Federal Employee News

**Administration Seeks New Performance Carrots and Sticks**

February 18, 2020- Fedweek

The Trump administration has said wants a mix of new incentives and disincentives regarding job performance for federal employees, all of which would require changes in law and most of which have been proposed unsuccessfully in the past.

**Sticks**

On the stick side, a supplemental budget document says, the administration wants to add one year to the waiting period for advancement up the GS and wage grade system grades—for GS employees, currently one year at each step to advance up to step four, two years to advance up to step 7 and three years to advance up to step 10.

The proposal also would require that an employee’s performance rating be above fully successful for advancement to steps 8, 9 or 10; and “would remove an employee’s right to appeal the agency’s determination that his or her performance does not warrant advancement to the next higher rate within the grade to the Merit Systems Protection Board.”

It meanwhile would extend a within-grade increase waiting period by the amount of time that an employee spends under a performance improvement plan.

“While the current regulations require that an agency withhold a within-grade increase when the employee’s most recent rating of record is below fully successful or equivalent, there is no authority to delay a within-grade increase based on a rating of record of below fully successful that is assigned earlier than the most recently completed appraisal period,” it says.

2020 GS Locality Pay Tables

**On the carrot side, the administration is proposing to:**

\* Create a new “critical skills incentive” of up to 25 percent of pay for positions that an agency determines have “high-demand or shortage skills that serve a critical need.” OPM also could make such a designation government-wide.

\* Raise the cap on cash incentive awards from the current $10,000 with OPM approval to $25,0000, and from the current $25,000 with presidential approval to $50,000. The maximums would then be inflation-adjusted each year.

\* Raise the cap on “critical position pay” to the level of the salary rate of the Vice President (currently $253,300) from the general cap of Executive Schedule Level II ($197,300) and expand the number of positions eligible for such pay.

**Two Approaches Offered for Plugging Paid Parental Leave Gap, Including Bipartisan Bill**

February 18, 2020 - Fedweek

Civil service leaders in the House and the Trump administration are both moving to plug the gaps in the upcoming paid parental leave authority for federal employees, although with differing approaches.

A newly introduced bipartisan House bill (HR-5885) would — like one introduced earlier in the Senate (S-3104) — extend the entitlement to those left out due to what sponsors called an error of “statutory framing.”

The paid leave authority will replace the 12 weeks of unpaid parental leave currently available under the Family and Medical Leave Act within a 12-month period on the birth, adoption or foster child, effective for such events after September 30. However, it addressed only employees under the Title 5 section of civil service law, which covers most federal employees, but not those covered under other sections—except for TSA screeners who were included.

The House measure would extend the coverage to the remainder of TSA employees, all FAA employees, Title 38 medical personnel at the VA, certain other VA employees, employees of the Executive Office of the President and White House employees, and federal judges. (The VA has said that even without legislation, it would invoke separate authority to extend the benefit to its Title 38 personnel.) House leaders have said they hope to bring the measure to a vote there soon.

Meanwhile, the administration has released supplemental materials to its budget proposal of February 10.

**Those materials call for a similar extension of the scope of the benefit but with some proposed changes in policy:**

\* Allowing the leave to be used only after the birth or placement of a child, which it said “would simplify administration, provide a reasonable limit on the amount of paid parental leave that may be used in connection with the birth/placement of a child, and be consistent with the objective of allowing parents to bond with a new child.”

\* Limiting the amount available for foster care placements on grounds that some such placements are designed to last less than one year, “which undermines the justification for paid parental leave to allow for long-term bonding with a child.”

\* Offsetting the 12 weeks with any paid parental leave provided under other authorities, potentially such as those already in effect at the SEC and FDIC.

\* Having any type of federal employment count toward the requirement for 12 months of federal service before the leave can be used, not just service in a position in which standard annual and sick leave rules apply.

The administration did not issue full details, however. They would presumably come with a later formal legislative proposal to Congress.