

HR 1633

Farm Dust Regulation Prevention Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Environmental Protection

Introduced: Apr 15, 2011

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 256.

Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 256.

(Dec 13, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/1633>

Sponsor

Name: Rep. Noem, Kristi L. [R-SD-At Large]

Party: Republican • **State:** SD • **Chamber:** House

Cosponsors (121 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Boswell, Leonard L. [D-IA-3]	D · IA		Apr 15, 2011
Rep. Hurt, Robert [R-VA-5]	R · VA		Apr 15, 2011
Rep. Kissell, Larry [D-NC-8]	D · NC		Apr 15, 2011
Rep. Bachus, Spencer [R-AL-6]	R · AL		May 13, 2011
Rep. Barton, Joe [R-TX-6]	R · TX		May 13, 2011
Rep. Bishop, Rob [R-UT-1]	R · UT		May 13, 2011
Rep. Burton, Dan [R-IN-5]	R · IN		May 13, 2011
Rep. Canseco, Francisco "Quico" [R-TX-23]	R · TX		May 13, 2011
Rep. Chaffetz, Jason [R-UT-3]	R · UT		May 13, 2011
Rep. Cole, Tom [R-OK-4]	R · OK		May 13, 2011
Rep. Conaway, K. Michael [R-TX-11]	R · TX		May 13, 2011
Rep. Crawford, Eric A. "Rick" [R-AR-1]	R · AR		May 13, 2011
Rep. Denham, Jeff [R-CA-19]	R · CA		May 13, 2011
Rep. Fincher, Stephen Lee [R-TN-8]	R · TN		May 13, 2011
Rep. Fleischmann, Charles J. "Chuck" [R-TN-3]	R · TN		May 13, 2011
Rep. Flores, Bill [R-TX-17]	R · TX		May 13, 2011
Rep. Forbes, J. Randy [R-VA-4]	R · VA		May 13, 2011
Rep. Gohmert, Louie [R-TX-1]	R · TX		May 13, 2011
Rep. Goodlatte, Bob [R-VA-6]	R · VA		May 13, 2011
Rep. Graves, Sam [R-MO-6]	R · MO		May 13, 2011
Rep. Herger, Wally [R-CA-2]	R · CA		May 13, 2011
Rep. Huelskamp, Tim [R-KS-1]	R · KS		May 13, 2011
Rep. Jenkins, Lynn [R-KS-2]	R · KS		May 13, 2011
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		May 13, 2011
Rep. King, Steve [R-IA-5]	R · IA		May 13, 2011
Rep. Lamborn, Doug [R-CO-5]	R · CO		May 13, 2011
Rep. Latta, Robert E. [R-OH-5]	R · OH		May 13, 2011
Rep. Long, Billy [R-MO-7]	R · MO		May 13, 2011
Rep. Lummis, Cynthia M. [R-WY-At Large]	R · WY		May 13, 2011
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		May 13, 2011
Rep. McClintock, Tom [R-CA-4]	R · CA		May 13, 2011
Rep. McKinley, David B. [R-WV-1]	R · WV		May 13, 2011
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		May 13, 2011
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		May 13, 2011
Rep. Neugebauer, Randy [R-TX-19]	R · TX		May 13, 2011
Rep. Olson, Pete [R-TX-22]	R · TX		May 13, 2011
Rep. Paul, Ron [R-TX-14]	R · TX		May 13, 2011
Rep. Pearce, Stevan [R-NM-2]	R · NM		May 13, 2011
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		May 13, 2011
Rep. Poe, Ted [R-TX-2]	R · TX		May 13, 2011
Rep. Ribble, Reid J. [R-WI-8]	R · WI		May 13, 2011

