



*Week of 2-29-16
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Congressional Overview

The Senate took up legislation addressing the opioid epidemic last week, while the House considered measures regarding Iran and environmental regulations. The Super Tuesday primaries dominated the electoral landscape, while the most contentious issue in the Senate remains whether to replace the late Justice Antonin Scalia on the Supreme Court. Republicans vow to do nothing on the matter until the next president takes office.

On Monday, the House voted on a resolution that would call on Iran to assist with the case of Robert Levinson, a retired FBI agent who disappeared in 2007. In January, the Iranian government released five Americans detained in Iran after months of delicate negotiations with the Obama administration. Those citizens included Washington Post journalist Jason Rezaian, former Marine Amir Hekmati and pastor Saeed Abedini. Finally, the FBI has offered a \$5 million award for information that leads to Levinson.

On Super Tuesday (when 12 states held their presidential primaries), the House considered non-controversial bills under suspension of the rules; 11 out of the 12 bills on tap were measures to name federal buildings. On Wednesday, the House voted on a bill to prohibit federal payments for nonemergency services from providers that no longer participate in Medicaid, Medicare or the Children's Health Insurance Program (CHIP). Finally, on Thursday, the House voted on legislation that would exempt the brick making industry from having to comply with Clean Air Act regulations for air pollutant emission standards.

Clinton and Trump Come Out Ahead on Super Tuesday

Presidential contenders Hillary Clinton and Donald Trump scored major victories on Super Tuesday, the biggest day of the year in the Republican and Democratic primaries. Additionally, political pundits are attributing Trump's dominating success to the following:

- The laws of political gravity do not apply to Trump, a Teflon candidate, who has no peer.
- No candidate knows how to deal with the media better than Trump. An example of this is his campaign slogan: Make America Great Again.
- Trump picked the right time to run.
- Trump has gotten better as a candidate.
- Trump has a knack for hitting his opponent's weaknesses.
- Voters are tired of gridlock.

Senate Finance Committee Holds Hearing on Multiemployer Pension Reform

On Tuesday, March 1, the Senate Finance Committee held a hearing on multiemployer pension reform, which was widely attended by Committee Members and the general public. The 2014 Multiemployer Pension Reform Act (MPRA) allows for certain cash-strapped plans to shore up their finances by proposing cuts to retiree benefits. Supporters of the law argue the new rules give pension funds a way to preserve some benefits. Meanwhile, critics claim the new law allows plans to renege on a decades-long assurance that retirees would have a stable income in their post-work life.

Around 10 million workers are covered by multiemployer plans, and about one-third of those Americans are in critically underfunded systems. More than 200,000 retirees could soon face cuts to their pension checks. Last fall, the Teamsters' Central States Pension Fund became the first plan to propose cuts allowed under the new law. The proposed cuts would slash some members' benefits by 50 percent, and it's extremely rare for retirees to ever see reductions in their retirement income. Finally, composite plan design was briefly mentioned in the hearing as a possible alternative to multiemployer pension reform, but more education will be needed on this alternative in the upcoming months.

Senate Leaders Meet with President Obama Regarding Supreme Court Vacancy

On Tuesday, Senate leaders and top members of the Senate Judiciary Committee met with President Obama at the White House to discuss the Supreme Court vacancy left by the death of Justice Antonin Scalia. However, the meeting did not yield any new results. Speaking at a news conference after the meeting in the Capitol, Senate Majority Leader Mitch McConnell (R-KY) stated,

"[Sen. Chuck Grassley (R-IA)] and I made it clear that we don't intend to take up a nominee or to have hearings."

Sen. McConnell's statement falls in line with what Republicans have been saying since Justice Scalia's death: they will not hold a hearing on a new justice nominee during President Obama's final year of presidency. This stance has not deterred President Obama and the Democratic Party. While the president has not yet named his nominee, Senate Minority Leader Harry Reid (D-NV) indicated that the president's nomination would be coming soon.

Obama Administration on the New Opioid Legislation

The Obama Administration issued a Statement of Administration Policy on S. 524, The Comprehensive Addiction and Recovery Act of 2016 (Sen. Whitehouse (D-RI) and 42 cosponsors), which committed to addressing the opioid epidemic through enhanced prevention, treatment and recovery efforts. New data from the Centers for Disease Control and Prevention show that opioids, a class of drugs that includes prescription pain medications and heroin, were involved in 28,648 deaths in 2014.

