

HJRES 88

Disapproving the rule submitted by the Department of Labor relating to the definition of the term "Fiduciary".

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Apr 19, 2016

Current Status: Motion to refer the bill and accompanying veto message to the Committee on Education and the Workfor

Latest Action: Motion to refer the bill and accompanying veto message to the Committee on Education and the Workforce. The Chair directed the Clerk to notify the Senate of the action of the House. (Jun 22, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-joint-resolution/88>

Sponsor

Name: Rep. Roe, David P. [R-TN-1]

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

Cosponsors (30 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Boustany, Charles W., Jr. [R-LA-3]	R · LA		Apr 19, 2016
Rep. Wagner, Ann [R-MO-2]	R · MO		Apr 19, 2016
Rep. Byrne, Bradley [R-AL-1]	R · AL		Apr 20, 2016
Rep. Collins, Chris [R-NY-27]	R · NY		Apr 20, 2016
Rep. Foxx, Virginia [R-NC-5]	R · NC		Apr 20, 2016
Rep. Guinta, Frank C. [R-NH-1]	R · NH		Apr 20, 2016
Rep. Hill, J. French [R-AR-2]	R · AR		Apr 20, 2016
Rep. Jenkins, Lynn [R-KS-2]	R · KS		Apr 20, 2016
Rep. Jolly, David W. [R-FL-13]	R · FL		Apr 20, 2016
Rep. Kline, John [R-MN-2]	R · MN		Apr 20, 2016
Rep. Messer, Luke [R-IN-6]	R · IN		Apr 20, 2016
Rep. Mullin, Markwayne [R-OK-2]	R · OK		Apr 20, 2016
Rep. Rokita, Todd [R-IN-4]	R · IN		Apr 20, 2016
Rep. Sessions, Pete [R-TX-32]	R · TX		Apr 20, 2016
Rep. Walters, Mimi [R-CA-45]	R · CA		Apr 20, 2016
Rep. Wilson, Joe [R-SC-2]	R · SC		Apr 20, 2016
Rep. Black, Diane [R-TN-6]	R · TN		Apr 21, 2016
Rep. Allen, Rick W. [R-GA-12]	R · GA		Apr 26, 2016
Rep. Brat, Dave [R-VA-7]	R · VA		Apr 26, 2016
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		Apr 26, 2016
Rep. Cramer, Kevin [R-ND-At Large]	R · ND		Apr 26, 2016
Rep. Grothman, Glenn [R-WI-6]	R · WI		Apr 26, 2016
Rep. Guthrie, Brett [R-KY-2]	R · KY		Apr 26, 2016
Rep. Heck, Joseph J. [R-NV-3]	R · NV		Apr 26, 2016
Rep. Knight, Stephen [R-CA-25]	R · CA		Apr 26, 2016
Rep. Latta, Robert E. [R-OH-5]	R · OH		Apr 26, 2016
Rep. Loudermilk, Barry [R-GA-11]	R · GA		Apr 26, 2016
Rep. MacArthur, Thomas [R-NJ-3]	R · NJ		Apr 26, 2016
Rep. Smith, Lamar [R-TX-21]	R · TX		Apr 26, 2016
Rep. Thompson, Glenn [R-PA-5]	R · PA		Apr 26, 2016

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Reported By	Apr 26, 2016
Ways and Means Committee	House	Discharged From	Apr 26, 2016

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
114 HJRES 95	Related bill	Jun 16, 2016: Referred to the House Committee on Education and the Workforce.
114 HRES 706	Procedurally related	Apr 28, 2016: Motion to reconsider laid on the table Agreed to without objection.
114 SJRES 33	Related bill	Apr 18, 2016: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Summary (as of May 24, 2016)

(This measure has not been amended since it was introduced. The summary of that version is repeated here.)

This joint resolution disapproves and nullifies a Department of Labor rule published on April 8, 2016, relating to the definition of the term "fiduciary" and the conflict of interest rule with respect to retirement investment advice.

(The rule defines who is a fiduciary with respect to pension and retirement plans. Under current law, a person who provides investment advice has a fiduciary obligation that requires the person to provide advice in the sole interest of plan participants and beneficiaries. The rule changes the definition of "investment advice" to treat people who provide investment advice to pension and retirement plans for a fee or other compensation as fiduciaries in a wider array of advice relationships.)

