

## HR 4304

### Jumpstarting Opportunities with Bold Solutions Act

**Congress:** 113 (2013–2015, Ended)

**Chamber:** House

**Policy Area:** Economics and Public Finance

**Introduced:** Mar 26, 2014

**Current Status:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

**Latest Action:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions. (Jun 13, 2014)

**Official Text:** <https://www.congress.gov/bill/113th-congress/house-bill/4304>

## Sponsor

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**Name:** Rep. Scalise, Steve [R-LA-1]

**Party:** Republican • **State:** LA • **Chamber:** House

**Cosponsors** (53 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barton, Joe [R-TX-6]	R · TX		Mar 26, 2014
Rep. Bentivolio, Kerry L. [R-MI-11]	R · MI		Mar 26, 2014
Rep. Black, Diane [R-TN-6]	R · TN		Mar 26, 2014
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Mar 26, 2014
Rep. Brady, Kevin [R-TX-8]	R · TX		Mar 26, 2014
Rep. Byrne, Bradley [R-AL-1]	R · AL		Mar 26, 2014
Rep. Chabot, Steve [R-OH-1]	R · OH		Mar 26, 2014
Rep. DesJarlais, Scott [R-TN-4]	R · TN		Mar 26, 2014
Rep. Duncan, Jeff [R-SC-3]	R · SC		Mar 26, 2014
Rep. Flores, Bill [R-TX-17]	R · TX		Mar 26, 2014
Rep. Franks, Trent [R-AZ-8]	R · AZ		Mar 26, 2014
Rep. Harris, Andy [R-MD-1]	R · MD		Mar 26, 2014
Rep. Hudson, Richard [R-NC-8]	R · NC		Mar 26, 2014
Rep. Huizenga, Bill [R-MI-2]	R · MI		Mar 26, 2014
Rep. Lamborn, Doug [R-CO-5]	R · CO		Mar 26, 2014
Rep. Lankford, James [R-OK-5]	R · OK		Mar 26, 2014
Rep. Luetkemeyer, Blaine [R-MO-3]	R · MO		Mar 26, 2014
Rep. Lummis, Cynthia M. [R-WY-At Large]	R · WY		Mar 26, 2014
Rep. McHenry, Patrick T. [R-NC-10]	R · NC		Mar 26, 2014
Rep. Mulvaney, Mick [R-SC-5]	R · SC		Mar 26, 2014
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Mar 26, 2014
Rep. Rice, Tom [R-SC-7]	R · SC		Mar 26, 2014
Rep. Roe, David P. [R-TN-1]	R · TN		Mar 26, 2014
Rep. Rooney, Thomas J. [R-FL-17]	R · FL		Mar 26, 2014
Rep. Salmon, Matt [R-AZ-5]	R · AZ		Mar 26, 2014
Rep. Scott, Austin [R-GA-8]	R · GA		Mar 26, 2014
Rep. Sessions, Pete [R-TX-32]	R · TX		Mar 26, 2014
Rep. Weber, Randy K., Sr. [R-TX-14]	R · TX		Mar 26, 2014
Rep. Wilson, Joe [R-SC-2]	R · SC		Mar 26, 2014
Rep. Yoho, Ted S. [R-FL-3]	R · FL		Mar 26, 2014
Rep. Fincher, Stephen Lee [R-TN-8]	R · TN		Mar 27, 2014
Rep. Hartzler, Vicky [R-MO-4]	R · MO		Mar 27, 2014
Rep. Huelskamp, Tim [R-KS-1]	R · KS		Mar 27, 2014
Rep. Olson, Pete [R-TX-22]	R · TX		Mar 27, 2014
Rep. Stewart, Chris [R-UT-2]	R · UT		Mar 27, 2014
Rep. Williams, Roger [R-TX-25]	R · TX		Mar 27, 2014
Rep. Bachmann, Michele [R-MN-6]	R · MN		Apr 2, 2014
Rep. Cramer, Kevin [R-ND-At Large]	R · ND		Apr 2, 2014
Rep. Fleming, John [R-LA-4]	R · LA		Apr 2, 2014
Rep. Pearce, Stevan [R-NM-2]	R · NM		Apr 2, 2014
Rep. Pittenger, Robert [R-NC-9]	R · NC		Apr 2, 2014

Cosponsor	Party / State	Role	Date Joined
Rep. Schweikert, David [R-AZ-6]	R · AZ		Apr 2, 2014
Rep. Tipton, Scott R. [R-CO-3]	R · CO		Apr 2, 2014
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		Apr 3, 2014
Rep. Collins, Chris [R-NY-27]	R · NY		Apr 9, 2014
Rep. McClintock, Tom [R-CA-4]	R · CA		Apr 9, 2014
Rep. Poe, Ted [R-TX-2]	R · TX		Apr 9, 2014
Rep. Stutzman, Marlin A. [R-IN-3]	R · IN		Apr 9, 2014
Rep. Cotton, Tom [R-AR-4]	R · AR		Apr 28, 2014
Rep. Meadows, Mark [R-NC-11]	R · NC		Apr 28, 2014
Rep. Price, Tom [R-GA-6]	R · GA		Apr 28, 2014
Rep. Rokita, Todd [R-IN-4]	R · IN		Apr 28, 2014
Rep. Jordan, Jim [R-OH-4]	R · OH		May 20, 2014

## Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred to	Apr 22, 2014
Budget Committee	House	Referred To	Mar 26, 2014
Education and Workforce Committee	House	Referred to	Jun 13, 2014
Education and Workforce Committee	House	Referred to	Jun 13, 2014
Energy and Commerce Committee	House	Referred to	Mar 28, 2014
Financial Services Committee	House	Referred To	Mar 26, 2014
Judiciary Committee	House	Referred to	Apr 16, 2014
Judiciary Committee	House	Referred to	Apr 16, 2014
Natural Resources Committee	House	Referred to	Apr 8, 2014
Natural Resources Committee	House	Referred to	Apr 8, 2014
Natural Resources Committee	House	Referred to	Apr 8, 2014
Natural Resources Committee	House	Referred to	Apr 8, 2014
Oversight and Government Reform Committee	House	Referred To	Mar 26, 2014
Rules Committee	House	Referred To	Mar 26, 2014
Science, Space, and Technology Committee	House	Referred to	Apr 21, 2014
Science, Space, and Technology Committee	House	Referred to	Apr 21, 2014
Small Business Committee	House	Referred To	Mar 26, 2014
Transportation and Infrastructure Committee	House	Referred to	Mar 27, 2014
Transportation and Infrastructure Committee	House	Referred to	Mar 27, 2014
Transportation and Infrastructure Committee	House	Referred to	Mar 27, 2014
Transportation and Infrastructure Committee	House	Referred to	Mar 27, 2014
Transportation and Infrastructure Committee	House	Referred to	Mar 27, 2014
Transportation and Infrastructure Committee	House	Referred to	Mar 27, 2014
Ways and Means Committee	House	Referred To	Mar 26, 2014

