

## H. Res. \_\_

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### **H.R. 4078 - Regulatory Freeze for Jobs Act of 2012**

### **H.R. 6082 - Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan**

1. Structured rule for H.R. 4078.
2. Provides two hours of general debate equally divided among and controlled by the chair and ranking minority member of the Committee on the Judiciary and the chair and ranking minority member of the Committee on Oversight and Government Reform.
3. Waives all points of order against consideration of the bill.
4. Provides that the amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-28, as modified by the amendment printed in Part A of the Rules Committee report, shall be considered as adopted. The bill, as amended, shall be considered as read.
5. Waives all points of order against provisions in the bill, as amended.
6. Makes in order only those further amendments to H.R. 4078 printed in Part B of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
7. Waives all points of order against the amendments printed in Part B of the report.
8. Provides one motion to recommit H.R. 4078 with or without instructions.
9. Structured rule for H.R. 6082.
10. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources.
11. Waives all points of order against consideration of the bill.

12. Makes in order as original text for purpose of amendment the amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-29 and provides that it shall be considered as read.
13. Waives all points of order against the amendment in the nature of a substitute.
14. Makes in order only those amendments to H.R. 6082 printed in Part C of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
15. Waives all points of order against the amendments printed in Part C of the report.
16. Provides one motion to recommit H.R. 6082 with or without instructions.

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## RESOLUTION

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4078) to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments in the nature of a substitute recommended by the Committees on the Judiciary and Oversight and Government Reform now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-28, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may

be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions. Sec. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6082) to officially replace, within the 60-day Congressional review period under the Outer Continental Shelf Lands Act, President Obama's Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012-2017) with a congressional plan that will conduct additional oil and natural gas lease sales to promote offshore energy development, job creation, and increased domestic energy production to ensure a more secure energy future in the United States, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-29. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening

motion except one motion to recommit with or without instructions.

**SUMMARY OF AMENDMENT IN PART A PROPOSED TO BE CONSIDERED AS  
ADOPTED TO H.R. 4078**

(summary derived from information provided by sponsor)

<b>Sponsor</b>	<b># Description</b>	<b>Debate Time</b>
<b>1. Garrett (NJ)</b>	<b>#4</b> Would strike section 603 and add a Sense of Congress that the PCAOB, MSRB, and any national securities association registered under section 15A of the Securities Exchange Act of 1934 should also conduct appropriate cost-benefit analysis on rules the entity issues.	

**SUMMARY OF AMENDMENTS IN PART B PROPOSED TO BE MADE IN ORDER TO  
H.R. 4078**

(summaries derived from information provided by sponsors)

<b>Sponsor</b>	<b># Description</b>	<b>Debate Time</b>
<b>1. Hastings, Alcee (FL)</b>	<b>#16 (REVISED)</b> Would provide an exception to the underlying legislation, permitting agencies to make regulatory actions intended to ensure safe drinking water.	(10 minutes)
<b>2. Conyers (MI)</b>	<b>#58</b> Would exempt regulatory actions pertaining to privacy from Title I of the bill and exempts midnight rules pertaining to privacy from Title II of the bill. The amendment would also exempt consent decrees and settlement agreements in an action to compel agency action pertaining to privacy from Title III of the bill.	(10 minutes)
<b>3. Kucinich (OH)</b>	<b>#56</b> Would exempt from the provisions of the bill any significant regulatory action specifically aimed at limiting oil speculation.	(10 minutes)
<b>4. Lipinski (IL)</b>	<b>#30</b> Would provide an exception for regulations which are intended to promote energy efficiency.	(10 minutes)
<b>5. Markey, Edward (MA)</b>	<b>#13</b> Would allow regulations protecting the public from extreme weather, including drought, flooding and catastrophic wildfire, to go forward despite the prohibitions in the underlying bill.	(10 minutes)
<b>6. Watt (NC)</b>	<b>#52</b> Would exempt regulatory actions by the U.S. Patent and Trademark Office that streamline the application process for	(10 minutes)

patents and trademarks, including rules implementing the micro entity provision of the Leahy-Smith America Invents Act, from Title I of the bill and exempts midnight rules implementing such provisions from Title II of the bill. The amendment also would exempt consent decrees and settlement agreements in an action to compel agency action by the PTO to help streamline the application process for patents and trademarks from Title III of the bill.

