



Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio - District #4
Mary Hodge - District #5

STUDY SESSION AGENDA
TUESDAY
February 19, 2019

ALL TIMES LISTED ON THIS AGENDA ARE SUBJECT TO CHANGE

10:30 A.M.	ATTENDEE(S): ITEM:	Adam Burg Legislative Update
11:00 A.M.	ATTENDEE(S): ITEM:	John Russell, Dentons Federal Lobbyists Update
11:45 A.M.	ATTENDEE(S): ITEM:	Raymond Gonzales Administrative Item Review / Commissioners Communication
12:00 P.M.	ATTENDEE(S): ITEM:	Mark Davis 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): ITEM:	Raymond Gonzales Adams County Leadership Pre-Summit Kickoff Meeting

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

AGENDA IS SUBJECT TO CHANGE



STUDY SESSION AGENDA ITEM

DATE: 02/19/19
SUBJECT: Federal Lobbyist Update
FROM: Adam Burg, Legislative and Government Affairs Administrator
AGENCY/DEPARTMENT: County Managers Office
ATTENDEES: John Russell (Dentons US LLP)
PURPOSE OF ITEM: To provide an update on ongoing policy and regulatory issues at the federal level.
STAFF RECOMMENDATION: Informational

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.

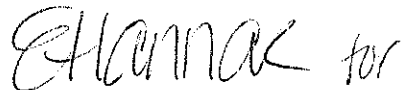
Fund:**Cost Center:**

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☐ NO

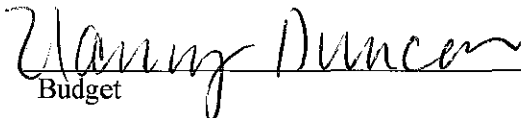
Future Amendment Needed: ☐ YES ☐ NO

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



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



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



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



Roll back GOP tax reforms

- Increase the corporate tax rate from 21% to as high as 28%; increase rates for high-earning individuals

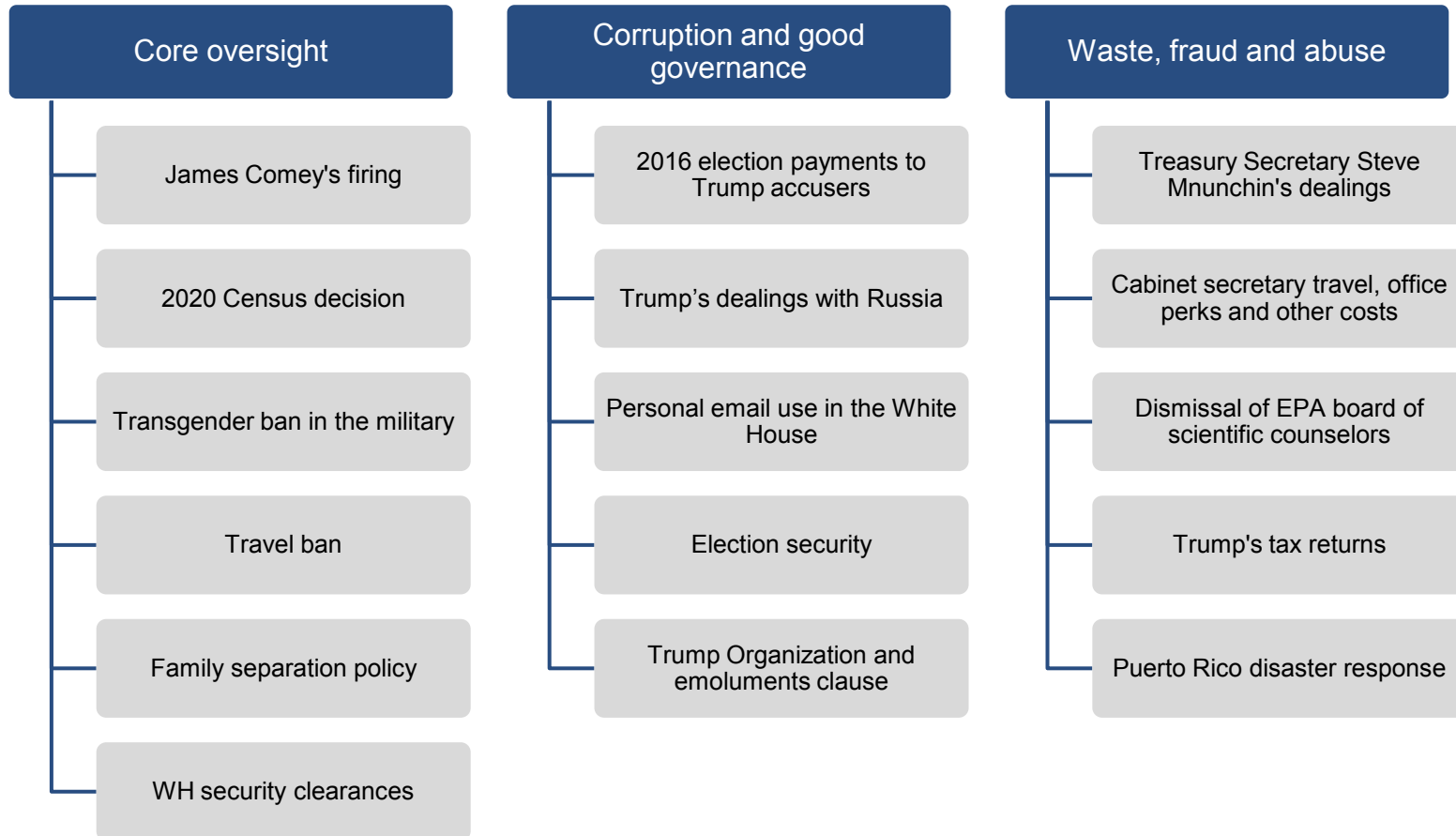


Raise the minimum wage

- 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

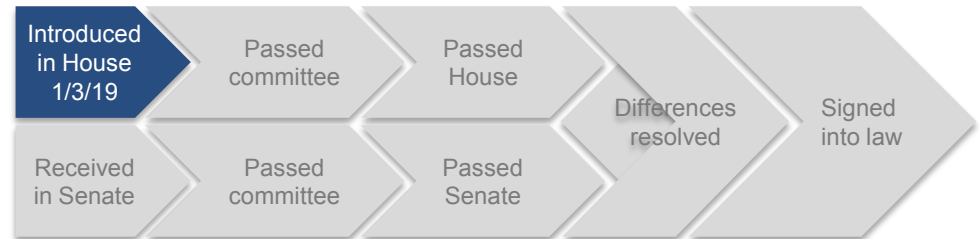
Potential investigations in the 116th House of Representatives



