



U.S. CHAMBER OF COMMERCE

U.S. Chamber Policy Priorities for 2014

THE JOBS, GROWTH, AND OPPORTUNITY AGENDA

In 2014, the Chamber will advance its *Jobs, Growth, and Opportunity Agenda*, which is detailed throughout this document. The agenda includes expanding trade, producing more domestic energy, improving infrastructure, modernizing the regulatory process, making essential changes to entitlements, fixing the flaws in Obamacare, curbing lawsuit abuse, and advancing American innovation by protecting intellectual property. The agenda also focuses on revitalizing capital markets, passing immigration reform, and improving education and training, which will expand opportunity, address inequality, and create jobs.

CAPITAL MARKETS, CORPORATE GOVERNANCE, AND SECURITIES REGULATION

Lead the Offensive Charge to Address Critical Areas Within the Regulatory Structure

- **Regulatory Structure**—Promote a forward-looking, coherent regulatory structure that closes gaps, minimizes future systemic risk, and ends duplicative regulation.
- **Regulatory Overreach**—Guard against senseless regulations that wrongly attempt to eliminate all risk taking and innovation from the capital formation process. Work with regulators and Congress as they implement the Dodd-Frank Act and other regulations to ensure a more prudent approach to oversight and enforcement.
- **Capital Formation**—Advocate for and promote legislation and regulations that facilitate capital formation for American businesses. Push back against legislation and regulations that hinder business' ability to raise capital, mitigate risk, or manage liquidity.
- **SEC Reform and Efficiency**—Continue to work with the Securities and Exchange Commission (SEC) and Congress to recommend ways to improve the commission's regulatory oversight and management process to better promote innovation and competitiveness in the capital markets.
- **SEC Enforcement**—Support reforms to combat fraud, increase investor protections, and reinstall confidence in our markets. Urge the SEC to take additional

steps to build and maintain a culture of compliance between the commission and regulated entities. Push back against the use of enforcement as backdoor regulation.

Dodd-Frank Implementation and Beyond: Engage Regulators to Ensure Sensible Rules and Proposals

- **Consumer Protection**—Continue to support legislative reforms of the Consumer Financial Protection Bureau (CFPB) to ensure greater governance and funding accountability. Support CFPB’s efforts to increase the transparency of consumer financial products; at the same time, ensure that businesses have clear rules to follow that do not limit access to credit in the marketplace for consumers and small businesses or unnecessarily extend new regulations to small and nonfinancial businesses. Support efforts that require CFPB to set standards through the normal notice-and-comment regulation process.
- **Derivatives Regulation**—Support efforts to bring transparency to the over-the-counter (OTC) derivatives market. Implement measures aimed at reducing systemic risk while preserving the ability of commercial end users to employ customizable OTC derivatives at a reasonable price and without the burden of margin requirements.
- **Financial Stability Oversight Council**—Ensure that the Financial Stability Oversight Council (FSOC) only uses its oversight powers to identify and mitigate real threats to the stability of our financial system and to coordinate among regulators, rather than create a duplicative regulatory regime by doubling up on existing efforts of other regulatory agencies. Support efforts to increase the transparency of FSOC as a regulator.
- **Systemic Risk**—Support stronger and more comprehensive oversight of the financial system to identify risk that may systemically damage the financial markets and take the appropriate actions to mitigate them. Oppose systemic authority that permanently designates, formally or informally, specific financial institutions or nonfinancial companies as systemically significant, thereby expanding “too big to fail” policies. Limit the scope of nonfinancial companies within a systemic risk regime and advocate for more narrowly tailored enhanced standards for systemically important financial institutions (SIFIs).
- **Resolution Authority**: Convert resolution authority into a more bankruptcy-style process, particularly for nonbank systemically important financial institutions.
- **Office of Financial Research**—Ensure that the Office of Financial Research (OFR) coordinates and streamlines data collection among agencies to prevent the duplicative collection of data. Ensure the confidentiality of proprietary information gathered from data requests and FSOC agency examinations. OFR should conduct analysis to

identify threats to the U.S. financial markets and should be accountable like other agencies and subject to the appropriations process.

- **Fiduciary Duty**—Support sensible legislative and regulatory approaches to harmonize regulation of investment advisers and broker-dealers under the Investment Advisors Act while preserving choice for investors. Oppose the overly broad application of ERISA fiduciary duty to service providers, broker-dealers, and other stakeholders. Oppose measures that would eliminate mandatory arbitration clauses in brokerage agreements, flood our courts with frivolous claims, and create a windfall for the trial bar.
- **Money Market Mutual Fund Regulatory Reform**—Oppose changes to money market fund regulations that fundamentally alter the nature and structure of the funds, including portions of the rules proposed by the SEC on June 5, 2013. Advocate against the Floating-NAV and other proposals that would limit an organization’s cash management options and impair its ability to secure affordable short-term financing.
- **Executive Compensation and Corporate Governance**—Ensure careful and sensible rulemaking and implementation by the SEC where needed, and preserve the state-based system allowing decisions to be made through directors and shareholders. Reasonable policies must permit pay for performance and promote long-term shareholder value and profitability but not constrain reasonable risk taking and innovation. A one-size-fits-all approach mandated by federal regulators or proxy advisers does not promote good governance and undermines shareholder interests.
- **Volcker Rule**—Ensure that the implementation of the Volcker Rule is a workable, rational regulation that will not damage the U.S. financial system or stop the flow of liquidity and capital for the American business community.
- **Financial Transaction Tax**—Oppose legislative actions that would impose a tax on financial transactions. Engage experts to conduct and promote a research study showing how the evolution of our markets has benefited Main Street investors and our broader economy and also highlight the negative impacts of the tax.

Engage Financial Reporting Policymakers to Develop Systems That Effectively Report Economic Activity

- **Auditing Profession**—Help ensure a sustainable environment for the auditing profession by recommending ways to improve auditing and accounting practices and by encouraging a greater focus on long-term performance metrics, rather than meaningless reforms, such as mandatory firm rotation. Promote the establishment of an international set of auditing standards.

Push Back on Special Interests and Activists to Promote Long-term Interests of All Investors

- **Special Interests Agenda**—Push back against the activist agenda that seeks to use the corporate governance process to gain benefit for minority shareholders with a political agenda at the expense of a majority of stakeholders.
- **Proxy Advisory Firms**—Create the conditions under which Proxy Advisory Firms, principally Institutional Shareholder Services (ISS) and Glass Lewis, move toward a more accountable, transparent, and evidence-based policymaking process while eliminating core conflicts of interest.
- **Retail Shareholders**—Urge the SEC to take greater steps to enfranchise retail shareholders, for instance, by giving guidance that would allow them to provide standing instructions to vote their shares.

DEFICITS AND DEBT

- Continue to advance the Chamber’s policy positions and remain at the forefront of the debate on deficits, debt, and the nation’s fiscal policy. This includes putting entitlement programs on a sustainable path by making reasonable changes and gradually phasing them in to slow the rate of increased spending. It is essential to address demographic realities now to ensure the viability of our nation’s safety net programs.

