

American Nephrology Nurses Association

Daily Capitol Hill Update – Friday, November 8, 2019

(The following information comes from Bloomberg Government Website)

Schedules: White House and Congress

WHITE HOUSE

- 9:45am: Trump departs White House en route to Georgia
- 12:10pm: Trump arrives at The Whitley, Atlanta Buckhead; participates in a roundtable with supporters at 12:45pm
- 1:25pm: Trump delivers remarks at fundraising committee luncheon
- 2:30pm: Trump arrives at Georgia World Congress Center to launch Black Voices for Trump Coalition at 3pm
- 9am: VA Sec. Robert Wilkie holds press briefing at White House

CONGRESS

- Senate returns Tuesday at 3pm to resume consideration of Chad Wolf to be Undersecretary of Homeland Security
- House returns next week

Congressional, Health Policy, and Political News

- **Senate Drug Bills Stuck:** Two bipartisan pairs of lawmakers tried to get the Senate to pass their drug-pricing bills yesterday only to see them held up over demands they be wrapped into wider-ranging legislation. Sens. John Cornyn (R-Texas) and Richard Blumenthal (D-Conn.) sought to get their bill that would restrict drugmakers from gaming the patent process passed in the Senate by unanimous consent, where the chamber can pass legislation if no one objects. At the same time, Sens. Dick Durbin (D-Ill.) and Chuck Grassley (R-Iowa) tried to do the same with their measure to require drugmakers to disclose the cost of their products in certain advertisements.
 - Objections were raised privately over both bills but talks continue over getting both and possible other drug-pricing measures passed next week, according to senators and aides. “There’s a feeling that maybe there’s an opportunity here to do a broader approach and another bill with it and that folks want to take advantage of that opportunity,” Blumenthal said.
- **Hospital Consolidation Tied to Rising Costs:** Medicare’s efforts to pay the same rate for medical services provided in doctors’ offices and hospital outpatient departments could reduce the growing incentive for hospitals to acquire physician practices, according to an upcoming advisory panel report. The preliminary report, presented at a Medicare Payment Advisory Commission meeting yesterday, will support prior research that found increasing hospital purchases of physician practices is fueling higher

prices for commercial insurers and for Medicare, which pays more for services provided in hospital-based settings than at doctors' offices.

- **Trump Health-Worker Religious Rule:** A second court in two days has tossed out the Trump administration's rule that allows health-care workers to deny care based on their religious and moral beliefs. Judge Stanley A. Bastian of the U.S. District Court for the Eastern District of Washington vacated the rule from the bench yesterday, court staff told Bloomberg Law. An opinion will be coming in the next few days, the staff member said. The court granted summary judgment to the state of Washington, which was challenging the rule.
- **Mulvaney Subpoenaed in Impeachment Inquiry:** Trump's acting Chief of Staff Mick Mulvaney has been subpoenaed to appear for a deposition this morning, according to an official working on the impeachment inquiry. Mulvaney, who earlier had been invited without subpoena to speak today to the committees leading the inquiry, had not been expected to show up, said other officials. All the officials were granted anonymity to discuss the matter.
 - Mulvaney is seen as a central figure in the investigation. He acknowledged in an Oct. 17 press conference that Trump and the White House blocked nearly \$400 million in security assistance for Ukraine.
 - In early October, the Intelligence, Oversight and Reform and Foreign Affairs committees had issued a subpoena to Mulvaney for documents as part of their impeachment inquiry, but officials on those panels say it has been ignored.
- **Trump Wanted Ukraine to Tie Biden, Clinton and Probe:** The message from the White House was clear: Ukraine's new president needed to announce his country would investigate a company tied to Joe Biden's son and an unsubstantiated theory about Ukraine-supported interference in the 2016 U.S. presidential election.
 - "Investigations, Biden and Clinton" was the three-word shorthand being pushed from President Donald Trump through channels onto Ukraine President Volodymyr Zelenskiy, testified a senior State Department official, George Kent, to House impeachment committees last month. Trump "wanted nothing less than President Zelenskiy to go to the microphone and say investigations, Biden and Clinton," Kent testified he was told, according to a transcript of his testimony released yesterday.
- **Democrats Design Plans to Tax Rich:** Moderate Democrats in Congress are crafting viable alternatives to Sen. Elizabeth Warren's (D-Mass.) wealth tax, amid increasing concerns that her soak-the-rich strategy won't pass even if the party captures both chambers of Congress in 2020. With growing confidence that they could win the White House and Senate in 2020 and maintain their House majority, Democrats are devising ideas that could raise trillions of dollars from the wealthy without the technical and constitutional challenges of Warren's wealth tax, which Sen. Bernie Sanders (I-Vt.), her rival on the party's left flank, has also embraced.

