

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To require the Environmental Protection Agency to issue analyses on the environmental and economic impacts of rules and rulemakings of the Environmental Protection Agency, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To require the Environmental Protection Agency to issue analyses on the environmental and economic impacts of rules and rulemakings of the Environmental Protection Agency, 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 Transparency  
5 Act of 2022”.

6 **SEC. 2. REPORT.**

7 (a) DEFINITIONS.—In this section:

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

4           (2) DATA OF ECONOMIC HARM.—The term  
5           “data of economic harm”, with respect to a major  
6           EPA-promulgated rule or rulemaking, means data,  
7           facts, and figures that can be measured, traced, and  
8           validated with respect to the economic harm that is  
9           anticipated to be caused by the major EPA-promul-  
10          gated rule or rulemaking.

11          (3) DATA OF ENVIRONMENTAL HARM.—The  
12          term “data of environmental harm”, with respect to  
13          a major EPA-promulgated rule or rulemaking,  
14          means data, facts, and figures that can be meas-  
15          ured, traced, and validated with respect to the envi-  
16          ronmental harm that would be caused without the  
17          promulgation or issuance of the major EPA-promul-  
18          gated rule or rulemaking.

19          (4) MAJOR EPA-PROMULGATED RULE OR RULE-  
20          MAKING.—The term “major EPA-promulgated rule  
21          or rulemaking” means a final rule or policy of the  
22          Administrator—

23                  (A) the promulgation of which was not ex-  
24                  plicitly authorized by an Act of Congress; and

1 (B) that increases the control or influence  
2 of the Federal Government over the property or  
3 constitutional rights of an individual as com-  
4 pared to before the date of promulgation of the  
5 rule or policy, as determined by the Adminis-  
6 trator.

7 (5) SMALL BUSINESS.—The term “small busi-  
8 ness” means a privately owned corporation, partner-  
9 ship, or sole proprietorship that has—

10 (A) fewer than 1,500 employees; and

11 (B) not more than \$38,500,000 in average  
12 annual receipts.

13 (b) REPORT REQUIRED.—Not later than 30 days  
14 after the date on which a major EPA-promulgated rule  
15 or rulemaking is promulgated, the Administrator shall  
16 submit to Congress and make publicly available a report  
17 that describes, with respect to the major EPA-promul-  
18 gated rule or rulemaking, an analysis of—

19 (1) the data of environmental harm; and

20 (2) the data of economic harm with respect to  
21 small businesses.