

## American Nephrology Nurses Association

### Daily Capitol Hill Update - Monday, October 21, 2019

(The following information comes from Bloomberg Government Website)

#### Schedules: White House and Congress

##### WHITE HOUSE

- 11:30am: President Trump holds a Cabinet meeting
- 12:45pm: Trump has lunch with VP Mike Pence
- Pence speaks at the International Astronautical Congress opening ceremony at 10:30am
- 4:50pm: Pence delivers remarks in Pennsylvania on the pending U.S.-Mexico-Canada trade accord
- Trump's closest associates are assembling a roster of possible replacements of Mick Mulvaney, his acting chief of staff
  - List includes former acting Attorney General Matthew Whitaker, former New Jersey Governor Chris Christie, and veteran political operative Wayne Berman, now a senior managing director for government relations at the Blackstone Group

##### CONGRESS

- House meets at noon; votes postponed until 6:30pm
  - 5pm: Rules Committee meets to set terms of floor debate of a bill that would require shell companies to disclose their true beneficial owners; 313 Capitol
  - The chamber this week to take up bills aimed at combating money laundering and stopping foreign interference in elections; also set to pass a bipartisan Turkey sanctions package
- Senate meets at 3pm
  - 5:30pm: Procedural vote on designating North Macedonia a member of NATO

#### Congressional, Health Policy, and Political News

- **Drug Pricing Bill Markup:** The House Ways and Means Committee is scheduled to mark up H.R. 3, backed by Speaker Nancy Pelosi (D-Calif.), that would allow the HHS to directly negotiate the prices of the most expensive drugs. The House Education and Labor and Energy and Commerce committees separately marked up the bill last week, and Democrats plans to bring it to the floor for a vote next week.
  - Rep. Lloyd Doggett (D-Texas), a member of the Ways and Means Committee, is pushing for more changes to the measure, even after last week's markups. "I am particularly concerned that, as currently proposed, prices for the vast majority of drugs will never be negotiated and that we are leaving far too many patients behind," he wrote in a Dear Colleague letter Friday. Doggett said without any changes to H.R. 3, it would remain illegal to negotiate prices on about two-thirds

of Medicare-covered drugs including EpiPens, and pushed for reducing the cost of drugs to “reasonable prices” if they are developed with taxpayer money.

- The Ways and Means panel will also mark up three bills to expand Medicare part B vision care (H.R. 4665), hearing care (H.R. 4618), dental care (H.R. 4650), and a bill to provide low-income individuals with opportunities to enter a career in the health professions (H.R. 3398).
- **Administration’s Health Efforts:** The House Energy and Commerce Oversight and Investigations Subcommittee holds a hearing Wednesday on Trump administration policy effects on on health care.
- **Substance Abuse:** The Senate Finance Committee plans a hearing Thursday on treating substance misuse in the U.S., scams, shortfalls, and solutions. Surgeon General Jerome M. Adams and other witnesses from the HHS Inspector General’s Office and Government Accountability Office will testify.
- **Warren Scrutinizes Private Equity Over Surprise Medical Billing:** In her latest attack against private equity firms, Warren called on industry leaders to disclose whether companies they own engage in surprise medical billing. Warren joined Doggett and Rep. Mark Pocan (R-Wis. in sending letters to five firms seeking details on their investments in medical transport and doctor staffing firms accused of charging patients exorbitant prices for out-of-network emergency care.
- **Sanofi to Recall Zantac:** Sanofi is voluntarily recalling heartburn medication Zantac in the U.S. and Canada amid worries that the medicine may be tainted with a compound that could cause cancer. The French pharma company’s announcement follows decisions from major drugstore operators in the U.S., including Walgreens and Walmart, to pull the medication from store shelves. In addition, manufacturers have recalled some generic versions of Zantac products known as ranitidine. Due to inconsistencies in preliminary test results of the key ingredient used in the U.S. and Canadian products, Sanofi decided to carry out the recall in those countries as an investigation continues. The company said it’s working with health authorities to determine the level and extent of the recall.
  - U.S. and European Union health officials are investigating levels of the probable carcinogen NDMA in Zantac and its generic equivalent sold by numerous other companies. The FDA has advised patients that there are other medications available to treat the same symptoms that ranitidine is intended to soothe.
- **Health-Care Religious Refusals:** A federal judge expressed skepticism about a new Trump administration rule aimed at letting health-care providers refuse services based on religious objections, saying the low number of so-called conscience complaints suggests it’s a “solution in search of a problem.” At a hearing Friday in Manhattan, U.S. District Judge Paul Engelmayer weighed requests by almost two dozen states and a coalition of cities for a temporary injunction blocking the rule while the litigation proceeds.
  - The plaintiffs argued that the HHS rule, set to take effect on Nov. 22, would lead to discrimination against women and minority groups, particularly in rural areas where their medical options may be limited. Engelmayer said the number of

