

[Discussion Draft]

AMENDMENT TO H.R. _____

OFFERED BY MR. MESSER OF INDIANA

Section 801(a)(1)(A) of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by inserting after “the Federal agency promulgating such rule” the following: “shall satisfy the requirements of section 808 and”.

Chapter 8 of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by adding at the end the following (and amending the table of sections accordingly):

1 “§ 808. Regulatory cut-go requirement

2 “In making any new rule, the agency making the rule
3 shall identify a rule or rules that may be amended or re-
4 pealed to completely offset any annual costs of the new
5 rule to the United States economy. Before the new rule
6 may take effect, the agency shall make each such repeal
7 or amendment. In making such an amendment or repeal,
8 the agency [shall comply with the requirements of sub-
9 chapter II of chapter 5, but the agency may consolidate

1 proceedings under subchapter with proceedings on the new
2 rule.】”.

