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114TH CONGRESS
1ST SESSION

# H. R. 352

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

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 2015

Mr. DUFFY introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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# A BILL

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Environmental Protection Agency Accountability Act of 2015''.

**SEC. 2. DEFINITION OF ADMINISTRATOR.**

In this Act, the term ''Administrator'' means the Administrator of the Environmental Protection Agency.

**SEC. 3. INTERIM ASSESSMENT OF REGULATORY REQUIREMENTS AND APPLICABLE PENALTIES.**

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, 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 re-

scinded from the Office of the Administrator, and once each week thereafter until all the requirements are satisfied.

(2) LIMITATIONS.—

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

(B) MAXIMUM AMOUNT OF RESCINDED FUNDS.—No rescission of funds under paragraph (1) shall exceed, in any fiscal year, an amount equal to 7 percent of the funds made available to the Office of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

(3) AUDITS.—In any fiscal year in which any funds are rescinded from the Administrator pursuant to this Act, the Inspector General of the Environmental Protection Agency shall—

(A) conduct an audit to assess compliance with the requirements of this paragraph; and

(B) not later than 120 days after the end of the fiscal year during which any funds are rescinded under paragraph (1), submit to the Committee on Environment and Public Works of the Senate, the Committee on Transportation and Infrastructure of the House of Representa-

tives, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing the reasons why the funds were rescinded, including allocations of resources.

(4) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

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