

CONGRESS OF THE UNITED STATES
CONGRESSIONAL BUDGET OFFICE

CBO

**A Review of CBO's
Activities in 2012
Under the
Unfunded Mandates
Reform Act**



MARCH 2013

Notes

The Congressional Budget Office reviews bills approved by authorizing committees and other legislative proposals for intergovernmental and private-sector mandates. Other legislative proposals include joint resolutions, amendments, acts passed by the House or Senate, and conference reports. For simplicity, this report refers to those pieces of legislation collectively as “bills.”

In this report, thresholds related to mandate estimates are calculated on a fiscal year basis; tables show information on a calendar year basis.

The 112th Congress, which ended on January 3, 2013, passed a total of 283 acts that became public law. This report assesses the 202 acts that became public law in 2012 (157 laws) or early 2013 (45 laws). For simplicity, the text of this report refers to those 202 public laws as “enacted in 2012.”

Cover photograph by Maureen Costantino.



Contents

A Review of CBO's Activities in 2012 Under the Unfunded Mandates Reform Act	1
Appendix A: Overview of Key Provisions in the Unfunded Mandates Reform Act	47
Appendix B: Mandates Enacted Between 1996 and 2012 with Estimated Costs That Exceed the Statutory Threshold	51
Appendix C: Primary Contributors to CBO's Analyses of Mandates	59
About This Document	61

Tables

1. Laws Enacted Between 2008 and 2012 That Contain Mandates	3
2. Mandate Statements Transmitted by CBO, 2008 to 2012	4
3. Laws Enacted in 2012 That Contain Intergovernmental Mandates	5
4. Laws Enacted in 2012 That Contain Private-Sector Mandates	10
5. Intergovernmental Mandates Reviewed by CBO in 2012 with Costs That Would Exceed the Statutory Threshold or That Could Not Be Determined	17
6. Private-Sector Mandates Reviewed by CBO in 2012 with Costs That Would Exceed the Statutory Threshold or That Could Not Be Determined	18
7. Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates	22
8. Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates	32
B-1. Enacted Intergovernmental Mandates with Estimated Costs That Exceed the Statutory Threshold, 1996 to 2012	52
B-2. Enacted Private-Sector Mandates with Estimated Costs That Exceed the Statutory Threshold, 1996 to 2012	54



A Review of CBO's Activities in 2012 Under the Unfunded Mandates Reform Act

The federal government, through laws and regulations, sometimes imposes requirements—known as federal mandates—on state, local, and tribal governments and entities in the private sector in order to achieve national goals. In 1995, lawmakers enacted the Unfunded Mandates Reform Act (UMRA) in part to ensure that, during the legislative process, the Congress receives information about the potential effects of mandates as it considers proposed legislation. To that end, UMRA requires the Congressional Budget Office (CBO), at certain points in the legislative process, to assess the cost of mandates that would apply to state, local, and tribal governments or to the private sector. This report, which is part of an annual series that began in 1997, summarizes CBO's activities in 2012 under UMRA.

How is a Mandate Defined in UMRA?

UMRA defines a mandate as any provision in legislation that, when enacted, would do one of the following:

- Impose an enforceable duty on state, local, or tribal governments or on private-sector entities;¹
- Reduce or eliminate funding authorized to cover the costs of complying with existing mandates;
- Increase the stringency of conditions that apply to the provision of funds to state, local, or tribal governments through certain large mandatory programs or make cuts in federal funding for those mandatory programs if the affected governments lack the flexibility to alter the programs.

Duties that arise from conditions of federal assistance or that are tied to participating in voluntary federal

programs generally are not considered mandates as defined in UMRA.

What Does UMRA Require of CBO?

The law requires CBO to prepare mandate statements for bills and joint resolutions that are approved by authorizing committees;² when requested, the agency also reviews proposals at other stages in the legislative process for intergovernmental and private-sector mandates.³ As a part of its review of legislation, CBO must determine whether the aggregate direct costs of the mandates would be greater than the statutory thresholds established in UMRA and identify any funding that the bill would provide to cover those costs.⁴ (See Appendix A for details about CBO's responsibilities under UMRA and for an overview of the law's other provisions.) In 2012, the thresholds, which are adjusted annually for inflation, were \$73 million for intergovernmental mandates and \$146 million for private-sector mandates.⁵

How Many Bills Reviewed by CBO in 2012 Contained Mandates?

CBO found that most of the legislation the Congress considered in 2012 contained no mandates as defined in UMRA. Of the 428 bills CBO reviewed in 2012, 68 (16 percent) contained intergovernmental mandates and 80 (19 percent) contained private-sector mandates. Most

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2. Authorizing committees have legislative jurisdiction over the establishment, continuation, and operation of federal programs or agencies and the authorization of appropriations for them.
 3. Those proposals include amendments, bills introduced in or acts passed by the House or Senate, and conference reports. For simplicity, this report refers to proposals reviewed by CBO during the legislative process collectively as "bills."
 4. The staff of the Joint Committee on Taxation examines tax provisions of legislation to identify federal mandates and estimates their costs. CBO's mandate statements incorporate such information.
 5. The intergovernmental and private-sector thresholds established in UMRA were \$50 million and \$100 million, respectively, in 1996.

1. UMRA does not define the term "enforceable duty," but CBO has interpreted it to mean actions by public and private entities that would be either required or prohibited.

of the mandates that CBO identified in 2012 would not have imposed costs that exceeded those thresholds. Only two bills (fewer than 1 percent) included intergovernmental mandates with costs above the threshold, and 14 bills (3 percent) contained private-sector mandates that would have imposed costs exceeding the annual threshold.

Occasionally, CBO cannot determine whether the cost of the mandates in a bill would exceed the annual cost thresholds. The reason in most cases is uncertainty about the scope of a mandate—the number of people or entities affected, the extent of the requirements they would face, or both. Such uncertainty generally arises because of insufficient information about the contents of regulations that a bill might require. Legislation might give a federal agency broad discretion in issuing regulations, and without information about the scope of the regulations to be issued, CBO cannot estimate with any confidence the cost of the bill's requirements at such an early stage. In 2012, CBO could not determine the annual costs of the intergovernmental mandates in six bills (about 1 percent) or the annual costs of the private-sector mandates in 18 bills (4 percent).

How Many Public Laws Enacted in 2012 Contain Mandates?

In addition to examining bills during the legislative process, CBO reviews public laws enacted each year for intergovernmental and private-sector mandates. This report assesses the 202 public laws that were passed by the 112th Congress (which ended on January 3, 2013) and were signed into law by the President in 2012 or early 2013. (For simplicity, the text of this report refers to those public laws as “enacted in 2012.”) Of those 202 public laws, 16 (8 percent) contain intergovernmental mandates and 23 (11 percent) contain private-sector mandates.

Public laws generally contain fewer intergovernmental mandates than private-sector mandates. In the 17 years since the enactment of UMRA, CBO has identified 13 laws with intergovernmental mandates that have costs estimated to exceed the statutory threshold. The last such law was enacted in 2010; none of the public laws enacted in 2012 contain intergovernmental mandates with costs estimated to exceed the statutory threshold. (One law contains an intergovernmental mandate with costs that CBO cannot estimate.) Since 1996, CBO has identified private-sector mandates with costs estimated to exceed the threshold in 89 public laws, including 7 laws enacted

in 2012. Those 7 laws contain 12 private-sector mandates that impose government fees or regulate pipeline safety, transportation, pharmaceuticals, or telecommunications.

How Is This Report Organized?

The tables in this report provide information about mandates that were enacted between 2008 and 2012 or that CBO reviewed in legislation considered during that period, with a particular focus on legislation enacted or considered in 2012:

- Table 1 on page 3 is a tally of mandates in public laws enacted between 2008 and 2012.
- Table 2 on page 4 shows the results of mandate statements CBO transmitted between 2008 and 2012.
- Tables 3 and 4 (on pages 5 and 10) list laws enacted in 2012 that contain intergovernmental and private-sector mandates, respectively.
- Tables 5 and 6 (on pages 17 and 18) list intergovernmental and private-sector mandates, respectively, that CBO identified in 2012 as having costs that would exceed UMRA's thresholds or that could not be determined.
- Tables 7 and 8 (on pages 22 and 32) list the bills and proposals CBO reviewed in 2012 that contained intergovernmental and private-sector mandates, respectively.

All of the data in this report are for calendar years. Although data for spending and receipts in the budget are presented for fiscal years, which run from October 1 through September 30, Congressional sessions generally follow the calendar year; thus, data on CBO's cost estimates and mandate statements are presented as calendar year totals.

As indicated in the tables, the number of bills and other legislative proposals that contain mandates and the number of individual mandates that appear in proposed legislation generally differ. Because the House and the Senate may consider the same or similar mandates in more than one piece of legislation, the number of bills that contain mandates can be greater than the number of individual mandates considered by the Congress in any given year. Conversely, because one bill may contain several mandates, the number of mandates identified can be greater than the number bills reviewed.

Table 1.**Laws Enacted Between 2008 and 2012 That Contain Mandates**

In 2012, 202 public laws were enacted. Sixteen of those laws contain at least one intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), and 23 contain one or more private-sector mandates. A total of 44 intergovernmental mandates and 75 private-sector mandates were enacted, roughly equal to the average number over the previous four years.

The Congressional Budget Office (CBO) identified no public laws with intergovernmental mandates estimated to exceed the statutory threshold established in UMRA (\$73 million in 2012). However, one law (P.L. 112-141) contains an intergovernmental mandate with costs that CBO could not estimate because of uncertainty about the scope of regulations in the law. The costs of that mandate may or may not exceed the statutory threshold.

The public laws enacted in 2012 contain 12 private-sector mandates with annual costs that, in CBO's estimation, will exceed the statutory threshold established in UMRA (\$146 million in 2012). CBO could not determine whether costs for 16 of the private-sector mandates enacted in 2012 would be above or below the statutory threshold because of uncertainty about the number of people or entities affected, the extent of the requirements they would face, or both.

	2008	2009	2010	2011	2012
Intergovernmental Mandates					
Laws That Contain Mandates	19	18	29	12	16
Total Mandates Enacted	40	30	86	23	44
Mandates with costs that exceed the statutory threshold	1	0	7	0	0
Mandates with costs that could not be determined	0	3	7	0	1
Mandates with costs that fall below the statutory threshold	39	27	72	23	43
Private-Sector Mandates					
Laws That Contain Mandates	29	26	50	16	23
Total Mandates Enacted	64	60	129	51	75
Mandates with costs that exceed the statutory threshold	15	17	25	7	12
Mandates with costs that could not be determined	13	11	21	1	16
Mandates with costs that fall below the statutory threshold	36	32	83	43	47

Source: Congressional Budget Office.

Note: The thresholds established in UMRA for intergovernmental and private-sector mandates were \$50 million and \$100 million, respectively, in 1996. UMRA specifies that the statutory thresholds be adjusted each year for inflation. In 2012, the statutory thresholds for intergovernmental and private-sector mandates were \$73 million and \$146 million, respectively.

Table 2.**Mandate Statements Transmitted by CBO, 2008 to 2012**

The Congressional Budget Office (CBO) provides mandate statements to the Congress for most of the bills that are reported by authorizing committees. CBO also prepares mandate statements for proposed amendments and other bills, as requested and to the extent practicable. Most of that legislation is never enacted; of the proposals that are enacted, most contain no federal mandates as defined in the Unfunded Mandates Reform Act (UMRA).

In 2012, CBO reviewed 428 bills and other legislative proposals, of which 68 (16 percent) contained inter-governmental mandates and 80 (19 percent) contained private-sector mandates. By comparison, the averages for the 2008–2011 period were 13 percent (intergovernmental) and 18 percent (private sector).

In 2012, the statutory thresholds established in UMRA for intergovernmental and private-sector mandates were \$73 million and \$146 million, respectively. Of the bills and proposals CBO analyzed last year, 2 (fewer than 1 percent) included intergovernmental mandates with costs estimated to exceed the threshold, and 14 (about 3 percent) contained private-sector mandates with such costs. In some cases, CBO identified mandates in bills but could not determine whether the costs would exceed the thresholds. That was the case for intergovernmental mandates in 6 bills and for private-sector mandates in 18 bills. (Tables 7 and 8 on pages 22 and 32 list all of the bills and proposals containing mandates that CBO reviewed in 2012.)

	2008	2009	2010	2011	2012
Intergovernmental Mandates					
Number of Statements Transmitted	679	419	474	434	428
Number of Statements That Identified Mandates	57	70	64	56	68
Mandate costs of the legislation would exceed the threshold	2	8	3	2	2
CBO could not determine whether mandate costs of the legislation would exceed the threshold	2	12	7	2	6
Mandate costs of the legislation would fall below the threshold	53	50	54	52	60
Private-Sector Mandates					
Number of Statements Transmitted	679	419	474	434	428
Number of Statements That Identified Mandates	96	105	85	67	80
Mandate costs of the legislation would exceed the threshold	23	27	14	26	14
CBO could not determine whether mandate costs of the legislation would exceed the threshold	17	27	23	17	18
Mandate costs of the legislation would fall below the threshold	56	51	48	24	48

Source: Congressional Budget Office.

Notes: CBO also completed preliminary reviews and informal estimates for other legislative proposals that are not included in this table.

A mandate statement may cover more than one mandate; because the same mandate sometimes appears in multiple bills, a single mandate may be addressed in more than one CBO mandate statement.

Table 3.

Laws Enacted in 2012 That Contain Intergovernmental Mandates

Of the 202 laws enacted in 2012, 16 contain a total of 44 intergovernmental mandates. None of those laws include intergovernmental mandates with costs that the Congressional Budget Office (CBO) estimates will exceed the statutory threshold (\$73 million in 2012) established in the Unfunded Mandates Reform Act (UMRA). One contains a mandate whose costs could not be determined; in that case, the costs may or may not be above the threshold. That mandate is shown in the table in *italic type*. Only 13 laws containing intergovernmental mandates with costs estimated to exceed the statutory threshold have been enacted since UMRA became effective in 1996; those laws are listed in Appendix B.

Not all mandates are reviewed by CBO before enactment. In some cases, legislation is enacted without being considered by a committee. Some mandates are included in amendments made on the House or Senate floor or in conference after CBO's review. Others are included in appropriation bills, which UMRA does not direct CBO to review. Of the 44 intergovernmental mandates enacted in 2012, CBO reviewed all but 4 before enactment.

