

H. R. 5

AN ACT

To curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Unfunded Mandate
5 Reform Act of 1995”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to strengthen the partnership between the
9 Federal Government and States, local governments,
10 and tribal governments;

1 (2) to end the imposition, in the absence of full
2 consideration by Congress, of Federal mandates on
3 States, local governments, and tribal governments in
4 a manner that may displace other essential State,
5 local, and tribal governmental priorities;

6 (3) to assist Congress in its consideration of
7 proposed legislation establishing or revising Federal
8 programs containing Federal mandates affecting
9 States, local governments, tribal governments, and
10 the private sector by—

11 (A) providing for the development of infor-
12 mation about the nature and size of mandates
13 in proposed legislation; and

14 (B) establishing a mechanism to bring
15 such information to the attention of the Senate
16 and House of Representatives before the Senate
17 and House of Representatives votes on proposed
18 legislation;

19 (4) to promote informed and deliberate deci-
20 sions by Congress on the appropriateness of Federal
21 mandates in any particular instance;

22 (5) to establish a point-of-order vote on the con-
23 sideration in the Senate and House of Representa-
24 tives of legislation containing significant Federal
25 mandates;

1 (6) to assist Federal agencies in their consider-
2 ation of proposed regulations affecting States, local
3 governments, and tribal governments, by—

4 (A) requiring that Federal agencies de-
5 velop a process to enable the elected and other
6 officials of States, local governments, and tribal
7 governments to provide input when Federal
8 agencies are developing regulations; and

9 (B) requiring that Federal agencies pre-
10 pare and consider better estimates of the budg-
11 etary impact of regulations containing Federal
12 mandates upon States, local governments, and
13 tribal governments before adopting such regula-
14 tions, and ensuring that small governments are
15 given special consideration in that process;

16 (7) to establish the general rule that Congress
17 shall not impose Federal mandates on States, local
18 governments, and tribal governments without provid-
19 ing adequate funding to comply with such mandates;
20 and

21 (8) to begin consideration of methods to relieve
22 States, local governments, and tribal governments of
23 unfunded mandates imposed by Federal court inter-
24 pretations of Federal statutes and regulations.

1 **SEC. 3. DEFINITIONS.**

2 For purposes of this Act—

3 (1) the terms “agency”, “Federal financial as-
4 sistance”, “Federal private sector mandate”, “Fed-
5 eral mandate” (except as provided by section 108),
6 “local government”, “private sector”, “regulation”
7 or “rule”, and “State” have the meaning given those
8 terms by section 421 of the Congressional Budget
9 Act of 1974; and

10 (2) the term “small government” means any
11 small governmental jurisdiction as defined in section
12 601(5) of title 5, United States Code, and any tribal
13 government.

14 **SEC. 4. LIMITATION ON APPLICATION.**

15 This Act shall not apply to any provision in a Federal
16 statute or a proposed or final Federal regulation, that—

17 (1) enforces constitutional rights of individuals;

18 (2) establishes or enforces any statutory rights
19 that prohibit discrimination on the basis of age,
20 race, religion, gender, national origin, or handi-
21 capped or disability status;

22 (3) requires compliance with accounting and
23 auditing procedures with respect to grants or other
24 money or property provided by the Federal Govern-
25 ment;

1 (4) provides for emergency assistance or relief
2 at the request of any State, local government, or
3 tribal government or any official of such a govern-
4 ment;

5 (5) is necessary for the national security or the
6 ratification or implementation of international treaty
7 obligations;

8 (6) the President designates as emergency legis-
9 lation and that the Congress so designates in stat-
10 ute; or

11 (7) pertains to Social Security.

12 **TITLE I—REVIEW OF UNFUNDED**

13 **FEDERAL MANDATES**

14 **SEC. 101. REPORT ON UNFUNDED FEDERAL MANDATES BY** 15 **ADVISORY COMMISSION ON INTERGOVERN-** 16 **MENTAL RELATIONS.**

17 (a) IN GENERAL.—The Advisory Commission shall in
18 accordance with this section—

19 (1) investigate and review the role of unfunded
20 Federal mandates in intergovernmental relations and
21 their impact on State, local, tribal, and Federal Gov-
22 ernment objectives and responsibilities, and their im-
23 pact on the competitive balance between States, local
24 and tribal governments, and the private sector and

1 consider views of and the impact on working men
2 and women on those same matters;

3 (2) investigate and review the role of unfunded
4 State mandates imposed on local governments, the
5 private sector, and individuals;

6 (3) investigate and review the role of unfunded
7 local mandates imposed on the private sector and in-
8 dividuals; and

9 (4) make recommendations to the President
10 and the Congress regarding—

11 (A) allowing flexibility for State, local, and
12 tribal governments in complying with specific
13 unfunded Federal mandates for which terms of
14 compliance are unnecessarily rigid or complex;

15 (B) reconciling any 2 or more unfunded
16 Federal mandates which impose contradictory
17 or inconsistent requirements;

18 (C) terminating unfunded Federal man-
19 dates which are duplicative, obsolete, or lacking
20 in practical utility;

21 (D) suspending, on a temporary basis, un-
22 funded Federal mandates which are not vital to
23 public health and safety and which compound
24 the fiscal difficulties of State, local, and tribal

1 governments, including recommendations for
2 triggering such suspension;

3 (E) consolidating or simplifying unfunded
4 Federal mandates, or the planning or reporting
5 requirements of such mandates, in order to re-
6 duce duplication and facilitate compliance by
7 State, local, and tribal governments with those
8 mandates;

9 (F) establishing common Federal defini-
10 tions or standards to be used by State, local,
11 and tribal governments in complying with un-
12 funded Federal mandates that use different
13 definitions or standards for the same terms or
14 principles; and

15 (G) establishing procedures to ensure that,
16 in cases in which a Federal private sector man-
17 date applies to private sector entities which are
18 competing directly or indirectly with States,
19 local governments, or tribal governments for the
20 purpose of providing substantially similar goods
21 or services to the public, any relief from un-
22 funded Federal mandates is applied in the same
23 manner and to the same extent to the private
24 sector entities as it is to the States, local gov-
25 ernments, and tribal governments with which

1 they compete, and to ensure that unfunded
2 Federal mandate relief does not increase private
3 sector burdens.

