

HR 4612

Midnight Rule Relief Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Feb 25, 2016

Current Status: Placed on the Union Calendar, Calendar No. 480.

Latest Action: Placed on the Union Calendar, Calendar No. 480. (Jun 10, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/4612>

Sponsor

Name: Rep. Walberg, Tim [R-MI-7]

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

Cosponsors (29 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Blum, Rod [R-IA-1]	R · IA		Feb 25, 2016
Rep. DeSantis, Ron [R-FL-6]	R · FL		Feb 25, 2016
Rep. Farenthold, Blake [R-TX-27]	R · TX		Feb 25, 2016
Rep. Gosar, Paul A. [R-AZ-4]	R · AZ		Feb 25, 2016
Rep. Hice, Jody B. [R-GA-10]	R · GA		Feb 25, 2016
Rep. Jenkins, Lynn [R-KS-2]	R · KS		Feb 25, 2016
Rep. Lummis, Cynthia M. [R-WY-At Large]	R · WY		Feb 25, 2016
Rep. Miller, Candice S. [R-MI-10]	R · MI		Feb 25, 2016
Rep. Mulvaney, Mick [R-SC-5]	R · SC		Feb 25, 2016
Rep. Ribble, Reid J. [R-WI-8]	R · WI		Feb 25, 2016
Rep. Smith, Lamar [R-TX-21]	R · TX		Feb 25, 2016
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Feb 29, 2016
Rep. Huizenga, Bill [R-MI-2]	R · MI		Feb 29, 2016
Rep. King, Steve [R-IA-4]	R · IA		Feb 29, 2016
Rep. Walker, Mark [R-NC-6]	R · NC		Feb 29, 2016
Rep. Brat, Dave [R-VA-7]	R · VA		Mar 1, 2016
Rep. Cramer, Kevin [R-ND-At Large]	R · ND		Mar 1, 2016
Rep. LaMalfa, Doug [R-CA-1]	R · CA		Mar 1, 2016
Rep. McSally, Martha [R-AZ-2]	R · AZ		Mar 2, 2016
Rep. Palazzo, Steven M. [R-MS-4]	R · MS		Mar 2, 2016
Rep. Grothman, Glenn [R-WI-6]	R · WI		Mar 7, 2016
Rep. Babin, Brian [R-TX-36]	R · TX		Mar 14, 2016
Rep. Hensarling, Jeb [R-TX-5]	R · TX		Mar 14, 2016
Rep. Rouzer, David [R-NC-7]	R · NC		Mar 14, 2016
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		Mar 21, 2016
Rep. Bishop, Mike [R-MI-8]	R · MI		Apr 12, 2016
Rep. Chabot, Steve [R-OH-1]	R · OH		Apr 12, 2016
Rep. Barletta, Lou [R-PA-11]	R · PA		Apr 15, 2016
Rep. Mullin, Markwayne [R-OK-2]	R · OK		Jun 7, 2016

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Apr 1, 2016
Oversight and Government Reform Committee	House	Reported By	Jun 10, 2016

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
114 HR 4361	Related bill	Jul 7, 2016: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
114 S 2582	Related bill	Feb 25, 2016: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Summary (as of Jun 10, 2016)

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Midnight Rule Relief Act of 2016

(Sec. 2) This bill prohibits a federal agency (excluding the Federal Election Commission, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, or the U.S. Postal Service) from proposing or finalizing any midnight rule unless the Office of Information and Regulatory Affairs (OIRA) of the Office of Management and Budget finds that it will not result in: (1) an annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices; (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete internationally; or (4) a significant economic impact on a substantial number of small businesses.

The bill defines "midnight rule" as an agency statement of general applicability and future effect that is issued during the moratorium period, that is intended to have the force and effect of law, and that is designed to: (1) implement, interpret, or prescribe law or policy; or (2) describe the procedure or practice requirements of an agency. The "moratorium period" begins on the day after the Tuesday next after the first Monday in November in every fourth year succeeding a presidential election and extends through January 20 of the following year in which a President is not serving a consecutive term.

(Sec. 3) Such prohibition shall not apply to any deadline for, relating to, or involving any midnight rule that: (1) was established before the beginning of the moratorium period, and (2) is required to occur during the moratorium period.

(Sec. 4) The bill exempts any midnight rule that the President determines is necessary: (1) because of an imminent threat to health or safety or other emergency, (2) to enforce criminal laws, (3) to protect U.S. national security, or (4) to implement an international trade agreement. The moratorium does not apply to a midnight rule if the OIRA finds that such rule is limited to repealing an existing rule and certifies such finding in writing.

Actions Timeline

- **Jun 10, 2016:** Reported by the Committee on Oversight and Government Reform. H. Rept. 114-618, Part I.
- **Jun 10, 2016:** Committee on the Judiciary discharged.
- **Jun 10, 2016:** Placed on the Union Calendar, Calendar No. 480.
- **Apr 1, 2016:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **Mar 1, 2016:** Committee Consideration and Mark-up Session Held.
- **Mar 1, 2016:** Ordered to be Reported (Amended) by the Yeas and Nays: 20 - 17.
- **Feb 25, 2016:** Introduced in House
- **Feb 25, 2016:** 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.