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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To restore and strengthen the obligation of the Environmental Protection Agency to protect human health and the environment, to halt unlawful deregulatory actions, to require enforcement of the Clean Air Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CASTEN introduced the following bill; which was referred to the Committee on _____

A BILL

To restore and strengthen the obligation of the Environmental Protection Agency to protect human health and the environment, to halt unlawful deregulatory actions, to require enforcement of the Clean Air Act, 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 “Environmental Health
5 Restoration Act of 2026”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the Environmental Protection Agency was
4 created to protect human health and the environ-
5 ment and is statutorily required to carry out and en-
6 force the Clean Air Act (42 U.S.C. 7401 et seq.)
7 and other critically important environmental laws
8 that protect public health;

9 (2) since January 2025, the Environmental
10 Protection Agency has initiated or advanced dozens
11 of deregulatory actions weakening or dismantling
12 protections governing power plants, vehicles, meth-
13 ane pollution, hazardous air pollutants, greenhouse
14 gas reporting, and environmental justice programs;

15 (3) the actions described in paragraph (2) in-
16 clude delays or repeals of standards addressing—

17 (A) greenhouse gas emissions from fossil
18 fuel-fired power plants;

19 (B) methane and volatile organic com-
20 pound pollution from oil and gas operations;

21 (C) mercury and air toxics standards;

22 (D) national ambient air quality standards
23 under the Clean Air Act (42 U.S.C. 7401 et
24 seq.) for particulate matter;

25 (E) greenhouse gas reporting program re-
26 quirements; and

1 (F) vehicle emissions standards;

2 (4) the Environmental Protection Agency has
3 repealed the finding under section 202(a) of the
4 Clean Air Act (42 U.S.C. 7521(a)) that greenhouse
5 gases may reasonably be anticipated to endanger
6 public health or welfare despite overwhelming sci-
7 entific consensus, and, by that repeal, the Environ-
8 mental Protection Agency has—

9 (A) threatened the legal foundation for
10 Federal limits on greenhouse gas pollution from
11 vehicles, power plants, and industrial sources;
12 and

13 (B) undermined the core statutory obliga-
14 tion of the Environmental Protection Agency to
15 protect human health and the environment;

16 (5) the Environmental Protection Agency has
17 further reduced enforcement activity, dismantled sci-
18 entific advisory bodies, eliminated environmental jus-
19 tice programs, and ceased consideration of the social
20 cost of carbon, undermining science-based policy-
21 making and community protections;

22 (6) the actions of the Environmental Protection
23 Agency described in paragraphs (2) through (5) are
24 contrary to existing law and congressional directives,

1 including requirements under the Clean Air Act (42
2 U.S.C. 7401 et seq.);

3 (7) the Clean Air Act (42 U.S.C. 7401 et seq.)
4 requires States to develop State implementation
5 plans, and the actions of the Environmental Protec-
6 tion Agency to prevent States from implementing
7 those plans and protecting the citizens of those
8 States from public health harms are in direct con-
9 flict with the requirements of that Act;

10 (8) States have a right to protect their citizens
11 from environmental harms;

12 (9) the actions described in this section threat-
13 en public health, accelerate climate change, expose
14 communities to toxic pollution, and violate the statu-
15 tory duties of the Environmental Protection Agency;
16 and

17 (10) Congress has both the authority and obli-
18 gation to ensure that Federal agencies faithfully exe-
19 cute the law.

20 **SEC. 3. RESTORATION OF CORE ENVIRONMENTAL PROTEC-**
21 **TIONS.**

22 (a) IMMEDIATE REINSTATEMENT.—Not later than
23 60 days after the date of enactment of this Act, the Ad-
24 ministrator of the Environmental Protection Agency (re-
25 ferred to in this Act as the “Administrator”) shall rein-

1 state, in full force and effect, all regulations, guidance,
2 and enforcement programs in effect on January 19, 2025,
3 relating to—

4 (1) greenhouse gas emissions from electric gen-
5 erating units under subpart TTTT of part 60 of
6 title 40, Code of Federal Regulations;

7 (2) methane emissions and volatile organic com-
8 pounds from oil and gas sources under subparts
9 OOOOb and OOOOc of part 60 of title 40, Code of
10 Federal Regulations;

11 (3) the mercury and air toxics standard under
12 subpart UUUUU of part 63 of title 40, Code of
13 Federal Regulations;

14 (4) the greenhouse gas reporting program
15 under part 98 of title 40, Code of Federal Regula-
16 tions;

17 (5) national emission standards for hazardous
18 air pollutants under part 63 of title 40, Code of
19 Federal Regulations;

20 (6) national ambient air quality standards for
21 PM_{2.5} under parts 50, 53, and 58 of title 40, Code
22 of Federal Regulations; and

23 (7) vehicle greenhouse gas emissions standards
24 for light-duty, medium-duty, and heavy-duty vehicles

1 under parts 86, 1036, 1037, 1039, 1054, and 1065
2 of title 40, Code of Federal Regulations.