4 Each recommendation under paragraph (4) shall, to the
5 extent practicable, identify the specific unfunded Federal
6 mandates to which the recommendation applies.

7 (b) CRITERIA.—

8 (1) IN GENERAL.—The Advisory Commission
9 shall establish criteria for making recommendations
10 under subsection (a).

11 (2) ISSUANCE OF PROPOSED CRITERIA.—The
12 Advisory Commission shall issue proposed criteria
13 under this subsection not later than 60 days after
14 the date of the enactment of this Act, and thereafter
15 provide a period of 30 days for submission by the
16 public of comments on the proposed criteria.

17 (3) FINAL CRITERIA.—Not later than 45 days
18 after the date of issuance of proposed criteria, the
19 Advisory Commission shall—

20 (A) consider comments on the proposed
21 criteria received under paragraph (4);

22 (B) adopt and incorporate in final criteria
23 any recommendations submitted in those com-
24 ments that the Advisory Commission deter-

1 mines will aid the Advisory Commission in car-
2 rying out its duties under this section; and

3 (C) issue final criteria under this sub-
4 section.

5 (c) PRELIMINARY REPORT.—

6 (1) IN GENERAL.—Not later than 9 months
7 after the date of the enactment of this Act, the Ad-
8 visory Commission shall—

9 (A) prepare and publish a preliminary re-
10 port on its activities under this title, including
11 preliminary recommendations pursuant to sub-
12 section (a);

13 (B) publish in the Federal Register a no-
14 tice of availability of the preliminary report;
15 and

16 (C) provide copies of the preliminary re-
17 port to the public upon request.

18 (2) PUBLIC HEARINGS.—The Advisory Commis-
19 sion shall hold public hearings on the preliminary
20 recommendations contained in the preliminary re-
21 port of the Advisory Commission under this sub-
22 section.

23 (d) FINAL REPORT.—Not later than 3 months after
24 the date of the publication of the preliminary report under
25 subsection (c), the Advisory Commission shall submit to

1 the Congress, including the Committee on Government
2 Reform and Oversight of the House of Representatives
3 and the Committee on Governmental Affairs of the Sen-
4 ate, and to the President a final report on the findings,
5 conclusions, and recommendations of the Advisory Com-
6 mission under this section.

7 (e) PRIORITY TO MANDATES THAT ARE SUBJECT OF
8 JUDICIAL PROCEEDINGS.—In carrying out this section,
9 the Advisory Commission shall give the highest priority
10 to immediately investigating, reviewing, and making rec-
11 ommendations regarding unfunded Federal mandates that
12 are the subject of judicial proceedings between the United
13 States and a State, local, or tribal government.

14 (f) STATE MANDATE AND LOCAL MANDATE DE-
15 FINED.—As used in this title:

16 (1) STATE MANDATE.—The term “State man-
17 date” means any provision in a State statute or reg-
18 ulation that imposes an enforceable duty on local
19 governments, the private sector, or individuals, in-
20 cluding a condition of State assistance or a duty
21 arising from participation in a voluntary State pro-
22 gram.

23 (2) LOCAL MANDATE.—The term “local man-
24 date” means any provision in a local ordinance or
25 regulation that imposes an enforceable duty on the

1 private sector or individuals, including a condition of
2 local assistance or a duty arising from participation
3 in a voluntary local program.

4 **SEC. 102. SPECIAL AUTHORITIES OF ADVISORY COMMIS-**
5 **SION.**

6 (a) EXPERTS AND CONSULTANTS.—The Advisory
7 Commission may procure temporary and intermittent
8 services of experts or consultants under section 3109(b)
9 of title 5, United States Code.

10 (b) STAFF OF FEDERAL AGENCIES.—Upon request
11 of the Executive Director of the Advisory Commission, the
12 head of any Federal department or agency may detail, on
13 a reimbursable basis, any of the personnel of that depart-
14 ment or agency to the Advisory Commission to assist it
15 in carrying out its duties under this title.

16 (c) ADMINISTRATIVE SUPPORT SERVICES.—Upon the
17 request of the Advisory Commission, the Administrator of
18 General Services shall provide to the Advisory Commis-
19 sion, on a reimbursable basis, the administrative support
20 services necessary for the Advisory Commission to carry
21 out its duties under this title.

22 (d) CONTRACT AUTHORITY.—The Advisory Commis-
23 sion may, subject to appropriations, contract with and
24 compensate Government and private agencies or persons

1 for property and services used to carry out its duties under
2 this title.

3 **SEC. 103. DEFINITIONS.**

4 In this title:

5 (1) **ADVISORY COMMISSION.**—The term “Advi-
6 sory Commission” means the Advisory Commission
7 on Intergovernmental Relations.

8 (2) **FEDERAL MANDATE.**—The term “Federal
9 mandate” means any provision in statute or regula-
10 tion or any Federal court ruling that imposes an en-
11 forceable duty upon States, local governments, or
12 tribal governments including a condition of Federal
13 assistance or a duty arising from participation in a
14 voluntary Federal program.

15 **TITLE II—REGULATORY ACCOUNTABILITY**
16 **AND REFORM**

17 **SEC. 201. REGULATORY PROCESS.**

18 (a) **IN GENERAL.**—Each agency shall, to the extent
19 permitted by subchapter II of chapter 5 of title 5, United
20 States Code—

21 (1) assess the effects of Federal regulations on
22 States, local governments, tribal governments, and
23 the private sector (other than to the extent that such
24 regulations incorporate requirements specifically set
25 forth in legislation), including specifically the avail-

1 ability of resources to carry out any Federal man-
2 dates in those regulations; and

3 (2) seek to minimize those burdens that unique-
4 ly or significantly affect such governmental entities
5 or the private sector, consistent with achieving statu-
6 tory and regulatory objectives.

7 (b) STATE, LOCAL GOVERNMENT, AND TRIBAL GOV-
8 ERNMENT INPUT.—Each agency shall develop an effective
9 process to permit elected officials (or their designated rep-
10 resentatives) of States, local governments, and tribal gov-
11 ernments to provide meaningful and timely input in the
12 development of regulatory proposals containing significant
13 Federal intergovernmental mandates.

