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# Congressional & Administration News

**What to Know in Washington: Trump Praises Work on Coronavirus**

February 28, 2020

President Donald Trump said his administration has done an “incredible job” preventing the spread of coronavirus after California’s governor said the state is monitoring 8,400 people for signs of exposure.

The U.S. has 15 people who contracted the virus “instead of thousands of people,” Trump told reporters yesterday at the White House, adding that most are better. He credited the administration’s decision to close borders, an apparent reference to restrictions on travelers from China.

The outbreak has the potential to become a pandemic and is at a decisive stage, the head of the World Health Organization said yesterday. The global economy, meanwhile, is on course for its weakest year since the 2008 financial crisis as the virus damages demand in China and beyond, Bank of America predicted.

California Gov. Gavin Newsom (D) said the state is monitoring about 8,400 people for signs of the disease after they traveled to Asia.

Trump said the number of infections could increase before getting better, or the virus could go away.

The president also said the virus is “really above politics” but went on to criticize Senate Minority Leader Chuck Schumer (D-N.Y.). On Capitol Hill, appropriators continue to negotiate a supplemental spending package to fight the virus.

Lawmakers will likely produce a response measure with more than $4 billion, Senate Appropriations Chairman Richard Shelby (R-Ala.) told reporters yesterday. Appropriators will err on the side of giving slightly too much money and can “figure out a way to get it back” if necessary, Shelby said.

Vice Chairman Patrick Leahy (D-Vt.) said he thinks negotiators can release the bill text by next week, and Shelby agreed. Congress could potentially send the bill to the president’s desk before both chambers leave for a 10-day recess on March 12 if they stick to that schedule.

Sens. Susan Collins (R-Maine) and Jack Reed (D-R.I.) said the White House’s decision to transfer $37 million in funding from the Low Income Home Energy Assistance program to combat the virus would leave seniors and vulnerable families “out in the cold.”

The two senators said that the program is “essential to millions of families who would otherwise be forced to make the impossible choice between paying for heat and paying for food or medicine,”

**U.S. to Expand Coronavirus Tests:**U.S. health officials will let state and local health labs modify a test for the coronavirus that has been plagued by weeks of delays, in an effort to better keep watch for cases that may be quietly arising in some parts of the country.

Officials from the Centers for Disease Control and Prevention and the Food and Drug Administration held a conference call Wednesday in which they gave permission for state and local labs to drop a troublesome step in the tests that stopped them from being used, said Scott Becker, CEO of the Association of Public Health Laboratories. Becker’s group represents state and local testing labs.

**Whistleblower Says HHS Didn’t Protect Workers:**A whistleblower is accusing Trump’s Health and Human Services Department of a “failure” to protect employees responsible for responding to the outbreak, according to the attorney representing the person making that claim. Federal health workers who received Americans quarantined for possible exposure to the coronavirus were not given proper equipment or training, The Washington Post and The New York Times reported, citing a complaint filed with the Office of Special Counsel.

**Happening on the Hill**

**House to Vote on Vaping Bill:** The House will vote today on a bill meant to curb youth use of e-cigarettes by banning certain popular flavored tobacco and vaping products, such as mint and menthol. The legislation would impose a tax on e-cigarettes that supporters say is similar to the current tax on traditional cigarettes. The bill gained steam in the House after the White House put forward its own prohibition on some flavored vaping products, but Democrats panned the move as insufficient and instead moved forward with their own, broader flavor ban.

**Khashoggi Report Sought:** House Intelligence Chairman Adam Schiff (D-Calif.) yesterday requested that U.S. intelligence officials declassify an annex to a report on the murder of Saudi dissident Jamal Khashoggi, with appropriate redactions. Failure to declassify the annex and produce an unclassified report may raise concerns the White House is “using the classification process impermissibly in order to shield information of intense public interest from public release,” Schiff said in a letter to acting Director of National Intelligence Richard Grenell.

**Troop Cuts in Africa:**The House Armed Services Committee is likely to try to prevent cutting the U.S. military presence in West Africa if a review conducted by Defense Secretary Mark Esper concludes that the number of troops on the continent has to be reduced, said Chairman Adam Smith (D-Wash.). Esper’s review of global deployments and the focus on Africa Command has prompted concern in Congress who fear that a reduced American presence in Africa would give strategic ground to China and Russia.

**More Opioids Legislation Urged:**House lawmakers from states hit hard by the opioid crisis are seeking action on proposals to authorize more federal funding for prevention programs and expand limits on opioid prescriptions. A bipartisan task force unveiled a package of 27 bills they say have wide, bipartisan support. They are trying to gather enough cosponsors to persuade House leaders to put them up for a vote this year.

