

KEY VOTE ALERT!

December 17, 2015

TO THE MEMBERS OF THE UNITED STATES SENATE:

The U.S. Chamber of Commerce urges you to expeditiously consider and approve H.R. 2029 that includes the “Protecting Americans from Tax Hikes (PATH) Act of 2015,” and the “Consolidated Appropriations Act, 2016.” **The Chamber supports invoking cloture on the House message, opposes efforts to table the omnibus appropriations amendment, and opposes any other procedural points of order that would prevent final passage of H.R. 2029, as amended by the House. We will include votes on this legislation in our annual *How They Voted* scorecard.**

With respect to the PATH Act, the Chamber has been urging Congress to make permanent many of these perennially-renewed tax provisions for years, if not decades. The Chamber applauds Congress for finally acting to provide long-term certainty for the business community. This accomplishment cannot be overstated.

With respect to the omnibus appropriations provisions, the Chamber applauds House and Senate negotiators for reaching agreement on legislation that would fund the federal government throughout the remainder of the 2016 fiscal year and would enact several significant policy reforms.

In particular, the Chamber strongly supports several provisions related to:

- **Crude Oil Exports** – The United States is the only producing country that bans oil exports, much to the nation’s geopolitical and economic detriment and in violation of the nation’s obligations as a member of the World Trade Organization (WTO). The administration is already in the process of lifting sanctions that have prevented Iran from freely exporting oil even while the same opportunity is not afforded U.S. producers. Lifting this archaic ban would help deleverage countries like Russia that use oil exports as a tool to achieve political goals bringing harm to U.S. allies, while also supporting 400,000 jobs and lowering gasoline prices in the United States.
- **Cybersecurity** – The included “Cybersecurity Act of 2015” would establish a voluntary information sharing program, strengthening businesses’ protection and resilience against cyberattacks. This legislation’s narrow safeguards – including limited liability, regulatory, disclosure, and antitrust protections – should constructively influence businesses’ decisions to share cyber threat



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data and defensive measures more quickly and frequently. At the same time, this legislation includes safeguards which address the concerns of privacy and civil liberties organizations.

- **Country of Origin Labeling** – The legislation would avert imminent trade retaliation against the United States in the dispute over the U.S. Country of Origin Labeling (COOL) rule for meat. On December 7, the WTO authorized Canada and Mexico to apply retaliatory tariffs against \$1 billion worth of U.S. exports, threatening thousands of American jobs. With retaliation expected within a matter of days, the Chamber applauds Congress for including in this omnibus bill provisions to repeal the COOL rule for meat, which is the only way to avoid the substantial damage that retaliation would inflict on American workers, farmers, ranchers, and companies.
- **Obamacare taxes** – The legislation would delay for two years the 40 percent excise tax on health benefits that is undermining employer-sponsored insurance, which more than 160 million Americans depend upon to meet their health insurance needs, and delay for one year the health insurance tax that hits America’s small businesses particularly hard in the form of higher health insurance costs. The Chamber looks forward to working with Congress in the future to ensure both of these delays are made permanent.
- **Free Speech** – The legislation would help preserve the free speech rights of the business community and others by prohibiting government agencies such as the Securities and Exchange Commission and Internal Revenue Service from inappropriately limiting the ability to engage in political and public policy related speech.

This legislation is not perfect; no legislation ever is. In the area of taxation, much work remains to be done. The PATH Act would serve as a bridge to much needed comprehensive tax reform, which ultimately must lower rates for all businesses, shift to a more internationally competitive system, reduce the cost of capital, and decrease complexity. As work towards comprehensive reform continues, the PATH Act would provide pro-growth policies and the opportunity for businesses to create jobs and grow the economy.

Regarding the omnibus, the Chamber is disappointed that policy-related provisions included in the House and Senate versions of individual appropriations bills are not included in the final legislation.

However, on balance, the Chamber applauds negotiators from the House and Senate for reaching agreement on this final package, and urges the Senate to approve this legislation as expeditiously as practicable.

The Chamber supports H.R. 2029 and will include votes on, or in relation to, this legislation – including votes on cloture and points of order – in our annual *How They Voted* scorecard.

Sincerely,



R. Bruce Josten