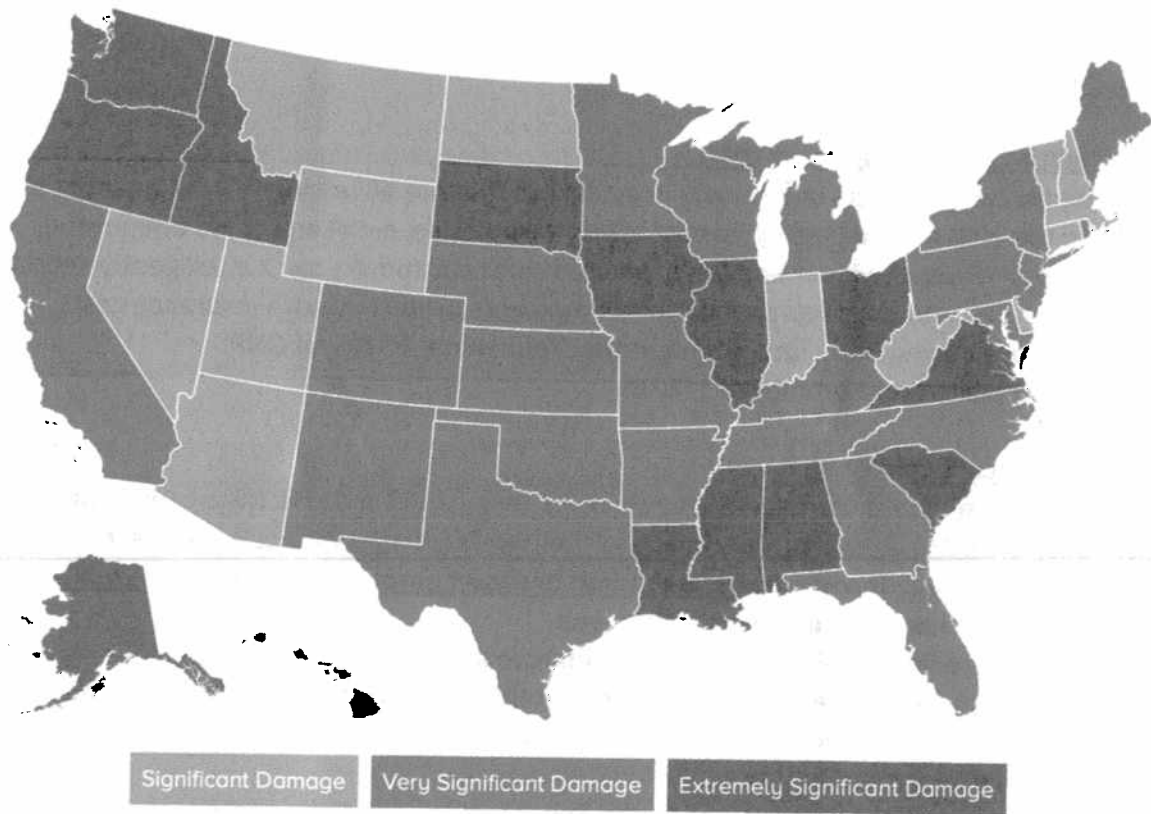


**CEMA Political Affairs
Chicago, IL September 2018**

NEW STUFF

Steel and Aluminum Tariffs

United States imposed a 25% tariff on imports of steel, and a 10% tariff on aluminum, on the European Union, Canada, and Mexico. They are still in effect. Almost all business groups and US Chamber of commerce are opposed to the tariffs. As of Sunday 9/16 – Trump is threatening 10% tariffs on an additional 200 billion in Chinese goods. Map source: US Chamber



National Debt-

The US Chamber has come out strongly in favor of enacting reforms that will slow down the unsustainable growth in Federal Debt. Many economists predict that while the tax reforms will put off a recession from 2019 to late 2020 or 2021 the increased debt will greatly deepen the recession from the 2% decline originally predicted for 2019.

HR 5870 – OSHA Notification Act. – Amends OSHA Act of 1970 to require immediate notification to an employer of the issuance of a penalty, to prohibit any public notice of such citation for a period of 24 hours after issuance of the citation, and to require a public notice where an employer successfully contests any proposed penalty.

Status: Introduced 5/2018

EX-IM Bank – has lacked a quorum limiting loans to 10M or less. Industry groups are pressuring the Senate to approve the remaining 4 nominees. Part of the delay is Trump’s lack of cooperation following the rejection of his choice, Garrett as head of the bank. This is holding up over 30 Billion in business.

