

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 9278

To amend title 5, United States Code, to provide that judicial review under the Administrative Procedure Act requires de novo trial of the facts when agency action seeks a sanction.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2026

Ms. HAGEMAN introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend title 5, United States Code, to provide that judicial review under the Administrative Procedure Act requires de novo trial of the facts when agency action seeks a sanction.

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. DE NOVO TRIAL OF FACTS WHEN AGENCY AC-**  
4 **TION SEEKS A SANCTION.**

5 Section 706 of title 5, United States Code, is amend-  
6 ed—

1           (1) in the matter preceding paragraph (1), by  
2           inserting after “questions of law” the following “and  
3           questions of fact”; and

4           (2) in subparagraph (F), by striking “to the ex-  
5           tent” and all that follows through “by the reviewing  
6           court” and inserting the following: “, including the  
7           product of any rulemaking or adjudication conducted  
8           in accordance with the procedures required under  
9           section 553 or section 554”.

○