

114TH CONGRESS
1ST SESSION

S. 110

To rescind funds made available to the Administrator of the Environmental Protection Agency if the Administrator fails to meet certain deadlines.

IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2015

Mr. HELLER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To rescind funds made available to the Administrator of the Environmental Protection Agency if the Administrator fails to meet certain deadlines.

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 “Environmental Protec-
5 tion Agency Accountability Act of 2015”.

6 **SEC. 2. INTERIM ASSESSMENT OF REGULATORY REQUIRE-**
7 **MENTS AND APPLICABLE PENALTIES.**

8 (a) IN GENERAL.—Not later than 30 days after the
9 date of enactment of this Act, the Administrator of the
10 Environmental Protection Agency (referred to in this sec-

tion as the “Administrator”) shall ensure that the requirements described in subsection (b) are satisfied.

(b) REQUIREMENTS.—The Administrator shall satisfy—

(1) section 4 of Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review) and Executive Order 13563 (5 U.S.C. 601 note; relating to improving regulation and regulatory review) (or any successor Executive order establishing requirements applicable to the uniform reporting of regulatory and deregulatory agendas);

(2) section 602 of title 5, United States Code;

(3) section 8 of Executive Order 13132 (5 U.S.C. 601 note; relating to federalism); and

(4) section 202(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532(a)).

(c) FINANCIAL PENALTY PROVISIONS.—

(1) IN GENERAL.—Subject to paragraph (2), if the Comptroller General of the United States determines that the Administrator fails to satisfy any requirement described in subsection (b), an amount of funding equal to \$20,000 per week shall be rescinded from the Office of the Administrator, and once each week thereafter until all the requirements are satisfied.

1 (2) LIMITATIONS.—

2 (A) 1 DAY GRACE PERIOD.—Paragraph (1)
3 shall not apply if each requirement listed in
4 subsection (b) is satisfied not later than 1 day
5 after the deadline for the requirement.

6 (B) MAXIMUM AMOUNT OF RESCINDED
7 FUNDS.—No rescission of funds under para-
8 graph (1) shall exceed, in any fiscal year, an
9 amount equal to 7 percent of the funds made
10 available to the Office of the Administrator.

11 (3) AUDITS.—In any fiscal year in which any
12 funds are rescinded from the Administrator pursu-
13 ant to this Act, the Inspector General of the Envi-
14 ronmental Protection Agency shall—

15 (A) conduct an audit to assess compliance
16 with this Act; and

17 (B) not later than 120 days after the end
18 of the fiscal year during which any funds are
19 rescinded under paragraph (1), submit to the
20 Committee on Environment and Public Works
21 of the Senate, the Committee on Transportation
22 and Infrastructure of the House of Representa-
23 tives, the Committee on Appropriations of the
24 Senate, and the Committee on Appropriations
25 of the House of Representatives a report de-

1 scribing the reasons why the funds were re-
2 scinded, including allocations of resources.

3 (4) EFFECT OF ACT.—Nothing in this Act af-
4 fects or limits the application of or obligation to
5 comply with any Federal, State, local, or tribal law.

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