

American Nephrology Nurses Association

Daily Capitol Hill Update - Tuesday, January 14, 2020

(The following information comes from Bloomberg Government Website)

Schedules: White House and Congress

WHITE HOUSE

- 2:45pm: President Trump receives intelligence briefing
- 4:40pm: Trump departs White House for Milwaukee, where he'll hold a campaign rally at 8pm

CONGRESS

- House meets at 10am; set to consider 2 bills incl. H.J.Res. 76, which would overturn the Education Department's 2019 student loan forgiveness rule
- Senate meets at 10am; set to resume consideration of Peter Gaynor to lead FEMA
- 12:30pm: House Speaker Pelosi holds press conference to mark 10-years of Citizens United anniversary

Congressional, Health Policy, and Political News

- **Judges Say Drug Prices in Ads Could Confuse:** Forcing drugmakers to include prices in TV ads without the necessary context could only cause more confusion, skeptical judges said while grilling government lawyers. A three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit voiced skepticism about the government's assertion that revealing the wholesale drug acquisition price, which few people ever actually pay, would lend clarity to consumers. "You say the list price, people think it means something, but I don't think it does," one of the judges said during arguments yesterday.
 - Merck, Eli Lilly, and Amgen, along with the Association of National Advertisers, have argued that Congress hasn't given the HHS the authority under the Social Security Act to issue such rule. The case, which comes as both the White House and Congress are seeking ways to bring down the cost of drugs, will be a First Amendment test of the U.S. government's power to levy new rules on the drug industry with the Social Security Act.
- **GOP Presses Companies on Opioids:** House Republicans are pushing opioid manufacturers for answers on their practices leading up to the opioid crisis, including interactions with the Food and Drug Administration. Republican leaders of the House Energy and Commerce Committee, in letters released today, asked Insys Therapeutics, Mallinckrodt Pharmaceuticals, and Purdue Pharma to respond to questions they initially sent in August 2018 about possible breakdowns in the controlled substances supply chain.

- **Last Debate Before Iowa Will Test Warren-Sanders Pact:** The stage will be smaller, the spotlight brighter, and the stakes higher for the seventh Democratic presidential debate in Des Moines today – the last such forum before the Iowa caucuses next month. A winnowed slate of six candidates -- Joe Biden, Elizabeth Warren, Bernie Sanders, Pete Buttigieg, Tom Steyer and Amy Klobuchar -- will gather for a televised event that will likely expose the growing rifts between and within the Democratic Party’s moderate and progressive flanks. The two-hour debate sponsored by the Des Moines Register and CNN will be shown on CNN and cnn.com beginning at 9 p.m.

 - The debate will likely test the resilience of the nonaggression pact between Sens. Sanders (I-Vt.) and Warren (D-Mass.), who have refrained from attacking each other so as not to weaken the progressive wing of the party.
 - That alliance has been beset in recent days by tensions that could spill over to the debate stage. Yesterday, Warren said Sanders told her at a private meeting in 2018 he didn’t think a woman could win against Trump. Sanders had earlier denied making the comment after CNN reported the exchange. “I thought a woman could win; he disagreed,” Warren said in a statement, adding that she and Sanders remained “friends and allies.”

- **Trump to Hold Rally in Iowa Before Caucuses:** Trump will hold a rally in Des Moines just four days before the Democrats gather for their first presidential nominating contest in Iowa, his campaign announced yesterday. Trump’s Jan. 30 event will turn the political spotlight to the president as Democratic candidates are in the crucial final stretch of campaigning before the Feb. 3 Iowa Caucuses. It will be the president’s first visit to Iowa since June, when he traveled to the state to discuss his administration’s plans to change ethanol standards.

 - The president is not facing a serious challenge for the Republican nomination, so the Iowa rally is largely an effort by the campaign to capture some of the attention emanating from the Democratic nominating contest. Trump placed second in the Republican caucus contest in 2016, but won the state by more than 9 percentage points in the general election showdown against Democrat Hillary Clinton.

