

**S. 1419, Early Participation in Regulations Act of 2019**

As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on June 19, 2019

By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	*	*
Revenues	0	0	0
Deficit Effect	0	*	*
Spending Subject to Appropriation (Outlays)	0	5	n.e.
Statutory pay-as-you-go procedures apply?	Yes	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000; n.e. = not estimated.			

S. 1419 would amend the Administrative Procedures Act to require agencies to publish an Advance Notice of Proposed Rulemaking (ANPRM) for major rules in the Federal Register at least 90 days before publishing a Notice of Proposed Rulemaking (NPRM). Under the bill, major rules would include all regulations that are likely to result in an annual effect on the economy of \$100 million or more; a major increase in prices or costs for consumers, industry, government agencies or individual regions; or a significant effect on U.S. companies that compete with foreign companies.

Based on an analysis of information provided by the Congressional Research Service and selected agencies on the current regulatory process, CBO estimates that the executive branch usually issues between 3,000 and 4,000 final rules each year, of which approximately 70 would be defined as major under the bill. Agencies seldom issue an ANPRM; however, CBO expects that most of the information needed to publish one also is needed for the NPRM. Based on the costs of preparing such notices and the necessary work to publish one additional notice, CBO estimates that producing approximately 70 ANPRMs would cost about \$1 million a year. That spending would be subject to the availability of appropriated funds. Additionally, CBO expects that adding the requirement to publish an ANPRM would not significantly delay the implementation of final regulations.



CBO expects that any change to the regulatory process, including more public involvement, could lead to changes in proposed and final rules. However, CBO has no basis to estimate any budgetary effects from such changes.

Enacting the bill could affect direct spending by some agencies that are allowed to use fees, receipts from the sale of goods, and other collections to cover operating costs. CBO estimates that any net changes in direct spending by those agencies would be insignificant because most of them can adjust amounts collected to reflect changes in operating costs.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.