

**WEEKLY CURRENT**

January 10-14, 2022

**Issues Making a Splash This Week**

- **The Ways to Skin a Legislative Cat:** High tensions and thin skin have characterized the Democratic negotiations around Build Back Better. It's the personal, more than the ideological, that drove Senator Joe Manchin (D-WV) away from negotiations. But it's the personal that can bring him back.
- **FY22 Spending Talks Fill Political Vacuum:** Talks over enacting an FY22 omnibus spending bill to go into effect next month when the latest continuing resolution on the federal budget expires have filled the political void as Democrats seek a win to replace the currently stalled Build Back Better Act and Republicans look to boost defense spending.
- **A Cold Russian Winter:** In recent weeks, the Biden administration has sought to engage more with its allies and Russia to prevent further armed conflict from breaking out in Ukraine and, in an effort to do so, has been developing sanctions plans that would trigger if an invasion occurs. The severity of these sanctions, including a possible disconnection of Russia from SWIFT, demonstrate the lengths to which President Biden has become serious about confronting Moscow.

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**PERSONALITIES OVER PRINCIPLES IN BBB:** You need thick skin to be a moderate in Washington, DC. When Democrats are more progressive and Republicans are more conservative, and the two sides hardly intersect on the most public of issues, a moderate can feel the pressure. That pressure can lead to some thin-skinned moments.

It's what happened in 2001. Then Vermont Republican Senator Jim Jeffords often butted heads with Republicans over education, the environment, and tax policy. But [as reported at the time](#), "The White House and Senate Republicans were pushing [Jeffords] in ways they would come to regret" when he wasn't falling in line with agenda items like tax cuts and education. The White House threatened to withhold aid for Vermont dairy farmers, Jeffords was being isolated in the Senate Finance Committee, and then Senator Judd Gregg (R-NH) said he would be "spearheading" the education bill (No Child Left Behind) for Republicans (even though Jeffords was

the committee chair of the Senate Health, Education, Labor, and Pensions Committee). The underlying friction was there, but these perceived slights were enough for then-Senate Minority Whip Harry Reid (D-NV) to get Jeffords to defect from the Republican Party. It was a 50-50 Senate at the time, so Jeffords single-handedly ended the GOP's unified control of DC.

Fast forward 21 years and here we are with another one man show – Senator Joe Manchin (D-WV). In a 50-50 Senate, Manchin is seen as the barrier to passing a progressive agenda (never mind there are 50 other senators who also oppose the Democratic agenda). So the pressure is on. Throughout last year, Democratic leaders and rank-and-file members beseeched Manchin to go along with their agenda. He has, for the most part – voting with President Biden's position over [97 percent of the time](#) (it's worth noting this statistic is skewed since Democrats aren't holding votes unless they believe Manchin is supportive of the measure in question). **But Manchin isn't afraid to support the Biden agenda and he sees plenty to like despite representing the second most pro-Republican state in the country. However, there are limits. This was abundantly clear with negotiations over the Build Back Better Act (BBB), where he had deep concerns, whether genuine or political, on the scope of BBB.**

**But Manchin is a dealmaker and he was knee deep in talks with the White House, Democratic leadership, and the rank-and-file. That desire to reach a deal was genuine and it culminated in a \$1.8 trillion offer to the White House last month.** But that offer [reportedly was rescinded as of last weekend](#). Why is the \$64,000 question (or \$68,480 taking into account seven percent inflation). If it's a serious concern over inflation, debt, legislative overreach, or just the political optics of BBB, then Manchin may be a brick wall of opposition. Manchin this week called the news on inflation "Very, very troubling."

**But going one month putting forward a \$1.8 trillion offer to the next month rescinding it doesn't have to do with any new economic data. It's why we continue to believe the barrier here is personal rather than ideological.** We do believe his natural opposition to "transformative" and partisan legislation puts him on thin ice. That thin ice leads to thin skin during negotiations, which is what seems to have happened when he took great umbrage on being called out by name from the White House last month over his opposition for including a one-year extension of the enhanced Child Tax Credit. This led him to go on Fox News of all places to declare his opposition to BBB.

