

SEPTEMBER–DECEMBER 2017

U.S. CHAMBER POLICY PRIORITIES



U.S. CHAMBER OF COMMERCE



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The U.S. Chamber of Commerce is the world's largest business federation representing the interests of more than 3 million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations.

U.S. CHAMBER POLICY PRIORITIES

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ANTITRUST

Regulatory Reform

- Secure House passage of H.R. 659 (SMARTER Act). The Chamber is the driving force behind the legislation to align the Federal Trade Commission's (FTC's) merger review procedures with those of the Department of Justice.
- Engage the new leadership at the FTC to adopt an internal policy that would voluntarily implement H.R. 659 and direct the FTC to block mergers of concern in federal court on the merits.

CAPITAL MARKETS, CORPORATE GOVERNANCE, AND SECURITIES REGULATION

FINANCIAL REGULATION

- **Reform nonbank SIFI designations:** The Chamber has endorsed legislation repealing section 113 of the Dodd-Frank Act. Pending legislative repeal or reform, the Chamber advocates that the Financial Stability Oversight Council refrain from further nonbank systemically important financial institution (SIFI) designations and promulgate regulations to significantly improve designations' transparency and due process.
- **Relief for derivatives end-users:** Commercial end-users rely on derivatives to prudently manage risk, and the derivatives regulatory regime should not impose undue burdens or costs on them. The Chamber-led Coalition for Derivatives End-Users introduced a legislative proposal with critical areas of relief. The coalition will continue to advocate for regulatory relief by the Commodity Futures Trading Commission and the prudential regulators.
- **Reform of bank capital and liquidity rules:** The Chamber remains concerned that the bank regulatory regime constrains lending to small and midsize businesses. It will strongly advocate for legislation and regulatory action reforming the rules responsible for these constraints. In particular, the Chamber will advocate for legislation revising section 165 of the Dodd-Frank Act, such that application of enhanced prudential standards and supervision by the Federal Reserve is based on a multifactor risk assessment. The Chamber will also advocate for recalibration of Basel III standards, the removal of these standards' gold-plating by the Federal Reserve, broad relief for community banks, and reforms to the Dodd-Frank Act stress tests and comprehensive capital analysis and review.
- **Delay and fix the Fiduciary Duty Rule:** Advocate for the Department of Labor to delay the January 1, 2018, effective day and for the Securities and Exchange Commission (SEC) to take the lead in establishing appropriate standards of conduct for broker-dealers and investment advisers. We believe that the SEC should further assert its jurisdiction and expertise in this area to protect investors and preserve choice in the retirement savings market.
- **Repeal the Consumer Financial Protection Bureau's (CFPB's) Anti-Arbitration Rule:** Ensure that consumers have access to consumer-friendly arbitration as a dispute resolution alternative to class

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action litigation. Advocate for the Senate to pass the Congressional Review Act resolution or use other means such as litigation to repeal the rule.

- **Reform the CFPB:** Work with CFPB leadership and Congress to ensure that the primary focus of the Bureau is to preserve consumer access and choice. For example, put a moratorium on all new rulemaking, keep the complaint database confidential, stop all enforcement actions until they can be adequately assessed by any new director, and engage in a comprehensive reorganization of the agency.
- **Alleviate the regulatory burden for companies to go public:** The Chamber has long been concerned about the slow and steady decline of public companies in the U.S. Building off the success of the 2012 JOBS ACT, the Chamber will advocate for a set of reform recommendations to help more companies go public, including bringing transparency and accountability to Proxy Advisory Firms and modernizing corporate disclosures.
- **Extend the National Flood Insurance Program:** Secure an extension of this program, which balances creating and fostering a private flood insurance market while ensuring that Chamber members have access to affordable and readily available flood coverage.

