Legislative Forecast for the 114th Congress

Updated June 1, 2015

National Journal Presentation Credits

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# Republicans Face Fights over Ex-Im, Highway Trust Fund in Coming Months

### Prospective Items on Legislative Agenda in 114th Congress

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<td><strong>Keystone XL:</strong> The House and Senate passed a bill approving the Keystone XL pipeline, but failed to override a veto</td>
<td><strong>Immigration:</strong> Congress attempted to tie funding for DHS to repeal of President Obama's actions on immigration, but a filibuster in the Senate led to a clean funding bill</td>
<td><strong>Medicare:</strong> Congress passed a surprising bipartisan long-term fix for Medicare payment rates and CHIP funding</td>
<td><strong>PATRIOT Act:</strong> The surveillance program is unlikely to be renewed without changes</td>
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<td><strong>Highway Trust Fund:</strong> Republicans will likely change spending levels and attempt to eliminate the gas tax in a Highway Trust Fund renewal</td>
<td><strong>Tax Reform:</strong> Movement on comprehensive tax reform remains unlikely in a Republican Congress, but corporate tax reform is possible</td>
<td><strong>Appropriations:</strong> A budget for FY2016 was passed in May, and the FY2015 appropriations period ends on Sept 30th.</td>
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### Action Possible, Timing Unknown

**Affordable Care Act:** Barring more extreme action in the wake of a Supreme Court decision eliminating federal exchange subsidies in *King v. Burwell*, medical device tax repeal and smaller regulatory changes to coverage requirements are possible; reconciliation authority has been given to repeal the act, but any bill to do that is guaranteed a veto.  

**Iranian Nuclear Agreement:** The Senate passed legislation to allow Congress an up-or-down vote on any agreement, but timing and details of the agreement are unknown.  

**No Child Left Behind:** GOP Senators want to push for less federal involvement in school performance evaluation and move more responsibility to states.  

**Online Sales Tax:** Not a high priority, but lobbying efforts from states and small businesses are pushing the GOP to allow for collection of sales taxes for online purchases; multiple bills have been introduced with differing mechanisms to address the issue.

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**Source:** National Journal Research 2014. For issue-specific sources, see issue-specific slides that follow.
## Affordable Care Act

### Timeline of Key Recent Federal Actions on the Affordable Care Act

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<th>Year</th>
<th>Event</th>
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<td>2012</td>
<td>NFIB v. Sebelius</td>
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<td>2013</td>
<td>“Continuing to Implement the ACA in a Careful, Thoughtful Manner”</td>
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<tr>
<td>Mar 2015</td>
<td>Supreme Court Oral Arguments in King v. Burwell</td>
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<td>May 2015</td>
<td>FY2016 Budget Resolution</td>
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**NFIB v. Sebelius**
The Supreme Court decided the constitutionality of the Affordable Care Act’s individual mandate, deciding that penalties imposed are a constitutional application of Congress’s taxing and spending power; however, the law’s provision stripping all Medicaid funding from states if they did not opt-in to the Medicaid expansion was ruled unconstitutionally coercive.

**“Continuing to Implement the ACA in a Careful, Thoughtful Manner”**
The Treasury Department issued a memo delaying the employer mandate by one year, leading to criticism from Congress and an eventual lawsuit by the House of Representatives.

**Supreme Court Oral Arguments in King v. Burwell**
A statutory interpretation case before the Court challenged the IRS’s ability to provide subsidies for individuals receiving health care via federal exchanges; oral arguments left the case’s outcome uncertain. The case is likely to be decided at the end of June.

**FY2016 Budget Resolution**
The joint budget resolution passed by both houses of Congress sets forth reconciliation provisions which will give the Senate the ability to write appropriations legislation repealing the Affordable Care Act via a simple majority vote.

