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HENSARLING SETS HEARING DATE TO DISCUSS FINANCIAL CHOICE ACT REINTRODUCTION

This week, House Financial Services Committee Chairman Jeb Hensarling (R-TX) announced plans to hold a hearing to discuss the Financial CHOICE Act on April 26. The Committee plans to discuss the updated version of the bill at the hearing, dubbed the Financial Choice Act 2.0, which includes a provision that would repeal the Durbin Amendment. Repealing the Durbin Amendment would be extremely harmful to retailers because it ultimately lowered debit card interchange fees which are the second highest expense to a retailer only behind labor.

PMAA has been working with the Merchants Payments Coalition (MPC) and meeting with House Financial Services Committee members for the past year to educate members of Congress about the benefits of the Durbin Amendment. Now that we know the legislation includes the provision to strip the Durbin Amendment, we are going to make this a top issue during PMAA's Day on the Hill in May.

Also, please click [here](http://www.pmaa.org/weeklyreview/attachments/SupremeCourtRulesin2Cases0417.pdf) (<http://www.pmaa.org/weeklyreview/attachments/SupremeCourtRulesin2Cases0417.pdf>) for an update from PMAA General Counsel regarding the credit card interchange fee litigation.

EPA TASK FORCE BEGINNING TO EVALUATE REGULATIONS

On March 1, President Trump signed an executive order stating that all agencies must form their own regulatory reform task force to evaluate existing regulations and make recommendations to repeal, replace or modify based on factors including impacts on job creation, necessity, effectiveness, cost-benefits and consistency with other regulatory reform initiatives.

The task forces are required to seek stakeholder input, and EPA is holding a series of calls to go over some industry proposals. Space to participate in the calls booked up immediately. However, PMAA is preparing our list of regulations to repeal or modify to communicate to our contacts on the EPA Task Force prior to the May 15 deadline.

Removing rules will likely involve a difficult and lengthy process unless Congress changes the Administrative Procedures Act which could result in many court battles.

STATES DEFEND TRUMP'S REGULATORY REDUCTION ORDER

The States of West Virginia, Wisconsin, Alabama, Arizona, Arkansas, Georgia, Kansas, Louisiana, Michigan, Nevada, Oklahoma, South Carolina, Texas, and Wyoming filed a "friend of the court" brief in defense of President Trump's executive order directing agencies to identify two regulations for repeal or revision for every rule promulgated.

The fourteen states have a significant interest in actions that lessen regulatory burdens on the states and those states see that the growth of new regulatory burdens has greatly increased, while unnecessary regulations, particularly older ones, are rarely eliminated.

PMAA strongly supports the President's executive order and all efforts to reduce regulatory burdens on petroleum marketers.

COMMERCE DEPARTMENT INVESTIGATING ARGENTINA AND INDONESIA BIODIESEL IMPORTS

The U.S. Commerce Department has launched an antidumping and countervailing duty investigation aimed at biodiesel imports from Argentina and Indonesia. The investigation is in response to a complaint filed by the biodiesel industry in the United States. U.S. biodiesel industry representatives testified to the International Trade Commission last week, saying biodiesel produced in Argentina and Indonesia has been flooding the U.S. market since 2014. The industry claims the subsidized biodiesel from Argentina and Indonesia forced U.S. producers out of their home market. The Commerce Department says there is reason to believe that Argentine and Indonesian biodiesel companies were selling into the U.S. "at less-than-fair value." The cases could result in duties on the imports from the two countries.

The National Biodiesel Board (NBB) said imports from Argentina and Indonesia increased by more than 460 percent from 2014 to 2016, gaining about 18 percent of U.S. market share during that time. Imports of biodiesel from Argentina and Indonesia were valued at an estimated \$1.2 billion and \$268 million in 2016, respectively, Commerce said. Dumping margins could be as high as 26.54 percent for Argentina and 28.11 percent for Indonesia, according to the NBB.

Argentine biodiesel exporters argue that it's a protectionist measure and the claim is misguided. Argentina is the world's No. 1 exporter of soyoil while Indonesia is the world's top producer of palm oil.

