


(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To limit the authority of the Secretary of Education to propose or issue regulations and executive actions.

IN THE HOUSE OF REPRESENTATIVES

Mr. GROTHMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To limit the authority of the Secretary of Education to propose or issue regulations and executive actions.

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 "Protecting Taxpayers
5 from Student Loan Bailouts Act".

1 **SEC. 2. LIMITATION ON AUTHORITY OF SECRETARY OF**
2 **EDUCATION TO PROPOSE OR ISSUE REGULA-**
3 **TIONS AND EXECUTIVE ACTIONS.**

4 Part G of title IV of the Higher Education Act of
5 1965 (20 U.S.C. 1088 et seq.) is amended by inserting
6 after section 492 (20 U.S.C. 1098a) the following:

7 **“SEC. 492A. LIMITATION ON AUTHORITY OF THE SEC-**
8 **RETARY TO PROPOSE OR ISSUE REGULA-**
9 **TIONS AND EXECUTIVE ACTIONS.**

10 **“(a) DRAFT REGULATIONS.—**Beginning after the
11 date of enactment of this section, a draft regulation imple-
12 menting this title (as described in section 492(b)(1)) that
13 is determined by the Secretary to be economically signifi-
14 cant shall be subject to the following requirements (re-
15 gardless of whether negotiated rulemaking occurs):

16 **“(1)** The Secretary shall determine whether the
17 draft regulation, if implemented, would result in an
18 increase in a subsidy cost.

19 **“(2)** If the Secretary determines under para-
20 graph (1) that the draft regulation would result in
21 an increase in a subsidy cost, then the Secretary
22 may take no further action with respect to such reg-
23 ulation.

24 **“(b) PROPOSED OR FINAL REGULATIONS AND EXEC-**
25 **UTIVE ACTIONS.—**Beginning after the date of enactment
26 of this section, the Secretary may not issue a proposed

1 rule, final regulation, or executive action implementing
2 this title if the Secretary determines that the rule, regula-
3 tion, or executive action—

4 “(1) is economically significant; and

5 “(2) would result in an increase in a subsidy
6 cost.

7 “(c) RELATIONSHIP TO OTHER REQUIREMENTS.—

8 The analyses required under subsections (a) and (b) shall
9 be in addition to any other cost analysis required under
10 law for a regulation implementing this title, including any
11 cost analysis that may be required pursuant to Executive
12 Order 12866 (58 Fed. Reg. 51735; relating to regulatory
13 planning and review), Executive Order 13563 (76 Fed.
14 Reg. 3821; relating to improving regulation and regu-
15 latory review), or any related or successor orders.

16 “(d) DEFINITION.—In this section, the term ‘eco-
17 nomically significant’, when used with respect to a draft,
18 proposed, or final regulation or executive action, means
19 that the regulation or executive action is likely, as deter-
20 mined by the Secretary—

21 “(1) to have an annual effect on the economy
22 of \$100,000,000 or more; or

23 “(2) adversely to affect in a material way the
24 economy, a sector of the economy, productivity, com-
25 petition, jobs, the environment, public health or safe-

1 ty, or State, local, or tribal governments or commu-
2 nities.”.