

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

R. BRUCE JOSTEN
EXECUTIVE VICE PRESIDENT
GOVERNMENT AFFAIRS

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May 24, 2016

The Honorable Hal Rogers
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

The Honorable Nita Lowey
Ranking Member
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Rogers and Ranking Member Lowey:

As the Committee prepares to mark up the Fiscal Year 2017 Commerce, Justice, Science, and Related Agencies Appropriations bill, the U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, urges you to provide for programs and initiatives important to the business community, including the Manufacturing Extension Partnership (MEP) program, the Office of the U.S. Trade Representative (USTR), intellectual property rights (IPR) enforcement, and mitigating burdensome practices by the Equal Employment Opportunity Commission (EEOC).

The MEP program helps manufacturers become more competitive by improving their productivity, leveraging private sector investments, and assisting the U.S. industrial base to become an innovative high tech global competitor. The Chamber urges greater investment in the program by providing at least \$141 million for qualified MEP centers.

The Chamber requests that you commit at least \$59.4 million for the Office of the USTR for FY17. At present, USTR is advancing several of the largest trade pacts in U.S. history, including the Trans-Pacific Partnership (TPP), a trade agreement with 11 other Asia-Pacific nations; the Transatlantic Trade and Investment Partnership (TTIP) with the EU; and the Trade in Services Agreement (TISA) with more than 50 nations. Once concluded, these agreements will provide American exporters and the workers they employ with significantly improved access to markets representing two-thirds of the global economy. This moderate increase in funding is badly needed to strengthen the ability of USTR—one of the smallest and most efficient agencies in the U.S. government—to open international markets to U.S. goods and services and ensure effective enforcement of U.S. trade agreements for the American people. Additionally, the Chamber encourages keeping the Office of the United States Trade Representative (USTR) within the Executive Office of the President.

The Chamber would like to highlight the importance of the Department of Justice Criminal Division and FBI continuing to make IPR enforcement an investigative and prosecutorial priority. The Chamber urges the Department's IP-dedicated personnel to investigate notorious U.S. based content theft sites and apps that are engaged in illegal activity that threatens companies and consumers.

The Chamber also emphasizes the National Telecommunications and Information Administration's (NTIA) important responsibilities relating to the eventual transition of the Internet Assigned Numbers Authority (IANA) functions. NTIA has steadfastly opposed a transition to any mechanism that would deviate from the current multistakeholder model of Internet governance and should be allowed to take any needed steps to achieve the caution and transparency that the Chamber agrees is essential for a safe and smooth transition of the technical functions. Any hindering of NTIA's ability to conduct the proper levels of due diligence through the use of currently available resources could result in harm to U.S. businesses and Internet users as a whole.

The Chamber supports an amendment expected to be offered by Rep. Harris that would prohibit any funding to be expended on collecting information from employers pertaining to EEOC's recently proposed changes to its EEO-1 reporting form. EEOC's proposed changes to the form would require employers to submit data regarding employees' W-2 earnings and hours worked broken down by race, ethnicity and gender, to the Commission. This would be an extremely onerous and costly administrative exercise for employers and the data that would be produced would not provide any insight as to whether an employer's pay practices are discriminatory. Additionally, the EEOC's proposal fails to set forth appropriate safeguards to ensure that this sensitive information would remain confidential.

The Chamber further supports provisions in the legislation prohibiting the Department of Justice from entering into civil settlements that require donations to organizations that are not parties to litigation. This practice raises serious separation of powers concerns and undermines Congress's exclusive appropriations authority. Congress alone has the power of the purse, and agencies should not be allowed to circumvent the appropriations process to fund special interest groups. The Chamber opposes any amendment designed to weaken or eliminate this language from the bill.

Lastly, the Chamber strongly opposes adoption of any provision that would blacklist government contractors solely on the basis of a change in the location of their corporate domicile. Debarring contractors who are in full compliance with U.S. law would undermine the principles of full and open competition and best value for the taxpayer. Moreover, enactment of such proposals could place at risk the jobs of American workers who provide goods and services to the U.S. government.

The Chamber appreciates your consideration of these recommendations as you mark up the Fiscal Year 2017 Commerce, Justice, Science, and Related Agencies Appropriations bill.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten", written in a cursive style.

R. Bruce Josten

cc: Members of the Committee on Appropriations