CHAMBER TECHNOLOGY ENGAGEMENT CENTER (C_TEC)

TRANSPORTATION

Autonomous Vehicles (AVs) and Unmanned Aerial Vehicles (UAVs)

- Monitor and advocate for federal and state legislative activity—prevent enactment of bills that would stifle technology development and potentially harm the safety around these technologies and support bills that would incentivize innovation.
- Support the SELF DRIVE Act (H.R. 3388) and AV START Act (S. 1885), the first major congressional action on vehicle automation technology that clarifies federal and state roles in the regulation of AVs.
- Advocate for light-touch policy approaches for AVs and UAVs and engage with agencies such as the National Highway Traffic Safety Administration and the Federal Aviation Administration.

TECHNOLOGY

Internet of Things (IoT)

- Communicate the positive economic impact on both industries and consumers to federal policymakers and regulators regarding increased access to broadband and IoT connected devices.

Artificial Intelligence (AI)/Machine Learning

- Advocate for an open environment that allows research and development and the creation of responsible AI technologies.
- Work with public- and private-sector leaders to educate the public, the media, the business community, and policymakers on the benefits of AI and machine learning.

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Financial Technology (FinTech)

- Urge regulators to avoid regulatory arbitrage and proceed with caution regarding FinTech development and implementation. As with traditional financial services, avoid massive regulatory duplication, unnecessary burdens, and ambivalence to cost-benefit analyses to encourage FinTech innovation.

ECONOMIC POLICY (Taxes/Contracting/Deficits and Debt)

Taxes

- Advocate for comprehensive, pro-growth 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 U.S., increase capital for investment, and drive job creation in the U.S.
- Work to roll back excessive regulatory burdens that interfere with the ability of companies to do business and advocate for solutions that lessen the tax regulatory burden on business.
- Advocate on interstate commerce/tax issues, working to advance mobile workforce and business activity tax legislation, and move to a place of support on legislation addressing the online sales tax collection issue.

Federal Contracting

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

Deficits and Debt

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

Regulatory Reform

- Provide economic analysis and data to support rescinding Office of Information and Regulatory Affairs clearance for EEO-1 form paperwork collection, for postponing or revising the Fiduciary Rule, and for revising the Fair Labor Standards Act Exemptions Salary Test Rule.

EDUCATION, EMPLOYMENT, AND TRAINING

Pre-K-12

- Support efforts to improve and expand access to quality Early Childhood Education and Care programs through choice, innovation, and robust assurance systems.
- Support implementation of the Every Student Succeeds Act, with an emphasis on urging the creation of state accountability systems focused on career readiness, high academic standards, rigorous coursework, end-of-year assessments aligned to standards, and closing the achievement gap. Support efforts at the federal and state levels that provide more educational options for parents and students.

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- Improve career readiness by leveraging the business community to address challenges involved in managing employer engagement, scaling work-based learning, identifying industry-recognized credentials, securing employer endorsements, and evaluating performance.
- Urge 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, focusing on increasing teacher effectiveness and student achievement.

Postsecondary Education

- Support efforts to generate more U.S. graduates with a credential in a STEM (science, technology, engineering, and mathematics) field.
- Work to ensure that institutions of higher education (traditional and nontraditional) are held accountable for their performance—both academically and financially—and that they provide transparency to empower students, parents, employers, and policymakers to make informed decisions. Critical to this goal is the improvement of the quality of higher education data.
- 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.
- 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.
- 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 Workforce Innovation and Opportunity Act (WIOA) to reboot sector-based partnerships that are employer led and advocate for demand-driven workforce development and training programs.
- Develop alternatives to Trade Adjustment Assistance and cultivate new ways of thinking around how to manage the threat of job loss and displacement in a 21st century economy.

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ENERGY

- Continue to work with Congress on nuclear waste legislation and with the administration on implementing an effective nuclear waste strategy.
- Continue to advocate for broad energy legislation that helps increase energy efficiency, while embracing the country's diverse energy assets.
- Continue to advocate for a holistic energy policy that promotes and protects a diverse and reliable electricity generation portfolio.

