

2018
U.S. CHAMBER POLICY PRIORITIES

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ANTITRUST

Regulatory Reform

- Counter the flawed but growing narrative that antitrust enforcement should be a vehicle to advance regulatory objectives.
- Secure House passage of H.R. 659 (SMARTER Act) and introduce a parallel bill in the Senate. The Chamber is the driving force behind the legislation to align the Federal Trade Commission's (FTC's) merger review procedures with those of the Department of Justice.
- Engage the new leadership at the FTC to adopt an internal policy that would voluntarily implement H.R. 659 and direct the FTC to block mergers of concern in federal court on the merits.

CAPITAL MARKETS, CORPORATE GOVERNANCE, AND SECURITIES REGULATION

- **Reform nonbank SIFI designations:** The Chamber has endorsed legislation repealing section 113 of the Dodd-Frank Act. Pending legislative repeal or reform, the Chamber advocates for the Financial Stability Oversight Council to refrain from further nonbank systemically important financial institution (SIFI) designations and promulgate regulations to significantly improve designations' transparency and due process.
- **Relief for derivatives end users:** Commercial end users rely on derivatives to prudently manage risk, and the derivatives regulatory regime should not impose undue burdens or costs on them. The Chamber-led Coalition for Derivatives End-Users introduced a legislative proposal with critical areas of relief. The coalition will continue to advocate for regulatory relief by the Commodity Futures Trading Commission and prudential regulators.
- **Reform of bank capital and liquidity rules:** The Chamber remains concerned that the bank regulatory regime constrains lending to small and midsize businesses. It will strongly advocate for legislation and regulatory action reforming the rules responsible for these constraints. In particular, the Chamber will advocate for legislation revising section 165 of the Dodd-Frank Act, such that the application of enhanced prudential standards and supervision by the Federal Reserve are based on a multifactor risk assessment. The Chamber will also advocate for recalibration of Basel III standards, the removal of these standards' gold-plating by the Federal Reserve, broad relief for community banks, and reforms to the Dodd-Frank Act stress tests and comprehensive capital analysis and review.
- **Fix the fiduciary duty rule:** Advocate for the Securities and Exchange Commission (SEC) to lead in establishing appropriate standards of conduct for broker-dealers and investment advisers. The Chamber believes that the SEC should further assert its jurisdiction and expertise in this area to protect investors and preserve choice in the retirement savings market.
- **Reform the CFPB:** Work with Consumer Financial Protection Bureau (CFPB) leadership and Congress to ensure that the primary focus of the Bureau is to preserve consumer access and choice. For example, put a moratorium on all new rulemaking, keep the complaint database confidential, stop all

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enforcement actions until they can be adequately assessed by a new director, and engage in a comprehensive reorganization of the agency.

- **Alleviate the regulatory burden for companies to go public:** The Chamber has long been concerned about the slow and steady decline of public companies in the U.S. Building off the success of the 2012 JOBS ACT, the Chamber will advocate for a set of reform recommendations to help more companies go public.
- **Reinvigorate the public company model:** Public companies are facing increasing pressures that can be distractions for management and are focused on short-term gains or special interests. The Chamber's is focused on rebalancing the system by bringing transparency and accountability to proxy advisory firms, modernizing corporate disclosures, reforming the shareholder proposal system, and exposing special interest activism.
- **Extend the National Flood Insurance Program:** Secure an extension of this program, which balances creating and fostering a private flood insurance market while ensuring that Chamber members have access to affordable and readily available flood coverage.
- **Relief for community, midsize, and regional banks:** Enact legislation that provides broad relief to banks that provide critical Main Street financing, and pursue regulatory changes for those banks not afforded legislative relief.