“I think we’ll see quite a few of them become law this session,” according to Rep. Annie Kuster (D-N.H.), whose state had one of the the highest rates of overdose deaths in 2017 and 2018. Kuster leads the Bipartisan Opioids Task Force. The push comes after the CDC said overdose deaths fell slightly from previous years, and Senate Republican leaders have shown little interest in taking up any stand-alone health legislation.

**‘Rip and Replace’ Huawei Bill:**The Senate has passed by voice vote a bill that would authorize the Federal Communications Commission to help companies “rip and replace” any Huawei and ZTE telecommunications equipment. The bill was passed by the House in December and now heads to Trump. It would direct the FCC to provide subsidies to telecom companies to replace equipment from federally banned companies, which include Chinese companies Huawei and ZTE. The FCC adopted an order in November that levied a similar ban on using assistance from the Universal Service Fund to buy equipment and services from Huawei and ZTE.

**Elections, Politics & Policy**

**Biden Tries to Defy History:**Despite leading national Democratic primary polls for more than a year—often by wide margins—former Vice President Joe Biden’s national polling numbers collapsed in the days following his fourth-place finish in the tumultuous Iowa caucuses. He’s not the only perceived frontrunner to falter in recent elections. Biden joins five other candidates since 1988 who lost their national polling lead after the Iowa caucuses; none of the others were able to recover from their decline. Biden’s path to the nomination seems uncertain. Since Iowa, he has placed fifth in New Hampshire and a distant second in Nevada and now trails Sen. Bernie Sanders (I-Vt.) by about 11 points nationally. Now he’s banking on a win in South Carolina on Saturday to reverse his downward trajectory before Super Tuesday.

**Bloomberg Releases More Health Details:**Former New York City Mayor Mike Bloomberg released details of a recent cardiac exam and challenged Sanders, who had a heart attack last year, to do the same. Bloomberg is specifically calling on Sanders to release his “left ventricular ejection fraction”—or the amount of blood his heart pumps with each contraction. It is a key piece of data cardiologists would use to assess his health. Bloomberg’s doctor said his rate of 60% to 65% was “normal.” .

**Iowa Recount Confirms Buttigieg Caucus Win:** The Iowa Democratic Party said yesterday that a partial recount of the Feb. 3 caucuses confirmed Pete Buttigieg’s lead with 14 delegates and Sanders in second place with 12. The Buttigieg and Sanders campaigns had asked for the recount of 23 precincts after the reporting of the results was marred from the beginning by problems with a smartphone app that didn’t work and a backup telephone hotline that was jammed by calls from supporters of Trump. The Iowa Democratic Party’s state central committee is expected to certify the results Saturday. The Associated Press, which hasn’t called the race, said it would update its tally of the national delegates won after that vote.

Meanwhile, Buttigieg met with about 10 members of the Congressional Black Caucus yesterday, as polls show the candidate struggling to win African-American supporters and to expand his coalition in southern states like South Carolina. Rep. Anthony Brown (D-Md.), who has endorsed Buttigieg and hosted the get-together, said Buttigieg was “well received and will continue to engage and listen.” One-fifth of the caucus participated.

**Bannon Hosts a Dinner of International Populist Leaders:**As Trump grappled with a public health crisis that could threaten his re-election, his former chief strategist was across the street from the White House dining with a group of like-minded Europeans and Latin Americans to plot the next wave of a global surge in right-wing populism. Steve Bannon, an architect of Trump’s 2016 victory who became a senior White House aide, hosted the dinner Wednesday night for Nigel Farage, a key figure in the movement that led to Brexit; Jerome Riviere, a leader in France’s right-wing National Rally party and member of the European Parliament; Eduardo Bolsonaro, a son of Brazilian President Jair Bolsonaro; and Eduardo Verastegui, an actor and staunch Roman Catholic who’s considering a run for president of Mexico.

**Arizona Voters Lose McSally Challenge:**Arizona voters lost their challenge to Gov. Doug Ducey’s appointment of fellow Republican Martha McSally to fill a Senate vacancy after Sen. John McCain’s death, as the Ninth Circuit said yesterday the state law governing appointments and elections in the aftermath of a Senate vacancy is constitutional. McCain in 2018 died three days before the primary, with over four years remaining in his term. Arizona law provides that if a U.S. Senate seat is vacated 150 days or fewer before the next primary election, Arizona voters won’t fill the vacancy until the next general election.