3 (b) PROHIBITION ON DEREGULATORY DELAYS.—

4 Neither the President, the Administrator, nor any other
5 Federal official may delay, suspend, repeal, weaken, or
6 grant exemptions to any regulation described in subsection
7 (a) unless the modification is explicitly authorized by an
8 Act of Congress.

9 **SEC. 4. PROTECTION OF SCIENTIFIC INTEGRITY.**

10 (a) IN GENERAL.—Not later than 45 days after the
11 date of enactment of this Act, the Administrator shall re-
12 constitute and fully staff the Science Advisory Board and
13 the Clean Air Scientific Advisory Committee to ensure
14 that members of the Science Advisory Board and the
15 Clean Air Scientific Advisory Committee are not associ-
16 ated with regulated industries in a financial or advisory
17 role.

18 (b) REQUIREMENT FOR REGULATORY DECISIONS.—

19 In making a regulatory decision, the Administrator shall
20 base that decision on peer-reviewed science.

21 (c) SOCIAL COST OF CARBON.—

22 (1) IN GENERAL.—The Administrator shall re-
23 store the use of the social cost of carbon in all
24 rulemakings affecting greenhouse gas emissions.

1 (2) DISCOUNT RATE; VALUE.—Not later than
2 60 days after the date of enactment of this Act, the
3 Administrator shall, with respect to the social cost
4 of carbon, restore—

5 (A) the 2 percent discount rate; and

6 (B) the value for the social cost of carbon
7 at \$190 in 2020 dollars per metric ton.

8 **SEC. 5. FUNDING AND ENFORCEMENT REQUIREMENTS.**

9 (a) MINIMUM ENFORCEMENT FLOOR.—Subject to
10 the availability of appropriations, funding and personnel
11 for civil and criminal enforcement at the Environmental
12 Protection Agency shall remain at sufficient levels to en-
13 sure consistent enforcement of the programs described in
14 section 3(a).

15 (b) ANNUAL ENFORCEMENT REPORT.—The Admin-
16 istrator shall annually submit to Congress a report that
17 describes the inspections under, violations of, penalties as-
18 sessed under, and corrective actions taken under all envi-
19 ronmental laws that are carried out in whole or in part
20 by the Administrator during the preceding calendar year.

21 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-
22 tion to any amounts authorized for programs of the Envi-
23 ronmental Protection Agency under any other law, there
24 are authorized to be appropriated to carry out the duties
25 of the Environmental Protection Agency \$10,993,653,000

1 or such other sums as are needed to meet the requirement
2 under subsection (a) for fiscal year 2027 and each fiscal
3 year thereafter, as adjusted annually for inflation.

4 **SEC. 6. ENVIRONMENTAL JUSTICE RESTORATION.**

5 (a) IN GENERAL.—Not later than 60 days after the
6 date of enactment of this Act and subject to the avail-
7 ability of appropriations, the Administrator shall restore
8 and expand environmental justice programs eliminated or
9 defunded after January 19, 2025.

10 (b) PRIORITY.—In carrying out any applicable pro-
11 gram of the Environmental Protection Agency, the Admin-
12 istrator shall prioritize monitoring, permitting oversight,
13 and enforcement under applicable environmental laws in
14 communities experiencing disproportionate pollution bur-
15 dens.

16 (c) PUBLIC HEALTH IMPACT ASSESSMENTS.—In car-
17 rying out any rulemaking, regulatory action, or enforce-
18 ment policy affecting air or water quality, the Adminis-
19 trator shall conduct and publish a public health impact
20 assessment evaluating impacts of that rulemaking, regu-
21 latory action, or enforcement policy on mortality, res-
22 piratory illness, cardiovascular disease, and cumulative ex-
23 posure burdens.

24 (d) CUMULATIVE IMPACTS AND TRANSPARENCY.—
25 The Administrator shall—

1 (1) incorporate cumulative impacts analysis into
2 regulatory and permitting decisions; and

3 (2) annually publish a report describing pollu-
4 tion trends, enforcement actions taken by the Ad-
5 ministrator, and progress in reducing health dispari-
6 ties during the preceding calendar year.

7 **SEC. 7. JUDICIAL REVIEW.**

8 (a) PRIVATE CAUSE OF ACTION.—Any person ad-
9 versely affected by the failure of the Administrator to com-
10 ply with this Act may bring a civil action in an appropriate
11 district court of the United States.

12 (b) RELIEF.—

13 (1) IN GENERAL.—A district court of the
14 United States may compel the Administrator to
15 comply with this Act.

16 (2) ATTORNEY'S FEES.—If a civil action
17 brought under subsection (a) results in a court find-
18 ing that the Administrator did not comply with this
19 Act, the court may award reasonable attorney's fees.

20 **SEC. 8. PRESERVATION OF AUTHORITY.**

21 Nothing in this Act—

22 (1) limits the authority of a State to adopt or
23 enforce environmental standards that are more pro-
24 tective than a similar standard under Federal law;
25 or

1 (2) limits or in any way affects any rights that
2 a person, a class of persons, or a State may have—
3 (A) to petition the Administrator to take
4 non-discretionary action under any Federal law;
5 or
6 (B) to pursue nuisance claims under com-
7 mon law.