

HR 3682

Reducing Employer Burdens, Unleashing Innovation, and Labor Development Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Commerce

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Current Status: Referred to the Subcommittee on Research and Technology.

Latest Action: Referred to the Subcommittee on Research and Technology. (Sep 30, 2016)

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Sponsor

Name: Rep. Guthrie, Brett [R-KY-2]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Referred To	Oct 2, 2015
Armed Services Committee	House	Referred to	Nov 23, 2015
Committee on House Administration	House	Referred To	Oct 2, 2015
Education and Workforce Committee	House	Referred to	Mar 23, 2016
Education and Workforce Committee	House	Referred to	Mar 23, 2016
Energy and Commerce Committee	House	Referred to	Oct 9, 2015
Foreign Affairs Committee	House	Referred To	Oct 2, 2015
Judiciary Committee	House	Referred To	Oct 2, 2015
Natural Resources Committee	House	Referred to	Oct 21, 2015
Natural Resources Committee	House	Referred to	Oct 21, 2015
Rules Committee	House	Referred To	Oct 2, 2015
Science, Space, and Technology Committee	House	Referred to	Sep 30, 2016
Ways and Means Committee	House	Referred To	Oct 2, 2015

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
114 S 3101	Related bill	Jun 27, 2016: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
114 HR 1641	Related bill	Dec 2, 2015: Forwarded by Subcommittee to Full Committee by Voice Vote .
114 HR 538	Related bill	Oct 19, 2015: Received in the Senate and Read twice and referred to the Committee on Indian Affairs.
114 HR 3015	Related bill	Jul 10, 2015: Referred to the Subcommittee on Energy and Power.
114 HR 2462	Related bill	Jun 16, 2015: Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
114 HR 1647	Related bill	Jun 5, 2015: Referred to the Subcommittee on Energy and Mineral Resources.
114 HR 1840	Related bill	May 7, 2015: Referred to the Subcommittee on Energy and Mineral Resources.
114 HR 543	Related bill	Apr 29, 2015: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.
114 S 884	Related bill	Mar 26, 2015: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
114 S 887	Related bill	Mar 26, 2015: Read twice and referred to the Committee on Commerce, Science, and Transportation.
114 HR 1330	Related bill	Mar 23, 2015: Referred to the Subcommittee on Energy and Mineral Resources.
114 HR 865	Related bill	Mar 16, 2015: Referred to the Subcommittee on the Constitution and Civil Justice.
114 HR 459	Related bill	Mar 2, 2015: Referred to the Subcommittee on Energy and Mineral Resources.
114 HR 836	Related bill	Feb 13, 2015: Referred to the Subcommittee on Health.
114 HR 99	Related bill	Feb 2, 2015: Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
114 HR 351	Related bill	Jan 29, 2015: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
114 S 33	Related bill	Jan 29, 2015: Committee on Energy and Natural Resources. Hearings held. Hearings printed: S.Hrg. 114-9.
114 S 156	Related bill	Jan 13, 2015: Read twice and referred to the Committee on Environment and Public Works.
114 HR 89	Related bill	Jan 9, 2015: Referred to the Subcommittee on Energy and Power.

Reducing Employer Burdens, Unleashing Innovation, and Labor Development Act of 2015

This bill expresses the sense of Congress that increasing the competitiveness of U.S. manufacturers will strengthen the national economy.

Investing in America's Workforce Act

The Workforce Investment Act of 1998 is amended to require state or local workforce investment systems to use youth activities funds allocated to a local area for programs that provide training.

The Internal Revenue Code is amended to: (1) extend through 2016 the tax credit for increasing research activities, and (2) increase and make permanent the alternative simplified research tax credit.

The Joint Committee on Taxation shall notify Congress of any introduced tax reform bill for: (1) a transition to a more globally competitive corporate tax code, (2) a reduction in the code's complexity, and (3) the elimination of special interest loopholes.

The Department of Homeland Security shall establish within the Office of International Trade of the U.S. Customs and Border Protection (CBP) a Trade Remedy Law Enforcement Division (including a National Targeting and Analysis Group) to prevent and counter evasion of antidumping (AD) duty or countervailing duty (CVD) orders with respect to covered merchandise entered into the United States.