14 (c) AGENCY PLAN.—Before establishing any regu-
15 latory requirements that might significantly or uniquely
16 affect small governments, an agency shall have developed
17 a plan under which the agency shall—

18 (1) provide notice of the contemplated require-
19 ments to potentially affected small governments, if
20 any;

21 (2) enable officials of affected small govern-
22 ments to provide input pursuant to subsection (b);
23 and

24 (3) inform, educate, and advise small govern-
25 ments on compliance with the requirements.

1 (d) LEAST BURDENSOME OPTION OR EXPLANATION
2 REQUIRED.—An agency may not issue a rule that con-
3 tains a Federal mandate if the rulemaking record for the
4 rule indicates that there are 2 or more methods that could
5 be used to accomplish the objective of the rule, unless—

6 (1) the Federal mandate is the least costly
7 method, or has the least burdensome effect, for—

8 (A) States, local governments, and tribal
9 governments, in the case of a rule containing a
10 Federal intergovernmental mandate, and

11 (B) the private sector, in the case of a rule
12 containing a Federal private sector mandate; or

13 (2) the agency publishes with the final rule an
14 explanation of why the more costly or burdensome
15 method of the Federal mandate was adopted.

16 **SEC. 202. STATEMENTS TO ACCOMPANY SIGNIFICANT REG-**
17 **ULATORY ACTIONS.**

18 (a) IN GENERAL.—Before promulgating any final
19 rule that includes any Federal mandate that may result
20 in the expenditure by States, local governments, or tribal
21 governments, in the aggregate, or the private sector of at
22 least \$100,000,000 (adjusted annually for inflation) in
23 any 1 year, and before promulgating any general notice
24 of proposed rulemaking that is likely to result in promul-
25 gation of any such rule, the agency shall prepare a written

1 statement identifying the provision of Federal law under
2 which the rule is being promulgated and containing—

3 (1) estimates by the agency, including the un-
4 derlying analysis, of the anticipated costs to States,
5 local governments, tribal governments, and the pri-
6 vate sector of complying with the Federal mandates,
7 and of the extent to which such costs may be paid
8 with funds provided by the Federal Government or
9 otherwise paid through Federal financial assistance;

10 (2) estimates by the agency, if and to the ex-
11 tent that the agency determines that accurate esti-
12 mates are reasonably feasible; of—

13 (A) the future costs of the Federal man-
14 date; and

15 (B) any disproportionate budgetary effects
16 of the Federal mandates upon any particular
17 regions of the country or particular States, local
18 governments, tribal governments, urban or
19 rural or other types of communities, or particu-
20 lar segments of the private sector;

21 (3) a qualitative, and if possible, a quantitative
22 assessment of costs and benefits anticipated from
23 the Federal mandates (such as the enhancement of
24 health and safety and the protection of the natural
25 environment);

1 (4) the effect of Federal private sector man-
2 dates on the national economy, including the effect
3 on productivity, economic growth, full employment,
4 creation of productive jobs, worker benefits and pen-
5 sions, and international competitiveness of United
6 States goods and services;

7 (5) a description of the extent of the agency's
8 prior consultation with elected representatives (or
9 their designated representatives) of the affected
10 States, local governments, and tribal governments,
11 and designated representatives of the private sector;

12 (6) a summary of the comments and concerns
13 that were presented by States, local governments, or
14 tribal governments and the private sector either oral-
15 ly or in writing to the agency;

16 (7) a summary of the agency's evaluation of
17 those comments and concerns; and

18 (8) the agency's position supporting the need to
19 issue the regulation containing the Federal man-
20 dates (considering, among other things, the extent to
21 which costs may or may not be paid with funds pro-
22 vided by the Federal Government).

23 (b) PROMULGATION.—In promulgating a general no-
24 tice of proposed rulemaking or a final rule for which a
25 statement under subsection (a) is required, the agency

1 shall include in the promulgation a summary of the infor-
2 mation contained in the statement.

3 (c) PREPARATION IN CONJUNCTION WITH OTHER
4 STATEMENT.—Any agency may prepare any statement re-
5 quired by subsection (a) in conjunction with or as part
6 of any other statement or analysis, if the statement or
7 analysis satisfies the provisions of subsection (a).

8 **SEC. 203. ASSISTANCE TO THE CONGRESSIONAL BUDGET**
9 **OFFICE.**

10 The Director of the Office of Management and Budg-
11 et shall—

12 (1) collect from agencies the statements pre-
13 pared under section 202; and

14 (2) periodically forward copies of them to the
15 Director of the Congressional Budget Office on a
16 reasonably timely basis after promulgation of the
17 general notice of proposed rulemaking or of the final
18 rule for which the statement was prepared.

19 **SEC. 204. PILOT PROGRAM ON SMALL GOVERNMENT FLEXI-**
20 **BILITY.**

21 (a) IN GENERAL.—The Director of the Office of
22 Management and Budget, in consultation with Federal
23 agencies, shall establish pilot programs in at least 2 agen-
24 cies to test innovative and more flexible regulatory ap-
25 proaches that—

1 (1) reduce reporting and compliance burdens on
2 small governments; and

3 (2) meet overall statutory goals and objectives.

4 (b) PROGRAM FOCUS.—The pilot programs shall
5 focus on rules in effect or proposed rules or on a combina-
6 tion thereof.

7 **SEC. 205. ANNUAL REPORT TO CONGRESS REGARDING FED-**
8 **ERAL COURT RULINGS.**

9 Not later than 4 months after the date of enactment
10 of this Act, and no later than March 15 of each year there-
11 after, the Advisory Commission on Intergovernmental Re-
12 lations shall submit to the Congress, including each of the
13 Committee on Government Reform and Oversight of the
14 House of Representatives and the Committee on Govern-
15 mental Affairs of the Senate, and to the President a report
16 describing Federal court rulings in the preceding calendar
17 year which imposed an enforceable duty on 1 or more
18 States, local governments, or tribal governments.

19 **SEC. 206. JUDICIAL REVIEW.**

20 (a) REVIEW OF AGENCY ACTIONS SUBJECT TO RE-
21 VIEW UNDER OTHER FEDERAL LAW.—If an agency ac-
22 tion that is subject to section 201 or 202 is subject to
23 judicial review under any other Federal law (other than
24 chapter 7 of title 5, United States Code)—

1 (1) any court of the United States having juris-
2 diction to review the action under the other law shall
3 have jurisdiction to review the action under sections
4 201 and 202; and

5 (2) in any proceeding under paragraph (1), any
6 issue relating exhaustion of remedies, the time and
7 manner for seeking review, venue, or the availability
8 of a stay or preliminary injunctive relief pending re-
9 view shall be determined under the other law.

