

## American Nephrology Nurses Association

### Daily Capitol Hill Update – Thursday, November 7, 2019

(The following information comes from Bloomberg Government Website)

#### Schedules: White House and Congress

##### WHITE HOUSE

- Noon: President Trump receives intelligence briefing
- 2:15pm: Trump participates in greeting in recognition of the National Day for the Victims of Communism
- 6pm: Trump presents Presidential Citizens Medal
- 7:35pm: Trump departs White House for fundraiser at his hotel in Washington
- 8pm: Trump delivers remarks at fundraising committee reception
- 8:55pm: Trump departs hotel for White House, returning at 9pm
- VP Mike Pence files ticket for Trump, himself to be on ballot in New Hampshire at 11am; Pence delivers remarks at New England Council/New Hampshire Institute of Politics event at 1:25pm

##### CONGRESS

- Senate meets at 10am; resumes consideration of judicial nominees
- House returns next week

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

- **Fraud Surge Draws IG Scrutiny:** The federal government will crack down on health-care fraud and high-risk medical products like opioids and unapproved medical devices next year as violations pile up, an HHS official said yesterday. HHS's Office of Inspector General has seen a significant number of fraud settlements, specifically over kickbacks and promotion of risky drugs and devices, according to Mary Riordan, senior counsel at the inspector general office. That uptick means HHS will be giving those areas even closer scrutiny.
- **Giuliani Says Ukraine Efforts 'Solely' for Trump's Legal Defense:** Giuliani said his controversial work with Ukraine -- now at the center of the House impeachment probe -- was done "solely as a defense attorney" for Trump, undercutting the administration's claims that the former mayor was advancing U.S. foreign policy. Giuliani's tweet yesterday offered one of his most direct statements thus far on the nature of his work in Kyiv that has come under scrutiny in the impeachment inquiry. Lawmakers have been interviewing current and former administration officials in efforts to clarify the nature of Giuliani's interactions with U.S. and Ukrainian officials.

- **Giuliani Hires Legal Team:** Meanwhile, Giuliani said yesterday he hired three attorneys as his dealings in Ukraine have attracted scrutiny. Giuliani said he's hired Robert Costello of the firm Davidoff Hutcher & Citron, who specializes in criminal litigation and municipal probes. He formerly worked as prosecutor in the U.S. attorney's office for the Southern District of New York. Eric Creizman and Melissa Madrigal, defense attorneys at the firm Pierce Bainbridge, will also represent Giuliani.
  
- **Shutdown Bill Hits Wall:** A bipartisan Senate group is pressuring congressional leaders to take up legislation meant to prevent federal government shutdowns, amid looming fears of another funding impasse later this month. Members of the Homeland Security and Governmental Affairs Committee said they're trying to negotiate with House and Senate leadership, as well as the Appropriations Committee, to pass the measure that's aimed at preventing any lapse in federal funding. The bill would trigger continued funding at the previous year's levels if Congress cannot enact spending legislation on time.
  - Lawmakers from both parties said they're frustrated the government is facing another funding lapse Nov. 21 over gridlock on funding Trump's long-promised border wall. A record-breaking 35-day shutdown earlier this year, also triggered by the wall debate, interrupted paychecks to federal workers and dented the country's economic output. Chairman Ron Johnson (R-Wis.) said the bill was still "a ways from the finish line," but that he wanted to push forward because it's "ridiculous" the country was facing another potential shutdown.
  
- **One-Free-Pass Bill Withdrawn:** A measure that would waive fines for first-time paperwork violations by small businesses was withdrawn from consideration yesterday by the Senate Homeland Security and Governmental Affairs Committee, although its sponsors said they will try again next month. The bill was introduced Oct. 31 by Sens. James Lankford (R-Okla.) and Maggie Hassan (D-N.H.). It would have excluded fines for violations that endanger public health, criminal activity, or IRS enforcement, yet public interest groups remain skeptical.
  - The Coalition for Sensible Safeguards said in a 2015 letter opposing a similar version of the measure that "agencies almost always waive fines for first-time violators of information collection requirements and give time to those acting in good faith to correct mistakes." But Lankford, head of the panel's Regulatory Affairs and Federal Management Subcommittee, said there has been a lot of misunderstanding about this legislation. "This has nothing to do with health, and safety, and environmental, if there's a labor issue – all of those things are precluded," he said.
  - The panel did approve a bill yesterday to cut more than a dozen congressionally required reports, such as a Transportation Security Administration report on unclaimed money at airports. Several reports required from the Department of Homeland Security would be eliminated or consolidated, including some under the North American Free Trade Agreement on dumping and countervailing duties, disaster relief, and the collection of conference fees.

