

Nadler 12
Failed 13-16

**AMENDMENT TO THE SMITH AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3010
OFFERED BY MR. ~~COHEN~~ OF TENNESSEE
NADLER**

Page 33, insert after line 16 the following, and re-designate provisions accordingly:

1 **SEC. 9. EXEMPTION FOR CERTAIN RULES AND GUIDANCE.**

2 (a) IN GENERAL.—Chapter 5 of title 5, United
3 States Code, is amended by inserting after section 553a
4 (as inserted by section 4 of this Act) the following new
5 section:

6 **“§ 553b. Exemption for certain rules and guidance**

7 “Sections 551, 553, 556, 701(b), 704, and 706, as
8 amended by the Regulatory Accountability Act of 2011,
9 and section 553a shall not apply in the case of any pro-
10 posed rule, final rule, or guidance made by the Nuclear
11 Regulatory Commission under the Atomic Energy Act (42
12 U.S.C. 2011, et seq.). Sections 551, 553, 556, 701(b),
13 704, and 706, as in effect before the enactment of the
14 the Regulatory Accountability Act of 2011, shall apply to
15 such proposed rules, final rules, or guidance, as appro-
16 priate.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 for chapter 5 of title 5, United States Code, is amended

- 1 by inserting after the item relating to section 553 the fol-
- 2 lowing new item:

“553b. Exemption for certain rules.’”.

