

**AMENDMENT TO RULES COMMITTEE PRINT 119-8**

**OFFERED BY MR. GIMENEZ OF FLORIDA**

At the end of title XVII, insert the following new subtitle:

**1            Subtitle C—Cybersecurity**  
**2            Regulation Cost-Benefit Analysis**

**3   SEC. 17\_\_\_\_. DEFINITIONS.**

**4            In this subtitle:**

**5                    (1) The term “covered agency” means an execu-**  
**6                    tive agency (as defined in section 105 of title 5,**  
**7                    United States Code) and an independent regulatory**  
**8                    agency (as defined in section 3502 of title 44,**  
**9                    United States Code).**

**10                   (2) The term “cybersecurity regulatory action”**  
**11                   means the issuance or revision of regulations or**  
**12                   guidance relating to cybersecurity.**

**13                   (3) The term “Director” means the Director of**  
**14                   the Office of Management and Budget.**

**15                   (4) The term “Administrator” means the Ad-**  
**16                   ministrator of the Office of Information and Regu-**  
**17                   latory Affairs of the Office of Management and**  
**18                   Budget.**

1 **SEC. 17\_\_\_\_. ANNUAL CYBERSECURITY REGULATORY AGEN-**

2 **DA.**

3 (a) SUBMISSION REQUIREMENT.—Not later than  
4 September 30, 2026, and annually thereafter, the head of  
5 each covered agency shall submit to the Director and the  
6 Administrator a cybersecurity regulatory plan that in-  
7 cludes—

8 (1) a statement of the objectives and priorities  
9 of the covered agency for cybersecurity regulations  
10 and guidance; and

11 (2) a summary of each planned or existing cy-  
12 bersecurity regulatory action of the covered agency,  
13 including—

14 (A) the anticipated costs and benefits of  
15 such action;

16 (B) an explanation of the process for  
17 measuring such costs and benefits;

18 (C) an explanation of the alternatives to  
19 such action considered by such head;

20 (D) the legal basis for such action, includ-  
21 ing whether such action is required by statute  
22 or court order; and

23 (E) a timeline for the rule making for such  
24 action and the implementation of regulations  
25 pursuant to such action.

1 (b) INTERAGENCY COORDINATION.—Not later than  
2 30 days after the date on which the Administrator receives  
3 a cybersecurity regulatory plan under subsection (a), the  
4 Administrator shall provide such plan to the head of each  
5 other relevant covered agency for review to—

6 (1) ensure that, to the extent that such plan  
7 addresses matters within the jurisdiction of such  
8 covered agency, such plan is consistent with the  
9 plans of such covered agency;

10 (2) identify duplicative cybersecurity regulations  
11 and guidance; and

12 (3) identify issues that such plan may cause  
13 such covered agency.

14 (c) ADMINISTRATOR REVIEW.—

15 (1) IN GENERAL.—The Administrator shall re-  
16 view each cybersecurity regulatory action contained  
17 in a cybersecurity regulatory plan of a covered agen-  
18 cy submitted to the Administrator under subsection  
19 (a) or paragraph (3) and reject the plan if the Ad-  
20 ministrator determines that such cybersecurity regu-  
21 latory action—

22 (A) does not meet the objectives and prior-  
23 ities of such covered agency stated in the plan  
24 in a cost-efficient manner;

1 (B) is not based on an analysis of the costs  
2 and benefits;

3 (C) does not efficiently advance the cyber-  
4 security outcomes of the United States; or

5 (D) is duplicative of or conflicts with the  
6 policies of regulations of another covered agency  
7 such that such action—

8 (i) imposes on individuals or entities,  
9 other than the Federal Government, obli-  
10 gations that are duplicative of or conflict  
11 with obligations imposed by such other  
12 agency covered agency; or

13 (ii) undermines the coordination of  
14 covered agencies with respect to the cyber-  
15 security of the United States.

16 (2) NOTICE.—If, under paragraph (1), the Ad-  
17 ministrator rejects a cybersecurity regulatory plan  
18 submitted to the Administrator by the head of a cov-  
19 ered agency, the Administrator shall provide to such  
20 head a notice of such rejection, including an expla-  
21 nation of why the Administrator rejected such plan.