### Potential Actions in 114th Congress

- The joint budget resolution includes language allowing for the repeal of the Affordable Care Act via reconciliation (only needing 51 votes for passage without possibility of filibuster); it is possible that both houses will send a key appropriations bill to President Obama with a rider attached repealing (and potentially replacing) the bill.
- It is almost impossible that the president would sign a bill repealing his signature legislative achievement; however, smaller reforms, such as changing the definition of a full-time worker or repealing the medical device tax have bipartisan support.
- *King v. Burwell* is expected to be decided at the end of June; if subsidies are not upheld, Republicans will likely use restoration of subsidies on federal exchanges as a bargaining chip for more significant reforms to the law.
$ Appropriations

Timeline of Key Recent Federal Actions on Appropriations

Jan 2014  
Consolidated Appropriations Act, 2014  
Omnibus spending package passed funding for the government through the end of September of 2014, following a temporary government shutdown in December 2013

Sep 2014  
Continuing Appropriations Resolution, 2015  
A short-term continuing resolution passed funding the government at FY2014 levels through December 11, 2014; this pushed appropriations deadlines into the lame duck session to avoid difficult votes for endangered congressional incumbents.

Dec 2014  
Consolidated and Further Continuing Appropriations Act of 2015  
Just hours before a potential shutdown, Congress passed an appropriations package funding almost all appropriations categories through the end of FY2015, with a continuing resolution until March for the Department of Homeland Security.

Feb 2015  
President Obama’s FY2016 Budget Request  
The president submitted a budget request to Congress in February to begin the FY2016 budget and appropriations process.

Mar 2015  
Department of Homeland Security Appropriations Act  
After attempting and failing to use DHS funding to leverage repeal of executive actions on immigration, the House and Senate passed a bipartisan bill to fund the Department of Homeland Security through the end of FY2015.

May 2015  
FY2016 Budget Resolution  
The joint budget resolution passed by both houses of Congress sets topline numbers to provide a formal framework for appropriations negotiations; the resolution also includes reconciliation language for use to repeal the Affordable Care Act via a majority vote.

Potential Actions in 114th Congress

• The House and Senate appear likely to pass an omnibus appropriations package in 2015, though with a packed legislative schedule in June and July (and the possibility of emergency actions needed to address a Supreme Court ruling in King v. Burwell at the end of June) and a Congressional recess in August, it seems likely that a continuing resolution may pass in September to allow for more time to negotiate.

• If the appropriations package includes repeal of the Affordable Care Act (which can be passed through reconciliation via a simple majority vote in the Senate after the passage of the joint budget resolution), President Obama may veto the package, forcing Congress to renegotiate close to a shutdown deadline.

Debt Ceiling

Timeline of Key Recent Federal Actions on the Debt Ceiling

2011

Budget Control Act of 2011
The BCA was designed to avoid a potential shutdown due to a failure to raise the debt limit in 2011; the act delegated authority to a ‘supercommittee’ to find an agreement on deficit reduction; however, no agreement was met, and so automatic penalty ‘sequestration cuts’ were put into effect.

Feb 2013

No Budget, No Pay Act of 2013
A bill which temporarily suspended the debt limit until May 28, 2013 and put Congressional pay on hold until a budget resolution could be passed.

Oct. 16, 2013

Continuing Appropriations Act, 2014
A continuing resolution passed in fiscal year 2014, which funded the government and suspended the debt limit until February 2015 to give lawmakers more time to negotiate a compromise proposal.

Feb 2015

Temporary Debt Limit Extension Act
Both houses of Congress passed a debt ceiling extension, suspending the ceiling until March 15, 2015.

Mar 2015

Debt Limit Reinstated
The suspension of the debt ceiling was lifted in March; the Treasury is currently taking extraordinary measures to keep the government funded.

Potential Actions in 114th Congress

• The Treasury Department will likely exhaust extraordinary measures around November; with Republican control of Congress, the attachment of riders for key Republican legislative priorities may go along with any debt limit hike, including lifting of defense sequestration cuts and ACA reform.
Export-Import (Ex-Im) Bank

Timeline of Key Recent Federal Actions on the Export-Import Bank

Consolidated Appropriations Act, 2008
Appropriations bill passed for FY2008 for the first time gave the Ex-Im bank the ability to use funds it collects to pay for the costs of its appropriations, and allows the Bank to hold $50 million in excess receipts to pay towards the following year’s appropriation expenses; the bank has been self-sufficient ever since, but still guarantees loans with the full faith and credit of the U.S. government.

Export-Import Bank Reauthorization Act of 2012
Extended the Bank’s charter for 2 years, until September 30, 2014, and codified reporting and business plan requirements for the bank.

