

HR 4768

Separation of Powers Restoration Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Mar 16, 2016

Current Status: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Jul 13, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/4768>

Sponsor

Name: Rep. Ratcliffe, John [R-TX-4]

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

Cosponsors (113 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Babin, Brian [R-TX-36]	R · TX		Mar 16, 2016
Rep. Bishop, Mike [R-MI-8]	R · MI		Mar 16, 2016
Rep. Brat, Dave [R-VA-7]	R · VA		Mar 16, 2016
Rep. Brooks, Mo [R-AL-5]	R · AL		Mar 16, 2016
Rep. Buck, Ken [R-CO-4]	R · CO		Mar 16, 2016
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Mar 16, 2016
Rep. Byrne, Bradley [R-AL-1]	R · AL		Mar 16, 2016
Rep. Chabot, Steve [R-OH-1]	R · OH		Mar 16, 2016
Rep. Chaffetz, Jason [R-UT-3]	R · UT		Mar 16, 2016
Rep. Collins, Doug [R-GA-9]	R · GA		Mar 16, 2016
Rep. Culberson, John Abney [R-TX-7]	R · TX		Mar 16, 2016
Rep. DeSantis, Ron [R-FL-6]	R · FL		Mar 16, 2016
Rep. Farenthold, Blake [R-TX-27]	R · TX		Mar 16, 2016
Rep. Franks, Trent [R-AZ-8]	R · AZ		Mar 16, 2016
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Mar 16, 2016
Rep. Gosar, Paul A. [R-AZ-4]	R · AZ		Mar 16, 2016
Rep. Graves, Tom [R-GA-14]	R · GA		Mar 16, 2016
Rep. Griffith, H. Morgan [R-VA-9]	R · VA		Mar 16, 2016
Rep. Hensarling, Jeb [R-TX-5]	R · TX		Mar 16, 2016
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Mar 16, 2016
Rep. Kelly, Mike [R-PA-3]	R · PA		Mar 16, 2016
Rep. King, Steve [R-IA-4]	R · IA		Mar 16, 2016
Rep. Labrador, Raul R. [R-ID-1]	R · ID		Mar 16, 2016
Rep. LaMalfa, Doug [R-CA-1]	R · CA		Mar 16, 2016
Rep. Loudermilk, Barry [R-GA-11]	R · GA		Mar 16, 2016
Rep. Love, Mia B. [R-UT-4]	R · UT		Mar 16, 2016
Rep. Lummis, Cynthia M. [R-WY-At Large]	R · WY		Mar 16, 2016
Rep. Marino, Tom [R-PA-10]	R · PA		Mar 16, 2016
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Mar 16, 2016
Rep. Messer, Luke [R-IN-6]	R · IN		Mar 16, 2016
Rep. Mullin, Markwayne [R-OK-2]	R · OK		Mar 16, 2016
Rep. Mulvaney, Mick [R-SC-5]	R · SC		Mar 16, 2016
Rep. Olson, Pete [R-TX-22]	R · TX		Mar 16, 2016
Rep. Palmer, Gary J. [R-AL-6]	R · AL		Mar 16, 2016
Rep. Renacci, James B. [R-OH-16]	R · OH		Mar 16, 2016
Rep. Rouzer, David [R-NC-7]	R · NC		Mar 16, 2016
Rep. Salmon, Matt [R-AZ-5]	R · AZ		Mar 16, 2016
Rep. Schweikert, David [R-AZ-6]	R · AZ		Mar 16, 2016
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Mar 16, 2016
Rep. Smith, Jason [R-MO-8]	R · MO		Mar 16, 2016
Rep. Smith, Lamar [R-TX-21]	R · TX		Mar 16, 2016

