

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4596) TO ENSURE THAT SMALL BUSINESS PROVIDERS OF BROADBAND INTERNET ACCESS SERVICE CAN DEVOTE RESOURCES TO BROADBAND DEPLOYMENT RATHER THAN COMPLIANCE WITH CUMBERSOME REGULATORY REQUIREMENTS, AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3797) TO ESTABLISH THE BASES BY WHICH THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY SHALL ISSUE, IMPLEMENT, AND ENFORCE CERTAIN EMISSION LIMITATIONS AND ALLOCATIONS FOR EXISTING ELECTRIC UTILITY STEAM GENERATING UNITS THAT CONVERT COAL REFUSE INTO ENERGY

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MARCH 14, 2016.—Referred to the House Calendar and ordered to be printed

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

## R E P O R T

[To accompany H. Res. 640]

The Committee on Rules, having had under consideration House Resolution 640, by a record vote of 6 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. 4596, the Small Business Broadband Deployment Act, under a structured rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The resolution waives all points of order against consideration of the bill. The resolution 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 adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution makes in order only the further amendment printed in part A of this report, if offered by the Member designated in this report. The amendment 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. The resolution waives all points of order against the amendment printed in part

A of this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 3797, the SENSE 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 Energy and Commerce. 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 makes in order only those amendments printed in part B of 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 part B of this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 4596, 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 H.R. 4596, as amended, 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 the amendment to H.R. 4596 printed in part A of 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 H.R. 3797, 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 H.R. 3797, 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 the amendments to H.R. 3797 printed in part B of this report, 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. 153*

Motion by Ms. Slaughter to report open rules for H.R. 3797 and H.R. 4596. Defeated: 4-6

Majority Members	Vote	Minority Members	Vote
Ms. Foxx .....	Nay	Ms. Slaughter .....	Yea

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

*Rules Committee record vote No. 154*

**Motion by Ms. Foxx to report the rule. Adopted: 6–4**

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

SUMMARY OF THE AMENDMENT TO H.R. 4596 IN PART A MADE IN ORDER

1. Veasey (TX): Requires the FCC to also answer whether a permanent exemption would increase access to services offered by small internet service providers. (10 minutes)

SUMMARY OF THE AMENDMENTS TO H.R. 3797 IN PART B MADE IN ORDER

1. Pallone (NJ): Strikes the Cross-State Air Pollution Rule portion of the bill. (10 minutes)

2. Engel (NY): Gives the Governor of a State the ability to opt-out of the Cross-State Air Pollution Rule portion of the bill if the Governor determines that implementing that provision would increase the overall cost of complying with EPA's rule. (10 minutes)

3. Bera (CA): Requires a GAO report on the increase in sulfur dioxide and other air pollution emissions that result from this Act and the effect of such emissions on public health. (10 minutes)

4. Peters, Scott (CA): Requires the EPA to provide notice to communities about the anticipated effects of this Act on air quality not later than 90 days after the date of enactment of this Act. (10 minutes)

5. Veasey (TX): Ensures public health is taken into account by the Administrator of the Environmental Protection Agency before law goes into effect. (10 minutes)

PART A—TEXT OF AMENDMENT TO H.R. 4596 MADE IN ORDER

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

Page 4, line 4, insert before the semicolon the following: “, including whether making such exception permanent would increase access to services provided by small businesses”.

## PART B—TEXT OF AMENDMENTS TO H.R. 3797 MADE IN ORDER

## 1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PALLONE JR. OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike sections 2(a)(6), 2(a)(8), and 2(b) and redesignate accordingly.

Amend section 2(a)(7) to read as follows:

(7) ELECTRIC UTILITY STEAM GENERATING UNIT.—The term “electric utility steam generating unit” means an electric utility steam generating unit, as such term is defined in section 63.10042 of title 40, Code of Federal Regulations, or any successor regulation.

## 2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ENGEL OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 8, after line 23, insert the following new paragraph:

(3) APPLICABILITY.—This subsection shall not apply with respect to a State if the Governor of the State, or the head of the authority that implements CSAPR for the State, makes a determination, and notifies the Administrator, that implementation of this subsection will increase the State’s overall compliance costs for CSAPR.

## 3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BERA OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 11, after line 17, insert the following new section:

**SEC. 3. GAO REPORT.**

Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall issue a report detailing the increase in emissions of sulfur dioxide and other air pollutants that will result from implementation of this Act and the effect of such emissions on public health.

## 4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PETERS OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 11, after line 17, insert the following new section:

**SEC. 3. PUBLIC NOTICE.**

Not later than 90 days after the date of enactment of this Act, the Administrator shall give notice of the anticipated effects of this Act on air quality to all States, municipalities, towns, tribal governments, or other governmental entities in areas that—

- (1) include or are adjacent to a coal refuse electric utility steam generating unit to which this Act applies; or
- (2) are likely to be affected by air emissions from such a unit.

## 5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VEASEY OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end, add the following new section:

**SEC. 3. EFFECTIVE DATE.**

This Act may not go into effect until the Administrator certifies that implementation of this Act will not cause or result in an increase of emissions of air pollutants that adversely affect public health, including by increasing incidents of respiratory and cardiovascular illnesses and deaths, such as cases of heart attacks, asthma attacks, and bronchitis.

