

American Nephrology Nurses Association

Daily Capitol Hill Update – Monday, March 30, 2020

(The following information comes from Bloomberg Government Website)

Schedules: White House and Congress

WHITE HOUSE

- 7:55am: President Trump speaks in an interview on Fox News Channel
- 1pm: Trump has lunch with Vice President Mike Pence
- 5pm: Coronavirus Task Force news briefing

CONGRESS

- House out
- Senate meets at 11am for a pro forma session; the full chamber is next set to meet April 20

Congressional, Health Policy, and Political News

- **Trump Stops Short of N.Y. Quarantine:** Trump on Saturday backed away from imposing a quarantine for New York as well as parts of New Jersey and Connecticut to stop the spread of the coronavirus, after floating the idea on isolating those hard-hit areas earlier in the day. In an announcement on Twitter, Trump followed up on a suggestion that he first floated Saturday at the White House, but avoided the harshest outcome. “A quarantine will not be necessary,” Trump said.
 - The U.S. Centers for Disease Control and Prevention released a statement only an hour later urging residents in the tri-state area to refrain from nonessential travel for 14 days, effective immediately. Earlier, Trump had told reporters that “some people” would like him to impose a quarantine on the greater New York area, which accounts for more than half of U.S. infections. “It will be for a short period of time, if we do it at all,” Trump said then.
- **ACA Exchanges Surge:** States that operate their own health-care exchanges are leading the way in helping uninsured people find coverage amid the outbreak. A dozen states and the District of Columbia run their own Obamacare exchanges, and 11 of them have opened up special enrollment periods to allow uninsured people to buy health coverage during the pandemic. A surge of new applicants, particularly among people in their 20s, suggests that those who’d once chosen to go without coverage are now welcoming the chance to protect themselves as the fear of contagion spreads.
- **HHS Seeks Hospital Data:** Vice President Pence asked hospitals Sunday to report to HHS their data on testing for the Covid-19 disease as well as their bed capacity. The White House Coronavirus Task Force is already collecting data from public health labs and private

laboratory companies, but it doesn't have data from hospital labs that conduct laboratory testing in their hospital.

- **Biased Care During Crisis:** Health-care providers must ensure that they don't discriminate on the basis of disability as they make treatment decisions during the Covid-19 pandemic, the HHS warned this weekend. People with disabilities shouldn't be denied care based on stereotypes or judgments about a person's quality of life, the department's Office for Civil Rights said in a bulletin. Instead, health providers should make decisions about treatment on an "individualized assessment" of the coronavirus patient, "based on the best available objective medical evidence," it said.
 - The bulletin follows two complaints filed by disability advocates with the agency, which raised concerns that discrimination against disabled people could emerge as health-care resources dwindle due to the pandemic.
- **Gottlieb Urges Sustained Social Distancing:** Aggressive social distancing must continue until there's "sustained reduction" in the amount of coronavirus cases for 14 days, former FDA Commissioner Scott Gottlieb told CBS's Face the Nation yesterday. "That's the point at which you can contemplate lifting some of these measures that we have in place right now, some of these very aggressive social distancing measures," he said. "But you need to do it very gradually." Gottlieb, a physician, co-wrote a report released by the conservative American Enterprise Institute spelling out a four-phase plan for navigating the pandemic.
 - The Senate holds pro forma sessions this week today at 11 a.m. and Thursday at 10 a.m. The House is out today, but will hold a pro forma session tomorrow at 3 p.m.
 - Trump will do an interview with Fox and Friends at 7:55 a.m., the president said in a tweet last night.
 - Trump is also planning to attend the White House's Coronavirus Task Force briefing today at 5 p.m., according to his daily schedule.
- **Trump Says GM 'Doing a Fantastic Job' After Threat:** Trump complimented General Motors for its work on hospital ventilators, two days after threatening to use federal law to force the company to produce the devices faster and cheaper. "General Motors is doing a fantastic job," Trump said at a White House news conference yesterday. "I don't think we have to worry about General Motors now."
 - GM has been working with medical device maker Ventech Medical to retool some of its factories to make ventilators, which are in high demand due to the coronavirus outbreak -- not a simple task given the need to source dozens of parts and set up production lines.
 - Trump and his aides complained Friday that the automaker was moving too slowly and asking too high a price for the machines. He issued a memo Friday invoking the Defense Production Act to force GM to make ventilators, but suggested hours later at a news conference he might withdraw the order.
 - Meanwhile, the Department of Defense's logistics division has modified an existing contract and will spend \$84.4 million to buy 8,000 ventilators from four vendors, with delivery of an initial 1,400 by early May. The companies tapped to produce such devices are Zoll Medical, Combat Medical Systems, Hamilton Medical and VyAire Medical, according to a spokesperson for the department.

