

American Nephrology Nurses Association

Daily Capitol Hill Update – Thursday, February 13, 2020

(The following information comes from Bloomberg Government Website)

Schedules: White House and Congress

WHITE HOUSE

- 3pm: President Trump meets with New York Gov. Andrew Cuomo
- Vice President Mike Pence in South Carolina for fundraiser; also speaks to South Carolina Corps of Cadets

CONGRESS

- Senate meets at 9:30am; set to vote on amendments to S.J.Res. 68, a measure that would curb President Trump’s authority to take military action against Iran without congressional authorization
 - Senate expected to vote on passage in afternoon
- House meets at 9am; last votes expected 11:30am
 - Set to consider H.J. Res. 79, relating to the ratification of the Equal Rights Amendment
 - 8:30am: House Judiciary subcommittee to hold hearing to evaluate the protections in place against judicial misconduct

Congressional, Health Policy, and Political News

- **Purdue Seeks Approval to Make New OD Drug:** Purdue Pharma is asking the bankruptcy court for permission to partner with another drugmaker to develop a new treatment for overdoses due to fentanyl and other synthetic opioids. In a redacted motion filed with the U.S. Bankruptcy Court for the Southern District of New York, Purdue said the unnamed partner “develops and commercializes pre-loaded drug device combinations” using a pre-filled syringe and a “proprietary autoinjector platform.”
- **Organ Transplant Procurers Scrutinized:** Senate Finance Chairman Chuck Grassley (R-Iowa) and ranking member Ron Wyden (D-Ore.) are raising questions about how the organization that manages organ transplantation in the U.S. monitors the federal contractors who evaluate and procure organs. The two senators, along with Sens. Todd Young (R-Ind.) and Ben Cardin (D-Md.), want to know how the United Network for Organ Sharing monitors and handles the approximately 60 federal contractors responsible for connecting organ donors and recipients.
- **Azar on Budget:** Health and Human Services Secretary Alex Azar will testify today on the Trump administration’s budget request before the Senate Finance Committee.

- **Democrats Accuse GOP of Fake Census:** A Republican National Committee-marked mailing circulating in several states that mimics an official U.S. Census survey has stoked outcry from Democrats worried it will lead to an inaccurate decennial headcount. “It’s outrageous,” said House Oversight Chairwoman Carolyn Maloney (D-N.Y.) following a hearing with Census Director Steven Dillingham. “The RNC is sending out documents that look like the Census when they’re complete fraud,” she said. Maloney said she planned to review a 2010 statute she sponsored that makes such mailings illegal to see if it would carry a possible punishment of jail or a fine.
 - The RNC didn’t immediately respond to an emailed request for comment, and multiple attempts to reach the RNC by phone were unsuccessful. A person answering the number on the mailing said she was a contractor and that the RNC did sponsor the survey. She promised to relay questions to the committee.
- **GOP Foray Into Climate Triggers Backlash:** House Minority Leader Kevin McCarthy (R-Calif.) had barely finished presenting his party’s modest plan to fight climate change when conservatives began piling on in opposition. The free market-group American Energy Alliance dismissed it as a “Republican-led Green New Deal lite” that amounted to a “climate messaging exercise.” The Competitive Enterprise Institute called it “bad policy that will not bring any political relief.” And the Club for Growth vowed to not endorse any candidate who backs what it called the Republican “liberal” climate plan.
 - The swift blowback illustrates the challenges facing those trying to shed the party’s climate-denying reputation that alienates young voters and polls well for Democrats. The fierce criticism also illustrates the limits of pragmatism for a party long backed by groups that question climate change.
- **Wilderness Area Expansion:** The House yesterday passed largely along party lines a Democratic package that would set aside 1.3 million acres of public lands in California, Colorado, and Washington state as protected wilderness areas. The vote on the Protecting America’s Wilderness Act by Rep. Diana DeGette (D-Colo.) was 231-183 after debate on over a dozen amendments on the floor. The legislation also would add nearly 1,000 miles of U.S. rivers to the National Wild and Scenic Rivers Systems.
- **Democrats Sprint Into 16-State Nomination Frenzy:** The Democratic presidential candidates have spent their summers at the Iowa State Fair and fall weekends at New Hampshire diners, trying to win over one voter at a time in the two early states that can make or break a campaign. Now, the campaign explodes into a geographic and demographic battle that will test the candidates’ national appeal, fundraising prowess and staying power. All five top-tier candidates seem likely to get to the next big contest, Super Tuesday on March 3. For all the hubbub surrounding the Iowa caucuses and the New Hampshire primary, five candidates have split less than 2% of the delegates to the Democratic presidential nomination. Now it’s a mad dash for another 44% up for grabs in the next three weeks.

