

**Congress of the United States**  
**U.S. House of Representatives**  
**Committee on Small Business**  
2361 Rayburn House Office Building  
Washington, DC 20515-6515

**MEMORANDUM**

**TO:** Members of the Committee on Small Business

**FROM:** Committee Majority Staff

**DATE:** September 5, 2024

**RE:** Full Committee Markup

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On **September 10, 2024, at 9:45 AM ET**, the Committee on Small Business will meet in room 2360 of the Rayburn House Office Building to mark up the following measures:

1. **H.R. 8033** – Regulatory Transparency for Small Businesses Act
2. **H.R. 9031** – Assurance for Small Business Act of 2024
3. **H.R. 9032** – Enhanced Regulatory Flexibility Assessment Act
4. **H.R. 9030** – Regulatory Agenda Clarity Act
5. **H.R. 9085** – Regulatory Review Improvement Act of 2024
6. **H.R. 9033** – Let Americans Businesses be On Record (LABOR) Act
7. **H.R. 7198** – Prove It Act of 2024

**Background**

**1. H.R. 8033 – Regulatory Transparency for Small Businesses Act**

H.R. 8033, Regulatory Transparency for Small Businesses Act, was introduced by Representative Blaine Luetkemeyer (R-MO) on April 17, 2024. It has 3 cosponsors (Reps. Dan Meuser (R-PA), Tracey Mann (R-KS), and Maria Elvira Salazar (R-FL)).

The bill defines a “factual basis” in section 605(b) of the Regulatory Flexibility Act (RFA) and requires agencies to show their work when certifying that a bill will not have a substantial economic impact on a substantial number of small entities.

**2. H.R. 9031 – Assurance for Small Business Act of 2024**

H.R. 9031, the Assurance for Small Business Act of 2024, was introduced by Representative Pete Stauber (R-MN) on July 15, 2024.

The bill requires all rulemaking agencies to issue a report to Congress on how they define a significant economic impact on a substantial number of small entities.

### **3. H.R. 9032 – Enhanced Regulatory Flexibility Assessment Act**

H.R. 9032, the Enhanced Regulatory Flexibility Assessment Act, was introduced by Representative Celeste Maloy (R-UT) on July 15, 2024.

The bill amends Initial Regulatory Flexibility Analysis requirements to include stronger language and descriptions of the cumulative impact of the rule and any disproportionate impacts on small entities.

### **4. H.R. 9030 – Regulatory Agenda Clarity Act**

H.R. 9030, the Regulatory Agenda Clarity Act, was introduced by Representative Mark Alford (R-MO) on July 15, 2024.

The bill requires agencies to include in their annual regulatory agenda the North American Industry Classification System (NAICS) codes of small entities primarily impacted by any rule and a plain language summary within three days of its publication in the Federal Register.

### **5. H.R. 9085 – Regulatory Review Improvement Act of 2024**

H.R. 9085, the Regulatory Review Improvement Act of 2024, was introduced by Representative Dan Meuser (R-PA) on July 22, 2024.

The bill limits agencies' ability to delay the review of rules to only one year as opposed to five and provide an explanation for why they are delaying the review. Further, when reviewing the rule, agencies must offer a comment period for stakeholders to weigh in on the rule's impact. Agencies must also report on the cost and paperwork hours imposed on businesses since the rule took effect.

### **6. H.R. 9033 – Let American Businesses be On Record (LABOR) Act**

H.R. 9033, the Let American Businesses be On Record (LABOR) Act, was introduced by Representative Aaron Bean (R-FL) on July 15, 2024.

The bill expands Small Business Regulatory Enforcement Fairness Act (SBREFA) panel requirements to the full Department of Labor (DOL). Currently, only the Occupational Safety and Health Administration within the DOL, along with the Environmental Protection Agency, and the Consumer Financial Protection Bureau are required to conduct SBREFA panels.

### **7. H.R. 7198 – Prove It Act of 2024 (Rep. Finstad)**

H.R. 7198, the Prove It Act, was introduced by Representative Brad Finstad on February 4, 2024. It has 13 cosponsors (Reps. Yadira Caraveo (D-CO), Nathaniel Moran (R-TX), Mike

Gallagher (R-WI), Harriet Hageman (R-WY), Maria Elvira Salazar (R-FL), David Valadao (R-CA), Carol Miller (R-WV), Pete Stauber (R-MN), Don Bacon (R-NE), Michelle Fischbach (R-MN), Mike Flood (R-NE), Bryan Steil (R-WI), and Mike Carey (R-OH).

The bill allows small businesses to petition the government to review a proposed rule when an agency does not accurately account for the impact of a given proposed rule. It also requires agencies to consider indirect costs when conducting a regulatory flexibility analysis, publish any follow-up guidance to the rule on [regulations.gov](https://www.regulations.gov), and periodically review the rule.