Cosponsor	Party / State	Role	Date Joined
Rep. Scott, Austin [R-GA-8]	R · GA		May 13, 2011
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		May 13, 2011
Rep. Simpson, Michael K. [R-ID-2]	R · ID		May 13, 2011
Rep. Smith, Adrian [R-NE-3]	R · NE		May 13, 2011
Rep. Walsh, Joe [R-IL-8]	R · IL		May 13, 2011
Rep. Brady, Kevin [R-TX-8]	R · TX		Jun 1, 2011
Rep. Franks, Trent [R-AZ-2]	R · AZ		Jun 1, 2011
Rep. Gibbs, Bob [R-OH-18]	R · OH		Jun 1, 2011
Rep. Hartzler, Vicky [R-MO-4]	R · MO		Jun 1, 2011
Rep. Huizenga, Bill [R-MI-2]	R · MI		Jun 1, 2011
Rep. Johnson, Bill [R-OH-6]	R · OH		Jun 1, 2011
Rep. Johnson, Sam [R-TX-3]	R · TX		Jun 1, 2011
Rep. Johnson, Timothy V. [R-IL-15]	R · IL		Jun 1, 2011
Rep. Labrador, Raul R. [R-ID-1]	R · ID		Jun 1, 2011
Rep. Lankford, James [R-OK-5]	R · OK		Jun 1, 2011
Rep. Lucas, Frank D. [R-OK-3]	R · OK		Jun 1, 2011
Rep. Nunnelee, Alan [R-MS-1]	R · MS		Jun 1, 2011
Rep. Pompeo, Mike [R-KS-4]	R · KS		Jun 1, 2011
Rep. Schock, Aaron [R-IL-18]	R · IL		Jun 1, 2011
Rep. Walden, Greg [R-OR-2]	R · OR		Jun 1, 2011
Rep. Wittman, Robert J. [R-VA-1]	R · VA		Jun 1, 2011
Rep. Bachmann, Michele [R-MN-6]	R · MN		Jun 3, 2011
Rep. Flake, Jeff [R-AZ-6]	R · AZ		Jun 3, 2011
Rep. Guthrie, Brett [R-KY-2]	R · KY		Jun 3, 2011
Rep. Latham, Tom [R-IA-4]	R · IA		Jun 3, 2011
Rep. Schilling, Robert T. [R-IL-17]	R · IL		Jun 3, 2011
Rep. Womack, Steve [R-AR-3]	R · AR		Jun 3, 2011
Rep. Berg, Rick [R-ND-At Large]	R · ND		Jun 23, 2011
Rep. DesJarlais, Scott [R-TN-4]	R · TN		Jun 23, 2011
Rep. Hensarling, Jeb [R-TX-5]	R · TX		Jun 23, 2011
Rep. Kingston, Jack [R-GA-1]	R · GA		Jun 23, 2011
Rep. Smith, Lamar [R-TX-21]	R · TX		Jun 23, 2011
Rep. Tipton, Scott R. [R-CO-3]	R · CO		Jun 23, 2011
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Jul 7, 2011
Rep. Duncan, Jeff [R-SC-3]	R · SC		Jul 12, 2011
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Jul 12, 2011
Rep. Kline, John [R-MN-2]	R · MN		Jul 12, 2011
Rep. Carter, John R. [R-TX-31]	R · TX		Jul 14, 2011
Rep. Miller, Candice S. [R-MI-10]	R · MI		Jul 21, 2011
Rep. Yoder, Kevin [R-KS-3]	R · KS		Aug 5, 2011
Rep. Black, Diane [R-TN-6]	R · TN		Sep 12, 2011
Rep. Boren, Dan [D-OK-2]	D · OK		Sep 12, 2011

Cosponsor	Party / State	Role	Date Joined
Rep. Bucshon, Larry [R-IN-8]	R · IN		Sep 12, 2011
Rep. Gosar, Paul A. [R-AZ-1]	R · AZ		Sep 12, 2011
Rep. Rehberg, Denny [R-MT-At Large]	R · MT		Sep 12, 2011
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Sep 15, 2011
Rep. Calvert, Ken [R-CA-44]	R · CA		Sep 23, 2011
Rep. Luetkemeyer, Blaine [R-MO-9]	R · MO		Sep 23, 2011
Rep. Stivers, Steve [R-OH-15]	R · OH		Sep 23, 2011
Rep. Capito, Shelley Moore [R-WV-2]	R · WV		Oct 11, 2011
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Oct 11, 2011
Rep. Gardner, Cory [R-CO-4]	R · CO		Oct 11, 2011
Rep. Griffin, Tim [R-AR-2]	R · AR		Oct 11, 2011
Rep. Hastings, Doc [R-WA-4]	R · WA		Oct 11, 2011
Rep. Hultgren, Randy [R-IL-14]	R · IL		Oct 11, 2011
Rep. Kinzinger, Adam [R-IL-11]	R · IL		Oct 11, 2011
Rep. McIntyre, Mike [D-NC-7]	D · NC		Oct 11, 2011
Rep. Paulsen, Erik [R-MN-3]	R · MN		Oct 11, 2011
Rep. Rigell, E. Scott [R-VA-2]	R · VA		Oct 11, 2011
Rep. Rooney, Thomas J. [R-FL-16]	R · FL		Oct 11, 2011
Rep. Ross, Mike [D-AR-4]	D · AR		Oct 11, 2011
Rep. Schmidt, Jean [R-OH-2]	R · OH		Oct 11, 2011
Rep. Schweikert, David [R-AZ-5]	R · AZ		Oct 11, 2011
Rep. Shimkus, John [R-IL-19]	R · IL		Oct 11, 2011
Rep. Stearns, Cliff [R-FL-6]	R · FL		Oct 11, 2011
Rep. Terry, Lee [R-NE-2]	R · NE		Oct 11, 2011
Rep. Thompson, Glenn [R-PA-5]	R · PA		Oct 11, 2011
Rep. Cassidy, Bill [R-LA-6]	R · LA		Oct 14, 2011
Rep. Farenthold, Blake [R-TX-27]	R · TX		Oct 14, 2011
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Oct 14, 2011
Rep. Rokita, Todd [R-IN-4]	R · IN		Oct 14, 2011
Rep. Gibson, Christopher P. [R-NY-20]	R · NY		Nov 1, 2011
Rep. Sullivan, John [R-OK-1]	R · OK		Nov 1, 2011
Rep. Akin, W. Todd [R-MO-2]	R · MO		Nov 17, 2011
Rep. Broun, Paul C. [R-GA-10]	R · GA		Nov 17, 2011
Rep. Thornberry, Mac [R-TX-13]	R · TX		Nov 18, 2011
Rep. Austria, Steve [R-OH-7]	R · OH		Nov 30, 2011
Rep. Harper, Gregg [R-MS-3]	R · MS		Nov 30, 2011
Rep. Southerland, Steve II [R-FL-2]	R · FL		Nov 30, 2011
Rep. Pence, Mike [R-IN-6]	R · IN		Dec 6, 2011

