

113TH CONGRESS
1ST SESSION

H. R. 2886

To require agency notice and receipt of public comment before using any estimate for the social cost of carbon, to require reports on the results of and methods used to calculate any cost-benefit or regulatory impact analysis, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2013

Mr. HUNTER (for himself and Mr. CULBERSON) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require agency notice and receipt of public comment before using any estimate for the social cost of carbon, to require reports on the results of and methods used to calculate any cost-benefit or regulatory impact analysis, 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 “Social Cost of Carbon
5 Transparency Enhancement Act of 2013”.

1 **SEC. 2. NOTICE AND RECEIPT OF PUBLIC COMMENT FOR**
2 **SOCIAL COST OF CARBON.**

3 The head of an agency may not use an estimate for
4 the social cost of carbon until completion of notice and
5 receipt of public comment with regard to such estimate.

6 **SEC. 3. COST-BENEFIT AND REGULATORY IMPACT REPORT**
7 **REQUIREMENT.**

8 (a) IN GENERAL.—As soon as practicable after the
9 completion by an agency of any cost-benefit or regulatory
10 impact analysis used to promulgate rules or guidelines or
11 to determine administrative actions, the head of the agen-
12 cy, in consultation with the Director of the Office of Man-
13 agement and Budget—

14 (1) shall submit to the relevant committees of
15 the House of Representatives and the Senate a re-
16 port on the result of and methods (including any key
17 method) used to calculate the cost-benefit or regu-
18 latory impact analysis; and

19 (2) shall publish such report in the Federal
20 Register.

21 (b) INTERIM PERIOD.—

22 (1) IN GENERAL.—Any cost-benefit or regu-
23 latory impact analysis that is the subject of a report
24 submitted pursuant to subsection (a) may not be fi-
25 nalized during the 60-day period starting on the
26 date of submission of the report.

1 (2) WAIVER AUTHORITY.—The head of the
2 agency concerned may waive the 60-day period de-
3 scribed in paragraph (1) in an emergency situation
4 or if required by law to act more quickly.

5 (c) VALUATION OF BENEFITS.—During the 60-day
6 period described in subsection (b)(1), the head of each
7 agency shall evaluate the potential benefits of each cost-
8 benefit or regulatory impact analysis through the fol-
9 lowing:

10 (1) Providing an opportunity for public com-
11 ment on the results of the cost-benefit or regulatory
12 impact analysis.

13 (2) Consideration of public comments.

14 (3) Publishing a summary of the public com-
15 ments received and the agency responses to such
16 comments in the Federal Register.

17 **SEC. 4. DEFINITIONS.**

18 In this Act:

19 (1) AGENCY.—The term “agency” has the
20 meaning given that term in section 551 of title 5,
21 United States Code, except that the term does not
22 include an independent regulatory agency as defined
23 by section 3502(5) of title 44, United States Code.

- 1 (2) KEY METHOD.—The term “key method” in-
2 cludes any method that determines the social cost of
3 carbon.

