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455 Massachusetts Ave. NW, P.O. Box 306
Washington, DC 20001
Phone: 202/898-0994
Fax: 202/898-1535

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FEW membership via government email***

FEW Washington Update December 1-15, 2020

In Congress

As of 5:00 PM Friday, December 18, 2020.

Members are advised that the House will consider H.J.Res. 107 - Further Continuing Appropriations Act, 2021 (CR through 12/20/2020) today. When the House reconvenes at approximately 5:00 p.m., the House will debate the CR - under suspension. Members are further advised that the CR is expected to pass by voice vote. (Text can be found [HERE](#).) *Updates will be posted in the FEW ENewsletter using ENGAGE.*

Congressional leaders had set a Friday, December 18 deadline to approve a \$900 billion pandemic relief deal and tie that proposal to a \$1.4 trillion funding package before the federal government runs out of money at midnight. But now they are set to blow right past that deadline.

With no quick resolution in sight, lawmakers are gearing up to work through the weekend. And a key question looms: Will they be able to avert a government shutdown as the clock ticks down to midnight?

As the clock ticks down, lawmakers are restless and increasingly vocal in expressing complaints over the process.

If a lapse in government funding occurs, it would begin over the weekend and could be so brief that it would have virtually no impact on government operations. But there would still be major risks involved -- especially if they're unable to resolve their impasse, causing a protracted shutdown in the middle of a once-in-a-century pandemic, raging economic crisis and a high-stakes vaccine rollout.

Moreover, even a brief shutdown would almost certainly inflame partisan tensions that could make efforts to finish negotiations over a stimulus package even more complicated.

Meet the Women in Congress

NEWLY ELECTED TO THE SENATE

Sen.-elect Cynthia Lummis (R-WY) defeated Merav Ben-David (D-WY) for the seat left open by the retirement of Sen. Mike Enzi (R-WY). She served in the House of Representatives from 2009-2017. During that time she served as Co-Chair of the Congressional Caucus for Women's Issues. Prior to Congress, Sen.-elect Lummis served as State Treasurer and in both chambers of the Wyoming State Legislature.

WOMEN NEWLY ELECTED TO THE HOUSE OF REPRESENTATIVES

Rep.-elect Stephanie Bice (R-OK) defeated incumbent Rep. Kendra Horn (D-OK). She was elected to the Oklahoma State Senate in 2014, and has served as Assistant Majority Floor Leader and Finance Committee Chair. She previously worked for her family's technology company and later served as Vice President of Business Development for a boutique digital marketing company.

Rep.-elect Lauren Boebert (R-CO) defeated Diane Mitsch Bush (D-CO). She defeated incumbent Rep. Scott Tipton (R-CO) during the Republican primary and became the first primary challenger to defeat an incumbent in Colorado since 1948. The restaurant and bar owner is an advocate for gun rights.

Rep.-elect Carolyn Bourdeaux (D-GA) defeated Rich McCormick (R-GA) for the seat left vacant by the retirement of Rep. Rob Woodall (R-GA). She is a former aide to Sen. Ron Wyden (D-OR). Rep.-elect Bourdeaux was a professor at Georgia State University when she took a leave of absence to become the Director of the Georgia Senate Budget and Evaluation Office.

Rep.-elect Cori Bush (D-MO) defeated Anthony Rogers (R-MO) after defeating incumbent Rep. Wm. Lacy Clay (D-MO) during the primary. She is a nurse, pastor, and activist who became a community leader during the social unrest in Ferguson, Missouri, following the death of Michael Brown in 2014. She will be the first African American woman to represent Missouri in Congress.

Rep.-elect Kathryn "Kat" Cammack (R-FL) defeated Adam Christensen (D-FL) for the seat left open by the retirement of Rep. Ted Yoho (R-FL). She is the former Deputy Chief of Staff to Rep. Yoho, and previously interned with Rep. Mike Coffman (R-CO). She is a small business owner and Co-Founder of a nonprofit that supports local law enforcement, first responders, and veterans.

Rep.-elect Teresa Leger Fernandez (D-NM) defeated Alexis Johnson (R-NM) for the seat left open by Rep. Ben Ray Luján's (D-NM) decision to run for Senate. She is an attorney and breast cancer survivor who previously served as a White House Fellow during the Clinton Administration and as Vice Chair of the Advisory Council on National Historic Preservation during the Obama Administration.

