

114TH CONGRESS
1ST SESSION

H. R. 3438

To amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 2015

Mr. MARINO (for himself and Mr. GOODLATTE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Require Evaluation
5 before Implementing Executive Wishlists Act of 2015” or
6 as the “REVIEW Act of 2015”.

7 **SEC. 2. RELIEF PENDING REVIEW.**

8 Section 705 of title 5, United States Code, is amend-
9 ed—

1 (1) by striking “When” and inserting the fol-
2 lowing:

3 “(a) IN GENERAL.—When”; and

4 (2) by adding at the end the following:

5 “(b) HIGH-IMPACT RULES.—

6 “(1) DEFINITIONS.—In this subsection—

7 “(A) the term ‘Administrator’ means the
8 Administrator of the Office of Information and
9 Regulatory Affairs of the Office of Management
10 and Budget; and

11 “(B) the term ‘high-impact rule’ means
12 any rule that the Administrator determines may
13 impose an annual cost on the economy of not
14 less than \$1,000,000,000.

15 “(2) RELIEF.—

16 “(A) IN GENERAL.—Except as provided in
17 subparagraph (B), an agency shall postpone the
18 effective date of a high-impact rule of the agen-
19 cy pending judicial review.

20 “(B) FAILURE TO TIMELY SEEK JUDICIAL
21 REVIEW.—Notwithstanding section 553(d), if
22 no person seeks judicial review of a high-impact
23 rule during the 60-day period beginning on the
24 date on which the high-impact rule is published
25 in the Federal Register, the high-impact rule

1 shall take effect on the date that is 60 days
2 after the date on which the high-impact rule is
3 published.”.

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