complaints filed with HHS by health-care professionals alleging religious discrimination – complaints cited by the agency to justify the need for the rule – was revised downward significantly after the lawsuit was filed. “The number has gotten smaller and smaller and smaller,” the judge said.

- **Mulvaney Replacements Mulled:** Some of Trump’s closest associates are assembling a roster of possible candidates if the president decides to replace Mick Mulvaney, his acting chief of staff, said three people close to the situation. Among those said to be on the list are former acting Attorney General Matthew Whitaker, former New Jersey Gov. Chris Christie, and veteran political operative Wayne Berman, now a senior managing director for government relations at the Blackstone Group. White House communications staff didn’t immediately comment.
- **Trump Reverses G7, Doral Decision:** Trump still sees himself as being in the hospitality business, said Mulvaney, adding that the president made the “right decision” to reverse course and not hold next year’s G-7 summit at his Florida golf resort. Mulvaney said he and Trump talked “at great length” on Saturday about the situation. Trump had been taken aback at the level of criticism about holding the event at one of his properties, which critics said might violate federal conflict of interest and procurement laws and the U.S. Constitution’s Emoluments Clause. “He was honestly surprised at the level of pushback. At the end of the day, he still considers himself to be in the hospitality business,” Mulvaney said of the president. “He wanted to put on absolutely the best show, the best visit that he possibly could.”
  - The decision to allocate the summit, and the millions of dollars in hotel revenue it was likely to generate, caused an outcry among Democrats, ethics groups and some Republicans, who said Trump was using a major government event and taxpayer money for personal gain.
- **Oligarch Allies Pursued Biden Dirt:** Associates of a Ukrainian oligarch fighting extradition to the U.S. were working to dig up dirt on former Vice President Joe Biden last summer in an effort to get Rudy Giuliani’s help in the oligarch’s legal case, according to three people familiar with the exchanges. Dmitry Firtash, charged with conspiracy by the U.S. and living in Vienna, shuffled lawyers in July to add Joe diGenova and Victoria Toensing, vocal supporters of Trump who had worked with Giuliani. Around that time, some of Firtash’s associates began to use his broad network of Ukraine contacts to get damaging information on Biden, the people said.
- **Rep. Rooney Sees ‘Egregious’ Faults:** A House Republican open to the idea of impeaching Trump said he fears for his party’s future, calling the administration’s effort to taint Democrats with Ukrainian help “egregious” and its Syria policy even worse. After announcing Saturday he won’t seek a third term in 2020, Rep. Francis Rooney (R-Fla.) doubled down by questioning the integrity of Giuliani, Mulvaney, and the president’s quickly revoked decision to host a Group of Seven summit at one of his resorts. “I just hate to see our diplomatic activities disrupted and, in some ways, corrupted by these actions,” Rooney, a businessman and former ambassador to the

Vatican, said yesterday on CNN's "State of the Union." Giuliani is "an amateur diplomat, quasi diplomat," Rooney said.

