

GAO CRA Legal Opinions and Related Action on Joint Resolutions of Disapproval
Prepared March 18, 2025

Agency Action	GAO Opinion Citation	Date of Opinion	GAO Determination	House Disapproval Resolution(s)	Senate Disapproval Resolution(s)	Summary of Action / Notes
Department of Agriculture memorandum concerning the Emergency Salvage Timber Sale Program	B-274505	September 16, 1996	Agency action is a rule.	None identified	None identified	-
U.S. Forest Service Tongass National Forest Land and Resource Management Plan	B-275178	July 3, 1997	Agency action is a rule.	H.J.Res.97 — 115 th Congress (2017-2018) Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Agriculture relating to "Tongass National Forest Land and Resource Management Plan Amendment". Sponsor: Young, Don [Rep.-R-AK-At Large] (Introduced 04/06/2017) Latest Action: House - 04/06/2017 Referred to the House Committee on Natural Resources.	None identified	A disapproval resolution was submitted in the House and referred. The measure received no further action.
American Heritage River Initiative, created by Executive Order 13,061	B-278224	November 10, 1997	Action is not a rule because the President is not an agency under the CRA.	None identified	None identified	-
EPA "Interim Guidance for Investigating Title VI Administrative Complaints Challenging Permits"	B-281575	January 20, 1999	Agency action is a rule.	None identified	None identified	-

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Farm Credit Administration national charter initiative	B-286338	October 17, 2000	Agency action is a rule.	None identified	None identified	-
Department of the Interior Record of Decision "Trinity River Mainstem Fishery Restoration"	B-287557	May 14, 2001	Agency action is a rule.	None identified	None identified	-
Department of Veterans Affairs (VA) memorandum regarding the VA's marketing activities to enroll new veterans in the VA health care system	B-291906	February 28, 2003	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(C) (a rule of "agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties").	None identified	None identified	-
VA memorandum terminating Vendee Loan Program	B-292045	May 19, 2003	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(B) (a rule "relating to agency management or personnel") or (C) (a rule of "agency organization, procedure, or practice that does not substantially affect the rights	None identified	None identified	-

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			or obligations of non-agency parties").			
Centers for Medicare and Medicaid Services Letter on the State Children's Health Insurance Program	B-316048	April 17, 2008	Agency action is a rule.	None identified	S.J.Res.44 — 110 th Congress (2007-2008) A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule set forth as requirements contained in the August 17, 2007, letter to State Health Officials from the Director of the Center for Medicaid and State Operations in the Centers for Medicare & Medicaid Services and the State Health Official Letter 08-003, dated May 7, 2008, from such Center. Sponsor: Rockefeller, John D., IV [Sen.-D-WV] (Introduced 07/17/2008) Committees: Senate - Finance Latest Action: Senate - 07/17/2008 Read twice and referred to the Committee on Finance.	S.J.Res.44 was initially scheduled for markup by the Senate Finance Committee, but the markup was cancelled after the Senate Parliamentarian ruled that the measure was not privileged. The Parliamentarian reportedly advised that the resolution would have had to have been introduced within 60 days of continuous session after the date of the GAO legal opinion in order to qualify for the expedited CRA procedures.
Department of Health and Human Services Information Memorandum concerning the Temporary Assistance to Needy Families Program	B-323772	September 4, 2012	Agency action is a rule.	H.J.Res.118 — 112 th Congress (2011-2012) Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the	S.J.Res.50 — 112 th Congress (2011-2012) A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the	H.J.Res.118 passed the House of Representatives by a vote of 250-164. The House measure was received in the Senate but received no further action.

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				<p>Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program.</p> <p>Sponsor: Camp, Dave [Rep.-R-MI-4] (Introduced 09/11/2012) Cosponsors: (24)</p> <p>Committees: House - Ways and Means; Education and the Workforce</p> <p>Committee Reports: H. Rept. 112-677,Part 2, H. Rept. 112-677,Part 1</p> <p>Latest Action: Senate - 09/21/2012 Received in the Senate.</p>	<p>rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program.</p> <p>Sponsor: Hatch, Orrin G. [Sen.-R-UT] (Introduced 09/11/2012) Cosponsors: (23)</p> <p>Committees: Senate - Finance</p> <p>Latest Action: Senate - 09/11/2012 Read twice and referred to the Committee on Finance.</p> <p>S.J.Res.9 — 113th Congress (2013-2014)</p> <p>A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and</p>	<p>A disapproval resolution was submitted in the Senate in the 113th Congress and referred. No further action occurred on the measure.</p>

