

Legislative Forecast for the 115th Congress

June 5, 2017

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A guide to this legislative forecast

Issues covered in this month's legislative forecast

- Affordable Care Act
- Appropriations
- Conflict in Iraq and Syria
- Criminal justice reform
- Cybersecurity
- Debt ceiling*
- Defense appropriations
- Education
- Energy and environment
- Farm Bill
- Financial regulation
- Immigration
- International trade
- Iran nuclear negotiations
- LGBT rights*
- Medicare
- Tax reform*
- Technology

**These legislative issues have not changed over the course of the past month*

Archived issues (Major legislative or administration actions in 2015 and 2016)

- Chemical reform
- Export-Import (Ex-Im) Bank
- Federal Reserve
- Gun control
- Highway Trust Fund
- Keystone XL
- Medical research funding
- Mental health
- Opioid abuse and heroin epidemic
- PATRIOT Act/USA FREEDOM Act
- Puerto Rico bailout
- Zika funding

Please see previous legislative forecasts or contact the Presentation Center for details on these topics.



The legislative agenda for 2017

Key dates and prospective items on the legislative agenda in 115th Congress

Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	Nov	Dec
Beginning of 115 th Congress	DNC chair election	ACA: House GOP released and soon pulled the AHCA	Approps: Deadline to pass a new CR	G7 meeting	SCOTUS term ends	G20 summit	Congress on summer recess	Tax reform legislation	End of FY 2017		
Presidential inauguration		Immigration: EO to restrict immigration signed and will go into effect	Trump's 100 th day in office				NAFTA renegotiations	FAA authorization expires			
ACA: End of open enroll. period											

Possible actions, timing unknown

- Affordable Care Act:** After the AHCA passed the House, the Senate is expected to completely start over in drafting the bill
- Conflict in Iraq & Syria:** Democrats have renewed efforts to reign in executive military actions through a new Authorization for the Use of Military Force (AUMF)
- Debt Ceiling:** Sometime in fall 2017 and before Congress's August recess, the debt ceiling is expected to be raised
- Energy & Environment:** Negotiations for a comprehensive energy bill are expected to resume in the 115th Congress
- Financial Regulation:** House Finance Committee Chairman Hensarling announced that an updated version of the CHOICE Act will see a floor vote
- Immigration:** President Trump has asked the Supreme Court to weigh in on his travel ban
- Medicare:** Congressional Republicans have expressed an interested in reforming Medicare and turning it into a "premium support" system
- Tech:** The Trump administration is working to to modernize government information technology systems, while leadership in Congress has been involved in efforts to expand broadband and supplement the FCC's effort to roll back net neutrality regulations

Sources: National Journal Research, 2017.



Affordable Care Act

Timeline of key recent federal actions on the Affordable Care Act

- Jan 2016 ○ **Congress sends ACA repeal to president's desk; Obama vetoes measure, veto upheld:** The Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 passed both chambers, marking the first time Congress sent a repeal of the ACA to the president's desk. President Obama vetoed the measure and the House failed to override the veto.
- Jan 2016 ○ **House v. Burwell decision:** In a win for House Republicans, a federal judge ruled that the Obama administration has been improperly funding cost-sharing subsidies for low-income Americans. The ruling claimed that Congress authorized the program but never appropriated the money. If these subsidies are eliminated, insurance premiums would likely rise to make up for the loss. The administration is expected to appeal.
- Mar 2017 ○ **House GOP unveils the American Health Care Act:** The long-awaited replacement plan repeals the ACA's individual and employer mandates, replaces the law's subsidies with age-adjusted tax credits and phases out Medicaid expansion by 2020
- Mar 2017 ○ **GOP leadership pulls AHCA:** Just 19 days after the AHCA's introduction, the GOP decided to pull the bill, putting the party's promise to repeal and replace the ACA in jeopardy. The decision came in the face of infighting between the House Freedom Caucus and more moderate wings of the Republican Party
- April 2017 ○ **Freedom Caucus comes out in favor of AHCA, with inclusion of MacArthur Amendment:** Rep. Tom MacArthur (R-NJ) of the Tuesday Group and Rep. Mark Meadows (R-NC) of the Freedom Caucus negotiated an amendment to allow states to waive some of the ACA's insurance regulations. It specifically targets community rating and essential health benefits
- May 2017 ○ **House passes the AHCA narrowly, along party lines:** After much debate, the Upton and MacArthur Amendments helped to convince Republican members to vote to pass the AHCA. CBO estimates of the passed bill suggest 23 million will be uninsured by 2026.

Potential actions in 115th Congress

- The White House has signaled that it would fund the ACA's cost-sharing reduction subsidies "for now," which has assuaged the short-term concerns of Democrats, who were threatening a government shutdown
- However, in order to reach a long-term solution on the CSR payments, the House GOP lawsuit on the issue must be resolved
- The AHCA was able to pass the House due to moderates shifting their stances and voting with the Freedom Caucus
- CBO score does not paint a bright future for those with pre-existing conditions or the elderly under the AHCA
- The bill is now in the hands of the Senate and experts speculate that they will completely strip it and start over
- Many Republican senators represent states that have benefitted from Medicaid expansion, suggesting they would oppose the Medicaid cuts
- Senate leadership say they hope to vote on the bill by end of July, but experts estimate this is not enough time

Sources: National Journal Research, 2017; Mark J. Mazur, "Continuing to Implement the ACA in a Careful, Thoughtful Manner," Department of the Treasury, July 2, 2013; Lyle Denniston, "Argument Analysis: Setting up the private debate on the ACA," SCOTUSblog, Mar 4, 2015; Susan Ferrechio, "Congress joint budget deal could pave path to Obamacare repeal," Washington Examiner, April 20, 2015; Sen. Mike Enzi and Rep. Tom Price, "FY2016 Conference Agreement," House Budget Committee, May 2015; MaryBeth Musumeci, "A Guide to the Supreme Court's Affordable Care Act Decision," The Kaiser Family Foundation, July 2012; Josh Gerstein and Lauren French, "House Files Obamacare lawsuit," Politico, November 21, 2014; Skadden, "King v. Burwell: Round 2 for the Affordable Care Act," July 10, 2015; National Association of Community Health Centers, "Victory for the ACA: Moving Forward After King v. Burwell," June 30, 2015; Alexander Bolton, "Senate Approves Bill Repealing Much of Obamacare," The Hill, December 3, 2015; House Rules Committee, "Subcommittee Hearing: H.R. 1610—Restoring Americans' Healthcare Freedom Reconciliation Act of 2015," Dec 2015; Peter Sullivan, "House passes ObamaCare repeal, sending measure to president," The Hill, Jan 6, 2016; Scotusblog, "Zubik v. Burwell," 2016; Jennifer Haberkorn, "GOP Wins Obamacare Lawsuit," Politico, May 12, 2016; Mary Ellen McIntire, "HHS to Continue Obamacare Payments to Insurers With Lawsuit Pending," Morning Consult, April 3, 2017.

