



# U.S. CHAMBER OF COMMERCE

## U.S. Chamber Policy Priorities for 2016

### THE JOBS, GROWTH, AND OPPORTUNITY AGENDA

In 2016, the Chamber will continue to focus its resources and expertise on advancing the *Jobs, Growth, and Opportunity Agenda*, a series of policy priorities detailed throughout this document that will help revitalize the American economy, create jobs, spur growth, and lift incomes.

Our agenda is built on the belief that our nation's best days are far from over; they are yet to come.

#### ANTITRUST

- Lead the effort to introduce and secure passage of legislation that addresses the long-standing desire to align the merger standards and procedures followed by the Federal Trade Commission (FTC) with those of the Antitrust Division of the Department of Justice.
- Continue to seek greater clarity regarding the scope and application of FTC's Section 5 authority to enforce against "unfair methods of competition."

#### CAPITAL MARKETS, CORPORATE GOVERNANCE, AND SECURITIES REGULATION

##### Lead the Offensive Charge to Address Critical Areas Within the Regulatory Structure Domestically and Internationally

- **Disclosure Reform**—Advocate for an updated corporate disclosure regime that addresses the challenges that investors face due to the outdated, duplicative, and unclear current system.
- **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.
- **International Regulatory Coordination**—Ensure that international regulators do not limit the ability of companies to raise capital formation or manage risk. Also ensure that policies set abroad don’t undermine domestic efforts and vice versa.
- **Liquidity**—Ensure that ill-motivated initiatives don’t fundamentally change the capabilities, flexibility, and competitiveness of our markets.

### **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 without the burden of margin requirements.

- **Financial Technology and Innovation**—Monitor developments in financial technology (FinTech) that can be disruptive to the marketplace and existing regulatory structures.
- **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 that are based on factors other than just size. Ensure that FSOC provides a mechanism for coordination among member agencies, rather than create a duplicative regulatory regime by doubling up on existing efforts of other regulatory agencies. Support efforts to continue increasing the transparency of FSOC.
- **Systemic Risk**—Support stronger and more comprehensive oversight of the financial system to identify risks that may systemically damage the financial markets and take appropriate actions to mitigate them. Oppose actions by FSOC that lack due process and transparency in its efforts to designate, formally or informally, specific financial institutions or nonfinancial companies as systemically significant, thereby expanding “too big to fail” policies. Limit the number of nonfinancial companies subject to the 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**—OFR should conduct analysis to identify threats to the U.S. financial markets. Ensure that 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. Support additional accountability for OFR, including requiring OFR studies and reports to be subject to the public notice-and-comment process and subjecting OFR to the appropriations process.
- **Fiduciary Duty**—Reshape the Department of Labor’s reproposal defining a fiduciary under ERISA in order to reduce its impact on low- and middle-income savers and small businesses while providing a workable solution for industry participants. Support sensible legislative and regulatory approaches to harmonize regulation of investment advisors 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.
- **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.

- **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 highlight the negative impact 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 on meaningless reforms, such as mandatory firm rotation. Promote the establishment of an international set of auditing standards.
- **Accounting**—Develop accounting standards, domestically and internationally, to accurately reflect economic activity and facilitate efficient capital formation.

### **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 benefit 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**

- Persuade Congress to pass spending bills consistent with the November 2015 budget agreement.
- Urge Congress and the administration to elevate the discussion on reforming entitlement programs.

## **EDUCATION AND WORKFORCE DEVELOPMENT**

### **Pre-K-12**

- Support efforts to improve and expand access to quality Early Childhood Education programs through choice, innovation, and robust assurance systems.
- Support implementation of the Elementary and Secondary Education Act, with an emphasis on encouraging the creation of state accountability systems focused on academic outcomes for every student, 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.
- 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 reauthorize the Higher Education Act, including an expanded marketplace of providers and credentialing opportunities that support the needs and career aspirations of a diverse student population, including working adults and veterans.
- 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 as well as in key 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 and 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.
- 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 and support resulting in improved employment transitions and upward mobility for students and workers and a more competitive workforce for employers.
- Leverage opportunities under the newly reauthorized 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.

