

July 21, 2017

## Washington Update

### This Week in Congress

- **House** – The House passed the “**Promoting Interagency Coordination for Review of Natural Gas Pipelines Act**” (H.R. 2910); the “**Promoting Cross-Border Energy Infrastructure Act**” (H.R. 2883); and the “**DHS Authorization Act of 2017**” (H.R. 2825).
- **Senate** – The Senate confirmed **John Kenneth Bush** to be United States Circuit Judge for the Sixth Circuit and **Patrick M. Shanahan** to be Deputy Secretary of Defense

### Next Week in Congress

- **House** – The House may consider the “**Make America Secure Appropriations Act, 2018**” (H.R. 3219) and H.J.Res. 111, **Providing for Congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to “Arbitration Agreements.”**
- **Senate** – The Senate will vote on the confirmation of **David Bernhardt** to be Deputy Secretary of the Interior and may vote on the motion to proceed to the “**Better Care Reconciliation Act of 2017**” (H.R. 1628).

## TAX

### Senate Finance Committee Advances Kautter’s Nomination

#### Key Points:

- *Assistant Secretary of the Treasury for Tax Policy nominee was unanimously approved by the Senate Finance Committee; nomination moves on to full Senate*
- *Nomination was briefly in doubt as questions about his time working at Ernst & Young surfaced.*

On July 20, the Senate Finance Committee unanimously approved David Kautter, President Donald Trump’s nominee to serve as the Treasury Assistant Secretary of the

Treasury for Tax Policy. The Committee had scheduled a committee vote for 10:00 am, but was forced to adjourn and hold the vote off the Senate floor later in the day due to the lack of a quorum. The nomination now moves on to consideration by the full Senate. Following the vote, Chairman Orrin Hatch (R-UT) said “I am hopeful the full Senate will put politics aside and swiftly confirm his nomination.”

Earlier this week, the Committee held a

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confirmation hearing at which, Kautter regularly mentioned his support for tax reform that primarily benefits the middle class. He also said that, after considering revenue from economic growth, tax reform should not add to federal debt. In terms of specific policies, Kautter acknowledged concerns with proposals to eliminate the deduction of business interest. He said “[i]f something is done with respect to the deductibility of interest expense, I don’t think it would be wise to do it as a simple, across-the-board change...[and] I think there are some aspects of the economy that depend very heavily on interest.”

Senate Finance Committee Ranking Member Ron Wyden (D-OR) questioned Kautter on his role at Ernst & Young during a time when the accounting firm promoted offshore tax shelters. In response, Kautter noted that he was not in charge of the group involved in the practice and never participated in the drafting of the shelters but added that he “would have done things differently.”

Kautter, leader of RSM US LLP’s Washington National Tax Group, was previously managing director of the American University’s Kogod Tax Center and before that worked at Ernst & Young for more than 30 years.

### **House Budget Committee Passed Budget with Reconciliation Instructions on Tax Reform**

#### *Key Points:*

- *The House Budget Committee voted the FY 2018 budget resolution out of committee after three previous scheduled markups had been delayed*
- *Budget Resolution contains reconciliation instructions for the Ways and Means Committee to pass deficit neutral tax reform.*

On July 20, the House Budget Committee voted the FY 2018 budget resolution out of committee on a 22-14 party line vote to send the measure for consideration by the full House. Three previously scheduled markups had to be postponed due to disagreements on mandatory spending reductions. The budget resolution includes reconciliation instructions calling for the House Ways and Means Committee to complete work on revenue-neutral tax reform. It also contains specific reconciliation instructions for 11 different committees to report legislation saving at least \$203 billion over ten years.

Passing a FY 2018 budget resolution by both the Senate and the House is a necessary step for the Republican-led Congress to pass tax reform with the protections of the budget reconciliation process. Thus, passing a budget from committee is viewed as a critical first step in that process. The Senate Budget Committee has said it will wait to begin consideration of its budget until the House passes its budget.

### **Senate Finance Committee Holds First Hearing on Tax Reform; Ways & Means Holds Second**

#### *Key Points:*

- *Major subjects of discussion were passthroughs, state and local deductions, interest deductibility and reconciliation.*
- *Ways & Means hearing focused on individual tax code issues (including passthroughs) and families*

Four former Assistant Secretaries of the Treasury for Tax Policy were witnesses at a tax reform hearing before the Senate Finance Committee this week. The hearing focused on broad tax reform subjects including passthroughs, state and local deductions, interest deductibility and reconciliation. In

terms of specific policy proposals, former Assistant Secretaries of the Treasury for Tax Policy Jonathan Talisman and Pam Olson agreed that corporate integration would be the better option to deal with interest deductibility as it is very important to capital intensive industries. In the House, the House Ways and Means Committee held a hearing focused on individual tax code issues and families.

## Upcoming Hearings and Events

### July 25

**Sales Tax:** The House Judiciary Subcommittee on Regulatory Reform, Commercial and Antitrust Law will hold a hearing on Rep. Sensenbrenner’s (R-WI) proposal to restrict states’ sales tax reach over remote retailers.

**IRS:** The House Ways and Means Subcommittee on Oversight will hold a hearing on “Internal Revenue Service’s Record Retention Policies.”

### July 26

**FY 2018 Treasury Appropriations:** The Senate Appropriations Subcommittee on Financial Services and General Government will hold a hearing on the Treasury Department Budget.

For more information about tax issues you may [email](#) or call Christopher Hatcher at 202-659-8201. Nick Karellas contributed to this section.

## FINANCIAL SERVICES

### House Panel Holds Hearing on Fixed Income Market Structure

#### Key Points:

- *The Subcommittee on Capital Markets examined market structure factors affecting the fixed income market.*

- *Some members of both parties questioned what impact the Volcker Rule is having on bond market liquidity.*

On July 14, the House Financial Services Committee’s Capital Markets, Securities, and Investment Subcommittee held a [hearing](#) entitled “A Review of Fixed Income Market Structure.” Chairman Bill Huizenga (R-MI) said that as the Subcommittee examines ways to improve the fixed income market structure, the regulatory regime should reflect that the fixed income markets are different from the equity markets. He commended Securities and Exchange Commission (SEC) Chairman Jay Clayton for saying the SEC should expand its market structure review to include the fixed income market. He noted that Clayton asked SEC staff to develop a plan to create a Fixed Income Market Structure Advisory Committee (FIMSAC), similar to the Equity Market Structure Advisory Committee (EMSAC). He said Congress and the SEC should work together to ensure the fixed income markets are working optimally.

Ranking Member Carolyn Maloney (D-NY) suggested that the structures of the equity and fixed income markets are very different. She said trades in the stock markets happen extremely fast because stocks are largely standardized, while corporate bonds are not standardized at all. She said corporate bonds do

#### Upcoming Dates

**September 30:** FY 2017 ends and FAA, SCHIP, and NFIP authorizations expire

**Fall 2017:** CBO’s projections of when Treasury exhausts extraordinary measures

**December 31, 2017:** Title VII of FISA expires

not trade on centralized exchanges like stocks, but rather are held in inventories by dealers. Maloney said Treasury bonds are more standardized than corporate bonds, and that the Treasury market has become faster and more electronic in the past decade, which has made it more efficient but also more fragile. She stressed the need to be very careful in making changes to the Treasury market, as taxpayers will pay the price if it is harmed. Representative Randy Hultgren (R-IL) said the fixed income markets should not be overlooked, noting that the equity and fixed income markets are very different. He commended Clayton for his call for greater focus on the fixed income market and he stressed the need to preserve the tax exempt status of municipal bonds.

Maloney asked if Treasury security transactions should be reported publicly. Former Deputy Assistant Secretary of the Treasury for the Financial Stability Oversight Council Jonah Crane commended FINRA and the SEC for their recent transparency initiative and said public transparency is an important next step as it would expand participation and level the playing field, but it must be done in a thoughtful way. He noted that when FINRA launched TRACE for corporate bonds and agency MBS they implemented delays in reporting and size thresholds.

Representative James Himes (D-CT) and Representative Trey Hollingsworth (R-IN) questioned whether the Volcker Rule is constraining liquidity. Himes asked whether there is a modification which would allow the Volcker Rule to function properly. NASDAQ Global Head of Fixed Income and Commodities John Shay stated large banks are well capitalized. He stated in that new ecosystem it would be beneficial to have the “chains taken off” and allow them to be risk

transfer agents. Crane stated there is not a lot of evidence that there is a broad based deterioration in liquidity. He noted the Federal Reserve staff did a study but he expressed concern that the period of stress considered in that study was downgrades of individual securities. Crane noted Federal Reserve Chair Janel Yellen has suggested looking at some of the complexity in Volcker Rule implementation. Securities Industry and Financial Markets Association Executive Vice President Randy Snook stated the Volcker Rule is impacting liquidity. He stated the Federal Reserve study was a thoughtful way to look at this. He stated the volume of secondary trading has not kept pace with the primary markets. Snook explained this is a benign environment and there is concern that if there is more volatility it would put pressure on market making. He stated for small cap companies there is evidence that there has been a decline.

### **House Education and the Workforce Committee Advances Fiduciary Duty Rule Repeal Legislation**

#### *Key Points:*

- *The Committee passed legislation to repeal the Department of Labor’s fiduciary duty rule and establish a statutory definition of investment advice.*

On July 19, the House Education and the Workforce Committee held a [markup](#) of the “Affordable Retirement Advice for Savers Act” ([H.R. 2823](#)), which was introduced by Representative Phil Roe (R-TN). H.R. 2823 would repeal the Department of Labor’s (DOL’s) fiduciary duty rule and establish a statutory definition of investment advice. The Committee approved the bill, as amended, by a party-line vote of 23-17.

