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PUBLIC POLICY

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TOP NEWS

Analysis

Mnuchin For Treasury Leaves Wall St. Reform In Question

President-elect Donald Trump's selection of Steven Mnuchin to lead the U.S. Department of the Treasury cleared up many tax and other policy questions hovering over the incoming administration, yet it shed only a little light on the direction of financial regulatory reform, including the ultimate fate of the Dodd-Frank Act.

Regulator Warns Weakening Bank Rules Could Lead To Crisis

The top U.S. national bank supervisor on Wednesday warned bankers and the incoming Trump administration that significantly weakening the capital and risk-management rules put in place since the 2008 financial crisis could leave the financial system vulnerable to a similar disaster in the future.

EPA Outlines Plan To Improve US Drinking Water Safety

The U.S. Environmental Protection Agency on Wednesday unveiled a plan to help improve the quality of drinking water in the United States by protecting drinking water sources and tightening oversight of regulatory frameworks.

Analysis

DOT Pick Bolsters Trump's Infrastructure Commitment

President-elect Donald Trump's choice of Elaine L. Chao to lead the U.S. Department of Transportation is generating widespread praise, foretelling a smooth confirmation process and sending a strong signal that Trump plans to make good on his campaign promise to advance a sweeping infrastructure investment plan within his first 100 days in office.

4 Takeaways From The High Court's Double Jeopardy Ruling

In the first full opinion of the term, the U.S. Supreme Court unanimously shut down one passageway in the labyrinth of double jeopardy law, but the ruling left the door open for other twists and turns. While the ruling deals with a narrow subset of cases involving both an inconsistent jury verdict and a procedural error, attorneys and legal scholars see four points to consider.

Analysis

Final 2017 NDAA Drops Many Contentious Proposals

The final 2017 National Defense Authorization Act excludes many of the more contentious proposals from earlier versions of the bill, but still makes a number of significant acquisition, policy and management changes to the Pentagon. Here are some of the higher-profile measures that made the cut —

LAW FIRMS

Addleshaw Goddard
Akin Gump
Allen & Overy
Baker & McKenzie
Baker Botts
Bird & Bird
Chadbourne & Parke
Cleary Gottlieb
Covington & Burling
Cozen O'Connor
Cravath Swaine
DLA Piper
Davis Polk
DeCotiis FitzPatrick
Debevoise & Plimpton
Dechert
Dentons
DiFrancesco Bateman
Epstein Becker Green
Eversheds LLP
GluckWalrath
Gowling Lafleur
Gowling WLG
Greenberg Traurig
Hill Wallack
Holland & Hart
Holland & Knight
Holwell Shuster
Hunton & Williams
Jones Day
K&L Gates
King & Spalding
Locke Lord
Manatt Phelps

or didn't.

Analysis

Verma Set To Expand State Medicaid Powers As CMS Head

Donald Trump's pick for Centers for Medicare & Medicaid Services administrator, Seema Verma, has made a name for herself pushing Medicaid policies that expand state control over eligibility and administration, a pattern that experts say is likely to continue, primarily through the use of waivers.

Analysis

UK's Spying Bill Complicates Fate Of Data Transfer Deals

A controversial British surveillance bill that requires telecoms to retain records like user browser history for a full year cleared its final hurdle Tuesday, teeing up an almost certain court battle over the breadth of the act's data retention mandate and throwing another wrench into efforts by the U.K. to hammer out international data transfer deals independent of the European Union.

VoIP Access Fees Face Tough Road Ahead At New FCC

A Federal Communications Commission move that allowed local carriers to collect access fees for sending calls "over the top" of internet service provider equipment, which was rejected by the D.C. Circuit earlier this month, faces dim prospects of renewal under a GOP-led commission, experts say.

BANKING & SECURITIES

Goldman Sachs Alum Gets Trump Nod To Run Treasury

President-elect Donald Trump formally unveiled his plans Wednesday to nominate his campaign finance director and former Goldman Sachs executive Steven Mnuchin as the U.S. treasury secretary, with an eye toward pro-growth policies that Mnuchin promised would give no "absolute tax cut" to the wealthy.

ENERGY & ENVIRONMENTAL

EPA Won't Relax Vehicle Emission Standards for 2022-25

The U.S. Environmental Protection Agency said Wednesday that it won't reduce standards on greenhouse gas emissions for cars and light trucks for the years 2022 to 2025, dealing a blow to manufacturers who said the standards are too tough to meet.

European Commission Floats Climate Policy Overhaul

The European Commission on Wednesday unveiled a sweeping set of climate and energy proposals aimed at cutting carbon dioxide emissions by 40 percent by 2030 and implementing regulatory and market changes for investor certainty and consumer fairness.

