# Washington Report Headlines

#### Congressional & Administration News

* What to Know in Washington: Trump Bets 2020 on States Reopening

#### Agriculture News

* USDA Announces $15 Million for Conservation Innovation Grants
* China May Miss “Phase One” Target for US Farm Purchases

**Federal Employee News**

* OPM: Agencies “Must Provide” New Sick Leave Entitlement to Qualifying Employees
* Agencies Eye Return to Normal Worksite With Safety at the Fore; IRS Among First

# Congressional & Administration News

**What to Know in Washington: Trump Bets 2020 on States Reopening**

President Donald Trump is facing a turning point in his bid for re-election, betting that a handful of Southern and Midwestern states can reopen their economies without triggering an even deeper public health crisis.

If it works out, Trump can claim he was right all along about quickly lifting stay-at-home restrictions that are damaging the economy. If it doesn’t and coronavirus cases spike, pollsters and political analysts say it’s Trump who will bear the blame — even after he tried to shield himself from fallout by putting governors in charge of the most critical decisions.

“It’s a gamble,” said Brad Coker, managing director of Florida-based Mason-Dixon Polling & Strategy. “If they start to do this and it comes back strong — in a way that everybody really sees it as coming back strong — in states like Florida, it’s much worse than it is right now, yeah, that’s going to be a big price to pay.”

The reopening gambit will play out over the coming weeks, as Texas, Georgia, Florida, Ohio and Missouri — all with Republican governors — prepare to ease restrictions to stem the spread of the coronavirus. Yesterday, the Trump administration said it’s trying to fast-track vaccine development, yet another high-risk move that — if it works — could pay political dividends.

Success — Americans back at work, dining in restaurants and a “packed house” at football stadiums, as he said yesterday — would bolster his favorite case for re-election: economic growth.

That argument took a major hit yesterday after the Commerce Department reported that U.S. gross domestic product shrank at a 4.8% annualized pace, ending an 11-year economic expansion and signaling a recession has begun.

Trump promises a turnaround will take off in the second half of the year. “We built the greatest economy anywhere in the world. We’re going to build it again,” he said on Tuesday.

Yet public health experts warn that some of the states’ decisions are ill-advised and risk wider spread of the disease, more American deaths and the reimposition of stay-at-home rules — all political poison for Trump’s aspirations for a second term.

**Testing & the Path to Reopening**

**Trump Says He’s Set to Visit Arizona:**Trump said he expects to visit Arizona next week, as the administration forges ahead with its effort to urge states to reopen their economies. The tentative visit to Arizona, which is expected to be one of the key battleground states in the November election, could include a tour of a manufacturing plant that is making protective masks, people familiar with the matter said. But no final decisions have been made yet and the White House hasn’t chosen an exact date for any such trip.

**Florida to Start Reopening on Monday:**Florida Gov. Ron DeSantis (R) plans to start reopening the state this Monday, permitting restaurants and retail in most areas to resume business with certain limitations to prevent the virus’s spread. Speaking yesterday in Tallahassee, DeSantis said movie theaters and bars must remain closed for the time being throughout the state, and schools will continue to use distance learning. The reopening plans aren’t uniform across the state of 21.5 million people. DeSantis said the first phase of reopening would exclude the counties of Miami-Dade, Broward, and Palm Beach, the state’s three most populous.

**Tech’s Virus Combat Plan Hinges on Still-Scarce Testing:**Apple and Google earlier this month unveiled an ambitious plan to jury-rig billions of smartphones into coronavirus-tracking beacons, hoping to help public-health authorities fight the disease and pave the way to end lockdowns that have crippled the global economy. Now, just weeks after the announcement, the program is already facing serious challenges and it’s unclear whether the system will ever be used at a large scale. Persistent concerns about privacy, weak consumer adoption, and the lack of a coordinated government effort on testing could all pose obstacles to the companies’ push. Some governments have already struck out on their own, building systems used by millions without needing Apple and Google’s help.

**Gilead Treatment Stirs Cautious Optimism:**With competing data published on Gilead Sciences’ potential coronavirus drug, the jury is still out on how well it works, and there are two big reasons why. While Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases, said that a government-run trial has met its overall target, full details haven’t been published. At the same time, the only major, rigorous study for which full data is public, a Chinese trial published in The Lancet medical journal yesterday, is showing the opposite.