CHAMBER TECHNOLOGY ENGAGEMENT CENTER (C_TEC)

TRANSPORTATION: Autonomous Vehicles (AVs) and Unmanned Aerial Systems (UAS)

- Monitor federal and state legislative activity to prevent the enactment of bills that would stifle technology development and potentially harm the safety around these technologies and support bills that would incentivize innovation.
- Support the SELF DRIVE Act (H.R. 3388) and AV START Act (S. 1885), the first major congressional action on vehicle automation technology that clarifies federal and state roles in regulating AVs.
- Advocate for light touch policy approaches for AVs and UAS, and engage with agencies such as the National Highway Traffic Safety Administration (NHTSA) and the Federal Aviation Administration (FAA).
- Coordinate with the administration, the FAA, and state-based organizations like the National League of Cities to build an evidence base through the drone pilot program and other initiatives so that policymakers are able to proceed with evidence-based policy for the UAS industry.

TECHNOLOGY:

- **Internet of Things (IoT):** Communicate the positive economic impact on both industry and consumers to federal policymakers and regulators regarding increased access to broadband and IoT-connected devices.
- **Artificial Intelligence (AI)/Machine Learning:**
 - Advocate for an open environment that allows research and development and the creation of responsible AI technologies.

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- Work with public- and private-sector leaders to educate the public, the media, the business community, and policymakers on the benefits of AI and Machine Learning.
- **Smart Cities:** Support smart cities legislation that advocates for the extension of the Department of Transportation's successful Smart Cities Challenge Program—which helps cities, counties, and communities identify smart technologies that can help address transportation challenges.

NEW ECONOMY:

- Advocate for policies that support analyzing tech's impact on the American workforce—focus on identifying the skills and education needed to prepare American workers to compete in the 21st century.
- Advocate for policies that endorse the innovative nature of the new economy to support individuals and the communities where they live (e.g., portable benefits).
- Engage with the Department of Labor to collaborate with C_TEC's working group's efforts to incentivize public-private partnerships that pilot innovative ways to deliver benefits.

CYBER, INTELLIGENCE, AND SECURITY

Cybersecurity:

- Urge policymakers to support the Commerce Department in convening stakeholders on Internet of Things (IoT) cybersecurity.
- Make essential and practical changes to the NIST Cybersecurity Framework (version 1.1 draft 2) while keeping it compatible with the original, especially regarding to maintaining broad support from the business community.
- Press the administration to engage in Wassenaar Arrangement negotiations to achieve meaningful changes to the controls on intrusion software. The administration should refrain from implementing the controls until core defects are fixed.
- Clarify federal and industry roles and responsibilities in protecting from, responding to, investigating, and prosecuting cybercrime. It is not clear that departments and agencies tasked with these responsibilities have the resources and the interagency coordination they need.
- Engage Congress and the Department of Homeland Security (DHS), via the SAFETY Act Working Group, to expand SAFETY Act liability protections to cover significant cyber incidents.
- Advocate for member priorities to be incorporated into the final text of the European Commission's expected cybersecurity strategy update, which calls for minimum cybersecurity standards, certification requirements, and trust labels for all IoT devices. Member priorities include use of the NIST Framework, growth of the cyber threat information-sharing ecosystem, and promotion of principles for IoT security.
- Continue the [Cybersecurity Education and Awareness campaign](#) to engage the administration on cyber policies beneficial to business, while educating small and midsize businesses on cyber threats and urging them to adopt basic cybersecurity fundamentals. 2018 events are planned in Sioux Falls, South Dakota; Charleston, South Carolina; Irvine, California; and Washington, D.C., with more to come.

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Supply Chain Security:

- Coordinate with the Chamber's International Division and [Global Alliance for Trade Facilitation](#) to advance commercially meaningful implementation of the Trade Facilitation Agreement (TFA) and engage Congress on pushing forward the Global Gateways and Trade Capacity Act.
- Engage Congress on legislation impacting supply chains, such as the Security and Accountability for Every Port Act (SAFE) Reauthorization Act, the Air Cargo Security Improvement Act, the C-TPAT Reauthorization Act, and the Border Security for America Act, among others.
- Update Chamber materials to capture the evolving intricacy of supply chains and the disruption caused by regulatory barriers.
- Partner with U.S. Customs and Border Protection (CBP) and local chambers to host regional events and expand outreach to small businesses about compliance tools and resources for importing and exporting.

