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114TH CONGRESS
1ST SESSION

S. 1487

To require notice and comment for certain interpretative rules.

IN THE SENATE OF THE UNITED STATES

JUNE 3, 2015

Mr. DAINES (for himself, Mr. LANKFORD, and Mr. BLUNT) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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A BILL

To require notice and comment for certain interpretative rules.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Regulatory Predictability for Business Growth Act of 2015".

SEC. 2. REQUIRING NOTICE AND COMMENT FOR CERTAIN INTERPRETATIVE RULES.

Subchapter II of chapter 5 of title 5, United States Code, is amended—

(1) in section 551—

(A) in paragraph (13), by striking ''and'' at the end;

(B) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(15) 'longstanding interpretative rule' means an interpretative rule that has been in effect for not less than 1 year; and

''(16) 'revise' means, with respect to an interpretative rule, altering or otherwise changing any provision of a longstanding interpretative rule that conflicts, or is in any way inconsistent with, any provision in a subsequently promulgated interpretative rule.''; and

(2) in section 553—

(A) in subsection (b), following the flush text, in subparagraph (A), by striking ''interpretative rules'' and inserting ''an interpretative rule of an agency, unless the interpretative rule revises a longstanding interpretative rule of the agency''; and

(B) in subsection (d)(2), by striking ''interpretative rules'' and inserting ''an interpretative rule of an agency, unless the interpretative

1 rule revises a longstanding interpretative rule of
2 the agency, and''.

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