



September 1, 2009

August, 2009: MSCI Advocacy Newsletter

Welcome to the August Advocacy Newsletter, a monthly medium through which MSCI aims to keep its members updated on federal legislative and regulatory issues of importance to the metals industry. Given the August congressional recess and the President's recent vacation and travel agenda, Washington has been "officially" quiet. However, work continues behind closed doors on a number of legislative and regulatory matters of interest to our industry. As a result, we encourage you to use this last week of recess to contact your members of Congress and their staff. The months ahead figure to bring robust debate and clogged calendars, making now the best time to have your voice heard on the various legislative proposals under consideration.

The following provides a brief update on legislation that will affect the metals industry in the coming months. For additional information on these and other law-related topics, go to www.winston.com and click on "Publications" or "Newsletters" under the "Resources" tab. You may also want to reference prior legislative newsletters that go into greater depth on the content of various legislative proposals and their applicability to our industry. Those newsletters can be found on the MSCI [web site](#). Finally, you can find contact information for your Congressmen and Senators at the [following link](#) by entering your zip code in the box on the left hand side.

Health Care Reform

President Obama and his Democrat allies in Washington had sought House and Senate passage of comprehensive health care reform legislation prior to the month long August recess. However, neither chamber was successful in meeting that goal. This failure prompted an expensive and extensive public relations campaign between Democrats and Republicans over the course of August complete with million dollar advertising spots and countless "town hall" meetings around the country. The prospects for passage remain heavily in question, prompting most industry stakeholders and Washington negotiators to eye September and August as a time for full scale battle over the future of health care reform.

The Senate Finance Committee is still considered to have the best chance of producing a viable reform package. While Chairman Baucus (D-MT) has yet to release a written draft, he has continued throughout August to negotiate key provisions of his package with a bi-partisan group of senators that includes three Republicans in Senators Olympia Snowe (R-ME), Michael Enzi (R-WY), and Charles Grassley (R-IA, Ranking Republican on Senate Finance Committee). The other key negotiators on the Democratic side are Senators Kent Conrad (D-ND) and Jeff Bingaman (D-NM).



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Now is the time to contact members of Congress about this highly contentious and complex legislation. Additional information on the substance of the various proposals under consideration is available in prior newsletters on the MSCI [web site](#).

Climate & Energy

On June 26th, the House of Representatives approved H.R. 2454, "[The American Clean Energy and Security Act](#)," by a vote of 219 to 212. The Senate has not yet introduced a bill of its own, but the Chairmen of the various committees of jurisdiction (Senate Finance Committee Chairman Baucus (D-MT), Senate Environment and Public Works Committee Chair Boxer (D-CA), Senate Agriculture Committee Chair Harkin (D-IA), and Senate Foreign Relations Chairman Kerry (D-MA)) have begun to discuss a process for moving ahead. Before leaving for recess this week, Senator Boxer held a high profile hearing and committed to introducing a bill on September 8th that would be the starting point for negotiation in the Senate. Just yesterday, Senator Boxer announced that due to the status of the health care reform debate, the death of Senator Kennedy and a number of other factors, she would delay introduction until later in September. This provides our industry with additional time to weigh in with concerns about the proposal passed out of the House and to influence the shape of any Senate measure. Additional information on the substance of the House bill is available in prior newsletters on the MSCI [web site](#).

Labor

While relatively good economic news has come out of Washington this summer, President Obama has admitted that job creation will continue to lag behind a broader recovery and Treasury Secretary Geithner has indicated that unemployment rates would probably not begin to fall until late in 2010. Additionally, while advocates for the Employee Free Choice Act have struggled to press forward with legislation, the prospect of its passage, in some form, is still very much alive. This week is an excellent time to log concerns and to advocate for moderated approaches to the legislation. Additional substantive information on this issue is available in prior newsletters on the MSCI [web site](#).

Trade & China

Trade issues remain in the focus as the federal government seeks ways to end the global recession and enter a new growth stage. The central trade theme of the summer has been the United States and its relationship with China, including trade practices, currency manipulation, and protectionist policies. As the lion share of our national trade agenda is carried out by the Administration, MSCI members are well served to log their positions with the White House and other highly relevant federal officials. Questions, concerns, and advocacy positions may be submitted as follows:

- ❖ White House: [contact information](#)



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- ❖ Secretary of Commerce: [contact information](#)
- ❖ United States Trade Representative: [contact information](#)

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