

114TH CONGRESS  
2D SESSION

# H. R. 4768

To amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2016

Mr. RATCLIFFE (for himself, Mr. GOODLATTE, Mr. MARINO, Mr. CHAFFETZ, Mr. BUCK, Mr. YOHO, Mr. KING of Iowa, Mr. BYRNE, Mr. BRAT, Mrs. LOVE, Mr. BROOKS of Alabama, Mr. BABIN, Mr. SALMON, Mr. HENSARLING, Mr. ROUZER, Mr. BISHOP of Michigan, Mr. PALMER, Mr. MESSER, Mr. MULVANEY, Mr. LABRADOR, Mr. TROTT, Mr. MULLIN, Mr. SCHWEIKERT, Mr. DESANTIS, Mr. LOUDERMILK, Mr. ISSA, Mr. WESTERMAN, Mr. BURGESS, Mr. CULBERSON, Mrs. LUMMIS, Mr. WALKER, Mr. OLSON, Mr. SMITH of Missouri, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mr. LAMALFA, Mr. SENSENBRENNER, Mr. GOSAR, Mrs. MCMORRIS RODGERS, Mr. COLLINS of Georgia, Mr. GRAVES of Georgia, Mr. CHABOT, Mr. FRANKS of Arizona, Mr. FARENTHOLD, Mr. GRIFFITH, and Mr. SMITH of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Separation of Powers  
3 Restoration Act of 2016”.

4 **SEC. 2. JUDICIAL REVIEW OF STATUTORY AND REGU-**  
5 **LATORY INTERPRETATIONS.**

6       Section 706 of title 5, United States Code, is amend-  
7 ed, in the matter preceding paragraph (1), by striking “all  
8 relevant questions of law, interpret constitutional and stat-  
9 utory provisions” and inserting “de novo all relevant ques-  
10 tions of law, including the interpretation of constitutional  
11 and statutory provisions and rules”.

○