



*Week of 4-3-17
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Congressional Overview

In the Senate, the Supreme Court nomination of Neil Gorsuch dominated the chamber's debate, along with the elimination of the filibuster (60-vote) threshold for Supreme Court nominees. Meanwhile, the House voted on legislation that would seek to keep the federal government from regulating stop-loss coverage for self-insured group health plans, along with voting on two bipartisan financial measures. One measure would exempt certain venture-capital funds from Securities and Exchange Commission regulations, and the other would try to incentivize private companies to give stock options to their employees by raising the cap on the amount of stock options the companies can offer without having to comply with certain SEC disclosure requirements.

Congress convened for recess last Friday (April 7), and it won't return until Monday, April 24.

Federal Government Funding Expires April 28

Congress left town without coming to an agreement to keep the federal government funded past April 28, when current funding expires. They won't have much time to come up with a solution when they return on April 24. Republican lawmakers are expecting a short-term continuing resolution (CR) to afford them roughly an extra week to come to agreement on an omnibus funding package.

Senate Appropriations Committee members said leaders were still in the thick of negotiations, with all the same complications still on the table. However, members acknowledged they hope to avoid a last-minute shutdown, or another months-long CR that drags out existing funding levels and stymies a \$30 billion defense supplemental request and President Trump's \$1.4 billion border wall.

Multiemployer Pension Reform Update

In early May, the National Coordinating Committee for Multiemployer Plans (NCCMP) is expected to introduce a MEP Composite Plan Bill modeling the Kline House Bill from the last Congress. Conversely, UPS has introduced a proposal to raise the Pension Benefit Guarantee Corporation (PBGC) premiums by a factor of two or three, along with adding an annual per participant excise tax and an additional \$120 per participant, per year on employers, unions and the participants themselves, which would fund a PBGC buyout of orphan participants from critical and declining plans. Finally, the UPS proposal would add a Federal low interest loan program for declining plans.

To date, the NCCMP is working to improve the UPS proposal, which would impact the federal budget due to the low interest loan program, along with prompting tremendous pressure in bargaining units (on both sides) for conversion to defined contribution plans.

Building Trades Holds 2017 Legislative Conference

This week, the North America's Building Trade Unions' (NABTU) 2017 Legislative Conference was held in Washington, D.C. and their legislative issues of concern were:

Davis Bacon:

- H.R. 743 / S. 244 – The Davis Bacon Repeal Act (Rep. Pete King [R-IA] and Sen. Mike Lee [R-UT])

- S.195 – The Transportation Investment Recalibration to Equality (TIRE) Act (Sen. Jeff Flake [R-AZ]), legislation that would suspend prevailing wage protections on all federal highway construction contracts.
- H.R. 1042 – Responsibility in Federal Construction Act (Rep. Paul Gosar [R-AZ]), legislation that would make adjustments to the Davis Bacon survey process, which would result in a wage cut for construction workers across the country, impacting all crafts. This legislation would mandate a process that will distort the actual wages and benefits paid to construction workers putting downward pressure on wage determination.

Project Labor Agreements (PLA):

- S.622 / H.R. 1552 – Fair and Open Competition Act (FOCA) – passed out of the House Government Oversight Committee

Infrastructure Investment:

- Roads and bridges
- Airport infrastructure
- Water projects
- Retrofit of public buildings
- Innovative financing mechanisms (Public-Private Partnerships [P3s])

Energy Development:

- Hydraulic fracturing
- Carbon capture and sequestration technologies
- Nuclear energy
- Renewable energy development
- Incentivize mechanical insulation

DOL Committee Advances Labor Secretary Nominee

The Senate Health, Education, Labor, and Pensions (HELP) committee advanced Labor Secretary Nominee Alexander Acosta in a party-line, 12-11, vote. The nomination now heads to the full Senate for a confirmation vote. It's unclear when that vote may occur.

Senate Removes Filibuster for Supreme Court Nominees and Appoints Neil Gorsuch to Supreme Court

The Senate voted along party lines to invoke the “nuclear option” and removed the 60-vote cloture requirement for Supreme Court nominees. Now, Supreme Court nominees only need to win a simple majority in the Senate to be appointed (instead of needing to earn two-thirds of the votes). While neither party was particularly happy with this option, Republicans viewed it as their only way of getting Supreme Court Nominee Neil Gorsuch appointed.

Requiring 60 votes to invoke cloture (or end debate) on legislation is a unique characteristic of the Senate that often forces some bipartisan support or agreement to move the legislation forward. Senators often argue that changing the protocol for cutting off debate, or rule on cloture, would fundamentally alter the nature of the Senate.

The Senate voted mostly along party lines with a 54-45 vote to appoint Neil Gorsuch to the U.S. Supreme Court. This rule change will certainly have long-term ramifications, as it will leave the minority party in the Chamber with one less tool to force more bipartisanship moving forward.

White House Officials Meet with Several House Republicans to Discuss Affordable Care Act Repeal

White House officials met with several House Republicans to discuss changes to legislation to replace the 2010 Affordable Care Act, but lawmakers left the meeting without agreement. The meeting was attended by some

members of the conservative House Freedom Caucus, the moderate Tuesday Group, and the conservative Republican Study Committee. The meeting included Vice President Mike Pence, Office of Management and Budget Director Mick Mulvaney, White House Chief of Staff Reince Priebus and Health and Human Services Secretary Tom Price. They offered no legislative text of the revisions under consideration.

Rep. Tim Meadows (R-NC) said one topic of conversation centered on a proposal to require states to fund high-risk insurance pools. The House Freedom Caucus is also pushing for an added provision that would allow governors to apply for a federal waiver to exempt states from several requirements placed on insurers in the healthcare law.

China Becomes Top U.S. Crude Importer

China imported 8.08 million barrels of U.S. light crude in February, a fourfold increase over January. China surpassed Canada as the biggest buyer of U.S. crude and helped the U.S. export a record volume of 31.2 million barrels during the month. Meanwhile, Canada's U.S crude imports dropped 20 percent month-on-month to 6.84 million barrels.

U.S. Close to Being a Net Exporter of Natural Gas

The U.S. is getting closer to becoming a net exporter of natural gas, thanks to the shale boom and the surge in liquefied natural gas exports. In January, U.S. gas export volumes were 93.51 percent of import volumes, slightly down from a December record of 97.96 percent of import volumes.