

Union Calendar No. 737

118TH CONGRESS
2^D SESSION

H. R. 7533

[Report No. 118–902]

To improve retrospective reviews of Federal regulations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2024

Mr. BIGGS introduced the following bill; which was referred to the Committee on Oversight and Accountability

DECEMBER 18, 2024

Additional sponsors: Mr. CRANE and Ms. MACE

DECEMBER 18, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on March 5, 2024]

A BILL

To improve retrospective reviews of Federal 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 “Modernizing Retrospec-*
5 *tive Regulatory Review Act”.*

6 **SEC. 2. IMPROVING RETROSPECTIVE REVIEWS OF EXISTING**
7 **FEDERAL REGULATIONS.**

8 *(a) REPORT ON AVAILABILITY OF EXISTING REGULA-*
9 *TIONS IN MACHINE-READABLE FORMAT.—*

10 *(1) IN GENERAL.—Not later than 180 days after*
11 *the date of the enactment of this Act, the Director of*
12 *the Office of Management and Budget, acting through*
13 *the Administrator and in consultation with the Direc-*
14 *tor of GPO, the Archivist, and the Director of the*
15 *Federal Register, shall submit to the appropriate con-*
16 *gressional committees, a report on the progress of the*
17 *Federal Government in making regulations of agen-*
18 *cies available in machine-readable format.*

19 *(2) CONTENTS OF REPORT.—The report required*
20 *by paragraph (1) shall include—*

21 *(A) an assessment of whether regulations of*
22 *agencies have been made available in a machine-*
23 *readable format to the public; and*

24 *(B) information regarding the recognition*
25 *by the Administrative Committee of the Federal*

1 *Register of the eCFR maintained by the Director*
2 *of the Federal Register and the Director of GPO*
3 *as an official legal edition of the Code of Federal*
4 *Regulations.*

5 ***(b) GUIDANCE ON USING TECHNOLOGY TO CONDUCT***
6 ***RETROSPECTIVE REVIEWS.—***

7 ***(1) IN GENERAL.—****Not later than 18 months*
8 *after the date of the enactment of this Act, the Direc-*
9 *tor of the Office of Management and Budget, acting*
10 *through the Administrator, shall issue guidance on*
11 *how the head of the agency can—*

12 ***(A) identify, procure, and use technology***
13 ***(including algorithmic tools and artificial intel-***
14 ***ligence) to more efficiently, cost-effectively, and***
15 ***accurately conduct any retrospective review of***
16 ***the existing regulations of the agency, including***
17 ***to more efficiently, cost-effectively, and accu-***
18 ***rately identify through any such review regula-***
19 ***tions of the agency that—***

20 ***(i) are obsolete, ineffective, insufficient,***
21 ***excessively burdensome, or redundant;***

22 ***(ii) should be improved;***

23 ***(iii) contain typographic errors;***

24 ***(iv) contain inaccurate cross-references;***

25 ***or***

1 (v) contradict or overlap with each
2 other, or any standards of the agency; and
3 (B) adequately train personnel of the agen-
4 cy on how to use such technology.

5 (2) *DEVELOPMENT OF GUIDANCE.*—In developing
6 the guidance required pursuant to paragraph (1), the
7 Administrator shall take into account any assessment
8 or information included in the report required by
9 subsection (a).

10 (c) *AGENCY RETROSPECTIVE REVIEW PLAN.*—Not
11 later than 2 years after the date of the enactment of this
12 Act, the head of each agency shall submit to the Adminis-
13 trator and the appropriate congressional committees a plan
14 that—

15 (1) includes a detailed strategy for implementing
16 the guidance issued pursuant to subsection (b) with
17 respect to the regulations of the agency;

18 (2) identifies any regulation of the agency, or
19 categories of regulations of the agency, that the head
20 of the agency—

21 (A) is required by law to review after the
22 applicable regulation is issued; or

23 (B) determines would benefit from being re-
24 viewed after the regulation is issued; and

1 (3) *includes any additional information, data,*
 2 *or ex-post analysis determined necessary or useful by*
 3 *the head of the agency.*

4 (d) *AGENCY IMPLEMENTATION.*—*Not later than 180*
 5 *days after the date on which the head of an agency submits*
 6 *the plan required by subsection (c), the head of the agency*
 7 *shall implement the strategy included in such plan with*
 8 *respect to any retrospective review of an existing regulation*
 9 *of the agency.*

10 (e) *DEFINITIONS.*—*In this section:*

11 (1) *ADMINISTRATIVE COMMITTEE OF THE FED-*
 12 *ERAL REGISTER.*—*The term “Administrative Com-*
 13 *mittee of the Federal Register” means the Committee*
 14 *established under section 1506 of title 44, United*
 15 *States Code.*

16 (2) *ADMINISTRATOR.*—*The term “Adminis-*
 17 *trator” means the Administrator of the Office of In-*
 18 *formation and Regulatory Affairs.*

19 (3) *AGENCY.*—*The term “agency” has the mean-*
 20 *ing given that term in section 3502 of title 44, United*
 21 *States Code.*

22 (4) *APPROPRIATE CONGRESSIONAL COMMIT-*
 23 *TEES.*—*The term “appropriate congressional commit-*
 24 *tees” means—*

1 (A) *the Committee on Oversight and Ac-*
2 *countability of the House of Representatives; and*

3 (B) *the Committee on Homeland Security*
4 *and Governmental Affairs of the Senate.*

5 (5) *DIRECTOR OF GPO.—The term “Director of*
6 *GPO” means the Director of the Government Pub-*
7 *lishing Office.*

8 (6) *MACHINE-READABLE.—The term “machine-*
9 *readable” has the meaning given the term in section*
10 *3502 of title 44, United States Code.*

11 (7) *RETROSPECTIVE REVIEW OF AN EXISTING*
12 *REGULATION OF THE AGENCY.—The term “retrospec-*
13 *tive review of an existing regulation of the agency”*
14 *means a review of a regulation of the agency con-*
15 *ducted after the regulation has been issued, including*
16 *any such review required by law or determined ap-*
17 *propriate by the head of the agency.*

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