The dueling trials are the latest example of how science has taken a back seat to optimism in the rush to pave a way out of the coronavirus crisis that’s paralyzed economies worldwide. Dozens of companies are studying 11 potential therapies and 137 vaccines in a push to get the virus under control. Gilead’s experimental drug remdesivir, which had already been tested against other coronaviruses—is one of the most closely watched.

**What to Watch Today**

The Senate Homeland Security and Governmental Affairs Permanent Subcommittee on Investigations is holding a virtual roundtable at 9 a.m. via videoconfence on the continuity of the Senate and remote voting during the coronavirus pandemic.

Speaker Nancy Pelosi (D-Calif.) is scheduled to hold a press conference at 10:45 a.m.

House Minority Leader Kevin McCarthy (R-Calif.) hosts a press call at 1 p.m.

The Senate holds a pro forma session today at 1 p.m.

Trump meets at 11 a.m. with New Jersey Gov. Phil Murphy (D). At 4 p.m., the president will deliver remarks on protecting seniors.

**Happening on the Hill**

**Feinstein Opposes Reconvening:**Sen. Dianne Feinstein (D-Calif.) asked Senate Majority Leader Mitch McConnell (R-Ky.) to reconsider his plan to bring the Senate back next week amid the pandemic. “It is clear that we remain in a critical time,” Feinstein said in a statement. “Returning the Senate for non-essential business is not worth the risk.” The House scrapped its plans to return next week citing the continued risk from the coronavirus.

* The Senate Commerce, Science, and Transportation Committee is scheduled to hold a hearing May 6 on the effects of the coronavirus pandemic on the aviation industry.
* The next day, the Senate Health, Education, Labor, and Pensions Committee plans to hold a hearing to examine new tests for the coronavirus.
* The Senate currently plans at least four hearings next week, according to a schedule on the chamber’s website.
* The House Appropriations Committee also is planning to host an in-person committee hearing on May 6 on the Covid-19 response, with witnesses to be confirmed later this week, committee spokesman Evan Hollander said in an email.

**Mnuchin Pressed for More Aid:**The House’s tax writers yesterday made their case to Treasury Secretary Steven Mnuchin for expanding relief for businesses, a conversation that comes as lawmakers are starting negotiations on the next phase of the virus response. House Ways and Means Chairman Richard Neal (D-Mass.) urged the treasury secretary in a teleconference to expand a tax credit for employers that retain their employees during the pandemic, a lawmaker on the call said.

**DeFazio Asks FAA to Require Masks:**House Transportation and Infrastructure Chairman Peter DeFazio (D-Ore.) called on FAA Administrator Stephen Dickson to require masks or face coverings be used by all crew-members and all passengers on U.S. flights, according to a statement yesterday. DeFazio said that he also asked Dickson to force airlines to adopt “reasonable, sound procedures” including for passengers to be “spaced at safe distances from one another.” The Federal Aviation Administration said it’s “working with air carriers to ensure they have processes in place for addressing public health risks.”

**Thompson Calls for IG Probe of Racial Disparities:**House Homeland Security Chairman Bennie Thompson (D-Miss.) sent a letter to the Department of Health and Human Services Office of Inspector General regarding “healthcare disparities” in HHS’s response to the pandemic. Thompson requested the OIG to explore the department’s “past and present efforts to eliminate racial, ethnic, and socioeconomic health disparities” and offer ideas of lessening the effects of health disparities going forward.

* Also, Thompson and Homeland Security Counterterrorism Subcommittee Chairman Max Rose (D-N.Y.) in a letter to Department of Homeland Security Acting Secretary Chad Wolf ask for information DHS had about Covid-19 in late 2019 and 2020, after press coverage suggests the intelligence community was issuing reports as early as November 2019.

**Economic Actions & Industry Pains**

**Road From Lockdown Paved With Tradeoffs:**The world economy is entering a new stage of the pandemic as governments inch toward easing restrictions. It’s a phase that entails stark trade-offs between economic growth and the threat of another wave of infections and death. Some countries, such as China and South Korea, are firing up their economic engines already, having contained the virus—for now at least. Others, including hard-hit Italy and the U.S., are preparing to reopen their wounded economies even as they still fight to get a lid on the virus.

