

Bills Introduced to Halt New Federal Regulations

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We from time to time have called our readers attention to developments in the important field of tort [reform](#). While often this takes the form of [state legislation](#) affecting substantive legal doctrine, there is another important branch, evidenced by recent proposals from Republican senators seeking passage this fall of legislation that would impose a moratorium on multiple Administration regulations now in the pipeline.

For example, Sen. Ron Johnson (R-Wis.), along with two dozen co-sponsors, has authored a bill that would bar all federal agencies from finalizing any pending rules or voluntary guidance documents that could significantly impact the economy. The moratorium would remain in place until unemployment returns to the level it was when the President took office (7.7%).

The Regulation Moratorium and Jobs Preservation Act of 2011 ([S. 1438](#)) would apply to any "significant regulatory action," meaning any regulatory action that is likely to result in a rule or guidance that may have an annual effect on the economy of \$100,000,000 or more, or adversely affect in a material way the economy, or jobs, or materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or raise novel legal or policy issues.

Congressman Reid Ribble (R. Wis.) has announced the [introduction](#) of a similar bill in the House, [H.R. 2898](#).

A slightly different approach was introduced by Sen. Susan Collins (R-Maine), calling for a one-year "time out" on significant new federal rules. The Regulatory Time-Out Act ([S. 1538](#)) is designed to provide job creators with a "breather" from these burdensome new regulations.

These broad measures follow the introduction of a variety of bills that would roll back specific regulations already on the books, and/or force agencies to periodically review existing rules. House and Senate Republicans, as well as a few Democrats, have urged structural changes in the regulatory process to address what they see as burdensome regulations that negatively impact the economy. Such regulations have forced businesses, especially smaller firms, to freeze or cut back on hiring. The [United States Chamber of Commerce](#) has argued that the legislation would place an important check on the relatively small number of economically significant regulations that impact the business community's ability to compete.