

441 G St. N.W.  
Washington, DC 20548

B-333510

August 28, 2021

The Honorable Debbie Stabenow  
Chairwoman  
The Honorable John Boozman  
Ranking Member  
Committee on Agriculture, Nutrition, and Forestry  
United States Senate

The Honorable David Scott  
Chairman  
The Honorable Glenn Thompson  
Ranking Member  
Committee on Agriculture  
House of Representatives

Subject: *Department of Agriculture, Rural Housing Service: The American Rescue Plan Act Emergency Rural Health Care Grant Program*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of Agriculture, Rural Housing Service (USDA) entitled “The American Rescue Plan Act Emergency Rural Health Care Grant Program” (RHS-21-CF-0009). We received the rule on August 13, 2021. It was published in the *Federal Register* as a notice of funds availability on August 12, 2021. 86 Fed. Reg. 44332. The effective date is October 12, 2021.

According to USDA, the notice announces the availability of up to \$500 million in grant funding, appropriated under the American Rescue Plan Act of 2021, Pub. L. No. 117-2, 135 Stat. 4 (Mar. 11, 2021), for the establishment of the Emergency Rural Health Care (ERHC) Grant Program. USDA stated funds will be made available and distributed between two tracks of funding to eligible applicants: Track One, Recovery grants to offer support for rural health care services in the form of immediate relief to address the economic conditions arising from the COVID-19 emergency; and Track Two, Impact grants to offer longer-term funding to advance ideas and solutions to support long-term sustainability of rural health.

Enclosed is our assessment of USDA’s compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the

evaluation work relating to the subject matter of the rule, please contact Shari Brewster, Assistant General Counsel, at (202) 512-6398.

A handwritten signature in black ink, reading "Shirley A. Jones". The signature is written in a cursive, flowing style with a large initial 'S'.

Shirley A. Jones  
Managing Associate General Counsel

Enclosure

cc: Michele Brooks  
Director, Regulations Management Division  
Innovation Center-Rural Development  
Department of Agriculture

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE  
ISSUED BY THE  
DEPARTMENT OF AGRICULTURE,  
RURAL HOUSING SERVICE  
ENTITLED  
“THE AMERICAN RESCUE PLAN ACT EMERGENCY RURAL  
HEALTH CARE GRANT PROGRAM”  
(RHS-21-CF-0009)

(i) Cost-benefit analysis

In its submission to us, the Department of Agriculture, Rural Housing Service (USDA) indicated that it considered preparation of an analysis of the costs and benefits of this notice to be not applicable.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603-605, 607, and 609

In its submission to us, USDA indicated that it considered preparation of an analysis under the RFA of this notice to be not applicable.

(iii) Agency actions relevant to sections 202-205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532-1535

In its submission to us, USDA indicated that it considered preparation of an analysis under the Act of this notice to be not applicable.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act (APA), 5 U.S.C. §§ 551 *et seq.*

USDA did not discuss APA in the notice.

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501-3520

USDA determined the notice contained information collection requests (ICRs) subject to the PRA. The ICR is entitled “American Rescue Plan Act Emergency Rural Health Care (ERHC) Grant Program” and is associated with Office of Management and Budget Control Number 0575-0200. USDA estimated the total burden hours for the ICR would be 201,272.

Statutory authorization for the rule

USDA promulgated this notice pursuant to sections 1926 and 8103 of title 7, United States Code as well as Public Law 117-2.

Executive Order No. 12866 (Regulatory Planning and Review)

In its submission to us, USDA indicated that it considered preparation of an analysis under the Order of this notice to be not applicable.

Executive Order No. 13132 (Federalism)

In its submission to us, USDA indicated that it considered preparation of an analysis under the Order of this notice to be not applicable.