**What Else to Know Today**

**Roberts Faces Moment of Truth on Abortion at Court:**For U.S. Chief Justice John Roberts, the moment of truth on abortion is coming. The Supreme Court on Wednesday will hear its first abortion case since Roberts became the pivotal vote on the issue. Four years after invalidating a Texas law requiring clinic doctors to have hospital admitting privileges, the court will consider whether to switch directions and uphold a similar law in Louisiana. The argument will test Roberts’s appetite for rolling back abortion-rights precedents and could foreshadow a fight over the landmark 1973 *Roe v. Wade* ruling. The justices will rule by the end of June, potentially making abortion and the court itself central issues in the November election. Trump’s administration is supporting the Louisiana law.

**Trump Can’t Build Mexico Wall With Sub Funds:** The Trump administration was barred by a court from diverting $89 million to build the Mexico border wall from a construction project at a submarine base in Washington state. Yesterday’s ruling by a federal judge in Seattle is the latest setback to Trump’s multibillion-dollar plan to bolster barriers along the U.S. southern border. The funds at issue were earmarked for construction of a pier at the Bangor naval base, home to the Pacific Fleet’s Trident ballistic subs. It’s one of 127 congressionally approved military projects totaling $3.6 billion that the administration planned to defund to pay for 11 border wall projects, according to the lawsuit filed by Washington state.

**U.S.-Taliban Deal Brings Shaky Hope:** The U.S. is ready to take its biggest step toward ending the two-decade war in Afghanistan tomorrow with the signing of a peace deal with the Taliban, the fundamentalist Islamic group ousted by American forces after the Sept. 11, 2001 terrorist attacks. The accord to be signed in Qatar rests on a simple exchange: The U.S. will start withdrawing some of its 13,000 troops in the country in exchange for a Taliban pledge to cut ties with all terrorists and prevent Afghan territories from becoming militant havens. The Taliban must also begin talks with negotiators from the Afghan government, opposition and civil society for a lasting cease-fire and, the U.S. hopes, an eventual political deal.

**Cuomo May Sue Trump Over Traffic Plan:**New York Gov. Andrew Cuomo (D) says he may sue the federal government over its failure to approve a plan that would lower traffic in Manhattan by charging motorists fees during periods of high congestion, if evidence shows that the holdup is politically motivated. “The Federal Highway Administration has to be careful because blatant political use of government is certainly unethical, and in some situations it’s illegal,” Cuomo said in Manhattan yesterday. “I have no problem suing the federal government, especially if they did something illegal.”

**Scientists Hiding Foreign Ties:**The Trump administration may ask Congress to allow universities to share information about scientists who don’t disclose their foreign ties, which is now prohibited by U.S. law. Hidden payments from foreign governments to U.S.-backed scientists is a major compliance pitfall for research institutions amid new scrutiny over how other countries influence or steal U.S. research. Researchers who fail to disclose such payments, as is required by the National Institutes of Heath, can hide by changing institutions, White House science adviser Kelvin K. Droegemeier said.

**Trump Policy Unlawful on Grouse Turf:**A federal court has blocked the White House from streamlining oil and gas development on public land in sage grouse territory. The U.S. District Court for the District of Idaho yesterday ruled that the Bureau of Land Management didn’t go through required rulemaking procedures before issuing a 2018 “instruction memorandum” aimed at expediting timelines for federal leases under the National Environmental Policy Act.

# Agriculture News

**NUMBER OF U.S. FARMS DOWN 3% IN FIVE YEARS**

February 25, 2020 – Successful Farming

Based on a midyear survey, the USDA estimates there were 2.023 million farms in the nation in 2019, a tiny decline of 5,800 farms from the previous year. The change is more dramatic when the time frame is widened — there are 3% fewer farms now than there were in 2014, and the amount of farmland, 897.4 million acres, or 1.4 million square miles, fell by 1.3% during that five-year period.

The USDA says that five-year period saw an increase of 400 farms in the middle of its six-tier typology, for a total of 224,000 farms with sales of $100,000 to $500,000 a year. During the same period, the number of both small and larger farms declined. Since 1974, a farm has been defined as a place that produces crops or livestock worth at least $1,000 in sales, even if it doesn’t market them.

While a quarter of U.S. farmland is operated by the 4% of farms with more than $1 million a year in sales, half of U.S. farms sell less than $10,000 a year in products. Further, half of those small farms are so-called point farms that don’t report annual sales exceeding $1,000. The smallest U.S. farms are an average of 81 acres, while the largest farms, those with more than $1 million in sales, average 2,910 acres.

