

119TH CONGRESS
1ST SESSION

H. R. 3058

To amend chapter 8 of title 5, United States Code, to provide for additional congressional review of agency rulemaking, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2025

Mrs. CAMMACK introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Rules, 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 amend chapter 8 of title 5, United States Code, to provide for additional congressional review of agency rulemaking, 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 “Reclaim the Reins
5 Act”.

6 **SEC. 2. REVIEW OF AGENCY RULEMAKING.**

7 (a) APPROPRIATION.—In addition to amounts other-
8 wise available, there is appropriated:

1 (1) To the Director of the Office of Manage-
2 ment and Budget for fiscal year 2025, out of any
3 money in the Treasury not otherwise appropriated,
4 \$10,000,000, to remain available through September
5 30, 2034, to carry out this section and the amend-
6 ments made by this section.

7 (2) To the Comptroller General of the United
8 States for fiscal year 2025, out of any money in the
9 Treasury not otherwise appropriated, \$10,000,000,
10 to remain available through September 30, 2034, to
11 carry out this section and the amendments made by
12 this section.

13 (b) USE OF FUNDS.—

14 (1) OFFICE OF MANAGEMENT AND BUDGET.—
15 The Director of the Office of Management and
16 Budget shall use amounts made available under sub-
17 section (a)(1) to pay expenses associated with imple-
18 menting the requirements of subsections (c) and (d).

19 (2) COMPTROLLER GENERAL.—The Comp-
20 troller General of the United States shall use
21 amounts made available under subsection (a)(2) to
22 pay expenses associated with implementing the re-
23 quirements of subsection (e).

24 (c) CONGRESSIONAL REVIEW OF AGENCY RULE-
25 MAKING.—

1 (1) Chapter 8 of title 5, United States Code, is
2 amended by inserting at the end the following:

3 **“§ 809. Additional reporting requirements**

4 “(a) AGENCY REPORTS.—In the case of any rule for
5 which a report is submitted under section 801(a)(1)(A)
6 the agency shall also include in such report—

7 “(1) an estimate of the budgetary effects asso-
8 ciated with the enactment and enforcement of the
9 rule;

10 “(2) an analysis of the direct and reasonably
11 foreseeable indirect costs associated with the rule;

12 “(3) an analysis of any jobs added or lost with-
13 in each affected industry, as identified by North
14 American Industrial Classification System code, dif-
15 ferentiating between public and private sector jobs,
16 as a direct or indirect result of the rule;

17 “(4) a determination, by the Administrator of
18 the Office of Information and Regulatory Affairs of
19 the Office of Management and Budget, of whether
20 the rule is a major or nonmajor rule, including an
21 explanation of the finding specifically addressing
22 each criteria for a major rule contained within sub-
23 paragraphs (A) through (C) of section 804(2);

1 “(5) a list of information on which the rule is
2 based, including data, scientific and economic stud-
3 ies, and cost-benefit analyses;

4 “(6) a list of any other related regulatory ac-
5 tions that implement the same statutory provision or
6 regulatory objective as well as the estimated eco-
7 nomic effects of those actions;

8 “(7) an estimate of the effect on inflation of the
9 rule; and

10 “(8) a statement of the constitutional authority
11 authorizing the agency to make the rule.

12 “(b) COMPTROLLER GENERAL REPORTS.—If re-
13 quested in writing by a Member of Congress—

14 “(1) the Comptroller General of the United
15 States shall make a determination whether an agen-
16 cy action qualifies as a rule for purposes of this
17 chapter, and shall submit to Congress this deter-
18 mination not later than 60 days after the date of the
19 request; and

20 “(2) the Comptroller General, in consultation
21 with the Director of the Congressional Budget Of-
22 fice, shall make a determination whether a rule is
23 considered a major rule for purposes of this chapter,
24 and shall submit to Congress this determination not
25 later than 90 days after the date of the request.

1 “(c) DETERMINATION.—For purposes of this section,
2 a determination under this subsection (b) shall be deemed
3 to be a report under section 801(a)(1)(A).

4 **“§ 810. Approval of certain major rules**

5 “(a) APPROVAL REQUIRED.—Notwithstanding any
6 other provision of this chapter, a major rule that increases
7 revenues, as determined in section 809(a), shall not take
8 effect unless Congress enacts a joint resolution of approval
9 described in subsection (c).

10 “(b) EFFECT.—If a joint resolution of approval relat-
11 ing to a major rule that increases revenue is not enacted
12 into law by the end of 60 session days or legislative days,
13 as applicable, beginning on the date on which the report
14 referred to in section 801(a)(1)(A) is received by Congress
15 (excluding days either House of Congress is adjourned for
16 more than 3 days during a session of Congress), then the
17 rule described in that resolution shall be deemed not to
18 be approved and such rule shall not take effect.

19 “(c) RESOLUTION OF APPROVAL.—Section 802 shall
20 apply to a joint resolution of approval under this section
21 to the same extent as it does to a joint resolution of dis-
22 approval, except that the matter after the resolving clause
23 of a joint resolution of approval shall be as follows: ‘That
24 Congress approves the rule submitted by the _____

1 relating to _____.’ (The blank spaces being appro-
2 priately filled in).