Export-Import Bank Reauthorization Act of 2014
An bill, introduced by Sen. Joe Manchin (D-WV), to directly extend the Bank’s charter through 2019; the bill failed to get a vote in the Senate.

Continuing Appropriations Resolution, 2015
Included in a short-term continuing resolution was a temporary extension of the Bank’s charter through June 30, 2015.

Potential Actions in 114th Congress

- Many members in the House of Representatives have expressed a desire to allow the Ex-Im Bank’s charter to expire: Rep. Paul Ryan (R-WI) suggested that Congress will not reauthorize the bank’s charter in 2015, and House Majority Leader Kevin McCarthy (R-CA) has also said he does not support Ex-Im reauthorization.

- The Senate, as part of a fast-track trade agreement, tacitly agreed to bring a vote on the bank to the floor, though a stand-alone reauthorization may be difficult to get through the House; supporters of the bank may attach reauthorization to a must-pass bill to aid renewal efforts.

Highway Trust Fund

Timeline of Key Recent Federal Actions on the Highway Trust Fund

**CBO Projects Insolvency**
In January of 2012, the CBO released projections indicating that the Highway Trust Fund would become insolvent over the next two years.

**Department of Transportation Memo**
Transportation Secretary Anthony Foxx sent Congress a memo warning that the fund will be depleted by August 2014 without Congressional intervention.

**GROW AMERICA Act**
Secretary Anthony Foxx sends a draft of a long-term transportation bill to Congress as part of the President’s four-year $302 billion transportation reauthorization proposal.

**MAP-21 Reauthorization Act**
A six-year surface transportation reauthorization bill passed out of the Senate Environment and Public Works Committee; the bill stalls and does not pass either chamber.

**Highway and Transportation Funding Act of 2014**
A $10.8 billion law keeping the fund solvent until May 2015, as a temporary patch prior to the August recess and projected insolvency.

**Highway and Transportation Funding Act of 2015**
A further two month extension of the Highway Trust Fund is passed by Congress; Republicans, including House Majority Leader Kevin McCarthy (R-CA) and House Ways and Means Chairman Paul Ryan (R-WI) suggest paying for a more permanent extension of the fund by generating revenue through tax reform.

**Potential Actions in 114th Congress**
- GOP leadership wants to provide more permanent revenue for the Highway Trust Fund by attaching tax reform proposals to the bill.
- It is possible that tax reform proposals, such as a tax repatriation holiday, could help fund a more permanent extension once the current extension expires, but another temporary extension until the end of the year is also a possibility and would give lawmakers more time to draft bipartisan proposals for long-term funding.
- Provisions for long-term or short-term funding may also be attached to an omnibus budget package that would be effective October 1.

**Timeline of Key Recent Federal Actions on Immigration**

- **2012**
  - **Deferred Action for Childhood Arrivals (DACA)**
    - An executive action signed into law by Barack Obama. Suspended deportation of certain immigrants who arrived in the U.S. illegally as children. Obama’s use of executive action signaled lack of bipartisan support for the measure.

- **2013**
  - **Border Security, Economic Opportunity, and Immigration Modernization Act**
    - A bipartisan reform proposal to create a path to citizenship conditional on increased border security, as well as new visa classifications; passed the Senate on a 68-32 vote, but was never taken up by the House.

- **2014**
  - **Deferred Action for Parents of Americans (DAPA)**
    - An executive action signed into law by Barack Obama expanding the pool of eligible recipients of DACA and providing deportation relief to certain parents of U.S. citizens and lawful permanent residents.
  - **Texas v. United States**
    - Texas and 16 other states filed a lawsuit in federal court seeking to block implementation of DAPA, and a judge issued a preliminary injunction on the actions.

- **Feb 2015**
  - **Department of Homeland Security Appropriations Act**
    - The House voted to end both DACA and DAPA as a condition of funding DHS, but the Senate filibustered the measure; the House eventually passed a bill funding DHS without conditions.

- **Mar 2015**
  - **National Defense Authorization Act (NDAA)**
    - The House voted 221-202 against a nonbinding amendment which would have instructed the Secretary of Defense to consider allowing DACA recipients to serve in the military.

