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I. Healthcare - Stop the Republican’s Disastrous “HealthCare” Bill

Summary of Republican push for the bill:

Senate Republicans released a rewritten draft of their ACA repeal legislation July 13. A CBO score is expected out as soon as Monday, July 17.

Republican leaders are planning a floor vote on the ACA repeal vote by the end of the week of July 17-21. Senate Majority Leader McConnell has urged senators to use the bill’s open amendment process to alter the bill to meet their concerns. McConnell also announced a delay in the annual August recess, cutting it in half. The recess will now begin on August 11 or August 12.

Senate Republicans and the White House plan a blitz over the next two weeks to try to pass the bill. Trump, Pence, and Majority Leader McConnell will single out individual senators and escalate a broad defense of the evolving proposal. The White House is planning to counter the CBO score with conservative analyses from conservative groups that show more benefits and less pain if the bill passes. Pence is planning to reach out to specific senators, including Dean Heller. McConnell has told Ted Cruz to push his idea for a two-tier health system to members to see if he can get traction for it.

Summary of the bill:

- **More funds for state-based premium reduction**: An additional $70 billion is dedicated to pushing state-based actions to reduce health care costs. These include funding for items such as cost-sharing and health savings accounts. This is in addition to the $112 billion already in the bill.
- **Opioid addiction funding**: An additional $45 billion has been added for substance abuse treatment and recovery to fight opioid addiction.
- **Health savings accounts can be used to pay premiums**: The bill would allow the use of health savings accounts to pay for health insurance premiums. The Joint Committee on Taxation says this policy will increase health insurance coverage.
- **Health plans not providing ACA essential benefits allowed nationwide**: A version of the Cruz-Lee proposal is included in the bill, altered to allow it to fit under reconciliation rules. It would allow people enrolling in catastrophic coverage plans would be eligible for the tax credits provided in the bill as long as they meet other eligibility requirements. Under the ACA, people enrolled in these plans could not receive premium subsidies in the exchanges. Anyone in the individual market could buy such a plan. These plans have high deductibles, cover three primary care visits annually and have some limits on out-of-pocket costs. This appears to be Effective, this eliminates the essential health benefit provisions of the ACA nationwide, rather than just at state option.
- **Some ACA taxes on the rich retained**: The bill will not eliminate the ACA tax on net investment income or the ACA’s additional Medicare payroll tax on wages and self-employment income. It is unclear whether change is only temporary.
- **ACA tax on insurance executives retained**: The bill will also not eliminate the ACA tax on pay for some health insurance executives.
- **Limited waivers from new Medicaid caps allowed**: Under the revised bill, states can apply for a waiver to continue and/or improve home and community-based services for old-age, blind, and disabled populations. If a public health emergency is declared, state medical assistance expenditures in a specified part of a state will not be counted toward its per capita Medicaid caps (or block grant allocation if it has opted for a block grant of Medicaid) for the period of the emergency.
• **Fund created for insurers for high-risk people:** The revised bill creates a fund to make payments to health insurers for the costs of covering high risk individuals enrolled in qualified health plans on the exchanges.

• **Change in how funds go to hospitals to cover uncompensated care:** The draft changes the calculation of how Disproportionate Share Hospital (DSH) calculations are made from “per Medicaid enrollee” to “per uninsured.” The calculations cover more funding for hospitals covering uncompensated care.

• **More funds for insurers with higher-risk enrollees:** To use these funds, insurers must offer a set minimum amount of coverage on the exchange that remains under ACA essential health benefit requirements. Note that this provision assumes the two-tier health plan structure of the Ted Cruz-Mike Lee provision.

• **Expands Medicaid block grant options for states:** This would allow them to add more people under the block grant if they choose.

One of the two taxes retained will be the ACA’s 3.8% tax on investment income. The other is the 0.9% Medicare payroll tax on wages and self-employment income. Both taxes impact individuals earning over $200,000 annually and couples earning over $250,000.

The bill continues to provide tax cuts to large corporations and the rich, paid for largely Medicaid cuts that support old people in nursing homes, disabled people, the poor and children. Medicaid funding would be cut by over 30%, the Medicaid expansion would be eliminated, and funding support for buying insurance would be much lower than under the ACT. It would eliminate the individual and employer mandates to buy and provide insurance. By allowing low-cost, low-quality health plans everywhere and allowing states to opt out of essential health benefits, the bill would reduce the quality of insurance, raise its price (premiums, deductibles and co-pays) for millions and effectively price many (and possibly most) people with pre-existing conditions out of the insurance market.

Politico reported that the Congressional Budget Office (CBO) scores on draft options for amending the Senate Republican bill are expected back next week. If the bill comes on the floor, it is seen as far more likely to pass after amendments are voted on. But it is unclear whether McConnell has the votes to bring the bill up.

**Which Republican Senators Are Key To Defeat of the Bill:**

Rand Paul has said he will not vote to bring the bill up for a vote. Susan Collins said she will also vote against bringing the bill up. Given the addition of the Cruz-Lee provision, most conservative hold-outs are more likely to vote to bring the bill up. McConnell can only afford to lose two Republican votes.