EDUCATION AND WORKFORCE DEVELOPMENT

Pre-K to 12

- Support efforts to reauthorize the Elementary and Secondary Education Act, which include accountability; transparency; longitudinal data systems to guide instruction, improvement, and interventions; teacher evaluations, which include student data; school choice; clear and high academic standards; and a dedicated strategy and funding stream to improve STEM (science, technology, engineering, and mathematics) education.
- Advocate for proposals requiring a quality, rigorous, and well-rounded K-12 educational system that graduates students college and career ready.
- Encourage better alignment between high school graduation requirements, state academic achievement standards, and postsecondary entrance requirements.

Postsecondary Education

- Support efforts to generate more U.S. graduates well versed in STEM, and increase the number of graduates with a degree in a STEM field.
- Work to ensure that institutions of higher education are held accountable for their performance—both academically and financially—and that they provide transparency

to empower students, parents, businesses, and policymakers to make well-informed choices.

- Advocate for improving financial aid programs and systems that work to improve college access and affordability while incentivizing outcomes.
- Support policies that encourage innovation in higher education as well as in key nontraditional sectors of higher education, including institutions serving historically underrepresented groups, community colleges, and private sector colleges and universities.
- Support efforts to increase college completion rates for all learners.

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 strategies and programs that are designed to build the organizational capability of employers to be more effective partners in the design and performance of education and training systems.
- Advocate for focused, nonduplicative workforce development and training programs that support collaboration across federal, state, and local programs; industry sectors; and geographic boundaries.
- Support policies that stimulate lifelong learning, bolster career exploration, and provide opportunities for businesses to work collaboratively with workforce development agencies to deliver efficient and effective training to their employees.

ELECTIONS AND GRASSROOTS ADVOCACY

Elections

- Play an aggressive role in candidate recruitment and primaries to attract pro-business candidates with general election appeal.
- Develop messages and outreach campaigns to attract a broader base of the electorate and mobilize the business community through innovative online platforms to ensure that their voice is represented at the polls.

Grassroots

- Advance the Chamber's policy position and voter education program through advocacy campaigns and an increased focus on diversifying online tactics and mediums.
- Increase federation engagement in key policy and political campaigns through coordinated outreach and partnership with state and local chambers and regional offices.
- Oppose attempts to limit the ability of the business community to engage in the electoral and policymaking arenas at the federal and state levels.

ENERGY AND THE ENVIRONMENT

Air Quality Regulation

- Ensure that EPA evaluates the economic impact and job loss in its regulations, as is required by all major environmental laws.
- Oppose efforts to regulate greenhouse gas emissions through existing environmental statutes, including the Clean Air Act, the Clean Water Act, the Endangered Species Act, and the National Environmental Policy Act.
- Ensure that regulation of air emissions is based on sound science and focuses on performance and market-based programs where economically feasible, rather than on command-and-control mandates.
- Participate in major rulemakings involving air quality, solid waste, Superfund and Superfund liability, clean water, chemicals, ozone, particulate matter, greenhouse gases, coal ash, boilers, and chemicals.
- Support transparency and accountability in the process of setting air quality standards.
- Urge the federal government to take into account the growing impact of air pollution from outside the United States regarding compliance with domestic air quality regulations.
- Advance free trade in environmental goods and services.
- Oppose efforts to prevent oil and natural gas exploration and production through the Clean Air Act, the Clean Water Act, and the Toxic Substances Control Act (TSCA) regulations.

Chemical Management Reform

- Promote commonsense changes to TSCA as Congress works to modernize our nation's chemical management law.
- Promote "safe use determinations" of chemicals or classes of chemicals by EPA that effectively permit their use in commerce while simultaneously preempting state and local bans.
- Urge EPA to rely on scientifically valid and peer-reviewed data regardless of their sources.

Climate Change

- Support efforts to reduce greenhouse gas emissions in the atmosphere through a comprehensive legislative solution that does not harm the economy, recognizes that the problem is international in scope, and aggressively promotes new technologies and efficiency. Protecting our economy and the environment for future generations are mutually achievable goals.
- Support a comprehensive international agreement on climate change that has the widest possible participation.
- Oppose EPA efforts to regulate greenhouse gases under the existing Clean Air Act.

- Champion efforts by industry to develop energy efficient and low emissions technologies and export them to the developing world, where the bulk of new greenhouse gas emissions are expected to occur.
- Ensure that large emerging economies share responsibility for addressing climate change.

Coal Combustion Residuals

- Challenge efforts to regulate coal ash waste as hazardous under the Resource Conservation Recovery Act (RCRA) Subtitle C.
- Promote the beneficial reuse of coal ash by industry, states, and municipal governments.

Domestic Energy Production

- Urge the administration to stop “slow walking” the permitting process for onshore and offshore oil and gas exploration and development and for coal mining.
- Urge the administration against impinging on the states’ regulation of oil, natural gas, and geothermal production, including on federal lands.
- Support safety measures for offshore energy production, but oppose efforts to create a regulatory environment so unfit for business that oil and gas companies take their business elsewhere.
- Oppose efforts from third-party environmental organizations to prevent offshore and onshore energy development.
- Urge Congress to lift moratoria and authorize environmentally responsible exploration for oil and natural gas both onshore and offshore, including the Arctic National Wildlife Refuge (ANWR) and other federal lands now closed to drilling. Urge the administration to open additional federal lands for energy production, and remove obstacles that prevent physical access to federal lands already leased for energy production.
- Advocate for the construction and operation of alternative and renewable energy projects such as wind energy facilities, nuclear power, hydropower, clean coal, solar energy, and geothermal energy.
- Urge Congress to pass legislation to streamline the permitting and appeals process for new energy projects in the United States.
- Urge the administration, Congress, and state leaders to adopt the U.S. Chamber’s Institute for 21st Century Energy’s 64 actionable and achievable energy policy recommendations outlined in its 2014 Energy Works for US platform.
- Enhance international energy security through diversification of supply.
- Oppose congressional and administrative actions that would undermine or restrict hydraulic fracturing and its ability to develop the enormous shale oil and natural gas reserves across the country as well as other domestic energy resources, including the Department of Interior’s proposed rule covering hydraulic fracturing on federal lands.

Energy Laws of 2005 and 2007

- Advocate for full funding and implementation (primarily the innovative energy technologies provisions) of the Energy Policy Act of 2005 while preventing its repeal, rollback, or defunding.
- Ensure that the tax incentives and technology-enabling provisions of the Energy Independence and Security Act of 2007 are implemented in a timely, economically appropriate fashion.