Chairwoman Virginia Foxx (R-NC) said Americans are struggling to save enough money for retirement and that the DOL fiduciary duty rule is misguided government policy. She said the rule is completely unworkable and will cause millions of Americans to lose access to their financial advisors. She stated that firms are dropping retirement plan options in response to the rule. Roe said the fiduciary duty rule is a solution in search of a problem. He said the rule will jeopardize small business retirement plans and make it harder for consumers to access retirement advice. He said the bill would amend ERISA to create a statutory definition of investment advice. He stated that this proposal achieves the goal of holding financial advisors accountable without undermining the retirement security of American families.

Ranking Member Bobby Scott (D-VA) described the bill as an attack on the fiduciary duty rule, which requires financial advisors to act in the interest of their clients. He stated that the bill would create a weaker standard and includes loopholes for unscrupulous advisors so long as they provide written communications to their clients. He suggested that the financial industry is adapting to and complying with the rule, suggesting that there have not been disruptions in the market as Republicans predicted. He said the rule is benefitting consumers by reducing conflicts of interest and enhancing transparency. He stated that the rule has repeatedly been held up in court and the rule should be implemented on schedule and in its current form.

### **Hester Peirce Nominated as SEC Commissioner**

*Key Points:*

- *Peirce was nominated to serve as Commissioner for a term expiring June 5, 2020.*

On July 19, the White House announced that President Donald Trump had nominated Hester Peirce to serve as a Member of the Securities and Exchange Commission (SEC) for a term expiring June 5, 2020. Peirce was previously nominated to serve as a Commissioner by President Barack Obama, but her nomination was not taken up by the Senate. Peirce is currently Senior Research Fellow and Director of the Financial Markets Working Group at the Mercatus Center at George Mason University. She previously served as an aide at the Senate Banking Committee and at the SEC as a Staff Attorney in the Division of Investment Management and as Counsel to former SEC Commissioner Paul Atkins. Trump has not yet announced a nominee to fill the other remaining SEC Commissioner slot.

### **Senate Banking Committee Holds Hearing on Housing Finance Reform**

*Key Points:*

- *Members of both parties emphasized that any housing finance reform should ensure that small lenders maintain equal access to the secondary market.*

On July 20, the Senate Banking Committee held a [hearing](#) entitled “Housing Finance Reform: Maintaining Access for Small Lenders.” Chairman Mike Crapo (R-ID) said small lenders play a critical role in the mortgage market, particularly in rural states like Idaho. He stressed the need to preserve small lenders’ access to the secondary market. He said small lenders access Fannie Mae and Freddie Mac through their cash windows, which allow them to access the secondary market without selling loans to competitors. He questioned what a

reformed system must include to ensure smaller lenders maintain access to the secondary market. Crapo described his principles for housing finance reform, including: (1) the To Be Announced (TBA) market and the 30 year fixed rate mortgage must be preserved; (2) there must be multiple levels of private capital ahead of taxpayers; and (3) the transition must be orderly and should utilize existing infrastructure where possible. He asserted that the status quo of the government sponsored enterprises (GSEs) dominating the market while in conservatorship is not sustainable. He said the GSEs are currently earning profits, but taxpayers could be on the hook if there is a market downturn.

Ranking Member Sherrod Brown (D-OH) said small lenders are often the only lenders willing to underwrite mortgages in some areas left behind by Wall Street. He stressed the need for firewalls between the primary and secondary markets, suggesting that originators and their parent companies should be prohibited from any ownership of guarantors. Brown noted that reform proposals range from complete overhaul to narrow changes, but the system should be improved to help small lenders and their customers. He emphasized the importance of pre- and post-purchase housing counselling. He said reform should not create a system that benefits only the largest lenders and high income borrowers. He suggested that there is a role of the government in the housing market, but that it should be to help all Americans, not just the wealthy.

Brown and Senators Tim Scott (R-SC), Bob Menendez (D-NJ) and Elizabeth Warren (D-MA) said volume discounts offered by the GSEs could work against the goal of access to homeownership. Warren asked if secondary market entities should be barred from offering

volume discounts. First Federal Savings Bank of Twin Falls Senior Vice President and Director of Mortgage and Retail Lending Brenda Hughes (on behalf of the American Bankers Association) responded in the affirmative. She said small institutions are at a pricing disadvantage when there are volume discounts.

Senator Thom Tillis (R-NC) said he likes the market-based rationale for an explicit government guarantee. He asked the witnesses to discuss this issue. CorTrust Bank, N.A. President and CEO Jack E. Hopkins (on behalf of the Independent Community Bankers of America) said an explicit guarantee will help keep rates low for homebuyers. He said the government could serve as the “final line of defense” against catastrophic losses, and that an explicit government guarantee is important for ensuring affordability for first time homebuyers.

### **House Panel Holds Hearing on Terrorism Financing Risk in Remittances and Money Transfers**

#### *Key Points:*

- *The Subcommittee examined the use of remittances and other money transfer mechanisms by terrorist organizations.*

On July 18, the House Financial Services Committee’s Terrorism and Illicit Finance Subcommittee held a [hearing](#) entitled “Managing Terrorism Financing Risk in Remittances and Money Transfers.” The hearing focused on exploring the terrorist and illicit financial risks that are inherent in any form of asset transfer whether through formal banking channels, money servicing business (MSBs), other legitimate remittance networks, or through informal and unregulated value-transfer systems.

Chairman Stevan Pearce (R-NM) stated it is crucial for the departments to work together in an effort to develop “strong, focused and reasonable” laws and regulations to detect, disrupt, deter, and prevent terrorist finance. He asserted the hearing will explore the terrorist illicit financing risk that is inherent in the money servicing businesses, remittance payments, and other value transfers systems.

Ranking Member Ed Perlmutter (D-CO) asserted criminals will always search out unregulated channels to access funding, and this leads to “de-risking”. Perlmutter argued it is important for banks and money service businesses to find an “appropriate balance” to ensure companies like Western Union are not at risk of losing their settlement banking relationships. Perlmutter noted he hopes the conclusion drawn from the hearing is that the government can manage terrorist financing risks associated with remittances and money transfers without destroying the market place either through excessive compliance regimes or taxing remittances. Perlmutter stressed he strongly opposes the “Border Wall Funding Act” ([H.R. 1813](#)), which he referred to as the “Taxing Remittances to Pay for the Border Wall Act.”

Representative Robert Pittenger (R-NC) stated the hearing is relevant to his interests in reforming financial institution information sharing mechanisms. He noted he worked to streamline and improve sections 314A and B of the Patriot Act which governed bank-to-bank and bank-to-government information sharing. Pittenger insisted he would like to make it easier for banks and the government to talk to each other to provide better enforcement. He contended it would improve compliance and therefore offset many related problems.

Representative Tom Emmer (R-MN) stated international money remittance transfers help stabilize an individual’s household, support a country’s finances, and in many cases serve as an important lifeline for many families around the globe. Emmer stated although most of the \$575 billion in remittances sent globally in 2016 went to support families and livelihoods, many transfers were simultaneously vulnerable to terrorist exploitations. Emmer emphasized he seeks to strike that important balance between providing necessary remittance services for legitimate reasons and combatting illicit financial processes. Emmer commented that this issue is specifically crucial for his state since Minnesota houses a large population of Somali refugees. He noted the refugees rely on money transfer services to keep their families abroad alive. Emmer declared an estimated \$200 million is sent to Somalia every year through remittance payments, however, the spread of terrorist networks has made it more difficult for legitimate transactions to occur. Emmer stated eliminating funding streams to terrorists and keeping families connected is not mutually exclusive.

### **House and Senate Republicans Introduce Resolutions to Repeal the CFPB Mandatory Arbitration Rule**

#### *Key Points:*

- *Representative Keith Rothfus (R-PA) and Senator Mike Crapo (R-ID) introduced resolutions to use the Congressional Review Act to repeal the CFPB’s rule on mandatory arbitration clauses.*

On July 20, Republicans in the House and Senate introduced resolutions to utilize the Congressional Review Act (CRA) to repeal the Consumer Financial Protection Bureau (CFPB) rule restricting providers of certain financial

products from including mandatory arbitration clauses in consumer contracts.

Representative Keith Rothfus (R-PA) introduced [H.J. Res. 111](#), which is co-sponsored by all 34 Republicans on the House Financial Services Committee. The House Rules Committee is scheduled to meet on Monday, July 24 to formulate a rule for floor consideration of the resolution.

House Financial Services Committee Chairman Jeb Hensarling (R-TX) issued a [press release](#) supporting the resolution, in which he stated:

In the last election, the American people voted to drain the D.C. swamp of capricious, unaccountable bureaucrats who wish to control their lives. I can think of no better example of such bureaucrats than those at the CFPB. This CRA is a critical step towards fulfilling our promise to the American people and truly protecting consumers.

House Financial Services Committee Ranking Member Maxine Waters (D-CA) issued a [press release](#) opposing the resolution, stating:

The Consumer Bureau's forced arbitration rule ensures that consumers are not required to sign away their legal rights in order to open a bank account, obtain a credit card, finance a car, or obtain a private student loan. The development of the rule was a methodical, well-thought-out process, in consultation with other federal financial regulators... The rule is important for consumers and there is no sound public policy rationale for repealing it. It is outrageous that Republicans are trying to nullify the

rule to the detriment of consumers. Republicans should think twice before taking away consumers' rights to be heard in a court of law.