10 (b) LIMITATION ON PRELIMINARY INJUNCTIVE RE-
11 LIEF.—The second sentence of section 705 of title 5, Unit-
12 ed States Code (relating to preliminary relief pending re-
13 view), shall not apply with respect to review under sub-
14 section (a)(1) of an agency action, unless process author-
15 ized by that sentence is not authorized by the other law
16 under which the action is reviewed.

17 **SEC. 207. ANNUAL STATEMENTS TO CONGRESS ON AGENCY**
18 **COMPLIANCE WITH REQUIREMENTS OF**
19 **TITLE.**

20 Not later than one year after the effective date of
21 title III and annually thereafter, the Director of the Office
22 of Management and Budget shall submit to Congress, in-
23 cluding the Committee on Government Reform and Over-
24 sight of the House of Representatives and the Committee
25 on Governmental Affairs of the Senate, written statements

1 detailing the compliance with the requirements of sections
2 201 and 202 by each agency during the period reported
3 on.

4 **TITLE III—LEGISLATIVE**
5 **ACCOUNTABILITY AND REFORM**

6 **SEC. 301. LEGISLATIVE MANDATE ACCOUNTABILITY AND**
7 **REFORM.**

8 Title IV of the Congressional Budget Act of 1974 is
9 amended by—

10 (1) inserting before section 401 the following:

11 “PART A—GENERAL PROVISIONS”; and

12 (2) adding at the end the following new part:

13 “PART B—FEDERAL MANDATES

14 **“SEC. 421. DEFINITIONS.**

15 “For purposes of this part:

16 “(1) AGENCY.—The term ‘agency’ has the
17 meaning stated in section 551(1) of title 5, United
18 States Code, but does not include independent regu-
19 latory agencies, as defined by section 3502(10) of
20 title 44, United States Code.

21 “(2) DIRECTOR.—The term ‘Director’ means
22 the Director of the Congressional Budget Office.

23 “(3) FEDERAL FINANCIAL ASSISTANCE.—The
24 term ‘Federal financial assistance’ means the
25 amount of budget authority for any Federal grant

1 assistance or any Federal program providing loan
2 guarantees or direct loans.

3 “(4) FEDERAL INTERGOVERNMENTAL MAN-
4 DATE.—The term ‘Federal intergovernmental man-
5 date’ means—

6 “(A) any provision in legislation, statute,
7 or regulation that—

8 “(i) would impose an enforceable duty
9 upon States, local governments, or tribal
10 governments, except—

11 “(I) a condition of Federal as-
12 sistance; or

13 “(II) a duty arising from partici-
14 pation in a voluntary Federal pro-
15 gram, except as provided in subpara-
16 graph (B); or

17 “(ii) would reduce or eliminate the
18 amount of authorization of appropriations
19 for Federal financial assistance that would
20 be provided to States, local governments,
21 or tribal governments for the purpose of
22 complying with any such previously im-
23 posed duty unless such duty is reduced or
24 eliminated by a corresponding amount; or

1 “(B) any provision in legislation, statute,
2 or regulation that relates to a then-existing
3 Federal program under which \$500,000,000 or
4 more is provided annually to States, local gov-
5 ernments, and tribal governments under entitle-
6 ment authority, if—

7 “(i)(I) the provision would increase
8 the stringency of conditions of assistance
9 to States, local governments, or tribal gov-
10 ernments under the program; or

11 “(II) would place caps upon, or other-
12 wise decrease, the Federal Government’s
13 responsibility to provide funding to States,
14 local governments, or tribal governments
15 under the program; and

16 “(ii) the States, local governments, or
17 tribal governments that participate in the
18 Federal program lack authority under that
19 program to amend their financial or pro-
20 grammatic responsibilities to continue pro-
21 viding required services that are affected
22 by the legislation, statute, or regulation.

23 “(5) FEDERAL PRIVATE SECTOR MANDATE.—

24 The term ‘Federal private sector mandate’ means

1 any provision in legislation, statute, or regulation
2 that—

3 “(A) would impose an enforceable duty on
4 the private sector except—

5 “(i) a condition of Federal assistance;

6 or

7 “(ii) a duty arising from participation
8 in a voluntary Federal program; or

9 “(B) would reduce or eliminate the amount
10 of authorization of appropriations for Federal
11 financial assistance that will be provided to the
12 private sector for the purpose of ensuring com-
13 pliance with such duty.

14 “(6) FEDERAL MANDATE.—The term ‘Federal
15 mandate’ means a Federal intergovernmental man-
16 date or a Federal private sector mandate, as defined
17 in paragraphs (4) and (5).

18 “(7) FEDERAL MANDATE DIRECT COSTS.—

19 “(A) FEDERAL INTERGOVERNMENTAL DI-
20 RECT COSTS.—In the case of a Federal inter-
21 governmental mandate, the term ‘direct costs’
22 means the aggregate estimated amounts that all
23 States, local governments, and tribal govern-
24 ments would be required to spend or would be
25 required to forgo in revenues in order to comply

1 with the Federal intergovernmental mandate,
2 or, in the case of a provision referred to in
3 paragraph (4)(A)(ii), the amount of Federal fi-
4 nancial assistance eliminated or reduced.

5 “(B) PRIVATE SECTOR DIRECT COSTS.—In
6 the case of a Federal private sector mandate,
7 the term ‘direct costs’ means the aggregate esti-
8 mated amounts that the private sector would be
9 required to spend in order to comply with a
10 Federal private sector mandate.

11 “(C) EXCLUSION FROM DIRECT COSTS.—
12 The term ‘direct costs’ does not include—

13 “(i) estimated amounts that the
14 States, local governments, and tribal gov-
15 ernments (in the case of a Federal inter-
16 governmental mandate), or the private sec-
17 tor (in the case of a Federal private sector
18 mandate), would spend—

19 “(I) to comply with or carry out
20 all applicable Federal, State, local,
21 and tribal laws and regulations in ef-
22 fect at the time of the adoption of a
23 Federal mandate for the same activity
24 as is affected by that Federal man-
25 date; or

1 “(II) to comply with or carry out
2 State, local governmental, and tribal
3 governmental programs, or private-
4 sector business or other activities in
5 effect at the time of the adoption of a
6 Federal mandate for the same activity
7 as is affected by that mandate; or

8 “(ii) expenditures to the extent that
9 they will be offset by any direct savings to
10 be enjoyed by the States, local govern-
11 ments, and tribal governments, or by the
12 private sector, as a result of—

13 “(I) their compliance with the
14 Federal mandate; or

15 “(II) other changes in Federal
16 law or regulation that are enacted or
17 adopted in the same bill or joint reso-
18 lution or proposed or final Federal
19 regulation and that govern the same
20 activity as is affected by the Federal
21 mandate.