- **Green Issues Could Matter on Campaign Trail:** Three major energy and environmental issues debated in the Democratic-controlled House – climate change, offshore oil drilling, and “forever” chemicals – are starting to surface in the 2020 fight for the majority. While they will likely again take a back seat in voters’ minds to health care and the economy, and the presidential election will undoubtedly be a heavy factor in down-ballot races, green issues could become wedges on the campaign trail as the election year progresses.

- **New York to Set April 28 Election to Fill Collins’ House Seat:** New York Gov. Andrew Cuomo’s (D) office expects to schedule a special election on April 28 to fill the House seat previously held by Rep. Chris Collins, according to spokesman Rich Azzopardi. Collins resigned and pleaded guilty to insider trading last year. The election would be the same day as the state’s presidential primary.

- Vote on War Powers Sought This Week:** Sen. Cornyn yesterday said there's "some hope" the Senate could vote on a resolution to limit Trump's military options against Iran this week, before the House delivers the articles of impeachment. Cornyn's comments echo McConnell's speech on the Senate floor earlier yesterday when he said he expects to consider a war powers resolution sponsored by Sen. Tim Kaine (D-Va.) "very soon." The House adopted a similar resolution last week, using a slightly different procedure.

 - It's not clear whether the Kaine resolution would have enough votes to pass in the Senate. Even if the House and Senate eventually pass the same version, the push is mostly symbolic since neither is likely to override a veto by Trump.
- Scrapping's F-35 Office an Option to Cut Upkeep Costs:** House lawmakers trying to reduce the projected \$1.1 trillion cost of maintaining the F-35 over 60 years are considering options including eliminating the Pentagon's central office in charge of the fighter jet built by Lockheed Martin. Dispersing responsibility to the three military services that are getting variations of the plane is among possibilities drafted by the Defense Department that will be reviewed today in a closed-door briefing of two House Armed Services subcommittees. The proposal to "potentially dissolve and disaggregate the F-35 Joint Program Office" is aimed at gains in "efficiency and effectiveness," Monica Matoush, a spokeswoman for the Armed Services Committee, said in an email.
- Group Pushes Free School Lunches:** New legislation should expand access to free school lunches to cut down on hunger and unpaid meal debts, a group of nutrition advocates argue. "There are families really struggling to afford that reduced price co-pay," said Diane Pratt-Heavner, media relations director for the nonprofit School Nutrition Association, which released a new report yesterday calling on Congress to shore up meal programs. Child nutrition and access to school meals should be at the top of lawmakers' priorities lists, the report said, specifically calling for giving students free meals instead of reduced co-pays for breakfast and lunch.
- Halting Executives' Trading During Reporting Gap:** A House bill intended to ensure company insiders don't profit from trading on certain confidential information is headed to the Senate for consideration. Lawmakers in the House passed the 8-K Trading Gap Act on a 384-7 vote yesterday. The measure from Rep. Carolyn Maloney (D-N.Y.) generally would bar executives from buying and selling their company shares during an "8-K trading gap" when market-moving info isn't public.
- Iran Makes Arrests Over Jet Disaster:** Iran said it's arrested a number of people linked to the Jan. 8 downing of a Ukrainian passenger jet, and the country's president called on the judiciary to form a special court and fully investigate the disaster. Hassan Rouhani said today that while U.S. policies toward the Islamic Republic were the root cause of the mistake, that didn't excuse Iranian officials from confronting their own responsibility in the disaster. All 176 people on board were killed when Iranian defense

units fired at the plane, bringing it down shortly after take-off from Tehran. "I promise that the government, with all its ability and using everything at its disposal, will investigate this matter," Rouhani told officials in remarks broadcast live on state TV. "This is not an ordinary case. The entire world will be watching."

