

**FLOOR SCHEDULE FOR THURSDAY, JANUARY 9, 2014**

<b>HOUSE MEETS AT:</b>	<b>FIRST VOTE PREDICTED:</b>	<b>LAST VOTE PREDICTED:</b>
<b>10:00 a.m.: Morning Hour</b> <b>12:00 p.m.: Legislative Business</b>	<b>1:30 – 2:00 p.m.</b>	<b>4:30 – 5:30 p.m.</b>

**[H.Res. 455](#) – Rule providing for consideration of H.R. 2279 – Reducing Excessive Deadline Obligations Act of 2013 (Rep. Gardner – Energy and Commerce/Transportation and Infrastructure), H.R. 3362 – Exchange Information Disclosure Act, as amended (Rep. Terry – Energy and Commerce/Ways and Means), and H.R. 3811 – Health Exchange Security and Transparency Act of 2014 (Rep. Pitts – Energy and Commerce) (One Hour of Debate).** The Rules committee has recommended one Rule which provides for consideration of 3 bills.

For H.R. 2279, the Rules committee has recommended a structured Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Energy and Commerce. The Rule allows for 2 amendments, debatable for 10 minutes equally divided between the offeror and an opponent. The Rule allows one motion to recommit, with or without instructions and it also waives all points of order against the legislation.

For H.R. 3362, the Rules Committee has recommended a closed Rule that provides for one hour of general debate with 40 minutes equally divided and controlled by the Chair and Ranking Member of the Committee on Energy and Commerce and 20 minutes equally divided and controlled by the Chair and Ranking Member of the Committee on Ways and Means. The Rule allows one motion to recommit, and waives all points of order against the legislation.

For H.R. 3811, the Rules Committee has recommended a closed Rule that provides for one hour of general debate equally divided between the Chair and Ranking Member of the Committee on Energy and Commerce. The Rule allows one motion to recommit, and waives all points of order against the legislation.

The Rules Committee rejected a motion by Ms. Slaughter of New York to consider all three bills under open Rules. **Members are urged to VOTE NO.**

**[H.R. 2279](#) – Reducing Excessive Deadline Obligations Act of 2013 (Rep. Gardner – Energy and Commerce/Transportation and Infrastructure) (One Hour of Debate).** This bill would weaken the Comprehensive Environmental Response, Liability, and Compensation Act of 1980 (CERCLA), also known as the Superfund hazardous-waste cleanup program, with a number of changes that would shift authority over hazardous sites and their cleanup from Federal agencies to the states.

It combines 3 bills that were reported with no Democratic support – the first bill, H.R. 2279, would prohibit the EPA from enforcing CERCLA financial responsibility requirements established by the EPA in any state that sets its own standards, even if those requirements will not be sufficient to cover likely response costs. This would leave Federal taxpayers exposed to cover the costs. Further, the bill would amend the Solid Waste Disposal Act, which requires the EPA to review and revise hazardous waste regulations every three years, replacing it with discretionary authority to review regulations.

The second bill, [H.R. 2226](#), would amend CERCLA by requiring the EPA to consult with states before engaging in removal actions, the urgent short-term actions taken to address serious immediate contamination threats. It would also give states more authority over Superfunds' National Priorities List of contaminated sites, allowing them to unilaterally add sites to the list and disapprove EPA recommendations – potentially preventing more immediate threats from being handled quickly. Additionally, the bill would allow the 10% of state contributions to cleanups to be made in-kind, in the form of time, equipment, or services, instead of state funds. The result of this would be that Federal agencies, already strapped for funding, would be able to clean fewer sites each year, leading to experience significant cleanup delays, endangering public health and the environment.

The third bill, [H.R. 2318](#), would give states authority over Federally-owned Superfund sites. This could create conflicts between state and Federal requirements, especially when state cleanup requirements are more stringent. It would also make Federal employees at Superfund sites subject to fines and imprisonment for failing to meet state requirements, even if they contradict Federal law.

The Rule makes in order 2 amendments, debatable for 10 minutes, equally divided between the offeror and an opponent. The amendments are:

**Sinema Amendment.** Strikes language that would expand eligibility for the National Priorities List (NPL) in Section 204, which is overseen by the Environmental Protection Agency. Reinstates language that directs listing of the "highest priority facilities" for cleanup.

**Tonko Amendment.** Prevents implementation of the bill if any provision would increase litigation, reduce funds available for cleaning up contaminated sites, or that would delay cleanup of contaminated sites.

## **TOMORROW'S OUTLOOK**

The GOP Leadership has announced the following schedule for Friday, January 10: The House will meet at 9:00 a.m. for legislative business. The House is expected to consider [H.R. 3362](#) – Exchange Information Disclosure Act, as amended (Rep. Terry – Energy and Commerce/Ways and Means), and [H.R. 3811](#) – Health Exchange Security and Transparency Act of 2014 (Rep. Pitts – Energy and Commerce).

### **The Daily Quote**

"Congress is back—and the House has an ambitious plan for the year ahead. OK, an ambitious plan to cement its place in history as the Do-Nothingest Congress of all time. The House has scheduled all of 97 days in session before the November elections, with many of them being half days or pro forma ones. And Majority Leader Eric Cantor's memo to his troops outlining the plan for the year ahead made it clear that there is at most a bare-bones agenda, focused like a laser, yet again, on repealing or further sullyng and delegitimizing Obamacare... I know if your only legislative or policy plan for 2014, in the face of a sluggish economy, a crisis of long-term unemployment, and a host of other short and long-term problems facing the country, is to bet on the spectacular failure of the health care plan, you deserve the public contempt your Congress is receiving."

- Norm Ornstein, National Journal, 1/8/2014