Rep.-elect Michelle Fischbach (R-MN) defeated incumbent Rep. Collin Peterson (D-MN). The former member of the Paynesville City Council was elected to the Minnesota State Senate in 1996. During her tenure, she served as Minority Leader and became the first woman to serve as President of the Senate. She most recently served as Lieutenant Governor.

Rep.-elect Marjorie Taylor Greene (R-GA) defeated Kevin Van Ausdal (D-GA) for the seat left vacant by the retirement of Rep. Tom Graves (R-GA). She grew up working in her family's business. A small business owner, she and her husband purchased a commercial construction and renovation company.

Rep.-elect Yvette Herrell (R-NM) defeated incumbent Rep. Xochitl Torres Small (D-NM) in a rematch from 2018. She is a realtor who previously served in the New Mexico State House from 2011-2019. She has owned and operated several small businesses, and was awarded "Hero of the Year" by the New Mexico Business Coalition.

Rep.-elect Diana Harshbarger (R-TN) defeated Blair Walsingham (D-TN) for the seat left open by the retirement of Rep. Phil Roe (R-TN). The first in her family to graduate from college, she is a pharmacist and business owner. She is a member of the local Chamber of Commerce and a former board member of the International Academy of Compounding Pharmacists.

Rep.-elect Ashley Hinson (R-IA) defeated incumbent Rep. Abby Finkenauer (D-IA). She is a former award-winning broadcast journalist. She successfully ran for the Iowa State House of Representatives in 2016, becoming the first woman to represent the 67th District in the Iowa House.

Rep.-elect Sara Jacobs (D-CA) defeated Georgette Gómez (D-CA) for the seat left open by the retirement of Rep. Susan Davis (D-CA). She is the founder and chair of San Diego for Every Child: The Coalition to End Child Poverty. She previously served in the Department of State during the Obama Administration and was a policy advisor to Hillary Clinton's 2016 presidential campaign.

Rep.-elect Young Kim (R-CA) defeated incumbent Rep. Gil Cisneros (D-CA) in a rematch from the 2018 election cycle. She immigrated to the United States from Korea and began her career as a small business owner and financial analyst. Rep.-elect Kim is a former congressional aide to Rep. Ed Royce (R-CA). In 2014, she became the first Korean American Republican elected to the Assembly and is among the first Korean American women elected to Congress.

Rep.-elect Nancy Mace (R-SC) defeated incumbent Rep. Joe Cunningham (D-SC). She is a member of the South Carolina General Assembly, a position she has held since 2018. She is the first woman to graduate from The Citadel and is the author of *In the Company of Men: A Woman at The Citadel*. Rep.-elect Mace is the recipient of the Taxpayer Hero Award from the South Carolina Club for Growth.

Rep.-elect Nicole Malliotakis (R-NY) defeated incumbent Rep. Max Rose (D-NY). She was elected to the New York State Assembly in 2010, and currently serves as Minority Whip. Rep.-elect Malliotakis is the only Republican woman and only Hispanic Republican elected official in New York City. She previously ran for mayor of New York City in 2017.

Rep.-elect Kathy Manning (D-NC) defeated Joseph Lee Haywood (R-NC) for the seat vacated by Rep. Mark Walker (R-NC). She was a partner at a major law firm for 15 years before she left to start her own small business. She has held several leadership positions in the nonprofit community, including serving as the first female chair of the board of the Jewish Federations of North America.

Rep.-elect Lisa McClain (R-MI) defeated Kimberly Bizon (D-MI) for the seat left vacant by Rep. Paul Mitchell (R-MI). She grew up in a farming community in Michigan. She is a self-described “conservative outsider” who has extensive experience in the corporate sector and is the co-founder of a Michigan-based financial services company.

Rep.-elect Mary Miller (R-IL) defeated Erika Weaver (D-IL) for the seat left vacant by the retirement of Rep. John Shimkus (R-IL). She is a teacher and businesswoman who decided to run for office to be a voice for families and businesses in Congress. She and her husband have run their family farm for 40 years.

Rep.-elect Mariannette Miller-Meeke (R-IA) defeated Rita Hart (D-IA) for the seat left open by the retirement of Rep. Dave Loebsack (D-IA). A retired Lieutenant Colonel, she served in the Army for 20 years, rising from the enlisted ranks to the officer corps as a nurse. After medical school, she practiced as an ophthalmologist and became the first female president of the Iowa Medical Society.