- **Biden Seeks to Keep Presidential Air:** Joe Biden isn't giving up his front-runner mantle without a fight, refusing to acknowledge that Sen. Elizabeth Warren (D-Mass.) has met him at the top of the 2020 Democratic field and moving to take her on directly on the campaign trail. Her rise -- she now meets or surpasses him in key state and national polls -- has raised questions about whether he can still campaign as the only candidate who can beat Trump.
  - While insisting the No. 1 slot is still his, his tactics have shifted, beginning in Tuesday's Democratic debate. He called Warren "ridiculous" in her refusal to spell out how she'd pay for the \$30 trillion Medicare for All program and suggested she is a foreign-policy novice for calling for the withdrawal of all U.S. troops from the Middle East. He is leaning heavily into appearing presidential. His events are designed more for the Rose Garden than for an Iowa community center, with a schedule heavy on formal speeches targeting Trump and fundraisers on the coasts.
- **Trump Trails Leading Democrats in Minnesota:** Biden and Warren hold double-digit leads over Trump in the key swing state of Minnesota, according to a Star Tribune Minnesota poll that tested the candidates in hypothetical head-to-head matchups. The survey tested Biden, Warren, Sen. Bernie Sanders (I-Vt.) and Sen. Amy Klobuchar (D-Minn.) against Trump; Biden leads by 12 percentage points, Warren by 11 percentage points, Sanders by 9 percentage points; home-state senator Klobuchar leads Trump by 17 percentage points.
- **Zuckerberg Offered Hiring Advice to Buttigieg:** Facebook CEO Mark Zuckerberg has privately recommended several potential hires to Pete Buttigieg's presidential campaign, a rare example of direct political involvement from one of tech's most powerful executives. Earlier this year, Zuckerberg sent multiple emails to Mike Schmuhl, Buttigieg's campaign manager, with names of individuals that he might consider hiring, campaign spokesman Chris Meagher confirmed. Priscilla Chan, Zuckerberg's wife, also sent multiple emails to Schmuhl with staff recommendations. Ultimately, two of the people recommended were hired.
- **Warren Readies Plan to Fund Health Care:** Warren announced yesterday that "over the next few weeks" she will release the details of how she intends to pay for her most expensive policy proposal: Medicare for All. "Right now, the cost estimates for Medicare for All vary by trillions and trillions of dollars, and the different revenue streams for how to fund it, there are a lot of," the Massachusetts senator and 2020 Democratic presidential candidate said during a town hall in Indianola, Iowa. "This is something I've been working on for months and months, and it's got just a little more work until it's finished."
  - Meanwhile, Buttigieg would pay for his \$1.5 trillion health-care plan by rolling back Trump's corporate tax cut to return the rate to 35% and allowing Medicare

to negotiate drug prices, campaign spokesman Sean Savett said. Buttigieg's "Medicare for all who want it" plan would extend the federal health-care program for seniors as an option for Americans who prefer it, while also letting people opt for private plans. It's a centerpiece of his campaign, positioning himself against the more far-reaching "Medicare for All" plan by Warren and Sanders.

- **AOC Backs Sanders:** Rep. Alexandria Ocasio-Cortez (D-N.Y.) said her move to formally endorse Sanders on Saturday, weeks after the 2020 Democratic candidate suffered a heart attack, was an "authentic decision." The influential first-term lawmaker was interviewed at Sanders's Saturday rally in New York City. Her comments will air in full today on CBS's "This Morning."
  - "Some folks try to make these decisions by making political calculations and looking at political strategy," she said, according to a clip the network provided. "For me, once I decided what I want to do, I think it's just the most authentic decision to let people know how I feel."
  - Ocasio-Cortez's endorsement was "very significant," Sanders told CBS. "Alexandria has been a political phenomenon," he said, according to a CBS transcript.
- **Wisconsin Election to Replace Duffy Set for May 12:** Wisconsin's 7th Congressional District will hold a special election May 12, 2020, for the House seat vacated last month by former Rep. Sean Duffy (R-Wis.), according to the Milwaukee Journal Sentinel. If a primary is required it will take place Feb. 18, the paper said, citing Wisconsin Gov. Tony Evers (D). The date is three-and-a-half months later than initially planned.
- **Pompeo, Graham Back Trump on Syria:** Secretary of State Michael Pompeo led the defenders of Trump's handling of Turkey's incursion into Syria, saying yesterday that a cease-fire is holding and that U.S. goals in the Middle East are being met despite criticism allies are being betrayed. Sen. Lindsey Graham (R-S.C.), a recent sharp critic of Trump's Syria policy, also came around, saying the president was "thinking out of the box."
  - Pompeo said he received a report Sunday morning of "relatively little" fighting along the Syrian border after he and Vice President Mike Pence brokered a temporary cease-fire with Turkey's President Recep Tayyip Erdogan in Ankara last week. He insisted U.S. interests, including preventing ethnic cleansing of the Kurds in the region and a resurgence of Islamic State, or ISIS, are being served. "I'm very confident that this administration's efforts to crush ISIS will continue," Pompeo said on ABC's "This Week." The comment came a day after Erdogan referred to "crushing the heads of terrorists" after the ceasefire ends tomorrow night.
- **Lagarde Says Trump Can Unlock Uncertainty:** Incoming European Central Bank President Christine Lagarde said Trump's trade war with China has dented global economic growth, and he could lift that burden. "I think the biggest key that President Trump has is in relation to predictability and, and certainty of the terms of trade. It's the