Energy Efficiency and Technology

- Increase public education and information accessibility concerning innovative energy technology developments that underpin policy negotiations related to ensuring adequate energy supply here and in international markets where U.S. businesses and industry operate.
- Urge Congress and the executive branch to use the full \$80 billion available to the Energy Savings Performance Contracts program, an energy efficient retrofit program for federal buildings that requires virtually no up-front taxpayer cost but suffers from drastic underutilization.

Exports

- Remove barriers that prevent the free trade of energy and manufactured products including coal, natural gas, crude oil and refined product, and nuclear materials and technology.

E-Waste

- Develop an industry consensus on federal regulation of the disposal of used electronic goods and ensure that federal policy on this matter preempts state policy.

Law of the Sea Treaty

- Support U.S. accession to the United Nations Convention on the Law of the Sea. The treaty provides certainty in accessing resources in the Arctic and Antarctic and could ultimately enable American businesses to explore the vast natural resources contained in the seabeds in those areas.

Minerals Resources

- Support efforts to secure and develop domestic rare earth, platinum, and other needed mineral resources that are critical for clean technology development.

National Ocean Policy

- Work with the Council on Environmental Quality to ensure that it considers the impact on industry when making recommendations to the president on how to comprehensively manage our oceans, coasts, and Great Lakes.
- Ensure that any national ocean policy is limited in scope and not a backdoor federal effort to regulate climate change, air and water emissions, and energy production.

Nanotechnology Regulation

- Work with Chamber members to address nanotechnology issues and advocate for commonsense legislation and regulation, where appropriate, as well as continued federal funding for research into the environmental, health, and safety implications of nanotechnology.
- Work to ensure that federal regulatory agencies, particularly EPA and the Food and Drug Administration (FDA), implement a sensible regulatory structure that does not handicap U.S. leadership in the rapidly growing commercial area of nanotechnology.

North American Energy Security

- Continue to urge the administration to expeditiously issue a presidential permit to construct the Keystone XL pipeline.
- Work with Congress to repeal Section 526 of the Energy Independence & Security Act of 2007, which hinders importation of oil from Canada.
- Oppose efforts to establish Low Carbon Fuel Standards, which seek to prevent the importation of Canadian oil sands crude.

Outdated Environmental Laws

- Modernize the National Environmental Policy Act to streamline and enhance public participation in the review and permitting processes.
- Revitalize the Endangered Species Act to improve success in recovering species, and promote cooperative partnerships between the federal government and landowners to reduce the law's burden on local economies.

Permit Streamlining

- Use the Chamber's *Project No Project* repository of stalled energy projects to urge Congress to pass legislation that streamlines the siting and permitting process and reduces the ability of Not In My Back Yard (NIMBY) activists to bleed projects to death through prolonged delays.
- Work with the administration and Congress to make a set of realistic, commonsense recommendations of permit streamlining measures that can speed up infrastructure project delivery and create jobs.

Stimulus (Energy)

- Urge Congress and the executive branch to closely monitor energy programs funded by the American Recovery and Reinvestment Act of 2009 to make sure that the intended funds are spent and the programs are implemented correctly and efficiently.
- Promote updates or modifications to energy programs created by the American Recovery and Reinvestment Act of 2009, where necessary, to maximize those programs' economic benefits.

Water Issues

- Educate Chamber members and policymakers about the tremendous local, national, and global economic implications of water policy and promote the use of sound science in setting policy.
- Monitor water supply, ownership, and quality concerns, including enforcement efforts targeting storm water discharges.
- Oppose efforts to unnecessarily expand the jurisdiction of the Clean Water Act (CWA) beyond the statutory navigable waters of the United States contrary to the rulings of the U.S. Supreme Court, prior EPA and Army Corps of Engineers guidance, and other applicable laws, orders, and requirements.
- Oppose efforts to create an unnecessarily burdensome storm water permit regime.
- Oppose EPA's efforts to impose unnecessarily burdensome cooling water intake requirements.
- Research and monitor domestic and world water issues and challenges.

Waste Issues

- Oppose EPA efforts to expand the definition of solid waste beyond the boundaries set by Congress. Oppose EPA efforts to change financial assurance requirements under the Comprehensive Environmental Compensation, Liability and Response Act (CERCLA) without congressional approval.

Yucca Mountain Implementation Plan

- Urge the administration and the Nuclear Regulatory Commission (NRC) to continue the licensing process for the proposed Yucca Mountain nuclear waste repository and support full funding of the process.

FOOD AND AGRICULTURE

Farm Bill

- Support efforts of affected stakeholders to enact a sensible Farm Bill to strengthen domestic agriculture and food production, increase exports, and promote competition and low food prices.

Food Product Advertising

- Support efforts of affected stakeholders to ensure that food product advertising regulation does not unduly hinder competition or limit consumer choice and is consistent with all applicable laws and the First Amendment.

Food Safety

- Monitor and comment, when appropriate, on the Food and Drug Administration's (FDA's) actions under the FDA Food Safety Modernization Act of 2010 and on Congress' exercise of its oversight authority to ensure that this law is sensibly and effectively implemented without unduly burdening the food industry, American farmers, and consumers. Support and promote stakeholder and agency efforts to

modernize and optimize FDA programs and procedures to promote safety, efficacy, and innovation.

Sugar Program

- Work with affected stakeholders and a broad, bipartisan legislative coalition to reform U.S. sugar price support and production quota programs.

Biotechnology

- Work with Chamber members to advocate for sensible legislation and regulations that promote U.S. leadership in genetically modified organisms; block attempts to weaken this critical technology that helps feed our nation and the world.

GOVERNMENT CONTRACTING

- Urge federal agencies not to perform functions that are widely available in the private sector; strongly oppose legislative or regulatory efforts that encourage the insourcing of contracted activities.
- Support acquisition reform initiatives to streamline the federal contracting process; urge a fair and efficient procurement process for goods and services.
- Prevent the implementation of regulations that would harm the private sector contractor community by creating more barriers to competition and adding costly and unnecessary acquisition requirements.
- Ensure continued access to commercial products and services by the federal government by preventing enactment of legislation and regulations that restrict the procurement of commercial items.
- Oppose legislative initiatives that would impose additional domestic sourcing contracting preferences.
- Oppose efforts to politicize and otherwise undermine the integrity of the federal government competitive contracting process.

HEALTH CARE

Health Care Reform

- Advance proposals and recommendations from the U.S. Chamber's Health Care Solutions Council's report to ease implementation, reduce unnecessary costs, advance quality, and improve health.
- Continue regulatory work to protect businesses as the administration moves forward with implementation. Pragmatically, through meetings and comment letters, strive to improve implementation efforts of the administration on the Patient Protection and Affordable Care Act (PPACA), and advance regulatory changes that permit flexibility and best serve business needs.
- Work to highlight, delay, improve, and repeal problematic provisions in PPACA, including the employer mandate, taxes such as the health insurance tax and medical device tax, and other burdens created under the law as implementation accelerates.

