

119TH CONGRESS
1ST SESSION

S. 2427

To require certain agencies to impose extendable sunset dates on certain regulations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 24, 2025

Mr. RISCH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require certain agencies to impose extendable sunset dates on certain 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 “Zero-Based Regulatory
5 Budgeting to Unleash American Energy Act of 2025”.

6 **SEC. 2. DEFINITIONS; STATUTORY IDENTIFICATION.**

7 In this Act:

8 (1) COVERED AGENCY.—The term “covered
9 agency” means each of the following:

10 (A) The Department of Energy.

(B) Each of the following offices within the Department of the Interior:

- (i) The Bureau of Land Management.
- (ii) The Bureau of Ocean Energy Management.
- (iii) The Bureau of Safety and Environmental Enforcement.
- (iv) The Office of Surface Mining Reclamation and Enforcement.

(C) The Federal Energy Regulatory Commission.

(2) COVERED REGULATION.—The term “covered regulation” means—

(A) with respect to the Department of Energy, any regulation promulgated by the Department of Energy under or pursuant to—

- (i) the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);
- (ii) the Energy Independence and Security Act of 2007 (42 U.S.C. 17001 et seq.);
- (iii) the Energy Policy Act of 1992 (42 U.S.C. 13201 et seq.);
- (iv) the Energy Policy Act of 2005 (42 U.S.C. 15801 et seq.); or

1 (v) part B of title III of the Energy
2 Policy and Conservation Act (42 U.S.C.
3 6291 et seq.);

4 (B) with respect to the Bureau of Land
5 Management, any regulation promulgated by
6 the Bureau of Land Management under or pur-
7 suant to—

8 (i) the Energy Policy Act of 2005 (42
9 U.S.C. 15801 et seq.);

10 (ii) the Federal Land Policy and Man-
11 agement Act of 1976 (43 U.S.C. 1701 et
12 seq.); or

13 (iii) sections 2319 through 2344 of
14 the Revised Statutes (commonly known as
15 the “Mining Law of 1872”) (30 U.S.C. 22
16 et seq.);

17 (C) with respect to the Bureau of Ocean
18 Energy Management, any regulation promul-
19 gated by the Bureau of Ocean Energy Manage-
20 ment under or pursuant to—

21 (i) the Energy Policy Act of 2005 (42
22 U.S.C. 15801 et seq.); or

23 (ii) the Outer Continental Shelf Lands
24 Act (43 U.S.C. 1331 et seq.);

1 (D) with respect to the Bureau of Safety
2 and Environmental Enforcement, any regula-
3 tion promulgated by the Bureau of Safety and
4 Environmental Enforcement under or pursuant
5 to the Outer Continental Shelf Lands Act (43
6 U.S.C. 1331 et seq.);

7 (E) with respect to the Office of Surface
8 Mining Reclamation and Enforcement, any reg-
9 ulation promulgated by the Office of Surface
10 Mining Reclamation and Enforcement under or
11 pursuant to the Surface Mining Control and
12 Reclamation Act of 1977 (30 U.S.C. 1201 et
13 seq.); and

14 (F) with respect to the Federal Energy
15 Regulatory Commission, any regulation promul-
16 gated by the Federal Energy Regulatory Com-
17 mission under or pursuant to—

18 (i) the Federal Power Act (16 U.S.C.
19 791a et seq.);

20 (ii) the Natural Gas Act (15 U.S.C.
21 717 et seq.); or

22 (iii) the Powerplant and Industrial
23 Fuel Use Act of 1978 (42 U.S.C. 8301 et
24 seq.).

1 (3) REGULATION.—The term “regulation”
2 means each part, subpart, or individual provision of
3 a rule (as defined in section 551 of title 5, United
4 States Code) promulgated by a covered agency.

5 **SEC. 3. ZERO-BASED REGULATING.**

6 (a) SUNSETS REQUIRED.—

7 (1) EXISTING REGULATIONS.—Not later than
8 90 days after the date of enactment of this Act, the
9 head of each covered agency shall amend each cov-
10 ered regulation in effect on that date to provide that
11 each covered regulation expires not later than the
12 date that is 1 year after the effective date of that
13 amendment.

