

Legislative forecast for the 116th Congress

Overview and status of key legislation across
different issue areas

February 7, 2019

Producer

National Journal Presentation Center

Roadmap



Highlighted legislation

- Democratic House priorities
- Republican Senate priorities



Legislation trackers (by issue area)

- Agriculture
 - Cybersecurity
 - Defense
 - Education
 - Energy
 - Environment
 - Financial regulation
 - Health care
 - Immigration
 - Infrastructure
 - Pharmaceuticals
 - Tax, labor & economy
 - Technology
 - Transportation
-

Of House Democrats' plans, the most likely to gain GOP support are improving infrastructure and cutting drug prices

Democrats' legislative priorities for the 116th Congress



Reform campaign ethics and voting rights

- Lessen the effects of lobbying on policy and enforce ethical campaign financing
- Require presidential nominees to release tax returns from the three most recent taxable years
- Expand voting rights, end partisan gerrymandering



Address climate change

- Establish measures to cut carbon pollution and counteract the Trump administration's rollback of environmental protections
- Enact a Green New Deal, which would transition all electric power to renewable sources in 10 years



Cut drug prices and fortify Obamacare

- Decrease drug prices, in part by allowing Medicare to negotiate prices and requiring manufacturers to be more transparent about pricing
- Fight litigation that could strip away the ACA's protections for people with preexisting conditions



Revamp US infrastructure

- Improve transportation infrastructure, water systems, broadband and more
- Demands for any infrastructure to include clean energy tax credits and provisions for research of new technology



Roll back GOP tax reforms

- Increase the corporate tax rate from 21% to as high as 28%; increase rates for high-earning individuals



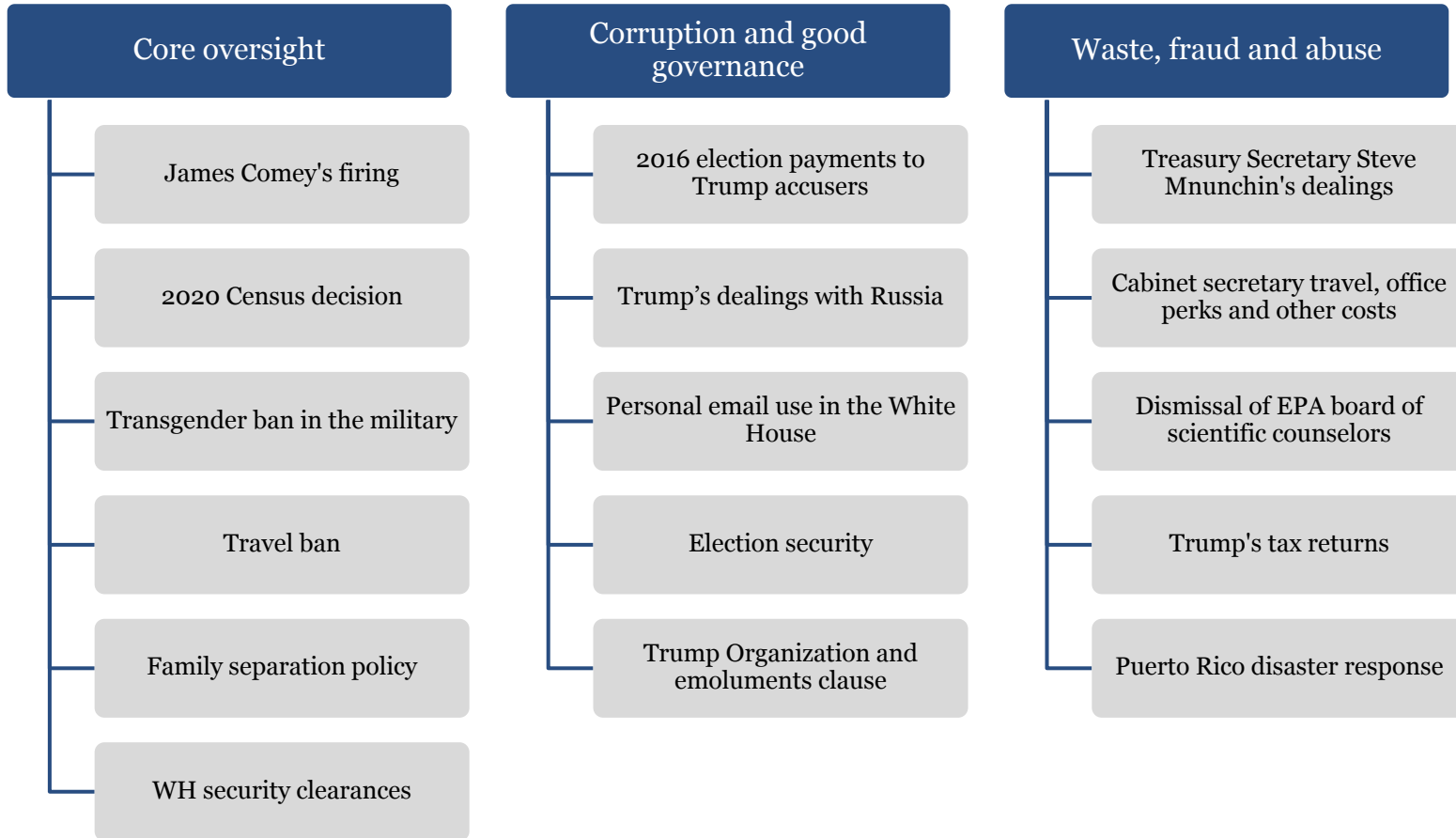
Raise the minimum wage

- Pass legislation for a \$15 per hour federal minimum wage, up from \$7.25

Sources: Paul M. Krawzak, "House Democrats' budget to assume corporate tax increase," Roll Call, Jan. 7, 2018; Lauren Fox and Clare Foran, "House Democratic priorities in new Congress: Trump tax returns and tackling corruption," CNN, Nov. 30, 2018; Jacob Pramuk, "Nancy Pelosi and House Democrats take control – here are the policies they plan to pursue," CNBC, Jan. 3, 2019.

Democrats have gained authority to subpoena documents, administration officials and Trump associates

Potential investigations in the 116th House of Representatives

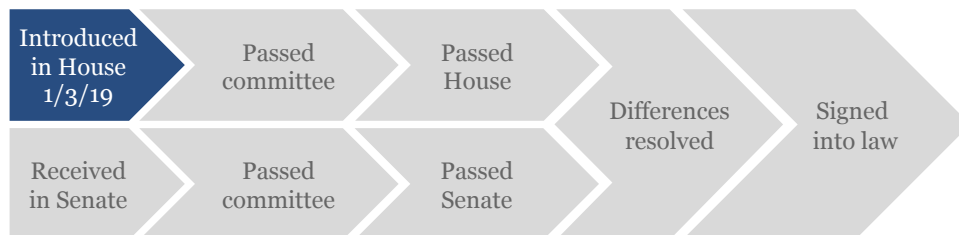


Sources: Paul Blumental. "Here are the 52 investigations that Democrats plan if they win the midterms." Huffington Post. August 24, 2018; Jonathan Swan. "Scoop: Republicans secretly study their coming hell." Axios. August 26, 2018; Dean DeChiaro, "In Oversight Role, House Democrats Aim for Both Check and Balance," Roll Call, December 17, 2018.

Key legislation to watch: elections reform, gun control and wage increase for civilian federal employees

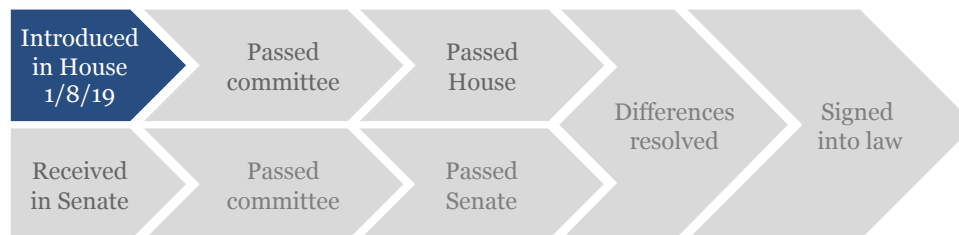
H.R.1: For the People Act of 2019

- Sponsor: Rep. John Sarbanes (D-MD-3)
- Cosponsors: 222 (all Democrats)
- Provides for automatic voter registration, independent commissions, super PAC restrictions, mandatory release of presidential tax returns and more; intended to expand Americans' access to the ballot box



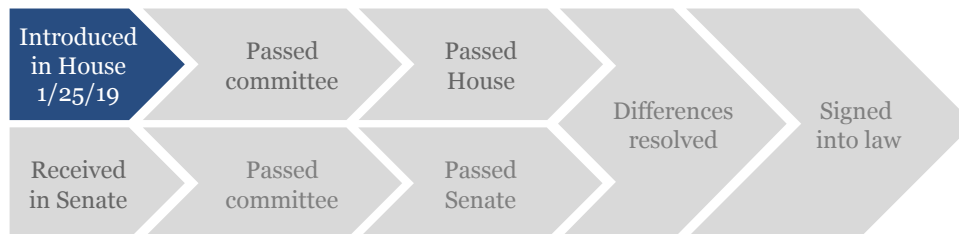
H.R.8: Bipartisan Background Checks Act of 2019

- Sponsor: Rep. Mike Thompson (D-CA-5)
- Cosponsors: 173 (168 D, 5 R)
- Provides for universal background checks preceding commercial gun sales
- Closes loopholes left open by current law, which do not cover sales made by unlicensed gun sellers



H.R.790: Federal Civilian Workforce Pay Raise Fairness Act of 2019

- Sponsor: Rep. Gerald Connolly (D-CA-11)
- Cosponsors: 9 (all Democrats)
- Provides 2019 pay increase for civilian federal employees according to the 2.6 percent pay raise given to military members for 2019, counteracting the White House's recommended pay freeze for the federal workforce



Sources: Congress.gov; Lindsey McPherson, "House Democrats unveil first major legislative package of voting, campaign finance and ethics overhauls," Roll Call, January 4, 2018; Cristina Marcos and Mike Lillis, "House Dems make gun control action an early priority," The Hill, January 8, 2019; Connolly.house.gov, "Connolly and Hoyer Introduce Federal Civilian Workforce Pay Raise Fairness Act of 2019," January 25, 2019; Ian Smith, "Retroactive Pay Raise Legislation Introduced," Fed Smith, January 27, 2019.

