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ML Strategies, LLC
701 Pennsylvania Avenue, N.W.
Washington, DC 20004 USA
202 296 3622
www.mlstrategies.com

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The Next Six Weeks in Congress

The House and Senate return this week from the annual Spring Recess, with the Senate scheduled to be in session for the next six weeks and the House in session for three weeks, off for one week, and then returning for another two weeks of work. After that, both the House and Senate depart DC for Memorial Day recess. This six-week work period will see a number of significant legislative measures taken up on the Senate and House floor, while congressional committees have an active schedule of hearings and other work.

WHAT TO EXPECT IN THE SENATE

Final passage of a Fiscal Year 2016 budget will be a priority for the Senate's agenda in this work period. The House and Senate have each passed their own budget plans, and will attempt to pass a final budget by the target date of April 15. Senate Budget Committee Chairman Enzi (R-WY) and House Budget Committee Chairman Price (R-GA) returned to Washington last week in order to get an early start on finalizing a budget plan that can see quick passage.

In late March, before the start of the recent recess and just days before the March 31 expiration of the current extension of the Sustainable Growth Rate (SGR) methodology for physician reimbursement under Medicare, the House passed legislation to replace the SGR methodology. The Senate was unable to address SGR before the start of the recess and the March 31 deadline, but Senate Majority Leader Mitch McConnell (R-KY) and Minority Leader Harry Reid (D-NV) have both pledged to immediately turn to the SGR replacement bill when the Senate returns this week.

Majority Leader McConnell has also identified Trade Promotion Authority (TPA) and cybersecurity as two of his top priorities for this six-week work period, with the Kentucky senator noting that these are areas where the Republican majority and the Obama Administration are in agreement. Other issues expected to be on the agenda include:

- A short-term spending bill for the nation's highway program (the current funding extension expires on May 31);
- Potential debate on the Obama Administration's nuclear deal with Iran (see Senate Foreign Relations Committee below);
- The nomination of Loretta Lynch to serve as Attorney General; and
- Human trafficking legislation.

Senate Agriculture, Nutrition, and Forestry Committee

The committee will hold a hearing on *Opportunities and Challenges for Agriculture Trade with Cuba* on April 21.

Senate Armed Services Committee

SASC has announced hearings on: *U.S. Defense Policy Issues Pertaining to the Asia-Pacific Theater*; *National Nuclear Security Administration Plans and Programs*; *U.S. Pacific Command and U.S. Forces Korea*; *Air Force and Navy Nuclear Programs and the Implementation of Nuclear Enterprise Review Recommendations*; and *Reform of the Defense Acquisition System*.

On April 14, the Subcommittee on Emerging Threats and Capabilities will hold a hearing on *Military Cyber Programs and Posture*, to receive testimony on military cyber programs and posture in review of the *National Defense Authorization Act* (NDAA) for Fiscal Year 2016. The same day, the Subcommittee on Airland will hold hearing on Army Modernization in the NDAA.

While the House Armed Services Committee has announced its markup schedule for the NDAA, the Senate committee has not, although it is believed that they are working on a schedule that is about two weeks behind that of their House colleagues.

Senate Banking, Housing, and Urban Affairs Committee

The committee will hold a hearing on April 16 titled *Regulatory Burdens to Obtaining Mortgage Credit*, with testimony from: Tom Woods, President of Custom Woods Homes; Chris Polychron, Executive Broker at First Choice Realty; and J. David Motley, President of Colonial Savings on behalf of the Mortgage Bankers Association.

Senate Commerce, Science, and Transportation Committee

The committee will hold a hearing on April 14 on *Federal Aviation Administration (FAA) Reauthorization*, with testimony from FAA Administrator Michael Huerta. We expect the committee to hold up to five hearings over the next six weeks on FAA reauthorization, likely every Tuesday, covering such issues as airport certification, safety, customer service, and Open Skies.

On May 21, the committee will hold a hearing on *Delivering Better Health Care Value to Consumers: The First Three Years of the Medical Loss Ratio*. The hearing will examine the impact the minimum medical loss ratio (MLR) requirements in health care reform have had on making sure that health insurers are accountable to consumers and provide appropriate value for premium dollars. Under these provisions, health insurers must provide consumers rebates if the plans do not spend sufficient premium dollars on actual medical care as opposed to non-medical administrative expenses including profits.