## **ELECTIONS AND GRASSROOTS ADVOCACY**

### **Elections**

- Protect the pro-business majorities in the U.S. House and Senate.
- Play an aggressive role in candidate recruitment and special elections to attract pro-business candidates with general election appeal.
- Recruit federation members in targeted legislative and political states and districts to participate in the political program and partner on independent expenditures and endorsement events.
- Test messages, candidates, and surrogates through early polling in key states and districts.
- Evaluate legislative priorities and identify opportunities where the U.S. Chamber PAC can have an impact on advancing the business agenda in 2016.

### **Grassroots**

- Develop messages and issue advocacy campaigns to engage new audiences on business issues during legislative debates and mobilize them during political campaigns.
- Support the Chamber's legislative agenda through a grassroots platform focused on rapid response issue advocacy.
- Increase federation engagement in key policy and political campaigns through coordinated outreach and partnerships with state and local chambers and regional offices.

- Oppose attempts to limit business community engagement in the electoral and policymaking arenas at the federal and state levels.

## **ENERGY AND THE ENVIRONMENT**

- 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.

### **Offshore Energy**

- Prevent the Department of the Interior from finalizing a well control rule that effectively prevents energy exploration in the Gulf Of Mexico.
- Advocate against further acreage limitations in the administration’s 2017-2022 OCS Leasing Program.

### **Air Quality Regulation**

- Ensure that the Environmental Protection Agency (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 the 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, 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 preempting state and local bans.

- Urge EPA to rely on scientifically valid and peer-reviewed data regardless of their sources.

### **Climate Change**

- Continue to strongly support efforts to improve energy efficiency and develop clean energy alternatives, which will help the nation further reduce greenhouse gas emissions.
- Continue to urge that any comprehensive legislative solution must not harm the economy, recognize that the problem is international in scope, and aggressively promote 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, including the endangerment finding.
- 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.

### **Water Issues**

- Monitor water supply, ownership, and quality concerns, including property rights issues and drought management policy.
- Oppose efforts to implement or enforce the federal Waters of the United States final rule without first clarifying the scope of federal jurisdiction over land and water features and ensuring that all necessary and required regulatory impact analyses are completed by EPA and the Army Corps of Engineers.
- Oppose EPA's effort to expand the federal Clean Water Act and Endangered Species Act jurisdiction through rulemaking, including the proposed Stream Protection Rule.

### **Coal Combustion Residuals**

- Support legislation to ensure that coal ash waste continues to be regulated as a solid waste under the Resource Conservation Recovery Act (RCRA) Subtitle C.
- Support the enactment of specific congressional authority necessary for EPA and for states to implement and enforce effective regulatory programs for coal combustion residuals.

## **FOOD AND AGRICULTURE**

### **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 Product Labeling**

- Support food product labeling requirements that are science based and do not unduly burden the food industry or consumers.
- Support the development of a national framework for labeling foods that contain genetically engineered ingredients.

## **Food Safety**

- 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, 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 regulation that promote U.S. leadership in genetic engineering. Block attempts to weaken this critical technology that helps feed our nation and the world.
- Monitor the process to update the Coordinated Framework for biotechnology product approvals. Support efforts to ensure the update process is transparent and results in a regulatory system that is reasonable, predictable, supports innovation, and is science based.

## **Agriculture**

- Monitor the regulatory landscape of food and agriculture to ensure continued domestic production and food security.

## **Technology**

- Support the development and implementation of technology and innovation in the food and agriculture sectors.
- Support data collection and privacy policies that appropriately address data collected through food production, processing, and resource management.

## **GOVERNMENT CONTRACTING**

- Urge federal agencies not to perform functions that are widely available in the private sector.
- Support acquisition reform initiatives to streamline the federal contracting process and urge a fair and efficient procurement process for goods and services.