Prescription pain medication deaths remain far too high, and 2014 marked a sharp increase in heroin-involved deaths and an increase in deaths involving synthetic opioids such as fentanyl. In 2012, 259 million prescriptions were written for prescription opioids, which is more than enough to give every American adult their own bottle of pills. Four in five new heroin users started out by misusing prescription drugs. Policies aimed at preventing, responding to and treating opioid use disorders are essential to turning the tide on this epidemic. S. 524 includes important objectives such as:

- Increasing education and awareness about the misuse of prescription opioids.
- Expanding the availability of medication-assisted treatment, including in criminal justice settings.
- Supporting treatment as an alternative to incarceration.
- Training and equipping first responders on the use of the opioid overdose-reversal drug naloxone.
- Supporting emergency services in rural areas and providing recovery support services.

However, while S. 524 identifies several steps needed to respond to the opioid epidemic, the Administration is concerned that the bill does not include the funding necessary to implement these steps, and until that funding is provided by the Congress, these steps would do little to address the epidemic. Moreover, rather than accelerate important policies like training healthcare providers about appropriate opioid prescribing, the bill includes an unnecessary feasibility study on the issue that would delay action.

The President's FY 17 Budget includes \$1 billion in new mandatory funding to expand access to treatment and recovery services for opioid use disorders, support the placement of substance use disorder treatment providers in the communities most in need of behavioral health providers and continue to build the evidence base for effective

treatment programs. This funding will boost efforts to help individuals with an opioid use disorder to seek treatment, successfully complete treatment and sustain recovery. The budget also includes more than \$90 million in additional discretionary funding that builds on current efforts across the Departments of Justice and Health and Human Services to expand state-level prescription drug overdose prevention strategies, expand access to medication assisted treatment, improve access to the overdose-reversal drug naloxone and support targeted enforcement activities.

Several Republicans Not Happy with Funding Mechanisms for President Obama's Cancer 'Moonshot' Proposal

Many Republicans are not happy with the Obama administration's proposal to spend \$1 billion on a "moonshot" mission to cure cancer. While they laud the goal, many are irritated that the White House has proposed using "mandatory" spending for the project. This designation would require authorizing legislation, and it would deprive appropriators of the ability to control the funding. It would also skirt congressional budget caps, which apply only to discretionary spending.

Per Sen. John Isakson (R-GA), a member of the Senate Health, Education, Labor and Pensions (HELP) Committee, "Obama's plan uses simply unacceptable budget gimmicks that irresponsibly rely on mandatory spending." Senate Appropriations Chairman Thad Cochran (R-MS) agreed there is "little appetite in Congress for mandatory spending that diminishes fiscal discipline and congressional oversight."

150 Trade Associations Send Letter to Senate Committee on Toxic Substances Control Act Modernization

On Feb. 29, a letter signed by 150 trade associations urging timely negotiations on a conference report to reform the Toxic Substances Control Act (TSCA) was sent to the Senate Environment and Public Works Committee and the House Energy and Commerce Committee. The letter highlights key priorities for industry for chemical regulatory reform. The House bill reforming TSCA was passed in June 2015, and the Senate bill was passed in Dec. 2015. The bill would overhaul the nation's chemical law for the first time in 40 years.

Several Congressional Representatives Considering Legislation that would Pay for Trump's Wall

Over the past few weeks, comments regarding Donald Trump and his statements have continued to increase in the halls of Congress. More specifically, Donald Trump's call for building a wall along the Southern border is spurring talk among Republicans on imposing a new tax to pay for it. House Budget Chairman Tom Price (R-GA) and Sen. David Vitter (R-LA) are among those considering legislation that would impose a tax on foreign remittances, the money that migrant workers and other foreigners in the U.S. transfer to family and friends in their home countries. Trump has called for seizing remittances derived from "illegal wages."

Sen. Vitter has proposed a 7 percent fine on foreign cash transfers made by people who are either in the U.S. illegally or lack adequate documentation. Per the Government Accountability Office, remittances are a big business, amounting to \$54.2 billion sent abroad from U.S. residents. Per the World Bank, almost half that amount flowed to Mexico. Sen. Vitter claims undocumented immigrants were sending billions out of the U.S., money they likely haven't paid income taxes on. The aim of his legislation, he said, is to improve on our border security while making illegal immigrants pay for it.

However, Democrats denounced the proposal as both unworkable and unfair. Rep. Raúl Grijalva (D-AZ), co-chairman of the Congressional Progressive Caucus, said, "It's a stupid idea and Sen. Vitter and Trump are pandering. It will never happen." Sen. Ben Cardin (D-MD) said he was confident the measure would be blocked, stating, "You are taxing money that belongs to people that they want to give to a family member. It's already been subject to our tax code as an earnings source. This would be a second-tier tax."