Medicare Issues

- Continue to advocate for Medicare reform, which is integral to preserving the system's long-term viability. Comprehensively reform Medicare's sustainable growth rate (SGR) formula that sets Medicare's physician payments. Support a new reimbursement model that rewards quality and efficiency.
- Oppose reimbursement cuts to the Medicare Advantage program.
- Oppose government-imposed price controls on prescription drugs through the repeal of the Part D non-interference clause and support market competition.

Liability Reform

- Support reforming the medical tort system to make costs more affordable and predictable. Alternatively, medical cases could be tried in special administrative health courts, similar to bankruptcy courts, and in a wide range of other administrative courts.

Workplace Wellness and Disease Management

- Support raising awareness of the positive effects of workplace wellness and giving tax-favored status to programs aimed at keeping employees healthy.
- Promote reforms that would permit greater variation of health premiums based on participation in wellness programs.
- Support stand-alone legislation offering targeted tax credits for employer-sponsored workplace wellness programs for employees.
- Support raising awareness through educational efforts, such as National Workplace Wellness Week.

ERISA Preemption

- Oppose state and local efforts to circumvent ERISA preemption and interfere with self-insured plans.
- Continue urging Congress not to dismantle the ERISA framework to ensure that employers can offer plans nationwide, providing fairness to all employees regardless of where they live, work, or receive medical care.
- Continue co-chairing advocacy efforts in the National Coalition on Benefits, a broad coalition of groups dedicated to protecting ERISA.

Consumer-Directed Health Accounts

- Promote repeal of the new law's prohibition on the use of Flexible Spending Account (FSA) funds to purchase over-the-counter items and the new limitation on FSA contributions to \$2,500 per year.
- Support changes to Health Savings Accounts (HSAs) to make them more flexible and appealing to consumers and plan sponsors.
- Support transparency efforts that aim to give employees more information about the quality and cost of health care so that they can be smart shoppers.

Drug Importation

- Oppose proposals that favor purchasing drugs from foreign nations that implement price controls and disadvantage American companies.
- Oppose the unsafe importation of drugs that could be adulterated or counterfeit.
- Oppose legislation that would create price controls on life sciences products and would raise prices for employers, employees, veterans, and others.

Cafeteria Plans

- Work to ensure that cafeteria plans are accessible and beneficial to both employers and employees.
- Continue to support legislation allowing SIMPLE cafeteria plans.
- Urge Congress to change the law to allow self-employed individuals to participate in cafeteria plans.

IMMIGRATION REFORM

Immigration Reform

- Continue pursuing immigration reform that includes the following:
 - Reforming our legal immigration system, including both green card reform and the implementation of workable temporary worker programs for high-skilled and lesser-skilled workers as well as the agriculture industry.
 - A federal employment verification system that is workable for employers.
 - A legal status for the estimated 11 million undocumented people here, allowing them to emerge from the shadows, creating a stable workforce.
 - Improving enforcement to protect our borders while facilitating the flow of trade and travel.
- Support legislation that takes meaningful steps toward addressing all four critical immigration priorities as noted above.
- Strongly oppose bills that cripple the current nonimmigrant worker visa systems and fail to include a mechanism to ensure that businesses have a future flow of workers to fill jobs when Americans are not available. Oppose legislation that imposes unworkable and inconsistent electronic employment verification systems.

High-Skilled Immigration

- Advocate for continuing and expanding both temporary and permanent visa programs for highly skilled workers (including, L-1 and H-1B as well as EB green cards) to ensure that employers are able to compete for global talent to remain competitive, including creating a new STEM green card category.

Essential Lesser-Skilled Workers

- Secure additional essential workers to counteract demographic trends, provide for targeted earned legalization of those essential undocumented workers already here, challenge burdensome new regulations of H-2B nonagricultural worker programs,

and support creation of workable agricultural and nonseasonal lesser-skilled worker programs.

- Make certain that any immigration reform package contains strong language ensuring a future flow program so that U.S. companies will be able to hire legal immigrant workers in a timely fashion.

Electronic Employment Verification System

- Work with Congress on implementing an electronic employment verification system that preempts state laws, includes limited subcontractor liability, covers only new hires, and establishes safe harbor provisions for employers using the system in good faith.

Travel, Tourism, and Border Issues

- Urge Congress and the administration to expand the Visa Waiver Program and address delays, backlogs, and disruptions in our immigration and border management systems that impede the movement of legitimate businesses and tourists traveling across U.S. borders.

INTELLECTUAL PROPERTY

Internationally advocate for the protection and enforcement of intellectual property (IP) in trade agreements and in key markets.

- **Trans-Pacific Partnership (TPP) Agreement:** Promote the importance of robust IP protections in international trade agreements with a focus on securing high-standard IP provisions in the TPP.
- **Trade Promotion Authority (TPA):** Aggressively engage TPA discussions before Congress to ensure acceptable IP language is included in TPA legislation.
- **China:** Work to advance copyright protection in China; address online counterfeiting and bad faith trademark registrations; reverse negative trends in patent protection, enforcement, and trade secrets; and improve civil and criminal enforcement of IP.
- **India:** Continue to raise awareness in the U.S. government, foreign governments, and other foreign organizations about the weak IP environment in India, urging them to press the Indian government for improvements to contain the contagion effect and prevent the erosion of IP rights to other countries considering similar actions, while seeking to improve the IP climate in India.
- **Other Key Markets:** Work with the appropriate members of the International Division and business councils at the Chamber to seek opportunities to engage with foreign and U.S. government officials on issues of concern, with a particular focus on developments in Canada and Brazil.
- **Transatlantic Trade and Investment Partnership (TTIP):** Promote the inclusion of a meaningful IP chapter in the TTIP. Work with local stakeholders to promote the importance of IP to European jobs and economic growth. Continue engagement

with the Business Coalition for Transatlantic Trade (BCTT) and play an active role in leading the BCTT IP Working Group.

Advocate for domestic IP legislative and regulatory reforms that maintain appropriate and effective levels of protection for IP-intensive industries.

- **Domestic IP Reforms:** Actively engage in policy reforms, including the House Judiciary Committee copyright review process, patent litigation reform, and trademark protections.
- **Internet:** Develop effective strategies and policy recommendations to reduce the sale of counterfeit products and pirated copyrighted works online.
- **Enforcement:** Ensure that domestic IP enforcement is supported and enhanced by effective and appropriate policies and procedures combined with adequate enforcement agency funding and resources, in particular the Intellectual Property Enforcement Coordinator (IPEC) office, National Intellectual Property Rights Coordination Center, Department of Commerce, Patent and Trademark Office, Copyright Office, Department of Justice, Federal Bureau of Investigation, and Customs and Border Patrol.

Promote awareness and support of intellectual property (IP) rights with international and domestic policymakers.

- Recruit and activate allies and positive messengers to strengthen pro-IP messages with key audiences.
- Amplify these voices in targeted advocacy campaigns directed at leaders in the United States and in key markets where they can have the most appropriate impact.
- Lead comprehensive domestic and international communications campaigns to highlight the impact that IP has in creating jobs, spurring innovation, promoting safety, and fostering access.

