By Samuel Gaston

On March 15, 2018 the House Committee on Oversight and Government Reform marked up H.R. 50, the Unfunded Mandates Information and Transparency Act of 2017. This legislation amends the Unfunded Mandates Reform Act of 1995, or UMRA, signed by President Bill Clinton, which sought to improve the transparency and stakeholder buy in of the federal regulatory process. Although UMRA made strides in improving state, local, and tribal governments relationship with federal regulatory agencies, additional reform is necessary to ensure that states and localities are included in the regulatory process.

Rep. Virginia Foxx of North Carolina, the bill’s sponsor, explained that the bill improves localities ability to implement federal policy and provide input in the rule-making process. Rep. Foxx introduced UMITA partially to ensure that seeking input from local governments becomes a greater priority for regulatory agencies. She also stated that this legislation seeks to provide additional openness and honesty about the cost of regulations on state and local governments, codifies section one of President Clinton’s Executive Order 12866, and reaffirms President Obama’s Executive Order 13563. UMITA also improves transparency by fixing loopholes in the Unfunded Mandates Reform Act and providing public disclosure of the true cost federal mandates pose to the economy.

Rep. Foxx proposed an amendment that reauthorized funds for CBO to perform its duties under UMRA. She stated that CBO found ways to prepare mandate statements at lower costs and to determine whether a mandate cost will be greater than the UMRA limit. The amendment was agreed to.

The bill passed out of committee and now awaits a vote on the House floor. A Senate companion has been introduced by Sen. Deb Fischer of Nebraska but no action has been taken yet.

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