Additionally, on June 20, Senate Banking Committee Chairman Mike Crapo (R-ID) introduced [S.J. Res. 47](#), which currently has 23 co-sponsors. Crapo issued a [press release](#) which stated:

The rule is based on a flawed study that leading scholars have criticized as biased and inadequate, noting that it could leave consumers worse off by removing access to an important dispute resolution tool. By ignoring requests from Congress to reexamine the rule and develop alternatives between the status quo and effectively eliminating arbitration, the CFPB has once again proven a lack of accountability. Given the problems with the study and the Bureau's failure to address significant concerns, it is not only appropriate but incumbent on Congress to vote to overturn this rule.

Senate Banking Committee Ranking Committee Member Sherrod Brown (D-OH) issued a [press release](#) in which he vowed a "hell of a fight" against the resolution. He went on to state:

Almost a year after millions of fake accounts were uncovered, Wells Fargo is still using fine print arbitration clauses to cheat those customers out of the justice they deserve. Overturning the arbitration rule will help banks and payday lenders continue getting away with cheating customers, and I intend to put up one hell of a fight.

Under the CRA, Congress has 60 days of session in which it can overturn Executive Branch regulations effecting third parties by a simple majority vote. The CRA is not subject to the filibuster in the Senate as floor debate is limited to 10 hours, and no amendments are in order.

### Federal Banking Agencies Propose Changes to Appraisal Requirements

#### Key Points:

- *The FDIC, Federal Reserve and OCC issued a Notice of Proposed Rulemaking to raise the threshold for commercial real estate transactions requiring an appraisal to \$400,000.*

On July 19, the Federal Reserve, Federal Deposit Insurance Corporation (FDIC) and Office of the Comptroller of the Currency (OCC) [issued](#) a Notice of Proposed Rulemaking (NPRM) seeking comments on raising the threshold for when commercial real estate transactions would require an appraisal from \$250,000 to \$400,000. The proposal is in response to concerns raised during the most recent [Economic Growth and Regulatory Paperwork Reduction Act](#) (EGRPRA) review process that the current exemption level was not keeping pace with price appreciation in the commercial real estate market. The agencies suggested that raising the threshold for commercial real estate transactions will reduce the number of transactions requiring an appraisal while not posing any threat to the safety and soundness of an institution. The proposal would require that commercial real estate transactions falling below the threshold would be required to receive an evaluation which is defined as being less detailed than an appraisal and not required to be completed by a state licensed or certified appraiser. FDIC Chairman Martin Gruenberg, in a [statement](#),

noted that the current appraisal requirements have been in place for over 23 years and were subject to many comments during the EGRPRA review. He noted bankers from rural areas expressed “significant concerns” over delays in completing transactions due to the scarcity of appraisers in those areas. He noted that the increase in the threshold should result in an increase of exempt transactions from 17 percent to 28 percent. The proposal also seeks comment on thresholds for residential real estate transactions and is subject to a 60 day comment period.

### Upcoming Hearings and Events

#### July 24

**Mandatory Arbitration:** The House Rules Committee will meet to formulate a rule for consideration of [H.J. Res. 111](#), a joint resolution providing for congressional disapproval of the Consumer Financial Protection Bureau’s (CFPB) rule on mandatory arbitration.

#### July 25

**Nominations:** The Senate Banking Committee will meet to vote on the following nominations: Mr. J. Paul Compton, Jr., of Alabama, to be General Counsel, U.S. Department of Housing and Urban Development (HUD); Ms. Anna M. Farias, of Texas, to be Assistant Secretary for Fair Housing and Equal Opportunity, HUD; Mr. Neal J. Rackleff, of Texas, to be Assistant Secretary for Community Planning and Development, HUD; Mr. Richard Ashooh, of New Hampshire, to be Assistant Secretary for Export Administration, U.S. Department of Commerce; Ms. Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary for Global Markets and Director General of the United States and Foreign Commercial Service, U.S. Department of Commerce; and Mr. Christopher Campbell, of California,

to be Assistant Secretary for Financial Institutions, U.S. Department of the Treasury.

**Financial Services Markup:** The House Financial Services Committee will hold a markup of the following pieces of legislation: the Municipal Finance Support Act of 2017 ([H.R. 1624](#)); the Improving Access to Capital Act ([H.R. 2864](#)); the Financial Stability Oversight Council Insurance Member Continuity Act ([H.R. 3110](#)); the National Strategy for Combating Terrorist, Underground, and Other Illicit Financing Act ([H.R. 3321](#)); the World Bank Accountability Act of 2017 ([H.R. 3326](#)); and a resolution directing the Secretary of the Treasury to provide certain documents in the Secretary's possession to the House of Representatives relating to President Trump's financial connections to Russia, certain illegal financial schemes, and related information ([H. Res. 442](#)).

### July 26

**Treasury Budget:** The Senate Appropriations Committee's Subcommittee on Financial Services and General Government will hold a hearing to discuss the FY2018 budget for the Treasury Department.

**Cybersecurity Insurance:** The House Small Business Committee will hold a hearing entitled "Protecting Small Businesses from Cyber Attacks: the Cybersecurity Insurance Option." The witnesses at the hearing will be: Robert Luft, president of SureFire Innovations; Erica Davis, senior vice president and head of specialty products errors and omissions at Zurich Insurance North America, representing the American Insurance Association; and Eric Cernak, vice president and cyber risk practice leader at Munich Re U.S., representing the Reinsurance Association America.

### July 27

**Federal Reserve/OCC Nominations:** The Senate Banking Committee will hold a hearing to consider the nominations of Joseph Otting to be Comptroller of the Currency and Randal Quarles to be a Member of the Board of Governors of the Federal Reserve.

**CFTC Nominations:** The Senate Agriculture Committee will hold a hearing to consider the nominations of Rostin Behnam, Brian Quintenz, and Dawn DeBerry Stump to be Commissioners of the Commodity Futures Trading Commission (CFTC).

**International Finance System:** The House Financial Services Committee will hold a hearing to discuss "The State of the International Financial System." Treasury Secretary Steven Mnuchin will testify at the hearing.

*For more information about financial services issues you may [email](#) or call Joel Oswald at 202-659-8201. Alex Barcham and Rebecca Konst contributed to the articles.*

## ENERGY & ENVIRONMENT

### **House Passes Pipeline and Ozone Legislation**

#### *Key Points:*

- *This week the House approved bills that would: reform the cross-border pipeline and infrastructure permitting process; establish requirements for coordinating permitting and approval of interstate natural gas pipelines with the Federal Energy Regulatory Commission; and revise the implementation schedule and other requirements related to the National Ambient Air Quality Standards for ground-level ozone.*
- *The House passed all three bills largely along party lines, which signals challenges for each in advancing in the Senate.*

***Cross-Border Pipeline Legislation:***

On July 19, the House approved the “Promoting Cross-Border Energy Infrastructure Act” ([H.R. 2883](#)) by a [254-175 vote](#). The legislation, introduced by Representative Markwayne Mullin (R-OK), would “establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity.”

As described in an Energy and Commerce Committee [background memo](#), the legislation would: (1) replace “the Presidential Permit process, established through Executive Order, with a uniform and transparent process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity”; and (2) authorize the Federal Energy Regulatory Commission (FERC) “to issue a certificate of crossing for border-crossing facilities consisting of oil or natural gas pipelines and the Secretary of Energy for border-crossing facilities consisting of electric transmission facilities.” The Committee favorably reported H.R. 2883, as amended, by a recorded vote of [31-20](#) on June 28.

Before adopting the legislation on Wednesday, the House took the following action on amendments:

- Rejected, by a [179-247 vote](#), an [amendment](#) offered by Representative Niki Tsongas (D-MA), which “states [that] FERC may not issue a certificate of crossing if any part of the oil or natural gas pipeline project is to be

located on lands required under Federal, State, or local law to be managed for purposes of natural resource conservation or recreation.”

- Rejected, by a [182-246 vote](#), an [amendment](#) offered by Representative Elliot Engel (D-NY), which would maintain the Department of State’s existing authority to approve cross-border oil and liquid pipelines.
- Adopted, by a voice vote, an [amendment](#) offered by Representative Mark Veasey (D-TX), which would clarify “the applicability of the National Environmental Policy Act of 1969 (NEPA) to projects affected by the bill.”

***Gas Pipeline Regulatory Coordination Legislation:***

Also on July 19, the House approved, by a [248-179 vote](#), the “Promoting Interagency Coordination for Review of Natural Gas Pipelines Act” ([H.R. 2910](#)), introduced by Representative Bill Flores (R-TX). H.R. 2910 would “provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act.” As described in the committee memo the bill directs “FERC to identify and invite all agencies considering an aspect of an application to establish a schedule for concurrent reviews, and to impose deadlines for final decisions.” The Energy and Commerce Committee favorably reported H.R. 2910 by a roll call vote of [30-23](#) on June 28.

Before adopting the legislation the House took the following action on amendments:

- Rejected, by a [180-249 vote](#), an [amendment](#) offered by Representative Niki Tsongas (D-MA), which would exclude “any

application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of [the] Act with respect to which any part of a pipeline facility that is a subject of the application is to be located on lands required under Federal, State, or local law to be managed for purposes of natural resource conservation or recreation.”