22 “(D) DETERMINATION OF COSTS.—Direct
23 costs shall be determined based on the assump-
24 tion that States, local governments, tribal gov-
25 ernments, and the private sector will take all

1 reasonable steps necessary to mitigate the costs
2 resulting from the Federal mandate, and will
3 comply with applicable standards of practice
4 and conduct established by recognized profes-
5 sional or trade associations. Reasonable steps to
6 mitigate the costs shall not include increases in
7 State, local, or tribal taxes or fees.

8 “(8) LOCAL GOVERNMENT.—The term ‘local
9 government’ has the same meaning as in section
10 6501(6) of title 31, United States Code.

11 “(9) PRIVATE SECTOR.—The term ‘private sec-
12 tor’ means individuals, partnerships, associations,
13 corporations, business trusts, or legal representa-
14 tives, organized groups of individuals, and edu-
15 cational and other nonprofit institutions.

16 “(10) REGULATION.—The term ‘regulation’ or
17 ‘rule’ has the meaning of ‘rule’ as defined in section
18 601(2) of title 5, United States Code.

19 “(11) STATE.—The term ‘State’ has the same
20 meaning as in section 6501(9) of title 31, United
21 States Code.

22 “(12) SIGNIFICANT EMPLOYMENT IMPACT.—
23 The term ‘significant employment impact’ means an
24 estimated net aggregate loss of 10,000 or more jobs.

1 **“SEC. 422. LIMITATION ON APPLICATION.**

2 “This part shall not apply to any provision in a bill,
3 joint resolution, motion, amendment, or conference report
4 before Congress that—

5 “(1) enforces constitutional rights of individ-
6 uals;

7 “(2) establishes or enforces any statutory rights
8 that prohibit discrimination on the basis of age,
9 race, religion, gender, national origin, or handi-
10 capped or disability status;

11 “(3) requires compliance with accounting and
12 auditing procedures with respect to grants or other
13 money or property provided by the Federal Govern-
14 ment;

15 “(4) provides for emergency assistance or relief
16 at the request of any State, local government, or
17 tribal government or any official of such a govern-
18 ment;

19 “(5) is necessary for the national security or
20 the ratification or implementation of international
21 treaty obligations;

22 “(6) the President designates as emergency leg-
23 islation and that the Congress so designates in stat-
24 ute; or

25 “(7) pertains to Social Security.

1 **“SEC. 423. DUTIES OF CONGRESSIONAL COMMITTEES.**

2 “(a) SUBMISSION OF BILLS TO THE DIRECTOR.—

3 When a committee of authorization of the House of Rep-
4 resentatives or the Senate orders a bill or joint resolution
5 of a public character reported, the committee shall
6 promptly provide the text of the bill or joint resolution
7 to the Director and shall identify to the Director any Fed-
8 eral mandate contained in the bill or resolution.

9 “(b) COMMITTEE REPORT.—

10 “(1) INFORMATION REGARDING FEDERAL MAN-
11 DATES.—When a committee of authorization of the
12 House of Representatives or the Senate reports a
13 bill or joint resolution of a public character that in-
14 cludes any Federal mandate, the report of the com-
15 mittee accompanying the bill or joint resolution shall
16 contain the information required by paragraph (2)
17 and, in the case of a Federal intergovernmental
18 mandate, paragraph (3).

19 “(2) REPORTS ON FEDERAL MANDATES.—Each
20 report referred to in paragraph (1) shall contain—

21 “(A) an identification and description of
22 each Federal mandate in the bill or joint resolu-
23 tion, including the statement, if available, from
24 the Director pursuant to section 424(a);

25 “(B) a qualitative assessment, and if prac-
26 ticable, a quantitative assessment of costs and

1 benefits anticipated from the Federal mandate
2 (including the effects on health and safety and
3 protection of the natural environment); and

4 “(C) a statement of—

5 “(i) the degree to which the Federal
6 mandate affects each of the public and pri-
7 vate sectors, including a description of the
8 actions, if any, taken by the committee to
9 avoid any adverse impact on the private
10 sector or on the competitive balance be-
11 tween the public sector and the private sec-
12 tor; and

13 “(ii) in the case of a Federal mandate
14 that is a Federal intergovernmental man-
15 date, the extent to which limiting or elimi-
16 nating the Federal intergovernmental man-
17 date or Federal payment of direct costs of
18 the Federal intergovernmental mandate (if
19 applicable) would affect the competitive
20 balance between States, local governments,
21 or tribal governments and the private sec-
22 tor.

23 “(3) INTERGOVERNMENTAL MANDATES.—If any
24 of the Federal mandates in the bill or joint resolu-
25 tion are Federal intergovernmental mandates, the

1 report referred to in paragraph (1) shall also con-
2 tain—

3 “(A)(i) a statement of the amount, if any,
4 of increase or decrease in authorization of ap-
5 propriations under existing Federal financial
6 assistance programs or for new Federal finan-
7 cial assistance, provided by the bill or joint res-
8 olution and usable for activities of States, local
9 governments, or tribal governments subject to
10 Federal intergovernmental mandates; and

11 “(ii) a statement of whether the committee
12 intends that the Federal intergovernmental
13 mandates be partly or entirely unfunded, and,
14 if so, the reasons for that intention; and

15 “(B) a statement of any existing sources of
16 Federal financial assistance in addition to those
17 identified in subparagraph (A) that may assist
18 States, local governments, and tribal govern-
19 ments in paying the direct costs of the Federal
20 intergovernmental mandates.

21 “(4) INFORMATION REGARDING PREEMPTION.—
22 When a committee of authorization of the House of
23 Representatives or the Senate reports a bill or joint
24 resolution of a public character, the committee re-
25 port accompanying the bill or joint resolution shall

1 contain, if relevant to the bill or joint resolution, an
2 explicit statement on whether the bill or joint resolu-
3 tion, in whole or in part, is intended to preempt any
4 State, local, or tribal law, and if so, an explanation
5 of the reasons for such intention.

