

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 112-28**  
**(TEXT OF H.R. 4078)**  
**OFFERED BY MR. LIPINSKI OF ILLINOIS**

Page 3, line 18, strike “or (d)” and insert the following: “(d), or (e)”.

Page 5, insert after line 7 the following:

1       (e) SIGNIFICANT REGULATORY ACTIONS PROMOTING  
2 ENERGY EFFICIENCY.—An agency may take any signifi-  
3 cant regulatory action that is intended to promote energy  
4 efficiency.

Page 10, insert after line 13 the following and redesignate provisions accordingly:

5       (e) PROMOTION OF ENERGY EFFICIENCY EXCEP-  
6 TION.—Section 202 shall not apply to a midnight rule that  
7 is intended to promote energy efficiency.

Page 20, insert after line 12 the following:

1 **SEC. 305. EXCEPTION FOR PROMOTION OF ENERGY EFFI-**  
2 **CIENCY.**

3 The provisions of this title do not apply to any con-  
4 sent decree or settlement agreement pertaining to a regu-  
5 latory action that is intended to promote energy efficiency.