INTERNATIONAL TRADE, INVESTMENT, AND REGULATORY POLICY

Level the global playing field for American businesses and workers by lowering barriers to trade and investment.

- Renew Trade Promotion Authority (TPA) to ensure effective executive-legislative collaboration in the negotiation of new trade agreements.
- Reach new trade and investment agreements to ignite U.S. economic growth, including the Trans-Pacific Partnership, the Trans-Atlantic Trade and Investment Partnership, the Trade in Services Agreement, and an expansion of product coverage under the WTO Information Technology Agreement.
- Press for negotiation of strong U.S. bilateral investment treaties (BITs) with China and India; explore the possibility of BIT negotiations with Indonesia, Russia, and the East African Community.
- Secure reauthorization of the Export-Import Bank of the United States.

- Renew the Generalized System of Preferences (GSP) and the Africa Growth and Opportunity Act (AGOA).
- Explore the feasibility of negotiations for bilateral trade agreements with other significant U.S. trading partners, including Brazil, Turkey, and Egypt.
- Implement the administration’s executive order on international regulatory cooperation to support U.S. international economic interests.
- Secure reauthorization of the Overseas Private Investment Corporation (OPIC).
- Improve U.S. trade promotion programs to help small businesses export.

Fight economic isolationism, including undue restrictions on exports, investment, procurement, sourcing, travel, and foreign exchange.

- Conclude and build on the administration’s initiative to modernize export controls to enhance U.S. national security and competitiveness.
- Bar measures that restrict legitimate cross-border data flows or link commercial benefits to local investment.
- Oppose “buy local” mandates in U.S. and foreign procurements.
- End unilateral sanctions that close foreign markets only to U.S. exporters.
- Support multilateral efforts to reduce global imbalances.

Align trade, regulatory, and competition policy to ensure open and competitive markets.

- Redefine the international role, responsibility, and coordination of U.S. regulators.
- Advance regulatory cooperation between the United States and its major trading partners.
- Combat state capitalism and anti-market industrial policies around the world.
- Press for transparent, predictable, and fair antitrust enforcement around the globe.
- Advocate for an open, private sector-driven approach to standards development.
- Support the rule of law in global markets.

LABOR

- Aggressively oppose initiatives that would upset the balance of the National Labor Relations Act (NLRA), including union-backed proposals to rewrite National Labor Relations Board (NLRB) and Labor Department regulations making it easier for unions to organize employees and restricting employer free speech rights.
- Oppose initiatives that attempt to regulate labor policy through the federal procurement process, for example, by blacklisting employers or ranking federal contractors based on labor policies.
- Oppose efforts to modify Family and Medical Leave Act (FMLA) and Fair Labor Standards Act (FLSA) regulations to be less favorable to employers.
- Oppose attempts to make FMLA leave paid.

- Oppose efforts to limit long-standing and commonsense employer defenses in civil rights laws. Oppose increasing the amount of punitive and compensatory damages available, the potential for frivolous lawsuits, and unjustified administrative burdens.
- Protect the use of binding arbitration in employment.
- Oppose efforts to mandate paid sick leave.
- Oppose efforts to increase the minimum wage and to index the minimum wage to inflation or any other factor that would automatically increase labor costs.
- Advocate for pro-employer provisions in priority international labor and employment policy proposals.
- Oppose any new OSHA ergonomics regulations, such as any effort to include an ergonomics component in a regulation mandating safety and health programs.
- Oppose OSHA rulemaking to impose OSHA-designed safety and health programs.
- Oppose OSHA-proposed regulation that would result in employer injury records being posted on Internet-based searchable database.
- Oppose regulations giving employees greater opportunity to sue employers under FLSA.
- Oppose efforts to redefine affirmative action in government contracting by instituting quotas, onerous record-keeping burdens, and anachronistic recruitment obligations.
- Support appropriate financial disclosure regulation of labor unions.
- Support aggressive congressional oversight of Department of Labor activities, including OSHA rulemakings, enforcement policies, and record-keeping investigations.
- Support oversight of the administration's regulatory policies and more accurate assessments of regulatory impacts.
- Support use of the appropriations process to rein in inappropriate regulations and other administration actions.
- Support reform of the regulatory process requiring agencies to show that their regulations are the most cost-effective, data- and science-driven solutions, and increase the level of legal scrutiny when regulations are challenged in court.
- Support reasonable changes to the Occupational Safety and Health Act, including allowing small businesses to recover their attorneys' fees when they are successful in defending themselves against a citation.
- Support reasonable updates to FLSA to ensure that the act remains relevant in the modern workplace, including allowing employers to offer employees paid time off at the rate of 1.5 hours for every overtime hour worked.

Workforce Freedom Initiative

- Educate and mobilize the Chamber's grassroots network on harmful policies being pushed by the National Labor Relations Board and the Department of Labor.
- Promote state labor law reforms to improve the business climate and rein in the power of public sector unions; oppose harmful laws and ballot initiatives pushed by organized labor.

- Promote the Chamber’s labor agenda through advertising and earned media.
- Publish innovative studies on state and federal labor policies to encourage commonsense reforms.

LEGAL REFORM AND LITIGATION MANAGEMENT

- 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 overreaches.
- Build support for changes to the securities litigation system to increase America’s global competitiveness while defending against attempts to expand securities litigation.
- Stop asbestos litigation abuses by continuing to expose fraud and abuse by the plaintiffs’ trial bar, and work to reform and limit abuses associated with Section 524(g) asbestos bankruptcy trusts.
- Prevent or limit efforts to expand liability under the federal False Claims Act and Medicare Secondary Payer statutes.
- Build the case for positive reform of the federal False Claims Act and state-level analogous statutes.
- Work to reform the Foreign Corrupt Practices Act by supporting changes to enforcement practices.
- Support reforming the medical tort system to make costs more affordable and predictable.
- Oppose, both internationally and in the United States, the expansion of third-party litigation financing and lawsuit lending.
- Support class action reform and oppose efforts to weaken the Class Action Fairness Act.
- Fight to preserve the availability of arbitration and other alternative dispute resolution mechanisms.
- Work to ensure that protective orders and motions to dismiss remain available in the context of civil litigation.
- Continue to build the case for comprehensive reform of how discovery is conducted in civil litigation.
- 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.
- Support legal reform in key problem states and jurisdictions.
- Fight the spread of class actions and other problematic U.S.-style litigation features abroad.
- Raise public awareness of key legal issues and the impact of lawsuit abuse with the general public.

