

114TH CONGRESS
1ST SESSION

H. R. 3256

To require each agency to repeal or revise 1 or more existing regulations before issuing a new regulation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2015

Mr. McCAUL (for himself, Mr. COOK, Mr. LONG, Mr. WITTMAN, Mr. ALLEN, Mr. PALMER, Mr. BRAT, Mr. KATKO, and Mr. CULBERSON) introduced the following bill; which was referred to the Committee on Oversight and Government 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 require each agency to repeal or revise 1 or more existing regulations before issuing a new regulation, 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 “One In, One Out Act”.

5 **SEC. 2. REPEAL OR REVISION OF REGULATIONS REQUIRED**

6 **BEFORE ISSUANCE OF A NEW RULE.**

7 (a) DEFINITIONS.—In this section—

1 (1) the terms “agency” and “rule” have the
2 meanings given those terms in section 551 of title 5,
3 United States Code; and

4 (2) the term “State” means each of the several
5 States, the District of Columbia, each territory or
6 possession of the United States, and each federally
7 recognized Indian tribe.

8 (b) REQUIREMENT FOR RULE.—An agency may not
9 issue a rule unless the agency has repealed or revised in
10 a way that reduces costs to the regulated entities 1 or
11 more rules described in subsection (e) that, to the extent
12 practicable, are related to the rule.

13 (c) REQUIREMENT FOR NEW RULES.—

14 (1) REPEAL REQUIRED.—An agency may not
15 issue a rule unless—

16 (A) the agency has repealed 1 or more
17 rules described in subsection (e) that, to the ex-
18 tent practicable, are related to the rule; and

19 (B) the cost of the new rule is less than or
20 equal to the cost of the rules repealed or re-
21 vised.

22 (2) CERTIFIED COST.—For any rule subject to
23 paragraph (1), the Administrator of the Office of In-
24 formation and Regulatory Affairs of the Office of
25 Management and Budget shall certify, before the

1 rule is issued, that the cost of the new rule is equal
2 to or less than the cost of the rules repealed or re-
3 vised.

4 (d) PUBLICATION REQUIRED.—Any rule repealed or
5 revised under subsection (b) or (c) shall be published in
6 the Federal Register.

7 (e) APPLICABILITY.—This section—

8 (1) applies to any rule that imposes a cost or
9 responsibility on a nongovernmental person or a
10 State or local government; and

11 (2) shall not apply to any rule—

12 (A) that relates to procurement by the
13 agency; or

14 (B) that is being revised to be less burden-
15 some to decrease requirements imposed by the
16 rule or cost of compliance.

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