\$ Appropriations

Timeline of key recent federal actions on FY17 appropriations

- Nov 2015 ○ **Bipartisan Budget Act of 2015:** A compromise budget deal was signed into law, increasing both defense and nondefense spending, cutting some entitlement spending, and specifies defense spending for fiscal year 2017.
- Feb 2016 ○ **President's FY17 budget request:** The President's budget request adhered to the numbers set by the Bipartisan Budget Act of 2015, and included several initiatives with potential bipartisan support, including a cancer research program and an opioid epidemic response.
- July 2016 ○ **Congress passes some, but not all, approps. bills before '16 summer recess:** Congress decided to pass appropriations bills individually. The Senate passed the HUD, Milcon-VA and Energy and Water Development appropriations bills. The House passed the Defense, Financial Services, Interior, Legislative Branch, and Milcon-VA appropriations bills. The House also voted on the Energy and Water Development approps. bill but the measure failed.
- Sept 2016 ○ **Congress passes a continuing resolution:** With an October 1 budget deadline approaching, Congress passed a continuing resolution extending the deadline to December 9. The continuing resolution also included \$1.1 billion in funding for Zika relief.
- Dec 2016 ○ **Congress passes a second continuing resolution:** The second continuing resolution passed by Congress extended the deadline to April 28, 2017, allowing the appropriations process to be finished up by a Republican majority Congress.
- May 2017 ○ **Congress passes a final omnibus spending bill:** Congress completed the FY17 appropriations process by passing an omnibus bill, funding the government through the end of the fiscal year.

Potential actions on FY18 approps.

- President Trump released his FY18 budget request in mid-May and was met with fierce opposition from Democrats and mixed reactions from Republicans
- Neither the House nor the Senate has written a budget resolution to address President Trump's request
- Republicans on the House Appropriations Committee may attempt to sidestep the traditional 12-bill process in favor of an omnibus from the start
- Congress has 43 legislative days with both chambers in session before the FY18 appropriations deadline on September 30

Source: Kelsey Snell, "House Republicans Struggle to End Budget Standoff," *The Washington Post*, February 29, 2016; Jake Sherman and Lauren French, "Ryan confronts budget meltdown," *Politico*, March 15, 2016; John Bresnahan and Rachel Bade, "Ryan calls members-only meeting to hash out budget," *Politico*, April 29, 2016; James Arkin, "LGBT Issues Sink House Appropriations Bill," May 26, 2016; Jon Reid, "House GOP Mulls Options After More Floor Fireworks," *Morning Consult*, May 26, 2016; GovTrack, "H.R. 5055: Energy and Water Development and Related Agencies Appropriations Act, 2017," May 26, 2016; Rebecca Kheel, "House Passes \$576B Defense Spending Bill," *The Hill*, June 16, 2016; Jordan Carney, "Senate Passes Broad Spending Bill With \$1.1B in Zika Funds," *The Hill*, May 19, 2016; Press Release, "Senate Approves FY17 Funding For the VA, Transportation, and Housing," U.S. Senate Committee on Appropriations, May 19, 2016; Senate Roll Call Votes, *Senate.gov*, May 2016; Jordan Carney, "Senate Passes Broad Spending Bill With \$1.1B in Zika Funds," *The Hill*, May 19, 2016; Andy Koenig, "Lame ducks are plotting a post-election budget raid," *Wall Street Journal*, September 12, 2016; Manu Raju, Deirdre Walshe and David Wright, "Trump asking Congress, not Mexico to pay for border wall," *CNN*, January 6, 2017; BBC News, "US budget: scramble to avoid government shutdown," April 28, 2017.



Conflict in Iraq and Syria

Timeline of key recent federal actions on the Iraq and Syria conflict

- Mar 2017 ○ **Trump signs new travel ban:** The President signs a new version of the executive order that allows Iraqi citizens to travel to the US, and replaces an indefinite ban on refugees from Syria with a 120-day freeze
- Mar 2017 ○ **Hawaii federal judge blocks major provisions of President Trump's revised travel ban:** U.S. District Judge Derrick Watson issues the first nationwide halt against Trump's revised executive order to block refugee resettlement and travel from six predominantly Muslim countries
- Mar 2017 ○ **The Trump administration ceases disclosures of US troop numbers in Iraq and Syria:** The Pentagon stops its official announcements of troop movements to the two countries, breaking with a longstanding tradition under the Obama administration
- Apr 2017 ○ **US launches missile strike against Syrian air force base:** President Trump authorizes a strike on a Syrian airbase used by the Syrian air force to conduct a chemical weapons attack
- Apr 2017 ○ **Defense Secretary Jim Mattis gains authority to set official troop levels:** President Trump delegates force management authority in Iraq and Syria to Secretary Mattis
- May 2017 ○ **FY1 budget proposal:** The Trump administration's proposed budget calls for increasing military spending by \$469 billion through 2027
- May 2017 ○ **US arms Kurdish forces in Syria:** Trump approves arming fighters from the Kurdish People's Protection Units (YPG) fighting ISIS in Syria, drawing strong condemnation from Turkey
- May 2017 ○ **Trump seeks SCOTUS ruling on travel ban:** The administration asks the Supreme Court to allow the president's travel ban that blocks entry from six Muslim-majority countries to go into effect

Potential actions in 115th Congress

- Recent events in Iraq and Syria have rekindled efforts by Democrats – and some Republicans – in Congress to reign in executive military actions through a new Authorization for the Use of Military Force (AUMF), though the chances of passage remain low.



Criminal justice reform

Timeline of key recent federal actions on criminal justice reform

Jan 2017 ○ 115th Congress is sworn in

Jan 3, 2017 ○ **H.Res. 16: Supporting local law enforcement agencies in their continued work...**
This is a resolution introduced in the House to support and encourage local police departments in their use of body cameras

Jan 3, 2017 ○ **H.R. 61: To provide for the expungement and sealing of youth criminal records**
This bill was introduced by Sheila Jackson Lee (D-TX)

Jan 5, 2017 ○ **S. 52: A bill to make aliens associated with criminal gang inadmissible, deportable, and ineligible for various forms of relief**
This bill was introduced by Chuck Grassley (R-IA) and reflects the priorities President-elect Trump said he would support during his campaign

Feb. 9, 2017 ○ **Trump signs executive order creating a task force to reduce crime**
This order empowers Attorney General Jeff Sessions to establish a task force to discuss crime reduction ideas, identify “deficiencies” in current laws and evaluate the availability of crime-related data

May 12, 2017 ○ **Sessions’s memo to DOJ**
Attorney General Sessions directed prosecutors to seek the toughest possible sentences, even in cases involving non-violent drug offenders

May 16, 2017 ○ **S. 1127: A bill to empower federal judges to give out sentences below the mandatory minimum in certain cases**
This bill, introduced by Senators Paul, Leahy and Merkley, seeks to dismantle the directive given early in May by Jeff Sessions. There is a concurrent bill in the House.

Potential actions in 115th Congress

- President Obama expressed interest in prison reform, but the 114th Congress did not deliver a bipartisan reform bill in 2016 before he left office, instead deciding to focus on other key legislation
- In the 114th Congress there was some bipartisan support for reducing sentencing for certain crimes
- Some Republicans in the Senate lead by Jeff Sessions opposed this effort and expectations about how Sessions’s role as attorney general in the Trump administration will impact this are mixed
- On the one hand, Sessions is no longer in the Senate Judiciary Committee to lead the opposition, but on the other he is President Trump’s top advisor on the issue
- Jared Kushner a meeting on Capitol Hill in mid-April to discuss the future of criminal justice reform with House and Senate leaders

Sources: Congress.gov, “S.2123 –Sentencing Reform and Corrections Act of 2015,” 114th Congress (2015–2016), October 2015; Jack Martinez, “Senators Announce Bipartisan Criminal Justice Reform Legislation,” Newsweek, October 1, 2015; Seung Min, Kim, “Compromise Struck on Criminal Justice Reform,” Politico, April 28, 2016; Mark Disler, “From intellectual property to criminal justice reform: what you need to know for the Judiciary Committees in the 115th Congress,” Prime Policy Group, December 16, 2016; Govtrack.us.