The Tariff Act of 1930 is amended to permit access to certain proprietary information to a CBP officer or employee investigating possible negligence or gross negligence with respect to covered merchandise entered into the United States.

The Department of the Treasury shall negotiate and enter into bilateral agreements with customs authorities of foreign countries to prevent evasion of U.S. and foreign trade remedy laws.

This bill prescribes procedures for the administering authority (the Department of Commerce, or any other U.S. officer responsible for such duties) to initiate an AD or CV duty investigation for merchandise imported into the United States upon

- its own initiation, or
- the filing of a petition by interested parties or referral by the CBP Commissioner.

The weighted average dumping margin or individual CVD rate determined for a new exporter or producer of merchandise in a review by the administering authority as to whether an AD or CVD shall be imposed shall be based solely on the bona fide U.S. sales made by the exporter or producer during the period of review.

It is the sense of Congress that the Export Administration Act of 1979 should be reformed and reauthorized.

Federal Spectrum Incentive Act of 2015

The National Telecommunications and Information Administration Organization Act is amended to allow federal entities that utilize government station licenses to participate in the incentive auction program under which licensees of

electromagnetic spectrum voluntarily relinquish their spectrum rights in order for the spectrum to be auctioned for a repurposed commercial use in exchange for a percentage of the auction proceeds.

A Federal Spectrum Incentive Fund is established in the Treasury.

The Environmental Protection Agency (EPA) must, before promulgating a final rule that regulates any aspect of the production, supply, distribution, or use of energy (or that provides for regulation by state or local governments) and that is estimated by EPA or OMB to impose aggregate costs of more than \$1 billion, to report: (1) an estimate of the rule's total costs and benefits, (2) an estimate of the increases in energy prices that may result, and (3) a detailed description of the employment effects that may result.

Electricity Security and Affordability Act

The EPA may not issue, implement, or enforce any proposed or final rule under the Clean Air Act that establishes a performance standard for greenhouse gas emissions from any new source that is a fossil fuel-fired electric utility generating unit unless the rule meets specified requirements of this Act.

The force and effect of specified proposed rules (or similar successor proposed or final rules) are nullified for Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units issued before enactment of this Act.

LNG Permitting Certainty and Transparency Act

For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the U.S. Maritime Administration to site, construct, expand, or operate liquified natural gas (LNG) export facilities, the Department of Energy (DOE) shall issue a decision on an application for authorization to export natural gas within 30 days after the later of: (1) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (NEPA); or (2) the enactment of this Act.

The Natural Gas Act is amended to set as a condition for approval of any authorization to export LNG that the DOE require the applicant to disclose publicly its specific destination or destinations.

Preventing Government Waste and Protecting Coal Mining Jobs in America

The Surface Mining Control and Reclamation Act of 1977 is amended 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.

The Patient Protection and Affordable Care Act and the health care provisions of the Health Care and Education and Reconciliation Act of 2010 are repealed, effective as of their enactment. The provisions amended or repealed by such Acts are restored or revived.

The Public Health Service Act (PHSA), as restored under this Act, is amended to prohibit a group health plan and a health insurance issuer offering group or individual health insurance coverage from establishing lifetime limits on the dollar value of benefits for any individual.

Each state must mitigate the cost of high risk individuals in the state through: (1) a state reinsurance program, or (2) a state high risk pool.

The PHSA is amended to require the laws of the state designated by a health insurance issuer (primary state) to apply to individual health insurance coverage offered by that issuer in the primary state and in any other state (secondary state), but only if the coverage and issuer comply with the conditions of this Act.

Conditions are prescribed for lawsuits arising from health care liability claims.

The PHSA is amended to deem a hospital or an emergency department and a physician or physician group to be a Public Health Service employee with federal liability protection for purposes of any civil action arising from emergency and post-stabilization services.

Nothing in the McCarran-Ferguson Act (which exempts the insurance business generally from federal regulation) shall modify, impair, or supersede the operation of any of the antitrust laws with respect to the business of health insurance.

No class action may be heard in a federal or state court on a claim against a person engaged in the business of health insurance for violation of any of the antitrust laws except for actions commenced by:

- the United States or any state; or
- a named claimant for an injury only to itself.