ECONOMIC POLICY (Taxes/Contracting/Deficits and Debt)

Taxes

- Advocate for continued pro-growth tax policies in relevant tax legislation (e.g., technical corrections bills or tax extenders bills) as well as in regulations and other agency pronouncements implementing tax reform.
- Work to roll back excessive burdens from previously promulgated regulations that interfere with the ability of companies to do business, and advocate for solutions that lessen the tax regulatory burden on business.
- Advocate on interstate commerce/tax issues, working to advance mobile workforce and business activity tax legislation.

Federal Contracting

- Support governmentwide acquisition reform to streamline the federal contracting process.
- Advocate for expanded procurement of commercial products and services by the federal government.
- Oppose additional statutory and regulatory domestic source contracting preferences or restrictions based on the location of a contractor's corporate domicile.

Deficits and Debt

- Persuade Congress to follow regular order on fiscal policy including the timely passage of a budget resolution and spending bills, all with a view toward fiscal restraint.
- Urge Congress and the administration to elevate the discussion on reforming entitlement programs.
- Continue to advance the policy of eliminating the debt limit in lieu of more effective, less economically dangerous fiscal tools.

Regulatory Reform

- Provide economic analysis and data to support postponing or revising the Fiduciary Rule and for revising the Fair Labor Standards Act Exemptions Salary Test Rule.

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EDUCATION AND WORKFORCE DEVELOPMENT

Pre-K-12

- Support efforts to improve and expand access to quality Early Childhood Education programs through choice, innovation, and assurance systems.
- Support implementation of the Every Student Succeeds Act, with an emphasis on encouraging the creation of state accountability systems focused on career readiness, high academic standards, rigorous coursework, end-of-year assessments aligned to standards, and closing the achievement gap. Support efforts at the federal and state levels that provide more educational options for parents and students.
- Improve career readiness by leveraging the business community to address challenges involved in managing employer engagement, scaling work-based learning, identifying industry-recognized credentials, securing employer endorsements, and evaluating performance.
- Encourage better alignment between high school graduation requirements, state academic achievement standards, and postsecondary entrance requirements.
- Support efforts to enhance principal leadership and effectiveness through preparatory programs, certification, and training with a focus on increasing teacher effectiveness and student achievement.

Postsecondary Education

- Support efforts to generate more U.S. graduates with a credential in a STEM (science, technology, engineering, and mathematics) field.
- Work to ensure that institutions of higher education (traditional and nontraditional) are held accountable for their performance—both academically and financially—and that they provide transparency to empower students, parents, employers, and policymakers to make informed decisions.
- Advocate for improving financial aid programs and systems, including private sector innovations in higher education finance, that work to improve college access and affordability while incentivizing outcomes.
- Support policies that encourage innovation in higher education and in nontraditional sectors of higher education, including institutions serving historically underrepresented groups, community colleges, and private sector colleges and universities.
- Advocate for improving the quality of higher education data.
- Support efforts to increase credential completion rates for all learners.
- Advocate for eliminating regulations that diminish choice of providers and deter innovation.

Employment and Training

- Continue to support employment and training systems driven by the needs of employers based on accurate and timely local labor market data.
- Support efforts to reauthorize the Carl D. Perkins Career and Technical Education Act. Focus on reforms that strengthen business engagement, promote innovation, enhance accountability, integrate work-based learning, and prioritize credentialing outcomes that better prepare youth and adults for careers aligned with the needs of the economy.

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- Advocate for and support scalable and sustainable youth employment strategies that meet the needs of the business community with tailored programs for subpopulations, such as in-school, out-of-school, and opportunity youth.
- Support strategies and programs targeted to build the organizational capability of employers to be more effective partners in the design and performance of education and training systems.
- Promote efforts across programs to build a more demand-driven workforce system where employer-led partnerships—informed by lessons learned from supply chain management—provide training. Support improved employment transitions and upward mobility for students and workers and a more competitive workforce for employers.
- Leverage opportunities under the Workforce Innovation and Opportunity Act (WIOA) to reboot sector-based partnerships that are employer led and advocate for demand-driven workforce development and training programs.
- Develop alternatives to Trade Adjustment Assistance and cultivate new ways of thinking around how to manage the threat of job loss and displacement in a 21st century economy.