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Intergovernmental Mandates with Aggregate Costs That Exceed the Statutory Threshold			
None			
Laws Containing Intergovernmental Mandates with Aggregate Costs That Could Not Be Determined			
112-141	Moving Ahead for Progress in the 21st Century Act	<i>Provides consumers a priority claim in bankruptcy proceedings over claims made by state and local governments</i>	Yes
		Preempts state and local laws and regulations governing the testing of commercial driver's license holders for alcohol and controlled substances	Yes
		Preempts state and local laws relating to safety standards for motorcoaches, public transportation safety, and notification, inspection, and loading requirements concerning hazardous materials if those laws are inconsistent with federal law	Yes
		Requires lenders to accept flood insurance from a private company if the policy fulfills all federal requirements for flood insurance	Yes
		Requires lenders to provide more information about flood insurance	Yes
		Requires lenders to terminate some flood insurance policies and refund premium payments for duplicate coverage	Yes

Continued

Table 3.

Continued

Laws Enacted in 2012 That Contain Intergovernmental Mandates

Public Law Number	Title of Legislation	Description of Mandate	Reviewed by CBO Before Enactment?
Laws Containing Intergovernmental Mandates with Aggregate Costs That Could Not Be Determined (Continued)			
112-141 (Continued)	Moving Ahead for Progress in the 21st Century Act	Requires lenders to place flood insurance payments into an escrow account on behalf of the borrower	No
		Requires public and private driving schools to issue certificates demonstrating that their training complies with new regulations	Yes
		Requires states and local governments that employ drivers to check, at least annually, the driving records of those drivers and to maintain those records	Yes
		Requires states to conduct annual inspections of commercial motor vehicles used to transport passengers	Yes
		Changes the frequency with which states report information to the Department of Transportation, including the amount of fees paid by motor carriers transporting hazardous materials	Yes
		Requires states to identify the state agency that is responsible for highway route designations for hazardous materials and report that information to the Department of Transportation	Yes
Laws Containing Intergovernmental Mandates with Aggregate Costs That Fall Below the Statutory Threshold			
112-90	Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011	Extends existing planning, testing, and safety requirements to additional pipelines	Yes
		Increases existing user fees paid to the Pipeline and Hazardous Materials Safety Administration	Yes
		Requires operators of distribution pipelines for natural gas to install valves designed to prevent natural gas leaks	Yes
		Requires operators of transmission pipelines to install shutoff valves	Yes
		Requires owners and operators of transmission pipelines for natural gas in areas at risk of significant damage from spills to confirm safe operating pressures for pipelines and to adhere to testing regulations	Yes
		Requires pipeline operators to notify emergency responders of incidents or accidents within specified time limits and to report information to the Pipeline and Hazardous Materials Safety Administration	Yes

Continued

Table 3.**Continued****Laws Enacted in 2012 That Contain Intergovernmental Mandates**

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before
Laws Containing Intergovernmental Mandates with Aggregate Costs That Fall Below the Statutory Threshold (Continued)			
112-95	FAA Modernization and Reform Act of 2012	Requires large airports to publish a telephone number on the Internet that the public can call to make complaints about noise	Yes
		Requires operators of air ambulance services to submit annual reports	Yes
		Requires operators of commercial airports and airports accepting flights diverted from those airports to submit contingency plans for emergency circumstances	Yes
		Requires owners of aircraft operating in congested airspace or at congested airports to install new communications equipment	Yes
112-96	Middle Class Tax Relief and Job Creation Act of 2012	Requires states to participate in the deployment of a nationwide broadband network	No
		Requires broadcasters to move channels within the broadcasting spectrum and requires cable companies to carry certain channels	Yes
		Preempts state and local laws governing wireless towers	Yes
112-97	An act to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes	Exempts some land from state and local taxation	Yes
112-106	Jumpstart Our Business Startups	Prohibits states from requiring issuers of some securities to register those securities with the state or to pay registration fees prior to issuance	Yes
112-144	Food and Drug Administration Safety and Innovation Act	Extends a requirement to pay user fees for medical devices	Yes
		Expands the registration standards applied to drug manufacturers	Yes
112-154	Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012	Extends the length of stay for civil proceedings related to real or personal property, mortgages, evictions, and foreclosures for service members whose military service has ended	Yes
112-158	Iran Threat Reduction and Syria Human Rights Act of 2012	Imposes new prohibitions on financial transactions and other activities associated with Iran and Syria; increases the number of entities responsible for complying with those new prohibitions	Yes

Continued

Table 3.**Continued****Laws Enacted in 2012 That Contain Intergovernmental Mandates**

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Intergovernmental Mandates with Aggregate Costs That Fall Below the Statutory Threshold (Continued)			
112-158 (Continued)	Iran Threat Reduction and Syria Human Rights Act of 2012	Preempts state property laws that are inconsistent with federal laws governing blocked assets	Yes
		Prohibits entities in the United States from exporting some items and services that are sent as nonhumanitarian assistance to any agency of a foreign country that engages in unauthorized activities and transactions with Iran	No
112-175	Continuing Appropriations Resolution, 2013	Extends maintenance fees for pesticide registrants	Yes
		Extends until March 27, 2013, existing standards for the security of chemical facilities that require vulnerability assessments and the development and implementation of site security plans	Yes
112-177	Pesticide Registration Improvement Extension Act of 2012	Increases and extends maintenance fees for pesticide registrants	Yes
112-195	Hazardous Waste Electronic Manifest Establishment Act	Requires some waste management facilities that receive hazardous waste to submit copies of shipment manifests to the Environmental Protection Agency (EPA)	Yes
		Requires waste management facilities that use a paper system for tracking shipments to submit copies of shipment manifests to EPA's electronic system	Yes
112-203	An act to extend the Undertaking Spam, Spyware, and Fraud Enforcement with Enforcers Beyond Borders Act of 2006, and for other purposes	Extends preemptions of state and local laws that prohibit individuals from disclosing information to the Federal Trade Commission and that require individuals to notify third parties if they disclose information to the Federal Trade Commission	Yes
112-238	FISA Amendments Act Reauthorization Act of 2012	Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users	Yes
		Limits civil actions against providers of electronic communication services that furnish information to the federal government	Yes
		Preempts state and local liability laws	Yes

Continued

Table 3.**Continued****Laws Enacted in 2012 That Contain Intergovernmental Mandates**

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Intergovernmental Mandates with Aggregate Costs That Fall Below the Statutory Threshold (Continued)			
112-239	National Defense Authorization Act for Fiscal Year 2013	Imposes new mandates on public and private entities engaged in transactions with Iran's energy and shipbuilding sectors, restricts transfers of materials to Iran, and limits transactions with Iran; increases the number of entities responsible for complying with those sanctions	No
112-276	Intercountry Adoption Universal Accreditation Act of 2012	Preempts some state adoption laws relating to accreditation and approval standards in cases that involve intercountry adoptions	Yes

Source: Congressional Budget Office.

Note: Under the Unfunded Mandates Reform Act, the staff of the Joint Committee on Taxation examines tax provisions of legislation to identify federal mandates and estimates their costs. Such information is incorporated into CBO's mandate statements.

Table 4.

Laws Enacted in 2012 That Contain Private-Sector Mandates

Of the 202 public laws enacted last year, 23 contain one or more private-sector mandates, for a total of 75 such mandates enacted in 2012. Those laws contain a total of 12 mandates that the Congressional Budget Office (CBO) estimated will impose costs on the private sector that exceed the annual threshold established in the Unfunded Mandates Reform Act (\$146 million in 2012). Those 12 mandates are shown in the table in **bold type**. CBO has identified 131 private-sector mandates enacted since 1996 with costs estimated to exceed the annual threshold. (Those mandates and the 89 public laws containing them are listed in Appendix B.)

The laws enacted in 2012 also contain 16 private-sector mandates whose costs could not be determined. In those cases, the costs may or may not be above the threshold. Those mandates are shown in the table in *italic type*. CBO estimated that the other 47 private-sector mandates enacted in 2012 will impose costs below the annual threshold. Those mandates are shown in regular type.

Not all mandates are reviewed by CBO before enactment. In some cases, legislation is enacted without being considered by a committee. Some mandates are included in amendments made on the House or Senate floor or in conference after CBO's review. In still other cases, mandates are included in appropriation bills, which the Unfunded Mandates Reform Act does not direct CBO to review. Of the 75 private-sector mandates enacted in 2012, CBO reviewed 59 before enactment.

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Private-Sector Mandates with Aggregate Costs That Exceed the Statutory Threshold			
112-90	Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011	Requires operators of transmission pipelines for natural gas in areas at risk of significant damage from spills to confirm safe operating pressures for pipelines and to adhere to testing regulations	Yes
		<i>Extends existing planning, testing, and safety requirements to additional pipelines</i>	Yes
		<i>Requires operators of transmission pipelines to install shutoff valves</i>	Yes
		<i>Requires operators of hazardous liquid pipelines to use leak-detection technologies where feasible</i>	Yes
		<i>Requires operators of pipelines that transport oil to report data on oil flow lines</i>	Yes
		<i>Requires operators of hazardous liquid gathering lines to follow additional safety requirements</i>	Yes
		Increases user fees paid to the Pipeline and Hazardous Materials Safety Administration	Yes
		Imposes new fees on some construction projects	Yes
		Requires operators of distribution pipelines for natural gas to install valves designed to prevent natural gas leaks	Yes

Continued

Table 4. **Continued**
Laws Enacted in 2012 That Contain Private-Sector Mandates

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Private-Sector Mandates with Aggregate Costs That Exceed the Statutory Threshold (Continued)			
112-90 (Continued)	Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011	Requires pipeline operators to notify emergency responders of incidents or accidents within specified time limits and to report information to the Pipeline and Hazardous Materials Safety Administration	Yes
		Requires operators of pipelines transporting biofuel and carbon dioxide to comply with new safety standards	Yes
112-95	FAA Modernization and Reform Act of 2012	Requires owners of aircraft operating in congested airspace or at congested airports to install new communications equipment	Yes
		Prohibits the operation of certain aircraft that are not in compliance with low-noise standards	Yes
		Requires air carriers to submit and update contingency plans for emergency circumstances	Yes
		Requires operators of air ambulance services to submit annual reports	Yes
		Requires aircraft owners and pilots to pay higher registration and certification fees to the Federal Aviation Administration	Yes
		Establishes new requirements for air and rail employee unions	No
		Imposes several new requirements on air carriers related to airline employees and passenger service	Yes
		Establishes reporting and employee training requirements for air carriers	No
112-96	Middle Class Tax Relief and Job Creation Act of 2012	Requires broadcasters to move channels within the broadcasting spectrum and requires cable companies to carry certain channels	Yes
		<i>Requires providers of cellular phone services to allow public safety officials to roam into their networks and gain priority access in an emergency</i>	Yes
112-141	Moving Ahead for Progress in the 21st Century Act	Increases the premiums that private defined-benefit pension plans must pay to the Pension Benefit Guaranty Corporation	No

Continued

Table 4.

Continued

Laws Enacted in 2012 That Contain Private-Sector Mandates

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Private-Sector Mandates with Aggregate Costs That Exceed the Statutory Threshold (Continued)			
112-141 (Continued)	Moving Ahead for Progress in the 21st Century Act	Requires manufacturers of child safety seats, agricultural equipment, motor vehicles, and vehicle parts to comply with new safety standards	Yes
		Establishes standards for motorcoach safety	Yes
		<i>Requires manufacturers to pay for testing of devices conducted by federal laboratories</i>	Yes
		<i>Requires entities that employ drivers to check, at least annually, the driving records of those drivers and to maintain those records</i>	Yes
		<i>Imposes new registration and financial requirements on applicants for motor carrier, forwarder, and broker authorities-placing brokers of motor carriers under the jurisdiction of the Department of Transportation</i>	Yes
		Requires driving schools to issue certificates demonstrating that their training complies with new regulations	Yes
		Requires carriers that apply to operate motorcoach services to undergo safety audits	Yes
		Requires applicants seeking authority to operate a new motorcoach service to disclose any ownership, management, or familial relations with other motorcoach operators during the previous years	Yes
		Imposes administrative requirements on car dealerships and importers of motor vehicles and vehicle parts	Yes
		Requires employers to pay a fee to check the records of certain employees	Yes
		Imposes new requirements on operators of commercial air tours in several national parks	No
		Requires lenders to place flood insurance payments into an escrow account for the borrower	Yes
		Requires lenders to provide more information about flood insurance	Yes
		Requires lenders to accept flood insurance from a private company if the policy fulfills all federal requirements for flood insurance	Yes

Continued

Table 4. **Continued**
Laws Enacted in 2012 That Contain Private-Sector Mandates

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Private-Sector Mandates with Aggregate Costs That Exceed the Statutory Threshold (Continued)			
112-141 (Continued)	Moving Ahead for Progress in the 21st Century Act	Requires lenders to terminate some flood insurance policies and refund premium payments for duplicate coverage	Yes
112-144	Food and Drug Administration Safety and Innovation Act	Requires manufacturers of brand-name prescription drugs, generic drugs, "biosimilar" biological products, and medical devices to pay fees to the Food and Drug Administration	Yes
		Prevents manufacturers of generic or biosimilar versions of a drug from selling those products by granting periods of market exclusivity for certain types of drugs	Yes
		Regulates the sale, distribution, and use of selected synthetic drugs	Yes
		<i>Expands requirements relating to the approval of pediatric drugs</i>	Yes
		<i>Expands registration requirements for certain entities involved in the manufacture, preparation, propagation, compounding, or processing of drugs</i>	Yes
		<i>Authorizes the Secretary of Health and Human Services to destroy certain drugs intended for import that are refused admission to the United States</i>	Yes
112-163	An act to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes	Extends customs user fees: Consolidated Omnibus Budget Reconciliation Act (COBRA) fees through October 29, 2021, and merchandise processing fees through October 22, 2021	Yes
		Renews the ban on imports from Burma	Yes

Continued

Table 4.

