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**FEW Washington Update
November 15-30, 2020
“Congress is out for the Thanksgiving Holiday”**

In Congress

Congress works to wrap up FY2021 funding bills as it faces a new dynamic next year.

This election 144 women (56 women of color) were elected to serve in the next Congress, up from 120 in the current Congress with the House Republicans increasing from 28 to 36 women. Regarding year-end funding, a \$1.4 trillion deal was reached November 25. On November 17, Senate Republicans unveiled 12 appropriations bills for the public to see as they work on a year-end omnibus to avoid a shutdown from the expiration of the current continuing resolution on December 11. A COVID-19 legislative package continues to be stalled as vast differences on funding levels remain between Speaker Pelosi (D-CA) (who seeks \$2.2 trillion) and Majority Leader McConnell (R-KY) (who seeks \$500 billion while Secretary Mnuchin has pushed for \$1.8 trillion) and much attention has shifted to Georgia for two run-off elections for the Senate. Those two Senate elections on January 5 will determine who controls the upper chamber in 2021, thus incentivizing some to punt decisions into next year.

Meanwhile, with 57 freshmen members in the House and 7 in the Senate, the congressional orientation and training programs began mid-November. Mid-November the House Republicans elected the same leadership team headed by Minority Leader Kevin McCarthy (R-CA) and the next day, the Democrats elected the same leadership team headed by Speaker Pelosi except for one addition, Rep. Katherine Clark (D-MA) to serve as Assistant Speaker. The Senate leadership remains the same for now.

FEW Washington Update – November 15-30, 2020 Tier I

A Government Shutdown Looms

With less than two weeks to go before the December 11 expiration of temporary spending authority for federal agencies, there have been conflicting signals about prospects for enacting a budgetary wrap-up bill called a continuing resolution (CR).

Work can't formally resume until Congress returns from a week-long recess, a period in which partisan feelings have if anything hardened following the elections and which both see as a last opportunity to act under the current White House and congressional lineup.

In such situations it's common for some members of Congress to seek to attach language to the larger bill, knowing it is a "must-pass" and that afterward no substantial legislation likely will be passed for at least a month. That commonly leads to the kind of brinkmanship that can bring the government right up to the point of a shutdown, and sometimes past it.

The House will begin negotiations starting with several positions on federal employees including language that would effectively override the administration's executive order restricting bargaining, for example. The Senate meanwhile has proposed a federal pay freeze for 2021, in contrast to the 1 percent raise the White House proposed and which the House would allow to take effect by default.

Also, likely to be in the mix are various pandemic relief proposals of the sort that have been deadlocked since the spring.

Sourced at: [FedWeek](#)

FEW Washington Update – November 15-30, 2020 Tier II

Federal Workforce

Following an executive order [President Donald Trump signed last month](#), the Office of Management and Budget (OMB) is moving to reclassify 88 percent of its workforce into a new job classification that would give the federal government more flexibility to fire these employees without going through a lengthy appeals process, [The Washington Post](#) reported Friday (November 27, 2020).

The budget office identified 425 of its employees -- including analysts and other experts -- who would switch to a "Schedule F" classification under the [executive order](#) by Trump, according to the Post. The move was first reported by [Real Clear Politics](#).

Trump's executive order allows the OMB and other federal agencies more leeway to hire "Schedule F" employees and remove "poor performers" from these roles, effectively allowing them to replace civil servants with political appointees. The order applies to employees serving in "confidential, policy-determining, policy-making, or policy-advocating positions" that typically do not change during a presidential transition.

A spokeswoman with OMB told the Post that Director Russell Vought "is implementing the President's [executive order] as directed, and now it's with [the Office of Personnel Management (OPM)]." She added that further action "will depend on the review." The President's order directed agency heads to complete a "preliminary review" of which positions should be designated as "Schedule F" with a deadline of the day before the presidential inauguration.

OPM is also aiming to place many of its roughly 3,500 employees into the new classification, a senior administration official told the Post.

The two offices had agreed to be a precedent for the policy, the official told the newspaper. Another administration official told the Post that the OMB employees are likely to be "reassigned" and said any discussion of firings were premature.

When the President first signed the executive order, critics called it the "most profound undermining of the civil service in our lifetimes" and warned that it would lead to career officials being pushed out for political reasons. They argued that the order would strip hundreds of thousands of federal workers of their due process rights and protections.

It also led to a Presidential appointee tasked with advising the administration on federal civil servants' pay to [resign in protest](#), calling the executive order an "attempt to require the political loyalty of those who advise the President, or failing that, to enable their removal with little if any due process."

This week, nearly two dozen Majority leaders of House committees and subcommittees sent a [letter](#) to 61 federal agencies, seeking a "full accounting of any positions converted, or being considered for conversion" to the "Schedule F" category. "The creation of this schedule would be a dramatic change in the composition of the civil service and expose it to undue political influence and intimidation," the chairs wrote. "It is critical that Congress receive timely information about any potential and actual conversions made pursuant to this Executive Order."

There are also ongoing attempts from congressional members and union groups to block the executive order from being implemented. The order could be rescinded by President-elect Joe Biden once he takes office in January.

Certain members have introduced legislation in both the House and the Senate that would nullify the executive order. A group of members led by House Majority Leader Steny Hoyer and Rep. Gerry Connolly, also wrote a letter asking congressional

appropriators to bar funding to implement the executive order in the December spending bill. Sourced from [CNN](#).

FEW Washington Update – November 15-30, 2020 Tier III

Paid Family Leave

Millions of workers could lose access to paid sick and family leave if Congress does not pass another coronavirus relief package by the end of the year, [Politico reported on Sunday](#). (November 29, 2020)

Up to 87 million workers could be stripped of the benefit which lawmakers approved earlier this year, [according to the National Partnership for Women and Families](#). A lapse in the measure could increase the hardship many workers already face in the winter as new virus cases blanket the U.S.

The Families First Act that Congress [passed in March](#) contained [a provision](#) mandating employers provide their employees seeking medical care or quarantining with two weeks of sick pay. It also included 12 weeks of medical and family leave at two-thirds of their current pay.

The measure covered [around half](#) the U.S. workforce, but it expires on December 31, and members are calling for it to be extended into next year. Sourced from [Markets Insider](#).

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