

118TH CONGRESS
2D SESSION

S. _____

To establish a task force for regulatory oversight and review.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To establish a task force for regulatory oversight and review.

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 “Locating the Ineffi-
5 ciencies of Bureaucratic Edicts to Reform and Transform
6 the Economy Act” or the “LIBERATE Act”.

7 **SEC. 2. REGULATORY OVERSIGHT AND REVIEW TASK**
8 **FORCE.**

9 (a) **ESTABLISHMENT.**—There is established a task
10 force to be known as the “Regulatory Oversight and Re-
11 view Task Force” (referred to in this section as the “Task
12 Force”).

1 (b) MEMBERSHIP.—

2 (1) IN GENERAL.—The Task Force shall be
3 composed of—

4 (A) the Director of the Office of Manage-
5 ment and Budget, who shall serve as the Chair-
6 person of the Task Force;

7 (B) 1 representative of the Office of Infor-
8 mation and Regulatory Affairs; and

9 (C) 16 individuals from the private sector,
10 of whom—

11 (i) 4 shall be appointed by the major-
12 ity leader of the Senate;

13 (ii) 4 shall be appointed by the minor-
14 ity leader of the Senate;

15 (iii) 4 shall be appointed by the
16 Speaker of the House of Representatives;
17 and

18 (iv) 4 shall be appointed by the minor-
19 ity leader of the House of Representatives.

20 (2) QUALIFICATIONS OF PRIVATE SECTOR MEM-
21 BERS.—

22 (A) EXPERTISE.—Each member of the
23 Task Force appointed under paragraph (1)(C)
24 shall be an individual with expertise in Federal

1 regulatory policy, Federal regulatory compli-
2 ance, economics, law, or business management.

3 (B) SMALL BUSINESS CONCERNS.—Not
4 fewer than 2 of the members of the Task Force
5 appointed under each clause of paragraph
6 (1)(C) shall be representatives of a small busi-
7 ness concern, as defined in section 3 of the
8 Small Business Act (15 U.S.C. 632).

9 (C) POLITICAL AFFILIATION.—Not more
10 than 2 of the members of the Task Force ap-
11 pointed under each clause of paragraph (1)(C)
12 may be affiliated with the same political party.

13 (3) APPOINTMENT.—Not later than 30 days
14 after the date of enactment of this Act, the Presi-
15 dent shall appoint each member of the Task Force
16 under paragraph (1)(C).

17 (e) CONSULTATION WITH GAO.—In carrying out its
18 functions under this section, the Task Force shall consult
19 with the Government Accountability Office.

20 (d) NO COMPENSATION.—A member of the Task
21 Force may not receive any compensation for serving on
22 the Task Force.

23 (e) EVALUATION OF REGULATIONS.—The Task
24 Force shall evaluate, and provide recommendations for

1 modification, consolidation, harmonization, or repeal of,
2 Federal regulations that—

3 (1) exclude or otherwise inhibit competition,
4 causing industries of the United States to be less
5 competitive with global competitors;

6 (2) create barriers to entry for United States
7 businesses, including entrepreneurs and startups;

8 (3) increase the operating costs for domestic
9 manufacturing;

10 (4) impose substantial compliance costs and
11 other burdens on industries of the United States,
12 making those industries less competitive with global
13 competitors;

14 (5) impose burdensome and lengthy permitting
15 processes and requirements;

16 (6) impact energy production by United States
17 businesses and make the United States dependent
18 on foreign countries for energy supply;

19 (7) restrict domestic mining, including the min-
20 ing of critical minerals; or

21 (8) inhibit capital formation in the economy of
22 the United States.

23 (f) WEBSITE.—The Task Force shall establish and
24 maintain a user-friendly, public-facing website to be—

1 (1) a portal for the submission of written com-
2 ments under subsection (h); and

3 (2) a gateway for reports and key information.

4 (g) DUTY OF FEDERAL AGENCIES.—Upon request of
5 the Task Force, a Federal agency shall provide applicable
6 documents and information to help the Task Force carry
7 out its functions under this section.

8 (h) WRITTEN RECOMMENDATIONS.—

9 (1) IN GENERAL.— Not later than 15 days
10 after the first meeting of the Task Force, the Task
11 Force shall initiate a process to solicit and collect
12 written recommendations regarding regulations de-
13 scribed in subsection (e) from the general public, in-
14 terested parties, Federal agencies, and other relevant
15 entities.