States Fight EPA Cross-State Air Pollution Rule Revamp

Five states are challenging the U.S. Environmental Protection Agency's recent incorporation of 2008 national ozone standards into the agency's cross-state air pollution rule, which would require several upwind U.S. states to reduce nitrogen oxide emissions from power plants.

HEALTH & LIFE SCIENCES

Alaska, Missouri, North Carolina Sued Over Abortion Laws

Mayer Brown

Milbank Tweed

Miller & Chevalier

Morgan Lewis

Paul Frank

Paul Weiss

Proskauer Rose

Ropes & Gray

Shearman & Sterling

Sidley Austin

Simmons & Simmons

Simpson Thacher

Skadden

Squire Patton Boggs

Sutherland Asbill

Thompson Hine

Vinson & Elkins

Weil Gotshal

Wiley Rein

Willkie Farr

Wragge Lawrence

COMPANIES

AT&T Inc.

Achaogen Inc.

Air Transport Association of America

Allergan PLC

Alliance of Automobile Manufacturers

Altman Weil Inc.

America's Health Insurance Pla

American Civil Liberties Union

American Enterprise Institute

American Hospital Association

American International Group Ir

American Medical Association I

Apple Inc.

Association of American Railroa

Bank of America Corporation

Bayerische Motoren Werke AG

Bipartisan Policy Center

British Bankers' Association

British Broadcasting Corp.

CIT Group Inc.

CTIA

Calpine Corporation

Women's health organizations on Wednesday filed lawsuits in state and federal courts challenging abortion restrictions in Alaska, Missouri and North Carolina, claiming that the state laws are medically unnecessary and hinder women's access to safe and legal abortions.

AMA Draws Fire After Backing Trump's Hard-Line HHS Chief

The American Medical Association is getting heat over its decision to "strongly support" a staunch conservative tapped to lead the U.S. Department of Health and Human Services, with critics calling the endorsement anathema to the AMA's mission.

IP & TECHNOLOGY

Hong Kong Says Pro-IP Arbitration Law Update Imminent

The government of Hong Kong announced Wednesday that it would propose an amendment to its arbitration ordinance this week to encourage companies to take their intellectual property disputes to the Asian legal hub.

Bill On FDA Approvals, Mental Health Policy Clears House

The House of Representatives passed the 21st Century Cures Act on Wednesday, a major overhaul of government health care and medical research funding and policy that could pass the Senate by week's end.

TRANSPORTATION & INFRASTRUCTURE

Brexit Tariffs May Cost Car Industry £4.5B A Year, Group Says

A U.K. automakers trade group said Tuesday that import and exit tariffs could cost the industry £4.5 billion (\$5.62 billion) a year if Britain fails to retain single market access to the European Union post-Brexit.

NHTSA Ignoring Automatic Braking Rule Petition, Court Told

The National Highway Traffic Safety Administration's failure to act upon a rulemaking petition by consumer advocacy groups to mandate the use of automatic emergency braking technology in new vehicles poses a serious public safety risk, the groups have said in a D.C. federal court complaint.

REAL ESTATE

Towns Grilled Over Retroactive Housing Need By NJ Justices

The New Jersey Supreme Court on Wednesday pressed municipalities to prove why they should remain free of affordable housing obligations that accumulated during a 16-year period absent of state-established quotas, seeming to side with fair housing advocates fighting a lower court's relief from the retroactive shortfalls.

COMPETITION

Prosecutors Tout Individual Accountability In FCPA Cases

Top enforcement attorneys with the U.S. Department of Justice and the U.S. Securities and Exchange Commission highlighted each agency's efforts to increase prosecutions of individuals and encourage self-reporting of Foreign Corrupt Practices Act violations at a Wednesday conference.

GOVERNMENT CONTRACTS

Chicago Cubs
Churchill Downs Inc.
Clearing House Payments Co. LLC
Consumer Watchdog
Counsyl Inc.
Credit Suisse Group AG
Electrolux AB
Energy Future Holdings
Federation for American Immigration Reform
Ford Motor Company
Fortress Investment Group LLC
Genentech Inc.
Goldman Sachs Group Inc.
HNI Corporation
HSBC Holdings PLC
Harris Corporation
InfraREIT Inc.
Inrix Inc.
Invesco Ltd.
Iron Mountain Inc.
LG Electronics Inc.
LinkedIn Corp.
Major League Baseball Inc.
Marriott International Inc.
Microsoft Corporation
National Association of Broadcasters
Natural Resources Defense Council
New Balance Inc.
New York Daily News Co.
New York State Bar Association
New York Times Co.
Northrop Grumman Corporation
OneWest Bank Group LLC
Petco Animal Supplies Inc.
Planned Parenthood Federation
Prudential Financial Inc.
RLI Corp.
RealNetworks, Inc.
SAP AG
Southern Poverty Law Center
SuccessFactors, Inc.
Temple University
Teva Pharmaceutical Industries

Pelosi Defeats Challenger, Keeps Democratic Leadership Post

Rep. Nancy Pelosi, D-Calif., on Wednesday vowed to serve as a counterpoint to the administration of President-elect Donald Trump after successfully fending off a challenge to her position as minority leader in the U.S. House of Representatives.