Continued

Laws Enacted in 2012 That Contain Private-Sector Mandates

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Private-Sector Mandates with Aggregate Costs That Exceed the Statutory Threshold (Continued)			
112-175	Continuing Appropriations Resolution, 2013	Extends the authority of the Secretary of State to collect a surcharge on passport applications until March 27, 2013 ^a	Yes
		Extends the restriction on sales of cluster munitions until March 27, 2013 ^a	No
		Extends until March 27, 2013, existing standards for the security of chemical facilities that require vulnerability assessments and the development and implementation of site security plans ^a	No
		Extends fees for pesticide registrants ^a	Yes
112-193	FDA User Fee Corrections Act of 2012	Provides the authority needed for the Food and Drug Administration to assess the fees under Public Law 112-144 between September 2012 and March 2013	No
Laws Containing Private-Sector Mandates with Aggregate Costs That Could Not Be Determined			
112-158	Iran Threat Reduction and Syria Human Rights Act of 2012	<i>Imposes new prohibitions on financial transactions and other activities associated with Iran and Syria; increases the number of entities responsible for complying with those new prohibitions</i>	Yes
		Increases reporting requirements for issuers of financial securities	Yes
		Prohibits entities in the United States from exporting some items and services that are sent as nonhumanitarian assistance to any agency of a foreign country that engages in unauthorized activities and transactions with Iran	No
112-200	European Union Emissions Trading Scheme Prohibition Act of 2011	<i>Prohibits U.S. air carriers from participating in the European Union Emissions Trading Scheme if the Secretary of Transportation believes such a prohibition to be in the public interest</i>	Yes
112-238	FISA Amendments Act Reauthorization Act of 2012	<i>Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users</i>	Yes
		<i>Limits civil actions against providers of electronic communication services that furnish information to the federal government</i>	Yes

Continued

Table 4. **Continued**
Laws Enacted in 2012 That Contain Private-Sector Mandates

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Private-Sector Mandates with Aggregate Costs That Fall Below the Statutory Threshold			
112-99	An act to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes	Authorizes the Department of Commerce to apply countervailing duty provisions to countries with a nonmarket economy	No
112-106	Jumpstart Our Business Startups Act	Prohibits national securities associations from issuing rules to restrict certain oral and written communications related to public offerings of emerging growth companies	Yes
		Increases fees levied on private entities by the Securities and Exchange Commission to cover regulatory activities	Yes
112-154	Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012	Extends the length of stay for civil proceedings related to real or personal property, mortgages, evictions, and foreclosures for service members whose military service has ended	Yes
		Prohibits protests near military funerals that disturb or have the intention of disturbing the peace or good order of such funerals	No
112-177	Pesticide Registration Improvement Extension Act of 2012	Increases and extends fees for pesticide registrants	Yes
112-183	Billfish Conservation Act of 2012	Prohibits individuals from selling or possessing billfish (marlin and other species) or billfish products in nearly all states and some territories of the United States	Yes
112-195	Hazardous Waste Electronic Manifest Establishment Act	Requires some waste management facilities that receive hazardous waste to submit copies of shipment manifests to the Environmental Protection Agency (EPA)	Yes
		Requires waste management facilities that use a paper system for tracking shipments to submit copies of shipment manifests to EPA's electronic system	Yes
112-203	An act to extend the Undertaking Spam, Spyware, and Fraud Enforcement with Enforcers Beyond Borders Act of 2006, and for other purposes	Limits an existing right of action by exempting from liability private entities that voluntarily provide certain information about third parties to the Federal Trade Commission	Yes
112-236	Theft of Trade Secrets Clarification Act of 2012	Prohibits the transfer of some information by expanding the range of information protected as trade secrets	No
112-239	National Defense Authorization Act for Fiscal Year 2013	Imposes sanctions on entities that operate ports in Iran or any entity involved in the energy, shipping, or shipbuilding sectors of Iran	No

Continued

Table 4.

Continued

Laws Enacted in 2012 That Contain Private-Sector Mandates

Public Law Number	Title of Legislation	Description of Mandate	Was Mandate Reviewed by CBO Before Enactment?
Laws Containing Private-Sector Mandates with Aggregate Costs That Fall Below the Statutory Threshold (Continued)			
112-239 (Continued)	National Defense Authorization Act for Fiscal Year 2013	Imposes sanctions on any private entity that provides certain raw materials to Iran for industrial processes	No
		Imposes sanctions on financial institutions that facilitate transactions for Iran's natural gas sector; prohibits financial institutions from operating payable accounts in the United States if they engage in prohibited transactions with sanctioned persons or entities	No
112-258	Video Privacy Protection Act Amendments Act of 2012	Requires providers of videotape services and other entities to use "distinct and separate" forms when obtaining consent to disclose a consumer's personally identifiable information	Yes
112-266	Drywall Safety Act of 2012	Requires drywall manufacturers in the United States to keep sulfur contents in drywall below certain levels	No
		Prohibits the recycling of drywall with certain sulfur contents if it is to be reused or used as a component in production of new drywall	No
112-276	Intercountry Adoption Universal Accreditation Act of 2012	Requires all providers of placement services for intercountry adoptions to be compliant with the accreditation standards of the Hague Convention	Yes

Source: Congressional Budget Office.

Note: Under the Unfunded Mandates Reform Act, the staff of the Joint Committee on Taxation examines tax provisions of legislation to identify federal mandates and estimates their costs. Such information is incorporated into CBO's mandate statements.

- a. The annual cost of each individual mandate in Public Law 112-175 is estimated to fall below the statutory threshold; the aggregate cost of the mandates is estimated to exceed the statutory threshold.

Table 5.

Intergovernmental Mandates Reviewed by CBO in 2012 with Costs That Would Exceed the Statutory Threshold or That Could Not Be Determined

In its review of legislation in 2012, the Congressional Budget Office (CBO) identified two intergovernmental mandates whose costs would exceed the statutory threshold established in the Unfunded Mandates Reform Act (\$73 million in 2012) and five whose costs could not be determined. Those mandates are listed below, with related bill numbers given in parentheses. One of those mandates was enacted.

In some cases, the same intergovernmental mandate was identified in more than one bill or piece of legislation, as detailed in Table 7 beginning on page 22. Those mandates or related groups of mandates are listed below; related bill numbers are given in parentheses.

Topic	Description of Mandate	Was a Version Enacted into Law?
Proposed Intergovernmental Mandates with Costs That Would Exceed the Statutory Threshold		
Postal Payment	Requires the state of Alaska to make a payment to the U.S. Postal Service (H.R. 2309)	No
Taxation	Prohibits state and local governments from taxing some sales of digital goods and services (H.R. 1860)	No
Proposed Intergovernmental Mandates with Costs That Could Not Be Determined		
Bankruptcy	Provides consumers a priority claim in bankruptcy proceedings over claims made by state and local governments (S. 1813)	Yes (Public Law 112-141) ^a
Chemicals	Requires public entities that use, store, or dispose of chemicals to comply with future safety regulations (S. 847)	No
Laboratory Security	Requires public and private laboratories to comply with new security standards (H.R. 2356)	No
Taxes	Prohibits states from imposing income taxes on employees who work in the state for fewer than 31 days (H.R. 1864)	No
Transportation	Imposes new safety standards on motorcoach operators (H.R. 7, House Rules; H.R. 7, House Transportation and Infrastructure)	No

Source: Congressional Budget Office.

Note: The mandates in this table were identified by the Congressional Budget Office when a bill was reported by an authorizing committee or when CBO was asked to formally review a bill.

a. The full name of Public Law 112-141 is the Moving Ahead for Progress in the 21st Century Act.

Table 6.

Private-Sector Mandates Reviewed by CBO in 2012 with Costs That Would Exceed the Statutory Threshold or That Could Not Be Determined

In its review of legislation in 2012, the Congressional Budget Office (CBO) identified 13 private-sector mandates whose costs would exceed the statutory threshold established in the Unfunded Mandates Reform Act (\$146 million in 2012). Six of those mandates were enacted. CBO identified another 18 private-sector mandates whose costs could not be determined. Of those 18 mandates, 10 were enacted. (As shown in Table 1 on page 3, a total of 12 mandates with costs above the threshold and 16 mandates whose costs could not be determined were enacted in 2012. CBO reviewed some of those mandates in 2011. Only the mandates reviewed in 2012 are shown here.)

Mandates with costs that would exceed the threshold or that could not be determined are listed below; related bill numbers are given in parentheses. In some cases, the same or similar private-sector mandate was identified in more than one bill or piece of legislation, as detailed in Table 8 on page 32.

Topic	Description of Mandate	Was a Version Enacted Into Law?
Proposed Private-Sector Mandates with Costs That Would Exceed the Statutory Threshold		
Chemicals	Requires manufacturers and processors of chemicals to submit additional data to the Environmental Protection Agency and comply with safety standards (S. 847)	No
Liability	Limits compensatory damages related to medical malpractice (H.R. 5, the Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2011, Reconciliation Recommendations of the House Committee on the Judiciary; Reconciliation Recommendations of the House Committee on Energy and Commerce)	No
Passports	Extends the surcharge on the filing fee for passport applications through the end of fiscal year 2015 (H.R. 6018)	Yes (Public Law 112-175) ^{a,b}
Pharmaceuticals	Requires manufacturers of brand-name prescription drugs, generic drugs, biosimilar biological products, and medical devices to pay fees to the Food and Drug Administration (H.R. 5651; S. 2516)	Yes (P.L. 112-144) ^a
	Prevents manufacturers of generic or biosimilar versions of a drug from selling those products by granting periods of market exclusivity for certain types of drugs (H.R. 5651; S. 2516)	Yes (P.L. 112-144) ^a
Revenue-Raising Provisions	Eliminates limits on the amounts that taxpayers would be required to repay, in the event of an overpayment, for advance premium assistance tax credits associated with health insurance exchanges (Recapture of Overpayments Resulting from Certain Federally Subsidized Health Insurance, Reconciliation Recommendation of the House Committee on Ways and Means)	No
	Requires taxpayers to provide their Social Security number in order to claim the refundable portion of the child tax credit (Social Security Number Required to Claim the Refundable Portion of the Child Tax Credit, Reconciliation Recommendation of the House Committee on Ways and Means)	No

Table 6.**Continued**

Private-Sector Mandates Reviewed by CBO in 2012 with Costs That Would Exceed the Statutory Threshold or That Could Not Be Determined

Topic	Description of Mandate	Was a Version Enacted Into Law?
Proposed Private-Sector Mandates with Costs That Would Exceed the Statutory Threshold (Continued)		
Revenue-Raising Provisions (Continued)	Restricts the use of the tax credit for cellulosic biofuel production (S. 2132)	No
	Revokes or denies passports in cases of certain tax delinquencies (S. 2132)	No
	Modifies the required minimum distribution rules for pension plans (S. 2132)	No
Trade	Extends customs user fees: Consolidated Omnibus Budget Reconciliation Act (COBRA) fees and merchandise processing fees (S. 3326; S. 3568)	Yes (P.L. 112-163) ^a
Transportation	Requires manufacturers of child safety seats, agricultural equipment, motor vehicles, and vehicle parts to comply with new safety standards (H.R. 7, House Rules; H.R. 7, House Transportation and Infrastructure; S. 1449; S. 1813) ^c	Yes (P.L. 112-141) ^a
	Establishes standards for motorcoach safety (H.R. 7, House Rules; H.R. 7, House Transportation and Infrastructure; S. 1813; S. 1950) ^d	Yes (P.L. 112-141) ^a
Proposed Private-Sector Mandates with Costs That Could Not Be Determined		
Air Transportation	Prohibits U.S. air carriers from participating in the European Union Emissions Trading Scheme if the Secretary of Transportation believes such a prohibition to be in the public interest (S. 1956)	Yes (P.L. 112-200) ^a
Agriculture	Requires dairy handlers to report information to the Department of Agriculture, reduce payments to some dairy producers, and pay to the Department of Agriculture the amount by which payments were reduced (H.R. 6083; S. 3240, introduced; S. 3240, passed Senate)	No
Communication Services	Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users (H.R. 5949, House Intelligence; H.R. 5949 House Judiciary; S. 3276, Senate Intelligence; S. 3276, Senate Judiciary)	Yes (P.L. 112-238) ^a
Environment	Requires coal-fired power plants to comply with regulations for the disposal of coal ash (H.R. 3409)	No
Fashion Design	Prohibits any person from manufacturing, selling, or distributing an article of apparel that copies a protected fashion design (S. 3523)	No
Laboratory Security	Requires laboratories to comply with new security standards (H.R. 2356)	No

Continued

Table 6.

Continued

Private-Sector Mandates Reviewed by CBO in 2012 with Costs That Would Exceed the Statutory Threshold or That Could Not Be Determined

Topic	Description of Mandate	Was a Version Enacted Into Law?
Proposed Private-Sector Mandates With Costs That Could Not Be Determined (Continued)		
Liability	Limits civil actions against providers of electronic communication services that furnish information to the federal government (H.R. 5949, House Intelligence; H.R. 5949, House Judiciary; S. 3276, Senate Intelligence; S. 3276, Senate Judiciary)	Yes (P.L. 112-238) ^a
Pensions	Eliminates a retirement supplement for some federal employees (H.R. 7, House Rules; H.R. 3813)	No
Pharmaceuticals	Expands requirements relating to the approval of pediatric drugs (H.R. 5651; S. 2516)	Yes (P.L. 112-144) ^a
	Expands registration requirements on certain entities involved in the manufacture, preparation, propagation, compounding, or processing of drugs (H.R. 5651; S. 2516)	Yes (P.L. 112-144) ^a
	Authorizes the Secretary of Health and Human Services to destroy certain drugs intended for import that are refused admission to the United States (H.R. 5651)	Yes (P.L. 112-144) ^a
	Prevents certain drug manufacturers from using a regulatory process to prohibit the sale of a drug to developers of generic or biosimilar drugs (S. 2516)	No
Protections for Service Members	Invalidates standing agreements that require employees and employers to participate in mandatory arbitration (S. 3322)	No
Sanctions	Eliminates existing rights of action, expands the list of transactions associated with Iran and Syria for which entities may be sanctioned, and increases the number of entities responsible for complying with those prohibited transactions (H.R. 2106; S. 2101) ^e	Yes (P.L. 112-158) ^a
Transportation	Requires manufacturers to pay for testing of devices conducted by federal laboratories (S. 1449; S. 1813)	Yes (P.L. 112-141) ^a
	Requires entities that employ drivers to check, at least annually, the driving records of those drivers and to maintain those records (S. 1813; S. 1950)	Yes (P.L. 112-141) ^a

Continued

Table 6.

Continued

Private-Sector Mandates Reviewed by CBO in 2012 with Costs That Would Exceed the Statutory Threshold or That Could Not Be Determined

Topic	Description of Mandate	Was a Version Enacted Into Law?
Proposed Private-Sector Mandates With Costs That Could Not Be Determined (Continued)		
Transportation (Continued)	Imposes new registration and financial requirements on applicants for motor carrier, forwarder, and broker authorities-placing brokers of motor carriers under the jurisdiction of the Department of Transportation (H.R. 7, House Rules; H.R. 7, House Transportation and Infrastructure; S. 1813; S. 1950)	Yes (P.L. 112-141) ^a
	Establishes requirements for owners and operators of motor vehicles transporting radioactive materials and other entities (H.R. 7, House Rules; H.R. 7, House Transportation and Infrastructure)	No

Source: Congressional Budget Office.

Notes: The mandates in this table were identified by the Congressional Budget Office and the staff of the Joint Committee on Taxation (JCT) when a bill was reported by an authorizing committee or when CBO was asked to formally review a bill. In some cases, CBO issued more than one formal mandate statement for a topic.

