

115TH CONGRESS
1ST SESSION

S. 453

To require the Administrator of the Environmental Protection Agency to include in any proposed rule that limits greenhouse gas emissions and imposes increased costs on other Federal agencies an offset from funds available to the Administrator for all projected increased costs that the proposed rule would impose on other Federal agencies.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2017

Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. COTTON) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Administrator of the Environmental Protection Agency to include in any proposed rule that limits greenhouse gas emissions and imposes increased costs on other Federal agencies an offset from funds available to the Administrator for all projected increased costs that the proposed rule would impose on other Federal agencies.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Agency PAYGO for
3 Greenhouse Gases Act”.

4 **SEC. 2. OFFSETS FOR INCREASED COSTS TO FEDERAL**
5 **AGENCIES FOR REGULATIONS LIMITING**
6 **GREENHOUSE GAS EMISSIONS.**

7 (a) IN GENERAL.—If the Administrator of the Envi-
8 ronmental Protection Agency proposes a rule that limits
9 greenhouse gas emissions and imposes increased costs on
10 one or more other Federal agencies, the Administrator
11 shall include in the proposed rule an offset from funds
12 available to the Administrator for all projected increased
13 costs that the proposed rule would impose on other Fed-
14 eral agencies.

15 (b) NO OFFSETS.—If the Administrator proposes a
16 rule that limits greenhouse gas emissions and imposes in-
17 creased costs on one or more other Federal agencies but
18 does not provide an offset in accordance with paragraph
19 (1), the Administrator may not finalize the rule until the
20 promulgation of the final rule is approved by law.

21 (c) RESTRICTION.—Notwithstanding any other provi-
22 sion of law, if the Administrator of the Environmental
23 Protection Agency proposes a rule described in subsection
24 (a)—

25 (1) a Federal agency on which the rule imposes
26 increased costs may not pass the costs imposed by

1 the rule onto any rate payer of the Federal agency;

2 and

3 (2) the proposed rule—

4 (A) shall be considered to be a rule that

5 imposes increased costs on a Federal agency;

6 and

7 (B) shall be subject to this section.

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