ENERGY

- Continue to work with Congress to develop legislation that limits enforcement under the Migratory Bird Treaty Act (MBTA) to only takings that stem from “affirmative and purposeful actions” and not those that incidentally result from everyday lawful activities.
- Continue to work with Congress on nuclear waste legislation and with the administration on implementing an effective nuclear waste strategy, including the completion of the licensing process for Yucca Mountain.
- Continue to advocate for broad energy legislation that helps increase energy efficiency, while embracing the country’s diverse energy assets.
- Continue to work with Congress and the administration on bolstering funding for innovative and transformative energy research, development, and deployment.
- Continue to advocate for passage of the Transparency and Honesty in Energy Regulations Act (THERA) of 2017, H.R. 3117/S. 1512.

ENVIRONMENT, TECHNOLOGY, AND REGULATORY AFFAIRS

Agriculture and Food Safety

- Continue to pursue product labeling legislation that provides uniformity to the patchwork of state laws that have diverse labeling regimes. These rules should be science based and not unduly burden industry or consumers.
- Work to ensure that the Food and Drug Administration (FDA) sensibly and effectively implements the Food Safety Modernization Act of 2010 without unduly burdening the food industry, farmers, and consumers. Support and promote stakeholder and agency efforts to modernize and optimize FDA programs and procedures to promote safety, efficacy, and innovation.

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Environment

- Continue to work with the Environmental Protection Agency (EPA) on a replacement to the Clean Power Plan that provides a durable and achievable approach to addressing carbon emissions through a collaborative approach between the federal government, states, and all stakeholders.
- Continue to engage with EPA on implementing the Frank R. Lautenberg Chemical Safety for the 21st Century Act (LCSA).
- Work with EPA and the U.S. Army Corps of Engineers to finalize the rescission of the 2015 Waters of the United States rule (WOTUS), and promulgate a new definition of WOTUS that is more in line with congressional intent and judicial precedent.
- Work to get the Ozone Implementation Act of 2017 (S. 263) passed by the Senate.
- Continue to work with EPA to revise its New Source Performance Standards for methane emissions from the energy industry to properly reflect voluntary measures that have already provided significant reductions.
- Continue to work with the Department of Interior to withdraw its Venting and Flaring rule, which is duplicative and lacks statutory authorization.

Regulatory Reform

- Work with the administration and individual agencies on various regulatory relief programs initiated by the administration in 2017.
- When necessary, defend the regulatory relief actions through the formal rulemaking process and ensuing litigation.
- Continue to push for improved regulatory analysis in the rulemaking process, including the adoption of such analysis by independent agencies.
- Advocate for broad-based regulatory reform, especially the enactment of the Regulatory Accountability Act.
- Advocate for permanent reforms to the often-abused sue and settle process, especially enactment of the Sunshine for Regulatory Decrees and Settlements Act.

Technology

- Continue to support the Federal Communications Commission's (FCC's) Restoring Internet Freedom rulemaking and aggressively pursue net neutrality legislation, which guarantees a free and open internet while not treating broadband like a public utility.
- Support public-private partnerships to spur broadband deployment and adoption in the U.S., particularly regarding Americans in rural and tribal communities.
- Support efforts to remove barriers to broadband infrastructure, including cell towers, small cells, and antennas.
- Support policies that provide adequate spectrum for industries such as broadband, 5G technologies, broadcast, and satellite while maximizing its use for other sectors of the connected economy.
- Support modernizing the Electronic Communications Privacy Act to require, except in emergencies, law enforcement to obtain a warrant to access personal or proprietary electronic documents stored by third-party service providers.

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- Advocate for policies recognizing that self-regulation and best business practices that are technology neutral serve as the preferred framework for enhancing innovation, investment, and competition while protecting consumer privacy.
- Work with leaders in Congress to adopt structural and procedural reforms at the FCC, including transparency and cost-benefit requirements in agency rulemakings as well as the establishment of an office of economics and data.

