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Regulatory Accountability Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Aug 6, 2015

Current Status: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Latest Action: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Aug 6, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/2006>

Sponsor

Name: Sen. Portman, Rob [R-OH]

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

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Ayotte, Kelly [R-NH]	R · NH		Aug 6, 2015
Sen. Collins, Susan M. [R-ME]	R · ME		Aug 6, 2015
Sen. Cornyn, John [R-TX]	R · TX		Aug 6, 2015
Sen. Johnson, Ron [R-WI]	R · WI		Aug 6, 2015
Sen. King, Angus S., Jr. [I-ME]	I · ME		Aug 6, 2015
Sen. Perdue, David [R-GA]	R · GA		Aug 6, 2015
Sen. Ernst, Joni [R-IA]	R · IA		Dec 3, 2015
Sen. Paul, Rand [R-KY]	R · KY		Jul 7, 2016

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Aug 6, 2015

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

No related bills are listed.

Regulatory Accountability Act of 2015

This bill amends the Administrative Procedure Act to revise requirements for federal agency rulemaking by requiring agencies, in making a rule, to consider: (1) the legal authority under which a rule may be proposed, including whether rulemaking is required by statute or is within the discretion of the agency; (2) the nature and significance of the problem the agency intends to address with a rule; (3) whether existing federal laws or rules have created or contributed to the problem; (4) reasonable alternatives for a new rule; and (5) for any major rule or high-impact rule (generally defined as rules having an annual cost to the economy of \$100 million or \$1 billion or more, respectively), the potential costs and benefits associated with potential alternative rules.

The bill requires agencies that initiate a rulemaking that may result in a major rule or a high-impact rule to: (1) establish an electronic docket for that rulemaking, which may have a physical counterpart; and (2) publish a notice of initiation of rulemaking in the Federal Register.

The bill requires agencies issuing a rule to notify the Office of Information and Regulatory Affairs (OIRA) of the Office of Management and Budget and publish a notice of proposed rulemaking in the Federal Register which shall include: (1) a text of the proposed rule; (2) a summary of rulemaking considerations; and (3) for any major rule or high-impact rule, a preliminary determination that the benefits of the proposed rule justify its costs and a discussion of the costs and benefits of alternatives to the rule. Similar notice requirements apply when an agency adopts a final rule.

The bill expands agency requirements for allowing opportunities for public comment and sets forth requirements for providing public hearings for high-impact and major rules and for petitioning for the issuance, amendment, or repeal of a rule. An agency must, in a rulemaking for a major rule or high-impact rule, adopt the least costly rule considered during the rulemaking that meets relevant statutory objectives.

The bill requires the OIRA to establish and update guidelines for the assessment of: (1) the costs and benefits of proposed and final rules, and (2) other economic issues and risk assessments that are relevant to rulemaking.

The bill revises the scope of judicial review to prohibit review of a determination of whether a rule is a major rule and to establish a substantial evidence standard for affirming agency rulemaking decisions.

The bill sets forth criteria for issuing major guidance (agency guidance that is likely to lead to an annual cost to the economy of \$100 million or more, a major increase in cost or prices, or significant adverse effects on competition, employment, investment, productivity, innovation, or ability to compete).

Actions Timeline

- **Aug 6, 2015:** Introduced in Senate
- **Aug 6, 2015:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.