Md. Gov. And Lawmakers Reach Deal On \$20M Northrop Grant

Maryland's Republican governor and the Democratic lawmakers running its General Assembly have announced an agreement to work out a proposed \$20 million grant aimed at enticing Northrop Grumman Corp. to not pick up roots and leave the state.

INTERNATIONAL TRADE

Trump Taps Billionaire Ross To Lead Commerce Department

President-elect Donald J. Trump on Wednesday formally selected billionaire private equity investor Wilbur Ross to head up the U.S. Department of Commerce, which will play a crucial role in Trump's potentially drastic overhaul of domestic trade policy.

Trump Risks 'Disaster' In Nixing Iran Deal, CIA Head Warns

It would be "disastrous" for the incoming Trump administration to make good on its promise to tear up the Iran nuclear agreement, CIA Director John Brennan said Tuesday.

Conservative Groups Look To Keep Ex-Im Bank Hobbled

A collection of conservative groups on Tuesday looked to head off an Obama administration effort to restore the Export-Import Bank of the U.S. to its full lending capacity, asserting that the election of Donald Trump should spell the end of the bank once and for all.

TAX

Ways & Means' Top Dem Exiting Post To Fight Trump Agenda

Rep. Sander Levin, D-Mich., announced late Tuesday that he will not seek re-election as a ranking member on the powerful House Ways and Means Committee so that he can focus his efforts instead on preventing President-elect Donald Trump from scrapping Obamacare and making regressive trade and tax policy changes.

IMMIGRATION

ACLU Can Sue Over Grants For Immigrant Minors' Care

The federal government must face an American Civil Liberties Union lawsuit challenging grants given to religious organizations that care for unaccompanied immigrant minors but refuse to provide reproductive health care services that are contrary to the organizations' religious beliefs, a California federal judge said Tuesday.

Justices Appear Split Over Immigrant Detention Case

The U.S. Supreme Court justices appeared divided Wednesday as they considered whether certain detained immigrants are entitled to bond hearings, with some members of the court raising due process issues and others taking a more skeptical approach.

Limited

The Center for Auto Safety

Toyota Motor Corporation

Twitter Inc.

United States Telecom Association

VimpelCom Ltd.

Washington Mutual Inc.

Washington Post Co.

Wells Fargo & Co.

Weyerhaeuser Co.

Yahoo! Inc.

Zeughauser Group LLC

Zillow Inc.

GOVERNMENT AGENCIES

Bureau of Land Management

California Environmental Protection Agency

Centers for Medicare & Medicaid Services

Central Intelligence Agency

Congressional Research Service

Consumer Financial Protection Bureau

Department of Commerce

European Commission

Executive Office of the President

Export-Import Bank of the United States

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Election Commission

Federal Maritime Commission

Federal Reserve System

Federal Trade Commission

Financial Conduct Authority
Financial Stability Oversight Council

Food and Drug Administration

Government Accountability Office

Internal Revenue Service

Maritime Administration

National Aeronautics and Space Administration

National Credit Union Administration

Trump Transition Watch: Speculation Continues On DHS Pick

A stream of possible picks for secretary of homeland security have been spotted at Trump Tower in recent days, including Rep. Michael McCaul, R-Texas, while a hardline immigration group has released a list of policy proposals for the new administration.

NATIVE AMERICAN

BLM Slams Calif. Tribe's Bid To Revise Lease Ruling

The U.S. Bureau of Land Management urged a California federal judge Tuesday to reject the Pit River Tribe's bid to amend a judgment in its suit to block geothermal leases on land sacred to the tribe, saying the tribe hasn't shown that there was any clear injustice in the ruling.

TELECOMMUNICATIONS

Trump Adds 3rd Anti-Reg Voice To FCC Transition Team

The Federal Communications Commission landing team continued down a decidedly anti-regulatory track Tuesday with the addition of Roslyn Layton, a critic of net neutrality and internet privacy regulation and proponent of zero-rating practices who was selected by the Trump transition team.

FCC Pauses Effort To Streamline Team Telecom Reviews

The Federal Communications Commission has backed off efforts to impose strict timelines for review of proposed telecom mergers involving foreign businesses amid executive agency concerns the plan may be unworkable.

US Telecom Wants Rural Subsidies Fully Funded

US Telecom is pressing the Federal Communications Commission to fully fund subsidies for rural telecommunications, including one that's experienced far more demand than anticipated, according to an ex parte filing Wednesday, arguing more money would help ensure "maximum broadband deployment."