At the time, the Bush White House pointed fingers at Jeffords, saying he was being unreasonable and rebuffed several entreaties to bring him along in the legislative process. The Biden White House today feels like they have bent over backwards to appease Manchin. Democrats need to come to terms with the fact that if they believe Build Back Something is better than Build Back Nothing, it doesn't matter who is negotiating in "good faith." Rep. Ro Khanna (D-CA), a progressive and ally of Senator Bernie Sanders (I-VT), said he'd be willing to give Manchin the pen to write

a bill. "Many progressives stand ready to compromise to get something done," Khanna said. "We understand that we have to earn Senator Manchin's vote, and I look forward to working with him and the White House to see where we can find common ground and what we can deliver."

To that end, [19th News this week reported](#) that "Both Manchin and his staff are participating in" conversations on BBB. Those conversations revolve around a BBB package similar to Manchin's offer last month. That includes climate provisions and fully funding universal pre-K and some subsidized child care. The healthcare provisions are still being negotiated. Maybe those conversations don't lead Manchin to get back on board. But Democrats and Democratic leadership seem willing to go further towards Manchin to get Build Back Something done. If the previous rupture was more a matter of thin skin, we believe they will get there.

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**FY22 SPENDING TALKS RAMP UP:** With the Build Back Better Act (BBB) still stalled, political space has opened up for a resumption of action over FY22 spending as Democrats look to enact their own budget and President Biden chases a win before his March 1st State of the Union address. Talks among the so-called "four corners" -- the top Democratic and Republican appropriators in the House and Senate -- resumed this week as negotiators face the reality that if they are going to pass an omnibus spending bill before February 18th, when the latest continuing resolution (CR) expires, they will need to move fast. Doing so and achieving a new omnibus spending package has taken on heightened significance for Democrats who are looking to show measured progress to voters and need a new full-year appropriations legislation to implement measures included in the bipartisan Infrastructure Investment and Jobs Act and to fund key programs at the Departments of Transportation and Defense.

Yesterday's meeting came after a meeting earlier this week among the top Senate appropriators -- Senate Appropriations Committee Chair Patrick Leahy (D-VT) and Ranking Member Richard Shelby (R-AL) -- and Senate leadership in both parties that marked some of the lines of conflict still at play over the package. **While Democrats struck a more optimistic tone following yesterday's "constructive" meeting and reiterated both parties have the "shared goal" of completing omnibus negotiations before February 18th, a number of disputes and challenges remain before any vote comes to pass.**

Two major issues have impeded progress on talks so far, with the first being the levels of defense and non-defense spending. While Republican deficit hawks were keen to keep defense funding at levels established under the Trump administration, which would occur with another CR, more defense-minded hawks are now looking to lock in the agreed-upon \$740 billion in defense spending that is \$25 billion greater than FY21 defense spending (which was also President Biden's original request). A full-year appropriations bill also would allow the Defense Department to

start new programs, which are significantly restricted under the existing CR. **This boost to defense spending is a win for some Republicans but has created challenges with the subsequent interpretation of the so-called unofficial “parity principle” with Democrats calling for a dollar per dollar match to increase non-defense spending over Republicans’ assertions that the increase should be a percentage match.** However, Democrats are expected to use their majority position to remain firm on a \$25 billion increase over the FY21 aggregate non-defense spending level.

**The other obstacle is on the non-spending side that will see Democrats and Republicans face off over a series of “poison pills” and policy riders that each side views as non-starters.** The perennial political challenge in the Hyde Amendment is one such poison pill, as Democrats will likely find it hard to swallow accepting passage of the anti-abortion funding rider when they hold majorities in Congress even as Republicans declare its inclusion non-negotiable. Other sticking points are expected to include Republicans’ defense of funding for abstinence education and demands to ban funding for environmental justice programs, a Civilian Climate Corps, and some grant programs that would require police departments receiving them to participate in racial profile training and ban chokeholds and no-knock warrants. Campaign finance issues have also come up with Republicans opposing a Democratic push to remove a policy rider that bars the Securities and Exchange Commission from requiring corporations to disclose political contributions. These issues present significant obstacles and will likely require concessions from both sides. They have also become an impediment to the process as Democrats sought to first establish funding levels before resolving riders while Republicans want to do the opposite.

