The White House

February 01, 2017

H.J. Res. 38, H.J. Res. 36, H.J. Res. 41, H.J. Res. 40, H.J. Res. 37 - Statement of Administration Policy

February 1, 2017
(House)

STATEMENT OF ADMINISTRATION POLICY

H.J. RES. 38 – DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR KNOWN AS THE STREAM PROTECTION RULE
(REP. JOHNSON, R-OH, AND 67 COSPONSORS)

H.J. RES. 36 – DISAPPROVING THE BUREAU OF LAND MANAGEMENT'S FINAL RULE RELATING TO "WASTE PREVENTION, PRODUCTION SUBJECT TO ROYALTIES, AND RESOURCE CONSERVATION"
(REP. BISHOP, R-UT, AND 33 COSPONSORS)

H.J. RES. 41 – DISAPPROVING THE SECURITIES AND EXCHANGE COMMISSION'S RULE ON DISCLOSURE OF PAYMENTS BY RESOURCE EXTRACTION ISSUERS
(REP. HUIZENGA, R-MI, AND 32 COSPONSORS)

H.J. RES. 40 – DISAPPROVING THE RULE SUBMITTED BY THE SOCIAL SECURITY ADMINISTRATION RELATING TO IMPLEMENTATION OF THE NICS IMPROVEMENT AMENDMENTS ACT OF 2007
(REP. JOHNSON, R-TX, AND 120 COSPONSORS)

H.J. RES. 37 – DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF DEFENSE, THE GENERAL SERVICES ADMINISTRATION, AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION RELATING TO THE FEDERAL ACQUISITION REGULATION
(REP. FOXX, R-NC, AND 3 COSPONSORS)

The Administration strongly supports the actions taken by the House to begin to nullify unnecessary regulations imposed on America’s businesses. The regulations that the

House is voting to overturn under the Congressional Review Act have established burdensome compliance requirements that force jobs out of our communities and discourage doing business in the United States. The House is also considering overturning a Social Security Administration Rule that would prevent some Americans with disabilities from purchasing or possessing firearms based on their decision to seek Social Security benefits.

H.J. Res. 38 would nullify the Stream Protection Rule, 81 Fed. Reg. 93066 (Dec. 20, 2016), a final rule recently promulgated by the Department of the Interior, Office of Surface Mining Reclamation and Enforcement. The bill disapproves a rule that would establish onerous requirements for coal mining operations, and impose significant compliance burdens on America's coal production. The disapproved rule also duplicates existing protections in the Clean Water Act and is unnecessary given the other Federal and State regulations already in place. The Administration is committed to reviving America's coal mining communities, which have been hurting for too long.

H.J. Res. 36 would nullify the final rule Waste Prevention, Production Subject to Royalties, and Resource Conservation. 81 Fed. Reg. 83008 (Nov. 18, 2016), promulgated by the Department of the Interior, Bureau of Land Management. The bill disapproves an expensive rule that would require oil and gas producers to reduce natural gas waste and emissions, regardless of whether or not it is economically viable to do so. The majority of affected oil and gas operators are small businesses, and productive wells could be unnecessarily shut in to meet the requirements of this rule. While minimizing waste remains an important component of responsible energy development, the Administration is committed to reducing regulatory burdens on American businesses, supporting energy policies that lower costs for hardworking Americans, maximizing the use of American resources, and freeing us from dependence on foreign oil.

H.J. Res. 41 would nullify the final rule Disclosure of Payments by Resource Extraction Issuers, 81 Fed. Reg. 49359 (July 27, 2016), promulgated by the Securities and Exchange Commission. The bill disapproves a rule that would require resource extraction issuers to report payments made to governments for the commercial development of oil, natural gas or minerals. In some cases, the rule would require companies to disclose information that the host nation of their project prohibits from disclosure or is commercially sensitive. The rule would impose unreasonable compliance costs on American energy companies that are not justified by quantifiable

benefits. Moreover, American businesses could face a competitive disadvantage in cases where their foreign competitors are not subject to similar rules.

H.J. Res. 40 would nullify the final rule Implementation of the NICS Improvement Amendments Act of 2007, 81 Fed. Reg. 91702 (Dec. 19, 2016), promulgated by the Social Security Administration (SSA). The bill disapproves a rule that would allow SSA to provide records on certain individuals who receive Disability Insurance benefits under title II of the Social Security Act or Supplemental Security Income payments under title XVI of the Social Security Act to the Attorney General for inclusion in the National Instant Criminal Background Check System. The rule would prevent some Americans with disabilities from purchasing or possessing firearms based on their decision to seek Social Security benefits. Applications of this rule could endanger the Second Amendment rights of law abiding citizens.

H.J. Res. 37 would nullify the rule Federal Acquisition Regulation; Fair Pay and Safe Workspaces, 81 Fed. Reg. 58562 (August 25, 2016). The bill disapproves a rule that would require federal contractors to disclose findings of non-compliance with labor laws. The rule would bog down Federal procurement with unnecessary and burdensome processes that would result in delays, and decreased competition for Federal government contracts. Rolling back this rule will also help to reduce costs in Federal procurement. The Administration is committed to reducing onerous regulatory burdens on America's businesses and using existing authorities to continue enforcing the Nation's workplace laws.

If these bills were presented to the President in their current form, his advisors would recommend that he sign them into law.