ENVIRONMENT, TECHNOLOGY, AND REGULATORY AFFAIRS

Agriculture and Food Safety

- Continue to pursue with coalition partners product labeling legislation that provides uniformity to the patchwork of state laws that have diverse labeling regimes. These rules should be science based and not unduly burden industry or consumers.
- Work to ensure that the Food and Drug Administration (FDA) sensibly and effectively implements the Food Safety Modernization Act of 2010 without unduly burdening the food industry, farmers, and consumers. Support and promote stakeholder and agency efforts to modernize and optimize FDA programs and procedures to promote safety, efficacy, and innovation.
- Work with affected stakeholders and a broad, bipartisan legislative coalition to reform U.S. sugar price support and production quota programs.

Environment

- Continue to monitor and engage with the Environmental Protection Agency (EPA) on implementing the Frank. R. Lautenberg Chemical Safety for the 21st Century Act, which updates the Toxic Substances Control Act.
- Pursue a rescission of the EPA's and the U.S. Army Corps of Engineers' 2015 definition of Waters of the United States under the Clean Water Act.
- Work to get the Ozone Implementation Act of 2017 (S. 263) passed by the Senate. An alternative approach that the Senate is likely to take is to pass some of the language in the act dealing with the harmonization of the 2008 and 2015 ozone standards as a rider to appropriations.
- Continue to advocate for passage of the Transparency and Honesty in Energy Regulations Act (THERA) of 2017, H.R. 3117/S. 1512, in the House and Senate.

Regulatory Reform

- Pursue rewrite of EPA's 2015 Clean Power Plan.
- Continue to advocate for Senate passage of S. 951, the Regulatory Accountability Act of 2017.
- Continue advocating for House and Senate passage of H.R. 469/S. 119, the Sunshine for Regulatory Decrees and Settlements Act of 2017.

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Technology

- Continue to support the Federal Communications Commission’s Restoring Internet Freedom rulemaking and aggressively pursue net neutrality legislation that guarantees a free and open internet while not treating broadband like a public utility.
- Support public-private partnerships to spur broadband deployment and adoption in the U.S.
- Support efforts to remove barriers to broadband infrastructure, including cell towers, small cells, and antennas.
- Support policies that provide adequate spectrum for 5G technologies while maximizing its use for other sectors of the connected economy.
- Support modernizing the Electronic Communications Privacy Act to require, except in emergencies, law enforcement to obtain a warrant to access personal or proprietary electronic documents stored by third-party service providers.
- Advocate for policies recognizing that self-regulation and best business practices that are technology neutral serve as the preferred framework for enhancing innovation, investment, and competition while protecting consumer privacy.
- Work with leaders in Congress to adopt structural procedural reforms at the Federal Communications Commission, including transparency and cost-benefit requirements in agency rulemakings as well as the establishment of an Office of Economics and Data.

INTELLECTUAL PROPERTY (IP) AND INNOVATION POLICY

- **NAFTA Renegotiation and Canada Report:** The Trump administration began a series of NAFTA negotiation rounds in August and likely will continue through the end of the year. GIPC is pursuing an aggressive outreach campaign to Congress, the administration, and the U.S., Mexican, and Canadian negotiators on key IP provisions for the agreement.
- **Administration and Agency Engagement:** Work with the intellectual property enforcement coordinator on intellectual property enforcement and policy priorities.
- **U.S.-China IP Cooperation Dialogue:** From September 18-20, GIPC convened a group of U.S. and Chinese experts in New York City to focus on IP reform in China.
- **WTO Public Forum Panel:** GIPC hosted a panel discussion *Organic IP: How Countries Are Fostering Domestic Innovation From the Ground Up* at the 2017 World Trade Organization Public Forum in September. Speakers from Indonesia, South Africa, and Singapore provided the remarks and a roundtable discussion followed.
- **IP Champions Gala:** On November 14, GIPC will hold its fifth annual IP Champions event. This red carpet event honors innovators, creators, and entrepreneurs who champion intellectual property and celebrates the contribution of creativity and innovation to the economy and to society.

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- **IP Attachés Event:** In December, GIPC will gather the U.S. Patent and Trademark Office IP Attachés from around the world to discuss international trends, success stories, and challenges to assist our members in navigating the protection and enforcement of IP rights internationally.
- **Australia Delegation:** GIPC led a delegation to Australia in October to meet with government and other policy leaders and focus on the treatment of biopharmaceutical innovation in the country.
- **Trademarks 101 Briefing on Capitol Hill:** GIPC worked with the Congressional Trademark Caucus, the sole congressional caucus dedicated to trademark and brand issues, to present a Trademarks 101 briefing for congressional staff in September.

