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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To provide for the sunset of rules upheld based on Chevron deference.

IN THE HOUSE OF REPRESENTATIVES

Mr. GREEN of Tennessee introduced the following bill; which was referred to
the Committee on _____

A BILL

To provide for the sunset of rules upheld based on Chevron
deference.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sunset Chevron Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) The term “Chevron deference” means the
8 legal doctrine of judicial deference pursuant to Chev-

1 ron U.S.A., Inc. v. Natural Resources Defense
2 Council, Inc. (467 U.S. 837 (1984)).

3 (2) The term “sunset date” means the date on
4 which a rule will cease to have force or effect.

5 (3) The term “rule” has the meaning given
6 such term in section 551 of title 5, United States
7 Code.

8 **SEC. 3. GAO REVIEW OF RULES UPHELD BY CHEVRON DEF-**
9 **ERENCE.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of enactment of this Act, the Comptroller General
12 of the United States shall compile and publish a list of
13 each decision issued by a Federal court that—

14 (1) upheld a rule based on Chevron deference;

15 (2) was not subsequently overturned; and

16 (3) pertains to a rule that is in effect on the
17 date of enactment of this Act.

18 (b) ORGANIZATION OF LIST.—Such list shall—

19 (1) be organized by the agency that made the
20 rule, and for each such agency, the list shall be in
21 reverse chronological order of the date on which the
22 agency made the relevant rule; and

23 (2) provide a sunset date for each rule.

1 (c) SUNSET DATE CALCULATION.—The Comptroller
2 General shall calculate the sunset date for each rule identi-
3 fied in the list compiled under subsection (a) as follows:

4 (1) The sunset date for the most recent rule
5 made by each agency and identified in the list under
6 subsection (a) shall be on the date that is 30 days
7 after the list under subsection (a) is published.

8 (2) The sunset date for each prior rule made by
9 such agency and identified in the list under sub-
10 section (a) shall be 30 days after the sunset date of
11 the rule made by such agency and identified in such
12 list that precedes such prior rule.

13 **SEC. 4. EXCEPTION TO THE CRA TO THE 6-LEGISLATIVE-**
14 **DAY WINDOW FOR CERTAIN RULES.**

15 Chapter 8 of title 5, United States Code, shall apply
16 to each rule identified under section 3, except that the 60-
17 day period for filing a joint resolution under section
18 802(a) of that title shall not apply.