INTELLECTUAL PROPERTY (IP) AND INNOVATION POLICY

- **Trade:** Fight to set the strongest possible pro-creativity, pro-innovation standards on a global basis through available trade policy mechanisms and negotiations. Draw on the Chamber's Global Innovation Policy Center's (GIPC's) multisector expertise to provide an industry vision for the next generation trade agreement to support IP-led innovation and creativity.
- **Winning the Debate Domestically:** Promote pro-IP messages and voices, counter anti-IP rhetoric, and build awareness and support for IP in Congress and the administration.
- **Winning the Debate Internationally:** Create support for pro-IP principles in key global markets through alliance development, research, programming, and public relations campaigns.
- **China:** Develop reform-oriented policy initiatives to improve the IP system, monitor implementation to ensure nondiscriminatory application, and promote stability in bilateral relationship; work closely with like-minded domestic stakeholders and focus on restructuring the counterfeit economy in China.
- **Domestic IP Reforms:** Advocate for, and defend when necessary, appropriate and effective IP laws, legislation, polices, regulations, and protections that support domestic creativity and innovation and encourage economic growth and job creation.
- **Global Enforcement and Internet:** Develop and help implement systemic policy solutions to disrupt criminal networks that traffic in counterfeit goods, working closely with U.S. Ports of Entry and leveraging best practices in the online ecosystem to create a safer environment for consumers and protect trusted trademarks.
- **Strategic Markets:** Maintain a strategic foothold in the capitals of India, Brazil, and South Africa to counter the anti-IP narratives these markets are promoting at the multilateral institutions. Win over skeptics with an IP-led "conception to commercialization" model that emphasizes the potential to enable domestic innovation and creativity.
- **Multilateral Organizations (MLOs):** Shape the global IP architecture in support of creativity and innovation by influencing key MLOs through direct engagement and by supporting and energizing the U.S. and other like-minded governments to advocate as members of those organizations.

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INTERNATIONAL TRADE, INVESTMENT, AND REGULATORY POLICY

Champion the principles of fairness, nondiscrimination, and rule of law as touchstones of U.S. trade and investment policy

- Ensure that U.S. trade agreements are consistently and faithfully enforced.
- Protect and enforce intellectual property rights.
- Oppose forced localization measures that discriminate against American workers and companies and block their access to foreign markets.
- Safeguard legitimate cross-border data flows and promote data protection and privacy policies that make sense for consumers and the businesses that serve them.
- Protect international investment from expropriation and other unfair treatment, including via investor-state dispute settlement.
- Ensure that the Committee on Foreign Investment in the United States remains focused on national security and conducts its reviews with transparency and efficiency.
- End unilateral sanctions that close foreign markets only to U.S. exporters.
- Advance regulatory cooperation with significant U.S. trading partners to avoid behind-the-border barriers that shut out U.S. exports.
- Oppose the misuse of antitrust laws and enforcement as a tool of industrial policy.
- Advocate for an open, private sector-driven approach to standards development.
- Oppose the expansion of “buy local” government procurement mandates at home and abroad.
- Combat state capitalism and antimarket industrial policies around the world.

Move forward with trade, investment, and tax agreements that advance the principles of fairness, nondiscrimination, and rule of law

- Advocate for a modernized NAFTA that retains the extensive benefits of the original agreement while updating rules in such areas as digital trade, IP, and customs. Oppose moves to withdraw from the agreement.
- Use the Trade Promotion Authority law to reach new trade and investment agreements to ensure a level playing field for U.S. workers, farmers, and companies.
- Represent U.S. business interests in the Brexit negotiations to maintain strong EU-U.K. trade and investment ties and pave the way for a closer U.S.-U.K. trade relationship.
- Win congressional approval of permanent normal trade relations with Kazakhstan and its graduation from the Jackson-Vanik amendment to the Trade Act of 1974.
- Work to secure ratification of treaties for the avoidance of double taxation with respect to taxes on income with Chile, Hungary, and Poland and protocols amending existing conventions with Japan, Luxembourg, Spain, and Switzerland.

Fund and support U.S. government agencies and programs critical to U.S. competitiveness

- Restore the U.S. Export-Import Bank to its full breadth of operations to counter the aggressive trade finance operations of other countries’ export credit agencies.
- Extend the Generalized System of Preferences.
- Use the reformed Miscellaneous Tariff Bill process to help U.S. manufacturers and other businesses maintain their competitive edge.

