

FEBRUARY 22, 2017

RULES COMMITTEE PRINT 115-4
TEXT OF H.R. 1009, OIRA INSIGHT, REFORM,
AND ACCOUNTABILITY ACT

[Showing the text of the bill as ordered reported by the
Committee on Oversight and Government Reform.]

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “OIRA Insight, Reform,
3 and Accountability Act”.

4 **SEC. 2. OFFICE OF INFORMATION AND REGULATORY AF-**
5 **FAIRS.**

6 (a) AMENDMENT.—Subchapter I of chapter 35 of
7 title 44, United States Code, is amended by adding at the
8 end the following new sections:

9 **“§ 3522. Office of Information and Regulatory Affairs**
10 **Regulatory Working Group; regulatory**
11 **plan; Unified Agenda**

12 “(a) REGULATORY WORKING GROUP.—

13 “(1) ESTABLISHMENT; MEMBERS.—The Admin-
14 istrator of the Office of Information and Regulatory
15 Affairs shall convene a working group to be known
16 as the Regulatory Working Group, whose members
17 shall consist of the following:

18 “(A) The Administrator.

1 “(B) Representatives selected by the head
2 of each agency that the Administrator deter-
3 mines to have significant domestic regulatory
4 responsibility.

5 “(C) Other executive branch officials as
6 designated by the Administrator.

7 “(2) CHAIR.—The Chair of the Regulatory
8 Working Group shall be the Administrator, who
9 shall periodically advise Congress on the activities of
10 the Regulatory Working Group.

11 “(3) PURPOSE.—The Regulatory Working
12 Group shall serve as a forum to assist agencies in
13 identifying and analyzing important regulatory
14 issues, including, at a minimum—

15 “(A) the development of innovative regu-
16 latory techniques;

17 “(B) the methods, efficacy, and utility of
18 comparative risk assessment in regulatory deci-
19 sionmaking; and

20 “(C) the development of streamlined regu-
21 latory approaches for small businesses and
22 other entities.

23 “(4) MEETINGS.—The Regulatory Working
24 Group shall meet not less than quarterly and may

1 meet as a whole or in subgroups of members with
2 an interest in particular issues or subject areas.

3 “(5) ANALYTICAL STUDIES.—To inform the
4 discussion of the Regulatory Working Group, the
5 Regulatory Working Group may request analytical
6 studies and reports by the Office of Information and
7 Regulatory Affairs, the Administrative Conference of
8 the United States, or any other agency.

9 “(b) REGULATORY PLAN.—

10 “(1) IN GENERAL.—

11 “(A) DEADLINE FOR AND DESCRIPTION OF
12 REGULATORY PLAN.—Not later than June 1 of
13 each year, the head of each agency shall ap-
14 prove and submit to the Administrator a regu-
15 latory plan that includes each significant regu-
16 latory action that the agency reasonably expects
17 to issue in proposed or final form in the fol-
18 lowing fiscal year or thereafter and the retro-
19 spective review described in paragraph (2). The
20 regulatory plan shall also contain, at a min-
21 imum, the following:

22 “(i) A statement of the regulatory ob-
23 jectives and priorities of the agency.

24 “(ii) A summary of each planned sig-
25 nificant regulatory action including, to the

1 extent possible, alternatives to be consid-
2 ered and preliminary estimates of the an-
3 ticipated costs and benefits of such action.

4 “(iii) A summary of the legal basis for
5 each such action, including whether any
6 aspect of the action is required by statute
7 or court order.

8 “(iv) A statement of the need for each
9 such action and, if applicable, how the ac-
10 tion will reduce risk to public health, safe-
11 ty, or the environment, as well as how the
12 magnitude of the risk addressed by the ac-
13 tion relates to any other risk within the ju-
14 risdiction of the agency.

15 “(v) The schedule for each such ac-
16 tion, including a statement of any applica-
17 ble statutory or judicial deadline.

18 “(vi) The name, email address, and
19 telephone number of a knowledgeable agen-
20 cy employee the public may contact for ad-
21 ditional information about each such ac-
22 tion.

23 “(B) CIRCULATION OF REGULATORY
24 PLAN.—Not later than 10 days after receiving
25 the regulatory plan under subparagraph (A),

1 the Administrator shall circulate the regulatory
2 plan to any other agency the Administrator de-
3 termines may be affected by the plan.