Key legislation to watch: elections reform, gun control and wage increase for civilian federal employees

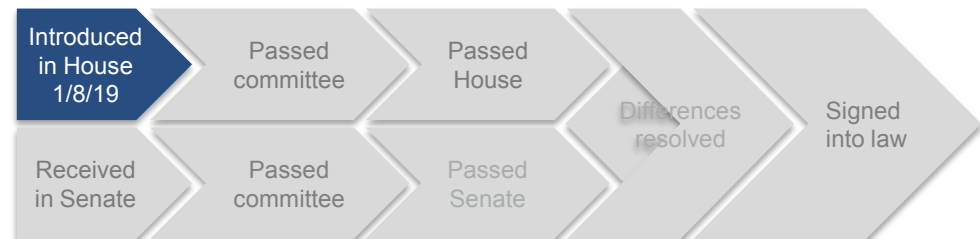
H.R.1: For the People Act of 2019

- 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



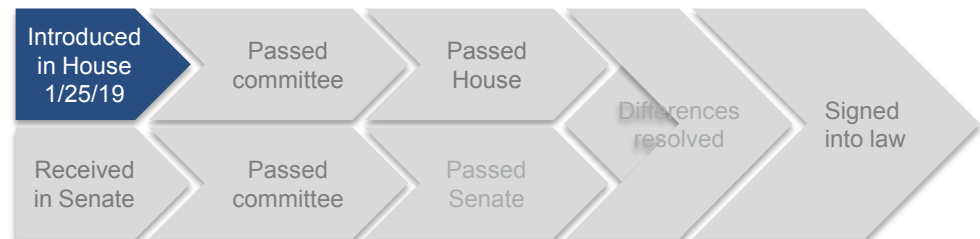
H.R.8: Bipartisan Background Checks Act of 2019

- 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



With little bipartisan overlap in priorities, Senate Republicans primarily seek to confirm conservative judges

Senate Republicans' legislative priorities for the 116th Congress



Confirm Trump's nominees

Confirm conservative judges to the federal bench
Confirm Trump's new Cabinet nominees and nominees for other vacant positions



Support Trump's border wall proposal

Fund President Trump's border wall proposal
Avoid having to support an emergency declaration to build a border wall



Balance House Democrats' oversight

Attempt to prevent House Democrats from obtaining Trump's tax returns
Counter Democratic messaging on the returns, should they obtain them



Lower drug prices and roll back Obamacare

Roll back Obamacare provisions and address problems in the legislation on a bipartisan basis
Prevent major drug companies from limiting the availability of lower-priced alternative medicines



Improve infrastructure

Focus on legislation to improve surface transportation, including roads and bridges, and later look at other infrastructure items



Defend tax reform

Defend 2017 GOP tax reform (the "Tax Cuts and Jobs Act") and repeal the federal estate tax



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

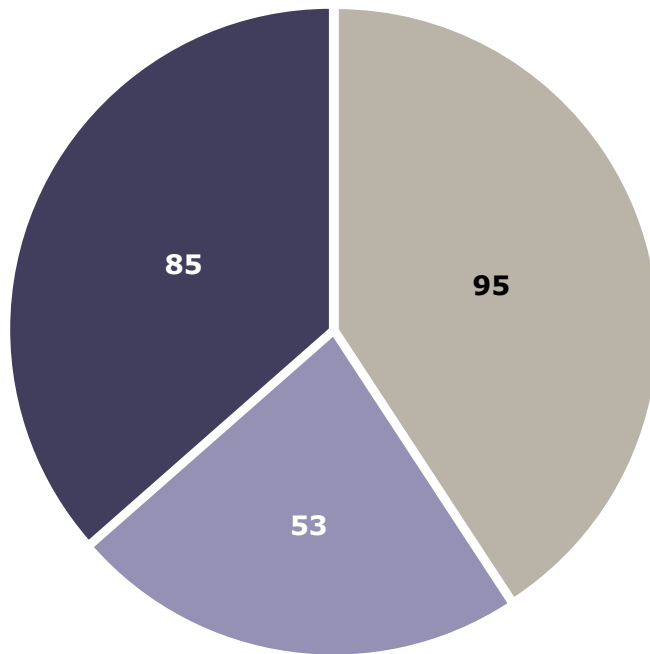
Trump may nominate conservative judges to 95 vacant seats; a GOP-majority Senate makes confirmations more likely

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)

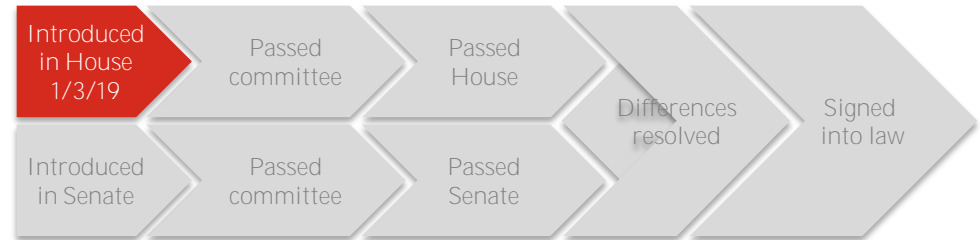
- Agriculture
- Cybersecurity
- Defense
- Education
- Energy
- Environment
- Financial regulation
- Health care
- Immigration
- Infrastructure
- Pharmaceuticals
- Tax, labor & economy
- Technology
- Transportation

Legislation to watch: Agriculture

H.R. 82: FUEL Reform Act

Sponsor: Rep. Andy Biggs (R-AZ)

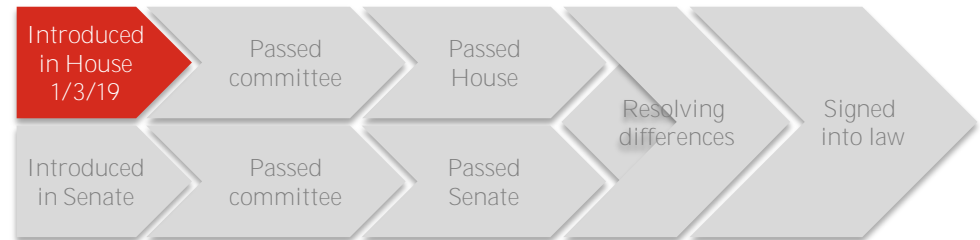
- Ends bioenergy subsidy programs at the Department of Agriculture by repealing Title IX of the Farm Security and Rural Investment Act of 2002



