

American Nephrology Nurses Association

Daily Capitol Hill Update – Friday, November 1, 2019

(The following information comes from Bloomberg Government Website)

Schedules: White House and Congress

WHITE HOUSE

- 1:30am: President Trump receives his intelligence briefing
- 4:30pm: Trump departs White House for Tupelo, Miss.
- 8pm: Trump holds campaign rally in Tupelo, Miss., arrives back at White House at midnight
- 3:50pm: Vice President Mike Pence attends campaign rally in London, Kentucky

CONGRESS

- Senate returns Tuesday; resumes consideration of judicial nominees
- Impeachment interviews to resume Monday with none scheduled today

Congressional, Health Policy, and Political News

- **Senate Passes First Spending Package:** The Senate passed its first fiscal 2020 appropriations package yesterday, though lawmakers say they have made little progress toward a funding deal that can become law. Senators voted 84 to 9 to pass a four-bill measure (H.R. 3055) that includes funding for Agriculture-Food and Drug Administration programs. Meanwhile, senators didn't reach the 60 votes necessary to limit debate on the motion to proceed to a second, larger spending package (H.R. 2740) that carries funding for Labor-Health and Human Services-Education programs.
- **Trump's Get-Out-the-Vote Push Tested:** The last-minute presidential visits this weekend will show whether Trump is popular enough in two southern states to drive turnout in next week's elections for governor.
 - After Mississippi today, Trump plans an election-eve push for Kentucky incumbent Matt Bevin (R), who holds the lowest approval rating among all governors. The Democratic challenger, state Attorney General Andy Beshear, has been loath to even mention Trump's name in a state the president carried with 62.5% of the vote in 2016. Instead, Beshear has focused on Bevin's tax policy and character.
 - The Trump rallies matter, said University of Kentucky Professor Stephen Voss. "It's evidence that people don't have to vote, and if they're unenthusiastic enough about the candidate they otherwise might have preferred, there's no ruling out that they just might stay home," he said. "People aren't that aware politically – we can't assume they're sitting at home with an issue checklist."

- **New Phase of Impeachment Offers Few Answers, High Risks:** Speaker Nancy Pelosi (D-Calif.) has launched a new phase of the impeachment inquiry with no explicit timetable, no defined scope of what to investigate, no guarantee the White House will cooperate and not a single Republican vote -- in many ways taking Congress and the country into the exact politically perilous place she long sought to avoid.

 - The vote puts pressure on Trump, who now is all but certain to face a vote on articles of impeachment in the coming months. But the onus also falls on Pelosi to finish what she started, with only the slimmest majority of public support in polls and many nervous Democrats who know voters will hold them to account for what happens. "Nobody comes to Congress to impeach a president of the United States," Pelosi said before yesterday's vote. "We take an oath to protect and defend the Constitution, and that's what we cannot ignore."
 - The starkly partisan investigation is about to burst into the court of public opinion, with just a few weeks to make crucial decisions before Democrats say public hearings may begin. And the calendar is about to turn to the holidays, then to the official starting gun of the Democratic presidential primary in Iowa on Feb. 3.

- **Kyiv's Summer of Missed Signs:** Ukrainian President Volodymyr Zelenskiy finally had his American counterpart on the phone after months of trying. A few minutes into their call, Trump brought up something that puzzled officials in Kyiv. "I would like you to find out what happened with this whole situation with Ukraine, they say Crowdstrike," Trump said on the July 25 call. "The server, they say Ukraine has it."

 - Crowdstrike? Server? The new president and a handful of his aides wondered if they had misheard Trump, according to two people familiar with the Ukrainian side of the now-infamous conversation. One aide made a note to suss it out and report back to Zelenskiy. The Ukrainians' befuddlement, not previously reported, played like a scene from a television satire. That would be fitting for Zelenskiy, a former comedian who portrayed an unlikely Ukrainian president on TV before his real-life rise to his country's presidency. But it wasn't for laughs. The conversation between Zelenskiy and Trump, a onetime reality-TV star, became a crucial scene in a tense summer drama.

- **Security Aide Tells of Ukraine Concerns:** Timothy Morrison, the National Security Council's senior director for Europe and Russia, told House impeachment investigators yesterday that he was concerned on multiple levels after learning of administration efforts to pressure the Ukraine government to investigate the president's political rivals in return for military aid. He also specifically identified Gordon Sondland, Trump's envoy to the European Union, as having communicated to a Ukrainian official that the American military aid would be released if the country investigated an energy company linked to Hunter Biden, former vice president Joe Biden's son. According to Morrison's prepared opening remarks, he confirmed the substance of similar testimony given by William Taylor, the acting ambassador to Ukraine, about what Sondland told the Ukrainian official.