- Approved, by a voice vote, an [amendment](#) offered by Representative Stephen Lynch (D-MA), which would require “FERC, in considering an application for an authorization or certificate covered by the bill, to consult with the Administrator of the Transportation Security Administration regarding the extent of the applicant’s compliance with security guidance and best practice recommendations issued by TSA on pipeline infrastructure security, pipeline cybersecurity, pipeline personnel security, and other pipeline security measures designed to ensure the public safety.”
- Rejected, by a [192–236 vote](#), an [amendment](#) offered by Representative Don Beyer (D-VA), which would require FERC, in certain cases, to prepare supplemental environmental impact statements (SEIS) for natural gas pipeline projects.

The House also rejected, by a [189-239 vote](#), a motion to recommit the bill to the Committee, with instructions to include a provision eliminating the use of eminent domain by FERC-certificated interstate natural gas pipelines.

### ***Ozone Legislation:***

The House this week approved the “Ozone Standards Implementation Act of 2017” ([H.R. 806](#)), introduced by Representative Pete Olson (R-TX), which would “facilitate efficient State implementation of ground-level ozone standards.”

As detailed in Committee’s background memo, the legislation would:

- “phase in the implementation of the 2015 ozone standards by extending the date for final designations from 2017 to 2025 and aligning permitting requirements and...revise the time for mandatory review of NAAQS from 5 to 10 years, while providing the Environmental Protection Agency (EPA) Administrator discretion to issue revised standards earlier”;
- “authorize[] the EPA Administrator to consider technological feasibility as a secondary consideration when establishing or revising NAAQS, and [require] the Administrator to obtain advice from the agency’s scientific advisory committee regarding potential adverse effects prior to revising NAAQS, as required by Section 109 of the Clean Air Act”;
- require the EPA Administrator to “issue implementation regulations and guidance concurrently when revising NAAQS, including with respect to permitting requirements, and to ensure that for certain ozone and particulate matter nonattainment areas, states are not required to include economically infeasible measures in their implementation plans”
- modify “the definition of exceptional events under Section 319 of the Clean

- Air Act to include droughts and extraordinary stagnation”; and
- require the “EPA to submit two reports to Congress: (i) a report regarding the impacts of foreign emissions on NAAQS compliance and related matters and (ii) a report regarding ozone formation and effective control strategies.”

The Committee reported H.R. 809 by a [29-24 vote](#). The House approved H.R. 809 by a [229-199 vote](#) on July 18, 2017.

Before adopting the legislation, the House took action on the following amendments:

- Rejected, by a by a [196-236 vote](#), an amendment offered by Representative Jerry McNerney (D-CA) to strike Section 6 of the legislation, which prohibits the authorization of additional funds to carry out the provisions of the bill.
- Rejected, by a [186-242 vote](#), an [amendment](#) offered by Representative Jared Polis (D-CO), which would have directed the EPA to “issue a final rule adding hydrogen sulfide to the list of hazardous air pollutants under section 112(b) of the Clean Air Act”.
- Rejected, by a [191-236 vote](#), an [amendment](#) offered by Representative Don Beyer (D-VA), which would have struck the “exceptional events” provisions of the bill.
- Rejected, by a [182-241 vote](#), an [amendment](#) offered by Representative Paul Tonko (D-NY), which would strike “subsection (b) of Section 3, which would allow EPA to consider technological feasibility when determining what level of pollution is safe.”

- Rejected, by a [194-232 vote](#), an [amendment](#) offered by Representative Kathy Castor (D-FL), which would halt “implementation of the [legislation] if the Clean Air Scientific Advisory Committee finds that application could increase health risks to vulnerable populations including children, seniors, pregnant women, outdoor workers, and minority and low-income communities.”

## Upcoming Hearings and Events

### July 25

**Biofuels:** The House Science, Space and Technology Committee’s Environment and Energy Subcommittees will hold a [hearing](#) titled “Examining Advancements in Biofuels: Balancing Federal Research and Market Innovation”.

### July 26

**Wholesale Electricity Markets:** The House Energy and Commerce Committee’s Energy Subcommittee will hold a [hearing](#) titled “Powering America: A Review of the Operation and Effectiveness of the Nation’s Wholesale Electricity Markets”.

**Pending Legislation:** The Senate Energy and Natural Resources Committee’s Public Lands, Forests and Mining Subcommittee will hold a [hearing](#) on pending legislation.

### July 27

**Pending Legislation:** The House Natural Resources Committee’s Energy and Mineral Resources Subcommittee will hold a [hearing](#) on pending legislation, including: a bill “[t]o provide that an order by the Secretary of the Interior imposing a moratorium on Federal coal leasing shall not take effect unless a joint resolution of approval is enacted...” ([H.R.](#)

[1778](#)); the “Transparency and Honesty in Energy Regulations Act of 2017” ([H.R. 3117](#)); and a bill “[t]o require congressional approval of any mineral withdrawal or monument designation involving the National Forest System lands in the State of Minnesota, to provide for the renewal of certain mineral leases in such lands...” ([Discussion Draft on H.R. \\_\\_\\_\\_\\_](#)).

**Clean Energy Technology:** The Senate Environment and Public Works Committee’s Clean Air and Nuclear Safety Subcommittee will hold a [hearing](#) titled “Developing and Deploying Advanced Clean Energy Technologies”.

*For more information about energy and environment issues you may [email](#) or call Frank Vlossak at 202-659-8201. Updates on energy and environment issues are also available on [twitter](#).*

## **DEFENSE**

### **Senate Confirms Shanahan; SASC Moves Other Nominations**

#### *Key Points:*

- *Second ranking civilian official at the DOD confirmed by the Senate; SASC approved nearly 4,000 other nominations, including the Vice Chairman of the Joint Chiefs*

This week, the Senate confirmed the nomination of Patrick Shanahan to be the Deputy Secretary of Defense by a 92-7 vote on July 19, and he was sworn in as the 33rd Deputy Secretary on July 20. Former Deputy Secretary Robert Work had stayed over from the Obama Administration until his successor was confirmed.

Shanahan’s road to confirmation was sometimes rocky. In his confirmation [hearing](#)

last month, Senate Armed Services Committee Chairman John McCain (R-AZ) took exception to some of Shanahan’s written and oral responses that McCain considered insufficient. Moreover, Shanahan’s nomination was announced in March but not sent to the Senate until June 7.

In White House’s March 16 [press release](#) announcing the nomination of Shanahan and others, the White House noted that Shanahan “is senior vice president, Supply Chain & Operations at the Boeing Company, where he is responsible for oversight of the company’s manufacturing operations and supplier management functions.”

His Boeing [biography](#) further explains that:

- Shanahan came to this position from Boeing Commercial Airplanes, where he served as senior vice president of Airplane Programs since December 2008. In this role he oversaw the management of profit and loss for the 737, 747, 767, 777 and 787 programs. In addition, Shanahan had overall responsibility for operations at Boeing’s principal manufacturing sites of Renton and Everett, Washington, and Charleston, South Carolina. This includes all aspects of engineering, delivery and regulatory compliance.
- Prior to this assignment, Shanahan was vice president and general manager of the 787 Dreamliner and led the program during a critical period in the aircraft’s development from 2007 to 2008.
- Previously, Shanahan was vice president and general manager of Boeing Missile Defense Systems, starting in December 2004. Headquartered in Washington, D.C., the division’s key programs include the

Ground-based Midcourse Defense system, Airborne Laser and Advanced Tactical Laser.

- Before his position in Missile Defense Systems, Shanahan was vice president and general manager for Rotorcraft Systems in Philadelphia. He was responsible for all U.S. Army Aviation programs and site activities in Philadelphia and Mesa, Ariz. Programs at these facilities include the Bell-Boeing V-22 Osprey tiltrotor, the CH-47 Chinook and the AH-64D Apache attack helicopter.
- Before leading Rotorcraft Systems, Shanahan was BCA vice president and general manager of the 757 program, with responsibility for the design, production and profitability of the 757 family of airplanes. He previously held leadership positions on the 767 program and in the Fabrication Division.

This week, the Senate Armed Services Committee held two nominations hearings, the [first](#) to consider the renomination of General Paul Selva as the Vice Chairman of the Joint Chiefs of Staff and the [second](#) to consider the following nominations: Honorable John H. Gibson II to be Deputy Chief Management Officer of the Department of Defense; Ms. Ellen M. Lord to be Under Secretary of Defense for Acquisition, Technology, And Logistics; Mr. Lucian L. Niemeyer to be Assistant Secretary of Defense for Energy, Installations And Environment; Mr. Matthew P. Donovan to be Under Secretary of the Air Force.

Then on July 20, the Committee [announced](#) that it had cleared 3,879 pending military nominations, including Selva's, by voice vote.