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- Win long-term reauthorization of the Overseas Private Investment Corporation.
- Support full funding of the federal international affairs budget to advance U.S. economic interests, national security, and humanitarian values.

LABOR, IMMIGRATION, AND EMPLOYEE BENEFITS

Health Care

- Continue to focus on stabilizing the small group and individual insurance markets, protecting the employer-sponsored system as states explore broader opportunities under the state innovation waivers; expanding flexibility for the use of tax-preferred health accounts; and suspending Affordable Care Act (ACA) taxes, including the health insurance, medical device, and “Cadillac” tax that increase premiums and reduce choice.
- Aggressively work through the regulatory and interpretive guidance process to ease compliance with issues under the ACA. Primarily focus on the following:
 - Reporting requirements imposed to facilitate enforcement of the employer mandate and the eligibility determination for premium tax credits.
 - Nondiscrimination notice requirements.
 - The interpretation that the dollars collected by insurers to pay the health insurance tax must be treated as gross income.
- Work with the administration, agencies, and Congress to craft and finalize regulations and legislation, such as association health plans, that will permit greater choice and flexibility in coverage options for individuals and businesses.
- See [2017 Health Policy Recommendations](#).

Immigration and Travel

- While continuing to work on broader issues of immigration reform, the Chamber will oppose poorly constructed legislative and administrative initiatives that unduly restrict legal immigration or impose enforcement policies that unfairly penalize well-meaning employers attempting to comply with complex laws.
- Continue educating Chamber members as the administration issues new policies in immigration and travel areas, including ongoing executive orders or administrative interpretations changing the handling of visa petitions, such as on [high-skilled visas](#).
- Obtain introduction of high-skilled immigration reform legislation to help businesses grow and create jobs.
- Work to obtain H-2B cap relief for seasonal, nonagricultural workers.
- Secure reauthorization of the EB-5 Regional Center program and potentially achieve long-term reauthorization with many much-needed reforms to the program.
- Push Congress to continue working in a bipartisan fashion to provide permanent relief from deportation for individuals impacted by the repeal of the Deferred Action for Childhood Arrivals (DACA) program and termination of Temporary Protected Status (TPS).
- Work to ensure that the government’s share of funding for Brand USA is not diverted to fund other government priorities, thus maintaining this public-private partnership that drives international travel to the U.S.

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- Work with the administration to consider expanding the Visa Waiver Program to countries that meet the program's requirements, and continue to push for the expansion of Global Entry and other trusted traveler programs.

Labor

- Correct the policy mistakes of the last administration, largely centered on repeal or correction of regulations and interpretive guidance. Procedurally, these efforts will occur through repeal of executive orders, new rulemakings, and litigation.
- Engage in the new overtime, persuader, and OSHA rulemakings.
- Engage in National Labor Relations Act (NLRA) issues, such as key cases on joint employer and reversing the ambush elections regulations.
- Support passage of legislation restoring a "clear and direct control" standard for joint employment under the NLRA and the Fair Labor Standards Act.
- Advocate for reform of the Americans with Disabilities Act Title III to counter the proliferating lawsuits alleging physical barriers to access without giving businesses a chance to correct problems. Additionally, the Chamber will look for ways to address the growing problem of lawsuits attacking companies' websites for being inaccessible for certain groups (e.g., the visually impaired).
- In December 2017, the Chamber submitted to the Department of Labor (DOL) [recommendations](#) keyed to its Draft Strategic Plan.
- Advance passage of legislation to eliminate 'micro unions' and restore appropriate bargaining units.
- Support the repeal of DOL Persuader Rule.
- Advocate for passage of Work Flex in the 21st Century Act to help employers provide paid sick leave for employees.
- Promote the promulgation of DOL's Form T-1 for union-related trusts.
- Support appropriations increase for the DOL Office of Labor-Management Standards.
- Promote increased oversight of "worker center" labor organizations.
- Promote state labor law reform to protect franchise businesses from the expansion of a loosened joint employer standard.
- Support the labor peace bill in Wisconsin and the Safe Access for Employees (SAFE) Act bill in Michigan.
- Promote state labor law reforms to improve the business climate; oppose harmful laws pushed by organized labor.