**Adding another layer of complexity to the talks is the opportunity for additional spending in the form of Covid-19 relief as members of both parties look to tack on spending priorities to a potentially last large-scale spending bill before the midterm elections.** The surge in Covid-19 cases due to the Omicron variant has changed the political calculus for some members. Senator Ben Cardin (D-MD) is leading a bipartisan group in the Senate pushing for aid for the restaurant industry, which has already used up the \$28.6 billion allocated last year in Covid-19 relief. Fitness clubs and gyms as well as the hospitality industry have also been pushing for relief. **While targeted aid is a possibility for specific struggling sectors, broader aid similar to past Covid-19 relief packages is unlikely as the Biden administration looks to avoid appearing to exacerbate inflation.** However, there has also been discussion of additional spending for some Covid-specific measures. Rep. Steny Hoyer (D-MD) suggested this week that the Biden administration is preparing to request “substantial” funds for testing, vaccines and “to make sure schools have resources to keep themselves safe.” This type of relief is possible as the pandemic remains ongoing and the Biden administration looks to calibrate its response beyond pushing people to get vaccinated.

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**THE POLITICS AND GEOPOLITICS OF RUSSIAN SANCTIONS:** The Senate, unsurprisingly, voted against [a bill from Senator Ted Cruz \(R-TX\)](#) yesterday that would have required the Biden administration to impose sanctions against entities overseeing the operation of the Nord Stream 2 pipeline within 15 days of its passage. This vote was agreed to last month as part of a deal between Cruz and Senate Majority Leader Chuck Schumer (D-NY) to allow for confirmation votes on several of President Biden's ambassadorial nominees, which Cruz had been delaying.

What made this a tricky vote to navigate for the White House is that there are several Senate Democrats who feel that there should be more sanctions imposed on Russia for its threatening of Ukraine. The White House opposed the bill on the basis that by targeting Nord Stream 2, it would hurt the US's allies more than it would Russia and would punish Germany after they had stuck to [an agreement made in July](#). **The solution that was able to ultimately get enough Democrats to back off was [a bill that the administration crafted with Senator Bob Menendez \(D-NJ\)](#), the chair of the Senate Foreign Relations Committee, that would require Biden to impose more sanctions on Russia if it invades Ukraine.** The conditionality of the Menendez bill is why the White House has favored this approach as it allows the administration to maintain strategic flexibility as opposed to being forced to a tougher position by the Cruz bill. The Menendez bill also is seen as an "off-ramp" for Democrats who feel that something more needs to be done to effectively check Russia. **The proposal would impose sweeping sanctions on top Russian military and governmental officials, including Russian President Vladimir Putin, as well as key banking institutions. It would also target companies in Russia that offer secure financial messaging systems like SWIFT. When Menendez's bill may get a vote is uncertain at this point.**

An important consequence of the Menendez proposal is that it allows the Biden administration to try to wrest back control of the narrative about its Russia policy. Republicans were calling the White House weak on Russia for not more forcefully sanctioning Russia as it took an increasingly aggressive posture towards Ukraine. A driver of this renewed hawkish nature is part of moving past former President Trump's foreign policy that occasionally included some coziness to Russia. **These accusations of weakness will continue, but now this bill will give Biden something that he can point to as evidence that he is not taking the threat of a Russian invasion lightly and is prepared to respond with strong economic measures.**

Furthermore, the flexible approach of the Menendez bill when compared to the Cruz draft allows for the negotiations between Russia and NATO to continue without an imminent threat of new US sanctions. These talks seem to be done for this week without having made any meaningful progress, but we expect that this channel of dialogue will stay open as all sides look for a solution.

One other thing that the Menendez bill tells us is that in the case of an invasion, the Biden administration is serious about the sanctions it will impose on Russia. **Most important among these would likely be the cutting off of Russian access to SWIFT and the international financial system.** This approach has been used before with some success against Iran, although Putin has worked to “sanction proof” Russia by stockpiling gold and dollar reserves as well as the creation of a domestic SWIFT system that includes the Bank of China. These measures would soften the blow, but it is still expected to have meaningful economic repercussions for Russia if triggered. **Our understanding is that these sanctions would be imposed in coordination with Washington’s European allies which have previously dismissed taking such harsh action, but have come on board more recently.**

**Other sanctions which have been reportedly discussed by the administration include cutting off technological access to Russia, particularly in the aerospace and arms industries, and a possible ban on the export of consumer goods to Russia that contain American-made or American-designed electronics.** What continues to remain off the table for the Biden administration is any kind of military intervention. The focus is squarely on deterring Russia with the threat of economic sanctions from invasion rather than putting any troops on the ground in Ukraine to beat back Russia, although the Biden administration has ramped up the provision of defensive military aid to Kiev in recent weeks.