While not on the committee calendar yet, there is some likelihood that the Subcommittee on Communications, Technology, Innovation, and the Internet will hold a hearing in the coming weeks on telehealth. The hearing will likely be on the issue generally and not devoted to any particular legislation. Also potentially on the horizon for the subcommittee is reauthorization of the Federal Communications Commission (FCC), with subcommittee's counterpart in the House having held a hearing in late March on *FCC Reauthorization: Oversight of the Commission*.

Senate Energy and Natural Resources Committee

Following a series of listening sessions with energy stakeholders over the winter by committee Chair Murkowski (R-AK) and Ranking Member Cantwell (D-WA), Chair Murkowski will unveil a comprehensive energy package reflecting the policy positions outlined in her "Energy 2020" white paper issued last year. The Chair's Mark – the first draft of legislation introduced by Senator Murkowski – will be introduced sometime shortly after an April 30th hearing on energy efficiency

legislation that will address S. 703, the *Weatherization Enhancement and Local Energy Efficiency Investment and Accountability Act*, introduced by Senators Coons (D-DE) and Collins (R-ME); S. 720, the *Energy Savings and Industrial Competitiveness Act*, introduced by Senators Portman (R-OH) and Shaheen (D-NH); and S. 858, the *Energy Savings Through Public-Private Partnerships Act*, introduced by Senators Gardner (R-CO) and Coons.

The draft legislation will consist of several titles covering policy areas such as energy infrastructure, supply, efficiency, and accountability in enforcing current policies. Issues such as energy efficiency, natural gas and crude exports, and nuclear waste storage are likely to be included in the bill. Congressional offices were given a deadline before the recess to submit proposed legislation for consideration by Chairman Murkowski for inclusion in the upcoming bill.

The committee will also hold hearings on: *The Energy Information Administration's Annual Energy Outlook for 2015*; *The Bureau of Land Management's Final Hydraulic Fracturing Rule*; *Reauthorization and Potential Reform to the Land and Water Conservation Fund*; the *Administration's Quadrennial Energy Review*; and *Energy Efficiency Legislation*.

Senate Environment and Public Works Committee

On April 14, the Subcommittee on Superfund, Waste Management, and Regulatory Oversight will hold a hearing on Oversight of the Management of the Federal Environmental Protection, Chemical Safety and Fish and Wildlife Agencies, with testimony from: Mary Kendal, Inspector General, U.S. Department of the Interior; and Arthur Elkins, Inspector General, U.S. Environmental Protection Agency, U.S. Chemical Safety and Hazard Investigation Safety Board.

The committee will hold an oversight hearing on April 15 on *The President's FY 2016 Budget Request for the Nuclear Regulatory Commission* (NRC). The purpose of the hearing is to examine the president's budget request for the U.S. NRC, fee recovery, and management issues. Witnesses include: Stephen Burns, Chairman of the U.S. Nuclear Regulatory Commission, and NRC Commissioners Kristine Svinicki, William Ostendorff, and Jeff Baran.

Senate Finance Committee

Committee Chairman Hatch (R-UT) and Ranking Member Wyden (D-OR) are expected to introduce Trade Promotion Authority (TPA) legislation as early as today, April 13, with a committee hearing on April 15, and markup on April 21, sending the legislation to the full Senate for consideration by the end of the month. TPA, or "fast track authority," would allow the Obama Administration to complete negotiation of the Trans-Pacific Partnership trade agreement and send it to the Senate for an up-or-down vote with no amendments. As noted above, TPA has been identified by Majority Leader McConnell as a priority for this work period.

The committee will hold a hearing on *Creating a More Efficient and Level Playing Field: Audit and Appeals Issues in Medicare* on April 14.

Earlier this year, the committee established bipartisan working groups focused on Individual Income Tax, Business Income Tax, Savings & Investment, International Tax, and Community Development and Infrastructure. In early March, the committee announced that the working groups would accept recommendations from the public and stakeholders on how best to overhaul the tax code, with submissions due by April 15. Each of the five bipartisan working groups is currently working to produce findings on current tax policy and legislative recommendations within its area, with the goal of having recommendations from each of the five working groups completed by the end of May. The five working group recommendations will be delivered to Chairman Hatch and Ranking Member Wyden, and will be considered in developing bipartisan tax reform legislation.

On April 23, the Subcommittee on Health Care will hold a hearing titled *A Fresh Look at the Impact of the Medical Device Tax on Jobs, Innovation, and Patients*.

