



Weekly Legislative Update Week of March 21, 2016

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Week of March 21st

The House is in session this week through Wednesday, while the Senate is in recess until April 4. The House will vote on Monday and Tuesday on [13 bills](#) under suspension of the rules, including the "Older Americans Act Reauthorization Act of 2016" ([S. 192](#)), which would authorize a total of \$6.01 billion from FY 2017-FY 2019 for HHS and Labor Department programs that provide a wide range of social, nutritional and employment services for older Americans; and the "Integrated Public Alert and Warning System Modernization Act of 2015" ([S. 1180](#)), which would formally authorize FEMA's Integrated Public Alert and Warning System from FY 2016-FY 2018. When the Senate returns on April 4, it will vote on the "Defend Trade Secrets Act of 2016" ([S. 1890](#)), which would crack down on the stealing of trade secrets from U.S. companies.

The House will not consider a budget resolution this week, as GOP leaders eye reforms to the budget process in an attempt to garner more support in their conference for the fiscal year 2017 budget resolution introduced last. House Appropriations Committee Chairman Hal Rogers (R-KY) is moving ahead with consideration of spending bills, even though ongoing efforts to adopt a budget resolution means the panel has not yet finalized top-line allocations for each of the 12 appropriations measures. The action comes as House Republican leaders meet behind closed doors with hard-liners in their conference to try to reach a decision on whether to proceed with a budget resolution. Members of the House Freedom Caucus oppose House Budget Committee Chairman Tom Price's (R-GA) proposal, which sticks with the spending level for discretionary programs set by the Bipartisan Budget Act of 2015. Leaders have tasked the House Judiciary, Financial Services and Agriculture committees with devising mandatory spending cuts to accompany the budget resolution. The House Ways and Means and Energy and Commerce committees last week approved their own spending-cut proposals, aimed at wooing support from reluctant Republicans demanding additional spending cuts. The earliest a budget could be adopted by the House will be the week of April 11, after the House's two-week recess.

President Obama [is in Cuba](#) this week, marking the first visit by a sitting U.S. president to the

country since 1928.

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President Obama Nominates Merrick Garland to Supreme Court

On March 16, President Obama [nominated Merrick Garland](#), the Chief Judge of the U.S. Court of Appeals for the D.C. Circuit, to the Supreme Court of the United States. Senate Majority Leader Mitch McConnell (R-KY) is sticking to his vow to not have the Senate consider any Supreme Court nominee picked by President Obama, including Garland. But several Senate Republicans broke ranks with their party leaders by signaling a willingness to meet with Garland and take a confirmation vote in a lame-duck session after the November elections. Meanwhile, Democrats are targeting vulnerable Senate Republicans in hopes of forcing GOP leaders to reconsider their stance on blocking confirmation hearings. Democratic senators spent Thursday hyping Garland's nomination on Capitol Hill. [Read more...](#)

Senate Votes to Confirm John King as Education Secretary

On March 14, the Senate voted [49-40](#) to confirm John B. King, Jr. as the 10th U.S. Secretary of Education. Senator Lamar Alexander (R-TN) - chairman of the Senate Health, Education, Labor and Pensions (HELP) Committee who previously served as Education Secretary from 1991-1993 - urged his colleagues to confirm King, arguing that the Education Department needs a leader who can be held accountable as the nation implements a sweeping new education law that replaced the long-maligned No Child Left Behind. King, 41, has been serving as acting secretary since his predecessor Arne Duncan stepped down at the end of 2015. A former teacher, principal and charter-school founder, he led New York's state education department from 2011 until 2014, when he joined the U.S. Education Department. [Read more...](#)

Senate Democrats Block GMO Labeling Bill

On March 16, Senate Democrats blocked legislation ([S. 2609](#)) that would create a voluntary national standard for labeling rules for foods with genetically modified organisms (GMOs). Senators voted [48-49](#) on a procedural hurdle, with 60 votes needed to move forward. The measure would ban states from issuing their own mandatory labeling rules. But Democrats argue that that the GOP bill, spearheaded by Sen. Pat Roberts (R-KS), lacks teeth and doesn't allow the public to know what is in their food. The legislation has also sparked pushback from consumer groups. Consumers Union, the advocacy arm of Consumer Reports, sent an open letter to senators earlier this week arguing that the bill duplicates voluntary labeling standards already in place while blocking states from action. Supporters of Roberts's legislation, however, warn that the current patchwork of state laws could make it expensive for companies to comply, driving up food prices. [Read more...](#)

House Budget Committee Passes FY 2017 Budget Resolution

On March 16, the House Budget Committee approved a FY 2017 budget resolution by a [20-16](#) vote. The budget, which was [introduced](#) on March 15 by House Budget Committee Chairman