H.R. 178: Appalachia Opportunity Grants Act of 2019

Sponsor: Rep. H. Morgan Griffith (R-VA)

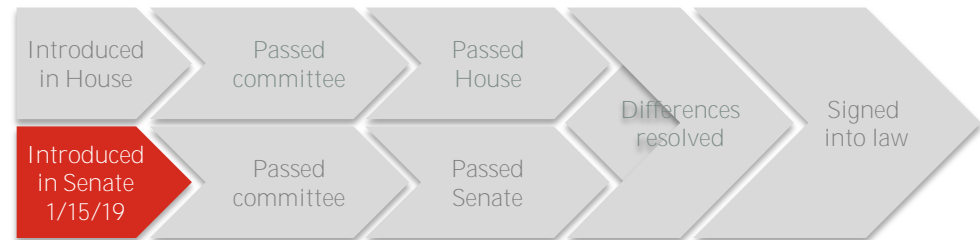
- Authorizes the Department of Agriculture to give grants promoting positive community and economic impacts in Appalachia
- Grants are limited to \$2 million
- Funding provided through the Workforce Innovation and Opportunity Act



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

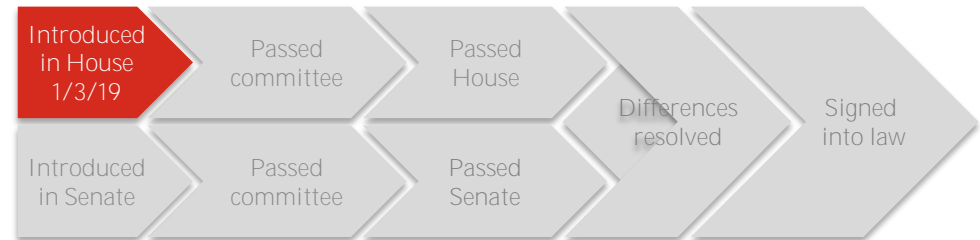


Legislation to watch: Cybersecurity

H.R. 57: CAPITAL S ACT

Sponsor: Rep. Sheila Jackson Lee (D-TX)

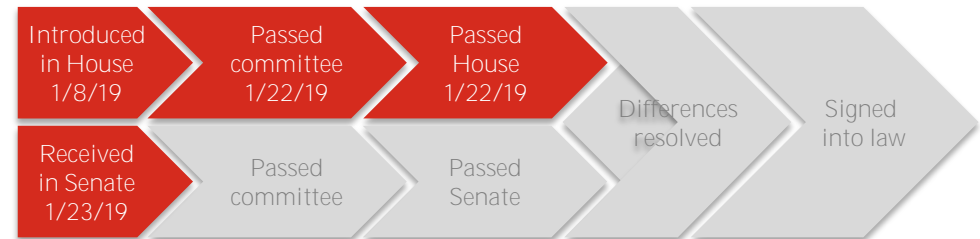
- Would require the Dept. of Homeland Security to commission a study on the feasibility of creating a Civilian Cyber Defense Resource
- The resource would provide support for a region or area of the US affected by a cyberattack



H.R. 328: Hack Your State Department Act

Sponsor: Rep. Ted Lieu (D-CA)

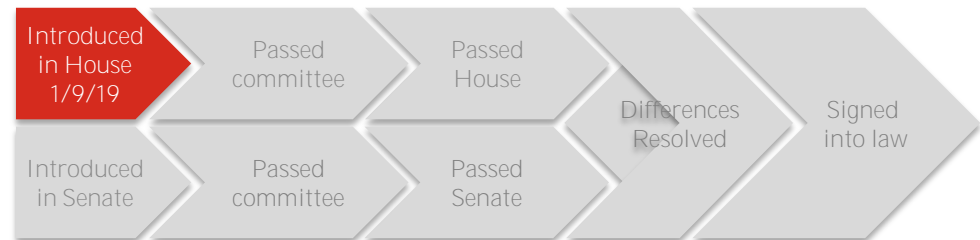
- Would require the Secretary of State to design and establish a Vulnerability Disclosure Process and a bug bounty program
- This bug bounty program would identify and report vulnerabilities within State Department IT



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

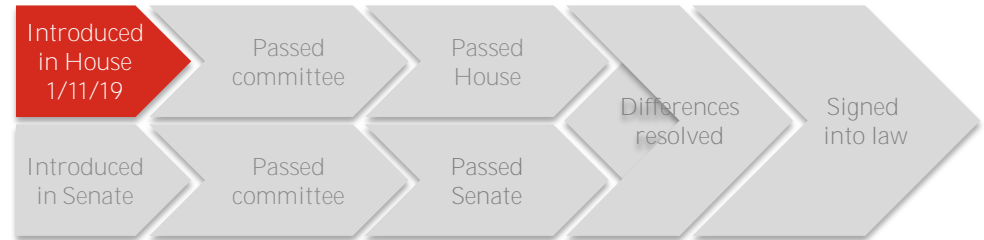


Legislation to watch: Defense

H.R. 491: ASAP Act

Sponsor: Rep. Louie Gohmert (R-TX)

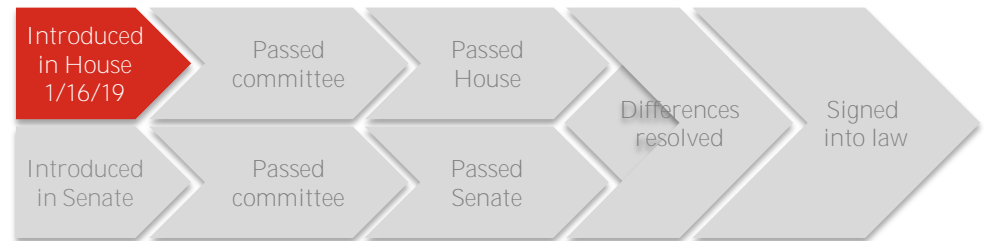
- Would appropriate any money left over in the Treasury not otherwise appropriated to pay members of the Armed Services during any periods of lapsed appropriations



