



U.S. GOVERNMENT ACCOUNTABILITY OFFICE

441 G St. N.W.
Washington, DC 20548

B-337968

January 2, 2026

The Honorable Bill Cassidy
Chairman
The Honorable Bernard Sanders
Ranking Member
Committee on Health, Education, Labor, and Pensions
United States Senate

The Honorable Brett Guthrie
Chairman
The Honorable Frank Pallone, Jr.
Ranking Member
Committee on Energy and Commerce
House of Representatives

Subject: *Department of Health and Human Services, Centers for Disease Control and Prevention: Expiration of Interim Final Rule: Control of Communicable Diseases; Foreign Quarantine*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of Health and Human Services (HHS), Centers for Disease Control and Prevention (CDC) entitled “Expiration of Interim Final Rule: Control of Communicable Diseases; Foreign Quarantine” (RIN: 0920-AA75). We received the rule on December 16, 2025. It was published in the *Federal Register* on December 4, 2025. 90 Fed. Reg. 55813. The stated effective date of the rule is December 4, 2025.

This rule announces the expiration of an interim final rule published in the *Federal Register* on February 12, 2020, 85 Fed. Reg. 7874, which amended CDC’s Foreign Quarantine regulations during the COVID-19 public health emergency. According to CDC, the Secretary of HHS determined that there is no longer a need for the interim final rule. 90 Fed. Reg. 55813. Therefore, paragraphs (d) and (e) of 42 C.F.R. § 71.4 expired on November 21, 2025. *Id.* at 55814. CDC stated that paragraphs (a) through (c), which were finalized in 2017, shall remain. *Id.*

The Congressional Review Act requires a 60-day delay in the effective date of a major rule from the date of publication in the *Federal Register* or receipt of the rule by Congress, whichever is later. 5 U.S.C. § 801(a)(3)(A). The rule was published in the *Federal Register* on December 4, 2025. 90 Fed. Reg. 55813. The *Congressional Record* does not yet reflect the date of receipt by the Senate. According to documents submitted by HHS, the Senate received the rule on December 16, 2025. Email from Regulations Coordinator, HHS, to GAO, *Subject: Official Submission - RIN 0920-AA75* (Dec. 16, 2025). The *Congressional Record* reflects that the House of Representatives received the rule on December 18, 2025. 171 Cong. Rec. H6112

(daily ed. Dec. 18, 2025). The rule has a stated effective date of December 4, 2025. Therefore, the stated effective date is less than 60 days from the date of receipt by Congress.

Enclosed is our assessment of CDC's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please contact me at (202) 512-8156.

A handwritten signature in black ink, appearing to read "Shirley A. Jones".

Shirley A. Jones
Managing Associate General Counsel

Enclosure

cc: Christina Kang
Regulations Coordinator
Department of Health and Human Services

ENCLOSURE

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE
ISSUED BY THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES,
CENTERS FOR DISEASE CONTROL AND PREVENTION
ENTITLED
“EXPIRATION OF INTERIM FINAL RULE: CONTROL OF COMMUNICABLE DISEASES;
FOREIGN QUARANTINE”
(RIN: 0920-AA75)

(i) Cost-benefit analysis

In its submission to us, the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) indicated that it was not required to prepare an analysis of the costs and benefits of this rule.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

In its submission to us, CDC indicated that the Act is not applicable to this rule.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

In its submission to us, CDC indicated that the Act is not applicable to this rule.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

On February 7, 2020, CDC published an interim final rule. 85 Fed. Reg. 7874. CDC stated in this rule that it did not solicit comment on the interim final rule because doing so would have been impracticable and contrary to the public health. 90 Fed. Reg. 55813.

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

CDC stated in its submission to us that this rule contains information collection requirements under the Act. CDC stated in its submission that the PRA package associated with the 2020 interim final rule will be discontinued.

Statutory authorization for the rule

CDC promulgated this rule pursuant to section 361(a) of the Public Health Service Act, section 264(a) of title 34, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

In its submission to us, CDC indicated that the Order is not applicable to this rule.

Executive Order No. 13132 (Federalism)

In its submission to us, CDC indicated that the Order is not applicable to this rule.