



*Week of 6-20-16  
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### **Congressional Overview**

The gun debate continued throughout the halls of Congress this week. The House considered the FY 17 Financial Services Appropriations Bill, along with an attempt to override the president's veto of a resolution (HJ Res 88) regarding the definition of the term "fiduciary." The House FY 17 Financial Services Appropriations Bill targets Dodd-Frank campaign-finance laws, healthcare taxes, relations with Cuba and the IRS, along with social riders targeting abortion, needle-exchange programs and marijuana legalization efforts in Washington D.C. Meanwhile, the Senate continued consideration of the \$56.3 billion FY 17 Commerce-Justice-Science Appropriations Bill (HR 2578), along with five votes on gun-related amendments.

### **Gun Control Debate Continues in Congress**

Eight days after the deadliest mass shooting in modern U.S. history, the Senate is at a stalemate on new gun control measures. Two Democratic and two Republican gun amendments were rejected on Monday on procedural motions. The four amendments all fell short of the 60 votes needed for adoption. While the four amendments were voted down mostly along party lines, some Republicans who are vulnerable for reelection voted with Democrats, while some Democrats from states with large numbers of gun owners voted with Republicans. Later in the week, Senators from both parties drafted a bipartisan amendment to prevent individuals on the terrorist watch list from purchasing guns, while including an appeals process for individuals on the lists, but that amendment was also voted down when Senate Majority Leader Mitch McConnell scheduled a vote to discard it, which passed.

In the House, Democrats staged a "sit-in" on Wednesday afternoon, refusing to vote on any legislation until the House took action on gun control. In response, Speaker Paul Ryan (R-WI) recessed the chamber, turning off the C-SPAN cameras. However, House Democrats used live streaming apps and social media to provide live coverage of their efforts. Later in the evening, Speaker Ryan reconvened the House to pass a \$1.1 billion Zika funding bill, which House Republicans considered the only "must-pass" legislation before the July 4 recess. Once passed, Speaker Ryan recessed the entire House one day early. All in all, the House Democrats' sit-in lasted 25 hours before the Democrats ended it on Thursday.

The gun control debate has added to an already crowded legislative calendar for Congress, and it doesn't appear to be going anywhere soon. Democrats have vowed to come back from the July 4 recess and continue the debate. Time will tell what kind of impact that has on the rest of legislation that Congress needs to pass.

### **FY 17 Defense Policy Bills May Not be Completed Until the Fall**

Debate to complete a compromise version of the FY 17 defense policy bills passed by the House and the Senate may extend into autumn because of substantive differences between the two measures. Senate Armed Services Chairman John McCain (R-AZ) has said he hopes to hammer out differences in the two bills before Congress departs for the parties' nominating conventions and the August recess, but others say reaching an agreement on the 1,600 page bill is highly unlikely.

### **Next Steps for FY 17 Energy Bills**

After both chambers passed their own energy bills, all eyes are on Senate Democrats to clear the way for a formal conference on both bills. Democrats have complained that a House-passed bill is stacked with anti-environmental provisions. These complaints have prevented the Senate from approving a conference, a move the House has already taken.

A subpanel of the Senate Environment and Public Works Committee tackled one of the EPA's most controversial regulations with a hearing on two bills to restrict rules limiting ground-level ozone. Legislation from Clean Air and Nuclear Safety Subcommittee Chair Shelley Capito (R-WV) would delay implementation of the new ozone standard and would force the EPA to consider technological feasibility when revising new standards.

### **House Republicans Unveil Plan to Replace Affordable Care Act**

On Wednesday, Speaker Paul Ryan and House Republicans unveiled their plan to replace the Affordable Care Act. The plan, which is not formal legislation, is the latest in the Republican's attempts to get rid of the Affordable Care Act. The House Republicans' plan denounced "Obamacare" for limiting patients' choices, increasing consumer costs and burying employers and healthcare providers under new regulations. The proposal would, however, keep some of the more popular pieces of the Affordable Care Act, including not allowing people with preexisting conditions to be denied coverage and allowing children to remain on their parents' coverage until age 26. However, Speaker Ryan acknowledged that this plan wouldn't displace the Affordable Care Act as long as President Obama is still in office. Instead, he offered the plan as a GOP-consensus on what they would replace the Affordable Care Act with.

### **DOL Overtime Rule Update**

On June 14, the Government Accountability Office (GAO) claimed that the Labor Department's overtime rule could face litigation, but the GAO says the agency met the legal requirements for issuing the regulation. The GAO inspected the DOL Wage and Hour Division's cost-benefit analysis and compliance with the Regulatory Flexibility Act and Administrative Procedure Act. The final rule will take effect on Dec. 1, which doubles the annual salary threshold under which workers are eligible for overtime. The GAO, which initially sent its report to Congress on June 7, studied the DOL's rulemaking process as required by the Congressional Review Act for all major rules.

### **Senate Bill Includes Language Exempting Defense Department Contractors from Fair Pay and Safe Workplaces Executive Order**

An effort to scale back the Fair Pay and Safe Workplaces executive order is one step closer to fruition after the Senate passed a defense authorization bill on June 14, which includes language to exempt Defense Department contractors from the executive order unless they've already been suspended or debarred from federal procurement for labor violations under existing rules. Signed by President Obama in 2014, the executive order requires businesses seeking government contracts worth more than \$500,000 to disclose violations of 14 federal labor and employment laws and state-law counterparts for the previous three years.

### **Shale Gas Industry's Impact**

The American Chemistry Council's latest analysis concluded that industry investment linked to shale development has reached \$164 billion and could support 738,000 permanent new jobs across the U.S. economy by 2023. Consumers, too, are directly benefiting from shale's energy savings. Per the U.S. Energy Information Administration (EIA), average annual household energy expenditures have fallen 14.1 percent nationwide, including 25.1 percent for natural gas. Beyond the economy, the shale gas industry is directly aiding our environment. Per the EPA, greater natural gas production and use have largely driven U.S. CO2 emissions to a 25-year low helping the United States achieve meaningful climate progress.

## **Hydraulic Fracturing and the 2016 Democratic Party's Platform**

Hydraulic fracturing and the environment are set to be one of the most contentious battlegrounds for allies of Clinton and Sanders as they seek to craft the 2016 Democratic Party's platform. On Friday, members of the platform committee met in Phoenix to hear testimony from several environmental organizations and activists. Clinton and Sanders clashed bitterly over hydraulic fracturing and fossil fuel production during the campaign, and both have appointed officials to the platform committee who share their views.

Sanders appointed Bill McKibben, who co-founded the advocacy group 350.org, to the platform committee. McKibben appeared at a press conference with Sanders last year when the senator rolled out a bill to end future fossil fuel development on federal land. Both have endorsed the "keep it in the ground" movement to stop fossil fuel development, and both support a national ban on fracking. Clinton appointed Carol Browner, who led the EPA under Bill Clinton and advised President Obama on environmental issues. She, like Clinton, has said the federal government should regulate fracking, which is well short of the ban that liberals like Sanders are seeking.

The Democrats' 2012 platform recognized climate change, but it also endorsed an "all-of-the-above" energy strategy, a phrase that has come to be a coded endorsement of fossil fuel development alongside renewable and carbon-free energy. Regardless of the platform debate, Democrats say there is a gulf between their environmental views and those of presumptive Republican nominee Donald Trump, who has called for more fossil fuel development and doubts the science behind climate change.