3 “(d) RULEMAKING AUTHORITY.—The enactment of
4 a joint resolution of approval under this section shall not
5 be interpreted to serve as a grant or modification of statu-
6 tory authority by Congress for the promulgation of a rule,
7 shall not extinguish or affect any claim, whether sub-
8 stantive or procedural, against any alleged defect in a rule
9 or the rulemaking process, and shall not form part of the
10 record before the court in any judicial proceeding con-
11 cerning a rule except for purposes of determining whether
12 or not the rule is in effect.

13 “(e) JUDICIAL REVIEW.—Notwithstanding section
14 805, a court may determine whether a Federal agency has
15 completed the necessary requirements under this chapter
16 for a rule to take effect.

17 **“§ 811. Additional review of rules**

18 “(a) ADDITIONAL REVIEW.—In addition to the op-
19 portunity for review otherwise provided under this chap-
20 ter, notwithstanding any other provision under this chap-
21 ter, in the case of any rule for which a report is submitted
22 under section 801(a)(1)(A) which increases revenue as de-
23 termined under section 809(a) and which was submitted
24 during the final year of a President’s term, the procedures
25 described in section 802 shall apply to such rule in the

1 succeeding session of Congress, and a joint resolution may
2 contain one or more such rules.

3 “(b) RESOLUTION OF DISAPPROVAL.—In the case of
4 such a resolution containing one or more such rules under
5 this section, the matter after the resolving clause shall be
6 as follows: ‘That Congress disapproves the following rules:
7 the rule submitted by the ____ relating to ____; and the
8 rule submitted by the ____ relating to _____. Such rules
9 shall have no force or effect.’ (The blank spaces being ap-
10 propriately filled in and additional clauses describing addi-
11 tional rules to be included as necessary).

12 **“§ 812. Review of rules currently in effect**

13 “(a) ANNUAL REVIEW.—Beginning on the date that
14 is 6 months after the date of enactment of this section
15 and annually thereafter for the 4 years following, each
16 agency shall designate not less than 20 percent of eligible
17 rules made by that agency for review, and shall submit
18 a report including each such eligible rule in the same man-
19 ner as a report under section 801(a)(1). Sections 801,
20 802, 809, 810, and 811 shall apply to each such rule, sub-
21 ject to subsection (c) of this section. No eligible rule pre-
22 viously designated may be designated again.

23 “(b) SUNSET FOR ELIGIBLE RULES NOT EX-
24 TENDED.—Beginning after the date that is 5 years after
25 the date of enactment of this section, if Congress has not

1 enacted a joint resolution of approval for that eligible rule,
2 that eligible rule shall not continue in effect.

3 “(c) APPROVAL OF RULES.—

4 “(1) Unless Congress approves all eligible rules
5 designated by executive agencies for review within
6 90 days after designation, they shall have no effect
7 and the Federal agency which originally promul-
8 gated such rules may not enforce such rules.

9 “(2) A single joint resolution of approval shall
10 apply to all eligible rules in a report designated for
11 a year as follows: ‘That Congress approves the rules
12 submitted by the _____ for the year _____.’ (The
13 blank spaces being appropriately filled in).

14 “(3) A member of either House may move that
15 a separate joint resolution be required for a specified
16 rule.

17 “(d) DEFINITION.—In this section the term ‘eligible
18 rule’ means a rule that is in effect as of the date of enact-
19 ment of this section.”.

20 (2) The table of chapters for chapter 8 of title
21 5, United States Code, is amended by inserting after
22 the item relating to section 808 the following:

“809. Additional reporting requirements.

“810. Approval of certain major rules.

“811. Additional review of rules.

“812. Review of rules currently in effect.”.

1 (d) TECHNICAL AND CONFORMING AMENDMENTS.—

2 Chapter 8 of title 5, United States Code, is amended—

3 (1) in section 801(a)(3)—

4 (A) in subparagraph (B)(ii), by striking
5 “or” at the end;

6 (B) in subparagraph (C), by striking the
7 period at the end and inserting “; or”; and

8 (C) by inserting at the end the following:

9 “(D) in the case of a major rule that in-
10 creases revenue, such rule shall not take effect
11 unless Congress passes a joint resolution of ap-
12 proval described in section 810.”; and

13 (2) in section 804, by amending paragraph (3)
14 to read as follows:

15 “(3) The term ‘rule’ has the meaning given
16 such term in section 551, except that such 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 applica-
22 bility, including a rule that approves or
23 prescribes for the future rates, wages,
24 prices, services, or allowances therefore,
25 corporate or financial structures, reorga-

1 nizations, mergers, or acquisitions thereof,
2 or accounting practices or disclosures bear-
3 ing 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 nonagency parties.”.

10 (e) GOVERNMENT ACCOUNTABILITY OFFICE STUDY
11 OF RULES.—

12 (1) IN GENERAL.—The Comptroller General of
13 the United States shall conduct a study to deter-
14 mine, as of the date of the enactment of this sec-
15 tion—

16 (A) how many rules (as such term is de-
17 fined in section 804 of title 5, United States
18 Code) were in effect;

19 (B) how many major rules (as such term
20 is defined in section 804 of title 5, United
21 States Code) were in effect; and

22 (C) the total estimated economic cost im-
23 posed by all such rules.

24 (2) REPORT.—Not later than 1 year after the
25 date of the enactment of this section, the Comp-

1 troller General of the United States shall submit a
2 report (and publish the report on the website of the
3 Comptroller General) to Congress that contains the
4 findings of the study conducted under subsection (e).

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