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					<p>expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program.</p> <p>Sponsor: Hatch, Orrin G. [Sen.-R-UT] (Introduced 03/04/2013) Cosponsors: (9)</p> <p>Committees: Senate - Finance</p> <p>Latest Action: Senate - 03/04/2013 Read twice and referred to the Committee on Finance.</p>	
EPA proposed rule on Standards of Performance for Greenhouse Gas Emissions from New Stationary Sources: Electric Utility Generating Units	B-325553	May 29, 2014	Agency action is not a rule because it is a proposed rule.	<p>H.J.Res.64 — 113th Congress (2013-2014)</p> <p>Disapproving a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New Stationary Sources: Electric Utility Generating Units".</p> <p>Sponsor: McKinley, David B. [Rep.-R-WV-1] (Introduced 09/25/2013) Cosponsors: (56)</p> <p>Committees: House - Energy and Commerce</p> <p>Latest Action: House - 09/27/2013 Referred to</p>	<p>S.J.Res.30 — 113th Congress (2013-2014)</p> <p>A joint resolution to disapprove a rule of the Environmental Protection Agency relating to greenhouse gas emissions from electric utility generating units.</p> <p>Sponsor: McConnell, Mitch [Sen.-R-KY] (Introduced 01/16/2014) Cosponsors: (41)</p> <p>Committees: Senate - Environment and Public Works</p> <p>Latest Action: Senate - 01/16/2014 Read twice and referred to the Committee on</p>	Disapproval resolutions were submitted in the House and Senate prior to the GAO decision and referred. The measures received no further action.

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				the Subcommittee on Energy and Power.	Environment and Public Works.	
Office of the Comptroller of the Currency, Federal Reserve Board, and Federal Deposit Insurance Corporation Interagency Guidance on Leveraged Lending	B-329272	October 19, 2017	Agency action is a rule.	None identified	None identified	-
U.S. Forest Service 2016 Amendment to the Tongass Land and Resource Management Plan	B-238859	October 23, 2017	Agency action is a rule.	None identified	None identified	-
Bureau of Land Management Eastern Interior Resource Management Plan	B-329065	November 15, 2017	Agency action is a rule.	H.J.Res.96 — 115 th Congress (2017-2018) Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Interior relating to "Eastern Interior Proposed Resource Management Plan and Final Environmental Impact Statement". Sponsor: Young, Don [Rep.-R-AK-At Large] (Introduced 04/06/2017) Cosponsors: (0) Committees: House - Natural Resources Latest Action: House - 04/06/2017 Referred to	None identified	A disapproval resolution was submitted in the House and referred. The measure received no further action.

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				the House Committee on Natural Resources.		
Consumer Financial Protection Bureau bulletin on Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act	B-329129	December 5, 2017	Agency action is a rule.	H.J.Res.132 — 115 th Congress (2017-2018) Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to "Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act". Sponsor: Zeldin, Lee M. [Rep.-R-NY-1] (Introduced 04/10/2018) Cosponsors: (7) Committees: House - Financial Services Latest Action: House - 04/10/2018 Referred to the House Committee on Financial Services.	S.J.Res.57 — 115 th Congress (2017-2018) A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act". Sponsor: Moran, Jerry [Sen.-R-KS] (Introduced 03/22/2018) Cosponsors: (24) Committees: Senate - Banking, Housing, and Urban Affairs Latest Action: 05/21/2018 Became Public Law No: 115-172.	S.J.Res.57 passed the Senate under the CRA expedited procedures. It later passed the House and was signed into law by the President as P.L. 115-172.
U.S. Agency for International Development fact sheet on global health assistance and revisions to standard provisions for U.S. nongovernmental organizations	B-329206	May 1, 2018	Agency actions are not rules because "federal courts have held that agencies' implementation of presidential policy-making does not constitute a rule."	None identified	None identified	-

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IRS statement on health care reporting requirements	B-329916	May 17, 2018	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(C) (a rule of "agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties").	None identified	None identified	-
Social Security Administration Hearings, Appeals, and Litigation Law Manual ("HALLEX") sections	B-329926	September 10, 2018	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(C) (a rule of "agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties").	None identified	None identified	-
IRS Revenue Procedure 2018-38	B-330376	November 30, 2018	Agency action is eligible for review "because IRS submitted the revenue procedure as a rule" and "IRS's submission triggered Congress's review and oversight	None identified	None identified	-