A health care professional shall not be liable under federal or state law, with certain exceptions, for harm caused by any act or omission if: (1) the professional is serving as a volunteer in response to a disaster; and (2) the act or omission occurs during the period of the disaster, in the professional's capacity as such a volunteer, and in a good faith belief that the individual being treated is in need of health care services.

The plaintiff in any civil action or proceeding against a health care professional bears the burden of proving by clear and convincing evidence that the limitation of liability under the Act does not apply.

Lowering Gasoline Prices to Fuel an America That Works Act of 2015

The Outer Continental Shelf Lands Act (OCSLA) is amended to direct Interior to implement a lease sales 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.

Interior shall develop a five-year oil and gas leasing program with a domestic strategic production goal determined according to a specified formula.

Interior shall conduct oil and gas Lease Sale 220 offshore Virginia, subject to a specified condition if the Department of Defense proposes a deferral from a lease offering due to irreconcilable defense-related activities.

Interior shall conduct a lease sale within two years after enactment of this Act for certain areas off the coast of South Carolina with the most geologically promising hydrocarbon resources.

Interior must: (1) offer for sale leases of tracts in the Santa Maria and Santa Barbara/Ventura Basins of the Southern California OCS Planning Area, and (2) prepare for all lease sales required under this Act a NEPA multisale environmental impact statement.

37.5% of the amount of new federal leasing revenues shall be allocated to affected coastal states within 200 miles of the leased tract.

This bill establishes in 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.

Interior shall establish: (1) a National Offshore Energy Safety Academy, and (2) an OCS Energy Safety Advisory Board.

Interior shall also: (1) certify annually that certain of its personnel comply fully with federal employee ethics laws and regulations; and (2) conduct random drug testing of such personnel.

The Minerals Management Service is abolished.

Interior shall collect non-refundable fees from the operators of facilities subject to inspection. An Ocean Energy Enforcement Fund is established in the Treasury for deposit of such fees.

The Bureau of Ocean Energy and the Ocean Energy Safety Service may not implement any limitation on activities under their jurisdictions because of the coastal and marine spatial planning component of the National Ocean Policy developed under Executive Order No. 13547.

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

Interior shall promulgate rules regarding the revenue streams contemplated by the Gulf of Mexico Energy Security Act of 2006, including the timing and methods of disbursements of certain funds under such Act.

For FY2024-FY2055 the maximum amount of qualified OCS revenues distributed to Gulf producing states shall be increased.

The South Atlantic Outer Continental Shelf Planning Area is defined.

The OCSLA is amended to require the Bureau of Ocean Energy Management to enter into partnerships to conduct oil- or gas-related geological and geophysical investigations on the OCS with institutions of higher education nominated by the governors of Georgia, South Carolina, North Carolina, and Virginia.

Federal Lands Jobs and Energy Security Act

Interior shall encourage the use of U.S. workers and equipment manufactured in the U.S. in all construction related to mineral resource development under this Act.

Streamlining Permitting of American Energy Act of 2015

The Mineral Leasing Act (MLA) is amended to direct Interior to revise requirements for the processing of drill permit applications. A permit application shall be deemed approved if Interior has not made a decision by 60 days after its receipt.

Interior shall collect specified fees for processing a drill permit application and for documentation to accompany each protest for an application, a lease, or a right of way.

Interior shall:

- establish a Federal Permit Streamlining Project in every Bureau of Land Management (BLM) field office

- responsible for permitting energy projects on federal land, and
- provide 50% matching funds 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 2015

Interior, in conducting lease sales under the MLA, must offer for sale at least 25% of the annual nominated acreage not previously made available for lease. This acreage shall be shielded from protest and eligible for categorical exclusions under NEPA.

Interior shall not:

- withdraw any covered energy project without finding a violation of lease terms by the lessee;
- delay indefinitely issuance of project approvals, drilling and seismic permits, and rights of way for activities under a lease; or
- cancel or withdraw any lease parcel after a competitive lease sale has occurred and a winning bidder has made the last payment for the parcel.

