

115TH CONGRESS  
1ST SESSION

# H. R. 637

To prevent the Environmental Protection Agency from exceeding its statutory authority in ways that were not contemplated by the Congress.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2017

Mr. PALMER (for himself, Mr. MOONEY of West Virginia, Mr. BIGGS, Mr. HARRIS, Mrs. WAGNER, Mr. FARENTHOLD, Mr. GIBBS, Mr. GOODLATTE, Mr. LATTA, Mr. WENSTRUP, Mr. BYRNE, Mr. GUTHRIE, Mr. BABIN, Mr. WESTERMAN, Mr. FLEISCHMANN, Mr. WEBSTER of Florida, Mr. BRAT, Mr. MCKINLEY, Mr. ROUZER, Mr. SCHWEIKERT, Mr. VALADAO, Mr. NUNES, Mrs. BLACK, Mr. LAMALFA, Mr. LAMBORN, Mr. CARTER of Georgia, Mr. JENKINS of West Virginia, Mr. LUCAS, Mr. GROTHMAN, Mr. THOMPSON of Pennsylvania, Mr. BERGMAN, Mr. CHAFFETZ, Mr. SMITH of Missouri, Mr. HENSARLING, Mr. DUNCAN of South Carolina, Mr. BANKS of Indiana, Mr. JORDAN, Mr. JODY B. HICE of Georgia, Mr. BARTON, Mr. WILSON of South Carolina, Mr. CARTER of Texas, Mr. CULBERSON, Mr. RATCLIFFE, Mr. AMASH, Mr. ROTHFUS, Mr. BUCK, Mr. MARCHANT, Mr. BRADY of Texas, Mr. CRAMER, Mrs. NOEM, Mr. SMITH of Texas, Ms. CHENEY, Mr. BARLETTA, Mr. GOHMERT, Mr. MESSER, Mr. MEADOWS, Mr. SANFORD, Mr. WALKER, Mr. MULLIN, Mrs. ROBY, Mr. BISHOP of Michigan, Mr. KELLY of Pennsylvania, Mr. ROGERS of Alabama, Mrs. MIMI WALTERS of California, Mr. BROOKS of Alabama, Mr. GOSAR, Mr. OLSON, Mr. SESSIONS, Mr. ABRAHAM, Mr. HULTGREN, Mr. WEBER of Texas, Mr. LABRADOR, Mr. ALLEN, Mr. CRAWFORD, Mr. ADERHOLT, Mr. PITTINGER, Mr. MARSHALL, Mr. WILLIAMS, Mr. SAM JOHNSON of Texas, Mr. PERRY, Mr. TIPTON, Mr. CHABOT, Mr. KING of Iowa, Mr. PEARCE, Mr. SCALISE, Mr. POE of Texas, Mr. YOHO, Mr. MASSIE, Mr. ROKITA, Mr. COLE, Mr. GARRETT, Mr. MARINO, Mr. THOMAS J. ROONEY of Florida, Mr. FRANKS of Arizona, Mrs. HARTZLER, Mr. JONES, and Mr. DAVIDSON) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

# A BILL

To prevent the Environmental Protection Agency from exceeding its statutory authority in ways that were not contemplated by the Congress.

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 “Stopping EPA Over-  
5 reach Act of 2017”.

6 **SEC. 2. FINDINGS.**

7       Congress finds that—

8           (1) the Environmental Protection Agency has  
9       exceeded its statutory authority by promulgating  
10       regulations that were not contemplated by Congress  
11       in the authorizing language of the statutes enacted  
12       by Congress;

13           (2) the Environmental Protection Agency was  
14       correct not to classify greenhouse gases as pollutants  
15       prior to 2009;

16           (3) no Federal agency has the authority to reg-  
17       ulate greenhouse gases under current law; and

18           (4) no attempt to regulate greenhouse gases  
19       should be undertaken without further Congressional  
20       action.

1 **SEC. 3. CLARIFICATION OF FEDERAL REGULATORY AU-**  
2 **THORITY TO EXCLUDE GREENHOUSE GASES**  
3 **FROM REGULATION UNDER THE CLEAN AIR**  
4 **ACT.**

5 (a) REPEAL OF FEDERAL CLIMATE CHANGE REGU-  
6 LATION.—

7 (1) GREENHOUSE GAS REGULATION UNDER  
8 CLEAN AIR ACT.—Section 302(g) of the Clean Air  
9 Act (42 U.S.C. 7602(g)) is amended—

10 (A) by striking “(g) The term” and insert-  
11 ing the following:

12 “(g) AIR POLLUTANT.—

13 “(1) IN GENERAL.—The term”; and

14 (B) by adding at the end the following:

15 “(2) EXCLUSION.—The term ‘air pollutant’  
16 does not include carbon dioxide, water vapor, meth-  
17 ane, nitrous oxide, hydrofluorocarbons,  
18 perfluorocarbons, or sulfur hexafluoride.”.

19 (2) NO REGULATION OF CLIMATE CHANGE.—  
20 Notwithstanding any other provision of law, nothing  
21 in any of the following Acts or any other law author-  
22 izes or requires the regulation of climate change or  
23 global warming:

24 (A) The Clean Air Act (42 U.S.C. 7401 et  
25 seq.).

1 (B) The Federal Water Pollution Control  
2 Act (33 U.S.C. 1251 et seq.).

3 (C) The National Environmental Policy  
4 Act of 1969 (42 U.S.C. 4321 et seq.).

5 (D) The Endangered Species Act of 1973  
6 (16 U.S.C. 1531 et seq.).

7 (E) The Solid Waste Disposal Act (42  
8 U.S.C. 6901 et seq.).

9 (b) EFFECT ON FINAL RULES OF THE EPA.—In ac-  
10 cordance with this section, the following final rules (or any  
11 similar or successor rules) of the Environmental Protec-  
12 tion Agency shall be void and have no force or effect:

13 (1) The final rule entitled “Oil and Natural  
14 Gas Sector: Emission Standards for New, Recon-  
15 structed, and Modified Sources” (published at 81  
16 Fed. Reg. 35823 (June 3, 2016)).

17 (2) The final rule entitled “Carbon Pollution  
18 Emission Guidelines for Existing Stationary  
19 Sources: Electric Utility Generating Units” (pub-  
20 lished at 80 Fed. Reg. 64661 (October 23, 2015)).

21 **SEC. 4. JOBS ANALYSIS FOR ALL EPA REGULATIONS.**

22 (a) IN GENERAL.—Before proposing or finalizing any  
23 regulation, rule, or policy, the Administrator of the Envi-  
24 ronmental Protection Agency shall provide an analysis of  
25 the regulation, rule, or policy and describe the direct and

1 indirect net and gross impact of the regulation, rule, or  
2 policy on employment in the United States.

3 (b) LIMITATION.—No regulation, rule, or policy de-  
4 scribed in subsection (a) shall take effect if the regulation,  
5 rule, or policy has a negative impact on employment in  
6 the United States unless the regulation, rule, or policy is  
7 approved by Congress and signed by the President.

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