PEOPLE

After Trump Huddle Bharara Confirms He's Staying As US Atty

Weeks of clues indicating Preet Bharara, U.S. attorney for the Southern District of New York, was on track to stay on the job in a Trump administration were confirmed on Wednesday after the top prosecutor known for attacking public-sector corruption sat down with the president-elect in Midtown Manhattan.

Paper Pegs Most 'Scalia-like' Of Trump's High Court Picks

While President-elect Donald Trump is busy announcing picks for marquee positions in his administration, a group of legal scholars has culled from his short list of 21 possible U.S. Supreme Court additions a jurist that is the closest in practice to the late Justice Antonin Scalia.

EXPERT ANALYSIS

How Trump's Administration Will Affect Communications

It is well established that in January President-elect Trump will seek to alter or replace many of President Obama's regulations and executive orders. However, Trump is unlikely to significantly alter Obama's executive orders

National Highway Traffic Safety Administration

National Institutes of Health

National Labor Relations Board

National Security Agency

National Telecommunications and Information Administration

Office of the Comptroller of the Currency

Peace Corps

Securities and Exchange Commission

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

World Bank Group

relating to the communications sector, says Shawn H. Chang of Wiley Rein LLP.

Conflicting Agency Guidance On Confidentiality Policies

In recent months, agencies not traditionally involved in the labor and employment realm have issued guidance impacting future iterations of employee handbook and code of conduct policies. Along with the guidance comes substantially higher consequences for failure to comply, including potential criminal prosecution, say Celina Joachim and Ryan Vann of Baker & McKenzie LLP.

Phase-Down Of HFCs Depends On Trump Administration

Negotiated, signed and ratified during the Reagan administration, the Montreal Protocol on Substances that Deplete the Ozone Layer is widely viewed as the world's most successful environmental agreement. However, with the recent election in the United States, it is an open question whether the incoming administration will be inclined to ratify the Kigali Amendment to the agreement and implement it domestically, says James Losey of Thompson Hine LLP.

8 Important Upcoming TTAB Rule Changes

The Trademark Trial and Appeal Board will implement several rule changes in January. The amendments are a welcome attempt at taking practical steps to improve the overall quality and efficiency of TTAB proceedings, say Josh Dalton and Peter Byrne of Morgan Lewis & Bockius LLP.

How CFPB Plans To Regulate Certain Cellphone Carriers

Mobile phone carriers that engage in third-party billing services may soon be considered to be providing products covered by the Consumer Financial Protection Bureau. This proposed change represents a number of major issues for the mobile phone industry and possibly the service contract and insurance industries, say Brian Casey and Aaron Igdalsky of Locke Lord LLP.

LEGAL INDUSTRY

Skadden, Ropes & Gray Offer Bigger Bonuses To Busier Attys

Bonus announcements are still coming from law firms eager to fall in line with the standard set this week by Cravath Swaine & Moore LLP, but Ropes & Gray LLP and Skadden Arps Slate Meagher & Flom LLP put a toe outside the line by offering their overachievers a slightly sweeter reward for a year's hard work.

Philly City Atty Linked To Anti-Trump Graffiti

A Philadelphia assistant city solicitor is being investigated in connection to anti-Donald Trump graffiti spray-painted on the outside of a grocery store in the northwest part of the city, a top official in the law department confirmed Wednesday.

Sutherland, Eversheds Cling To Financial Autonomy In Merger

Getting partners behind a tie-up between Sutherland Asbill & Brennan LLP and the U.K.'s Eversheds — a relatively rare cross-Atlantic merger — will be simplified by a structure that will keep the branches largely financially independent, experts said.

The Top In-House Hires Of November

Longtime legal department members climb the rungs to the top legal spots at Teva, The New York Times and Electrolux, while the World Bank recruits its new general counsel from HSBC. They top the list of the in-house hires you should know about.

[GCs' Complex Work Means Bigger Paydays, Report Says](#)

General counsel compensation at companies of all sizes continues to rise due to greater job complexities and expanded roles in an ever-growing global business environment, according to a new report published Monday.

[Allen & Overy Reports Record-Breaking Revenue At \\$911M](#)

Global legal giant Allen & Overy revealed Wednesday that its revenue hit a record high during the first half of the financial year, rising 13 percent over 2015's results to exceed £730 million (\$911 million).

[Rainmaker Q&A: Schwartz Sladkus' Steven Sladkus](#)

I've seen some young attorneys try to generate business by leveraging personal relationships, which is just fine. There will come a point, however, when relationships alone will not be enough to maintain a client's absolute confidence, says Steven Sladkus, founding partner of Schwartz Sladkus Reich Greenberg Atlas LLP.

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