

FEDERAL NEWS CLIPS

March 21, 2012

NRF JOINS ‘RALLY FOR ROADS,’ URGES HOUSE TO MOVE QUICKLY ON TRANSPORTATION SPENDING BILL

Press Release from the National Retail Federation

March 20, 2012

The National Retail Federation joined more than a dozen other trade associations at a “Rally for Roads” on the National Mall today, calling on the House to move quickly on its version of legislation to reauthorize federal transportation spending.

“This rally comes at a critical time,” NRF Vice President for Supply Chain and Customs Policy Jonathan Gold said. “In less than two weeks, federal funding for highways, bridges and other essential infrastructure projects is going to dry up, and that work is going to come to a halt. Too many jobs are at stake for Congress to let this wait any longer.”

“A critical component of our transportation future has to be the development of a national freight policy that recognizes the importance of freight movement to businesses across our country and puts a priority on funding for freight-related projects,” Gold said. “Retailers need reliable and efficient infrastructure to get merchandise to our stores, but the U.S. transportation system has suffered from decades of underinvestment that has turned it into an inflexible drag on the recovering economy.”

Gold spoke this morning at a “Rally for Roads” held on the National Mall near the Washington Monument by associations representing retail, manufacturing, agriculture, services and the transportation construction industry. The rally drew several members of Congress who called for passage of transportation legislation and hundreds of supporters.

The Senate voted 74-22 last Wednesday to pass S. 1813, the Moving Ahead for Progress in the 21st Century Act, or MAP-21 Act, sponsored by Environment and Public Works Committee Chairwoman Barbara Boxer, D-Calif. The measure would provide \$109 billion over two years.

The House is pushing for a broader measure that would provide \$260 billion over five years, H.R. 7, the American Energy and Infrastructure Jobs Act of 2012, sponsored by Transportation and Infrastructure Committee Chairman John Mica, R-Fla. But with the current transportation funding law set to expire March 31, the chamber plans to pass a short-term extension to keep highway programs funded and then try to pass the Mica bill after the Easter recess.

As the world's largest retail trade association and the voice of retail worldwide, NRF represents retailers of all types and sizes, including chain restaurants and industry partners, from the United States and more than 45 countries abroad. Retailers operate more than 3.6 million U.S. establishments that support one in four U.S. jobs -- 42 million working Americans. Contributing \$2.5 trillion to annual GDP, retail is a daily barometer for the nation's economy. NRF's Retail Means Jobs campaign emphasizes the economic importance of retail and encourages policymakers to support a Jobs, Innovation and Consumer Value Agenda aimed at boosting economic growth and job creation. www.nrf.com

Originally published here: <http://www.marketwatch.com/story/nrf-joins-rally-for-roads-urges-house-to-move-quickly-on-transportation-spending-bill-2012-03-20>

TEXAS IS A BIG WINNER IN THE SENATE'S BIPARTISAN HIGHWAY BILL

By Samantha Wagner

Texas on the Potomac News Blog

The House of Representatives hasn't been in town this week. The result, it seems, is that things are moving smoothly — in a surprisingly bipartisan way — in Washington.

The Senate managed to reach two big bipartisan deals: to confirm stalled judicial nominees, including two from Texas, and to approve a two-year, \$109 billion surface transportation bill.

The proposal, formally called the Moving Ahead for Progress in the 21st Century Act (or MAP-21), was strongly pushed by Texas Republican Sen. Kay Bailey Hutchison, who called the measure “a significant win for Texas.”

One big victory was Hutchison's success in increasing the rate-of-return for Texas contributions to the federal Highway Trust Fund (through gas tax revenues) from 92 percent to 95 percent. There also were several provisions of particular interest to the Lone Star State. Some key examples:

Mass Transit Systems

MAP-21 provides funding for the advancement of bus and rail projects in Texas. Of particular interest to Houston is the expansion of Metro light rail. The bill also benefits Texas by allowing more spending flexibility in high-growth areas, permitting federal funds to cover operating expenses.

I-69

Construction of the proposed Interstate 69, the so-called NAFTA Superhighway from the Texas-Mexico border north into the American heartland, would move forward under MAP-21. The bill allows for segments to be deemed “Interstate” if they meet federal, access-controlled standards. This provision will allow for development along unfinished corridors.

The Motorcoach Enhanced Safety Act

After years of trying, Hutchison finally succeeded in winning approval of new safety rules for interstate motor coaches, The Motorcoach Enhanced Safety Act of 2011, co-sponsored by Hutchison and Ohio

Democrat Sherrod Brown, would require the Department of Transportation to upgrade safety standards and training requirements.

More specifically, the bill would require motor coaches to have safety features like seat belts, anti-ejection window glazing, crush-resistant roofs and electronic stability control systems that prevent rollovers. It would also require classroom and behind-the-wheel training for drivers and strengthened vehicle safety inspections.

“Too many lives have been wasted in tragedies that are entirely preventable because of poor bus safety standards,” Hutchison said. “Basic safety standards...will go a long way in making our roads safer for everyone – not just bus occupants.”

The proposal was spurred by a series of fatal bus crashes, including several in Texas.

Streamlined Project Review

MAP-21 also streamlines the environmental review process, waiving review for projects with minimal environmental impact. This would allow some projects to be completed more quickly.

