

114TH CONGRESS
1ST SESSION

H. R. 4003

To require reports on agency rules with criminal penalties for the violation thereof, to evaluate the necessity and prudence of such rules remaining in effect.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2015

Mrs. MIMI WALTERS of California (for herself, Mr. GOODLATTE, Mr. CONYERS, Mr. BUCK, Mr. BISHOP of Michigan, and Ms. JACKSON LEE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require reports on agency rules with criminal penalties for the violation thereof, to evaluate the necessity and prudence of such rules remaining in effect.

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 “Regulatory Reporting
5 Act of 2015”.

1 **SEC. 2. REPORT TO CONGRESS ON REGULATIONS WITH**
2 **CRIMINAL PENALTIES.**

3 Not later than 1 year after the date of enactment
4 of this Act, the head of each Federal agency, in consulta-
5 tion with the Attorney General, shall submit to the Com-
6 mittee on the Judiciary of the House of Representatives
7 and the Committee on the Judiciary of the Senate a report
8 that lists each rule of that agency that, if violated, may
9 be punished by criminal penalties. The report shall in-
10 clude, for each such rule, a justification as to why those
11 criminal penalties are necessary based on the following cri-
12 teria:

13 (1) Why civil penalties are inadequate to deter
14 the regulated behavior.

15 (2) What mens rea or criminal intent is re-
16 quired for criminal liability arising from a violation
17 of the rule.

18 (3) What notice is provided to persons subject
19 to the rule that a violation of the rule may result in
20 criminal penalties.

21 (4) If the rule applies to all persons, including
22 natural persons as well as corporations and other
23 business associations.

24 (5) If a violation of the rule is likely to result
25 in any of the following (and if so, how):

1 (A) Substantial bodily injury or death to
2 another person.

3 (B) Property damage or destruction.

4 (C) Harm to public safety.

5 (D) Harm to national security.

6 (E) Fraud against the United States.

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