



Legislative Bulletin.....June 22, 2011

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Amendments to H.R. 2021—Jobs and Energy Permitting Act of 2011

Order of Business: The bill is scheduled to be considered on Wednesday, June 22, 2011, under a structured rule. The rule ([H.Res.316](#)) provides for one hour of debate equally divided and controlled by the majority and minority, waives all points of order against consideration of the bill, provides for consideration of 10 amendments with 10 minutes for debate each, and provides for one motion to recommit with or without instructions.

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AMENDMENTS MADE IN ORDER UNDER THE RULE

1. **Speier (D-CA).** The amendment would strike section 2 of the bill. Section 2 of H.R. 2021 amends the Clean Air Act (CAA), as it relates to the regulation of air quality from energy production on the Outer Continental Shelf, by requiring air emissions to be evaluated onshore.
2. **Hastings (D-FL).** The amendment would change the bill to require air emissions that are evaluated from an OCS source to be subject to the control requirement under the CAA. The current text of H.R. 2021 provides an exemption.
3. **Welch (D-VT).** The amendment requires permit applications to include data on “oil subsidies provided by the federal government to the applicant.”
4. **Keating (D-MA).** The amendment requires permit applications to include data on bonuses provided to the executives of the applicant from the most recent quarter.
5. **Rush (D-IL).** The amendment adds language to the provision of H.R. 2021 that requires EPA action on a permit to occur within six months after an application is completed. The amendment provides the EPA administrator with an additional 30-day extension if it is determined it is necessary to provide adequate time for public participation or to “ensure sufficient involvement by one or more affected states.” Some conservatives may argue that many opportunities to comment on the bill during the National Environmental Policy Act (NEPA) process already exist and the extension is unneeded.
6. **Quigley (D-IL).** The amendment strikes the provision in the underlying bill that removes the Environmental Appeals Board of the EPA from having any authority in the consideration of any permit.

7. ***Eshoo (D-CA)***. The amendment strikes the provision in the bill that requires judicial review over agency actions to be considered applicable under section 307(b) of the Clean Air Act, which would direct all permit challenges directly to the DC Circuit Court of Appeals.
8. ***Capps (D-CA)/Carney (D-DE)/Castor (D-FL)***. The amendment provides a new section to the bill that gives states the authority to impose any standard, limitation, or requirement on air emissions from an OCS source, if it is stronger than any regulation implemented by the EPA.
9. ***Hochul (D-NY)***. The amendment adds a new section to the bill that requires the Administrator of the EPA to issue a report to Congress within 60 days of enactment that details how H.R. 2021 is projected to increase oil and gas production and lower gas prices.
10. ***Schrader (D-OR)/DeFazio (D-OR)/Wu (D-OR)***. The amendment adds a new section to the bill that prohibits the EPA from issuing permits if they are in connection with drilling for oil or natural gas off the coast of Oregon.

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