

American Nephrology Nurses Association

Daily Capitol Hill Update - Friday, February 7, 2020

(The following information comes from Bloomberg Government Website)

Schedules: White House and Congress

WHITE HOUSE

- 11am: Trump departs White House for N.C.
- 1:20pm: Trump delivers remarks at Opportunity Now summit
- 4pm: Trump set to return to White House
- 7:30p.m.: Trump scheduled to deliver remarks at Republican Governors Association finance dinner event in Washington

CONGRESS

- House meets at 9am; votes expected between 11am-12pm
 - Set to vote on emergency supplemental for Puerto Rico
- Senate returns Monday

Congressional, Health Policy, and Political News

- **House Rebukes Trump's Medicaid Block Grant Plan:** The House yesterday agreed to a resolution disapproving of a Trump administration policy that would permit states to convert parts of their Medicaid programs into block grant-style funding systems. The resolution (H. Res. 826), passed by a 223-190 vote, doesn't actually make any changes to federal policy. However, Democrats argue they need to oppose any effort to undercut Obamacare's expansion of the public health insurance program for the poor. "This White House is putting Medicaid on a chopping block," Rep. Bonnie Watson Coleman (D-N.J.) said.
 - The Trump administration proposal, announced late in January, would let the federal government give states a lump sum to spend on Medicaid instead of the currently unlimited amount of funding it can give, which grows and shrinks based on state need. Administration officials say the shift would give states the opportunity to lower what they spend on Medicaid and reap some of the savings for other public programs.
- **Bipartisan Diagnostic Test Bill:** Lawmakers are slated to introduce legislation this month that would change the way the FDA regulates medical screening tests, a House staffer said yesterday. The bill aims to resolve a lingering and sometimes contentious debate about whether and how the Food and Drug Administration should regulate laboratory-developed tests – diagnostics made by a single laboratory. The legislation has bipartisan, bicameral support and is set to be introduced by the end of February, the staffer said.
 - The measure would give the agency new authority over diagnostics by creating a category of medical products called "in vitro clinical tests," pulling in vitro

diagnostics out of the medical device regulations where they currently live. The new diagnostic category would cover everything from LDTs to whole genome sequencing tests to emergency coronavirus tests.

- **ACA Markets Phase-Out Plan Delayed:** A Georgia plan to eliminate the state's use of the Obamacare insurance market is on hold after the federal government agreed to the Peach State's request to delay review of the proposal. The Health and Human Services and Treasury departments deemed only the first phase of the state's plan complete and agreed to delay the state's second, boldest phase. The first phase proposes a reinsurance program to start in 2021. A reinsurance program provides payments to insurers to offset the costs of enrollees with big medical claims and enables insurers to lower premiums.
 - Georgia plans to use a combination of federal pass-through funds and state general funds for the program. Federal pass-through funds are funds the state collects for saving the federal government money.
- **White House Weighs Vindman Ouster:** The White House is weighing a plan to dismiss Vindman from the National Security Council after he testified in Trump's impeachment inquiry, two people familiar with the matter said. The White House intends to portray any house-cleaning as part of a downsizing of the NSC staff, not retaliation, according to the people.
 - Vindman was one of the Democrats' most crucial witness in their impeachment proceedings -- a decorated Army lieutenant colonel, who raised the alarm over the president's July 25 telephone call with Ukraine's leader. Before Vindman's testimony, the only account of that call came from an anonymous whistleblower whose identity has remained largely hidden to this day, and a partial transcript released by the White House.
 - Some of the officials being targeted for removal from the NSC would be reassigned because they're perceived as being disloyal to the president, three people familiar with the matter said on condition of anonymity owing to the sensitivity of personnel moves.
- **Trump Tax Fight Faces New Urgency:** Trump has another post-impeachment battle ahead with Democrats that's been brewing for almost a year: access to his tax returns.
 - The fight now is playing out in the courts, including a Supreme Court argument set for March 31. House Democrats contend they need to pry free Trump's tax records as part of their oversight duties to determine whether he's broken any tax laws, has financial ties to foreign governments or is being properly audited by the Internal Revenue Service. There's no guarantee they can get the documents they seek before November's election -- much less whether the tax filings and other financial records might show anything politically damaging to the president.
 - "It's important for us to press where necessary for as hard as possible to get everything ASAP," said Rep. Raja Krishnamoorthi (D-Ill.), a member of both the House Oversight and Intelligence committees. "I think at this point I would not be surprised if we started for expedited relief on a lot of these matters. It's clear Trump's team is going to try to litigate everything to death."