**Potential Actions in 114th Congress**

- Though Republicans muted criticism since a federal court put a stay on the immigration action in February, if the actions are ultimately upheld, Republican immigration hawks will likely again attach a provision or rider to appropriations items to block the actions from being enacted.
- Some moderate or politically endangered Republicans have pushed for some immigration reform measures, such as access to permanent residency for immigrants who attend college or the military; given that even soft and nonbinding language has been stripped from recent legislation, it is unlikely that any such measures will advance in either chamber.

International Trade

Timeline of Key Recent Federal Actions on International Trade

2002
Trade Act of 2002
Gave the president Trade Promotion Authority, also known as fast-track authority, which allows the administration to negotiate international trade agreements with only an up-or-down vote needed from Congress to enact agreements; the provision expired in 2007.

2012
White House Issues Request For Trade Promotion Authority
The Obama administration initially requested fast-track authority again during negotiations on the Trans-Pacific Partnership (TPP) in 2012.

2014
Bipartisan Congressional Trade Priorities Act of 2014
Bill introduced by Rep. Dave Camp (R-MI) and Sen. Max Baucus (D-MT) to provide the administration with trade promotion authority to assist in ongoing negotiations with TPP and the Transatlantic Trade and Investment Partnership (TIPP); the bill was referred to committee and no further action was taken.

May 12, 2015
Ensuring Tax Exempt Organizations the Right to Appeal Act (“Fast Track”) Blocked in Senate
The Senate reintroduced fast-track authority in the 114th by replacing the text of an unrelated tax bill, which was blocked from achieving cloture on a vote of 52-45.

May 14, 2015
Trade Preferences Extension Act of 2015; Trade Facilitation and Trade Enforcement Act of 2015
The Senate passed two bills, one enabling duty-free imports from developing countries, and one ensuring customs enforcement; the two bills were a point of contention for Democrats, who had wanted the bills tied to the original fast-track legislation.

May 22, 2015
Ensuring Tax Exempt Organizations the Right to Appeal Act (“Fast-Track”) Passes Senate
The Senate passed legislation approving fast-track and trade adjustment assistance (providing assistance to those who have been negatively affected by trade) without controversial currency manipulation language.

Potential Actions in 114th Congress

- Fast-track legislation passed the Senate after Democrats held out for votes on two bills that they had originally requested be tied into the trade promotion authority bill; passage is likely in the House of Representatives, but Republicans wary of expanding presidential power and labor-oriented Democrats may provide strong opposition
- Should fast-track legislation pass, it is likely that the Trans-Pacific Partnership would be supported by a majority vote in both chambers

Iranian Nuclear Negotiations

Timeline of Key Recent Federal Actions on Iranian Nuclear Negotiations

- **2013**
  - Executive Order 13645
    - An executive order which increased sanctions against Iran by targeting currency trading for the rial (Iran’s currency) and dealings with the Iranian automotive sector; this action built upon several other prior sanctions actions taken against Iran’s nuclear program.

- **Mar 2015**
  - Senate Open Letter to Iran
    - Sen. Tom Cotton (R-AR) sent a letter to Iran’s senior leadership, cosigned by 46 other Senators, to convey that an executive agreement on nuclear proliferation could be overturned by a future president unless ratified by the Senate.

- **Apr 2015**
  - Framework Agreement on Nuclear Program
    - President Obama announced a framework for an agreement on Iran’s nuclear program, including a phase-out of sanctions in exchange for reductions in and regular inspections of centrifuges and uranium stockpiles.

- **May 2015**
  - Iran Nuclear Agreement Review Act of 2015
    - A law which subjects an Iranian nuclear deal to congressional review; if Congress submits a resolution of disapproval, then sanctions may not be relieved for 12 days. Even if the resolution of disapproval is vetoed, sanctions cannot be lifted for 10 days. The president is required to keep Congress informed on a quarterly basis of Iranian compliance with any deal, and if Iran breaches the agreement or the president fails to issue a quarterly certification, sanctions may be restored by Congress.

Potential Actions in 114th Congress

- Legislation was shepherded through the Senate by Sens. Bob Corker (R-TN) and Ben Cardin (D-MD) to give Congress the authority to review a deal on Iran’s nuclear agreement.
- If the president comes to an agreement between July 10 and September 7 of 2015, Congress will have 60 days to review the agreement; otherwise, Congress will only have a 30-day review period; sanctions cannot be lifted during the review and approval period.
- It is entirely possible that Congress will need to take action on an Iranian nuclear agreement in 2015.