- **Klobuchar Seeks Boost After N.H.:** Senator Amy Klobuchar (D-Minn.) arrived in New Hampshire after a fifth-place showing in Iowa with nothing but questions surrounding her candidacy. Now she has to show that her surprise third-place finish in the Granite State is more than just a fluke. Powered by a strong debate performance last week, Klobuchar defied expectations by getting almost 20% of the vote Tuesday, coming behind Sen. Bernie Sanders (I-Vt.) and former South Bend Mayor Pete Buttigieg, but ahead of heavyweights Sen. Elizabeth Warren (D-Mass.) and former Vice President Joe Biden.

 - With the Democratic nomination contest moving to Nevada and then South Carolina in the next two weeks, Klobuchar is trying to build on her newfound momentum. A few hours after polls closed in New Hampshire, the Klobuchar campaign announced it had raised more than \$2.5 million, on top of another \$4 million that came in over the weekend following the debate last Friday.
- **Bloomberg Tries to Move Past 'Stop and Frisk':** Former New York City Mayor Michael Bloomberg yesterday sought to move past a controversy surrounding comments he made in 2015 that crime in minority communities justified stop-and-frisk policing when he was mayor. He predicted that black voters will still support him. "Those words don't reflect the way that I've governed, or the way that I run my company or the way that I live," Bloomberg told reporters after a campaign stop in Chattanooga, Tenn., saying he was re-elected twice in one of the most diverse U.S. cities.
- **Top Iowa Democrat Resigns:** The chairman of the Iowa Democratic Party resigned yesterday after overseeing a botched presidential caucus that led to days of confusion, chaos and anger as campaigns and voters waited for the final results. Troy Price will be likely be replaced by an interim chairman, state Rep. Mark Smith. The election of an interim leader will take place on Saturday and Price's resignation will be effective once that person is selected.

 - In a letter to the party's state central committee Price said he was "deeply sorry" for what happened with the results and bore "the responsibility for any failures on behalf of the Iowa Democratic Party."
- **Fed Independence Gets Bipartisan Support:** Republican and Democratic senators urged Jerome Powell to defend the independence of the Federal Reserve, a bipartisan show of support after Trump renewed his public assault on the central bank of the U.S. and its chairman. "Stay independent. I think you're doing a great job," Sen. John Kennedy (R-La.) told Powell during testimony before the Senate Banking Committee. "Call them like you see them."

 - The encouragement, echoed by others including Sens. Mike Rounds (R-S.D.) and Mark Warner (D-Va.), follows repeated Trump criticism and comes a day before the panel's hearing for the president's latest picks for the bank's Board of Governors. The Senate will consider Christopher Waller, currently the head of research at the St. Louis Fed, and Judy Shelton, who was an economic adviser to Trump's campaign.
 - Meanwhile, Shelton and Waller, two wildly different economists, will face Senate scrutiny today as part of Trump's contentious effort to shake up the Fed and its board of governors. Waller is a long-time Fed economist who seems almost certain to

win approval from Democrats and Republicans on the Senate Banking Committee. Shelton is another matter. If confirmed, Shelton would bring a radically different view of the Fed and its congressional mandate to steer the economy -- and place a Trump loyalist at the very heart of the central bank.

- **Labor Pick Sent to Senate:** The agency that protects federal workers' union rights again has a nominee for its general counsel position, which is responsible for prosecuting unfair labor practice charges in cases involving government employees, unions, and agencies. Trump renominated Catherine Bird to be general counsel at the Federal Labor Relations Authority. The Senate didn't vote at the end of the first session of the 116th Congress to hold over Bird's earlier nomination, which was then returned to the president. Bird's new nomination was sent to the Senate yesterday.
- **Ex-Kavanaugh Clerk Tapped for Judgeship:** Trump plans to nominate a former Brett Kavanaugh clerk and a Gibson Dunn partner, both women, to federal judgeships in New York, the White House said. Saritha Komatireddy is the intended nominee for a seat on the U.S. District Court for the Eastern District of New York. She served as a clerk for Kavanaugh, now a U.S. Supreme Court justice, while he sat on the U.S. Court of Appeals for the District of Columbia Circuit. Komatireddy is currently deputy chief of general crimes in the U.S. Attorney's Office for the Eastern District of New York, which includes Brooklyn. She previously was in private practice at Kellogg, Hansen, Todd, Figel & Frederick.
- **FERC General Counsel Pick:** The White House resubmitted its nomination for FERC General Counsel James Danly to become a commissioner on the energy regulator, according to a notice of nominations sent to the Senate. Danly was originally nominated last year, but he didn't receive a confirmation vote. Danly would serve the remainder of former Commissioner Kevin McIntyre's term that ends June 30, 2023.
- **Yovanovitch Slams State Department Leadership:** Marie Yovanovitch, the former U.S. ambassador to Ukraine who became a key witness in Trump's impeachment, faulted what she called a lack of vision among senior State Department leaders and an "amoral, keep 'em guessing" policy approach. "We need to be principled, consistent and trustworthy," Yovanovitch said yesterday at Georgetown University in Washington, in her first public comments since the impeachment saga ended.
 - Meanwhile, Sens. Chris Murphy (D-Conn.), Ron Johnson (R-Wis.) and John Barrasso (R-Wyo.) are traveling to Ukraine Friday to meet with President Volodymyr Zelenskyy. "Trump may have gotten away with the corruption of the U.S.-Ukraine relationship, but that can't stop us from trying to rebuild bipartisan support for the alliance," Murphy said in a tweet.
- **China Virus Cases Jump by 15,000 as Top Officials Ousted:** New cases in China jumped by almost 15,000 after Hubei province, the epicenter of the coronavirus outbreak, revised its method for counting infections. Two top officials were removed in the biggest political fallout so far from the epidemic. The European Commission singled out the outbreak as a

