

1 society, consistent with obtaining regulatory ob-
2 jectives.

3 “(2) EXCEPTION.—Paragraph (1) does not
4 apply in the case of a rule or an amendment of an
5 existing rule with respect to which section 553(b) of
6 title 5, United States Code, does not apply by reason
7 of the third sentence of such section.

8 “(3) ECONOMICALLY SIGNIFICANT IMPACT DE-
9 FINED.—In this subsection, the term ‘economically
10 significant impact’ means an effect on the economy
11 of \$100,000,000 or more annually or a material ad-
12 verse effect on the economy, a sector of the econ-
13 omy, productivity, competition, jobs, the environ-
14 ment, public health or safety, or State, local, or trib-
15 al governments or communities.