Rep.-elect Marie Newman (D-IL) defeated Mike Fricilone (R-IL) after defeating incumbent Rep. Dan Lipinski (D-IL) in the primary election. She founded Team Up to Stop Bullying after her child experienced severe bullying in school. She attended President Obama’s White House Summit on Bullying in 2012 and 2013.

Rep.-elect Deborah Ross (D-NC) defeated Alan Swain (R-NC) for the seat left open by the retirement of Rep. George Holding (R-NC). The civil rights attorney previously practiced law for 25 years before becoming state director of the North Carolina ACLU. She was elected to the North Carolina House of Representatives in 2002, where she served as both Majority and Minority Whip.

Rep.-elect Maria Elvira Salazar (R-FL) defeated incumbent Rep. Donna Shalala (D-FL) in a rematch from 2018. She is an award-winning journalist whose parents immigrated to the United States from Cuba. During her career, she worked with networks, such as Univision, Telemundo, and CNN Español.

Rep.-elect Victoria Spartz (R-IN) defeated Christina Hale (D-IN) for the seat left open by the retirement of Rep. Susan Brooks (R-IN). She immigrated to the United States from Ukraine in 2000. She is the president of the Hamilton County Republican Women and previously served as chief financial officer for the Office for the Indiana Attorney General. She was elected to the Indiana State Senate in 2017.

Rep.-elect Michelle Steel (R-CA) defeated incumbent Rep. Harley Rouda (D-CA). Rep.-elect Steel immigrated to the United States from South Korea as a young adult. She was elected to the California State Board of Equalization in 2006 and later to the Orange County Board of Supervisors, which she currently chairs. She is among the first Korean American women elected to Congress.

Rep.-elect Marilyn Strickland (D-WA) defeated Beth Doglio (D-WA) for the seat left open by the retirement of Rep. Denny Heck (D-WA). She served as mayor of Tacoma, Washington from 2010-2018. She previously served on the Tacoma City Council, and will be the first African American to represent Washington in Congress and among the first Korean American women elected to Congress.

Rep.-elect Beth Van Duyne (R-TX) defeated Candace Valenzuela (D-TX) for the seat left open by the retirement of Rep. Kenny Marchant (R-TX). She is the former mayor of Irving, Texas, the first woman to hold the position. Rep.-elect Van Duyne served as an official in the Department of Housing and Urban Development during the Trump Administration.

Rep.-elect Nikema Williams (D-GA) defeated Angela Stanton King (R-GA) for the seat left vacant by the death of Rep. John Lewis (D-GA). She is a member of the Georgia State Senate and the first African American woman to chair the Georgia Democratic Party. She is a self-described “fearless advocate for women and families” and has been recognized as one of 100 Most Influential Georgians.

FEW Washington Update – December 1-15, 2020 Tier I

Potential Benefit Cuts:

The Congressional Budget Office (CBO) has presented a list of familiar potential cuts to federal employment and retirement benefits as cost-savers, the latest in a series of similar reports over many years.

While the CBO does not endorse the options, they carry weight on Capitol Hill because they would count as real savings in the congressional budget process.

The main exception was passage of two increases in the required retirement contributions by FERS employees that resulted in three separate levels depending on when they were hired.

The latest list includes an option to require all FERS employees to pay at the highest of those rates, the 4.4 percent required of those hired since 2013, to be phased in over four years.

Also on the list are:

- * Adopting a “voucher” arrangement to determine government contributions toward FEHB premiums. Instead of paying a percentage of premiums, the government share would be set at a fixed rate and then increased annually by amounts less than premium increases, shifting more of the cost to enrollees.

- * Increasing federal retirement benefit and other inflation-linked programs according to an index that produces smaller annual increases than the one currently used.

- * Reducing annual federal pay raises by a half percentage point versus what would be paid under federal pay law (a law that in actual practice has not been followed, however).

- * Increasing required payments into the Social Security system through steps such as increasing the payroll tax rate and making more of salary taxable, and reducing the value of those benefits through steps such as increasing the age at which full benefits are paid.

Sourced from [FEDWeek](#).

FEW Washington Update – December 1-15, 2020 Tier II

Office of Personnel Management:

OPM has told agencies that they must bring their internal disciplinary policies into compliance with recently-finalized government-wide rules by the end of this month.