Cybersecurity

Timeline of key recent federal actions on cybersecurity

- March 2017 ○ The **NIST Cybersecurity Framework, Assessment, and Auditing Act of 2017** directs NIST to evaluate and audit federal agencies' cybersecurity protections
- March 2017 ○ **The State and Local Cyber Protection Act of 2017** would amend the Homeland Security Act of 2002 to extend DHS cybersecurity assistance to state and local governments upon request. The similarly-focused **State Cyber Resiliency Act** establishes a cybersecurity grant to help state, local and tribal governments develop comprehensive cybersecurity strategies
- March 2017 ○ Democrats on the House Energy and Commerce Committee introduced **the Cybersecurity Responsibility Act**, directing the FCC to formulate rules to defend communications networks from cyber threats; **the Interagency Cybersecurity Cooperation Act**, requiring the agency to establish a panel to review and report upon cyber incidents; and **the Securing IoT Act**, mandating that the FCC and NIST craft cybersecurity standards for IoT devices
- March 2017 ○ A draft of **the Active Cyber Defense Certainty Act** allows firms to respond to cyberattacks with defensive measures provided that such actions do not result in destruction or injury
- March 2017 ○ **The Securing America's Future Elections (SAFE) Act** codifies the designation of elections as critical infrastructure and reauthorizes the Election Assistance Commission
- March 2017 ○ **Transportation cybersecurity: The Security and Privacy in Your Car (SPY Car) Act** directs the NHTSA and FTC to formulate cyber and privacy guidelines for automobiles, while **the Cybersecurity Standards for Aircraft to Improve Resilience (Cyber AIR) Act** would impose similar standards on aircraft carriers
- May 2017 ○ House Armed Services Committee Chairman Mac Thornberry (R-TX) introduced **H.R. 2621** in order to require the Pentagon to develop programs to enhance cyber defense efforts and report them to Congress. The bill would allocate over \$2.1 billion in FY 2018 to security initiatives in the Indo-Asia-Pacific region.

Potential actions in 115th Congress

- House Homeland Security Committee Chairman Michael McCaul (R-TX) plans to reintroduce the **Cybersecurity and Infrastructure Protection Agency Act of 2016** in coming weeks. The bill, which stalled after its introduction in June 2016, would reorganize the current National Protections and Program Directorate into a new Cybersecurity and Infrastructure Protection Agency, a move supported by current and former DHS officials.
- In the upcoming budget battles, Congress will need to address how the **2018 presidential budget proposal** boosts cyber defense funding at the Department of Homeland Security and allocates money to help law enforcement fight cyber criminals while cutting funding for cyber research and development and eliminating funding for a digital forensics training center for state and local police.

Sources: Amir Nasr; Anthony Kimery, "House passes 17 sweeping bipartisan bills to enhance homeland security," *Homeland Security Today*, February 1, 2017; Nextgov staff, "Lawmakers bump NASA bill and increase several agencies' cyber responsibilities," March 3, 2017; Mark Rockwell, "DHS cyber reorg bill coming," *FCW*, March 28, 2017; Joe Uchill, "Dem bill would codify elections as critical infrastructure," *The Hill*, March 17, 2017; Joe Uchill, "Dem senators reintroduce cybersecurity bills for cars, planes," *The Hill*, March 2017; Joseph Marks, "How the Trump budget treats cyber," *NextGov*, May 23, 2017; Morgan Chalfant, "Bill aims to boost cybersecurity efforts in Asia-Pacific region," *The Hill*, May 30, 2017.



Debt ceiling

Timeline of key recent federal actions on the debt ceiling

- 2011 ○ **Budget Control Act of 2011:** The BCA was designed to avoid a potential shutdown due to a failure to raise the debt limit in 2011; the act delegated authority to a ‘supercommittee’ to find an agreement on deficit reduction; however, no agreement was met, and so automatic penalty ‘sequestration cuts’ were put into effect.
- Feb 2013 ○ **No Budget, No Pay Act of 2013:** A bill which temporarily suspended the debt limit until May 28, 2013 and put Congressional pay on hold until a budget resolution could be passed.
- Oct 16, 2013 ○ **Continuing Appropriations Act, 2014:** A continuing resolution passed in fiscal year 2014, which funded the government and suspended the debt limit until February 2015 to give lawmakers more time to negotiate a compromise proposal.
- Feb 2015 ○ **Temporary Debt Limit Extension Act:** Both houses of Congress passed a debt ceiling extension, suspending the ceiling until March 15, 2015.
- Mar 2015 ○ **Debt Limit Reinstated:** The suspension of the debt ceiling was lifted in March; the Treasury took extraordinary measures to allow the government to pay its bills through November.
- Nov 2015 ○ **Bipartisan Budget Act of 2015:** In a budget compromise between Congressional leaders and the White House, the debt ceiling was suspended until March 2017, allowing normal borrowing to resume.
- Mar 2017 ○ **Debt ceiling reinstated:** The debt limit was automatically raised to the debt level on March 16, 2017. The CBO estimated that the Treasury would be able to use extraordinary measures to fund essential payments until sometime in the fall of 2017.

Potential actions in 115th Congress

- Office of Management of Budget Director Mick Mulvaney has said that the administration plans to use extraordinary measures for as long as possible, but that Congress will raise the limit before recessing in August
- The administration and Treasury Secretary Steven Mnuchin support increasing the debt ceiling

Source: Chris Matthews, “Let the debt ceiling games begin!” Fortune, March 16, 2015; Ben White, “US to hit debt ceiling again, and this time could be worse,” CNBC, March 16, 2015; Jim Garamone, “Defense Department Prepares Plans for Sequestration,” American Forces Press Service, December 5, 2012; Lisa Mascaro and Kathleen Hennessey, “U.S. leaders strike debt deal to avoid default,” Los Angeles Times, August 1, 2011; Pete Kasperowicz, “House approves clean debt hike,” The Hill, February 11, 2014; Lisa Montgomery and Rosalind S. Helderman, “Congress sends Obama bill to end shutdown,” October 17, 2013; Office of the Press Secretary, “Statement by the Press Secretary on H.R. 325,” The White House, February 4, 2013; Peter Schroeder and Bernie Becker, “What bills can lame-duck Boehner move?” The Hill, September 29, 2015; Joseph Lawler, “Deal Would Suspend Debt Ceiling until after 2017 Inauguration,” October 27, 2015; Sylvan Lane, “CBO: Treasury can avoid breaching debt ceiling until fall,” The Hill, March 7, 2017.



