

H. Res. ____

H.R. 4402 – National Strategic and Critical Minerals Production Act of 2012

1. Structured rule.
2. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources.
3. Waives all points of order against consideration of the bill.
4. 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 112-26 and provides that it shall be considered as read.
5. Waives all points of order against the amendment in the nature of a substitute.
6. Makes in order only those amendments printed in 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 the report.
8. Provides one motion to recommit with or without instructions.

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. 4402) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of

strategic and critical importance to United States economic and national security and manufacturing competitiveness. 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 112-26. 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 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 AMENDMENTS PROPOSED TO BE MADE IN ORDER

(summaries derived from information provided by sponsors)

Sponsor	# Description	Debate Time
1. Tonko (NY)	#1 REVISED Would narrow the scope of the underlying bill to include strategic and critical minerals only.	(10 minutes)
2. Hastings, Alcee (FL)	#11 Would give the lead agency, in the event of new or unforeseen information, the authority to extend by two six-month periods the arbitrary 30 month time limit the bill imposes on permit approval.	(10 minutes)
3. Markey, Edward (MA)	#2 Would require a royalty payment of 12.5% of the value of hardrock minerals mined on federal lands. Revenue	(10 minutes)

generated by the royalty payment would be dedicated to cleaning up abandoned hardrock mines.

**4. Young, Don
(AK)**

#3 **REVISED** Would allow the lead agency, as established under this bill, to exempt existing Mineral Prescriptions for strategic and critical materials within federally administered national forests from the procedures detailed at and all rules promulgated under part 294 of title 36 of the Code for Federal Regulations. In addition, the amendment would extend this exemption to areas integral to access of the Mineral Prescriptions, and the construction, operation, maintenance, and restoration of any existing Mineral Prescriptions. (10 minutes)

5. Cravaack (MN)

#7 Would allow projects that have already applied for a permit access to the new expedited process under the bill. (10 minutes)

**6. Hastings, Alcee
(FL)**

#10 Would create an exception for non-profit entities and individuals from the outright elimination (found in Section 205 of H.R. 4402) of the shifting of attorneys' fees pursuant to the Equal Access to Justice Act. (10 minutes)

**7. Grijalva, Raul
(AZ)**

#6 Would exempt from the bill any mineral exploration or mining permit a lead agency determines would diminish opportunities for hunting, fishing, grazing, or recreation on public lands. By protecting the status of hunting, fishing, grazing and other recreational uses on federal lands, the amendment will guarantee that the multiple use mandate for federal lands is not compromised by the underlying bill. (10 minutes)