

Feature Story

IRS Finalizes Tax Penalty for Filers Who Fail to Maintain Minimum Essential Health Coverage Pursuant to PPACA

The Internal Revenue Service published a [final rule](#) prescribing that taxpayers maintain minimum essential health coverage, pursuant to the requirements of the Patient Protection and Affordable Care Act (PPACA). Taxpayers who do not maintain essential minimum coverage are subject to a tax penalty, called a ‘shared responsibility payment’. “Many individuals are exempt from the shared responsibility payment, including some whose religious beliefs conflict with acceptance of the benefits of private or public insurance and those who do not have an affordable health insurance coverage option available.” IRS estimates that 36 million filers will be required to complete additional paperwork to verify minimum essential coverage as a result of this rule, totaling 7.5 million hours of paperwork burden annually. The final rule establishes the threshold definition for minimum essential coverage: “for any calendar month, an individual has minimum essential coverage if the individual is enrolled in and entitled to receive benefits under a program or plan that is minimum essential coverage for at least one day during the month.”

Opinion

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- Regulators Made Questionable Call on QRM Rule
- Is Ronald Coase's Greatest Impact Yet to Come?
- The Wisdom of Ronald Coase
- The Man Who Resisted 'Blackboard Economics'
- SEC Can Fix a Gap Between the Rich and the Rest
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Marketplace of Ideas

American Action Forum

- Menu Labeling Red Tape, *Sam Batkins*
- INFOGRAPHICS: New ACA Restaurant Menu Regulation
- Week in Regulation, *Sam Batkins*
- Regulation Review: Commercial Cooler Energy Efficiency Rules, *Dan Goldbeck*

Center for Effective Government

- What's At Stake: Austerity Budgets Threaten Worker Health and Safety, *Nick Schwellenbach*
- Mine Safety Agency Ready to Finalize Black

In the News

In Memoriam: Ronald Coase

[Ronald H. Coase, U. of Chicago professor who won the Nobel Prize in economics, dies at 102](#), *Washington Post*

[OBITUARY: Professor Ronald Coase](#), *The Telegraph*

[REMEMBRANCES: Economist's Theories Led to Carbon Trading](#), *Wall Street Journal*

[Ronald Coase, Nobelist Who Studied Corporations, Dies at 102](#), *Bloomberg*

Congress & Regulatory Reform

[REGULATION NATION: Courts emerge as hurdle to Obama regs](#), *The Hill*

[Obama's ex-regulatory czar bemoans lack of fear about climate change](#), *The Hill*

[REGULATION NATION: Obama rulemaking seen as deeply flawed](#), *The Hill*

[Watchdog questions accuracy of EPA's scientific integrity](#), *Washington Times*

[House Science chairman says EPA violating subpoena](#), *The Hill*

Financial Markets & Housing

[Proposal lets banks hold smaller stake in mortgage bonds if borrowers have better finances](#), *Washington Post*

['Social engineering' or good policy? HUD wants deeper look at housing segregation and opportunity](#), *Cleveland.com*

[Regulators relax proposed mortgage rule](#), *Washington Post*

[Yellen vs. Summers for the Fed – how they stack up in competition to lead the central bank](#), *Washington Post*

[Housing industry leaders express optimism for revamped risk-retention rule](#), *The Hill*

[Regulators overhaul risk-retention proposal](#), *The Hill*

[Bank Regulations Still Over-Reliant on Credit Ratings](#), *FSB Says*, *Bloomberg*



Lung Controls Pending White House Review, *Katie Greenhaw*

▪ Proposed Rule to Protect Workers Released for Public Comment, *Katie Greenhaw*

Center for Progressive Reform

▪ Another Week, Another Ill-Considered Attempt To Undercut Regulations, *Ross Eisenbrey*

▪ Bragg, Takings, and the Economics of Limited Resources, *Dave Owen*

Competitive Enterprise Institute

▪ CEI's Battered Business Bureau: The Week in Regulation, *Ryan Young*

Federal Regulations Advisor

▪ Monday Morning Regulatory Review – 9/2/13, *Leland Beck*

Free State Foundation

▪ Section 706's Deregulatory Directive: Accelerate Broadband by Removing Regulatory Barriers, *Seth Cooper*

