

112TH CONGRESS
2D SESSION

H. R. 6486

To amend title 5, United States Code, to decrease the annual effect on the economy that a rule must have to be a major rule from \$100,000,000 to \$50,000,000 for the purpose of increasing the number of rules for which Congress can use the resolution of disapproval procedure to disapprove a major rule, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2012

Mr. MCKINLEY (for himself, Mr. BISHOP of Utah, Mr. RAHALL, and Mr. GARDNER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 5, United States Code, to decrease the annual effect on the economy that a rule must have to be a major rule from \$100,000,000 to \$50,000,000 for the purpose of increasing the number of rules for which Congress can use the resolution of disapproval procedure to disapprove a major rule, 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,*

1 **SECTION 1. AMENDMENT TO THE DEFINITION OF A MAJOR**
2 **RULE.**

3 (a) MAJOR RULE.—Section 804(2)(A) of title 5,
4 United States Code, is amended by striking
5 “\$100,000,000” and inserting “\$50,000,000”.

6 (b) EFFECTIVE DATE.—The amendment made by
7 subsection (a) shall apply to any proposed rule for which
8 the Federal agency promulgating such rule submits a re-
9 port under section 801(a)(1)(A) of title 5, United States
10 Code, on or after the date of the enactment of this Act.

11 **SEC. 2. SIGNIFICANT REGULATORY ACTION UNDER EXECU-**
12 **TIVE ORDER 12866.**

13 (a) SIGNIFICANT REGULATORY ACTION.—In apply-
14 ing Executive Order 12866 (58 Fed. Reg. 51735; relating
15 to regulatory planning and review), the head of any agency
16 and the Administrator of the Office of Information and
17 Regulatory Affairs shall consider a regulatory action to
18 be a significant regulatory action under section 3(f)(1) of
19 such Executive order if the rule that is likely to result
20 from such regulatory action may have an annual effect
21 on the economy of \$50,000,000 or more.

22 (b) EFFECTIVE DATE.—This section shall apply to—

23 (1) any planned regulatory action that the head
24 of an agency submits to the Administrator of the Of-
25 fice of Information and Regulatory Affairs under

1 section 6(a)(3) of Executive Order 12866 on or after
2 the date of the enactment of this Act; and

3 (2) any regulatory action in a regulatory plan
4 that the head of an agency submits to the Adminis-
5 trator under section 4(c) of such Executive order on
6 or after such date of the enactment.

7 (c) DEFINITIONS.—In this section, the terms “agen-
8 cy”, “regulatory action”, and “rule” have the meanings
9 given those terms for purposes of Executive Order 12866.

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