

## HR 1155

### SCRUB Act of 2016

**Congress:** 114 (2015–2017, Ended)

**Chamber:** House

**Policy Area:** Government Operations and Politics

**Introduced:** Feb 27, 2015

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Government

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Jan 11, 2016)

**Official Text:** <https://www.congress.gov/bill/114th-congress/house-bill/1155>

### Sponsor

**Name:** Rep. Smith, Jason [R-MO-8]

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

### Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Collins, Doug [R-GA-9]	R · GA		Feb 27, 2015
Rep. Franks, Trent [R-AZ-8]	R · AZ		Feb 27, 2015
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Feb 27, 2015
Rep. Hultgren, Randy [R-IL-14]	R · IL		Feb 27, 2015
Rep. Luetkemeyer, Blaine [R-MO-3]	R · MO		Feb 27, 2015
Rep. Marino, Tom [R-PA-10]	R · PA		Feb 27, 2015
Rep. Poe, Ted [R-TX-2]	R · TX		Feb 27, 2015
Rep. Long, Billy [R-MO-7]	R · MO		Mar 17, 2015
Rep. Newhouse, Dan [R-WA-4]	R · WA		Jul 23, 2015

### Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Jan 11, 2016
Judiciary Committee	House	Discharged from	Mar 23, 2015
Oversight and Government Reform Committee	House	Referred To	Feb 27, 2015

### Subjects & Policy Tags

#### Policy Area:

Government Operations and Politics

## Related Bills

Bill	Relationship	Last Action
114 HRES 580	Procedurally related	<b>Jan 6, 2016:</b> Motion to reconsider laid on the table Agreed to without objection.
114 S 1683	Related bill	<b>Jun 25, 2015:</b> Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

**Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2016 or the SCRUB Act of 2016**

**TITLE I--RETROSPECTIVE REGULATORY REVIEW COMMISSION**

(Sec. 101) This bill establishes the Retrospective Regulatory Review Commission to conduct a review of the Code of Federal Regulations to identify rules and sets of rules that collectively implement a regulatory program that should be repealed to lower the cost of regulation. The Commission shall give priority to the review of rules or sets of rules that are major rules or that include major rules, that have been in effect more than 15 years, that impose paperwork burdens or unfunded mandates that could be reduced substantially without significantly diminishing regulatory effectiveness, that impose disproportionately high costs on small entities, or that could be strengthened in their effectiveness while reducing regulatory costs. The Commission's goal is to achieve a reduction of at least 15% in the cumulative costs of regulation with a minimal reduction in the overall effectiveness of such regulation.

Criteria the Commission shall use in identifying which rules and sets of rules should be repealed include whether:

- the original purpose of the rules was achieved;
- the implementation, compliance, administration, enforcement, imposition of unfunded mandates, or other costs of the rules are not justified by a cost-benefit analysis;
- the rules have been rendered unnecessary or obsolete;
- the rules are ineffective at achieving their purposes;
- the rules overlap, duplicate, or conflict with other federal, state, or local rules;
- the rules have excessive compliance costs, impose unfunded mandates, or are otherwise excessively burdensome compared to possible alternatives;
- the rules inhibit innovation or harm competition;
- the rules limit or prevent an agency from applying new or emerging technologies to improve efficiency and effectiveness of government; and
- the rules harm wage growth, including wage growth for minimum wage and part-time workers.

The Commission shall terminate on the later of 5 years and 180 days after the enactment date of this Act or 5 years after the date by which the terms of all members of the Commission have commenced.

The bill requires congressional consideration and enactment of a joint resolution of approval of recommendations of the Commission for the repeal of a rule or rules prior to agency implementation of a repeal. An agency is prohibited from: (1) reissuing rules substantially similar to rules repealed by this Act without congressional approval, or (2) issuing a new rule that results in the same adverse effects of a repealed rule.

The Commission shall establish a public website to provide information in a standard data format and shall receive and publish public comments at no cost to the public.

The Federal Advisory Committee Act shall apply to the Commission and any subcommittees of the Commission.

**TITLE II--REGULATORY CUT-GO**

(Sec. 201) This title requires agencies, when making a new rule, to repeal rules or sets of rules classified by the

Commission as recommended for repeal to offset the costs of the new rule (cut-go procedure).

(Sec. 202) Agencies are exempted from cut-go requirements when the Commission has implemented the repeal of all rules and sets of rules that the Commission has recommended for repeal.

(Sec. 203) The Office of Information and Regulatory Affairs (OIRA) of the Office of Management and Budget shall review and certify the accuracy of agency determinations of the cost of new rules subject to cut-go requirements.

### **TITLE III--RETROSPECTIVE REVIEW OF NEW RULES**

(Sec. 301) This title requires an agency, when issuing a new rule, to include a plan for the review of such rule not later than 10 years after the date of such rule.

