

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1644) TO AMEND THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977 TO ENSURE TRANSPARENCY IN THE DEVELOPMENT OF ENVIRONMENTAL REGULATIONS, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (S.J. RES. 22) PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO THE DEFINITION OF "WATERS OF THE UNITED STATES" UNDER THE FEDERAL WATER POLLUTION CONTROL ACT; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3662) TO ENHANCE CONGRESSIONAL OVERSIGHT OVER THE ADMINISTRATION OF SANCTIONS AGAINST CERTAIN IRANIAN TERRORISM FINANCIERS, AND FOR OTHER PURPOSES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JANUARY 14, 2016, THROUGH JANUARY 22, 2016

JANUARY 11, 2016.—Referred to the House Calendar and ordered to be printed

Mr. NEWHOUSE, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 583]

The Committee on Rules, having had under consideration House Resolution 583, by a record vote of 8 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1644, the STREAM Act, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill and provides that it shall be considered as read. The resolution waives all points of order against the amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall

be considered as read, shall be debatable for the time specified in this 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. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of S.J. Res. 22, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of ‘waters of the United States’ under the Federal Water Pollution Control Act, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The resolution waives all points of order against consideration of the joint resolution. The resolution provides that the joint resolution shall be considered as read. The resolution waives all points of order against provisions in the joint resolution. The resolution provides one motion to commit.

Section 3 of the resolution provides for consideration of H.R. 3662, the Iran Terror Finance Transparency Act, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution provides one motion to recommit.

Section 4 of the resolution provides that on any legislative day during the period from January 14, 2016, through January 22, 2016: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.

Section 5 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 1644 includes a waiver of clause 3(e)(1) of rule XIII (“Ramseyer”), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected.

Although the rule waives all points of order against the amendment in the nature of a substitute made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the rule waives all points of order against the amendments to H.R. 1644 printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of S.J. Res. 22, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in S.J. Res. 22, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 3662 includes a waiver of clause 3(e)(1) of rule XIII (“Ramseyer”), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected.

The waivers of clause 3(e)(1) of rule XIII are necessary because the submissions provided by the Committees on Natural Resources and Foreign Affairs were insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

Although the resolution waives all points of order against provisions in H.R. 3662, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 140

Motion by Ms. Slaughter to report open rules for H.R. 1644 and H.R. 3662. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers			
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 141

Motion by Ms. Foxx to report the rule. Adopted: 8–4

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Yea	Ms. Slaughter	Nay
Mr. Cole	Yea	Mr. McGovern	Nay
Mr. Woodall	Yea	Mr. Hastings of Florida	Nay
Mr. Burgess	Yea	Mr. Polis	Nay
Mr. Stivers			
Mr. Collins	Yea		
Mr. Byrne	Yea		
Mr. Newhouse	Yea		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENTS TO H.R. 1644 MADE IN ORDER

1. Lamborn (CO): Makes a technical fix to a U.S. Code citation and addresses a concern regarding copyrighted scientific products. (10 minutes)

2. Kildee (MI): Prevents the rules in the underlying bill from being delayed if it protects drinking water quality. (10 minutes)

3. Cartwright (PA): Directs funding from AML certified states for use in revitalizing economically distressed communities which have been adversely affected by discharge from abandoned mine lands. (10 minutes)

4. Sewell (AL): Addresses the exemption clause in Sec. 530. Lowers the threshold of postponing the delay of a rule if there is a threat that a delay would cause or significantly contribute to the development of negative chronic or long-term health conditions. (10 minutes)

TEXT OF AMENDMENTS TO H.R. 1644 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMBORN OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 17, strike “and”.

Page 5, line 20, strike the period and insert “; and”.

Page 5, after line 20, insert the following:

“(C) is not protected under copyright laws.”.

Page 9, line 3, strike “1291” and insert “1292”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KILDEE OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 3, before the period, insert “or improve drinking water quality”.

Page 8, line 16, before the period, insert “, unless such a rule will improve drinking water quality”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CARTWRIGHT OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. 5. ABANDONED MINE LAND ECONOMIC REVITALIZATION.

Title IV of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231, et seq.) is amended by adding at the end the following:

“SEC. 416. ABANDONED MINE LAND ECONOMIC REVITALIZATION.

“Notwithstanding any other provision of this Act, amounts that would otherwise be provided under title IV to States certified under section 411(a) shall, subject to appropriations, be distributed to the States and Indian tribes for the purpose of promoting the economic revitalization, diversification, and development in economically distressed communities adversely affected by discharge from abandoned mine lands.”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SEWELL OF ALABAMA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 3, before the period insert “or cause or significantly contribute to the development of negative chronic or long-term health conditions”.

