

## S 1820

Early Participation in Regulations Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Government Operations and Politics

**Introduced:** Jul 21, 2015

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 614.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 614. (Sep 6, 2016)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/1820>

### Sponsor

**Name:** Sen. Lankford, James [R-OK]

**Party:** Republican • **State:** OK • **Chamber:** Senate

### Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Heitkamp, Heidi [D-ND]	D · ND		Jul 28, 2015
Sen. Ayotte, Kelly [R-NH]	R · NH		Sep 28, 2015
Sen. Ernst, Joni [R-IA]	R · IA		Nov 30, 2015
Sen. Kirk, Mark Steven [R-IL]	R · IL		Feb 22, 2016

### Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Reported By	Sep 6, 2016

### Subjects & Policy Tags

#### Policy Area:

Government Operations and Politics

### Related Bills

*No related bills are listed.*

## Early Participation in Regulations Act of 2015

(Sec. 2) This bill defines a "major rule" as a rule that the Office of Information and Regulatory Affairs (OIRA) determines is likely to impose: (1) an annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S. enterprises to compete with foreign-based enterprises.

The bill directs an agency, not later than 90 days before publishing a notice of proposed rule making for a major rule in the Federal Register, to publish advance notice of proposed rule making for such rule, which shall:

- include a written statement identifying the nature and significance of the problem to be addressed, a general description of regulatory alternatives, the legal authority under which the rule is proposed, and an achievable objective for the rule and metrics by which the agency expects to measure progress toward that objective; and
- solicit and provide a period of at least 60 days for submission of written data, views, and argument from interested persons.

Any deviation between policies set forth in such statement and any final agency action shall not be considered arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the Administrative Procedure Act.

The bill is inapplicable to a major rule:

- for which the proposing agency is not required to publish a notice of proposed rule making,
- if the OIRA determines that complying with the requirements described in this bill would not serve the public interest or would be unduly burdensome and duplicative of processes required by specific statutory requirements as rigorous as those prescribed in this bill, or
- if the agency proposing the major rule is otherwise specifically exempted by law from notice and comment rule making procedures.

Such a determination made by the OIRA shall not be subject to judicial review.

## Actions Timeline

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- **Sep 6, 2016:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Johnson with an amendment in the nature of a substitute. With written report No. 114-343. Additional views filed.
- **Sep 6, 2016:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 614.
- **Oct 7, 2015:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Sep 16, 2015:** Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 114-480.
- **Jul 21, 2015:** Introduced in Senate
- **Jul 21, 2015:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.