



(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To establish a regulatory review process for rules that the Administrator of the Environmental Protection Agency plans to propose, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. FINSTAD introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To establish a regulatory review process for rules that the Administrator of the Environmental Protection Agency plans to propose, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "EPA Accountability  
5 to Farm Country Act".

1 **SEC. 2. REGULATORY REVIEW BY THE SECRETARY OF AG-**  
2 **RICULTURE.**

3 (a) **REVIEW OF REGULATORY ACTIONS.**—The Sec-  
4 retary shall review each covered publication not later than  
5 30 days after the date on which such publication is issued  
6 to determine whether the covered publication may have a  
7 major economic impact on production or prices of agricul-  
8 tural commodities, retail food prices, or otherwise on the  
9 agricultural economy.

10 (b) **INFORMATION GATHERING.**—If the Secretary de-  
11 termines a covered publication may have a major economic  
12 impact on production or prices of agricultural commod-  
13 ities, retail food prices, and otherwise on the agricultural  
14 economy, within 30 days of such determination, the Sec-  
15 retary shall—

16 (1) convene a review panel for analysis of the  
17 regulatory action that is the subject of the covered  
18 publication that includes—

19 (A) the Secretary;

20 (B) an employee of the Department of Ag-  
21 riculture;

22 (C) an employee of the Environmental Pro-  
23 tection Agency that is designated by the Admin-  
24 istrator;

25 (D) an employee from the Office of Infor-  
26 mation and Regulatory Affairs within the Office

1 of Management and Budget that is designated  
2 by the Director of the Office of Management  
3 and Budget; and

4 (E) four active producers from different  
5 geographic areas of the United States, and that  
6 represent a cross-section of agricultural com-  
7 modities grown in the United States;

8 (2) notify the Committee on Agriculture of the  
9 House of Representatives and the Committee on Ag-  
10 riculture, Nutrition, and Forestry of the Senate—

11 (A) that such a review panel is being con-  
12 vened; and

13 (B) which covered publication is to be con-  
14 sidered by such review panel;

15 (3) solicit from the Administrator any informa-  
16 tion the Secretary determines necessary to facilitate  
17 a review of the covered publication; and

18 (4) issue an economic impact statement for the  
19 publication item that contains a detailed estimate of  
20 potential costs to the agriculture sector of the  
21 United States.

22 (c) DUTIES OF THE ADMINISTRATOR.—The Adminis-  
23 trator shall provide any information solicited by the Sec-  
24 retary under subsection (b)(3) for purposes of facilitating  
25 a review of the covered publication involved.

1 (d) DUTIES AND REPORT OF THE REVIEW PANEL.—

2 (1) DUTIES.—A review panel convened under  
3 subsection (b) with respect to a covered publication  
4 shall—

5 (A) review any information or material ob-  
6 tained by the Secretary and prepared in connec-  
7 tion with the covered publication, including any  
8 draft proposed guidance, policy, memorandum,  
9 regulation, assessment, decision, or statement  
10 of general applicability and future effect;

11 (B) collect advice and recommendations  
12 from agricultural entity representatives with re-  
13 spect to such publication; and

14 (C) compile and analyze such advice and  
15 recommendations.

16 (2) REPORT.—Not later than 60 days after the  
17 date a review panel is convened under subsection (b)  
18 with respect to a covered publication, the review  
19 panel shall submit to the Secretary, the Adminis-  
20 trator, the Committee on Agriculture of the House  
21 of Representatives, and the Committee on Agri-  
22 culture, Nutrition, and Forestry of the Senate a re-  
23 port, which shall be made publicly available by the  
24 Secretary, describing—

1 (A) the economic impact statement for the  
2 covered publication issued under subsection  
3 (b)(4);

4 (B) the findings of the review panel; and

5 (C) any recommendations of the Adminis-  
6 trator to limit the scope of the covered publica-  
7 tion to ensure the regulatory action that is the  
8 subject of such publication does not have a  
9 major economic impact on production and  
10 prices of agricultural commodities, retail food  
11 prices, and otherwise on the agricultural econ-  
12 omy.

13 (e) ECONOMIC IMPACT OF REGULATORY AGENDA.—  
14 Any regulatory action that is the subject of a covered pub-  
15 lication that has been reviewed by a review panel under  
16 subsection (b) that has been determined to have a major  
17 economic impact or affects a substantial number of agri-  
18 cultural entities shall not be finalized until the Adminis-  
19 trator implements the recommendations made by the re-  
20 view panel, as described in subsection (d).

21 (f) DEFINITIONS.—In this section:

22 (1) ADMINISTRATOR.—The term “Adminis-  
23 trator” means the Administrator of the Environ-  
24 mental Protection Agency.

1           (2) COVERED PUBLICATION DEFINED.—The  
2 term “covered publication” means a publication that  
3 gives notice that the Administrator of the Environ-  
4 mental Protection Agency is preparing, or plans to  
5 prepare, any guidance, policy, memorandum, regula-  
6 tion, assessment, decision, or statement of general  
7 applicability and future effect, including—

8                   (A) any regulatory agenda of the Environ-  
9 mental Protection Agency published pursuant  
10 to section 602 of title 5, United States Code;

11                   (B) any regulatory plan or agenda pub-  
12 lished by the Environmental Protection Agency  
13 or the Office of Management and Budget pur-  
14 suant to an Executive order, including Execu-  
15 tive Order 12866; and

16                   (C) any other publication issued by the Ad-  
17 ministrator of the Environmental Protection  
18 Agency or the Director of the Office of Manage-  
19 ment and Budget that may reasonably be fore-  
20 seen to contain such a notice.

21           (3) MAJOR ECONOMIC IMPACT.—The term  
22 “major economic impact” means, with respect to a  
23 regulatory action that is the subject of a covered  
24 publication, that the action would—

1 (A) have an annual effect on the economy  
2 of the United States of \$50,000,000 or more;

3 (B) cause a major increase in costs or  
4 prices for agricultural entities, consumers, indi-  
5 vidual industries, Federal, State, or local gov-  
6 ernment agencies, or geographic regions; or

7 (C) cause significant adverse effects on  
8 employment, investment, productivity, innova-  
9 tion, or the ability of United States-based enter-  
10 prises to compete with foreign-based enterprises  
11 in domestic and export markets.

12 (4) SECRETARY.—The term “Secretary” means  
13 the Secretary of Agriculture.