**Trump Poised to Unveil Bridge Loans for Oil:** The Trump administration may announce as soon as today a plan to offer loans to the oil industry, possibly in exchange for a financial stake, according to two people familiar with the matter. Mnuchin and Energy Secretary Dan Brouillette have already briefed Trump on a plan to provide financial aid to oil drillers beset by a historic crash in prices, the people said. Brouillette, on a conference call with an industry group on Tuesday, said Mnuchin was leaning toward aid that includes two separate programs: bridge loans and emergency lending authority through the Federal Reserve.

**Powell Warns More Action Needed:**Federal Reserve Chairman Jerome Powell called on lawmakers to deliver more fiscal stimulus to shield the U.S. economy from the coronavirus as he warned of a weak recovery even once the pandemic has subsided. “Economic activity will likely drop at an unprecedented rate in the second quarter,” Powell told a video press conference yesterday. “It may well be the case that the economy will need more support from all of us, if the recovery is to be a robust one.”

**Wealthy Shielded Billions With Trump Tax Break:** Just before the coronavirus roiled the economy, wealthy investors piled into funds that take advantage of a popular, two-year-old tax break meant to help poor communities. More than $10 billion in total has flowed into “opportunity zone” funds, a survey released today by tax adviser Novogradac shows. That’s up from the $6.7 billion the group tallied in January. Nearly all of the money was raised before mid-March, when Trump declared a national emergency to combat the virus. The haul could benefit low-income communities during major economic stress and help spur a post-pandemic recovery, Michael Novogradac, the tax adviser’s managing partner, said in a statement.

**Trump’s Meat Order No Quick Fix for Supply:** A day after Trump’s unprecedented executive order to keep meat plants running, one more shut down. Another opened back up — but only to cull animals that can’t be processed. Those are the latest indications that the sweeping order is anything but a quick fix for supply-chain woes. Tyson Foods, the biggest U.S. meat processor, late yesterday said it was idling a beef facility in Nebraska for four days, with the news hitting just about 24 hours after Trump invoked the Defense Production Act to keep meat supplies secure. A JBS plant in Minnesota is starting a mass culling operation, destroying hogs that it can’t process into pork cuts until it’s able to get the protective equipment needed to restart.

**Pentagon Weighs Space Industry Bailout:**The Air Force and Space Force are feeling out the space industrial base for a potential bailout from Congress. The services said yesterday they have begun a survey on how coronavirus upheaval has stressed companies and increased the costs of existing programs as well as how stimulus funding could be used for small space vehicles, micro-electronics, and other areas that could be important to future operations.

**Iraq Seeks More U.S. Virus Aid:**Iraq is seeking financial relief from the U.S. to help the country combat the fallout of the Covid-19 pandemic and plummeting oil revenue, Baghdad’s health minister-designate said yesterday. “We have been promised by the United States government as part of this strategy between Iraq and United States to help us financially,” Jaafar Allawi said yesterday during an online policy forum organized by the Washington Institute for Near East Policy.

**Elections, Politics & Influence**

**Biden Launches Formal Search for Running Mate:**Joe Biden has tapped four allies to lead a committee to advise him on his vice-presidential selection, a process that will be especially closely watched given his age and speculation that he might not seek a second term if elected.

The co-chairs of the presumptive Democratic presidential nominee’s panel are former Sen. Christopher Dodd (D-Conn.), Rep. Lisa Blunt Rochester (D-Del.), Los Angeles Mayor Eric Garcetti and Cynthia Hogan, a vice president for policy and government affairs at Apple as well as a former White House and Senate counsel to Biden. They will conduct conversations with Democrats across the party and work with the lawyers who are running the vetting process, Biden’s campaign said today.

**Biden Open to Republicans in Cabinet:** Biden said he would look at enlisting Republicans for his Cabinet, though not for his running mate. The presumptive Democratic presidential nominee said during a virtual fundraiser yesterday that a Republican would be considered for a position if they were “the best qualified person” to do the job. But he made clear the potential bipartisanship wouldn’t extend to his choice of vice president.

**Democrats Struggle Over Biden Accuser:**A former aide’s allegation that Biden sexually assaulted her 30 years ago has put Democrats into a quandary, as they attempt to square their support for the #MeToo movement with their backing of a nominee who now stands accused himself. Tara Reade says that when she worked in Biden’s Senate office in 1993, Biden pushed her against a wall in a Senate office building and sexually assaulted her with his fingers. The allegations are particularly troubling for the Democrats who have taken a zero tolerance stance on sexual misconduct and were adamant in their support for Christine Blasey Ford against Brett Kavanaugh.

