

106TH CONGRESS
2D SESSION

H. R. 3592

To establish the permanent Joint Committee for Review of Administrative Rules to review rules of Federal agencies and to amend chapter 8 of title 5 of the United States Code.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2000

Mr. GREEN of Wisconsin introduced the following bill; which was referred to the Committee on Rules, and in addition to the Committee on the Judiciary, 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

A BILL

To establish the permanent Joint Committee for Review of Administrative Rules to review rules of Federal agencies and to amend chapter 8 of title 5 of the United States Code.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ESTABLISHMENT OF JOINT COMMITTEE.**

4 (a) ESTABLISHMENT AND MEMBERSHIP.—There is
5 established a permanent Joint Committee for Review of
6 Administrative Rules (hereinafter referred to as the “Joint
7 Committee”) to be composed of—

1 (1) 10 members of the Senate to be appointed
2 by the majority leader of the Senate; and

3 (2) 10 members of the House of Representa-
4 tives to be appointed by the Speaker of the House
5 of Representatives.

6 (b) MEMBERSHIP.—Vacancies in the membership of
7 the Joint Committee shall not affect the power of the re-
8 maining members to execute the functions of the Joint
9 Committee and shall be filled in the same manner as in
10 the case of the original selection. The Joint Committee
11 shall select a Chairman and a Vice Chairman from among
12 its members at the beginning of each Congress. The Vice
13 Chairman shall act in the place and stead of the Chairman
14 in the absence of the Chairman. The chairmanship shall
15 alternate between the Senate and the House of Represent-
16 atives with each Congress, and the Chairman shall be se-
17 lected by the Members from that House entitled to the
18 chairmanship. The Vice Chairman shall be chosen from
19 the House other than that of the Chairman by the Mem-
20 bers from that House.

21 **SEC. 2. AUTHORITY AND DUTIES.**

22 The Joint Committee shall review rules of Federal
23 agencies as provided by chapter 8 of title 5 of the United
24 States Code. Any joint resolution that is referred to any
25 committee pursuant to section 802 of title 5, United

1 States Code, which is reported by, or discharged from,
2 that committee shall be referred to the Joint Committee
3 for its consideration. The members of the Joint Committee
4 who are members of the Senate shall from time to time
5 report to the Senate, and the members of the Joint Com-
6 mittee who are members of the House of Representatives
7 shall from time to time report to the House, by joint reso-
8 lution their recommendations with respect to matters
9 within the jurisdiction of their respective Houses which
10 are referred to the Joint Committee.

11 **SEC. 3. AUTHORITY AND EMPLOYMENT AND COMPENSA-**
12 **TION OF STAFF.**

13 (a) **AUTHORITY OF JOINT COMMITTEE.**—The Joint
14 Committee may—

15 (1) sit and act at such places and times as the
16 Joint Committee determines is appropriate during
17 the sessions, recesses, and adjourned periods of Con-
18 gress; and

19 (2) require the attendance of witnesses and the
20 production of books, papers, and documents, admin-
21 ister oaths, take testimony, and procure printing and
22 binding.

23 (b) **APPOINTMENT AND COMPENSATION OF STAFF.**—

24 (1) The Joint Committee may appoint and fix the com-

1 pensation of such experts, consultants, technicians, and
 2 staff employees as it deems necessary and advisable.

3 (2) The Joint Committee may utilize such voluntary
 4 and uncompensated services as it deems necessary and
 5 may utilize the services, information, facilities, and per-
 6 sonnel of the departments and establishments of the Gov-
 7 ernment.

8 (c) WITNESSES.—Witnesses requested to appear be-
 9 fore the Joint Committee shall be reimbursed for travel,
 10 subsistence, and other necessary expenses incurred by
 11 them in traveling to and from the places at which they
 12 are to appear.

13 **SEC. 4. CONGRESSIONAL REVIEW OF AGENCY RULE-**
 14 **MAKING.**

15 (a) CONGRESSIONAL REVIEW.—Section 801(a) of
 16 title 5, United States Code, is amended—

17 (1) in paragraph (1)(C), by inserting “and to
 18 the Joint Committee for Review of Administrative
 19 Rules” before the period; and

20 (2) in paragraph (2)(A), by inserting “and to
 21 the Joint Committee for Review of Administrative
 22 Rules” after “Congress”.

23 (b) CONGRESSIONAL DISAPPROVAL PROCEDURE IN
 24 THE SENATE.—(1) Section 804(c) of title 5, United States
 25 Code, is amended by—

1 (1) striking “placed on the calendar” and in-
2 serting “referred to the Joint Committee for Review
3 of Administrative Rules for a period of not to exceed
4 10 session days”; and

5 (2) adding at the end the following new sen-
6 tence: In the Senate, if the Joint Committee for Re-
7 view of Administrative Rules has not reported such
8 joint resolution (or an identical joint resolution) at
9 the end of 10 session days after such joint resolution
10 is referred to it, such joint committee may be dis-
11 charged from further consideration of such joint res-
12 olution upon a petition supported in writing by 30
13 Members of the Senate, and such joint resolution
14 shall be placed on the calendar.”.

15 (2) Section 804(d) of title 5, United States Code, is
16 amended by inserting “and the joint committee” after
17 “committee” the first place it occurs and by striking “a
18 committee” and inserting “the joint committee”.

19 **SEC. 5. EFFECTIVE DATE.**

20 (a) IN GENERAL.—This Act and the amendments
21 made by it shall take effect on noon January 3, 2001,
22 and shall apply to rules promulgated after such date.

1 (b) DEFINITION.—As used in subsection (a), the
2 term “rule” has the meaning given such term by section
3 804(3) of title 5, United States Code.

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