Tom Price (R-GA), provides \$1.07 trillion in discretionary spending for fiscal 2017 and proposes deep cuts to non-defense discretionary and entitlement programs in the years ahead. The annual fiscal blueprint is meant to lay out the party's priorities and targets for spending, revenues and deficits in coming years, as well as setting policy priorities that members use to contrast themselves with Democrats, particularly in an election year. It marks a victory for Chairman Price, as well as for House Speaker Paul Ryan (R-WI), who has made returning to an orderly budget and appropriations process a top priority. But that victory may be fleeting. Many conservatives oppose the budget, saying it calls for too much spending, and some GOP lawmakers who supported the bill in Committee have said they did so as a favor to leadership but would oppose it on the floor. Reps. Dave Brat of Virginia and Marlin Stutzman of Indiana were the only Republicans to vote against the budget, joining all Democrats. Before the budget was approved, the Committee adopted an [amendment](#) from Rep. Scott Garrett (R-NJ) to urge House leaders to attach a separate deficit reduction measure to other must-pass legislation if the Senate does not take up the \$30 billion savings package. The budget was approved after a nine-hour marathon markup during which committee Democrats offered some two dozen amendments, all of which were rejected. [Read more...](#)

Senate Passes Freedom of Information Act Reform Bill

On March 15, the Senate passed, by Unanimous Consent, the "FOIA Improvement Act of 2016" ([S. 337](#)). The bill, led by Sens. John Cornyn (R-TX) and Pat Leahy (D-VT), would update the open-records law used by journalists, researchers and the public. Many who have dealt with the process complain about delays and unnecessary redactions from agencies. A House committee recently described the law as "broken" in a report. The update would codify a so-called presumption of openness, which requires federal agencies and other parts of the government to adopt a policy that leans toward the public release of documents. President Obama instructed agencies to adopt a similar model when he entered office, but critics say the government hasn't lived up to that promise. Under the legislation, agencies would have to point to a specific "foreseeable harm" when withholding documents that would typically be exempt from public release. The legislation would also create a single FOIA request portal for all agencies, limit the amount of time that certain documents are exempt from disclosure and make more documents available online, among other things. The Senate's move means both chambers have now passed similar proposals to strengthen the Freedom of Information Act (FOIA). Differences will still need to be resolved before the measure makes it to President Obama's desk - potentially forcing the administration's hand on a bill it has previously lobbied against. [Read more...](#)

House Passes Small Business Broadband Deployment Act

On March 16, the House passed, by a vote of [411-0](#), the "Small Business Broadband Deployment Act" ([H.R. 4596](#)). The bill would extend for five years the temporary exemption granted to small Internet Service Providers (ISPs), defined as those with 250,000 subscribers or less, from the enhanced disclosure requirements resulting from the Federal Communications Commission's (FCC) 2015 net neutrality rule. The purpose of the disclosure requirements was to increase transparency of ISPs, which would require them to disclose information regarding promotional rates, pricing, performance characteristics, network management practices, and commercial terms of service, in order for consumers to make informed choices. However, the FCC decided to exempt ISPs with 100,000 subscribers or less because of the burdens it would place on those smaller entities, while the FCC reviewed the extent of the burden. The FCC review is on-going and has been extended until December 15, 2016. H.R. 4596 would extend the exemption until five years after the enacted date and would increase the number of small ISPs exempted, by including businesses with up to 250,000 subscribers. The bill would also require the FCC to submit a report to Congress within 180 days detailing whether the exemption should be made permanent and whether the definition of small ISPs is appropriate. The White House issued a [Statement of Administration Policy](#) for H.R. 4596, stating that it "does not oppose House passage of H.R. 4596 in its current form." [Read more...](#)

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Monday, March 21

- ⌘ Full House Rules Committee meets to formulate a rule for the "Standard Merger and Acquisition Reviews Through Equal Rules Act of 2015" (H.R. 2745).

