

## HR 469

Congressional Article I Powers Strengthening Act

**Congress:** 115 (2017–2019, Ended)

**Chamber:** House

**Policy Area:** Government Operations and Politics

**Introduced:** Jan 12, 2017

**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. (Oct 26, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/house-bill/469>

### Sponsor

**Name:** Rep. Collins, Doug [R-GA-9]

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

### Cosponsors (21 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Babin, Brian [R-TX-36]	R · TX		Jan 12, 2017
Rep. Barr, Andy [R-KY-6]	R · KY		Jan 12, 2017
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		Jan 12, 2017
Rep. Chabot, Steve [R-OH-1]	R · OH		Jan 12, 2017
Rep. Cramer, Kevin [R-ND-At Large]	R · ND		Jan 12, 2017
Rep. Crawford, Eric A. "Rick" [R-AR-1]	R · AR		Jan 12, 2017
Rep. Farenthold, Blake [R-TX-27]	R · TX		Jan 12, 2017
Rep. Gohmert, Louie [R-TX-1]	R · TX		Jan 12, 2017
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Jan 12, 2017
Rep. Gosar, Paul A. [R-AZ-4]	R · AZ		Jan 12, 2017
Rep. Latta, Robert E. [R-OH-5]	R · OH		Jan 12, 2017
Rep. Marino, Tom [R-PA-10]	R · PA		Jan 12, 2017
Rep. Pearce, Stevan [R-NM-2]	R · NM		Jan 12, 2017
Rep. Smith, Lamar [R-TX-21]	R · TX		Jan 12, 2017
Rep. Tipton, Scott R. [R-CO-3]	R · CO		Jan 12, 2017
Rep. Yoho, Ted S. [R-FL-3]	R · FL		Jan 12, 2017
Rep. Coffman, Mike [R-CO-6]	R · CO		Jan 23, 2017
Rep. Smith, Jason [R-MO-8]	R · MO		Feb 13, 2017
Rep. King, Steve [R-IA-4]	R · IA		Mar 29, 2017
Rep. Budd, Ted [R-NC-13]	R · NC		Apr 25, 2017
Rep. Palmer, Gary J. [R-AL-6]	R · AL		May 24, 2017

## Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Feb 6, 2017
Judiciary Committee	Senate	Referred To	Oct 26, 2017

## Subjects & Policy Tags

### Policy Area:

Government Operations and Politics

## Related Bills

Bill	Relationship	Last Action
115 HRES 577	Related bill	<b>Oct 24, 2017:</b> Motion to reconsider laid on the table Agreed to without objection.
115 HR 1096	Related bill	<b>Oct 16, 2017:</b> Placed on the Union Calendar, Calendar No. 252.
115 HR 4070	Related bill	<b>Oct 16, 2017:</b> Referred to the House Committee on the Judiciary.
115 S 119	Related bill	<b>Jan 12, 2017:</b> Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S315-316)

## **Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2017**

This bill establishes public notice and comment procedures and motion to intervene standards for civil actions seeking to compel agency action and alleging that an agency is unlawfully withholding or unreasonably delaying an agency action, and for consent decrees or settlement agreements that require agency action, relating to a regulatory action that would affect the rights of: (1) private persons other than the person bringing the action; or (2) a state, local, or tribal government.

The bill sets forth requirements for:

- agencies against which such an action is brought to publish online, within 15 days after receipt, the notice of intent to sue and the complaint;
- courts to consider motions to intervene and allow amicus participation; and
- any settlement proceedings to include intervening parties and to be conducted pursuant to the mediation or alternative dispute resolution program of the court or by a district judge.

Agencies seeking to enter such a consent decree or settlement agreement must:

- publish, and accept and respond to public comment on, the proposed agreement or decree for 60 days before filing it with the court; and
- make available to the court the administrative record and a summary of public comments and any public hearings.

The Department of Justice, or an agency litigating a matter independently, must certify to the court its approval of such proposed: (1) consent decrees that include terms that convert into a nondiscretionary duty a discretionary authority of an agency to propose, promulgate, revise, or amend regulations, commit an agency to expend funds that have not been appropriated and budgeted or to seek a particular appropriation or budget authorization, divest an agency of discretion committed to it by statute or the Constitution, or otherwise afford any relief that the court could not enter under its own authority; or (2) settlement agreements that include terms that provide a remedy for a failure by the agency to comply with the terms of the agreement other than the revival of the civil action resolved by the agreement, interfere with the authority of an agency to revise, amend, or issue rules, or commit the agency to expend funds that have not been appropriated and budgeted or to exercise in a particular way discretion which was committed to the agency by statute or the Constitution.