The next major step in the case is a preliminary International Trade Commission ruling on injury which is expected on or before May 8. If the commission advances the cases, Commerce will announce preliminary determinations on estimated rates of subsidization and dumping on or about Aug. 22 and Oct. 20.

TRUMP PROMISES VICTORIES ON HEALTHCARE, TAX REFORM AND INFRASTRUCTURE

On Tuesday, President Trump addressed a crowd at Snap-on Tools in Kenosha, Wisconsin, touting his “Buy American, Hire American” policies. He pledged to first pass a new healthcare bill after the House failed to pass their original Obamacare repeal package last month, saying that passage was imminent. Trump stated that he is also “working with Congress on tax reform and simplification, and we’re on time, if we get that health care approval, so press every one of your congressmen. Press everybody because we [want to] get that approval,” President Trump said passing healthcare legislation first will make tax reform easier. However, many Democrats and critics of the president have suggested that tax reform cannot be accomplished until Trump releases his tax returns, arguing that he could benefit from legislation he has the authority to sign into law.

Trump also promised to pass a large infrastructure bill, one that would likely exceed \$1 trillion. President Trump said that he would use the infrastructure bill “with something else that’s a little bit harder to get approved in order to get that approved. But infrastructure is coming, and it’s coming fast.” Although there is no timeline of passage of a healthcare bill, tax reform package and infrastructure bill, PMAA is monitoring the progress of legislation and will look forward to passage of each package.

GRAVES AND NORTON SEEKING LONG-TERM FIX FOR HIGHWAY TRUST FUND

On Tuesday, Rep. Sam Graves (R-MO) and Del. Eleanor Holmes Norton (D-DC) wrote a letter to the House Ways and Means Committee requesting that the committee include a long-term Highway Trust Fund (HTF) fix in any tax code overhaul the committee undertakes. The letter states that “a long-term solution to the HTF structural revenue deficit would promote increased transportation infrastructure investment and meaningful economic growth in every state.”

In the letter, Graves and Norton added that “over the past 30 years, all HTF revenue enhancements have been included in larger tax and deficit reduction packages. Any HTF solution should entail a long-term, dedicated, user-based revenue stream that can support the transportation infrastructure investment supported by President Trump and members of Congress from both parties.” Additionally, the two added that “without resolving the issues facing the HTF prior to the expiration of the FAST Act in 2020, Congress will be required to either pass more short-term stopgap measures or provide additional offsets to support a multi-year bill.”

PMAA supports the effort to find a long-term fix for the Highway Trust Fund.

OVERTIME RULE DELAYED AGAIN

Because confirmation of the new Department of Labor (DOL) secretary has not occurred, a third delay in DOL’s appeal of a judge’s order that halted the agency’s overtime rule has been pushed back for the DOL’s next filing, from May 1 to June 30. This will give incoming leadership time to review the department position.

The rule which would raise the threshold for receiving mandatory overtime from \$23,660 to \$47,476 a year, was scheduled to take effect December 1, but a judge blocked it on November 22, finding the DOL lacked authority under the Fair Labor Standards Act.

PMAA will continue to monitor the latest with the overtime rule.

DAKOTA ACCESS PIPELINE DELIVERY TO BEGIN MAY 14

Last Thursday, Energy Transfer Partners LP filed a tariff with the U.S. Federal Energy Regulatory Commission stating that interstate crude oil delivery via the Dakota Access Pipeline (DAP) will begin on May 14.

The \$3.8 billion pipeline will bring crude oil through the Midwest and into the U.S. Gulf Coast with a daily capacity of 570,000 barrels of oil. In February, the Army Corps of Engineers announced that it had completed the review of the DAP oil project that had triggered months of protests from Native American tribes and environmentalists.

The approvals of the Dakota Access Pipeline and the Keystone XL Pipeline are indicative of how the new Administration is taking a much needed and drastically different approach to energy issues.