With little bipartisan overlap in priorities, Senate Republicans primarily seek to confirm conservative judges

Senate Republicans' legislative priorities for the 116th Congress



Confirm Trump's nominees

Confirm conservative judges to the federal bench
Confirm Trump's new Cabinet nominees and nominees for other vacant positions



Support Trump's border wall proposal

Fund President Trump's border wall proposal
Avoid having to support an emergency declaration to build a border wall



Balance House Democrats' oversight

Attempt to prevent House Democrats from obtaining Trump's tax returns
Counter Democratic messaging on the returns, should they obtain them



Lower drug prices and roll back Obamacare

Roll back Obamacare provisions and address problems in the legislation on a bipartisan basis
Prevent major drug companies from limiting the availability of lower-priced alternative medicines



Improve infrastructure

Focus on legislation to improve surface transportation, including roads and bridges, and later look at other infrastructure items



Defend tax reform

Defend 2017 GOP tax reform (the "Tax Cuts and Jobs Act") and repeal the federal estate tax



"I will not go along with efforts to weaponize the authority of tax-writing committees to access tax returns for political purposes. Such an action would be unprecedented."

Senate Finance chair Chuck Grassley, in floor remarks on Jan. 16, 2019 on the prospect of acquiring Trump's tax returns

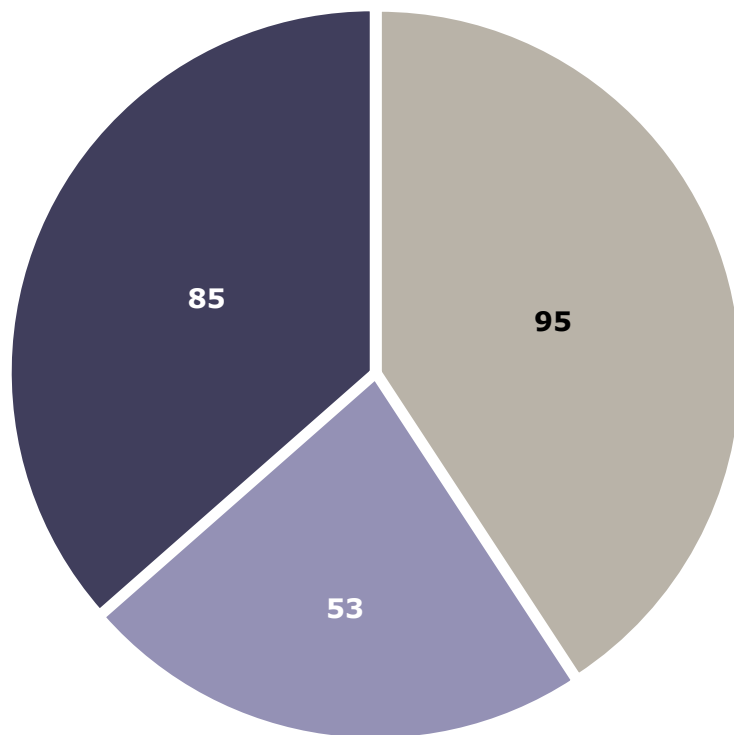
Sources: Dylan Scott, "Republicans will hold on to their Senate majority," Vox, Nov. 7, 2018; Joshua Roberts, "What to expect from the new Congress, from funding faceoffs to Trump tax returns," NBC News, Dec. 24, 2018; Jeff Stein, "Top GOP senators propose repealing estate tax, which is expected to be paid by fewer than 2,000 Americans a year," The Washington Post, Jan. 28, 2019; Naomi Jagoda, "Key players in new fight over Trump tax returns," The Hill, Dec. 28, 2018; Paige Winfield Cunningham, "The Health 202: Congress and Trump may actually take action in 2019 to lower drug prices," The Washington Post, Jan. 7, 2019; Richard Crowan, "Infrastructure, healthcare, judges on U.S. Senate agenda," Reuters, Nov. 7, 2018.

Trump may nominate conservative judges to 95 vacant seats; a GOP-majority Senate makes confirmations more likely

Status of judiciary vacancies

AS OF JANUARY 31, 2019

■ No nominee ■ Awaiting confirmation ■ Confirmed



President Trump inherited **108** federal judge vacancies

As of January 31, 2019:

119 judiciary positions have opened up during Trump's presidency and either remain vacant or have been filled

Total:

227 potential Trump nominations

**All of President Trump's nominees were returned at the end of the 115th Congress*

Sources: United States Courts; Federal Judicial Center

Roadmap



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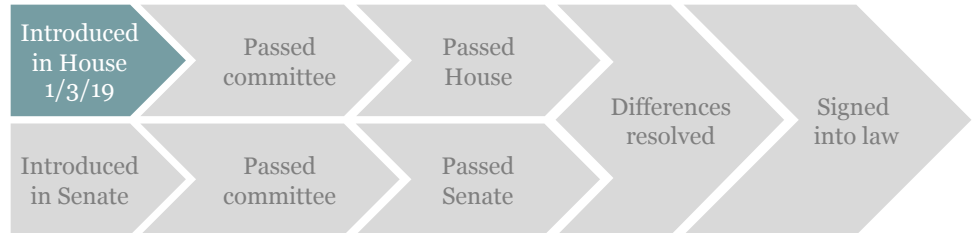


Legislation to watch: agriculture

H.R. 82: FUEL Reform Act

Sponsor: Rep. Andy Biggs (R-AZ)

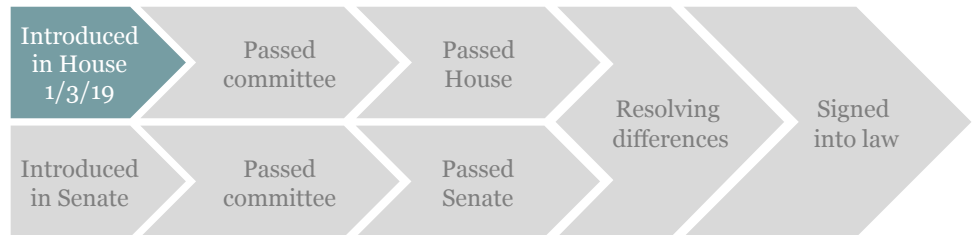
- Ends bioenergy subsidy programs at the Department of Agriculture by repealing Title IX of the Farm Security and Rural Investment Act of 2002



H.R. 178: Appalachia Opportunity Grants Act of 2019

Sponsor: Rep. H. Morgan Griffith (R-VA)

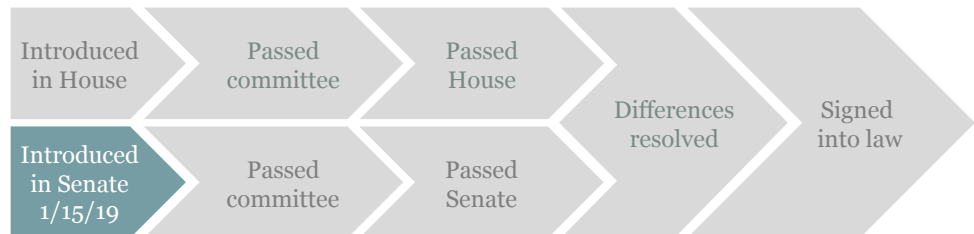
- Authorizes the Department of Agriculture to give grants promoting positive community and economic impacts in Appalachia
- Grants are limited to \$2 million
- Funding provided through the Workforce Innovation and Opportunity Act



S. 125 REDUCE Government Waste Act

Senate sponsor: Sen. Catherine Cortez Masto (D-NV)

- Amends the Agricultural Act of 2014 to repeal the forfeiture rule for peanuts under the nonrecourse marketing assistant loan program
- Bans the use of federal funds to develop robot bartenders
- Bans the use of federal funds to research insect-based foods



Sources: "H.R. 82 - FUEL Reform Act." congress.gov; "H.R. 178 - Appalachia Opportunity Grants Act of 2019." congress.gov; "S. 125 REDUCE Government Waste Act"



REDUCE Government Waste Act

S. 125: Removing Excessive Dollars to Uproot and Cut Expensive Government Waste Act

Bill at a glance



Sen. Catherine Cortez Masto (D-NV)
Bill sponsor

Bill overview

- Introduces a number of provisions designed to cut government spending for certain activities
- Bans a provision that allows the payment of debt to the federal government in peanuts
- Bans the use of federal funding for research on robot bartenders
- Bans the use of federal funding for research on insect-based foods

Status in Congress

- **Senate:** Introduced in the Senate on January 15, 2019 and referred to the Committee on Agriculture, Nutrition, and Forestry

Points of controversy

- The act was introduced as a point of bipartisan compromise between Sen. Masto and Sen. Mike Lee (R-UT), but it is unlikely that much legislation will be passed in a divided Congress

Co-sponsors: 1



Key actions in 2019

January: The bill was introduced into Congress on January 15, 2019 by Sen. Catherine Cortez Masto (D-NV) and Sen. Mike Lee (R-UT). Sen. Masto had re-introduced the legislation from the previous Congress.

Sources: H.R. 4796 — 115th Congress: USA Act of 2018.” www.GovTrack.us. 2018. July 6, 2018; Congress.gov.