Cosponsor	Party / State	Role	Date Joined
Rep. Trott, David A. [R-MI-11]	R · MI		Mar 16, 2016
Rep. Walker, Mark [R-NC-6]	R · NC		Mar 16, 2016
Rep. Westerman, Bruce [R-AR-4]	R · AR		Mar 16, 2016
Rep. Yoho, Ted S. [R-FL-3]	R · FL		Mar 16, 2016
Rep. Hice, Jody B. [R-GA-10]	R · GA		Mar 17, 2016
Rep. Allen, Rick W. [R-GA-12]	R · GA		Mar 23, 2016
Rep. Amodei, Mark E. [R-NV-2]	R · NV		Mar 23, 2016
Rep. Bishop, Rob [R-UT-1]	R · UT		Mar 23, 2016
Rep. Brady, Kevin [R-TX-8]	R · TX		Mar 23, 2016
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Mar 23, 2016
Rep. Hardy, Crescent [R-NV-4]	R · NV		Mar 23, 2016
Rep. Kelly, Trent [R-MS-1]	R · MS		Mar 23, 2016
Rep. Knight, Stephen [R-CA-25]	R · CA		Mar 23, 2016
Rep. Miller, Jeff [R-FL-1]	R · FL		Mar 23, 2016
Rep. Ross, Dennis A. [R-FL-15]	R · FL		Mar 23, 2016
Rep. Walberg, Tim [R-MI-7]	R · MI		Mar 23, 2016
Rep. Rokita, Todd [R-IN-4]	R · IN		Apr 13, 2016
Rep. Stewart, Chris [R-UT-2]	R · UT		Apr 13, 2016
Rep. Price, Tom [R-GA-6]	R · GA		Apr 20, 2016
Rep. Luetkemeyer, Blaine [R-MO-3]	R · MO		Apr 25, 2016
Rep. Meadows, Mark [R-NC-11]	R · NC		Apr 25, 2016
Rep. Lamborn, Doug [R-CO-5]	R · CO		May 10, 2016
Rep. McCaul, Michael T. [R-TX-10]	R · TX		May 10, 2016
Rep. Posey, Bill [R-FL-8]	R · FL		May 10, 2016
Rep. Gibbs, Bob [R-OH-7]	R · OH		May 11, 2016
Rep. Poe, Ted [R-TX-2]	R · TX		May 11, 2016
Rep. Ribble, Reid J. [R-WI-8]	R · WI		May 11, 2016
Rep. Walters, Mimi [R-CA-45]	R · CA		May 11, 2016
Rep. Weber, Randy K., Sr. [R-TX-14]	R · TX		May 11, 2016
Rep. Hurd, Will [R-TX-23]	R · TX		May 12, 2016
Rep. Johnson, Sam [R-TX-3]	R · TX		May 12, 2016
Rep. Marchant, Kenny [R-TX-24]	R · TX		May 12, 2016
Rep. McClintock, Tom [R-CA-4]	R · CA		May 12, 2016
Rep. Rigell, E. Scott [R-VA-2]	R · VA		May 12, 2016
Rep. Sessions, Pete [R-TX-32]	R · TX		May 12, 2016
Rep. Davis, Rodney [R-IL-13]	R · IL		May 13, 2016
Rep. Duncan, Jeff [R-SC-3]	R · SC		May 13, 2016
Rep. Guinta, Frank C. [R-NH-1]	R · NH		May 13, 2016
Rep. McHenry, Patrick T. [R-NC-10]	R · NC		May 13, 2016
Rep. Barr, Andy [R-KY-6]	R · KY		May 17, 2016
Rep. Fincher, Stephen Lee [R-TN-8]	R · TN		May 17, 2016
Rep. Gohmert, Louie [R-TX-1]	R · TX		May 17, 2016