Transportation Infrastructure Financing Innovation Act

The annual spending cap for the Transportation Infrastructure Financing Innovation Act, or TIFIA, increased from \$122 million to \$1 billion. Eligible projects would also grow to include freight and passenger rail, international land ports of entry and intelligent transportation systems — all programs likely to benefit Texas.

According to Senator Hutchison’s office, “Texas leads the nation in TIFIA awards over the program’s history and will be well-positioned under the new program.”

Of course, these potential Texas benefits are contingent on the bill’s approval in the House. White House Press Secretary Jay Carney noted that the Obama administration is pleased that the Senate was able to reach a bipartisan agreement.

“We are hopeful that the House will move swiftly and in a similarly bipartisan fashion to do the same,” Carney said.

Originally published here: <http://blog.chron.com/txpotomac/2012/03/texas-is-a-big-winner-in-the-senates-bipartisan-highway-bill/>

WASHINGTON REPORT: THE VALUES OF ADVOCACY

NACS News Blog
March 20, 2012

NACS Day on Capitol Hill kicks off with an issues briefing and a networking reception with members of Congress and their staff. Today, attendees take our industry messages to the U.S. House of Representatives and Senate.

Industry advocacy on the issues important to the livelihood of the convenience and fuel retailing industry is in full effect today in Washington, with more than 100 retailers and industry stakeholders participating in 230 meetings with members of Congress.

NACS Day on Capitol Hill, taking place yesterday and today in Washington, D.C., gives our industry a platform to put grassroots advocacy efforts into action, as well as to build relationships with members of Congress and educate them on our businesses. NACS Vice President of Government Relations John Eichberger briefed attendees on the six key issues being discussed today with House and Senate leaders:

I. Fuels Liability Reform

NACS is anticipating the introduction of legislation that would provide fuel retailers the opportunity to sell new fuels in a responsible and legal manner. One of the key challenges facing retailers who want to sell new fuels, like higher ethanol blends above E10, which will be necessary to meet the mandated 36 billion gallons of renewable fuels that must be available in the marketplace by 2022, is equipment compatibility. Also, retailers can be held liable under Clean Air Act regulations if a customer misfuels their vehicle with a new fuel.

Attendees are on Capitol Hill today asking their elected officials to support “fuel neutral” legislation that ensures Environmental Protection Agency (EPA) equipment compatibility guidelines are recognized, protects retailers from misfueling liability and prevents retroactive liability if a fuel sold today is later declared defective.

II. PCI Data Security

If retailers are paying \$10,000 to \$20,000 per store to be PCI compliant, why aren't they protected from liability in the event of a data breach? This is just one reason why members of Congress are hearing more today about why NACS and its members support an independent, consensus-based approach to long-term data security — and not a small group of companies that have a financial stake in the outcome of PCI standards.

Attendees are sharing why our industry needs their support on this issue and how the current patchwork approach is not a viable option. NACS supports and is a member of the X9 Committee accredited by ANSI and believes the work of this committee is the type of effective, long-term solution necessary to protect consumer data. Stay tuned for more on this issue in the coming months.

III. Menu Labeling

As part of the health-care reform law, a menu-labeling provision states that any store with 20 or more outlets operating under the same name must have nutritional information on their menu boards. As part of the implementation process, the Food and Drug Administration (FDA) issued a rule that says establishments with 50% or more of floor space dedicated to food, including packaged and pre-labeled food items, are subject to the law.

NACS is advocating for changes to these proposals, and Day on Capitol Hill attendees are asking House members to support menu-labeling regulations that would only affect stores that generate 50% of their revenue from food sales (food for immediate consumption or food that is prepared and processed

onsite). Prepackaged food would not be included in this calculation. NACS is anticipating that Rep. John Carter (R-TX) will soon introduce legislation outlining these regulations.

IV. Roll Your Own Tobacco

The myth about roll-your-own-tobacco (RYO) creates a “David versus Goliath” scenario, but the reality is that legislation supported by NACS seeks to provide regulatory certainty that is compromised by the use of lower-taxed pipe tobacco in RYO machines.

Attendees are asking House members to support H.R. 4134, a bill introduced by Rep. Diane Black (R-TN) that would level the playing field for all retailers selling tobacco products and provide long-term regulatory and tax certainty. The legislation does not call for a new tax on RYO cigarettes made with a commercial RYO machine — it simply ensures that all state and federal tobacco taxes are legally collected.

V. Gas Prices

While gas prices are not an advocacy issue, it is a topic attendees are being asked about by members of Congress and their staff. This is the perfect opportunity for retailers to tell their story and share insights from the NACS Retail Fuels Report.

IV. Credit Card Swipe Fees

Also not an advocacy issue, attendees are thanking members of Congress who supported the industry on this issue. They are also reminding members that credit card fees are still outrageous, costing our industry \$11.3 billion in 2011.

NACS Day on Capitol Hill ends today, but our industry’s advocacy efforts are ongoing. If you couldn’t attend this year, consider coming to Washington next year, attending an Industry Update Luncheon or meeting with your members of Congress back home in their district office. To learn more, visit nacsonline.com/grassroots.

Originally published here: <http://www.nacsonline.com/NACS/News/Daily/Pages/ND0321121.aspx>