- **Fewer Budget Showdowns Sought:** Congress would switch to two-year budget resolutions and set a target for the debt compared to economic growth under a measure approved by the Senate Budget Committee on Wednesday. Members advanced the bill by a 15-6 vote. Several Democrats criticized a measure that could require Congress to consider deficit-reducing legislation under a fast-track procedure in the Senate, which progressives have complained would likely lead to cuts to Medicare and Medicaid. Still, the measure earned bipartisan support from members who say Congress can't stick with the status quo when it comes to spending standoffs.
- **McConnell Backs Miner Pension Aid:** Senate Majority Leader Mitch McConnell (R-Ky.) threw his support for bailing out the financially troubled United Mine Workers of America pension fund, a move that helps him court a key constituency as he faces re-election next year. McConnell, who represents over 8,000 retired miners drawing pensions from the UMWA 1974 Pension Plan, joined West Virginia's two senators, Joe Manchin (D) and Shelley Moore Capito (R), to announce bipartisan legislation to shore up the troubled fund.
- **Funds for Black Colleges:** Senate Democrats are blaming their Republican counterparts for an impasse over a short-term extension of federal funds for historically black colleges and other minority-serving institutions. Republicans are holding opportunities for young people hostage "for some other political goal," Minority Leader Chuck Schumer (D-N.Y.) said. "It really ticks me off," he said at a press conference yesterday to urge a floor vote on the measure. Sen. Doug Jones (D), who's up for re-election next year in deeply Republican Alabama, co-authored the bill to renew the Title III funds.
  - The dispute is the latest in a stalemate that's continued for more than a month since Senate Health, Education, Labor, and Pensions Chairman Lamar Alexander (R-Tenn.) blocked an attempt to bring the FUTURE Act to a floor vote. Alexander has proposed that lawmakers extend the Title III funds permanently as part of broader higher education bill.
- **Vacancies at Homeland:** The Trump administration needs to move quickly to fill the growing number of vacancies at the Department of Homeland Security, the top members of the Senate Homeland Security and Governmental Affairs Committee said in a letter to the White House. Chairman Johnson and ranking member Gary Peters (D-Mich.) announced the letter at a panel meeting yesterday. Eleven of the 18 Senate-confirmed positions at the department will be vacant or filled in an interim capacity after Acting Secretary Kevin McAleenan leaves this month.
- **Trump Rallies in Louisiana After GOP Losses:** Trump hit the campaign trail a day after Republicans suffered defeats in off-year elections that signaled weakness for the party heading into 2020. Trump struck a combative tone last night in Monroe, La., delivering a wide-ranging speech that veered from endorsing Republican gubernatorial candidate Eddie Rispone to decrying the House impeachment inquiry and denigrating the whistleblower who reported Trump's controversial call with Zelenskiy. But Trump's

draw in Louisiana was still evident. Rispone, who briefly took the stage, declared the state “Trump Country” and heaped praise on the president.

- **Suburban Voters’ Warning to GOP:** Republicans used the Kentucky governor race as a test of their 2020 strategy to kick up outrage against both Democrats’ impeachment efforts and their leftward drift – and largely came up short. The undoing was Gov. Matt Bevin’s poor showing in the suburbs, a trend that extended to Virginia as Democrats captured full control of the state government for the first time in a quarter-century. That was boosted by the defeat of the last Republican legislator in the state’s Washington, D.C., suburbs.
- **Trump Health Agenda Hits Bumps After Election Night:** Major parts of Trump’s health agenda are facing setbacks as key supporters of work requirements for people on Medicaid and anti-abortion policies lost state races this week. Two states that have sought to impose work requirements on Medicaid beneficiaries, Virginia and Kentucky, saw leading Republicans lose their races. While the election results can be tied to a series of issues, including voters’ feelings about Trump and local politics, some industry insiders took away signals regarding healthcare policy.
- **Sessions Set to Enter Senate Race:** Jeff Sessions will announce today that he plans to run for the Alabama Senate seat that he vacated in 2017 to become Trump’s first attorney general, according to two people familiar with his decision. Sessions, a former top Republican on the Senate Judiciary and Budget panels, easily held onto his Senate seat during his two decades in the Senate. He’ll race to unseat incumbent Doug Jones (D).
- **Nunes Casts Wider Net in Defamation Suit:** A Democratic strategist and a law firm in Virginia have been pulled into a lawsuit by Rep. Devin Nunes (R-Calif.) over Twitter attacks the congressman says defamed him. Subpoenas served by Steven Biss, Nunes’ lawyer, to Adam Parkhomenko and the Richmond-based Hawkins Law Firm seek information about contacts with and the identities of the users of @DevinCow and the shuttered @DevinNunesMom Twitter accounts. The subpoenaed parties, who aren’t named as defendants, have been called to provide the information sought by Nov. 30.
- **China Says U.S. Agrees to Tariff Rollback:** China and the U.S. have agreed to roll back tariffs on each other’s goods in phases as they work toward a deal between the two sides, a Ministry of Commerce spokesman said. “In the past two weeks, top negotiators had serious, constructive discussions and agreed to remove the additional tariffs in phases as progress is made on the agreement,” spokesman Gao Feng said today. “If China, U.S. reach a phase-one deal, both sides should roll back existing additional tariffs in the same proportion simultaneously based on the content of the agreement, which is an important condition for reaching the agreement,” Gao said.

