

Hatch Amendment #1 to the Miners Protection Act of 2016

Short Title: Relevant Amendment

Description of Amendment: Amendment relevant to Miners Protection Act of 2016.

Offset: To be provided.

Enzi Amendment #1

Enzi Amendment #1 to S.1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

Short Title: Protecting the Retirement Solvency of Future UMWA Miners.

Description of Amendment: This amendment closes off the 1974 UMWA pension plan to any new participants after the date of enactment of this bill.

Offset: To be provided, if needed.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), germaneness, or other purposes.]

Enzi Amendment #2

Enzi Amendment #2 to S.1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

Short Title: Mine America's Coal Amendment (Stream Protection Rule)

Description of Amendment: This amendment amends Section 162(f) of the Internal Revenue Code of 1986, 26 U.S. Code §162(f), to allow the deduction of ordinary and necessary business or trade expenses associated with compliance with the Department of the Interior's Proposed Stream Protection Rule [Docket ID: OSM-2010-0018; S1D1S SS08011000 SX064A000 156S180110; S2D2S SS08011000 SX064A000 15X501520]. The amendment would also rescind the Proposed Rule one day after the rule takes effect.

Offset: To be provided, if needed.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), germaneness, or other purposes.]

Enzi Amendment #3

Enzi Amendment #3 to S.1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

Short Title: Stop the Clean Power Plan Amendment

Description of Amendment: This amendment amends Section 162(f) of the Internal Revenue Code of 1986, 26 U.S. Code §162(f), to allow the deduction of ordinary and necessary business or trade expenses associated with compliance with the Environmental Protection Agency’s Clean Power Plan (Rule relating to “Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units” published at 80 Fed. Reg. 64510 (October 23, 2015); Rule related to “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,” published at 80 Fed. Reg. 64662 (October 23, 2015); and Proposed Rule related to “Proposed Federal Plan for the Clean Power Plan” published at 80 Fed. Reg. 205 (October 23, 2015)). The amendment would also rescind the Clean Power Plan one day after the rule takes effect.

Offset: To be provided, if needed.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), germaneness, or other purposes.]

Enzi Amendment #4

Enzi Amendment #4 to S.1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

Short Title: Date of Enactment

Description of Amendment: This amendment changes the date of enactment for the Miners Protection Act.

Offset: N/A

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), germaneness, or other purposes.]

Enzi Amendment #5

Enzi Amendment #5 to S.1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

Short Title: Date of Enactment

Description of Amendment: This amendment changes the date of enactment for the Miners Protection Act.

Offset: N/A

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), germaneness, or other purposes.]

Toomey Amendment #1 to the Miners Protection Act of 2016

Short Title: An amendment to improve the bill

Description:

To be provided

Offset: to be determined

[NOTE- Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]

Coats/Enzi Amendment #1 to an Original Bill Entitled the Miners Protection Act of 2016

Short Title: Sense of the Senate regarding the harm to miner retiree health and pension plans caused by the Administration's excessive and burdensome environmental regulations.

Description of Amendment:

The amendment expresses the sense of the Senate that the retiree health and pension benefit plans addressed in this Act would be more financially secure without further government intervention had the current Administration not engaged in a "war on coal" through excessive and burdensome environmental regulations that reduced the number of contributing employers and active workers in the mining industry.

No offset is required.

Coats/Enzi Amendment #2 to an Original Bill Entitled the Miners Protection Act of 2016

Short Title: Sense of the Senate regarding proposed stream buffer zone regulations that will cause further harm to miner retiree health and pension plans.

Description of Amendment:

The amendment expresses the sense of the Senate that:

- The Administration's stream buffer zone proposed rule will cause further damage to the retiree health and pension plans addressed in this Act by reducing the number of active workers and contributing employers in the mining industry; and
- In order to prevent further damage to the benefit plans, the rule should be withdrawn.

No offset is required.

Coats/Enzi Amendment #3 to an Original Bill Entitled the Miners Protection Act of 2016

Short Title: Supporting Transparent Regulatory and Environmental Actions in Mining Act.

Description of Amendment:

Like the underlying Act, the amendment modifies the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Specifically, the amendment inserts the text of S. 1458, the STREAM Act.

