

H. Res. ___

H.R. 1633 - Farm Dust Regulation Prevention Act of 2011

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 Energy and Commerce.
3. Waives all points of order against consideration of the bill.
4. Provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as original text for the purpose of amendment and shall be considered as read.
5. Waives all points of order against the committee 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. 1633) to establish a temporary prohibition against revising any national

ambient air quality standard applicable to coarse particulate matter, to limit Federal regulation of nuisance dust in areas in which such dust is regulated under State, tribal, or local law, 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 Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee 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 committee amendment in the nature of a substitute. 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. Rush (IL)	#7 Would clarify that nothing in the bill precludes the EPA Administrator from enforcing National Ambient Air Quality Standards (NAAQS) for PM2.5 and would delete section 3, which allows the EPA to regulate “nuisance dust” in areas where states and localities do not do so if it	(10 minutes)

substantially hurts public health and if the benefits of applying standards would outweigh the costs.

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| 2. Christensen (VI) | #6 Would allow the EPA the authority under the Clean Air Act to step in and take action to reduce dangerous particle pollution if state, local, or tribal laws are not sufficient to protect public health. | (10 minutes) |
| 3. Crawford (AR) | #8 Would direct the Environmental Protection Agency Administrator to consult with the Secretary of Agriculture when modifying National Ambient Air Quality Standards with respect to 'nuisance dust' under exceptions provided in Sec. 132 (b) of the Farm Dust Regulation Prevention Act of 2011. | (10 minutes) |
| 4. Markey, Edward (MA) | #2 Would ensure that particulate matter containing arsenic and other heavy metals that are hazardous to human health is not nuisance dust and remains subject to the Clean Air Act. | (10 minutes) |
| 5. Waxman (CA) | #5 Would require that particulate pollution produced from mining activities is not defined as “nuisance dust” and thus remains subject to the Clean Air Act. | (10 minutes) |
| 6. Flake, Jeff (AZ) | #3 Would add sense of Congress language regarding an approach to excluding so-called “exceptional events” (like massive dust storms that are not controllable or preventable) from determinations of whether an area is in compliance with the coarse particulate matter standard. | (10 minutes) |
| 7. Schock (IL), Capito (WV) | #10 (LATE) Would require the EPA to take agriculture jobs and the economic impact on the agriculture industry into account before they issue any new regulations relating to agriculture. If a proposed regulation was found to cause the loss of more than 100 agriculturally related jobs or a decrease in more than \$1,000,000 in agriculturally related economic activity then EPA would have to give notice to the State’s Congressional Delegation, Governor, and Legislature, and also hold a public hearing in the impacted State. | (10 minutes) |
| 8. Green, Al (TX) | #9 Would require EPA to provide a report of the increase or decrease in the number of jobs as a result of enactment of the bill. | (10 minutes) |