The George Washington University Regulatory Studies Center

▪ Toxic Sand? OSHA's Challenge in Regulating Crystalline Silica, *Susan E. Dudley*

Government Accountability Office

▪ USDA Is Monitoring Market Development Programs as Required but Could Improve Analysis of Impact, *Lawrance Evans*

▪ FOOD SAFETY: More Disclosure and Data Needed to Clarify Impact of Changes to Poultry and Hog Inspections, *Jose Gomez*

Heritage Foundation

▪ Obamacare: When You Have to Find a New Doctor, *Alicia Cohn*

Penn Program on Regulation

▪ Regulating Labor

▪ The Clean Air Act and the Poor, *Maxwell Blum*

[Bitcoin Exchange Tradehill Pauses Trading for Regulatory Reasons](#), *Bloomberg*

[NCUA sues Morgan Stanley over sale of \\$566 million in mortgage-backed securities](#), *Washington Post*

[Regulators agree on global swap rules ahead of G20 summit](#), *Reuters*

[Banks to Increase Collateral on Swaps Trades Under Basel](#), *Bloomberg*

[Banks Face Tougher Swaps Margin Rules in Global Regulator Plan](#), *Bloomberg*

[Bitcoin Exchange Tradehill Pauses for Regulatory Reasons](#), *Bloomberg*

[Miller to Be Acting U.S. Treasury Deputy as Wolin Leaves](#), *Bloomberg*

[Financial panel pushes G-20 to combat 'too big to fail'](#), *The Hill*

[EU Agency Backs Some U.S. Swaps Rules in Bid to Counter Overlaps](#), *Bloomberg*

[How the Bank Lobby Loosened U.S. Reins on Derivatives](#), *Bloomberg*

Energy & Environment

[Federal regulators launch safety inspection blitz of rail shipments of crude oil](#), *Washington Post*

[Environmental, animal rights groups sue EPA for dropping plan to gather livestock farm data](#), *Washington Post*

[Energy Dept. unveils new efficiency regs](#), *The Hill*

[Obama to Name Top Climate-Change Regulator](#), *NationalJournal*

[Pro-fracking group hits National Park Service over 'appalling' comments](#), *The Hill*

[Nuclear Regulators May Lower Risk Level](#), *Bloomberg TV*

[Greenhouse-Gas Fight Escalates](#), *Wall Street Journal*

[EPA sued over scuttled factory-farming rule](#), *The Hill*

[SEC bows to federal court on oil rule](#), *The Hill*

[EPA Proposing to Formally Review Methods Used to Protect Waters From Degradation](#), *Bloomberg*

Health & Safety

[Calorie labels on menus to cost millions, group says](#), *The Hill*

[Report: Budget woes hamper federal workforce safety inspections](#), *The Hill*

[HHS finalizes ObamaCare rules on insurance oversight](#), *The Hill*

[Feds, looking to Texas blast, release chemical safety guide](#), *The Hill*

[Ammonium Nitrate Guidelines Issued by U.S. Agencies](#), *Bloomberg*

[New USDA poultry inspection procedures are based on bad data, government report says](#), *Washington Post*

Business

[Chamber frets over new demands on employers](#), *The Hill*

[Labor secretary praises fast food protesters, sees continued role as enforcer](#), *Washington Post*

Rulemaking

Department of Energy

DOE Initiates Rulemaking Process to Amend Energy Standards for Commercial Packaged Boilers

The Department of Energy published a [proposed rule](#) initiating the rulemaking process to consider amending the existing energy conservation standards for commercial packaged boilers. "This rulemaking will satisfy the statutory requirement for DOE to review energy conservation standards for covered equipment every six years to determine whether such standards should be amended. After concluding its initial review of the available information and public comments, DOE will publish either a notice of the determination that standards do not need to be amended, or a notice of proposed rulemaking including new proposed standards. To inform interested parties and to facilitate



this process, DOE has prepared a Framework Document that details the analytical approach and scope of coverage for the rulemaking, and identifies several issues about which DOE is particularly interested in receiving comments.” [Comments](#) are due on October 18th.