- **3-D Printed Face Masks:** Face masks created through 3-D printing might not be as effective in blocking fluids or filtering air as typical masks the FDA authorized for health workers, the agency warned. Machines can create three-dimensional solid objects by using a digital file and gradually adding layers of materials via a process commonly known as 3-D printing. It could help stem shortages, the FDA hopes, but it has limitations.
 - Trump suggested yesterday without evidence that crime could be behind the spike in a New York hospital's mask use. He didn't identify the hospital.
- **Protecting Essential Farmworkers:** Advocates for farmworkers in Washington state are raising alarm over the pace of progress in protecting workers from the coronavirus, and said recent government guidance is so lenient it could actually make things worse. A committee of both agricultural industry leaders and labor advocates this month sent Gov. Jay Inslee (D) a list of recommendations to help protect staff, including state support in providing protective equipment, testing and temporary housing with enough distance between beds. A week later, they say that Inslee has not committed to do what's needed.
- **Trump Claims Power to Gag Watchdog:** Trump said the inspector general who will oversee hundreds of billions in relief to curb the economic downturn cannot inform Congress if the government stonewalls his office without the president's approval. In a statement issued Friday to accompany Trump's signature on the coronavirus stimulus package, the president said the Special Inspector General for Pandemic Recovery, or SIGPR, cannot go to Congress if refused information by agencies about loans and investments made by the Treasury secretary.
 - Creation of the oversight post was a key concession by Senate Republicans that was sought by Democrats to ensure oversight over hundreds of billions in loans and spending. The inspector general will have the authority to seek information from government agencies, and report to Congress any refusal of a reasonable request. Trump said in the statement that he won't let that happen without his approval.
 - House Democratic leaders promised that a future coronavirus relief measure would include provisions to enhance the Occupational Safety and Health Administration's ability to protect health-care workers, as the chamber cleared the largest stimulus package in the nation's history.
 - "Workers are risking their lives on the front line of this fight and need stronger OSHA protections to keep them safe," Speaker Nancy Pelosi (D-Calif.) said on the House floor Friday.
 - House Minority Leader Kevin McCarthy (R-Calif.) told Fox News yesterday he wasn't sure a fourth coronavirus economic relief bill would be necessary.
- **Website Crashes Portend a Slog:** The stimulus legislation unlocks hundreds of billions of dollars for small businesses, but the system set to distribute money is already overwhelmed. The agency overseeing the \$350 billion loan program has been challenged to even maintain a much smaller, existing program, with its site crashing repeatedly. The network of 800 approved lenders expected to divvy up funding have received little guidance so far. It's

unclear, for instance, whether a business owner could apply online or would have to physically meet the lender.

- **Deferring Tariffs for Companies:** Sen. Susan Collins (R-Maine) called on Treasury Secretary Steven Mnuchin on Saturday to temporarily defer tariffs for U.S. companies that are suffering economic hardship due to the pandemic, and said duties on imports from China and the European Union have become a particular concern for companies in her home state of Maine.
 - Mnuchin also said he expects to have a small business loan program up and running in the coming week while workers can expect aid from the \$2 trillion stimulus package in the form of direct deposits or checks in about three weeks.
- **Trump Wants to Restore Tax Deductions for Business Meals:** Trump said he wants to restore corporate tax deductions for business meals as restaurants reel from the impact of the coronavirus outbreak. The president said yesterday he'd spoken with celebrity restaurateurs including Wolfgang Puck, Daniel Boulud and Jean-Georges Vongerichten on the subject. Restaurants nationwide have been forced to close or restrict their business to take-out and delivery because of social distancing measures in place to curb the outbreak.
- **U.S. Allows Emergency Use of Drug Backed by Trump:** A drug Trump backed as a possible "game changer" in the fight against the coronavirus pandemic received an emergency-use designation from U.S. regulators. The Health and Human Services Department accepted 30 million doses of the drug, hydroxychloroquine, from Novartis's Sandoz unit, Secretary Alex Azar said in a statement yesterday. Normally used to treat malaria, hydroxychloroquine yielded promising yet inconclusive results in a small coronavirus trial. While Trump has said the drug is safe, it does carry significant side effects. Some people have been sickened, with one reported death, after taking various versions to try to ward off the new illness.
- **Gilead Head Says Drug Will Be Affordable:** A potential Covid-19 treatment will be affordable to the patients who need it, Gilead's chief executive said Saturday. Gilead Sciences expects to have the initial data in the coming weeks on whether remdesivir can effectively treat Covid-19 patients. There are about a half-dozen clinical trials currently studying the antiviral therapy, which hasn't won approval for any uses so far. It's one of several antivirals being tested, but it's the furthest along in the development process. If Gilead's drug is approved, "we will work to ensure affordability and access, so that remdesivir is available to patients with the greatest need," CEO Daniel O'Day said Saturday.
- **Abbott Launches 5-Minute Virus Test:** Abbott Laboratories is unveiling a coronavirus test that can tell if someone is infected in as little as five minutes, and is so small and portable it can be used in almost any health-care setting. The medical-device maker plans to supply 50,000 tests a day starting April 1, said John Frels, vice president of research and development at Abbott Diagnostics. The molecular test looks for fragments of the

