

116TH CONGRESS
1ST SESSION

H. R. 3844

To amend the Federal Water Pollution Control Act to require all persons exercising substantial operational control over a concentrated animal feeding operation to jointly obtain a permit for certain discharges, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2019

Mr. KHANNA (for himself and Mr. POCAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to require all persons exercising substantial operational control over a concentrated animal feeding operation to jointly obtain a permit for certain discharges, 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 “Farmer Fairness Act”.

1 **SEC. 2. CONCENTRATED ANIMAL FEEDING OPERATION DIS-**
2 **CHARGES.**

3 Section 402 of the Federal Water Pollution Control
4 Act (33 U.S.C. 1342) is amended by adding at the end
5 the following:

6 “(t) CONCENTRATED ANIMAL FEEDING OPERATION
7 DISCHARGES.—

8 “(1) IN GENERAL.—For the purposes of apply-
9 ing the requirements of this section to a discharge
10 from a concentrated animal feeding operation, the
11 Administrator shall require all persons exercising
12 substantial operational control over the concentrated
13 animal feeding operation to jointly obtain a permit
14 under this section for the discharge.

15 “(2) SUBSTANTIAL OPERATIONAL CONTROL.—
16 For purposes of this subsection, a person exercises
17 substantial operational control over a concentrated
18 animal feeding operation if the person—

19 “(A) has an ownership interest in the live-
20 stock, land, or other capital of the concentrated
21 animal feeding operation;

22 “(B) exercises any control over the activi-
23 ties, operation (including specifying how the
24 livestock of the concentrated animal feeding op-
25 eration is fed, grown, or medicated), or man-
26 agement (including waste management prac-

1 tices) of a concentrated animal feeding oper-
2 ation; or

3 “(C) meets any other criteria that the Ad-
4 ministrator determines appropriate.”.

○