

S 2278

Regulatory Accountability Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Jun 24, 2021

Current Status: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Latest Action: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Jun 24, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/2278>

Sponsor

Name: Sen. Portman, Rob [R-OH]

Party: Republican • State: OH • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Marshall, Roger [R-KS]	R · KS		May 18, 2022

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Jun 24, 2021

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
117 HR 8796	Identical bill	Nov 1, 2022: Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.

## Regulatory Accountability Act

This bill expands and provides statutory authority for notice-and-comment rulemaking procedures to require federal agencies to consider (1) whether a rulemaking is required by statute or is within the discretion of the agency, (2) whether existing laws or rules could be amended or rescinded to address the problem, and (3) reasonable alternatives to a new rule.

For proposed major or high-impact rules that have a specified significant economic impact or adverse effect on the public health or safety, an agency must

- publish notice of such rulemaking to invite interested parties to propose alternatives and ideas to accomplish the agency's objectives;
- allow persons interested in high-impact or certain major rules to petition for a public hearing with oral presentation, cross-examination, and the burden of proof on the proponent of the rule;
- adopt the rule that maximizes net benefits within the scope of the statutory provision authorizing the rule, unless the agency explains the costs and benefits that justify adopting an alternative rule and such rule is approved by the Office of Information and Regulatory Affairs (OIRA); and
- publish a framework and metrics for measuring the ongoing effectiveness of the rule.

Agencies must notify OIRA with certain information about a proposed rulemaking, including specified discussion and preliminary explanations concerning a major or high-impact rule. Further, OIRA must establish certain rulemaking guidelines.

Additionally, the bill (1) revises the scope of judicial review of agency actions, and (2) establishes requirements for agencies issuing guidance.

## Actions Timeline

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- **Jun 24, 2021:** Introduced in Senate
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