

AMENDMENT TO RULES COMM. PRINT 117-31
OFFERED BY MS. FOXX OF NORTH CAROLINA

Insert after section 30128 the following:

1 **SEC. 30129. ACTIONS TO ESTABLISH OR REVISE UNITED**
2 **STATES NATIONALLY DETERMINED CON-**
3 **TRIBUTION UNDER THE PARIS AGREEMENT.**

4 (a) IN GENERAL.—Any action to establish or revise
5 the United States nationally determined contribution
6 under the Paris Agreement shall have force and effect only
7 if—

8 (1) before the President submits the nationally
9 determined contribution to the United Nations
10 Framework Convention on Climate Change Secre-
11 tariat, the President submits to Congress a report
12 that—

13 (A) describes the proposed action;

14 (B) includes a plan for the United States
15 to meet its nationally determined contribution
16 under the Paris Agreement that details—

17 (i) a complete description of measures
18 under the authority of the Federal Govern-
19 ment necessary to achieve the United
20 States nationally determined contribution,

1 including new or revised regulations, new
2 or revised authorities that require congress-
3 sional actions, and new or revised financial
4 incentives; and

5 (ii) how the United States will use the
6 Paris Agreement's transparency provisions
7 to confirm that other parties to the Agree-
8 ment, including all major emitters, are ful-
9 filling their announced contributions to the
10 Agreement;

11 (C) describes how the United States na-
12 tionally determined contribution will impact the
13 level of total global emissions, based on the
14 most recent available global emissions data, and
15 how the United States nationally determined
16 contribution in the aggregate with the nation-
17 ally determined contributions of other countries
18 submitted under the Paris Agreement will re-
19 sult in a reduction of global emissions below
20 2005 levels by 2036 or by the date that is 15
21 years after the submission of the United States
22 nationally determined contribution, whichever
23 occurs later;

24 (D) if any measure described in subpara-
25 graph (B)(i) results in increased costs of energy

1 produced or consumed in the United States or
2 increased costs to manufacture or produce
3 goods or resources in the United States, in-
4 cludes specific policy measures that will pre-
5 vent—

6 (i) job displacement that would result
7 as a result of any such measure;

8 (ii) reduced global competitiveness of
9 goods and resources manufactured or pro-
10 duced in the United States as a result of
11 any such measure; and

12 (iii) leaked emissions, including new
13 or increased lifecycle greenhouse gas emis-
14 sions that will occur outside of the United
15 States, as a result of any such measure;

16 (E) includes a specific timeline for imple-
17 menting the specific policy measures described
18 in subparagraph (D) in a manner that such
19 measures are fully implemented and in effect
20 prior to or simultaneously with implementation
21 and effectiveness of the measures described in
22 subparagraph (B)(i) in order to ensure there is
23 no period of time when domestic jobs and man-
24 ufacturing will be negatively impacted by such
25 measures described in subparagraph (B)(i); and

1 (F) contains a determination of the Presi-
2 dent that the proposed action is in the national
3 interest of the United States; and

4 (2) during the 60-day period beginning on the
5 date on which the report is submitted under para-
6 graph (1), a joint resolution of disapproval described
7 in subsection (b) with respect to the proposed action
8 is not enacted into law.

9 (b) JOINT RESOLUTION OF DISAPPROVAL.—

10 (1) IN GENERAL.—In this subsection, the term
11 “joint resolution of disapproval” means only a joint
12 resolution of either House of Congress—

13 (A) the title of which is as follows: “A joint
14 resolution disapproving the action of the Presi-
15 dent to establish or revise the United States na-
16 tionally determined contribution under the
17 Paris Agreement.”; and

18 (B) the sole matter after the resolving
19 clause of which is as follows: “Congress dis-
20 approves of the action of the President to estab-
21 lish or revise the United States nationally deter-
22 mined contribution under the Paris Agreement
23 as proposed by the President in the report sub-
24 mitted to Congress under section 3(a)(1) of the
25 Protecting American Resources, Innovation,

1 and Sovereignty Act on ____ relating to ____.”,
2 with the first blank space being filled with the
3 appropriate date and the second blank space
4 being filled with a short description of the pro-
5 posed action.

6 (2) CONGRESSIONAL PROCEDURES.—A joint
7 resolution of disapproval shall be considered in the
8 House of Representatives and the Senate in accord-
9 ance with paragraphs (3) through (5) of section
10 135(e) of the Atomic Energy Act of 1954 (42
11 U.S.C. 2160e(e)).

12 (c) RULES OF CONSTRUCTION RELATING TO PARIS
13 AGREEMENT.—

14 (1) RELATING TO PARIS AGREEMENT.—Nothing
15 in the Paris Agreement may be used to establish or
16 demonstrate the existence of a violation of United
17 States law or an offense against the law of nations
18 in United States courts, including—

19 (A) to establish standing, a cause of ac-
20 tion, or a source of damages as a matter of law;
21 or

22 (B) to demonstrate whether an action by a
23 Federal agency is arbitrary or capricious, an
24 abuse of discretion, or otherwise not in accord-
25 ance with law.

1 (2) RELATING TO THIS ACT.—Nothing in para-
2 graph (1) may be construed to modify or limit any
3 obligation of the United States pursuant to an inter-
4 national treaty that was ratified by the President
5 with the advice and consent of the Senate, including
6 the United Nations Framework Convention on Cli-
7 mate Change.

8 (d) DEFINITIONS.—In this section:

9 (1) MAJOR EMITTER.—The term “major emit-
10 ter” means any country, or defined group of coun-
11 tries that share a common nationally determined
12 contribution under the Paris Agreement, that ac-
13 counts for at least one percent of global greenhouse
14 gas emissions based on most recent data as deter-
15 mined by the Department of State.

16 (2) PARIS AGREEMENT.—The term “Paris
17 Agreement” means the decision by the United Na-
18 tions Framework Convention on Climate Change’s
19 21st Conference of Parties in Paris, France, adopted
20 December 12, 2015.