## **Subjects & Policy Tags**

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### **Policy Area:**

Economics and Public Finance

## Related Bills

Bill	Relationship	Last Action
113 HR 2	Related bill	<b>Nov 17, 2014:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 601.
113 S 2617	Related bill	<b>Jul 16, 2014:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
113 HR 4899	Related bill	<b>Jun 26, 2014:</b> Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
113 HR 4521	Related bill	<b>May 22, 2014:</b> Ordered to be Reported by the Yeas and Nays: 43 - 16.
113 HR 2824	Related bill	<b>May 8, 2014:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 373.
113 HR 4286	Related bill	<b>Apr 16, 2014:</b> Referred to the Subcommittee on the Constitution and Civil Justice.
113 S 2216	Related bill	<b>Apr 7, 2014:</b> Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
113 S 2170	Related bill	<b>Mar 27, 2014:</b> Read twice and referred to the Committee on Energy and Natural Resources.
113 HR 2274	Related bill	<b>Jan 15, 2014:</b> Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
113 S 1923	Related bill	<b>Jan 14, 2014:</b> Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
113 HR 1105	Related bill	<b>Dec 9, 2013:</b> Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
113 HR 1965	Related bill	<b>Dec 9, 2013:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 254.
113 HR 2728	Related bill	<b>Dec 9, 2013:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 255.
113 HR 2850	Related bill	<b>Oct 23, 2013:</b> Placed on the Union Calendar, Calendar No. 179.
113 S 1542	Related bill	<b>Sep 24, 2013:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
113 HR 3132	Related bill	<b>Sep 20, 2013:</b> Referred to the Subcommittee on Energy and Power.
113 HR 3138	Related bill	<b>Sep 20, 2013:</b> Referred to the Subcommittee on Energy and Power.
113 HR 3042	Related bill	<b>Sep 13, 2013:</b> Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
113 HR 555	Related bill	<b>Sep 10, 2013:</b> Placed on the Union Calendar, Calendar No. 148.
113 HR 1394	Related bill	<b>Sep 10, 2013:</b> Placed on the Union Calendar, Calendar No. 146.
113 HR 1964	Related bill	<b>Sep 10, 2013:</b> Placed on the Union Calendar, Calendar No. 144.
113 HR 367	Related bill	<b>Sep 9, 2013:</b> Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
113 HR 2218	Related bill	<b>Jul 30, 2013:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 153.
113 HR 2013	Related bill	<b>Jul 8, 2013:</b> Referred to the Subcommittee on Workforce Protections.
113 HR 2231	Related bill	<b>Jul 8, 2013:</b> Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
113 HR 2511	Related bill	<b>Jul 3, 2013:</b> Referred to the Subcommittee on Energy and Mineral Resources.
113 S 1233	Related bill	<b>Jun 26, 2013:</b> Read twice and referred to the Committee on Energy and Natural Resources.

Bill	Relationship	Last Action
113 HR 1750	Related bill	<b>Apr 25, 2013:</b> Referred to the House Committee on Financial Services.
113 HR 795	Related bill	<b>Apr 23, 2013:</b> Referred to the Subcommittee on Health, Employment, Labor, and Pensions.
113 HR 1375	Related bill	<b>Apr 23, 2013:</b> Referred to the Subcommittee on Conservation, Energy, and Forestry.
113 HR 1398	Related bill	<b>Apr 11, 2013:</b> Referred to the Subcommittee on Energy and Mineral Resources.
113 HR 746	Related bill	<b>Apr 8, 2013:</b> Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
113 HR 749	Related bill	<b>Mar 13, 2013:</b> Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
113 HR 309	Related bill	<b>Feb 28, 2013:</b> Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.

Jumpstarting Opportunities with Bold Solutions Act - **Division I: Labor - Title I: Repeal of Davis-Bacon Act** - Repeals the Davis-Bacon Act (which requires that the locally prevailing wage rate be paid to various classes of laborers and mechanics working under federally-financed or federally-assisted contracts for construction, alteration, and repair of public buildings or public works).

States that references in any law to a wage requirement of the Davis-Bacon Act after the enactment of this Act shall be null and void.

**Title II: Union Contract Not a Bar to Higher Wages** - Amends the National Labor Relations Act to declare that neither its prohibition against interference by an employer with employees' right to bargain collectively, nor the terms of a collective bargaining agreement entered into between employees and an employer after enactment of this Act, shall prohibit an employer from paying an employee higher wages, pay, or other compensation than the agreement provides for.

**Title III: Repeal of Provisions Relating to Official Time of Federal Employees for Purposes of Union Organizing** - Repeals the requirements that: (1) a federal employee representing an exclusive representative in the negotiation of a collective bargaining agreement be authorized official time for such purposes during the time the employee otherwise would be in a duty status; and (2) the Federal Labor Relations Authority (FLRA) determine whether any federal employee participating for, or on behalf of, a labor organization in any phase of proceedings before it shall be authorized official time for that purpose.

**Title IV: Rulemaking, Investigative, and Adjudicative Authority of the National Labor Relations Board** - Amends the National Labor Relations Act to repeal the authority of the General Counsel of the National Labor Relations Board (NLRB) to issue, and prosecute before the Board, complaints with respect to unfair labor practices.

Repeals the prohibition against: (1) review of an administrative law judge's report by any person other than a Board member or legal assistant; and (2) advice to or consultation with the Board by an administrative law judge with respect to exceptions taken to his or her findings, rulings, or recommendations.

Limits the Board's rulemaking authority to rules concerning the internal functions of the Board. Prohibits the Board from promulgating rules that affect the substantive rights of a person, employer, employee, or labor organization.

Revises Board powers to grant it the authority to investigate unfair labor practices, but repeals its power to prevent any person from engaging in them.

Repeals the Board's power to issue a complaint against a person charging an unfair labor practice. Allows an aggrieved party to bring a civil action for relief (including injunctions) in U.S. district court or the U.S. District Court for the District of Columbia in cases where it appears that a person has engaged, is engaging, or is about to engage in an unfair labor practice.

**Division II: Deregulation - Title V: Uniform Cost-Benefit Analysis of Regulations** - Establishes additional requirements for rulemaking under the Administrative Procedure Act (APA), including:

- identification by a federal agency, in the context of a coherent conceptual framework and supported with objective data, of the nature and significance of the market failure, regulatory failure, or other problem that necessitates

regulatory action and why other alternatives, such as market forces or state or local regulations, could not address the problem better than federal regulation;

- establishment by an agency of an achievable objective for its regulatory action;
- development of at least three distinct regulatory options, in addition to not regulating, that the agency estimates will provide the greatest benefits for the least cost in meeting the regulatory objective;
- an estimate by each agency of the costs and benefits of each regulatory option developed, at least to the extent the agency is able to exclude options whose costs exceed their benefits, and rank such options by cost from lowest to highest;
- publication for public comment of all analyses, documentation, and data relating to the requirements of this Act for a public comment period of not less than at least 30 days;
- establishment, by rule, of the specific cost-benefit analysis methodology appropriate to the functions and responsibilities of the agency and establishment of an appropriate period for review of new rules to assess their cost-effectiveness;
- justification of why the agency does not select the least-cost regulatory option as its proposed rule; and
- agency review, every four years, of all rules of the agency that are in effect and a determination based on objective data of whether the rules are working as intended, furthering their objectives, imposing unanticipated costs, or generating a net benefit.