JCT examines the tax provisions of legislation to identify federal mandates and estimate their costs. Such information is incorporated into CBO's mandate statements.

- a. The full names of the public laws referred to in this table, ordered by law number, are as follows:
 - Public Law 112-141, the Moving Ahead for Progress in the 21st Century Act
 - Public Law 112-144, the Food and Drug Administration Safety and Innovation Act
 - Public Law 112-158, the Iran Threat Reduction and Syria Human Rights Act of 2012
 - Public Law 112-163, an act to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes
 - Public Law 112-175, the Continuing Appropriations Resolution, 2013
 - Public Law 112-200, the European Union Emissions Trading Scheme Prohibition Act of 2011
 - Public Law 112-238, the FISA Amendments Act Reauthorization Act of 2012
- b. A short extension of the surcharge was enacted in P.L. 112-175. CBO estimated that the cost of that extension falls below the annual threshold in UMRA.
- c. H.R. 7—the American Energy and Infrastructure Jobs Act of 2012—as posted on the website of the House Committee on Rules on February 8, 2012, and H.R. 7—the American Energy and Infrastructure Jobs Act of 2012—as ordered reported by the House Committee on Transportation and Infrastructure on February 2, 2012, contain only the mandate on manufacturers of agricultural equipment. The cost of that mandate alone could not be determined.
- d. Because of uncertainty about future regulations, CBO could not determine whether the cost of the standards for motorcoach safety would exceed the threshold in H.R. 7—the American Energy and Infrastructure Jobs Act of 2012—as posted on the website of the House Committee on Rules on February 8, 2012; H.R. 7—the American Energy and Infrastructure Jobs Act of 2012—as ordered reported by the House Committee on Transportation and Infrastructure on February 2, 2012; and S. 1950—the Commercial Motor Vehicle Safety Enhancement Act of 2011. On the basis of newly available information, CBO determined that the cost of the mandate as it appeared in S. 1813 would exceed the annual threshold.
- e. The provisions of H.R. 2106 and S. 2101 differ; however, the estimated effect of the mandates in those bills is similar.

Table 7.**Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates**

Of the 428 bills or legislative proposals that the Congressional Budget Office (CBO) reviewed for mandates as defined in the Unfunded Mandates Reform Act (UMRA), 68 contained intergovernmental mandates. Of those 68 bills, 2 contained mandates with costs that, in CBO's estimation, would exceed the statutory threshold established in UMRA (\$73 million in 2012). For 6 of those 68 bills, CBO could not determine whether the aggregate cost of the mandates would exceed or fall below the statutory threshold. Some bills were considered by more than one committee; in those cases, the table lists the various versions of that bill.

Bills containing intergovernmental mandates whose aggregate costs were estimated to exceed the statutory threshold are listed first in the table. Mandates whose costs would exceed the statutory threshold are in **bold type**, mandates with uncertain costs are in *italic type*, and mandates with costs below the threshold are in regular type.

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Would Exceed the Statutory Threshold^a		
H.R. 1860	Digital Goods and Services Tax Fairness Act of 2012	Prohibits state and local governments from taxing some sales of digital goods and services
H.R. 2309	Postal Reform Act of 2011	Requires the state of Alaska to make a payment to the U.S. Postal Service Increases postage rates for some state and local mailers
Bills Containing Intergovernmental Mandates with Aggregate Costs That Could Not Be Determined		
H.R. 7 (House Rules)	American Energy and Infrastructure Jobs Act of 2012, as provided by the House Committee on Rules	<i>Imposes new safety standards on motorcoach operators</i> Requires public and private driving schools to issue certificates demonstrating that their training complies with new regulations Preempts state and local laws relating to safety standards for motorcoaches and notification, inspection, and loading requirements concerning hazardous materials if those laws are inconsistent with federal law Changes the frequency with which states report information to the Department of Transportation, including the amount of fees paid by motor carriers transporting hazardous materials Limits the authority of state and local courts from hearing some environmental cases
H.R. 7 (House Transportation and Infrastructure)	American Energy and Infrastructure Jobs Act of 2012	<i>Imposes new safety standards on motorcoach operators</i> Requires public and private driving schools to issue certificates demonstrating that their training complies with new regulations

Continued

Table 7. **Continued**
Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Could Not Be Determined (Continued)		
H.R. 7 (House Transportation and Infrastructure, Continued)	American Energy and Infrastructure Jobs Act of 2012	<p>Preempts state and local laws relating to safety standards for motorcoaches and notification, inspection, and loading requirements concerning hazardous materials if those laws are inconsistent with federal law</p> <p>Changes the frequency with which states report information to the Department of Transportation, including the amount of fees paid by motor carriers transporting hazardous materials</p> <p>Requires states to develop uniform forms and procedures to register and issue permits for persons transporting hazardous materials</p> <p>Limits the authority of state and local courts from hearing some environmental cases</p>
H.R. 1864	Mobile Workforce State Income Tax Simplification Act of 2011	<i>Prohibits states from imposing income taxes on employees who work in the state for fewer than 31 days</i>
H.R. 2356	WMD Prevention and Preparedness Act of 2012	<i>Requires public and private laboratories to comply with new security standards</i>
S. 847	Safe Chemicals Act of 2011	<p><i>Requires public entities that use, store, or dispose of chemicals to comply with future safety regulations</i></p> <p>Preempts state regulations that conflict with federal requirements</p>
S. 1813	Moving Ahead for Progress in the 21st Century Act, with an amendment, Number 1761	<p><i>Provides consumers a priority claim in bankruptcy proceedings over claims made by state and local governments</i></p> <p>Requires states to conduct annual inspections of commercial motor vehicles used to transport passengers</p> <p>Requires state and local entities that employ drivers to check, at least annually, the driving records of those drivers and to maintain those records</p> <p>Requires public and private driving schools to issue certificates demonstrating that their training complies with new regulations</p> <p>Changes the frequency with which states report information to the Department of Transportation, including the amount of fees paid by motor carriers transporting hazardous materials</p>

Continued

Table 7.

Continued

Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Could Not Be Determined (Continued)		
S. 1813 (Continued)	Moving Ahead for Progress in the 21st Century Act, with an amendment, Number 1761	Requires states to identify the state agency that is responsible for highway route designations for hazardous materials and report that information to the Department of Transportation Requires public and privately operated rail carriers to comply with a certification process Preempts state and local laws and regulations governing the testing of commercial driver's license holders for alcohol and controlled substances Preempts state and local laws relating to safety standards for motorcoaches, public transportation safety, and notification, inspection, and loading requirements concerning hazardous materials if those laws are inconsistent with federal law
Bills Containing Intergovernmental Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold		
H.R. 5	Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2011	Preempts state laws that provide health care providers and organizations less protection from liability, loss, or damages
H.R. 373	Unfunded Mandates Information and Transparency Act of 2011	Requires owners of public utilities and nuclear power plants to pay higher regulatory fees
H.R. 511	A bill to amend title 18, United States Code, to prohibit the importation of various injurious species of constrictor snakes	Prohibits the importation and transportation of several species of snakes without a permit
H.R. 890	Tom Lantos Justice for Holocaust Survivors Act	Preempts state laws that limit the number and timing of claims related to World War II-era insurance policies
H.R. 1162	A bill to provide the Quileute Indian Tribe tsunami and flood protection, and for other purposes	Exempts some land from state and local taxation
H.R. 1588	Consumer Rental Purchase Agreement Act	Preempts state laws governing rental-purchase agreements Imposes notification requirements on state attorneys general
H.R. 1837	Sacramento-San Joaquin Valley Water Reliability Act	Preempts state laws governing water management and wildlife preservation Requires some activities and prohibits others related to water management and wildlife preservation
H.R. 2106	Syria Freedom Support Act	Eliminates existing rights of action, expands the list of transactions associated with Syria for which entities may be sanctioned, and increases the number of entities responsible for complying with those prohibited transactions

Table 7.

Continued

Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
H.R. 2299	Child Interstate Abortion Notification Act	Requires doctors to notify parents before performing an abortion on some minors
H.R. 2471	An act to amend section 2710 of title 18, United States Code, to clarify that a videotape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet	Changes the procedures that government agencies must follow when they obtain electronic communications
H.R. 2903	FEMA Reauthorization Act of 2012	Eliminates an existing right of action for individuals to seek compensation for damages that may occur during training exercises Requires employers to allow members of urban search and rescue teams to reclaim their jobs after they return from deployment
H.R. 2938	Gila Bend Indian Reservation Lands Replacement Clarification Act	Prohibits the Tohono O'odham tribe from conducting gaming activities on some land in Arizona
H.R. 3409	Coal Miner Employment and Domestic Energy Infrastructure Protection Act	Expands an existing preemption of state laws that regulate greenhouse gases Requires states to notify the Environmental Protection Agency (EPA) whether they will adopt and implement a permit program regulating the disposal of coal ash Requires coal-fired power plants to comply with regulations for the disposal of coal ash
H.R. 3606	Jumpstart Our Business Startups Act	Prohibits states from requiring issuers of some securities to register those securities or to pay fees
H.R. 3674	Promoting and Enhancing Cybersecurity and Information Sharing Effectiveness Act of 2012	Preempts some state privacy and disclosure laws relating to communications transmitted to or from federal systems
H.R. 3706	A bill to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes	Requires the Governor of the Virgin Islands to appoint a chief financial officer (CFO) Requires the board of elections in the Virgin Islands to hold a referendum on making the CFO a permanent position
H.R. 3803	District of Columbia Pain-Capable Unborn Child Protection Act	Preempts the authority of the District of Columbia to regulate abortions in a manner that is not compatible with requirements in the bill
H.R. 3973	Native American Energy Act	Requires plaintiffs to post a bond when seeking a preliminary injunction to stop activities related to Native American energy projects
H.R. 4078	Red Tape Reduction and Small Business Job Creation Act	Requires public utilities and nuclear power plants to pay regulatory fees

Continued CBO

Table 7. **Continued**
Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
H.R. 4201	Servicemember Family Protection Act	Preempts state laws governing child custody if they are inconsistent with federal law or if they provide less protection to the rights of a parent who is a service member
H.R. 4273	Resolving Environmental and Grid Reliability Conflicts Act of 2012	Preempts state and local environmental and liability laws
H.R. 4310	National Defense Authorization Act for Fiscal Year 2013	Preempts state laws governing child custody if they are inconsistent with federal law or if they provide less protection to the rights of a parent who is a service member Requires mortgage lenders to consider, for refinancing inquiries or applications, active-duty service members who have been relocated to be occupying the residence that secures a mortgage
H.R. 4631	GSA Act of 2012	Requires the government of the District of Columbia to limit travel expenses and post related information on its website
H.R. 5651	Food and Drug Administration Reform Act of 2012	Extends a requirement to pay user fees for medical devices Expands the registration standards applied to drug manufacturers
H.R. 5747	Military Family Home Protection Act	Requires lending institutions that are subject to the Servicemembers Civil Relief Act (SCRA) to: <ul style="list-style-type: none"> • Extend the length of stay for civil proceedings related to real or personal property, mortgages, evictions, and foreclosures for service members whose military service has ended; • Expand stays of civil proceedings for surviving • Designate an employee who would ensure compliance with the act; • Consider, for refinancing inquiries or applications, active-duty service members who have been relocated to be occupying the residence that secures a mortgage; • Maintain a toll-free telephone number to provide assistance to service members if the institution has over \$10 billion in annual assets <p>Requires employers to continue to employ veterans who are absent to receive medical treatment for a service-connected disability and to grant such veterans seniority and other rights and benefits as if they had not been absent</p>

Continued

Table 7. **Continued**
Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
H.R. 5949 (House Intelligence)	FISA Amendments Act Reauthorization Act of 2012	<p>Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users</p> <p>Limits civil actions against providers of electronic communication services that furnish information to the federal government</p> <p>Preempts state and local liability laws</p>
H.R. 5949 (House Judiciary)	FISA Amendments Act Reauthorization Act of 2012	<p>Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users</p> <p>Limits civil actions against providers of electronic communication services that furnish information to the federal government</p> <p>Preempts state and local liability laws</p>
H.R. 6018	Foreign Relations Authorization Act, Fiscal Year 2013	<p>Limits an existing right of action against members of the Broadcasting Board of Governors</p> <p>Preempts state and local liability laws</p>
H.R. 6083	Federal Agriculture Reform and Risk Management Act of 2012	<p>Increases and extends pesticide maintenance fees</p> <p>Preempts state laws regulating the sale and manufacture of agricultural products</p>
H.R. 6131	A bill to extend the Undertaking Spam, Spyware, and Fraud Enforcement with Enforcers beyond Borders Act of 2006, and for other purposes	Extends preemptions of state and local laws that prohibit individuals from disclosing information to the Federal Trade Commission and that require individuals to notify third parties if they disclose information to the Federal Trade Commission
H.R. ____	Reconciliation Recommendations of the House Committee on Energy and Commerce	Preempts state laws that provide health care providers and organizations less protection from liability, loss, or damages
H.R. ____	Reconciliation Recommendations of the House Committee on Financial Services	<p>Requires lenders to provide more information about flood insurance</p> <p>Requires lenders to terminate some flood insurance policies and refund premium payments for duplicate coverage</p> <p>Requires lenders to accept flood insurance from a private company if the policy fulfills all federal requirements for flood insurance</p>

Continued

Table 7.

