

113TH CONGRESS
1ST SESSION

H. R. 2776

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

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2013

Mr. RODNEY DAVIS of Illinois (for himself, Mr. GOODLATTE, Mr. PETERSON, Mr. HUDSON, Mr. LAMALFA, Mr. CRAWFORD, Mr. RIBBLE, Mr. AUSTIN SCOTT of Georgia, Mrs. ROBY, Mr. NEUGEBAUER, Mr. VALADAO, Mr. COLLINS of New York, Mr. GIBBS, Mr. ROGERS of Alabama, Mr. YOHIO, Mr. SCHRADER, Mr. KING of Iowa, Mr. BISHOP of Georgia, Mr. ENYART, Mrs. HARTZLER, Mr. MCINTYRE, Mr. DESJARLAIS, Mr. FINCHER, Mr. CONAWAY, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Agriculture

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 “Review EPA’s Lan-
5 guage on Agriculture and Thoroughly Engage with the

1 Farm Act of 2013” or the “RELATE with the Farm Act
2 of 2013”.

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

5 (a) REVIEW OF REGULATORY AGENDA.—The Sec-
6 retary of Agriculture shall review publications that may
7 give notice that the Environmental Protection Agency is
8 preparing or plans to prepare any guidance, policy, memo-
9 randum, regulation, or statement of general applicability
10 and future effect that may have a significant impact on
11 a substantial number of agricultural entities, including—

12 (1) any regulatory agenda of the Environmental
13 Protection Agency published pursuant to section 602
14 of title 5, United States Code;

15 (2) any regulatory plan or agenda published by
16 the Environmental Protection Agency or the Office
17 of Management and Budget pursuant to an Execu-
18 tive order, including Executive Order 12866; and

19 (3) any other publication issued by the Environ-
20 mental Protection Agency or the Office of Manage-
21 ment and Budget that may reasonably be foreseen
22 to contain notice of plans by the Environmental Pro-
23 tection Agency to prepare any guidance, policy,
24 memorandum, regulation, or statement of general
25 applicability and future effect that may have a sig-

1 nificant impact on a substantial number of agricul-
2 tural entities.

3 (b) INFORMATION GATHERING.—For a publication
4 item reviewed under subsection (a) that the Secretary de-
5 termines may have a significant impact on a substantial
6 number of agricultural entities, the Secretary shall—

7 (1) solicit from the Administrator of the Envi-
8 ronmental Protection Agency any information the
9 Administrator may provide to facilitate a review of
10 the publication item;

11 (2) utilize the Chief Economist of the Depart-
12 ment of Agriculture to produce an economic impact
13 statement for the publication item that contains a
14 detailed estimate of potential costs to agricultural
15 entities;

16 (3) identify individuals representative of poten-
17 tially affected agricultural entities for the purpose of
18 obtaining advice and recommendations from such in-
19 dividuals about the potential impacts of the publica-
20 tion item; and

21 (4) convene a review panel for analysis of the
22 publication item that includes the Secretary, any
23 full-time Federal employee of the Department of Ag-
24 riculture appointed to the panel by the Secretary,
25 and any employee of the Environmental Protection

1 Agency or the Office of Information and Regulatory
2 Affairs within the Office of Management and Budget
3 that accepts an invitation from the Secretary to par-
4 ticipate in the panel.

5 (c) DUTIES OF THE REVIEW PANEL.—A review panel
6 convened for a publication item under subsection (b)(4)
7 shall—

8 (1) review any information or material obtained
9 by the Secretary and prepared in connection with
10 the publication item, including any draft proposed
11 guidance, policy, memorandum, regulation, or state-
12 ment of general applicability and future effect;

13 (2) collect advice and recommendations from
14 agricultural entity representatives identified by the
15 Administrator after consultation with the Secretary;

16 (3) compile and analyze such advice and rec-
17 ommendations; and

18 (4) make recommendations to the Secretary
19 based on the information gathered by the review
20 panel or provided by agricultural entity representa-
21 tives.

22 (d) COMMENTS.—

23 (1) IN GENERAL.—Not later than 60 days after
24 the date the Secretary convenes a review panel pur-
25 suant to subsection (b)(4), the Secretary shall sub-

1 mit to the Administrator comments on the planned
2 or proposed guidance, policy, memorandum, regula-
3 tion, or statement of general applicability and future
4 effect for consideration and inclusion in any related
5 administrative record, including—

6 (A) a report by the Secretary on the con-
7 cerns of agricultural entities;

8 (B) the findings of the review panel;

9 (C) the findings of the Secretary, including
10 any adopted findings of the review panel; and

11 (D) recommendations of the Secretary.

12 (2) PUBLICATION.—The Secretary shall publish
13 the comments in the Federal Register and make the
14 comments available to the public on the public Inter-
15 net website of the Department of Agriculture.

16 (e) WAIVERS.—The Secretary may waive initiation of
17 the review panel under subsection (b)(4) as the Secretary
18 determines appropriate.

19 (f) DEFINITION OF AGRICULTURAL ENTITY.—In this
20 section, the term “agricultural entity” means any entity
21 involved in or related to agricultural enterprise, including
22 enterprises that are engaged in the business of production
23 of food and fiber, ranching and raising of livestock, aqua-

- 1 culture, and all other farming and agricultural related in-
- 2 dustries.