Requires the Comptroller General (GAO), for purposes of congressional review, to examine and report on: (1) each agency cost-benefit analysis for compliance with the requirements of this Act, including the methodology for such analysis; (2) risk analysis pertaining to the cost-benefit analysis; and (3) agency quadrennial regulatory reviews for consistency with the requirements of this Act, with a report to Congress on the results of the examination of such reviews.

**Title VI: Periodic Review and Termination of Regulations** - Sets forth requirements for agencies to review their significant rules to determine whether they should be modified, consolidated with another rule, or terminated (sunset review). Defines a "significant rule" as one that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget (OMB) determines: (1) results in an annual effect on the economy of \$100 million or more, (2) is a major rule, or (3) was issued pursuant to a significant regulatory action. Provides for the sunset review of a rule that is not a significant rule upon petition by a person adversely affected or at the request of a congressional committee or a majority of the majority or non-majority party members of such a committee.

Requires the Administrator to: (1) inventory existing rules; (2) publish annually an updated list of covered rules specifying the review deadline for each rule; (3) prioritize rules for review based on specified criteria, including the rule's cost to those regulated and the burden of reviewing it; (4) group related rules for simultaneous sunset review; (5) provide guidance to agencies on conducting sunset reviews; and (6) provide feedback to agencies on sunset reviews and results. Requires new significant rules to be reviewed within three years after taking effect.

Requires each agency to: (1) designate a Regulatory Review Officer; (2) conduct a sunset review of its significant rules; (3) publish a sunset review notice, consider public comments, and issue a preliminary report; and (4) issue a final report recommending that a rule be continued without change or that it be changed or discontinued, in which case the agency shall conduct a rulemaking to modify, consolidate, or terminate such rule.

Allows judicial review of a denial of, or a substantial inexcusable delay in granting or denying, a petition for sunset review of a rule.

Terminates the provisions of this title 10 years after its enactment.

**Title VII: Regulation Costs to Small Businesses and Grace Period for Regulatory Violations** - Requires the Administrator of the Small Business Administration (SBA) to conduct an annual study of the total costs to small business concerns of federal regulations and the amount such costs have increased over the prior year.

Requires a federal agency, before any enforcement action is taken on any sanction on a small business for any violation of a rule or pursuant to an adjudication, to: (1) notify the small business that it may be subject to a sanction at the end of a six-month grace period following such notification; (2) delay further action for 15 days after such notification; (3) defer further action for the six-month period (allowing an additional three-month period upon application by the small business demonstrating reasonable good-faith efforts to remedy the violation or other conduct giving rise to the sanction); (4) make a further determination at the end of the applicable grace period as to whether the small business would still be subject to the sanction; and (5) upon a negative determination, waive the sanction. Makes the grace period inapplicable with respect to a violation that puts anyone in imminent danger, as defined by the Occupational Safety and Health Act (OSHA).

**Title VIII: Major Rules of the Executive Branch Be Approved by Congress** - Revises provisions relating to congressional review of agency rulemaking to require a federal agency promulgating a rule to include in its report to Congress and to the Comptroller General (GAO) a classification of the rule as a major or non-major rule. Requires a joint resolution of approval of major rules to be enacted before such rules may take effect (currently, major rules take effect unless a joint resolution disapproving them is enacted). Provides that if a joint resolution of approval is not enacted by the end of 70 session days or legislative days, as applicable, after the agency proposing the rule submits its report on such rule to Congress, the major rule shall be deemed not to be approved and shall not take effect. Permits a major rule to take effect for one 90-calendar day period without such approval if the President determines it is necessary because of an imminent threat to health or safety or other emergency, for the enforcement of criminal laws, for national security, or to implement an international trade agreement.

Sets forth the congressional approval procedure for major rules and the congressional disapproval procedure for non-major rules. Prohibits an agency from allowing a major rule to take effect without the congressional review procedures set forth in this Act.

Allows a court to review whether an agency has completed the necessary requirements under this Act for a rule to take effect (currently, no judicial review of a determination, finding, action, or omission in the rulemaking process is subject to judicial review). Limits the effect of a joint resolution of approval of a major rule.

Makes this Act inapplicable to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

Provides that any rule promulgated by a federal agency that relates to a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping, or any rule other than a major rule for which an agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the agency determines.

Amends the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that any congressional approval procedure set forth in this Act affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with this Act.

Directs the Comptroller General to conduct a study to determine, as of the date of enactment of this Act: (1) how many rules were in effect, (2) how many major rules were in effect, and (3) the total estimated economic cost imposed by all

such rules. Requires a report to Congress on such study within one year of the enactment of this Act.

**Title IX: Simplification of Mergers, Acquisitions and Sales of Small Business** - Amends the Securities Exchange Act of 1934 to exempt from its registration requirements certain merger and acquisition (M&A) brokers and associated persons.

Denies such registration exemption to brokers who: (1) receive, hold, transmit, or have custody of any funds or securities to be exchanged by parties to a transfer of ownership of an eligible privately held company; or (2) engage on behalf of an issuer in a public offering of securities that are subject to mandatory registration or securities with respect to which the issuer must file periodic information, documents, and reports.

Prohibits the construction of this Act to limit any other authority of the Securities and Exchange Commission (SEC) to exempt any person or any class of persons from any provision of this Act, including any related rule or regulation.

**Division III: Energy - Title X: Offshore Energy and Jobs Act** - Offshore Energy and Jobs Act - Amends the Outer Continental Shelf Lands Act (OCSLA) to direct the Secretary of the Interior (Secretary in this title) to implement a leasing program that includes at least 50% of the available unleased acreage within each outer Continental Shelf (OCS) planning area considered to have the largest undiscovered, technically recoverable oil and gas resources, with an emphasis on offering the most geologically prospective parts of the planning area.

Instructs the Secretary, in developing a five-year oil and gas leasing program, to determine a specified domestic strategic production goal for the development of oil and natural gas as a result of that program.

Requires the Secretary to: (1) develop and submit a new five-year oil and gas leasing program, (2) conduct offshore oil and gas Lease Sale 220 within one year after enactment of this Act, and (3) make replacement lease blocks available in the Virginia lease sale planning area that are acceptable for oil and gas exploration and production if the Secretary of Defense proposes deferral from a lease offering due to defense-related activities irreconcilable with mineral exploration and development.

Instructs the Secretary to conduct a lease sale within two years after enactment of this Act for areas off the coast of South Carolina that have the most geologically promising hydrocarbon resources and constituting at least 25% of the leasable area within the South Carolina offshore administrative boundaries.

Directs the Secretary to: (1) offer for sale by December 31, 2014, leases of tracts in the Santa Maria and Santa Barbara/Ventura Basins of the Southern California OCS Planning Area, and (2) prepare a multisale environmental impact statement pursuant to the National Environmental Policy Act of 1969 for all lease sales required under this Act.

Amends the Gulf of Mexico Energy Security Act of 2006 to repeal the moratorium on oil and gas leasing, or preleasing, or any related activity in: (1) any area east of the Military Mission Line in the Gulf of Mexico, (2) any area in the Eastern Planning Area that is within 125 miles of the Florida coastline, or (3) specified areas within the Central Planning Area and within 100 miles of the Florida coastline.