- Prevent the implementation of administration regulation to limit contracts that would harm the private sector contractor community by creating more barriers to competition and add 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 or impose limitations based on the location of a contractor's corporate domicile.
- Oppose efforts to politicize and otherwise undermine the integrity of the federal government's competitive contracting process.

## **HEALTH CARE**

### **Health Care Reform**

- Advance proposals and recommendations from the U.S. Chamber's Health Care Solutions Council report to ease implementation, reduce unnecessary costs, advance quality, and improve health.
- Pragmatically, through meetings and comment letters, strive to improve implementation efforts of the administration on the Affordable Care Act (ACA) and advance regulatory changes that permit flexibility and best serve business needs. Continue regulatory work to protect businesses as the administration moves forward with implementation.
- Develop and support solutions that provide relief to businesses working to comply with the ACA, including restoring the 40-hour workweek, repealing taxes such as the 40% excise tax and the medical device tax, opposing expansion of the small group market, and addressing 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. Support a new reimbursement model that rewards quality and efficiency.
- Oppose reimbursement cuts to the Medicare Advantage program.
- Support market competition by opposing government-imposed price controls on prescription drugs through the repeal or evisceration of the Part D non-interference clause.

### **Liability Reform**

- Support reform of 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**

- Raise awareness of the positive effects of workplace wellness and give tax-favored status to programs aimed at keeping employees healthy.
- Oppose additional regulations that would make the administration of workplace wellness programs more challenging and burdensome.
- Encourage awareness of workplace wellness through educational efforts, such as the National Workplace Wellness Week.

## **ERISA Preemption**

- Oppose state and local efforts that 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 ACA 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.
- Permit greater flexibility so that employers can provide tax-preferred dollars for employees to pay for health insurance premiums through health reimbursement accounts (HRAs).
- Urge 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

### Legislative Plans

- Ensure that the Visa Waiver Program (VWP) remains workable and beat back efforts to eliminate the program.
- Ensure that the EB-5 Regional Center program remains authorized and is workable for industry.
- Prevent harmful legislation to the H-1B program from gaining traction in Congress.
- Use the appropriations process to roll back certain changes made to the H-2B program in the most recent rules issued by the Department of Homeland Security (DHS) and the Department of Labor (DOL).

### Regulatory Plans

- Respond to our members' needs in both the high-skilled and low-skilled space and issue comments to notices in the *Federal Register* regarding the H-1B and H-2B visa programs.
- Regarding H-1B and H-2B visa issues, the Chamber will continue to work with industry allies in these endeavors when possible.
- If major reforms to the EB-5 Regional Center program occur, the Chamber will engage in the regulatory effort to ensure that business interests are properly accounted for moving forward.
- Work with DHS and DOL on their PERM Modernization efforts, which are a key element of the President's Executive Actions on Immigration.
- Work with DHS to expand the VWP, Global Entry, and Preclearance programs to more countries around the world.

### Judicial Plans

- Continue to monitor our current litigation efforts in the H-2B space and pursue new opportunities to fight back against the overly burdensome requirements that were created in the rule issued by DHS and DOL.
- Pursue other litigation opportunities, both as the Chamber and as part of a broader coalition.

## INTELLECTUAL PROPERTY

### Promote high standards for the protection and enforcement of intellectual property (IP) through international policy bodies and trade mechanisms.

- **Trade:** Utilize trade policy mechanisms to advance global rules that reflect U.S. standards and establish meaningful high-standard precedents for IP.
- **China:** Build momentum for IP reform in China, address key concerns with China's policymakers, and enhance protection and enforcement of both foreign and domestic IP stakeholders in China.

- **India:** Strengthen IP in India through the promotion of pro-innovation policies and the adoption of international best practices and build alliances to prevent the spread of harmful precedents.
- **Other Key Markets:** Establish industry dialogues with Brazil and Canada; monitor key markets for IP developments and engage and inform members as needed.
- **Multilateral Organizations (MLOs):** Employ strategic engagement of MLOs to promote pro-IP initiatives and counterbalance anti-IP activism.