INTERNATIONAL TRADE, INVESTMENT, AND REGULATORY POLICY

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

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

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

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

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

- Restore the U.S. Export-Import Bank to its full breadth of operations to counter the aggressive trade finance operations of other countries' export credit agencies.
- Extend the Generalized System of Preferences beyond its expiration on December 31.
- Use the reformed Miscellaneous Tariff Bill process to help U.S. manufacturers and other businesses maintain their competitive edge.
- Win a long-term reauthorization of the Overseas Private Investment Corporation.
- Support full funding of the federal international affairs budget to advance U.S. economic interests, national security, and humanitarian values.

LABOR, IMMIGRATION, AND EMPLOYEE BENEFITS

Health Care

- Continue to focus on stabilizing the small group and individual insurance markets, protecting the employer-sponsored system as states explore broader opportunities under the state innovation waivers; expanding flexibility for the use of tax-preferred health accounts; and suspending Affordable Care Act (ACA) taxes, including the health insurance, medical device, and “Cadillac” tax that increase premiums and reduce choice.
- Aggressively work through the regulatory and interpretive guidance process to ease compliance with the issues under the ACA. Primarily focus on reporting requirements imposed to facilitate enforcement of the employer and individual mandates, the nondiscrimination notice requirements, and the interpretation that the dollars collected by insurers to pay the health insurance tax must be treated as gross income.
- Finalize a new toolkit promoting wellness programs for small and midsize employers. Held a conference on October 12 on the challenges created by opioid use in the workplace and offered recommendations for employers. The annual summit reviewing the health care reform landscape given the developments on Capitol Hill was held on October 18.
- The Chamber’s health care priorities are discussed in detail in the [2017 Health Policy Recommendations](#).

Immigration and Travel

- While continuing to work on broader issues of immigration reform, will also oppose poorly constructed initiatives that unduly restrict legal immigration and impose enforcement policies that unfairly penalize employers attempting to comply with complex laws.
- Continue to educate Chamber members as the administration issues new policies in these areas, including ongoing executive orders or administrative interpretations changing the handling of visa petitions, such as on [high-skilled visas](#).
- Obtain introduction of H-1B reform legislation and H-2B relief for seasonal workers. Issue new white papers reaffirming the value of immigration to this country. Secure reauthorization of the EB-5 Regional Center program.
- Push Congress to provide permanent relief from deportation for individuals impacted by the repeal of the Deferred Action for Childhood Arrivals (DACA) program.

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- Work to ensure that the government share of funding for Brand USA is not diverted to fund other government priorities, thus maintaining this important public-private partnership that drives visitation to the U.S.

Labor

Labor policy priorities will continue to focus on two general areas:

- First, correct the policy mistakes of the last administration, largely centered on repeal or correction of regulations and interpretive guidance. Procedurally, these efforts will occur through repeal of executive orders, notice of proposed rulemakings, and litigation.
- Second, move forward on a long-term positive agenda working to achieve targeted, but important, changes to our nation's employment laws. This latter area will change depending on an evaluation of ongoing political realities and the views of Chamber members. The Chamber will have close working relationships with the new leadership at the Department of Labor (DOL), the Equal Employment Opportunity Commission (EEOC), and the National Labor Relations Board (NLRB).
- The Chamber will be involved in the new overtime and persuader rulemakings and other areas as DOL moves forward. National Labor Relations Act issues, such as joint employer caselaw and legislation, ambush elections, and micro-union organizing will be a major focus. In October, we held an event on the Americans with Disabilities Act Title III accessibility issues and are developing a white paper providing an overview and justifying the need for reform in this area.
- The Chamber's labor priorities are discussed in detail in [2017 Labor Policy Recommendations](#).

