



# FAST FIVE

## Public Policy Insights

### North America

January 22, 2021

#### Featured

1. **Following Key Confirmation Hearings.** The key hearings this week and next week include Janet Yellen, nominee for Secretary of the Treasury, Antony Blinken, nominee for Secretary of State, Governor Gina Raimondo, nominee for Secretary of Commerce, and Pete Buttigieg, nominee for Secretary of Transportation. Following these hearings will be critical early touch points to raise our issues and as part of an ongoing campaign to socialize our issues with key policymakers in D.C. We'll continue following these hearings as President Biden completes his slate of cabinet nominees during the next few weeks.
2. **USTR Declines Specific Actions on Digital Services Taxes.** Despite a recent report criticizing digital services taxes (DST) from Austria, Spain, and the United Kingdom, USTR declined to announce any specific actions in connection with the findings. Although USTR found all DST discriminate against U.S. companies and are actionable under Section 301, no immediate moves are expected soon and there is more uncertainty now with the incoming Biden Administration. We're working to educate incoming officials about the detrimental impacts of DST and to bring them up to speed on our priorities in the OECD/G20 Inclusive Framework's project to address the tax challenges arising from the digitalization of the economy. Legally, the incoming administration will have until June 1, 2021 to act under Section 301.
3. **Meeting with Transition Previews Biden's Cybersecurity Policies.** Working through one of our trades, we had the opportunity to meet with three key Biden transition team officials working on cybersecurity policy. We met with Rob Silvers, former Assistant Secretary of Homeland Security for Cyber Policy at DHS, Caitlin Durkovich, recently appointed Senior Director for Resilience and Response at the White House National Security Council, and Eric Goldstein, former Branch Chief, Partnerships and Engagement, Office of Cybersecurity and Communications. Cyber was a notable priority in the \$1.9 trillion COVID relief proposal and we expect additional focus on cyber resiliency during the next four years.

#### Future

1. **Biden Chief of Staff Debuts List of Actions for First Ten Days.** In a memo circulating before the Inauguration this week, White House Chief of Staff Ron Klain debuted the first set of executive orders of the new administration. Among the notable measures on Wednesday: the extended deferral of student loan payments, rejoining the Paris Climate Accords, and foreclosure and eviction protections. In addition, the Administration is expected to strengthen "Buy American" policies and

actions to advance equity and support communities of color and other underserved Americans. These are all measures President Biden can implement with a swift executive order. More comprehensive actions will take the form of the proposed \$1.9 trillion COVID relief bill.

2. **Voting Rights and Election Reform are First Bills on Tap.** Democratic leaders in Congress have prioritized H.R. 1, the “For the People Act,” which addresses voting rights and election reforms. The House is expected to take up the legislation next week. Recall, it was passed during the last Congress by a 234-193 margin but did not move through the Senate. It’s somewhat surprising COVID relief is not the first bill, but given passage of the most recent bill in December, it’s likely Democrats believe they don’t yet have 51 votes in the Senate for passage. However, there is a decent chance H.R. 1 could make its way to President Biden’s desk in the coming weeks.
3. **Policymakers Expected to Scrutinize Google and Facebook Deal.** It has been recently revealed Google and Facebook made an agreement, known as “Jedi Blue,” to be a part of an alliance supporting Google’s new online advertising efforts after Facebook announced it had intentions to build a competitor. Executives at six of the more than 20 partners in the alliance also confirmed that Facebook received a significant advantage over the other members, while a Google spokeswoman said the reporting “misrepresents this agreement.” There is little doubt policymakers and regulators will scrutinize the pact between two of the largest global companies. Although the antitrust push is on the Big Tech now, we expect Congress to focus on antitrust reform broadly, affecting virtually every large company and “concentrated” market.
4. **Biden Expected to Nominate Rohit Chopra to CFPB.** There will be another shakeup at the Consumer Financial Protection Bureau (CFPB). This week, Director Kathy Kraninger resigned at the behest of President Biden. Rohit Chopra, currently serving on the Federal Trade Commission (FTC), will be nominated to replace Kraninger at CFBP. However, given Chopra’s profile in D.C., he could face a bumpy confirmation process in the equally divided Senate. Chopra will have strong progressive support and will likely make significant changes at CFPB once confirmed but expect significant Republican opposition. In the interim, Dave Uejio, who has served at CFBP since 2011, is now the Acting Director and has emphasized he does not plan to perform the role merely as a “steward.”