The Committee also sent four civilian nominations to the Senate floor:

- David Trachtenberg to be Principal Deputy Under Secretary of Defense for Policy;
- Owen West to be Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict;
- Ryan McCarthy to be Under Secretary of the Army; and
- Charles Stimson to be General Counsel of the Department of the Navy

### House May Take Up “Security Bus” Next Week

*Key Points:*

- *Three of the national security-related appropriations bills are to be rolled together into a “minibus” and possibly considered by the House next week*
- *An amendment revoking the 2001 AUMF adopted by the House Appropriations Committee is stripped out by House Rules*

The House may take up a package of four appropriations bills (a so-called “minibus”) next week in order to pass some of the 12 appropriations bills before departing for the August recess. The House Rules Committee has set a July 24 hearing to consider bundling the “Department of Defense Appropriations Act, 2018” ([H.R. 3219 \(115\)](#)) along with three other appropriations bills into the “Make America Secure Appropriations Act, 2018” ([H.R. 3219 \(115\)](#)). The three other bills are:

- The “Energy and Water Development and Related Agencies Appropriations Act, 2018” ([H.R. 3266 \(115\)](#))
- The “Legislative Branch Appropriations Act, 2018” ([H.R.3162 \(115\)](#))

- The “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018” ([H.R.2998 \(115\)](#))

Amendments are due on July 24 for the package, which will likely have a structured rule, making in order some of the amendments offered instead of using the more open five-minute rule process that would allow a wider universe of amendments to be offered and would allow House Republican Leadership less control of the process.

However, the [amendment](#) offered by Representative Barbara Lee (D-CA) the House Appropriations Committee adopted by voice vote that “would have repealed the 2001 Authorization for Use of Military Force (AUMF) within eight months of enactment” was stripped out of H.R. 3219 by the House Rules Committee. In a [press statement](#), Lee claimed that “[o]ver the years, I’ve seen Republican leadership deploy every manner of undemocratic, underhanded tactics in Congress...[b]ut stripping my bipartisan amendment to repeal the 2001 AUMF – in the dead of night, without a vote – may be a new low from Speaker Ryan.” The Committee inserted language added to the “National Defense Authorization Act for Fiscal Year 2018” (NDAA) ([H.R. 2810 \(115\)](#)) that would require President Donald Trump to send to Congress “a report on the United States strategy to defeat Al-Qaeda, the Taliban, the Islamic State of Iraq and Syria (ISIS), and their associated forces and co-belligerents.” Representative Tom Cole (R-OK), who sponsored the [amendment](#), explained during debate on the NDAA that:

[W]e find ourselves engaged since that original AUMF in 14 different countries on more than almost 40

different occasions without Congress authorizing the use of force. In our view, a new AUMF is necessary. However, I also recognize that needs to come through a process. My effort here is to try and set up a process where the administration can participate, we can have an orderly discussion, and the appropriate committees can mark up a new AUMF if Congress, indeed, thinks it does--and again, I think many of us do.

On June 29, the House Appropriations Committee marked up and reported out (H.R. 3219 (115)). In its [press release](#) after the full Committee markup, the Committee asserted that “[t]he legislation provides a total of \$658.1 billion for the DOD...[which] includes \$584.2 billion in discretionary funding – an increase of \$68.1 billion above the FY 2017 enacted level and \$18.4 billion above the President’s Defense budget request.” The Committee noted that “[t]he bill also provides \$73.9 billion in Overseas Contingency Operations (OCO)/Global War on Terrorism (GWOT) funding.” The Committee also released the draft [Committee Report](#).

In its [summary](#), the Committee explained the bill:

- **Military Personnel and Pay** – The legislation includes \$138.3 billion – \$133 billion for base requirements and \$5.3 billion for OCO/GWOT requirements – to provide for 1,324,000 active-duty troops and 822,900 Guard and Reserve troops. The bill includes \$1 billion above the request for additional end strength, and fully funds a 2.4 percent pay raise for the military.
- **Operation and Maintenance** – Included in the legislation is \$241 billion – \$192 billion for base

requirements and \$49 billion for OCO/GWOT requirements – for operation and maintenance. Funding for base requirements is \$3.1 billion above the request and \$24.1 billion above fiscal year 2017. This funding supports key readiness programs to prepare our troops for combat and peacetime missions, including flight time and battle training, equipment and facility maintenance, and base operations. Within this amount, the bill includes \$1 billion above the request to fill readiness shortfalls, \$500 million above the request to invest in facility sustainment, restoration, and modernization programs, and \$16.6 billion total for depot maintenance. This funding will help rebuild our forces to ensure our troops have the training and equipment they need.

- **Research and Development** – The bill contains \$84.3 billion – \$82.7 billion for base requirements and \$1.6 billion for OCO/GWOT requirements – for research, development, testing, and evaluation of new defense technologies. Funding for base requirements is \$10.3 billion above the fiscal year 2017 level, and will help to support current military operations and to prepare our nation to meet a broad range of future security threats. Specifically, this funding will support research and development of: the F-35 Joint Strike Fighter; space security programs; the new Air Force bomber program; a next-generation JSTARS aircraft; the Ohio-class submarine replacement; Future Vertical Lift; the Israeli Cooperative Programs; and other important research and development activities, including those within the Defense Advanced Research Projects Agency (DARPA).
- **Equipment Procurement** – The legislation provides a total of \$149 billion – \$132.5 billion for base requirements and \$16.5 billion for OCO/GWOT requirements – for equipment and upgrades. Funding for base requirements is \$18.6 billion above the request and \$24.1 billion above fiscal year 2017. These funds support our nation’s military readiness by providing the necessary platforms, weapons, and other equipment our military needs to train, maintain the force, and conduct successful operations. For example, the bill includes: \$21.5 billion to procure 11 Navy ships, including funding for one carrier replacement, two DDG-51 guided missile destroyers, two Virginia-class submarines, and three Littoral Combat Ships; \$9.5 billion for 84 F-35 aircraft; \$1.8 billion for 24 F/A-18E/F Super Hornet aircraft; \$1.05 billion for 56 UH-60 Black Hawk helicopters; \$117.5 million for 12 MQ-1 Gray Eagle unmanned aerial vehicles; \$1.2 billion for 7 P-8A Poseidon aircraft; \$2.4 billion for 15 KC-46 tanker aircraft; \$348 million for 116 Stryker Double V-Hull upgrades; \$1.09 billion for the upgrade of 85 Abrams tanks; \$483 million for the upgrade of 145 Bradley fighting vehicles; \$332 million for the Israeli Cooperative Programs; \$298 million for the Evolved Expendable Launch Vehicle (EELV); \$100 million for National Guard High Mobility Multipurpose Wheeled Vehicle (HMMWV) recapitalization; and \$1 billion for the National Guard and Reserve Equipment Account.
- **Defense Health and Military Family Programs** – The bill contains \$34 billion for base requirements – \$150

million above the fiscal year 2017 enacted level and \$267 million above the request – for the Defense Health Program to provide care for our troops, military families, and retirees. Specifically, the bill provides \$282 million for cancer research, \$125 million for traumatic brain injury and psychological health research, and \$277 million for sexual assault prevention and response. All of these funding levels represent increases above the President’s request.

- **Reductions and Rescissions to Save Tax Dollars** – The bill reflects commonsense decisions to save taxpayer dollars where possible in areas that will not affect the safety or success of our troops and missions. Some of these savings include: \$1 billion from lower-than-expected fuel costs, \$345 million due to favorable economic conditions, and \$1.5 billion in savings from rescissions of unused prior-year funding.

On July 12, the Committee marked up and reported out “Energy and Water Development and Related Agencies Appropriations Act, 2018” and provided this [summary](#) of the defense-related provisions:

- The bill totals \$37.56 billion – \$209 million below the fiscal year 2017 enacted level and \$3.24 billion above the President’s budget request. The bill provides strong national security investments, including increases above fiscal year 2017 for nuclear weapons programs.
- **Nuclear Security** – To address our national security needs and meet emerging threats from around the globe, the bill provides a total of \$13.9 billion for the Department of

Energy’s (DOE) nuclear weapons security programs, including Weapons Activities, Defense Nuclear Nonproliferation, and Naval Reactors – a \$976 million increase above the fiscal year 2017 level. This funding will uphold the nation’s nuclear deterrence posture, maintain the safety and readiness of our weapons stockpile, and allow the U.S. to meet any nuclear threat. This includes:

- \$10.24 billion for Weapons Activities – \$921 million above the fiscal year 2017 enacted level – to maintain a strong nuclear deterrence posture;
- \$1.486 billion for Naval Nuclear Reactors – \$66 million above the fiscal year 2017 enacted level; and
- \$1.83 billion for Defense Nuclear Nonproliferation – \$76.5 million below the fiscal year 2017 enacted level. This includes \$340 million in funding to help fulfill the international commitment by the U.S. to construct the Mixed Oxide (MOX) Fuel Fabrication Facility to dispose of surplus plutonium.

- **Environmental Cleanup** – Included in the legislation is \$6.4 billion for environmental management activities, \$24.6 million below the fiscal year 2017 enacted level. This includes \$5.4 billion for Defense Environmental Cleanup, the same as fiscal year 2017, to safely clean sites contaminated by previous nuclear weapons production.

## Upcoming Hearings and Events

### July 24

Williams & Jensen, PLLC  
701 8<sup>th</sup> Street, N.W. Suite 500 Washington, D.C. 20001  
Telephone: (202) 659-8201 Fax: (202) 659-5249  
[www.williamsandjensen.com](http://www.williamsandjensen.com)

***Make America Secure Appropriations Act, 2018:*** The House Rules Committee will hold a hearing on the rule and amendments to be made in order for the “Make America Secure Appropriations Act, 2018” (H.R. 3219 (115)).

#### **July 25**

***355 Ship Navy:*** The Senate Armed Services Committee’s Seapower Subcommittee held a [hearing](#) titled “Options and Considerations for Achieving a 355-ship Navy from Naval Analysts.”