Key members who will decide whether to bring the bill up include: Rob Portman (Ohio), Dean Heller (Nevada), Lisa Murkowski (Alaska) and Shelley Moore Capito (West Virginia), but there may be others. Those four members were meeting with McConnell to see what changes would allow them to bring the bill up for a vote.

Other opposition comes from senators opposed to the bill come from states that never expanded Medicaid, they are concerned that they would not receive adequate subsidies in the new bill. Those states would receive $29 billion, but members from those states see the funding as insufficient.
Still more opposition comes from conservatives who believe the bill does not go far enough to deregulate the health care market and that without such changes, insurance premiums will continue to rise.

Politico reported on July 11 that tensions are rising in the caucus over the conservative Cruz-Lee proposal for a two-tier health care system. It also reported that senators and aides were very pessimistic about the bill’s chances of passage and that McConnell is well short of 50 vote.

To Do:
- Call Senator Patty Murray (253) 572-3636 and Senator Maria Cantwell (253) 572-2281.
- **Script:** Please tell Senator ______ thank you for opposing the Republican’s bill. I encourage her speak out in the media or on the Senate floor against repeal of the Affordable Care Act. She needs to make it clear that she wants to protect people with pre-existing conditions, those on Medicaid, and everyone else who depends on the Affordable Care Act for health and wellbeing. This is extremely important to me and I will be watching closely for her public statements in opposition. Thank you for your time.

- Call Republicans who have been on the fence about their vote for the bill. The following members represent states that stand to lose the most.
- **Script:** I am calling Senator ___________ to urge him/her to oppose the ACA repeal bill, which will strip protections for people with pre-existing conditions, make insurance unaffordable to older/sicker people, and cause untold harm to children, disabled and elderly on Medicaid. The beneficiaries of these drastic cuts will be wealthy elites who will get tax cuts. This is just wrong. Thank you for your time.

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II. Russian Interference with the Election and the Involvement of the Trump Campaign

Summary

Donald Trump Jr., Jared Kushner and Paul Manafort met with a Russian lawyer after being told the Russian government had damaging information on Hillary Clinton and wanted to help Trump.

Talking points

- Donald Trump Jr., Jared Kushner and Paul Manafort met in June with a Russian lawyer after being sent an email from an acquaintance that said that the Russian government had damaging information on Hillary Clinton and wanted to use it to aid Trump’s candidacy. The email chain has been printed in the New York Times and tweeted by Trump’s son.
- The meeting was set up under the auspices of the son of a Russian real estate developer close to Putin who was Trump’s business partner in the 2013 Miss Universe Pageant in Moscow. The lawyer they met with has been focused on trying to lift US sanctions on Russian human rights violators.
- Donald Jr. said he would cooperate with congressional investigations. He also hired a personal lawyer.
- Trump held a meeting with Putin at the G-20 meeting in Hamburg. Trump said he pressed Putin on Russian hacking and Putin denied it. Both Putin and Russian Foreign Minister Lavrov said Trump had agreed with Putin that there was no Russian hacking. Trump said that he and Putin had agreed to create a joint cyber security unit. After angry responses from Republicans in Congress, Trump backed off from the proposal.
- House Republican Russia hawks are impatient over what appear to be stalling tactics by House leadership of a Senate Russia sanctions bill, amid White House lobbying against the bill. The bill would make it difficult for the White House to ease or eliminate Russia sanctions without congressional action. It passed the Senate 98-2.

Where our members stand

Both senators called for a special prosecutor to be appointed by the Justice Department, and praised appointment of Robert Mueller to that post. Senator Cantwell released a statement after the Comey testimony that ended “We have to make sure that the White House is not trying to obstruct the investigation. No one is above the law, not even the president.” Congressman Heck has call for an independent commission for some months and signed discharge petition to move HR 356 (which would establish a commission) to the House floor.

What to do

- Continue to ask our senators to push for an independent commission with subpoena power. Senator Patty Murray (253) 572-3636 and Senator Maria Cantwell (253) 572-2281.
- Thank Cong. Heck for supporting an independent commission but doing but ask him why we haven’t seen more action from the House Permanent Select Committee on Intelligence and push him for aggressive action.
• Encourage our senators to continue to support an aggressive Senate Intelligence Committee investigation. In the absence of an independent commission, the congressional investigations are the best way to get information on Russian involvement in the election and possible collusion out to the public. Members should not let the appointment of a special prosecutor end or impede the congressional investigations.

• Urge moderate and concerned Republican senators to be vigilant regarding the congressional Russia investigations. They may include Burr, McCain, Collins, Murkowski, Sasse, Flake. While not all of these members are certain to support aggressive investigations, all have shown concern about the Russian connection at one time, or are seen as more moderate.

• Thank our members of Congress for continuing to stand up for democratic accountability and public transparency in this investigation.
III. Resist the Demands of the Election Integrity Commission

Summary
- Since then, 44 of 50 states have said they will not completely comply with the request. Many will release publicly available data but nothing else. State laws on what voter records are public vary widely.