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			powers under CRA.” The opinion took no position on whether the document was a “rule.”			
Department of Justice memorandum to federal prosecutors along the southwest border of the United States	B-330190	December 19, 2018	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(C) (a rule of “agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties”).	None identified	None identified	-
Department of Commerce memorandum regarding a citizenship question on the 2020 Census	B-330288	February 7, 2019	Agency action is not a rule because it does not meet the APA definition of a “rule.”	None identified	None identified	-
Department of Health and Human Services and Department of the Treasury guidance entitled “State Relief and Empowerment Waivers”	B-330811	July 15, 2019	Agency action is a rule.	H.J.Res.74 — 116 th Congress (2019-2020) Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury and the Secretary of Health and Human Services relating to “State	S.J.Res.52 — 116 th Congress (2019-2020) A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury and the Secretary of Health and Human Services relating to “State	S.J.Res.52 was placed on the Senate Calendar of Business by petition and made pending on the Senate floor by voice vote. The joint resolution failed to pass by a vote of 43-52.

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				Relief and Empowerment Waivers". Sponsor: Kuster, Ann M. [Rep.-D-NH-2] (Introduced 08/02/2019) Cosponsors: (31) Committees: House - Energy and Commerce; Ways and Means Latest Action: House - 08/05/2019 Referred to the Subcommittee on Health.	Relief and Empowerment Waivers". Sponsor: Warner, Mark R. [Sen.-D-VA] (Introduced 07/31/2019) Cosponsors: (46) Committees: Senate - Finance Latest Action: Senate - 10/30/2019 Failed of passage in Senate by Yeas-Nays Vote. 43 - 52.	
Board of Governors of the Federal Reserve System Supervision and Regulation (SR) Letters (SR 12-17, SR 14-8, SR 15-7)	B-330843	October 22, 2019	SR 12-17 and SR 14-8 are rules; SR 15-7 is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(C) (a rule of "agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties").	None identified	None identified	-
Board of Governors of the Federal Reserve System SR Letter 11-7	B-331324	October 22, 2019	Agency action is a rule.	None identified	None identified	-

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Board of Governors of the Federal Reserve System SR Letter 15-18	B-331560	April 16, 2020	Agency action is a rule.	None identified	None identified	-
Federal Communications Commission order entitled LightSquared Technical Working Group Report, et al. (<i>Ligado Order</i>)	B-332233	August 13, 2020	Agency action is not a rule because it meets the APA definition of an "order" or falls under the exception in 5 U.S.C. § 804(3)(A) (a rule of particular applicability).	None identified	None identified	-
IRS Notice 2020-65	B-332517	September 15, 2020	Agency action is eligible for disapproval because the agency submitted it under the CRA. The opinion took no position on whether the document was a "rule."	H.J.Res.94 — 116 th Congress (2019-2020) Providing for congressional disapproval of the rule submitted by the Internal Revenue Service, Department of the Treasury, relating to "Relief with Respect to Employment Tax Deadlines Applicable to Employers Affected by the Ongoing Coronavirus (COVID-19) Disease 2019 Pandemic". Sponsor: Rep. Larson, John B. [D-CT-1] (Introduced 09/04/2020) Committees: House - Ways and Means Latest Action: House - 09/04/2020 Referred to the House Committee on Ways and Means.	None identified	A disapproval resolution was submitted in House and referred. The measure received no further action.