Continued

Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
H.R. ____	Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2011 (Reconciliation Recommendations of the House Committee on the Judiciary)	Preempts state laws that provide health care providers and organizations less protection from liability, loss, or damages
S. 432	Lake Tahoe Restoration Act of 2011	Requires owners and operators to have their watercraft inspected for invasive species, document those inspections, have their watercraft decontaminated, and pay decontamination fees
S. 546	Little Shell Tribe of Chippewa Indians Restoration Act of 2011	Exempts some land from state and local taxation
S. 636	A bill to provide the Quileute Indian Tribe tsunami and flood protection, and for other purposes	Exempts some land from state and local taxation
S. 710	Hazardous Waste Electronic Manifest Establishment Act	Requires some waste management facilities that receive hazardous waste to submit copies of shipment manifests to EPA Requires waste management facilities that use a paper system for tracking shipments to submit copies of shipment manifests to EPA's electronic system
S. 810	Great Ape Protection and Cost Savings Act of 2011	Prohibits invasive research on great apes without authorization from a research task force
S. 1065 (As ordered reported on December 8, 2011)	Blackfoot River Land Settlement Act of 2012	Terminates ownership rights to parcels of land and requires exchange of lands through statute
S. 1065 (As ordered reported on June 28, 2012)	Blackfoot River Land Settlement Act of 2012	Terminates ownership rights to parcels of land and requires exchange of lands through statute
S. 1449	Motor Vehicle and Highway Safety Improvement Act of 2011	Preempts state and local laws and regulations related to motor vehicle safety standards
S. 1515	United States Secret Service Retirement Act of 2012	Requires the District of Columbia to determine the cost for some members of the Secret Service to switch to the District of Columbia Police and Firefighter Retirement and Disability System
S. 1665	Coast Guard Authorization Act for Fiscal Years 2012 and 2013	Raises the costs of complying with existing intergovernmental mandates by increasing the number of Coast Guard personnel eligible for protection under the Servicemembers Civil Relief Act

Continued

Table 7. **Continued**
Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
S. 1910	Domestic Partnership Benefits and Obligations Act of 2011	<p>Requires the District of Columbia to provide health insurance benefits to the domestic partners of employees first employed by the District before October 1, 1987</p> <p>Preempts state and local laws that prohibit insurers in the Federal Employees Health Benefits program from seeking reimbursement from enrollees when the enrollees recover funds from third parties</p>
S. 1950	Commercial Motor Vehicle Safety Enhancement Act of 2011	<p>Requires states to conduct annual inspections of commercial motor vehicles used to transport passengers</p> <p>Requires state and local governments that employ drivers to check, at least annually, the driving records of those drivers and to maintain those records</p> <p>Requires public and private driving schools to issue certificates demonstrating that their training complies with new regulations</p> <p>Preempts state and local laws and regulations governing the testing of commercial driver's license holders for alcohol and controlled substances</p> <p>Expands the authority of the Department of Transportation to require states to submit information or data concerning plans for national surface transportation and freights</p> <p>Preempts state and local laws relating to safety standards for motorcoaches</p>
S. 1952	Hazardous Materials Transportation Safety Improvement Act of 2011	<p>Changes the frequency with which states report information to the Department of Transportation, including the amount of fees paid by motor carriers transporting hazardous materials</p> <p>Preempts state, local, and tribal laws and regulations governing the transportation of hazardous materials</p>
S. 2101	Iran Sanctions, Accountability, and Human Rights Act of 2012	<p>Expands the list of transactions associated with Iran and Syria for which entities may be sanctioned and increases the number of entities responsible for complying with those prohibited transactions</p> <p>Preempts state property laws that are inconsistent with federal laws governing blocked assets</p>
S. 2241	GI Bill Consumer Awareness Act of 2012	Limits the ability of public and private entities to use the term "GI Bill"

Continued

Table 7.

Continued

Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
S. 2279	R.M.S. <i>Titanic</i> Maritime Memorial Preservation Act of 2012	Prohibits public and private entities from engaging in some activities related to R.M.S. <i>Titanic</i> property without a federal permit
S. 2388	National Oceanic and Atmospheric Administration's Commissioned Officer Corps Amendments Act of 2012	Increases the costs of complying with existing mandates related to protections for personnel in the National Oceanic and Atmospheric Administration's commissioned officer corps Preempts some state and local laws governing jury duty
S. 2516	Food and Drug Administration Safety and Innovation Act	Extends the requirements to pay fees and comply with registration standards for state, local, and tribal governments that manufacture medical devices or drugs
S. 3085	Responsible Homeowner Refinancing Act of 2012	Requires lien holders and insurers of mortgages to pay an assessment if they prevent the refinancing of an eligible mortgage through the Home Affordable Refinance Program
S. 3254	National Defense Authorization Act for Fiscal Year 2013	Preempts some state lending laws by expanding the eligibility of people entitled to consumer credit protections
S. 3276 (Senate Intelligence)	FAA Sunsets Extension Act of 2012	Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users Limits civil actions against providers of electronic communication services that furnish information to the federal government Preempts state and local liability laws
S. 3276 (Senate Judiciary)	FAA Sunsets Extension Act of 2012	Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users Limits civil actions against providers of electronic communication services that furnish information to the federal government Preempts state and local liability laws

Continued

Table 7.

Continued

Bills Reviewed by CBO in 2012 That Contained Intergovernmental Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Intergovernmental Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
S. 3322	Servicemembers' Protection Act of 2012	Requires public and private lending institutions that are subject to the Servicemembers Civil Relief Act to: <ul style="list-style-type: none"> • Comply with new standards that would prohibit denying credit to service members simply on the grounds that the service members are eligible for credit protection under the act; • Extend the length of stay of civil proceedings relating to real or personal property, mortgages, evictions, and foreclosures for service members, medical retirees who are totally disabled; and • Expand stays of civil proceedings for surviving spouses
Invalidates standing agreements that require employees and employers to participate in mandatory arbitration		
Requires public and private entities to produce documents for review and duplication and to respond to questioning in civil orders issued by the Attorney General		
S. 3331	Intercountry Adoption Universal Accreditation Act of 2012	Preempts some state adoption laws relating to accreditation and approval standards in cases that involve intercountry adoptions
S. 3340	Mental Health Access to Continued Care and Enhancement of Support Services Act of 2012	Preempts state licensing laws by authorizing health care professionals of the armed forces and Department of Defense to provide mental health care services at any location in the United States regardless of state licensing laws
S. 3410	A bill to extend the Undertaking Spam, Spyware, and Fraud Enforcement with Enforcers Beyond Borders Act of 2006, and for other purposes	Preempts state and local liability laws
S. ____	Federal Public Transportation Act of 2012	Preempts state laws and regulations related to public transportation safety

Source: Congressional Budget Office.

- a. In some cases, proposed legislation reviewed by CBO contained multiple mandates, some of which did not have costs exceeding the statutory threshold.

Table 8.**Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates**

Of the 428 bills or legislative proposals that the Congressional Budget Office (CBO) reviewed for mandates as defined in the Unfunded Mandates Reform Act (UMRA), 80 contained private-sector mandates. Of those 80 bills, 14 contained mandates with costs that, in CBO's estimation, would exceed the statutory threshold established in UMRA—\$146 million in 2012. For 18 of those 80 bills, CBO could not determine whether the aggregate cost of the mandates would exceed or fall below the statutory threshold. Some bills were considered by more than one committee; in those cases, the table lists the various versions of those bills.

Bills containing private-sector mandates whose aggregate costs are estimated to exceed the statutory threshold are listed first in the table. Mandates whose costs would exceed the statutory threshold are in **bold type**, mandates with uncertain costs are in *italic type*, and mandates with costs below the threshold are in regular type.

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Exceed the Statutory Threshold^a		
H.R. 5	Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2011	Limits compensatory damages related to medical malpractice Establishes a three-year statute of limitations for medical malpractice claims Establishes a fair-share rule for liability Limits attorneys' fees
H.R. 5651	Food and Drug Administration Reform Act of 2012	Requires manufacturers of brand-name prescription drugs, generic drugs, "biosimilar" biological products, and medical devices to pay fees to the Food and Drug Administration Prevents manufacturers of generic or biosimilar versions of a drug from selling those products by granting periods of market exclusivity for certain types of drugs <i>Expands requirements relating to the approval of pediatric drugs</i> <i>Expands registration requirements for certain entities involved in the manufacture, preparation, propagation, compounding, or processing of drugs</i> <i>Authorizes the Secretary of Health and Human Services to destroy certain drugs intended for import that are refused admission to the United States</i> Requires manufacturers of certain drugs to notify the Food and Drug Administration before discontinuing production of those drugs
H.R. 6018	Foreign Relations Authorization Act, Fiscal Year 2013	Extends the surcharge on the filing fee for passport applications through the end of fiscal year 2015 Limits an existing right of action against members of the Broadcasting Board of Governors

Table 8.

Continued

Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Exceed the Statutory Threshold^a (Continued)		
H.R. ____	Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2011 (Reconciliation Recommendations of the House Committee on the Judiciary)	<p>Limits compensatory damages related to medical malpractice</p> <p>Establishes a three-year statute of limitations for medical malpractice claims</p> <p>Establishes a fair-share rule for liability</p> <p>Limits attorneys' fees</p>
H.R. ____	Recapture of Overpayments Resulting from Certain Federally Subsidized Health Insurance (Reconciliation Recommendation of the House Committee on Ways and Means)	Eliminates limits on the amounts taxpayers would be required to repay, in the event of an overpayment, for advance premium assistance tax credits associated with health insurance exchanges
H.R. ____	Reconciliation Recommendations of the House Committee on Energy and Commerce	<p>Limits compensatory damages related to medical malpractice</p> <p>Establishes a three-year statute of limitations for medical malpractice claims</p> <p>Establishes a fair-share rule for liability</p> <p>Limits attorneys' fees</p>
H.R. ____	Social Security Number Required to Claim the Refundable Portion of the Child Tax Credit (Reconciliation Recommendation of the House Committee on Ways and Means)	Requires taxpayers to provide their Social Security number in order to claim the refundable portion of the child tax credit
S. 847	Safe Chemicals Act of 2011	Requires manufacturers and processors of chemicals to submit additional data to the Environmental Protection Agency (EPA) and comply with safety standards
S. 1449	Motor Vehicle and Highway Safety Improvement Act of 2011	<p>Requires manufacturers of child safety seats, agricultural equipment, motor vehicles, and vehicle parts to comply with new safety standards</p> <p><i>Requires manufacturers to pay for testing of devices conducted by federal laboratories</i></p> <p>Imposes administrative requirements on car dealerships and importers of motor vehicles and vehicle parts</p>
S. 1813	Moving Ahead for Progress in the 21st Century Act, with an amendment, Number 1761	<p>Requires manufacturers of child safety seats, agricultural equipment, motor vehicles, and vehicle parts to comply with new safety standards</p> <p>Establishes standards for motorcoach safety</p> <p><i>Requires manufacturers to pay for testing of devices conducted by federal laboratories</i></p>

Continued

Table 8. **Continued**
Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Exceed the Statutory Threshold^a (Continued)		
S. 1813 (Continued)	Moving Ahead for Progress in the 21st Century Act, with an amendment, Number 1761	<p><i>Requires entities that employ drivers to check, at least annually, the driving records of those drivers and to maintain those records</i></p> <p><i>Imposes new registration and financial requirements on applicants for motor carrier, forwarder, and broker authorities-placing brokers of motor carriers under the jurisdiction of the Department of Transportation</i></p> <p>Requires driving schools to issue certificates demonstrating that their training complies with new regulations</p> <p>Requires new owners of companies that rent or lease motorcoaches as well as brokers of motorcoach services to register with the government</p> <p>Requires carriers that apply to operate motorcoach services to undergo safety audits</p> <p>Increases the frequency with which motorcoach carriers have to submit to periodic safety reviews</p> <p>Requires motorcoach carriers to submit to annual state inspections</p> <p>Requires medical examiners who certify the medical fitness of applicants to be commercial drivers to file paperwork with state licensing agencies</p> <p>Requires applicants seeking authority to operate a new motorcoach service to disclose any ownership, management, or familial relations with other motorcoach operators during the previous years</p> <p>Imposes administrative requirements on car dealerships and importers of motor vehicles and vehicle parts</p> <p>Requires owners and operators of facilities to comply with uniform procedures for safely loading and unloading hazardous materials on and off motor vehicles and railcars with tanks</p> <p>Requires employers to pay a fee to check the records of certain employees</p> <p>Requires rail carriers to comply with a certification process</p>

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Table 8.

Continued

Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Exceed the Statutory Threshold^a (Continued)		
S. 1813 (Continued)	Moving Ahead for Progress in the 21st Century Act, with an amendment, Number 1761	<p>Requires Amtrak to complete a business and financing plan to improve the Northeast Corridor and prohibits Amtrak from paying the host railroad for on-time performance unless specific metrics are met</p> <p>Requires employers or other administrators of pension benefit plans to notify participants when account changes occur and to adopt new actuarial assumptions</p>
S. 2132	Highway Investment, Job Creation, and Economic Growth Act of 2012	<p>Restricts the use of the tax credit for cellulosic biofuel production</p> <p>Revokes or denies passports in cases of certain tax delinquencies</p> <p>Modifies the required minimum distribution rules for pension plans</p> <p>Expands a notification requirement on employers</p>
S. 2516	Food and Drug Administration Safety and Innovation Act	<p>Requires manufacturers of brand-name prescription drugs, generic drugs, "biosimilar" biological products, and medical devices to pay fees to the Food and Drug Administration</p> <p>Prevents manufacturers of generic or biosimilar versions of a drug from selling those products by granting periods of market exclusivity for certain types of drugs</p> <p><i>Expands requirements relating to the approval of pediatric drugs</i></p> <p><i>Expands registration requirements for certain entities involved in the manufacture, preparation, propagation, compounding, or processing of drugs</i></p> <p><i>Prevents certain drug manufacturers from using a regulatory process to prohibit the sale of a drug to developers of generic or biosimilar drugs</i></p> <p>Requires manufacturers of certain drugs to notify the Food and Drug Administration before discontinuing production of those drugs</p>

Continued

Table 8.

Continued

Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Exceed the Statutory Threshold^a (Continued)		
S. 3326	A bill to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes	Extends customs user fees: Consolidated Omnibus Budget Reconciliation Act (COBRA) fees and merchandise-processing fees Renews the ban on imports from Burma
S. 3568	Citrus, Wool, and Cotton Trust Fund Act of 2012	Extends customs user fees: Consolidated Omnibus Budget Reconciliation Act (COBRA) fees and merchandise-processing fees
Bills Containing Private-Sector Mandates with Aggregate Costs That Could Not Be Determined		
H.R. 7 (House Rules)	American Energy and Infrastructure Jobs Act of 2012	<i>Establishes standards for motorcoach safety</i> <i>Requires manufacturers' agricultural equipment to comply with new safety standards</i> <i>Imposes new registration and financial requirements on applicants for motor carrier, forwarder, and broker authorities-placing brokers of motor carriers under the jurisdiction of the Department of Transportation</i> <i>Establishes requirements for owners and operators of motor vehicles transporting radioactive materials and other entities</i> <i>Eliminates a retirement supplement for some federal employees</i> Requires driving schools to issue certificates demonstrating that their training complies with new regulations Requires motor carriers of household goods to undergo safety audits Requires medical examiners who certify the medical fitness of applicants to be commercial drivers to file paperwork with state licensing agencies

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Table 8. **Continued**
Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Could Not Be Determined (Continued)		
H.R. 7 (House Rules, Continued)	American Energy and Infrastructure Jobs Act of 2012	<p>Requires applicants seeking authority to operate a new motorcoach service to disclose any ownership, management, or familial relations with other motorcoach operators during the previous years</p> <p>Requires employers to pay a fee to check the records of certain employees</p> <p>Requires Amtrak to provide food and beverage from bidders selected by the Federal Railroad Administration</p> <p>Prohibits the transportation of horses in interstate commerce in a motor vehicle containing two or more levels stacked on top of one another</p>
H.R. 7 (House Transportation and Infrastructure)	American Energy and Infrastructure Jobs Act of 2012	<p><i>Establishes standards for motorcoach safety</i></p> <p><i>Requires manufacturers' agricultural equipment to comply with new safety standards</i></p> <p><i>Imposes new registration and financial requirements on applicants for motor carrier, forwarder, and broker authorities-placing brokers of motor carriers under the jurisdiction of the Department of Transportation</i></p> <p><i>Establishes requirements for owners and operators of motor vehicles transporting radioactive materials and other entities</i></p> <p>Requires driving schools to issue certificates demonstrating that their training complies with new regulations</p> <p>Requires motor carriers of household goods to undergo safety audits</p> <p>Requires medical examiners who certify the medical fitness of applicants to be commercial drivers to file paperwork with state licensing agencies</p> <p>Requires applicants seeking authority to operate a new motorcoach service to disclose any ownership, management, or familial relations with other motorcoach operators during the previous years</p> <p>Requires employers to pay a fee to check the records of certain employees</p> <p>Requires Amtrak to provide food and beverage from bidders selected by the Federal Railroad Administration</p>

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Table 8.