Office of Personnel Management

OPM Proposes Amendments to Regulations Governing Compensatory Time Off for Religious Observances

The Office of Personnel Management published a [proposed rule](#) that would amend its current regulations regarding compensatory time off for religious observances for federal employers and employees. “OPM's current regulations provide only limited rules and information and require agencies to provide opportunities for employees to earn and use religious compensatory time off to the extent that doing so does not interfere with the efficient carrying out of agencies' missions. The regulations also explicitly allow the religious compensatory time off to be earned either before or after the corresponding absence from work... In summary, the religious compensatory time off authority permits an employee to rearrange work hours to fulfill his or her religious obligations. The intent of our proposal is to help agencies more effectively manage religious compensatory time off by clarifying employee and agency responsibilities, providing timeframes for earning and using religious compensatory time off, and defining key terms.” [Comments](#) are due on October 29th.

Department of Health and Human Services

HHS Finalizes Standards for Health Insurance Exchanges and State Operation of SHOP

The Department of Health and Human Services published a [final rule](#) establishing standards for health insurance Exchanges with respect to eligibility appeals, agents and brokers, privacy and security, issuer direct enrollment, and the handling of consumer cases. “Starting on January 1, 2014, qualified individuals and qualified employees will be able to be covered by private health insurance coverage through competitive marketplaces called Affordable Insurance Exchanges, or “Exchanges” (also called Health Insurance Marketplaces). This rule sets forth standards for eligibility appeals, verification of eligibility for minimum essential coverage, and treatment of incomplete applications. It also establishes additional consumer protections regarding privacy and security; clarifies the role of agents, brokers, and issuer application assisters in assisting consumers with obtaining Exchange coverage; provides for the handling consumer cases; and establishes non-discrimination standards for methods of premium payment. Finally, it sets forth provisions regarding a State's operation of the SHOP [Small Business Health Options Program].”

Environmental Protection Agency

EPA Proposes Amendments to Water Quality Standard Regulations

The Environmental Protection Agency published a [proposed rule](#) that would make changes to the federal water quality standards (WQS), which implement the Clean Water Act (CWA). “The changes will improve the regulation’s effectiveness in restoring and maintaining the chemical, physical, and biological integrity of the nation's waters. The EPA is seeking comments from interested parties on these proposed revisions. The core of the current regulation has been in place since 1983; since then, a number of issues have been raised by states, tribes, or stakeholders or identified by the EPA in the implementation process that will benefit from clarification and greater specificity. The proposed rule addresses the following key program areas: Administrator’s determinations that new or revised WQS are necessary, designated uses, triennial reviews, antidegradation, variances to WQS, and compliance schedule authorizing provisions.” [Comments](#) are due on December 3rd.

Agencies

Consumer Financial Protection Bureau

CFPB’s Cordray Ratifies His Pre-Confirmation Actions as Recess-Appointed CFPB Director

Richard Cordray, Director of the Consumer Financial Protection Bureau, published a [notice](#) ratifying his actions as a recess-appointed CFPB director, after he had taken his post but before the Senate had confirmed his position. In January, a federal appeals court ruled that the recess appointment of Richard Cordray to Director of the CFPB was unconstitutional, because the Senate was technically still in session when Cordray was appointed. According to the notice: “The President appointed me as Director of the Bureau of Consumer Financial Protection on January 4, 2012, pursuant to his authority under the Recess Appointments Clause, U.S. Const. art. II, § 2, cl. 3. The President subsequently appointed me as Director on July 17, 2013, following confirmation by the Senate, pursuant to the



Appointments Clause, U.S. Const. art. II, § 2, cl. 2. I believe that the actions I took during the period I was serving as a recess appointee were legally authorized and entirely proper. To avoid any possible uncertainty, however, I hereby affirm and ratify any and all actions I took during that period.”

Export-Import Bank

Ex-Im Bank Receives Application for \$100+ Million Loan to Fund Boeing Exports to Bangladesh

The Export-Import Bank published a [notice](#) announcing the receipt of an application for a long-term loan or financial guarantee in excess of \$100 million to fund the export of commercial Boeing aircraft to Bangladesh. These exports would be used for “short-haul passenger air service within Bangladesh and long-haul passenger air service between Bangladesh and other regions of the world.” [Comments](#) are due on September 30th.

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