“key downside risk,” and the International Energy Agency warned global oil demand will drop this quarter for the first time in more than a decade.

- **Trump ‘Fine’ If Philippines Quits Military Deal:** Trump said he “didn’t mind” that the Philippine government terminated a military agreement with the U.S., a day after Defense Secretary Mark Esper called the decision a “move in the wrong direction.” At a White House meeting yesterday, Trump added he had a good relationship with Philippines President Rodrigo Duterte. The decision to terminate the agreement was seen as a pivot by Duterte’s government toward China and could complicate U.S. efforts to contest Beijing’s influence in the South China Sea.
- **U.S. Weighs Higher Tariff Ceilings:** The U.S. is weighing a plan to increase its long-standing ceiling on tariffs in a move meant to trigger a renegotiation of relationships with fellow World Trade Organization members and step up its assault on the global trading system. Trump and his aides have long complained about the fact that other countries can charge higher tariffs on certain products than the U.S. does. They cite examples such as steeper European passenger-car duties and Indian motorcycle tariffs as evidence of the way they believe global trading rules are tilted against America.
- **No U.K. Digital Services Tax:** Treasury Secretary Steven Mnuchin told senators yesterday that the United Kingdom won’t collect revenues from its proposed digital-services tax this year, as international talks to prevent a global tax war on the issue continue. Mnuchin described the digital-revenue tax already enacted by France as an “unfair attack on U.S. companies.” He credited Trump for delaying France’s collection of the tax while talks at the multinational Organization for Economic Cooperation and Development play out.
- **Stone Faces Judge Who Has Spurned and Sided With Trump:** The judge who will sentence Roger Stone is an Obama appointee who’s drawn scorn from the president for her handling of the criminal case against Paul Manafort and a civil lawsuit involving Hillary Clinton. U.S. District Judge Amy Berman Jackson will decide on Feb. 20 how much prison time to give Stone, a longtime Republican political operator and presidential confidant who publicly antagonized her before his trial.
 - The Justice Department complicated her task on Tuesday when it backed off its recommendation of a seven- to nine-year prison sentence for Stone. Later in the day, Trump took direct aim at Jackson. “Is this the Judge that put Paul Manafort in SOLITARY CONFINEMENT, something that not even mobster Al Capone had to endure?” he tweeted, even though Manafort’s confinement was ordered by corrections officials. “How did she treat Crooked Hillary Clinton? Just asking!”
- **FTC Turns Up Heat With DOJ in Dueling Tech Probes:** On paper, the Justice Department and the Federal Trade Commission are co-equals when it comes to making sure companies compete freely and fairly. Lately, however, the two antitrust enforcers seem to need a referee of their own as they pursue dueling probes of the U.S.’s internet giants. The FTC appeared to be firing a shot at colleagues over at the Justice Department’s antitrust division

on Tuesday when it announced that it's demanding information on hundreds of smaller acquisitions by five technology giants that avoided regulatory scrutiny over the last decade.

- The Justice Department, under the close watch of Attorney General William Barr, is already running its own broad inquiry of the huge internet platforms. So are most states and several congressional committees. Companies "trying to make decisions with some level of comfort and certainty" are finding out that there is little of either, said Barbara Sicalides, a partner at law firm Pepper Hamilton. "That is very scary for businesses."

- **Harvard, Yale Under U.S. Probe:** The Education Department is investigating Harvard and Yale universities over funding that they may have received from foreign countries. The department sent letters to the universities yesterday requesting records related to gifts or contracts from a foreign source. The letters were posted on the department's website. The U.S. is seeking to collect more information on overseas money to colleges and wants better reporting of that funding.

- **Graduate Loans Get Big Subsidies:** Income-driven repayment options for student loans will lead to costly subsidies for graduate education over the next decade, the Congressional Budget Office reported yesterday. Graduate loans repaid on those plans will have \$167.1 billion forgiven, the CBO projects. That's well over half the total federal loans that'll be disbursed for graduate programs over the next 10 years.