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Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Could Not Be Determined (Continued)		
H.R. 7 (House Transportation and Infrastructure, Continued)	American Energy and Infrastructure Jobs Act of 2012	Prohibits the transportation of horses in interstate commerce in a motor vehicle containing two or more levels stacked on top of one another
H.R. 2106	Syria Freedom Support Act	<i>Eliminates existing rights of action, expands the list of transactions associated with Syria for which entities may be sanctioned, and increases the number of entities responsible for complying with those prohibited transactions</i> Limits an existing right to travel within the United States
H.R. 2356	WMD Prevention and Preparedness Act of 2012	<i>Requires laboratories to comply with new security standards</i>
H.R. 3409	Coal Miner Employment and Domestic Energy Infrastructure Protection Act	<i>Requires coal-fired power plants to comply with regulations for the disposal of coal ash</i>
H.R. 3813	Securing Annuities for Federal Employees Act of 2012	<i>Eliminates a retirement supplement for some federal employees</i>
H.R. 5949 (House Intelligence)	FISA Amendments Act Reauthorization Act of 2012	<i>Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users</i> <i>Limits civil actions against providers of electronic communication services that furnish information to the federal government</i>
H.R. 5949 (House Judiciary)	FISA Amendments Act Reauthorization Act of 2012	<i>Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users</i> <i>Limits civil actions against providers of electronic communication services that furnish information to the federal government</i>
H.R. 6083	Federal Agriculture Reform and Risk Management Act of 2012	<i>Requires dairy handlers to report information to the Department of Agriculture, reduce payments to some dairy producers, and pay to the Department of Agriculture the amount by which payments were reduced</i> Increases and extends pesticide maintenance fees Extends registration service fees for the use of pesticides and requires some manufacturers of pesticides to submit efficacy data to support some statements on product labels Requires imports of olive oil to meet the same standards as olive oil produced in the United States if a marketing order for olive oil is established

Table 8. **Continued**
Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Could Not Be Determined (Continued)		
S. 1950	Commercial Motor Vehicle Safety Enhancement Act of 2011	<p><i>Establishes standards for motorcoach safety</i></p> <p><i>Requires entities that employ drivers to check, at least annually, the driving records of those drivers and to maintain those records</i></p> <p><i>Imposes new registration and financial requirements on applicants for motor carrier, forwarder, and broker authorities-placing brokers of motor carriers under the jurisdiction of the Department of Transportation</i></p> <p>Requires driving schools to issue certificates demonstrating that their training complies with new regulations</p> <p>Requires new owners of companies that rent or lease motorcoaches as well as brokers of motorcoach services to register with the government</p> <p>Requires carriers that apply to operate motorcoach services to undergo safety audits</p> <p>Increases the frequency with which motorcoach carriers have to submit to periodic safety reviews</p> <p>Requires motorcoach carriers to submit to annual state inspections</p> <p>Requires medical examiners who certify the medical fitness of applicants to be commercial drivers to file paperwork with state licensing agencies</p> <p>Requires applicants seeking authority to operate a new motorcoach service to disclose any ownership, management, or familial relations with other motorcoach operators during the previous years</p> <p>Imposes safety requirements on operators of foreign-domiciled motor carriers</p> <p>Requires employers to pay a fee to check the records of certain employees</p>
S. 1956	European Union Emissions Trading Scheme Prohibition Act of 2011	<p><i>Prohibits U.S. air carriers from participating in the European Union Emissions Trading Scheme if the Secretary of Transportation believes such a prohibition to be in the public interest</i></p>

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Table 8.

Continued

Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Could Not Be Determined (Continued)		
S. 2101	Iran Sanctions, Accountability, and Human Rights Act of 2012	<i>Expands the list of transactions associated with Iran and Syria for which entities may be sanctioned and increases the number of entities responsible for complying with those prohibited transactions</i> Increases reporting requirements for issuers of financial securities
S. 3240 (Introduced)	Agriculture Reform, Food, and Jobs Act of 2012	<i>Requires dairy handlers to report information to the Department of Agriculture, reduce payments to some dairy producers, and pay to the Department of Agriculture the amount by which payments were reduced</i> Expands reporting requirements on manufacturers of dairy products
S. 3240 (Passed Senate)	Agriculture Reform, Food, and Jobs Act of 2012	<i>Requires dairy handlers to report information to the Department of Agriculture, reduce payments to some dairy producers, and pay to the Department of Agriculture the amount by which payments were reduced</i> Expands reporting requirements on manufacturers of dairy products Prohibits individuals from attending animal-fighting ventures
S. 3276 (Senate Intelligence)	FAA Sunsets Extension Act of 2012	<i>Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users</i> <i>Limits civil actions against providers of electronic communication services that furnish information to the federal government</i>
S. 3276 (Senate Judiciary)	FAA Sunsets Extension Act of 2012	<i>Extends the authority of federal law enforcement officials to compel providers of communication services to release information about consumers and users</i> <i>Limits civil actions against providers of electronic communication services that furnish information to the federal government</i>
S. 3322	Servicemembers' Protection Act of 2012	<i>Invalidates standing agreements that require employees and employers to participate in mandatory arbitration</i> Prohibits landlords from imposing an early termination fee on service members who end a residential lease because they are reassigned or relocated to housing under the jurisdiction of a uniformed service

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Table 8. **Continued**
Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Could Not Be Determined (Continued)		
S. 3322 (Continued)	Servicemembers' Protection Act of 2012	Requires lending institutions to comply with new standards, extends the length of stay of some civil proceedings, and expands stays of civil proceedings for surviving spouses Requires private entities subject to civil orders issued by the Attorney General to produce documents for review and duplication and to respond to questioning
S. 3523	Innovative Design Protection Act of 2012	<i>Prohibits any person from manufacturing, selling, or distributing an article of apparel that copies a protected fashion design</i>
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold		
H.R. 373	Unfunded Mandates Information and Transparency Act of 2011	Requires private entities to pay higher regulatory fees
H.R. 511	A bill to amend title 18, United States Code, to prohibit the importation of various injurious species of constrictor snakes	Prohibits the importation and transportation of several species of snakes without a permit
H.R. 890	Tom Lantos Justice for Holocaust Survivors Act	Makes companies in the United States that issued World War II-era insurance policies liable for claims by Holocaust survivors
H.R. 940	United States Covered Bond Act of 2011	Requires financial institutions to pay additional fees or deposit insurance premiums to the Federal Deposit Insurance Corporation
H.R. 1588	Consumer Rental Purchase Agreement Act	Requires merchants who provide the use of property through a rent-to-own agreement to provide certain disclosures to consumers in those agreements and in advertisements, provide information in merchandise labeling, and furnish statements of account to customers upon request Prohibits merchants who provide the use of property through a rent-to-own agreement from charging certain fees related to acquiring ownership through a rent-to-own agreement and from entering the premises of customers to reclaim property without customers' permission
H.R. 1775	Stolen Valor Act of 2012	Prohibits individuals from claiming to have received a military medal or decoration with the intention of obtaining money, property, or other tangible benefits
H.R. 2299	Child Interstate Abortion Notification Act	Requires doctors to notify parents before performing an abortion on some minors

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Table 8.

Continued

Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
H.R. 2299 (Continued)	Child Interstate Abortion Notification Act	Prohibits the transport of a minor across state lines with the intention of obtaining an abortion in a state that does not require parental notification or consent
H.R. 2308	SEC Regulatory Accountability Act	Increases fees levied on private entities by the Securities and Exchange Commission and the Public Company Accounting Oversight Board to cover regulatory activities Requires private regulatory organizations to incorporate additional analyses into their rulemaking processes
H.R. 2309	Postal Reform Act of 2011	Increases the postage rates for mail used as by nonprofits and entities that mail agricultural periodicals Increases the postage rate paid by national and state political committees by repealing their current discount
H.R. 2446	RESPA Home Warranty Clarification Act of 2011	Requires providers of home warranty services to note instances when persons not employed by them are paid to perform certain services Requires real estate brokers and agents to disclose the receipt of compensation to recommend home warranty or other residential services
H.R. 2471	An act to amend section 2710 of title 18, United States Code, to clarify that a videotape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet	Requires providers of videotape services and other entities to use "distinct and separate" forms when obtaining consent to disclose a consumer's personally identifiable information and to notify a customer or subscriber of the fact that the provider has disclosed information about the individual's electronic communication activities to the government
H.R. 2706	Billfish Conservation Act of 2011	Prohibits individuals from selling or possessing billfish (marlin and other species) or billfish products in nearly all states and some territories of the United States
H.R. 2903	FEMA Reauthorization Act of 2012	Eliminates an existing right of action for individuals to seek compensation for damages that may occur during training exercises Requires employers to allow members of urban search and rescue teams to reclaim their jobs after they return from deployment
H.R. 3065	Target Practice and Marksmanship Training Support Act	Eliminates an individual's existing right to seek compensation from the federal government for damages occurring at a public target range supported by federal funds
H.R. 3120	Student Visa Reform Act	Requires foreign students studying in the United States to attend accredited colleges or universities

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Table 8.

Continued

Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
H.R. 3309	Federal Communications Commission Process Reform Act of 2012	Increases fees levied on private entities by the Federal Communications Commission to cover regulatory activities
H.R. 3606 (House Rules)	Jumpstart Our Business Startups Act	Prohibits national securities associations from issuing rules to restrict certain oral and written communications related to public offerings of emerging growth companies Increases fees levied on private entities by the Securities and Exchange Commission to cover regulatory activities
H.R. 3606 (House Financial Services)	Reopening American Capital Markets to Emerging Growth Companies Act of 2011	Prohibits national securities associations from issuing rules to restrict certain oral and written communications related to public offerings of emerging growth companies Increases fees levied on private entities by the Securities and Exchange Commission to cover regulatory activities
H.R. 3803	District of Columbia Pain-Capable Unborn Child Protection Act	Bans certain abortions in the District of Columbia and by instituting new reporting requirements for all abortions performed in that jurisdiction
H.R. 3973	Native American Energy Act	Requires plaintiffs to post a bond when seeking a preliminary injunction to stop activities related to Native American energy projects
H.R. 3990	Encouraging Innovation and Effective Teachers Act	Eliminates an existing right of action by shielding schools from liability that might result from enrolling unaccompanied youth without parental or guardian consent
H.R. 4078	Red Tape Reduction and Small Business Job Creation Act	Requires private entities to pay regulatory fees
H.R. 4273	Resolving Environmental and Grid Reliability Conflicts Act of 2012	Eliminates an existing right to seek compensation for damages under environmental laws from utilities operating in compliance with a federal emergency order issued by Department of Energy
H.R. 4310	National Defense Authorization Act for Fiscal Year 2013	Requires mortgage lenders to consider, for refinancing inquiries or applications, active-duty service members who have been relocated to be occupying the residence that secures a mortgage
H.R. 4369	Furthering Asbestos Claim Transparency (FACT) Act of 2012	Requires asbestos trusts to submit quarterly reports
H.R. 4970	Violence Against Women Reauthorization Act of 2012	Increases reporting requirements for international marriage brokers Prohibits certain activities by individuals who hold a supervisory role over persons under official control of the United States

Continued

Table 8.

Continued

Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
H.R. 5747	Military Family Home Protection Act	Requires lending institutions to extend the length of stay of some civil proceedings; expand stays of civil proceedings for surviving spouses; designate an employee to ensure compliance; consider deployed service members as occupying the residence that secures a mortgage for refinancing; and maintain a toll-free number to provide assistance Requires employers to continue to employ veterans who are absent to receive medical treatment for a service-connected disability and to grant veterans rights and benefits as if they had not been absent
H.R. 6131	A bill to extend the Undertaking Spam, Spyware, and Fraud Enforcement with Enforcers Beyond Borders Act of 2006, and for other purposes.	Limits an existing right of action by exempting from liability private entities that voluntarily provide certain information about third parties to the Federal Trade Commission
H.R. ____	Reconciliation Recommendations of the House Committee on Financial Services	Requires lenders to provide more information about flood insurance Requires lenders to accept flood insurance from a private company if the policy fulfills all federal requirements for flood insurance Requires lenders to terminate some flood insurance policies and refund premium payments for duplicate coverage
S. 432	Lake Tahoe Restoration Act of 2011	Requires owners and operators to have their watercraft inspected for invasive species, document those inspections, have their watercraft decontaminated, and pay decontamination fees
S. 710	Hazardous Waste Electronic Manifest Establishment Act	Requires some waste management facilities that receive hazardous waste to submit copies of shipment manifests to EPA Requires waste management facilities that use a paper system for tracking shipments to submit copies of shipment manifests to EPA's electronic system
S. 810	Great Ape Protection and Cost Savings Act of 2011	Prohibits invasive research on great apes without authorization from a research task force
S. 1065 (As ordered reported on December 8, 2011)	Blackfoot River Land Settlement Act of 2011	Terminates ownership rights to parcels of land and requires exchange of lands through statute

Continued

Table 8.

