



**Legislative Bulletin.....May 10, 2011**

**Contents:**

**Amendments to H.R. 1229**—Putting the Gulf of Mexico Back to Work Act

**Order of Business:** The bill is scheduled to be considered on Tuesday, May 10, 2011, under a structured rule. The rule ([H.Res.245](#)) 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 except those arising under clause 9 or 10 of rule XXI (earmarks & “pay-go”), provides for consideration of 11 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. **Polis #22 (D-CO):** The bill amends the safety requirements in the underlying bill to also include the consideration of the National Environmental Policy Act, Endangered Species Act, Marine Mammal Protection Act, and any other law protecting fishing and recreational jobs.
2. **Garamendi #14 (D-CA):** The amendment requires the Secretary to also consult with at least one independent third party safety organization during the safety review procedures established under the bill that is not affiliated with the American Petroleum Institute.
3. **Markey #2 (D-MA):** The bill amends the safety requirements in the underlying bill to also include:
  - Third party reviews for blowout preventers and casing
  - Independent third party certification for well casing and cementing procedures
  - Mandatory safety and environmental management systems in the OCS
  - Procedures and technologies to minimize ignition of hydrocarbons
  - Compliance with other environmental laws, including the Federal Water Pollution Control Act
  - Mandating specific regulatory, technological, and testing standards for blowout preventers, well design, and cementing procedures.
4. **Hanabusa #10 (D-HI):** The amendment creates an additional requirement under the safety review procedures established under the bill that prohibits the Secretary from issuing a permit unless the applicant certifies it has calculated “worst-case” discharge scenario and demonstrated they have the capability and technology to respond immediately to a “worst-case” discharge scenario.

5. ***Jackson-Lee #3 (D-TX)***: The amendment extends the thirty day requirement for the Secretary to review a permit to sixty days, as well as, the application extension period from fifteen days to thirty days. Additionally, the amendment strikes the provision in the underlying bill that places a limitation on attorney's fees for civil actions against covered energy projects.
6. ***Holt #9 (D-NJ)***: The amendment strikes the provision in the bill that deems an application approved if the Secretary does not take action on a permit application within 60 days of being received.
7. ***Polis #23 (D-CO)***: The amendment delays the permitting timeline from taking affect until the Secretary publishes a determination that the Department of Interior has the adequate budget and staff to ensure every application for a permit has a through review.
8. ***Hastings #12 (D-FL)***: The amendment requires each permit application to include detailed estimation of the amount of oil and gas expected to be recovered, found for an exploration well, produced by production well, the extent the well would reduce crude oil prices, and in what time frame price reductions would occur.
9. ***Deutch #4 (D-FL)***: The amendment strikes the provision in the bill that establishes one exclusive jurisdiction for all civil actions against a covered energy project. \
10. ***Polis #21(D-CO)***: Removes the term "expedition" in the title of section 204 and replaces it with "quality above speed." Additionally, the amendment requires courts to determine civil actions "justly" rather than "expeditiously" as defined in section 204 in the underlying bill.
11. ***Hastings #13 (D-FL)***: The amendment strikes the provision in the underlying bill that places a limitation on attorney's fees for civil actions against covered energy projects.

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