

PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (H.J. RES. 44) PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES RELATING TO “FACTORING CRITERIA FOR FIREARMS WITH ATTACHED ‘STABILIZING BRACES’”; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 277) TO AMEND CHAPTER 8 OF TITLE 5, UNITED STATES CODE, TO PROVIDE THAT MAJOR RULES OF THE EXECUTIVE BRANCH SHALL HAVE NO FORCE OR EFFECT UNLESS A JOINT RESOLUTION OF APPROVAL IS ENACTED INTO LAW; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 288) TO AMEND TITLE 5, UNITED STATES CODE, TO CLARIFY THE NATURE OF JUDICIAL REVIEW OF AGENCY INTERPRETATIONS OF STATUTORY AND REGULATORY PROVISIONS; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1615) TO PROHIBIT THE USE OF FEDERAL FUNDS TO BAN GAS STOVES; AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1640) TO PROHIBIT THE SECRETARY OF ENERGY FROM FINALIZING, IMPLEMENTING, OR ENFORCING THE PROPOSED RULE TITLED “ENERGY CONSERVATION PROGRAM: ENERGY CONSERVATION STANDARDS FOR CONSUMER CONVENTIONAL COOKING PRODUCTS”, AND FOR OTHER PURPOSES

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JUNE 12, 2023.—Referred to the House Calendar and ordered to be printed

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

## R E P O R T

[To accompany H. Res. 495]

The Committee on Rules, having had under consideration House Resolution 495, by a record vote of 9 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.J. Res. 44, Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives relating to “Factoring Criteria for Firearms with Attached ‘Stabilizing Braces’”, under a closed rule. 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 hour of general debate equally divided and controlled

by the chair and ranking minority member of the Committee on the Judiciary or their respective designees. The resolution provides for one motion to recommit. The resolution further provides for consideration of H.R. 277, the REINS Act of 2023, under a structured rule. The resolution waives all points of order against consideration of the bill. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-6 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 further makes in order only those amendments printed in part A 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. All points of order against the amendments printed in part A of this report are waived. The resolution provides for one motion to recommit. The resolution further provides for consideration of H.R. 288, the Separation of Powers Restoration Act of 2023, under a structured rule. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-7 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 provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees. The resolution further makes in order only the amendment 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. All points of order against the amendment printed in part B of this report are waived. The resolution provides for one motion to recommit. The resolution further provides for consideration of H.R. 1615, the Gas Stove Protection and Freedom Act, under a structured rule. The resolution waives all points of order against consideration of the bill. 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 or their respective designees. 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 further makes in order only those amendments printed in part C 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 con-

sidered 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. All points of order against the amendments printed in part C of this report are waived. The resolution provides for one motion to recommit. The resolution further provides for consideration of H.R. 1640, the Save Our Gas Stoves Act, under a structured rule. The resolution waives all points of order against consideration of the bill. 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 or their respective designees. 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 further makes in order only those amendments printed in part D 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. All points of order against the amendments printed in part D of this report are waived. The resolution provides for one motion to recommit. The resolution provides that the ordering of the yeas and nays on the question of reconsideration of the vote on adoption of H. Res. 463 is vacated to the end that the motion to reconsider be laid on the table.

#### EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.J. Res. 44 includes:

—Section 303 of the Congressional Budget Act, which prohibits consideration of legislation providing a change in revenues until the budget resolution for that year has been agreed to.

The waiver of all points of order against provisions in H.J. Res. 44 includes:

—Clause 5(a) of rule XXI, which prohibits a bill or joint resolution carrying a tax or tariff measure from being reported by a committee not having jurisdiction to report tax or tariff measures.