16 (2) MANNER OF SUBMISSION.—The Task Force
17 shall allow written recommendations under para-
18 graph (1) to be submitted through—

19 (A) the website of the Task Force;

20 (B) regulations.gov;

21 (C) the mail; or

22 (D) other appropriate written means.

23 (3) PUBLICATION.—The Task Force shall pub-
24 lish each recommendation submitted under para-
25 graph (1)—

1 (A) in the Federal Register;

2 (B) on the website of the Task Force; and

3 (C) on regulations.gov.

4 (4) PUBLIC OUTREACH.—In addition to solie-
5 iting and collecting written recommendations under
6 paragraph (1), the Task Force shall conduct public
7 outreach and convene focus groups in geographically
8 diverse areas throughout the United States to solicit
9 feedback and public comments regarding regulations
10 described in subsection (e).

11 (5) REVIEW AND CONSIDERATION.—The Task
12 Force shall review the information received under
13 paragraphs (1) and (4) and consider including that
14 information in the reports and special message re-
15 quired under subsections (i) and (j), respectively.

16 (i) REPORTS.—

17 (1) IN GENERAL.—The Task Force shall sub-
18 mit quarterly and annual reports to Congress on the
19 findings of the Task Force under this section.

20 (2) CONTENTS.—Each report submitted under
21 paragraph (1) shall—

22 (A) analyze the Federal regulations identi-
23 fied in accordance with subsection (e); and

24 (B) provide recommendations for modifica-
25 tions, consolidation, harmonization, and repeal

1 of the regulations described in subparagraph
2 (A) of this paragraph.

3 (j) SPECIAL MESSAGE TO CONGRESS.—

4 (1) DEFINITION.—In this subsection, the term
5 “covered resolution” means a joint resolution—

6 (A) the matter after the resolving clause of
7 which contains only—

8 (i) a list of some or all of the regula-
9 tions that were recommended for repeal in
10 a special message submitted to Congress
11 under paragraph (2); and

12 (ii) a provision that immediately re-
13 peals the listed regulations upon enactment
14 of the joint resolution; and

15 (B) upon which Congress completes action
16 before the end of the first period of 60 calendar
17 days after the date on which the special mes-
18 sage described in subparagraph (A)(i) of this
19 paragraph is received by Congress.

20 (2) SUBMISSION.—

21 (A) IN GENERAL.—Not later than the first
22 day on which both Houses of Congress are in
23 session after May 1 of each year, the Director
24 of the Office of Management and Budget shall

1 submit to Congress, on behalf of the Task
2 Force, a special message that—

3 (i) details each regulation that the
4 Task Force recommends for repeal; and
5 (ii) explains why each regulation
6 should be repealed.

7 (B) DELIVERY TO HOUSE AND SENATE;
8 PRINTING.—Each special message submitted
9 under subparagraph (A) shall be—

10 (i) delivered to the Clerk of the House
11 of Representatives and the Secretary of the
12 Senate; and

13 (ii) printed in the Congressional
14 Record.

15 (3) PROCEDURE IN HOUSE AND SENATE.—

16 (A) REFERRAL.—A covered resolution
17 shall be referred to the appropriate committee
18 of the House of Representatives or the Senate,
19 as the case may be.

20 (B) DISCHARGE OF COMMITTEE.—If the
21 committee to which a covered resolution has
22 been referred has not reported the resolution at
23 the end of 25 calendar days after the introduc-
24 tion of the resolution—

1 (i) the committee shall be discharged
2 from further consideration of the resolu-
3 tion; and

4 (ii) the resolution shall be placed on
5 the appropriate calendar.

6 (4) FLOOR CONSIDERATION IN THE HOUSE.—

7 (A) MOTION TO PROCEED.—

8 (i) IN GENERAL.—When the com-
9 mittee of the House of Representatives has
10 reported, or has been discharged from fur-
11 ther consideration of, a covered resolution,
12 it shall at any time thereafter be in order
13 (even though a previous motion to the
14 same effect has been disagreed to) to move
15 to proceed to the consideration of the reso-
16 lution.

17 (ii) PRIVILEGE.—A motion described
18 in clause (i) shall be highly privileged and
19 not debatable.

20 (iii) NO AMENDMENT OR MOTION TO
21 RECONSIDER.—An amendment to a motion
22 described in clause (i) shall not be in
23 order, nor shall it be in order to move to
24 reconsider the vote by which the motion is
25 agreed to or disagreed to.

1 (B) DEBATE.—

2 (i) IN GENERAL.—Debate in the
3 House of Representatives on a covered res-
4 olution shall be limited to not more than 2
5 hours, which shall be divided equally be-
6 tween those favoring and those opposing
7 the resolution.