## A Quick Look Back

### House

On Monday, the House convened to establish a quorum for the second session of the 117th Congress.

On Tuesday, the House considered a rule for the floor consideration of a bill that would expand Post-9/11 GI Bill education benefits to the National Guard and Reserves by including mandated training as qualifying duty for the benefits.

On Wednesday, the House passed the Guard and Reserve GI Bill Parity Act and a rule for floor consideration of the Freedom to Vote: John R. Lewis Act.

On Thursday, the House passed the Freedom to Vote: John R. Lewis Act.

Today, the House will not be in session.

### Senate

On Monday, the Senate resumed consideration of the nomination of Alan Davidson to be assistant secretary of Commerce for Communications and Information and held a procedural vote on the nomination.

On Tuesday, the Senate voted to confirm the nomination of Alan Davidson to be assistant secretary of Commerce for Communications and Information. The chamber also held respective caucus lunches and held a procedural vote on the nomination of Amitabha Bose to be administrator of the Federal Railroad Administration.

On Wednesday, the Senate voted to confirm the nominations of Gabriel P. Sanchez to be a judge on the US Court of Appeals for the Ninth Circuit and Amitabha Bose to be administrator of the Federal Railroad Administration.

On Thursday, the Senate resumed consideration of a bill to mandate sanctions on the Nord Stream 2 pipeline and held an unsuccessful vote on the bill.

Today, the Senate will not be in session.

## **White House**

On Monday, President Biden returned to the White House from Camp David.

On Tuesday, President Biden and Vice President Harris traveled to Atlanta, GA to lay a wreath at Martin Luther King Jr.'s tomb, visit the historic Ebenezer Baptist Church, where Senator Raphael Warnock (D-GA) is a pastor, and speak about voting rights.

On Wednesday, President Biden attended the funeral of Gen. Raymond Odierno and delivered remarks.

On Thursday, President Biden delivered an update on his administration's Covid-19 response and met with the Senate Democratic Caucus to discuss the need to pass legislation to protect the right to vote and the integrity of US elections.

Today, President Biden will receive his daily intelligence briefing at 10:00 a.m. At 12:30 p.m., the president will speak about the bipartisan infrastructure law. At 6:00 p.m., Biden will depart the White House for Wilmington, DE, where he will arrive at 6:55 p.m. and remain over the weekend.

## **Spotlight Review**

**Tuesday:** [Big Tech's Democratic "Defenders"](#)

**Thursday:** [Blue States' Growing Crackdown on Plastic](#)

## **On the Horizon**

### **Macroeconomic**

From Tuesday through Wednesday, Bloomberg Live will hold its virtual Year Ahead Summit. [More information here.](#)

On Tuesday at 2:00 p.m., the Heritage Foundation will hold a virtual discussion titled "Inflation: Policymakers Should Stop Driving It and Start Fighting It." [More information here.](#)

On Wednesday at 9:00 a.m., the Peterson Institute for International Economics will hold a virtual discussion titled "Subsidies are on the rise. Are they a necessary evil?" [More information here.](#)

On Wednesday at 10:00 a.m., the House Small Business Committee will hold a hearing titled "The Power, Peril, and Promise of the Creative Economy."

On Wednesday at 10:00 a.m., the Bipartisan Policy Center will hold a virtual discussion titled "American Supply Chains: Solving the Next Set of Challenges." [More information here.](#)

On Wednesday at 10:30 a.m., the Peterson Institute for International Economics will hold a virtual discussion titled "Exceptional Uncertainty and the Global Economy." [More information here.](#)

On Thursday at 10:00 a.m., the House Agriculture Committee will hold a hearing titled "State of the Rural Economy." Expected participants include:

- Tom Vilsack, secretary, Department of Agriculture

On Thursday at 10:15 a.m., the Atlantic Council will hold a virtual discussion titled "The Global Economy in 2022." [More information here.](#)

On Thursday at 2:00 p.m., the Center for Global Development will hold a virtual discussion titled "Global Economy in 2022: Slowing Growth, Rising Risks." [More information here.](#)

### **Antitrust**

On Thursday at 1:00 p.m., the Federal Trade Commission will hold an open meeting.

