Week in Regulation

Regulators Set Records for 2013

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Regulators set records for 2013, publishing more than $15.7 billion in proposed and final rules. In addition, these regulations could impose 3.7 million paperwork burden hours. Two energy conservation standards and a proposed rule for workplace silica led the week.

Regulatory Toplines

- New Proposed Rules: 38
- New Final Rules: 61
- 2013 Significant Documents: 452
- 2013 Total Pages of Regulation: 56,810
- 2013 Proposed Rules: $65.3 Billion
- 2013 Final Rules: $17.2 Billion

AAF has catalogued regulations according to their likely codification in the Code of Federal Regulations (CFR). The CFR is organized into 50 titles, with each title corresponding to an industry or part of government. This tool will help to determine which sectors of the economy receive the highest number of regulatory actions.

Regulation by Industry in 2013

CFR Title-Industry	Regulations	Cost (in millions)	Hours
7-Agriculture	12	$325	32,584,137
8-Aliens and Nationality	2	$719	749,669
9-Animals	3	$51	749,669
10-Energy	8	$17,046	41,820

12-Banking	30	$760	2,277,283
13-Business Assistance	1	$-0.7	-26,402
14-Aeronautics	220	$1,744	5,934
15-Commerce, Trade	4		82,697
16-Commerical Practices	4	$230	3,251,573
17-Commodities, Securities	21	$2,157	4,375,246
18-Conservation	11	$94	2,588,442
20-Employees' Benefits	3	$1	527,826
21-Food and Drugs	14	$11,988	10,177,366
22-Foreign Relations	6		-234,680
23-Highways	2	$5	36,968
24-Housing	9	$7	2,090,104
26-Internal Revenue	13		7,897,460
27-ATF	1	$15	446,638
28-Judicial Administration	1		
29-Labor	8	$6,991	2,613,973
30-Mineral Resources	4	$56	688,886
31-Treasury	3		17,364
33-Navigable Waters	2	$184	42,984
34-Education	4	$-148	-3,046,597
36-Parks and Forests	2	$1,088	925
37-Patents, Copyright	2	$931	779,960
38-Veterans' Relief	1		32,689
40-Environment	28	$38,733	9,661,147
42-Public Health	19	$-1,172	11,218,167

43-Interior	2	$166	32,904
45-Public Welfare	13	$801	4,853,180
47-Telecommunication	18	$40	3,081,235
48-Federal Acquisition	3	$0.4	-45,083
49-Transportation	17	$-1,583	-47,035,230
50-Wildlife and Fisheries	2	$0.8	
Multiple Titles	7	$1,288	-277,381

The Department of Energy published two energy conservation proposals for coolers and freezers. Combined, they will impose $9.1 billion in total costs. In AAF's previous analysis, we noted that Texas, Missouri, Tennessee, Ohio, and Oklahoma will be the most affected states.

The Occupational Safety and Health Administration (OSHA) published its long-awaited proposal on workplace silica exposure. The 757-page proposal could impose $6.5 billion in costs and more than 2.5 million paperwork burden hours. The regulation affects 130 separate industries and OSHA solicited comment on 87 different issues.

Affordable Care Act

There were two ACA rulemakings this week, but they did not impose costs or paperwork burden hours. Since passage, based on total lifetime costs of the regulations, the Affordable Care Act has imposed an estimated cost of $23.3 billion in private-sector burdens, approximately $8.6 billion in costs to the states, and 126.8 million annual paperwork hours.

Dodd-Frank

The FDIC published its final rule on Basel III regulatory capital rules. The regulation imposes no new paperwork burdens and the only listed costs are foregone tax benefits ($3 million). The new requirements apply to FDIC-supervised institutions with $50 billion or more in assets.

Click here to view the total estimated compliance costs from Dodd-Frank; since passage, the legislation has produced more than 59.1 million paperwork burden hours and imposed $16.1 billion in direct compliance costs. Based on calculations from the Financial Services

Roundtable, Dodd-Frank regulations would require 29,562 employees to file federal paperwork.

A Note on Notices

This week, federal agencies published 466 notices. In these notices, agencies typically request new or updated paperwork burdens from the Office of Management and Budget. These notices are generally not final, merely proposals accompanied by a comment period.

Agencies requested 45.8 million paperwork burden hours, the equivalent of forcing 22,929 employees into red tape compliance. The associated costs of these burdens: $154 million or $3.37 per hour. Although some of these requests extend current collections without influencing the overall level of paperwork, others impose additional burdens.

There were 22 new information collection requests, adding nearly 3 million hours to the paperwork burden. In addition, the net change for existing collections was a decrease of 90,000 hours. The overall paperwork burden increased by 2.9 million hours this week.

Total Burdens

Since January 1, the federal government has published $82.5 billion in compliance costs, and 49.5 million annual paperwork burden hours. At the current pace, regulators will publish $119 billion in regulations this year. Click here for our comprehensive database of regulations and rulemakings promulgated in 2013.