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

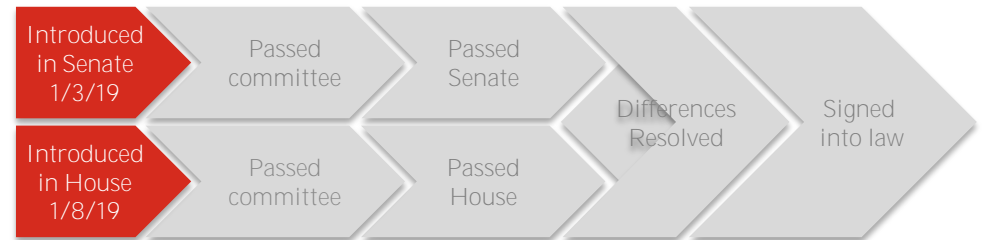


H.R. 336/S. 1: Strengthening America's Security in the Middle East Act of 2019

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

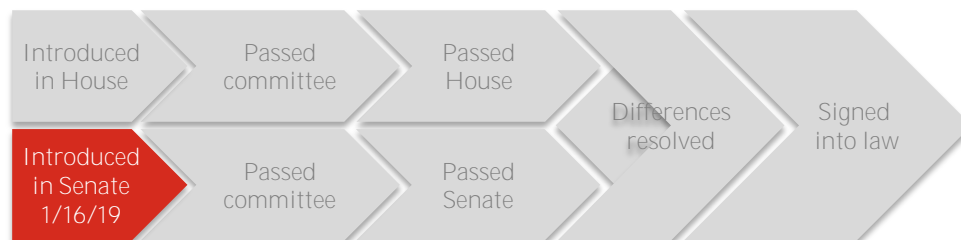


Legislation to watch: Education

S. 145: CHOICE Act

Sponsor: Sen. Tim Scott (R-SC)

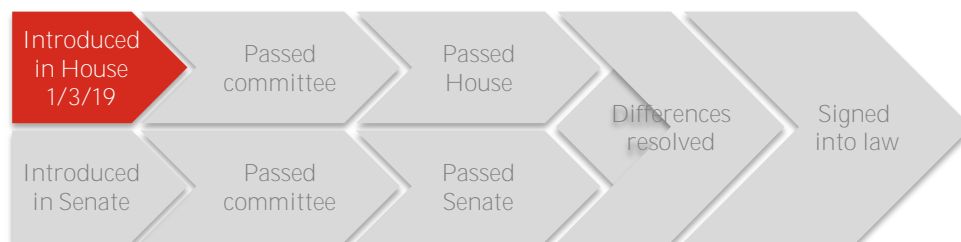
- Expands school choice programs, specifically for children with disabilities, students in military families on bases, and children in low-income families living in Washington, D.C.



H.R. 126: Students Voicing Opinions in Today's Elections (VOTE) Act

Sponsor: Rep. Al Green (D-TX-9)

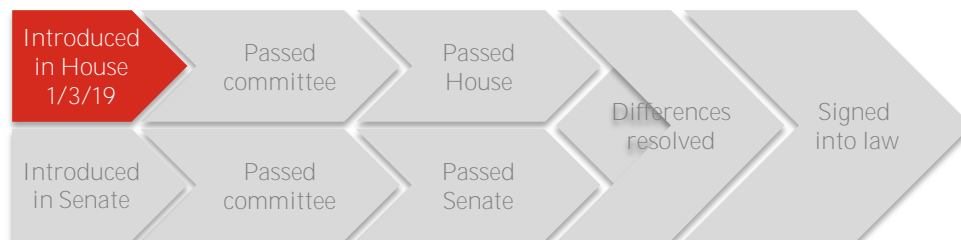
- Establishes a program under the Election Assistance Commission to provide funds to local educational agencies for initiatives that provide students in 12th grade with voter registration information



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

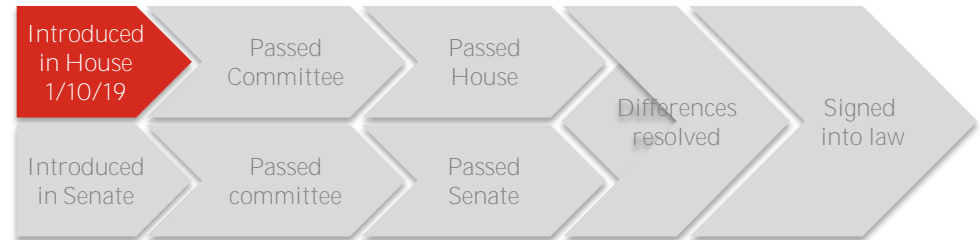


Legislation to watch: Energy

H.R. 330: Climate Solutions Act of 2019

Sponsor: Rep. Ted Lieu (D-CA-33)

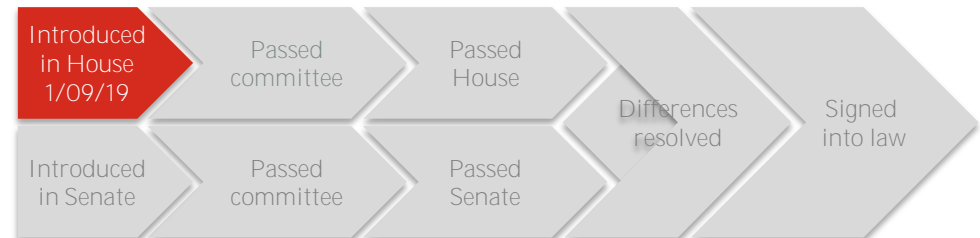
- Reduces greenhouse gas emissions and protects the climate by
 - Setting a national renewable energy standard
 - Setting a national energy efficiency standard
 - Setting emissions reduction targets
 - Commissioning a regular climate report



H.R. 359: Enhancing Grid Security through Public-Private Partnerships Act

Sponsor: Rep. Jerry McNerney (D-CA-9)

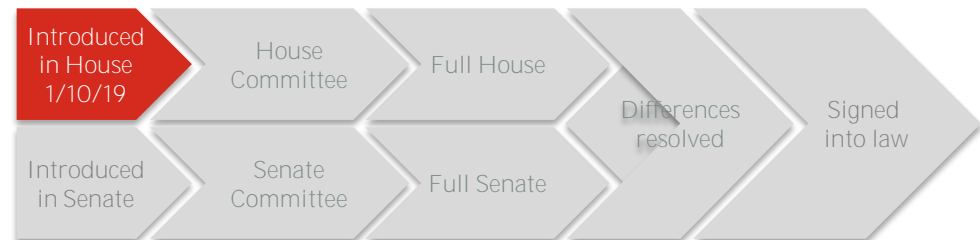
- Directs the Department of Energy to facilitate and encourage public-private partnerships in order to address and mitigate the physical security and cybersecurity risks of electric utilities