Allocates 37.5% of the amount of new federal leasing revenues to coastal states that are: (1) impacted by the leases under which those revenues are received by the United States, and (2) within 200 miles of the leased tract.

Establishes in the Department of the Interior: (1) an Under Secretary for Energy, Lands, and Minerals; (2) an Assistant Secretary of Ocean Energy and Safety; (3) an Assistant Secretary of Land and Minerals Management; (4) a Bureau of Ocean Energy; (5) an Ocean Energy Safety Service; and (6) an Office of Natural Resources Revenue.

Instructs the Secretary to establish: (1) a National Offshore Energy Safety Academy, and (2) an Outer Continental Shelf Energy Safety Advisory Board.

Requires the Secretary to: (1) certify annually that all Interior Department personnel having regular, direct official contact with government contractors, or conducting investigations, issuing permits, or overseeing energy programs; (2) comply fully with federal employee ethics laws and regulations; and (3) conduct a random drug testing program of such personnel.

Abolishes the Minerals Management Service.

Directs the Secretary to collect non-refundable fees from the operators of facilities subject to inspection.

Establishes in the Treasury the Ocean Energy Enforcement Fund as depository for such fees.

Prohibits the Bureau of Ocean Energy and the Ocean Energy Safety Service from developing, proposing, finalizing, administering, or implementing any limitation on activities under their jurisdictions as a result of the coastal and marine spatial planning component of the National Ocean Policy developed under Executive Order No. 13547.

Redefines the OCS to include all submerged lands lying within the U.S. exclusive economic zone and the Continental Shelf adjacent to any U.S. territory.

Prescribes requirements for filing complaints for judicial review.

Directs the Secretary to issue rules to provide more clarity, certainty, and stability to the revenue streams contemplated by the Gulf of Mexico Energy Security Act of 2006.

Directs the Bureau of Ocean Energy Management to publish by December 31, 2014, a record of decision on the Atlantic G&G Programmatic Final Environmental Impact Statement.

Terminates in 2014 (currently, 2016) the allocation among Gulf producing states of revenues under the the Gulf of Mexico Energy Security Act of 2006.

**Title XI: Alaskan Energy for American Jobs Act** - Alaskan Energy for American Jobs Act - Directs the Secretary of the Interior (Secretary in this title), acting through the Director of the Bureau of Land Management (BLM), to implement a competitive leasing program for the exploration, development, and production of the oil and gas resources on the Coastal Plain of Alaska.

Amends the Alaska National Interest Lands Conservation Act of 1980 to repeal the prohibition against leasing or other development leading to production of oil and gas from the Arctic National Wildlife Refuge (ANWR).

Deems any oil and gas leasing programs and activities authorized by this Act to be in compliance with the purposes of ANWR, so that no further findings or decisions are required to implement this determination.

Authorizes the Secretary to designate up to 45,000 acres of the Coastal Plain as a Special Area, after consultation with the state of Alaska, the city of Kaktovik, and the North Slope Borough.

Permits directional drilling in the Special Area.

States that the Secretary's sole authority to close lands within the Coastal Plain to oil and gas leasing, exploration,

development, and production is that set forth in this Act.

Requires the Secretary, when possible and practicable, to encourage the use of U.S. workers and equipment manufactured in the United States in all construction related to mineral development on the Coastal Plain.

Sets forth a "no significant adverse effect" standard to govern Coastal Plain activities.

Prescribes procedures governing Coastal Plain lease sales and lease sale bids, as well as lease terms and conditions, including: (1) site-specific assessment and mitigation; (2) regulations to protect Coastal Plain fish and wildlife resources, subsistence users, and the environment; (3) compliance with environmental laws; (4) design safety and construction standards for pipelines and access and service roads; (5) reclamation and rehabilitation requirements; (6) restrictions affecting transportation modes, sand and gravel extraction, use of explosives, and hazardous and toxic waste disposal.

Instructs the Secretary to develop a plan facility consolidation plan for the Coastal Plain.

Prescribes guidelines for expedited judicial review of complaints.

Requires deposit in the Treasury of 50% of all bonus, rental, and royalty revenues from federal oil and gas leasing and operations authorized under this Act.

Directs the Secretary to: (1) issue rights-of-way and easements across the Coastal Plain for the transportation of oil and gas produced under leases under this Act, (2) convey to the Kaktovik Inupiat Corporation the surface estate of specified lands, and (3) convey to the Arctic Slope Regional Corporation a certain subsurface estate to which it is entitled pursuant to a specified agreement.

**Title XII: State Control on All Available Federal Land** - Authorizes a state to: (1) establish a program covering the leasing and permitting processes, regulatory requirements, and any other provisions by which the state would exercise its rights on available federal land in the state; and (2) as a condition of certification, submit a declaration to the Departments of the Interior, Agriculture (USDA), and Energy (DOE) that such a program has been established or amended.

Considers each program certified under this Act as satisfying all applicable requirements of federal law and regulations, including: (1) the National Environmental Policy Act of 1969 (NEPA), (2) the Endangered Species Act of 1973, and (3) the National Historic Preservation Act.

Requires, upon submission of a declaration by a state, the program to be certified, and the state to receive all rights from the federal government to develop all forms of energy resources covered by the program.

Prohibits activities carried out in accordance with this Act from being subject to: (1) judicial review, and (2) the Administrative Procedure Act.

**Title XIII: Federal Lands Jobs and Energy Security Act** - Federal Lands Jobs and Energy Security Act - Streamlining Permitting of American Energy Act of 2014 - Amends the Mineral Leasing Act to revise requirements for the issuance of permits to drill in energy projects on federal lands.

Authorizes the Secretary of the Interior (Secretary in this title) to extend the initial 30-day permit application review period for up to 2 periods of 15 days each, if the Secretary has given written notice of the delay to the applicant.

Deems a permit application approved if the Secretary has not made a decision on it by 60 days after its receipt. Prescribes a notice requirement for denial of an application.

Requires the Secretary to collect a single \$6,500 permit processing fee per application from each applicant at the time the decision is made whether or not to issue a permit.

Requires that specified minimum percentages of fees collected as annual wind energy and solar energy right-of-way authorization fees be available for the local Department of the Interior field office where they are collected, for Bureau of Land Management (BLM) permit approval activities, and to the Secretary for department-wide permitting activities.

Requires the Secretary to collect a \$5,000 documentation fee to accompany each protest for a lease, right of way, or application for permit to drill.

Requires the Secretary to: (1) establish a Federal Permit Streamlining Project in every BLM Field office with responsibility for permitting energy projects on federal land; and (2) enter into a related memorandum of understanding with the Secretary of Agriculture, the Administrator of the Environmental Protection Agency (EPA), and the Chief of the Army Corps of Engineers.

Requires federal signatories to such memorandum to assign staff with special expertise to BLM field offices.

States that the Secretary shall not require a finding of extraordinary circumstances related to a categorical exclusion in administering the Energy Policy Act of 2005 (EPA 2005) with respect to review under the National Environmental Policy Act of 1969 (NEPA).