**Advocate for appropriate policies to maintain effective IP systems and rights within the United States.**

- **Domestic IP Reforms:** Support pro-IP policies, legislation, and regulations with Congress and the administration to prevent weakening of appropriate and essential IP policies and protections that support industry sectors depending on copyrights, trademarks, patents, and trade secrets to successfully compete in the global marketplace.
- **Enforcement:** To combat the criminal enterprises that produce and sell counterfeit goods, steal trade secrets, and pirate copyrighted works, the Chamber will continue to advocate for effective IP enforcement programs, policies, and resources to protect domestic industries and consumers. Ensuring that our domestic enforcement agencies have the necessary funding, resources, and support to sustain effective enforcement programs remains a top priority for our members and a key program of the Chamber's Global Intellectual Property Center (GIPC).
- **Internet:** We will continue to promote and support policies and legislation that will ensure a safe, secure, stable, and open global Internet, while minimizing exposure to counterfeit or illicit goods, the theft of copyrighted works and trade secrets, and functions with respect for accepted international rule-of-law standards.
- **Brands:** The Global Brand Council (GBC) was created to be a leader in efforts to protect the interests of trademark companies and the value of brands throughout the world. GBC therefore promotes policies and legislation that protect brand integrity and consumers and supports effective enforcement policies, strategies, and agencies, both domestically and internationally.

**Build support from policymakers to protect strong IP rights by creating awareness of the correlation between IP and the generation of new innovations and growing economies in the United States and abroad.**

- Create public campaigns that demonstrate the impact of IP and innovative industries.
- Develop coalitions and build alliances with individuals and organizations that influence policymakers and activate them to show their support for IP.

## INTERNATIONAL TRADE, INVESTMENT, AND REGULATORY POLICY

- Secure congressional approval of the Trans-Pacific Partnership (TPP) while engaging forcefully with the administration, Congress, and other TPP governments—effective immediately and continuously throughout congressional consideration and up to and after entry-into-force—to maximize TPP’s commercial benefits, including market access, rules, and intellectual property protections.
- Reach new trade and investment agreements to ignite U.S. economic growth, including the Transatlantic Trade and Investment Partnership and the Trade in Services Agreement.
- Achieve new access to global markets through the World Trade Organization (WTO), including through implementation of the Trade Facilitation Agreement and the expanded Information Technology Agreement as well as conclusion of negotiations for the Environmental Goods Agreement.
- Press for negotiation of strong U.S. bilateral investment treaties (BITs) with China and India; explore the possibility of BIT negotiations with additional markets, including Indonesia and the East African Community.
- Reach a modernized Safe Harbor agreement with the European Union to facilitate transatlantic data flows, subject to legitimate privacy protections.
- Renew the Miscellaneous Tariff Bill (MTB).
- Eliminate restrictions on trade and travel with Cuba with a view toward lifting the embargo.
- Secure Senate ratification of pending conventions for the avoidance of double taxation with respect to taxes on income with Hungary, Poland, and Chile; protocols amending existing conventions with Switzerland, Luxembourg, Spain, and Japan; and a protocol amending the Convention on Mutual Administrative Assistance in Tax Matters.
- Secure congressional approval of permanent normal trade relations with Kazakhstan and graduation from Jackson-Vanik.
- Explore the feasibility of negotiations for bilateral trade agreements with other significant U.S. trading partners, including Brazil, Turkey, and Egypt.
- Secure reauthorization of the Overseas Private Investment Corporation (OPIC).
- Conclude and build on the administration’s initiative to modernize export controls to enhance U.S. national security and competitiveness.
- Improve U.S. trade promotion programs to help small businesses export.

