

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2432
OFFERED BY MR. TIERNEY**

Add at the end the following new section:

1 **SEC. 7. PUBLIC ACCOUNTABILITY IN REGULATORY RE-**
2 **VIEW.**

3 The Truth in Regulating Act of 2000 (Public Law
4 106–312; 5 U.S.C. 801 note), as amended by section 5,
5 is further amended—

6 (1) by redesignating section 5 as section 6; and
7 (2) by inserting after section 4 the following
8 new section:

9 **“SEC. 5. TRANSPARENCY IN THE REGULATORY REVIEW**
10 **PROCESS.**

11 “(a) **REQUIREMENT.**—In the development of a pro-
12 posed or final rule by an agency, the agency shall make
13 all OMB communications publicly available as part of the
14 rulemaking record, including through electronic dockets to
15 the extent feasible.

16 “(b) **DEADLINES.**—In carrying out paragraph (1),
17 the agency shall place OMB communications in the rule-
18 making record—



1 “(1) not later than the date of proposal of the
2 rule, in the case of a proposed rule; and

3 “(2) not later than the date of promulgation of
4 the rule, in the case of a final rule.

5 “(c) DEFINITION.—In this section, the term ‘OMB
6 communications’ means communications between an agen-
7 cy and the Office of Management and Budget with respect
8 to the development of a proposed or final rule, including
9 agency consultation with, provision of drafts or documents
10 to, or receipt of comments or other communications from
11 the Office of Management and Budget. ”.