The STREAM Act would:

- Direct the Department of the Interior to make publicly available the scientific products used in developing a rule under the SMCRA or any related environmental impact statement, environmental assessment, or economic assessment when the rule or assessment is published;
- Provide that if those scientific products received federal funds, Interior must also make publicly available the data used and the background information of its authors;
- Provide that if Interior does not comply, the notice and comment period for the rules and assessments will be extended by specified periods;
- Provide that a rule or an assessment must be withdrawn if Interior fails to comply for more than 180 days; and
- Provide that in carrying out the SMCRA, Interior: (1) may not make any determination regarding certain agency action subject to specified mining and environmental Acts, and (2) shall defer to the determinations of an agency or state authority implementing those Acts with respect to any agency action under the jurisdiction of that agency or state.

An offset should not be necessary but will be provided if needed.

Coats/Toomey Amendment #4 to an Original Bill Entitled the Miners Protection Act of 2016

Short Title: Repeal of the Medical Device Excise Tax.

Description of Amendment:

The amendment would repeal the tax on medical devices imposed by the Affordable Care Act.

An offset will be provided.

Coats Amendment #5 to an Original Bill Entitled the Miners Protection Act of 2016

Short Title: Refund of Medical Device Excise Tax assessed on devices used by participants in miner retiree health plans.

Description of Amendment:

In order to reduce health care costs in the health plans covered under this Act, the amendment would refund the Affordable Care Act's excise tax on medical devices if the device is used by participants in the retiree health plans addressed in this Act.

An offset will be provided.

Coats Amendment #6 to an Original Bill Entitled the Miners Protection Act of 2016

Short Title: Prevention of pension double-dipping.

Description of Amendment:

Background

Currently, the troubled health and pension funds that would receive direct federal assistance under the Act pay for a separate, single-employer pension plan for the employees that administer the plans, known as the “United Mine Workers of America 1974 Pension Trust Employees’ Pension Plan.” However, this separate plan does not simply cover employees who manage benefits and investments for the miner health and pension plans. It also covers the trustees of the health and pension plans covered under the Act, which includes high-ranking union officials.

This means that it is possible these union officials are accruing benefits for the same period of service under two separate pension plans – (1) the pension trust employees’ single-employer pension plan and (2) the UMWA multiemployer pension plan for rank-and-file workers that would receive direct federal assistance under the Act.

Because the single-employer plan is an expense of the health and pension plans that would receive direct federal funding under the Act, it is possible that the federal assistance will essentially be financing this “double-dip.”

Proposal

In order to (1) ensure that the direct financial assistance provided under this Act is not funding a “double-dip” of pension benefits that is unavailable to rank-and-file workers and (2) reduce expenses for the plans covered by the Act, the amendment would prohibit those covered by the UMWA 1974 Pension Trust Employees’ Pension Plan from accruing additional benefits under both that plan and the troubled UMWA 1974 Pension Plan based on the same period of service. Participants in the pension trust employees’ plan could choose to accrue benefits under one or the other of the plans for their period of service, but not both plans simultaneously.

An offset should not be necessary but will be provided if needed.

HELLER AMENDMENT #1 to the Miners Protection Act of 2016

Heller Amendment #1 to S. 1714, the Miner's Protection Act of 2016

Short Title: Repeal the 40 percent Excise Tax on Employer Sponsored Health Care

Description of Amendment: Heller Amendment #1 would repeal the 40 percent excise tax on employer sponsored health care enacted as part of the Patient Protection Affordable Care Act (PPACA). The 40 percent excise tax will increase health costs for nearly 151 million American workers, including 1.3 million Nevadans with employer sponsored health care.

HELLER AMENDMENT #2 to the Miners Protection Act of 2016

Heller Amendment #2 to S. 1714, the Miner's Protection Act

Short Title: __Repeal the 40 percent Excise Tax on Employer Sponsored Health Care for Miners effected in the United Mine Workers health plan.

Description of Amendment: Heller Amendment #2 would repeal the 40 percent excise tax on employer sponsored health care for miners participating in the United Mine Workers health plan. The 40 percent excise tax will raise health costs the nearly 100,000 miners affected by S. 1714.

HELLER AMENDMENT #3 to the Miners Protection Act of 2016

Heller Amendment #3 to S. 1714, the Miner's Protection Act of 2016

Cosponsors:

Short Title: Amendment of a perfecting nature

Description of Amendment: TBD

Offset: To be provided.

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]

Casey Amendment #1 to an Original Bill Entitled the Miner's Protection Act of 2016

Short Title: Amendment of a perfecting nature

Description of Amendment: TBD

Offset: To be provided.

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]