Retirement

- Retirement priorities will continue to focus on defending the employer-based retirement system and promoting targeted improvements thereto, summarized in the Chamber's white paper [Private Retirement Benefits in the 21st Century: Achieving Retirement Security](#). While the paper lays out a number of recommendations, our top priorities include:
 - Addressing the multiemployer pension plan issue.
 - Ensuring a workable Fiduciary Rule.
 - Eliminating state-mandated auto-IRAs.
 - Enacting reforms to Multiple Employer Plans (MEPs) to expand their use.
 - Protecting tax incentives for retirement plans.

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- Expanding the use of electronic disclosure.

LEGAL REFORM

- Support the Furthering Asbestos Claim Transparency Act in the Senate, and stop asbestos litigation abuses by continuing to expose fraud and abuse by the plaintiffs' trial bar. Work to reform and limit abuses associated with Section 524(g) asbestos bankruptcy trusts.
- Support the Fairness in Class Action Litigation Act in the Senate, and oppose efforts to weaken the Class Action Fairness Act.
- Fight to preserve the availability of arbitration and other alternative dispute resolution mechanisms.
- Continue to implement a comprehensive campaign on the issue of overenforcement, designed to raise awareness of the overreach of state and federal governments, agencies, and outside plaintiffs' lawyers, leading to meaningful reforms to rein in this overreach.
- Work to prevent expansion of private civil liability under key federal and state laws.
- Oppose the overcriminalization of corporate conduct by federal agencies.
- Fight to stop or scale back litigation-expanding regulatory overreach.
- Seek federal legislation related to foreign judgment recognition and enforcement.
- Engage with the EU and member countries to curb the export of U.S.-style class action litigation.
- Fight the spread of other problematic U.S.-style litigation features abroad.
- Prevent or limit efforts to expand liability under the federal False Claims Act and Medicare Secondary Payer statutes.
- Pursue a federal data breach notification law, preempting the current patchwork of state laws.
- Build the case for positive reform of the federal False Claims Act and state-level analogous statutes.
- Engage in efforts to reform the Telephone Consumer Protection Act.
- Work to reform the Foreign Corrupt Practices Act by supporting changes to enforcement practices.
- Support reform of the medical tort system to make costs more affordable and predictable.
- Oppose, both internationally and in the U.S., the expansion of third-party litigation financing and lawsuit lending.
- Work to ensure that protective orders and motions to dismiss remain available in the context of civil litigation.
- Strive to enact legal reforms at the state level, particularly in Kentucky, Missouri, West Virginia, and Wisconsin.
- Advocate for reforms to practices by state attorneys general, including the retention of outside contingency fee counsel.
- Continue educating the public on important state judicial and attorney general races.
- Raise public awareness of key legal issues and the impact of lawsuit abuse on the general public.

NATIVE AMERICAN ENTERPRISE INITIATIVE

Labor

- Work toward enacting a bill that exempts tribes from National Labor Relations Act (NLRA) and National Labor Relations Board (NLRB) jurisdiction oversight like every other public employer—supporting

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congressional initiatives such as the Tribal Labor Sovereignty Act (H.R. 986, S. 63) in the 115th Congress.

Energy

- Work toward enacting an Indian energy bill (or a provision within a larger energy bill) that achieves the goal of devolving the responsibility and authority for energy development on tribal lands from the Department of Interior to the tribes.

Land Into Trust

- Work toward enacting a law that respects tribal sovereignty while solving the problem of the Interior Department taking land into trust for the benefit of Indian tribes that arose from the 2009 Supreme Court's interpretation of the Indian Reorganization Act of 1934 (*Carcieri v. Salazar*).

Tax Parity

- Work toward passage of H.R. 3138/S. 1935, the Tribal Tax and Investment Reform Act of 2017 (TTIRA), to level the playing field for tribal sovereigns vis-à-vis states relative to bonding, pension plans, charities, child support enforcement, and adoptions.