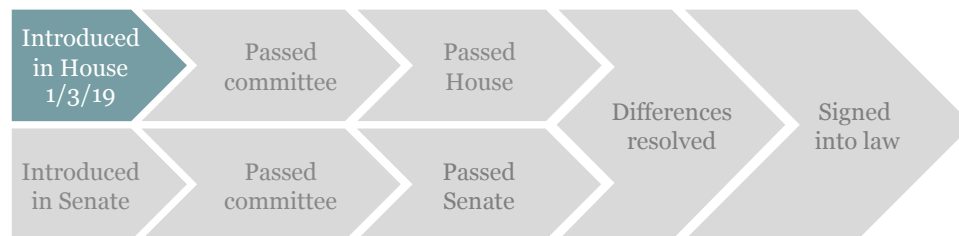


Legislation to watch: cybersecurity

H.R. 57: CAPITAL S ACT

Sponsor: Rep. Sheila Jackson Lee (D-TX)

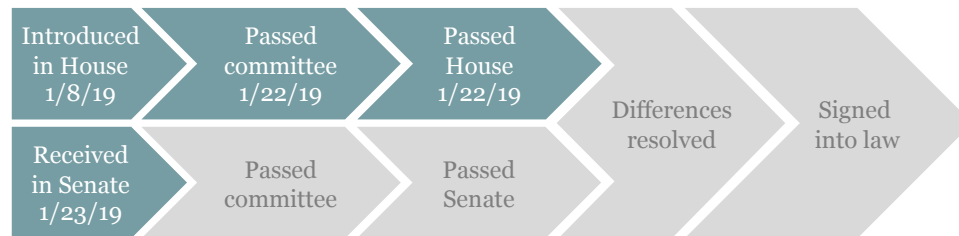
- Would require the Dept. of Homeland Security to commission a study on the feasibility of creating a Civilian Cyber Defense Resource
- The resource would provide support for a region or area of the US affected by a cyberattack



H.R. 328: Hack Your State Department Act

Sponsor: Rep. Ted Lieu (D-CA)

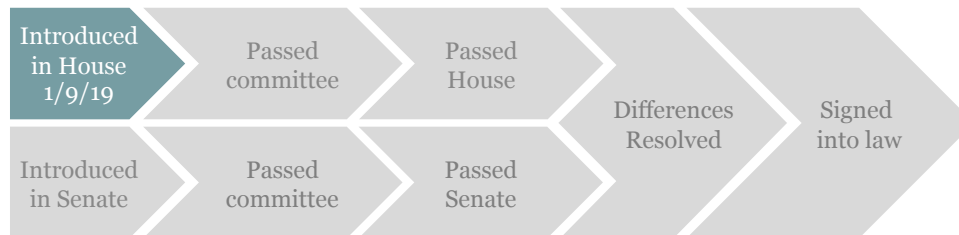
- Would require the Secretary of State to design and establish a Vulnerability Disclosure Process and a bug bounty program
- This bug bounty program would identify and report vulnerabilities within State Department IT



H.R. 370: Pipeline and LNG Facility Cybersecurity Preparedness Act

Sponsor: Rep. Fred Upton (R-MI)

- Would require the Dept. of Energy to collaborate with states, the energy sector and other agencies to establish protocols to ensure the resilience of the energy grid



Sources: National Journal Research, 2018; Congress.gov.



Hack Your State Department Act

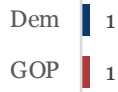
H.R. 328

Bill at a glance



Rep. Ted Lieu
(D-CA)
Bill sponsor

Co-sponsors: 2



Bill overview

- Would order the Secretary of State to establish a Vulnerability Disclosure Process (VDP) to provide security researchers with guidelines for discovering vulnerabilities and reporting them to the State Dept.
 - Also directs Dept. of State to create infrastructure to receive and fix discovered vulnerabilities
- Would require State Dept. to submit a report to Congress on vulnerabilities discovered with respect to the VDP annually for the next six years
- Would also direct the Sec. of State to establish a pilot “bug bounty” program, which provides compensation for reporting previously unidentified security vulnerabilities within the Dept. of State
- Would require a one-time report to Congress on the success of the bug bounty pilot program and lessons learned

Key actions in 2019

September 25, 2018

H.R. 5433 passed the House during the 115th Congress, but did not pass the Senate

January 8, 2019

H.R. 328 was reintroduced during the 116th Congress and referred to the House Committee on Foreign Affairs

January 22, 2019

The bill passed the House 377-3, and was subsequently received in the Senate

Sources: National Journal Research, 2018; “H.R. 328,” Govtrack.us, 2018; Congress.gov, 2018

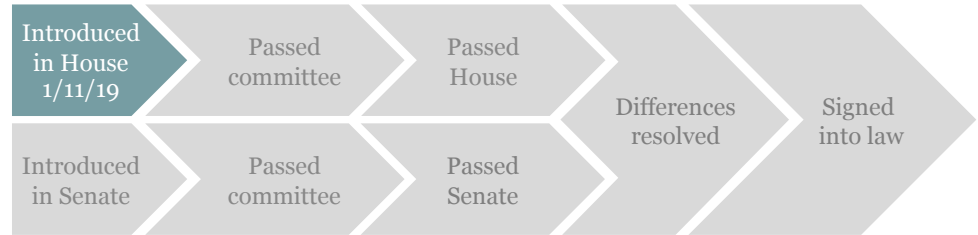


Legislation to watch: defense

H.R. 491: ASAP Act

Sponsor: Rep. Louie Gohmert (R-TX)

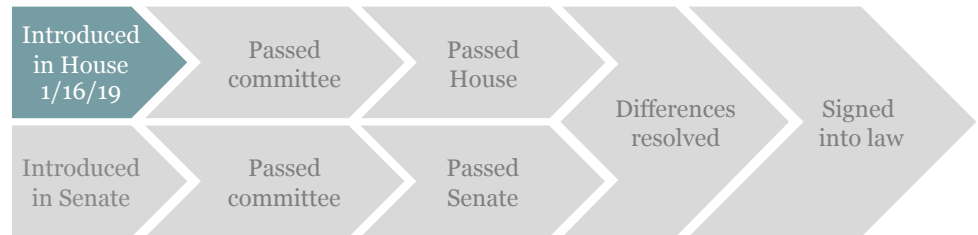
- Would appropriate any money left over in the Treasury not otherwise appropriated to pay members of the Armed Services during any periods of lapsed appropriations



H.R. 628: WINGMAN Act

Sponsor: Rep. Ted Yoho (R-FL)

- Would amend title 38 of the USC to allow a federal employee working in a district access to the VA records of any veteran in that district who makes a benefits claim with the VA
- This would allow the office of the representative of that district to assist veterans with navigating the VA benefits claim process

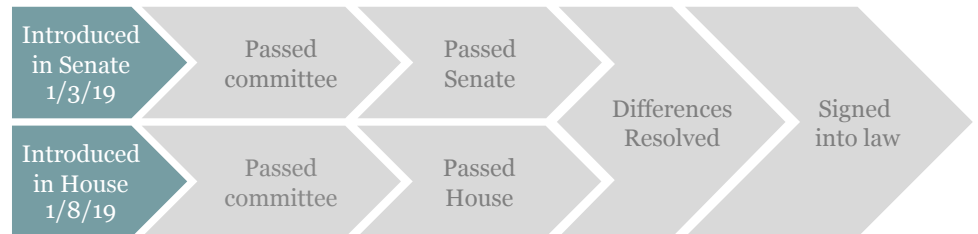


H.R. 336/S. 1: Strengthening America's Security in the Middle East Act of 2019

Sponsor: Sen. Marco Rubio (R-FL)

House Sponsor: Rep. Michael McCaul (R-TX)

- Would authorize increased assistance and weapons transfer to Israel, and extend defense cooperation with Jordan
- Would impose sanctions on the Central Bank of Syria if it is found to be a money-laundering concern
- Combats BDS by allowing states or local governments to divest from entities boycotting Israel

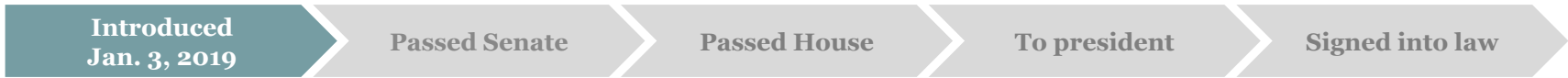




Strengthening America’s Security in the Middle East Act of 2019

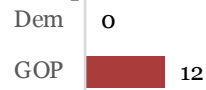
(S. 1)

Bill at a glance



Sen. Marco Rubio
(R-FL)
Bill sponsor

Co-sponsors: 12



Bill overview

- The first bill introduced in the Senate during the 116th Congress outlines Senate Republicans’ Middle East strategy; S.1 includes four bills:
 - A bill that authorizes loan guarantees to Israel through FY2023, military financing through FY2028 and increases weapons transfers to the country
 - A bill extending arrangements for expedited weapons transfers through Jordan through 2022
 - A bill that would impose sanctions on the Central Bank of Syria if it is found to be a money-laundering concern
 - A bill that would allow state or local governments to divest from entities boycotting Israel, as a measure to combat the Boycott, Divestment, and Sanctions movement
- 51 amendments have been submitted to the bill, with four proposed on the floor, including a notable amendment by Mitch McConnell expressing the sense of the Senate that the “precipitous withdrawal” of US forces from Syria and Afghanistan would have serious risks to US national and Middle East security

Key actions in 2019

Jan. 3, 2019

Sen. Marco Rubio introduces S.1 in the Senate.

Jan. 8, 2019

The Strengthening America’s Security in the Middle East Act of 2019 is reintroduced in the House as H.R. 336.

Feb. 4, 2019

The Senate agrees to an amendment proposed by Sen. Mitch McConnell on the Senate floor, rebuking President Trump for announcing the intention to withdraw US forces from Syria as soon as possible.

Sources: “S. 1,” Congress.gov.

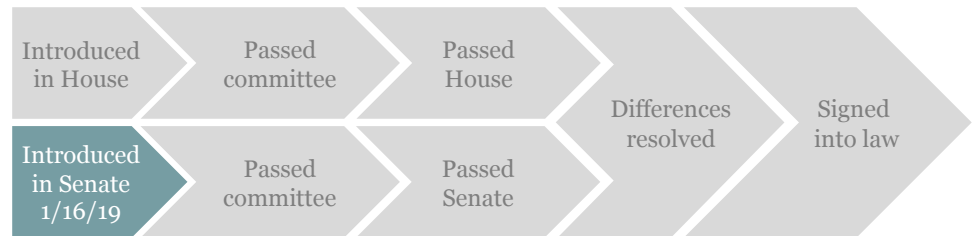


Legislation to watch: education

S. 145: CHOICE Act

Sponsor: Sen. Tim Scott (R-SC)

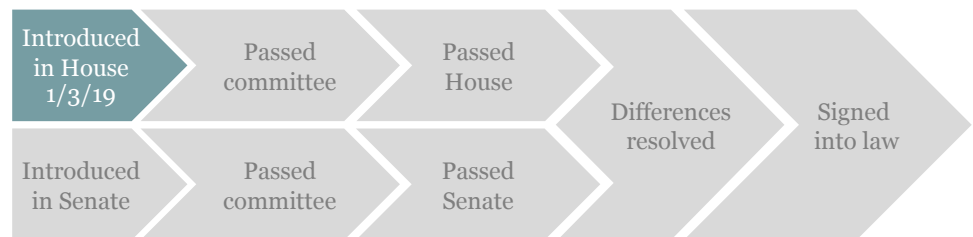
- Expands school choice programs, specifically for children with disabilities, students in military families on bases, and children in low-income families living in Washington, D.C.



