



June 11, 2021



THIS WEEK IN WASHINGTON:

Deal or No Deal

If you're unfamiliar with mid-2000s game shows, in Deal or No Deal a contestant is allowed to choose from numerous briefcases containing various amounts of money, while regularly being asked to make a deal to quit the game, before a final choice between the first case chosen and the last. Will the contestant opt to make a deal? Will they not?

This choice currently lies before the Senate and the White House on an infrastructure package. Yesterday, the usual suspects in potential bipartisan deals announced a "compromise framework" for \$1.2 trillion in spending on infrastructure in the next eight years. It is expected to be tightly focused on core physical infrastructure. A key change from previous proposals by Senate Republicans is rumored to be the inclusion of energy provisions desired by the Administration. The deal still hasn't been presented to Senate leadership or the White House, however, both of which could see this as a "no deal" moment. Democrats are also kickstarting talks on potential inclusions into an infrastructure bill via reconciliation as their collective eye remains on the legislative clock.

Significantly complicating any plans for a package, however, is the means by which a vehicle can move through both chambers, perhaps without Republican support. Earlier this week, the Senate Parliamentarian through a monkey-wrench in potential plans to utilize the reconciliation process. This procedure, which moves legislation through particularly the Senate requires only a majority vote (instead of the traditional 60 votes), but can only be used sparingly as it's part of the budget process. The parliamentarian ruled that since this process was already used for the American Rescue Plan, this shortcut is not available a second time.

This means Democrats would have to start the process from the beginning if they want to pass more than one reconciliation bill. That means going back to the House and Senate Budget panels, passing essentially new budget resolutions, and bringing them to the floor. In the case of the Senate, this means a 'vote-a-rama' for each budget resolution. This could create a situation where every amendment receives a vote and could put vulnerable Members on record with politically unpleasant issues. Is the compromise framework worth a deal? Is it not? We'll know more soon.

Hearings the Week of June 14, 2021

[21st Century Communities: Local Leaders on the Infrastructure Needs Facing America's States, Cities, and Towns](#)

Senate Committee on Banking, Housing, and Urban Affairs
Tuesday, June 15, 10:00am ET

[Cyber Threats in the Pipeline: Lessons from the Federal Response to the Colonial Pipeline Ransomware Attack](#)

House Committee on Homeland Security
Tuesday, June 15, 2:30pm ET

[A Review of the FY22 Budget Request for DHS](#)

House Committee on Homeland Security
Thursday, June 17, 8:30am ET

[Reauthorization of the National Flood Insurance Program, Part II](#)

Senate Committee on Banking, Housing, and Urban Affairs
Thursday, June 17, 10:00am ET

[Addressing Emerging Cybersecurity Threats to State and Local Government](#)

Senate Committee on Homeland Security & Governmental Affairs
Thursday, June 17, 10:15am ET

More News from the Nation's Capital...

A Bushel of Hearings Related to Climate Change, Critical Infrastructure, and CISA

After coming back from recess this week Congress held several hearings with implications for emergency management.

Virginia state emergency management director Curtis Brown testified before the House Committee on Homeland Security Subcommittee on Emergency Preparedness, Response, & Recovery at the hearing, *Examining Climate Change: A Threat to the Homeland*. His testimony recommended centering equity in mitigation as underserved and minority communities are most likely to suffer significant disaster impacts, implementing science-based mitigation, strengthening emergency management capacity, and increasing energy efficiency. Notably, he was joined on the witness panel by Bill Nye, Alice Hill (Council on Foreign Relations), and Pamela Williams (BuildStrong Coalition). [View the hearing and read the testimony here.](#)

The CEO of the Colonial Pipeline was hauled in front of both the Senate Homeland Security & Governmental Affairs Committee (HSGAC) and the House Committee on Homeland Security. At HSGAC, he flew solo, but in front of the House he was accompanied by a representative from FireEye Mandiant, which worked with the pipeline following the intrusion. Members of Congress had concerns about Colonial Pipeline's decision to pay the ransom to retrieve data and asked questions about the level of information sharing within the federal interagency, the resources devoted to cybersecurity at Colonial Pipeline, and other decisions made following the attack. View the [HSGAC hearing here](#) and the [CHS hearing here](#).

Senate HSGAC held a nomination hearing which included Jen Easterly (nominated to be director of CISA) and Chris Inglis to be National Cyber Director (Executive Office of the President). Members asked questions around cybersecurity posture, their opinions on oversight from HSGAC, and improving cybersecurity in the wake of the Colonial Pipeline cyber-attack. Easterly was noncommittal on a standalone cybersecurity grant program for SLTTs but was interested in the possibility and emphasized her commitment to supporting states and locals. [View the hearing and read the witness testimony here.](#)

Katko Introduces Preliminary Disaster Assessment Improvement Legislation

Representative John Katko (R-NY) reintroduced legislation to improve preliminary disaster assessments (PDAs). The legislation was originally introduced last Congress, but with NEMA and several other associations' input has been modified to focus on establishing an advisory panel consisting of SLTT emergency management personnel and their representative organizations which will support FEMA in its efforts to improve the PDA process. The panel will consider establishing a training regime to ensure consistent review, utilizing a common technology platform to integrate SLTT and FEMA data, reviewing FEMA instruction materials to ensure all language is appropriate to current rules and laws, and identifying opportunities for streamlining PDA consideration.

FEMA will submit a report to Congress about the panel's findings and efforts being made to implement recommendations. NEMA's Response and Recovery Committee Public Assistance/Individual Assistance Subcommittee and Legislative Committee reviewed the text at various stages of development.

NEMA has expressed its support of the legislation, along with the International Association of Emergency Managers (IAEM) and the American Flood Coalition (AFC). View the [legislation here](#).

Biden Administration Recommends Policy Changes to Secure U.S. Pharmaceutical Supply Chain

The [White House](#), the U.S. Department of Health and Human Services (HHS) Office of the Assistant Secretary for Preparedness and Response (ASPR) and the U.S. Food and Drug Administration (FDA) today [released a series of policy recommendations to address the vulnerabilities in U.S. pharmaceutical supply chains](#). Led by FDA and ASPR, the [White House report](#) and its recommendations have been accepted by President Biden. The report reveals the pharmaceutical supply chain as complex, global, and highly influenced by market factors that have led to an increasing reliance on foreign countries to manufacture the medicines, active pharmaceutical ingredients (APIs) and key starting materials (KSMs) that serve the American public. HHS will make an initial commitment of approximately \$60 million from the Defense Production Act appropriation in the American Rescue Plan to develop novel platform technologies to increase domestic manufacturing capacity for API. Greater API production domestically will help reduce reliance on global supply chains for medications that are in shortage, particularly during times of increased public health need.

Other News from DC and Around the Country:

New York Times: [How Disaster Aid Favors White People](#)

The Hill, Opinion: [As Hurricane Season Begins, New Homes are Being Built at a Record Rate - But Not Strongly Enough](#)

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