Defense appropriations

Timeline of key recent federal actions on defense appropriations

- Dec. 2016 **Senate and House passed S. 2943, NDAA for FY17:** Both chambers passed the NDAA compromise bill by margins large enough to overcome a veto. The bill excluded the Senate provision requiring women to register for the draft and a religious freedom measure potentially allowing for federal contractors to discriminate against workers. The bill authorizes \$618.7 billion in spending, including over \$67 billion for OCO. President Obama signed the bill into law, but expressed disappointment with many of its provisions.
- Mar. 8, 2017 **House passed H.R. 1301, a \$578 billion defense spending bill for FY17:** The bill increases funding levels, but did not come to a vote in the Senate.
- Mar 16, 2017 **The Trump administration released FY18 budget blueprint:** In addition to Trump's FY18 budget request for a \$54 billion increase in military spending, he requested \$30 billion in supplemental defense funds for 2017.
- April 5, 2017 **Senior military officials cautioned Congress against avoiding the budget process in favor of another continuing resolution:** An Army information paper submitted to the House Armed Services Committee warned a continuing resolution that runs until the end of September would "essentially cease training" on July 15.
- April 28, 2017 **The current FY2017 continuing resolution expires:** Congress passed a week-long CR extension to buy more time to come up with a compromise on FY17 appropriations.
- May 1, 2017 **Congress reached an agreement on a \$1 trillion FY17 omnibus bill:** The agreement increases defense sending levels to \$1.16 trillion, including a \$15 billion boost in supplemental defense spending to fight terrorism. \$2.5 billion of these funds are contingent on the Trump Administration presenting their plan to defeat ISIL to Congress.
- Oct 1, 2017 **The start of fiscal year 2018:** President Trump requested a \$54 billion increase to the sequestration level budget cap for FY18. If Congress does not agree to a budget resolution by the start of the fiscal year, they will have to pass another continuing resolution.

Potential actions in 115th Congress

- Negotiations on a FY18 budget resolution are expected to begin over the summer



Education

Timeline of key recent federal actions on education

- Dec. 2015 ○ **Every Student Succeeds Act of 2015 (ESSA):** President Obama signed the Every Student Succeeds Act into law, a replacement for No Child Left Behind Act. The law limits the federal government's role in education policy but keeps annual testing requirements. Examples of how the law expands state control include: allowing states to determine their own accountability goals to measure student performance and letting states determine how to intervene in failing and underperforming schools.
- Jan. 2017 ○ **Gov. Cuomo announces plan for free public higher education in New York:** The Democratic governor of New York, Andrew Cuomo, proposed a three-year plan to eliminate tuition costs for public college education for families making less than \$125,00 a year by 2019.
- Jan. 2017 ○ **House GOP introduces the Choices in Education Act of 2017:** Rep. Steve King (R-IA) introduced a bill to repeal ESSA, distribute federal funds for education in the form of vouchers, limit the authority of the Department of Education and repeal school cafeteria nutritional standards.
- Feb 2017 ○ **Betsy DeVos confirmed as education secretary:** In a historically close 51-50 vote, with Vice President Mike Pence casting the tie-breaking vote, DeVos was confirmed as head of the Department of Education, inciting protests. It remains to be seen whether she will push a 'free market' education agenda or allow states to make their own education policy decisions.
- May 2017 ○ **Trump administration announces proposal for huge budget cuts to education:** The White House requested a funding cut of over \$9 billion from the Department of Education for fiscal year 2018.

Potential actions in 115th Congress

- Education Secretary Betsy DeVos is a strong supporter of charter schools and school choice, so it is likely that the administration will advocate free-market education policies
- While former Democratic presidential nominee Hillary Clinton proposed plans for free community college and debt-free public higher education during the campaign, Trump has not signaled an openness to increased spending to alleviate student debt

Sources: National Journal Research, 2015, Blake Neff, "No Child Left Behind Might Actually Get Replaced," Daily Caller, April 16, 2015; Pete Kasperowicz, "House votes 221-207 to limit federal control over education," The Hill, July 13, 2015; Sam Dillon, "Obama to Waive Parts of No Child Left Behind," The New York Times, Sep 22, 2011; Anya Kamenetz, "It's 2014. All Children Are Supposed to Be Proficient. What Happened?" NPR, Oct 11, 2014; Joy Resmovits, "States Struggle to Overhaul Schools After No Child Left Behind," Huffington Post, Jan 6, 2014; Alia Wong, "Life After No Child Left Behind," Atlantic, July 8, 2015; Lyndsey Layton and Emma Brown, "Senate Passes No Child Left Behind Rewrite, Would Shrink Federal Role," Washington Post, July 16, 2015; Christopher Magan, "Kline to chair No Child Left Behind conference committee," Pioneer Press, July 30, 2015; Jennifer C. Kerr, "What You Need to Know About the No Child Left Behind Rewrite," Huffington Post, Nov. 20, 2015.; Gregory Korte, "The Every Student Succeeds Act vs. No Child Left Behind: What's Changed?" USA Today, Dec 11, 2015; PR Newswire, "Bipartisan Child Nutrition Bill Passes Senate Committee," Jan. 20, 2016



Energy and environment

Timeline of key recent federal actions on energy

- Dec. 12, 2016 ○ The Water Resources Development Act (WRDA) becomes the Water Infrastructure Improvements for the Nation Act and is signed by President Obama. The new bill, which combines WRDA and other water infrastructure legislation, is signed into law
- Feb. 06, 2017 ○ H.J. Res. 38 to repeal the Stream Protection Rule is presented to the president.
- Feb. 14, 2017 ○ H.J. Res. 41 to repeal the SEC's rule requiring disclosure of payments made to foreign governments by resource extraction issuers is signed by the president.
- Feb. 28, 2017 ○ President Trump signs an executive order mandating a review of the Waters of the U.S. rule.
- Mar. 13, 2017 ○ The Trump administration presented a budget that would **severely cut the funding for environmental and energy programs and completely eliminate others**
- Mar. 28-29, 2017 ○ **At the EPA, President Trump signs an executive order** that would review environmental protections of the Clean Power Plan and rescind a moratorium on coal mining on federal lands, while on the Hill the next day, **the House passes the HONEST Law**, which would prohibit the EPA from using science that isn't publicly available.
- Apr. 25, 2017 ○ President Trump signs an **executive order mandating a review of all monuments designated under the Antiquities Act that are greater than 100,000 acres in size**. He also instructs Secretary Zinke to provide possible congressional or presidential actions to weaken the authority of the act.
- Apr. 27, 2017 ○ An executive order on **implementing an offshore energy strategy that encourages energy production and exploration in the Arctic and Atlantic oceans**, including on the Outer Continental Shelf
- June 1, 2017 ○ President Trump announces the withdrawal of the U.S. from the Paris Climate Agreement

Potential actions in 115th Congress

- The Senate Energy & Water Appropriations Bill could struggle to pass an entirely GOP-controlled Congress, and a new Republican president could mean that passing a CR is more likely
- Renewable energy tax credits were not included in the FAA Reauthorization Bill so a new vehicle will be needed for extension, although it seems unlikely
- With the withdrawal of the United States from the Paris Climate Agreement, there will likely be increased pressure from constituents for Congress to pass environmental measures
- President Trump's budget request drastically reduced funding across the Department of Energy and the Environmental Protection Agency, including cutting most funding for research. Congress will have to decide how to allocate funding in response to his request

Sources: GovTrack.us, Timothy Cama, "House votes to restrict EPA's use of science," *The Hill*, March 29, 2017; Dan Merica, "What Trump's climate change order accomplishes and what it doesn't," *CNN*, March 29, 2017; Gregory Korte, "The 62 agencies and programs Trump wants to eliminate," *USA Today*, March 16, 2017; Michael Greshko, "A running list of how Trump is changing the environment," *National Geographic*, March 31, 2017.