H.R. 126: Students Voicing Opinions in Today's Elections (VOTE) Act

Sponsor: Rep. Al Green (D-TX-9)

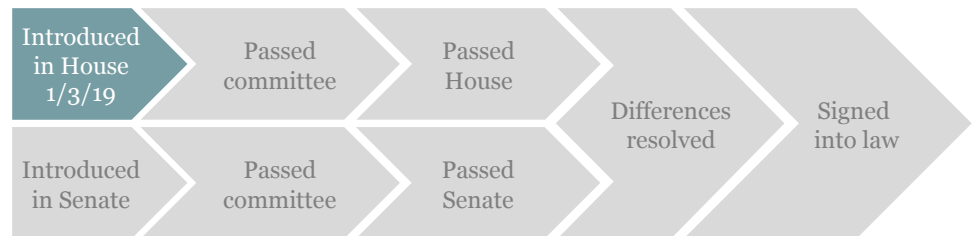
- Establishes a program under the Election Assistance Commission to provide funds to local educational agencies for initiatives that provide students in 12th grade with voter registration information



H.R. 231: Supporting America's Young Entrepreneurs Act of 2019

Sponsor: Rep. Nydia Velazquez (D-NY-7)

- Amends the Higher Education Act of 1965 to provide loan deferment and loan cancellation for founders and employees of small business start-ups





CHOICE Act

S. 145: Creating Hope and Opportunity for Individuals and Communities through Education Act

Bill at a glance



Sen. Tim Scott (R-SC)
Bill sponsor

Co-sponsors: 10



Bill overview

- Expands school choice options for students under the Individuals with Disabilities Education Act and funds research for services for children with disabilities
- Implements scholarship opportunities for military children living on bases to attend public or private elementary or secondary schools selected by the students' parents
- Amends the Scholarships for Opportunity and Results Act to expand opportunity scholarships for low-income students in the Washington, D.C. area
- Sen. Scott introduced an identical bill in the 115th Congress in partnership with Rep. Todd Rokita (R-IN)

Status in Congress

- **Senate:** Received in the Senate and referred to the relevant committee
- **House:** No identical bill currently exists

Key actions in 2019

January 16, 2019:

The bill was received in the Senate and referred to the Committee on Health, Education, Labor, and Pensions

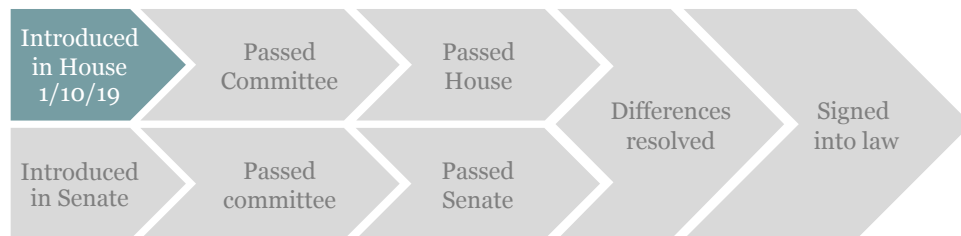


Legislation to watch: energy

H.R. 330: Climate Solutions Act of 2019

Sponsor: Rep. Ted Lieu (D-CA-33)

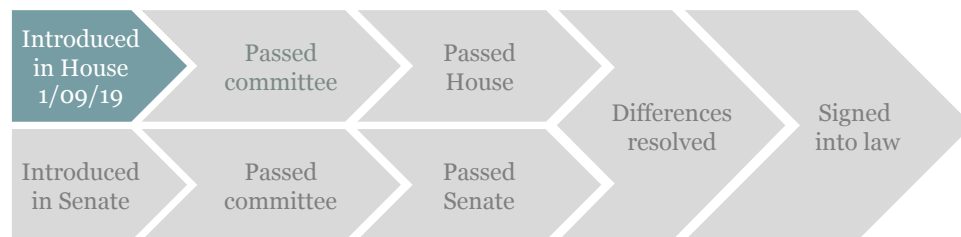
- Reduces greenhouse gas emissions and protects the climate by
 - Setting a national renewable energy standard
 - Setting a national energy efficiency standard
 - Setting emissions reduction targets
 - Commissioning a regular climate report



H.R. 359: Enhancing Grid Security through Public-Private Partnerships Act

Sponsor: Rep. Jerry McNerney (D-CA-9)

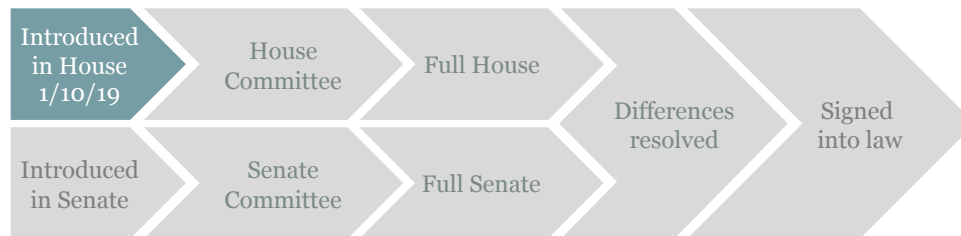
- Directs the Department of Energy to facilitate and encourage public-private partnerships in order to address and mitigate the physical security and cybersecurity risks of electric utilities



H.R. 431: CAFE Standards Repeal Act of 2019

Sponsor: Rep. Roger Williams (R-TX-25)

- Repeals the corporate average fuel economy (CAFÉ) standards
- CAFE standards regulate how far vehicles must travel on a gallon of fuel



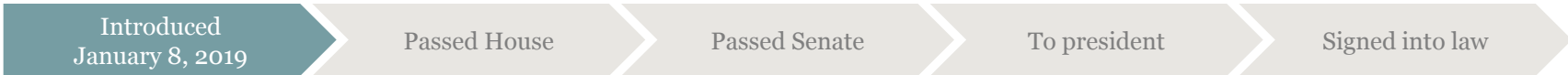
Sources: "H.R. 330 – Climate Solutions Act of 2019," Congress.gov; "H.R. 359 – Enhancing Grid Security through Public-Private Partnerships Act," Congress.gov; "H.R. 431 – CAFÉ Standards Repeal Act of 2019," Congress.gov.; "Corporate Average Fuel Economy," National Highway Traffic Safety Administration.



Climate Solutions Act of 2019

H.R. 330: To reduce greenhouse gas emissions and protect the climate

Bill at a glance



Rep. Ted Lieu
(D-CA-33)
Bill sponsor

Co-sponsors: 17



Bill overview

- Requires that 100 percent of electricity sold in the United States be generated from renewable sources by 2035
- Requires greenhouse gas emissions to be 80 percent below 1990 levels by 2050
- Requires that electricity and natural gas suppliers secure annual end-user savings of 1.5 and .5 percent of sales by 2025, respectively
- Commissions a report every five years evaluating whether current regulations are sufficient to avoid dangerous climate change
- Rep. Lieu introduced versions of the Climate Solutions Act in both the 114th and 115th Congress

Status in Congress

- **House:** Referred to the Committee on Energy and Commerce as well as the Committee on Foreign Affairs
- **Senate:** No identical bill currently exists

Key actions in 2019

January 8, 2019: The bill was introduced and referred to the House committees on Energy and Commerce and Foreign Affairs

Points of controversy

- Most voters do not consider climate change a top priority for Congress
- A national renewable energy standard has been critiqued as impractical and failed to pass in previous congresses

Sources: "H.R. 330," Congress.gov; "Rep Lieu introduces bold climate change bill," "Lieu.house.gov, Jan. 9. 2019; "National Tracking PLL #190202," Morning Consult + Politico, Feb. 2019; Jeff Postelwait, "A U.S. Federal Renewable Portfolio Standard: Potentials and Pitfalls," Renewable Energy World, March 27, 2009.

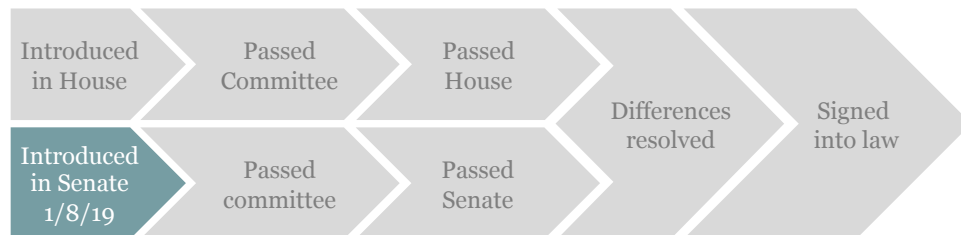


Legislation to watch: environment

S. 47: Natural Resources Management Act

Sponsor: Sen. Lisa Murkowski (R-AK)

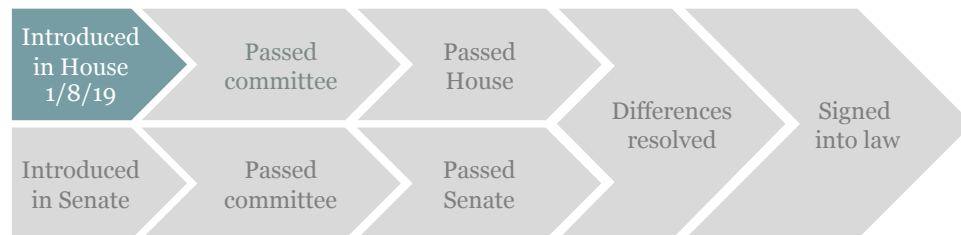
- Sets forth provisions regarding for the management and conservation of natural resources on federal lands
- Specific features include land conveyances, national conservation and recreation areas, wildlife conservations and funding for the Land and Water Conservation Fund