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Reported by	Nov 3, 2011

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
112 S 2365	Related bill	Apr 25, 2012: Read twice and referred to the Committee on Energy and Natural Resources.
112 HRES 487	Procedurally related	Dec 8, 2011: Motion to reconsider laid on the table Agreed to without objection.
112 S 1720	Related bill	Oct 18, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 203.
112 S 1528	Related bill	Sep 8, 2011: Read twice and referred to the Committee on Environment and Public Works.

Farm Dust Regulation Prevention Act of 2011 - Prohibits the Administrator of the Environmental Protection Agency (EPA) from proposing, finalizing, implementing, or enforcing any regulation revising the national primary ambient air quality standard or the national secondary ambient air quality standard applicable to particulate matter with an aerodynamic diameter greater than 2.5 micrometers under the Clean Air Act (CAA) for one year.

Exempts nuisance dust from the CAA and excludes nuisance dust from references in such Act to particulate matter, except with respect to geographic areas where such dust is not regulated under state, tribal, or local law if the Administrator, in consultation with the Secretary of Agriculture, finds that: (1) nuisance dust (or any subcategory of nuisance dust) causes substantial adverse public health and welfare effects at ambient concentrations; and (2) the benefits of applying CAA standards and other requirements to such dust outweigh the costs.

Defines "nuisance dust" as particulate matter that: (1) is generated primarily from natural sources, unpaved roads, agricultural activities, earth moving, or other activities typically conducted in rural areas; (2) consists primarily of soil, other natural or biological materials, windblown dust, or some combination thereof; (3) is not emitted directly into the ambient air from combustion, such as exhaust from combustion engines and emissions from stationary combustion processes; (4) is not comprised of residuals from the combustion of coal; and (5) does not include radioactive particulate matter produced from uranium mining or processing.

Expresses the sense of Congress that the Administrator should implement an approach to excluding exceptional events, or events that are not reasonably controllable or preventable, from determinations of whether an area is in compliance with any national ambient air quality standard (NAAQS) applicable to coarse particulate matter that maximizes transparency and predictability for states, tribes, and local governments and minimizes their regulatory and cost burdens.

Requires the Administrator, before taking a covered action, to analyze its impact, disaggregated by state, on employment levels in the agriculture industry and on agricultural economic activity, utilizing the best available economic models. Defines a "covered action" as an action by the Administrator under the Clean Air Act, relating to agriculture and the primary and secondary NAAQS for particulate matter, to: (1) issue a regulation, policy statement, guidance, response to a petition, or other requirement; or (2) implement a new or substantially altered program. Requires the Administrator to: (1) post such analysis on the main page of EPA's website; (2) request the Secretary of Agriculture to post it on the main page of the Department of Agriculture's website; and (3) request the governor of any state experiencing more than a de minimis negative impact to post such analysis in the state's capitol.

Requires the Administrator to: (1) hold a public hearing in each state in which a covered action will have more than a de minimis negative impact on agricultural employment levels or agricultural economic activity, at least 30 days prior to the effective date of the action; and (2) give notice of such impact to the state's congressional delegation, governor, and legislature at least 45 days before the effective date of the action. Defines "de minimis negative impact" as: (1) a loss of more than 100 jobs related to the agriculture industry, or (2) a decrease in agricultural economic activity of more than \$1 million over any calendar year.