### **TITLE IV--JUDICIAL REVIEW**

(Sec. 401) This title allows judicial review of repeals of regulations, cut-go procedures, and plans for future review.

### **TITLE V--MISCELLANEOUS PROVISIONS**

(Sec. 501) A "major rule" is defined to mean any rule that OIRA determines is likely to impose: (1) an annual cost on the economy of \$100 million or more, adjusted annually for inflation; (2) a major increase in costs or prices for consumers, individual industries, federal, state, local, or tribal government agencies, or geographic regions; (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises; or (4) significant impacts on multiple sectors of the economy.

## Actions Timeline

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- **Jan 11, 2016:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Jan 7, 2016:** Considered as unfinished business. (consideration: CR H145-152)
- **Jan 7, 2016:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jan 7, 2016:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question on adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jan 7, 2016:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1155.
- **Jan 7, 2016:** The previous question was ordered pursuant to the rule. (consideration: CR H150)
- **Jan 7, 2016:** The House adopted the amendment as agreed to by the Committee of the Whole House on the state of the Union.
- **Jan 7, 2016:** Mr. Cicilline moved to recommit with instructions to the Committee on the Judiciary. (consideration: CR H150-151; text of motion: CR H150)
- **Jan 7, 2016:** DEBATE - The House proceeded with 10 minutes of debate on the Cicilline motion to recommit with instructions. The instructions contained in the motion seek to report the same back to the House forthwith with an amendment to exempt from the underlying bill, any rule that prohibits discrimination by Federal contractors or subcontractors on the basis of sex, sexual orientation, or gender identity.
- **Jan 7, 2016:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H150)
- **Jan 7, 2016:** On motion to recommit with instructions Failed by recorded vote: 178 - 239 (Roll no. 19).
- **Jan 7, 2016:** Passed/agreed to in House: On passage Passed by recorded vote: 245 - 174 (Roll no. 20).
- **Jan 7, 2016:** On passage Passed by recorded vote: 245 - 174 (Roll no. 20).
- **Jan 7, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Jan 6, 2016:** Rule H. Res. 580 passed House.
- **Jan 6, 2016:** Considered under the provisions of rule H. Res. 580. (consideration: CR H67-87; text of measure as reported in House: CR H73-76)
- **Jan 6, 2016:** Resolution provides for consideration of H.R. 712 and H.R. 1155.
- **Jan 6, 2016:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 580 and Rule XVIII.
- **Jan 6, 2016:** The Speaker designated the Honorable Chris Collins to act as Chairman of the Committee.
- **Jan 6, 2016:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 1155.
- **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the Foxx part B amendment No.1.
- **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the Schweikert Part B amendment No. 2.
- **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the Walberg Part B amendment No. 3.
- **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the Johnson (GA) Part B amendment No. 4.
- **Jan 6, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Johnson (GA) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Johnson (GA) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10-minutes of debate on the Cummings Part B amendment No. 5.
- **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the Cummings Part B amendment No. 6.
- **Jan 6, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Cummings amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Cummings demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.

**Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the Cicilline Part B amendment No. 7.

• **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the DelBene Part B amendment No. 8.

• **Jan 6, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the DelBene amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. DelBene demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.

• **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the Cicilline Part B amendment No. 9.

• **Jan 6, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Cicilline amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Cicilline demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.

• **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the Pocan Part B amendment No. 10.

• **Jan 6, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Pocan amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Pocan demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.

• **Jan 6, 2016:** DEBATE - Pursuant to the provisions of H. Res. 580, the Committee of the Whole proceeded with 10 minutes of debate on the Patrick Murphy (FL) Part B No. 11 substitute amendment.

• **Jan 6, 2016:** Mr. Chaffetz moved that the Committee rise.

• **Jan 6, 2016:** On motion that the Committee rise Agreed to by voice vote.

• **Jan 6, 2016:** Committee of the Whole House on the state of the Union rises leaving H.R. 1155 as unfinished business.

• **Jan 5, 2016:** Rules Committee Resolution H. Res. 580 Reported to House. Resolution provides for consideration of H.R. 712 and H.R. 1155.

• **Jul 10, 2015:** Reported by the Committee on Judiciary. H. Rept. 114-196, Part I.

• **Mar 24, 2015:** Committee Consideration and Mark-up Session Held.

• **Mar 24, 2015:** Ordered to be Reported by the Yeas and Nays: 17 - 12.

• **Mar 23, 2015:** Subcommittee on Regulatory Reform, Commercial And Antitrust Law Discharged.

• **Mar 2, 2015:** Subcommittee Hearings Held.

• **Feb 27, 2015:** Introduced in House

• **Feb 27, 2015:** Referred to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

• **Feb 27, 2015:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.