NATIONAL CHAMBER LITIGATION CENTER

- **Arbitration:** Defend arbitration agreements against legal challenges intended to eliminate arbitration as a faster, cheaper, and fairer alternative to litigation.
- **Capital Markets and Corporate Governance:** Protect the competitiveness of U.S. capital markets by fighting abusive and meritless litigation and directly challenging anti-business regulations, including some imposed under the Dodd-Frank Act.
- **Class Action Abuse:** Continue opposing efforts to expand abusive use of the class action device.
- **Energy and the Environment:** Through the courts, defend U.S. energy production, distribution, and consumption against ill-conceived initiatives by environmental regulators and activists. Key litigation initiatives include challenging hydraulic fracturing bans at the federal, state, and local levels; disputing EPA's unlawful expansion of air and water regulatory authority, such as EPA's new greenhouse gas regulations; and reining in EPA's abuse of "guidance" to circumvent the rulemaking process.
- **ERISA:** Defend against abuses of ERISA in litigation involving excessive fees, fiduciary duties, fee disclosures, "stock drop" class action cases, and conflicting state and local benefits laws.
- **False Claims Act:** Combat governmental and private False Claims Act litigation against companies in numerous industries subject to meritless fraud claims, including in the defense, aerospace, pharmaceuticals, health care, and financial services sectors.
- **Federal Preemption:** Use the legal doctrine of federal preemption to defend against the piecemeal, multilayered approach to regulation advanced by overzealous state attorneys general and the trial bar.
- **Labor and Employment Policy:** Defend against baseless and abusive litigation, including wage and hour class action lawsuits and litigation under the Fair Labor Standards Act and the National Labor Relations Act. The National Chamber Litigation Center (NCLC) will continue to challenge the aggressive regulatory initiatives of the National Labor Relations Board and the Department of Labor.
- **Overcriminalization:** Challenge efforts by investigators and prosecutors to circumvent statutes of limitations and water down mens rea standards, and otherwise ensure that due process and fairness are observed in the criminal justice system.
- **Punitive Damages:** Restrain excessive awards of punitive damages. NCLC has participated in every Supreme Court punitive damages case over the past 20 years.
- **Regulatory Challenges:** Continue to assist the Chamber's ongoing efforts to rein in overzealous regulators as a direct party challenging federal and state regulations and as an amicus in federal lawsuits seeking to force regulators to adhere to federal administrative laws.

NATIONAL SECURITY AND EMERGENCY PREPAREDNESS

Cybersecurity Policy

- Engage the administration and Congress on the White House's 2013 cybersecurity executive order (EO), *Improving Critical Infrastructure Cybersecurity*, and version 1.0 of the forthcoming *Preliminary Cybersecurity Framework*. Any truly voluntary federal cybersecurity program needs to remain collaborative, flexible, and innovative over the long term.
- Enact cybersecurity information-sharing legislation that includes robust safeguards for businesses that voluntarily exchange threat data with their peers and government partners. Targeted information sharing and mitigation efforts, coupled with appropriate liability protections, are the most effective tools that can be authorized to strengthen cyber protections for companies. These tools can coexist with important protections for individuals' privacy.
- Limit the scope of critical infrastructure (e.g., banks, communications providers, and electric utilities) impacted by the EO. The Chamber opposes administration efforts to compel third-party audits of businesses' information systems and/or to name-and-shame companies that do not voluntarily adhere to a federal cybersecurity program.
- Urge policymakers to adopt positive incentives, such as full liability protections, as part of cyber legislation to enable companies to take decisive actions during national incidents.
- Increase awareness and education of U.S. businesses through a public-private partnership with federal, state, and local entities to promote cybersecurity as part of businesses' overall risk management processes.
- Engage the U.S. defense and intelligence communities on the private sector's role in the nation's evolving cyber defense strategy, including topics such as active defense and deterrence.
- Reduce the number of countries that are safe havens for cyber criminals through international collaboration and the development of global norms. International cooperation and diplomacy are key objectives of any U.S. deterrence strategy to enhance the collective security of cyberspace.

Global Supply Chain, Customs, and Trade Facilitation Initiatives

- Promote trade facilitation and global customs modernization to enable the efficient movement of goods through the global supply chain.
- Engage Congress to develop supply chain and trade facilitation legislation that includes business solutions to logistics, cross-border, and customs facilitation issues.
- Reverse thickening border trends and promote security cooperation through a multilayered, risk-based approach with our trade partners to ensure that mandates do not restrain legitimate trade.
- Promote global convergence of cross-border transportation, security, customs processes, and regulations to enhance the efficient transport of trade.
- Aggressively respond to regulations and legislation that restrain supply chain facilitation and trade.

- Work with the United States Trade Representative, all countries in the negotiation, and member companies to promote trade facilitation, efficient supply chains, and rational customs principles into the Trans-Pacific Partnership, the Transatlantic Trade and Investment Partnership, and the World Trade Organization’s Trade Facilitation Agreement.
- Ensure public and private sector cooperation when identifying threats and creating appropriate solutions to maximize the impact on security and minimize the impact on business and trade.
- Advance global customs modernization and international best practices to achieve transparent and efficient treatment of products in the global supply chain.

Chemical Security Policy

- Enact a multiyear extension of the Department of Homeland Security (DHS)-administered Chemical Facilities Anti-Terrorism Standards (CFATS) program, which is a framework for securing approximately 4,400 high-risk chemical facilities from physical and cyber threats and risks across America.
- Prevent Congress from enacting new mandates on owners and operators, such as so-called inherently safer technologies (ISTs) or allowing third-party suits against CFATS facilities.
- Push Congress and DHS for positive outcomes to implement the Personnel Surety Program (PSP) and regulate above-ground gasoline storage facilities under CFATS.

Critical Infrastructure Protection and Resilience Policy

- Analyze, develop, and advocate for risk-based policies to protect the country’s critical infrastructure sectors.
- Advocate for greater resilience—the ability to “bounce back” and continue operating in the face of a natural or man-made disaster—within the business community, especially among sectors critical to the healthy functioning of the U.S. economy and government.
- Urge policymakers emphasize the unique capabilities and resources that the private sector brings to the homeland security mission by expanding the role of public-private partnerships in incident preparedness, planning, response, and recovery efforts.

Office of the Director of National Intelligence Partnerships

- Enhance the Chamber’s partnership with the Office of the Director of National Intelligence (ODNI) and other elements of the U.S. intelligence community to create information-sharing avenues with high-level officials and subject matter experts.
- Partner with ODNI and the Office of the National Counterintelligence Executive (NCIX) to host threat briefings for Chamber members.

Terrorism Risk Insurance Act Reauthorization

- Urge Congress to swiftly reauthorize the Terrorism Risk Insurance Act (TRIA) in advance of its current December 31, 2014, sunset date.

- Work to minimize any modifications to the program that could force various insurers to pull out of this market, which would further restrict capacity and make it more difficult for policyholders to secure this necessary coverage.

PENSIONS

Multiemployer Funding Reform

- Work with Congress and other interested parties to find solutions to long-term funding issues in the multiemployer pension plan system.

Tax Reform

- Work to ensure that tax incentives for retirement plans are not weakened.

