

American Nephrology Nurses Association

Daily Capitol Hill Update - Friday, January 24, 2020

(The following information comes from Bloomberg Government Website)

Schedules: White House and Congress

WHITE HOUSE

- 12:15pm: Trump addresses the anti-abortion March for Life on the National Mall; he will become the first sitting president to address the rally
- 4:15pm: Trump will speak at the White House on an initiative aimed at transforming American communities
- Vice President Mike Pence travels from Israel to Rome, Italy
 - 6:45am: Pence meets with Pope Francis
 - 10am: Pence meets Italian President Sergio Mattarella
 - 11:15am: Pence meets Prime Minister Giuseppe Conte
 - 12:15pm: Pence participates in reception for military spouses at U.S. Embassy in Italy
- Treasury Sec. Steven Mnuchin speaks on the global economic outlook at the World Economic Forum's annual meeting in Davos

CONGRESS

- Senate meets at 1pm to resume impeachment trial
- House returns next week

Congressional, Health Policy, and Political News

- **Surprise Billing to be Brought up in May:** The head of the Democratic-aligned health policy think tank, Families USA, says he expects Congress to break the "logjam" on surprise medical billing and pass a fix in May.
 - Frederick Isasi, executive director of Families USA, acknowledged to reporters the pushback lawmakers are seeing from hospital and insurance industry groups on attempts to clear legislation to address surprise medical bills, but said he thinks lawmakers will feel "election year pressure" on the issue. "This is what it feels like right before it happens," he said.
 - Lawmakers came close late last year to passing a package of health provisions that included a ban on balance billing, the practice of sending patients bills for services insurers won't cover and other provisions aimed at reducing surprise medical bills, until leaders of the House Ways and Means Committee stepped in to ask for more time to debate the bill.
 - Congressional leaders purposefully set a May deadline to extend funding for a list of popular federal health programs to give lawmakers a vehicle to pass major health legislation, like a fix for surprise medical billing and to address drug pricing.

- **Partial Opiate Refills to Be Disclosed:** Health-care payers and providers will know whether potentially addictive drugs, including opioids and fentanyl, are being filled properly at retail pharmacies under new regulations, the HHS said. The agency issued a final rule yesterday clearing up prescription billing claims between entities that are covered under the Health Insurance Portability and Accountability Act of 1996. HIPAA covers health-care providers, health plans, and clearinghouse billing systems.
- **Non-Health Cases Could Inform ACA's Fate:** The U.S. Supreme Court is slated to hear two cases this term that could help decide the fate of Obamacare, and they have nothing to do with health care. The cases, which challenge the validity of a federal financial agency and a decades-old robocall law, focus on a central question at the heart of the Obamacare challenge – whether an entire law must be tossed out if one provision is found to be unconstitutional.
 - The legal theory, largely relying on congressional intent, is known as severability and is a doctrine Justice Clarence Thomas has previously urged his colleagues to revisit. He called the doctrine dubious because it “requires courts to make a nebulous inquiry into hypothetical congressional intent” in a 2018 concurring opinion when the court let states legalize sports betting. The two cases before the Supreme Court could set new standards for severability and inform future court rulings on the constitutionality of the Affordable Care Act, some attorneys say.
- **From the Impeachment Trial:** Some Republican backers of Trump say one strategy they anticipate seeing from his defense team is the use of video clips to respond to what they call misleading video evidence presented by House Democratic managers. Rep. Mark Meadows (R-N.C.) previewed a bit of what he expects from the defense case. “They can present the argument of many of the video clips that have been left on the cutting room floor as they have been edited by my Democrat colleagues,” Meadows said. “I think you’ll see the rest of the story and it paints a very different conclusion.”
 - Sen. Lisa Murkowski (R-Alaska), one of four Senate Republicans who Democrats are counting on to support subpoenas for new witnesses, questioned whether it makes sense to press for fresh evidence that could lead to court fights with the White House. “The House made a decision that they didn’t want to slow things down by having to go through the courts,” she said, “And yet now they’re basically saying you guys need to go through the courts.”
 - About 10 million people watched the Senate impeachment trial on the six broadcast and cable networks in the first two days, with Fox News drawing the biggest audience, according to Nielsen. Fox News, known for its pro-Trump commentary, averaged 2.2 million total viewers during its coverage on Tuesday and Wednesday, according to Nielsen ratings supplied by the network. MSNBC drew 1.9 million viewers on average, and CNN attracted 1.4 million.
- **Senators to Get Coronavirus Briefing:** The Senate Health, Education, Labor and Pensions and Foreign Relations committees will host a briefing at 10:30 a.m. today for all senators with top administration health officials about the coronavirus from China, the panels said in a statement. The briefing will include officials from HHS, CDC and the State Department, according to a Senate aide.