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Department of Housing and Urban Development Fair Housing Act guidance on assistance animals	B-331171	December 17, 2020	Agency action is a rule.	None identified	None identified	-
Centers for Disease Control and Prevention document entitled "Requirement for Persons to Wear Masks While on Conveyances and at Transportation Hubs"	B-333501	December 14, 2021	Agency action is a rule.	H.J.Res.72 — 117 th Congress (2021-2022) Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Centers for Disease Control and Prevention relating to "Requirement for Persons To Wear Masks While on Conveyances and at Transportation Hubs". Sponsor: Bishop, Dan [Rep.-R-NC-9] (Introduced 02/18/2022) Cosponsors: (135) Committees: House - Energy and Commerce Latest Action: House - 02/21/2022 Referred to the Subcommittee on Health.	S.J.Res.37 — 117 th Congress (2021-2022) A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Centers for Disease Control and Prevention relating to "Requirement for Persons To Wear Masks While on Conveyances and at Transportation Hubs". Sponsor: Paul, Rand [Sen.-R-KY] (Introduced 02/10/2022) Cosponsors: (21) Committees: Senate - Health, Education, Labor, and Pensions Latest Action: Senate - 03/15/2022 Passed Senate without amendment by Yea-Nay Vote. 57 - 40.	S.J.Res.37 was placed on the Senate Calendar of Business by petition and made pending on the Senate floor by unanimous consent. The resolution passed the Senate by a vote of 57-40. No further action occurred on the measure.
Safer Federal Workforce Task Force guidance entitled "COVID-19 Workplace Safety: Guidance for Federal Contractors and Subcontractors"	B-333725	March 17, 2022	Agency action is not a rule because neither the task force nor the OMB, in this instance, meet the CRA's definition of "agency."	None identified	None identified	-

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Department of Agriculture 2021 Updates to the Thrifty Food Plan	B-333732	July 28, 2022	Agency action is a rule.	None identified	None identified	-
Federal Highway Administration memorandum entitled "Information: Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America"	B-334032	December 15, 2022	Agency action is a rule. (GAO was asked by a Senator to reconsider this opinion; their response confirmed their original conclusion. See B-334032.2)	None identified	None identified	-
District of Columbia Court Services and Offender Supervision Agency notice entitled "Privacy Act of 1974; System of Records"	B-334005	January 18, 2023	Agency action is not a rule because it does not meet the APA definition of a "rule."	None identified	None identified	-
Office of Personnel Management memorandum entitled "Achieving a \$15 Per Hour Minimum Pay Rate for Federal Employees"	B-334221	February 9, 2023	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(B) (a rule "relating to agency management or personnel").	None identified	None identified	-
EPA document announcing denial of petitions for small refinery exemptions under the Renewable Fuel Standard Program	B-334400	February 9, 2023	Agency action is not a rule because it meets the APA definition of an "order" or falls under the exception in 5 U.S.C. § 804(3)(A)	None identified	None identified	-

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			(a rule of particular applicability).			
Department of Education website announcement entitled "One-Time Federal Student Loan Debt Relief" and <i>Federal Register</i> document relating to student loans	B-334644	March 17, 2023	Agency actions are a rule.	H.J.Res.45 — 118 th Congress (2023-2024) Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Waivers and Modifications of Federal Student Loans". Sponsor: Good, Bob [Rep.-R-VA-5] (Introduced 03/27/2023) Cosponsors: (94) Committees: House - Education and the Workforce Committee Report: H. Rept. 118-71 Latest Action: House - 06/21/2023 The Chair directed the Clerk to notify the Senate of the action of the House.	S.J.Res.22 — 118 th Congress (2023-2024) A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Waivers and Modifications of Federal Student Loans". Sponsor: Cassidy, Bill [Sen.-R-LA] (Introduced 03/27/2023) Cosponsors: (47) Committees: Senate - Health, Education, Labor, and Pensions Latest Action: Senate - 03/27/2023 Read twice and referred to the Committee on Health, Education, Labor, and Pensions.	H.J.Res.45 passed the House. It was made pending in the Senate by motion and passed by a vote of 52-46. The measure was vetoed by the President. A House attempt to override the veto failed by a vote of 221-206.
Office of Personnel Management guidance on COVID-19 vaccination requirement for federal employees	B-334237	April 6, 2023	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(B) (a rule "relating to agency management or personnel").	None identified	None identified	-