Required Notices and Disclosures

- Work with Congress and the administration to consolidate and streamline certain notice requirements to ensure that information provided to workers is clear and meaningful.

Electronic Disclosure

- Work with regulators to increase the options for electronic disclosures of required notices.

Plan Fee Disclosure

- Work to ensure that plan fee disclosure regulations are reasonable and not overly burdensome.

Pension Benefit Guaranty Corporation Reform

- Work to prevent further increases in Pension Benefit Guaranty Corporation (PBGC) premiums without a comprehensive discussion of changes needed at the PBGC, including governance and methodology.
- Urge the implementation of changes in governance and transparency that are needed to ensure the viability of the PBGC.

Phased Retirement

- Continue to address the legal, fiscal, policy, and practical barriers to phased retirement.

Decumulation Strategies

- Work with Congress and our membership to reach consensus on legislation that will promote useful decumulation strategies pertaining to lifetime income options, long-term care insurance, and other products without overly burdening plan sponsors.

Small Business Issues

- Tax Penalties under Code Section 6707—Urge Congress to pass legislation that does not allow a penalty for failure to disclose reportable transactions when there is reasonable cause for such failure. More than a half-dozen of the reportable transactions involve employee benefit plans used by small businesses.
- Interim Amendments—Work with the IRS and Treasury to decrease the burden on small plan sponsors caused by the interim amendment requirements.

Automatic IRAs and Universal IRAs

- Work with Congress and the administration to create a system that does not burden employers or impose on the private retirement system.
- Oppose proposals that require an employer mandate, create a TSP II system, or increase ERISA fiduciary liability for employers.

Pension Accounting

- Monitor and engage with the Financial Accounting Standards Board (FASB) and the SEC as it evaluates and proposes changes to the accounting standards for measuring pension and other benefit costs, obligations, and assets.

Definition of a Fiduciary

- Ensure that any change to the current regulations reflects modern realities and protects plans and participants while allowing for the free flow of information and services.

De-risking (Lump-sum Payouts/Risk Transfer).

- Protect the right of employers to satisfy promises made to workers by allowing both annuity and lump-sum payouts.

Brokerage Windows

- Work to ensure that disclosure requirements applicable to brokerage windows under an ERISA plan do not result in increased fiduciary liability for plan sponsors.

REGULATORY AFFAIRS

Administrative Procedure Act Reforms

- Promote commonsense changes to the Administrative Procedure Act (APA) and other relevant laws to ensure accountability, transparency, and efficiency in the federal regulatory process and to close loopholes in existing law.
- Develop legislative changes to existing law and take other steps where appropriate to prevent agencies and others from circumventing procedural safeguards through sue and settle, reliance on guidance documents in lieu of rulemakings, and other actions.
- Promote passage of the Regulatory Accountability Act to modernize APA and provide for improved federal rulemaking procedures. Make available effective and efficient congressional review of major rules.

- Ensure that federal agencies rely on sound science in formulating regulations, complete a proper cost-benefit study, and perform job impact studies required by law.

Consumer Product Safety

- Promote the intelligent application of the Consumer Product Safety Improvement Act so that businesses are not overly burdened with onerous regulatory compliance requirements.
- Closely monitor the Consumer Product Safety Commission complaint database. If necessary, promote legislation to address any problems with the database, including excessive burdens on industry and the dissemination of misleading information to consumers.

Freedom of Information Act Reform

- Ensure that federal agencies respond to requests for information under the Freedom of Information Act (FOIA) in a timely, transparent, and accountable manner.
- Advocate for the creation of an online database to enable the public to track the progress of each FOIA request.
- Call for the establishment of an ombudsman to hear disputes over FOIA claims.

Government Accountability

- Ensure that federal agencies and programs operate efficiently and within budget and do not issue duplicative or obsolete regulations.

Information Quality Act

- Support efforts by affected stakeholders to ensure that federal agencies subject to the act's provisions comply with all the requirements.
- Seek ways to establish a private cause of action so that there can be judicial review.

International Standards Affecting Domestic Regulation

- Advocate for transparency, accountability, and compatibility in international standards by working through U.S. delegates, Congress, and industry allies.

National Environmental Policy Act Streamlining

- Promote revisions to the National Environmental Policy Act (NEPA) to allow projects to go through environmental reviews expeditiously, with coordinated, simultaneous reviews by each of the relevant agencies. Establish a shorter time period for those seeking judicial review.

Office of Information and Regulatory Affairs

- Work with the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) to ensure that EPA complies with Executive Order 13563, the Regulatory Flexibility Act (RFA), the Unfunded Mandates Reform Act, the Administrative Procedure Act, and all other applicable laws, orders, and requirements.

Paperwork Reduction Act

- Support efforts to reauthorize this act.
- Reestablish paperwork reduction goals and create better ways to hold agencies accountable for their work under the act.
- Push look-back provisions to promote better estimates of paperwork burden estimates.

Regulatory Flexibility Act

- Work closely with House and Senate committees to address loopholes in this act.
- Urge federal agencies to conduct periodic reviews of regulations and rules as required under Section 610 of the act.
- Promote legislation that would provide clear and consistent definitions in the Small Business Regulatory Enforcement Fairness Act (SBREFA) so that agencies are not able to get out from under the requirements of the law.

Regulatory Reform

- Support efforts in Congress to enact the Regulatory Accountability Act, the Responsibly And Professionally Invigorating Development (RAPID) Act, the Federal Permitting Improvement Act, and the Sunshine for Regulatory Decrees and Settlements Act.

Unfunded Mandates Reduction Act

- Support efforts in Congress to strengthen government compliance with and accountability under this act.

SMALL BUSINESS

Regulatory Flexibility Act

- Work to pass regulatory reforms that will expand the responsibilities under the Regulatory Flexibility Act (RFA) of federal agencies during the rulemaking process so that a more thorough economic impact of proposed regulations on small businesses will have to be taken into account by regulators.
- The Chamber has worked closely with the Senate and House committees on Small Business over the last year to develop a list of changes to the RFA as amended by the Small Business Regulatory Fairness Enforcement Act of 1996. These changes, if enacted into law, would require agencies to take into account the foreseeable secondary impacts on small businesses of regulations when providing an economic analysis and would also allow for judicial review prior to issuing the final regulation. Furthermore, other provisions would close loopholes in the law that allows agencies to skirt their responsibilities during the regulatory process.

1099-K Regulatory Reporting Mandate

- Continue to monitor IRS efforts to make the 1099-K an effective tool for tax compliance while minimizing the impact on compliant businesses.

Tax Gap

- Prevent passage of legislation and regulations that would close the IRS tax gap by placing excessive paperwork and withholding burdens on compliant small business taxpayers.

Small Business Administration 504 loan program expansion

- Although the Chamber successfully lobbied for the temporary use of the Small Business Administration (SBA) 504 loan program to refinance commercial real estate, we will continue to fight to make this program permanent.