Those general policies include limiting agency obligations to employees before disciplining them for alleged poor performance; having management make full use of its discretion in discipline for alleged misconduct; requiring them to take disciplinary actions against officials who retaliate against whistleblowers; and more.

A memo reminds agencies that under the 2018 executive order that was the basis for those rules, agencies must come into compliance within 45 days after the rules took effect, which was November 16. OPM said it will work with agency HR offices “to educate federal supervisors about holding employees accountable for unacceptable performance or misconduct under these regulations.”

That order was one of three issued at the same time—one involving general bargaining policies and practices and the other specifically on official time—that are widely expected to be repealed promptly by the Biden administration. However, while the other two remain only in the form of easily overridden executive orders, new rule making likely will be required to repeal the disciplinary policies—a longer and more difficult process.

OPM highlighted provisions including that the rules:

- * Require agencies to remind supervisors three months in advance, and again one month in advance, of the upcoming end of a subordinate’s probationary period—after which an employee gains standard appeal rights—and that supervisors must make an affirmative decision whether to keep the employee.
- * Stress that before taking disciplinary action on performance grounds, agencies need not take any steps beyond a basic requirement in law that they first give them an opportunity to improve.
- * Stress that a penalty decision in a misconduct case is at management’s “sole and exclusive discretion” and not to be limited by practices such as progressive discipline, tables of penalties or prior similar cases.
- * Generally, limit the period for an employee to respond to a notice of proposed discipline to the 30 days minimum required by law and generally require agencies to issue a final decision within 15 days of that.
- * Require disciplinary actions against management officials who are found—by the agency head or by an outside authority—to be guilty of whistleblower reprisal. For a first offense penalties can range from a suspension of as little as three days to firing; for a second, firing is required.

The last of those provisions reflects legislation enacted before the orders were issued. It is less controversial than the others and repealing it would require a change in law.

Sourced from [FEDWeek](#).

If you would like to read more, click the link below for a question and answer document issued by OPM providing further guidance to agencies on recent changes to rules governing disciplinary practices for federal employees. Sourced from [FEDWeek](#).

FEW Washington Update – December 1-15, 2020 Tier III

COVID-19 Vaccine & Federal Employees:

As inoculations with the newly approved Coronavirus vaccine have begun—with a second vaccine on the verge of final approval—details continue to emerge regarding availability specifically for federal employees.

Overall, top priority for the amount currently available is being given to frontline medical personnel and residents of long-term care facilities. The federal agencies with the most medical field employees, Veteran Affairs (VA) Veterans Health Administration and Department of Defense's (DoD) Defense Health Agency, have similarly designated those employees as top priority, along with residents of care facilities they operate.

Initial shipments are going out based on state populations although there has been no accounting of how much is going directly to federal agencies including the Bureau of Prisons, State Department and Indian Health Service in addition to the DoD and the VA.

The VA this week released a distribution plan starting at 37 medical centers chosen for their ability to vaccinate large numbers of people and store the vaccines at extremely cold temperatures, as the vaccine requires. Top priority is for staff and residents of VA community living centers and spinal cord injury/diseases centers, followed by emergency department/emergency medical services employees; COVID intensive care unit and inpatient staff; other staff providing face-to-face care and services for COVID patients; and staff and residents in other congregate living settings.

Following that are more than a dozen more gradations, ranging from “core staff critical to function of the hospital and the Covid response” to veterans younger than age 50.

Meanwhile, DoD officials said at a media briefing that distribution there is to start at 16 facilities, three of which are outside the U.S., chosen for the same reasons the VA cited.

A DoD chart shows that first priority is for “all healthcare providers, healthcare support, emergency services and public safety personnel,” which it may include military and federal “non-clinical staff authorized to receive vaccine from the DoD supporting patient care with a high risk of exposure or potential to interface with COVID-19 positive case.”

The following priorities will be for those involved with “critical national capabilities,” personnel preparing to deploy outside the contiguous states, “other critical and support personnel,” “high-risk beneficiaries” and finally “healthy population.”

An initial amount of some 44,000 doses will cover about a tenth of civilian and military personnel in those categories, the officials said.

Sourced from [FEDWeek](#).

FEW receives information from the following sources and contacts: Federal News Network, CNN, FedWeek, and CNBC.