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Department of Agriculture actions implementing four financial assistance programs established with funds from the Commodity Credit Corporation	B-334146	June 5, 2023	Agency actions are rules.	None identified	None identified	-
Food and Nutrition Service memorandum entitled "Application of <i>Bostock v. Clayton County</i> to Program Discrimination Complaint Processing—Policy Update"	B-334411	June 5, 2023	Agency action is a rule.	H.J.Res.92 - 118 th Congress (2023-2024) Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Food and Nutrition Service relating to "Application of <i>Bostock v. Clayton County</i> to Program Discrimination Complaint Processing—Policy Update". Sponsor: Rep. Franklin, C. Scott [R-FL-18] (Introduced 09/26/2023) Committees: House - Agriculture Latest Action: House - 01/11/2024 Referred to the Subcommittee on Nutrition, Foreign Agriculture, and Horticulture.	S.J.Res.42 - 118 th Congress (2023-2024) A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Food and Nutrition Service relating to "Application of <i>Bostock v. Clayton County</i> to Program Discrimination Complaint Processing—Policy Update". Sponsor: Sen. Marshall, Roger [R-KS] (Introduced 07/27/2023) Committees: Senate - Agriculture, Nutrition, and Forestry Latest Action: Senate - 10/26/2023 Failed of passage in Senate by Yea-Nay Vote. 47 - 50. Record Vote Number: 272.	S.J.Res.42 was placed on the Senate Calendar of Business by petition and made pending on the Senate floor by unanimous consent. The resolution failed to pass the Senate by a vote of 47-50. No further action occurred on the measure.
Department of Homeland Security memoranda terminating the Migrant Protection Protocols	B-334045	July 5, 2023	Agency actions are not a rule because they fall under the exception in 5	None identified	None identified	-

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			U.S.C. § 804(3)(C).			
Food and Drug Administration revision of risk evaluation and mitigation strategy for mifepristone	B-334995	July 6, 2023	Agency action is not a rule because it meets the APA definition of an "order" or falls under the exception in 5 U.S.C. § 804(3)(A) (a rule of particular applicability).	None identified	None identified	-
Department of Defense memoranda implementing changes to policies regarding servicemembers' reproductive health care	B-335115	September 26, 2023	Agency actions are not a rule because they fall under the exception in 5 U.S.C. § 804(3)(B) (a rule "relating to agency management or personnel").	None identified	None identified	-
Department of Transportation notice of funding opportunity for the FY2023-2024 Multimodal Project Discretionary Grant Opportunity (MPDG)	B-335488	October 18, 2023	Agency action is a rule.	None identified	None identified	-
Securities and Exchange Commission staff accounting bulletin (SAB No. 121)	B-334540	October 31, 2023	Agency action is a rule.	H.J.Res.109 — 118 th Congress (2023-2024) Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Securities and Exchange	S.J.Res.59 — 118 th Congress (2023-2024) A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the	H.J.Res.109 passed the House. It was made pending in the Senate by unanimous consent and passed the Senate by a vote of 60-38. The measure was vetoed by the President. A House

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				<p>Commission relating to "Staff Accounting Bulletin No. 121".</p> <p>Sponsor: Flood, Mike [Rep.-R-NE-1] (Introduced 02/01/2024) Cosponsors: (4)</p> <p>Committees: House - Financial Services</p> <p>Committee Report: H. Rept. 118-480</p> <p>Latest Action: House - 07/11/2024 The Chair directed the Clerk to notify the Senate of the action of the House.</p>	<p>Securities and Exchange Commission relating to "Staff Accounting Bulletin No. 121".</p> <p>Sponsor: Lummis, Cynthia M. [Sen.-R-WY] (Introduced 02/01/2024) Cosponsors: (14)</p> <p>Committees: Senate - Banking, Housing, and Urban Affairs</p> <p>Latest Action: Senate - 02/01/2024 Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.</p>	attempt to override the veto failed by a vote of 228-184.
Centers for Disease Control and Prevention document titled "Advisory Committee on Immunization Practices Recommended Immunization Schedule for Children and Adolescents Aged 18 Years or Younger—United States, 2023"	B-335316	November 29, 2023	Agency action is not a rule because it does not meet the APA definition of a "rule" or falls under the exception in 5 U.S.C. § 804(3)(C) (a rule of "agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties").	None identified	None identified	-
EPA notice of decision entitled "California State Motor Vehicle Pollution Control Standards;	B-334309	November 30, 2023	Agency action is not a rule because it meets the APA definition of an	None identified	None identified	-

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Advanced Clean Car Program; Reconsideration of a Previous Withdrawal of a Waiver of Preemption; Notice of Decision"			"order" or falls under the exception in 5 U.S.C. § 804(3)(A) (a rule of particular applicability).			
Department of Education (Education) website announcement of an "On Ramp" toward repayment for student loan borrowers	B-335516	January 24, 2024	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(C) (a rule of "agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties").	None identified	None identified	-
Department of the Interior announcement canceling oil leases in the Arctic National Wildlife Refuge	B-335781	February 27, 2024	Agency action is not a rule because it meets the APA definition of an "order" or falls under the exception in 5 U.S.C. § 804(3)(A) (a rule of particular applicability).	None identified	None identified	-
Federal Housing Finance Agency (FHFA) announcements related to fees charged by Fannie Mae and Freddie Mac	B-335424	March 7, 2024	Agency actions are not a rule because Fannie Mae and Freddie Mac do not meet the CRA's	None identified	None identified	-