H.B. 341: COAST Anti-Drilling Act

Sponsor: Rep. Frank Pallone (D-NJ-6)

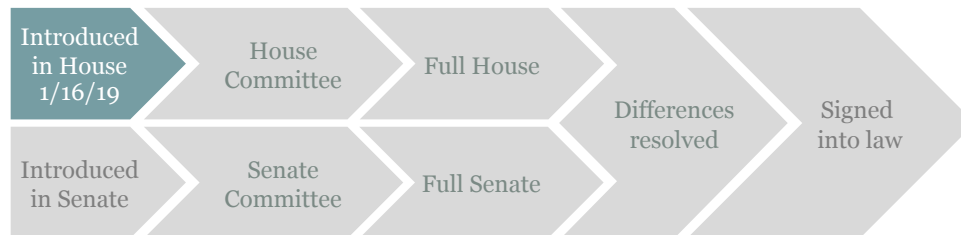
- Prohibits offshore oil and gas drilling on much of the outer Continental Shelf of the Atlantic ocean



H.R. 585: BREATHE Act

Sponsor: Yvette Clarke (D-NY-9)

- Amends the Clean Air Act to eliminate exemptions for oil and gas producers
- Adds hydrogen sulfide to the list of hazardous air pollutants in the Clean Air Act



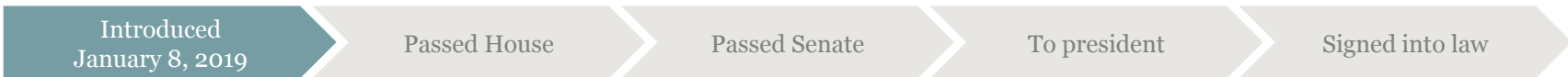
Sources: "S.47 – Natural Resources Management Act," Congress.gov; "H.B.341 – COAST Anti-Drilling Act," Congress.gov; "H.R.585 – BREATHE Act," Congress.gov.



Natural Resources Management Act

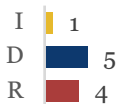
S. 47: To sets forth provisions regarding various programs, projects, activities, and studies for the management and conservation of natural resources on federal lands

Bill at a glance



Sen. Lisa Murkowski (R-AK)
Bill sponsor

Co-sponsors: 10



Bill overview

- The bill reflects the bipartisan Senate-House agreement reached near the end of the 115th Congress to bundle together over 100 individual land bills
- Focusing primarily on western states, it creates opportunities for both resource and community development
- The provisions in the bill were sponsored by 50 Senators and cosponsored by almost 90 Senators in the 115th Congress
- The bill authorizes dozens of land exchanges and conveyances to states and local governments for economic development and adjusts existing federal land use designation boundaries
- It permanently reauthorizes the Land and Water Conservation Fund, protects endangered species and preserves historic sites
- It expands sportsmen’s access on federal lands

Status in Congress

- **Senate:** On January 31, 2019, Senate Majority Leader Mitch McConnell (R-KY) filed cloture on the motion; additionally, 34 related bills exist
- **House:** No identical bill currently exists, although there are 30 related bills

Key actions in 2019

November 27, 2018: A cloture motion was presented in the Senate, closing debate on whether the motion should proceed

Points of controversy

- Negotiations on past versions of the bill have been delayed by disagreements on natural resource policy issues

Sources: “S.47 – Natural Resources Management Act,” Congress.gov; “S. 47, the Natural Resources Management Act,” Energy.senate.gov; Timothy Cama, ‘Senators introduce new bipartisan energy bill,’ The Hill, June 29, 2017.

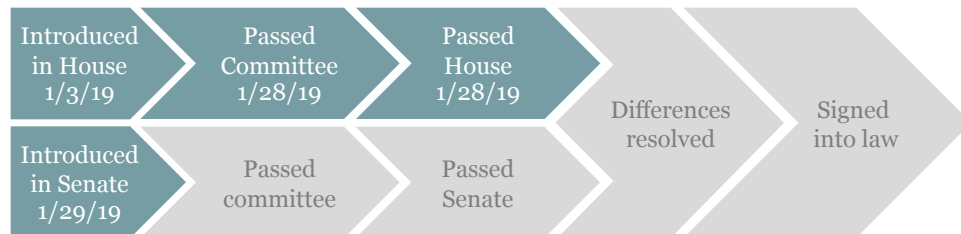


Legislation to watch: financial regulation

H.R. 56: Financial Technology Protection Act

Sponsor: Rep. Ted Budd (R-NC-13)

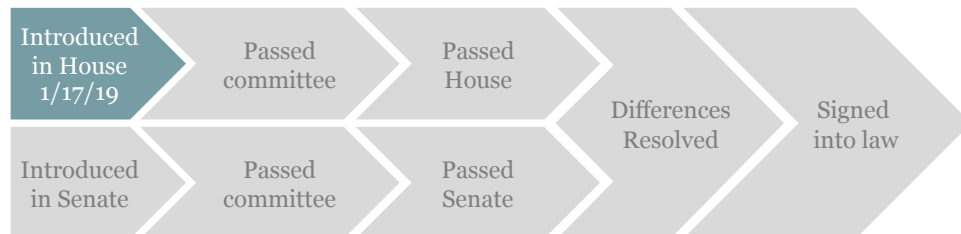
- Establishes a Task Force to Combat Terrorism and Illicit Financing, which will issue an annual report
- Establishes a program to promote the development of law enforcement tools related to digital currencies



H.R. 658: National Infrastructure Development Bank Act

Sponsor: Rosa DeLauro (D-CT-3)

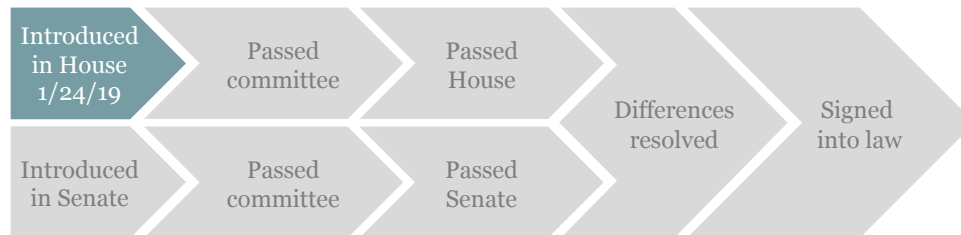
- Creates a public bank to fund infrastructure projects
- The bank would issue its own bonds that would be exempt from some taxes



H.R. 741: Taking Account of Institutions with Low Operational Risk (TAILOR) Act

Sponsor: Rep. Scott Tipton (R-CO-3)

- Requires regulators to ensure that regulations match banks' business models and risk profiles
- Instructs regulators to review all regulations adopted over the past seven years for compliance with the bill





TAILOR Act

H.R. 741: The Taking Account of Institutions with Low Operational Risk Act of 2018

Bill at a glance



Rep. Scott Tipton
(R-CO-3)
Bill sponsor

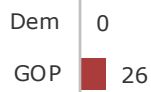
Bill overview

- Requires all future regulation to account for the size and risk of the financial institution being regulated
- Requires regulators to consider the appropriateness and impact of regulation on an institution
- Within three years of enactment, directs regulators to review all regulations adopted within the previous seven years and apply the bill's requirements to these rules

Status in Congress

- **House:** Referred to the Financial Services Committee
- **Senate:** No identical bill exists

Co-sponsors: 26



Points of controversy

- Some consumer groups argue that the bill is unnecessary, as regulators have already taken this approach in some instances
- Critics argue that the bill would remove necessary regulation on smaller banks, potentially putting consumers at risk

Key actions

January 24, 2019: House bill introduced and referred to the House Committee on Financial Services

Sources: Scott Tipton, Press Release, January 24, 2019; National Consumer Law Center et al. letter, March 13, 2018

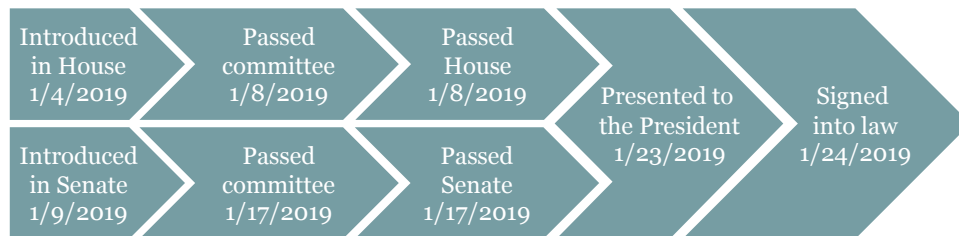


Legislation to watch: health care

H.R. 259: Medicaid Extenders Act of 2019

Sponsor: Rep. Frank Pallone, Jr. (D-NJ-6)

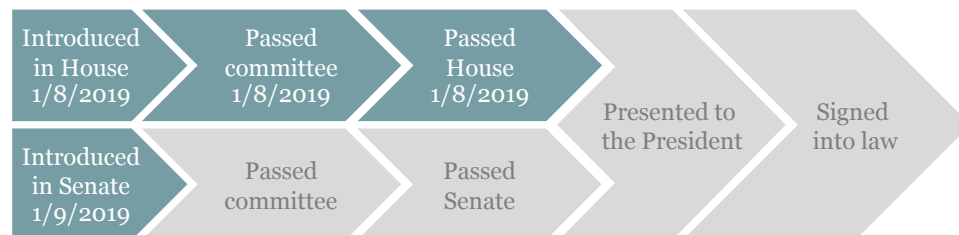
- Makes appropriations for FY2019
- Reduces the federal medical assistance percentage for states that have not implemented asset-verification programs for determining Medicaid eligibility
- Reduces funding available to the Medicaid Improvement Fund beginning in FY2021



H.R. 269: Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019

Sponsor: Rep. Anna Eshoo (D-CA-18)

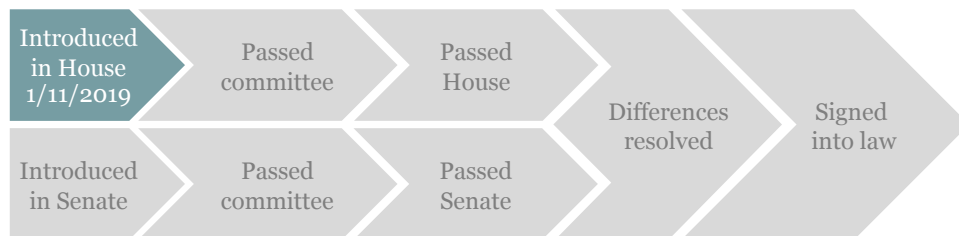
- Reauthorizes certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application



H.R. 525: Strengthening the Health Care Fraud Prevention Task Force Act of 2019

Sponsor: Rep. Greg Walden (R-OR-2)

- Amends title XI of the Social Security Act to direct the Secretary of Health and Human Services to establish a public-private partnership for purposes of identifying health care waste, fraud, and abuse



Sources: Congress.gov

Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019

H.R. 269

Bill at a glance

Introduced
Jan. 8, 2019

Passed House
Jan. 8, 2019

Passed Senate

To president

Signed into law



Rep. Anna Eshoo
(D-CA-18)
Bill sponsor

Bill overview

- Reauthorizes certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response
- Clarifies the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application

Status in Congress

- **House:** Passed House on a motion to suspend the rules and pass bill
- **Senate:** Read for a second time and placed on the calendar as item No. 10

Co-sponsors: 7

Dem  3

GOP  4

Key actions in 2019

January 8, 2019:

The bill was received in the House and referred to the Committee on Energy and Commerce.

