

106TH CONGRESS
2^D SESSION

S. 1198

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2000

Referred to the Committee on Government Reform

AN ACT

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”.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act are to—

3 (1) increase the transparency of important reg-
4 ulatory decisions;

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

8 (3) increase the accountability of Congress and
9 the agencies to the people they serve.

10 **SEC. 3. DEFINITIONS.**

11 In this Act, the term—

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

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

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

1 (A) an explanation of how any strengths or
2 weaknesses in those data, methodology, and as-
3 sumptions support or detract from conclusions
4 reached by the agency; and

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

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

8 (a) IN GENERAL.—

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

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

23 (3) INDEPENDENT EVALUATION.—The inde-
24 pendent evaluation of the economically significant

1 rule by the Comptroller General under paragraph
2 (2) shall include—

3 (A) an evaluation of the agency’s analysis
4 of the potential benefits of the rule, including
5 any beneficial effects that cannot be quantified
6 in monetary terms and the identification of the
7 persons or entities likely to receive the benefits;

8 (B) an evaluation of the agency’s analysis
9 of the potential costs of the rule, including any
10 adverse effects that cannot be quantified in
11 monetary terms and the identification of the
12 persons or entities likely to bear the costs;

13 (C) an evaluation of the agency’s analysis
14 of alternative approaches set forth in the notice
15 of proposed rulemaking and in the rulemaking
16 record, as well as of any regulatory impact
17 analysis, federalism assessment, or other anal-
18 ysis or assessment prepared by the agency or
19 required for the economically significant rule;
20 and

21 (D) a summary of the results of the eval-
22 uation of the Comptroller General and the im-
23 plications of those results.

24 (4) PROCEDURES FOR PRIORITIES OF RE-
25 QUESTS.—The Comptroller General shall have dis-

1 (c) REPORT.—Before the conclusion of the 3-year pe-
2 riod, the Comptroller General shall submit to Congress a
3 report reviewing the effectiveness of the pilot project and
4 recommending whether or not Congress should perma-
5 nently authorize the pilot project.

Passed the Senate May 9, 2000.

Attest:

GARY SISCO,
Secretary.