Insight

Regulatory Calendar: Administration Releases 2013 Regulatory Plan

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On the Friday afternoon before Christmas, the administration released its delayed 2012 "Unified Agenda" of federal regulations. Rather than publish a spring and fall agenda, the custom every year since 1996, the White House opted for a late afternoon drop during the holidays.

The timing is perhaps less important than the contents of the new report. According to initial projections, the agenda contains $123.2 billion in possible regulatory costs for 2013 and at least 13 million paperwork burden hours.

What's more, some entries lacked data typically included in the regulatory plan, and outlined in the Regulatory Flexibility Act. For example, new import security filings state $0 in capital and annual costs in the 2012 agenda. However, the 2011 agenda clearly stated costs could reach $7 billion annually. It's not clear how widespread these omissions are in the 2012 agenda.

Listed below are 40 notable regulations (out of 2,387 active actions) on the horizon for 2013, organized by agency, and then chronologically by scheduled release date.

- **Possible Costs: $123.2 billion**
- **Possible Paperwork Burden: 13.6 million hours**

Energy

1. December 2012: Final Efficiency Standards for Distribution Transformers ($5.2 billion)
2. February: Final Efficiency Standards for Battery Chargers ($4.2 billion)
3. NPRM by April and Final Rule by December: Proposed Conservation Standards for Walk-In Coolers
4. July: Proposed Conservation Standards for Refrigeration Equipment
5. August: Proposed Conservation Standards for Furnace Fans
6. November: Proposed Efficiency Standards for Electric Motors

Environmental Protection Agency

1. Direct Final Rule by January: Renewable Fuel Standards for 2013
2. March: Final GHG Rule for New Sources
3. NPRM by March and Final Rule by December: Proposed Tier 3 Fuel Standards ($8 billion)
4. April: Proposed Power Plant Discharge Limitations
5. May: Final 316(b) Cooling Water Intake Rules ($5.3 billion)

6. NPRM by October: Proposed Ozone Standards
7. TBD: Final Coal Residuals Rule ($20.3 billion)

Department of Homeland Security

1. February: Final Importer Security Filing Rule ($70 billion)
2. March: Proposed Passenger Screening Rule
3. August: Proposed General Aviation Security Standards

Dodd-Frank

1. December 2012: Final Reporting of Proxy Votes
2. December 2012: Final Basel III Standards
3. December, December, and December 2012: Final Regulatory Capital Rules
4. January: Final Volcker Rule (implemented by four agencies) (6.5 million hours)
5. February: Proposed Compensation Clawback
6. February: Proposed Executive Compensation Disclosure
7. March: Proposed Annual Stress Test Rules
8. April: Final Disclosures for Remittance Transactions (6.2 million hours)
9. TBD: Credit Risk Retention for Asset-Backed Securities

Health and Human Services (CMS & FDA)

1. December 2012: Proposed Medicaid, Exchanges: Eligibility Rules
2. December 2012: Proposed Medical Loss Ratio Requirements for Medicare Advantage, Part D
3. January: Proposed Produce Safety Rules
4. February: Proposed Serving Size Food Labeling Rules
5. April: Final Food Labeling for Vending Machines ($421 million)
6. April: Final Food Labeling for Restaurants ($757 million)
7. May: Final Unique Device Identification ($588 million)
8. August: Final Covered Outpatient Drug Rule ($104 million)

Labor

1. April: Final FLSA Rules for Domestic Service (987,778 hours)
2. May: Proposed Workplace Silica Rule ($5.5 billion)
3. July: Proposed Redefinition of Fiduciary
4. August: Final Fall Protection Regulations ($173.2 million)

Transportation

1. December: Final Rearview Camera Rule ($2.7 billion)
2. January: Proposed Sound for Hybrid Vehicles Rule

3. March: Final Rule for Seat Belts on Motorcoaches ($29.4 million)