4 “(C) AGENCY NOTIFICATION TO OIRA OF
5 CONFLICTING SIGNIFICANT REGULATORY AC-
6 TIONS.—The head of an agency shall promptly
7 notify the Administrator in writing if any
8 planned significant regulatory action in the reg-
9 ulatory plan of another agency may conflict
10 with the policy or action taken or planned by
11 that agency. The Administrator shall forward
12 any notification received under this subpara-
13 graph to the other agency involved.

14 “(D) NOTIFICATION OF CONFLICTING SIG-
15 NIFICANT REGULATORY ACTIONS.—The Admin-
16 istrator shall notify the head of an agency in
17 writing if any planned significant regulatory ac-
18 tion conflicts with any policy or action taken or
19 planned by another agency.

20 “(E) REQUIREMENT TO PUBLISH IN UNI-
21 FIED AGENDA.—Each regulatory plan sub-
22 mitted by the head of an agency under subpara-
23 graph (A) shall be included in the October pub-
24 lication of the Unified Agenda described under
25 subsection (c).

1 “(2) RETROSPECTIVE REVIEW.—

2 “(A) LIST OF OUTDATED REGULATIONS.—

3 The head of each agency shall include in the
4 regulatory plan submitted under paragraph
5 (1)(A) a list of regulations that have been iden-
6 tified by the agency (including any comments
7 submitted to the agency) as unjustified, unnec-
8 essary, duplicative of other regulations or laws,
9 inappropriately burdensome, or otherwise rec-
10 ommended for removal.

11 “(B) DESCRIPTION OF RETROSPECTIVE
12 REVIEW.—The head of each agency shall in-
13 clude in the regulatory plan submitted under
14 paragraph (1)(A) a description of any program
15 or other effort to review existing regulations to
16 determine whether any such regulations should
17 be modified or eliminated in order to increase
18 the effectiveness in achieving the regulatory ob-
19 jectives of the agency or to reduce the burden
20 of regulations. The agency shall include any
21 statutory requirements that require the agency
22 to promulgate or continue to impose regulations
23 that the agency believes are unnecessary or out-
24 dated by reason of changed circumstances.

1 “(C) OIRA COORDINATED REVIEW.—The
2 Administrator shall work with interested enti-
3 ties and agencies, including through the proc-
4 esses established under subsection (d), to review
5 the list of regulations identified under subpara-
6 graph (A) and such entities may assist OIRA
7 and the agencies with identifying regulations or
8 groups of regulations that—

9 “(i) impose significant or unique bur-
10 dens on governmental entities and that are
11 no longer justified; or

12 “(ii) affect a particular group, indus-
13 try, or sector of the economy.

14 “(c) UNIFIED AGENDA.—

15 “(1) SUBMISSION OF REGULATIONS UNDER DE-
16 VELOPMENT OR REVIEW.—Not later than April 1
17 and October 1 of each year, the head of each agency
18 shall submit to the Administrator an agenda of each
19 regulation under development or review in accord-
20 ance with any guidance issued under this section.
21 Each agenda shall include, to the extent practicable,
22 the following:

23 “(A) For each regulation—

24 “(i) a regulation identifier number;

1 “(ii) a brief summary of the regula-
2 tion;

3 “(iii) a citation to the legal authority
4 to issue the regulation;

5 “(iv) any legal deadline for the
6 issuance of the regulation;

7 “(v) the name and phone number for
8 a knowledgeable agency employee; and

9 “(vi) the stage of review for issuing
10 the regulation.

11 “(B) For each regulation expected to be
12 promulgated within the following 18 months—

13 “(i) a determination of whether the
14 regulation is expected to be a significant
15 regulatory action or an economically sig-
16 nificant regulatory action; and

17 “(ii) any available analysis or quan-
18 tification of the expected costs or benefits.

19 “(C) For any regulation included in the
20 immediately previous agenda, an explanation of
21 why the regulation is no longer included.

22 “(2) PUBLICATION OF UNIFIED AGENDA RE-
23 QUIRED.—Not later than April 15 and October 15
24 of each year, the Administrator shall compile and

1 publish online each agenda received under paragraph
2 (1) (to be known as the Unified Agenda).