- CRs Could Hike Weapons Costs:** Another stopgap budget measure from Congress this month would threaten a raft of defense programs including the F-15EX fighter jet, Ford-class aircraft carriers, and Trump’s brand new Space Force, according to the Pentagon and military services. The Air Force had asked to buy eight of the Boeing F-15EX jets for \$1.1 billion but that pricing could increase if a purchase is delayed by a continuing resolution over six months, the service said. The Navy says it risks missing a payment on two new carriers and shouldering potentially higher total purchase costs.
- Domestic Violence Bill Negotiations Fall Apart:** Sen. Joni Ernst (R-Iowa) threw cold water on the possibility of the Senate passing bipartisan legislation to update the Violence Against Women Act, saying months-long negotiations “came to a screeching halt” this week. Senate Democrats will push for a House-passed version of the bill, which lacks support from most Republicans due to new provisions restricting the sale and ownership of firearms, Ernst said. She said on the Senate floor yesterday she plans to introduce her own proposal.
- DeVos Refuses Democrats’ Call to Testify:** Education Secretary Betsy DeVos yesterday declined a demand from House Democrats to testify on student loan forgiveness, a move likely setting up a congressional subpoena to compel her to appear. Rep. Bobby Scott (D-Va.), the chairman of the House Education and Labor Committee, has made repeated requests for DeVos to testify about the Education Department’s inaction on debt relief applications – known as borrower defense claims – filed by former students of the shuttered for-profit Corinthian Colleges chain. According to an Education and Labor aide, Scott is considering his options, including issuing a subpoena.
- Preventing School Shootings:** The Secret Service could provide more training that schools are demanding to help prevent mass attacks under bipartisan, bicameral legislation, U.S. Secret Service acting Director James Murray said at a press conference yesterday. Murray unveiled the federal government’s most comprehensive report yet analyzing school violence. It showed that 89% of attackers displayed concerning or prohibited behavior that should’ve been met with an immediate response from school or local officials, but less than half of cases were countered with such a response, like calling the police or expulsion. The bill from Sen. Chuck Grassley (R-Iowa), which would dedicate funding for the agency’s efforts with schools, has yet to receive a hearing.
- Temporary Protected Status:** Concerns about the political liability of a mass deportation during the 2020 election cycle appears to have driven Trump administration officials to try to expedite the ending of temporary protected status for nearly 400,000 individuals, according to an investigation by Senate Foreign Relations Committee Democrats released yesterday.

 - The State Department in 2017 recommended ending protections in 18 months for individuals from El Salvador, Honduras and Haiti who had been in the US for years due to natural disaster or unrest in their countries, the report said. This was

despite concerns from top diplomats that such a move would lead to more irregular migration and increased MS-13 gang recruitment. Last week the administration extended TPS protections until 2021.