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## Timeline of Key Recent Federal Actions on the Keystone XL Pipeline

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<tr>
<td>Dec 2011</td>
<td>Temporary Payroll Tax Cut Continuation Act of 2011</td>
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<tr>
<td>Jan 2012</td>
<td>State Department Permit Rejection</td>
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<tr>
<td>Mar/Apr 2013</td>
<td>Draft Supplemental Environmental Impact Statement</td>
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<tr>
<td>Nov 2014</td>
<td>A Bill to Approve the Keystone XL Pipeline</td>
</tr>
<tr>
<td>Feb 2015</td>
<td>Keystone XL Pipeline Approval Act</td>
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### EPA Comments on State Department Draft Environmental Impact Report

The EPA suggested that the State Department’s review of the pipeline should include harms from heightened greenhouse gas emissions from oil-sands crude.

### Temporary Payroll Tax Cut Continuation Act of 2011

An end-of-year bill temporarily extending payroll tax cuts is signed into law with a rider requiring President Obama to make a decision on the Keystone XL pipeline permit.

### State Department Permit Rejection

President Obama, acting with guidance from the Department of State, denied a permit to Keystone XL on the grounds that the 60-day window provided by Congress was not enough time to gain necessary additional information needed to give approval to the project.

### Draft Supplemental Environmental Impact Statement

The State Department issued a supplemental environmental impact statement arguing that a proposed alternative route would cause no significant impacts to resources; the EPA released a letter challenging the conclusions of the statement.

### A Bill to Approve the Keystone XL Pipeline

The Senate voted to directly approve the Keystone XL pipeline during the 2014 lame duck session, but the bill failed to pass by one vote.

### Keystone XL Pipeline Approval Act

The House and Senate passed a bill to directly approve the Keystone XL pipeline after the new Republican-controlled Senate was sworn in, but President Obama vetoed the legislation, arguing that approval should be up to the executive branch. The Senate tried and failed to override the veto.

## Potential Actions in 114th Congress

- The veto (and failed override) of the Keystone XL Pipeline Approval Act likely means no further action will be taken to pass legislation with a focal point of approving the pipeline by Congress in 2015; approval or denial of the project may come through administrative review.
- Republicans have threatened, post-veto, to attach approval of the pipeline as a rider to must-pass appropriations legislation in order to force the president’s hand on approving the pipeline project.

Medicare

Timeline of Key Recent Federal Actions on Medicare

- **2008**
  - **Patient Protection and Affordable Care Act of 2010**
    - Major health care law passed in 2010; in addition to reforming the market for private insurance, it reduced payments to Medicare Advantage plans and created the Independent Payment Advisory Board to regulate Medicare costs, among other reforms.

- **Mar 2014**
  - **SGR Repeal and Medicare Provider Payment Modernization Act of 2014**
    - Bill proposed as a way to permanently end the Medicare SGR growth rate and replace it with a system which would, after a grace period, reward providers for participating in Alternative Payment Models (APM); the bill included a provision delaying the implementation of the ACA’s individual mandate to buy health insurance for five years. It was never taken up by the Senate.

- **Apr 2014**
  - **Protecting Access to Medicare Act of 2014**
    - One in a long line of annual delays (often called “doc fixes”) to cuts to Medicare reimbursement rates via the Sustainable Growth Rate; the bill delayed the implemented SGR reimbursement rate cuts for one year. The bill was paid for primarily through targeted Medicare cuts to specialized providers.

- **Mar 2015**
  - **Medicare Access and CHIP Reauthorization Act of 2015**
    - A bill similar to the SGR Repeal and Medicare Provider Payment Modernization Act of 2014 without a delay of the individual mandate, the law permanently repeals the SGR growth rate, replacing it with a plan which will reward providers who participate in alternative payment models and increase Medicare premium rates on certain higher-income individuals, among other reforms.

Potential Actions in 114th Congress

- Further changes to Medicare are unlikely after unexpected passage of the Medicare Access and CHIP Reauthorization Act, which reformed Medicare and ended the SGR; however, the joint budget resolution passed in May calls for the cost of that law to be fully offset, increasing the likelihood of further reforms.