Although the resolution waives all points of order against consideration of H.R. 277, 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. 277, 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 amendments 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. 288, 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. 288, 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 printed in part B of this report, 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 consideration of H.R. 1615, 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. 1615, 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 printed in part C 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. 1640, 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. 1640, 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 printed in part D 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. 65*

Motion by Mr. Massie to report the rule. Adopted: 9–4

Majority Members	Vote	Minority Members	Vote
Mr. Burgess .....	Yea	Mr. McGovern .....	Nay
Mr. Reschenthaler .....	Yea	Ms. Scanlon .....	Nay
Mrs. Fischbach .....	Yea	Mr. Neguse .....	Nay
Mr. Massie .....	Yea	Ms. Leger Fernandez .....	Nay
Mr. Norman .....	Yea		
Mr. Roy .....	Yea		
Mrs. Houchin .....	Yea		
Mr. Langworthy .....	Yea		
Mr. Cole, Chairman .....	Yea		

#### SUMMARY OF THE AMENDMENTS TO H.R. 277 IN PART A MADE IN ORDER

1. Boebert (CO): Revises the Comptroller General’s Congressional Review Report to include an estimate of the effect on inflation. (10 minutes)

2. Boebert (CO): Requires the Comptroller General to publish the GAO Study of Rules on its website. (10 minutes)

3. Boebert (CO): Requires the Comptroller General’s Congressional Review Report to also be made available to the Congressional committees of jurisdiction. (10 minutes)

4. Biggs (AZ): Lowers the threshold for designation as a “major rule” to \$50 million. (10 minutes)

5. Cloud (TX): Closes a loophole created by Biden's EO on Modernizing Regulatory Review by clarifying that Office of Information and Regulatory Affairs must issue a finding for each rule determining whether the rule has a significant economic impact. (10 minutes)

6. Clyde (GA): Directs the Comptroller General, in consultation with the Director of the Congressional Budget Office, to make a determination on whether an agency action qualifies as a major rule under the definition of this act, if requested in writing by a member of Congress. Codifies in statute existing procedures for the Comptroller General to make a determination on whether an agency action qualifies as a rule under the definition of this act, if requested in writing by a member of Congress. (10 minutes)

7. Gonzales, Tony (TX): Requires any executive agency to submit a constitutional authority statement with any proposed rule. (10 minutes)

8. Good (VA): Creates a process for Congress to review all rules currently in effect over a 5 year period. (10 minutes)

9. Good (VA), Roy (TX): Expands the definition of "major rule" to include any rule likely to result in increased access to abortion, abortion-related services, or abortion-related travel. (10 minutes)

10. Green, Al (TX): Delays implementation of the legislation by 1 year and requires a study be conducted in that time by the GAO on the effects of implementation. (10 minutes)

11. Green, Al (TX): Creates a rapid-review requirement which would allow executive branch rules to go into effect if Congress does not pass a joint resolution within 70 legislative days. (10 minutes)

12. Houlahan (PA): Requires Congress to approve by vote any regulation with an economic impact over \$1 billion instead of \$100 million. (10 minutes)

13. Joyce (OH): Amends the definition of 'rule' to include interpretative rules, general statements of policy, and all other agency guidance documents. (10 minutes)

14. Roy (TX): Expands the definition of "major rule" to include any rule that references one of President Biden's major diversity, equity, and inclusion executive orders. (10 minutes)

15. Roy (TX): Expands the definition of "major rule" to include any rule likely to result in an increase in mandatory vaccinations. (10 minutes)

#### SUMMARY OF THE AMENDMENT TO H.R. 288 IN PART B MADE IN ORDER

1. Hageman (WY): Subjects interpretative rules, general statements of policy, and all other agency guidance to de novo judicial review (10 minutes)

#### SUMMARY OF THE AMENDMENTS TO H.R. 1615 IN PART C MADE IN ORDER

1. Boebert (CO): Expands the prohibition on federal funding to include regulations that would result in the unavailability in the United States of a type (or class) of product based on the type of fuel the product consumes. (10 minutes)

2. Ogles (TN): Strikes "substantially" everywhere it appears in the text. (10 minutes)

SUMMARY OF THE AMENDMENTS TO H.R. 1640 IN PART D MADE IN ORDER

1. Huizenga (MI): Requires the Secretary of Energy to disclose stakeholder meetings with entities that have ties to China, produced studies regarding or advocated for policy that limit, restrict, or ban the use of any type of energy, and have applied for or received Federal funds. (10 minutes)

2. McGovern (MA): Prohibits Section 3 of the bill from taking effect unless and until the Secretary of Energy certifies that the provisions of the section would not adversely affect the energy security of the United States. (10 minutes)

3. Pallone (NJ): Strikes provisions in the bill that would significantly limit future DOE rulemaking authority. (10 minutes)

PART A—TEXT OF AMENDMENTS TO H.R. 277 MADE IN ORDER

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

Page 3, line 21, strike “and” at the end.

