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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. GOLDMAN of Texas introduced the following bill; which was referred to the Committee on _____

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 2026”.

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

7 In this Act:

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

1 (A) The Department of Energy.

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

4 (i) The Bureau of Land Management.

5 (ii) The Bureau of Ocean Energy
6 Management.

7 (iii) The Bureau of Safety and Envi-
8 ronmental Enforcement.

9 (iv) The Office of Surface Mining
10 Reclamation and Enforcement.

11 (C) The Federal Energy Regulatory Com-
12 mission.

13 (2) COVERED REGULATION.—The term “cov-
14 ered regulation” means—

15 (A) with respect to the Department of En-
16 ergy, any regulation promulgated by the De-
17 partment of Energy under or pursuant to—

18 (i) the Atomic Energy Act of 1954
19 (42 U.S.C. 2011 et seq.);

20 (ii) the Energy Independence and Se-
21 curity Act of 2007 (42 U.S.C. 17001 et
22 seq.);

23 (iii) the Energy Policy Act of 1992
24 (42 U.S.C. 13201 et seq.);

1 (iv) the Energy Policy Act of 2005
2 (42 U.S.C. 15801 et seq.); or

3 (v) part B of title III of the Energy
4 Policy and Conservation Act (42 U.S.C.
5 6291 et seq.);

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

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

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

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

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

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

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

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

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

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

20 (i) the Federal Power Act (16 U.S.C.
21 791a et seq.);

22 (ii) the Natural Gas Act (15 U.S.C.
23 717 et seq.); or

1 (iii) the Powerplant and Industrial
2 Fuel Use Act of 1978 (42 U.S.C. 8301 et
3 seq.).

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

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

9 (a) SUNSETS REQUIRED.—

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

17 (2) NEW REGULATIONS.—

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

1 (B) WAIVER.—The head of a covered
2 agency may exempt a covered regulation pro-
3 mulgated by the covered agency on or after the
4 date of enactment of this Act from the require-
5 ment under subparagraph (A) if the head of the
6 covered agency—

7 (i) determines that the covered regula-
8 tion has a net deregulatory effect; and

9 (ii) notifies the Director of the Office
10 of Management and Budget of that deter-
11 mination.

12 (b) EXTENSION OF SUNSETS.—

13 (1) IN GENERAL.—The head of a covered agen-
14 cy may only extend an expiration date imposed pur-
15 suant to subsection (a)—

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

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

20 (i) the head of the covered agency
21 provides an opportunity for public com-
22 ment on the costs and benefits of the ap-
23 plicable covered regulation, which may in-
24 clude the publication of a request for infor-

1 mation with respect to the covered regula-
2 tion; and

3 (ii) following the completion of the op-
4 portunity for public comment under clause
5 (i), the head of the covered agency deter-
6 mines, based on the comments provided in
7 that opportunity, that an extension of the
8 covered regulation is warranted.

9 (2) EFFECT OF AMENDMENTS.—

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

19 (B) OTHER AMENDMENTS.—If the head of
20 a covered agency does not make the determina-
21 tion described in subparagraph (A) with respect
22 to an amendment to a covered regulation of
23 that covered agency, the existing expiration
24 date of the covered regulation being amended
25 shall apply to that amendment unless the re-

1 requirements described in paragraph (1)(B) have
2 been met.

3 (3) CONTINUED EXTENSIONS.—The head of a
4 covered agency may extend the expiration date of a
5 covered regulation as many times as the head of the
6 agency determines appropriate, subject to the condi-
7 tion that each extension meets the requirements of
8 this subsection.

9 (4) SAVINGS PROVISION.—Seeking public com-
10 comment with respect to a covered regulation under
11 paragraph (1)(B)(i), including through a request for
12 information, shall not automatically extend the ap-
13 plicable expiration date of the covered regulation.

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

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

19 (2) the applicable covered agency shall not en-
20 force the covered regulation on or after that expira-
21 tion date; and

22 (3) as soon as practicable after that expiration
23 date, the head of the applicable covered agency shall
24 remove the covered regulation from the Code of Fed-
25 eral Regulations.

1 **SEC. 4. SEVERABILITY.**

2 If any provision of this Act or the application of such
3 provision to any person or circumstance is held to be un-
4 constitutional, the remainder of this Act, and the applica-
5 tion of the provision to any other person or circumstance,
6 shall not be affected.

7 **SEC. 5. ADMINISTRATIVE PROVISIONS.**

8 (a) SAVINGS PROVISIONS.—Nothing in this Act im-
9 pairs or otherwise affects the authority granted by law to
10 an executive department or agency, or the head of an execu-
11 tive department or agency.

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