**Cook Says Graham’s Odds of Re-election Slip:** The Cook Political Report said today the South Carolina Senate race is now “Likely Republican” rather than “Solid Republican.” Sen. Lindsey Graham (R), the chairman of the Judiciary Committee and ally of the president, is being challenged by Jaime Harrison, the former chairman of the state Democratic Party. Harrison outraised Graham in the first quarter.

**China Denies Trump’s Claim It’s Trying to Make Him Lose:**China rejected Trump’s claim that Beijing was trying to damage his re-election chances with its handling of the coronavirus outbreak, as rhetoric between the world’s two largest economies continued to heat up.

Trump said in an interview with Reuters published yesterday that China’s response to the disease was focused on a desire to see him lose in November. The president, who provided no evidence for why China would deliberately mishandle an outbreak that has killed more than 4,600 of its citizens, said he was considering various ways to punish Beijing. “China will do anything they can to have me lose this race,” Trump said in the Oval Office interview. He didn’t elaborate what punitive actions he might take, but added: “There are many things I can do.”

The Chinese Ministry of Foreign Affairs responded today that the country had “no interest” in interfering in internal U.S. affairs.

**What Else to Know**

**White House Domestic Policy Chief Grogan Is Resigning:**Joe Grogan, Trump’s chief of domestic policy, will be leaving the administration next month, a White House official said last night. He becomes the latest official to depart following the arrival of Chief of Staff Mark Meadows, who has heightened tensions at the White House with a series of abrupt staff changes. Grogan, whose resignation was reported earlier by the Wall Street Journal, was considered an ally of Meadows’ predecessor, Mick Mulvaney. He previously worked at the White House Office of Management and Budget when it was led by Mulvaney.

* **More transitions:** James Clapper, who served as U.S. Director of National Intelligence under the Obama administration, has joined the executive board at the Center for Ethics and the Rule of Law at the University of Pennsylvania Carey Law School, according to a tweet.

**Minnesota Clinic Sues to Stop Abortions:**A Minnesota women’s health clinic that opposes abortions wants surgical abortions put on hold in the state under an emergency coronavirus executive order requiring the postponement of elective surgeries. Abortion providers have filed several lawsuits accusing states of “exploiting” the pandemic and using emergency orders to shut down the right to abortion. This appears to be the first complaint over a state’s failure to apply an order to halt surgical abortions.

**Kim’s Train Spotted, Leader Still Out of Sight:**A train resembling the one used by Kim Jong Un was spotted again near a coastal leadership compound, according to satellite imagery analyzed by 38 North, as the North Korean leader’s unusual absence from public continued. The special train was seen yesterday parked at a station near the eastern resort area of Wonsan where it had been repeatedly spotted since April 21, 38 North reported, adding that it couldn’t be considered as proof of Kim’s presence. Speculation about Kim’s whereabouts have focused on the area, where a top South Korean foreign policy adviser said he’s been staying — “alive and well” — since April 13.

# Agriculture News

**USDA Announces $15 Million for Conservation Innovation Grants**

April 28, 2020 – Successful Farming

The USDA announced today a $15 million investment to help support the adoption of innovative conservation approaches on agricultural lands.

USDA’s Natural Resources Conservation Service (NRCS) is accepting proposals through June 29, 2020, for national Conservation Innovation Grants (CIG). CIG projects inspire creative problem-solving solutions that boost production on farms, ranches, and private forests, and improve natural resources.

This year’s priorities are water reuse, water quality, air quality, energy, and wildlife habitat.

“Through Conservation Innovation Grants, we’re able to co-invest with partners on the next generation of agricultural conservation solutions,” NRCS Chief Matthew Lohr says. “Conservation Innovation Grants have helped spur new tools and technologies to conserve natural resources, build resilience in producers’ operations, and improve their bottom lines. This year will be the first time we are offering water reuse as a priority, and we’re excited to see how these projects play a role in USDA’s broader strategy for water reuse on agricultural land.”

CIG is a competitive grants program that supports development, testing, and research of conservation technologies, practices, systems, and approaches on private lands. Grantees must match the CIG investment at least one to one.

The National CIG program supports early pilot projects or demonstrations of promising conservation approaches and is distinct from the $25 million announced on March 12 for On-Farm Conservation Innovation Trials. On-Farm Trials is a separate CIG component created by the 2018 Farm Bill. It includes a Soil Health Demonstration Trial.

State NRCS offices are also able to fund and hold their own CIG competitions in addition to the National CIG sign-up.

