STUDY SESSION AGENDA
TUESDAY
February 19, 2019

10:30 A.M.  ATTENDEE(S): Adam Burg
ITEM:    Legislative Update

11:00 A.M.  ATTENDEE(S): John Russell, Dentons
ITEM:    Federal Lobbyists Update

11:45 A.M.  ATTENDEE(S): Raymond Gonzales
ITEM:    Administrative Item Review / Commissioners Communication

12:00 P.M.  ATTENDEE(S): Mark Davis
ITEM:    Executive Session Pursuant to C.R.S. 24-6-402(4)(b) for the Purpose of Receiving Legal Advice Regarding Noise Litigation

12:15 P.M.  ATTENDEE(S): Raymond Gonzales
ITEM:    Adams County Leadership Pre-Summit Kickoff Meeting

ALL TIMES LISTED ON THIS AGENDA ARE SUBJECT TO CHANGE

(AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE)

***AGENDA IS SUBJECT TO CHANGE***
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<tr>
<td>SUBJECT:</td>
<td>Federal Lobbyist Update</td>
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<tr>
<td>FROM:</td>
<td>Adam Burg, Legislative and Government Affairs Administrator</td>
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<td>AGENCY/DEPARTMENT:</td>
<td>County Managers Office</td>
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<td>ATTENDEES:</td>
<td>John Russell (Dentons US LLP)</td>
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<td>PURPOSE OF ITEM:</td>
<td>To provide an update on ongoing policy and regulatory issues at the federal level.</td>
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<td>STAFF RECOMMENDATION:</td>
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**BACKGROUND:**

John Russell (Dentons US LLP) is Adams County’s federal lobbyist. John is attending Study Session on 02/19/19 to provide the board and ELT an update on policy and regulatory issues that are ongoing at the federal level.

**AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:**

**ATTACHED DOCUMENTS:**

Presentation
**FISCAL IMPACT:**

Please check if there is no fiscal impact ☐. If there is fiscal impact, please fully complete the section below.

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New FTEs requested: ☐ YES ☐ NO

Future Amendment Needed: ☐ YES ☐ NO

**Additional Note:**

**APPROVAL SIGNATURES:**

Raymond H. Gonzales, County Manager

Alisha Reis, Deputy County Manager

Bryan Ostler, Deputy County Manager

**APPROVAL OF FISCAL IMPACT:**

Budget
Legislative forecast for the 116th Congress

Overview and status of key legislation across different issue areas
Roadmap

Highlighted legislation - Welcome to Divided Government

- Democratic House priorities
- Republican Senate priorities

Legislation trackers (by issue area)

- Agriculture
- Cybersecurity
- Defense
- Education
- Energy
- Environment
- Financial regulation
- Health care
- Immigration
- Infrastructure
- Pharmaceuticals
- Tax, labor & economy
- Technology
- Transportation
Of House Democrats’ plans, the most likely to gain GOP support are improving infrastructure and cutting drug prices

Democrats’ legislative priorities for the 116th Congress

- **Reform campaign ethics and voting rights**
  - Lessen the effects of lobbying on policy and enforce ethical campaign financing
  - Require presidential nominees to release tax returns from the three most recent taxable years
  - Expand voting rights, end partisan gerrymandering

- **Cut drug prices and fortify Obamacare**
  - Decrease drug prices, in part by allowing Medicare to negotiate prices and requiring manufacturers to be more transparent about pricing
  - Fight litigation that could strip away the ACA’s protections for people with preexisting conditions

- **Roll back GOP tax reforms**
  - Increase the corporate tax rate from 21% to as high as 28%; increase rates for high-earning individuals

- **Address climate change**
  - Establish measures to cut carbon pollution and counteract the Trump administration’s rollback of environmental protections
  - Enact a Green New Deal, which would transition all electric power to renewable sources in 10 years

- **Revamp US infrastructure**
  - Improve transportation infrastructure, water systems, broadband and more
  - Demands for any infrastructure to include clean energy tax credits and provisions for research of new technology

- **Raise the minimum wage**
  - Pass legislation for a $15 per hour federal minimum wage, up from $7.25
Democrats have gained authority to subpoena documents, administration officials and Trump associates

Potential investigations in the 116th House of Representatives

Core oversight
- James Comey’s firing
- 2020 Census decision
- Transgender ban in the military
- Travel ban
- Family separation policy
- WH security clearances

Corruption and good governance
- 2016 election payments to Trump accusers
- Trump’s dealings with Russia
- Personal email use in the White House
- Election security
- Trump Organization and emoluments clause

Waste, fraud and abuse
- Treasury Secretary Steve Mnunchin’s dealings
- Cabinet secretary travel, office perks and other costs
- Dismissal of EPA board of scientific counselors
- Trump’s tax returns
- Puerto Rico disaster response
Key legislation to watch: elections reform, gun control and wage increase for civilian federal employees