Farm bill

Timeline of key recent federal actions on the farm bill

- 2014 ○ **Farm bill passes two years late:** Provisions included an \$8 billion cut to SNAP and a loosening of restrictions on growing industrial hemp
- Nov. 2016 ○ **Hearing on innovation in SNAP:** The House Committee on Agriculture held a hearing to evaluate the innovative strategies retailers are utilizing to improve access to nutritious food and on how they can integrate these systems into SNAP
- Feb. 15, 2017 ○ **Hearing on “Setting the Stage for the Next Farm Bill”:** The House Committee on Agriculture held a hearing on the state of the American farm economy with testimony by the USDA chief economist and academics from major agriculture research institutions
- Feb. 16, 2017 ○ **Hearing on the “Pros and Cons of Restricting SNAP Purchases”:** The House Committee on Agriculture heard about limiting SNAP benefits with testimony by researchers from AEI, Brookings and the Food Marketing Institute
- Feb. 23, 2017 ○ **First Senate field hearing on the farm bill in Kansas:** Senate Ag Committee Chairman Pat Roberts led a hearing with producers and agribusiness representatives at Kansas State
- Feb.-April 2017 ○ **Hearings on “The Next Farm Bill”:** House Committee on Agriculture subcommittee hearings on: conservation policy; rural development and energy programs; specialty crops; livestock and dairy; commodity markets; SNAP; and the Farm Credit System
- Mar. 16, 2017 ○ **President Trump’s skinny budget requests for FY2018:** If enacted, the USDA would lose funding for some research and certain programs would be completely eliminated
- April 25, 2017 ○ **Sonny Perdue sworn in as secretary of agriculture:** He immediately attends a roundtable with the president and a group of farmers to discuss ag issues, including the Farm Bill
- May 6, 2017 ○ **Second field hearing on the farm bill in Michigan:** Ranking Member Stabenow (D-MI) will host the second hearing at Michigan State University with a focus on specialty crops
- May 22, 2017 ○ **President Trump’s full budget requests for FY2018:** The request cuts USDA discretionary funding by \$4.9 billion, and calls for \$180 billion in SNAP cost shifts to states over 10 years

Potential actions in 115th Congress

- Witnesses at the initial farm bill hearings have supported the current insurance and conservation frameworks, but have suggested some technical changes
- The cottonseed debate will continue as Sonny Perdue testified to Congress that USDA counsel advised him that he could not statutorily classify cottonseed as an oil seed
- President Trump has promised to renegotiate NAFTA and has notified Congress of his intent
- Trump’s tax proposal eliminates the estate tax
- The President’s FY2018 budget request would gradually shift 25% of SNAP costs to states (\$180 billion over 10 years) and impose new fees for processing and certification
- 17 posts in USDA that require Senate approval remain unfilled
- President Trump’s FY2018 budget request for FY2018 would eliminate the McGovern-Dole international aid program

Sources: Renée Johnson and Jim Monke, “What is the Farm Bill,” Congressional Research Service, November 8, 2016. House Committee on Agriculture. Senate Committee on Agriculture, Nutrition, and Forestry.



Financial regulation

Timeline of key recent federal actions on financial regulation

- Jan 2017 ○ **Bye-bye Dodd Frank:** Rep. Jeb Hensarling (R-TX) announces that one of the main priorities of the House Financial Services Committee will be to repeal Dodd-Frank
- Jan 30, 2017 ○ **Trump's executive order:** President Trump signs the executive order that establishes a new set of "core principles" designed to dismantle Dodd-Frank
- Apr 4, 2017 ○ **Mnuchin you're hired!:** Steven Mnuchin is confirmed by a vote of 53 to 47 to serve as the next Secretary of the Department of the Treasury
- Apr 11, 2017 ○ **CHOICE Act 2.0:** Chairman of the House Financial Services Jeb Hensarling (R-TX) released details outlining the second version of the Dodd-Frank replacement plan
- Apr 21, 2017 ○ **Trump's executive order part 2:** President Trump signs two executive memoranda and one executive order that examines the role the OLA plays in financial stability, reviews the Fed's authority regarding non-finance SIFI authority and reviews the current tax system
- May 2, 2017 ○ **Chairman Clayton:** The Senate voted 61-37 to confirm Jay Clayton as next chairman of the SEC
- May 4, 2017 ○ **CHOICE Act 2.0 passes Committee:** The second version of the Financial CHOICE Act passes the House Financial Services Committee with a vote of 34 to 26
- May 25, 2017 ○ **CFPB in crisis?:** The US Court of Appeals for the DC Circuit is hearing a case that could potentially impact the overall structure of the CFPB
- Jun 2017 ○ **CHOICE Act 2.0 on the House floor?:** Speaker Paul Ryan and Rep. Jeb Hensarling (R-TX) announced that the Financial CHOICE Act 2.0 will come to a vote on the House floor
- Jun 2017 ○ **Bye-bye CFPB:** The House will potentially vote on whether or not to disband the Consumer Financial Protection Bureau

Potential Actions in 115th Congress

- While many expect House Financial Services Chairman Hensarling's (R-TX) Financial CHOICE Act to pass the House, analysts are not as optimistic that it will pass in the Senate. Not only do Senate Democrats oppose dismantling Dodd-Frank, but some Senate Republicans are concerned that the repeal would go too far.
- With Mnuchin and Clayton leading two of the major financial regulators, financial analysts expect that these institutions will start passing rules that are deregulatory in nature
- Financial analysts are also interested in whether or not the administration's tax plan and infrastructure package will move forward and be passed. The two bills are expected to have a significant impact on small business growth and could determine whether or not the US reaches Trump's target growth rate of 3%

Sources: Reuters, "US consumers financial watchdog's chief makes case for embattled agency," May 31, 2017; ACA International, "Financial CHOICE Act expected on house floor for vote in early June," May 31, 2017; CNN Money, "Senate ok's Jay Clayton, Trump's pick for SEC chairman," May 2, 2017; DavisPolk, "Financial CHOICE act 2.0 passes House Financial Services Committee," May 8, 2017; CNBC, "Watch: Treasury Secretary Mnuchin addresses Senate Banking Committee," May 18, 2017.



Immigration

Timeline of key recent federal actions on immigration

- Jan. 2017 ○ Trump issues three executive orders limiting immigration that spark protests across the nation: His orders instruct DHS to begin the process of building a wall along the Mexico-US border, expand the powers of immigration officers, deny federal funding to sanctuary cities, suspends immigration from seven Muslim majority countries and cuts the number of refugees allowed in the US. These orders do not affect Deferred Action for Childhood Arrivals (DACA.)
- Feb. 5, 2017 ○ US district judge from Washington puts a nation-wide hold on the travel ban and the Ninth U.S. Court of Appeals upholds the ruling.
- Mar. 6, 2017 ○ Trump signs new EO reinstating the travel ban that might circumvent judicial objection, but is stayed by a federal judge in Hawaii.
- April 25, 2017 ○ A federal district court in California blocks the Trump administration's effort to defund "sanctuary cities": The injunction prevents the federal government from enforcing Section 9(a) of the executive order. Trump said he will appeal it to the 9th circuit.
- April 25, 2017 ○ Trump backs off demands for border wall funding before April 28th deadline: Facing the threat of a government shutdown, the Trump administration has backed off its calls for border wall funding for FY17; however, DHS is moving forward with construction plans despite having only \$20 million set aside for the project.
- April 25, 2017 ○ Congress reaches a bipartisan omnibus budget compromise for FY17: The compromise includes \$1.5 billion for border security, which cannot be used for the border wall or ICE agents.
- May 2017 ○ The **Davis-Oliver Act (H.R. 2431)** was reintroduced by Reps. Raul Labrador (R-ID) and Bob Goodlatte (R-VA) and would withhold funding from sanctuary cities, tightens the visa process and clarify ICE's authority to detain

Potential actions in 115th Congress

- Sens. Joe Manchin (D-WV), Jon Tester (D-MT), Heidi Heitkamp (D-ND) and Joe Donnelly (D-IN) are up for reelection in 2018 in states that Trump won and may be pressured to vote with the GOP on border security measures.
- Trump's EOs have sparked protests across the country, which many GOP lawmakers experienced personally at town halls during recess.
- The Trump administration needs 60 votes in the Senate to fund the US-Mexico border wall; Democrats blocked inclusion of border wall funds in the FY17 omnibus compromise.
- In the President's budget request for FY 2018, Justice Department funding was reduced by about 4%. The budget proposed \$145 million in additional funding for immigration enforcement as well as added over 500 positions for immigration judges, deputy marshals, assistant U.S. attorneys and support staff, while cutting funding for the State Criminal Alien Assistance Program. Congress will need to approve these measures.