Page 3, insert after line 21 the following (and redesignate provisions accordingly):

“(iv) an estimate of the effect on inflation of the rule; and”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOEBERT OF COLORADO OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 21, line 22, insert after “submit a report” the following: “(and publish the report on the website of the Comptroller General)”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOEBERT OF COLORADO OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, line 12, insert after “House of Congress” the following: “(and to each committee of jurisdiction in each House)”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BIGGS OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 17, line 13, strike “\$100 million” and insert “\$50 million”.

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

Page 2, line 19, strike “a classification of the rule as” and insert “a finding, rendered in consultation with the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, whether the rule is”.

Page 2, beginning on line 20, strike “classification” and insert “finding”.

Page 17, line 10, insert after “Management and Budget” the following: “or the Federal agency promulgating such rule”.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CLYDE OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, insert after line 7 the following:

“(D) If requested in writing by a member of Congress—

“(i) the Comptroller General shall make a determination whether an agency action qualifies as a rule for purposes of this chapter, and shall submit to Congress this determination not later than 60 days after the date of the request; and

“(ii) the Comptroller General, in consultation with the Director of the Congressional Budget Office, shall make a determination whether a rule is considered a major rule under the provisions of this act, and shall submit to Congress this determination not later than 90 days after the date of the request.

For purposes of this section, a determination under this subparagraph shall be deemed to be a report under subparagraph (A).”.

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

Page 3, line 7, strike “and” at the end.

Page 3, line 8, strike the period at the end and insert “; and”.

Page 3, insert after line 8 the following:

“(vi) a statement of the constitutional authority authorizing the agency to make the rule.”.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOOD OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Chapter 8 of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by adding at the end the following (and conforming the table of sections accordingly):

**“§ 808. Review of rules currently in effect**

“(a) ANNUAL REVIEW.—Beginning on the date that is 6 months after the date of enactment of this section and annually thereafter for the 4 years following, each agency shall designate not less than 20 percent of eligible rules made by that agency for review, and shall submit a report including each such eligible rule in the same manner as a report under section 801(a)(1). Section 801, section 802, and section 803 shall apply to each such rule, subject to subsection (c) of this section. No eligible rule previously designated may be designated again.

“(b) SUNSET FOR ELIGIBLE RULES NOT EXTENDED.—Beginning after the date that is 5 years after the date of enactment of this section, if Congress has not enacted a joint resolution of approval for that eligible rule, that eligible rule shall not continue in effect.

“(c) APPROVAL OF RULES.—

“(1) Unless Congress approves all eligible rules designated by executive agencies for review within 90 days of designation, they shall have no effect.

“(2) A single joint resolution of approval shall apply to all eligible rules in a report designated for a year as follows: “That

Congress approves the rules submitted by the \_\_\_\_\_ for the year \_\_\_\_\_. (The blank spaces being appropriately filled in).

“(3) A member of either House may move that a separate joint resolution be required for a specified rule.

“(d) DEFINITION.—In this section, the term ‘eligible rule’ means a rule that is in effect as of the date of enactment of this section.”.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOOD OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 17, line 17, strike “or” at the end.

Page 17, line 22, strike the period at the end and insert “; or”.

Page 17, insert after line 22 the following:

“(D) increased access to abortion, abortion-related services, or abortion-related travel.”.

Page 18, line 12, insert after “personnel” the following: “(except to the extent such rule is described in paragraph (2)(D))”.

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

Add, at the end of the bill, the following:

**SEC. 6. EFFECTIVE DATE.**

This Act, and the amendments made by this Act, shall take effect only beginning on the date that is 1 year after the date of enactment of this Act, and only on the submission of a report by the Comptroller General of the United States detailing the effects of the implementation of this Act and the amendments made by this Act.

