

114TH CONGRESS
1ST SESSION

H. R. 445

To amend title 5, United States Code, to require that scientific studies used in a rule making be published, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2015

Mr. BUCSHON introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 5, United States Code, to require that scientific studies used in a rule making be published, 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. SHORT TITLE.**

4 This Act may be cited as the “Transparency in Rule
5 Making When Using Scientific Testing Act of 2015”.

6 **SEC. 2. REQUIRED PUBLICATION OF SCIENTIFIC STUDIES.**

7 (a) IN GENERAL.—Section 553(b) of title 5, United
8 States Code, is amended—

9 (1) in paragraph (2), by striking “and”;

1 (2) in paragraph (3), by striking the period at
2 the end and inserting “; and”; and

3 (3) by adding at the end the following:

4 “(4) any scientific research of which the agency
5 is aware and which is relevant to the rule making.”.

6 (b) DEFINITION.—Section 551 of title 5, United
7 States Code, is amended—

8 (1) in paragraph (13), by striking “and”;

9 (2) in paragraph (14), by striking the period at
10 the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(15) ‘scientific study’ means a study that—

13 “(A) applies rigorous, systematic, and ob-
14 jective methodology to obtain reliable and valid
15 knowledge relevant to the subject matter in-
16 volved;

17 “(B) presents findings and makes claims
18 that are appropriate to, and supported by, the
19 methods that have been employed; and

20 “(C) includes, appropriate to the research
21 being conducted—

22 “(i) use of systematic, empirical meth-
23 ods that draw on observation or experi-
24 ment;

1 “(ii) use of data analyses that are
2 adequate to support the general findings;

3 “(iii) reliance on measurements or ob-
4 servational methods that provide reliable
5 and generalizable findings;

6 “(iv) strong claims of causal relation-
7 ships, only with research designs that
8 eliminate plausible competing explanations
9 for observed results, such as, but not lim-
10 ited to, random-assignment experiments;

11 “(v) presentation of studies and meth-
12 ods in sufficient detail and clarity to allow
13 for replication or, at a minimum, to offer
14 the opportunity to build systematically on
15 the findings of the research;

16 “(vi) acceptance by a peer-reviewed
17 journal or critique by a panel of inde-
18 pendent experts through a comparably rig-
19 orous, objective, and scientific review; and

20 “(vii) consistency of findings across
21 multiple studies or sites to support the
22 generality of results and conclusions.”.

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