

106TH CONGRESS
2^D SESSION

H. R. 4763

To establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2000

Mr. CONDIT introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Truth in Regulating
5 Act of 2000”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are to—

8 (1) increase the transparency of important reg-
9 ulatory decisions;

1 (2) promote effective congressional oversight to
2 ensure that agency rules fulfill statutory require-
3 ments in an efficient, effective, and fair manner; and

4 (3) increase the accountability of Congress and
5 the agencies to the people they serve.

6 **SEC. 3. DEFINITIONS.**

7 In this Act, the term—

8 (1) “agency” has the meaning given such term
9 under section 551(1) of title 5, United States Code;

10 (2) “economically significant rule” means any
11 proposed or final rule, including an interim or direct
12 final rule, that may have an annual effect on the
13 economy of \$100,000,000 or more or adversely af-
14 fect in a material way the economy, a sector of the
15 economy, productivity, competition, jobs, the envi-
16 ronment, public health or safety, or State, local, or
17 tribal governments or communities; and

18 (3) “independent evaluation” means a sub-
19 stantive evaluation of the agency’s data, method-
20 ology, and assumptions used in developing the eco-
21 nomically significant rule, including—

22 (A) an explanation of how any strengths or
23 weaknesses in those data, methodology, and as-
24 sumptions support or detract from conclusions
25 reached by the agency; and

1 (B) the implications, if any, of those
2 strengths or weaknesses for the rulemaking.

3 **SEC. 4. PILOT PROJECT FOR REPORT ON RULES.**

4 (a) IN GENERAL.—

5 (1) REQUEST FOR REVIEW.—When an agency
6 publishes an economically significant rule, a chair-
7 man or ranking member of a committee of jurisdic-
8 tion of either House of Congress may request the
9 Comptroller General of the United States to review
10 the rule.

11 (2) REPORT.—The Comptroller General shall
12 submit a report on each economically significant rule
13 selected under paragraph (4) to the committees of
14 jurisdiction in each House of Congress not later
15 than 180 calendar days after a committee request is
16 received. The report shall include an independent
17 evaluation of the economically significant rule by the
18 Comptroller General.

19 (3) INDEPENDENT EVALUATION.—The inde-
20 pendent evaluation of the economically significant
21 rule by the Comptroller General under paragraph
22 (2) shall include—

23 (A) an evaluation of the agency's analysis
24 of the potential benefits of the rule, including
25 any beneficial effects that cannot be quantified

1 in monetary terms and the identification of the
2 persons or entities likely to receive the benefits;

3 (B) an evaluation of the agency's analysis
4 of the potential costs of the rule, including any
5 adverse effects that cannot be quantified in
6 monetary terms and the identification of the
7 persons or entities likely to bear the costs;

8 (C) an evaluation of the agency's analysis
9 of alternative approaches set forth in the notice
10 of proposed rulemaking and in the rulemaking
11 record, as well as of any regulatory impact
12 analysis, federalism assessment, or other anal-
13 ysis or assessment prepared by the agency or
14 required for the economically significant rule;
15 and

16 (D) a summary of the results of the eval-
17 uation of the Comptroller General and the im-
18 plications of those results.

19 (4) PROCEDURES FOR PRIORITIES OF RE-
20 QUESTS.—The Comptroller General shall have dis-
21 cretion to develop procedures for determining the
22 priority and number of requests for review under
23 paragraph (1) for which a report will be submitted
24 under paragraph (2).

1 (b) AUTHORITY OF COMPTROLLER GENERAL.—Each
2 agency shall promptly cooperate with the Comptroller
3 General in carrying out this Act. Nothing in this Act is
4 intended to expand or limit the authority of the General
5 Accounting Office.

6 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

7 There are authorized to be appropriated to the Gen-
8 eral Accounting Office to carry out this Act \$5,200,000
9 for each of fiscal years 2000 through 2002.

10 **SEC. 6. EFFECTIVE DATE AND DURATION OF PILOT**
11 **PROJECT.**

12 (a) EFFECTIVE DATE.—This Act and the amend-
13 ments made by this Act shall take effect 90 days after
14 the date of enactment of this Act.

15 (b) DURATION OF PILOT PROJECT.—The pilot
16 project under this Act shall continue for a period of 3
17 years, if in each fiscal year, or portion thereof included
18 in that period, a specific annual appropriation not less
19 than \$5,200,000 or the pro-rated equivalent thereof shall
20 have been made for the pilot project.

21 (c) REPORT.—Before the conclusion of the 3-year pe-
22 riod, the Comptroller General shall submit to Congress a
23 report reviewing the effectiveness of the pilot project and

- 1 recommending whether or not Congress should perma-
- 2 nently authorize the pilot project.

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