3 “(3) GUIDANCE.—

4 “(A) IN GENERAL.—The Administrator
5 shall issue guidance for agencies on the manner
6 of submission under this subsection and on
7 meeting the requirements of this subsection, in-
8 cluding a standard definition for each stage of
9 review and any other definition that would as-
10 sist the public in understanding the different
11 terms used by agencies to submit the agenda
12 required under paragraph (1).

13 “(B) UPDATES.—The Administrator shall
14 periodically review compliance with this section
15 and issue guidance or recommendations to as-
16 sist agencies in complying with this section.

17 “(d) COORDINATION WITH STATE, LOCAL, AND
18 TRIBAL GOVERNMENTS AND THE PUBLIC.—

19 “(1) STATE, LOCAL, AND TRIBAL GOVERN-
20 MENTS.—The Administrator shall meet not less than
21 quarterly with representatives of State, local, and
22 tribal governments to identify both existing and pro-
23 posed regulations that may uniquely or significantly
24 affect those government entities.

1 with an identification of whether each such regu-
2 latory action is a significant regulatory action.

3 “(3) REVIEW OF SIGNIFICANT REGULATORY AC-
4 TION REQUIRED.—

5 “(A) IN GENERAL.—The Administrator
6 shall make a determination of whether any
7 planned regulatory action submitted under this
8 section is a significant regulatory action and
9 shall review each such significant regulatory ac-
10 tion in accordance with this section.

11 “(B) NOT SUBJECT TO REVIEW.—Any
12 planned regulatory action determined by the
13 Administrator not to be a significant regulatory
14 action is not subject to review under this sec-
15 tion.

16 “(C) NOTIFICATION REQUIRED.—Not later
17 than 10 days after a planned regulatory action
18 has been determined to be a significant regu-
19 latory action, the Administrator shall notify the
20 head of the relevant agency of such determina-
21 tion.

22 “(4) WAIVER OF REVIEW FOR SIGNIFICANT
23 REGULATORY ACTION.—The Administrator—

1 “(A) may waive review of any planned reg-
2 ulatory action designated as a significant regu-
3 latory action; and

4 “(B) shall publish online a detailed written
5 explanation of any such waiver.

6 “(b) AGENCY CONSULTATION WITH OIRA.—

7 “(1) IN GENERAL.—An agency may consult
8 with OIRA at any time on any regulatory action.

9 “(2) REGULATION IDENTIFIER NUMBER.—The
10 head of an agency shall make every effort to obtain
11 a regulation identifier number for the regulatory ac-
12 tion that is the subject of the consultation before
13 consulting with OIRA.

14 “(3) CONSULTATION INFORMATION RE-
15 QUIRED.—If the head of an agency is unable to ob-
16 tain the regulation identifier number as described in
17 paragraph (2), the head of the agency shall provide
18 the regulation identifier number to OIRA as soon as
19 the number is obtained with a list of any previous
20 interactions with OIRA relating to the regulatory ac-
21 tion that is the subject of the consultation.

22 “(c) AGENCY SUBMISSION OF SIGNIFICANT REGU-
23 LATORY ACTION FOR REVIEW.—Before issuing a signifi-
24 cant regulatory action, the head of an agency shall submit

1 the significant regulatory action to the Administrator for
2 review and shall include the following:

3 “(1) The text of the significant regulatory ac-
4 tion.

5 “(2) A detailed description of the need for the
6 significant regulatory action.

7 “(3) An explanation of how the significant reg-
8 ulatory action will meet the identified need.

9 “(4) An assessment of potential costs and bene-
10 fits of the significant regulatory action.

11 “(5) An explanation of the manner in which the
12 significant regulatory action is consistent with a
13 statutory mandate and avoids undue interference
14 with State, local, and tribal government functions.

15 “(6) For an economically significant regulatory
16 action, if any of the following was developed during
17 the decisionmaking process of the agency:

18 “(A) An assessment of and quantification
19 of costs and benefits of the significant regu-
20 latory action.

21 “(B) An assessment of and quantification
22 of costs and benefits of potentially effective and
23 feasible alternatives, including any underlying
24 analysis.

1 “(C) An explanation of why the planned
2 significant regulatory action is preferable to any
3 identified potential alternatives.

4 “(d) DEADLINES FOR REVIEW.—

5 “(1) REVIEW COORDINATION.—To the extent
6 practicable, the head of each agency shall work with
7 the Administrator to establish a mutually agreeable
8 date on which to submit a significant regulatory ac-
9 tion for review.

