

- Sec.
- (c) OMB certification.
1536. Assistance to Congressional Budget Office.
1537. Pilot program on small government flexibility.
- (a) In general.
- (b) Program focus.
1538. Annual statements to Congress on agency compliance.
- SUBCHAPTER III—REVIEW OF FEDERAL MANDATES
1551. Baseline study of costs and benefits.
- (a) In general.
- (b) Considerations.
1552. Report on Federal mandates by Advisory Commission on Intergovernmental Relations.
- (a) In general.
- (b) Criteria.
- (c) Preliminary report.
- (d) Final report.
- (e) Priority to mandates that are subject of judicial proceedings.
- (f) “State mandate” defined.
1553. Special authorities of Advisory Commission.
- (a) Experts and consultants.
- (b) Detail of staff of Federal agencies.
- (c) Administrative support services.
- (d) Contract authority.
1554. Annual report to Congress regarding Federal court rulings.
1555. “Federal mandate” defined.
1556. Authorization of appropriations.
- SUBCHAPTER IV—JUDICIAL REVIEW
1571. Judicial review.
- (a) Agency statements on significant regulatory actions.
- (b) Judicial review and rule of construction.

### § 1501. Purposes

The purposes of this chapter are—

- (1) to strengthen the partnership between the Federal Government and State, local, and tribal governments;
- (2) to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate Federal funding, in a manner that may displace other essential State, local, and tribal governmental priorities;
- (3) to assist Congress in its consideration of proposed legislation establishing or revising Federal programs containing Federal mandates affecting State, local, and tribal governments, and the private sector by—
- (A) providing for the development of information about the nature and size of mandates in proposed legislation; and
- (B) establishing a mechanism to bring such information to the attention of the Senate and the House of Representatives before the Senate and the House of Representatives vote on proposed legislation;
- (4) to promote informed and deliberate decisions by Congress on the appropriateness of Federal mandates in any particular instance;
- (5) to require that Congress consider whether to provide funding to assist State, local, and tribal governments in complying with Federal mandates, to require analyses of the impact of private sector mandates, and through the dis-

semination of that information provide informed and deliberate decisions by Congress and Federal agencies and retain competitive balance between the public and private sectors;

(6) to establish a point-of-order vote on the consideration in the Senate and House of Representatives of legislation containing significant Federal intergovernmental mandates without providing adequate funding to comply with such mandates;

(7) to assist Federal agencies in their consideration of proposed regulations affecting State, local, and tribal governments, by—

(A) requiring that Federal agencies develop a process to enable the elected and other officials of State, local, and tribal governments to provide input when Federal agencies are developing regulations; and

(B) requiring that Federal agencies prepare and consider estimates of the budgetary impact of regulations containing Federal mandates upon State, local, and tribal governments and the private sector before adopting such regulations, and ensuring that small governments are given special consideration in that process; and

(8) to begin consideration of the effect of previously imposed Federal mandates, including the impact on State, local, and tribal governments of Federal court interpretations of Federal statutes and regulations that impose Federal intergovernmental mandates.

(Pub. L. 104-4, §2, Mar. 22, 1995, 109 Stat. 48.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 104-4, Mar. 22, 1995, 109 Stat. 48, known as the Unfunded Mandates Reform Act of 1995. For complete classification of this Act to the Code, see Short Title note below and Tables.

#### SHORT TITLE

Section 1 of Pub. L. 104-4 provided that: “This Act [enacting this chapter and sections 658 to 658g of this title, amending sections 602, 632, and 653 of this title, and enacting provisions set out as notes under sections 1511 and 1531 of this title] may be cited as the ‘Unfunded Mandates Reform Act of 1995’.”

### § 1502. Definitions

For purposes of this chapter—

(1) except as provided in section 1555 of this title, the terms defined under section 658 of this title shall have the meanings as so defined; and

(2) the term “Director” means the Director of the Congressional Budget Office.

(Pub. L. 104-4, §3, Mar. 22, 1995, 109 Stat. 49.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1555 of this title.

### § 1503. Exclusions

This chapter shall not apply to any provision in a bill, joint resolution, amendment, motion, or conference report before Congress and any provision in a proposed or final Federal regulation that—

(1) enforces constitutional rights of individuals;