

## S 21

Regulations from the Executive in Need of Scrutiny Act of 2017

**Congress:** 115 (2017–2019, Ended)

**Chamber:** Senate

**Policy Area:** Government Operations and Politics

**Introduced:** Jan 4, 2017

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 239.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 239. (Oct 16, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/senate-bill/21>

### Sponsor

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**Name:** Sen. Paul, Rand [R-KY]

**Party:** Republican • **State:** KY • **Chamber:** Senate

**Cosponsors** (39 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Barrasso, John [R-WY]	R · WY		Jan 4, 2017
Sen. Blunt, Roy [R-MO]	R · MO		Jan 4, 2017
Sen. Boozman, John [R-AR]	R · AR		Jan 4, 2017
Sen. Capito, Shelley Moore [R-WV]	R · WV		Jan 4, 2017
Sen. Cassidy, Bill [R-LA]	R · LA		Jan 4, 2017
Sen. Cotton, Tom [R-AR]	R · AR		Jan 4, 2017
Sen. Crapo, Mike [R-ID]	R · ID		Jan 4, 2017
Sen. Cruz, Ted [R-TX]	R · TX		Jan 4, 2017
Sen. Daines, Steve [R-MT]	R · MT		Jan 4, 2017
Sen. Enzi, Michael B. [R-WY]	R · WY		Jan 4, 2017
Sen. Ernst, Joni [R-IA]	R · IA		Jan 4, 2017
Sen. Fischer, Deb [R-NE]	R · NE		Jan 4, 2017
Sen. Gardner, Cory [R-CO]	R · CO		Jan 4, 2017
Sen. Grassley, Chuck [R-IA]	R · IA		Jan 4, 2017
Sen. Heller, Dean [R-NV]	R · NV		Jan 4, 2017
Sen. Inhofe, James M. [R-OK]	R · OK		Jan 4, 2017
Sen. Johnson, Ron [R-WI]	R · WI		Jan 4, 2017
Sen. Lee, Mike [R-UT]	R · UT		Jan 4, 2017
Sen. McCain, John [R-AZ]	R · AZ		Jan 4, 2017
Sen. Moran, Jerry [R-KS]	R · KS		Jan 4, 2017
Sen. Roberts, Pat [R-KS]	R · KS		Jan 4, 2017
Sen. Rounds, Mike [R-SD]	R · SD		Jan 4, 2017
Sen. Sasse, Ben [R-NE]	R · NE		Jan 4, 2017
Sen. Scott, Tim [R-SC]	R · SC		Jan 4, 2017
Sen. Sullivan, Dan [R-AK]	R · AK		Jan 4, 2017
Sen. Thune, John [R-SD]	R · SD		Jan 4, 2017
Sen. Young, Todd [R-IN]	R · IN		Jan 4, 2017
Sen. Cornyn, John [R-TX]	R · TX		Jan 5, 2017
Sen. Wicker, Roger F. [R-MS]	R · MS		Jan 5, 2017
Sen. Risch, James E. [R-ID]	R · ID		Jan 12, 2017
Sen. Flake, Jeff [R-AZ]	R · AZ		Jan 24, 2017
Sen. Perdue, David [R-GA]	R · GA		Jan 24, 2017
Sen. Portman, Rob [R-OH]	R · OH		Jan 24, 2017
Sen. Kennedy, John [R-LA]	R · LA		Feb 7, 2017
Sen. Isakson, Johnny [R-GA]	R · GA		Feb 17, 2017
Sen. Rubio, Marco [R-FL]	R · FL		Jun 12, 2017
Sen. Strange, Luther [R-AL]	R · AL		Jun 20, 2017
Sen. Toomey, Patrick [R-PA]	R · PA		Oct 17, 2017
Sen. Hyde-Smith, Cindy [R-MS]	R · MS		Jul 17, 2018

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Reported By	Oct 16, 2017

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
115 HR 6147	Related bill	Sep 7, 2018: Message on Senate action sent to the House.
115 HR 3442	Related bill	Sep 6, 2017: Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
115 HR 26	Related bill	Mar 29, 2017: Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 115-21.

## Regulations from the Executive in Need of Scrutiny Act of 2017

This bill revises provisions relating to congressional review of agency rulemaking. A federal agency promulgating a rule must publish information about the rule in the Federal Register and include in its report to Congress and to the Government Accountability Office: (1) a classification of the rule as a major or nonmajor rule, and (2) a copy of the cost-benefit analysis of the rule that includes an analysis of any jobs added or lost.

A "major rule" is any rule that the Office of Information and Regulatory Affairs of the Office of Management and Budget finds results in: (1) an annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

A joint resolution of approval must be enacted within 70 session days or legislative days after the agency proposing a major rule submits its report on such rule to Congress in order for the rule to take effect. A major rule may take effect for 90 days without such approval if the President determines it is necessary because of an imminent threat to health or safety or other emergency, for the enforcement of criminal laws, for national security, or to implement an international trade agreement.

The bill sets forth the congressional approval procedure for major rules and the congressional disapproval procedure for nonmajor rules.

A joint resolution addressing a report classifying a rule as a major rule must be introduced within three legislative days in the House of Representative and three session days in the Senate. The bill prohibits any amendments to, and provides for expedited consideration of, such a joint resolution.

A court may review whether an agency has completed the necessary requirements under this bill for a rule to take effect. The bill limits the effect of a joint resolution of approval of a major rule.

The Balanced Budget and Emergency Deficit Control Act of 1985 is amended to provide that any congressional approval procedure set forth in this bill affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with this bill.

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## Actions Timeline

- **Oct 16, 2017:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Johnson with amendments. With written report No. 115-169. Minority views filed.
- **Oct 16, 2017:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 239.
- **May 17, 2017:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported without amendment favorably.
- **Jan 4, 2017:** Introduced in Senate
- **Jan 4, 2017:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.