***Overseas Equipment and Uniform Procurement:*** The House Armed Services Committee’s Oversight and Investigations Subcommittee will hold a hearing titled “Evaluating DOD Equipment and Uniform Procurement in Iraq and Afghanistan.”

***AUMF/Terrorist Threats:*** The House Foreign Affairs Committee will hold a [hearing](#) titled “Authorization for the Use of Military Force and Current Terrorist Threats.”

***FY 2018 Europe and Eurasia Budget Request:*** The House Foreign Affairs Committee’s Europe, Eurasia, and Emerging Threats Subcommittee will hold a [hearing](#) titled “Examining the President’s FY 2018 Budget Proposal for Europe and Eurasia.”

#### **July 26**

***U.S.-Qatar Relations:*** The House Foreign Affairs Committee’s Middle East and North Africa Subcommittee will hold a [hearing](#) titled “Assessing the U.S.-Qatar Relationship.”

#### **July 27**

***FY 2018 Asia-Pacific Budget Request:*** The House Foreign Affairs Committee’s Asia and the Pacific Subcommittee will hold a [hearing](#) titled “U.S. Interests in the Asia-Pacific: FY 2018 Budget Hearing.”

For more information on defense issues you may [email](#) or call Michael Kans at 202-659-8201.

## **HEALTH**

### **Senate Republicans Plan Health Care Vote Next Week**

#### *Key Points:*

- *After cancelling a vote this week, Senate Republicans plan to hold a vote on a health care bill next week.*
- *Senators are still attempting to reach agreement on a substitute amendment to the House-passed American Health Care Act.*

Senate Majority Leader Mitch McConnell (R-KY) plans to hold a vote next week on a health care proposal to repeal or repeal-and-replace the “Patient Protection and Affordable Care Act” (ACA). The Senate will first take a procedural vote on the motion to proceed in order to move to debate and amendment. Senate Republicans need 50 votes to move forward.

After releasing the updated draft last week, Senators Rand Paul (R-KY), Susan Collins (R-ME), Mike Lee (R-UT), and Jerry Moran (R-KS) stated they would vote against the procedural vote. On July 18, McConnell announced the Senate “will have the vote on the motion to proceed to the Obamacare repeal bill early next week.” The repeal only bill would be the same bill passed by the Senate in 2015 and vetoed by then President Barack Obama. Soon after this announcement Senators Shelley Moore Capito (R-WV), Lisa Murkowski (R-AK), and Collins stated they would vote against a repeal-only bill. The Congressional Budget Office (CBO) also released a score for the repeal-only bill and found by 2026, 32 million more Americans would be uninsured and

premiums would double compared to current law.

After meeting with President Donald Trump, Senate Republicans renewed negotiations on a repeal and replace effort. Moderate Senators met with the Center for Medicare and Medicaid Services Administrator Seema Verma to discuss a new Medicaid proposal which would give states more flexibility to use Medicaid funding to cover those outside the program who face high health care costs. Senate Republican leadership is also said to be considering adding \$200 billion in assistance to states that expanded Medicaid.

On July 20, Senate Republicans released an updated draft of the repeal-and-replace amendment to the House-passed American Health Care Act. An updated CBO score found 22 million more people would be uninsured in 2026 compared to current law. It also found premiums would be about 25 percent lower compared to current law by 2026; however, these plans would have a lower actuarial value and therefore pay for a smaller share of covered benefits. This score did not include the amendment proposed by Senator Ted Cruz (R-TX) which would allow insurers to sell plans which did not comply with the ACA's insurance regulations so long as the insurer sold a plan on the exchanges that did meet the regulations. The most recent draft and section-by-section summary are available [here](#).

## House Appropriations Committee Approves HHS Appropriations

### Key Points:

- *The House Appropriations Committee favorably reported the FY 2018 Labor, Health and Human Services, and Education Appropriations, as amended, by roll call vote 28-22.*

On July 18, the House Appropriations Committee held a [markup](#) of the FY 2018 Labor, Health and Human Services, and Education Appropriations Bill, and reported the package, as amended, by a vote of 28-22.

The bill appropriates \$7,056,811,000 for the Centers for Disease Control and Prevention, \$198,350,000 below the FY 2017 enacted level. It also includes \$1.45 billion for Public Health Preparedness and Response. The National Institutes of Health (NIH) receives a \$1.1 billion increase in funding above the FY 2017 enacted level to \$35.184 billion for FY 2018. This is also \$8,580,443,000 above the President's budget request. The Substance Abuse and Mental Health Services Administration receives \$3,458,934,000 which includes funds targeted towards the opioid crisis.

Chairman Rodney Frelinghuysen (R-NJ) highlighted the \$1.1 billion increase in the NIH funding and said funding for public health has been prioritized to ensure the country is ready in the case of an epidemic. He stressed that the opioid crisis is a major issue across the country, and over \$500 million would be provided as grants to states. Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Chairman Tom Cole (R-OK) said the NIH is funded at \$1.1 billion dollars above last year's level and stated he is hopeful this funding will increase.

## Upcoming Hearings and Events

### July 24

**Drug Pricing:** Vizient will hold a briefing on "Strategies for Providers to Address Rising Prescription Drug Costs."

### July 25

**Mental Health:** The American Mental Health Counselor Association will hold a briefing on “Access to Mental Health Care in Rural America: A Crisis in the Making for Seniors and People with Disabilities.”

**Chronic Disease:** The American College of Preventative Medicine and the Lifestyle Medicine Education Collaborative will hold a briefing on “Transforming Medical Education to Prevent Chronic Disease.”

**Research:** The Bipartisan Policy Center will hold a discussion on “The Future of Comparative Effectiveness Research.”

**Manufacturing:** The Council on Competitiveness will hold a briefing on “Advancing U.S. Bioscience and Biomanufacturing.”

#### **July 26**

**Prescription Drugs:** The Hill will hold a discussion on “Health RX: Building Affordability and Access.”

**Cost:** Bloomberg Government will hold a discussion on “The Cost of Healthcare.”

**Diabetes:** The Senate Special Aging Committee will hold a hearing on a cure for Type I Diabetes, focusing on research and the artificial pancreas.

**ONDCP:** The House Oversight and Government Reform Committee will hold a hearing on “Office of National Drug Control Policy: Reauthorization in the 115th Congress.”

**Medicare Advantage:** The House Energy and Commerce Committee will hold a hearing on “Examining the Extension of Special Needs Plans.”

#### **July 27**

**Mental Health:** The Office of the Assistant Secretary for Planning and Evaluation will hold a listening session on strategies for improving parity for mental health and substance use disorder coverage.

**FDA:** The House Judiciary Committee will hold a hearing on “Antitrust Concerns and the FDA Approval Process.”

For more information about healthcare issues you may [email](#) or call Nicole Ruzinski or George Olsen at 202-659-8201.

### **TRANSPORTATION AND INFRASTRUCTURE**

#### **Trump Creates Infrastructure Council**

##### *Key Points:*

- *A panel is created to report on infrastructure options that may be used to form the Administration’s infrastructure package*
- *However, Commerce, and not Transportation, will staff the Council*

On July 19, through an [Executive Order \(EO\)](#), President Donald Trump has established the “Presidential Advisory Council on Infrastructure” (Council), a body that will “study the scope and effectiveness of, and make findings and recommendations to the President regarding, Federal Government funding, support, and delivery of infrastructure projects in several sectors, including surface transportation, aviation, ports and waterways, water resources, renewable energy generation, electricity transmission, broadband, pipelines, and other such sectors as determined by the Council.” This EO only requires the submissions of a report, which could conceivably be used to help formulate an infrastructure package for the

Administration. Additionally, the Department of Commerce, and not the Department of Transportation, will “provide the Council with such administrative support, including staff, facilities, equipment, and other support services, as may be necessary to carry out its mission,” suggesting a more broadly gauged approach to looking at infrastructure options than just modes of transportation.

The President is asking that the Council make the “findings and recommendations” regarding:

- (a) prioritizing the Nation’s infrastructure needs;
- (b) accelerating pre-construction approval processes;
- (c) developing funding and financing options capable of generating new infrastructure investment over the next 10 years;
- (d) identifying methods to increase public-private partnerships for infrastructure projects, including appropriate statutory or regulatory changes;
- (e) identifying best practices in and opportunities to improve procurement methods, grant procedures, and infrastructure delivery systems; and
- (f) promoting advanced manufacturing and infrastructure-related technological innovation.

The EO stipulate that “The [15] members shall be appointed by the President and drawn from the public with relevant experience or subject-matter expertise to represent the interests of the following infrastructure sectors:

- (i) real estate;
- (ii) finance;
- (iii) construction;
- (iv) communications and technology;
- (v) transportation and logistics;
- (vi) labor;

- (vii) environmental policy;
- (viii) regional and local economic development; and
- (ix) other sectors determined by the President to be of value to the Council.

### **Highways and Transit Subcommittee Conducts Oversight of Road Safety Efforts and Provisions in FAST Act**

#### *Key Points:*

- *A House Transportation and Infrastructure Committee subcommittee looked at progress and problems regarding road and highway safety at a wide-ranging hearing in the context of the current surface transportation authorization*

On July 18, the House Transportation Committee’s Highways and Transportation Subcommittee held a [hearing](#) entitled: “FAST Act Implementation: Improving the Safety of the Nation’s Roads.” Topics discussed in the hearing included, but were not limited to: (1) Safety Measurement System; (2) Military Commercial Driver’s License; (3) Entry-Level Driver Training; (4) Distracted Driving; (5) NEPA Reciprocity Act; (6) Automated Vehicles; (7) Coercion Rule; (8) FASTLANE; (9) Electronic Logging Devices; (10) Marijuana; (11) Collision-Avoidance Technology; (12) Truck and Bus Safety; (13) Roadway Work Zones; (14) Executive Order 13771; (15) Safety Walls and Guardrails; and (16) New York Signage.

