

MAY 31, 2023

**RULES COMMITTEE PRINT 118–7**  
**TEXT OF H.R. 288, THE SEPARATION OF POWERS**  
**RESTORATION ACT OF 2023**

[Showing the text of H.R. 288, as ordered reported by the  
Committee on the Judiciary]

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Separation of Powers  
3 Restoration Act of 2023” or “SOPRA”.

4 **SEC. 2. JUDICIAL REVIEW OF STATUTORY AND REGU-**  
5 **LATORY INTERPRETATIONS.**

6       Section 706 of title 5, United States Code, is amend-  
7 ed—

8           (1) by striking “To the extent necessary” and  
9       inserting “(a) To the extent necessary”;

10          (2) by striking “decide all relevant questions of  
11 law, interpret constitutional and statutory provi-  
12 sions, and”;

13          (3) by inserting after “of the terms of an agen-  
14 cy action” the following “and decide de novo all rel-  
15 evant questions of law, including the interpretation  
16 of constitutional and statutory provisions, and rules  
17 made by agencies. Notwithstanding any other provi-  
18 sion of law, this subsection shall apply in any action

1 for judicial review of agency action authorized under  
2 any provision of law. No law may exempt any such  
3 civil action from the application of this section ex-  
4 cept by specific reference to this section”; and

5 (4) by striking “The reviewing court shall—”  
6 and inserting the following:

7 “(b) The reviewing court shall—”.

