

107TH CONGRESS
1ST SESSION

S. 276

To amend chapter 8 of title 5, United States Code, to provide for congressional review of any rule promulgated by the Internal Revenue Service that increases Federal revenue, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2001

Mr. SHELBY (for himself, Mr. BOND, Mr. THOMAS, Mr. HAGEL, Mr. SESSIONS, Mr. HELMS, Mr. INHOFE, Mr. BURNS, Mr. KYL, Mr. COCHRAN, Ms. SNOWE, and Mr. ALLARD) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend chapter 8 of title 5, United States Code, to provide for congressional review of any rule promulgated by the Internal Revenue Service that increases Federal revenue, and for other purposes.

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. CONGRESSIONAL REVIEW OF INTERNAL REV-**
4 **ENUE SERVICE RULES THAT INCREASE REV-**
5 **ENUE.**

6 (a) **SHORT TITLE.**—This Act may be cited as the
7 “Stealth Tax Prevention Act”.

1 (b) IN GENERAL.—Section 804(2) of title 5, United
 2 States Code, is amended to read as follows:

3 “(2) The term ‘major rule’—

4 “(A) means any rule that—

5 “(i) the Administrator of the Office of
 6 Information and Regulatory Affairs of the
 7 Office of Management and Budget finds
 8 has resulted in or is likely to result in—

9 “(I) an annual effect on the
 10 economy of \$100,000,000 or more;

11 “(II) a major increase in costs or
 12 prices for consumers, individual indus-
 13 tries, Federal, State, or local govern-
 14 ment agencies, or geographic regions;
 15 or

16 “(III) significant adverse effects
 17 on competition, employment, invest-
 18 ment, productivity, innovation, or on
 19 the ability of United States-based en-
 20 terprises to compete with foreign-
 21 based enterprises in domestic and ex-
 22 port markets; or

23 “(ii)(I) is promulgated by the Internal
 24 Revenue Service; and

1 “(II) the Administrator of the Office
2 of Information and Regulatory Affairs of
3 the Office of Management and Budget
4 finds that the implementation and enforce-
5 ment of the rule has resulted in or is likely
6 to result in any net increase in Federal
7 revenues over current practices in tax col-
8 lection or revenues anticipated from the
9 rule on the date of the enactment of the
10 statute under which the rule is promul-
11 gated; and

12 “(B) does not include any rule promul-
13 gated under the Telecommunications Act of
14 1996 and the amendments made by that Act.”.

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