10 “(2) EXPEDITED REVIEW.—When an agency is
11 obligated by law to issue a significant regulatory ac-
12 tion before complying with the provisions of this sec-
13 tion, the head of the agency shall notify the Admin-
14 istrator as soon as possible. To the extent prac-
15 ticable, OIRA and the agency shall comply with the
16 provisions of this section.

17 “(3) 10-DAY REVIEW.—In the case of a signifi-
18 cant regulatory action that is a notice of inquiry, ad-
19 vance notice of proposed rulemaking, or other pre-
20 liminary regulatory action prior to a notice of pro-
21 posed rulemaking, within 10 business days after the
22 date of submission of the such action to the Admin-
23 istrator, OIRA shall complete the review.

24 “(4) 90-DAY REVIEW.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), for any other significant reg-
3 ulatory action not described in paragraph (3),
4 within 90 days after the date of submission of
5 the action, OIRA shall complete the review.

6 “(B) EXCEPTION 45-DAY REVIEW.—If
7 OIRA has previously reviewed the significant
8 regulatory action described in subparagraph (A)
9 and, since that review, there has been no mate-
10 rial change in the facts and circumstances upon
11 which the significant regulatory action is based,
12 OIRA shall complete the review within 45 days
13 after submission of the action.

14 “(5) EXTENSION.—Any review described under
15 this subsection may be extended for any number of
16 additional 30-day periods upon written request by
17 the Administrator or the head of the agency. Such
18 request shall be granted unless the nonrequesting
19 party denies the request in writing within 5 days
20 after receipt of the request for extension.

21 “(6) RETURN.—If the Administrator deter-
22 mines OIRA is unable to complete a review within
23 the time period described under this subsection, the
24 Administrator may return the draft of the signifi-
25 cant regulatory action to the agency with a written

1 explanation of why OIRA was unable to complete
2 the review and what additional information, re-
3 sources, or time OIRA would need to complete the
4 review.

5 “(7) WITHDRAWAL.—An agency may withdraw
6 the regulatory action from OIRA review at any time
7 prior to the completion of the review.

8 “(e) COMPLIANCE REVIEW.—The Administrator
9 shall review any significant regulatory action submitted
10 under subsection (c) to determine the extent to which the
11 agency—

12 “(1) identified the problem that the significant
13 regulatory action is designed to address (including,
14 where applicable, the failures of private markets or
15 public institutions that warrant new agency action);

16 “(2) assessed the significance of the problem
17 the regulatory action is designed to address;

18 “(3) examined whether existing regulations or
19 laws have created or contributed to the problem that
20 the regulatory action is designed to correct and
21 whether those regulations or laws should be modified
22 to achieve the intended goal more effectively;

23 “(4) identified and assessed available alter-
24 natives to direct regulation, including providing eco-
25 nomic incentives to encourage desired behaviors,

1 such as user fees or marketable permits, or pro-
2 viding information upon which choices can be made
3 by the public;

4 “(5) considered, to the extent reasonable, the
5 degree and nature of the risks posed by various sub-
6 stances or activities within the jurisdiction of the
7 agency;

8 “(6) designed the regulatory action to be the
9 most cost-effective manner to achieve the regulatory
10 objective;

11 “(7) considered incentives for innovation, con-
12 sistency, predictability, flexibility, distributive im-
13 pacts, equity, and the costs of enforcement and com-
14 pliance by the Government, regulated entities, and
15 the public;

16 “(8) assessed costs and benefits of the regu-
17 latory action and made a reasoned determination
18 that the benefits justify the costs;

19 “(9) used the best reasonably obtainable sci-
20 entific, technical, economic, and other information
21 concerning the need for and consequences of the reg-
22 ulatory action;

23 “(10) identified and assessed alternative forms
24 of regulation and, to the extent feasible, specified

1 performance objectives rather than behavior or man-
2 ner of compliance;

3 “(11) sought comments and suggestions from
4 appropriate State, local, and tribal officials on any
5 aspect of the regulatory action that might signifi-
6 cantly or uniquely affect those governmental entities;