14 (2) NEW REGULATIONS.—

15 (A) IN GENERAL.—Subject to subpara-
16 graph (B), for each covered regulation promul-
17 gated on or after the date of enactment of this
18 Act, the head of the applicable covered agency
19 shall ensure that the covered regulation expires
20 not later than 5 years after the effective date
21 of the covered regulation.

22 (B) WAIVER.—The head of a covered
23 agency may exempt a covered regulation pro-
24 mulgated by the covered agency on or after the
25 date of enactment of this Act from the require-

ment under subparagraph (A) if the head of the covered agency—

(i) determines that the covered regulation has a net deregulatory effect; and

(ii) notifies the Director of the Office of Management and Budget of that determination.

(b) EXTENSION OF SUNSETS.—

(1) IN GENERAL.—The head of a covered agency may only extend an expiration date imposed pursuant to subsection (a)—

(A) to a date that is not more than 5 years after the current expiration date; and

(B) if, before the current expiration date and except as provided in paragraph (2)(A)—

(i) the head of the covered agency provides an opportunity for public comment on the costs and benefits of the applicable covered regulation, which may include the publication of a request for information with respect to the covered regulation; and

(ii) following the completion of the opportunity for public comment under clause (i), the head of the covered agency deter-

1 mines, based on the comments provided in
2 that opportunity, that an extension of the
3 covered regulation is warranted.

4 (2) EFFECT OF AMENDMENTS.—

5 (A) DEREGULATORY AMENDMENTS.—If
6 the head of a covered agency determines that
7 an amendment to a covered regulation of that
8 covered agency has a net deregulatory effect,
9 the amendment may extend the expiration date
10 for that covered regulation without carrying out
11 the requirements of subparagraph (B) of para-
12 graph (1), subject to the limitation described in
13 subparagraph (A) of that paragraph.

14 (B) OTHER AMENDMENTS.—If the head of
15 a covered agency does not make the determina-
16 tion described in subparagraph (A) with respect
17 to an amendment to a covered regulation of
18 that covered agency, the existing expiration
19 date of the covered regulation being amended
20 shall apply to that amendment unless the re-
21 quirements described in paragraph (1)(B) have
22 been met.

23 (3) CONTINUED EXTENSIONS.—The head of a
24 covered agency may extend the expiration date of a
25 covered regulation as many times as the head of the

1 agency determines appropriate, subject to the condi-
 2 tion that each extension meets the requirements of
 3 this subsection.

4 (4) SAVINGS PROVISION.—Seeking public com-
 5 ment with respect to a covered regulation under
 6 paragraph (1)(B)(i), including through a request for
 7 information, shall not automatically extend the ap-
 8 plicable expiration date of the covered regulation.

9 (c) EFFECT OF SUNSET.—If the expiration date of
 10 a covered regulation is not extended in accordance with
 11 subsection (b)—

12 (1) the covered regulation shall cease to have
 13 any effect as of that expiration date;

14 (2) the applicable covered agency shall not en-
 15 force the covered regulation on or after that expira-
 16 tion date; and

17 (3) as soon as practicable after that expiration
 18 date, the head of the applicable covered agency shall
 19 remove the covered regulation from the Code of Fed-
 20 eral Regulations.

21 **SEC. 4. SEVERABILITY.**

22 If any provision of this Act or the application of such
 23 provision to any person or circumstance is held to be un-
 24 constitutional, the remainder of this Act, and the applica-

1 tion of the provision to any other person or circumstance,
2 shall not be affected.

3 **SEC. 5. ADMINISTRATIVE PROVISIONS.**

4 (a) SAVINGS PROVISIONS.—Nothing in this Act im-
5 pairs or otherwise affects the authority granted by law to
6 an executive department or agency, or the head of an exec-
7 utive department or agency.

8 (b) NO RIGHTS OR BENEFITS.—Nothing in this Act
9 creates any right or benefit, substantive or procedural, en-
10 forceable at law or in equity, by any party against the
11 United States, the departments, agencies, or entities of
12 the United States, the officers, employees, or agents of
13 the United States, or any other person.

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