Workforce Freedom Initiative

- Support passage of legislation restoring the "clear and direct control" standard for joint employment.
- Advance passage of legislation to eliminate micro unions and restore appropriate bargaining units.
- Promote the repeal of the DOL persuader rule.
- Promote state labor law reform to protect franchise businesses from the expansion of a loosened joint employer standard.
- Support the labor peace bill in Wisconsin and the safe access for employees bill in Michigan.
- Educate and mobilize the Chamber's grassroots network to support positive legislative and regulatory changes at the NLRB and DOL.
- Promote state labor law reforms to improve the business climate; oppose harmful laws 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 urge commonsense reforms.

Retirement

- Retirement priorities will continue to focus on defending the employer-based retirement system and promoting targeted improvements thereto, summarized in the Chamber's white paper [Private Retirement Benefits in the 21st Century: Achieving Retirement Security](#). While the paper lays out a number of recommendations, our top priorities include:
 - Ensuring a workable Fiduciary Rule.

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- Eliminating state-mandated auto-IRAs.
 - Enacting reforms to Multiple Employer Plans (MEPs) to expand their use.
 - Protecting tax incentives for retirement plans.
 - Addressing the multiemployer pension plan issue.
 - Expanding the use of electronic disclosure.
- Focus on including MEP reforms and expanding electronic disclosure provisions in any tax or retirement reform vehicle.
 - Pursue an educational campaign on multiemployer reform, including a November 2017 white paper to serve as a primer on the relevant issues and to chart a path forward.
 - The Chamber's retirement priorities are discussed in detail in the [2017 Retirement Policy Recommendations](#).

LEGAL REFORM

- Support the Furthering Asbestos Claim Transparency Act in the Senate and stop asbestos litigation abuses by continuing to expose fraud and abuse by the plaintiffs' trial bar. Work to reform and limit abuses associated with Section 524(g) asbestos bankruptcy trusts.
- Support Fairness in Class Action Litigation Act in the Senate and oppose efforts to weaken the Class Action Fairness Act.
- Fight to preserve the availability of arbitration and other alternative dispute resolution mechanisms.
- Continue implementing 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.
- Fight the spread of class actions and other problematic U.S.-style litigation features abroad.
- Prevent or limit efforts to expand liability under the federal False Claims Act and Medicare Secondary Payer statutes.
- Pursue a federal data breach notification law, preempting the current patchwork of state laws.
- Build the case for positive reform of the federal False Claims Act and state-level analogous statutes.
- Engage in efforts to reform the Telephone Consumer Protection Act.
- Work to reform the Foreign Corrupt Practices Act by supporting changes to enforcement practices.
- Support reform of the medical tort system to make costs more affordable and predictable.
- Oppose, internationally and in the U.S., the expansion of third-party litigation financing and lawsuit lending.
- Work to ensure that protective orders and motions to dismiss remain available in the context of civil litigation.
- 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 attorneys general races.
- Raise public awareness of key legal issues and the impact of lawsuit abuse on the general public.

