



Strategies Key Contacts

Shane Doucet
202-220-6929
sdoucet@lockelord.com

Douglas P. Faucette
202-220-6961
dfaucette@lockelord.com

Denise Hanna
202-220-6992
dhanna@lockelord.com

Brian Heindl
202-220-6994
bheindl@lockelord.com

Harriet Miers
202-220-6925
hmiers@lockelord.com

Jim Moriarty
202-220-6915
jmoriarty@lockelord.com

Phil Rivers
202-220-6927
privers@lockelord.com

Mark Siegel
202-220-6926
msiegel@lockelord.com

Walter B. Smith, Jr.
202-220-6936
wsmith@lockelord.com

www.lockelord.com

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MARCH 21-25: THIS WEEK

Both the House and the Senate are in recess this week.

Energy/Environment/Climate Change

The top senators on the Energy and Natural Resources Committee invited public comment Monday, March 21, on how to implement a national clean-electricity mandate like the one President Obama proposed in his State of the Union address. The six-page "white paper" released by Chairman Jeff Bingaman (D-N.M.) and ranking member Sen. Lisa Murkowski (R-Alaska) raises a series of tough questions about a clean-energy standard, which would require that an escalating percentage of electricity be generated by zero- or low-emission power sources by a specific date.

In a move that is likely to further complicate efforts by Environmental Protection Agency (EPA) critics to block or delay greenhouse gas regulations, Senate Finance Chairman Max Baucus (D-Mont.) on Wednesday, March 16, unveiled his own plan to address growing resentment over the rules. The amendment to a small-business bill pending

before the Senate would exempt small businesses and farms from greenhouse gas regulation. It would codify the EPA's tailoring rule, which exempts facilities that produce less than 75,000 tons of carbon dioxide annually from regulation. Doing so would essentially bar the EPA from later regulating smaller facilities, which could help defuse some criticism of the rules.

The House Energy and Commerce Committee (HECC) advanced legislation Tuesday, March 15, that would block the EPA from regulating greenhouse gases to address climate change, setting up a floor vote before the April recess. HR 910, the Energy Tax Prevention Act of 2011 would add a new section to the Clean Air Act exempting greenhouse gases from the EPA's purview, while repealing numerous agency actions to implement new emissions restrictions. The committee approved the measure largely along party lines, 34-19.

Insurance

In a March 15 eleven-page letter to the National Association of Insurance Commissioners, Sen. Jay Rockefeller (D-W.Va.) Chairman of the Senate Commerce Committee, provides additional information about why Congress included agent and broker commissions in the medical loss ratio calculation created by the health care reform law, and how this provision helps American consumers and businesses get a better value for their health insurance premium dollars.

On Thursday, March 17, Rep. Mike Rogers (R-Mich.), introduced legislation to exclude remuneration paid for licensed independent insurance producers from the medical loss ratio calculation of the Patient Protection and Affordable Care Act. HR 1206, the Access to Professional Health Insurance Advisors Act of 2011 currently has 14 cosponsors. The bill was referred to the HECC.

On Wednesday, March 16, Rep. Randy Neugebauer (R-Texas) introduced HR 1112, the National Association of Registered Agents and Brokers Reform Act of 2011.

The legislation would establish a national portal to streamline the multistate licensing process for insurance producers. The bill has 47 co-sponsors and has been referred to the House Financial Services Committee.

Last week, Treasury Secretary Timothy Geithner announced the appointment of Michael McRaith, Illinois Director of Insurance, as the first director of the Federal Insurance Office. The Dodd-Frank Act established the Federal Insurance Office (FIO) within the Treasury Department and provides that the Director of the FIO is a non-voting member of the Financial Stability Oversight Council. In addition to being the Illinois Director of Insurance, Mr. McRaith is the Secretary-Treasurer of the National Association of Insurance Commissioners. Insurance industry officials and representatives praised the selection of McRaith as the director of the FIO.

It has been reported that Rep. John Campbell (R-Calif.) is preparing to introduce legislation that would allow risk retention groups to cover commercial property.

Tax

House Majority Leader Eric Cantor (R-Va.) said Monday, March 21, that lawmakers could help the economy by reducing the tax rate corporations pay when they repatriate earnings from overseas. Saying the United States needs to be "competitive again in the area of business taxation," Cantor endorsed a 25 percent

corporate tax rate, but he also said that reaching consensus on such a major tax policy change could "take time." For that reason, Cantor said U.S. multinational companies should be permitted "to bring back almost \$1.2 trillion in overseas profits at a lower tax so they can invest in our economy here at home."