Status: Not making America greater again – one foolish political delay after another

HR. 6136 – Border Security and Immigration Reform Act

- Provide a path for Dreamers to become citizens in the future
- Various measures to improve border security
- Creates a system of matching visas for work place skills needed

Status: Failed in first pass through House – expect to similar proposal in near future

PREVIOUSLY REPORTED

HR.4808 – Health Care Pricing Act of 2018

Requires all health care products and service providers to disclose all pricing to consumers at point of service and on the internet – including all cost levels – wholesale, retail and trade discounted.

Analysis: This is an obvious winner and badly needed since consumers can’t intelligently shop for health related services and products costing their employers billions in extra insurance costs. It’s amazing that we are buying blind for a segment that represents 16.9% of GNP.

Status: Placed in Health Sub-Committee 1/2018

HR. 3441 – Save Local Business Act

Overturns NLRB decision in Browning-Ferris Industries Case in which the NLRB greatly expanded what constitutes a joint employer to include employers that may exercise indirect, potential or unexercised control over an employee. It restores the definition of a joint employer to one that directly, actually and immediately exercises control over an employee.

Analysis- this serves to limit liability for practices, injuries and health related issues for employees to joint employment situations where both employers exercise direct control over an employee. Before the reversal, a case could be made that consultants, sub-contractors such as riggers in our industry might be considered joint employees.

Status: Passed House and has been passed to the Senate. It has yet to be passed into a committee.

HR.4318, S.2018 – Repeals expired reductions in duties and taxes for imported chemicals and other imported products that lapsed since similar legislation enacted in 2012.

Analysis: The bills seek to reduce or eliminate nearly 1,700 taxes on imported products not manufactured or available domestically. The last MTB passed by Congress expired on December 31, 2012. Since then, businesses have paid billions of dollars of tariffs on products not even made in the United States, to the detriment of good-paying American jobs and American competitiveness. The Miscellaneous Tariff Bill Act of 2018 would eliminate import tariffs of more than \$1.1 billion over the next three years and boost U.S. manufacturing output by more than \$3.1 billion. (Source NAM Analysis)

Status: Passed House and Senate – on Trump’s Desk

S.951, HR 5 – Regulatory Accountability Act of 2017

This bill codifies and revises notice-and-comment rulemaking procedures to require federal agencies to consider: (1) whether rulemaking is required by statute or is within the discretion of the agency, (2) whether existing federal laws or rules could be amended or rescinded to address the problem, and (3) reasonable alternatives for a new rule.

For major or high-impact rules, an agency must:

- Publish a notice of initiation of rulemaking to invite interested parties to propose alternatives and ideas that accomplish the agency's objectives and benefit the public;
- Allow persons interested in high-impact or certain major rules to petition for a public hearing with oral presentation, cross-examination, and the burden of proof on the proponent of the rule;
- Adopt the most cost-effective rule among reasonable alternatives that meet statutory objectives, unless additional benefits justify additional costs; and
- Publish a framework and metrics for measuring the effectiveness of the rule on an ongoing basis.

The bill defines: "high-impact rule" as a rule likely to cause an annual effect on the economy of \$1 billion or more; and a "major rule" as a rule likely to cause an annual effect on the economy of \$100 million or more, a major increase in costs or prices, or significant adverse effects on competition, employment, investment, productivity, innovation, public health and safety, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. (Source – Thomas Legislative)

Status: Passed the House 1/11/17, Passed Senate Committee and placed on Legislative Calendar

S.1516 – Bill to expand health care choices by allowing Americans to buy Health Care coverage across State Lines

Bill would allow people to buy insurance from any state they choose which is expected to increase availability, increase competition, and ultimately reduce costs to consumers

Status: Introduced 6/29/17 – No further action since 9/17 report

S.1390, HR 5430– Stronger Patents Act of 2017

Bill is broken into several basic areas –

- Stronger infringement enforcement
- Fully funding the USPTO and end diversion of funds to general fund. A fully funded patent office can hire more examiners – speed up the process and reduce or eliminate the practice of rejecting new claims out of hand and prioritizing applications on resubmission and appeal
- When new submissions are challenged – make them fairer and less demanding for the applicant to respond
- Steps to limit spurious patent demand letters – often used by individuals and some companies to suggest infringement hoping to extort a settlement when the sender had no real intent to prosecute an infringement case

Status: In Senate Judiciary committee – hearings held 4/18