coronavirus genome, which can quickly be detected when present at high levels. A thorough search to definitively rule out an infection can take up to 13 minutes, he said. Abbott has received emergency use authorization from the FDA "for use by authorized laboratories and patient care settings," the company said on Friday.

- **Thousands of Foreign Nurses Barred:** As the coronavirus outbreak threatens to strain nursing staffs at hospitals across the U.S., Melanie N. Beckham knows where to find reinforcements. But the Trump administration first needs to give its approval. Beckham, president of Vintage Health Resources in Germantown, Tenn., specializes in helping hospitals across the southeastern U.S. hire nurses from the Philippines, a country with a large population of English speakers and a long history of sending health-care workers abroad.
 - Of the several hundred Philippine recruits now in Vintage's application process, more than 100 nurses have cleared their licensing and language exams. They've completed background checks and are prepared to head to the U.S. Yet, they're stuck because they can't get their visas processed. "They could come tomorrow," Beckham said. "The demand is overwhelming right now."
- **Trump in Close Race With Biden:** Trump and Democratic presidential front-runner Joe Biden are in a tight race for the White House, as Americans focus on the response to the pandemic, according to a Washington Post-ABC News poll released yesterday. Trump has closed a 7-point deficit from February and is now in a statistical tie with Biden, 47% to 49%, among registered voters. Among all adults, Trump trails Biden 44% to 50%. But Trump's backers are far more enthusiastic about turning out. When registered voters are asked whom they trust most to confront the coronavirus, there was no statistical difference between the two.
- **Biden Frustrated With Response:** Biden yesterday said he feels "frustration" with the U.S. coronavirus response and that it's his role to say what he believes Trump needs to do. "If I see something that's not happening, I think it's my obligation to step up and say 'this is what we should be doing,'" he told NBC. The former vice president said that if he were in office he would be using the Defense Production Act far more broadly than Trump has. He said he would not only compel General Motors to build ventilators, as Trump has, but increase the production of personal protective equipment for health-care workers. He said he would also be thinking about the next round of economic stimulus.
 - Meanwhile, Trump complained that two other Democratic governors don't appreciate his administration's efforts to combat the coronavirus epidemic and said Vice President Pence shouldn't take their calls. "I want them to be appreciative. I don't want them to say things that aren't true," Trump said of Washington Gov. Jay Inslee and Michigan Gov. Gretchen Whitmer at a White House news conference Friday.
- **Biden Super PAC to Air Spanish Ad:** A Democratic-allied super PAC is doubling down on an ad Trump's campaign has tried to stop TV stations from airing. The super PAC, Priorities

USA, said Friday that in addition to continuing to broadcast the original ad in several states, it will begin airing a Spanish-language version in Florida. The ad, titled "Exponential Threat," features Trump appearing to call the coronavirus a "hoax" and criticizes the White House's response to the outbreak.

