

American Nephrology Nurses Association

Daily Capitol Hill Update – Monday, April 6, 2020

(The following information comes from Bloomberg Government Website)

Schedules: White House and Congress

WHITE HOUSE

- 11am: Vice President Mike Pence leads a video teleconference with governors on Covid-19 response
- 12:30pm: President Trump has lunch with Pence
- 3pm: Pence oversees White House coronavirus task force meeting
- 5pm: Coronavirus task force news briefing

CONGRESS

- House and Senate aren't scheduled to be back in session before April 20

Congressional, Health Policy, and Political News

- **Trump Says Relief 'Flawless':** Trump on Saturday dismissed concerns over the rollout of a \$349 billion program to assist small businesses rocked by the virus, saying loan distributions were "way ahead of schedule" even as banks struggle to respond to the flood of requests. "It's been flawless so far," he told reporters. "I don't even hear of any glitch." His rosy assessment came even as some small businesses said that they were worried that funds for the Paycheck Protection Program, a tent-pole of the stimulus signed into law last month, may run out before loans are even approved.
 - Trump said at a press briefing yesterday he likes the concept of additional stimulus checks for individuals once the first round has been delivered.
 - Meanwhile, as it confronts the worst economic disaster since the financial crisis in 2008, the Treasury Department is riddled with vacancies among its political appointments. Of 20 Senate-confirmed positions reporting to the secretary, seven aren't filled, and four are occupied by acting officials. The domestic finance unit, which should be handling the brunt of the work tied to the pandemic, is particularly empty.
- **Who Gets Stimulus Cash and How:** This is normally the time of year when the federal government is collecting taxes due, but the devastating coronavirus now has the U.S. trying to rapidly dole out hundreds of billions of dollars in aid and tax breaks to businesses large and small.
- **Trump Taps Stimulus Watchdog:** Trump intends to nominate a White House lawyer to a newly created post of inspector general to oversee spending of the coronavirus stimulus. In

a statement on Friday night, the White House said Trump chose Brian Miller for the job, despite having questioned the authority of the position almost as soon as it was created.

- Miller, according to the statement, is now a “special assistant to the president and a senior associate counsel in the White House Counsel’s office. Before that, he “was an independent corporate monitor and an expert witness.” He has worked at the Justice Department and was an assistant U.S. attorney in Virginia, the statement added. The inspector general will work out of Treasury and have subpoena powers.
- **Trump Considers Economy Panel:** Trump said he’s “thinking about” forming a panel to examine how best to restart the country’s economy, which he earlier termed a “good idea.” The U.S. economy was never meant to be closed as it is, to a large extent, at the moment, Trump said. “We’re not going to have separation for the rest of our time on the planet.” Trump early tweeted an endorsement of a plan offered by Dana Perino, former press secretary to President George W. Bush.
- **Trump Says He Doesn’t Expect to Impose Oil Tariffs:** Trump said at a press conference yesterday he doesn’t think he’ll have to impose tariffs on imported oil to blunt the impact of a price war between Russia and Saudi Arabia, but held out the option to protect U.S. oil producers. Trump had on Saturday ramped up threats to use tariffs to protect the U.S. energy industry from a historic glut of oil, as efforts to forge a global deal to cut output appeared to lose momentum.
- **Airlines vs. Customers in Refund Spats:** The Covid-19 crisis is pitting airlines across the globe against grounded customers. Regulations in the U.S. and Europe generally call for carriers to offer passengers a refund if a flight is canceled, with exceptions for circumstances like inclement weather. It happens in normal times, but country lockdowns have dissolved schedules for weeks, with airlines parking their fleets and guarding their money as revenue withers. Their customers are flooding social media to complain that they can’t get their money back for canceled trips. The U.S. Transportation Department on Friday issued an enforcement notice ordering airlines to pay up.
 - Meanwhile, Pelosi and Schumer urged the Treasury Department to move more quickly to help airlines to save industry jobs and refrain from imposing “unreasonable conditions” that might spur some carriers to decline payroll assistance, a concern that has been raised by regional airline trade groups and flight-attendant unions. In a letter yesterday to Treasury Secretary Steven Mnuchin, Pelosi, Schumer and other Democrats stressed that provisions of the \$2.2 trillion stimulus passed by Congress were aimed specifically at bolstering aviation jobs.
- **Governors Urge Swift Release of Education Aid:** Education Secretary Betsy DeVos should release \$30 billion in emergency funds for schools and colleges within two weeks, the National Governors Association wrote in a letter Friday. The stimulus package directs \$13 billion to K-12 schools and more than \$14.25 billion to higher education institutions. Another \$3 billion would be doled out by governors. The letter also called for guidance from the Education Department on how those funds can be spent and asked that the money be

permitted to cover costs already incurred by schools and colleges after shutting down campuses.

