

King

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Withdrawn

AMENDMENT TO H.R. 367
OFFERED BY MR. KING OF IOWA

Page 20, after line 12, insert the following (and re-designate provisions accordingly):

1 “§ 807. Review of major rules currently in effect

2 “(a) ANNUAL REVIEW.—Beginning on the date that
3 is 6 months after the date of enactment of this section
4 and annually thereafter for the 9 years following, each
5 agency shall designate not less than 10 percent of eligible
6 rules made by that agency for review, and shall submit
7 a report including each such eligible rule in the same man-
8 ner as a report under section 801(a)(1). Section 801 and
9 section 802 shall apply to each such rule, subject to sub-
10 section (c) of this section. No eligible rule previously des-
11 ignated may be designated again.

12 “(b) SUNSET FOR ELIGIBLE RULES NOT EX-
13 TENDED.—Beginning after the date that is 10 years after
14 the date of enactment of this section, if Congress has not
15 enacted a joint resolution of approval for that eligible rule,
16 that eligible rule shall not continue in effect.

17 “(c) CONSOLIDATION; SEVERABILITY.—In applying
18 sections 801 and 802 to eligible rules under this section,
19 the following shall apply:

1 “(1) The words ‘take effect’ shall be read as
2 ‘continue in effect’.

3 “(2) Except as provided in paragraph (3), a
4 single joint resolution of approval shall apply to all
5 eligible rules in a report designated for a year, and
6 the matter after the resolving clause of that joint
7 resolution is as follows: ‘That Congress approves the
8 rules submitted by the XX for the year XX.’ (The
9 blank spaces being appropriately filled in).

10 “(3) It shall be in order to consider any amend-
11 ment that provides for specific conditions on which
12 the approval of a particular eligible rule included in
13 the joint resolution is contingent.

14 “(4) A member of either House may move that
15 a separate joint resolution be required for a specified
16 rule.

17 “(d) DEFINITION.—In this section, the term ‘eligible
18 rule’ means a major rule that is in effect as of the date
19 of enactment of this section.

20 **“§ 808. Sunset for rules.**

21 “(a) EXPIRATION OF RULE.—

22 “(1) IN GENERAL.—Except as provided in this
23 section, each rule made by an agency shall cease to
24 have effect—

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1 “(A) beginning on the date that is 10
2 years after the date of enactment of a joint res-
3 olution of approval with regard to the rule; or

4 “(B) if a joint resolution of extension de-
5 scribed in subsection (d) has been enacted with
6 regard to the rule, beginning on the date that
7 is 10 years after the date of enactment of the
8 most recently enacted such joint resolution.

9 “(2) REISSUANCE OF THE RULE PROHIB-
10 ITED.—The rule may not be reissued in substan-
11 tially the same form, and a new rule that is substan-
12 tially the same as such a rule may not be issued, un-
13 less the reissued or new rule is specifically author-
14 ized by a law enacted after the date described in this
15 subsection (a).

16 “(b) REPORT BY AGENCY.—Not later than 180 days
17 before the date described in subsection (a), the agency
18 shall submit a report similar to the report described in
19 801(a)(1)(A) to each House of Congress and to the Comp-
20 troller General, except that instead of the proposed effec-
21 tive date, such report shall contain the date described in
22 subsection (a).

23 “(c) EXEMPTION BY PRESIDENT.—The President
24 may by Executive order exempt a rule from the application
25 of subsection (a) for a period of not more than 10 years

1 if the President determines, and submits to Congress writ-
2 ten notice of such determination, that such rule is—

3 “(1) necessary because of an imminent threat
4 to health or safety or other emergency;

5 “(2) necessary for the enforcement of criminal
6 laws;

7 “(3) necessary for national security; or

8 “(4) issued pursuant to any statute imple-
9 menting an international trade agreement.

10 “(d) JOINT RESOLUTION OF EXTENSION.—

11 “(1) JOINT RESOLUTION DESCRIBED.—For
12 purposes of this section, the term ‘joint resolution’
13 means only a joint resolution introduced on or after
14 the date on which the report referred to subsection
15 (b) is received by Congress (excluding days either
16 House of Congress is adjourned for more than 3
17 days during a session of Congress), the matter after
18 the resolving clause of which is as follows: ‘That
19 Congress extends the rule submitted by the __ __
20 relating to __ __.’ (The blank spaces being appro-
21 priately filled in). The following shall apply to such
22 a joint resolution:

23 “(A) In the House, the majority leader of
24 the House of Representatives (or his designee)
25 and the minority leader of the House of Rep-

1 representatives (or his designee) shall introduce
2 such joint resolution (by request), within 3 leg-
3 islative days after Congress receives the report
4 submitted under subsection (b).

5 “(B) In the Senate, the majority leader of
6 the Senate (or his designee) and the minority
7 leader of the Senate (or his designee) shall in-
8 troduce such joint resolution described in sub-
9 section (a) (by request), within 3 session days
10 after Congress receives the report submitted
11 under subsection (b).

12 “(2) CONSIDERATION OF JOINT RESOLUTION.—
13 Subsections (b) through (g) of section 802 shall
14 apply to a joint resolution described in paragraph
15 (1) of this subsection in the same manner as a joint
16 resolution described in subsection (a) of section 802,
17 except that for purposes of that subsection, the term
18 ‘submission date’ means the date on which the Con-
19 gress receives the report submitted under subsection
20 (b).”.