Sources: Ariane de Vogue, Jeremy Diamond and Kevin Liptak, "US President Donald Trump signs new travel ban, exempts Iraq," CNN, March 7, 2017; Jonathan Swan, "Schumer's plan to stop the wall," March 6, 2017, Axios; Bob Dane, "Davis-Oliver Act would make Trump's immigration agenda law of the land," The Hill, June 1, 2017; Josh Gerstein, "Trump Justice budget targets illegal immigration," Politico, May 23, 2017.



International trade

Timeline of key recent federal actions on international trade

- Jun 2015 ○ **Trade Promotion Authority enacted:** Congress passed fast-track authority, giving the White House authority to negotiate trade agreements and send them to Congress for a simple up-or-down vote. TPA lasts until 2018 and can be extended by Congress until 2021.
- Feb 2015 ○ **Trans-Pacific Partnership signed:** The twelve member nations signed the historic trade deal, agreed to after 8 years of negotiations, beginning a two-year ratification period. At least six countries must approve the deal during this time before it will be implemented.
- Feb 2016 ○ **Trade Facilitation and Trade Enforcement Act of 2015:** Congress passed a reauthorization of the Trade Facilitation and Trade Enforcement Act and it was signed into law.
- May 2016 ○ **President Obama visits Vietnam:** TPP was at the top of the President's agenda for Vietnam. While in Vietnam, President Obama announced the lifting of the weapons embargo.
- Jan 2017 ○ **President Trump withdraws from TPP:** On his fourth day in office, President Trump signed an executive order withdrawing the United States from the Trans-Pacific Office.
- Feb 2017 ○ **President Trump begins special trade dialogue with Japan:** Trump met with Japanese Prime Minister Shinzo Abe to begin a formal dialogue between the two countries on trade. Trump's advisers hope to negotiate a bilateral trade deal with Japan, which was the only country to ratify the TPP agreement.
- Mar 2017 ○ **Trade policy executive orders:** President Trump signs a pair of executive orders aimed at identifying foreign trade abuses. One order commissions a 90-day study of US trade deficits and the other orders stricter enforcement of anti-dumping laws.
- Apr 2017 ○ **Steel probe executive order:** Trump signed an executive order expediting an investigation of steel imports initiated by the Commerce Department.
- May 2017 ○ **Trump launches NAFTA renegotiation:** The administration sent a letter to Congress officially starting the 90-day waiting period before NAFTA renegotiations can begin.

Potential actions in 115th Congress

- NAFTA renegotiations are expected to begin in late-August
- Trump has the power to negotiate tariffs on specific goods without Congress' approval, but more substantial changes to NAFTA may have to pass through Congress
- President Trump has indicated a willingness to withdraw the United States from the trade agreement if negotiations are unable to produce a satisfactory agreement
- Trump is also expected to withdraw from the TTIP negotiations with the EU

Source: Burgess Everett, "Democrats yield in Senate trade deal," Politico, May 13, 2015; Congress.gov, "H.R. 1295 – Trade Preferences Extension Act of 2015," June 29, 2015; Office of the United States Trade Representative, "Transatlantic Trade and Investment Partnership," 2015; GovTrack.us, "H.R. 2146: Defending Public Safety Employees' Retirement Act," June 23, 2015; GovTrack.us, "H.R. 1314: Trade Act of 2015," June 15, 2015; Alisha Chang, "8 Things Congress Actually Did This Year," NPR, December 30, 2015; Rebecca Howard, "Trans-Pacific Partnership trade deal signed, but years of negotiations still to come," Reuters, February 4, 2016; George E. Condon Jr., "Obama Goes to Vietnam to Make Trade, Not War," National Journal, May 20, 2016; Megan Cassella and Brent Griffiths, "Trump signs executive order to withdraw from Trans-Pacific trade deal," Politico, January 23, 2017; Ben White, "Trump's trade war with corporate America," Politico, February 15, 2017; Zeeshan Aleem, "Trump is ready to renegotiate NAFTA. Here's what that might look like," Vox, February 9, 2017; Adam Behsudi, "U.S., Japan to start special trade dialogue," Politico, February 10, 2017; Julia Manchester, "Trump walks out before signing executive orders," CNN, March 31, 2017; Doug Palmer, "Probe could lead to duties on all steel imports," Politico, April 20, 2017; Doug Palmer, "Trump backs off NAFTA withdrawal," Politico, April 26, 2017.



Iran nuclear negotiations

Timeline of key recent federal actions on Iran nuclear negotiations

- Apr 2015 ○ **Framework Agreement on Nuclear Program:** President Obama announced a framework for an agreement on Iran's nuclear program, including a phase-out of sanctions in exchange for reductions in and regular inspections of centrifuges and uranium stockpiles
- May 2015 ○ **Iran Nuclear Agreement Review Act of 2015:** The president is required to quarterly keep Congress informed Iranian compliance — if Iran breaches the agreement or the president fails to issue a quarterly certification, Congress can restore sanctions
- July 2015 ○ **Deal Reached with Iran/Finalization Day:** On July 14, the White House announced a deal with Iran. On July 20 (Finalization Day), the United Nations Security Council unanimously voted in favor of the Iran deal
- Oct 18, 2015 ○ **Adoption Day:** The deal officially went into effect 90 days after Finalization Day. During Congress's the 60-day review period, the Senate blocked a vote to reject the deal. This ensured the passage of the deal without needing a presidential veto. Iran begins to shift its nuclear program to comply with the terms of the deal, and have sanctions relieved
- Jan 16, 2016 ○ **Implementation Day:** The IAEA verified that Iran complied with the terms of the deal and in response, the US, EU and UN conditionally terminated a host of Iranian sanctions. In the subsequent months, the IAEA has released implementation reports that have validated Iran's compliance with the JCPOA
- April 2017 ○ **Trump administration announces a review of the Iran Nuclear Deal:** The State Department acknowledged that Iran has been compliant with the nuclear accords; however, the administration announced that it was launching an inter-agency review of whether the lifting of sanctions against Iran was in the United States' national security interests
- June 2, 2017 ○ **IAEA reports that Iran is compliant with the deal for 2nd straight quarter**