NOW IS THE TIME TO REGISTER FOR PMAA’S WASHINGTON CONFERENCE AND DAY ON THE HILL

PMAA’s 2017 annual Washington Conference and Day on the Hill will be held in Washington, DC from May 17-19. With the new Congress and Administration in place, our industry continues to have dozens of important legislative and regulatory issues to discuss and the Day on the Hill continues to be the primary focus of this conference.

The meeting will begin with an Opening Session / Issues Briefing and Region meetings in the afternoon of May 17. In addition, PMAA will hear from Rep. Bill Flores (R-TX) on the May 17 during the Opening Session. Our welcome reception,

including our fun and popular PAC silent auction fundraiser, concludes the day! On the morning of May 18, marketers will head to Capitol Hill for visits with their Congressional delegations after a buffet breakfast and issues briefing for those who were not able to attend the opening session. **Please be sure to make these appointments immediately.** There will be a hospitality suite and luncheon on the Hill. On the evening of May 18, we will honor our 2017 PMAA Chair Mark Whitehead. Our conference will conclude after the PMAA Board of Directors meet on May 19 following a buffet breakfast and committee meetings.

Please click [here](http://www.cvent.com/d/svqfns) (<http://www.cvent.com/d/svqfns>) for our **event website** for all details including registration with secure event payment processing through Cvent. If you plan on attending PMAA's annual Washington Conference and Day on the Hill, **please also take the time now to make your room reservation through A Room with A View** (our overflow hotel company serving as our waitlist) at 800.780.4343 and they will accommodate you at various hotels as close as possible to the Washington Marriott at Metro Center. As rooms become available soon, they will transfer your reservation to Marriott at Metro Center as they were received by them. May is a very busy peak month here in Washington, DC where hotels book quickly and there are many citywide events also going on during our conference. Hotel and Travel information is posted on our event website. We are expecting a record turnout! **If you have not yet registered or reserved your hotel room, now is the time to do so!**

Please make your plans to attend this important and productive forum to meet with your members of Congress and network with other marketers from across the country! We look forward to welcoming you to DC in May!

ANNOUNCING NEW WPMA MEMBER SERVICE

WPMA has partnered with American Fidelity Assurance Company to provide its Marketer members with supplemental employee benefits, employee benefits education and enrollment, online enrollment tools and communication, and Patient Protection and Affordable Care Act (ACA) compliance.

For more information, visit www.americanfidelity.com.

PLAN TO ATTEND THE 2018 WPMAEXPO

WPMA EXPO

Mark your calendars for February 20-22, 2018. Make plans now to attend the 2018 WPMAEXPO. It will be held once again at the Mirage in Las Vegas, Nevada.

MARK YOUR CALENDARS FOR UPCOMING EVENTS

May 4-5, 2017– Nevada (NPM&CSA) Big Dogs Shootout – Las Vegas, Nevada

June 6-8, 2017 – Montana (MPMCSA) Convention – Northern Hotel – Billings, Montana

June 19-22, 2017 – Washington (WOMA) Convention – Suncadia Resort – Cle Elum, Washington

June 22, 2017 – Utah (UPMRA) Summer Classic PAC Golf Outing – Stonebridge GC, WVC, Utah

August 2-4, 2017 – Idaho (IPM&CSA) Convention – Sun Valley Resort – Sun Valley, Idaho

August 21-23, 2017 – New Mexico (NMPMA) Convention – Sandia Resort – Albuquerque, New Mexico

September 13-15, 2017 – Utah (UPMRA) Convention – Zermatt Resort – Midway, Utah

February 20-22, 2018 – WPMA Convention & Expo – Mirage Hotel– Las Vegas, Nevada

June 18-21, 2018 – Washington (WOMA) Convention – Suncadia Resort – Cle Elum, Washington

August 8-10, 2018 – Idaho (IPM&CSA) Convention – Coeur d'Alene Resort – Coeur d'Alene, Idaho

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Petro Pete: *"People used to laugh at me when I would say "I want to be a comedian", well nobody's laughing now."*

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