

Table 1. Congressional Process for Using the CRA

Legislative Process	House of Representatives	Senate	Timeline
Initiation Period	<p>A joint resolution of disapproval must be submitted by a member of either house within 60 calendar days of when the rule is received by Congress.</p> <p>Recess periods of more than three days are excluded when calculating this period. In other words, weekend days will count toward the initiation period, but district work periods will not.</p>		60 calendar days (excluding district work periods)
Initial Consideration/ Action Period	<p>The CRA does not establish an expedited process for initial House consideration. The House would consider a disapproval resolution under its general procedures, likely as prescribed by a special rule reported from the Committee on Rules.</p>	<p>Initial consideration of an expedited resolution in the Senate is called the action period. Here, the Senate has 60 session days following publication of the rule in the <i>Federal Register</i> to complete initial consideration of a disapproval resolution.</p> <p>Note: The action period runs concurrently to the initiation period.</p>	60 session days after the rule is published in <i>Federal Register</i>
Committee Consideration	<p>In each house, any disapproval resolution submitted is to be referred to the committee or committees with jurisdiction. This step is consistent with the regular procedure in each chamber.</p>		N/A
Committee Discharge	<p>Again, expedited procedures in the CRA apply only to the Senate. The CRA attempts to ensure that the Senate will be able to act on the disapproval resolution whether or not the committee of referral reports it. A procedure to discharge the committee from its consideration becomes available beginning 20 calendar days after the rule has been both submitted to Congress and published in the <i>Federal Register</i>. If 30 senators submit a petition, the measure is automatically discharged and placed on the calendar, from which it may be called up for floor consideration.</p>		Available 20 days after a rule is submitted and published in the <i>Federal Register</i>

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Taking Up a Disapproval Resolution	The motion to consider is normally reserved to the majority leader. However, the CRA emphasizes that the Senate, in principle, has means of calling up the disapproval resolution, no matter what position the committee or leadership take on it. Because of the time-sensitive nature of this process, the CRA also eliminates many of the tools used to delay legislation in the Senate. The CRA prohibits amendments, motions to postpone the resolution’s consideration, and motions to consider other business.		N/A
Floor Consideration	The CRA does not preclude amendment of a disapproval resolution in the House.	Floor debate on the resolution is limited to 10 hours, and no amendment is in order. At the conclusion of debate, the Senate automatically proceeds to vote on the resolution. No intervening action is permitted, except that one quorum call may take place if any Senator so requests.	N/A
Reconciliation	Both houses must present the president with identical measures. To ensure continuity, the CRA designates that when either house adopts a disapproval resolution and sends it to the other, the receiving house must hold it at the desk rather than referring it to committee. This means that the resolution is available for floor action. When the receiving house later considers a disapproval resolution of its own, it votes on the resolution already received from the other house. In this way both houses take final action on the same measure; if both adopt it, the requirements for presentation to the president are satisfied.		N/A
Passage	If a disapproval resolution passes both houses and is signed by the president, the rule may not take effect and the agency cannot issue any substantially similar rule without subsequent statutory authorization. If a rule is disapproved after going into effect, it is “treated as though [it] had never taken effect.”		N/A

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<p>Presidential Veto</p>	<p>If the president vetoes the resolution, the rule may not take effect for 30 days of session thereafter, unless the House or Senate votes to sustain the veto. Congress may also override the president’s veto under the normal procedures, which require a two-thirds vote in each chamber.</p> <p>If the president vetoes a resolution to disapprove a major rule, Congress has an additional 30 days of session to override the veto.</p> <p>If the president vetoes the disapproval resolution of a rule that has already gone in effect, the rule remains in effect pending congressional action on the veto.</p>		<p>30 session days from veto</p>