Cosponsor	Party / State	Role	Date Joined
Rep. Jordan, Jim [R-OH-4]	R · OH		May 17, 2016
Rep. Black, Diane [R-TN-6]	R · TN		May 18, 2016
Rep. Bridenstine, Jim [R-OK-1]	R · OK		May 18, 2016
Rep. DesJarlais, Scott [R-TN-4]	R · TN		May 18, 2016
Rep. Flores, Bill [R-TX-17]	R · TX		May 18, 2016
Rep. Garrett, Scott [R-NJ-5]	R · NJ		May 18, 2016
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		May 18, 2016
Rep. Gowdy, Trey [R-SC-4]	R · SC		May 19, 2016
Rep. Holding, George [R-NC-13]	R · NC		May 19, 2016
Rep. Neugebauer, Randy [R-TX-19]	R · TX		May 19, 2016
Rep. Shimkus, John [R-IL-15]	R · IL		May 19, 2016
Rep. Williams, Roger [R-TX-25]	R · TX		May 19, 2016
Rep. Yoder, Kevin [R-KS-3]	R · KS		May 19, 2016
Rep. Carter, John R. [R-TX-31]	R · TX		May 23, 2016
Rep. Graves, Garret [R-LA-6]	R · LA		May 23, 2016
Rep. Hill, J. French [R-AR-2]	R · AR		May 23, 2016
Rep. Tipton, Scott R. [R-CO-3]	R · CO		May 23, 2016
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		May 25, 2016
Rep. Emmer, Tom [R-MN-6]	R · MN		Jun 7, 2016
Rep. Huelskamp, Tim [R-KS-1]	R · KS		Jun 7, 2016
Rep. Huizenga, Bill [R-MI-2]	R · MI		Jun 7, 2016
Rep. LaHood, Darin [R-IL-18]	R · IL		Jun 7, 2016
Rep. Pearce, Stevan [R-NM-2]	R · NM		Jun 7, 2016
Rep. Pittenger, Robert [R-NC-9]	R · NC		Jun 7, 2016
Rep. Cramer, Kevin [R-ND-At Large]	R · ND		Jun 8, 2016
Rep. Roe, David P. [R-TN-1]	R · TN		Jun 8, 2016
Rep. Scott, Austin [R-GA-8]	R · GA		Jun 8, 2016
Rep. Wagner, Ann [R-MO-2]	R · MO		Jun 8, 2016
Rep. Hudson, Richard [R-NC-8]	R · NC		Jun 9, 2016
Rep. Rothfus, Keith J. [R-PA-12]	R · PA		Jun 9, 2016

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Hearings By (subcommittee)	May 17, 2016
Judiciary Committee	Senate	Referred To	Jul 13, 2016

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
114 HRES 796	Procedurally related	Jul 5, 2016: Motion to reconsider laid on the table Agreed to without objection.
114 S 2724	Identical bill	Mar 17, 2016: Read twice and referred to the Committee on the Judiciary.

Summary (as of Jul 12, 2016)

(This measure has not been amended since it was reported to the House on June 14, 2016. The summary of that version is repeated here.)

Separation of Powers Restoration Act of 2016

This bill modifies the scope of judicial review of agency actions to authorize courts reviewing agency actions to decide de novo (without giving deference to the agency's interpretation) all relevant questions of law, including the interpretation of: (1) constitutional and statutory provisions, and (2) rules made by agencies.

No law may exempt such a civil action from the application of the amendments made by this bill except by specific reference to these provisions.