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| <b>7. Loeb sack<br/>(IA)</b>       | #36 Would allow actions that would lower prices for gasoline, diesel, oil, or other motor fuels.   | (10 minutes) |
| <b>8. Richardson<br/>(CA)</b>      | #8 Would ensure that the provisions of the Patient Protection and Affordable Care Act and the health provisions of the Health Care and Education Reconciliation Act of 2010 can be carried out.  | (10 minutes) |
| <b>9. Richardson<br/>(CA)</b>      | #10 Would allow regulations that protect consumers under the Fair Credit Reporting Act.  | (10 minutes) |
| <b>10. Connolly<br/>(VA)</b>       | #41 Would clarify the procedure for considering a request for a congressional waiver by the President.   | (10 minutes) |
| <b>11. Posey (FL)</b>              | #48 Would require that awarded attorney's fees and costs for small businesses in Title I would be paid out of the administrative budget of the office in the agency that proposed the regulation.  | (10 minutes) |
| <b>12. Nadler (NY)</b>             | #22 Would exempt issues relating to nuclear power plants from the obstacles to establishing safety protections in the following titles of H.R. 4078: Title I (Regulatory Freeze for Jobs Act); Title III (Sunshine for Regulatory Decrees and Settlements Act); Title V (Responsibly and Professionally Invigorating Development (RAPID) Act). | (10 minutes) |
| <b>13. McKinley<br/>(WV)</b>       | #3 Would reduce the term "significant regulatory action" from \$100,000,000 or more to \$50,000,000 or more in annual cost to the economy. This amendment would allow for more oversight on Federal Agency Regulations by lowering the dollar amount threshold.  | (10 minutes) |
| <b>14. Schweikert<br/>(AZ)</b>     | #70 (LATE) Would define "annual cost to the economy" as being inclusive of business revenue, so that determination of the bill's application shall be accurately applied.  | (10 minutes) |
| <b>15. Miller,<br/>George (CA)</b> | #21 Would exempt from the definition of significant regulatory action a rule that would prevent or reduce deaths or injuries caused by explosions and fires related to the ignition of combustible dusts in the workplace.   | (10 minutes) |
| <b>16. Woolsey<br/>(CA)</b>        | #11 Would exempt from the definition of significant regulatory action a rule that would prevent or reduce the number of workers suffering electrocutions or other fatalities associated with working on high voltage transmission and distribution lines.  | (10 minutes) |
| <b>17. Johnson,</b>                | #45 Would exempt from the provisions of the bill a consent decree or   | (10          |

<b>Hank (GA)</b>	settlement agreement pertaining to the Affordable Care Act.	minutes)
<b>18. Waters (CA)</b>	#5 Would authorize appropriations 1) to enable the SEC and CFTC to carry out the additional cost/benefit analysis requirements under the bill; 2) for costs of litigation incurred by the Commissions related to the requirements under the bill.	(10 minutes)
<b>19. Fitzpatrick (PA), Garrett (NJ)</b>	#66 <b>(LATE) (REVISED)</b> Would direct the Securities and Exchange Commission to take into account the large burden of section 404b of Sarbanes-Oxley on companies with a public float less than \$250 million, compared to the benefit.	(10 minutes)
<b>20. Posey (FL)</b>	#50 Would keep the U.S. Securities and Exchange Commission (SEC) from enforcing or issuing interpretive guidance on climate change.	(10 minutes)
<b>21. Maloney (NY)</b>	#24 Would mandate that Title VI cannot take effect until the Chair of the SEC certifies that in conducting the cost benefit analysis no resources will be diverted away from the SEC's mission to protect investors, maintain efficient markets and promote access to capital.	(10 minutes)
<b>22. Manzullo (IL), McIntyre (NC)</b>	#26 <b>(REVISED)</b> Would require each Federal agency to submit and obtain approval from the Director of the Office of Science and Technology Policy (OSTP) guidelines for ensuring and maximizing the quality, objectivity, utility, and integrity of scientific information relied upon by the agency.	(10 minutes)
<b>23. Lummis (WY)</b>	#39 Would add a new Title to the bill requiring the tracking and reporting of all payments issued pursuant to the Equal Access to Justice Act (EAJA). Would establish a publicly available, online searchable database to access information regarding EAJA payments and the parties involved in the adjudicatory action leading to an EAJA payment.	(10 minutes)
<b>24. Lummis (WY)</b>	#40 Would add a new Title to the bill that amends the Equal Access to Justice Act (EAJA) to require a consistent net worth limit, and a direct and personal interest in an adjudicatory action to be eligible for an EAJA payment. Would establish a publicly available, online searchable database to access information regarding EAJA payments and the parties involved in the adjudicatory action leading to an EAJA payment.	(10 minutes)
<b>25. Posey (FL)</b>	#68 <b>(LATE) (REVISED)</b> Would make it clear that the definition of "significant regulatory action" would include new Treasury regulations regarding non-resident alien deposits.	(10 minutes)

**SUMMARY OF AMENDMENTS IN PART C PROPOSED TO BE MADE IN ORDER TO  
H.R. 6082**

(summaries derived from information provided by sponsors)

<b>Sponsor</b>	<b># Description</b>	<b>Debate Time</b>
<b>1. Hastings, Doc (WA)</b>	#19 <b>Manager's Amendment.</b> Would make technical corrections to the underlying bill.	(10 minutes)
<b>2. Holt (NJ)</b>	#14 Would strike the provision that requires the Secretary of Interior to conduct a single multi-sale environmental impact statement for all of the new areas opened for drilling by the underlying bill.	(10 minutes)
<b>3. Richardson (CA)</b>	#6 Would add a new section which provides that in determining the areas off the coast of California to be made available for leasing under this Act, the Secretary of the Interior shall consult with the Governor and legislature of the State of California.	(10 minutes)
<b>4. Markey, Edward (MA)</b>	#4 Would prohibit gas produced under new leases authorized by this legislation from being exported to foreign countries.	(10 minutes)
<b>5. Markey, Edward (MA)</b>	#5 Would create a statutory requirement that new leases offered pursuant to this act include drilling safety improvements in response to the BP Deepwater Horizon disaster.	(10 minutes)
<b>6. Holt (NJ)</b>	#13 Would end free drilling in the Gulf of Mexico by requiring oil companies to pay in order to receive new leases on public lands.	(10 minutes)
<b>7. Hastings, Alcee (FL)</b>	#9 Would require each drilling permit application to include an estimate of how much the price of gasoline will decrease as a result of any oil or gas found under the permit.	(10 minutes)
<b>8. Hastings, Alcee (FL)</b>	#10 Would require each drilling permit application to include an estimate of the impact on global change of the consumption of any oil or gas found under the permit.	(10 minutes)