Senate Foreign Relations Committee

The committee will hold a hearing on April 14 on *American Food Aid: Why Reform*; and a hearing on *State Department Reauthorization: Ensuring Effective U.S. Diplomacy Within A Responsible Budget* on April 22. Congress has not passed a State Department authorization since 2002, although the House did pass an authorization bill in 2013. It remains unclear if the potential reauthorization bill will be fairly high-level or, alternatively, more detailed.

Expect the committee to actively engage on the Obama Administration's nuclear deal with Iran, with a meeting scheduled for April 14 to vote on the *Iran Nuclear Agreement Review Act*. Secretary of State Kerry recently concluded talks on the political framework agreement with Iran. Further talks will continue until June 30, which is the deadline for a comprehensive agreement. The bipartisan *Iran Nuclear Agreement Review Act* would require congressional review of a nuclear deal if one is reached by June 30. The bill is expected to pass Committee and could receive a vote on the Senate floor, where it appears to be getting closer to a veto-proof majority, despite a significant lobbying push against the bill from the White House.

Senate Health, Education, Labor, and Pensions Committee

On April 14, the committee will mark-up the *Every Child Achieves Act*, a bill that would reauthorize *No Child Left Behind*, as well as the *Workforce Innovation and Opportunity Act Technical Amendments Act*, with testimony from Ericka Miller, Assistant Secretary for Postsecondary Education, and Michael Yudin, Assistant Secretary for Special Education and Rehabilitative Services.

Senate Homeland Security and Government Affairs Committee

The committee will hold a hearing on April 14 on *Reducing Unnecessary Duplication in Federal Programs: Billions More Could Be Saved*, with testimony from Eugene Dodaro, Comptroller of the United States; and on April 15, will hold a hearing on *IRS Challenges in Implementing the ACA*.

Senate Judiciary Committee

The committee is expected to continue its efforts to finalize a patent reform bill that could be brought to the floor for consideration before the end of this work period.

On April 15, the committee will hold a hearing on *The Need to Reform Asset Forfeiture*. The hearing will focus on law enforcement's appropriate use of asset forfeiture to seize property associated with criminal activity and legislative reforms to that process to prevent abuses and protect the rights of innocent citizens and small business owners.

WHAT TO EXPECT IN THE HOUSE OF REPRESENTATIVES

As with the Senate, passing a final budget for Fiscal Year 2016 will be a priority for the House. With the House and Senate having approved their budget plans for the upcoming fiscal year, the work now will be focused on a conferenced budget plan that reconciles any differences with the goal of final passage by April 15.

The House will also move this week to floor consideration of a number of tax-related bills, including a measure to repeal the estate tax, and a bill to make permanent the taxpayer election to deduct state and local general sales taxes in lieu of state and local income taxes. Other tax-related bills that will see floor time are:

- H.R. 299, *Capital Access for Small Community Financial Institutions Act of 2015*
- H.R. 601, *Eliminate Privacy Notice Confusion Act*
- H.R. 1195, *Bureau of Consumer Financial Protection Advisory Boards Act*
- H.R. 1259, *Helping Expand Lending Practices in Rural Communities Act*
- H.R. 1265, *Bureau Advisory Commission Transparency Act*

- H.R. 1367, *Applying the Expedited Funds Availability Act to American Samoa and the Northern Mariana Islands*
- H.R. 1480, *SAFE Act Confidentiality and Privilege Enhancement Act*
- H.R. 650, *Preserving Access to Manufactured Housing Act of 2015*
- H.R. 685, *Mortgage Choice Act of 2015*
- H.R. 1058, *Taxpayer Bill of Rights Act of 2015*
- H.R. 1152, *Prohibiting officers and employees of the Internal Revenue Service from using personal email accounts to conduct official business*
- H.R. 1026, *Taxpayer Knowledge of IRS Investigations Act*
- H.R. 1314, *Providing for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations*
- H.R. 1295, *Improving the process for making determinations with respect to whether organizations are exempt from taxation under section 501(c)(4) of such Code*
- H.R. 709, *Prevent Targeting at the IRS Act*
- H.R. 1104, *Fair Treatment for All Donations Act*
- H.R. 1563, *Federal Employee Tax Accountability Act of 2015*
- H.R. 1562, *Contracting and Tax Accountability Act of 2015*

Later this month, the House will begin to take up FY 16 appropriations bills, with the Military Construction/Veterans Affairs bill and the Energy and Water Development bill being the first to see consideration.

Also in April, the House could take up legislation to reauthorize key provisions of the *USA PATRIOT Act* that are set to expire in May.