Continued

Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
S. 1065 (As ordered reported on June 28, 2012)	Blackfoot River Land Settlement Act of 2011	Terminates ownership rights to parcels of land and requires exchange of lands through statute
S. 1324	Captive Primate Safety Act	Prohibits any person from importing, exporting, transporting, selling, receiving, acquiring, or purchasing nonhuman primates in interstate or foreign commerce
S. 1665	Coast Guard Authorization Act for Fiscal Years 2012 and 2013	Raises the costs of complying with existing private-sector mandates by increasing the number of Coast Guard personnel eligible for protection under the Servicemembers Civil Relief Act Accelerates requirements on private entities related to oil spill responses in the Puget Sound Requires ship owners to pay certain expenses of seamen who are abandoned under certain conditions
S. 1925	Violence Against Women Reauthorization Act of 2011	Increases reporting requirements for international marriage brokers and prohibits certain activities by individuals who hold a supervisory role over persons under official control of the United States
S. 1952	Hazardous Materials Transportation Safety Improvement Act of 2011	Requires owners and operators of facilities to comply with uniform procedures for safely loading and unloading hazardous materials on and off motor vehicles and railcars with tanks
S. 1953	Research and Innovative Technology Administration Reauthorization Act of 2011	Requires members of households to respond to data requests from the Bureau of Transportation Statistics
S. 2156	Migratory Bird Habitat Investment and Enhancement Act	Increases the price of duck stamps, which serve as a mandatory federal permit to hunt migratory waterfowl
S. 2241	GI Bill Consumer Awareness Act of 2012	Limits the ability of private entities to use the term "GI Bill"
S. 2279	R.M.S. <i>Titanic</i> Maritime Memorial Preservation Act of 2012	Prohibits private entities from engaging in some activities related to R.M.S. <i>Titanic</i> property without a federal permit Requires vessels to notify the federal government before stopping within the designated zone surrounding the R.M.S. <i>Titanic</i>
S. 2388	National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2012	Increases the costs of complying with existing mandates related to protections for personnel in the National Oceanic and Atmospheric Administration's commissioned officer corps

Continued

Table 8.

Continued

Bills Reviewed by CBO in 2012 That Contained Private-Sector Mandates

Bill Number (Committee)	Title of Legislation	Description of Mandate
Bills Containing Private-Sector Mandates with Aggregate Costs That Would Fall Below the Statutory Threshold (Continued)		
S. 3085	Responsible Homeowner Refinancing Act of 2012	Requires lien holders and insurers of mortgages to pay an assessment if they prevent the refinancing of an eligible mortgage through the Home Affordable Refinance Program
S. 3254	National Defense Authorization Act for Fiscal Year 2013	Requires creditors to expand limits on interest rates and provide loan disclosures to a previously uncovered group of dependents of service members
S. 3331	Intercountry Adoption Universal Accreditation Act of 2012	Requires all providers of placement services for intercountry adoptions to be compliant with the accreditation standards of the Hague Convention
S. 3410	A bill to extend the Undertaking Spam, Spyware, and Fraud Enforcement with Enforcers Beyond Borders Act of 2006, and for other purposes	Limits an existing right of action by exempting from liability private entities that voluntarily provide certain information about third parties to the Federal Trade Commission
S. 3578	Elementary and Secondary Education Reauthorization Act of 2011	Eliminates an existing right of action by shielding schools from liability that might result from enrolling unaccompanied youth without parental or guardian consent

Source: Congressional Budget Office.

Note: The staff of the Joint Committee on Taxation examines tax provisions of legislation to identify federal mandates and estimate their costs. Such information is incorporated into CBO's mandate statements.

- a. In some cases, proposed legislation reviewed by CBO contained multiple mandates, some of which did not have costs exceeding the statutory threshold.



Appendix A: Overview of Key Provisions in the Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (UMRA) comprises four titles that address how various parts of the federal government should handle proposed and existing mandates imposed on state, local, and tribal governments and on the private sector.

- Title I, Legislative Accountability and Reform, requires the Congressional Budget Office (CBO) and authorizing committees that oversee federal programs and authorize appropriations to develop and report information about the existence and costs of mandates in proposed legislation.¹ It also establishes mechanisms for bringing that information to the attention of the Congress before such legislation is considered on the floor of the House or Senate.
- Title II, Regulatory Accountability and Reform, applies to actions of federal agencies in implementing federal law. It requires most agencies in the executive branch (except some independent regulatory agencies) to assess the effects of their regulatory actions on state, local, and tribal governments and on the private sector. It also requires that statements about such effects accompany certain significant regulations, that agencies seek input from other levels of government in developing regulations, and that agencies consider alternatives that would ease the financial burden of regulations.

- Title III, Review of Federal Mandates, required the now-defunct Advisory Commission on Intergovernmental Relations (ACIR) to prepare three reports: a baseline study of the costs and benefits of federal mandates imposed on state, local, and tribal governments; a review of the impact of unfunded federal mandates on those governments along with recommendations for easing, consolidating, or terminating mandates; and an annual report identifying federal court rulings that required state, local, or tribal governments to undertake additional responsibilities and activities.²
- Title IV, Judicial Review, allows for limited judicial review of certain actions by agencies and of rules developed under title II of UMRA.

This appendix focuses on title I, which prescribes CBO's responsibilities under the act.

Defining Mandates

Under UMRA, a mandate is any provision in legislation, statute, or regulation that would impose an enforceable duty on state, local, or tribal governments or the private sector or that would reduce or eliminate the amount of funding authorized to cover the direct costs of existing mandates. UMRA does not define "enforceable duty," but CBO has interpreted the term to mean actions that would be either required or prohibited by the sovereign

1. Authorizing committees have legislative jurisdiction over the establishment, operation, and continuation of federal programs or agencies; they also control spending for programs other than those that receive annual appropriations under the aegis of the appropriations committees.

2. ACIR completed and released the report on judicial mandates in July 1995. In January 1996, the commission published a preliminary report on the impact of federal mandates imposed on state and local governments. ACIR received no appropriations after fiscal year 1996 and was terminated at the end of that year.

authority of the United States. For instance, a provision that would require companies to comply with a federal safety or environmental standard—or that would prohibit a business activity or establish a mandatory fee for businesses—would impose a mandate. In addition, for some large entitlement programs—those that provide \$500 million or more annually to state, local, or tribal governments—a new condition on, or a reduction in, federal assistance would be a mandate, but only if those governments lack the flexibility to offset the new costs or the loss of federal funding with reductions elsewhere in the program.

A duty that arises out of participation in a voluntary federal program or that is a condition for receiving federal assistance does not fall within UMRA's definition of a mandate because such a duty is not compulsory. Some federal programs may establish requirements for participants that, by UMRA's definition, are not considered mandates even though the participants might incur significant costs as a result of the requirements. Nevertheless, CBO identifies those costs whenever possible. For example, the Healthy, Hunger-Free Kids Act of 2010 (as ordered reported by the Senate Committee on Agriculture, Nutrition, and Forestry in March 2010) would have made changes to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). Those changes would have established additional requirements for state WIC programs, including cost containment measures and electronic benefit transfers. States' participation in the WIC program, however, is voluntary, and so too would be compliance with the additional requirements. Hence, under the guidelines specified by UMRA, those provisions of the bill contained no intergovernmental mandates.

Estimating the Costs of Mandates

Direct costs of mandates are defined in UMRA as amounts that the private sector or state, local, or tribal governments would be required to spend to comply with the enforceable duty, including amounts that states, localities, or tribes would be prohibited from raising in revenues. Additionally, when the mandate takes the form of a restriction on the ability of private-sector entity to generate revenue, CBO measures the cost of that mandate as the direct loss of income. Such losses are not explicitly included in UMRA's definition of costs, but CBO interprets UMRA's definition of a mandate to include not only requirements that would result in

expenditures but also prohibitions that would result in lost income. Thus, in cases in which legislation would ban the production or sale of a good, CBO would measure the cost of the mandate as the net income forgone because of the ban. For example, CBO's estimate for the Synthetic Drug Control Act of 2011 included forgone income from lost sales in the estimated cost of a ban on certain synthetic chemicals.

CBO estimates direct costs as the total cost incurred by the entities on which the mandate is imposed, regardless of whether those costs may be passed on to other entities such as consumers and workers. Direct costs exclude amounts that public or private entities would spend to comply with applicable laws, regulations, or professional standards in effect when the federal mandate is adopted. As directed by UMRA, CBO assumes that public and private entities would comply with mandates as efficiently as possible. Moreover, such costs are limited to spending that would result directly from the enforceable duty imposed by the legislation rather than from the legislation's broad effects on the economy. That is, estimates of mandate costs do not include the effects of each bill on gross domestic product, employment, or inflation.³

In addition, in CBO's estimates, direct costs are offset by any direct savings that would result from complying with the mandate or by savings from other provisions of the same legislation that govern the same activity as the one affected by the mandate. Direct savings do not include the impact of any authorization of appropriations in the same bill, or any funding authorized under current law, that might be used to help pay for a mandate.

Because the term "mandate" is defined narrowly in UMRA, the budgetary impacts that legislation may have on other governments or the private sector are not solely the result of mandates. For example, costs associated with complying with conditions of receiving grants for most new or existing programs are not considered mandate costs under UMRA. Most of the nonmandate costs to governments or the private sector that CBO identifies when reviewing bills would result from conditions for receiving federal aid or participating in voluntary federal programs.

3. For more information about estimating the costs of mandates on the private sector, see Congressional Budget Office, *Private-Sector Mandates in Federal Legislation* (January 2013), www.cbo.gov/publication/43840.

CBO's Role in Preparing Mandate Cost Statements

UMRA requires CBO to prepare mandate statements for bills that are approved by authorizing committees. In those statements, CBO must specify whether the direct costs of mandates in a bill would exceed the statutory threshold established under UMRA. If the total direct costs of all mandates in the bill are above the threshold in any of the first five fiscal years in which the mandates are effective, CBO must provide an estimate of those costs (if feasible) and explain the basis of the estimate.⁴ In some cases, CBO cannot estimate the cost of a mandate—for instance, when much of its impact would depend on the nature of the implementing regulations that would be issued by federal agencies. If CBO cannot estimate the cost of a mandate, it must explain why such an estimate is not feasible. The mandate statement that CBO prepares also must include an assessment of whether the bill authorizes or otherwise provides funding to cover the costs of any new federal mandate. In the case of intergovernmental mandates, the cost statement must, under certain circumstances, include an estimate of the appropriations needed to fund such authorizations for up to 10 years after the mandate takes effect.

UMRA also requires Congressional committees to report information about the existence and costs of mandates in proposed legislation. Authorizing committees must publish CBO's mandate statements in their reports or in the *Congressional Record* before a bill is considered on the floor of the House or the Senate.

The Congress may also call on CBO to prepare analyses of federal mandates at other stages of the legislative process. At the request of a Senator, CBO must estimate the costs of intergovernmental mandates contained in an amendment the Senator may wish to offer. At the request of the chairman or ranking member of a committee, CBO will help analyze the impact of proposed legislation, conduct special studies of legislative proposals, or compare a federal agency's estimate of the costs of proposed regulations to implement a federal mandate with CBO's estimate.

4. The statutory thresholds are \$50 million for intergovernmental mandates and \$100 million for private-sector mandates in 1996 dollars, adjusted annually for inflation. (The thresholds in 2012 were \$73 million for intergovernmental mandates and \$146 million for private-sector mandates.)

Because UMRA requires CBO to issue mandate statements when bills are approved by authorizing committees, not all legislative provisions are reviewed for mandates. For example, a mandate statement may not accompany legislation when the legislation is considered by the House or Senate without prior approval by a committee; when a bill is amended on the floor or in conference to include a provision that contains a mandate; or, in some cases, when a mandate is included in an appropriation bill. Still, UMRA requires conference committees to ensure, "to the greatest extent practicable," that CBO prepares statements for conference agreements or amended bills if they contain mandates not previously considered by either the House or the Senate or if they impose direct costs that are greater than those in a version considered earlier.

Additionally, not all legislation is subject to UMRA's requirements. In enacting the law, the Congress recognized that instances might arise in which budgetary considerations—such as who would bear the costs that a law might impose—should not be a key part of the debate about a legislative proposal. Therefore, UMRA excludes from its procedures provisions that, for example, deal with constitutional or statutory rights, implement international treaty obligations, are necessary for national security, or alter provisions of the Social Security Act related to old-age, survivors', or disability benefits.

Enforcement Mechanisms

UMRA sets out rules for both the House and the Senate that prohibit either chamber from considering legislation unless certain conditions are met. Specifically, UMRA prohibits the consideration of a reported bill unless the committee has published a statement from CBO about the costs of intergovernmental or private-sector mandates.

The rules preclude consideration of reported legislation that contains intergovernmental mandates with direct costs above the statutory threshold unless the legislation provides direct spending authority or authorizes appropriations sufficient to cover those costs. An authorization of an appropriation will not be sufficient unless the authorized amounts are specified for each year (up to 10 years) after the effective date and the legislation provides a way to terminate or scale back the mandate if the federal agency determines that the appropriated funds are not sufficient to cover those costs.

UMRA does not expressly require CBO to prepare mandate statements for appropriation bills. In general, UMRA's points of order do not apply to the provisions of bills or resolutions reported by the appropriations committees (except legislative provisions). However, legislative provisions in such bills—or amendments to them—that would increase the direct costs of intergovernmental mandates are not in order for consideration on the House or Senate floor unless an appropriate CBO statement is provided.⁵

The rules are not automatically enforced, however; a Member must raise a point of order to enforce them.

(A point of order is an objection raised by a Member on the floor of the House or Senate that questions an action being taken as contrary to the rules of that body.) If a point of order is raised in the House or Senate as provided for in UMRA, each chamber resolves the issue according to its established rules and procedures.

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5. In many cases, it is not clear what constitutes a legislative provision in an appropriation bill. Therefore, CBO prepares mandate statements for those bills only when requested. On an informal basis, however, CBO reviews all appropriation bills as they move through the legislative process and alerts the appropriation clerks if it identifies any intergovernmental mandates.



Appendix B: Mandates Enacted Between 1996 and 2012 with Estimated Costs That Exceed the Statutory Threshold

This appendix lists the intergovernmental (Table B-1) and private-sector (Table B-2) mandates enacted since 1996 that the Congressional Budget Office (CBO) has identified as imposing costs above the annual thresholds established in the Unfunded Mandates

Reform Act. CBO has identified intergovernmental mandates with costs that exceed the annual threshold in fewer than 1 percent of public laws, and private-sector mandates with such costs in fewer than 5 percent of the laws enacted since 1996.

Table B-1.

Enacted Intergovernmental Mandates with Estimated Costs That Exceed the Statutory Threshold, 1996 to 2012

Since 1996, 13 laws have been enacted that contained intergovernmental mandates with costs that exceed the threshold established in the Unfunded Mandates Reform Act. In 1996, the threshold for intergovernmental mandates was \$50 million. That amount has been adjusted annually for inflation, and in 2012 the threshold was \$73 million.

No laws enacted in 2012 contained intergovernmental mandates with costs above the threshold.