Small Business Investment Company Program

- The Chamber will continue to promote legislation to expand the SBA's Small Business Investment Company (SBIC) program to allow an additional \$500 million a year in funding for small businesses at no additional cost to the taxpayer.

TAXES

- **Advocate for comprehensive tax reform legislation to adhere to the following principles:**
 - Lower the corporate tax rate to a level that will enable U.S. businesses to compete successfully in the global economy, attract foreign investment to the United States, increase capital for investment, and drive job creation in the United States. Congress should consider the impact of a corporate rate reduction on pass-through entities.
 - Eliminate the bias in the current U.S. tax system against capital investment. Capital investment should be expensed or recovered using a capital cost recovery system that provides the present value equivalent to expensing with due regard to the impact the system may have on cash flow.
 - Replace the worldwide system of taxation with a territorial system for the taxation of foreign source income to enable U.S. businesses to compete successfully in the global economy as well as domestically against foreign firms, and to promote economic growth domestically.
 - Changes should be permanent to ensure certainty for businesses striving to expand, create jobs, and remain competitive in the United States and abroad.
 - Fundamental reform should take place in the near term, and Congress should not, in the interim, adversely change the current tax policy.

- Congress preferably should pass comprehensive tax reform legislation; conversely, Congress should avoid undertaking tax reform on a piecemeal basis.
- In considering tax reform legislation, Congress should give equal attention to government spending to strike a reasonable balance with a tax code that fosters economic growth, job creation, and investment.
- Congress should enact simple, predictable, and easy-to-understand tax rules to improve compliance and reduce the cost of administration.
- Tax reform legislation should ensure industry-specific neutrality and avoid special tax benefits or penalties targeted to one industry versus another. Tax reform should allow the marketplace, not the tax system, to allocate capital and resources.
- Comprehensive tax reform should include realistic transition rules to provide adequate time for implementation and help minimize the economic hardships that businesses may encounter in transitioning to the new tax system.
- **While Congress continues its work on comprehensive tax reform, the Chamber will continue its advocacy efforts as follows:**
 - Prevent tax hikes on businesses including, in particular, attempts by Congress to raise taxes on businesses to pay for additional spending.

TECHNOLOGY, TELECOMMUNICATIONS, AND E-COMMERCE

Broadband

- Oppose applying old monopoly telephone rules to new broadband networks.
- Support public-private partnerships to spur broadband deployment and adoption across the United States.
- Support the use of auctions—without any restrictions that may deter potential bidders—to allocate wireless spectrum for mobile broadband.
- Support efforts to streamline zoning laws for broadband infrastructure, including cell towers and antennas.

Broadcasting and Mass Media

- Advocate for federal policies that keep government regulation of broadcasting and other mass media to a minimum, recognize the highly competitive nature of the industry, and promote market-based solutions.

Electronic Communications Privacy Act Modernization

- Support modernizing the Electronic Communications Privacy Act to require, except in emergencies, law enforcement to obtain a warrant to access personal or proprietary emails and other documents stored by third-party service providers that offer cloud-based storage and other services.

Internet Corporation for Assigned Names and Numbers

- Urge the Internet Corporation for Assigned Names and Numbers (ICANN) to ensure that its plan to dramatically increase the number of generic Top-Level Domain (gTLD) names (i.e., the suffixes that go after the dot, such as .com and .org) incorporate sufficient protections for trademark and brand owners. Beyond the costs associated with defensive registrations, there are strong concerns that these new gTLDs could lead to brand confusion, brand dilution, fraud, identity theft, data breaches and other cyber crimes, consumer privacy violations, and other abuses.

Privacy and Data Security

- 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. Support enactment of a truly uniform federal standard for breach notification consistent with the best approaches in state law. To be workable and effective, any such legislation must recognize that both consumers and U.S. businesses are victims of crimes that give rise to a data breach. The legislation should contain carefully drafted provisions, including—but not limited to—preemption, liability, and enforcement.

Spectrum Allocation and Management

- Develop a comprehensive, unified national spectrum management strategy designed to reduce the artificial scarcity of spectrum and increase the flexibility in allocating spectrum.

Telephone Consumer Protection Act Reform

- Support modernization of the Telephone Consumer Protection Act (TCPA) to ensure that consumers can receive important nonmarketing, time-sensitive information on their mobile devices and that businesses have the ability to provide their customers with this type of information.

Telecommunications Reform

- Advocate for updated federal telecommunications laws, and seek the elimination of federal policies that hinder investment in technology.

TRANSPORTATION

Highways and Public Transportation

- Advocate for the swift, multiyear reauthorization of Moving Ahead for Progress in the 21st Century (MAP-21) with needed policy and programmatic reforms and at least current levels of funding.
- Ensure that Congress devises a predictable, sustainable, and growing source of dedicated, user fee-based funding for the Highway Trust Fund (HTF) in any appropriate legislative vehicle, such as budget agreements and tax reform measures,

so that HTF insolvency is addressed in advance of the expiration of MAP-21. If Congress cannot arrive at a user-fee based solution, advocate for general fund contributions to prevent HTF insolvency and drastic program cuts that are expected to begin in the summer of 2014.

- Advocate for priority consideration of economic growth and jobs as factors in the Department of Transportation (DOT) implementation of MAP-21. Ensure a business voice is represented and promote accountability and transparency in rulemakings and similar DOT implementation processes.

Marine Transportation

- Secure final passage of the Water Resources Reform and Development Act. Both the House and Senate passed bills in 2013, but the conference committee did not complete its work. A final bill should do the following:
 - Ensure that Congress allows for full use of Harbor Maintenance Trust Fund (HMTF) resources, without negatively affecting other navigation or water resources investments, to address growing dredging needs at the nation's ports.
 - Ensure that Congress modifies the federal cost share for the Olmsted Lock and Dam Project, shifting all the remaining costs to general treasury revenue.
- Advocate for Congress to devise a predictable, sustainable, and growing source of dedicated, user fee-based funding for the Inland Waterway Trust Fund (IWTF) in any appropriate legislative vehicle, such as tax reform.
- Attain full funding for navigation needs in the appropriations process.
- Ensure that marine transportation—including inland waterways—needs are addressed as part of the National Freight Strategic Plan.

Aviation

- Advocate for priority consideration of economic growth and jobs as factors in the Federal Aviation Administration (FAA) implementation of the FAA authorization law. Ensure a business voice in rulemakings and similar implementation processes. Promote accountability and transparency as the FAA executes new policies and programs established in the most recent reauthorization legislation.
- Craft an updated statement on the reauthorization of the FAA needed in 2015 to reflect the concerns and focus of our members.

Public-Private Partnerships

- Develop and execute a program of outreach and education with state elected officials and business leaders to highlight the benefits of public-private partnerships and help implement state-level action that would create a more favorable environment for public-private partnerships in transportation infrastructure.
- Urge Congress to expand its efforts to open up markets for public-private partnerships in infrastructure.

January 2014