6 “(c) PUBLICATION OF STATEMENT FROM THE DI-
7 RECTOR.—

8 “(1) IN GENERAL.—Upon receiving a statement
9 (including any supplemental statement) from the Di-
10 rector pursuant to section 424(a), a committee of
11 the House of Representatives or the Senate shall
12 publish the statement in the committee report ac-
13 companying the bill or joint resolution to which the
14 statement relates if the statement is available to be
15 included in the printed report.

16 “(2) OTHER PUBLICATION OF STATEMENT OF
17 DIRECTOR.—If the statement is not published in the
18 report, or if the bill or joint resolution to which the
19 statement relates is expected to be considered by the
20 House of Representatives or the Senate before the
21 report is published, the committee shall cause the
22 statement, or a summary thereof, to be published in
23 the Congressional Record in advance of floor consid-
24 eration of the bill or joint resolution.

1 **“SEC. 424. DUTIES OF THE DIRECTOR.**

2 “(a) STATEMENTS ON BILLS AND JOINT RESOLU-
3 TIONS OTHER THAN APPROPRIATIONS BILLS AND JOINT
4 RESOLUTIONS.—

5 “(1) FEDERAL INTERGOVERNMENTAL MAN-
6 DATES IN REPORTED BILLS AND RESOLUTIONS.—
7 For each bill or joint resolution of a public character
8 reported by any committee of authorization of the
9 House of Representatives or the Senate, the Director
10 shall prepare and submit to the committee a state-
11 ment as follows:

12 “(A) If the Director estimates that the di-
13 rect cost of all Federal intergovernmental man-
14 dates in the bill or joint resolution will equal or
15 exceed \$50,000,000 (adjusted annually for in-
16 flation) in the fiscal year in which such a Fed-
17 eral intergovernmental mandate (or in any nec-
18 essary implementing regulation) would first be
19 effective or in any of the 4 fiscal years following
20 such year, the Director shall so state, specify
21 the estimate, and briefly explain the basis of
22 the estimate.

23 “(B) The estimate required by subpara-
24 graph (A) shall include estimates (and brief ex-
25 planations of the basis of the estimates) of—

1 “(i) the total amount of direct cost of
2 complying with the Federal intergovern-
3 mental mandates in the bill or joint resolu-
4 tion; and

5 “(ii) the amount, if any, of increase in
6 authorization of appropriations or budget
7 authority or entitlement authority under
8 existing Federal financial assistance pro-
9 grams, or of authorization of appropria-
10 tions for new Federal financial assistance,
11 provided by the bill or joint resolution and
12 usable by States, local governments, or
13 tribal governments for activities subject to
14 the Federal intergovernmental mandates.

15 “(2) FEDERAL PRIVATE SECTOR MANDATES IN
16 REPORTED BILLS AND JOINT RESOLUTIONS.—For
17 each bill or joint resolution of a public character re-
18 ported by any committee of authorization of the
19 House of Representatives or the Senate, the Director
20 shall prepare and submit to the committee a state-
21 ment as follows:

22 “(A) If the Director estimates that the di-
23 rect cost of all Federal private sector mandates
24 in the bill or joint resolution will equal or ex-
25 ceed \$50,000,000 (adjusted annually for infla-

1 tion) in the fiscal year in which any Federal
2 private sector mandate in the bill or joint reso-
3 lution (or in any necessary implementing regu-
4 lation) would first be effective or in any of the
5 4 fiscal years following such fiscal year, the Di-
6 rector shall so state, specify the estimate, and
7 briefly explain the basis of the estimate.

8 “(B) The estimate required by subpara-
9 graph (A) shall include estimates (and brief ex-
10 planations of the basis of the estimates) of—

11 “(i) the total amount of direct costs of
12 complying with the Federal private sector
13 mandates in the bill or joint resolution;
14 and

15 “(ii) the amount, if any, of increase in
16 authorization of appropriations under ex-
17 isting Federal financial assistance pro-
18 grams, or of authorization of appropria-
19 tions for new Federal financial assistance,
20 provided by the bill or joint resolution usa-
21 ble by the private sector for the activities
22 subject to the Federal private sector man-
23 dates.

24 “(C) If the Director determines that it is
25 not feasible to make a reasonable estimate that

1 would be required under subparagraphs (A) and
2 (B), the Director shall not make the estimate,
3 but shall report in the statement that the rea-
4 sonable estimate cannot be made and shall in-
5 clude the reasons for that determination in the
6 statement.

7 “(3) LEGISLATION FALLING BELOW THE DI-
8 RECT COSTS THRESHOLDS.—If the Director esti-
9 mates that the direct costs of a Federal mandate
10 will not equal or exceed the threshold specified in
11 paragraph (1)(A) or (2)(A), the Director shall so
12 state and shall briefly explain the basis of the esti-
13 mate.

14 “(4) AMENDED BILLS AND JOINT RESOLU-
15 TIONS; CONFERENCE REPORTS.—If the Director has
16 prepared the statement pursuant to subsection (a)
17 for a bill or joint resolution, and if that bill or joint
18 resolution is reported or passed in an amended form
19 (including if passed by one House as an amendment
20 in the nature of a substitute for the text of a bill
21 or joint resolution from the other House) or is re-
22 ported by a committee of conference in an amended
23 form, the committee of conference shall ensure, to
24 the greatest extent practicable, that the Director

1 shall prepare a supplemental statement for the bill
2 or joint resolution in that amended form.

3 “(b) ASSISTANCE TO COMMITTEES AND STUDIES.—

4 “(1) IN GENERAL.—At the request of any com-
5 mittee of the House of Representatives or of the
6 Senate, the Director shall, to the extent practicable,
7 consult with and assist such committee in analyzing
8 the budgetary or financial impact of any proposed
9 legislation that may have—

10 “(A) a significant budgetary impact on
11 State, local, or tribal governments;

12 “(B) a significant financial impact on the
13 private sector; or

14 “(C) significant employment impact on the
15 private sector.

16 “(2) CONTINUING STUDIES.—The Director
17 shall conduct continuing studies to enhance compari-
18 sons of budget outlays, credit authority, and tax ex-
19 penditures.

