

114TH CONGRESS
1ST SESSION

S. _____

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

Mr. FLAKE introduced the following bill; which was read twice and referred to the Committee on _____

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Agency PAYGO for
5 Greenhouse Gases Act”.

1 **SEC. 2. OFFSETS FOR INCREASED COSTS TO FEDERAL**
2 **AGENCIES FOR REGULATIONS LIMITING**
3 **GREENHOUSE GAS EMISSIONS.**

4 (a) **IN GENERAL.**—If the Administrator of the Envi-
5 ronmental Protection Agency proposes a rule that limits
6 greenhouse gas emissions and imposes increased costs on
7 1 or more other Federal agencies, the Administrator shall
8 include in the proposed rule an offset from funds available
9 to the Administrator for all projected increased costs that
10 the proposed rule would impose on other Federal agencies.

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

17 (c) **RESTRICTION.**—Notwithstanding any other provi-
18 sion of law, if the Administrator of the Environmental
19 Protection Agency proposes a rule described in subsection
20 (a)—

21 (1) a Federal agency on which the rule imposes
22 increased costs may not pass the costs imposed by
23 the rule on to any rate payer of the Federal agency;
24 and

25 (2) the proposed rule—

1 (A) shall be considered to be a rule that
2 imposes increased costs on a Federal agency;
3 and

4 (B) shall be subject to this section.