

American Nephrology Nurses Association

Daily Capitol Hill Update – Friday, February 14, 2020

(The following information comes from Bloomberg Government Website)

Schedules: White House and Congress

WHITE HOUSE

- 11:45am: President Trump receives intelligence briefing
- 2:30pm: Trump delivers remarks to National Border Patrol Council Members at White House
- 4pm: Trump and First Lady Melania Trump depart Washington en route to Mar-a-Lago

CONGRESS

- House meets at 11am for pro forma session; no votes expected
- Senate remains adjourned; expected to next convene at 3pm on Feb. 24

Congressional, Health Policy, and Political News

- **White House Awaiting Supreme Court for Obamacare Plan:** The Trump administration won't release a plan if the Affordable Care Act is struck down "until final judgment" by the Supreme Court, Azar told the Senate Finance Committee yesterday. The litigation has a long way to proceed, Azar said after a question about the administration's response to Dec. 18 federal appeals court decision that found a key piece of the original 2010 law unconstitutional.
- **Revamp of Hospital Assessment Metrics:** The Trump administration plans to overhaul the measurements that federal health programs use to assure quality care for patients in the coming year, a top HHS official said. An administration "roadmap" will outline how HHS, the Defense Department, and the Department of Veterans Affairs plan to rework the thousands of quality metrics across the federal government, HHS Deputy Secretary Eric Hargan said.
 - Health-care providers have to collect and report information on what they're doing to improve health for their patients, the outcomes of those actions, and how patients feel about their care in order to receive bonus payments from Medicare or private insurers. The quality measures are publicly available for patients to see, but they are often difficult to use.
- **Foreign Nations' Drugs Payments:** The Trump administration criticized foreign governments' efforts to reduce drug prices in a new report, even as both Trump and Congress consider measures of their own to control the prices of medicines in the U.S. The report, published yesterday by the White House Council of Economic Advisers, argues that coordinated drug-purchasing efforts in countries, often by government-run programs, result

in lower drug prices compared to the U.S. The report describes such a practice as “free-riding.”

- The CEA’s report strongly echoes arguments from the pharmaceutical industry. It argues that lower drug spending globally erodes the resources available for researchers to develop new drugs. The analysis shows that other industrialized countries spend much less than the U.S. on drugs, and argues that a truly free market would see them all pay more, rather than the U.S. paying less. The CEA report was published as the U.S. considers policies that would essentially copy those countries.
- **CBO Report on Surprise Billing Plan:** The nonpartisan Congressional Budget Office yesterday said in a report that surprise medical billing legislation by the House Education and Labor Committee (H.R. 5800) would save \$23.8 billion over 10 years, a comparable figure to a competing measure introduced by the House Energy and Commerce Committee.
- **Nevada Union Won’t Endorse:** Nevada’s powerful Culinary Workers Union has declined to endorse a Democratic candidate ahead of the state’s Feb. 22 caucus, depriving Joe Biden of a needed boost to his campaign. The union’s decision not to back anyone deprives Biden of a chance to rally his flagging candidacy and to add organizational muscle. The group meanwhile criticized the Medicare for All proposal from Sen. Bernie Sanders (I-Vt.) yesterday, which it warned would replace the health care benefits the labor group has negotiated over the years.
- **Biden Shores Up Staff:** Joe Biden is betting big on Nevada and South Carolina. His campaign is moving 60 staffers to both states ahead of the Feb. 22 Nevada caucuses and the Feb. 29 South Carolina primary. After poor showings in Iowa and New Hampshire, Biden said he views the first four states as a group, while highlighting South Carolina in particular as a state where he expects to do well. “The rest of the nation is out there,” Biden said. There is a risk to the approach, as some of the staffers are being moved from Super Tuesday states voting on March 3.
- **Trump Aide Floated for Banking Job:** The Trump administration is considering nominating a top official on the National Security Council for the No. 2 job at the Inter-American Development Bank, according to people familiar with the matter. Mauricio Claver-Carone, the senior director of the NSC for Western Hemisphere Affairs, is being considered to be the executive vice president for the IDB, as the Washington-based lender is known. John Scott, a career employee of the IDB, is serving in the job on an interim basis after Brian O’Neill, who started at the post in January 2019, died in December.
- **Huawei Wins Extension From U.S. Ban:** Huawei Technologies got an extension that delays a ban on some U.S. mobile providers buying parts from the Chinese gear maker, the U.S. Commerce Department said yesterday. The department in a notice said a 45-day extension is needed to provide rural telecommunication providers the ability to operate existing networks while they identify alternatives to gear from Huawei. U.S. officials have said

Huawei poses an espionage threat, and have urged allies to omit its gear from their 5G networks.