20 “(3) FEDERAL MANDATE STUDIES.—

21 “(A) At the request of any committee of
22 the House of Representatives or the Senate, the
23 Director shall, to the extent practicable, con-
24 duct a study of a legislative proposal containing
25 a Federal mandate.

1 “(B) In conducting a study under subpara-
2 graph (A), the Director shall—

3 “(i) solicit and consider information
4 or comments from elected officials (includ-
5 ing their designated representatives) of
6 States, local governments, tribal govern-
7 ments, designated representatives of the
8 private sector, and such other persons as
9 may provide helpful information or com-
10 ments;

11 “(ii) consider establishing advisory
12 panels of elected officials (including their
13 designated representatives) of States, local
14 governments, tribal governments, des-
15 ignated representatives of the private sec-
16 tor, and other persons if the Director de-
17 termines, in the Director’s discretion, that
18 such advisory panels would be helpful in
19 performing the Director’s responsibilities
20 under this section; and

21 “(iii) include estimates, if and to the
22 extent that the Director determines that
23 accurate estimates are reasonably feasible,
24 of—

1 “(I) the future direct cost of the
2 Federal mandates concerned to the
3 extent that they significantly differ
4 from or extend beyond the 5-year pe-
5 riod after the mandate is first effec-
6 tive; and

7 “(II) any disproportionate budg-
8 etary effects of the Federal mandates
9 concerned upon particular industries
10 or sectors of the economy, States, re-
11 gions, and urban, or rural or other
12 types of communities, as appropriate.

13 “(C) In conducting a study on private sec-
14 tor mandates under subparagraph (A), the Di-
15 rector shall provide estimates, if and to the ex-
16 tent that the Director determines that such es-
17 timates are reasonably feasible, of—

18 “(i) future costs of Federal private
19 sector mandates to the extent that such
20 mandates differ significantly from or ex-
21 tend beyond the 5-year period referred to
22 in subparagraph (B)(iii)(I);

23 “(ii) any disproportionate financial ef-
24 fects of Federal private sector mandates
25 and of any Federal financial assistance in

1 the bill or joint resolution upon any par-
2 ticular industries or sectors of the econ-
3 omy, States, regions, and urban or rural or
4 other types of communities; and

5 “(iii) the effect of Federal private sec-
6 tor mandates in the bill or joint resolution
7 on the national economy, including the ef-
8 fect on productivity, economic growth, full
9 employment, creation of productive jobs,
10 and international competitiveness of Unit-
11 ed States goods and services.

12 “(c) VIEWS OF COMMITTEES.—Any committee of the
13 House of Representatives or the Senate which anticipates
14 that the committee will consider any proposed legislation
15 establishing, amending, or reauthorizing any Federal pro-
16 gram likely to have a significant budgetary impact on the
17 States, local governments, or tribal governments, or likely
18 to have a significant financial impact on the private sector,
19 including any legislative proposal submitted by the execu-
20 tive branch likely to have such a budgetary or financial
21 impact, shall provide its views and estimates on such pro-
22 posal to the Committee on the Budget of its House.

23 “(d) ESTIMATES.—If the Director determines that it
24 is not feasible to make a reasonable estimate that would
25 be required for a statement under subsection (a)(1) for

1 a bill or joint resolution, the Director shall not make such
2 a statement and shall inform the committees involved that
3 such an estimate cannot be made and the reasons for that
4 determination. The bill or joint resolution for which such
5 statement was to be made shall be subject to a point of
6 order under section 425(a)(1).

7 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
8 is authorized to be appropriated to the Congressional
9 Budget Office to carry out this part \$4,500,000 for each
10 of fiscal years 1996 through 2002.

11 **“SEC. 425. POINT OF ORDER.**

12 “(a) IN GENERAL.—It shall not be in order in the
13 House of Representatives or the Senate to consider—

14 “(1) any bill or joint resolution that is reported
15 by a committee unless the committee has published
16 the statement of the Director pursuant to section
17 424(a) prior to such consideration, except that this
18 paragraph shall not apply to any supplemental state-
19 ment prepared by the Director under section
20 424(a)(4); or

21 “(2) any bill, joint resolution, amendment, mo-
22 tion, or conference report that contains a Federal
23 intergovernmental mandate having direct costs that
24 exceed the threshold specified in section
25 424(a)(1)(A), or that would cause the direct costs of

1 any other Federal intergovernmental mandate to ex-
2 ceed the threshold specified in section 424(a)(1)(A),
3 unless—

4 “(A) the bill, joint resolution, amendment,
5 motion, or conference report provides new budg-
6 et authority or new entitlement authority in the
7 House of Representatives or direct spending au-
8 thority in the Senate for each fiscal year for the
9 Federal intergovernmental mandates included
10 in the bill, joint resolution, amendment, motion,
11 or conference report in an amount that equals
12 or exceeds the estimated direct costs of such
13 mandate; or

14 “(B) the bill, joint resolution, amendment,
15 motion, or conference report provides an in-
16 crease in receipts or a decrease in new budget
17 authority or new entitlement authority in the
18 House of Representatives or direct spending au-
19 thority in the Senate and an increase in new
20 budget authority or new entitlement authority
21 in the House of Representatives or an increase
22 in direct spending authority for each fiscal year
23 for the Federal intergovernmental mandates in-
24 cluded in the bill, joint resolution, amendment,
25 motion, or conference report in an amount that

1 equals or exceeds the estimated direct costs of
2 such mandate; or

3 “(C) the bill, joint resolution, amendment,
4 motion, or conference report—

5 “(i) provides that—

6 “(I) such mandate shall be effec-
7 tive for any fiscal year only if all di-
8 rect costs of such mandate in the fis-
9 cal year are provided in appropria-
10 tions Acts, and

11 “(II) in the case of such a man-
12 date contained in the bill, joint resolu-
13 tion, amendment, motion, or con-
14 ference report, the mandate is re-
15 pealed effective on the first day of any
16 fiscal year for which all direct costs of
17 such mandate are not provided in ap-
18 propriations Acts; or

19 “(ii) requires a Federal agency to re-
20 duce programmatic and financial respon-
21 sibilities of State, local, and tribal govern-
22 ments for meeting the objectives of the
23 mandate such that the estimated direct
24 costs of the mandate to such governments
25 do not exceed the amount of Federal fund-

1 ing provided to those governments to carry
2 out the mandate in the form of appropria-
3 tions or new budget authority or new enti-
4 tlement authority in the House of Rep-
5 resentatives or direct spending authority in
6 the Senate, and establishes criteria and
7 procedures for that reduction.

