

117TH CONGRESS  
1ST SESSION

# H. R. 418

To sunset new Federal regulatory rules after 3 years, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2021

Mr. POSEY introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To sunset new Federal regulatory rules after 3 years, 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. SHORT TITLE.**

4 This Act may be cited as the “Article I Restoration  
5 Act of 2021”.

6 **SEC. 2. SUNSET OF FEDERAL REGULATIONS AFTER 3**  
7 **YEARS.**

8 (a) SUNSET.—Any covered rule issued by an agency  
9 after the date of the enactment of this Act shall sunset

1 on the date that is three years after the effective date of  
2 such covered rule, unless specifically reauthorized by an  
3 Act of Congress.

4 (b) AFTER SUNSET.—An agency may not reissue, en-  
5 force, revise, or take other regulatory action related to a  
6 covered rule that has sunset under subsection (a).

7 (c) OVERSIGHT BY OMB AND HEADS OF AGEN-  
8 CIES.—The Director of the Office of Management and  
9 Budget or the head of the relevant agency may oversee  
10 the sunset of covered rules under subsection (a).

11 **SEC. 3. SUBMISSION OF REQUEST FOR REAUTHORIZATION**  
12 **TO CONGRESS.**

13 (a) REQUEST FOR REAUTHORIZATION.—If the head  
14 of an agency that issues covered rules wants to request  
15 a reauthorization for such rules, such head shall, not later  
16 than the December 1 that is one year before the date on  
17 which the covered rule is scheduled to sunset, submit to  
18 Congress and any appropriate committee of Congress a  
19 report containing such request that includes—

20 (1) a justification for the reauthorization of  
21 each covered rule;

22 (2) any related covered rules; and

23 (3) any recommendation or request made by the  
24 chair or ranking member of an appropriate com-  
25 mittee of Congress.

1 (b) SINGLE SUBMISSION.—The head of an agency  
2 submitting a request for reauthorization under subsection  
3 (a) shall make every effort to bundle multiple requests for  
4 reauthorization in a single submission.

5 (c) PUBLIC AVAILABILITY OF REPORTS.—Any report  
6 submitted by the head of an agency under subsection (a)  
7 shall be published on the public website of the agency.

8 **SEC. 4. RELATIONSHIP TO THE ADMINISTRATIVE PROCE-**  
9 **DURE.**

10 Nothing in this Act shall be construed to supersede  
11 the provisions of chapter 5, 6, or 7 of title 5, United States  
12 Code.

13 **SEC. 5. DEFINITIONS.**

14 In this Act:

15 (1) AGENCY.—The term “agency” has the  
16 meaning given that term in section 551 of title 5,  
17 United States Code.

18 (2) ADMINISTRATOR.—The term “Adminis-  
19 trator” means the Administrator of the Office of In-  
20 formation and Regulatory Affairs in the Office of  
21 Management and Budget.

22 (3) COVERED RULE.—The term “covered rule”  
23 has the meaning given the term “rule” in section  
24 551 of title 5, United States Code, but does not in-  
25 clude a rule—

1 (A) issued in accordance with the formal  
2 rulemaking provisions of sections 556 and 557  
3 of title 5, United States Code;

4 (B) issued with respect to a military or  
5 foreign affairs function of the United States;

6 (C) that the Administrator certifies in  
7 writing is necessary for the enforcement of Fed-  
8 eral criminal laws;

9 (D) that is limited to agency organization,  
10 management, or personnel matters; or

11 (E) that is necessary due to an imminent  
12 threat to human health or safety or any other  
13 emergency.

14 (4) SUNSET.—The term “sunset” means to  
15 have no force or effect.

○