Farm numbers peaked at 6.8 million in 1935 during the Depression. Numbers declined sharply for the next four decades as mechanization, hybrid seeds, and the introduction of synthetic pesticides and fertilizers allowed farmers to operate more land with less manual help. Since the mid-1970s and 1980s, the number of farms, though trending downward, has been fairly steady.

# Federal Employee News

**TSP Annuity Change Doesn’t Impact Retirement Annuities**

February 26, 2020- Fedweek

Recent separate developments regarding cost-of-living adjustments apparently have led to some confusion about COLA policies.

One development was the TSP’s announcement regarding the inflation adjustment feature for annuities newly purchased starting March 2. For purchases that include the inflation protection feature—it is optional, as are several other features that can be added to the base annuity—the monthly payouts will increase by 2 percent each year regardless of actual inflation.

That’s in contrast to the traditional formula, in which the inflation adjustment option boosts the annuity by up to 3 percent, depending on an inflation index. In both cases, those increases are effective on the anniversary of the first annuity payment.

The TSP made the change on grounds that annuity purchasers were paying for more inflation protection than they were getting: the reduction in the annuity to pay for that protection has assumed an annual 3 percent increase but over the last 20 years, the actual increases have averaged just below 2 percent — and are projected to average 2 percent for years to come.

Retirement COLAs

At nearly the same time, however, the White House budget request was released, repeating several proposed changes to COLA policies on civil service retirement benefits that are separate from the TSP annuity benefit.

Under the proposal, COLAs for those retired under CSRS would be reduced by a half percentage point below the inflation index used, while those retired under FERS would no longer receive COLAs on their federal annuities (they would continue to receive a full COLA on their Social Security benefits, however; Social Security is not part of CSRS but some CSRS employees are eligible for it through other earnings).

Those changes would require a change in law, however, and Congress has rejected them repeatedly in recent years.

The TSP annuity policy change is within its own discretion and is linked to the issuance of a new contract to its annuity provider, the Metropolitan Life Insurance Company. The purchase of an annuity is by far the least-used of the TSP account withdrawal options, and it is unclear how much the change in the inflation protection option will change that.

**Employment Levels, Pay, Benefits, Other Issues on the Table**

February 26, 2020 - Fedweek

With President Trump having made his recommendations, Capitol Hill this week is starting a budget process that will determine agency staffing levels, federal employee compensation and personnel policies.

The first round is focusing on the size of individual agency budgets and agency-specific policy issues, which translate into numbers of jobs and the work those employees will do. That is starting with several of the biggest, DoD and DHS, with the latter also being among the most controversial.

The process calls for Congress to first create a blueprint called a budget resolution. That would be the first opportunity, for example, for policy statements on the administration’s proposals to increase required contributions toward retirement for most federal employees and to decrease the value of retirement benefits in several ways.

The House Republican Study Committee, a group of most GOP House members, recently endorsed a package of similar proposals. However, Democrats in control of that chamber have said they will again oppose those ideas and could use the opportunity to underscore their position.

That also would be the opportunity to draw the contrast between the White House’s recommendation for a 1 percent January 2021 raise and the 3.5 percent favored by leading Democrats on civil service issues. In an unusual move, President Trump already has issued a message to Congress stating that he would pay a 1 percent raise by default if no agreement is reached by the end of the year. That type of message typically does not come until late August.

However, the budget resolution step has broken down often in recent years, with Congress moving straight to writing appropriations bills that fund agencies and that also contain policy decisions by preventing spending on certain initiatives.

That happened last year when Congress denied funding for the administration’s proposal to send OPM’s operating divisions to GSA and its policy functions to OMB. The administration again has asked for money to carry out that breakup but Congress seems unlikely to grant it pending the results of a study ordered last year: Plan to Breakup OPM Shelved, Possibly for Good.

Executive Orders

Also on the horizon are the potential next steps in the dispute over the administration’s executive orders on bargaining and disciplinary matters.

Rules to carry out key parts of those orders are to be issued soon and while issuing rules is a matter for the administration, Congress could move to block compliance by restricting agencies from spending money to carry them out.

The recent presidential memo allowing DoD to further restrict bargaining on security grounds, and a legislative request to have newly issued rules override existing contracts, also could become part of that mix.

Paid Leave

One issue on which the two sides are in some agreement involves the paid parental leave authority for federal employees—12 weeks within 12 months to be effective for a birth, adoption or foster placement after September 30—enacted late last year.

Both favor extending that benefit to categories of employees inadvertently left out of that law, but the White House wants to meanwhile impose certain restrictions.

For example, it would allow the leave to be used only after such an event, rather than either before or after as is currently allowed for the unpaid parental leave under the Family and Medical Leave Act.