- **Pentagon Vows to Protect Vindman:** A Defense Department official said yesterday that “robust procedures” were in place to protect Lt. Col. Alexander Vindman after he testified in the House impeachment inquiry. Separately, an Army spokeswoman said in a statement that Vindman has been “afforded all protections anyone would be provided in his circumstances.”
- **McGahn Subpoena:** A lawyer for the Trump administration told a federal judge she doesn’t have jurisdiction to consider a House committee lawsuit seeking to force former White House counsel Don McGahn to testify to the House Judiciary Committee. “This kind of lawsuit can’t be here,” Department of Justice attorney James Burnham told U.S. District Judge Ketanji Brown Jackson in Washington. The House Judiciary Committee subpoenaed McGahn in April to testify.
- **What to Watch in Congress Next Week:** The House is in recess next week, though some lawmakers will be in town to continue hearing from witnesses as part of the impeachment inquiry. Senators will be in Washington for an abbreviated week’s work on nominations.
 - The Senate will hold a pro forma session on Monday with no legislative work planned. On Tuesday, the chamber will consider the nomination of David Tapp to be a federal claims court judge and Danielle Hunsaker to be a circuit court judge for the Ninth Circuit. Republican senators meet for a retreat at the Trump International Hotel in Washington Thursday afternoon into Friday, and legislative action is unlikely.
 - At least 10 additional witnesses as of yesterday have been scheduled or invited for closed-door questioning in Democrats’ impeachment inquiry, Steven T. Dennis and Billy House report. That list includes former National Security Adviser John Bolton, who has not yet agreed to testify.
 - Four have been scheduled for Monday alone. If they all show, House committees will hear from John Eisenberg, deputy counsel to the president for national security affairs and legal adviser to the National Security Council; Robert Blair, assistant to the president and senior adviser to the acting chief of staff; Michael Ellis, senior associate counsel to the president and deputy legal adviser to the NSC; and Brian McCormack, associate director for natural resources, energy and science at the Office of Management and Budget. Others are scheduled into the second week of November.
- **Democrats Make Pitch at Iowa Event:** The Democratic presidential field will descend on Des Moines today for the last big party gathering in the state, where in fewer than 100 days caucus-goers will have an outsize say in deciding who the party’s nominee will be. The Liberty and Justice Celebration, hosted by the Iowa Democratic Party, is expected to draw more than 12,000 people from around the Hawkeye State for an exceptionally large slate of 14 presidential candidates to make their pitch. The event, formerly known as the Jefferson-Jackson Dinner, marks the final sprint to the caucuses, the first contest on the primary calendar.

- **Coal Magnate Launches White House Bid:** West Virginia coal magnate Don Blankenship, who's served one year in federal prison for misdemeanor safety violations that led to the death of 29 workers in 2010, is running for president. Blankenship filed a statement with the Federal Election Commission yesterday establishing a campaign committee. He's running under the Constitution Party banner, a third party that advocates abolishing real estate taxes, gay conversion therapy and a Muslim travel ban. He ran for Senate in West Virginia in 2018 but lost in the Republican primary.
- **Trump Campaign on Twitter Ad Ban:** Trump's campaign said Twitter's decision this week to ban political ads means that the company will lose over \$10 million that it had planned to spend on the social media platform. The Trump campaign spends more money on other social networking sites, a senior campaign official said yesterday on a conference call with reporters. The campaign views Twitter as a channel for messaging and a way to benchmark its advertising efforts.
- **Roger Stone Trial to Shed Light on 2016 Dirt:** Roger Stone, the longtime Republican operative and the last person charged in Robert Mueller's investigation, talked to somebody on Trump's 2016 presidential campaign about the dirt WikiLeaks was getting from Russia on Hillary Clinton, according to prosecutors. As Stone goes on trial for lying to Congress, obstruction and witness tampering, it is one of the lingering mysteries of the special counsel's 22-month probe of Russian interference in the election. And it's one of the many reasons the trial, starting next week, will be closely watched, even as House Democrats' impeachment inquiry gathers steam just around the corner.
- **Opportunity Zones:** Democratic lawmakers are calling for an investigation into reports of corruption among Treasury and White House officials implementing the opportunity zones tax break. The letter, addressed to Treasury Department Acting Inspector General Richard Delmar, comes days after The New York Times reported that the Treasury ignored its own guidelines for designating areas for the capital gains tax break. The Treasury has denied the allegations in the story.
- **Centralized Guidance on Web:** Agencies have until Feb. 28, 2020, to list all their operative industry guidance documents and post them to a single departmental website, under a memorandum issued today by the Office of Management and Budget. Trump signed a pair of executive orders on Oct. 9 intended to reduce the impact of agency guidance the White House says have become a back-door means of regulation. Now OMB has issued a memo to agencies to help them comply with one of the two orders.
- **Patagonia Sues Over Endangered Species Rules:** Outdoor retailer Patagonia Works is preparing to go to court to challenge the Trump administration's new Endangered Species Act regulations. The company notified the Interior and Commerce departments on Oct. 30 that it will file suit in 60 days if the agencies don't withdraw a suite of revised ESA regulations changing how the government protects rare plants and animals.

- **Sage Grouse Recovery Plan:** The U.S. Fish and Wildlife Service released its draft plan to save the quickly vanishing Gunnison sage-grouse. The proposal aims to prevent the bird from extinction. But environmental groups advocating for the bird's recovery are calling the plan too weak.