House Agriculture Committee

On April 14, the Subcommittee on Commodity Exchanges, Energy and Credit will hold a hearing on *Reauthorizing the CFTC: Commissioners' Perspectives*.

Also on April 14, the Subcommittee on Biotechnology, Horticulture, and Research will host *A Presentation by National 4-H Conference Participants Concerning the Future of Agriculture in the United States.*

The committee will hold a hearing on April 15 titled *The Past, Present, and Future of SNAP: The World of Nutrition and the Role of the Charitable Sector*.

House Appropriations Committee

With the Fiscal Year 2016 appropriations process now underway, the committee will hold hearings this month on *Early Education*, the *Defense Health Program*, *Immigration and Customs Enforcement*, *the Securities and Exchange Commission*, *Ebola*, and *United Nations and International Organizations*.

House Armed Services Committee

The mark-up schedule for the annual *National Defense Authorization Act* (NDAA) starts with the Subcommittee on Emerging Threats & Capabilities, and the Subcommittee on Readiness meeting on April 22; the Subcommittee on Tactical Air and Land Forces, the Subcommittee on Military Personnel, the Subcommittee on Seapower & Projection Forces, and the Subcommittee on Strategic Forces meeting on April 23; and the full committee meeting to markup the bill on April 29. On April 14, the committee will hold "Member Day" in order to allow Members of Congress to make the case for their NDAA priorities. The NDAA could be passed by the full House before the Memorial Day recess.

The committee will also hold hearings over the next several weeks on the *F-35 Joint Strike Fighter (JSF) Program and the Fiscal Year 2016 Budget Request*; *The Risk of Losing Military*

Technology Superiority and its Implications for U.S. Policy, Strategy, and Posture in the Asia-Pacific; The Role of Surface Forces in Presence, Deterrence, and Warfighting; and a hearing on *Fiscal Year 2016 Nuclear Forces*.

House Education and the Workforce Committee

The committee will hold a hearing on April 14 on *Serving Students and Families Through Child Nutrition Programs*.

On April 15, the Subcommittee on Health, Education, Labor, and Pensions will hold a hearing titled *Five Years of Broken Promises: How the President's Health Law is Affecting America's Workplaces*.

House Energy and Commerce Committee

The Subcommittee on Energy and Power will hold a hearing on April 14 on *EPA's Proposed 111(d) Rule for Existing Power Plans*, and the *Ratepayer Protection Act*.

Also on April 14, the full committee will hold a hearing on the *TSCA Modernization Act*, and will mark-up a bill to modify the efficiency standards for grid-enabled water heaters, the *Coal Combustion Residuals Regulation Act*, and the *Data Security and Breach Notification Act*.

On April 16, the Subcommittee on Commerce, Manufacturing, and Trade will hold a hearing on the *Targeting Rogue and Opaque Letters Act* (TROL Act). This draft legislation seeks to protect businesses and consumers from patent demand letters, while preserving the ability of patent holders to legitimately protect their intellectual property.

Also on April 16, the Subcommittee on Health will hold a hearing on *Medicare Post Acute Delivery and Options to Improve It*.

House Financial Services Committee

The committee will hold a hearing on April 15 titled *Examining Regulatory Burdens on Non-Depository Financial Institutions*, and on the same day will hold a joint hearing with the House Oversight and Government Reform's Subcommittee on Healthcare, Benefits, and Administrative Rules titled *Oversight Efforts to Reform the Export-Import Bank of the United States*. Committee Chairman Jeb Hensarling (R-TX) opposes reauthorization of the Export-Bank, and the current authorization expires on June 30.

On April 16, the Subcommittee on Housing and Insurance will hold a hearing on *The Future of Housing in America: Increasing Private Sector Participation in Affordable Housing*.

House Foreign Affairs Committee

On April 14, the Subcommittee on Terrorism, Nonproliferation, and Trade will hold a hearing titled *The Crude Oil Export Ban: Helpful or Hurtful?* with testimony from Jason Grumet, Founder and President of the Bipartisan Policy Center, and Jason Bordoff, Founding Director of the Center on Global Energy Policy at Columbia University.

The same day, the subcommittee on the Middle East and North Africa will hold a hearing titled *Yemen Under Attack by Iranian-backed Houthis*, with testimony from Gerald Feierstein, Principal Deputy Assistant Secretary of State for Near Eastern Affairs.