H.R. 431: CAFE Standards Repeal Act of 2019

Sponsor: Rep. Roger Williams (R-TX-25)

- Repeals the corporate average fuel economy (CAFE) standards
- CAFE standards regulate how far vehicles must travel on a gallon of fuel

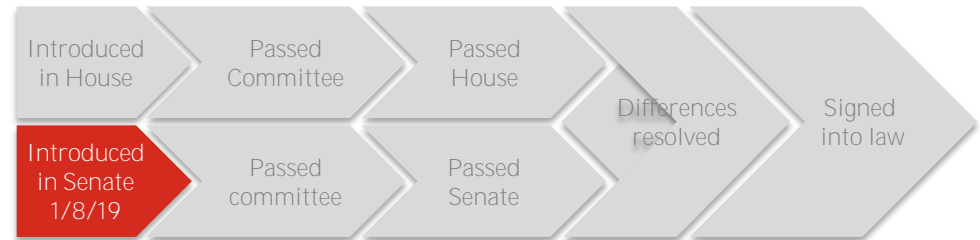


Legislation to watch: Environment

S. 47: Natural Resources Management Act

Sponsor: Sen. Lisa Murkowski (R-AK)

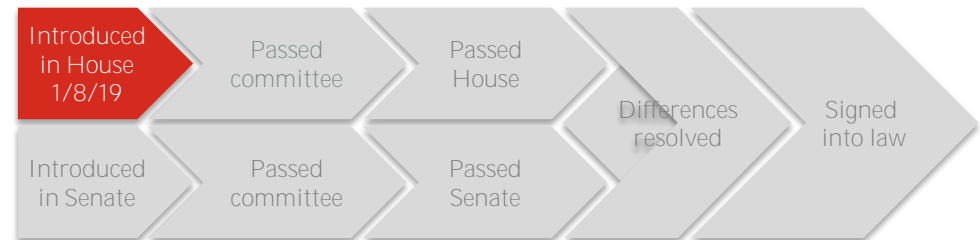
- Sets forth provisions regarding for the management and conservation of natural resources on federal lands
- Specific features include land conveyances, national conservation and recreation areas, wildlife conservations and funding for the Land and Water Conservation Fund



H.B. 341: COAST Anti-Drilling Act

Sponsor: Rep. Frank Pallone (D-NJ-6)

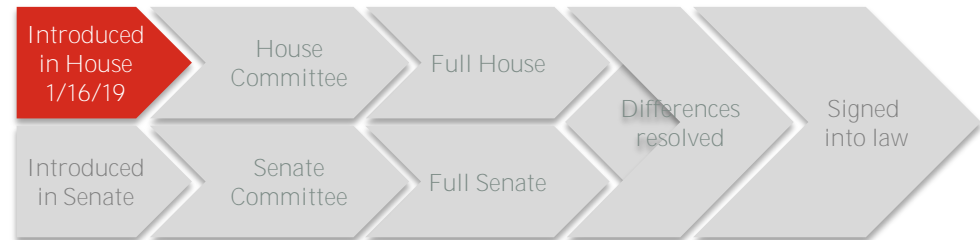
- Prohibits offshore oil and gas drilling on much of the outer Continental Shelf of the Atlantic ocean



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

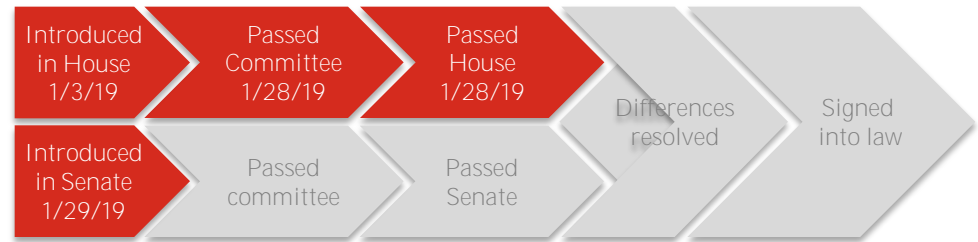


Legislation to watch: Financial Regulation

H.R. 56: Financial Technology Protection Act

Sponsor: Rep. Ted Budd (R-NC-13)

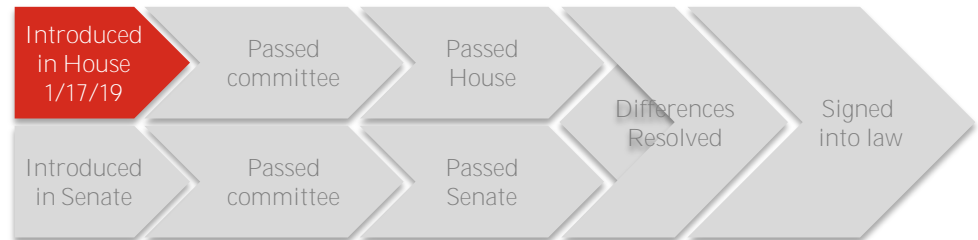
- Establishes a Task Force to Combat Terrorism and Illicit Financing, which will issue an annual report
- Establishes a program to promote the development of law enforcement tools related to digital currencies



H.R. 658: National Infrastructure Development Bank Act

Sponsor: Rosa DeLauro (D-CT-3)

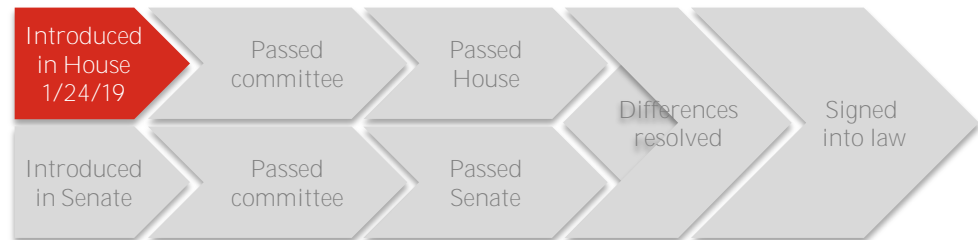
- Creates a public bank to fund infrastructure projects
- The bank would issue its own bonds that would be exempt from some taxes