January 8, 2019:

Passed/agreed to in House: on motion to suspend the rules and pass the bill
Agreed to by the yeas and nays (2/3 required): 401-17

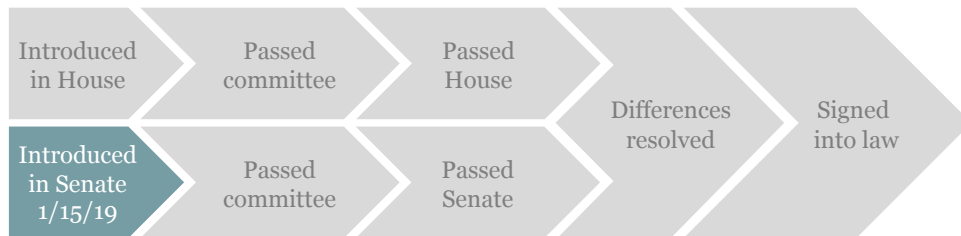


Legislation to watch: immigration

S. 135: Prioritizing Help to Businesses Act

Sponsor: John Thune (R-SD)

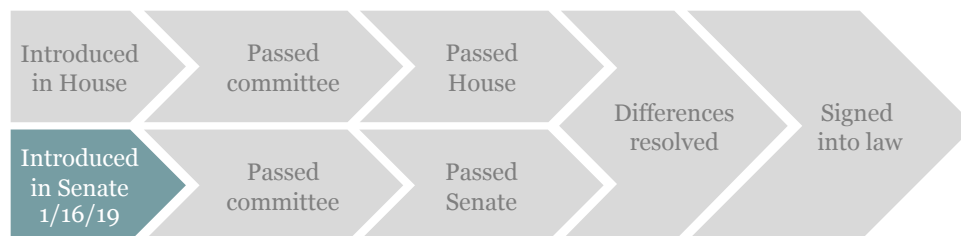
- Changes the H-2B temporary worker visa program to allocate visas to states with low unemployment rates



S. 166: A bill to provide provisional protected presence status for certain aliens and to provide mandatory appropriations relating to border security

Sponsor: Sen. Lindsey Graham (R-SC)

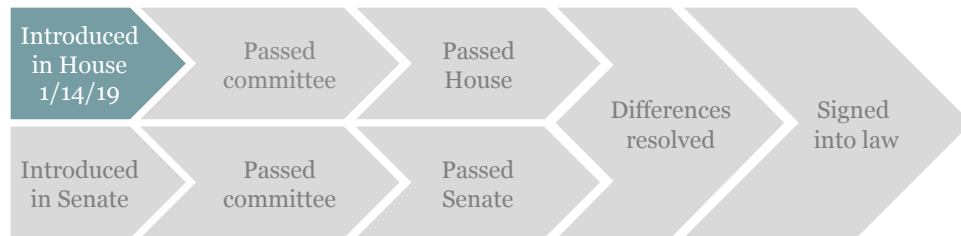
- Grants legal status to those currently protected under the DACA program, with reapplication every three years
- Funds the border wall



H.R. 541: Keep Families Together Act

Sponsor: Rep. Jerry Nadler (D-NY)

- Prevents the federal government from separating families at the southern border



Sources: "H.R. 541 – Keep Families Together Act." Congress.gov; "S. 135 – Prioritizing Help to Businesses Act." Congress.gov; "S. 166 – A bill to provide provisional protected presence status for certain aliens and to provide mandatory appropriations relating to border security." Congress.gov.



Keep Families Together Act

H.R. 541

Bill at a glance



Rep. Jerry Nadler
(D-NY)
Bill sponsor

Bill overview

- Prohibits federal agencies from removing children from their parent or legal guardian within 100 miles of a U.S. border unless a best interests determination by a court or state welfare agency found it necessary to do so
- Mandates that the Secretary of Homeland Security publish guidance on locating separated children
- Requires an annual report on family separation to be submitted to Congress

Status in Congress

- **House:** Introduced in House and referred to the Judiciary Committee and the Committee on Homeland Security

Co-sponsors: 190



Points of controversy

- Almost all House Democrats have signed on to co-sponsor this bill, but it is unlikely that the Republican-controlled Senate would pass this legislation

Key actions in 2019

January: The bill was reintroduced into Congress on January 14, 2019 by Rep. Jerry Nadler, who is now the Chair of the House Judiciary Committee

Sources: "H.R. 541 – Keep Families Together Act." Congress.gov.

Members of the Homeland Security Conference Committee

Position	Democrats		Republicans	Position
House Appropriations Chair	Nita Lowey (NY)	House Conferees	Kay Granger (TX)	House Appropriations Ranking Member
Subcommittee Chair	Lucille Roybal-Allard (CA)		Chuck Fleischmann (TN)	Subcommittee Ranking Member
	David Price (NC)		Tom Graves (GA)	
	Barbara Lee (CA)		Steven Palazzo (MI)	
	Henry Cuellar (TX)			
	Pete Aguilar (CA)			
Senate Appropriations Ranking Member	Patrick Leahy (VT)	Senate Conferees	Richard Shelby (AL)	Senate Appropriations Chair
Subcommittee Ranking Member	Jon Tester (MT)		Shelley Moore Capito (WV)	Subcommittee Chair
	Dick Durbin (IL)		John Hoeven (ND)	
			Roy Blunt (MO)	

Sources: National Journal Research, 2019.

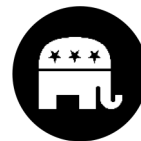
Democrats have unveiled their border wall proposal in the conference committee

An overview of Democrats and Republicans' proposals



Democrats' proposal

- Omits funding for a physical border barrier
- Includes funding for an additional 1,000 customs officers
- Allocates funding for the deployment of imaging technology that would scan vehicles for drugs and contraband
- Repairs ports of entry
- Includes \$502 million for medical care, transportation, food, and holding facilities with better conditions and services for migrants crossing the border
 - The “alternatives to detention program” would keep families together and reduce the number of detentions of migrants



Republicans' proposal

- Republicans on the conference committee have yet to submit a concrete proposal
- Republicans have signaled support for improved technology to screen vehicles and stop drug shipments
- Committee members have indicated that a physical barrier is essential to the border security issue, echoing President Trump's demands for \$5.7 billion for a border wall

“*If the committee of Republicans and Democrats now meeting on Border Security is not discussing or contemplating a Wall or Physical Barrier, they are Wasting their time!*”

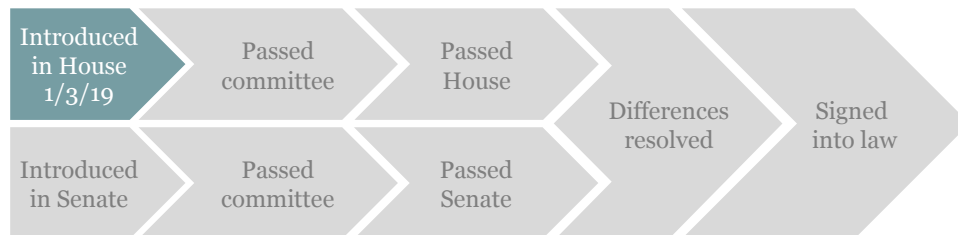
– **President Trump**, warning negotiators in a tweet that he would not sign legislation that did not fund a physical barrier along the Southern border

Legislation to watch: infrastructure

H.R. 66: Route 66 Centennial Commission Act

Sponsor: Rep. Rodney Davis (R-IL-13)

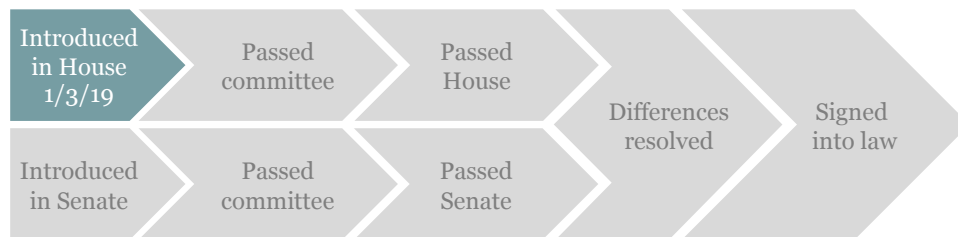
- Requires the Dept. of Transportation to prepare a plan on the preservation needs of Route 66
- Establishes the Route 66 Centennial Commission to honor Route 66 on the occasion of its anniversary



H.R. 180: Build America Act of 2019

Sponsor: Rep. Alcee Hastings (D-FL-20)