8 “(b) LIMITATION ON APPLICATION TO APPROPRIA-
9 TIONS BILLS.—Subsection (a) shall not apply to a bill that
10 is reported by the Committee on Appropriations or an
11 amendment thereto.

12 “(c) DETERMINATION OF DIRECT COSTS BASED ON
13 ESTIMATES BY BUDGET COMMITTEES.—For the purposes
14 of this section, the amount of direct costs of a Federal
15 mandate for a fiscal year shall be determined based on
16 estimates made by the Committee on the Budget, in con-
17 sultation with the Director, of the House of Representa-
18 tives or the Senate, as the case may be.

19 “(d) LIMITATION ON APPLICATION OF SUBSECTION
20 (a)(2).—Subsection (a)(2) shall not apply to any bill, joint
21 resolution, amendment, or conference report that reau-
22 thorizes appropriations for carrying out, or that amends,
23 any statute if enactment of the bill, joint resolution,
24 amendment, or conference report—

1 “(b) QUESTION OF CONSIDERATION.—As disposition
2 of points of order under section 425(a) or 426, the Chair
3 shall put the question of consideration with respect to the
4 proposition that is the subject of the points of order.

5 “(c) DEBATE AND INTERVENING MOTIONS.—A ques-
6 tion of consideration under this section shall be debatable
7 for 10 minutes by each Member initiating a point of order
8 and for 10 minutes by an opponent on each point of order,
9 but shall otherwise be decided without intervening motion
10 except one that the House adjourn or that the Committee
11 of the Whole rise, as the case may be.

12 “(d) EFFECT ON AMENDMENT IN ORDER AS ORIGI-
13 NAL TEXT.—The disposition of the question of consider-
14 ation under this section with respect to a bill or joint reso-
15 lution shall be considered also to determine the question
16 of consideration under this section with respect to an
17 amendment made in order as original text.”.

18 **SEC. 302. ENFORCEMENT IN THE HOUSE OF REPRESENTA-**
19 **TIVES.**

20 (a) MOTIONS TO STRIKE IN THE COMMITTEE OF
21 THE WHOLE.—Clause 5 of rule XXIII of the Rules of the
22 House of Representatives is amended by adding at the end
23 the following:

24 “(c) In the consideration of any measure for amend-
25 ment in the Committee of the Whole containing any Fed-

1 eral mandate the direct costs of which exceed the threshold
2 in section 424(a)(1)(A) of the Unfunded Mandate Reform
3 Act of 1995, it shall always be in order, unless specifically
4 waived by terms of a rule governing consideration of that
5 measure, to move to strike such Federal mandate from
6 the portion of the bill then open to amendment.”.

7 (b) COMMITTEE ON RULES REPORTS ON WAIVED
8 POINTS OF ORDER.—The Committee on Rules shall in-
9 clude in the report required by clause 1(d) of rule XI (re-
10 lating to its activities during the Congress) of the Rules
11 of the House of Representatives a separate item identify-
12 ing all waivers of points of order relating to Federal man-
13 dates, listed by bill or joint resolution number and the sub-
14 ject matter of that measure.

15 **SEC. 303. EXERCISE OF RULEMAKING POWERS.**

16 The provisions of this title (except section 305) are
17 enacted by Congress—

18 (1) as an exercise of the rulemaking powers of
19 the House of Representatives and the Senate, and as
20 such they shall be considered as part of the rules of
21 the House of Representatives and the Senate, re-
22 spectively, and such rules shall supersede other rules
23 only to the extent that they are inconsistent there-
24 with; and

1 (2) with full recognition of the constitutional
2 right of the House of Representatives and the Sen-
3 ate to change such rules at anytime, in the same
4 manner, and to the same extent as in the case of
5 any other rule of the House of Representatives or
6 the Senate, respectively.

7 **SEC. 304. CONFORMING AMENDMENT TO TABLE OF CON-**
8 **TENTS.**

9 Section 1(b) of the Congressional Budget and Im-
10 poundment Control Act of 1974 is amended by inserting
11 “PART A—GENERAL PROVISIONS” before the item relat-
12 ing to section 401 and by inserting after the item relating
13 to section 407 the following:

 “PART B—FEDERAL MANDATES

 “Sec. 421. Definitions.
 “Sec. 422. Limitation on application.
 “Sec. 423. Duties of congressional committees.
 “Sec. 424. Duties of the Director.
 “Sec. 425. Point of order.
 “Sec. 426. Enforcement in the House of Representatives.”.

14 **SEC. 305. TECHNICAL AMENDMENTS.**

15 (a) TECHNICAL AMENDMENT.—The State and Local
16 Government Cost Estimate Act of 1981 (Public Law 97-
17 108) is repealed.

18 (b) TECHNICAL AMENDMENT.—Section 403 of the
19 Congressional Budget Act of 1974 is amended to read as
20 follows:

1 “ANALYSIS BY CONGRESSIONAL BUDGET OFFICE

2 “SEC. 403. The Director of the Congressional Budget
3 Office shall, to the extent practicable, prepare for each bill
4 or resolution of a public character reported by any com-
5 mittee of the House of Representatives or the Senate (ex-
6 cept the Committee on Appropriations of each House),
7 and submit to such committee—

8 “(1) an estimate of the costs which would be in-
9 curred in carrying out such bill or resolution in the
10 fiscal year in which it is to become effective and in
11 each of the 4 fiscal years following such fiscal year,
12 together with the basis for each such estimate; and

13 “(2) a comparison of the estimate of costs de-
14 scribed in paragraph (1) with any available estimate
15 of costs made by such committee or by any Federal
16 agency.

17 The estimate and comparison so submitted shall be in-
18 cluded in the report accompanying such bill or resolution
19 if timely submitted to such committee before such report
20 is filed.”.

1 **SEC. 306. EFFECTIVE DATE.**

2 This title shall take effect on October 1, 1995.

Passed the House of Representatives February 1,
1995.

Attest:

Clerk.

104TH CONGRESS
1ST SESSION

H. R. 5

AN ACT

To curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes.