

## American Nephrology Nurses Association

### Daily Capitol Hill Update - Thursday, November 21, 2019

(The following information comes from Bloomberg Government Website)

#### Schedules: White House and Congress

##### WHITE HOUSE

- 11:45am: President Trump receives his intelligence briefing
- 3:30pm: Trump, first lady Melania Trump present National Medal of Arts and the National Humanities Medal at White House
- Trump is expected to sign legislation passed by Congress supporting Hong Kong protesters; it could go to Trump as soon as today
- California Supreme Court will rule on whether a law requiring presidential candidates to release their tax returns in order to take part in the state's primary is constitutional

##### CONGRESS

- 9am: Public impeachment hearing appearance by former NSC official Fiona Hill
- Senate meets at 10am; set to consider nomination of Dan Brouillette to be Energy Secretary
- Senate to also vote on stopgap spending bill
- House meets at 9am; set to consider H.R. 1309, on workplace violence for healthcare workers
- House Speaker Nancy Pelosi will meet with USTR Robert Lighthizer and House Ways and Means Committee Chairman Richard Neal to discuss the stalled USMCA trade pact, according to a House Democratic aide

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

- **Drug Patent Abuses Bills:** Two bills that would tackle how drug companies use patents to keep prices and profits high were approved by a House panel and are similar to a Senate bill that has supporters in both parties. The House Judiciary Committee approved the bills yesterday by voice votes. The two measures have co-sponsors from both parties and didn't face any opposition in the committee, indicating they could have an easy path to passage in the full House.
- **Race to Regulatory Finish Line:** The Trump administration is moving to put the finishing touches on a number of big ticket regulatory items in the next months so that they're harder to undo should Democrats take the White House and Senate next year. Trump's Office of Management and Budget today released its biannual regulatory agenda, a roadmap of upcoming rulemaking activity across federal agencies. The agenda includes updates on various priority regulations, such as rolling back Obama-era

fuel economy standards, loosening clean water rules, combating currency manipulation, and limiting the liabilities of companies in franchise arrangements.

- **Medicare Pay Cuts:** More than 600 hospitals sued HHS in federal court to force the agency to end a Medicare pay cut they say cost them about \$124.4 million per year in 2018 and 2019. Hospitals from all over the country accused the HHS of going beyond congressional directives on a program to recoup Medicare overpayments caused by a change in the Inpatient Prospective Payment System. The Centers for Medicare & Medicaid Services' 0.7% payment reduction to offset overpayments was supposed to end in 2017, but CMS continued it through 2018 and 2019, the complaint filed in federal court in Washington said.
- **Ukraine Asked About Aid Hold in July:** A top Pentagon official said Ukrainian officials might have been aware the U.S. was holding up military aid as early as July, much earlier than previously reported and contradicting a main argument Trump's allies have used to defend him. Laura Cooper, the deputy assistant secretary of Defense for Russia and Ukraine, disclosed that her staff got questions from Ukraine relayed by the State Department over the aid on July 25, the same day as Trump's infamous call.
- **Biegun Vows to Counter 'Personal' Diplomacy:** Trump's pick for the No. 2 job at the Department of State pledged to speak up if he detects attempts to further personal interests through U.S. diplomacy – a direct reference to Giuliani's work in Ukraine on behalf of Trump. "If I feel that somebody is in fact advancing their own personal interest in the course of interacting with American diplomats in a manner that's inappropriate, I will say so," Stephen Biegun, the current envoy to for North Korea talks, said yesterday during his confirmation hearing before the Senate Foreign Relations Committee.
  - Biegun went on to say that the State Department has made clear "that there will not be disciplinary action by the State Department against any of our employees who are testifying under subpoena."
- **Trump's New Inquiry Hires:** The White House is engaging in a more aggressive and organized response to the inquiry after hiring two new aides, though allies in Congress say the effort remains handicapped by Trump's own unpredictable reactions. Trump recently hired Tony Sayegh, formerly the top spokesman at the Treasury Department, and former Florida Attorney General Pam Bondi to handle the White House's communications on impeachment. They supervise a "rapid response" to the public impeachment hearings, issuing talking points and statements in real time that attempt to undermine the credibility of witnesses or contradict their testimony.
- **Continuing Resolution:** Senators plan to pass a month-long stopgap funding measure today, hours ahead of the deadline to keep the government running. Senate Majority Leader Mitch McConnell (R-Ky.) said earlier this week he expects the Senate to pass the measure and President Donald Trump to sign it into law.