Actions Timeline

- **Dec 13, 2011:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 256.
- **Dec 12, 2011:** Received in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Dec 8, 2011:** Rule H. Res. 487 passed House.
- **Dec 8, 2011:** Considered under the provisions of rule H. Res. 487. (consideration: CR H8274-8296)
- **Dec 8, 2011:** Rule provides for consideration of H.R. 1633 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. The resolution waives all points of order against consideration of the bill; provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce shall be considered as original text for the purpose of amendment and shall be considered as read. Further it waives all points of order against the committee amendment in the nature of a substitute.
- **Dec 8, 2011:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 487 and Rule XVIII.
- **Dec 8, 2011:** The Speaker designated the Honorable Steve Womack to act as Chairman of the Committee.
- **Dec 8, 2011:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 1633.
- **Dec 8, 2011:** DEBATE - Pursuant to the provisions of H.Res. 487, the Committee of the Whole proceeded with 10 minutes of debate on the Rush amendment.
- **Dec 8, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Rush amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Rush demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Dec 8, 2011:** DEBATE - Pursuant to the provisions of H.Res. 487, the Committee of the Whole proceeded with 10 minutes of debate on the Christensen amendment.
- **Dec 8, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Christensen amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mrs. Christensen demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Dec 8, 2011:** DEBATE - Pursuant to the provisions of H.Res. 487, the Committee of the Whole proceeded with 10 minutes of debate on the Crawford amendment.
- **Dec 8, 2011:** DEBATE - Pursuant to the provisions of H.Res. 487, the Committee of the Whole proceeded with 10 minutes of debate on the Markey amendment.
- **Dec 8, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Markey amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Markey demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Dec 8, 2011:** DEBATE - Pursuant to the provisions of H.Res. 487, the Committee of the Whole proceeded with 10 minutes of debate on the Waxman amendment.
- **Dec 8, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Waxman amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Whitfield demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Dec 8, 2011:** DEBATE - Pursuant to the provisions of H.Res. 487, the Committee of the Whole proceeded with 10 minutes of debate on the Flake amendment.
- **Dec 8, 2011:** DEBATE - Pursuant to the provisions of H.Res. 487, the Committee of the Whole proceeded with 10 minutes of debate on the Schock amendment.
- **Dec 8, 2011:** DEBATE - Pursuant to the provisions of H.Res. 487, the Committee of the Whole proceeded with 10 minutes of debate on the Al Green (TX) amendment.
- **Dec 8, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Al Green (TX) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Green demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Dec 8, 2011:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was on adoption of

amendments which were debated earlier and on which further proceedings were postponed.

- **Dec 8, 2011:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1633.
- **Dec 8, 2011:** The previous question was ordered pursuant to the rule. (consideration: CR H8294)
- **Dec 8, 2011:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text of amendment in the nature of a substitute: CR H8282-8283)
- **Dec 8, 2011:** Ms. DeGette moved to recommit with instructions to Energy and Commerce. (consideration: CR H8294-8296; text: CR H8294)
- **Dec 8, 2011:** DEBATE - The House proceeded with 10 minutes of debate on the DeGette motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment that adds a new section to the bill to prohibit any part of the bill from limiting the Administrator of the Environmental Protection Agency from proposing, finalizing, implementing, or enforcing any regulation promulgated under the Clean Air Act relating to specified emissions.
- **Dec 8, 2011:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H8295)
- **Dec 8, 2011:** On motion to recommit with instructions Failed by recorded vote: 166 - 252 (Roll no. 911).
- **Dec 8, 2011:** Passed/agreed to in House: On passage Passed by recorded vote: 268 - 150 (Roll no. 912).
- **Dec 8, 2011:** On passage Passed by recorded vote: 268 - 150 (Roll no. 912).
- **Dec 8, 2011:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 7, 2011:** Rules Committee Resolution H. Res. 487 Reported to House. Rule provides for consideration of H.R. 1633 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. The resolution waives all points of order against consideration of the bill; provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce shall be considered as original text for the purpose of amendment and shall be considered as read. Further it waives all points of order against the committee amendment in the nature of a substitute.
- **Dec 6, 2011:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 112-316.
- **Dec 6, 2011:** Placed on the Union Calendar, Calendar No. 215.
- **Nov 29, 2011:** Committee Consideration and Mark-up Session Held.
- **Nov 29, 2011:** Ordered to be Reported (Amended) by the Yeas and Nays: 33 - 16.
- **Nov 3, 2011:** Subcommittee Consideration and Mark-up Session Held.
- **Nov 3, 2011:** Forwarded by Subcommittee to Full Committee (Amended) .
- **Oct 25, 2011:** Subcommittee Hearings Held.
- **Apr 25, 2011:** Referred to the Subcommittee on Energy and Power.
- **Apr 15, 2011:** Introduced in House
- **Apr 15, 2011:** Referred to the House Committee on Energy and Commerce.