The BLM Instruction Memorandum 2010-117 (which establishes a process to ensure orderly, effective, timely, and environmentally responsible leasing of oil and gas resources on federal lands) shall have no force or effect.

Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security Act or the PIONEERS Act

The final regulations regarding oil shale management published by the BLM on November 18, 2008, as well as a specified resource management plan, are deemed to satisfy all legal and procedural requirements under any law, and Interior shall implement them, including the oil shale leasing program they authorize, without any other administrative action necessary.

Interior shall hold a lease sale that offers an additional ten parcels for lease for research, development, and demonstration of oil shale resources, including at least five separate commercial lease sales, in multiple lease blocs, in certain areas of at least 25,000 acres.

Planning for American Energy Act of 2015

The MLA is amended to direct Interior to publish every four years a Quadrennial Federal Onshore Energy Production Strategy.

National Petroleum Reserve Alaska Access Act

The Naval Petroleum Reserves Production Act of 1976 is amended to require the competitive leasing of oil and gas in the National Petroleum Reserve (NPR) in Alaska to include at least one lease sale annually in those areas most likely to produce commercial quantities of oil and natural gas each year between 2017-2027.

Interior must ensure permits according to a specified time line for all surface development activities, including pipelines and roads construction, to: (1) develop NPR areas subject to oil and gas leases, and (2) transport oil and gas from and through the NPR to existing infrastructure on the North Slope of Alaska.

Interior must issue: (1) a new proposed integrated activity plan from among the non-adopted alternatives in the NPR

Alaska Integrated Activity Plan Record of Decision dated February 21, 2013. The February 21, 2013, Record of Decision shall have no force or effect.

The U.S. Geological Survey shall conduct and complete a resource assessment in cooperation with Alaska and the American Association of Petroleum Geologists.

BLM Live Internet Auctions Act

The MLA is amended to authorize Interior to conduct onshore oil and gas lease sales through Internet-based live bidding methods.

Native American Energy Act

The Energy Policy Act of 1992 is amended to allow Interior, 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 Interior approval. Tribes may, however, waive such appraisals.

The Tribal Forest Protection Act of 2004 is amended to direct Interior to enter into agreements with Indian tribes to carry out demonstration projects involving woody biomass from federal lands to promote biomass energy production on Indian forest land and in nearby communities.

The Long-Term Leasing Act is amended to authorize the Navajo Nation to enter into mineral resource leases on their restricted lands without Interior's approval.

No Interior rule regarding hydraulic fracturing may have any effect on land held in trust or restricted status for Indians, except with the express consent of its specific beneficiaries.

Protecting States' Rights to Promote American Energy Security Act

Interior may not enforce any federal regulation, guidance, or permit requirement regarding hydraulic fracturing 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.

(Hydraulic fracturing is 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.)

The GAO shall examine the economic benefits of domestic shale oil and gas production resulting from hydraulic fracturing.

Interior shall not enforce any federal regulation, guidance, or permit requirement governing the hydraulic fracturing process, or any of its components, relating to oil, gas, or geothermal production activities on land held either in trust or restricted status for the benefit of Indians except with the express consent of the specific beneficiary.

The President shall establish or designate a Science, Technology, Engineering, and Mathematics (STEM) Education Advisory Panel.

The National Science Foundation shall establish, within the Directorate for Education and Human Resources, a STEM Education Coordinating Office.

Actions Timeline

- **Sep 30, 2016:** Referred to the Subcommittee on Research and Technology.
- **Mar 23, 2016:** Referred to the Subcommittee on Higher Education and Workforce Training.
- **Mar 23, 2016:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions.
- **Nov 23, 2015:** Referred to the Subcommittee on Emerging Threats and Capabilities.
- **Oct 21, 2015:** Referred to the Subcommittee on Energy and Mineral Resources.
- **Oct 21, 2015:** Referred to the Subcommittee on Indian, Insular and Alaska Native Affairs.
- **Oct 9, 2015:** Referred to the Subcommittee on Energy and Power.
- **Oct 2, 2015:** Introduced in House
- **Oct 2, 2015:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Ways and Means, Education and the Workforce, the Judiciary, House Administration, Rules, Appropriations, Foreign Affairs, Science, Space, and Technology, and Armed Services, 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.