

118TH CONGRESS  
2D SESSION

# S. 3719

To amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to revise the duties of the Science Advisory Board, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2024

Mr. BUDD (for himself and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to revise the duties of the Science Advisory Board, 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 “Sound Science for  
5 Farmers Act of 2024”.

1 **SEC. 2. SCIENCE ADVISORY BOARD.**

2 Section 8 of the Environmental Research, Develop-  
3 ment, and Demonstration Authorization Act of 1978 (42  
4 U.S.C. 4365) is amended—

5 (1) by striking the section designation and all  
6 that follows through “Protection Agency” in sub-  
7 section (a) and inserting the following:

8 **“SEC. 8. SCIENCE ADVISORY BOARD.**

9 “(a) ESTABLISHMENT; REQUESTS FOR ADVICE.—  
10 The Administrator of the Environmental Protection Agen-  
11 cy (referred to in this section as the ‘Administrator’);

12 (2) in subsection (a)—

13 (A) by inserting “(referred to in this sec-  
14 tion as the ‘Board’)” after “Advisory Board”;  
15 and

16 (B) by striking “requested by” and all that  
17 follows through the period at the end and in-  
18 serting the following: “requested by—

19 “(1) the Administrator;

20 “(2) the Committee on Environment and Public  
21 Works of the Senate;

22 “(3) the Committee on Agriculture, Nutrition,  
23 and Forestry of the Senate;

24 “(4) the Committee on Energy and Natural Re-  
25 sources of the Senate;

1           “(5) the Committee on Science, Space, and  
2           Technology of the House of Representatives;

3           “(6) the Committee on Agriculture of the  
4           House of Representatives;

5           “(7) the Committee on Energy and Commerce  
6           of the House of Representatives; or

7           “(8) the Committee on Transportation and In-  
8           frastructure of the House of Representatives.”;

9           (3) in subsection (b)—

10                 (A) by striking “(b) Such Board” and in-  
11                 serting the following:

12           “(b) MEMBERSHIP; CHAIRMAN; MEETINGS; QUALI-  
13           FICATIONS.—

14                 “(1) IN GENERAL.—The Board”; and

15                 (B) in paragraph (1) (as so designated), in  
16                 the second sentence, by striking “Each mem-  
17                 ber” and inserting the following:

18                 “(2) QUALIFICATIONS.—Each member”;

19           (4) in subsection (c)—

20                 (A) by striking “(c)(1) The Administrator”  
21                 and inserting the following:

22           “(c) PROVISION OF CERTAIN DOCUMENTATION; AD-  
23           VICE AND COMMENTS OF BOARD.—

24                 “(1) PROVISION TO BOARD.—The Adminis-  
25                 trator”;

1 (B) in paragraph (1)—

2 (i) by inserting “or draft risk or haz-  
3 ard assessment,” after “any proposed”;

4 (ii) by inserting “(42 U.S.C. 7401 et  
5 seq.)” after “Clean Air Act”;

6 (iii) by inserting “(33 U.S.C. 1251 et  
7 seq.)” after “Pollution Control Act”;

8 (iv) by striking “Resource, Conserva-  
9 tion and Recovery Act of 1976” and in-  
10 sserting “Solid Waste Disposal Act (42  
11 U.S.C. 6901 et seq.) (commonly known as  
12 the ‘Resource Conservation and Recovery  
13 Act of 1976’)”;

14 (v) by inserting “of 1972 (42 U.S.C.  
15 4901 et seq.)” after “Noise Control Act”;

16 (vi) by inserting “(15 U.S.C. 2601 et  
17 seq.)” after “Substances Control Act”;

18 (vii) by inserting “(42 U.S.C. 300f et  
19 seq.)” after “Water Act”;

20 (viii) by striking “formal”; and

21 (ix) by inserting “or draft risk or haz-  
22 ard assessment,” after “such proposed”;

23 and

24 (C) in paragraph (2)—

1 (i) by striking “(2) The Board” and  
2 inserting the following:

3 “(2) ADVICE AND COMMENTS OF BOARD.—

4 “(A) IN GENERAL.—The Board”;

5 (ii) in subparagraph (A) (as so des-  
6 ignated), by inserting “or draft risk or  
7 hazard assessment,” after “basis of the  
8 proposed”; and

9 (iii) by adding at the end the fol-  
10 lowing:

11 “(B) INCLUSIONS IN RECORD.—Any advice  
12 or comments made available by the Board  
13 under subparagraph (A), including any dis-  
14 senting views of members of the Board, and the  
15 response of the Administrator to the advice,  
16 comments, or dissenting views shall be—

17 “(i) included in the record with re-  
18 spect to the applicable proposed or draft  
19 risk or hazard assessment, criteria docu-  
20 ment, standard, limitation, or regulation;  
21 and