### *Related general objectives and principles:*

- Protect international investment, including via international arbitration as a means for investors to settle disputes under investment treaties and trade agreements.
- Protect and enforce intellectual property rights.
- Bar measures that restrict legitimate cross-border data flows or condition commercial access on local investment.
- Oppose “forced localization” measures.

- Combat overly broad “buy local” mandates at home and abroad.
- End unilateral sanctions that close foreign markets only to U.S. exporters.
- Oppose export restraints on energy, raw materials, and other goods at home and abroad.
- Advance regulatory cooperation between the United States and its major trading partners.
- 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.
- Combat state capitalism and anti-market industrial policies around the world.
- Ensure that U.S. trade agreements are consistently and faithfully enforced.

## **LABOR**

Work against changes to the nation’s employment laws, which would have an adverse impact on employers, including through regulations and case law, while developing targeted changes to ease compliance and moderate burdens. Specifically:

- 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 NLRB efforts to upend its long-standing test for joint employer liability.
- 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 or to mandate paid sick leave.
- 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 increase the minimum wage and to index the minimum wage to inflation or any other factor that will automatically increase labor costs.
- Oppose rulemaking to redefine and limit the ability of employers to use exemptions from overtime compensation.
- Advocate for pro-employer provisions in priority international labor and employment policy proposals.
- Oppose new OSHA ergonomics regulations, such as any effort to issue a regulation requiring changes to record-keeping forms highlighting ergonomic injuries.
- Oppose OSHA-proposed regulation that will result in employer injury records being posted on an Internet-based searchable database and the reworking of the statutory whistle-blower protections.

- Oppose OSHA’s attempt to impose unnecessary and unjustified dramatically lower exposure levels to respirable crystalline silica, along with extensive testing and monitoring requirements.
- 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, data collection initiatives, 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 impact.
- 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, as well as 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.
- Support efforts to increase transparency and accountability at the Equal Employment Opportunity Commission (EEOC) and to ensure that the commission adheres to its statutory obligation to engage in conciliation before initiating litigation.
- Oppose EEOC efforts to challenge employer wellness programs, which are otherwise legal under the Affordable Care Act and the Health Insurance Portability and Accountability Act.

### **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; 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

- 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.
- Build support for changes to the securities litigation system to increase America's global competitiveness while defending against attempts to expand securities litigation.
- Work to address and limit abusive unclaimed property audits.
- 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.
- 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.
- 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 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 about 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 SECURITY AND EMERGENCY PREPAREDNESS

### 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 and ensure that government mandates do not restrain legitimate trade.
- Promote global convergence of cross-border transportation, security, customs processes, and regulation to enhance the efficient transport of trade.
- Aggressively respond to regulations and legislation that restrain supply chain facilitation and trade.
- Advance trade facilitation and modern customs principles with countries engaged in the Transatlantic Trade and Investment Partnership to ensure the final text reflects our priorities.
- Engage global businesses and governments to ensure commercially meaningful implementation of the World Trade Organization 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 with regional committees and task forces around the globe to facilitate the implementation of practices to achieve transparent and efficient treatment of products in the global supply chain.
- Represent membership interests on the Commercial Operations Advisory Committee (COAC) that advises the secretaries of both the U.S. Department of Treasury and the U.S. Department of Homeland Security on the commercial operations customs and trade-related functions.

### Cybersecurity

The U.S. Chamber's cyber policy advocacy and framework education campaign—*Improving Today. Protecting Tomorrow*<sup>™</sup>—prioritizes several areas, including the following:

- **Organize roundtables with local chambers and grow awareness of market solutions.** Since 2014, the Chamber has organized eight cybersecurity roundtables with state and local chambers. More roundtables are planned in 2016. The Chamber urges policymakers to commit greater resources to growing awareness of the joint industry-National Institute of Standards and Technology (NIST) cybersecurity framework and similar risk-management solutions through a robust national education campaign.