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

Page 4, line 21, strike “or” and insert a comma.

Page 4, line 23, after “section 802”, insert “as provided for in the rule following failure to vote on a joint resolution of approval as referred to subsection (b)(3)”.

Page 5, line 10, strike “A major rule” and insert the following: “Except as provided in paragraph (3), a major rule”.

Page 5, insert after line 21 the following:

“(3) If either House of Congress has failed to vote on passage of a joint resolution described in section 802 relating to a major rule by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the major rule shall take effect.”.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOULAHAN OF PENNSYLVANIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 17, line 13, strike “\$100 million” and insert “\$1 billion”.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JOYCE OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 18, strike lines 1 through 16, and insert the following:

“(4) The term ‘rule’ has the meaning given such term in section 551, except that such term—

“(A) includes interpretative rules, general statements of policy, and all other agency guidance documents; and

“(B) does not include—

“(i) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

“(ii) any rule relating to agency management or personnel; or

“(iii) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

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

Page 17, line 10, insert after “and Budget” the following “determines makes reference to Executive Order 14091, 14075, 14035, 14021, 13988, or 13985, or”.

Page 18, line 12, insert after “personnel” the following: “(except to the extent such rule makes reference to Executive Order 14091, 14075, 14035, 14021, 13988, or 13985)”.

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

Page 17, line 17, strike “or” at the end.

Page 17, line 22, strike the period at the end and insert “; or”.

Page 17, insert after line 22 the following:

“(D) in an increase in mandatory vaccinations.”.

Page 18, line 12, insert after “personnel” the following: “(except to the extent such rule is described in paragraph (2)(D))”.

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PART B—TEXT OF AMENDMENT TO H.R. 288 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HAGEMAN OF WYOMING OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1, beginning on line 16, strike “and rules made by agencies” and insert “rules made by agencies, and interpretative rules, general statements of policy, and all other agency guidance documents”.

## PART C—TEXT OF AMENDMENTS TO H.R. 1615 MADE IN ORDER

## 1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOEBERT OF COLORADO OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, line 20, insert after “United States” the following: “, would otherwise result in the unavailability in the United States of a type (or class) of product based on the type of fuel the product consumes,”.

## 2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OGLES OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, line 3, strike “SUBSTANTIALLY”.

Page 2, line 4, strike “substantially”.

Page 2, line 7, strike “substantially”.

Page 2, beginning on line 20, strike “substantially”.

## PART D—TEXT OF AMENDMENTS TO H.R. 1640 MADE IN ORDER

## 1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUIZENGA OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, beginning on line 8, strike “unless the Secretary determines that imposition of such energy conservation standard is not likely to result in the unavailability in the United States of a type (or class) of product based on what type of fuel the product consumes.” and insert “unless—”.

Page 2, line 12, strike the closing quotation mark and the final period.

Page 2, after line 12, insert the following:

“(A) the Secretary determines that imposition of such energy conservation standard is not likely to result in the unavailability in the United States of a type (or class) of product based on what type of fuel the product consumes; and

“(B) the Secretary discloses all stakeholder meetings with entities that—

“(i) have ties to the People’s Republic of China or the Chinese Communist Party;

“(ii) have produced studies regarding, or advocated for, regulations or policy to limit, restrict, or ban the use of any type of energy; and

“(iii) have applied for or received Federal funds.”.

## 2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCGOVERN OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, line 14, strike “The Secretary” and insert the following:

(a) IN GENERAL.—Subject to subsection (b), the Secretary

Page 2, after line 18, insert the following:

(b) ENERGY SECURITY EXEMPTION.—Subsection (a) shall not take effect unless and until the Secretary of Energy certifies that the absence of new or amended energy conservation standards described in the proposed rule described in subsection (a) (or any substan-

tially similar rule) will not adversely affect the energy security of the United States.

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

Strike section 2.

Page 2, line 18, strike “or any substantially similar rule”.