- **Sharing Info on Counterfeits:** Congress should act to allow U.S. Customs and Border Protection to share additional information with trademark owners, common carriers, and e-commerce platforms on counterfeit goods, a Senate Finance Committee staff report said. Greater information sharing by Customs with the private sector would help identify counterfeiters' products and shipping practices, resulting in better intellectual property protection, according to the report released yesterday.
- **Biden Tries to Win Back Catholic Voters:** Joe Biden took the stage at a Catholic college in Dubuque, Iowa, and spoke of faith and hope and the soul of America — themes that borrow from his religious upbringing that he's betting will pry a key constituency away from Trump. Catholic voters could be a deciding factor in whether Democrats win the White House in 2020. And Biden, a 76-year-old Catholic educated by nuns in Scranton, Pa., is making an overt attempt to win them back.
- **Bloomberg Considers Run:** Former New York City Mayor Michael Bloomberg is once again considering a run for president in 2020, with an adviser saying he is concerned that the current crop of Democratic contenders will not be able to defeat Trump. Bloomberg, 77, had considered a run earlier this year but chose not to run and instead support Democrats in regaining control in Washington. Now he is open once again to running against Trump himself.
- **Sessions Jumps Into Alabama Race:** Jeff Sessions said he'll run for the U.S. Senate seat in Alabama that he vacated in 2017 to become Trump's first attorney general, a return to politics that could be challenging given his tumultuous relationship with the president. Sessions, 72, a former top Republican on the Senate Judiciary and Budget panels, easily held onto his seat for two decades, and his entry shakes up the race to defeat Democratic incumbent Doug Jones. He announced his candidacy last night in a video and statement on his campaign's website, and said he remains a strong Trump supporter despite "our ups and downs."
- **Phase-One China Deal Would Include Tariff Rollback:** The U.S. and China have agreed to roll back tariffs on each other's goods in stages as negotiations continue over resolving the more than yearlong trade war, officials on both sides 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," China's Ministry of Commerce spokesman Gao Feng said yesterday. White House economic adviser Larry Kudlow confirmed the advance in negotiations.

- **Diplomats Keep Negotiating on Climate:** Trump may be withdrawing the U.S. from the international Paris accord to fight global warming, but he's still sending a delegation to the world's largest climate change summit next month. The U.S. will dispatch a team to the United Nations's annual climate change gathering in Madrid that will mirror the delegation at last year's summit, according to the State Department, signaling that the group will probably consist of career diplomats and lower-ranking officials. The delegation will engage in negotiations to protect U.S. interests and ensure a level playing field for U.S. businesses, the agency said.
- **Pompeo Urges NATO Allies to Step Up:** Standing up to authoritarian regimes like China and Russia and "protecting freedom" is a tough task that needs greater joint effort from North Atlantic Treaty Organization allies, according to Secretary of State Mike Pompeo. Speaking in Berlin a day after French President Emmanuel Macron questioned the effectiveness of NATO, Pompeo said today the U.S. demands more from its partners in the alliance "because western, free nations have a responsibility to deter threats to our people, and we're stronger together."
- **Trump Taps Perry Replacement:** Trump has formally chosen the Energy Department's No. 2 official to replace Secretary Rick Perry. Trump had been saying he planned to elevate Dan Brouillette, a former George W. Bush administration official, to the post. The promotion, which was announced by the White House on Thursday, had been anticipated by many in Washington energy circles. Perry said he plans to leave the agency by Dec. 1. Brouillette will be the acting secretary immediately after Perry departs, but unlike officials serving in an acting capacity at other agencies, the White House has sent his name to the Senate for a confirmation vote.
- **Immigration Filings Deleted:** The apparent deletion of nearly a million immigration court records – including applications for deportation relief – by the Department of Justice is drawing scrutiny from the head of the National Association of Immigration Judges. Union President Ashley Tabaddor called the findings "unacceptable" in a statement Tuesday, pointing out such records are used to make policy and Supreme Court decisions. The University of Syracuse, which has tracked immigration court cases for decades, pointed out the missing files last week. The immigration court system has been under immense pressure to clear a backlog of more than million cases amid a surge of migrants this year.