

.....  
(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To require the heads of agencies identify whether major rules of the agency are budget neutral, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Ms. VAN DUYNE introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To require the heads of agencies identify whether major rules of the agency are budget neutral, and for other purposes.

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. REQUIREMENT TO IDENTIFY WHETHER MAJOR**  
4 **RULES ARE BUDGET NEUTRAL.**

5 (a) IN GENERAL.—The head of each agency shall—

6 (1) before promulgating a major rule—

7 (A) estimate the cost of the rule;

1 (B) identify whether any rule of the agency  
2 may be repealed to offset the cost of the major  
3 rule; and

4 (C) repeal any rule identified under sub-  
5 paragraph (B); and

6 (2) include a statement along with each major  
7 rule published in the Federal Register that identifies  
8 whether the rule is budget neutral.

9 (b) DEFINITIONS.—In this section:

10 (1) AGENCY.—The terms “agency” has the  
11 meaning given that term in section 551 of title 5,  
12 United States Code.

13 (2) BUDGET NEUTRAL.—The term “budget  
14 neutral” means that the cost of the rule is equal to  
15 the total amount of costs to the public eliminated as  
16 a result of the repeal of any rule identified under  
17 paragraph (1)(B).

18 (3) COST OF THE RULE.—The term “cost of  
19 the rule” means the cost to the public of the rule,  
20 including any cost incurred to understand or imple-  
21 ment the rule.

22 (4) MAJOR RULE.—The term “major rule”  
23 means any rule, including an interim final rule, that  
24 the Administrator of the Office of Information and  
25 Regulatory Affairs of the Office of Management and

1 Budget or the Federal agency promulgating such  
2 rule finds has resulted in or is likely to result in—

3 (A) an annual effect on the economy of  
4 \$100 million or more;

5 (B) a major increase in costs or prices for  
6 consumers, individual industries, Federal,  
7 State, or local government agencies, or geo-  
8 graphic regions; or

9 (C) significant adverse effects on competi-  
10 tion, employment, investment, productivity, in-  
11 novation, or the ability of United States-based  
12 enterprises to compete with foreign-based enter-  
13 prises in domestic and export markets.

14 (5) RULE.—The term “rule” has the meaning  
15 given such term in section 551, except that such  
16 term—

17 (A) includes interpretative rules, general  
18 statements of policy, and all other agency guid-  
19 ance documents; and

20 (B) does not include—

21 (i) any rule of particular applicability,  
22 including a rule that approves or pre-  
23 scribes for the future rates, wages, prices,  
24 services, or allowances therefore, corporate  
25 or financial structures, reorganizations,

1                   mergers, or acquisitions thereof, or ac-  
2                   counting practices or disclosures bearing  
3                   on any of the foregoing;

4                   (ii) any rule relating to agency man-  
5                   agement or personnel; or

6                   (iii) any rule of agency organization,  
7                   procedure, or practice that does not sub-  
8                   stantially affect the rights or obligations of  
9                   non-agency parties.