

**AMENDMENT TO H.R. 1633, AS REPORTED  
OFFERED BY MR. SCHOCK OF ILLINOIS AND MRS.  
CAPITO OF WEST VIRGINIA**

At the end of the bill, add the following:

1 **SEC. 4. IMPACTS OF EPA REGULATORY ACTIVITY ON EM-**  
2 **PLOYMENT AND ECONOMIC ACTIVITY IN THE**  
3 **AGRICULTURE COMMUNITY.**

4 (a) ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOY-  
5 MENT AND ECONOMIC ACTIVITY IN THE AGRICULTURE  
6 COMMUNITY.—

7 (1) ANALYSIS.—Before taking a covered action,  
8 the Administrator shall analyze the impact,  
9 disaggregated by State, of the covered action on—

10 (A) employment levels in the agriculture  
11 industry; and

12 (B) agricultural economic activity, includ-  
13 ing estimated job losses and decreased economic  
14 activity related to agriculture.

15 (2) ECONOMIC MODELS.—

16 (A) IN GENERAL.—In carrying out para-  
17 graph (1), the Administrator shall utilize the  
18 best available economic models.

1 (B) ANNUAL GAO REPORT.—Not later  
2 than December 31 of each year, the Comp-  
3 troller General of the United States shall sub-  
4 mit to Congress a report on the economic mod-  
5 els used by the Administrator to carry out this  
6 subsection.

7 (3) AVAILABILITY OF INFORMATION.—With re-  
8 spect to any covered action, the Administrator  
9 shall—

10 (A) post the analysis under paragraph (1)  
11 as a link on the main page of the public Inter-  
12 net Web site of the Environmental Protection  
13 Agency;

14 (B) request the Secretary of Agriculture to  
15 post the analysis under paragraph (1) as a link  
16 on the main page of the public Internet Web  
17 site of the Department of Agriculture; and

18 (C) request that the Governor of any State  
19 experiencing more than a de minimis negative  
20 impact post such analysis in the Capitol of such  
21 State.

22 (b) PUBLIC HEARINGS.—

23 (1) IN GENERAL.—If the Administrator con-  
24 cludes under subsection (a)(1) that a covered action  
25 will have more than a de minimis negative impact on

1 agricultural employment levels or agricultural eco-  
2 nomic activity in a State, the Administrator shall  
3 hold a public hearing in each such State at least 30  
4 days prior to the effective date of the covered action.

5 (2) TIME, LOCATION, AND SELECTION.—A pub-  
6 lic hearing required under paragraph (1) shall be  
7 held at a convenient time and location for impacted  
8 residents. In selecting a location for such a public  
9 hearing, the Administrator shall give priority to loca-  
10 tions in the State that will experience the greatest  
11 number of job losses.

12 (c) NOTIFICATION.—If the Administrator concludes  
13 under subsection (a)(1) that a covered action will have  
14 more than a de minimis negative impact on agricultural  
15 employment levels or agricultural economic activity in any  
16 State, the Administrator shall give notice of such impact  
17 to the State’s Congressional delegation, Governor, and  
18 Legislature at least 45 days before the effective date of  
19 the covered action.

20 (d) DEFINITIONS.—In this section, the following defi-  
21 nitions apply:

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

1           (2) COVERED ACTION.—The term “covered ac-  
2           tion” means any of the following actions taken by  
3           the Administrator under the Clean Air Act (42  
4           U.S.C. 7401 et seq.) relating to agriculture and the  
5           national primary ambient air quality standard or the  
6           national secondary ambient air quality standard for  
7           particulate matter:

8                   (A) Issuing a regulation, policy statement,  
9                   guidance, response to a petition, or other re-  
10                  quirement.

11                  (B) Implementing a new or substantially  
12                  altered program.

13           (3) MORE THAN A DE MINIMIS NEGATIVE IM-  
14           PACT.—The term “more than a de minimis negative  
15           impact” means the following:

16                   (A) With respect to employment levels, a  
17                   loss of more than 100 jobs related to the agri-  
18                   culture industry. Any offsetting job gains that  
19                   result from the hypothetical creation of new  
20                   jobs through new technologies or government  
21                   employment may not be used in the job loss cal-  
22                   culation.

23                   (B) With respect to economic activity, a  
24                   decrease in agricultural economic activity of  
25                   more than \$1,000,000 over any calendar year.

1 Any offsetting economic activity that results  
2 from the hypothetical creation of new economic  
3 activity through new technologies or govern-  
4 ment employment may not be used in the eco-  
5 nomic activity calculation.