To Do:
- Call Senator Patty Murray (253) 572-3636 and Senator Maria Cantwell (253) 572-2281 and Rep. Heck (253) 533-8332. Script: Please tell Senator/Rep. _____ to speak out in the media or on the Senate/House floor against the Trump Election Integrity Commission because the Commission’s goal is not about integrity but about supporting the Trump delusion of illegal voting. This is extremely important to me and I will be watching closely for her public statements in opposition. Thank you for your time.
IV. Betsy DeVos’ Deregulation Rampage

Summary

- Through the first half of the year, the department led by Education Secretary Betsy DeVos has withdrawn, delayed or announced plans to revamp more than a half dozen Obama-era measures involving federal student aid.
- In March, the department announced schools would be given more time to appeal poor reviews under what is known as the “gainful employment” rule, which threatens to withhold student aid from vocational programs whose graduates consistently end up with more debt than they can repay.
- By June 14, the department announced an effort to rewrite the rule entirely. Weeks later, DeVos said schools would be given another year to comply with certain provisions and tell students how their programs are performing.
- Another much-debated rule is “borrower defense to repayment,” which erases federal loans for students whose colleges used illegal or deceptive tactics to get them to borrow money to attend. On the books since the 1990s, the rule was revised last year to speed up and simplify the claims process and shift more of the cost of discharging loans onto schools.
  - Before those changes could take effect July 1, DeVos suspended them last month and said she would convene a committee to reconsider the matter.
  - DeVos said her action will have no impact on tens of thousands of pending claims, but some borrowers say the process has already ground to a halt.
  - Under DeVos, The DOE has discharged debt for nearly half of the 16,453 approved claims it inherited from the Obama administration. About 64,000 remaining applications for relief, some three years old, are still under review.
- DeVos withdrew three Obama-era memos designed to strengthen consumer protections for student loan borrowers. One required the department to consider a loan servicer’s record, including consumer complaints and state investigations, before awarding a contract. The revised contract stripped out a requirement that the company have specialists on hand to aid people in delinquency, a feature meant to stem loan defaults.
- DeVos said last month that a regulatory reform task force is scrutinizing over 150 rules and more than 1,700 pieces of policy guidance. Many could be targeted for repeal or modification. The task force is co-chaired by Robert S. Eitel, a former attorney at for-profit college operator Bridgepoint Education, who is now senior counsel to DeVos.
- DeVos frames the changes she has made as necessary reforms to complex policies. Not only does she want to recast Obama-era regulations, she also has suggested that Congress should consider scrapping the Higher Education Act of 1965 and starting over. “It doesn’t make a lot of sense to simply amend a 50-year-old law,” DeVos said in June to the Association of Public and Land-grant Universities. “Adding to a half-century patchwork will not lead to meaningful reform. Real change is needed.”

Talking Points

- Consumer advocates say they fear Trump is unraveling years of work to ensure borrowers are placed ahead of profits.
• Rewriting the gainful-employment and borrower-defense rules is part of a broader effort at the department to reduce regulation.
• Advocates of the borrower-defense rule say it protects students from shoddy programs and high loan-default rates. Ninety-eight percent of the programs that failed to meet the standards outlined in the rule are offered by for-profit colleges.
• Critics say the task force is failing to account for the views of students.
• Withdrawing the Obama-era memo paves the way for student loan companies that have committed abuses against borrowers to continue on.
• “The early moves seem to be responsive to industry pet peeves,” said Rohit Chopra, the former student loan ombudsman at the Consumer Financial Protection Bureau. “It’s just not clear to me what’s the vision.”

Our Representatives
• On July 6, Washington Attorney General Bob Ferguson joined Massachusetts Attorney General Maura Healey and 17 other Democratic state attorneys general to file a lawsuit seeking to prevent any delay of the updated borrower-defense rule.
• Led by Sens. Patty Murray (D-WA) and Elizabeth Warren (D-MA), and Reps. Bobby Scott (D-VA) and Suzanne Bonamici (D-OR), over 150 Members of Congress sent a letter to Secretary DeVos on June 12, highlighting concerns surrounding her decision to change the federal student loan servicing contract process. Members of Congress also cited concerns with Secretary DeVos’ decision to reward just one company with all federal student loans—a move that would hurt both borrowers and taxpayers.
  o Cantwell and Heck both signed the letter

To Do

Call Senator Patty Murray (253) 572-3636 and Senator Maria Cantwell (253) 572-2281 and Rep. Heck (253) 533-8332. Kudos to Ferguson, Murray, Cantwell, and Heck. Keep up the pressure to protect students from DeVos’ predatory “reforms”!

Articles
• Trump Changes Higher Ed with Rollback of Obama-era Consumer Protections (WP)
• Members of Congress letter to DeVos (June 12)
• Attorney Generals criticize DeVos for hurting student loan borrowers (WP)
• Multistate Attorney Generals letter to DeVos
• DeVos lawsuit (NYT)