

HR 6409

FENCES Act

Congress: 119 (2025–2027, Current)

Chamber: House

Policy Area: Environmental Protection

Introduced: Dec 3, 2025

Current Status: Supplemental report filed by the Committee on Energy and Commerce, H. Rept. 119-594, Part II.

Latest Action: Supplemental report filed by the Committee on Energy and Commerce, H. Rept. 119-594, Part II. (Apr 14, 2026)

Official Text: <https://www.congress.gov/bill/119th-congress/house-bill/6409>

Sponsor

Name: Rep. Pfluger, August [R-TX-11]

Party: Republican • **State:** TX • **Chamber:** House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Crenshaw, Dan [R-TX-2]	R · TX		Dec 9, 2025
Rep. Crank, Jeff [R-CO-5]	R · CO		Feb 24, 2026

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred To	Dec 3, 2025
Energy and Commerce Committee	House	Reported by	Dec 10, 2025

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
119 S 3836	Related bill	Feb 11, 2026: Read twice and referred to the Committee on Environment and Public Works.

Foreign Emissions and Nonattainment Clarification for Economic Stability Act or the FENCES Act

This bill modifies standards under the Clean Air Act to exempt states from penalties for emissions outside of the state's control.

The bill provides that certain nonattainment areas (i.e., those classified as severe or extreme for ozone or as serious for particulate matter) are not subject to sanctions for implementation plan deficiencies or for fees for failing to attain national ambient air quality standards (NAAQS) if the state demonstrates it would have avoided deficiencies or attained its standards but for emissions outside of its control (e.g., emissions from an exceptional event like a wildfire). A state must renew its demonstration at least once every five years for exemption from the sanctions or fees to continue to apply.

The bill specifies that an area within a state may not be designated as a nonattainment area regarding any new or revised NAAQS for a pollutant if the state demonstrates it would be in attainment but for emissions emanating from outside of the country, regardless of whether the emissions resulted from human activity.

For purposes of approving a state implementation plan or meeting certain NAAQS, current law provides that a state may demonstrate to the Environmental Protection Agency that but for emissions emanating from outside of the country, it would have attained applicable NAAQS by the attainment date for certain pollutants. The bill specifies that such emissions emanating from outside the country may include emissions that result from human activity.

- **Dec 3, 2025:** Introduced in House
- **Dec 3, 2025:** Referred to the House Committee on Energy and Commerce.
- **Dec 3, 2025:** Referred to the Subcommittee on Environment.
- **Dec 3, 2025:** Introduced in House
- **Dec 3, 2025:** Introduced in House
- **Dec 3, 2025:** Referred to the House Committee on Energy and Commerce.
- **Dec 3, 2025:** Referred to the Subcommittee on Environment.
- **Dec 3, 2025:** Introduced in House
- **Dec 3, 2025:** Introduced in House
- **Dec 3, 2025:** Referred to the House Committee on Energy and Commerce.
- **Dec 3, 2025:** Introduced in House
- **Dec 3, 2025:** Introduced in House
- **Dec 3, 2025:** Referred to the House Committee on Energy and Commerce.
- **Dec 3, 2025:** Introduced in House
- **Dec 3, 2025:** Introduced in House
- **Dec 3, 2025:** Referred to the House Committee on Energy and Commerce.