(A "categorical exclusion" under NEPA is a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a federal agency in implementing environmental regulations and for which, therefore, neither an environmental assessment nor an environmental impact statement is required.)

Sets forth procedures for judicial review of leasing of federal lands for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other energy source of energy.

Directs the Secretary to provide 50% matching funding for joint projects with states to conduct oil and gas resource assessments on federal lands with significant oil and gas potential.

Providing Leasing Certainty for American Energy Act of 2014 - Directs the Secretary, in conducting lease sales under the Mineral Leasing Act, to offer for sale at least 25% of the annual nominated acreage not previously made available for lease.

Shields such acreage from protest and the test of extraordinary circumstances, but makes it eligible for certain categorical exclusions under EPA 2005 and NEPA.

Amends the Mineral Leasing Act to prohibit the Secretary from: (1) withdrawing any covered energy project issued under that Act without finding a violation of lease terms by the lessee; (2) delaying indefinitely issuance of project approvals, drilling and seismic permits, and rights of way for activities under a lease; and (3) cancelling or withdrawing any lease parcel after a competitive lease sale has occurred and a winning bidder has made the last payment for the parcel.

Instructs the Secretary to: (1) make nominated areas available for lease within 18 months after an area is designated as open under a current land use plan, (2) issue all leases sold 60 days after the last payment is made, and (3) adjudicate any lease protests filed following a lease sale.

Prohibits additional lease stipulations (except certain emergency stipulations) after the parcel is sold without consultation and agreement of the lessee.

Requires federal land managers to follow existing resource management plans and continue to actively lease in areas designated as open when resource management plans are being amended or revised, until such time as a new record of decision is signed.

Declares without force or effect Bureau of Land Management Instruction Memorandum 2010-117.

Amends the Mineral Leasing Act to repeal the requirement that notice of the proposed reinstatement of a terminated mineral lease be published in the Federal Register at least thirty days in advance of the reinstatement. Requires publication only in an annual report.

Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security Act or PIONEERS Act - Deems the final regulations regarding oil shale management published by the BLM on November 18, 2008, to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976, the Endangered Species Act of 1973, NEPA, and EPA 2005. Directs the Secretary of the Interior to implement those regulations, including the oil shale leasing program they authorize, without any other administrative action necessary.

Deems the November 17, 2008, U.S. Bureau of Land Management Approved Resource Management Plan Amendments/Record of Decision for Oil Shale and Tar Sands Resources to Address Land Use Allocations in Colorado, Utah, and Wyoming and Final Programmatic Environmental Impact Statement also to satisfy all legal and procedural requirements under any law. Directs the Secretary to implement the oil shale leasing program in those areas covered by the resource management plans amended by such amendments, and covered by such record of decision, without any other administrative action necessary.

Directs the Secretary to hold a lease sale, within 180 days after enactment of this Act, that offers an additional 10 parcels for lease for research, development, and demonstration of oil shale resources under the terms offered in the solicitation of bids for such leases published on January 15, 2009.

Requires the Secretary, by January 1, 2016, to hold at least 5 separate commercial lease sales, in multiple lease blocs, in areas of at least 25,000 acres, which: (1) have been nominated through public comment, and (2) are considered to have the most potential for oil shale development.

Planning for American Energy Act of 2014 - Amends the Mineral Leasing Act to direct the Secretary of the Interior (Secretary) and the Secretary of Agriculture (USDA) to publish every four years a Quadrennial Federal Onshore Energy Production Strategy to direct federal land energy development and department resource allocation in order to promote the energy and national security of the United States in accordance with the Bureau of Land Management (BLM) mission to promote the multiple use of federal lands.

Instructs the Secretary to consult with the Administrator of the Energy Information Administration on the projected energy demands of the United States for the next 30 years and on how energy derived from federal onshore lands can put the United States on a trajectory that meets such demand during the next four years, with a goal for increasing energy independence and production.

Requires the Secretary to determine a domestic strategic production objective for the development of energy resources

from such lands.

Expresses the sense of Congress that federally recognized Indian tribes may elect to set their own production objectives as part of the Strategy.

Grants the relevant Secretary all necessary authority to make determinations regarding which additional federal lands available for leasing at the time the lease sale occurs will be available to meet the production objectives established by the strategies. Directs the Secretary also to take all necessary actions to achieve such objectives unless the President determines that it is not in U.S. national security and economic interests to increase federal domestic energy production and to further decrease dependence upon foreign energy sources.

Requires the Secretary, within 12 months of this Act's enactment, to complete a programmatic environmental impact statement in accordance with certain requirements under the National Environmental Policy Act of 1969 (NEPA). Deems such statement sufficient to be in compliance with NEPA requirements for all necessary resource management and land use plans associated with implementation of the Strategy.

Requires the Secretary to submit to: (1) the President and Congress, each proposed strategy, together with comments received from the affected states, federally recognized tribes, and local governments prior to publishing it; and (2) Congress the first Strategy within 18 months of enactment.

National Petroleum Reserve Alaska Access Act - Expresses the sense of Congress that: (1) the National Petroleum Reserve (NPR) in Alaska remains explicitly designated to provide oil and natural gas resources to the United States, and (2) it is national policy to actively advance oil and gas development within the NPR.

Amends the Naval Petroleum Reserves Production Act of 1976 to require the mandatory program of competitive leasing of oil and gas in the NPR to include at least one lease sale annually in those areas of the NPR most likely to produce commercial quantities of oil and natural gas each year in the period 2015-2025.

Directs the Secretary to ensure permits according to a specified timeline, for all surface development activities, including pipelines and roads construction to: (1) develop and bring into production any areas within the NPR that are subject to oil and gas leases, and (2) transport oil and gas from and through the NPR to existing transportation or processing infrastructure on the North Slope of Alaska.

Instructs the Secretary to issue: (1) regulations establishing clear requirements to ensure that the Department of the Interior is supporting development of oil and gas leases in the NPR, (2) a new proposed integrated activity plan from among the non-adopted alternatives in the National Petroleum Reserve Alaska Integrated Activity Plan Record of Decision issued by the Secretary of the Interior and dated February 21, 2013, and (3) an environmental impact statement for issuance of oil and gas leases in the National Petroleum Reserve-Alaska.

Nullifies the February 21, 2013, Record of Decision, including its integrated activity plan and environmental impact statement.

Requires the Secretary to assess all technically recoverable fossil fuel resources within the NPR, including all conventional and unconventional oil and natural gas.

BLM Live Internet Auctions Act - Amends the Mineral Leasing Act to authorize the Secretary to conduct onshore oil and gas lease sales through Internet-based live bidding methods.

Requires each individual Internet-based lease sale to conclude within seven days.

Directs the Secretary to analyze the first 10 such lease sales, including estimates of: (1) increases or decreases in such lease sales, compared to sales conducted by oral bidding; and (2) the total cost or savings to the Department of the Interior as a result of such sales, compared to sales conducted by oral bidding.

Requires the report to evaluate the demonstrated or expected effectiveness of different structures for lease sales which may provide an opportunity to better maximize bidder participation, ensure the highest return to the federal taxpayers, minimize opportunities for fraud or collusion, and ensure the security and integrity of the leasing process.

