

## HR 3438

### REVIEW Act of 2016

**Congress:** 114 (2015–2017, Ended)

**Chamber:** House

**Policy Area:** Government Operations and Politics

**Introduced:** Aug 4, 2015

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Sep 22, 2016)

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Sep 22, 2016)

**Official Text:** <https://www.congress.gov/bill/114th-congress/house-bill/3438>

### Sponsor

**Name:** Rep. Marino, Tom [R-PA-10]

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

## Cosponsors (32 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Aug 4, 2015
Rep. Collins, Doug [R-GA-9]	R · GA		Sep 7, 2016
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Sep 7, 2016
Rep. Ratcliffe, John [R-TX-4]	R · TX		Sep 7, 2016
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Sep 7, 2016
Rep. Sessions, Pete [R-TX-32]	R · TX		Sep 7, 2016
Rep. Smith, Lamar [R-TX-21]	R · TX		Sep 7, 2016
Rep. Trott, David A. [R-MI-11]	R · MI		Sep 7, 2016
Rep. Bishop, Mike [R-MI-8]	R · MI		Sep 8, 2016
Rep. DeSantis, Ron [R-FL-6]	R · FL		Sep 8, 2016
Rep. Franks, Trent [R-AZ-8]	R · AZ		Sep 8, 2016
Rep. Gohmert, Louie [R-TX-1]	R · TX		Sep 8, 2016
Rep. Labrador, Raul R. [R-ID-1]	R · ID		Sep 8, 2016
Rep. Abraham, Ralph Lee [R-LA-5]	R · LA		Sep 12, 2016
Rep. Brooks, Mo [R-AL-5]	R · AL		Sep 12, 2016
Rep. Duffy, Sean P. [R-WI-7]	R · WI		Sep 12, 2016
Rep. Hice, Jody B. [R-GA-10]	R · GA		Sep 12, 2016
Rep. Huelskamp, Tim [R-KS-1]	R · KS		Sep 12, 2016
Rep. Hultgren, Randy [R-IL-14]	R · IL		Sep 12, 2016
Rep. Kelly, Mike [R-PA-3]	R · PA		Sep 12, 2016
Rep. LaMalfa, Doug [R-CA-1]	R · CA		Sep 12, 2016
Rep. Posey, Bill [R-FL-8]	R · FL		Sep 12, 2016
Rep. Black, Diane [R-TN-6]	R · TN		Sep 13, 2016
Rep. Emmer, Tom [R-MN-6]	R · MN		Sep 13, 2016
Rep. Graves, Sam [R-MO-6]	R · MO		Sep 13, 2016
Rep. Griffith, H. Morgan [R-VA-9]	R · VA		Sep 13, 2016
Rep. Grothman, Glenn [R-WI-6]	R · WI		Sep 13, 2016
Rep. Jenkins, Evan H. [R-WV-3]	R · WV		Sep 13, 2016
Rep. McClintock, Tom [R-CA-4]	R · CA		Sep 13, 2016
Rep. Newhouse, Dan [R-WA-4]	R · WA		Sep 13, 2016
Rep. Rokita, Todd [R-IN-4]	R · IN		Sep 13, 2016
Rep. Wagner, Ann [R-MO-2]	R · MO		Sep 13, 2016

## Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Sep 22, 2016
Judiciary Committee	House	Hearings By (subcommittee)	Nov 3, 2015

## Subjects & Policy Tags

### Policy Area:

Government Operations and Politics

## Related Bills

Bill	Relationship	Last Action
114 HRES 875	Procedurally related	Sep 21, 2016: Motion to reconsider laid on the table Agreed to without objection.
114 S 1927	Identical bill	Aug 4, 2015: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

## Summary (as of Sep 21, 2016)

(This measure has not been amended since it was reported to the House on September 13, 2016. The summary of that version is repeated here.)

### Require Evaluation before Implementing Executive Wishlists Act of 2016 or the REVIEW Act of 2016

(Sec. 2) This bill prohibits a final agency rule from being published or taking effect until the agency submits the rule to the Office of Information and Regulatory Affairs (OIRA) and the OIRA makes a determination as to whether the rule is a high-impact rule. The agency shall publish such determination with the final rule.