- **Hong Kong Bill Reaches Trump, Who'll Sign It:** Congress overwhelmingly voted to send a bill backing Hong Kong protesters to Trump, setting up a confrontation with China that could imperil a long-awaited trade deal between the world's two largest economies. The bill, approved unanimously by the Senate on Tuesday and passed by the House 417-1 yesterday, could go to Trump as soon as today to be signed into law, according to a congressional aide. Trump was reportedly expected to sign the bill, despite it potentially derailing his hopes of securing a trade deal with China.
  - "The Congress is sending an unmistakable message to the world that the United States stands in solidarity with freedom-loving people of Hong Kong and that we fully support their fight for freedom," Speaker Nancy Pelosi (D-Calif.) said on the floor. "This has been a very unifying issue for us."
  - China had a swift and forceful response, with multiple government agencies threatening some sort of unspecified retaliation. "Don't say I didn't warn you," said a statement issued by the foreign ministry's office in Hong Kong, using a Chinese phrase that prior to this year was used only in rare cases like before a 1962 war with India. But President Xi Jinping's government has a problem: Any strong measures against the U.S. also risk backfiring.
  - Sens. Marco Rubio (R-Fla.) and Jeanne Shaheen (D-N.H.) are pushing a bill that would block a U.S. government retirement fund from investing in some Chinese companies after the fund's board approved plans to transition to a different emerging market index. The Federal Thrift Retirement Investment Board, which oversees retirement investments of federal employees, including the military, said last week that an outside consultant said the move would be in the best interests of the plan participants.
  
- **Maloney to Take Up Cummings' Gavel:** House Democrats have selected Rep. Carolyn Maloney (D-N.Y.) over Rep. Gerald Connolly (D-Va.) to succeed the late Elijah Cummings (D-Md.) to lead the House Oversight and Reform Committee. Maloney won the election 133-86, according to a House Democrats tweet. Maloney on Tuesday won the recommendation of the Democratic Steering Committee.
  
- **Refugee Protections:** Legislation to expand the U.S.'s refugee program and reverse some of the actions taken by the Trump administration that have implications for due process for asylum seekers will be introduced in both chambers today by Sen. Patrick Leahy (D-Vt.) and Rep. Zoe Lofgren (D-Calif.). The Refugee Protection Act of 2019 will also aim to increase protections for foreign nationals who have helped U.S. military troops.
  
- **Moniz Warns Paris Deal Not Enough:** The Paris climate accord now appears far too modest to tackle rising global greenhouse gas emissions, former Energy Secretary Ernest Moniz told a House panel yesterday. The problem will require a huge infusion of money into next-generation carbon capture, advanced nuclear, and other low-carbon energy sources, Moniz, President Barack Obama's energy secretary from 2013 to 2017, told the House Appropriations Energy and Water Development Subcommittee.

- **Democrats Duck Big Fights in Atlanta Debate:** Democratic presidential candidates largely avoided lengthy battles over the biggest fault lines in the primary on the Atlanta debate stage, instead arguing over a variety of issues and competing to prove how much better they would run the country than Trump.

  - The 10 Democrats took stabs yesterday at each other's policy differences on climate change and health care but were fairly united on their approaches to foreign policy and race relations -- and on the impeachment hearings that dominated the news in the 12 hours before the debate started. From the first question on, Trump's leadership was the focus.
- **Debate Takeaways:** Still, after several debates in which the entire field took aim at the front-runner, the Democratic presidential candidates fought a series of skirmishes against one another. Sen. Kamala Harris (D-Calif.) went after Rep. Tulsi Gabbard (D-Hawaii) on foreign policy. Sen. Cory Booker (D-N.J.) took on former Vice President Joe Biden over marijuana. And Sen. Amy Klobuchar (D-Minn.) characterized South Bend, Indiana, Mayor Pete Buttigieg as inexperienced.
- **Biden Leads by 10 Points in New York:** Biden is leading by 10 percentage points among New York Democrats in a Siena Research Institute poll, reclaiming his spot as the front-runner after tying with Sen. Elizabeth Warren (D-Mass.) last month. Biden received 24% of the vote in the poll released today, followed by Warren with 14% and Sanders with 13%. No other candidate polled in the double digits: Buttigieg had 5%, and Harris had 3%.
- **Bloomberg Sets \$15M to Register Voters:** Former New York Mayor Michael Bloomberg plans to spend an estimated \$15 million to \$20 million to register 500,000 voters early next year in five battleground states that Trump won in 2016. Bloomberg, who's considering a Democratic presidential bid but hasn't yet announced a decision to run, also filed yesterday to appear on the March 3 Democratic primary ballot in Texas, according to the Texas secretary of state's office. He previously filed to run in party primaries in Alabama and Arkansas.
- **California to Rule on Presidential Tax Returns:** The California Supreme Court will rule today on whether a law requiring presidential candidates to release their tax returns in order to take part in the state's primary is constitutional. The ruling, set to be posted on the court's website at 1 p.m. Washington time, comes ahead of a Nov. 26 candidate filing deadline for the state's March 3 primary.
- **China 'Cautiously Optimistic' on Deal:** China's chief trade negotiator indicated he was "cautiously optimistic" about reaching a phase one deal with the U.S., as two titans of American diplomacy in Asia warned of the dangers of escalating the tariff war. Vice Premier Liu He made the comments in a speech in Beijing yesterday ahead of the Bloomberg New Economy Forum, according to people who attended the dinner and asked not to be identified. He has also reportedly asked the top U.S. trade negotiator to

travel to China to continue talks this month, an invitation that so far hasn't been accepted.