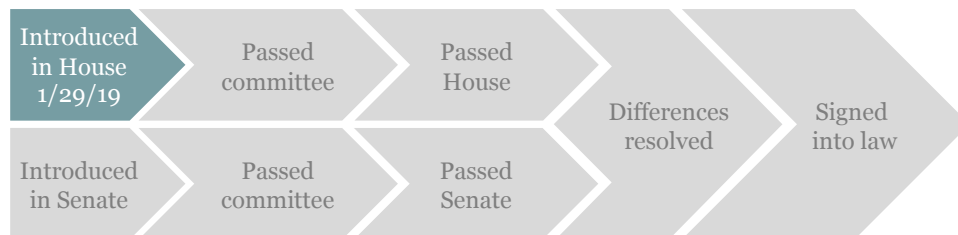
- Establishes a grant program for capital investments in surface transportation infrastructure
- Establishes a National Infrastructure Investment Trust Fund and increases the tax on gasoline other than aviation gasoline and on diesel fuel or kerosene



H.R. 831: Reviving America's Scenic Byways Act of 2019

Sponsor: Rep. David Cicilline (D-RI-1)

- Revives the National Scenic Byway program, which preserves the nation's roads of historical and cultural value
- Directs the Secretary of Transportation to issue a request for nominations for roads to be designated for the national scenic byways program



Build America Act of 2019

H.R. 180

Bill at a glance



Rep. Alcee Hastings
(D-FL-20)
Bill sponsor

Co-sponsors: 7



Bill overview

- Directs to the Department of Transportation to implement a national infrastructure grant program for capital investments in surface transportation infrastructure, with funding available to highway and bridge projects, public transportation projects, passenger and freight rail transportation projects, and port infrastructure investments
- Requires 20% of grant funds to be allocated to projects in rural areas
- Amends the Internal Revenue Code to establish a National Infrastructure Investment Trust Fund and increase the gas tax (excluding taxes on aviation gasoline, diesel fuel or kerosene)

Status in Congress

- **House:** Received in the House and referred to the relevant committee

Key actions in 2019

January 3, 2019:

The bill was received in the House and referred to the Committee on Transportation and Infrastructure and to the Committee on Ways and Means

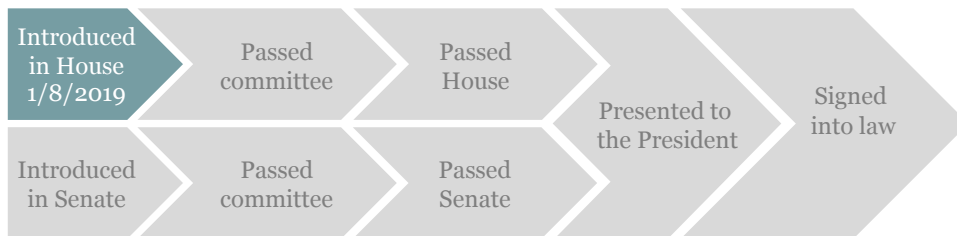


Legislation to watch: pharmaceuticals

H.R. 275: Medicare Prescription Drug Price Negotiation Act of 2019

Sponsor: Rep. Peter Welch (D-VT-At Large)

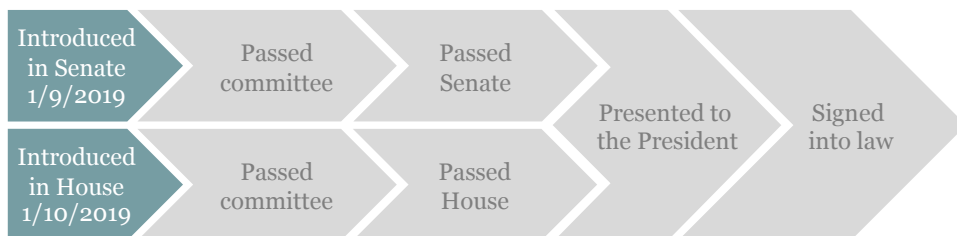
- Requires CMS to negotiate with pharmaceutical companies regarding prices for drugs covered under the Medicare prescription drug benefit
- Current law prohibits the CMS from negotiating



S. 61/H.R. 478: Safe and Affordable Drugs from Canada Act of 2019

Sponsor: Sen. Chuck Grassley (R-IA) and Rep. Chellie Pingree (D-ME-1)

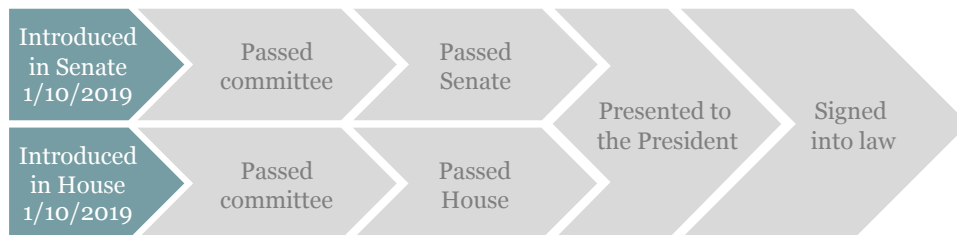
- Amends the Federal Food, Drug and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada



S. 102/H.R. 465: Prescription Drug Price Relief Act of 2019

Sponsor: Sen. Bernie Sanders (I-VT) and Rep. Ro Khanna (D-CA-17)

- Aims to lower prescription drug prices by ending government-granted monopolies for manufacturers who charge higher drug prices in the United States than in other countries



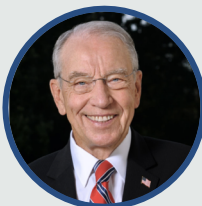
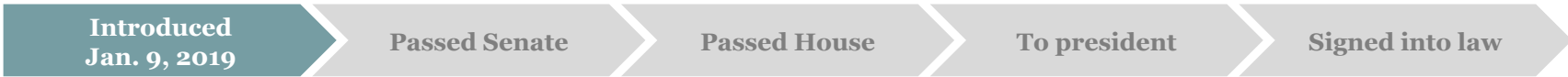
Sources: Congress.gov



Safe and Affordable Drugs from Canada Act of 2019

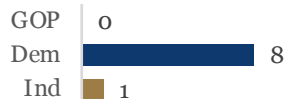
S. 61/H.R. 478

Bill at a glance



Sen. Chuck Grassley
(R-IA)
Bill sponsor

Co-sponsors: 7



Bill overview

- Amends Chapter VIII of the Federal Food, Drug and Cosmetic Act by adding language that allows for the personal importation of safe and affordable drugs from approved pharmacies in Canada
- Requires that the HHS Secretary enact the law no later than 180 days after the bill is signed into law
- Prohibits purchasing from Canada for the purpose of resale and for supplies that exceed 90 days

Status in Congress

- **Senate:** Introduced in the Senate on January 9
- **House:** The same text introduced in the House on January 10

Points of controversy

- Some argue that importation undermines laws and legal precedents and reduces investment in discovering and testing new drugs.

Key actions in 2019

January 8, 2019:

The Senate and House introduced the bills simultaneously. The House bill was introduced by Rep. Chellie Pingree (D-ME-1) and has 7 House co-sponsors.

January 10, 2019:

The House referred the bill to the Committee on Energy and Commerce.

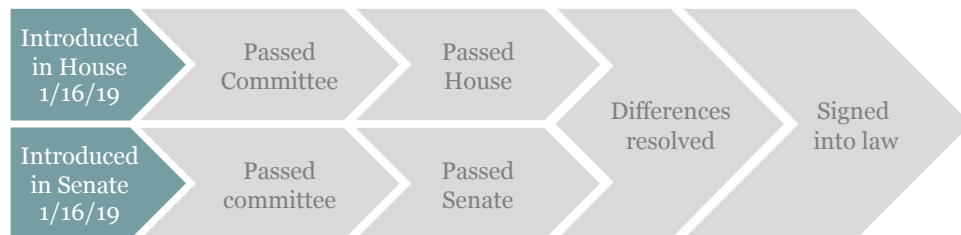


Legislation to watch: tax, labor & economy

H.R.582/S.150: Raise the Wage Act

Sponsors: Rep. Bobby Scott (D-VA-3) & Sen. Bernie Sanders (I-VT)

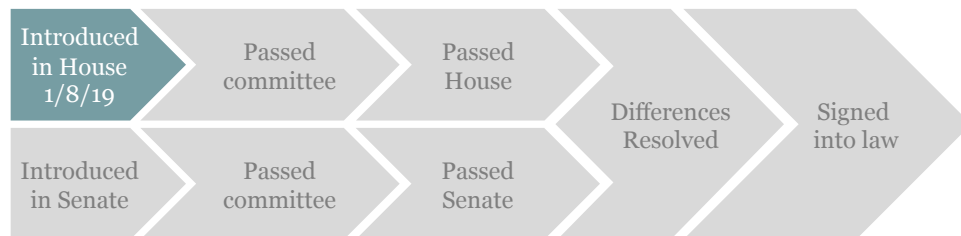
- Gradually increases the federal minimum wage to \$15/hour over a period of six years
- Phases out the subminimum wage for tipped workers



H.R.273: Presidential Tax Transparency Act of 2019

Sponsor: Rep. Anna Eshoo (D-CA-18)

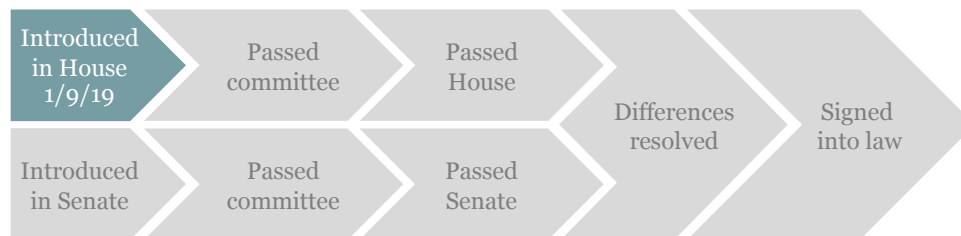
- Requires candidates running for the office of president or vice president to submit their individual income tax returns for the last 10 years to the Federal Election Commission
- Allows the chairman of the FEC to publicly disclose the president's tax returns



H.R.397: Rehabilitation for Multiemployer Pensions Act

Sponsor: Rep. Richard Neal (D-MA-1)

- Creates the Pension Rehabilitation Administration within the Dept. of Treasury, which would provide loans to multiemployer defined benefit pension plans in critical and declining status
- Directs the Treasury to issue bonds to fund its loans



Sources: Congress.gov, 2019.



