

Administration of Barack Obama, 2015

**Memorandum of Disapproval Concerning Legislation Regarding
Congressional Disapproval of an Environmental Protection Agency Rule on
Standards of Performance for Greenhouse Gas Emissions**

December 18, 2015

S.J. Res. 23 is a joint resolution providing for congressional disapproval under chapter 8 of title 5 of the United States Code of a rule submitted by the Environmental Protection Agency (EPA) relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units." This resolution would nullify EPA's carbon pollution standards for new, modified, and reconstructed power plants. Accordingly, I am withholding my approval of this resolution. (The Pocket Veto Case, 279 U.S. 655 (1929)).

Climate change poses a profound threat to our future and future generations. Atmospheric levels of carbon dioxide, a primary greenhouse gas, are higher than they have been in at least 800,000 years. In 2009, EPA determined that greenhouse gas pollution endangers Americans' health and welfare by causing long-lasting changes in the climate that can have, and are already having, a range of negative effects on human health, the climate, and the environment. We are already seeing the impacts of climate change, and established science confirms that we will experience stronger storms, deeper droughts, longer wildfire seasons, and other intensified impacts as the planet warms. The Pentagon has determined that climate change poses immediate risks to our national security.

Power plants are the largest source of greenhouse gas pollution in our country. Although we have limits on other dangerous pollutants from power plants, the carbon pollution standards and the Clean Power Plan ensure that we will finally have national standards to reduce the amount of carbon pollution that our power plants can emit.

The carbon pollution standards will ensure that, when we make major investments in power generation infrastructure, we also deploy available technologies to make that infrastructure as low-emitting as possible. By blocking these standards from taking effect, S.J. Res. 23 would delay our transition to cleaner electricity generating technologies by enabling continued build-out of outdated, high-polluting infrastructure. Because it would overturn carbon pollution standards that are critical to protecting against climate change and ensuring the health and well-being of our Nation, I cannot support the resolution.

To leave no doubt that the resolution is being vetoed, in addition to withholding my signature, I am returning S.J. Res. 23 to the Secretary of the Senate, along with this Memorandum of Disapproval.

BARACK OBAMA

The White House,
December 18, 2015.

Categories: Bill Signings and Vetoes : Greenhouse gas emissions standards of performance, legislation nullifying Environmental Protection Agency rule, memorandum of disapproval.

Subjects: Energy : Greenhouse gas emissions, regulation; Environment : Carbon emissions; Environment : Climate change; Environmental Protection Agency.

DCPD Number: DCPD201500896.