**H.R.1: For the People Act of 2019**
- Sponsor: Rep. John Sarbanes (D-MD-3)
- Cosponsors: 222 (all Democrats)
- Provides for automatic voter registration, independent commissions, super PAC restrictions, mandatory release of presidential tax returns and more; intended to expand Americans’ access to the ballot box

**H.R.8: Bipartisan Background Checks Act of 2019**
- Sponsor: Rep. Mike Thompson (D-CA-5)
- Cosponsors: 173 (168 D, 5 R)
- Provides for universal background checks preceding commercial gun sales
- Closes loopholes left open by current law, which do not cover sales made by unlicensed gun sellers

**H.R.790: Federal Civilian Workforce Pay Raise Fairness Act of 2019**
- Sponsor: Rep. Gerald Connolly (D-CA-11)
- Cosponsors: 9 (all Democrats)
- Provides 2019 pay increase for civilian federal employees according to the 2.6 percent pay raise given to military members for 2019, counteracting the White House’s recommended pay freeze for the federal workforce
I will not go along with efforts to weaponize the authority of tax-writing committees to access tax returns for political purposes. Such an action would be unprecedented."

**Senate Finance chair Chuck Grassley, in floor remarks on Jan. 16, 2019 on the prospect of acquiring Trump’s tax returns**
Trump may nominate conservative judges to 95 vacant seats; a GOP-majority Senate makes confirmations more likely

Status of judiciary vacancies
AS OF JANUARY 31, 2019

- No nominee
- Awaiting confirmation
- Confirmed

Sales

President Trump inherited 108 federal judge vacancies

As of January 31, 2019:
119 judiciary positions have opened up during Trump’s presidency and either remain vacant or have been filled

Total:
227 potential Trump nominations
Roadmap

Highlighted legislation
- Democratic House priorities
- Republican Senate priorities

Legislation trackers (by issue area)
- Agriculture
- Cybersecurity
- Defense
- Education
- Energy
- Environment
- Financial regulation
- Health care
- Immigration
- Infrastructure
- Pharmaceuticals
- Tax, labor & economy
- Technology
- Transportation
Legislation to watch: Agriculture

**H.R. 82: FUEL Reform Act**
Sponsor: Rep. Andy Biggs (R-AZ)
- Ends bioenergy subsidy programs at the Department of Agriculture by repealing Title IX of the Farm Security and Rural Investment Act of 2002

Sponsor: Rep. H. Morgan Griffith (R-VA)
- Authorizes the Department of Agriculture to give grants promoting positive community and economic impacts in Appalachia
- Grants are limited to $2 million
- Funding provided through the Workforce Innovation and Opportunity Act

**S. 125 REDUCE Government Waste Act**
Senate sponsor: Sen. Catherine Cortez Masto (D-NV)
- Amends the Agricultural Act of 2014 to repeal the forfeiture rule for peanuts under the nonrecourse marketing assistant loan program
- Bans the use of federal funds to develop robot bartenders
- Bans the use of federal funds to research insect-based foods
Legislation to watch: Cybersecurity

**H.R. 57: CAPITAL S ACT**
Sponsor: Rep. Sheila Jackson Lee (D-TX)
- Would require the Dept. of Homeland Security to commission a study on the feasibility of creating a Civilian Cyber Defense Resource
- The resource would provide support for a region or area of the US affected by a cyberattack

**H.R. 328: Hack Your State Department Act**
Sponsor: Rep. Ted Lieu (D-CA)
- Would require the Secretary of State to design and establish a Vulnerability Disclosure Process and a bug bounty program
- This bug bounty program would identify and report vulnerabilities within State Department IT

**H.R. 370: Pipeline and LNG Facility Cybersecurity Preparedness Act**
Sponsor: Rep. Fred Upton (R-MI)
- Would require the Dept. of Energy to collaborate with states, the energy sector and other agencies to establish protocols to ensure the resilience of the energy grid
Legislation to watch: Defense

**H.R. 491: ASAP Act**
Sponsor: Rep. Louie Gohmert (R-TX)
- Would appropriate any money left over in the Treasury not otherwise appropriated to pay members of the Armed Services during any periods of lapsed appropriations

**H.R. 628: WINGMAN Act**
Sponsor: Rep. Ted Yoho (R-FL)
- Would amend title 38 of the USC to allow a federal employee working in a district access to the VA records of any veteran in that district who makes a benefits claim with the VA
- This would allow the office of the representative of that district to assist veterans with navigating the VA benefits claim process

**H.R. 336/S. 1: Strengthening America’s Security in the Middle East Act of 2019**
Sponsor: Sen. Marco Rubio (R-FL)
House Sponsor: Rep. Michael McCaul (R-TX)
- Would authorize increased assistance and weapons transfer to Israel, and extend defense cooperation with Jordan
- Would impose sanctions on the Central Bank of Syria if it is found to be a money-laundering concern
- Combats BDS by allowing states or local governments to divest from entities boycotting Israel
**S. 145: CHOICE Act**  
Sponsor: Sen. Tim Scott (R-SC)  
- Expands school choice programs, specifically for children with disabilities, students in military families on bases, and children in low-income families living in Washington, D.C.

