

## S 189

### Unfunded Mandates Information and Transparency Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Government Operations and Politics

**Introduced:** Jan 20, 2015

**Current Status:** Committee on Homeland Security and Governmental Affairs Subcommittee on Regulatory Affairs and Federal

**Latest Action:** Committee on Homeland Security and Governmental Affairs Subcommittee on Regulatory Affairs and Federal Management. Hearings held. With printed Hearing: S.Hrg. 114-266. (Feb 24, 2016)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/189>

### Sponsor

**Name:** Sen. Fischer, Deb [R-NE]

**Party:** Republican • **State:** NE • **Chamber:** Senate

### Cosponsors (1 total)

| Cosponsor                   | Party / State | Role | Date Joined  |
|-----------------------------|---------------|------|--------------|
| Sen. Lankford, James [R-OK] | R · OK        |      | Jan 20, 2015 |

### Committee Activity

| Committee  | Chamber | Activity                   | Date         |
|--|---------|----------------------------|--------------|
| Homeland Security and Governmental Affairs Committee | Senate  | Hearings By (subcommittee) | Feb 24, 2016 |

### Subjects & Policy Tags

#### Policy Area:

Government Operations and Politics

### Related Bills

| Bill      | Relationship   | Last Action  |
|-----------|----------------|--|
| 114 HR 50 | Identical bill | <b>Feb 5, 2015:</b> Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. |

## Unfunded Mandates Information and Transparency Act of 2015

States as the purposes of this Act to: (1) improve the quality of the deliberations of Congress with respect to proposed federal mandates by providing Congress and the public with more complete information about the effects of such mandates and by ensuring that Congress acts on such mandates only after focused deliberation on their effects; and (2) enhance the ability of Congress and the public to identify federal mandates that may impose undue harm on consumers, workers, employers, small businesses, and state, local, and tribal governments.

Amends the Congressional Budget Act of 1974 to: (1) require the Congressional Budget Office (CBO), at the request of the chairman or ranking member of a congressional committee, to conduct an assessment comparing the authorized level of funding in legislation to the prospective costs of carrying out any changes to a condition of federal assistance being imposed on state, local, or tribal governments participating in the federal assistance program; (2) modify the definition of "direct costs" to require CBO to consider, in accounting for the costs of federal mandates, forgone business profits, costs passed onto consumers and other entities, and behavioral changes; (3) eliminate the exemption of independent regulatory agencies (except the Board of Governors of the Federal Reserve System or the Federal Open Market Committee) from reporting requirements under the Unfunded Mandates Reform Act of 1995 (UMRA); and (4) make the raising of points of order in the consideration of congressional legislation applicable to legislation that would increase the direct cost of private sector mandates beyond limits established by UMRA.

Amends UMRA to: (1) transfer certain responsibilities under such Act from the Director of the Office of Management and Budget to the Administrator of the Office of Information and Regulatory Affairs; (2) set forth detailed criteria to guide agencies in assessing the effects of federal regulatory actions on state, local, and tribal governments and the private sector; (3) revise requirements for agency statements accompanying significant regulatory actions to require an analysis of the annual effect of a proposed final rule on state, local, or tribal governments or the private sector and to require all statements and summaries under UMRA to be detailed; and (4) extend to the the private sector (including small business) the requirement for consultation with agencies in the development of regulatory proposals containing significant federal mandates and set forth detailed guidelines for such consultation.

Revises UMRA reporting requirements to require: (1) the Administrator of the Office of Information and Regulatory Affairs to provide guidance and oversight so that agency regulations are consistent with the principles and policies of UMRA and do not conflict with the policies or actions of another agency; and (2) agencies to include in their annual compliance statements an appendix detailing consultation activities with state, local, and tribal governments and the private sector.

Amends UMRA to require an agency, at the request of the chairman or ranking member of a standing or select House or Senate Committee, to conduct a retrospective analysis of an existing regulation promulgated by such agency and submit to the chairman of the relevant committee, Congress, and the Comptroller General a report on such regulation.

Expands judicial review under UMRA to include review of provisions of such Act relating to agency assessment of the effects of the regulatory process and agency selection of the least costly or least burdensome alternative to a regulatory mandate. Grants courts expanded powers to compel agencies to comply with UMRA reporting requirements.

## Actions Timeline

- **Feb 24, 2016:** Committee on Homeland Security and Governmental Affairs Subcommittee on Regulatory Affairs and Federal Management. Hearings held. With printed Hearing: S.Hrg. 114-266.
- **Jan 20, 2015:** Introduced in Senate
- **Jan 20, 2015:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.