

116TH CONGRESS
2D SESSION

S. 3922

To establish Federal Regulatory Review Commissions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 9, 2020

Mr. PAUL introduced the following bill; which was read twice and referred to
the Committee on Homeland Security and Governmental Affairs

A BILL

To establish Federal Regulatory Review Commissions, 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 “Coronavirus Regu-
5 latory Repeal Act of 2020”.

6 **SEC. 2. REPEAL OR MODIFICATION OF REGULATIONS DUR-**
7 **ING THE EMERGENCY PERIOD.**

8 Any regulation waived or modified during the emer-
9 gency period shall be repealed or modified, as applicable,
10 the day after the expiration of the emergency period and
11 thereafter, unless a Federal Regulatory Review Commis-

1 sion recommends the regulation should not be repealed or
 2 modified, as applicable, and a law is enacted confirming
 3 the recommendation.

4 **SEC. 3. FEDERAL REGULATORY REVIEW COMMISSIONS.**

5 (a) ESTABLISHMENT.—There are established Com-
 6 missions to be known as the “Federal Regulatory Review
 7 Commissions”.

8 (b) MEMBERS.—Each Commission shall be composed
 9 of members of the congressional committee of each juris-
 10 diction and the head of each agency under the jurisdiction
 11 of that committee (in this Act referred to as the “mem-
 12 bers”).

13 (c) INFORMATION.—Members may obtain informa-
 14 tion from individuals with expertise in the operations and
 15 regulations of government programs.

16 (d) DUTIES OF THE COMMISSIONS.—

17 (1) REVIEW OF FEDERAL REGULATIONS.—Not
 18 later than 2 months after the date of the enactment
 19 of this Act, each Commission shall submit to the
 20 Speaker of the House of Representatives and the
 21 majority leader of the Senate an official rec-
 22 ommendation, on the repeal or modification of each
 23 regulation waived or modified during the emergency
 24 period. Each regulation waived or modified during
 25 the emergency period shall remain waived or modi-

1 fied, as applicable, during the review period by the
2 Commission.

3 (2) EXTENSION.—The deadline in paragraph
4 (1) may be extended for an additional month if the
5 Congress enacts legislation extending such deadline
6 by a vote of a majority of the House of Representa-
7 tives and the Senate.

8 (e) REPORT TO CONGRESS.—

9 (1) AGENCY REPORT ON REGULATIONS.—Not
10 later than 1 month after the date of the enactment
11 of this Act, the head of each agency shall submit to
12 each congressional committee of jurisdiction a report
13 that includes—

14 (A) an analysis of whether or not the agen-
15 cy can function without the regulation or with
16 the modified regulation, as applicable; and

17 (B) an analysis of whether the regulation
18 should be restored to its original state before
19 the emergency period or should remain repealed
20 or modified, as applicable.

21 (2) PUBLIC COMMENT PERIOD REQUIRED.—The
22 head of an agency shall provide a public comment
23 period before submitting a report pursuant to para-
24 graph (1).

(f) CONGRESSIONAL RECOMMENDATION.—Not later than 1 month after receiving a report from the head of each agency pursuant to subsection (e), each committee shall submit to the Speaker of the House of Representatives and the majority leader of the Senate an official recommendation on whether or not the repealed or modified regulation should be re-established.

8 (g) SUNSET OF COMMISSIONS.—The Commissions
9 established in this section shall terminate on the final day
10 of the final recommendation by each committee.

11 SEC. 4. EXEMPTION FOR SLAUGHTER AND PREPARATION
12 OCCURRING AT CUSTOM SLAUGHTER FACILI-
13 TIES.

14 (a) IN GENERAL.—Section 23 of the Federal Meat
15 Inspection Act (21 U.S.C. 623) is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively;

(2) by inserting after subsection (a) the following:

20 “(b) EXEMPTION FOR SLAUGHTER AND PREPARA-
21 TION OCCURRING AT CUSTOM SLAUGHTER FACILITIES.—

“(1) DEFINITION OF STATE.—In this sub-
section, the term ‘State’ means any State or Terri-
tory.

1 “(2) EXEMPTION.—The provisions of this title
2 requiring inspection of the slaughter of animals and
3 the preparation of the carcasses, parts thereof, meat,
4 and meat food products at establishments con-
5 ducting those operations for commerce shall not
6 apply to the slaughtering by any person of animals
7 at a custom slaughter facility and the preparation at
8 that custom slaughter facility and transportation in
9 commerce of the carcasses, parts thereof, meat, and
10 meat food products of those animals if—

11 “(A) the slaughtering and preparation car-
12 ried out at the custom slaughter facility is car-
13 ried out in accordance with the law of the State
14 in which the custom slaughter facility is lo-
15 cated; and

16 “(B) the animals are slaughtered and the
17 carcasses, parts thereof, meat, and meat food
18 products of the animals are prepared exclusively
19 for distribution to—

20 “(i) household consumers within the
21 State in which the custom slaughter facil-
22 ity is located; or

23 “(ii) restaurants, hotels, boarding
24 houses, grocery stores, or other establish-

1 ments located in the State in which the
2 custom slaughter facility is located that—

3 “(I) are involved in the prepara-
4 tion of meals served directly to con-
5 sumers; or

6 “(II) offer meat and meat food
7 products for sale directly to con-
8 sumers in the State.”; and

9 (3) in subsection (c) (as so redesignated), in the
10 second sentence, by striking “paragraph (b)” and in-
11 serting “subsection”.

12 (b) NO PREEMPTION OF STATE LAW.—Nothing in
13 an amendment made by subsection (a) preempts any State
14 law relating to—

15 (1) the slaughter of animals or the preparation
16 of carcasses, parts thereof, meat, and meat food
17 products at a custom slaughter facility; or

18 (2) the sale of meat or meat food products.

19 **SEC. 5. DEFINITIONS.**

20 In this Act:

21 (1) AGENCY.—The term “agency” has the
22 meaning given that term in section 551 of title 5,
23 United States Code.

24 (2) EMERGENCY PERIOD.—The term “emer-
25 gency period” means the duration of a public health

1 emergency declared pursuant to section 319 of the
2 Public Health Service Act (42 U.S.C. 247d) as a re-
3 sult of confirmed cases of 2019 novel coronavirus
4 (COVID–19), including any renewal thereof.

5 (3) REGULATION.—The term “regulation” has
6 the meaning given the term “rule” under section
7 551 of title 5, United States Code.

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