Actions Timeline

- **Jul 13, 2016:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Jul 12, 2016:** Considered as unfinished business. (consideration: CR H4690-4695)
- **Jul 12, 2016:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jul 12, 2016:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 4768.
- **Jul 12, 2016:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union.
- **Jul 12, 2016:** Mr. Keating moved to recommit with instructions to the Committee on the Judiciary. (consideration: CR H4693-4695; text: CR H4693)
- **Jul 12, 2016:** DEBATE - The House proceeded with 10 minutes of the 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 a section titled "Excepted Rules Regarding the Prevention of Firearms Transfers to Criminals and Suspected Terrorists".
- **Jul 12, 2016:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Jul 12, 2016:** On motion to recommit with instructions Failed by the Yeas and Nays: 169 - 236 (Roll no. 415).
- **Jul 12, 2016:** Passed/agreed to in House: On passage Passed by recorded vote: 240 - 171 (Roll no. 416).
- **Jul 12, 2016:** On passage Passed by recorded vote: 240 - 171 (Roll no. 416).
- **Jul 12, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 12, 2016:** The title of the measure was amended. Agreed to without objection.
- **Jul 11, 2016:** Considered under the provisions of rule H. Res. 796. (consideration: CR H4615-4622)
- **Jul 11, 2016:** Rule provides for consideration of H.R. 4768 with 1 hour of general debate. Motion to recommit with or without instructions allowed.
- **Jul 11, 2016:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 796 and Rule XVIII.
- **Jul 11, 2016:** The Speaker designated the Honorable E. Scott Rigell to act as Chairman of the Committee.
- **Jul 11, 2016:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 4768.
- **Jul 11, 2016:** Considered as unfinished business. (consideration: CR H4651-4657; text of measure as reported in House: CR H4652)
- **Jul 11, 2016:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jul 11, 2016:** DEBATE - Pursuant to the provisions of H. Res. 796, the Committee of the Whole proceeded with 10 minutes of debate on the Johnson (GA) amendment No. 1.
- **Jul 11, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Johnson (GA) amendment No. 1, 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.
- **Jul 11, 2016:** DEBATE - Pursuant to the provisions of H. Res. 796, the Committee of the Whole proceeded with 10 minutes of debate on the Johnson (GA) amendment No. 2.
- **Jul 11, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Johnson (GA) amendment No. 2, 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.
- **Jul 11, 2016:** DEBATE - Pursuant to the provisions of H. Res. 796, the Committee of the Whole proceeded with 10 minutes of debate on the Meeks amendment No. 3.
- **Jul 11, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Meeks amendment No. 3, the Chair put the question on adoption of the amendment and by voice vote announced that the noes had prevailed. Mr. Meeks demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 11, 2016:** DEBATE - Pursuant to the provisions of H. Res. 796, the Committee of the Whole proceeded with 10 minutes of debate on the Johnson (GA) amendment No. 4.
- **Jul 11, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Johnson (GA) amendment No. 4, 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.

- **Jul 11, 2016:** UNANIMOUS CONSENT REQUEST - Mr. Johnson (GA) asked unanimous consent that the request for a recorded vote on amendment No. 2 be withdrawn to the end that the amendment stand disposed of by the voice vote. Agreed to without objection.
- **Jul 11, 2016:** DEBATE - Pursuant to the provisions of H. Res. 796, the Committee of the Whole proceeded with 10 minutes of debate on the Johnson (GA) amendment No. 5.
- **Jul 11, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Johnson (GA) amendment No. 5, 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.
- **Jul 11, 2016:** Mr. Cartwright moved that the committee rise.
- **Jul 11, 2016:** On motion that the committee rise Agreed to by voice vote.
- **Jul 11, 2016:** Committee of the Whole House on the state of the Union rises leaving H.R. 4768 as unfinished business.
- **Jul 5, 2016:** Rule H. Res. 796 passed House.
- **Jun 23, 2016:** Rules Committee Resolution H. Res. 796 Reported to House. Rule provides for consideration of H.R. 4768 with 1 hour of general debate. Motion to recommit with or without instructions allowed.
- **Jun 14, 2016:** Reported (Amended) by the Committee on Judiciary. H. Rept. 114-622.
- **Jun 14, 2016:** Placed on the Union Calendar, Calendar No. 483.
- **Jun 8, 2016:** Committee Consideration and Mark-up Session Held.
- **Jun 8, 2016:** Ordered to be Reported (Amended) by the Yeas and Nays: 12 - 8.
- **May 17, 2016:** Subcommittee Hearings Held.
- **Apr 1, 2016:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **Mar 16, 2016:** Introduced in House
- **Mar 16, 2016:** Referred to the House Committee on the Judiciary.