Tuesday, March 22

- ⌘ House Appropriations Subcommittee on Interior, Environment, and Related Agencies budget hearing for the Environmental Protection Agency.
- ⌘ House Appropriations Subcommittee on Defense budget hearing for Defense Health Program.
- ⌘ House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies budget hearing for Department of Education.
- ⌘ House Appropriations Subcommittee on Financial Services and General Government budget hearing for Securities and Exchange Commission.
- ⌘ House Appropriations Subcommittee on Defense budget hearing for National Guard and Reserve.
- ⌘ House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies budget hearing for Drug Enforcement Agency.
- ⌘ Full House Armed Services Committee hearing entitled "The Fiscal Year 2017 National Defense Authorization Budget Request from the Department of Defense."
- ⌘ Full House Education and the Workforce Committee hearing entitled "Strengthening Education Research and Privacy Protections to Better Serve Students."
- ⌘ House Energy and Commerce Subcommittees on Energy and Power & Environment and the Economy joint hearing entitled "Fiscal Year 2017 EPA Budget."
- ⌘ House Energy and Commerce Subcommittee on Communications and Technology hearing entitled "Oversight of the Federal Communications Commission."
- ⌘ House Financial Services Subcommittee on Housing and Insurance hearing entitled "The Future of Housing in America: Government Regulations and the High Cost of Housing."
- ⌘ House Homeland Security Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies hearing entitled "The Role of Cyber Insurance in Risk Management."
- ⌘ Full House Judiciary Committee markup of the "Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2016" (H.R. 4771) and the "Preventing Crimes Against Veterans Act of 2016" (H.R. 4676).
- ⌘ House Natural Resources Subcommittee on Federal Lands hearing entitled "Examining the Spending Priorities and Missions of the Forest Service in the President's Fiscal Year 2017 Budget Proposal."
- ⌘ House Natural Resources Subcommittee on Indian, Insular and Native Alaska Affairs hearing entitled "The President's Fiscal Year 2017 Funding Priorities and Impacts on Indian Country and Insular Areas."
- ⌘ House Natural Resources Subcommittee on Water, Power and Oceans hearing entitled

- ⌘ "Examining the Missions and Impacts of the President's Proposed Fiscal Year 2017 Budgets of the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, the Bureau of Reclamation and Power Marketing Administrations."
- ⌘ Full House Oversight and Government Reform Committee hearing entitled "America's Heroin and Opioid Abuse Epidemic."
- ⌘ House Oversight and Government Reform Subcommittees on Information Technology and Health Care, Benefits, and Administrative Rules hearing entitled "Opportunities and Challenges in Advancing Health Information Technology."
- ⌘ Full House Science, Space and Technology Committee hearing entitled "An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017."
- ⌘ House Science, Space and Technology Subcommittee on Research and Technology hearing entitled "An Overview of the Budget Proposal for the National Science Foundation for Fiscal Year 2017."
- ⌘ House Small Business Subcommittee on Economic Growth, Tax and Capital Access hearing entitled "Lip Service but Little Else: Failure of the Small Business Health Insurance Tax Credit."
- ⌘ House Veterans' Affairs Subcommittee on Health hearing entitled "Choice Consolidation: Leveraging Provider Networks to Increase Veteran Access."
- ⌘ House Ways and Means Subcommittee on Tax Policy hearing entitled "Fundamental Tax Reform Proposals."
- ⌘ House Ways and Means Subcommittee on Social Security hearing entitled "Social Security and Public Servants: Ensuring Equal Treatments."

Wednesday, March 23

- ⌘ House Appropriations Subcommittee on Military Construction and Veterans Affairs markup of the "FY 2017 Military Construction and Veterans Affairs Appropriations Bill."
- ⌘ House Appropriations Subcommittee on Interior, Environment, and Related Agencies budget hearing for the Smithsonian Institution.
- ⌘ House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies budget hearing for Centers for Disease Control and Prevention.
- ⌘ Full House Homeland Security Committee markup of: the "Southwest Border Security Threat Assessment Act of 2016" (H.R. 4482); the "State and High-Risk Urban Area Working Group Act" (H.R. 4509); the "Treating Small Airports with Fairness Act of 2016" (H.R. 4549); the "Securing Aviation from Foreign Entry Points and Guarding Airports Through Enhanced Security Act of 2016" (H.R. 4698); a bill "To require the Secretary of Homeland Security to develop a comprehensive strategy for Department of Homeland Security operations abroad, and for other purposes" (H.R. 4780); the "DHS Stop Asset and Vehicle Excess Act" (H.R. 4785); and H.R. _____, the "Combating Terrorist Recruitment Act of 2016."
- ⌘ House Natural Resources Subcommittee on Energy and Mineral Resources hearing entitled "Effect of President's FY 2017 Budget and Legislative Proposals for the Office of Surface Mining on Private Sector Job Creation, Domestic Energy Production, State Programs and Deficit Reduction."
- ⌘ House Oversight and Government Reform Subcommittee on the Interior hearing entitled "Examining the Bureau of Land Management Public Lands Leasing."
- ⌘ House Oversight and Government Reform Subcommittees on National Security and Government Operations hearing entitled "National Security: Threats at our Borders."
- ⌘ House Science, Space and Technology Subcommittee on Environment hearing entitled "Examining EPA's Regional Haze Program: Regulations Without Visible Benefits."

2 Full House Small Business Committee markup of the "Commercializing on Small Business Innovation Act of 2016" (H.R. 4783) and the "Small Business Development Centers Improvement Act of 2015" (H.R. 207).

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