- **Granger Pushes Measure Denouncing Pelosi:** Rep Kay Granger's (R-Texas) sponsorship of a resolution denouncing Speaker Nancy Pelosi (D-Calif.) for tearing up a copy of Trump's State of the Union address may help shore up Republican support against a primary opponent, strategists from her home state of Texas said. Democrats tabled the resolution (H. Res. 832) that Republicans rallied behind.
 - Granger took the lead on the resolution less than a month before she will face Chris Putnam, a technology company executive, in a March 3 primary. Granger, the ranking Republican on the Appropriations Committee, has faced criticism that she's not been sufficiently fiscally conservative or loyal enough to Trump. Sponsoring a resolution is a sign Granger is taking Putnam more seriously than past challengers, said Brendan Steinhauser, a Texas GOP strategist who called the matchup "the marquee primary" on the Republican side.
- **House Passes Union-Backed Labor Bill:** Protections for private-sector workers to unionize would be significantly expanded under a bill passed by the House – the most significant labor legislation to clear the chamber in more than a decade. The Protecting the Right to Organize Act, passed 224-194, will lay down the battle lines for the future according to unions and businesses. The bill is more far-reaching than past attempts to revamp federal labor laws, with several provisions taking aim at the underlying causes of declining union membership and growing income inequality – a touchstone issue in the fall elections.
- **House Rebukes Trump's Medicaid Block Grant Plan:** The House yesterday agreed to a resolution disapproving of a Trump administration policy that would permit states to convert parts of their Medicaid programs into block grant-style funding systems. The resolution (H. Res. 826), passed by a 223-190 vote, doesn't actually make any changes to federal policy. However, Democrats argue they need to oppose any effort to undercut Obamacare's expansion of the public health insurance program for the poor. "This White House is putting Medicaid on a chopping block," Rep. Bonnie Watson Coleman (D-N.J.) said.
- **Jordan Tapped for Judiciary Ranking Member:** Republican lawmakers have chosen Rep. Jim Jordan (R-Ohio) to be the top GOP member on the House Judiciary Committee, Politico reported yesterday, citing multiple people with knowledge of an internal GOP Steering Committee vote. The Republican Conference still needs to approve the selection, but it typically does. Jordan is set to replace Rep. Doug Collins (R-Ga.), who recently stepped down to run for a Senate seat.
 - The Steering panel picked Rep. Mark Meadows (R-N.C.) to replace Jordan as the ranking member of the House Oversight and Reform Committee, according to a Republican leadership aide.
- **Global Entry Cutoff Draws Fury:** Democrats furious with a White House move to immediately block hundreds of thousands of New York state residents from accessing federal traveler programs promised to fight what they see as political payback. "We will not stand by while this Administration repeatedly plays politics with our homeland security,"

said Rep. Bennie Thompson (D-Miss.), the chairman of the House Homeland Security Committee.

- Acting Homeland Security Secretary Chad Wolf late yesterday said New Yorkers won't be able to enroll or re-enroll in popular expedited screening programs, like Global Entry, used at airports and other U.S. points of entry. The restriction stems from a recently enacted state law that blocks DHS offices from accessing New York motor vehicle records to confirm addresses and criminal records for trusted traveler programs, Wolf said.
- **Face-Recognition at Border Agency:** Facial recognition software that showed statistically undetectable bias against women and people of color in a recent U.S. government study will be put in place soon in systems used on travelers at airports and entry into the U.S., a top official from the U.S. Customs and Border Protection told lawmakers yesterday. "We're using a high performing vendor," John Wagner, deputy executive assistant commissioner for the border agency's Office of Field Operations, told the House Homeland Security Committee.
 - The move didn't reassure many Democrats, who said they're still worried about racial and gender bias in the technology, as well as data privacy and the security of photos taken. "Right now because we're not there, there's that reluctance to embrace it fully," Chairman Bennie Thompson said. "As one of those African-Americans who have greater propensity to be misidentified, I wouldn't hesitate to say that it has to be better."
- **Buttigieg Holds Lead With 100% of Precincts Tallied:** Pete Buttigieg holds a razor-thin lead over Sen. Bernie Sanders (I-Vt.) in the Iowa caucus with 100% of precincts reporting. Buttigieg had 26.2% of state delegate equivalents to Sanders' 26.1%, according to official results. Sen. Elizabeth Warren (D-Mass.) had 18%, Joe Biden had 15.8% and Sen. Amy Klobuchar (D-Minn.) had 12.3%. Other candidates were far behind.
 - The Associated Press, whose race calls are considered official, said yesterday it would not declare a winner in the Iowa caucus because of the tight margin and the irregularities in the caucus process. The final count was delayed for three days because of problems with a smartphone app that precincts used to report results and because of phone lines jammed by supporters of Trump and a large volume of calls due to the app's failure.
- **New Hampshire Debate Marks New Phase:** Buttigieg and Sanders will meet face-to-face on the debate stage today in Manchester, New Hampshire, amid the unanswered dispute over which one of them will come out victorious from the Iowa caucuses. Their tie in Iowa sets them up as the co-front-runners in the all-important delegate race and – for now – the standard-bearers of two distinct wings of the Democratic party: Buttigieg the Midwestern centrist, and Sanders the coastal progressive.
 - Biden and Warren, two of the most closely scrutinized candidates in the seven previous debates, are likely to go on the offensive after disappointing performances in Iowa. Biden telegraphed his punches in Somersworth, N.H., on Wednesday. He said Sanders' self-identification as a democratic socialist was hurting the party, and

that Buttigieg “has never held an office higher than mayor of a town of 100,000 people in Indiana.”