- **China Called Most Potent Cyberadversary:** China's ability to carry out cyberattacks has increased to a level that it poses the most significant long-term cybersecurity threat to the U.S. of any nation state, a senior FBI cybersecurity official said. China continues to steal intellectual property from the U.S. even though this activity isn't necessarily detected, and its offensive capabilities roughly match U.S. defenses, the FBI official said.
- **Official Blasts China on Solar 'Loophole':** China has worked to undermine U.S. tariffs on solar equipment and is "exploiting" a loophole that shields some panels from the duties, according to White House trade adviser Peter Navarro. The country has tried to skirt the tariffs that the U.S. government imposed on solar imports last year, Navarro, an assistant to Trump on trade and manufacturing policy, said by email yesterday. More specifically, he said, China is taking advantage of an exemption for bifacial -- or double-sided -- solar panels, adding that it's a loophole that must be "slammed shut."
- **U.S. Denies Report on South Korea Troop Reduction:** The U.S. dismissed a report that it was considering a withdraw of thousands of its troops to gain leverage with South Korea as the Trump administration seeks to have it pay five times more to host American service members. The South Korea daily Chosun Ilbo reported the U.S. was considering withdrawing one of its brigades if ongoing defense cost talks with Seoul don't go as it wants. Jonathan Hoffman, chief Pentagon spokesman, later said in a statement that "there is absolutely no truth" to the report, which the paper attributed to a diplomatic source in Washington familiar with the talks.
- **Tariff Exemption for Apple:** Trump, touring an Apple assembly plant in Texas, said yesterday that he's "looking at" exempting the iPhone maker from tariffs on goods imported from China. Trump made the remarks alongside Apple's chief executive Tim Cook at a Flex Inc. facility in Austin, Texas, that is manufacturing Apple's new Mac Pro desktop computer. Trump repeated previous comments he's made that it isn't fair for Apple to be taxed on iPhones built in China given that South Korean rival Samsung doesn't have to pay the China import duties.
- **Fraudulent Exports to U.S.:** Vietnam is intensifying efforts to crack down on Chinese exporters trying to route products through the Southeast Asian nation to bypass higher U.S. tariffs, a customs official said. Vietnam has become one of the top destinations for suppliers looking to avoid U.S. duties on Chinese goods amid the trade war, making it vulnerable to goods fraudulently labeled as "Made in Vietnam," according to Au Anh Tuan, head of customs control and supervision in the General Department of Vietnam Customs.

- **Conservative Group Targets Medicaid Work Rules:** When Idaho's Legislature voted to expand Medicaid coverage for people in the state, a key debate involved whether to require some recipients to work to receive benefits. Republicans, who favored the requirement, gained a key ally – the "Opportunity Solutions Project," a little-known new group with opaque funding. While Republicans found the organization's suggestions on how to make "workfare" a success useful, opponents of the idea felt very differently. Liz Woodruff, assistant director of programs at Idaho Voices for Children, said the group shared "misinformation on how work reporting requirements worked" and what Idaho voters wanted. Idaho Voices for Children is a nonprofit that advocates at the state level for policies that help families and children.
- **New Data Tool for Students:** That high-priced graduate degree doesn't always pay off – at least not immediately, according to Education Department data. The information, released yesterday through the College Scorecard, for the first time shows earnings levels for most college graduates by field of study. Many of the programs whose graduates took out large student loans, such as dentistry or medicine, also led to high earnings. Graduates of other programs with high debt, such as master's degrees in teaching or social work, led to much more modest salaries.
- **Trump Wall Judge Pledges Fast Ruling:** A federal judge said he'll rule as fast as he can on whether Trump can move forward on the next phase of his Mexico border wall after a government lawyer said construction is slated to start in a week. U.S. District Judge Haywood Gilliam pressed lawyers on both sides with tough questions during a two-hour hearing yesterday in Oakland, Calif., over a request from the Sierra Club, a coalition of states and House Democrats to stop the Trump administration from using \$3.6 billion in Pentagon funding for the wall.