7 “(12) assessed the effects of the regulatory ac-
8 tion on State, local, and tribal governments, includ-
9 ing specifically the availability of resources to carry
10 out the regulatory action, and minimized the bur-
11 dens that uniquely or significantly affect such gov-
12 ernmental entities, consistent with achieving regu-
13 latory objectives;

14 “(13) harmonized the regulatory action with
15 the regulatory and other functions of State, local,
16 and tribal governments;

17 “(14) avoided conflicts with or duplication of
18 other existing regulations;

19 “(15) tailored the regulatory action to impose
20 the least burden on society, including individuals,
21 businesses of differing sizes, and other entities (in-
22 cluding small communities and governmental enti-
23 ties), consistent with obtaining the regulatory objec-
24 tives, and taking into account, among other things

1 and to the extent practicable, the costs of cumulative
2 regulations;

3 “(16) drafted the regulatory action to be simple
4 and easy to understand, and minimized the potential
5 for uncertainty and litigation arising from such un-
6 certainty;

7 “(17) met all applicable Executive order re-
8 quirements;

9 “(18) met all applicable statutory requirements;
10 and

11 “(19) complied with all applicable guidance.

12 “(f) QUALITY REVIEW.—For any significant regu-
13 latory action submitted under subsection (c), OIRA shall
14 assess the extent to which the agency conducted a mean-
15 ingful and complete analysis of each of the factors de-
16 scribed in subsection (e), considering best practices, meth-
17 ods observed through reviewing other agencies, comments
18 from stakeholders, and other resources that may improve
19 the quality of the process.

20 “(g) INTERAGENCY CONSULTATION.—The Adminis-
21 trator shall identify each agency potentially affected, inter-
22 ested, or otherwise likely to provide valuable feedback on
23 a significant regulatory action submitted under subsection
24 (c) and facilitate a meaningful interagency consultation
25 process. The Administrator shall—

1 “(1) provide each identified agency with a copy
2 of the draft regulatory action;

3 “(2) allow each identified agency to review the
4 draft regulatory action for a sufficient period of
5 time, not less than 10 business days;

6 “(3) solicit written comments from such agency
7 and provide those written comments to the submit-
8 ting agency; and

9 “(4) as appropriate, facilitate conversations be-
10 tween agencies.

11 “(h) **STAKEHOLDER CONSULTATION.**—For all sub-
12 stantive communications between OIRA and individuals
13 not employed by the executive branch regarding a regu-
14 latory action submitted to the Administrator for review
15 under this section, the Administrator shall—

16 “(1) invite the issuing agency to any meeting
17 between OIRA personnel and individuals not em-
18 ployed by the executive branch;

19 “(2) not later than 10 business days after re-
20 ceipt of any written communication submitted by
21 any individual not employed by the executive branch,
22 make such communications available to the public
23 online; and

1 “(3) make available to the public online a log,
2 which shall be updated daily, of the following infor-
3 mation:

4 “(A) The status of each regulatory action.

5 “(B) A copy of any written communication
6 submitted by any person not employed by the
7 executive branch.

8 “(C) The dates and names of persons in-
9 volved in any substantive oral communication
10 and the subject matter discussed during such
11 communication.

12 “(i) CONCLUSION OF REVIEW.—

13 “(1) PROVISION TO AGENCY.—Upon completion
14 of the review, the Administrator shall provide the
15 head of an agency with the results of the OIRA re-
16 view in writing, including a list of every standard,
17 Executive order, guidance document, and law re-
18 viewed for compliance and the results for each.

19 “(2) CHANGES DURING REVIEW PERIOD.—

20 Within 24 hours after the conclusion of the OIRA
21 review under this section, the head of the submitting
22 agency shall provide the Administrator with a red-
23 line of any changes the agency made to the regu-
24 latory action during the review period. To the extent
25 practicable, the agency shall identify any change

1 made at the suggestion or recommendation of any
2 other agency, member of the public, or other source.
3 To the extent practicable, the agency should identify
4 the source of any such change.

5 **“§ 3524. Public disclosure of regulatory review**

6 “(a) IN GENERAL.—On the earlier of 3 days after
7 OIRA completes the review of any agency significant regu-
8 latory action under section 3523, the date on which such
9 agency publishes the regulatory action in the Federal Reg-
10 ister, or the date on which the agency announces a deci-
11 sion not to publish the regulatory action, the Adminis-
12 trator shall make available to the public online—

13 “(1) all information submitted by an agency
14 under section 3523;

15 “(2) the results of the review provided to the
16 agency under section 3523;

17 “(3) the redline of any changes made by the
18 agency during the course of the review provided
19 under section 3523(i)(2); and

20 “(4) all documents exchanged between OIRA
21 and the agency during the review.