Native American Energy Act - Amends the Energy Policy Act of 1992 to allow the Secretary, an affected Indian tribe, or a certified third-party appraiser under contract with the Indian tribe to appraise Indian land or trust assets involved in a transaction requiring the Secretary's approval. Gives tribes the option of waiving such appraisals.

Requires each agency within the Department of the Interior involved in the review of oil and gas activities on Indian lands to use a uniform system of reference numbers and tracking systems for oil and gas wells.

Amends the National Environmental Policy Act of 1969 to make the environmental impact statement for major federal action on Indian lands available for review and comment only to the affected Indian tribe and individuals residing within the affected area.

Prescribes judicial review procedural requirements relating to any energy-related action.

Amends the Tribal Forest Protection Act of 2004 to direct the Secretary to enter into agreements with Indian tribes to carry out demonstration projects that promote biomass energy production on Indian forest land and in nearby communities by providing tribes with reliable supplies of woody biomass from federal lands.

Considers activities conducted or resources harvested or produced pursuant to a tribal resource management plan or an integrated resource management plan approved by the Secretary to be a sustainable when sustainability is federally required.

Amends the Long-Term Leasing Act to authorize the Navajo Nation to enter into commercial or agricultural leases of up to 99 years on their restricted lands without the Secretary's approval, provided they are executed under tribal regulations approved by the Secretary.

Allows the Navajo Nation to enter into mineral resource leases on their restricted lands without the Secretary's approval if they are executed under approved tribal regulations and do not exceed 25 years, though they may include a renewal option for one additional term not exceeding 25 years.

Prohibits any Department of the Interior rule regarding hydraulic fracturing, used in oil and gas development or production, from having any effect on land held in trust or restricted status for Indians, except with the express consent of its Indian beneficiaries.

Amends the Bald and Golden Eagle Protection Act to require the Secretary, upon submission of a substantially completed application, to issue or deny an eagle take permit for at least 30 years that authorizes taking of any bald eagle or golden eagle that is incidental to, but not the purpose of, an otherwise lawful activity. Deems any failure to issue or deny such a permit within a reasonable time (not exceeding one year) to be issuance of the permit, and shields the applicant from liability for any incidental take of a bald eagle or golden eagle that is in conformity with the information

submitted as part of the permit application.

Amends the Migratory Bird Treaty Act to change liability for violating the Act from strict to knowing and intentional only. Declares that a knowing and intentional violation does not include any taking, killing, or other harm to any migratory bird that is accidental or incidental to the presence or operation of an otherwise lawful activity.

**Title XIV: Hydraulic Fracturing - Protecting States' Rights to Promote American Energy Security Act** - Amends the Mineral Leasing Act to prohibit the Department of the Interior from enforcing any federal regulation, guidance, or permit requirement regarding hydraulic fracturing (including any component of that process), relating to oil, gas, or geothermal production activities on or under any land in any state that has regulations, guidance, or permit requirements for that activity.

Requires the Department to recognize and defer to state regulations, permitting, and guidance, for all activities related to hydraulic fracturing relating to oil, gas, or geothermal production activities on federal land.

Defines "hydraulic fracturing" as the process by which fracturing fluids (including a fracturing fluid system) are pumped into an underground geologic formation to generate fractures or cracks, thereby increasing rock permeability near the wellbore and improving production of natural gas or oil.

Requires each state to submit to the BLM a copy of: (1) its regulations that apply to hydraulic fracturing operations on federal land, and (2) any state regulations that require disclosure of chemicals used in hydraulic fracturing operations on federal land. Requires the Secretary to make such state regulations available to the public.

Directs the Comptroller General (GAO) to examine the economic benefits of domestic shale oil and gas production resulting from the process of hydraulic fracturing.

Prohibits the Department of the Interior from enforcing any federal regulation, guidance, or permit requirement regarding the process of hydraulic fracturing, or any component of it, relating to oil, gas, or geothermal production activities on any land held in trust or restricted status for the benefit of Indians, except with the express consent of the beneficiary on whose behalf such land is held in trust or restricted status.

**EPA Hydraulic Fracturing Study Improvement Act** - Requires the Administrator of the Environmental Protection Agency (EPA), in conducting the study of the potential impacts of hydraulic fracturing on drinking water resources, with respect to which a request for information was issued in November 2012, to:

- prior to issuance and dissemination of any final or interim report summarizing EPA research on such relationship, consider such reports to be Highly Influential Scientific Assessments requiring peer review in accordance with specified EPA and Office of Management and Budget (OMB) policy documents;
- require the reports to meet the standards and procedures for the dissemination of influential scientific, financial, or statistical information set forth in the EPA's *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency*, developed in response to guidelines issued by OMB under the Treasury and General Government Appropriations Act for Fiscal Year 2001; and
- ensure that identification of the possible impacts included in such reports be accompanied by objective estimates of the probability, uncertainty, and consequence of each identified impact, taking into account the risk management practices of states and industry, and that estimates or descriptions of probability, uncertainty, and consequence are as quantitative as possible given the validity, accuracy, precision, and other quality attributes of the underlying

data and analyses, but no more quantitative than the data and analyses can support.

**Title XV: Northern Route Approval** - Northern Route Approval Act - Declares that a presidential permit shall not be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Keystone Pipeline, L.P. to the Department of State for the Keystone XL pipeline, including the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska governor.

Deems the final environmental impact statement issued by the Secretary of State on August 26, 2011, coupled with such Final Evaluation Report, to satisfy all requirements of the National Environmental Policy Act of 1969 and of the National Historic Preservation Act.

Grants original and exclusive jurisdiction to the U.S. Court of Appeals for the District of Columbia Circuit to determine specified issues (except for review by the Supreme Court on writ of certiorari).

Deems the Secretary of the Interior to have issued a written statement setting forth the Secretary's opinion that the Keystone XL pipeline project will not jeopardize the continued existence of the American burying beetle or destroy or adversely modify American burying beetle critical habitat.

States that any taking of the American burying beetle that is incidental to the construction or operation and maintenance of the Keystone XL pipeline shall not be considered a prohibited taking of such species under the Endangered Species Act of 1973.

Deems the Secretary to have issued: (1) a grant of right-of-way and temporary use permit pursuant to the Mineral Leasing Act and the Federal Land Policy and Management Act of 1976, and (2) a special purpose permit under the Migratory Bird Treaty Act (described in a certain application filed with the United States Fish and Wildlife Service for the Keystone XL pipeline).

Directs the Secretary of the Army to issue permits pursuant the Rivers and Harbors Appropriations Act of 1899 for the construction, operation, and maintenance of the Keystone XL pipeline. Authorizes such Secretary to waive any procedural requirement that the Secretary considers desirable in order to accomplish the purposes of this Act.

Prohibits the Administrator of the Environmental Protection Agency (EPA) from prohibiting or restricting an activity or use of an area that is authorized under this Act.

Requires any pipeline owner or operator required under federal law to develop an oil spill response plan for the Keystone XL pipeline to make that plan available to the governor of each state in which the pipeline operates to assist with emergency response preparedness.