Potential actions in 115th Congress

- Prior to Implementation Day, President Obama issued waivers on sanctions related to Iran's oil, transportation and banking industries, among other things. These went into effect on Implementation Day
- President Trump's campaign rhetoric suggested his desire to scrap the deal, or at least renegotiate certain provisions; however, given the support the deal has from key allies, President Trump may be hard-pressed to radically alter it
- Regardless, both Sec. of State Rex Tillerson and President Trump have signaled that they might be willing to re-impose sanctions because of Iran's role in sponsoring terrorism
- Transition Day, which will be October 20, 2023, is when the IAEA determines that all nuclear material in Iran is for peaceful purposes
- UNSCR Termination Day will be October 20, 2025

Source: Barbara Plett Usher, "Iran nuclear talks: 'Framework' deal agreed," BBC, April 3, 2015; Sullivan and Cromwell LLP, "Iran sanctions," Lexology, May 28, 2015; Josh Rogin, "Republicans Warn Iran — and Obama — That Deal Won't Last," Bloomberg View, March 9, 2015; Rick Gladstone, U.S. Adds to Its List of Sanctions Against Iran," The New York Times, June 3, 2013; The Hill, "UN backs Iran deal, infuriating lawmakers from both parties" July, 20, 2015; US Department of State, "Background Briefing on the JCPOA Implementation," September 17, 2015; Brookings, "A Comprehensive Timeline of the Iran Nuclear Deal," July 21, 2015; Ben Brumfield, "It's 'Adoption Day' — launch time for the Iran nuclear deal," CNN, October 19, 2015; "The JCPOA Timeline," CSIS; Lesley Wroughton, "U.S. says Iran complies with nuke deal but orders review on lifting sanctions," Reuters, April 19, 2017



LGBT rights

Timeline of key recent federal actions on LGBT rights

- 2014 ○ **Obama's executive order:** President Obama issued an executive order barring federal contractors from discrimination against LGBT employees
- April 2016 ○ **The Russell Amendment:** Rep. Steve Russell (R-OK) slipped an amendment into the National Defense Authorization Act to legalize anti-LGBT discrimination by government contractors. When the House approved the NDAA in May, Russell's provision remained.
- May 2016 ○ **Maloney's counter-amendment fails:** Rep. Sean Patrick Maloney (D-NY) put forth an amendment to nullify Russell's amendment. Maloney's amendment had the votes to pass when time ran out, with GOP support, but Republicans did not bring the gavel down. They held the vote open while they persuaded seven GOP legislators to switch their vote at the last minute.
- May 2016 ○ **President Obama issues a directive defending the rights of transgender students:** Obama's Department of Education issued an interpretation of Title IX that required public school systems to let transgender students use bathrooms that align with their gender identity. The Supreme Court will hear a challenge to this interpretation of Title IX.
- Dec 2016 ○ **North Carolina neglects to repeal HB2:** After NC passed a bill requiring transgender people to use bathrooms in accordance with their sex assigned at birth, officials from Charlotte offered to repeal a municipal anti-discrimination ordinance if the state legislature repealed HB2. After the Charlotte officials eliminated the LGBT protections, the North Carolina legislature failed to keep its end of the bargain.
- Feb 2017 ○ **Trump Justice Department reverses Obama's support for trans students:** Trump's Departments of Justice and Education sent a letter to schools rescinding the requirement that students be allowed to use the bathroom that matches their gender identity, arguing that the issue should be left to states and local districts.

Potential actions in 115th Congress

- Congressional Republicans have signaled an interest in passing the First Amendment Defense Act, which prohibits the federal government from penalizing any person who acts according to their belief that marriage should be exclusively heterosexual; Trump has pledged to sign the bill, which would protect those who discriminate against LGBT people
- The Equality Act, LGBT activists' primary legislative goal, establishes federal protections against discrimination based on sexual orientation or gender identity; but federal LGBT rights are unlikely to advance with the GOP maintaining control of both the House and Senate

Sources: Mark Joseph Stern, "Chaos in the House as Republicans Bend Rules to Save Anti-LGBTQ Bill," Slate, May 19, 2016; Cristina Marcos and Mike Lillis, "Chaos in House After GOP Votes Down LGBT Measure," The Hill, May 19, 2016. Rachel Bade and John Bresnahan, "LGBT Fight Sinks House Spending Bill," Politico, May 26, 2016; National Journal Research, 2017; Nelson Tebbe, Micah Schwartzman and Richard Schragger, "Trump wasn't elected as a culture warrior. He may govern as one," Vox, December 30 2016; Camila Domonoske, "Repeal of North Carolina's HB2 law fails as legislature adjourns special session," NPR, December 21, 2016.

Medicare

Timeline of key recent federal actions on Medicare

- 2008 ○ **Patient Protection and Affordable Care Act of 2010:** Major health care law passed in 2010. In addition to reforming the market for private insurance, it reduced payments to Medicare Advantage plans and created the Independent Payment Advisory Board to regulate Medicare costs, among other reforms
- Apr 2014 ○ **Protecting Access to Medicare Act of 2014:** One in a long line of annual delays (often called “doc fixes”) to cuts to Medicare reimbursement rates via the Sustainable Growth Rate (SGR); the bill delayed the implemented SGR reimbursement rate cuts for one year. The bill was paid for primarily through targeted Medicare cuts to specialized providers
- Mar 2015 ○ **Medicare Access and CHIP Reauthorization Act (MACRA) of 2015:** Congress passes a law that permanently repeals the SGR limit, replacing it with a plan that rewards providers who participate in alternative payment models and increase Medicare premium rates on certain higher-income individuals, among other reforms
- Oct 2015 ○ **Bipartisan Budget Act of 2015:** The budget deal eases what would have been an historic 52% premium hike for some Medicare Part B beneficiaries that was set to go into effect in 2016. Under the agreement, the US Treasury will grant a \$7.5 billion loan to help cover expenses, while Part B premiums will increase by only 15%.
- Jan 2017 ○ **Beginning of the 115th Congress:** GOP leaders, including Speaker Paul Ryan and HHS Secretary Tom Price have targeted Medicare for an overhaul. Both Ryan and Price are interested in turning Medicare into a “premium-support” system by 2024 — details for such a transformation have not been finalized
- May 2017 ○ **AHCA passed the House:** the GOP proposed replacement bill was passed in the House, but does not specifically target Medicare - Trump’s proposed budget also keeps Medicare funding intact

Potential actions in 115th Congress

- Prior to the 2016 elections, changes to Medicare were deemed unlikely following MACRA’s passage
- However, following the 2016 elections, the outlook for Medicare reform has changed, as Speaker Paul Ryan and HHS Secretary Tom Price have advocated sweeping changes to Medicare
- Potentially complicating matters, President Trump previously expressed opposition to such large changes to the popular Medicare program; however, some speculate that President Trump may actually be more willing to adopt Ryan’s health policy agenda than he previously suggested
- Sen. Bernie Sanders has been quick to point out that Trump promised during his presidential campaign not to cut Medicare or Social Security benefits; the president has not expressed a clear plan for Medicare reform since the election
- Trump’s budget request did not include any cuts to Medicare, but that is subject to change under Congress

Source: National Journal Research, 2017; U.S. House of Representatives, “H.R. 2, the Medicare Access and CHIP Reauthorization Act of 2015- Sections 101, 301, 401, 402, and 523” 2015; U.S. Code, “Title 42, Chapter 7, Subchapter XVIII, Part B, Subsection 1395r. Amount of premiums for individuals enrolled under this part, (i)(1-6),” 2015.; Paul Demko, “GOP budget would repeal ACA but steps back from Medicare, Medicaid restructuring,” Modern Healthcare, May 1, 2015; Eric Dundon, “From Washington: Graces introduces bill to reform the Medicare audit system,” Hannibal Courier-Post, May 5, 2015; Phillip Moeller, “How the Budget Deal Will Change Medicare and Social Security,” Time Money, Oct 30, 2015; Mike DeBonis, “Is Paul Ryan already eying Medicare cuts?” The Washington Post, November 11, 2016; Virgil Dickson, “Outlook for 2017: Republicans target Medicaid, Medicare for big changes,” Modern Healthcare, December 31, 2016.