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			definition of "agency," and neither does FHFA in this instance.			
OMB and Department of Labor memorandum titled "Strengthening Support for Federal Contract Labor Practices"	B-335142	May 1, 2024	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(B) (a rule "relating to agency management or personnel").	None identified	None identified	-
U.S. Sentencing Commission amendments to sentencing guidelines	B-335515	May 1, 2024	Agency action is not covered because the Sentencing Commission does not meet the CRA's definition of "agency."	None identified	None identified	-
Department of Commerce notice of funding opportunity for CHIPS Incentive Program	B-335175	May 6, 2024	Agency action is a rule.	None identified	None identified	-
Federal Energy Regulatory Commission order entitled "Order Modifying and Approving Surrender of License and Removal of Project Facilities"	B-335030	May 8, 2024	Agency action is not a rule because it meets the APA definition of an "order."	None identified	None identified	-
Office of the U.S. Trade Representative agreement with Japan on strengthening critical minerals supply chains	B-335714	May 23, 2024	Agency action is not a rule because it does not fall within the APA	None identified	None identified	-

Agency Action	GAO Opinion Citation	Date of Opinion	GAO Determination	House Disapproval Resolution(s)	Senate Disapproval Resolution(s)	Summary of Action / Notes
			definition of a "rule."			
National Institute of Standards and Technology notice entitled "Request for Information Regarding the Draft Interagency Framework for Considering the Exercise of March-In Rights"	B-336146	May 28, 2024	Agency action is not a rule because it is not a final agency action.	None identified	None identified	-
Bureau of Ocean Energy Management notice entitled "Notice to Lessees and Operators of Federal Oil and Gas, and Sulphur Leases in the Gulf of Mexico Outer Continental Shelf"	B-335629	July 8, 2024	Agency action is a rule.	None identified	None identified	-
Board of Governors of the Federal Reserve System SR Letter 23-8	B-336217	August 6, 2024	Agency action is not a rule because it falls under the exception in 5 U.S.C. § 804(3)(C) (a rule of "agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties").	None identified	None identified	-
OMB Controller Alert CA-23-6, <i>Enhancing Transparency Through Use of the Investing in America Emblem on Signs</i> (UPDATED)	B-336512	August 29, 2024	Agency action is a rule.	None identified	S.J.Res.109 - 118 th Congress (2023-2024) A joint resolution providing for congressional disapproval under chapter 8 of title 5,	A disapproval resolution was submitted in the Senate and referred. The measure received no further action.

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					<p>United States Code, of the rule submitted by the Office of Management and Budget relating to "Enhancing Transparency Through Use of the Investing in America Emblem on Signs".</p> <p>Sponsor: Sen. Cruz, Ted [R-TX] (Introduced 09/10/2024)</p> <p>Committees: Senate - Homeland Security and Governmental Affairs</p> <p>Latest Action: Senate - 09/10/2024 Read twice and referred to the Committee on Homeland Security and Governmental Affairs.</p>	
FHFA bi-merge requirement and determination regarding credit score models	B-336260	October 1, 2024	Agency actions are not rules because FHFA did not meet the CRA's definition of "agency" in taking the first action and because the second action meets the APA definition of an "order."	None identified	None identified	-
Observations Regarding the Environmental Protection Agency's Submission of Notices of Decision on Clean Air Act	B-337179	March 6, 2025	Our prior decision that a similar Clean Air Act preemption waiver notice was	None identified	None identified	-

Agency Action	GAO Opinion Citation	Date of Opinion	GAO Determination	House Disapproval Resolution(s)	Senate Disapproval Resolution(s)	Summary of Action / Notes
Preemption Waivers as Rules Under the Congressional Review Act			not a rule for purposes of CRA because it was an order under the Administrative Procedure Act would apply to the Notices at issue here.			

Note: CRS Report R45248, *The Congressional Review Act: Determining Which "Rules" Must Be Submitted to Congress*, updated October 22, 2024, and the Congress.gov database. CRA legal opinions are listed on the GAO website at: <https://www.gao.gov/legal/congressional-review-act/legal-decisions>.