**H.R. 126: Students Voicing Opinions in Today’s Elections (VOTE) Act**  
Sponsor: Rep. Al Green (D-TX-9)  
- Establishes a program under the Election Assistance Commission to provide funds to local educational agencies for initiatives that provide students in 12th grade with voter registration information

**H.R. 231: Supporting America’s Young Entrepreneurs Act of 2019**  
Sponsor: Rep. Nydia Velazquez (D-NY-7)  
- Amends the Higher Education Act of 1965 to provide loan deferment and loan cancellation for founders and employees of small business start-ups
Legislation to watch: Energy

**H.R. 330: Climate Solutions Act of 2019**
Sponsor: Rep. Ted Lieu (D-CA-33)
- Reduces greenhouse gas emissions and protects the climate by
  - Setting a national renewable energy standard
  - Setting a national energy efficiency standard
  - Setting emissions reduction targets
  - Commissioning a regular climate report

**H.R. 359: Enhancing Grid Security through Public-Private Partnerships Act**
Sponsor: Rep. Jerry McNerney (D-CA-9)
- Directs the Department of Energy to facilitate and encourage public-private partnerships in order to address and mitigate the physical security and cybersecurity risks of electric utilities

**H.R. 431: CAFE Standards Repeal Act of 2019**
Sponsor: Rep. Roger Williams (R-TX-25)
- Repeals the corporate average fuel economy (CAFÉ) standards
- CAFE standards regulate how far vehicles must travel on a gallon of fuel
Legislation to watch: Environment

**S. 47: Natural Resources Management Act**
Sponsor: Sen. Lisa Murkowski (R-AK)
- Sets forth provisions regarding for the management and conservation of natural resources on federal lands
- Specific features include land conveyances, national conservation and recreation areas, wildlife conservations and funding for the Land and Water Conservation Fund

**H.B. 341: COAST Anti-Drilling Act**
Sponsor: Rep. Frank Pallone (D-NJ-6)
- Prohibits offshore oil and gas drilling on much of the outer Continental Shelf of the Atlantic ocean

**H.R. 585: BREATHE Act**
Sponsor: Yvette Clarke (D-NY-9)
- Amends the Clean Air Act to eliminate exemptions for oil and gas producers
- Adds hydrogen sulfide to the list of hazardous air pollutants in the Clean Air Act
Legislation to watch: Financial Regulation

**H.R. 56: Financial Technology Protection Act**
Sponsor: Rep. Ted Budd (R-NC-13)
- Establishes a Task Force to Combat Terrorism and Illicit Financing, which will issue an annual report
- Establishes a program to promote the development of law enforcement tools related to digital currencies

**H.R. 658: National Infrastructure Development Bank Act**
Sponsor: Rosa DeLauro (D-CT-3)
- Creates a public bank to fund infrastructure projects
- The bank would issue its own bonds that would be exempt from some taxes

**H.R. 741: Taking Account of Institutions with Low Operational Risk (TAILOR) Act**
Sponsor: Rep. Scott Tipton (R-CO-3)
- Requires regulators to ensure that regulations match banks’ business models and risk profiles
- Instructs regulators to review all regulations adopted over the past seven years for compliance with the bill
### Legislation to watch: Health Care

#### H.R. 259: Medicaid Extenders Act of 2019
**Sponsor:** Rep. Frank Pallone, Jr. (D-NJ-6)
- Makes appropriations for FY2019
- Reduces the federal medical assistance percentage for states that have not implemented asset-verification programs for determining Medicaid eligibility
- Reduces funding available to the Medicaid Improvement Fund beginning in FY2021

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#### H.R. 269: Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019
**Sponsor:** Rep. Anna Eshoo (D-CA-18)
- Reauthorizes certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application

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#### H.R. 525: Strengthening the Health Care Fraud Prevention Task Force Act of 2019
**Sponsor:** Rep. Greg Walden (R-OR-2)
- Amends title XI of the Social Security Act to direct the Secretary of Health and Human Services to establish a public-private partnership for purposes of identifying health care waste, fraud, and abuse

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Legislation to watch: immigration

S. 135: Prioritizing Help to Businesses Act
Sponsor: John Thune (R-SD)
• Changes the H-2B temporary worker visa program to allocate visas to states with low unemployment rates