Chairman Sam Graves (R-MO), in a [statement](#), explained that everyone shares the critical goal of reducing the number of fatalities and serious injuries on the nation’s roads. He noted over the years, federal transportation safety programs, along with other factors, have played an important role in reducing these numbers. He stated when the Committee was developing

its surface transportation reauthorization bill a couple years ago, improving safety of the nation's roads was one of the key principles. Graves explained today the Committee will examine the implementation of the safety-related provisions in the "Fixing America's Surface Transportation (FAST) Act" (P.L. 114-94). He noted the FAST Act is the first long-term surface transportation reauthorization bill in a decade and it improves the Nation's infrastructure, reforms federal surface transportation programs and refocuses those programs on addressing national priorities, and encourages innovation to make the surface transportation system safer and more efficient. Graves stated the FAST Act also provides non-federal partners with important resources to improve the safety of the nation's roads. He explained those resources include, but are not limited to increasing funding for federal transportation safety programs across the modal administrations, reforming certain National Highway Traffic Safety Administration (NHTSA) safety programs to reduce barriers to state eligibility and improve incentives for states to adopt laws and regulations to improve highway safety, consolidating nine existing Federal Motor Carrier Safety Administration (FMCSA) grant programs into four and streamlining program requirements to reduce administrative costs and improve flexibility for states, improving safety by incentivizing the adoption of innovative truck and bus safety technologies, and accelerating the implementation of safety regulations required by law.

Ranking Member Eleanor Holmes Norton (D-D.C.) said improving the safety of the nation's roads is critically important. She argued that motor vehicle crashes should be declining. She noted that pedestrian fatalities increased by about 10 percent in 2015. She stated that pedestrian fatality levels are at their highest

since 1996. She argued that technology is important for improving road safety for future generations. She said that full automation would dramatically decrease road fatalities but will not be available in the short term. She argued for more robust truck and bus driver training. She noted that the Department of Transportation (DOT) released a new rule in 2016 that did not include a minimum number of hours for behind-the-wheel commercial truck training. She stressed that this was a missed opportunity to improve training.

Full Committee Ranking Member Peter DeFazio (D-OR) stated that the U.S. has double the rate of traffic fatalities of other high income countries. He said part of the problem is the nation's infrastructure. He argued for greater funding of various road safety agencies.

Federal Highway Administration (FHWA) Acting Deputy Administrator Walter Waidelich, Jr. said that safety is the FHWA's priority. He expressed concern about increasing traffic fatalities. He said the FHWA's most important means of eliminating traffic fatalities is the Highway Safety Improvement Program (HSIP). He stated that this program provides \$2.6 billion in funding per year over the course of the FAST Act. He stressed the FHWA's commitment to a data-driven and performance-based approach to save lives. He said the FHWA estimates that HSIP projects result in \$4 to \$7 of benefits for every dollar invested. He said that HSIP projects must be consistent with a state's Strategic Highway Safety Plan (SHSP). He noted that local governments are increasingly using HSIP funds to improve local and rural roads. He said that in 2015, 19 percent of the population lived in rural areas but rural road fatalities accounted for 49 percent of all road fatalities. He said the FHWA is working to preparing roads for automated vehicles.

Federal Motor Carrier Safety Administration Deputy Administrator Daphne Jefferson said the large majority of motor carriers are skilled and drive safely. She said the FMCSA is working to develop strategies to identify unsafe drivers. She noted that fatalities involving trucks and busses have declined over the past decade but have increased in recent years. She advocated for data-driven safety compliance and enforcement activities. She said the Motor Carrier Safety Assistance Program (MCSAP) uses more than 13,000 law enforcement personnel to conduct over 3 million roadside inspections each year. She stated that the FMCSA has revised its algorithm to identify carriers with a crash rate over 3 times the national average. She said 90 percent of these carriers are investigated within 3 months. She recalled that her agency commissioned the National Academies of Sciences (NAS) to revise the Safety Measurement System (SMS). She said the FMCSA will announce a 24 month program to analyze less complex crashes to see if they were preventable and possibly remove the crashes from carriers' records. She advocated for electronic logging devices (ELD). She said that in 2020, the FMCSA and employers will identify employees who test positive for controlled substances or abuse of alcohol. She said the FMCSA is developing a registry of carrier certification companies.

#### **House Subcommittee Marks Up Automated Vehicle Bill**

##### *Key Points:*

- *A House Energy and Commerce subcommittee reaches consensus on a bill to address some of the issues presented by highly automated vehicles, which could inform follow on legislation to address self-driving vehicles*

On July 19, the House Energy and Commerce Committee's Digital Commerce and Consumer Protection Subcommittee held a [markup](#) of "[H.R. \\_\\_\\_\\_\\_, Staff Draft on Highly Automated Vehicle Testing and Deployment](#)." The Committee favorably reported the bill by voice vote.

Subcommittee Chairman Robert Latta (R-OH) said the biggest issue the draft legislation addressed is safety, stating each year approximately 6 million people are involved in vehicular accidents in the United States. He stated traffic deaths are going up, thus the Committee must move forward thoughtfully with safety being its number one priority. He said the core of this self-driving legislation is intentioned to reaffirm the responsibilities of federal and state governments, update federal motor safety rules, and enhance public safety through the testing of self-driving vehicles. He stated the legislation's primary purpose is to address the roles and responsibilities of federal, state, and local government. He said how the vehicle is designed and manufactured should be the responsibility of the federal government, while the states and local governments should determine insurance requirements, titling cars, requiring registrations, and setting and enacting traffic laws. He continued by saying states will be able to provide incentives to entities that participate in this field if they to promote testing in their state. He said that in Ohio, the Transportation Research Center (TRC) is the largest independent vehicle test facility in the United States. Latta said that this legislation's other purpose is to increase self-driving vehicle testing on highways and increase the amount of data of safety and performance while maintaining safety on the roads.

Subcommittee Ranking Member Janice Schakowsky (D-IL) said that the draft is not a final product but is a bipartisan product. She

said the legislation includes requirements for autonomous vehicle manufacturers to submit safety assessment certifications, which will help inform the National Highway Traffic Safety Administration (NHTSA). She said the draft lays out a non-prescriptive frame work for NHTSA to update existing safety standards and write new safety standards, as well as agreeing that NHTSA should have a clear process providing exemptions and list exempted vehicles in a public, searchable database. She also highlighted the “hot cars” language which would provide NHTSA eminent hazard authority by allowing the agency to ban any sale of used cars under recall. She said state preemptions and exemptions are still major issues and that she could not endorse the legislation until a bipartisan agreement can be reached. She said exemptions should not be a replacement for permanent safety standards.

Full Committee Chairman Greg Walden (R-OR) he said he was impressed with highly autonomous vehicle technology as well as the improvements to road safety regulation. He said while NHSTA cannot write legislation for human behavior, which is the reason 94 percent of all accidents, NHSTA can advance lifesaving technology. He said many disadvantaged groups such as seniors and disabled persons could greatly benefit from self-driving vehicles, stressing the necessity to strike a balance between safety and technological advancement.

Full Committee Ranking Member Pallone Jr. (D-NJ) said there were challenges still facing self-driving vehicles such as increased cybersecurity and privacy exposure risks, as well as safety interaction issues between human operated and computer operated vehicles. He said NHSTA would have an active role in the development of self-driving technology such as requiring safety assessment certifications from

companies that detail the functionality of the company’s vehicles. He also noted companies entering the market must have cybersecurity practices already in place before their cars are sold. He stated the bill includes language that requires children not be left in hot cars and that all new cars must have the latest technology in their headlamps. He said the bill encourages NHTSA to develop a plan to test car using different ranges. However, he said the bill is not perfect, does not deal with issues of security or privacy, and does not appropriate the necessary funds to NHTSA. He cautioned the Subcommittee against sending the bill to the Full Committee next week until more bipartisan agreements could be reached.