8 (ii) NO MOTION TO RECONSIDER.—It
9 shall not be in order in the House of Rep-
10 resentatives to move to reconsider the vote
11 by which a covered resolution is agreed to
12 or disagreed to.

13 (C) NO MOTION TO POSTPONE CONSIDER-
14 ATION OR PROCEED TO CONSIDERATION OF
15 OTHER BUSINESS.—In the House of Represent-
16 atives, motions to postpone, made with respect
17 to the consideration of a covered resolution, and
18 motions to proceed to the consideration of other
19 business, shall not be in order.

20 (D) APPEALS FROM DECISIONS OF
21 CHAIR.—An appeal from the decision of the
22 Chair relating to the application of the Rules of
23 the House of Representatives to the procedure
24 relating to a covered resolution shall be decided
25 without debate.

1 (5) FLOOR CONSIDERATION IN THE SENATE.—

2 (A) MOTION TO PROCEED.—

3 (i) IN GENERAL.—Notwithstanding
4 Rule XXII of the Standing Rules of the
5 Senate, when the committee of the Senate
6 to which a covered resolution is referred
7 has reported, or has been discharged from
8 further consideration of, a covered resolu-
9 tion, it shall at any time thereafter be in
10 order (even though a previous motion to
11 the same effect has been disagreed to) to
12 move to proceed to the consideration of the
13 resolution and all points of order against
14 the covered resolution are waived.

15 (ii) DIVISION OF TIME.—A motion to
16 proceed described in clause (i) is subject to
17 4 hours of debate divided equally between
18 those favoring and those opposing the cov-
19 ered resolution.

20 (iii) NO AMENDMENT OR MOTION TO
21 POSTPONE OR PROCEED TO OTHER BUSI-
22 NESS.—A motion to proceed described in
23 clause (i) is not subject to—

24 (I) amendment;

25 (II) a motion to postpone; or

12

1 (III) a motion to proceed to the
2 consideration of other business.

3 (B) FLOOR CONSIDERATION.—

4 (i) GENERAL.—In the Senate, a cov-
5 ered resolution shall be subject to 10 hours
6 of debate divided equally between those fa-
7 voring and those opposing the covered res-
8 olution.

9 (ii) AMENDMENTS.—In the Senate, no
10 amendment to a covered resolution shall be
11 in order, except an amendment that strikes
12 from or adds to the list required under
13 paragraph (1)(A)(i) a regulation rec-
14 ommended for repeal by the Task Force.

15 (iii) MOTIONS AND APPEALS.—In the
16 Senate, a motion to reconsider a vote on
17 final passage of a covered resolution shall
18 not be in order, and points of order, in-
19 cluding questions of relevancy, and appeals
20 from the decision of the Presiding Officer,
21 shall be decided without debate.

22 (6) RECEIPT OF RESOLUTION FROM OTHER
23 HOUSE.—If, before passing a covered resolution, one
24 House receives from the other a covered resolution—

1 (A) the covered resolution of the other
2 House shall not be referred to a committee and
3 shall be deemed to have been discharged from
4 committee on the day on which it is received;
5 and

6 (B) the procedures set forth in paragraph
7 (4) or (5), as applicable, shall apply in the re-
8 ceiving House to the covered resolution received
9 from the other House to the same extent as
10 those procedures apply to a covered resolution
11 of the receiving House.

12 (7) RULES OF THE HOUSE OF REPRESENTA-
13 TIVES AND THE SENATE.—Paragraphs (3) through
14 (7) are enacted by Congress—

15 (A) as an exercise of the rulemaking power
16 of the House of Representatives and the Sen-
17 ate, respectively, and as such are deemed a part
18 of the rules of each House, respectively, but ap-
19 plicable only with respect to the procedures to
20 be followed in the House in the case of covered
21 resolutions, and supersede other rules only to
22 the extent that they are inconsistent with such
23 other rules; and

24 (B) with full recognition of the constitu-
25 tional right of either House to change the rules

1 (so far as relating to the procedure of that
2 House) at any time, in the same manner, and
3 to the same extent as in the case of any other
4 rule of that House.

5 (k) FUNDING.—

6 (1) NO ADDITIONAL AMOUNTS AUTHORIZED.—

7 No additional amounts are authorized to be appro-
8 priated to carry out this section.

9 (2) OTHER FUNDING.—The Task Force shall
10 use amounts otherwise available to the Office of
11 Management and Budget to carry out this section.