**Title XVI: Relief from EPA Climate Change Regulations and Federal Prohibitions on Synthetic Fuels** - Amends the Clean Air Act to redefine "air pollutant" to exclude carbon dioxide, water vapor, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride (greenhouse gases).

Declares that nothing in specified statutes addressing pollution control shall be treated as authorizing or requiring the regulation of climate change or global warming.

Amends the Energy Independence and Security Act of 2007 to repeal the prohibition against federal procurement of alternative or synthetic fuel.

Declares the sense of the Congress that a carbon tax: (1) would be detrimental to American families and businesses, and (2) is not in the best interest of the United States.

Prohibits the Administrator of the Environmental Protection Agency (EPA) from using the social cost of carbon in order to incorporate social benefits of reducing carbon dioxide emissions, or for any other reason, in any cost-benefit analysis relating to an energy-related rule.

**Title XVII: Addressing the President's War on Coal - Coal Residuals Reuse and Management Act of 2014** - Amends the Solid Waste Disposal Act (SWDA) to authorize states to adopt and implement coal combustion residuals permit programs. Requires states that decide to implement such a program to: (1) certify that such program meets the specifications of this Act, and (2) maintain either an approved program or system for the disposal of hazardous waste from households or small quantity generators or an authorized state hazardous waste program.

Requires the agency implementing such coal combustion residuals permit programs to apply the revised criteria established by this Act to owners or operators of structures that receive such residuals, including surface impoundments.

Sets forth requirements for: (1) the preparation and maintenance of emergency action plans in the event of dam safety emergency for surface impoundments that pose a high hazard potential, and (2) the mitigation of such hazards.

Directs such agency to require each structure that first receives coal combustion residuals after this Act's enactment to be constructed with a base located a minimum of two feet above the upper limit of the water table, with specified exceptions.

Directs such agency to require structures to address wind dispersal of dust.

Sets forth revised criteria for program structures with respect to: (1) design, groundwater monitoring, corrective action, closure, and post-closure care; (2) location restrictions in floodplains, wetlands, fault areas, seismic impact zones, and unstable areas; (3) air quality; (4) financial assurance; (5) surface water; and (6) record keeping. Sets forth revised criteria for: (1) run-on and run-off control systems for landfills and other land-based units other than surface impoundments that receive coal combustion residuals, and (2) run-off control systems for surface impoundments that receive coal combustion residuals. Establishes deadlines for owners and operators to comply with such criteria.

Sets forth: (1) closure requirements for surface impoundments if they do not have specified liner systems and do not meet specified design criteria for municipal solid waste landfills, and (2) deadlines for compliance with the groundwater protection standard for structures subject to corrective action.

Prohibits such a program from applying to the utilization, placement, and storage of coal combustion residuals at surface mining and reclamation operations.

Prohibits this Act from being construed to alter the EPA's regulatory determination, entitled "Notice of Regulatory Determination on Wastes from the Combustion of Fossil Fuels," that the fossil fuel combustion wastes addressed do not warrant regulation as hazardous waste under SWDA.

**Preventing Government Waste and Protecting Coal Mining Jobs in America -** Amends the Surface Mining Control and Reclamation Act of 1977 to require state programs for regulation of surface coal mining to incorporate the necessary rule concerning excess spoil, coal mine waste, and buffers for perennial and intermittent streams published by the Office of Surface Mining Reclamation and Enforcement on December 12, 2008.

Requires the Secretary of the Interior to: (1) publish notice of a determination when all states that wish to assume

exclusive jurisdiction of such mining regulation have incorporated the rule in their programs; (2) assess the effectiveness of the rule's implementation during the five-year period following such notice; and (3) report to Congress an evaluation of the rule's effectiveness, any ways in which it inhibits energy production, and any proposed changes to the rule.

Prohibits issuance of any regulations regarding stream buffer zones or protection before publication of the report, other than a rule necessary to implement incorporation of the December 2008 rule described in this Act. Requires each state with an approved program for regulation of surface coal mining to submit program amendments incorporating such rule within two years of enactment of this Act.

**Title XVIII: Satisfying Energy Needs and Saving the Environment** - Satisfying Energy Needs and Saving the Environment Act of 2014 or SENSE Act of 2014 - Makes certain emission limits for hydrogen chloride and sulfur dioxide, in regulations entitled "Emission Limits for Existing EGUs," inapplicable to an electric utility steam generating unit in the subcategory "Coal-fired unit not low rank virgin coal" if the unit: (1) is in operation as of the date of enactment of this Act, (2) utilizes circulating fluidized bed technology to convert coal refuse into energy, and (3) derives at least 75% of its heat input from coal refuse or is a qualifying small power production or cogeneration facility as defined by the Federal Power Act.

**Title XIX: Nuclear Regulatory Commission Reorganization Plan Codification and Complements** - Nuclear Regulatory Commission Reorganization Plan Codification and Complements Act - Codifies and expands the Reorganization Plan No. 1 of 1980 governing the administration of the Nuclear Regulatory Commission (NRC). Identifies approval of the distribution of appropriated funds according to programs and purposes proposed by the Executive Director for Operations, in addition to functions concerned with policy formulation, rulemaking, and orders and adjudications, as functions that remain vested in the Commission.

Revises provisions of such Reorganization Act relating to: (1) the appointment and replacement of NRC officers and employees, (2) the role of the NRC Chairman, (3) the scope of the emergency authority of the NRC Chairman, and (4) NRC reporting procedures.

Sets forth NRC policy with respect to: (1) certification of documents transmitted to Congress, (2) time limits for review of Atomic Safety and Licensing Board decisions and actions, (3) allegations of wrongdoing on the part of the NRC Chairman, and (4) approval of international travel requests by NRC members.

**Title XX: Permitting for Onshore and Offshore Wind Energy** - Advancing Offshore Wind Production Act - Exempts any project determined by the Secretary of the Interior to be an offshore meteorological site testing and monitoring project from environmental impact statement requirements under the National Environmental Policy Act of 1969 (NEPA).

Defines an "offshore meteorological site testing and monitoring project" as a project that is administered by the Department of the Interior and carried out on or in the waters of the Outer Continental Shelf to test or monitor weather (including wind, tidal, current, and solar energy) using towers, buoys, or other temporary ocean infrastructure and that: (1) causes less than one acre of surface or seafloor disruption at the location of each meteorological tower or other device and no more than five acres of surface or seafloor disruption within the proposed area affected by the project (including hazards to navigation), (2) is decommissioned within five years of its commencement, and (3) provides meteorological information to the Secretary of the Interior.

Directs the Secretary to: (1) require that any applicant seeking to conduct an offshore meteorological site testing and monitoring project on the outer Continental Shelf obtain a permit and right of way; (2) determine whether to issue such a permit and right of way within 30 days after receiving an application; (3) provide an opportunity for submission of

comments by the public; (4) consult with the Secretary of Defense (DOD), the Commandant of the Coast Guard, and the heads of other federal, state, and local agencies that would be affected by issuance of the permit and right of way; and (5) provide an applicant the opportunity to remedy deficiencies in an application that was denied.