- **N.Y. Postpones Primaries:** Cuomo said the state is postponing its presidential primary. At a news conference on Saturday, Cuomo said that due to the growing numbers of confirmed cases of coronavirus, he decided to move the state's presidential primary from April 28 to June 23, when elections for New York state offices had already been planned. He cited the need to protect voters and state election officials from congregating at polling places and furthering the spread of the virus.
- **Absentee Ballots for All Voters:** Wisconsin Gov. Tony Evers (D) on Friday asked the state legislature to reconvene and pass legislation to allow every registered voter in Wisconsin to get an absentee ballot for the April 7 presidential primary. In a telephone news conference, Evers also called on lawmakers to approve that every ballot postmarked by April 7 will be valid, and extend how long elections clerks have to tabulate the votes.
- **DOJ Probes Stock Trades by Lawmakers:** The Department of Justice has begun to probe stock transactions made by U.S. lawmakers after non-public briefings but before a market downturn caused by the coronavirus outbreak, CNN reports, citing two unidentified people familiar with the matter. Outreach from the FBI has included Sen. Richard Burr (R-N.C.) to seek information about the trades. The inquiry is still in its early stages and being conducted in coordination with the SEC.
 - Burr's lawyer Alice Fisher said in a statement that the senator "welcomes a thorough review of the facts in this matter, which will establish that his actions were appropriate." Fisher said Burr, who has requested a Senate Ethics Committee review of actions, traded based on public information.
- **Pentagon Outflanked by Virus:** The Pentagon is struggling to stay ahead of the widening coronavirus pandemic as early missteps start piling up, a scattershot response sows confusion and the Navy is forced to sideline an aircraft carrier. The USS Theodore Roosevelt, a 5,000-person aircraft carrier meant to be patrolling the Pacific and South China Sea, is instead sitting dockside in Guam indefinitely as the number of infected sailors rises daily. Infections started cropping up after an early March port call in Vietnam, which Pentagon leaders say had about 16 known virus cases at the time.
 - Defense Secretary Mark Esper says he's leaving key decisions about how to address the outbreak to local commanders. But as infections mount and more warriors are sidelined, Pentagon leaders will face difficult questions about how to stay fully ready to confront rivals from North Korea to Iran and how to signal unflinching resolve to such adversaries.
- **Detained Migrant Children:** A federal judge demanded the U.S. government to speed the release of migrant children in detention centers to suitable guardians, saying there are

serious questions about whether the facilities are safe amid the coronavirus pandemic. In an order issued late Saturday, the judge voiced strong concerns about the failure of U.S. authorities to explain why some children were being held longer than a maximum-allowed period of 20 days. U.S. District Judge Dolly Gee in Los Angeles directed a court-appointed monitor to inspect facilities to make sure that they're following health protocols and aren't operating above capacity.

- **North Korea Fires Missiles:** North Korea fired what appeared to be two short-range ballistic missiles into its eastern sea, marking the fourth projectile launch this month as the rest of the world grapples with the pandemic. The suspected missiles, fired from the eastern city of Wonsan toward a northeastern direction around 6:10 a.m. Sunday, flew around 230 kilometers and reached as high as 30 kilometers, South Korea's Joint Chiefs of Staff said, adding that other intelligence is under analysis by U.S. forces.
- **Russian Oil Company Sells Venezuelan Assets:** Russian oil giant Rosneft sold its assets in Venezuela to the Russian government, in what may be a maneuver to avoid any U.S. sanctions in an escalating fight between Caracas, Washington and Moscow. Rosneft is selling local production, service and trading assets to a state-owned company, it said in a statement. The move is to protect shareholders' interests, according to company spokesman Mikhail Leontyev.
- **Former Senator Tom Coburn Dies at 72:** Tom Coburn (R-Okla.), the physician and nemesis to Democrats in Congress for 15 years with his hawkish stance on government spending and conservative views on social issues died Friday at 72. The Oklahoman newspaper in Coburn's home state cited a statement from the former senator's family that he died on Friday night of prostate cancer. Coburn announced his retirement in January 2014. He was being treated for cancer at the time. Coburn, who served three terms in the House and two in the Senate, became a symbol of Republican obstructionism, earning him the nickname "Dr. No" for stymieing the legislative process.
- **Civil Rights Icon Joseph Lowery Dies at 98:** Joseph Lowery, the civil-rights lion who helped found the Southern Christian Leadership Conference with Martin Luther King Jr. and, 52 years later, blessed the inauguration of the first African-American president, Barack Obama, died Friday at 98. He died at home in Atlanta of natural causes, according to the Associated Press, citing a statement from his family.