

114TH CONGRESS
1ST SESSION

S. 1487

To require notice and comment for certain interpretative rules.

IN THE SENATE OF THE UNITED STATES

JUNE 3, 2015

Mr. DAINES (for himself, Mr. LANKFORD, and Mr. BLUNT) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require notice and comment for certain interpretative rules.

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 Predict-

5 ability for Business Growth Act of 2015”.

6 **SEC. 2. REQUIRING NOTICE AND COMMENT FOR CERTAIN**
7 **INTERPRETATIVE RULES.**

8 Subchapter II of chapter 5 of title 5, United States
9 Code, is amended—

10 (1) in section 551—

1 (A) in paragraph (13), by striking “and”
 2 at the end;

3 (B) in paragraph (14), by striking the pe-
 4 riod at the end and inserting a semicolon; and

5 (C) by adding at the end the following:

6 “(15) ‘longstanding interpretative rule’ means
 7 an interpretative rule that has been in effect for not
 8 less than 1 year; and

9 “(16) ‘revise’ means, with respect to an inter-
 10 pretative rule, altering or otherwise changing any
 11 provision of a longstanding interpretative rule that
 12 conflicts, or is in any way inconsistent with, any pro-
 13 vision in a subsequently promulgated interpretative
 14 rule.”; and

15 (2) in section 553—

16 (A) in subsection (b), following the flush
 17 text, in subparagraph (A), by striking “inter-
 18 pretative rules” and inserting “an interpretative
 19 rule of an agency, unless the interpretative rule
 20 revises a longstanding interpretative rule of the
 21 agency”; and

22 (B) in subsection (d)(2), by striking “in-
 23 terpretative rules” and inserting “an interpreta-
 24 tive rule of an agency, unless the interpretative

- 1 rule revises a longstanding interpretative rule of
- 2 the agency, and”.