22 “(ii) published in the Federal Reg-  
23 ister.”;

1           (5) in subsection (d), by striking “(d) In pre-  
2           paring such advice and comments” and inserting the  
3           following:

4           “(d) USE OF TECHNICAL AND SCIENTIFIC CAPABILI-  
5           TIES OF FEDERAL AGENCIES AND NATIONAL ENVIRON-  
6           MENTAL LABORATORIES FOR DETERMINING ADEQUACY  
7           OF SCIENTIFIC AND TECHNICAL BASIS OF PROPOSED  
8           DOCUMENTATION.—In preparing advice and comments  
9           under subsection (c)(2)”;

10           (6) in subsection (e)(2), by adding at the end  
11           the following:

12           “(D) REQUIREMENTS.—With respect to a  
13           risk assessment or risk management activity  
14           that may have an impact on the agricultural or  
15           food safety sector of the United States, the Ad-  
16           ministrator may not issue or peer review a draft  
17           or final assessment intended for inclusion in the  
18           Integrated Risk Information System, nor may  
19           the Administrator issue or peer review a draft  
20           or final risk evaluation or regulation under sec-  
21           tion 6 of the Toxic Substances Control Act (15  
22           U.S.C. 2605), unless—

23           “(i) the draft or final assessment,  
24           evaluation, or regulation has been provided  
25           in advance to the Department of Agri-

1 culture, the Food and Drug Administra-  
2 tion, and the Small Business Administra-  
3 tion—

4 “(I) for a period of not less than  
5 90 days; and

6 “(II) in a manner consistent  
7 with—

8 “(aa) Executive Order  
9 12866 (5 U.S.C. 601 note; relat-  
10 ing to regulatory planning and  
11 review); and

12 “(bb) the docketing require-  
13 ments described in section 411 of  
14 the Toxic Substances Control Act  
15 (15 U.S.C. 2691);

16 “(ii) the draft or final assessment,  
17 evaluation, or regulation has been fully re-  
18 viewed, including for scientific quality,  
19 transparency, reproducibility of key results,  
20 consistency with real world exposure sce-  
21 narios, and potential effects on the agricul-  
22 tural sector, by the standing agriculture-re-  
23 lated committee established under subpara-  
24 graph (A)(i); and

25 “(iii) the Administrator—

1                   “(I) has notified the Committees  
 2                   on Agriculture, Nutrition, and For-  
 3                   estry, Energy and Natural Resources,  
 4                   and Environment and Public Works  
 5                   of the Senate and the Committees on  
 6                   Agriculture, Energy and Commerce,  
 7                   Transportation and Infrastructure,  
 8                   and Science, Space, and Technology  
 9                   of the House of Representatives in  
 10                   writing at the commencement of the  
 11                   issuance or peer review process with  
 12                   respect to the draft or final assess-  
 13                   ment, evaluation, or regulation; and

14                   “(II) submitted to those commit-  
 15                   tees a written report on the results of  
 16                   the issuance or peer review process.”;

17                   (7) in subsection (f)—

18                   (A) by striking “(f)(1) Upon the rec-  
 19                   ommendation” and inserting the following:

20                   “(f) PERSONNEL MATTERS.—

21                   “(1) PERSONNEL.—

22                   “(A) APPOINTMENT.—On the rec-  
 23                   ommendation”;

24                   (B) in subparagraph (A) of paragraph (1)  
 25                   (as so designated), in the second sentence, by



1 striking “The compensation” and inserting the  
2 following:

3 “(B) COMPENSATION.—The compensa-  
4 tion”; and

5 (C) in paragraph (2), by striking “(2)  
6 Members of the Board” and inserting the fol-  
7 lowing:

8 “(2) COMPENSATION OF BOARD MEMBERS.—  
9 Members of the Board”;

10 (8) in subsection (g)—

11 (A) by striking “(g) In carrying out” and  
12 inserting the following:

13 “(g) CONSULTATION AND COORDINATION.—In car-  
14 rying out”;

15 (B) by striking “its activities with the Sci-  
16 entific” and inserting the following: “the activi-  
17 ties of the Board with—

18 “(1) the Scientific”;

19 (C) in paragraph (1) (as so designated), by  
20 striking “, as amended.” and inserting “(7  
21 U.S.C. 136w(d)); and”;

22 (D) by adding at the end the following:

23 “(2) the Science Advisory Committee on Chemi-  
24 cals established by the Administrator under section

1       26(o) of the Toxic Substances Control Act (15  
2       U.S.C. 2625(o)).”; and

3               (9) in subsection (i), by inserting “Science,  
4       Space, and Technology,” after “Transportation and  
5       Infrastructure,”.

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