

**FLOOR SCHEDULE FOR TUESDAY, FEBRUARY 28, 2016**

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

**\*\*Members are advised that the House will recess no later than 5:00 p.m., to allow for a security sweep of the House Chamber and reconvene at approximately 8:35 p.m. for a Joint Session of Congress to receive the President's Address. Members are requested to be on the Floor and seated no later than 8:25 p.m.**

**[H.Res. 150](#) – Rule Providing for Consideration of H.R. 998 – SCRUB Act (Rep. Smith (MO) – Oversight and Government Reform) and [H.J.Res. 83](#) – Disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness" (Rep. Byrne – Education and the Workforce) (One hour of debate).** The Rules Committee has recommended one Rule which would provide for consideration of two measures.

For H.R. 998, 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 Oversight and Government Reform. The Rule allows for 12 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 waives all points of order against the legislation.

For H.J.Res. 83, 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 Education and the Workforce. The Rule allows one motion to recommit and waives all points of order against the resolution.

The Rules Committee rejected a motion by Mr. Hastings of Florida to strike the waiver of section of 311 of the Congressional Budget Act for H.J.Res. 83. **Members are urged to VOTE NO.**

**Begin Consideration of [H.R. 998](#) – SCRUB Act (Rep. Smith (MO) – Oversight and Government Reform) (One hour of debate).** This bill would establish an un-elected, nine-member commission to review existing federal rules and regulations and identify those they determine should be repealed. H.R. 998 is based on the faulty premises that regulations have an adverse impact on economic growth, job creation, and innovation. In fact, H.R. 998 would make it easier to roll back existing regulations that promote health and safety in communities and at the workplace, protect the environment, and safeguard consumers, and make it harder for every department and agency in the federal government to issue new ones. The unelected commission would have the power to issue subpoenas "requiring the attendance and testimony of witnesses and the production of any evidence relating to the duties of the commission." This broad, unspecified authority will give an unelected panel more power than Inspectors General, while having no oversight or accountability, all at the expense of taxpayers.

In addition, Members of Congress would be unable to debate and vote on each rule recommended for immediate repeal by the unelected commission, and instead would be forced to vote on rule repeals as a package. Any recommended repeal that is approved by Congress would result in the specified agency having to rescind the covered rules within sixty days. H.R. 998 would essentially take the power away from elected representatives and Members of Congress, and give the power to an unelected appointed panel.

Further, H.R. 998 would create a "regulatory cut-go" procedure not dependent on congressional approval that would require any agency issuing a new regulation to repeal an existing regulation of greater or equal value within its jurisdiction that the commission has determined should be abolished. Under "regulatory cut-go," all regulations recommended by the Commission for repeal would be placed into an inventory of regulations which the agencies would be required to repeal over time through a "cut-go" process as agencies promulgate new regulations. The costs of each new agency regulation must be offset by cost-reductions associated with the repeal of regulations in the inventory of regulations, until each agency completes the repeals of its own regulations specified in the inventory. Simply put, no federal agency could issue a new rule, however justified or in the public's immediate interest, unless it cut an existing one that imposes equal "costs" on the economy.

This bill would give enormous power to an appointed commission with virtually no oversight or regulations, while tying the hands of agencies that are knowledgeable and have extensive experience in particular areas. It would put the American people at risk, impede the ability of agencies to issue regulations that protected the public's health and security, while wasting their tax dollars.

This legislation is similar to an Executive Order issued by the Trump Administration that requires two federal regulations to be rescinded for every new regulation that is created. In January of 2016 the House passed [H.R. 1155](#) which is identical legislation to H.R. 998. That vote can be found [here](#).

The Rule makes in order 12 amendments, debatable for 10 minutes each, equally divided between the offeror and an opponent. The amendments are:

**Rep. Beyer Amendment.** Provides that a Commission member must not have been a registered lobbyist during the two-year period prior and must file financial disclosure reports in accordance with the Ethics in Government Act.

**Rep. DeSaulnier Amendment.** Requires the consideration of impacts to public health prior to repealing any federal rules under the bill.

**Rep. McSally Amendment.** Expands the scope of the nature of the Retrospective Regulatory Review Commission's review to ensure a rule or set of rules is compliant with certain provisions of the Congressional Review Act.

**Reps. Plaskett/Courtney Amendment.** Provides that no funding will be authorized to carry out the requirements of the underlying legislation.

**Rep. McNerney Amendment.** Exempts from the bill rules relating to the physical and cyber security of the bulk-power system.

**Rep. Krishnamoorthi Amendment #6.** Ensures that the underlying legislation will not in any way hinder the safe and legal development and deployment of unmanned aerial systems.

**Rep. Krishnamoorthi Amendment #7.** Ensures that the underlying legislation will not in any way weaken the protections afforded by noise restriction policies at and around airports.

**Reps. Bonamici/Davis (CA)/Polis Amendment #8.** Exempts any rule or set of rules prescribed by the Secretary of Education and relating to consumer protections for student loan borrowers from the provisions of the underlying legislation.

**Reps. Bonamici/Polis Amendment #9.** Exempts any rule or set of rules relating to Title I of the Elementary and Secondary Education Act of 1965 from the provisions of the underlying legislation.

**Rep. Raskin Amendment.** Exempts rules relating to the enforcement of the Clean Air Act from the provisions of the underlying legislation.

**Rep. Moore Amendment.** Exempts rules affecting or impacting the special government to government relationship between the federal government and tribal communities or affecting tribal sovereignty or self-determination.

**Rep. Cummings Amendment.** Exempts any rule relating to protections for whistleblowers or penalties for retaliation against whistleblowers.

**Bill Text for H.R. 998:**

[PDF Version](#)

**Background for H.R. 998:**

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

## **TOMORROW'S OUTLOOK**

The GOP Leadership has announced the following schedule for Wednesday, March 1: The House will meet at 12:00 p.m. for legislative business. The House is expected to complete consideration H.R. 998 – SCRUB Act (Rep. Smith (MO) – Oversight and Government Reform) and H.J.Res. 83 – Disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness" (Rep. Byrne – Education and the Workforce). The House is also expected to consider [H.R. 1009](#) – OIRA Insight, Reform, and Accountability Act (Rep. Mitchell – Oversight and Government Reform) (Subject to a Rule).



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## The Daily Quote

“March is shaping up to be the most important month for the Republican Party in more than a decade... The wish list begins with passing a budget, reforming the tax code and repealing and replacing ObamaCare. All three issues are divisive... If Republicans fail to deliver, Trump may follow conservative pundits in directing fire at GOP legislative leaders. Some lawmakers have acknowledged the slow start. During an appearance last week on CBS’s ‘Face the Nation,’ Sen. Lindsey Graham (R-S.C.) said the ‘Congress is stumbling’ and Republicans ‘are tied up in knots.’”

— The Hill, 2/27/2017