- Rep. Sam Graves (R-MO) introduced the Medicaid Audit Improvement Act of 2015 in late April, which would replace Recovery Audit Contractor contingency payments, put more oversight on auditors whose audits are frequently overturned on appeal, and eliminate the one-year filing limit on Medicare Part B claims; the legislation has bipartisan co-sponsors, but appears to have stagnated in the House.

No Child Left Behind

Timeline of Key Recent Federal Actions on No Child Left Behind

2007

No Child Left Behind Act ‘Expires’
No Child Left Behind was nominally set to expire on September 30, 2007, with a goal of rewriting and reauthorizing the bill. The law remained in-effect due to a provision that the law would continue in its original form if Congress didn’t act after the ‘expiration date.’ The original expiration date made the initial bill appear cheaper in CBO scoring.

2011

Obama Administration Begins Waiver Program
Without a clear path towards replacement or revision of the law, and with the law’s original 2014 deadline for proficiency in reading and math looming, the Obama Administration offered to waive the proficiency deadline and other requirements for states which overhaul low-performing schools and enact more stringent teacher evaluation systems.

2013

Student Success Act
The House passed an NCLB replacement bill which would have replaced federal charter school funding with state grant programs, eliminated federal mandates for poor performing schools, and transformed several mandated spending provisions for particular disadvantaged population groups to block grant programs. The legislation was never taken up by the Senate.

2015

Every Child Achieves Act of 2015
A compromise bill put together by Sens. Lamar Alexander (R-TN) and Patty Murray (D-WA), which maintains annual standardized tests and funding for low-income schools while reducing the Education Department’s oversight and regulatory authority over state programs to improve educational outcomes for low-income and minority students. The bill unanimously passed out of the Senate Health, Education, Labor, and Pensions (HELP) Committee.

Potential Actions in 114th Congress

- The Every Child Achieves Act of 2015 is a key legislative priority of Senate HELP committee chair Lamar Alexander (R-TN) and ranking member Patty Murray (D-WA); the two shepherded it through committee and will likely work hard to get it through the full Senate
- Several amendments to the bill proposed by committee members were pulled from the committee hearing and will likely be reintroduced on the Senate floor; these amendments may make passage of the bill more difficult
- Rep. John Kline (R-MN), chair of the House Education Committee, has said that NCLB reform is a major piece of his committee’s legislative agenda; the House has more conservative priorities for NCLB reform than the Senate, so the Every Child Achieves Act may have difficulty advancing through the House even if it does pass the Senate

Source:
Online Sales Tax

Timeline of Key Recent Federal Actions on an Online Sales Tax

2011
Marketplace Fairness Act of 2011
A bill introduced by Sen. Mike Enzi (R-WY) which would have allowed states operating under the Streamlined Sales Tax and Use Agreement to require businesses which collect more than $500,000 in gross remote sales receipts to collect sales taxes on goods sold to residents of their states, even if the business is located in another state. The bill stalled in the Senate.

2013
Marketplace Fairness Act of 2013
A bill which passed the Senate in 2013 which would have allowed states operating under the Streamlined Sales Tax and Use Agreement to require businesses which collect more than $1,000,000 in gross remote sales receipts to collect sales taxes on goods sold to residents of their states, even if the business is located in another state. The bill was never taken up by the House.

Jan 2015
Online Sales Simplification Act of 2015
A draft bill released in the House by Reps. Bob Goodlatte (R-VA) and Anna Eshoo (D-CA); in contrast to the Marketplace Fairness Act, the bill would enable states to have out-of-state buyers pay sales tax to the state in which the seller is located, rather than the seller remitting collected sales tax to the purchaser’s state.

Mar 2015
Marketplace Fairness Act of 2015
A bill which has been introduced by Sen. Mike Enzi (R-WY) in the Senate in 2015; it is exactly the same as the 2013 version of the bill that passed the Senate. The bill has been referred to the Senate Finance Committee.