- **Trump Wants Stadiums Full by August:** Trump held a conference call with top officials from several professional sports leagues Saturday as organizations race to reschedule games and tournaments over the outbreak. Participants included the NBA's Adam Silver, MLB's Rob Manfred, NFL's Roger Goodell and NHL's Gary Bettman, the White House said. Representatives from the PGA and LPGA tours, IndyCar, Major League Soccer, and professional wrestling also participated. The president told reporters that he hopes people would be able to go to sporting events again by August.
- **Postal Service Reels During Outbreak:** The U.S. Postal Service is staring at "a rapid drop in mail volumes and a significant loss in needed revenues" because of the novel coronavirus that could lead to a halt in mail delivery, a spokesman said. Though the stimulus signed last month included a \$10 billion line of credit for the Postal Service, the USPS is concerned that is not sufficient "to withstand the significant downturn in our business" that could result from the pandemic, spokesman David Partenheimer said on Friday.
- **Trump and Pence Say They See Signs Outbreak is Stabilizing:** Trump and Vice President Mike Pence said they see signs the U.S. coronavirus outbreak is beginning to level off or stabilize, citing a day-to-day reduction in deaths in New York, the Covid-19 epicenter in the country.
 - "We are beginning to see the glimmers of progress," Pence said at a White House news conference on yesterday. "The experts will tell me not to jump to any conclusions, and I'm not, but like your president I'm an optimistic person and I'm hopeful." Pence said the government is starting to see "cases, and most importantly losses and hospitalizations, begin to stabilize."
 - New York state reported 594 new coronavirus deaths on Sunday, a reduction of 36 from Saturday. Governor Andrew Cuomo said in a daily briefing that the data may show the state is reaching a "plateau" -- or could be "just a blip."
 - But Trump was more optimistic. "Maybe that's a good sign," he said. "We hope we're seeing a leveling off."
 - The U.S. has more than 330,000 coronavirus cases confirmed as of yesterday, meaning one in every 1,000 Americans are infected, according to data from Johns Hopkins University and Medicine.
 - Governors from across the country whose states are at various points in the pandemic response spoke out yesterday, with some critical of the absence of a sweeping federal guidance and many in the process of setting up field hospitals for an anticipated rush of patients.
- **Defense Act to Retaliate on Supplies:** Trump said he would use the Defense Production Act to retaliate in cases where companies ship medical equipment elsewhere that's needed in the U.S. to cope with the pandemic. "You could call it retaliation because that's what it is. It's a retaliation. If people don't give us what we need for our people, we're going to be very

tough," Trump told reporters on Saturday. The president said he invoked the act to ban exports of supplies needed around the world to fight the virus, escalating a spat with allies including Canada and 3M.

- Trade experts warned any decision to block exports of masks and other equipment would risk retaliatory measures by countries that would undermine international efforts to fight the Covid-19 outbreak. The shortage of supplies in the U.S. has been blamed on inadequate federal stockpiles as well as a shortfall in domestic production. The U.S. has until now been relying on emergency air shipments from China and other countries to help fill the gap. Yet it's unclear whether other countries would allow such flights to continue if the U.S. is refusing to allow its own exports.
 - FDA Commissioner Stephen Hahn said there's no evidence that any drug is in short supply because China or any another country is blocking key ingredients from flowing into the U.S. market. "We are monitoring that very closely," Hahn told Fox News yesterday. Some of those shortages may be evident due to spikes in demand for some medications, he said. The FDA maintains a public database of shortages, which can occur for many reasons including manufacturing problems, delays and discontinuations.
 - Nearly half the supply of hydroxychloroquine to the U.S. comes from makers in India, a flow that has now been abruptly stanching after the Asian nation banned exports of all forms of the malaria drug touted by Trump as a "game changer" for treating the coronavirus. 47% of the U.S. supply of the drug last year came from India. Only a handful of suppliers in the top 10 are non-Indian, such as Actavis, now a subsidiary of Israeli generics giant Teva Pharmaceutical Industries Ltd. It's likely that some of their production facilities are nevertheless located in India, the biggest maker of generic drugs in the world.
- **Hospitals Said Can't Charge Uninsured:** Hospitals and health-care providers that accept federal funding provided through the \$2 trillion stimulus measure aren't allowed to bill uninsured patients treated for Covid-19, HHS leader Alex Azar said Friday. The providers will be reimbursed at Medicare rates, Azar said, which will be carved out of a \$100 billion slice of the law. When probed about re-opening enrollment for Affordable Care Act plans or potentially expanding Medicaid, Azar demurred. People who've recently lost their employer-provided insurance can enroll through Obamacare's exchanges under the law's special enrollment rules, said Azar.
 - **Patient Privacy During Pandemic:** Data sharing by big technology companies is helping government officials combat the dizzying spread of the coronavirus by monitoring compliance with social distancing and stay-at-home orders. It's also putting privacy experts on edge. Companies including Google and Facebook had already been collecting, for advertising purposes, massive volumes of data. And some of them are now stripping data of personal ID markers, aggregating it, and providing it to researchers, public-health authorities and government agencies.
 - Consumer advocates fear an emphasis on health over privacy could undermine the protection of civil liberties, similar to what happened after 9/11, when the U.S.