An agency shall postpone the effective date of a high-impact rule until the final disposition of all actions seeking judicial review of the rule.

If no person seeks judicial review of a high-impact rule during any period explicitly provided for such review under the authorizing statute or during the 60-day period after the rule is published if no such period is explicitly provided, the rule may take effect as early as the date the applicable period ends.

The bill defines a "high-impact rule" as any rule that the OIRA determines may impose an annual cost on the economy of at least \$1 billion.

## Actions Timeline

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- **Sep 22, 2016:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Sep 21, 2016:** Considered under the provisions of rule H. Res. 875. (consideration: CR H5755-5764)
- **Sep 21, 2016:** Rule provides for consideration of H.R. 3438 and H.R. 5719. The resolution provides for one hour of general debate on H.R. 3438 and H.R. 5719. The resolution provides that it shall be in order at any time on the legislative day of September 22, 2016 or September 23, 2016, for the Speaker to entertain motions that the House suspend the rules.
- **Sep 21, 2016:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 875 and Rule XVIII.
- **Sep 21, 2016:** The Speaker designated the Honorable Michael K. Simpson to act as Chairman of the Committee.
- **Sep 21, 2016:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3438.
- **Sep 21, 2016:** DEBATE - Pursuant to the provisions of H. Res. 875, the Committee of the Whole proceeded with 10 minutes of debate on the Cicilline amendment No. 1.
- **Sep 21, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Cicilline amendment No. 1, the Chair put the question on 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 agreeing to the amendment until a time to be announced.
- **Sep 21, 2016:** DEBATE - Pursuant to the provisions of H. Res. 875, the Committee of the Whole proceeded with 10 minutes of debate on the DelBene amendment No. 2.
- **Sep 21, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the DelBene amendment No. 2, the Chair put the question on the amendment and by voice vote, announced that the ayes had prevailed. Mr. Marino demanded a recorded vote and the Chair postponed further proceedings on agreeing to the amendment until a time to be announced.
- **Sep 21, 2016:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was on adoption of amendments, which were debated earlier and on which further proceedings had been postponed.
- **Sep 21, 2016:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3438.
- **Sep 21, 2016:** The previous question was ordered pursuant to the rule. (consideration: CR H5762)
- **Sep 21, 2016:** Mr. Thompson (MS) moved to recommit with instructions to the Committee on the Judiciary. (consideration: CR H5762-5763; text: CR H5762)
- **Sep 21, 2016:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Thompson (MS) 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 to add an exception for rules to decrease the vulnerability of the public to a terrorist attack.
- **Sep 21, 2016:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Sep 21, 2016:** On motion to recommit with instructions Failed by recorded vote: 182 - 240 (Roll no. 534).
- **Sep 21, 2016:** Passed/agreed to in House: On passage Passed by recorded vote: 244 - 180 (Roll no. 535). (text of amendment in the nature of a substitute: CR H5758)
- **Sep 21, 2016:** On passage Passed by recorded vote: 244 - 180 (Roll no. 535). (text of amendment in the nature of a substitute: CR H5758)
- **Sep 21, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 20, 2016:** Rules Committee Resolution H. Res. 875 Reported to House. Rule provides for consideration of H.R. 3438 and H.R. 5719. The resolution provides for one hour of general debate on H.R. 3438 and H.R. 5719. The resolution provides that it shall be in order at any time on the legislative day of September 22, 2016 or September 23, 2016, for the Speaker to entertain motions that the House suspend the rules.
- **Sep 13, 2016:** Reported (Amended) by the Committee on Judiciary. H. Rept. 114-743.
- **Sep 13, 2016:** Placed on the Union Calendar, Calendar No. 577.
- **Nov 3, 2015:** Subcommittee Hearings Held.
- **Sep 28, 2015:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **Aug 4, 2015:** Introduced in House
- **Aug 4, 2015:** Referred to the House Committee on the Judiciary.