

117TH CONGRESS  
1ST SESSION

# H. R. 3204

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

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## IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2021

Mr. McCAUL (for himself and Mr. ROY) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on the Judiciary, 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

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## A BILL

To require each agency to repeal two 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, Two Out Act”.

5 **SEC. 2. REPEAL OF REGULATIONS REQUIRED BEFORE**  
6 **ISSUANCE OF A NEW RULE.**

7 (1) REQUIREMENT FOR RULE.—An agency may  
8 not issue a rule unless such agency has repealed two

1 or more rules described in paragraph (4) that, to the  
2 extent practicable, are related to the rule.

3 (2) REQUIREMENT FOR MAJOR RULE.—

4 (A) REPEAL REQUIRED.—An agency may  
5 not issue a major rule unless—

6 (i) such agency has repealed two or  
7 more rules described in paragraph (4)  
8 that, to the extent practicable, are related  
9 to the major rule; and

10 (ii) the cost of the new major rule is  
11 less than or equal to the cost of the rules  
12 repealed.

13 (B) CERTIFIED COST.—For any rule  
14 issued in accordance with subparagraph (A),  
15 the Administrator of the Office of Information  
16 and Regulatory Affairs of the Office of Manage-  
17 ment and Budget must have certified that the  
18 cost of the new major rule is equal to or less  
19 than the cost of the rules repealed.

20 (3) PUBLICATION REQUIRED.—Any rule re-  
21 pealed under paragraph (1) or (2) shall be published  
22 in the Federal Register.

23 (4) APPLICABILITY.—This section—

24 (A) applies to any rule or major rule that  
25 imposes a cost or responsibility on a nongovern-

1           mental person or a State or local government;  
2           and

3           (B) shall not apply to any rule or major  
4           rule—

5                   (i) that relates to the internal policy  
6                   or practice of an agency or procurement by  
7                   the agency; or

8                   (ii) that is being revised to be less  
9                   burdensome to decrease requirements im-  
10                  posed by the rule or cost of compliance.

11          (5) DEFINITIONS.—In this section:

12                  (A) AGENCY.—The term “agency” has the  
13                  meaning given that term in section 551 of title  
14                  5, United States Code.

15                  (B) MAJOR RULE.—The term “major rule”  
16                  has the meaning given that term in section 804  
17                  of title 5, United States Code.

18                  (C) RULE.—The term “rule” has the  
19                  meaning given that term in section 551 of title  
20                  5, United States Code.

21                  (D) STATE.—The term “State” means  
22                  each of the several States, the District of Co-  
23                  lumbia, each territory or possession of the

1 United States, and each federally recognized In-  
2 dian tribe.

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