



**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503**

June 23, 2015  
(House Rules)

## **STATEMENT OF ADMINISTRATION POLICY**

### **H.R. 2042 – Ratepayer Protection Act of 2015**

(Rep. Whitfield, R-KY, and 67 co-sponsors)

The Administration strongly opposes H.R. 2042, which would undermine the public health protections of the Clean Air Act (CAA) and threaten to slow or stop U.S. progress in cutting dangerous carbon pollution from power plants.

In 2009, the Environmental Protection Agency (EPA) determined that Greenhouse Gas (GHG) pollution threatens Americans' health and welfare by leading to long-lasting climate changes that are already having a range of negative effects on human health and the environment. Power plants account for roughly one-third of all domestic GHG emissions. While the United States limits emissions of arsenic, mercury, and lead pollution from power plants, there are no national limits on power plant carbon pollution. As part of his Climate Action Plan, the President directed EPA to work with States, utilities, and other stakeholders to develop the first ever national standards to address carbon pollution from power plants. In June 2014, EPA proposed to do just that by issuing the Clean Power Plan proposal for public comment.

The bill would give governors unprecedented and broad discretion to avoid compliance with the CAA, thereby delaying the delivery of important public health benefits. The bill's effects would be felt hardest by those most at risk from the impacts of air pollution and climate change, such as the elderly, the infirm, children, native and tribal groups, and low-income populations.

In addition, the bill is premature and unnecessary. It is premature because the Clean Power Plan has not yet been finalized; it is unnecessary because EPA has made clear its commitment to address concerns raised during the public comment period (including concerns related to cost and reliability) when issuing the final Clean Power Plan this summer and working with the States on the development of the State Plans. The effect of the bill would therefore be a wholly unnecessary postponement of reductions of harmful air pollution.

The bill also is unprecedented. The Administration is not aware of any instance when Congress has enacted legislation to stay implementation of a CAA standard during judicial review. To do so here, before the rule is even final, would be an unprecedented interference with EPA's efforts to fulfill its duties under the CAA.

Since the CAA was enacted with bipartisan support in 1970, (and amended in 1977 and in 1990), the economy has more than tripled in size while emissions of key pollutants have decreased by

nearly 70 percent. More than forty years of clean air regulation has shown that a strong economy and strong environmental and public health protection go hand-in-hand.

Because H.R. 2042 threatens the health and economic welfare of current and future generations by blocking important standards to reduce carbon pollution from the power sector, if the President were presented with H.R. 2042, he would veto the bill.

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