- **World Powers Tie Up for Naval Force in Mideast:** A U.S.-led coalition created to secure sea lines vital to oil shipping in the Middle East formally launched operations in the most concerted international response yet to months of tensions in the region. Formed in response to a series of attacks on vessels and onshore facilities that some coalition members blamed on Iran, the International Maritime Security Construct, formerly known as Operation Sentinel, will protect ships transiting the Persian Gulf, Gulf of Oman and Bab el-Mandeb.
- **Ex-Twitter Employees Charged in Saudi Plot:** Two former Twitter employees and a Saudi national were charged by the U.S. with helping the Saudi government spy on dissidents who used the social network. "Saudi agents mined Twitter's internal systems for personal information about known Saudi critics and thousands of other Twitter users," U.S. Attorney David Anderson in San Francisco said yesterday in a statement announcing the criminal complaint. Twitter said it's committed to protecting those who use its service and applauded the Justice Department's actions.
- **Nile Powers Set New Deadline to End Dam Spat:** Egypt, Ethiopia and Sudan set a Jan. 15 deadline to reach an agreement on the filling and operation of a giant Ethiopian dam on a Nile tributary after a U.S.-brokered meeting sought to ease rising tensions. The commitment followed the U.S.'s first significant intervention in the long-running dispute over the Grand Ethiopian Renaissance Dam, which has put two of Washington's most prominent African allies at odds over the use of crucial freshwater supplies.
- **Trump Bid to End DACA Puts SCOTUS in Fray:** The U.S. Supreme Court is again poised to test the bounds of Trump's presidential powers, this time in a politically charged clash over the fate of 700,000 people who were brought into the country illegally as children. The case, set for argument Tuesday, will mark the climax of Trump's two-year campaign to unravel former President Barack Obama's Deferred Action for Childhood Arrivals program. DACA, as it's known, protects those immigrants from deportation and lets them seek jobs. The dispute is timed to be decided during the heart of next year's presidential campaign, underscoring the stakes for the divisive subject of immigration and for the court itself.
- **Court Searches for Limits on Clean Water Act Program:** The Supreme Court appears willing to set limits on the Clean Water Act's signature permitting program, but seems unsure where to draw the line. During yesterday's oral arguments, the justices wrestled with a fundamental question of the law's reach: Are permits required for pollution that takes an indirect route to federal waters?
- **DOJ Plans 'Expeditious' Tech Antitrust Probe:** The Justice Department plans to move quickly in analyzing how giant technology companies operate and whether they're engaging in anti-competitive behavior, the department's deputy said. "We look to do this in an expeditious manner," Deputy Attorney General Jeffrey Rosen said in a recent interview. "We do not see this as one of these open-ended, goes-on-forever deals."

Rosen provided the most extensive comments to date about the Justice Department review announced in July into whether market-lea ding online platforms are engaging in practices that have reduced competition, stifled innovation or harmed consumers.

- **Student Loan Expert Joins Education Dept.:** Colleen Campbell, the director of postsecondary education at the progressive Center for American Progress, will join the Education Department later this month to assist on a project known as NextGen that aims to modernize the student loan repayment system. Campbell will serve as director of strategic communications for NextGen at the Office of Federal Student Aid. FSA manages the \$1.5 trillion U.S. student loan portfolio.
  - As one of three performance-based federal organizations, the FSA has more independence than other offices at the department. Campbell has researched issues related to loan repayment and frequently commented on the NextGen project and other developments at Federal Student Aid.