- **Duterte Tests Trump Over Alliance:** Over the years, Rodrigo Duterte's regular rants about the U.S. appeared to amount to little more than bluster. This week the Philippine leader finally moved to dismantle an alliance that's endured since World War II. Duterte's administration notified the U.S. it would terminate the Visiting Forces Agreement, which has governed military cooperation between the two countries since 1998. It's key to implementing a mutual defense treaty signed in 1951, shortly after the Philippines achieved independence from the U.S.
- **War Powers Resolution, Nominations and More After Recess:** House and Senate lawmakers have departed Washington for a week-long recess.
 - When they return the week of Feb 24, the House could begin consideration of the Senate-passed resolution that seeks to limit Trump's military power in Iran. The House will take up the resolution in the coming weeks, according to statement by Speaker Nancy Pelosi (D-Calif.). Trump needs to "work with Congress on a de-escalatory strategy that will protect American lives and interests," Pelosi said. The Senate passed the measure yesterday with support from eight Republicans, short of the two-thirds majority that would be need to overcome Trump's veto threat.
 - When the Senate returns, it will resume consideration of the nomination of Robert Molloy to be a judge for the District Court of the U.S. Virgin Islands.
 - Senate Majority Leader Mitch McConnell (R-Ky.) yesterday also set up action on two bills that could come for a vote when they return, according to aides for Sen. Lindsey Graham (R-S.C.). Graham, chairman of the Senate Judiciary Committee, held a hearing on the "Born-Alive Abortion Survivors Protection Act" this week. Graham also introduced a second bill that would bar abortions after five months of pregnancy.
- **No Resolution to Global Entry Ban:** Trump and New York Gov. Andrew Cuomo (D) failed to reach an agreement yesterday to resolve a dispute over the Trump administration's decision to ban New York State residents from using programs that allow speedier customs and immigration checks. Trump and Cuomo met at the White House to discuss the Homeland Security Department announcement last week that it would no longer permit New York state residents to sign up for or renew their enrollments in Trusted Traveler programs, citing federal limits on access to driver's license data intended to protect undocumented people.
- **Shelton Isn't Being Pulled:** Trump's pick for the Federal Reserve Board, Judy Shelton, came under fire from Republican lawmakers yesterday, signaling trouble ahead for her nomination. However, the White House said Shelton's nomination is not being withdrawn after reports that Trump was expected to pull his selection. Speaking to reporters after a Senate Banking Committee hearing on her appointment, Sens. Richard Shelby (R-Ala.), Pat Toomey (R-Pa.) and John Kennedy (R-La.) all said they had not decided if they would vote

for her confirmation. While the White House expressed confidence that Shelton would be confirmed, a person familiar with the matter said last night that Trump's top economic adviser, Larry Kudlow, would be pressing members of the committee to approve her nomination.

- **Energy Secretary Replaces Top Cyber Official:** Karen Evans, the Energy Department's top cybersecurity official, is being replaced with an expert from the National Security Agency, according to a memo sent to agency staff yesterday. The Office of Cybersecurity, Energy Security and Emergency Response will now be directed by Alexander Gates, Secretary Dan Brouillette said in the note to staff. CESER was created in 2018 to combat growing cyber threats against the electricity grid and other critical infrastructure.
- **Stall Trump's Rules for Environmental Reviews, Group Tells Court:** Environmental lawyers have asked a federal court to block the Trump administration from finalizing changes to National Environmental Policy Act regulations. The Southern Environmental Law Center yesterday pushed the U.S. District Court for the Western District of Virginia to issue a preliminary injunction that would bar the White House's Council on Environmental Quality from locking in proposed changes to NEPA rules. SELC sued the Trump administration in 2018 under the Freedom of Information Act, seeking documents related to the Council on Environmental Quality's consideration of updated regulations. The group now says the Charlottesville, Va.-based court should block CEQ from finalizing any changes until the FOIA litigation concludes.
- **Google's Waze Deal Is a Likely Target of FTC:** The Federal Trade Commission just ordered major technology companies to fork over details on waves of small acquisitions made during the last decade. A more sizable deal is also seen as a target for the regulator: Google's \$1.1 billion purchase of mapping app Waze. The FTC quickly approved the 2013 transaction, but antitrust experts say the regulator will take a second look because it combined two popular digital mapping services under the same corporate roof, eliminated a fast-growing Google rival and solidified the internet giant's grip on valuable data.
 - Bilal Sayyed, the FTC's director for the Office of Policy Planning, told reporters on Tuesday that the agency is planning to examine many deals that were reviewed in the past, while declining to share specific examples. "Certainly, Waze is one of them," said Robert Litan, a partner at Korein Tillery and former Justice Department antitrust official. Google declined to comment.