

115TH CONGRESS
1ST SESSION

H. R. 4230

To require the timely publication of any research source code and data used by a Federal agency in assessing the costs and benefits of new regulations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2017

Mr. MEADOWS (for himself, Mr. MACARTHUR, Mr. BIGGS, Mr. NORMAN, Mr. YOHO, Mr. PERRY, Mr. JORDAN, and Mr. BUCK) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the timely publication of any research source code and data used by a Federal agency in assessing the costs and benefits of new regulations, 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 “Comprehensive Listing
5 of Evidence for Assessments of Regulations Act” or the
6 “CLEAR Act”.

1 **SEC. 2. REQUIREMENT TO PUBLISH RESEARCH SOURCE**
2 **CODE AND DATA.**

3 (a) IN GENERAL.—At any time during a rulemaking
4 process that an assessment of any new regulation is com-
5 pleted, including the costs and benefits of such regulation,
6 and not later than the issuance of such rule, the head of
7 each agency, to enable entities outside the Federal Govern-
8 ment to replicate the assessment, shall publish the fol-
9 lowing related to such assessment:

10 (1) Any research source code and data used by
11 that agency, including—

12 (A) any program used for any model, in-
13 cluding intermediate and final;

14 (B) any source code, data, and other mate-
15 rials used for any estimate or assumption used
16 as a component in the overall model; and

17 (C) each data preparation routine, includ-
18 ing cleaning, statistical matching, replacement
19 of missing data with substituted values, and
20 other data steps used in turning raw data into
21 the data set used and the assessment.

22 (2) Any unprocessed data that is not prohibited
23 from disclosure by statute.

24 (3) With regard to any unprocessed data that
25 is prohibited from disclosure by statute—

1 (A) a complete list of all data variables for
2 such data; and

3 (B) descriptive statistics for all data vari-
4 ables for such data (including averages, stand-
5 ard deviations, number of observations, and cor-
6 relations to other variables), in lieu of but anal-
7 ogous to the original data, to allow the research
8 source code and data to function as intended.

9 (4) Any supplemental documentation, including
10 that which documents—

11 (A) changes to the methodology and
12 changes between versions of software implemen-
13 tation code; and

14 (B) instructions that are sufficient to allow
15 an individual outside of the Federal Govern-
16 ment or not employed by the agency to run the
17 model on their own.

18 (b) ISSUANCE TO CONGRESS.—If the result of an as-
19 sessment described in subsection (a) is requested privately
20 and is issued to a Member of Congress or to a committee,
21 such source code, data, and other materials shall be re-
22 leased to the private recipient, who may then choose to
23 release the information publicly.

1 (c) AGENCY DEFINED.—In this section, the term
2 “agency” has the meaning given that term in section 551
3 of title 5, United States Code.

4 (d) EFFECTIVE DATE.—This Act shall take effect 6
5 months after the date of the enactment of this Act.