### **Coronavirus**

On Wednesday at 12:00 p.m., ActivePure and Employer Health Innovation Roundtable will hold a virtual discussion titled "Two Years of a Global Pandemic: Lessons Learned and Plans for the Future." [More information here.](#)

## Cryptocurrency

On Tuesday at 12:00 p.m., the District of Columbia Bar Association will hold a discussion titled "SEC Regulation of Digital Assets and Enforcement Priorities Under the Biden Administration." [More information here.](#) Expected participants include:

- Allison Herren Lee, commissioner, Securities and Exchange Commission

On Thursday at 10:30 a.m., the House Energy and Commerce Committee Subcommittee on Oversight and Investigations will hold a hearing titled "Cleaning Up Cryptocurrency: The Energy Impacts of Blockchains."

## Defense

On Wednesday at 10:00 a.m., the House Oversight and Reform Committee will hold a hearing titled "Price Gouging in Military Contracts: New Inspector General Report Exposes Excess Profit Obtained by TransDigm Group." [More information here.](#)

## Education

On Tuesday at 11:00 a.m., the Business Council for International Understanding will hold a virtual discussion with Kristina Ishamel, deputy director of the Education Department's Office of Education Technology. [More information here.](#)

On Wednesday at 1:00 p.m., the Progressive Policy Institute will hold a virtual discussion titled "America's Last Civil Right: A Quality Public Education." [More information here.](#)

## Elections

Today at 11:00 a.m., Washington Post Live will hold a virtual discussion, beginning at 11 a.m., titled "Race in America: Voting Rights." [More information here.](#)

On Wednesday at 6:00 p.m., New York University, Washington, DC will hold a virtual discussion titled "The Fight to Vote." [More information here.](#)

On Thursday at 10:00 a.m., the House Judiciary Committee Subcommittee on Constitution, Civil Rights and Civil Liberties will hold a hearing titled "Voter Suppression and Continuing

Threats to Democracy."

On Thursday at 2:00 p.m., the House Homeland Security Committee Subcommittee on Cybersecurity, Infrastructure Protection and Innovation will hold a hearing titled "Securing Democracy: Protecting Against Threats to Election Infrastructure and Voter Confidence." [More information here.](#)

## Energy, Environment, and Natural Resources

On Wednesday at 8:30 a.m., Bloomberg Live will hold a virtual event titled "Climate Resilience: From Ambition to Impact." [More information here.](#)

On Wednesday at 10:00 a.m., the US Chamber of Commerce will hold a virtual forum titled "EnergyInnovates: Grid Resilience." [More information here.](#)

On Wednesday at 10:30 a.m., the House Energy and Commerce Committee Subcommittee on Energy will hold a hearing titled "Securing our Energy Infrastructure: Legislation to Enhance Pipeline Reliability," focusing on H.R. 6084, the Energy Product Reliability Act.

On Thursday at 9:00 a.m., the United States Energy Association will hold its 18th Annual State of the Energy Industry Forum. [More information here.](#)

## Geopolitical

Today at 11:00 a.m., the Atlantic Council will hold a virtual discussion titled "Designing an outbound investment screening mechanism," focusing on supply chains with China. [More information here.](#) Expected participants include:

- Jeffrey Fiedler, commissioner, US-China Economic and Security Review Commission

On Tuesday at 8:00 a.m., the Brookings Institution will hold a webcast titled "Japan in 2022." [More information here.](#) Expected participants include:

- Koji Tomita, Japanese ambassador to the United States

On Tuesday at 10:30 a.m., Washington Post Live will hold a virtual discussion with US Ambassador to the United Nations Linda Thomas-Greenfield on the Biden administration's foreign policy. [More information here.](#)

On Tuesday at 11:00 a.m., the German Marshall Fund of the United States will hold a virtual discussion titled "Biden at the One-Year Mark: Successes, Failures and

Uncertainties." [More information here.](#)

On Tuesday at 12:00 p.m., the George Washington University Elliott School of International Affairs will hold a virtual discussion titled "U.S.-Japan Relations in Review: The Biden Administration's First Year." [More information here.](#)

On Tuesday at 4:00 p.m., the US Chamber of Commerce will hold a virtual discussion with US Ambassador to the United Nations Linda Thomas-Greenfield. [More information here.](#)

On Tuesday at 4:00 p.m., the George Washington University Elliott School of International Affairs will hold a virtual discussion titled "Energy Diplomacy." [More information here.](#)

