

118TH CONGRESS
1ST SESSION

S. _____

To require each agency to repeal 3 existing regulations before issuing a new regulation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCHMITT introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require each agency to repeal 3 existing regulations before issuing a new regulation, 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 “One In, Three Out
5 Act”.

6 **SEC. 2. REPEAL OF REGULATIONS REQUIRED BEFORE**

7 **ISSUANCE OF A NEW RULE.**

8 (a) DEFINITIONS.—In this section:

1 (1) AGENCY; RULE.—The terms “agency” and
2 “rule” have the meanings given those terms in sec-
3 tion 551 of title 5, United States Code.

4 (2) MAJOR RULE.—The term “major rule” has
5 the meaning given the term in section 804 of title
6 5, United States Code.

7 (3) STATE.—The term “State” means each of
8 the several States, the District of Columbia, each
9 territory or possession of the United States, and
10 each federally recognized Indian tribe.

11 (b) REQUIREMENT FOR RULE.—An agency may not
12 issue a rule unless the agency has repealed 3 or more rules
13 described in subsection (d) that, to the extent practicable,
14 are related to the rule.

15 (c) REQUIREMENT FOR MAJOR RULE.—

16 (1) REPEAL REQUIRED.—An agency may not
17 issue a major rule unless—

18 (A) the agency has repealed 3 or more
19 rules described in subsection (d) that, to the ex-
20 tent practicable, are related to the major rule;
21 and

22 (B) the cost of the new major rule is less
23 than or equal to the cost of the rules repealed.

24 (2) CERTIFIED COST.—For any rule issued in
25 accordance with paragraph (1), the Administrator of

1 the Office of Information and Regulatory Affairs of
2 the Office of Management and Budget shall certify
3 that the cost of the new major rule is equal to or
4 less than the cost of the rules repealed.

5 (d) PUBLICATION REQUIRED.—Any rule repealed
6 under subsection (b) or (c) shall be published in the Fed-
7 eral Register.

8 (e) APPLICABILITY.—This section—

9 (1) applies to any rule or major rule that im-
10 poses a cost or responsibility on a nongovernmental
11 person or a State or local government; and

12 (2) shall not apply to any rule or major rule
13 that relates to the management, organization, or
14 personnel of an agency or procurement by the agen-
15 cy.

16 **SEC. 3. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF**
17 **RULES.**

18 (a) IN GENERAL.—The Comptroller General of the
19 United States shall conduct a study to determine, as of
20 the date of the enactment of this Act—

21 (1) how many rules were in effect;

22 (2) how many major rules were in effect; and

23 (3) the total estimated economic cost imposed
24 by all such rules.

1 (b) REPORT.—Not later than 1 year after the date
2 of the enactment of this Act, the Comptroller General of
3 the United States shall submit a report to Congress that
4 contains the findings of the study conducted under sub-
5 section (a).