- **Align international cybersecurity regimes with the framework.** Many Chamber members operate globally. Standards, guidance, and best practices relevant to cybersecurity are typically industry driven and adopted on a voluntary basis. The Chamber will continue to urge the administration to organize opportunities for businesses to participate in multinational discussions.
- **Modernize cybersecurity regulations.** Information-security requirements should not be cumulative. The Chamber believes it is valuable that agencies and departments are urged under the 2013 cybersecurity presidential order to report to the Office of Management and Budget (OMB) any critical infrastructure subject to “ineffective, conflicting, or excessively burdensome cybersecurity requirements.”
- **Push constructive engagement.** The Chamber believes that government—particularly independent agencies—should devote time and resources to assisting resource-strapped enterprises beat back foreign powers, not flex their existing regulatory authority.
- **Raise adversaries’ costs through deterrence.** The Chamber believes that public- and private-sector stakeholders need to conduct a review of actions—including improved cyber defenses and enhanced attribution capabilities—that can be appropriately and wisely taken by business and government to deter bad actors. In a global security environment that is characterized by asymmetric threats and an absence of international rules of the road, businesses are typically left to their own devices, which should be unacceptable to U.S. business and political leadership.
- **Manage cyber supply chain risks.** Ambitious public- and private-sector efforts are under way to manage cyber supply chain risks. The Chamber will continue participating in initiatives like the Software and Supply Chain Assurance Forum, which is being led by the General Services Administration (GSA), among other agencies. The Chamber supports nonprescriptive efforts by policymakers to enhance the security of information technology and communications (ICT) networks and systems.

### **Chemical Security**

- Implement the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (P.L. 113-254). The bill, signed into law in December 2014, renews the Department of Homeland Security (DHS)-administered Chemical Facility Anti-Terrorism Standards (CFATS) program for four years.
- Prevent Congress from enacting new mandates on chemical facility owners and operators, including so-called inherently safer technologies (ISTs) or allowing third-party suits against CFATS facilities.
- Push Congress and the administration for positive outcomes to Executive Order 13650, Improving Chemical Facility Safety and Security.

### **Critical Infrastructure and Resilience**

- 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—in the business community and especially among sectors crucial to the healthy functioning of the U.S. economy and government.
- Urge policymakers to 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.

### **NATIVE AMERICAN ENTERPRISE INITIATIVE**

- Labor: Work toward enactment of the Tribal Labor Sovereignty Act.
- Housing: Work toward the enactment of a comprehensive NAHASDA (the Native American Housing Assistance and Self-Determination Act) reauthorization bill.
- Energy: Work toward achieving a compromise between the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015 (S. 209) and the Native American Energy Act (H.R. 538) that incorporates Chamber priorities and that can be signed into law in 2016.
- Land-Into-Trust: Work toward enactment of a law that respects tribal sovereignty while solving the problem of Interior taking land-into-trust for the benefit of Indian tribes that arose from the 2009 Supreme Court’s interpretation of the IRA of 1934 (*Carcieri v. Salazar*).

### **PENSIONS**

#### **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.

#### **Multiple Employer Plans**

- Urge Congress to make changes to the multiple employer plan rules to enable expanded use of these plans.

#### **State-Sponsored Retirement Plans**

- Ensure that state programs for private employers do not create unnecessary burdens on employers, including mandates.

#### **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 (PBGC) Reform**

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

### **Multiemployer Funding Reform**

- Work with administrative agencies to ensure that regulations properly carry out the goals of the legislation passed by Congress.

### **Phased Retirement**

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

### **Decumulation Strategies**

- Work with Congress and Chamber 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.
- *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 FASB evaluates and proposes changes to the accounting standards for measuring pension and other benefit costs, obligations, and assets.

### **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.

### **Nondiscrimination Testing in Frozen Plans**

- Urge Congress to develop a permanent solution for frozen plans that are in danger of failing the nondiscrimination rules under the tax code.

## **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 (FOIA) Reform**

- Ensure that federal agencies respond to requests for information under FOIA in a timely, transparent, and accountable manner.
- Advocate for creating an online database to enable the public to track the progress of each FOIA request.
- Call for establishing 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 its 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.