- Three other candidates will also participate in the debate at St. Anselm College: Amy Klobuchar, Tom Steyer and Andrew Yang. The debate begins at 8 p.m. Eastern Time and will be broadcast on ABC.

- **Sanders Builds California Primary Machine:** As the Democratic presidential race speeds toward the make-or-break Super Tuesday primaries, Sanders has built an operation aimed at winning the night’s biggest prize: California. Sanders’ strong ground game, enviable advertising budget and broad support positions him above his rivals there, including Biden, who has been touting his ability to win but has the smallest organization in California of any major candidate.
 - Sanders has more campaign offices there than any candidate in the race, including billionaires Michael Bloomberg and Tom Steyer, who lives in the state. He’s the only non-billionaire advertising in California and is leading among young voters, liberals and Latinos, who could make up one-fourth of the Democratic electorate in the state.

- **Warren Apologizes to Black Women For Nevada Office Culture:** Warren offered a public apology yesterday after female staff in her Democratic presidential campaign’s Nevada office said the culture there was so unfriendly to minorities that several of them resigned. Speaking to reporters in New Hampshire, Warren called the women who left the campaign’s Nevada operations “courageous” for coming forward with concerns about a toxic work environment. She said she took personal responsibility for their experience while working for her campaign.

- **Trump Talks to Xi on Virus Response:** The U.S. is working “closely” with China to help with responding to the coronavirus, Trump said in a series of tweets, in which he also praised China’s leader Xi Jinping for “strongly” leading the country’s response to the threat. Trump said he’d had a “long and very good conversation” with Xi by phone and that his counterpart’s response is “strong, sharp and powerfully focused,” according to a post. He also said warmer weather would “hopefully” lead to the virus becoming weaker, “and then gone.”

- **Kenya Trade Agreement:** The U.S. plans to start trade negotiations with Kenya, which could result in the first such deal with a sub-Saharan African nation. The White House announced the plan in an emailed statement Thursday following a meeting between Trump and Kenyan counterpart, Uhuru Kenyatta. U.S. Trade Representative Robert Lighthizer will formally notify “Congress of the Trump administration’s intention to start negotiations,” and will publish objectives for the negotiations in the Federal Register at least 30 days before the talks begin, the White House said.

- **U.S. Forces Kill Top Terrorist Leader in Yemen:** American forces have killed a terrorist commander in Yemen, Trump announced last night. Trump said in a statement that Qasim al-Rimi, the leader and a founder of al-Qaeda in the Arabian Peninsula, had been

“successfully eliminated.” The statement did not say how the operation was carried out, or provide further details. But a drone strike with al-Rimi as the target was reported late last week.

- Al-Rimi and al-Qaeda in the Arabian Peninsula “committed unconscionable violence against civilians in Yemen and sought to conduct and inspire numerous attacks against the United States and our forces,” Trump said. “His death further degrades AQAP and the global al-Qa’ida movement, and it brings us closer to eliminating the threats these groups pose to our national security.”
- **Army Restarts Disputed \$45 Billion Fighting Vehicle Competition:** The U.S. Army is restarting competition for its new fighting vehicle, a potential \$45 billion project, after reshaping an acquisition strategy that resulted in only one qualified bid and a slew of criticism. The Army declared a “tactical pause” last month on its program to replace the Bradley Fighting Vehicle, first deployed in the mid-1980s, after the service acknowledged its requirements were too hard for industry to meet. The program is known officially as the Optimally Manned Fighting Vehicle.
 - General Dynamics was the only remaining qualified bidder after a team of Raytheon and Rheinmetall was disqualified and BAE Systems dropped out before submitting a bid for the prototype phase.
- **Trump Reverses on Nevada Waste:** Trump is reversing course on his plan to construct a nuclear waste dump in Nevada, a key swing state where residents have bitterly opposed the project. While the president’s previous budgets have included funding for the nuclear repository about 90 miles south of Las Vegas, the administration’s spending blueprint to be released next week won’t carry any money for the project, two senior administration officials said.
- **Trump Attacked U.K.’s Johnson Over Huawei:** Trump berated Boris Johnson during a heated phone call, after the British prime minister rejected the U.S. president’s request to ban Huawei from its next-generation broadband networks. Trump had spent months trying to persuade the British government not to allow the Chinese company to take a role in the U.K.’s 5G networks and was unhappy that Johnson defied his demands.
 - The president’s angry reaction, first reported in the Financial Times and confirmed by a person familiar with the matter, is a blow to Johnson as he seeks to pin down a post-Brexit trade deal with the U.S. following the U.K.’s split from the European Union on Jan. 31.
- **U.K. Names Pierce as Envoy to U.S. at Critical Time for Alliance:** Johnson’s government named Karen Pierce as the U.K.’s new ambassador to the U.S., filling a crucial post as it seeks to burnish post-Brexit ties with its closest ally. Pierce, 60, will be the U.K.’s first female ambassador to Washington, and will start her new role as soon as the U.S. government approves her appointment, Johnson’s spokesman, Jamie Davies, told reporters today. Pierce will move to Washington from New York, where she’s been the envoy to the United Nations for the past two years.