

## S 228

### Defending America's Affordable Energy and Jobs Act

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Environmental Protection

**Introduced:** Jan 31, 2011

**Current Status:** Read twice and referred to the Committee on Environment and Public Works.

**Latest Action:** Read twice and referred to the Committee on Environment and Public Works. (Jan 31, 2011)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/228>

### Sponsor

**Name:** Sen. Barrasso, John [R-WY]

**Party:** Republican • **State:** WY • **Chamber:** Senate

### Cosponsors (22 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blunt, Roy [R-MO]	R · MO		Jan 31, 2011
Sen. Cornyn, John [R-TX]	R · TX		Jan 31, 2011
Sen. Enzi, Michael B. [R-WY]	R · WY		Jan 31, 2011
Sen. Hatch, Orrin G. [R-UT]	R · UT		Jan 31, 2011
Sen. Inhofe, James M. [R-OK]	R · OK		Jan 31, 2011
Sen. Lee, Mike [R-UT]	R · UT		Jan 31, 2011
Sen. Moran, Jerry [R-KS]	R · KS		Jan 31, 2011
Sen. Roberts, Pat [R-KS]	R · KS		Jan 31, 2011
Sen. Thune, John [R-SD]	R · SD		Jan 31, 2011
Sen. Vitter, David [R-LA]	R · LA		Jan 31, 2011
Sen. DeMint, Jim [R-SC]	R · SC		Feb 4, 2011
Sen. Risch, James E. [R-ID]	R · ID		Feb 4, 2011
Sen. Boozman, John [R-AR]	R · AR		Feb 7, 2011
Sen. Cochran, Thad [R-MS]	R · MS		Feb 7, 2011
Sen. Hoeven, John [R-ND]	R · ND		Feb 10, 2011
Sen. Isakson, Johnny [R-GA]	R · GA		Feb 15, 2011
Sen. Chambliss, Saxby [R-GA]	R · GA		Mar 2, 2011
Sen. Wicker, Roger F. [R-MS]	R · MS		Mar 3, 2011
Sen. Coats, Daniel [R-IN]	R · IN		Mar 9, 2011
Sen. Paul, Rand [R-KY]	R · KY		Mar 28, 2011
Sen. Johnson, Ron [R-WI]	R · WI		Sep 15, 2011
Sen. Rubio, Marco [R-FL]	R · FL		Dec 16, 2011

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Referred To	Jan 31, 2011

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
112 HR 750	Identical bill	<b>Feb 28, 2011:</b> Referred to the Subcommittee on Energy and Power.

Defending America's Affordable Energy and Jobs Act - Prohibits the President or any federal agency head from promulgating regulations providing for the control of emissions of a greenhouse gas (GHG), enforcing or implementing any law enacted as of the date of enactment of this Act that provides for the control of GHG emissions, taking action relating to or taking into consideration the climate effects of GHG emissions, considering climate effects in implementing or enforcing laws, or conditioning or denying any approval based on climate effects, unless the law, action, or consideration is: (1) determined to be necessary to protect the public health from imminent and substantial harm caused by direct human exposure to the relevant GHG in a concentration that is substantially greater than current and projected future average concentrations of that GHG gas in the global atmosphere; and (2) based solely on effects other than effects relating to atmospheric concentrations of GHG, including climate change. Excepts: (1) regulation of, action with respect to, or consideration of a GHG under the Clean Air Act (CAA) with respect to stratospheric ozone protection other than for the potential or actual effect of the GHG on climate change; or (2) voluntary incentive programs to promote the development or deployment of technologies that reduce GHG emissions.

Provides that: (1) the authority of the Secretary of Transportation (DOT) to prescribe average fuel economy standards for automobiles does not include any authority with respect to GHGs and is unaffected by this Act; and (2) the requirements set forth in the final rule entitled "Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards; Final Rule" remain in effect.

Nullifies each other rule promulgated and action taken by the Administrator of the Environment Protection Agency (EPA) before the date of enactment of this Act to regulate GHGs for effects relating to atmospheric concentrations of GHGs.

Prohibits any law, regulation, or action relating to GHGs from: (1) having any impact on the regulation of stationary sources under CAA; or (2) being considered to be the regulation of pollutants under CAA for any purpose (other than for the regulation of GHG emissions for light-duty motor vehicles from model years 2012 through 2016).

Prohibits the Administrator from granting any waiver that allows any state to establish GHG emission standards for new motor vehicles and emission standards for motor vehicle engines of model year 2017 or later and invalidates any waiver granted before enactment of this Act.

Provides that any provision of a state implementation plan designating GHGs as pollutants that are subject to regulation or otherwise authorizing or requiring limitations on the emission of GHGs under state law is not federally enforceable and is deemed to be stricken from such plan.

Prohibits the President or agency heads from examining or making findings or conclusions for purposes of promulgating or issuing policy, guidance, or regulations to address the impacts of GHG emissions on climate change, except as authorized by this Act or another Act of Congress.

Prohibits any cause of action from being brought or maintained, or any liability, money damages, or injunctive relief arising from such an action from being imposed, for any contribution of a GHG to climate change or any effect of atmospheric concentrations of a GHG.

Prohibits a state from having the authority to: (1) require any entity to procure, hold, or surrender allowances for the emission of GHGs that takes place outside the state; (2) regulate or tax GHG emissions produced outside of the state; or (3) limit the importation of products or electricity into the state based on GHG emissions occurring outside the state.

## Actions Timeline

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- **Jan 31, 2011:** Introduced in Senate
- **Jan 31, 2011:** Read twice and referred to the Committee on Environment and Public Works.