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NATIONAL SECURITY AND EMERGENCY PREPAREDNESS

Cybersecurity

- Pass cybersecurity legislation including:
 - [S. 770](#), the MAIN STREET Cybersecurity Act of 2017, to help provide small businesses with dynamic risk management tools, including the Cybersecurity Framework.
 - [H.R. 2227](#), the Modernizing Government Technology Act of 2017 (MGT Act), to improve, retire, or replace current federal cyber systems. The government must lead by example on security.
- Achieve consensus with the administration regarding the [cyber executive order's](#) provision on Supporting Transparency in the Marketplace. The Chamber anticipates that the White House will agree with industry that [existing federal policies and practices sufficiently promote](#) the market transparency of publicly traded critical infrastructure companies' cyber risk management practices.
- Make essential and practical changes to the Cybersecurity Framework (version 1.1) while keeping it compatible with the original, especially regarding maintaining broad support from the business community.
- Work with policymakers to craft a cyber strategy that features business input on deterrence and negotiations toward acceptable norms of behaviors in cyberspace
- Engage Congress and the Department of Homeland Security via the recently formed SAFETY Act Working Group to expand SAFETY Act liability protections to cover significant cyber incidents.
- During a cyber delegation visit to Brussels on September 18, the Chamber released a report on [Principles for IoT Security](#). The report, co-authored by the law firm Wiley Rein, was written in response the European Commission [proposed regulation](#) for a voluntary certification framework for internet-connected devices entering the European marketplace.
- Release a report on *International Cyber Threat Information Sharing* by end of 2017.
- Advocate for member priorities to be incorporated into the final text of the European Commission's expected Cybersecurity Strategy update, which will call for minimum cybersecurity standards, certification requirements, and trust labels for all IoT devices. Member priorities include the use of the National Institute of Standards and Technology (NIST) Framework, growth of the cyber threat information-sharing ecosystem, and promotion of principles for IoT security.
- Continue the [Cybersecurity Education and Awareness campaign](#) to engage the Trump administration on cyber policies beneficial to business, while educating small and midsize businesses on cyber threats and urging them to adopt basic cybersecurity fundamentals. The [Sixth Annual Cybersecurity Summit](#) was held on October 4 in Washington, D.C., with additional events in [Denver, Colorado](#) on October 12 and [Miami, Florida](#) on December 14.

Supply Chain Security

- Engage Congress on legislation impacting supply chains, including the Security and Accountability for Every Port Act (SAFE) Reauthorization, the Anti-Border Corruption Act, the Boots on the Border Act, and the Global Gateways and Trade Capacity Act.
- Collaborate with the Chamber's International Division to ensure that key customs and trade facilitation priorities are included in NAFTA renegotiations.
- Advocate for the Commercial Operations Advisory Committee to push back against efforts to impose new mandates related to the U.S.' \$800 de minimis threshold.

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- Ensure successful Trade Facilitation Agreement implementation by working with the [Global Alliance for Trade Facilitation](#) to secure commercially meaningful results for our members.
- Identify emerging supply chain issues that the Chamber can get more actively involved in by engaging members of the revamped Supply Chain Security Working Group.

NATIVE AMERICAN ENTERPRISE INITIATIVE

Labor

- Work toward enacting a bill that exempts tribes from National Labor Relations Act (NLRA) and National Labor Relations Board (NLRB) jurisdiction oversight like every other public employer—supporting congressional initiatives such as the Tribal Labor Sovereignty Act (H.R. 986, S. 63) in the 115th Congress.

Energy

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

Land Into Trust

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

Tax Parity

- Work toward passage of H.R. 3138, the Tribal Tax and Investment Reform Act of 2017, to level the playing field for tribal sovereigns vis-à-vis states relative to bonding, pension plans, charities, child support enforcement, and adoptions. Alternatively, include the language of H.R. 3138 as a provision of overall tax reform.

POLITICAL, FEDERATION, AND GRASSROOTS

- Invest significant resources in voter engagement and mobilization to protect the current pro-business majorities in the House and Senate in 2018.
- Drive action on comprehensive tax reform through paid media, grassroots engagement, federation outreach, and local events.
- Increase federation engagement in key policy and political campaigns through coordinated outreach and partnerships with state and local chambers and regional offices.
- Support and partner on PAC events for pro-business incumbents and candidates with Chamber members.
- Oppose attempts to limit business community engagement in the electoral and policymaking arenas at the federal and state levels.

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SMALL BUSINESS

Regulatory Relief

- The Chamber's top regulatory reform priority is passage of the Regulatory Accountability Act (RAA), which passed the House in January and was introduced in the Senate by Sens. Rob Portman (R-OH) and Heidi Heitkamp (D-ND) as S. 951 in April. The RAA updates the Administrative Procedure Act of 1946 to better incorporate science, cost-benefit data, and inputs from stakeholders, including small business concerns, into the rulemaking process.
- The Chamber's Small Business Council is supporting several regulatory relief bills that may get added to the RAA during the legislative process. They are:
 - S. 583 (Small Business Regulatory Flexibility Improvements Act)
 - S. 1558 (Advocacy Empowerment Act)
 - S. 1559 (Hearing Small Businesses Act)
 - PROVE IT Act (introduced in the last Congress as S. 2847).