Potential Actions in 114th Congress

- House and Senate are divided on how to approach the issue: the Marketplace Fairness Act, which has been the model for online sales tax legislation for the past several sessions, has not been taken up by the House, in part due to concerns over allowing states to tax businesses located elsewhere
- An alternative plan put forward by Reps Bob Goodlatte (R-VA) and Anna Eshoo (D-CA) may help to alleviate those concerns, but there is no clear coalition backing one plan or the other
- Given the pressing nature of several issues with clear deadlines, and no clear consensus on the right policy mechanism, an online sales tax is a low-priority item in 2015

PATRIOT Act

Timeline of Key Recent Federal Actions on the PATRIOT Act

2011

PATRIOT Sunsets Extension Act of 2011
The act was renewed for four years until July 1, 2015, preventing the expiry of three key provisions: roving wiretaps, lone wolf surveillance for terrorism suspects, and the ability to access a wide array of personal records of terrorism suspects (often called the ‘library provision’).

2013

H. Amdt. 413 to Department of Defense Appropriations Act, 2014
An amendment proposed by Michigan Reps. Justin Amash (R) and John Conyers (D) in the aftermath of the Edward Snowden NSA leaks, the amendment would have restricted governmental authority to mass collect metadata on Americans; it failed in the House on a vote of 217-205.

2014

USA FREEDOM Act of 2014
A bill proposed by Sen. Patrick Leahy which would require the NSA to request specific data from phone companies and limited the amount and distance of connections the NSA could gain from a court. The bill would also have appointed public advocates for privacy rights and civil liberties in federal surveillance courts. The bill failed to achieve cloture in the Senate by a vote of 58-42.

May 2015

USA Freedom Act of 2015; Temporary Extension (S.1357)
The USA FREEDOM Act of 2015 is very similar to the bill that failed a Senate vote in 2014, requiring that the government identifies a specific person or account from a provider rather than allowing for the mass collection of data; the measure passed the House but failed a Senate cloture vote. Senate Majority Leader Mitch McConnell (R-KY) introduced a temporary two month extension (S.1357) for the PATRIOT Act’s expiring provisions, but the vote also failed to achieve cloture.

Potential Actions in 114th Congress

• The Senate is scheduled to meet in a special session on May 31, 2015 to attempt to find a solution to reauthorize the PATRIOT Act
• A sizable number of civil liberties advocates from both parties are staunchly opposed to any form of extension of the surveillance bill; the act will expire on July 1, 2015

Tax Reform

Timeline of Key Recent Federal Actions on Tax Reform

- **American Jobs Creation Act of 2004**
  A law which repealed certain excise taxes and trade subsidies and created tax credits for various businesses and products, including biofuels. The act also included a tax repatriation holiday to attempt to generate economic stimulus.

- **S. Amtd. 112 to the American Recovery and Reinvestment Act of 2009**
  Bipartisan amendment proposed by Sens. Barbara Boxer (D-CA) and John Ensign (R-NV) to include another tax repatriation period in the 2009 stimulus package; the amendment failed, 42-55.

- **American Taxpayer Relief Act of 2012**
  A law which made a series of Bush administration tax cuts permanent, but increased tax rates on dividends, estate taxes, and payroll taxes; the bill also extended certain corporate tax breaks and certain tax breaks for lower-income families.

- **Tax Reform Act of 2014**
  A comprehensive draft proposal for tax reform which was released by then-House Ways and Means Committee Chair, Rep. Dave Camp (R-MI); the bill would have lowered corporate and individual tax rates and simplified the tax code, but faced wide opposition and was only ceremonially put to the floor at the end of December 2014.

- **Treasury Actions on Inversion**
  Treasury Secretary Jack Lew put forward a series of measures designed to reduce benefits of tax inversions, including blocking inverted companies from transferring assets to parent companies and accessing foreign earnings.

- **Senate Finance Committee Tax Working Groups**
  The Senate Finance committee created a series of ‘working groups’ on different issue areas to create proposals for tax reform in the 114th Congress.

Potential Actions in 114th Congress

- Though there were originally proposals to use FY2016 budgetary reconciliation authority to address comprehensive tax reform, the joint budget resolution tied reconciliation language to repeal of the Affordable Care Act.
- Plans for more modest tax reform are likely to be tied to renewal of the Highway Trust Fund as a way to fund the program, which is set to expire in September; the Senate Finance Committee’s working groups are attempting to quickly develop bipartisan proposals to attach to the Trust Fund’s renewal.
- Comprehensive tax reform is unlikely in a short window; the most likely scenario for reform is likely to be another repatriation holiday or other international tax reforms.