Modernizing Retrospective Review Act

Federal agencies are required to submit twice-yearly reports to the Office of Management and Budget (OMB) about current regulations that can be scaled back, modified, or repealed altogether. Identifying and modifying repetitive and outdated regulation has saved the taxpayer millions of dollars, and countless hours of paperwork. The federal government's ability to expand the retrospective review process is limited by the lack of manpower it has to comb through the thousands of rules to determine when a rule or regulation has become duplicative, unnecessary, or needlessly burdensome.

Advocates of the program suggest that modern technology, including artificial intelligence and machine learning, can be used to rapidly expand the scope of the retrospective review process beyond what federal employees can feasibly achieve on their own. Capitalizing on the opportunity to embrace innovation, Senator Lee introduced the Modernizing Retrospective Review Act.

The Modernizing Retrospective Review Act requires the Office of Information and Regulatory Affairs (OIRA), through the OMB, to:

- Issue guidance on how agencies can use artificial intelligence and machine learning to more efficiently carry out retrospective review of federal regulations;
- Require OIRA to submit a report to Congress assessing whether Federal regulations are available in a machine-readable format;
- Require agencies to submit a "Retrospective Review Plan" that includes a strategy for how each agency will implement the OIRA guidance, and;
- Identify agency regulations that are subject to statutory retrospective review or would benefit from regular retrospective review.