

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 899) TO PROVIDE FOR
ADDITIONAL SAFEGUARDS WITH RESPECT TO IMPOSING FEDERAL MAN-
DATES, AND FOR OTHER PURPOSES

FEBRUARY 26, 2014.—Referred to the House Calendar and ordered to be printed

Ms. FOXX, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 492]

The Committee on Rules, having had under consideration House Resolution 492, 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.R. 899, the Unfunded Mandates Information and Transparency Act of 2013, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. The resolution waives all points of order against consideration of the bill. 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 makes in order only those amendments printed in 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. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 3(c)(4) of rule XIII, requiring the inclusion of general performance goals and objectives in the committee report. It is important to note that while the report to accompany

H.R. 899 did include a statement reflecting the performance goals, the statement was incomplete.

Although the resolution waives all points of order against provisions in the bill, 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 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. 111

Motion by Mr. Bishop of Utah to report the rule. Adopted: 9–4.

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Yea	Ms. Slaughter	Nay
Mr. Bishop of Utah	Yea	Mr. McGovern	Nay
Mr. Cole	Yea	Mr. Hastings of Florida	Nay
Mr. Woodall	Yea	Mr. Polis	Nay
Mr. Nugent	Yea		
Mr. Webster	Yea		
Ms. Ros-Lehtinen	Yea		
Mr. Burgess	Yea		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Cummings (MD): Strikes section 5 of the bill, which would eliminate the current exemption from the Unfunded Mandate Reform Act for certain independent agencies. (10 minutes)

2. Connolly (VA): Ensures that other impacted entities, such as public interest organizations, are provided any opportunity for consultation afforded to the private sector under the Act. (10 minutes)

3. Jackson Lee (TX): Adds Section 14 to the bill to clarify that the requirements of UMRA as amended by this Act do not apply if a cost-benefit analysis demonstrates that the benefits of the regulatory action exceed its costs. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUMMINGS OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike section 5.

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

Page 13, line 6, strike “and”.

Page 14, line 16, strike the period at the end and insert “; and”.

Page 14, after line 16, insert the following:

(4) by adding at the end the following new subsection:

“(d) TREATMENT OF OTHER IMPACTED PARTIES.—Any opportunity for consultation afforded to impacted parties within the private sec-

tor under this section shall be afforded to representatives of all other impacted parties.”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new section:

SEC. 14. INAPPLICABILITY OF UNFUNDED MANDATES REFORM ACT IF COST-BENEFIT ANALYSIS SHOWS BENEFITS OF REGULATORY ACTION EXCEED COSTS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.), as amended by this Act, shall not apply to a regulatory action if a cost-benefit analysis demonstrates the benefits of the regulatory action exceed the costs of the regulatory action.