Congressional Budget Office
Cost Estimate

May 6, 2024

H.R. 262, ALERT Act

As ordered reported by the House Committee on Oversight and Accountability on February 6, 2024

By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	*	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	42	not estimated

Increases *net direct spending* in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases *on-budget deficits* in any of the four consecutive 10-year periods beginning in 2035?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

* = between zero and $500,000.

H.R. 262 would require federal agencies to submit details about the status of their prospective regulations each month to the Office of Information and Regulatory Affairs (OIRA), which is within the Office of Management and Budget. Those submissions would include details about each regulation an agency expects to finalize in the coming year, noting the current stage in the regulatory process, the legal basis for the rule, the expected costs, and information about the anticipated publication of any associated scientific research.

OIRA would be required to post the information each month on the Internet and to publish an annual overview in the *Federal Register*. Under the bill, a final rule could not take effect until information about that rule had been publicly available for six months in OIRA's monthly reports.

Under current law, OIRA publishes a semiannual list of agency regulatory activity in the Unified Agenda of Federal Regulatory and Deregulatory Actions, which includes most of the information that it would publish in the monthly reports under H.R. 262.

CBO assumes that the bill will be enacted during fiscal year 2024 and that the bill's requirements would be fully implemented by the start of fiscal year 2025.

See also
CBO's Cost Estimates Explained, *CBO Describes Its Cost-Estimating Process*, *Glossary*

Based on the cost of similar governmentwide reporting activities, CBO expects that OIRA and each major federal agency would need a combined total of 40 full-time-equivalent positions at an average cost per employee of $170,000 to implement the bill. Those employees would analyze and report on the new requirements for ongoing regulatory actions and fill information technology gaps needed for OIRA to collect the required data from each agency. Based on historical spending patterns for administrative activities and accounting for anticipated inflation, CBO estimates that implementing the bill would cost $42 million over the 2024-2029 period. Any related spending would be subject to the availability of appropriated funds.

Enacting H.R. 262 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 negligible because most of them can adjust amounts collected to reflect changes in operating costs.

CBO expects that enacting H.R. 262 could delay the issuance of some rules and therefore their effective dates. However, CBO has no basis on which to estimate the budgetary effects of those changes.

The costs of the legislation, detailed in Table 1, fall within multiple budget functions.

Table 1.
Estimated Budgetary Effects of H.R. 262

	By Fiscal Year, Millions of Dollars						
	2024	2025	2026	2027	2028	2029	2024-2029
Estimated Authorization	*	8	8	9	10	10	45
Estimated Outlays	*	6	8	9	9	10	42

* = between zero and $500,000.

CBO estimates that enacting H.R. 262 could affect direct spending by some agencies that use fees or other receipts to cover operating costs. Because most of those agencies can adjust amounts collected to reflect changes in operating costs, CBO estimates that any net changes in direct spending would be negligible.

The CBO staff contact for this estimate is Kelly Durand. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

Phillip L. Swagel
Director, Congressional Budget Office