On Wednesday at 12:00 p.m., the Atlantic Council will hold a virtual discussion titled "The role of economic statecraft in the foreign policy of the United States." [More information here.](#)

On Wednesday at 1:00 p.m., the Center for Strategic and International Studies will hold a virtual discussion titled "Will America Squander Its New Sputnik Moment?" [More information here.](#)

On Thursday at 2:00 p.m., the Brookings Institution will hold a webinar titled "Toward Xi's third term: China's 20th Party Congress and beyond." [More information here.](#)

## Healthcare

Today, the Medicare Payment Advisory Commission (MedPAC) will conclude its virtual meeting. [More information here.](#)

Today at 12:00 p.m., the Alliance for Health Policy will hold a virtual event titled "Health Policy Roundup: Federal Policy Analysis and Priorities." [More information here.](#)

On Thursday at 1:00 p.m., Health Affairs will hold a virtual discussion titled "Considering Health Spending: Is It Time to Regulate Health Care Prices?" [More information here.](#)

On Thursday at 2:00 p.m., the Cato Institute will hold a virtual event titled "Would 'Medicare for All' Mean Quality for All? How Public Option Principles Could Reverse Medicare's Negative Impact on Quality." [More information here.](#)

On Friday at 12:00 p.m., the Alliance for Health Policy will hold a virtual discussion titled "Health Policy Roundup: Recent Trends in Coverage Enrollment and Affordability." [More information here.](#)

## Housing

On Tuesday at 1:00 p.m., the Bipartisan Policy Center will hold a virtual discussion titled "Getting Serious About Housing Supply: Addressing Restrictive Land Use and Zoning Policies." [More information here.](#)

On Thursday at 10:00 a.m., the House Financial Services Committee Subcommittee on Housing, Community Development, and Insurance will hold a hearing titled "Ending Homelessness: Addressing Local Challenges In Housing the Most Vulnerable."

## **Political**

From Wednesday through Friday, the US Conference of Mayors will hold its 90th Winter Meeting. [More information here.](#) Expected participants include:

- Janet Yellen, secretary, Department of the Treasury
- Michael Regan, administrator, Environmental Protection Agency

On Wednesday at 10:00 a.m., the Brookings Institution will hold a virtual discussion titled "Biden's first year: Successes, failures, and what lies ahead." [More information here.](#)

## **Tech-Media-Telecom**

On Wednesday at 4:00 p.m., the Federal Communications Bar Association will hold a virtual discussion titled "Perspectives on Technology & Regulation in the Internet Age." [More information here.](#)

On Thursday at 7:45 a.m., the Brookings Institution will hold a virtual discussion titled "Growth and distribution in the digital era." [More information here.](#)

## **Trade**

On Wednesday at 2:00 p.m., the House Homeland Security Committee Subcommittee on Border Security, Facilitation, and Operations Subcommittee will hold a hearing titled "Assessing the State of America's Seaports." [More information here.](#)

On Wednesday at 2:00 p.m., the House Foreign Affairs Committee Subcommittee on Europe, Energy, the Environment, and Cyber will hold a hearing titled "Transatlantic Cooperation on Critical Supply Chain Security." [More information here.](#)

## **Afterthoughts**

**Hedwig Pays a Visit to DC:** Over the past two weeks, Washington, DC residents have reported [unusual sightings](#) of a snowy owl around the District. Native to the Arctic tundra, the snowy owl is not generally seen this far south. The bird was first seen on January 3rd,

when a snowstorm struck DC, and has been spied around Capitol Hill in the days since, landing on sights including the National Postal Museum, Senate office buildings, and Union Station. No word yet on whether Hedwig managed to catch an Amtrak train from Platform Nine and Three Quarters.

**Grate News for American Cheesemakers:** US District Judge T.S. Ellis [ruled recently](#) that cheese does not need to come from the area around Gruyères, Switzerland to be sold with the gruyere name in the United States. A group of French and Swiss cheesemakers from the region had sued after being denied a trademark, arguing that gruyere cheese deserved the same protections as the champagne name, which can only legally be applied to sparkling wine from the Champagne region of France. Judge Ellis sided with the US Dairy Export Council, ruling that gruyere functions as a generic term in the United States. The European cheesemakers will appeal, hoping to fondue the ruling.



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