unknown which is hurting,” Lagarde told CBS News’s “60 Minutes” program, according to a transcript of her remarks provided in advance by the network. The interview with Lagarde was conducted in September.

- **Phase One of U.S.-China Trade Deal in Progress:** China’s top trade negotiator offered positive signals that talks with the U.S. are making progress and both sides are working toward a partial trade deal. “China and the U.S. have made substantial progress in many aspects, and laid an important foundation for a phase one agreement,” Vice Premier Liu He said at a technology conference in Nanchang, Jiangxi, on Saturday. He reiterated that China is “willing to work in concert with the U.S. to address each other’s core concerns on the basis of equality and mutual respect.”
- **U.S. Military Says Japan Must Reveal China Threat:** Japan should do more to alert its public of the growing military threat from China and rethink its rejection of offensive weapons, a senior U.S. military officer said in Tokyo. There needs to be a discussion between the government of Japan and the public about the threats that are out there, said the officer, who spoke today to reporters on condition of anonymity. The officer cited China as a particular risk. The pacifism built into Japan’s U.S.-drafted, post-World War II constitution means that attempts to bolster defenses frequently face opposition from local residents, even as China and North Korea build up their arsenals of ballistic missiles. Japan, which hosts about 50,000 U.S. military personnel, also places tighter constraints on training than other countries, the officer said.
- **Brouillette Tapped as Energy Secretary:** Trump said he is nominating Dan Brouillette to be his next energy secretary after Rick Perry leaves the role at the end of the year. “I am pleased to nominate Deputy Secretary Dan Brouillette to be the new Secretary of Energy. Dan’s experience in the sector is unparalleled. A total professional, I have no doubt that Dan will do a great job!” Trump tweeted Friday. Brouillette has been serving as No. 2 to Perry, who has been in charge of the \$36 billion agency that controls the nation’s nuclear arsenal and emergency crude oil stockpile. Trump said in a tweet that Perry would be leaving at the end of the year.
- **Attorney General’s Antitrust Power Play:** The Department of Justice agreed to open probes of Google and Apple in May, and handed over Facebook and Amazon to the Federal Trade Commission. Attorney General William Barr then did an end run around the agreement and made a grab for authority over all four tech giants. Barr’s power play, described by two senior officials involved in the cases, shows the attorney general is taking a direct role in the probes of America’s biggest tech companies. At the same time, Barr is doing what’s become his trademark as the U.S.’s top law enforcement official: delivering on the agenda of Trump, who’s agitated for tech investigations since his election.
- **EPA Working to Attract Talent:** The EPA is trying to think up new ways to attract and retain talent, agency chief Andrew Wheeler said Friday. One idea is to open a risk assessment office in Research Triangle Park in North Carolina, to be more attractive to the many scientists who live in the area around Raleigh, Durham, and Chapel Hill, Wheeler said at a forum convened by Case Western Reserve University’s School of Law.

Another idea is to create a national database in which retiring employees can enter information to be passed on to their replacements, according to Wheeler.

- **CFPB's Constitutionality:** The U.S. Supreme Court will determine whether the Consumer Financial Protection Bureau's director can be fired by the president at any time. The court last week agreed to hear a case filed by a California debt collection law firm that says it shouldn't have to comply with a civil investigative demand from the bureau because its single-director leadership structure, which only allows the director to be fired for cause, is unconstitutional. The U.S. Court of Appeals for the Ninth Circuit in May rejected Seilla Law LLC's constitutionality claims against the CFPB. But the firm gained a powerful ally when the Trump administration joined its cause.