

112TH CONGRESS
1ST SESSION

H. R. 153

To prohibit funding for the Environmental Protection Agency to be used to implement or enforce a cap-and-trade program for greenhouse gases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2011

Mr. POE of Texas (for himself, Mr. BRADY of Texas, Mr. BISHOP of Utah, Mr. LAMBORN, Mr. HALL, Mr. ROE of Tennessee, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. BURTON of Indiana, Mr. STUTZMAN, Mr. AKIN, Mr. COLE, Ms. FOXX, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mrs. LUMMIS, Mr. MCKEON, Mr. PAUL, and Mr. LATTA) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit funding for the Environmental Protection Agency to be used to implement or enforce a cap-and-trade program for 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. SHORT TITLE.**

4 This Act may be cited as the “Ensuring Affordable
5 Energy Act”.

1 **SEC. 2. PROHIBITION OF FUNDING FOR CAP-AND-TRADE**
2 **PROGRAM FOR GREENHOUSE GASES.**

3 (a) PROHIBITION.—Notwithstanding any other provi-
4 sion of law, no funds appropriated or otherwise available
5 for the Administrator of the Environmental Protection
6 Agency may be used to implement or enforce—

7 (1) a cap-and-trade program; or

8 (2) any statutory or regulatory requirement
9 pertaining to emissions of one or more greenhouse
10 gases from stationary sources that is issued or be-
11 comes applicable or effective after January 1, 2011,
12 including—

13 (A) any such requirement under section
14 111 of the Clean Air Act (42 U.S.C. 7411) or
15 part C of title I of such Act (42 U.S.C. 7470
16 et seq.); and

17 (B) any such permitting requirement
18 under the Clean Air Act (42 U.S.C. 7401 et
19 seq.).

20 (b) DEFINITIONS.—In this Act:

21 (1) The term “cap-and-trade program” means
22 any regulatory program established after the date of
23 enactment of this Act that provides for the sale, auc-
24 tion, or other distribution of a limited amount of al-
25 lowances that permit the emission of one or more
26 greenhouse gases.

1 (2) The term “greenhouse gas” includes, with
2 respect to a cap-and-trade program under subsection
3 (a)(1) or a requirement under subsection (a)(2), any
4 of the following:

5 (A) Carbon dioxide.

6 (B) Methane.

7 (C) Nitrous oxide.

8 (D) Sulfur hexafluoride.

9 (E) Hydrofluorocarbons.

10 (F) Perfluorocarbons.

11 (G) Any other anthropogenic gas des-
12 ignated as a greenhouse gas for purposes of
13 such cap-and-trade program or such require-
14 ment.

15 (3) The term “stationary source” has the
16 meaning given such term in section 111(a)(3) of the
17 Clean Air Act (42 U.S.C. 7411(a)(3)).

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