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(Original Signature of Member)

111TH CONGRESS
2D SESSION

H. R.

To amend the Clean Air Act relating to greenhouse gases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SKELTON (for himself, Mr. PETERSON, and Mrs. EMERSON) introduced the following bill; which was referred to the Committee on

A BILL

To amend the Clean Air Act relating to greenhouse gases, 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. GREENHOUSE GAS REGULATION UNDER CLEAN**
4 **AIR ACT.**

5 Section 302(g) of the Clean Air Act (42 U.S.C.
6 7602(g)) is amended by adding the following at the end
7 thereof: “The term ‘air pollutant’ shall not include any

1 of the following solely on the basis of its effect on global
2 climate change:

3 “(1) Carbon dioxide.

4 “(2) Methane.

5 “(3) Nitrous oxide.

6 “(4) Hydrofluorocarbons.

7 “(5) Perfluorocarbons.

8 “(6) Sulfur hexafluoride.”.

9 **SEC. 2. RENEWABLE FUEL STANDARD.**

10 (a) EXCLUSION OF ACTIVITIES RELATING TO INTER-
11 NATIONAL INDIRECT LAND USE CHANGE.—The Adminis-
12 trator of the Environmental Protection Agency shall not
13 carry out any activities relating to the inclusion of inter-
14 national indirect land use change in the implementation
15 of the renewable fuel program established under section
16 211(o) of the Clean Air Act (42 U.S.C. 7545(o)).

17 (b) EXCLUSION OF INDIRECT EMISSIONS FROM
18 INTERNATIONAL LAND USE CHANGES IN CALCULATION
19 OF LIFECYCLE GREENHOUSE GAS EMISSIONS.—Para-
20 graph (1)(H) of section 211(o) of the Clean Air Act (42
21 U.S.C. 7545(o)(1)(H)) is amended—

22 (1) by striking “(including direct emissions and
23 significant indirect emissions such as significant
24 emissions from land use changes)” and inserting

1 “(excluding indirect emissions from international
2 land use changes)”; and

3 (2) by striking “the Administrator” and insert-
4 ing “the Administrator and the Secretary of Agri-
5 culture”.

6 (c) RENEWABLE BIOMASS.—Paragraph (1)(I) of sec-
7 tion 211(o) of the Clean Air Act (42 U.S.C. 7545(o)(1)(I))
8 is amended to read as follows:

9 “(I) RENEWABLE BIOMASS.—The term ‘re-
10 newable biomass’ means—

11 “(i) materials, pre-commercial
12 thinnings, or invasive species from Na-
13 tional Forest System land and public lands
14 (as defined in section 103 of the Federal
15 Land Policy and Management Act of 1976
16 (43 U.S.C. 1702)) that—

17 “(I) are byproducts of preventive
18 treatments that are removed—

19 “(aa) to reduce hazardous
20 fuels;

21 “(bb) to reduce or contain
22 disease or insect infestation; or

23 “(cc) to restore ecosystem
24 health;

1 “(II) would not otherwise be used
2 for higher-value products; and

3 “(III) are harvested in accord-
4 ance with—

5 “(aa) applicable law and
6 land management plans; and

7 “(bb) the requirements
8 for—

9 “(AA) old-growth main-
10 tenance, restoration, and
11 management direction of
12 paragraphs (2), (3), and (4)
13 of subsection (e) of section
14 102 of the Healthy Forests
15 Restoration Act of 2003 (16
16 U.S.C. 6512); and

17 “(BB) large-tree reten-
18 tion of subsection (f) of that
19 section; or

20 “(ii) any organic matter that is avail-
21 able on a renewable or recurring basis
22 from non-Federal land or land belonging to
23 an Indian or Indian tribe that is held in
24 trust by the United States or subject to a

1 restriction against alienation imposed by
2 the United States, including—
3 “(I) renewable plant material, in-
4 cluding—
5 “(aa) feed grains;
6 “(bb) other agricultural
7 commodities;
8 “(cc) other plants and trees;
9 and
10 “(dd) algae; and
11 “(II) waste material, including—
12 “(aa) crop residue;
13 “(bb) other vegetative waste
14 material (including wood waste
15 and wood residues);
16 “(cc) animal waste and by
17 products (including fats, oils,
18 greases, and manure); and
19 “(dd) food waste and yard
20 waste.”.