

111th CONGRESS

1st Session

H. R. 4396

To amend the Clean Air Act to provide that greenhouse gases are not subject to the Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

December 16, 2009

Mr. POMEROY introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to provide that greenhouse gases are not subject to the Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Save Our Energy Jobs Act'.

SEC. 2. FINDING AND SENSE OF CONGRESS.

(a) Finding- Congress finds that on April 2, 2007, the United States Supreme Court, in *Massachusetts v. Environmental Protection Agency*, 549 U.S. 497 (2007), found that the Environmental Protection Agency has authority under the Clean Air Act to regulate greenhouse gas emissions.

(b) Sense of Congress- It is the sense of Congress that:

(1) When Congress passed the Clean Air Act, it did not intend to regulate greenhouse gases under such Act.

(2) The Environmental Protection Agency should not have the authority to promulgate rules to regulate greenhouse gas emissions without being provided explicit authority to do so by Congress.

(3) Should the Environmental Protection Agency promulgate rules that regulate greenhouse gas emissions, such regulations will have a significant impact on nearly all aspects of the economy of the United States. Regulations that have the potential to impact such a large portion of the economy should not be left to administrative rulemaking in the absence of congressional action.

(4) Comprehensive regulations to address global climate change must only be enacted--

(A) at the direction of Congress; and

(B) if Congress specifically intends such regulations to be implemented.

SEC. 3. GREENHOUSE GAS REGULATION UNDER CLEAN AIR ACT.

Section 302(g) of the Clean Air Act (42 U.S.C. 7602(g)) is amended by adding the following at the end thereof: `The term `air pollutant' shall not include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride.'.

END