22 (3) REVISION.—If the head of a covered agency  
23 receives a notice under paragraph (2) with respect  
24 to a cybersecurity regulatory plan submitted to the  
25 Administrator by such head under subsection (a),

1 not later than 30 days after the date on which such  
2 head receives such notice, such head may submit to  
3 the Administrator a revised version of such plan ad-  
4 dressing the reasons for which the Administrator re-  
5 jected such plan under paragraph (1).

6 (4) NONCOMPLIANT ACTIONS.—If the Adminis-  
7 trator rejects a cybersecurity regulatory plan sub-  
8 mitted to Administrator under paragraph (3), the  
9 Administrator shall—

10 (A) designate each cybersecurity regulatory  
11 action contained in such plan upon which the  
12 Administrator based such rejection as non-  
13 compliant; and

14 (B) provide to the Director a recommenda-  
15 tion that, in developing the President’s budget  
16 for submission to Congress under section 1105  
17 of title 31, United States Code, the funding for  
18 the implementation of each such cybersecurity  
19 regulatory action be deferred or reallocated  
20 until the reasons for which the Administrator  
21 designated the cybersecurity regulatory action  
22 as noncompliant under subparagraph (A) are  
23 resolved.

24 (d) TRANSPARENCY.—Not later than the March 31,  
25 2027, and annually thereafter, the Director shall publish

1 in the Federal Register a summary of the most recent cy-  
2 bersecurity regulatory plans submitted by the head of each  
3 covered agency under subsection (a), including summaries  
4 of each current and planned cybersecurity regulatory ac-  
5 tion in such plans.

6 **SEC. 17 \_\_\_\_ . GUIDANCE ON COST-BENEFIT ANALYSIS.**

7 (a) IN GENERAL.—Not later than 180 days after the  
8 date of the enactment of this Act, the Director, in coordi-  
9 nation with the Administrator, shall issue guidance to cov-  
10 ered agencies on—

11 (1) standardized processes for measuring and  
12 estimating the regulatory costs and benefits for cy-  
13 bersecurity rules;

14 (2) evaluating regulatory alternatives to cyber-  
15 security rules; and

16 (3) integrating cost-benefit assessments into  
17 rulemaking procedures for cybersecurity rules, in-  
18 cluding consideration of the cumulative effects and  
19 the industry-specific effects of a cybersecurity rule.

20 (b) ASSESSMENT OF EXISTING CYBERSECURITY  
21 REGULATIONS.—

22 (1) IN GENERAL.—Not later than one year  
23 after the date of the enactment of this Act, the head  
24 of each covered agency shall submit to the Director  
25 and the Administrator an assessment of the cyberse-

1 security regulations and guidance of the covered agen-  
2 cy, including—

3 (A) the estimated cost to the covered agen-  
4 cy and to private entities of each such cyberse-  
5 curity regulation and guidance, including the  
6 economic, compliance, and operational monetary  
7 and non-monetary costs;

8 (B) an identification of any regulations or  
9 guidance of other agencies that are duplicative,  
10 in whole or in part, with a cybersecurity regula-  
11 tion or guidance of the covered agency; and

12 (C) recommendations for repeal, revision,  
13 or alignment to meet the goals and objectives  
14 stated in the first cybersecurity regulatory plan  
15 submitted by such head under subsection in a  
16 cost-efficient manner.

17 (2) COMPLIANCE.—

18 (A) IN GENERAL.—The Administrator  
19 shall review each assessment submitted under  
20 paragraph (1) to determine if such assessment  
21 complies with the guidance issued under sub-  
22 section (a).

23 (B) RESOLUTION OF NONCOMPLIANCE.—If  
24 the Administrator determines pursuant to a re-  
25 view under subparagraph (A) that an assess-

1           ment submitted under paragraph (1) does not  
2           comply with the guidance issued under sub-  
3           section (a), the Administrator and the head of  
4           the covered agency that submitted such assess-  
5           ment shall coordinate to resolve the reasons for  
6           which the Administrator determined that such  
7           assessment did not comply with such guidance.