S. 166: A bill to provide provisional protected presence status for certain aliens and to provide mandatory appropriations relating to border security
Sponsor: Sen. Lindsey Graham (R-SC)
• Grants legal status to those currently protected under the DACA program, with reapplication every three years
• Funds the border wall

H.R. 541: Keep Families Together Act
Sponsor: Rep. Jerry Nadler (D-NY)
• Prevents the federal government from separating families at the southern border
**Legislation to watch: infrastructure**

**H.R. 66: Route 66 Centennial Commission Act**  
Sponsor: Rep. Rodney Davis (R-IL-13)  
- Requires the Dept. of Transportation to prepare a plan on the preservation needs of Route 66  
- Establishes the Route 66 Centennial Commission to honor Route 66 on the occasion of its anniversary

**H.R. 180: Build America Act of 2019**  
Sponsor: Rep. Alcee Hastings (D-FL-20)  
- Establishes a grant program for capital investments in surface transportation infrastructure  
- Establishes a National Infrastructure Investment Trust Fund and increases the tax on gasoline other than aviation gasoline and on diesel fuel or kerosene

**H.R. 831: Reviving America’s Scenic Byways Act of 2019**  
Sponsor: Rep. David Cicilline (D-RI-1)  
- Revives the National Scenic Byway program, which preserves the nation’s roads of historical and cultural value  
- Directs the Secretary of Transportation to issue a request for nominations for roads to be designated for the national scenic byways program
Legislation to watch: Transportation

**H.R. 228: Increase Transportation Alternatives Investment Act of 2019**
Sponsor: Rep. Nydia Velazquez (D-NY-7)
- Authorizes programs to support alternative transportation options in areas undergoing repair or reconstruction of existing transportation infrastructure

**H.R. 543: To require the Federal Railroad Administration to provide appropriate congressional notice of comprehensive safety assessments conducted with respect to intercity or commuter rail passenger transportation**
Sponsor: Rep. Albio Sires (D-NJ-8)
- Requires the Federal Railroad Administration to notify select congressional committees and members of Congress of any safety assessment for intercity or commuter rail passenger transportation systems and any related recommendations

Sponsor: Rep. Tom Emmer (R-MN-6)
- Directs the Secretary of Transportation to establish a national intersection and interchange safety construction program to improve high-risk intersections and interchanges
Legislation to watch: Pharmaceuticals

**H.R. 275: Medicare Prescription Drug Price Negotiation Act of 2019**
Sponsor: Rep. Peter Welch (D-VT-At Large)
- Requires CMS to negotiate with pharmaceutical companies regarding prices for drugs covered under the Medicare prescription drug benefit
- Current law prohibits the CMS from negotiating

**S. 61/H.R. 478: Safe and Affordable Drugs from Canada Act of 2019**
Sponsor: Sen. Chuck Grassley (R-IA) and Rep. Chellie Pingree (D-ME-1)
- Amends the Federal Food, Drug and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada

Sponsor: Sen. Bernie Sanders (I-VT) and Rep. Ro Khanna (D-CA-17)
- Aims to lower prescription drug prices by ending government-granted monopolies for manufacturers who charge higher drug prices in the United States than in other countries
**Legislation to watch: Tax, Labor & Economy**

**H.R.582/S.150: Raise the Wage Act**
- Gradually increases the federal minimum wage to $15/hour over a period of six years
- Phases out the subminimum wage for tipped workers

Sponsor: Rep. Anna Eshoo (D-CA-18)
- Requires candidates running for the office of president or vice president to submit their individual income tax returns for the last 10 years to the Federal Election Commission
- Allows the chairman of the FEC to publicly disclose the president’s tax returns

**H.R.397: Rehabilitation for Multiemployer Pensions Act**
Sponsor: Rep. Richard Neal (D-MA-1)
- Creates the Pension Rehabilitation Administration within the Dept. of Treasury, which would provide loans to multiemployer defined benefit pension plans in critical and declining status
- Directs the Treasury to issue bonds to fund its loans
**Legislation to watch: Technology**

Sponsor: Rep. Will Hurd (R-TX)  
- Would reorganize OBM’s information technology management, directing the federal CIO to report to the OMB director.  
- Would require the federal CIO to submit a proposal on federal IT consolidation and shared services use.

**S. 142: American Data Dissemination Act**  
Sponsor: Sen. Marco Rubio (R-FL)  
- Would require the FTC to provide Congress with recommendations for privacy legislation, using the 1974 Privacy Act as a framework, and create privacy regulations if Congress does not act.  
- Would require the FTC to establish privacy exemptions for smaller or newer companies.

**S. 189: The Social Media Privacy and Consumer Rights Act**  
Sponsor: Sens. Amy Klobuchar (D-MN)  
- Would require companies to report data breaches to consumers within 72 hours of discovery.  
- Would allow users to opt out of data collection, but permit companies to deny products or services if the users’ privacy options are not operable.