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THE DAILY WHIP

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FLOOR SCHEDULE FOR THURSDAY, SEPTEMBER 22, 2011

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
10:00 a.m.: Morning Hour 12:00 p.m.: Legislative Business Fifteen "One Minutes" per side	1:00 – 2:00 p.m.	6:00 – 7:00 p.m.

Further consideration of a Continuing Resolution could occur as early as today.

Members are advised that weekend votes are possible. More information regarding the schedule will be announced as it becomes available.

H.Res. 406 - Rule providing for consideration of H.R. 2401 - The Transparency in Regulatory Analysis of Impacts on the Nation (TRAIN) Act of 2011 (Rep. Sullivan - Energy and Commerce) (One hour of debate) The Rules Committee has recommended a structured Rule that provides two hours of general debate equally divided between the Chair and Ranking Member of the Committee on Energy and Commerce. The Rule makes in order 12 amendments and waives all points of order against the legislation. The Rule provides one motion to recommit with or without instructions.

H.R. 2401 - The Transparency in Regulatory Analysis of Impacts on the Nation (TRAIN) Act of 2011 (Rep. Sullivan - Energy and Commerce) The bill requires the president to create an 11-member interagency committee to examine the effects of current and proposed federal regulations on U.S. energy and manufacturing industries, U.S. global competitiveness and U.S. energy prices. The measure also temporarily delays, until early 2013, the implementation of two proposed EPA rules regarding mercury and toxic air emissions from fossil fuel burning electric plants, and rules setting standards governing airborne particulates from industrial facilities that cross state lines. The Mercury and Air Toxics Standards Rule and the Cross-State Air Pollution Rule will require decades-old coal-fired power plants to install readily available pollution controls to reduce their emissions of mercury, other toxic air pollutants, fine particulates, and the pollutants that cause smog and acid rain.

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

Rep. Rush Amendment. Adds members to the interagency committee, and directs the committee to consider vulnerable subpopulations that would be affected by EPA proposed rules

Rep. McNerney Amendment. Relating to the additional consideration of the effect on clean energy jobs, companies and exports

Rep. Moore Amendment. Relating to the additional consideration of the affect on low income communities

Rep. Capps Amendment. Requires an analysis of the incidence of birth and developmental defects and infant mortality that would result from a delay to covered rules

Reps. Kinzinger/Gonzalez Amendment. Adds future EPA gasoline regulations to the rules that require examination in the bill

Rep. Dent Amendment. Adds the U.S. Environmental Protection Agency's (EPA) National Emission

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Standards for Hazardous Air Pollutants (NESHAP) from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants to the covered rules within the bill

Rep. Hastings (FL) Amendment. Relating to the exclusion of all rules and regulations that undergo a cost-benefit analysis as a part of existing requirements

Rep. Connolly Amendment. Requires the committee to study policies which will lead to creation of American jobs in the clean energy sector

Rep. Jackson-Lee Amendment. Relating to extending the public comment period

Rep. Whitfield Amendment. Relating to further restrictions on the two rules already delayed in the underlying legislation

Rep. Latta Amendment. Relating to changing the Clean Air Act's criteria for what factors can be considered when promulgating National Ambient Air Quality Standards (NAAQS)

Rep. Richardson Amendment. Would strike the offset provision of HR 2401, which would reduce funding to the Diesel Emission Reduction Act

H.Res. 409 – Martial Law Authority Rule - Waiving clause 6(a) of Rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee)

This resolution waives the requirement of a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee. This would apply the waiver to any CR-related bill reported from the Rules Committee through the legislative day of September 30, 2011, giving the GOP Leadership Martial Law authority for 9 consecutive days.

Possible Further Consideration of Continuing Appropriations Act, 2012 ([H.R. 2608](#) - Small Business Program Extension and Reform Act of 2011) (Rep. Rogers (KY) – Appropriations)

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule for Friday, September 23: The House will meet at 9:00 a.m. for legislative business. The House is expected to complete consideration of H.R. 2401 - Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011 (Rep. Sullivan – Energy and Commerce). The House may also consider The Continuing Appropriations Act (Rep. Rogers (KY) – Appropriations).

The Daily Quote

"House Republicans tried a fresh strategy Wednesday night: Go it alone on a spending bill. The result was an embarrassing setback. Wednesday night's rank-and-file rebuke of GOP leadership — with 48 Republicans bolting on a temporary spending bill — underscored the fact that the House Republican majority is still struggling to find unity on major spending bills. It also showed they still need Democratic votes to help them govern..."

- Politico, 9/21/11