NRCS’s CIG program is identified in the federal government’s National Water Reuse Action Plan as an opportunity to support the development of innovative projects that focus on water reuse on private lands. The USDA is working with the U.S. EPA, National Oceanic and Atmospheric Administration, Department of Interior, Department of Energy, and others to promote water reuse across sectors.

CIG also contributes to the Agriculture Innovation Agenda, a USDA initiative to align resources, programs, and research to position American agriculture to better meet future global demands. Specifically, USDA is working to stimulate innovation so that American agriculture can achieve the goal of increasing production by 40% while cutting the environmental footprint of U.S. agriculture in half by 2050.

**China May Miss “Phase One” Target for US Farm Purchases**

April 29, 2020 – Successful Farming

The “phase one” agreement that de-escalated the China-U.S. trade war calls for China to greatly expand its purchases of U.S. food, agricultural and seafood products this year and in 2021. Former USDA chief economist Joe Glauber said on Tuesday that China will have to accelerate sharply its purchases to meet that goal.

# “I think we will be lucky to get the 2017 level of sales,” said Glauber during a farmdoc Daily webinar. In February, the USDA forecast agricultural exports of $14 billion to China this fiscal year. The “phase one” agreement considers the 2017 “baseline” for sales to be $24 billion.

# China has reported imports of $5 billion of U.S. agricultural products during the first three months of this year. China would need to double that volume, to $10 billion, for the remaining three quarters of the year to reach the target of $36.5 billion this year, said Glauber. Sales of pork, cotton, wheat, corn, and sorghum are encouraging, but the pace is very slow, he said. Few large sales of soybeans, usually the largest farm export by far to China, have been reported. Glauber said China traditionally buys U.S. soybeans at harvesttime, when prices are lowest. “I don’t think we’ll see many sales or shipments until late summer.”

# Federal Employee News

**OPM: Agencies “Must Provide” New Sick Leave Entitlement to Qualifying Employees**

April 27, 2020 – Fed Week

OPM has issued further guidance on a new sick leave entitlement for federal employees created by one of the Coronavirus relief laws (the “CARES Act”), saying that an employing agency “must provide” the leave to employees that meet the law’s qualifications.

That “Emergency Paid Sick Leave Act” provision of that law provides up to 80 hours of paid leave in addition to an employee’s regular sick leave, payable at different rates depending on the situation. The paid leave is in addition to any other paid leave entitlements, according to the guidance.

The authority “applies to all federal civil service employees in the executive, legislative, and judicial branches” unless they are exempted, it says. The law allows agencies to exempt health care and first responder employees from the benefits, and a later law gives OMB even wider discretion to carve out exemptions. However, there has been no public announcement of any such exceptions.

**Qualifying reasons for the paid leave benefit:**

1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID–19.

2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID–19.

3. The employee is experiencing symptoms of COVID–19 and seeking a medical diagnosis.

4. The employee is caring for an individual who is subject to an order as described in 1 or has been advised as described in 2.

5. The employee is caring for his or her son or daughter if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, for reasons related to COVID–19.

6. The employee is experiencing any other substantially similar condition as specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor

**OPM’s guidance says, among other things, that:**

* Qualifying quarantine, isolation, shelter-in-place or stay-at-home orders are those issued by any federal, state, or local government authority that cause an employee to be unable to work, including telework, but do not apply to employees traveling for official purposes.
* Employees may not take the leave sick leave for reasons 1 or 2 if they unilaterally decide to self-quarantine without medical advice, even if they have covid-19 symptoms.
* The first condition for reason 3 requires that an employee must be experiencing symptoms such as fever, dry cough, shortness of breath, while the second applies only while the employee is taking affirmative steps to obtain a medical diagnosis, such as making, waiting for, or attending an appointment for a test.
* Qualifying persons under reason 4 are an employee’s immediate family member, a person who regularly resides in the employee’s home, or a similar person with whom the employee has a personal relationship that creates an expectation that the employee would care for the person if he or she were quarantined or self-quarantined.
* Reason 5 applies only when an employee needs to, and actually is, caring for the employee’s son or daughter and if the employee is unable to work (including telework) as a result of providing care; it generally does not apply if someone else is able to provide the child care needs.
* There have been no determinations that would qualify leave to be used for reason 6.
* A qualifying employee has the right to use the leave “before using other paid leave available to the employee. An employing agency may not interfere with this right.”
* The authority expires December 31 and any unused leave may not be carried forward.