The Subcommittee considered the following amendments:

- [Amendment in the Nature of a Substitute to H.R. \\_\\_\\_\\_\\_, Highly Automated Vehicle Testing and Deployment Act of 2017 filed by Latta \(HAV ANS 01\)](#)
- [Amendment to the Amendment in the Nature of a Substitute to H.R. \\_\\_\\_\\_\\_ filed by Representative Ben Ray Lujan \(D-NM\) \(LUJAN 047\)](#)
- [Amendment to the Amendment in the Nature of a Substitute to H.R. \\_\\_\\_\\_\\_ filed by Representative Tony Cardenas \(D-CA\) \(CARDCA 39\)](#)
- [Amendment to the Amendment in the Nature of a Substitute to H.R. \\_\\_\\_\\_\\_ filed by Representative Adam Kinzinger \(R-IL\) \(KINZIN 012\)](#)
- [Amendment to the Amendment in the Nature of a Substitute to H.R. \\_\\_\\_\\_\\_ filed by Representative David McKinley \(R-WV\) \(MCKINL 043\)](#)
- [Amendment to the Amendment in the Nature of a Substitute to H.R. \\_\\_\\_\\_\\_ filed by McKinley \(MCKINL 044\)](#)

According to a [staff memorandum](#), the bill would do the following:

- The legislation clarifies the federal and state roles for regulating highly automated vehicles (HAVs) to encourage the testing, development, and deployment of HAVs in the United States. The legislation requires the submission of safety assessment certifications by manufacturers of HAVs and requires the National Highway Traffic Safety Administration (NHTSA) to publish a rulemaking and safety priority plan for HAVs. The legislation requires manufacturers to develop a written cybersecurity plan that includes vulnerability detection and response practices, identification of the individual responsible for the management of cybersecurity, a process for controlling access to automated driving systems, and employee training and management.
- The legislation expands existing exemption authority for NHTSA to evaluate and approve exemptions from Federal motor vehicle safety standards only if there is no reduction in safety. The legislation expands the number of vehicles that may be granted an exemption and the duration of exemptions. The legislation expands the testing measures from the FAST Act (Public Law No: 114-94) to include additional entities who meet specific reporting and obligations. The legislation requires NHTSA to initiate a rulemaking on the terminology to use for consumer education efforts.
- The legislation creates a Federal Advisory Committee within NHTSA with subcommittees: to examine mobility access for the disabled community; mobility access for senior

citizens and populations underserved by traditional public transportation; cybersecurity; the sharing of relevant, situational testing information; labor and employment issues that may be affected by the deployment of HAVs; the impact of the development and deployment of HAVs on the environment; protection of consumer privacy and security of information collected by HAVs; and, cabin safety for HAV passengers.

- The legislation requires NHTSA to undertake a rulemaking requiring all new passenger motor vehicles weighing less than 10,000 pounds gross vehicle weight to be equipped with a system to alert the operator to check rear designated seating positions after the vehicle motor is deactivated by the operator. This legislation requires NHTSA to evaluate and initiate a rulemaking regarding safety standards or performance requirements for motor vehicle headlamps that would improve the performance of headlamps and improve overall safety.

## Upcoming Hearings and Events

### July 25

#### ***FY 2018 T-HUD Appropriations Act***

**Markup:** The Senate Appropriations Committee's Transportation and Housing and Urban Development Subcommittee will mark up the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018."

### July 26

#### ***Federal Infrastructure Permitting:***

The Senate Homeland Security & Governmental Affairs Committee's Permanent Subcommittee on Investigations will hold a [hearing](#) titled

“Cutting Through the Red Tape: Oversight of Federal Infrastructure Permitting and the Federal Permitting Improvement Steering Council.”

### **July 27**

#### ***FY 2018 T-HUD Appropriations Act***

**Markup:** The Senate Appropriations Committee will mark up the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018.”

*For more information on transportation issues you may [email](#) or call Michael Kans at 202-659-8201. Riyad Carey, Rebecca Konst, and Simon Dallas contributed to this section.*

### **TECHNOLOGY**

#### **DHS Cybersecurity Funding Modestly Boosted For FY 2018**

##### *Key Points:*

- *House appropriators provide a bump for DHS’ cybersecurity programs short of the Administration’s request*

On July 18, the House Appropriations Committee held a [markup](#) on the “Homeland Security Appropriations [bill](#) for Fiscal Year 2018.” The bill was favorably reported by a party-line roll call vote of 30-22. The Committee recommends funding for cybersecurity programs generally above the FY 2017 enacted levels but below the Administration’s request:

- The Committee recommends \$1,427,062,000 for [National Protection and Programs Directorate’s (NPPD)] Operations and Support (O&S), \$28,213,000 below the amount requested and \$54,794,000 above the amount provided in fiscal year 2017.

The reduction to the request is due to budget constraints on funding for Defense functions.

- The Committee recommends \$702,699,000 for Cybersecurity, \$17,858,000 below the amount requested and \$33,285,000 above the amount provided in fiscal year 2017.
- The Committee recommends \$194,936,000 for Cyber Readiness and Response, \$6,029,000 below the amount requested and \$1,968,000 below the amount provided in fiscal year 2017,” most of which funds the National Cybersecurity and Communications Integration Center (NCCIC).
- The Committee recommends \$467,079,000 for Federal Cybersecurity, \$10,570,000 below the amount requested and \$38,622,000 above the amount provided in fiscal year 2017. The recommendation supports the continued deployment of Continuous Diagnostics and Mitigation (CDM) technology and the National Cybersecurity Protection System (NCPS), also known as “EINSTEIN.”

#### **DHS Reauthorization Passes House**

##### *Key Points:*

- *A less ambitious DHS reauthorization clears House than envisioned late last year by House Homeland Security Committee Chairman*
- *The bill would expand DHS’ cybersecurity and information sharing responsibilities in targeted areas*

This week, the House took up and passed the “DHS Authorization Act of 2017” ([H.R. 2825 \(115\)](#)) on the suspension calendar by a 386-41 vote. While the package does not include a remaking of the NPPD into the “Cybersecurity

and Infrastructure Protection Agency,” it does include language that expands modestly information sharing authority and responsibilities among current Department of Homeland Security (DHS) components. It is unclear whether the Senate will be able to navigate committee jurisdiction issues to pass a reauthorization.

The DHS State, Local, and Regional Fusion Center Initiative would be renamed as the DHS Fusion Center Partnership Initiative and among its responsibilities, the Initiative “provide the National Network of Fusion Centers with expertise on Department resources and operations, including, in coordination with the [National Cybersecurity And Communications Integration Center]..., access to timely technical assistance, risk management support, and incident response capabilities with respect to cyber threat indicators, defensive measures, cybersecurity risks, and incidents..., which may include attribution, mitigation, and remediation, and the provision of information and recommendations on security and resilience, including implications of cybersecurity risks to equipment and technology related to the electoral process.” The Initiative would also be required to “review information relating to cybersecurity risks that is gathered by State, local, and regional fusion centers, and incorporate such information, as appropriate, into the Department’s own information relating to cybersecurity risks.”

The package would also “formally give[] the United States Coast Guard (USCG) responsibility for cybersecurity at ports...[and] requires the Coast Guard to share information related to cybersecurity risks and incidents among port partners through the National Maritime Advisory Committee.” H.R. 2825 (115) would task the Transportation Security Administration (TSA) with “develop[ing] and

implement[ing] a cybersecurity risk assessment model for aviation security, consistent with the National Institute of Standards and Technology Framework for Improvement Critical Infrastructure Cybersecurity and any update to such Framework...to evaluate current and future cybersecurity risks...[and] establish guidelines for voluntary reporting of aviation-related cybersecurity risks and incidents to the [National Cybersecurity And Communications Integration Center]. Additionally, TSA is directed to ask the Aviation Security Advisory Committee “to report and make recommendations to the Secretary on enhancing the sharing of information related to aviation-related cybersecurity risks and incidents between relevant Federal, state, local, tribal, and territorial entities and the aviation stakeholder community.”

In December 2016, House Homeland Security Committee Chairman Michael McCaul (R-TX) introduced the “DHS Reform and Improvement Act” ([H.R. 6381 \(114\)](#)), which rolled together a few bills the House Homeland Security Committee had marked up and reported out, including the “Cybersecurity and Infrastructure Protection Agency Act of 2016” ([H.R. 5390 \(114\)](#)) that would elevate and rename NPPD as the Cybersecurity and Infrastructure Protection Agency with a Senate confirmed Director of National Cybersecurity overseeing four divisions. However, reported pushback from the White House resulted in the omission of this provision from H.R. 2825 (115).

### **FITARA Sunset Bill Moved**

#### *Key Points:*

- *A bill to remove two sunset provisions in an information security statute and extend another is moved as an insurance policy aside and*

*apart from the FY 2018 NDAA that contains identical language*

On July 19, the House Oversight and Government Reform Committee reported by voice vote [H.R. 3243 \(115\)](#), a bill with language basically identical to [amendment](#) added to the “National Defense Authorization Act for Fiscal Year 2018” ([H.R. 2810 \(115\)](#)) that was passed by the House last week that removes the sunset dates in FITARA for the IT Dashboard and the PortfolioStat process and extends from October 1, 2018 to October 1, 2020 the sunset date for the Data Center Consolidation Initiative (DCCI) in FITARA. The bill was introduced by Representative Gerry Connolly (D-VA) and is proposed for moving on a separate track just in case the language added to the NDAA gets stripped out in conference. Whether the Senate would accept a standalone bill is an open question at this point, but perhaps this bill could be moved or bundled with other legislation if it does not make it into the final FY 2018 NDAA.

## Upcoming Hearings and Events

### July 25

***FCC Reauthorization and Oversight:*** The House Energy & Commerce Committee’s Communications and Technology Subcommittee will hold a [hearing](#) titled “Oversight and Reauthorization of the Federal Communications Commission.”

### July 26

***Cyber Insurance:*** The House Small Business Committee will hold a [hearing](#) titled “Protecting Small Businesses from Cyber Attacks: the Cybersecurity Insurance Option.”

***STEM and Computer Science Education:*** The House Science, Space, and Technology Committee’s Research and Technology

Subcommittee will hold a [hearing](#) titled “STEM and Computer Science Education: Preparing the 21st Century Workforce.”

### July 26

***U.S. Cyber Diplomacy:*** The House Foreign Affairs Committee will hold a [hearing](#) titled “U.S. Cyber Diplomacy.”

*For more information on technology issues you may [email](#) or call Michael Kans at 202-659-8201.*

*This Week in Congress was written by Ryan Schnepf.*