

date, see section 110 of Pub. L. 104-4, set out as a note under section 1511 of this title.

### § 1515. Exercise of rulemaking powers

The provisions of sections 658 to 658g and 1514 of this title are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of such House, respectively, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of each House.

(Pub. L. 104-4, title I, §108, Mar. 22, 1995, 109 Stat. 63.)

#### EFFECTIVE DATE

Section effective Jan. 1, 1996, or on the date 90 days after appropriations are made available as authorized under section 1516 of this title, whichever is earlier, and applicable to legislation considered on and after such date, see section 110 of Pub. L. 104-4, set out as a note under section 1511 of this title.

### § 1516. Authorization of appropriations

There are authorized to be appropriated to the Congressional Budget Office \$4,500,000 for each of the fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002 to carry out the provisions of this subchapter.

(Pub. L. 104-4, title I, §109, Mar. 22, 1995, 109 Stat. 64.)

#### REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 104-4, Mar. 22, 1995, 109 Stat. 50, which enacted this subchapter and sections 658 to 658g of this title, amended sections 602, 632, and 653 of this title, and enacted provisions set out as a note under section 1511 of this title.

#### EFFECTIVE DATE

Section effective Jan. 1, 1996, or on the date 90 days after appropriations are made available as authorized under this section, whichever is earlier, and applicable to legislation considered on and after such date, see section 110 of Pub. L. 104-4, set out as a note under section 1511 of this title.

## SUBCHAPTER II—REGULATORY ACCOUNTABILITY AND REFORM

### § 1531. Regulatory process

Each agency shall, unless otherwise prohibited by law, assess the effects of Federal regulatory actions on State, local, and tribal governments, and the private sector (other than to the extent that such regulations incorporate requirements specifically set forth in law).

(Pub. L. 104-4, title II, §201, Mar. 22, 1995, 109 Stat. 64.)

#### EFFECTIVE DATE

Pub. L. 104-4, title II, §209, Mar. 22, 1995, 109 Stat. 67, provided that: “This title [enacting this subchapter]

and the amendments made by this title shall take effect on the date of the enactment of this Act [Mar. 22, 1995].”

#### REGULATORY PLANNING AND REVIEW

For provisions stating regulatory philosophy and principles and setting forth regulatory organization, procedures, and guidelines for centralized review of new and existing regulations to make the regulatory process more efficient, see Ex. Ord. No. 12866, Sept. 30, 1993, 58 F.R. 51735, set out as a note under section 601 of Title 5, Government Organization and Employees.

### § 1532. Statements to accompany significant regulatory actions

#### (a) In general

Unless otherwise prohibited by law, before promulgating any general notice of proposed rulemaking that is likely to result in promulgation of any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more (adjusted annually for inflation) in any 1 year, and before promulgating any final rule for which a general notice of proposed rulemaking was published, the agency shall prepare a written statement containing—

(1) an identification of the provision of Federal law under which the rule is being promulgated;

(2) a qualitative and quantitative assessment of the anticipated costs and benefits of the Federal mandate, including the costs and benefits to State, local, and tribal governments or the private sector, as well as the effect of the Federal mandate on health, safety, and the natural environment and such an assessment shall include—

(A) an analysis of the extent to which such costs to State, local, and tribal governments may be paid with Federal financial assistance (or otherwise paid for by the Federal Government); and

(B) the extent to which there are available Federal resources to carry out the intergovernmental mandate;

(3) estimates by the agency, if and to the extent that the agency determines that accurate estimates are reasonably feasible, of—

(A) the future compliance costs of the Federal mandate; and

(B) any disproportionate budgetary effects of the Federal mandate upon any particular regions of the nation or particular State, local, or tribal governments, urban or rural or other types of communities, or particular segments of the private sector;

(4) estimates by the agency of the effect on the national economy, such as the effect on productivity, economic growth, full employment, creation of productive jobs, and international competitiveness of United States goods and services, if and to the extent that the agency in its sole discretion determines that accurate estimates are reasonably feasible and that such effect is relevant and material; and

(5)(A) a description of the extent of the agency’s prior consultation with elected representatives (under section 1534 of this title) of the affected State, local, and tribal governments;