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

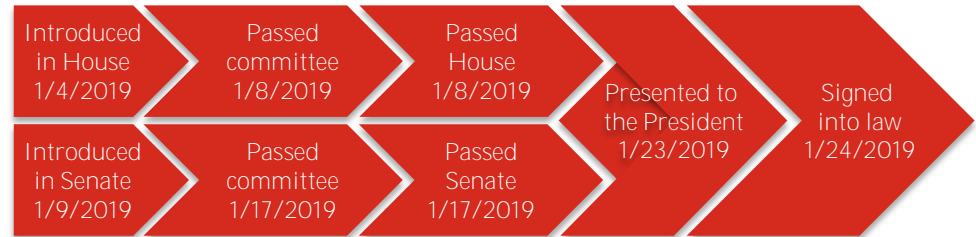


Legislation to watch: Health Care

H.R. 259: Medicaid Extenders Act of 2019

Sponsor: Rep. Frank Pallone, Jr. (D-NJ-6)

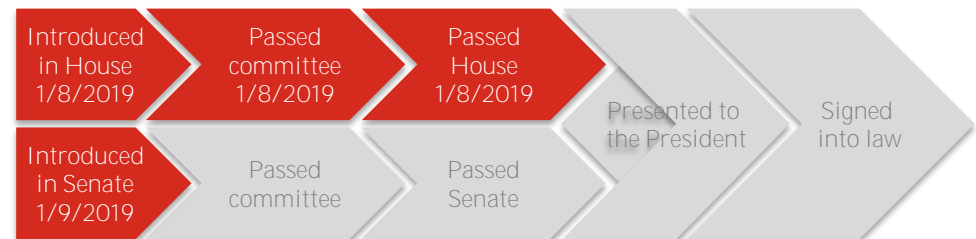
- Makes appropriations for FY2019
- Reduces the federal medical assistance percentage for states that have not implemented asset-verification programs for determining Medicaid eligibility
- Reduces funding available to the Medicaid Improvement Fund beginning in FY2021



H.R. 269: Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019

Sponsor: Rep. Anna Eshoo (D-CA-18)

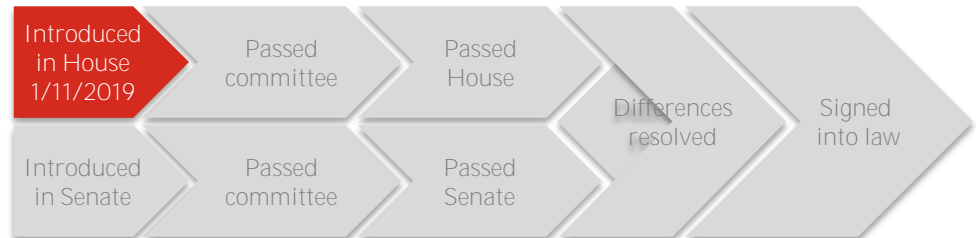
- Reauthorizes certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application



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

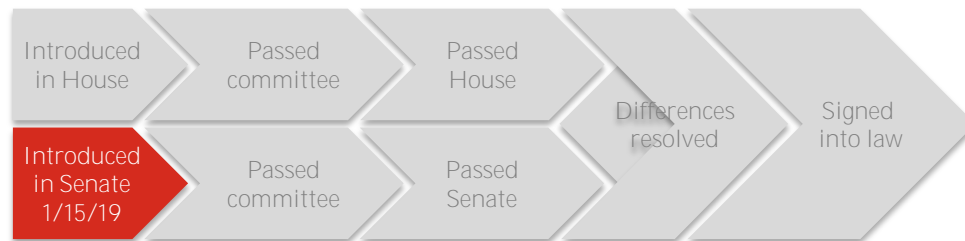


Legislation to watch: immigration

S. 135: Prioritizing Help to Businesses Act

Sponsor: John Thune (R-SD)

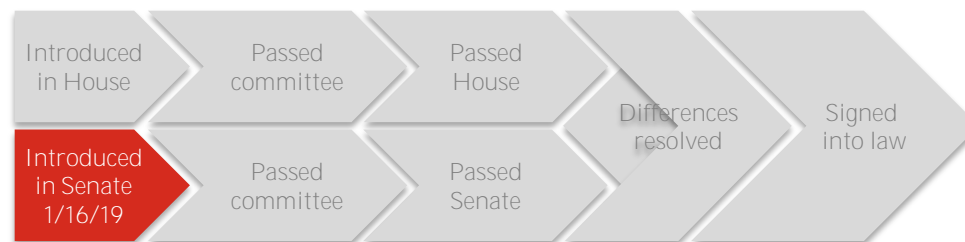
- Changes the H-2B temporary worker visa program to allocate visas to states with low unemployment rates



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)

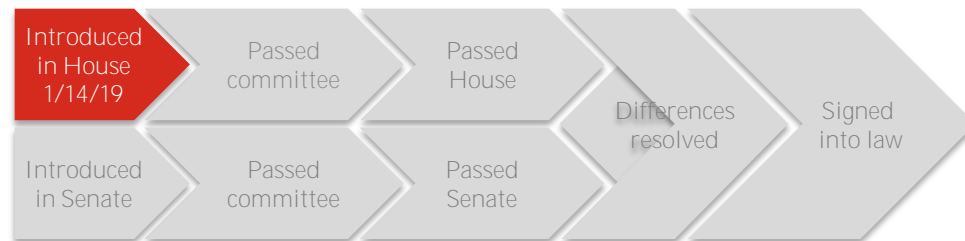
- Grants legal status to those currently protected under the DACA program, with reapplication every three years
- Funds the border wall



H.R. 541: Keep Families Together Act

Sponsor: Rep. Jerry Nadler (D-NY)

- Prevents the federal government from separating families at the southern border

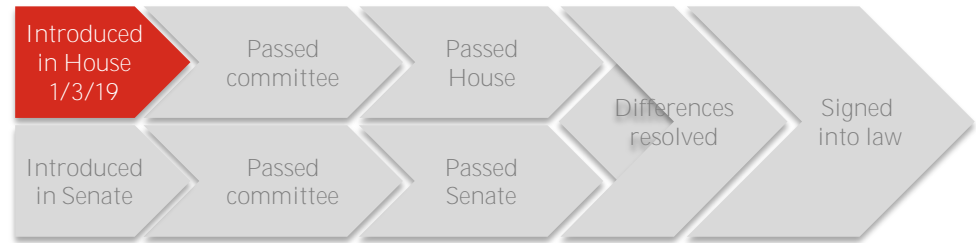


Legislation to watch: infrastructure

H.R. 66: Route 66 Centennial Commission Act

Sponsor: Rep. Rodney Davis (R-IL-13)

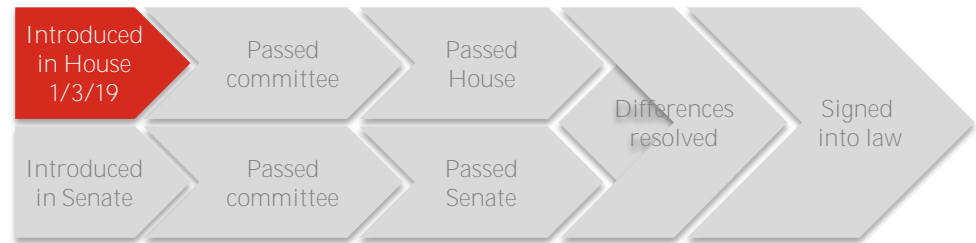
- Requires the Dept. of Transportation to prepare a plan on the preservation needs of Route 66
- Establishes the Route 66 Centennial Commission to honor Route 66 on the occasion of its anniversary



H.R. 180: Build America Act of 2019

Sponsor: Rep. Alcee Hastings (D-FL-20)

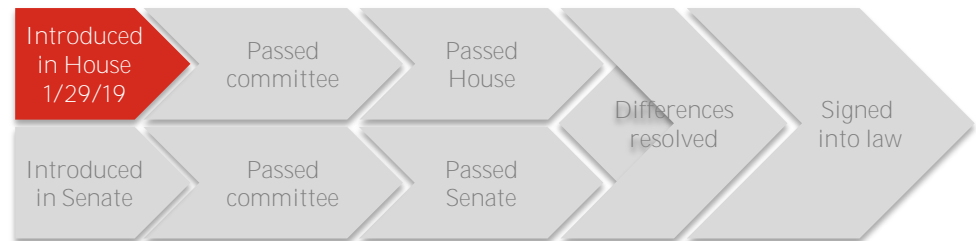
- Establishes a grant program for capital investments in surface transportation infrastructure
- Establishes a National Infrastructure Investment Trust Fund and increases the tax on gasoline other than aviation gasoline and on diesel fuel or kerosene



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

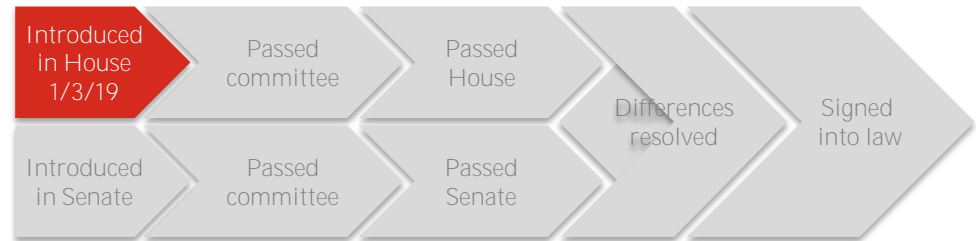


Legislation to watch: Transportation

H.R. 228: Increase Transportation Alternatives Investment Act of 2019

Sponsor: Rep. Nydia Velazquez (D-NY-7)

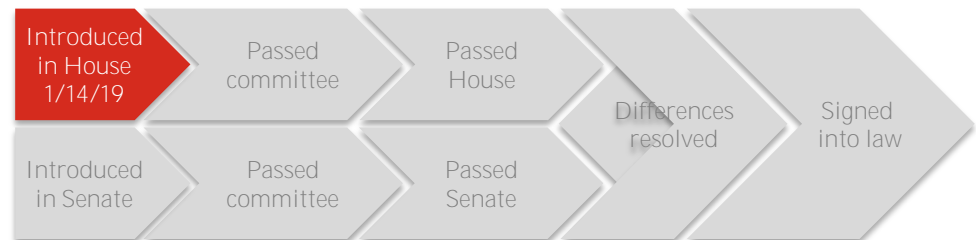
- Authorizes programs to support alternative transportation options in areas undergoing repair or reconstruction of existing transportation infrastructure



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)

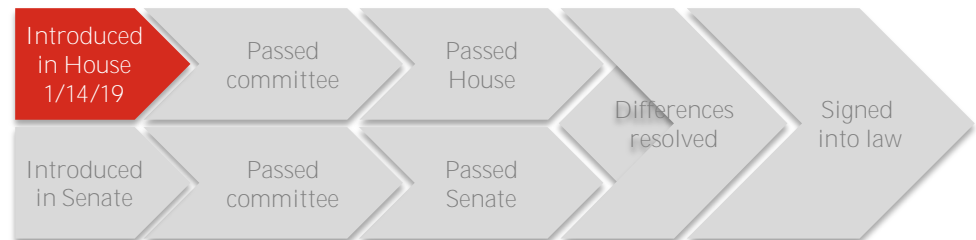
- Requires the Federal Railroad Administration to notify select congressional committees and members of Congress of any safety assessment for intercity or commuter rail passenger transportation systems and any related recommendations



H.R. 529: National Intersection and Interchange Safety Construction Program Act of 2019

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

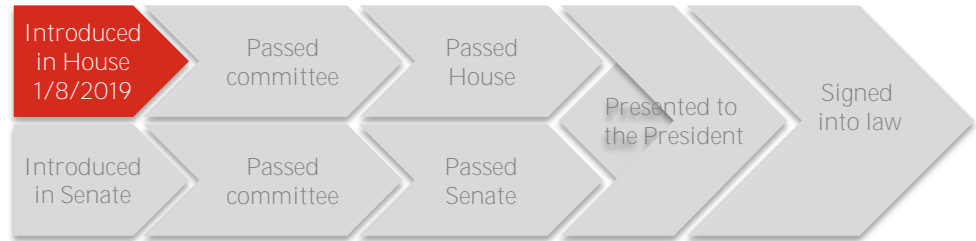


Legislation to watch: Pharmaceuticals

H.R. 275: Medicare Prescription Drug Price Negotiation Act of 2019

Sponsor: Rep. Peter Welch (D-VT-At Large)

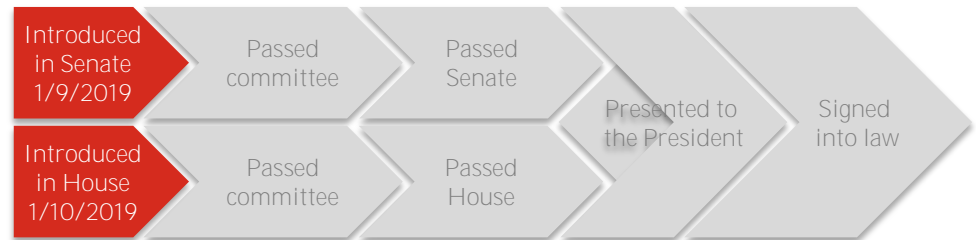
- Requires CMS to negotiate with pharmaceutical companies regarding prices for drugs covered under the Medicare prescription drug benefit
- Current law prohibits the CMS from negotiating



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)

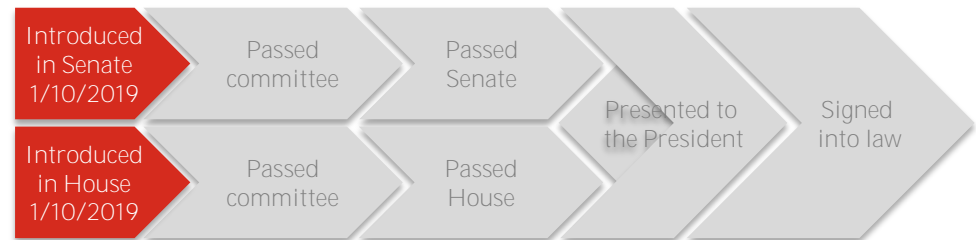
- Amends the Federal Food, Drug and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada



S. 102/H.R. 465: Prescription Drug Price Relief Act of 2019

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

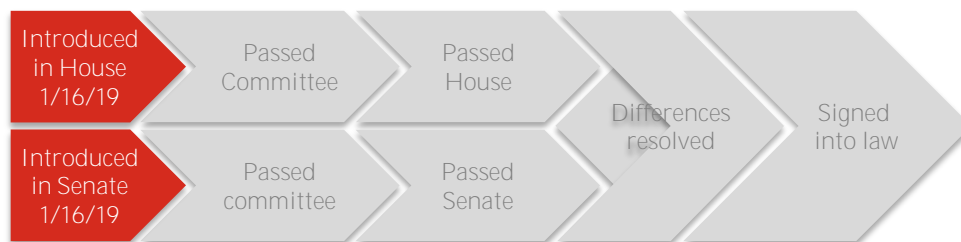


Legislation to watch: Tax, Labor & Economy

H.R.582/S.150: Raise the Wage Act

Sponsors: Rep. Bobby Scott (D-VA-3) & Sen. Bernie Sanders (I-VT)

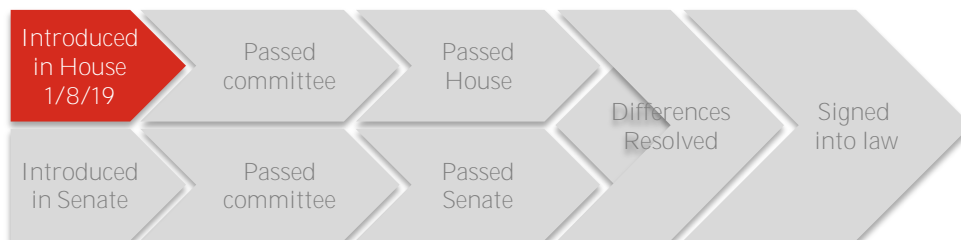
- Gradually increases the federal minimum wage to \$15/hour over a period of six years
- Phases out the subminimum wage for tipped workers



H.R.273: Presidential Tax Transparency Act of 2019

Sponsor: Rep. Anna Eshoo (D-CA-18)

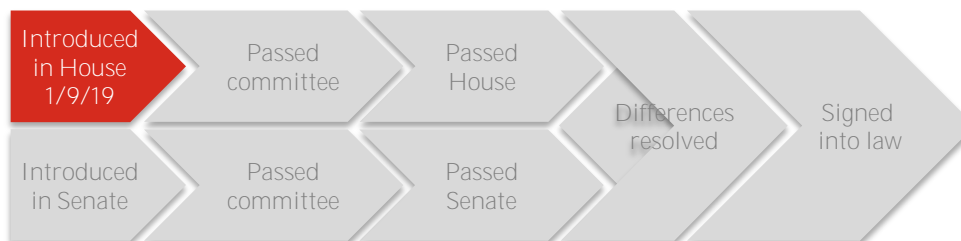
- Requires candidates running for the office of president or vice president to submit their individual income tax returns for the last 10 years to the Federal Election Commission
- Allows the chairman of the FEC to publicly disclose the **president's tax returns**



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

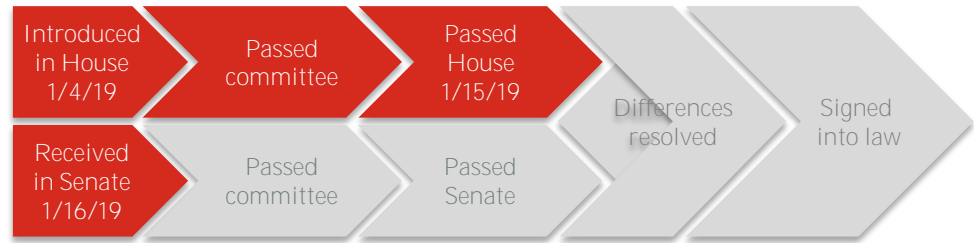


Legislation to watch: Technology

H.R. 247: Federal CIO Authorization Act

Sponsor: Rep. Will Hurd (R-TX)

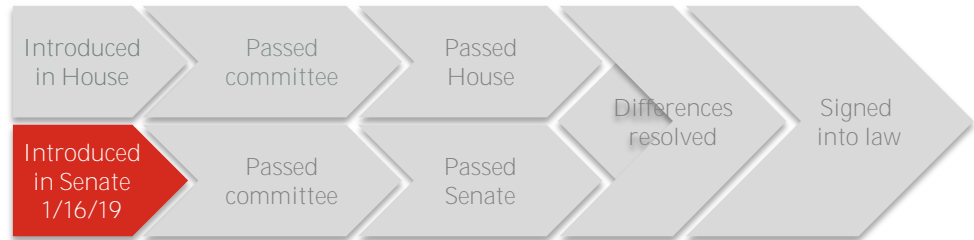
- Would reorganize OBM's information technology management, directing the federal CIO to report to the OMB director.
- Would require the federal CIO to submit a proposal on federal IT consolidation and shared services use.



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.