If employees meet the qualifications for reasons 1-3, the sick leave is paid at their regular pay, up to $511 per day and $5,110 total; for those qualifying for reasons 4-6, it is two-thirds of regular pay up to $200 per day and $2,000 total. (Note**:** The federal minimum wage rate, $7.25 an hour, is used in those calculations if it is higher than the employee’s regular hourly rate.)

The guidance, at www.opm.gov/coronavius, also covers numerous other considerations.

In addition, the law provides up to 10 additional weeks for reason 5, up to $200 a day and up to $12,000 total, for employees who fall under Title I of the Family and Medical Leave Act—mainly meaning Postal Service employees. (The most recent OPM guidance does not cover that aspect although prior guidance from both OPM and the Labor Department did.)

**Agencies Eye Return to Normal Worksite With Safety at the Fore; IRS Among First**

April 29, 2020 – Fed Week

Some agencies have begun moves to return to normal operations under Trump administration guidance even as concerns remain regarding safety risks at regular worksites—risks that would be compounded, employee organization say, by a premature return of employees who have been working from home.

One of the agencies that was among the last to fully close to the public, the IRS, this week made one of the first moves toward reopening.

It called on an unspecified number, reportedly about 10,000, of employees in “mission-critical” functions, to return on a volunteer basis with incentives—at least at first.

It further required returnees to wear face coverings except when alone in enclosed spaces, although it said it could not supply them; employees were told to bring their own. “Materials used to create the covering must be conducive to a professional work environment and not contain any images or text that may be deemed inappropriate or offensive to others,” it added.

Other agencies moving in that direction include the SSA, which said to watch for announcements of local office re-openings, and the Interior Department, which said it is working to reopen national parks—some of which have closed, at least partially—“as rapidly as possible.”

The moves come as agencies continue to report growing numbers of infected employees and deaths. Three with high percentages of public-facing employees who have continued to work as usual, VA, USPS and TSA, recently reported some 1,900, 1,200 and 500 infections, respectively, with 20, 44 and four deaths; the IRS has reported about 100 and four. Many thousands more workers across government are believed to be in quarantine after suspected exposure.

Federal employee unions meanwhile continue to raise safety concerns about sites where some employees are continuing to work and to which the others would return. Those include employees being required to report to sites even though they could telework, shortages of personal protective equipment, employees feeling pressured to remain at the workplace despite feeling sick, and workplaces that don’t allow for CDC-recommended social distancing.

Unions have cautioned of the risks of prematurely returning to regular operations, saying that employees should not be recalled until numerous improvements are made, including in capacity for testing and availability of protective equipment and supplies such as hand sanitizer.

Unions also called for continuation of telework for employees in high-risk groups and those with child care responsibilities, and for work scheduling and other protocols that allow for social distancing at regular worksites.

Also, senior Democrats on the House Ways and Means Committee, which oversees the IRS, said the agency “is expecting entirely too much of employees who are likely distraught over the health risks returning to work presents for themselves and for their families, as well as the potential repercussions they could face” if they do not go back.

While some states are easing or lifting stay-at-home orders, full restrictions will remain in effect at least for weeks more in others. Leaders of three—Virginia, Maryland and the District of Columbia—with large concentrations of federal employees have urged the administration to make agency policies “reflective of our own local operating statuses” to avoid a potential resurgence of infections.

A question and answer document from OPM on the general return-to-normal policy says that since federal agency decisions are to be coordinated with local and state authorities, conflicts over returning employees who have been away from their regular worksites should be “infrequent.”

However, it also makes clear that the decision ultimately rests with the federal agency involved, noting recent guidance saying that state stay-at-home orders do not prevent federal agencies from requiring that their employees work at their regular site.

That guidance also states that once an agency has made such a decision, “employees can be expected to report to their office unless in an approved leave status.” It adds that “some employees may have reservations about returning to their workplace” and tells agencies to work with employees and unions to “address such concerns.”

“When considering any administrative action based on non-compliance with a reporting requirement”—that is, discipline—agencies are “encouraged to consider” circumstances such as whether the employee or a person in the home is in a high-risk category, and child care or other dependent care needs resulting from daycare or school closures.

“Agencies should determine if other options are appropriate, such as allowing employees to continue to telework or asking them to request personal leave (e.g., annual leave, sick leave if applicable, or leave without pay),” it says.