Tax reform

Timeline of key recent federal actions on tax reform

- Feb 2014 ○ **Tax Reform Act of 2014:** A comprehensive draft proposal for tax reform which was released by then-House Ways and Means Committee Chair, Rep. Dave Camp (R-MI); the bill would have lowered corporate and individual tax rates and simplified the tax code, but faced wide opposition and was only ceremonially put to the floor at the end of 2014.
- Sep 2014 ○ **Treasury actions on inversion:** Treasury Secretary Jack Lew put forward a series of measures designed to reduce benefits of tax inversions, including blocking inverted companies from transferring assets to parent companies and accessing foreign earnings.
- Jan 2015 ○ **Senate Finance Committee tax working groups:** The Senate Finance committee created five tax reform 'working groups' on different issue areas to create proposals for tax reform in the 114th Congress. These reports were presented in July 2015; however, there was no consensus or clear plan for reforms.
- Jul 2015 ○ **Portman-Schumer plan:** Sens. Portman (R-OH) and Schumer (D-NY) proposed a framework to tax all US corporate profits abroad regardless of repatriation, but at a significantly lower rate. The plan is supported by Rep. Paul Ryan (R-WI), but opposed by Senate majority leader Mitch McConnell (R-KY), who prefers comprehensive tax reform.
- Dec 2015 ○ **Consolidated Appropriations Act, 2016:** Lawmakers dealt with a package of expiring tax credits known as "tax extenders" by making some provisions permanent. The deal was attached to a must-pass spending bill, ensuring swift passage.
- Feb 2016 ○ **President's FY17 budget request:** The request proposed international tax reform in exchange for increased infrastructure spending; a similar provision was in last year's request
- June 2016 ○ **House Republicans' tax blueprint:** Ways and Means Chairman Kevin Brady released the House GOP's tax reform platform, part of Speaker Ryan's "A Better Way" plan.
- April 2017 ○ **Trump administration's tax plan:** The White House released an outline of a tax reform plan, featuring three tax brackets and a 15% corporate tax rate

Potential actions in 115th Congress

- The House Ways and Means Committee is drafting tax reform legislation, expected to emerge in September
- Paul Ryan will need to reconcile the differences between the House GOP plan and President Trump's recently released proposals; without the White House's blessing, any tax legislation would likely lack the votes to pass Congress
- Senate Majority Leader Mitch McConnell (R-KY) has stated that tax reform will likely need to be passed through budget reconciliation rather than as a bipartisan bill
- National Economic Council Director Gary Cohn says the White House prefers comprehensive tax reform but would consider passing a separate bill of only tax cuts
- The White House is expected to release a detailed tax reform plan to Congress in September

Source: Seung Min Kim, "Funding bill becomes immigration battle," Politico, September 18, 2014; Steve Vladek, "National Security and the 2014 Midterms: A Preview of Monday's CQ Roll Call/Just Security Event," Just Security, September 21, 2014; Billy House and Sarah Mimms, "Spending, Immigration, and Tax Fights Will Dominate Final Days of Session," National Journal, November 30, 2014; Squire Patton Boggs, "A Better Way or a Conversation Starter: The GOP Tax Reform 'Blueprint,'" Lexology, June 29, 2016; Margaret Talev, "White House: Cohn-led tax plan is real and it's phenomenal," Bloomberg, February 10, 2017; Rachael Bade and Josh Dawsey, "Ryan likely to get rolled on tax reform," Politico, April 25, 2017; Aaron Lorenzo, "White House to give detailed tax reform plan to Congress in September, Cohn says," Politico, June 2, 2017.



Technology

Timeline of key recent federal actions on technology

- Oct 2016 ○ **ICANN transition:** Following the failure of many GOP leaders to halt or postpone the handover of IANA's functions from US management to an international multistakeholder model – a shift that has been planned for the last 20 years - the transition is moving forward. Among other efforts to block the transition were Sen. Ted Cruz's (R-TX) Protecting Internet Freedom Act, pressure to include a stopgap measure to delay the transition in the latest CR and a last-minute lawsuit filed by four state attorneys general.
- Dec 2016 ○ **BOTS Act:** S. 3183, which outlaws the use and sale of software circumventing ticket sellers' web security measures, passed in Congress and was signed into law by President Obama.
- Dec 2016 ○ **Consumer Review Fairness Act:** H.R. 5111, which makes it illegal for businesses to include gag or non-disparagement clauses in their terms of service that limit a consumer's right to post an honest but bad review on online outlets, was approved and signed by President Obama after passing in Congress
- Apr 2017 ○ **S.J.Res. 34:** Under the Congressional Review Act, this resolution was passed by both the House and the Senate and signed by President Trump, repealing FCC broadband privacy rules and removing privacy oversight from the agency
- May 1, 2017 ○ **President Trump issues an executive order establishing the American Technology Council,** with the goal of modernizing government IT
- May 17, 2017 ○ **Modernizing Technology Act of 2017:** H.R. 2227, which would start the process of updating federal information technology systems, passed the House
- May 23, 2017 ○ The Trump administration has circulated a draft that would allow any head of an executive department or agency to **monitor, track, disable or destroy drones that could pose a security threat** in special protection-designated areas

Potential actions in 115th Congress

- Sen. John Thune (R-SD) reintroduced the MOBILE NOW Act (S. 19), which requires the FCC and NTIA to reserve a certain amount of spectrum for wireless broadband use and speed up 5G infrastructure. It was approved by voice vote in the committee
- The Senate Commerce Committee also approved nine other tech bills, including the DIGIT Act (S. 88), the Improving Rural Call Quality and Reliability Act (S. 96), Securing Access to Networks in Disasters Act (S. 102), the Digital Coast Act (S. 110), Kari's Law Act (2. 123), Spoofing Prevention Act (S. 134), FCC Consolidated Report Act (S. 174); Promoting Women in Entrepreneurship Act (H.R. 255) and the INSPIRE Women Act (H.R. 321)
- The Email Privacy Act (H.R. 387), amending the Electronic Communications Privacy Act of 1986, passed the House
- Rep. Bob Latta (R-OH) introduced H.R.1754 to reconcile the regulatory gap caused by S.J. Res. 34 due to common carrier classification of ISPs

Sources: Congress.gov, 2016; Ryan Hagemann and Andrew Chang, "Encryption showdown: Burr-Feinstein vs McCaul-Warner," *The Hill*, April 25, 2016; Amir Nasr, "A tale of two encryption bills," *Morning Consult*, March 23, 2016,; Horia Ungureanu, "President Obama pledges to veto House passage of H.R. 2666 anti-net neutrality bill," *Tech Times*, April 15, 2016; Grant Gross, "ICANN transition moves forward. Despite last-minute attempt to block it," *PCWorld*, October 3, 2016; Noun Project, Alfredo Hernandez; Li Zhou, "What tech should watch for during the lame duck," *Politico*, November 14, 2016; Brendan Bordelon, "Thune plans 'step-by-step' Comms Act rewrite in new Congress," *Morning Consult*, January 4, 2017.