### **Office of Information and Regulatory Affairs (OIRA)**

- Work with 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 the law; conduct meaningful oversight of federal agency compliance with all its requirements.
- 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 Sunshine for Regulatory Decrees and Settlements Act, and the Require Evaluation before Implementing Executive Wishlists (REVIEW) Act.

## **Risk Analysis**

- Support efforts to reform the processes used to evaluate health risks related to chemical and pollutant exposures, which directly influence the stringency of air and water quality standards, as well as site cleanups and chemical safety requirements. Agencies need to use procedures that are more transparent, impartial, accountable, and reproducible.
- Support Hill efforts to appropriate funds for Department of Defense/Department of Energy synthesis of low-level radiation studies performed to date and recommend revisions to the Linear No-Threshold default model in assessing low-level radiation exposure risks. The 1950s-vintage LNT model that agencies rely on sets the level of acceptable health risk at zero exposure. Thus, EPA assumes that any exposure to low-level radiation carries a cancer risk. This has been translated into chemical risk, where exposure to one molecule of a chemical carries health risks, even when the agency has data showing that there are no health effects below a specific threshold.

## **Title 28 Consolidation Legislation**

- Work with the House Judiciary Committee to develop legislation to consolidate citizen suit provisions in various statutes into Title 28, thus allowing for more effective oversight and uniformity in the management of citizen suits.

## **Unfunded Mandates Reform Act**

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

## **Whole-Economy Modeling**

- Support efforts to persuade EPA to adopt whole-economy modeling versus partial-economy modeling into formal EPA policy. Requiring the use of whole-economy modeling in cost-benefit analyses will improve the quality of EPA's estimates of the costs and benefits of proposed regulatory actions.

## **Regulatory Analysis**

- *Labor*: Analyze new proposed rules mandating sick leave benefits and implementing health insurance "Cadillac" excise tax, final rules on investment advice conflicts, FLSA overtime exemptions, silica dust exposure, and federal contractor labor law compliance reporting requirements.
- *Environment and Energy*: Analyze accuracy of economic models that estimate climate change economic impact, promote responsible, fact-based analysis, and identify errors that lead to incorrect or exaggerated regulatory benefit claims.



- *Regulatory Reform*: Identify systemic errors and omissions in economic cost-benefit analyses by regulatory agencies and assess the adequacy of public comment periods allowed for complex and costly regulations.

## **SMALL BUSINESS**

- Continue to advocate for appropriate fiscal year 2017 appropriations program funding levels for the Small Business Administration (SBA) Small Business Development Centers (SBDC), SCORE, the Office of Advocacy, the State Trade and Export Promotion (STEP) program, and SBA Veterans Outreach.
- Work on strategies to simplify the Internal Revenue Code and reduce the paperwork collection and filing requirements on small businesses while fighting efforts to reduce the threshold for mandatory electronic filing for small businesses and attempts to move toward a system of real-time tax filing.

## **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 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.

### **ICANN**

- 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 cybercrimes, 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 that is 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.

## **TCPA 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 to eliminate federal policies that hinder investment in technology.

## **TAXES**

- Advocate for comprehensive tax reform legislation to lower tax rates 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.
- Prevent one-off tax increases on businesses, either to pay for unrelated spending initiatives or as punitive measures.
- Advocate on interstate commerce/tax issues, working to seamlessly extend the Internet Tax Freedom Act (ITFA), advance mobile workforce and business activity tax legislation, and move to a place of support on legislation addressing the online sales tax collection issue.

## **TRANSPORTATION**

### **Highways and Public Transportation**

- Advocate for prompt implementation of the Fixing America’s Surface Transportation Act “FAST Act.”
- Attain full funding for surface transportation programs in the fiscal year 2017 appropriations process.
- Continue efforts to secure a sustainable funding source for the future surface transportation authorization. Ideally, resources would be ongoing revenue collections (as opposed to one-time offsets), user-fee based, and dedicated to the Highway Trust

Fund. However, there may be other approaches that would provide certainty and stability for transportation-related businesses and that enable investment in projects providing economic benefits.