secretly began collecting mass amounts of information on its own citizens in an effort to track down terrorists.

- **DOD Encourages Troops Wear Coverings:** The Pentagon has issued guidance on personnel wearing face coverings after U.S. health officials recommended the step for the general public. “Effective immediately, to the extent practical, all individuals on DoD property, installations, and facilities will wear cloth face coverings when they cannot maintain six feet of social distance in public areas or work centers,” the policy says.
- **DOD Cautious Over Virus Patients on Ship:** The Defense Department remains cautious about allowing Covid-19 patients on the Navy hospital ship anchored in Manhattan but is reassessing that policy daily, Pentagon spokesman Jonathan Hoffman said Friday. The USNS Comfort is “not an environment built for treating infectious diseases en masse,” Hoffman said. The Comfort, which docked in New York last Monday, was assigned to add 1,000 beds to the city’s capacity with the intention to take virus-free patients, such as trauma victims, in order to free up space in hospitals. Only a handful of New Yorkers are being treated on the Comfort so far, however.
- **No Probe on Early Virus Response:** House Majority Whip Jim Clyburn (D-S.C.) said it’s unlikely a congressional panel overseeing coronavirus relief will investigate the Trump administration’s initial response to the pandemic that’s claimed thousands of American lives. “This committee will be forward-looking,” Clyburn told CNN’s Jake Tapper on “State of the Union.” “We’re not going to be looking back on what the president may or may not have done back before this crisis hit. The crisis is with us.”
- **Biden Convenes Shadow War Room:** With no campaign events to headline and the public’s attention consumed by the pandemic, Joe Biden is struggling to stay relevant and acknowledging frustration at being on the sidelines of a national crisis. So the Democratic presidential front-runner has built a shadow war room of public health and economic experts to keep him engaged on the issue, with academics, medical experts and former President Barack Obama administration alumni advising him on a response, just as they would a sitting president. He’s rolled out recommendations on the only policy Americans currently care about, plans that also give voters a window into a possible alternative come November.
- **Biden, Sanders Discuss Running Mate Process:** Biden said Friday night that he has spoken to Sen. Bernie Sanders (I-Vt.) to inform him he was starting the vetting process for a running mate, saying he wanted to give his rival advanced notice so as not to appear “presumptuous.” It was the first time he has publicly acknowledged private conversations with his only remaining rival in the Democratic primary race. “I am in the process and I’ve actually had this discussion with Bernie because he’s a friend,” Biden said during a virtual fundraiser.

- **Biden Suggests Virtual Nominating Convention:** Biden said the party should consider a virtual nominating convention this summer because the coronavirus has led to limits on public gatherings. “We’re going to have to do a convention, we may have to do a virtual convention,” Biden said yesterday on ABC’s “This Week.” “I think we should be thinking about that right now. The idea of holding a convention is going to be necessary. But we may not be able to put 10, 20, 30,000 people in one place.”
 - Meanwhile, Trump said Saturday there’s no contingency plan for the Republican National Convention, which is scheduled for Aug. 24-27 in Charlotte, N.C. The president predicted the country would be in “good shape” by then as the impact of the coronavirus pandemic fades.

