

HR 5377

To amend title 5, United States Code, to include guidance documents in the congressional review process of agency rulemaking.

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: May 27, 2016

Current Status: Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.

Latest Action: Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law. (Jun 10, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/5377>

Sponsor

Name: Rep. Salmon, Matt [R-AZ-5]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Jun 10, 2016

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

No related bills are listed.

This bill requires guidance documents of federal agencies to be considered rules that are subject to the congressional review process, which Congress can use to overturn certain agency actions through a joint resolution of disapproval. "Guidance document" is defined as a statement of general applicability and future effect, other than a regulatory action, issued by a federal agency that sets forth: (1) a policy on a statutory, regulatory, or technical issue; or (2) an interpretation of a statutory or regulatory issue.

Significant guidance documents are subject to review as major rules, which delays their effective date and requires the Government Accountability Office to review the agency's compliance with the regulatory process. A "significant guidance document" is a guidance document disseminated to regulated entities or the general public that may reasonably be anticipated to: (1) lead to an annual effect of at least \$100 million or adversely affect in a material way the economy, a sector of the economy, productivity, competition, employment, the environment, public health or safety, or state, local, or tribal governments or communities; (2) create a serious inconsistency, or otherwise interfere, with an action taken or planned by another federal agency; (3) materially alter the budgetary impact of any entitlement, grant, user fees, or loan programs or the rights or obligations of recipients; or (4) raise novel legal or policy issues arising out of legal mandates.

A guidance document is not considered to be significant if it: (1) concerns regulations issued in accordance with administrative procedures for rules required by statute to be made on record after opportunity for an agency hearing; (2) pertains to a U.S. military or foreign affairs function other than procurement regulations and regulations involving the import or export of non-defense articles and services; (3) concerns regulations that are limited to the organization, management, or personnel matters of a federal agency; or (4) belongs to a category of guidance documents exempted by the Office of Information and Regulatory Affairs.

Actions Timeline

- **Jun 10, 2016:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **May 27, 2016:** Introduced in House
- **May 27, 2016:** Referred to the House Committee on the Judiciary.