POLITICAL, FEDERATION, AND GRASSROOTS

- Invest significant resources in voter engagement and mobilization to protect the current pro-business majorities in the House and Senate.
- Drive action on the Chamber's legislative agenda through paid media, grassroots engagement, federation outreach, and local events.
- Increase federation engagement on key policy and political campaigns through coordinated outreach and partnerships with state and local chambers and regional offices.
- Support and partner on PAC events for pro-business incumbents and candidates with Chamber members.
- Oppose attempts to limit business community engagement in the electoral and policymaking arenas at the federal and state levels.

SMALL BUSINESS

- **Health Care:** The Chamber's Small Business Council will seek legislative and administrative opportunities to provide small businesses with cost-effective solutions to provide health insurance for small business owners and their employees. The Council will educate small businesses on how to navigate an increasingly confusing and complex health insurance landscape.
- **Tax Reform:** The Small Business Council will help inform the small business community on how to take full advantage of pro-growth changes to the tax code.
- **Workforce:** The skills gap, apprenticeships, training, education, and immigration are small business issues that become critical as the economy experiences higher levels of growth. The Small Business Council will play a key role in workforce advocacy efforts.

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TRANSPORTATION INFRASTRUCTURE

- Secure passage of major infrastructure legislation to ensure long-term economic growth.
- Secure passage of the Federal Aviation Administration authorization bill.
- Enact a provision that clarifies federal preemption of the trucking state meal and rest break statute in the Federal Aviation Administration Authorization Act of 1994 (FAAAA or “F4A”). This clarification would restore the goals Congress intended when it sought national uniformity for motor carriers in the transportation of property, rather than a 50-state patchwork that would inhibit the movement of freight throughout the country.
- Secure full funding for transportation programs in fiscal year 2018 and 2019 appropriations bills.
- Advocate for enactment of the Water Resources Development Act of 2018.

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- **Arbitration and Class Actions:** Defend arbitration agreements against legal challenges and regulatory action intended to eliminate or restrict arbitration as a faster, cheaper, and fairer alternative to litigation. Oppose efforts by the plaintiffs’ bar to abuse the class action device.
- **Capital Markets and Corporate Governance:** Protect the competitiveness of U.S. capital markets by fighting abusive and meritless litigation and directly challenging antibusiness regulations, including some imposed under the Dodd-Frank Act.
- **Energy and Environment:** Defend U.S. energy production, distribution, and consumption against unlawful and ill-conceived initiatives by regulators and activists.
- **Forum Shopping:** Relying on legal doctrines such as personal jurisdiction and extraterritoriality, fight efforts by the plaintiffs’ bar to bring cases in plaintiff-friendly courts that have no meaningful connection to the defendants, plaintiffs, or conduct giving rise to the case.
- **Government Litigation and False Claims Act:** Urge the courts to rein in governmental agencies imposing new rules that subvert the process required for regulating the private sector. Combat meritless False Claims Act litigation brought against companies in numerous industries, including defense, aerospace, pharmaceutical, health care, and financial services.
- **Labor and Employment:** Defend the interests of business against baseless and abusive litigation and regulation concerning federal and state labor, immigration, wage-and-hour, employment discrimination, employee benefits, and similar laws.
- **Privacy, Technology, and Intellectual Property:** Through the courts, ensure that governments adhere to the limits on their authority regarding privacy, data, and innovation and that the plaintiffs’ bar does not misuse inapplicable statutes.

2018 U.S. CHAMBER POLICY PRIORITIES

- **Punitive Damages and Overcriminalization:** Restrain excessive awards of punitive damages, fines, and civil penalties in both federal and state courts. Oppose the overcriminalization of corporate conduct by investigators and prosecutors, including the dilution of mens rea standards.
- **Regulatory Litigation:** Challenge unlawful regulations and other actions by federal, state, and local governments that harm the economy and stifle job growth. Intervene in litigation to defend pro-business regulatory efforts and reforms.
- **Taxes:** Urge the courts to interpret and apply tax laws clearly and consistently to foster investment, capital formation, economic growth, and job creation.



U.S. CHAMBER OF COMMERCE

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