Courts: (1) shall not approve such consent decrees or settlement agreements unless they allow sufficient time and procedures to comply with the Administrative Procedure Act, rulemaking statutes, and executive orders; and (2) shall grant de novo review if an agency files a motion to modify such a decree or agreement on the basis that its terms are no longer fully in the public interest due to changed facts and circumstances or the agency's obligations to fulfill other duties.

## Actions Timeline

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- **Oct 26, 2017:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Oct 25, 2017:** Considered under the provisions of rule H. Res. 577. (consideration: CR H8194-8209)
- **Oct 25, 2017:** Rule provides for consideration of H.R. 469 and H.R. 732. Measure will be considered read. Specified amendments are in order. Rule provides for one hour of general debate for H.R. 469. The rule also provides for consideration of amendments printed in part A of the report. The rule provides for one hour of general debate for H.R. 732. The rule provides for consideration of amendments printed in part B of the report.
- **Oct 25, 2017:** The Speaker designated the Honorable John J. Duncan, Jr. to act as Chairman of the Committee.
- **Oct 25, 2017:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 577 and Rule XVIII.
- **Oct 25, 2017:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 469.
- **Oct 25, 2017:** DEBATE - Pursuant to the provisions of H. Res. 577, the Committee of the Whole proceeded with 10 minutes of debate on the Collins (GA) amendment No. 1.
- **Oct 25, 2017:** DEBATE - Pursuant to the provisions of H. Res. 577, the Committee of the Whole proceeded with 10 minutes of debate on the Conyers amendment No. 2.
- **Oct 25, 2017:** DEBATE - Pursuant to the provisions of H. Res. 577, the Committee of the Whole proceeded with 10 minutes of debate on the Johnson (GA) amendment No. 3.
- **Oct 25, 2017:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Johnson (GA) amendment, 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.
- **Oct 25, 2017:** The Committee rose informally.
- **Oct 25, 2017:** Subsequently, the Committee resumed its sitting.
- **Oct 25, 2017:** DEBATE - Pursuant to the provisions of H. Res. 577, the Committee of the Whole proceeded with 10 minutes of debate on the McEachin amendment No. 4.
- **Oct 25, 2017:** POSTPONED PROCEEDINGS - At the conclusion of debate on the McEachin amendment, the Chair put the question on adoption of the amendment and by voice vote announced that the noes had prevailed. Mr. McEachin demanded a recorded vote, and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 25, 2017:** DEBATE - Pursuant to the provisions of H. Res. 577, the Committee of the Whole proceeded with 10 minutes of debate on the Cartwright amendment No. 6.
- **Oct 25, 2017:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Cartwright amendment, the Chair put the question on adoption of the amendment and by voice vote announced that the noes had prevailed. Mr. Cartwright demanded a recorded vote, and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 25, 2017:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was on adoption of amendments, which had been debated earlier and on which further proceedings had been postponed.
- **Oct 25, 2017:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 469.
- **Oct 25, 2017:** The previous question was ordered pursuant to the rule.
- **Oct 25, 2017:** 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.
- **Oct 25, 2017:** Passed/agreed to in House: On passage Passed by recorded vote: 234 - 187 (Roll no. 588).(text: CR H8199-8201)
- **Oct 25, 2017:** On passage Passed by recorded vote: 234 - 187 (Roll no. 588). (text: CR H8199-8201)
- **Oct 25, 2017:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 24, 2017:** ORDER OF PROCEDURE - Mr. Collins(GA) asked unanimous consent that during consideration of H.R. 469, pursuant to H.Res. 577, the amendment at the desk be in order in lieu of the amendment printed in part A of House Report 115-363 and numbered 2. Agreed to without objection (consideration: CR H8097; text: CR H8097)
- **Oct 23, 2017:** Rules Committee Resolution H. Res. 577 Reported to House. Rule provides for consideration of H.R. 469 and H.R. 732. Measure will be considered read. Specified amendments are in order. Rule provides for one hour of general debate for H.R. 469. The rule also provides for consideration of amendments printed in part A of the report. The rule provides for one hour of general debate for H.R. 732. The rule provides for consideration of amendments printed in part B of the report.

- **Oct 16, 2017:** Reported by the Committee on Judiciary. H. Rept. 115-347.
- **Oct 16, 2017:** Placed on the Union Calendar, Calendar No. 251.
- **Jul 12, 2017:** Committee Consideration and Mark-up Session Held.
- **Jul 12, 2017:** Ordered to be Reported by the Yeas and Nays: 15 - 8.
- **Feb 6, 2017:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **Jan 12, 2017:** Introduced in House
- **Jan 12, 2017:** Referred to the House Committee on the Judiciary.