- **Pompeo Claims Iraq Wants Troops to Stay:** Secretary of State Mike Pompeo played down Iraqi demands to expel U.S. troops, claiming the country's leaders have "privately" told him in repeated calls they want U.S. troops to stay, despite their public pronouncements to the contrary. Pompeo said that he's had some 50 phone calls with Sunni, Shiite and Kurdish leaders in Iraq in the days since a U.S. strike killed Iranian General Qassem Soleimani in Baghdad, and suggested the public outcry from the country's parliament and senior leadership was not genuine.
 - Also yesterday, Attorney General William Barr said the killing of Soleimani was legally justified and Trump had the authority to order it, adding that "the Department of Justice was consulted." Barr called debate in Congress over whether Soleimani was planning an imminent attack "something of a red herring."
- **Russian Hackers Attacked Burisma:** In the midst of the impeachment investigation into Trump, Russian hackers attacked the Ukrainian gas company linked to the inquiry, according to cybersecurity experts. Researchers at Area 1, a security company run by a former National Security Agency official, said Russian hackers sent phishing emails to subsidiaries of Burisma Holdings to try to penetrate the Ukrainian energy company. The email accounts of Burisma employees were accessed, but it's unclear how that was used or what material may have been gained, according to the report released yesterday.
 - Hunter Biden, the son of Democratic presidential candidate Joe Biden, was on Burisma's board from 2014 until last year. Trump's personal lawyer, Rudy Giuliani, has alleged that the elder Biden, when he was vice president, derailed an investigation into Burisma to protect his son.
- **Xi Strikes Optimistic Tone After Riding Out Trade War With Trump:** With China on the verge of signing a deal with Trump to defuse a nearly two-year trade war, Xi Jinping is exuding confidence. After he warned last year about threats to Communist Party rule and "changes unseen in 100 years," Xi began 2020 touting "extraordinary Chinese splendor and Chinese strength." "In the face of severe and complex domestic and foreign situations and various risks and challenges, we have been able to move forward firmly," the Chinese president told party leaders last week.
 - A big reason for Xi's new optimism is the phase-one trade deal the world's biggest economies plan to sign tomorrow in Washington. While party leaders still face a slowing economy, surging debt and new challenges in Hong Kong and Taiwan, the trade agreement has at least given them some certainty that Xi can manage Trump's penchant for diplomatic brinkmanship.

- **U.S., EU Square Up for Trade Brawl:** The European Union's new trade chief will be in Washington for the next three days trying to head off a transatlantic commercial war on several fronts. The prospects for success look slim. Phil Hogan is due to meet U.S. Trade Representative Robert Lighthizer and other American officials during a visit starting today that follows a general fraying of ties in recent months between the world's biggest economic partners. While Trump has held back on a threat to hit European cars and auto parts with tariffs that are much dreaded in the EU, both sides have revived old disputes and triggered new ones as a result of fundamental disagreements over trade policy.
- **China Currency-Manipulator Tag Lifted:** The Trump administration yesterday lifted its designation of China as a currency cheat, saying the country has made "enforceable commitments" not to devalue the yuan and has agreed to publish exchange-rate information. The change in the U.S.'s stance was outlined in the Treasury Department's foreign-exchange report to Congress, released two days before America and China are set to sign a phase-one trade deal in Washington. The document listed no major U.S. trading partner among the 20 economies it monitors for potential manipulation.
- **U.S. Tightens Foreign Deal Risk Reviews:** The Trump administration yesterday issued long-awaited rules that would intensify scrutiny of foreign investment in U.S. companies. The final regulations, which will go into effect Feb. 13, put teeth in a 2018 law that expanded the power of the Committee on Foreign Investment in the U.S. to probe national security risks posed by foreign deals. More cross-border transactions will now be subject to investigations by the panel, exposing a greater number of deals to the risk of rejection by the U.S. government.
- **Trump Planning Maiden India Visit in February:** Trump is planning his maiden India visit in February, an official said, in a trip that may coincide with an impeachment trial that is likely to get underway in Washington next week. The two countries are in touch to work out mutually convenient dates for the visit, according to a senior Indian government official, who asked not to be identified citing rules. Trump and Modi are expected to sign an agreement on civil aviation apart from the long-pending bilateral trade deal.
- **Mueller Witness Pleads Guilty in Child Porn Case:** George Nader, a Lebanese-American businessman whose name had appeared 125 times in Special Counsel Robert Mueller's report on Russian meddling in the 2016 election pleaded guilty to criminal charges for possession of child pornography. Nader also admitted to transporting a 14-year-old boy into the U.S. to have the child engage in criminal sexual activity. He entered his plea yesterday before U.S. District Judge Leonie Brinkema in Alexandria, Va.