**Reducing Regulatory Obstacles to Wind Energy Production Act** - Exempts projects determined by the Bureau of Land Management (BLM) or the Forest Service to be meteorological site testing and monitoring projects from environmental impact statement requirements under the National Environmental Policy Act of 1969 (NEPA).

Defines a "meteorological site testing and monitoring project" as a project that is carried out on land administered by BLM or the Forest Service to test or monitor weather using towers or other devices, that is decommissioned within five years of its commencement, that provides meteorological information to such agencies, that causes less than one acre of soil or vegetation disruption at the location of each meteorological tower or other device and no more than five acres of soil or disruption within the proposed right-of-way for the project, and that is installed: (1) using existing access roads, (2) in a manner that does not require off-road motorized access other than one installation activity and one decommissioning activity along an identified off-road route approved by the BLM Director or the Chief of the Forest Service, (3) without construction of new roads other than upgrading of existing minor drainage crossings for safety purposes, and (4) without the use of digging or drilling equipment vehicles other than rubber-tired vehicles with gross weight ratings under 8,500 pounds.

Requires the BLM Director or Chief of the Forest Service: (1) to decide whether to issue a permit for such a project within 30 days after receiving an application for such permit; (2) during such period, to provide an opportunity for public comments and to consult with the heads of agencies that would be affected by issuance of the permit; and (3) to provide to the applicant reasons why an application is denied and an opportunity to remedy any deficiencies.

Requires BLM and the Forest Service to treat the meteorological information provided under this Act as proprietary information and to protect it against disclosure.

**Title XXI: Domestic Prosperity and Global Freedom** - Domestic Prosperity and Global Freedom Act - Declares that the importation of the natural gas, or the exportation of natural gas to a World Trade Organization member nation (currently, a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas) shall be deemed to be consistent with the public interest, and applications for such importation or exportation shall be granted without modification or delay.

Applies this expedited approval to all pending applications for which a notice has been published in the Federal Register before March 6, 2014.

**Division IV: Access to Capital - Title XXII: Small Business Access to Capital** - Amends the Investment Advisers Act of 1940 to exempt private equity fund investment advisers from its registration and reporting requirements, provided that each private equity fund has not borrowed and does not have outstanding a principal amount exceeding twice its invested capital commitments.

Directs the Securities and Exchange Commission (SEC) to promulgate final rules that: (1) require such investment advisers to maintain records the SEC determines necessary, taking into account fund size, governance, investment strategy, and risk; and (2) define the term "private equity fund" for purposes of this Act.

**Title XXIII: Community Lending Enhancement and Regulatory Relief** - Directs the Board of Governors of the Federal Reserve System (Board) to publish in the Federal Register proposed revisions to the Small Bank Holding Company Policy Statement on the Assessment of Financial and Managerial Factors that: (1) apply the policy to bank holding

companies having pro forma consolidated assets of less than \$5 billion (adjusted annually), no engagement in nonbanking activities involving significant leverage, and no significant amount of outstanding debt; and (2) increase from 1.1 to 3.1 the debt-to-equity ratio allowable for a small bank holding company in order to retain its eligibility both to pay a corporate dividend and to implement expedited processing procedures under Regulation Y of the Board.

Amends the Truth in Lending Act (TILA) to require the Board to exempt from certain escrow or impound requirements a loan secured by a first lien on a consumer's principal dwelling if the loan is held by a creditor with assets of \$10 billion or less.

Amends the Gramm-Leach-Bliley Act to exempt from its annual privacy policy notice requirement any financial institution which: (1) provides nonpublic personal information only in accordance with specified requirements, and (2) has not changed its policies and practices regarding disclosures of nonpublic personal information from those disclosed in the most recent disclosure sent to consumers.

Amends the Securities Act of 1933 to direct the Securities and Exchange Commission (SEC) to conduct cost-benefit analyses of certain new or amended generally accepted accounting principles. Requires the SEC to determine, as a prerequisite to recognition of such new or amended principles, whether the benefits to investors significantly outweigh the costs.

Amends the Sarbanes-Oxley Act of 2002 to exempt community banks having total assets on a consolidated basis of \$10 billion or less from mandatory annual management assessment of internal controls.

Amends TILA to: (1) add to the definition of a qualified residential mortgage loan that it is originated and retained in a portfolio for at least three years by a creditor having less than \$10 billion total assets, and (2) redefine a balloon loan that is a "qualified mortgage" to specify a balloon loan extended by a creditor that originates and retains balloon loans in a portfolio for at least three years, and, together with all affiliates, has total assets of \$10 billion or less.

Amends the Real Estate Settlement Procedures Act of 1974 to direct the Consumer Financial Protection Bureau (CFPB) to provide either exemptions or adjustments from the mortgage loan servicing and escrow account administration requirements of the Act for servicers of 20,000 or fewer mortgage loans.

Amends the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to require federal financial institutions regulatory agencies to establish a \$250,000 threshold level at or below which a certified or licensed appraiser is not required to perform appraisals in connection with federally related transactions.

Declares that, if an order to request for the transfer of funds (entry) is received via an automate clearing house, a receiving depository financial institution shall not be required to verify that the entry is not a prohibited transaction if the originating depository financial institution has warranted its compliance with the sanctions programs administered by the Office of Foreign Assets Control in connection with the entry.

## Actions Timeline

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- **Jun 13, 2014:** Referred to the Subcommittee on Workforce Protections.
- **Jun 13, 2014:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions.
- **Apr 22, 2014:** Referred to the Subcommittee on Conservation, Energy, and Forestry.
- **Apr 21, 2014:** Referred to the Subcommittee on Energy.
- **Apr 21, 2014:** Referred to the Subcommittee on Environment.
- **Apr 16, 2014:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **Apr 16, 2014:** Referred to the Subcommittee on the Constitution and Civil Justice.
- **Apr 8, 2014:** Referred to the Subcommittee on Energy and Mineral Resources.
- **Apr 8, 2014:** Referred to the Subcommittee Indian and Alaska Native Affairs.
- **Apr 8, 2014:** Referred to the Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs.
- **Apr 8, 2014:** Referred to the Subcommittee on Public Lands and Environmental Regulation.
- **Mar 28, 2014:** Referred to the Subcommittee on Energy and Power.
- **Mar 27, 2014:** Referred to the Subcommittee on Aviation.
- **Mar 27, 2014:** Referred to the Subcommittee on Coast Guard and Maritime Transportation.
- **Mar 27, 2014:** Referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management.
- **Mar 27, 2014:** Referred to the Subcommittee on Highways and Transit.
- **Mar 27, 2014:** Referred to the Subcommittee on Railroads, Pipelines, and Hazardous Materials.
- **Mar 27, 2014:** Referred to the Subcommittee on Water Resources and Environment.
- **Mar 26, 2014:** Introduced in House
- **Mar 26, 2014:** Referred to the Committee on Natural Resources, and in addition to the Committees on the Budget, Small Business, Education and the Workforce, Oversight and Government Reform, the Judiciary, Energy and Commerce, Transportation and Infrastructure, Science, Space, and Technology, Rules, Financial Services, Agriculture, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.