Topic	Description of Mandate	Public Law Number
Child Nutrition	Requires schools to provide meals that comply with new standards for menu planning and nutrition	111-296
	Requires schools to comply with nutrition standards for all food sold in schools	111-296
Child Support	Eliminates matching federal payments for some spending on child support	109-171
Driver's Licenses, Identification Cards, and Vital Statistics Documents	Requires state and local governments to meet certain standards for issuing driver's licenses, identification cards, and vital statistics documents	108-458
Food Stamp Administration	Reduces federal funding for administering the Food Stamp program (now the Supplemental Nutrition Assistance Program)	105-185
Health Care	Imposes notice and reporting requirements on health insurance plans (including self-insured plans), employers, and other public and private entities	111-148
	Requires health insurance plans (including self-insured plans) to comply with new standards for extending coverage to beneficiaries and their dependents	111-148
	Requires public and private employers to pay an excise tax on employer-sponsored health insurance coverage defined as having high costs	111-148
	Requires health insurance plans (including self-insured plans) to pay an annual fee based on the average number of people covered by the policy	111-148
	Requires public and private entities that handle health information to comply with new regulations	111-148
Internet Taxation	Temporarily preempts states' authority to tax certain Internet services and transactions	108-435
	Extends the preemption contained in Public Law 108-435 of states' authority to tax certain Internet services and transactions through most of 2011	110-108

Continued

Table B-1.**Continued**

Enacted Intergovernmental Mandates with Estimated Costs That Exceed the Statutory Threshold, 1996 to 2012

Topic	Description of Mandate	Public Law Number
Minimum Wage	Increases the minimum wage paid by state and local governments to their employees	104-188, 110-28
Premium Taxes on Prescription Drug Plans	Preempts state taxes on premiums for certain prescription drug plans	108-173
Rail and Transit	Requires all public transit and rail carriers to train workers and submit reports to the Department of Homeland Security	110-53
	Requires commuter railroads to install train control technology	110-432
Tax Withholding	Requires state and local governments to withhold taxes on certain payments for property and services	109-222

Source: Congressional Budget Office.

Table B-2.

Enacted Private-Sector Mandates with Estimated Costs That Exceed the Statutory Threshold, 1996 to 2012

Since 1996, the Congressional Budget Office has identified 131 private-sector mandates in 89 public laws with costs estimated to exceed the annual threshold.¹ In 1996, the threshold established in the Unfunded Mandates Reform Act for private-sector mandates was \$100 million. That amount has been adjusted annually for inflation; in 2012, the threshold was \$146 million.

Fewer than 5 percent of the public laws enacted since UMRA became effective in 1996 have contained private-sector mandates with costs estimated to exceed the threshold. Over half of those mandates involve taxes or fees. Many of the mandates temporarily extended existing mandates for a period of time.

Topic	Description of Mandate	Public Law Number ^a
Agriculture	Changes the method by which minimum prices are established for fluid milk in different regions of the country	106-113
	Requires country-of-origin labels for various foods	107-171, 110-246
Aviation	Imposes security procedures and user fees to fund aviation security programs	107-71
	Requires owners of aircraft operating in congested airspace or at congested airports to install new communications	112-95
	Prohibits the operation of certain aircraft that are not in compliance with low-noise standards	112-95
Bankruptcy	Changes procedures for administering bankruptcy claims	109-8
Campaign Finance Reform	Changes procedures for the collection and use of campaign contributions	107-155
Coal Mines	Imposes mining reclamation fees on operators of coal mines	109-54, 109-234, 109-432
	Requires operators of underground coal mines to install equipment to improve accident preparedness	109-236
Conflict Minerals	Requires manufacturers that use certain minerals to disclose where they obtained such minerals and to take measures to verify whether using such minerals benefits any armed groups in the Democratic Republic of Congo or an adjoining country	111-203
Consumer Product Safety	Requires manufacturers, distributors, retailers, and importers of consumer products to abide by new standards and labeling requirements	110-314
Elimination of Right to Seek Compensation	Limits possible recoveries on terrorism-related lawsuits against Libya	110-301

Continued

1. Public Laws 108-121, 108-197, and 108-357 extended mandates with costs that exceed the statutory threshold that were scheduled to expire. Under UMRA, the direct cost of legislation to extend a mandate that is scheduled to expire, but has not yet expired, is unclear. Therefore, CBO did not count those mandates in its tally of enacted mandates with costs that exceed the statutory threshold. However, in 2006 CBO decided to treat the extension of a mandate that has not yet expired like it would treat legislation that would extend the authorization of a program that has not yet expired. In other words, CBO estimates the direct costs of the mandate that would result from each additional year that the mandate would be in effect. This table includes those three mandates.

Table B-2.

Continued

Enacted Private-Sector Mandates with Estimated Costs That Exceed the Statutory Threshold, 1996 to 2012

Topic	Description of Mandate	Public Law Number ^a
Energy	Requires motor vehicle fuel to contain a certain volume of fuel from a renewable source	109-58, 110-140
	Establishes new energy-efficiency standards for appliances and lighting products	110-140
Finance	Imposes new requirements on credit agencies, lenders, and merchants that handle credit transactions	108-159
	Requires certain depository institutions to pay higher premiums for deposit insurance	109-171, 111-22
	Imposes new requirements on issuers of credit cards and gift cards	111-24
Food Safety	Requires facilities that manufacture, process, pack, receive, or hold food for consumption to register every two years with the Secretary of Health and Human Services, to comply with more frequent inspections, and to pay any fees associated with reinspection or recall	111-353
	Requires entities that manufacture, process, pack, transport, distribute, receive, hold, or import articles of food to comply with new recordkeeping and safety standards, new science-based production and harvesting standards, and new protections for employees	111-353
	Requires owners, operators, and agents of facilities that manufacture, process, pack, or hold food to comply with new recordkeeping and safety standards, particularly in the case of foods determined to pose a high risk for contamination	111-353
Government Fees	Requires companies and other entities to pay certain fees when filing a petition for an H-1B visa	108-447
	Imposes fees on holders and applicants of patents and trademarks	108-447, 110-161, 111-8, 111-45, 111-117, 112-29
	Imposes a surcharge on the filing fee for passport applications	109-167, 112-74
	Extends customs user fees	108-121, 108-357, 110-138, 110-246, 110-436, 111-124, 111-171, 111-227, 111-291, 111-344, 112-41, 112-42, 112-163
	Authorizes the Federal Deposit Insurance Corporation to assess fees on the financial industry to recover the cost of liquidating financial institutions	111-203
	Increases the merchandise-processing fee collected on most imported goods	112-40, 112-41

Continued

Table B-2.

Continued

Enacted Private-Sector Mandates with Estimated Costs That Exceed the Statutory Threshold, 1996 to 2012

Topic	Description of Mandate	Public Law Number ^a
Health Care	Requires health insurers to improve portability and continuity of health insurance coverage	104-191
	Requires certain health plans to provide for minimum-length maternity stays	104-204
	Imposes requirements on private health insurance providers under the Medicare program	105-33
	Requires parity in insurance coverage for mental health and other medical benefits	107-147, 108-197, 110-343
	Prohibits providers of group health coverage from offering incentives to military retirees to decline enrollment in a group health plan in favor of relying on the military's health care program	109-364
	Modifies requirements and conditions of continued coverage under the Consolidated Omnibus Budget Reconciliation Act for certain employers who offer group health insurance	111-5
	Requires health insurance plans (including self-insured plans) to comply with new standards for extending coverage to beneficiaries and their dependents	111-148
	Imposes notice and reporting requirements on health insurance plans (including self-insured plans), employers, and other private entities	111-148
	Requires employers to pay an excise tax on employer-sponsored health coverage defined as having high costs	111-148
	Requires health insurance plans (including self-insured plans) to pay an annual fee based on the average number of people covered by the policy	111-148
	Requires individuals to obtain acceptable coverage	111-148
	Imposes additional fees on health insurance providers and on manufacturers and importers of brand-name drugs and certain medical devices	111-148
	Requires private entities that handle health information to comply with new regulations	111-148
	Requires grandfathered health care plans to comply with new standards for extending health insurance coverage to beneficiaries and their dependents	111-152
Imposes additional fees on health insurance providers and on manufacturers and importers of brand-name drugs; taxes sales of certain medical devices	111-152	

Continued

Table B-2.**Continued****Enacted Private-Sector Mandates with Estimated Costs That Exceed the Statutory Threshold, 1996 to 2012**

Topic	Description of Mandate	Public Law Number^a
Housing	Requires Fannie Mae and Freddie Mac to contribute to a fund for affordable housing programs	110-289
Immigration	Imposes requirements on sponsors of immigrants	104-208
Minimum Wage	Increases the minimum wage paid by employers	104-188, 110-28
Motor Vehicles	Imposes new safety requirements on manufacturers of automobiles	107-318, 110-189
	Expands safety requirements for commercial motor carriers	109-59
	Establishes new standards for corporate average fuel economy standards for motor vehicles	110-140
	Requires manufacturers of child safety seats, agricultural equipment, motor vehicles, and vehicle parts to comply with new safety standards	112-141
Motorcoaches	Establishes standards for motorcoach safety	112-141
Online Shopping Security	Requires Internet sellers of goods or services that require consumers to opt out of receiving additional goods or services to provide new and more detailed information about those options to the consumer; prohibits Internet sellers from disclosing the financial information of their customers to any	111-345
Pharmaceuticals and Medical Devices	Requires drug manufacturers, at the request of the Food and Drug Administration, to conduct studies to determine the safety and efficacy of drugs and biological products for use in children and to develop appropriate formulations	108-155
	Extends user fees for manufacturers of prescription drugs and medical devices	110-85, 112-144, 112-193
	Prevents manufacturers of generic or "biosimilar" versions of a drug from selling those products by granting periods of market exclusivity for certain types of drugs	112-144
	Regulates the sale, distribution, and use of selected synthetic drugs	112-144
Pipeline Safety	Requires operators of transmission pipelines for natural gas in areas at risk of significant damage from spills to confirm safe operating pressures for pipelines and adhere to testing regulations	112-90
Rail Transportation	Requires railroads and bus services to implement security plans and conduct security training	110-53
	Requires railroads to develop and install train control technology	110-432

Continued

Table B-2.

Continued

Enacted Private-Sector Mandates with Estimated Costs That Exceed the Statutory Threshold, 1996 to 2012

Topic	Description of Mandate	Public Law Number ^a
Retirement	Increases required contributions for retirement	105-33
	Increases certain premiums to be paid to the Pension Benefit Guaranty Corporation by sponsors of single-employer and multiemployer defined-benefit pension plans	109-171, 112-141
	Shortens the schedule for vesting in private retirement funds	109-280
Revenue-Raising Provisions	Requires individuals or businesses to pay more in taxes	104-188, 104-193, 105-2, 105-34, 105-178, 105-206, 105-277, 106-170, 107-147, 108-357, 109-222 (3 mandates), 110-28, 110-140, 110-343 (6 mandates), 111-3, 111-5, 111-12, 111-69, 111-92 (2 mandates), 111-116, 111-147 (2 mandates), 111-148, 111-152 (2 mandates), 111-240, 112-9
Telecommunications	Requires carriers to provide interconnection and universal service and to block certain programs	104-104
	Prohibits the use of a spectrum by extending the deadline for the transition to digital television	111-4
	Requires broadcasters to move channels within the broadcasting spectrum and requires cable companies to carry certain channels	112-96
Tobacco Products	Imposes fees on manufacturers and importers of tobacco products	108-357, 111-31

Source: Congressional Budget Office

Note: The list of enacted private-sector mandates with costs exceeding the threshold is not necessarily comprehensive for the 1996–2001 period. Each year during that time, CBO analyzed the status of mandates in legislation that it had reviewed during the previous year to determine whether those mandates had been enacted. Some mandates that were enacted were not considered by a committee during the legislative process and thus might not have been reviewed by CBO. To address that issue, in 2002, CBO began to review all public laws enacted each year to determine whether they contained private-sector mandates. The table shows the mandates identified by CBO at the time they were considered or enacted.

a. Each public law contains one mandate unless noted otherwise.



Appendix C: Primary Contributors to CBO's Analyses of Mandates

The following Congressional Budget Office (CBO) staff members prepare the mandate statements that CBO produces for bills and other legislative proposals.¹

Intergovernmental Mandates

Budget Analysis Division

Leo Lex

J'nell Blanco

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Lisa Ramirez-Branum

Ernestine McNeil

Unit Chief, State and Local Government Cost Estimates

Agriculture, education, defense, international affairs, energy,
transportation

Commerce, banking, housing, general government

Administration of justice, disaster relief, natural resources, Indian affairs,
immigration, environment

Health, human resources, income security, Social Security, training,
employment

Administrative support

Private-Sector Mandates

Microeconomic Studies Division

Patrice Gordon

Nabeel Alsalam

Marin Burnett

Vi Nguyen

Amy Petz

Paige Piper/Bach

Denise Jordon-Williams

Unit Chief, Private-Sector Mandates

Education, employment, income security, Social Security

Administration of justice, commerce, consumer and occupational health
and safety, Indian affairs, international affairs

Education, employment, income security, Social Security

Agriculture, energy, environment, natural resources, transportation

Administration of justice, commerce, financial services, general
government, homeland security, housing

Administrative support

1. During 2012, the following former CBO staff members also contributed to CBO's mandate analyses: Lindsay Coleman, Jimmy Jin, and Kalyani Parthasarathy. In addition, Danielle Parnass assisted in the preparation of several mandate estimates as an intern.

Health, Retirement, and Long-Term Analysis Division

Stuart Hagen	Coordinator: health
Anna Cook	Health
Alexia Diorio	Health
Michael Levine	Health

Financial Analysis Division

Damien Moore	Assistant Director for Financial Analysis
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National Security Division

Elizabeth Bass	Coordinator: Department of Defense and veterans' issues
Daniel Frisk	Defense
Cynthia Cleveland	Administrative support

Tax Analysis Division

Mark Booth	Unit Chief, Revenue Estimating
Logan Timmerhoff	Revenues

Office of the General Counsel

Mark Hadley	General Counsel
T.J. McGrath	Deputy General Counsel

About This Document

This report was prepared by Amy Petz of CBO's Microeconomic Studies Division, under the supervision of Patrice Gordon and Joseph Kile, and J'nell Blanco of CBO's Budget Analysis Division, under the supervision of Leo Lex, Theresa Gullo and Peter Fontaine.

The CBO staff members who prepare the analyses of federal mandates in legislative proposals are listed in Appendix C. Those individuals also assisted in the preparation of this report.

John Skeen and Jeanine Rees edited the report, and Jeanine Rees prepared the report for publication. An electronic version is available on CBO's Web site (www.cbo.gov).



Douglas W. Elmendorf
Director

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