- **Trump Rejects Voting-by-Mail:** Trump said he doesn’t support mail-in voting as a way to limit the spread of the virus, arguing that sending ballots increases the likelihood of fraud. “I think a lot of people cheat with mail-in voting,” Trump told reporters at the White House. “I think people should vote with voter ID. I think voter ID is very important. The reason they don’t want voter ID is they intend to cheat,” he said. “All kinds of bad things can happen,” Trump added, without citing evidence or examples.
 - More than a dozen states have postponed their presidential primaries because of concern that voters would get too close to one another and spread the coronavirus. Trump said Friday he still expects the general election to be held Nov. 3.
 - The stimulus package included \$400 million in new Help America Vote Act emergency funds, made available to states for the 2020 election cycle, that would be distributed by the Election Assistance Commission. “The EAC is working diligently” to get the funds to states so officials “can immediately implement contingency efforts in response to coronavirus to protect voters and election staff, and maintain the integrity of our election process,” EAC Chairman Ben Hovland, Vice Chairman Don Palmer, Commissioner Tom Hicks, and Commissioner Christy McCormick said in a statement.
 - Republicans asked the Supreme Court to block the extension of absentee voting in tomorrow’s presidential primary in Wisconsin, bringing the first coronavirus-related case to the nation’s highest court. The Republican National Committee is fighting a federal judge’s extension of the absentee ballot deadline to April 13. The election also includes a hotly disputed battle over a seat on the Wisconsin Supreme Court.

- **Trump Defends Firing Intelligence Watchdog:** Trump defended the move late Friday to fire the U.S. intelligence community’s inspector general, saying that in his opinion, Michael Atkinson did a “terrible job” when he raised an alarm over a whistleblower’s complaint that led to Trump’s impeachment. “Not a big Trump fan, I can tell you,” Trump told reporters on Saturday, referring to Atkinson. Trump faulted Atkinson for taking what he called a false report to Congress.
 - Atkinson alerted lawmakers about the complaint regarding Trump’s demand that Ukraine investigate Biden and his son. He later testified in the House impeachment inquiry.

- **Trump Keeps Up Drive to Fill Up Courts:** The coronavirus crisis hasn't slowed Trump's drive to stock the federal courts with conservative judges. Trump last week moved to fill the only two open federal appeals court slots, nominating a pair of outspoken conservatives and drawing new protests from liberal groups.
 - The latest is Justin Walker, whom Trump said Friday he would nominate for a seat on the powerful U.S. Court of Appeals for the District of Columbia. Walker, 37, made his mark in 2018 by forcefully defending then-Judge Brett Kavanaugh during his divisive Supreme Court confirmation battle. Walker called Kavanaugh "a fighter for conservative legal principles who will not go wobbly." The Walker announcement followed the president's selection last Monday of Cory Wilson, a Mississippi state court judge, to fill a vacancy on the New Orleans-based Fifth U.S. Circuit Court of Appeals.
- **Trump Agrees With Removing Navy Captain:** Trump said he agrees with the decision regarding the captain of the USS Theodore Roosevelt, who was ousted after writing a memo pleading for assistance in addressing the coronavirus outbreak on the nuclear-powered aircraft carrier. Trump told reporters that the captain, Brett Crozier, should not have expressed his alarm in a widely circulated letter after more than 100 crew members were affected. "The letter was all over the place," Trump said. "That's not appropriate."
 - Crozier has tested positive for Covid-19, according to a report yesterday from the New York Times, which cites two of his Naval Academy classmates.
- **U.K.'s Johnson in Hospital:** British Prime Minister Boris Johnson was admitted to the hospital for more tests yesterday after testing positive for coronavirus 10 days earlier. Johnson's symptoms were not improving and the move was a precautionary step, a spokesman said.
- **Dismissal of Ukraine Shadow Diplomacy Suit:** The Trump administration won the dismissal of a suit claiming it violated federal record-keeping requirements by conducting off-the-books diplomacy with Ukraine officials, the same conduct at the center of the impeachment inquiry. U.S. District Judge James E. Boasberg threw out the suit, saying the alleged actions by Secretary of State Michael Pompeo and Trump's attorney Rudy Giuliani, among others, were isolated and didn't appear to be part of a formal "policy or practice" that could've been found to violate the Federal Records Act.
- **Telecommunications Service Review Panel:** A new Cabinet-level committee will assess whether foreign entities should be allowed to participate in the U.S. telecommunications services sector, under a new executive order from Trump. The committee, headed by Attorney General William Barr, will assist the Federal Communications Commission in its "public interest review of national security and law enforcement concerns" that may be raised by foreign companies that want to enter the sector, according to the order.
- **Trump Tightens Pressure on Maduro:** Trump is stepping up his campaign to oust Venezuela's Nicolas Maduro with the coronavirus pandemic and plunging oil prices

threatening to worsen a humanitarian disaster years in the making. The Trump administration says its restrictions don't prohibit humanitarian aid from flowing to Venezuela, the same argument it makes when pressed about sanctions on Iran. As a result, it's holding firm to its policies even as some world leaders, including UN Secretary-General Antonio Guterres, say that it's time to rethink sanctions to prevent the outbreak from worsening.