- Continue efforts to achieve legislative success on critical issues to the trucking industry, including twin 33-foot trailers and FAAAA “F4A” Federal Preemption of state meal and rest break laws.

### **Marine Transportation**

- Attain full funding for navigation needs in the fiscal year 2017 appropriations process, including utilization of the Harbor Maintenance Trust Fund consistent with targets set in the Water Resources Reform and Development Act of 2014 (WRRDA).
- Support prompt action on a well-funded reauthorization of WRRDA by September 30, 2016.

### **Aviation**

- Craft an updated statement that reflects the concerns and focus of our members on the reauthorization of Federal Aviation Administration (FAA) policy, programs, and funding, including the future of the Air Traffic Organization.
- Advocate for reauthorization of FAA policy, programs, and funding prior to current law expiration on March 31, 2016.

### **Public-Private Partnerships**

- Advocate for federal policies that encourage private sector investment in public infrastructure as part of transportation and other legislative vehicles.

## **U.S. CHAMBER CENTER FOR ADVANCED TECHNOLOGY AND INNOVATION**

The Center for Advanced Technology and Innovation (CATI) brings together innovators, technologists, and policymakers to advocate for rational policy solutions that drive economic growth, spur innovation, and create jobs. The following reflects key priorities in the center’s program of work.

### **Sharing/“Gig” Economy**

- Establish a Sharing Economy Working group to explore issues related to independent contractor/dependent contractor status and joint-employer standards.

### **Internet of Things (IoT)**

- Conduct further research, events, and member outreach relating to the public’s perception of IoT to prepare for possible legislative and regulatory measures related to the debate. Focus will remain on appropriately communicating the broad positive economic impact on both industry and the consumer to federal policymakers and regulators.

## Guiding Startup Companies

- Work with internal and external partners to ensure that startup companies are properly represented and equipped to work with venture capitalists, government agencies, and policymakers as their companies grow.

## U.S. CHAMBER LITIGATION CENTER

- **Arbitration:** Defend arbitration agreements against legal challenges intended to eliminate or restrict 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:** Oppose efforts by the plaintiffs' bar to expand the abuse of the class action device.
- **Energy and the Environment:** Defend U.S. energy production, distribution, and consumption against ill-conceived initiatives by environmental regulators and activists, including hydraulic fracturing bans and EPA's unlawful expansion of its air and water regulatory authority.
- **False Claims Act:** Combat meritless False Claims Act litigation brought against companies in numerous industries, 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.
- **Food and Beverage:** Help food and beverage companies defend against meritless and abusive class actions and other lawsuits brought by the plaintiffs' bar.
- **Global Forum Shopping:** Fight efforts by the plaintiffs' bar to use U.S. courts and laws to impose liability on defendants for events without any meaningful connection to the United States.
- **Government Litigation:** Urge the courts to rein in governmental agencies imposing new rules through "guidance" and other informal means that subvert the process required for regulating the private sector.
- **Health Care:** Engage in appropriate litigation concerning the Patient Protection and Affordable Care Act (PPACA) and other health care laws to advance the business community's interests.
- **Labor, Employment, and Benefits:** Defend the interests of business against baseless and abusive litigation concerning federal and state labor, wage-and-hour, employment discrimination, employee benefits, and other similar laws.
- **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 in both federal and state courts.

- **Privacy, Technology, and Intellectual Property:** Through the courts, ensure that government adheres to the limits on its authority regarding privacy and innovation.
- **Regulatory Challenges:** On behalf of the U.S. Chamber as a party, challenge unlawful regulations and other actions by federal and state governments that are harmful to the economy and stifle job growth.
- **Tax:** Urge the courts to interpret and apply tax laws clearly and consistently to foster investment, capital formation, economic growth, and job creation.

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