- The World Health Organization has stopped short of calling the coronavirus a global health emergency, saying the outbreak that's killed more than a dozen people and sickened hundreds remains a local crisis. Public health experts gathered by the United Nations agency to review the situation were split on recommending declaring a public health crisis of global concern, instead opting to continue monitoring the outbreak.
- **Climate Change Permitting Tweaks:** More than half of the House Democratic caucus – and one Republican – formally told the White House they object to its proposal to allegedly cut climate change out of environmental permitting. In a letter yesterday, Reps. Diana DeGette (D-Colo.) and Francis Rooney (R-Fla.) argue the plan from the White House Council on Environmental Quality “ignores the reality of climate change and the critical role [the National Environmental Policy Act] plays in addressing it.”
- **Farmers Eye More Potent Hemp:** Hemp farmers, seeking to expand sales and avoid having to destroy their crops, are pressing lawmakers to consider easing restrictions on tetrahydrocannabinol (THC) in their harvests. “This is uncharted territory, a brand-new industry,” Scott Bennett, congressional relations director for the American Farm Bureau Federation, told Bloomberg Government a day after the group’s delegates wrapped up their convention in Texas. “We want to be in the room and find what could work for an industry that really has no modern history of production in the United States at all.”
- **Trump Plans N.H. Counterprogramming:** Trump won’t let Democrats have the spotlight to themselves during the New Hampshire Primary. As he did during a Democratic debate this month, Trump will offer some counterprogramming: He is planning a large rally Feb. 10, the night before the New Hampshire primary. Trump is technically on the ballot in the Granite State as well, facing opposition from former Massachusetts Gov. Bill Weld and former Rep. Joe Walsh. The rally will be held at the SNHU Arena, an ice hockey venue in Manchester that seats as many as 11,000.
- **Trump Approval Higher Among Men Than Women:** The gender gap in Trump’s approval rating is a massive 19 percentage points in a new poll. A 7 News/Emerson College poll of registered voters nationwide found 57% of men approved of the job he is doing as president, while only 38% of women approved. That is even higher than the 11 point gender gap in exit polls conducted in the 2016 election, which is tied with 1996 for the largest since 1980, according to the Center for the American Woman and Politics at Rutgers University.
- **Williamson Says She’ll Support Yang:** Self-help author and former Democratic presidential candidate Marianne Williamson says she will be supporting a fellow unconventional contender, entrepreneur Andrew Yang, in the early Democratic primaries. In announcements on Instagram and Twitter, Williamson claimed she wasn’t exactly endorsing Yang, but wants to help him continue in the race. She is expected to appear with him at a town hall event today.

- **Soros Says Facebook Conspiring for Trump:** Billionaire George Soros said that nothing is keeping Facebook from spreading disinformation and the company may be in cahoots with Trump to get him re-elected. "I think there is a kind of informal mutual assistance operation or agreement developing between Trump and Facebook," Soros said at the World Economic Forum in Davos, Switzerland. "Facebook will work together to re-elect Trump, and Trump will work to protect Facebook so that this situation cannot be changed."
- **Collins' Son Avoids Prison:** The son of former Rep. Christopher Collins (R-N.Y.) was spared a jail sentence for trading on confidential information provided by his father about an Australian biotechnology company. A federal judge in New York yesterday ordered five years of probation for Cameron Collins, 27, who pleaded guilty to one count of conspiracy in October. Collins admitted he received a tip about the results of a failed trial for a multiple sclerosis medicine created by Innate Immunotherapeutics, where his father served on the board.
- **Trump to Sign USMCA Trade Pact on Jan. 29:** Trump plans to sign the USMCA trade agreement on Wednesday, White House spokesman Judd Deere said in a statement. The Senate approved the U.S.-Mexico-Canada free trade agreement on Jan. 16, following House passage of the agreement in December.
- **Middle East Peace Plan Nears:** Trump said he plans to release a Middle East peace plan before Israeli leaders visit the White House on Tuesday. "Sometime prior to that," Trump told reporters yesterday aboard Air Force One when asked when the White House would put forward the plan. "We'll probably release it a little bit prior to them coming." Vice President Mike Pence invited Israeli political rivals Benjamin Netanyahu and Benny Gantz to Washington next week as the two leaders remain locked in a political stalemate.
- **Trump Silent on Bezos Phone Hack:** Trump is facing renewed questions about his relationship with Mohammed bin Salman after the Saudi crown prince was accused of spying on Amazon CEO Jeff Bezos. The alleged hacking of Bezos, the world's richest man and owner of The Washington Post, creates a new foreign policy headache for Trump, whose Middle East strategy has largely hinged on cultivating close ties to the Saudi leader.
 - Trump has previously shied away from directly confronting bin Salman, publicly rejecting the Central Intelligence Agency's conclusion that he ordered the killing of Jamal Khashoggi, a Saudi critic and Post columnist, despite widespread public outcry. And so far, there has been little indication the U.S. will move to penalize Saudi Arabia over the alleged hack of a top U.S. executive. At the same time, the president has made no secret of his animus toward Bezos.
- **Yemen Envoy Sees New Path:** Yemen's government wants to resume direct peace talks with Iranian-backed Houthi rebels to end a brutal five-year conflict, but getting the insurgents back to the negotiating table will require both military pressure and international diplomacy, the nation's U.S. envoy said. "We want peace and want to end this war," Ambassador Ahmed Bin Mubarak said in an interview in Washington on Wednesday.