Raise the Wage Act of 2019

H.R. 582

Bill at a glance



Rep. Bobby Scott
(D-VA-3)
Bill sponsor

Bill overview

- Gradually increases the federal minimum wage from \$7.25 to \$15/hour over a period of six years and indexes future increases to median wage growth
- Phases out the subminimum wage (tipped wage)
- Repeals the subminimum wage for youth workers
- Ends subminimum wage certificates for individuals with disabilities

Status in Congress

- **House:** Introduced and referred to Education and Labor Committee
- **Senate:** Introduced and referred to HELP Committee

Co-sponsors: 193



Points of controversy

- Critics argue that raising the minimum wage would cause layoffs, increase unemployment among young and unskilled workers, and disproportionately harm small businesses
- Proponents argue that the legislation would expand opportunities for families, spur economic growth and lift millions out of poverty

Key actions in 2019

January 16, 2019: House bill introduced and referred to the House Committee on Education & Labor; Senate bill introduced and referred to Senate HELP Committee

Sources: Congress.gov; Bethany Blankley, "Critics: Trend to raise minimum wage will cost potentially millions of jobs," *Watchdog*, Jan. 21, 2019; "Raise the Wage Fact Sheet," *U.S. Senate*, Jan. 16, 2019.

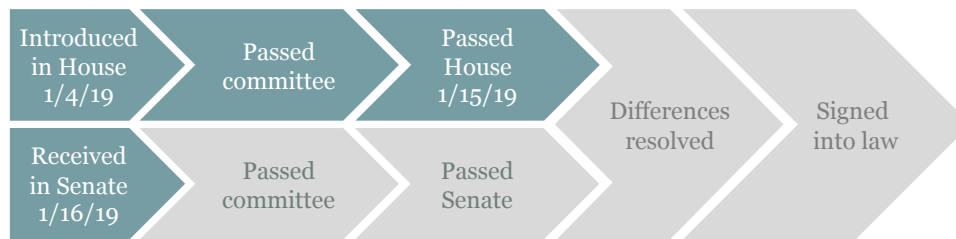


Legislation to watch: technology

H.R. 247: Federal CIO Authorization Act

Sponsor: Rep. Will Hurd (R-TX)

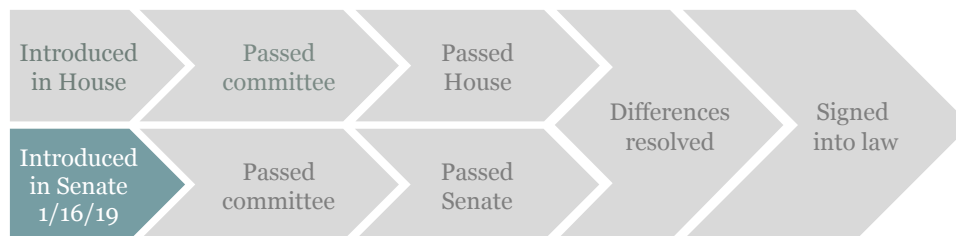
- Would reorganize OBM's information technology management, directing the federal CIO to report to the OMB director.
- Would require the federal CIO to submit a proposal on federal IT consolidation and shared services use.



S. 142: American Data Dissemination Act

Sponsor: Sen. Marco Rubio (R-FL)

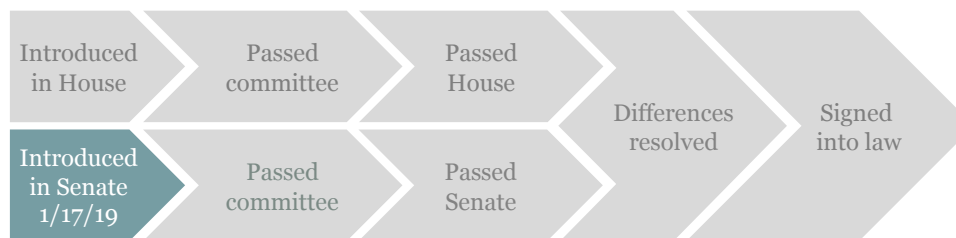
- Would require the FTC to provide Congress with recommendations for privacy legislation, using the 1974 Privacy Act as a framework, and create privacy regulations if Congress does not act.
- Would require the FTC to establish privacy exemptions for smaller or newer companies.



S. 189: The Social Media Privacy and Consumer Rights Act

Sponsor: Sens. Amy Klobuchar (D-MN)

- Would require companies to report data breaches to consumers within 72 hours of discovery.
- Would allow users to opt out of data collection, but permit companies to deny products or services if the users' privacy options are not operable.



Sources: Congress.gov



Federal CIO Authorization Act of 2019

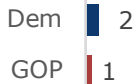
H.R. 247

Bill at a glance



Rep. Will Hurd
(R-TX)
Bill sponsor

Co-sponsors: 3



Bill overview

- Would reorganize the Office of Management and Budget's IT structure to:
 1. Rename the E-Gov office to the Office of the Federal CIO.
 2. Rename the E-Government Fund to the Federal IT Fund.
 3. Direct the federal CIO to report directly to the OMB director.
 4. Establish a federal CISO in the Office of the Federal CIO.
- Would direct federal agencies to report IT expenditures to the federal CIO, who would become responsible for publishing it.
- Would direct the federal CIO to submit a proposal to Congress to consolidate IT spending across federal agencies and to increase the use of shared services.

Status in Congress

- **House:** The bill passed the House by voice vote on January 15, and has been referred to the Senate.
- **Senate:** The bill has been referred to the Senate Committee on Homeland Security, but does not yet have a Senate sponsor or companion bill.

Key actions in 2018-2019

June 28, 2018: Reps. Will Hurd (R-TX) and Robin Kelly (D-IL) introduced the Federal CIO Reauthorization Act, stating an intent to "bring government into the 21st century."

Nov. 30, 2018: The bill unanimously passed the House, but did not see movement in the Senate before the end of the 115th Congress.

Jan 4, 2019: Hurd and Kelly reintroduced the bill in the new Congress.

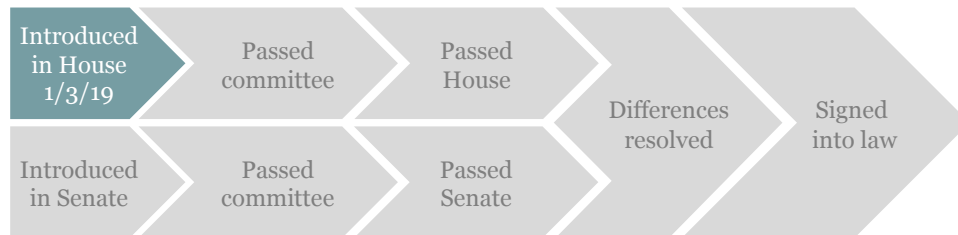


Legislation to watch: transportation

H.R. 228: Increase Transportation Alternatives Investment Act of 2019

Sponsor: Rep. Nydia Velazquez (D-NY-7)

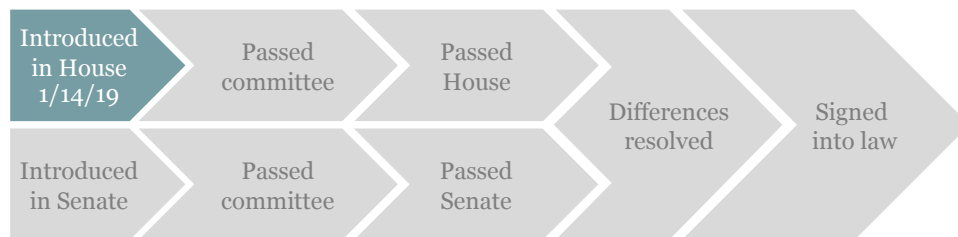
- Authorizes programs to support alternative transportation options in areas undergoing repair or reconstruction of existing transportation infrastructure



H.R. 543: To require the Federal Railroad Administration to provide appropriate congressional notice of comprehensive safety assessments conducted with respect to intercity or commuter rail passenger transportation

Sponsor: Rep. Albio Sires (D-NJ-8)

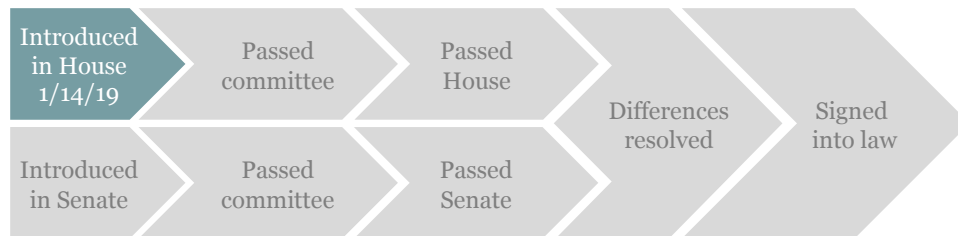
- Requires the Federal Railroad Administration to notify select congressional committees and members of Congress of any safety assessment for intercity or commuter rail passenger transportation systems and any related recommendations



H.R. 529: National Intersection and Interchange Safety Construction Program Act of 2019

Sponsor: Rep. Tom Emmer (R-MN-6)

- Directs the Secretary of Transportation to establish a national intersection and interchange safety construction program to improve high-risk intersections and interchanges



Sources: Congress.gov



National Intersection and Interchange Safety Construction Program Act of 2019

H.R. 529

Bill at a glance

Introduced
Jan. 14, 2019

Passed House

Passed Senate

To president

Signed into law



Rep. Tom Emmer
(R-MN-6)
Bill sponsor

Co-sponsors: 1

Dem		0
GOP		1

Bill overview

- Directs the Secretary of Transportation to establish a national intersection and interchange safety construction program in order to provide safety improvements for high-risk intersections and interchanges
- Requires that an entity covered under the program, such as a state government or a local government, to submit applications to the Secretary in order to be considered for a grant

Status in Congress

- **House:** Received in the House and referred to the relevant committee
- **Senate:** No identical bill currently exists

Key actions in 2019

January 14, 2019:

The bill was received in the House and referred to the Committee on Transportation and Infrastructure