22 “(b) PLAIN LANGUAGE REQUIREMENT.—All infor-
23 mation provided to the public shall, to the extent prac-
24 ticable, be in plain, understandable language.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
2 The table of sections at the beginning of chapter 35 of
3 title 44, United States Code, is amended by inserting after
4 the item relating to section 3521 the following new items:

“3522. Office of Information and Regulatory Affairs Regulatory Working
Group; regulatory plan; Unified Agenda.

“3523. OIRA coordinated review of significant regulatory actions.

“3524. Public disclosure of regulatory review.”.

5 (c) DEFINITIONS.—Section 3502 of title 44, United
6 States Code, is amended—

7 (1) in paragraph (13)(D), by striking “; and”
8 and inserting a semicolon;

9 (2) in paragraph (14), by striking the period at
10 the end and inserting a semicolon; and

11 (3) by adding at the end the following new
12 paragraphs:

13 “(15) the term ‘Administrator’ means, unless
14 otherwise indicated, the Administrator of the Office
15 of Information and Regulatory Affairs;

16 “(16) the term ‘economically significant regu-
17 latory action’ means any regulatory action described
18 under subparagraph (A) or (B) of paragraph (21);

19 “(17) the term ‘OIRA’ means the Office of In-
20 formation and Regulatory Affairs;

21 “(18) the term ‘regulation’—

22 “(A) means an agency statement of gen-
23 eral applicability and future effect, which the

1 agency intends to have the force and effect of
2 law, that is designed to implement, interpret, or
3 prescribe law or policy or to describe the proce-
4 dure or practice requirements of an agency; and

5 “(B) does not include such a statement
6 if—

7 “(i) issued in accordance with the for-
8 mal rulemaking provisions of sections 556
9 and 557 of title 5;

10 “(ii) the statement pertains to a mili-
11 tary or foreign affairs function of the
12 United States, other than procurement
13 regulations and regulations involving the
14 import or export of nondefense articles and
15 services;

16 “(iii) the statement is limited to an
17 agency organization, management, or per-
18 sonnel matters; or

19 “(iv) the statement is exempted as a
20 regulation by the Administrator;

21 “(19) the term ‘regulation identifier number’
22 means a unique identification code for regulations,
23 which is designed to assist tracking regulations
24 through the course of development;

1 “(20) the term ‘regulatory action’ means any
2 substantive action by an agency normally published
3 in the Federal Register that promulgates or is ex-
4 pected to lead to the promulgation of a final regula-
5 tion, including notices of inquiry, advance notices of
6 proposed rulemaking, and notices of proposed rule-
7 making;

8 “(21) the term ‘significant regulatory action’
9 means any regulatory action that is likely to result
10 in a regulation that may—

11 “(A) have an annual effect on the economy
12 of \$100,000,000 or more;

13 “(B) adversely affect in a material way the
14 economy, a sector of the economy, productivity,
15 competition, jobs, the environment, public
16 health or safety, or State, local, or tribal gov-
17 ernments or communities;

18 “(C) create a serious inconsistency or oth-
19 erwise interfere with an action taken or planned
20 by another agency;

21 “(D) materially alter the budgetary impact
22 of entitlements, grants, user fees, or loan pro-
23 grams or the rights and obligations of recipi-
24 ents therein; or

1 “(E) raise novel legal or policy issues arising out of legal mandates;

2 “(22) the term ‘small business’ has the meaning given the term ‘small-business concern’ in section 3 of the Small Business Act (15 U.S.C. 632);

3 and

4 “(23) the term ‘State’ means each of the several States, the District of Columbia, each territory or possession of the United States, and each federally recognized Indian tribe.”.

5 (d) DEADLINE FOR ISSUANCE OF GUIDANCE.—Not

6 later than 180 days after the date of the enactment of

7 this Act, the Administrator of the Office of Information

8 and Regulatory Affairs shall issue any guidance required

9 by section 3522 of title 44, United States Code, as added

10 by subsection (a).