“Ending the war for us doesn’t mean just stopping the airstrikes. The Houthis, when they ensure there is no military pressure on them, will never come to the table.”

- **Troubles Mount for U.K.-U.S. Alliance:** Britain and America suddenly seem to be fighting all the time. The so-called special relationship has been repeatedly tested this week -- and the timing is sensitive, just as Boris Johnson and Trump prepare to negotiate a major new trade deal. The latest clash came late yesterday, when the Trump administration refused Johnson’s request to extradite the wife of a U.S. diplomat who was involved in a fatal car accident in the U.K. in August. The death of teenager Harry Dunn in the crash is an emotive subject in the U.K., where Johnson’s government has argued that diplomatic immunity granted to the American driver, Anne Sacoolas, should be disregarded. The U.S. refusal dismayed Dunn’s family, who called on Johnson to stand up against the “lawless administration in Washington.”
- **Duterte Threatens to End U.S. Military Pact:** Philippine President Rodrigo Duterte has once again threatened to end a military pact with the U.S., this time over a canceled American visa of a senator who used to lead his drug war. Duterte said he’s giving the U.S. government a month to “correct” Senator Ronald dela Rosa’s visa status, or else he will terminate the two-decade-old Visiting Forces Agreement, which sets the terms of American soldiers’ entry to the Philippines for military exercises.
- **Firms Sought to Stockpile Rare Earth Element:** The Pentagon is searching for companies that can provide a domestic supply of a rare earth element crucial to weapons systems as part of a Trump administration push to break China’s hold on the global market. The Air Force Research Laboratory at Wright-Patterson Air Force Base in Ohio [has issued a request](#), and companies have until Feb. 22 to show they are capable of stockpiling a six-month supply of neodymium iron boron, which makes the world’s most powerful magnets and is used in the Javelin anti-tank missile.
- **FBI Restricts Carter Page Evidence:** The FBI decided to restrict all information collected from surveillance of former Trump campaign aide Carter Page in 2016 and 2017 after serious mistakes were uncovered in court applications for the wiretaps, according to a new court filing. Two of the four court applications to conduct surveillance on Page weren’t valid because they didn’t have sufficient evidence to establish probable cause to believe he was acting as an agent of a foreign power, U.S. District Court Judge James Boasberg said yesterday.
- **States Sue Over 3D-Printed Gun Rules:** A group of U.S. states sued the Trump administration over a regulatory change that they say will allow Americans with 3-D printers to make fully functional firearms at home. The suit, filed yesterday in federal court in Seattle, alleges the change in regulation – shifting oversight of the rule from the State Department to the Commerce Department – violates the Administrative Procedure Act and would make it easier for digital files for such weapons to be published online.

- **Foxconn Factory Subsidy Estimate Slashed:** A Wisconsin agency slashed an estimate for subsidies the state will grant to Foxconn, suggesting the Apple supplier is falling well short of its goals for a manufacturing hub in America's heartland. Wisconsin's biennial budget, enacted in July, assumed \$212 million of refundable credits would be paid to Foxconn in the 2020-2021 fiscal year, based on the Taiwanese company hitting 2019 hiring and capital-spending goals in the state. A new analysis, compiled by the Wisconsin Legislative Fiscal Bureau, a nonpartisan government agency, revised that to \$50 million to \$75 million yesterday.