Actions Timeline

- **Jun 22, 2016:** The Chair announced the unfinished business to be the consideration of the veto.
- **Jun 22, 2016:** Pursuant to the order of the House of June 8, 2016, the unfinished business is the further consideration of the veto message of the President on House Joint Resolution 88. (consideration: CR H4125-4126)
- **Jun 22, 2016:** DEBATE - The House proceeded with one hour of debate on the question of passage of H.J. Res. 88, the objections of the President to the contrary, notwithstanding.
- **Jun 22, 2016:** The previous question on the motion to refer the bill and Agreed to by recorded vote: 229 - 175, 2 Present (Roll no. 337). (consideration: CR H4125)
- **Jun 22, 2016:** Failed of passage in House over veto: On passage, the objections of the President to the contrary notwithstanding Failed by the Yeas and Nays: (2/3 required): 239 - 180 (Roll no. 338).
- **Jun 22, 2016:** On passage, the objections of the President to the contrary notwithstanding Failed by the Yeas and Nays: (2/3 required): 239 - 180 (Roll no. 338).
- **Jun 22, 2016:** Motion to refer the bill and accompanying veto message to the Committee on Education and the Workforce. The Chair directed the Clerk to notify the Senate of the action of the House.
- **Jun 8, 2016:** POSTPONED PROCEEDINGS ON VETO MESSAGE - Mr. Sessions asked unanimous consent that when a veto message on House Joint Resolution 88 is laid before the House on the legislative day of June 8, 2016, after the message is read and the objections of the President are spread at large upon the Journal, further consideration of the veto message and the joint resolution shall be postponed until the legislative day of Wednesday, June 22, 2016; and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion. Agreed to without objection.
- **Jun 8, 2016:** Vetoed by President.
- **Jun 8, 2016:** The Chair laid before the House the veto message from the President. (consideration: CR H3537-3538)
- **Jun 8, 2016:** The Chair announced that the objections of the President to H.J.Res. 88 would be spread at large upon the Journal and the veto message would be printed as a House document (114-140).
- **Jun 8, 2016:** POSTPONED CONSIDERATION OF VETO MESSAGE - Pursuant to a previous order of the House, the Chair announced that further consideration of the veto message on H.J. Res. 88 shall be postponed until the legislative day of Wednesday, June 22, 2016; and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.
- **Jun 7, 2016:** Presented to President.
- **May 24, 2016:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S3065; text: CR S3065)
- **May 24, 2016:** Motion to proceed to consideration of measure agreed to in Senate by Voice Vote. (consideration: CR S3065)
- **May 24, 2016:** Measure laid before Senate by motion. (consideration: CR S3065-3084)
- **May 24, 2016:** Passed/agreed to in Senate: Passed Senate without amendment by Yea-Nay Vote. 56 - 41. Record Vote Number: 84.
- **May 24, 2016:** Passed Senate without amendment by Yea-Nay Vote. 56 - 41. Record Vote Number: 84.
- **May 24, 2016:** Message on Senate action sent to the House.
- **May 9, 2016:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 460.
- **Apr 28, 2016:** Rule H. Res. 706 passed House.
- **Apr 28, 2016:** Considered under the provisions of rule H. Res. 706. (consideration: CR H2081-2093)
- **Apr 28, 2016:** Resolution provides for consideration of H.R. 4901 and H.J. Res. 88.
- **Apr 28, 2016:** DEBATE - The House proceeded with one hour of debate on H.J. Res. 88.
- **Apr 28, 2016:** The previous question was ordered pursuant to the rule. (consideration: CR H2092)
- **Apr 28, 2016:** POSTPONED PROCEEDINGS - At the conclusion of debate on H.J.Res. 88, the Chair put the question on passage of the bill and by voice vote, announced that the ayes had prevailed. Mr. Scott (VA) demanded the yeas and nays and the Chair postponed further proceedings on passage of H.J.Res 88 until later in the legislative day.
- **Apr 28, 2016:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 234 - 183 (Roll no. 176).(text: CR H2081)
- **Apr 28, 2016:** On passage Passed by the Yeas and Nays: 234 - 183 (Roll no. 176). (text: CR H2081)
- **Apr 28, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 27, 2016:** Rules Committee Resolution H. Res. 706 Reported to House. Resolution provides for consideration of

H.R. 4901 and H.J. Res. 88.

- **Apr 26, 2016:** Reported by the Committee on Education and the Workforce. H. Rept. 114-527, Part I.
- **Apr 26, 2016:** Committee on Ways and Means discharged.
- **Apr 26, 2016:** Placed on the Union Calendar, Calendar No. 407.
- **Apr 21, 2016:** Committee Consideration and Mark-up Session Held.
- **Apr 21, 2016:** Ordered to be Reported by the Yeas and Nays: 22 - 14.
- **Apr 19, 2016:** Introduced in House
- **Apr 19, 2016:** Referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, 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.