Comprehensive Tax Reform

- The Chamber's top legislative priority is comprehensive tax reform. The Small Business Council is part of a Chamber-wide effort and is well positioned to explain the significance of simplification and rate reduction for pass-throughs in the debate on the most important part of the Chamber's pro-growth agenda.

End Of Year Priorities

- The Chamber's Small Business Council is working closely with the administrator of the U.S. Small Business Administration (SBA), Linda McMahon. The council has engaged with McMahon in Salt Lake City, Utah, in Fayette County, Pennsylvania, and during several events in Washington, D.C. The administrator is a tremendous ally in the Chamber's pursuit of pro-growth national policies, and our cooperative relationship remains a priority as we plan for 2018.
- Secure Senate confirmation of a chief counsel for advocacy at the SBA to run the office at SBA charged with independently representing the views of small businesses. The Chamber's Small Business Council director, Tom Sullivan, served in that position from 2002 to 2008 and knows how important it is for elevating small business concerns to the highest levels of government. This nomination is a priority for the Small Business Council and, once in place, will be a strong partner for aggressively pursuing a pro-growth/pro small-business agenda.

TRANSPORTATION INFRASTRUCTURE

- Secure passage of a Federal Aviation Administration authorization bill.
- Shape and advance passage of major infrastructure legislation to ensure long-term economic growth.
- Obtain enactment of a provision that clarifies federal preemption of trucking state meal and rest break statutes in the Federal Aviation Administration Authorization Act of 1994. This clarification would restore the goals Congress intended when it sought national uniformity for motor carriers in the transportation of property, rather than a 50-state patchwork that would inhibit the movement of freight throughout the country.
- Secure full funding for transportation programs in the fiscal year 2018 appropriations bill.

SEPTEMBER–DECEMBER 2017

U.S. CHAMBER POLICY PRIORITIES

U.S. CHAMBER LITIGATION CENTER

- **Arbitration and Class Actions:** Defend arbitration agreements against legal challenges and regulatory action intended to eliminate or restrict arbitration as a faster, cheaper, and fairer alternative to litigation. Oppose efforts by the plaintiffs' bar to abuse the class action device.
- **Capital Markets and Corporate Governance:** Protect the competitiveness of U.S. capital markets by fighting abusive and meritless litigation and directly challenging anti-business regulations, including some imposed under the Dodd-Frank Act.
- **Energy and Environment:** Defend U.S. energy production, distribution, and consumption against unlawful and ill-conceived initiatives by regulators and activists.
- **Forum Shopping:** Relying on legal doctrines such as personal jurisdiction and extraterritoriality, fight efforts by the plaintiffs' bar to bring cases in plaintiff-friendly courts that have no meaningful connection to the defendants, plaintiffs, or conduct giving rise to the case.
- **Government Litigation and False Claims Act:** Urge the courts to rein in governmental agencies imposing new rules that subvert the process required for regulating the private sector. Combat meritless False Claims Act litigation brought against companies in numerous industries, including defense, aerospace, pharmaceutical, health care, and financial services.
- **Labor and Employment:** Defend the interests of business against baseless and abusive litigation and regulation concerning federal and state labor, immigration, wage-and-hour, employment discrimination, employee benefits, and other similar laws.
- **Privacy, Technology, and Intellectual Property:** Through the courts, ensure that governments adhere to the limits on their authority regarding privacy, data, and innovation and that the plaintiffs' bar does not misuse inapplicable statutes.
- **Punitive Damages and Overcriminalization:** Restrain excessive awards of punitive damages, fines, and civil penalties in both federal and state courts. Oppose the overcriminalization of corporate conduct by investigators and prosecutors, including the dilution of mens rea standards.
- **Regulatory Litigation:** Challenge unlawful regulations and other actions by federal, state, and local governments that are harmful to the economy and stifle job growth. Intervene in litigation to defend pro-business regulatory efforts and reforms.
- **Taxes:** Urge the courts to interpret and apply tax laws clearly and consistently to foster investment, capital formation, economic growth, and job creation.



U.S. CHAMBER OF COMMERCE

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