On April 15, the full committee will meet on *Confronting Russia's Weaponizaton of Information*, with testimony from Peter Pomerantsev of The Legatum Institute; Helle Dale of The Heritage Foundation; and Elizabeth Wahl, former RT anchor and freelance journalist/public speaker.

Also on April 15, the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations will meet for a hearing on *The Continuing Threat of Neglected Tropical Diseases*, with testimony from Ariel Pablos-Menendez, Assistant Administrator for Global Health at the U.S. Agency for International Development; Peter Hotez, president of the Sabin Vaccine Institute; and Nicholas Kourgialis, vice president for eye health at Helen Keller International.

House Homeland Security Committee

On April 14, the committee will mark-up the *National Cybersecurity Protection Advancement Act*.

The Subcommittee on Oversight and Management Efficiency will hold a hearing on April 22 titled *Acquisition Oversight: How Effectively Is DHS Safeguarding Taxpayer Dollars?*

Also on April 22, the Subcommittee on Emergency Preparedness, Response, and Communications will hold a hearing on *Strategic Perspectives on the Bioterrorism Threat*.

House Judiciary Committee

The full committee will meet this week on *Oversight of U.S. Immigration and Customs Enforcement*, while the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations will hold a hearing on *Analyzing Misconduct in Federal Law Enforcement*. The full committee will also hold a hearing this week on the *Innovation Act*, a bill introduced by committee Chairman Bob Goodlatte (R-VA) on patent reform.

House Natural Resources Committee

This week, the committee will hold oversight hearings titled *Examining the Future Impacts of President Obama's Offshore Energy Plan; Federal Land Acquisition and its Impacts on Communities and the Environment*; and *Water, Power, Federal Water Grabs*. A hearing is also scheduled for April 14 to consider the legislative measures: H.R. 329, a bill to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal agencies; H.R. 521, a bill to provide for the conveyance of certain property to the Yukon Kushokwim Health Corporation located in Bethel, Alaska; and H.R. 812, a bill to provide for Indian trust asset management reform and titled the *Indian Trust Asset Reform Act*.

House Oversight and Government Reform Committee

On April 14, the committee will hold a hearing titled *DOJ IG: Handling of Sexual Harassment and Misconduct Allegations* and hearing titled *GAO's Duplication Report at Five Years: Recommendations Remain Unaddressed*.

The Subcommittee on Government Operations will hold a hearing on April 15 on *The Taxpayer Advocate's Annual Report*, and a hearing on April 16 titled *The Worst Places to Work in the Federal Government*.

Also on April 15, as noted above, the Subcommittee on Health Care, Benefits, and Administrative Rules will join with the House Financial Services Subcommittee on Monetary Policy and Trade for a hearing on *Oversight of Efforts to Reform the Export-Import Bank of the United States.*

House Science, Space, and Technology Committee

The committee will hold a hearing on April 15 titled *The President's UN Climate Pledge: Scientifically Justified or a New Tax on Americans?*

On April 16, the Subcommittee on Space will hold a hearing on *An Overview of the Budget Proposal for the National Aeronautics and Space Administration for Fiscal Year 2016*, with testimony from NASA Administrator Charles Bolden, Jr.

House Transportation and Infrastructure Committee

This month, the committee will hold hearings titled *A Review of the President's Fiscal Year 2016 Budget Request for the United States Army Corps of Engineers and Tennessee Valley Authority*; *An Overview of the U.S. Coast Guard's Missions*; and *Oversight of the Ongoing Rail, Pipeline, and Hazmat Rulemakings*.

House Veterans Affairs Committee

The committee has a robust hearing schedule for this work period, starting with a hearing on April 13 on *Addressing Continued Whistleblower Retaliation within VA*, followed by a legislative hearing on April 15 to consider ten veterans-related bills.

On April 23, the committee will meet to consider draft legislation to improve reproductive treatment provided to certain disabled veterans, a bill to direct the Department of Veterans Affairs to submit an annual report to the Veterans health Administration, as well as draft legislation entitled the *Toxic Exposure Research Act*, among other measures.

On April 30, the committee will meet for a hearing on *Examining Access and Quality of Care and Services for Women Veterans*.

Finally, on May 13, the committee will hold a hearing titled *Assessing the Promise and Progress of the Choice Program*.

House Ways and Means Committee

On April 14, the Subcommittee on Health will hold a hearing on the individual and employer mandates and associated penalties in the *Affordable Care Act*.

Also this week, the Subcommittee on Health will hold an organizational meeting.

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