

Pangrac, Jerry Park, Linda Plick, Thomas Pusel, Phillip Rangel, William Rhodes, John Robley, Rodney Rodriguez, Christopher Romero, Reuben Sanchez, Kenneth Sheppard, Wayne Shortridge, Walter Silva, Dennis Sindelir, James Spears, Thomas Steinbach, Robert Stolz, David Stout, Raymond Stroot, Floyd Taladay, Dennis Teter, Larry Uhlenkott, Robert Wheeler, Everett Winkler, William Vick, Merle Wood.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### PRESIDENTIAL MESSAGES

REPORT OF THE VETO OF S.J. RES. 23, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO "STANDARDS OF PERFORMANCE FOR GREENHOUSE GAS EMISSIONS FROM NEW, MODIFIED, AND RECONSTRUCTED STATIONARY SOURCES: ELECTRIC UTILITY GENERATING UNITS", RECEIVED DURING ADJOURNMENT OF THE SENATE ON DECEMBER 18, 2015—PM 34

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to be printed in the RECORD, spread in full upon the Journal, and held at the desk:

#### MEMORANDUM OF DISAPPROVAL

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 genera-

tions. 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.

ONE HUNDRED FOURTEENTH CONGRESS OF THE  
UNITED STATES OF AMERICA  
AT THE FIRST SESSION

Began and held at the City of Washington on  
Tuesday, the sixth day of January, two  
thousand and fifteen

#### JOINT RESOLUTION

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units".

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units" (published

at 80 Fed. Reg. 64510 (October 23, 2015)), and such rule shall have no force or effect.

PAUL D. RYAN,

*Speaker of the House of Representatives.*

ORRIN HATCH,

*President of the Senate pro tempore.*

REPORT OF THE VETO OF S.J. RES. 24, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO "CARBON POLLUTION EMISSION GUIDELINES FOR EXISTING STATIONARY SOURCES: ELECTRIC UTILITY GENERATING UNITS", RECEIVED DURING ADJOURNMENT OF THE SENATE ON DECEMBER 18, 2015—PM 35

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to be printed in the RECORD, spread in full upon the Journal, and held at the desk:

#### MEMORANDUM OF DISAPPROVAL

S.J. Res. 24 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 "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units." This resolution would nullify the Clean Power Plan, the first national standards to address climate-destabilizing greenhouse gas pollution from existing 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.

The Clean Power Plan is a tremendously important step in the fight against global climate change. It is projected to reduce carbon pollution from power plants by 32 percent from 2005 levels by 2030. It builds on progress States and the power sector are already making to move toward cleaner

energy production, and gives States the time and flexibility they need to develop tailored, cost-effective plans to reduce their emissions. By nullifying the Clean Power Plan, S.J. Res. 24 not only threatens ongoing progress toward cleaner energy, but would also eliminate public health and other benefits of up to \$54 billion per year by 2030, including thousands fewer premature deaths from air pollution and thousands fewer childhood asthma attacks each year.

The Clean Power Plan is essential in addressing the largest source of greenhouse gas pollution in our country. It is past time to act to mitigate climate impacts on American communities. Because the resolution would overturn the Clean Power Plan, which is critical to protecting against climate change and ensuring the health and well-being of our Nation, I cannot support it.

To leave no doubt that the resolution is being vetoed, in addition to withholding my signature, I am returning S.J. Res. 24 to the Secretary of the Senate, along with this Memorandum of Disapproval.

BARACK OBAMA.

THE WHITE HOUSE, December 18, 2015.

ONE HUNDRED FOURTEENTH CONGRESS OF THE  
UNITED STATES OF AMERICA  
AT THE FIRST SESSION

Begun and held at the City of Washington on Tuesday, the sixth day of January, two thousand and fifteen

#### JOINT RESOLUTION

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units".

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" (published at 80 Fed. Reg. 64662 (October 23, 2015)), and such rule shall have no force or effect.*

PAUL D. RYAN,

Speaker of the House of Representatives.

ORRIN HATCH,

President of the Senate pro tempore.

#### MESSAGE FROM THE HOUSE SUBSEQUENT TO SINE DIE ADJOURNMENT

##### ENROLLED BILLS SIGNED

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 22, 2015, subsequent to the sine die adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. UPTON) has signed the following enrolled bills:

S. 2425. An act to amend titles XVIII and XIX of the Social Security Act to improve payments for complex rehabilitation technology and certain radiation therapy serv-

ices, to ensure flexibility in applying the hardship exception for meaningful use for the 2015 EHR reporting period for 2017 payment adjustments, and for other purposes.

H.R. 1321. An act to amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinseoff cosmetics containing intentionally-added plastic microbeads.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on December 22, 2015, subsequent to the sine die adjournment of the Senate, by the President pro tempore (Mr. HATCH).

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on January 7, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agreed to H. Res. 577, resolving that the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

##### ENROLLED BILL SIGNED

The message further announced that the Speaker had signed the following enrolled bill:

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Under the authority of the order of the Senate of December 18, 2015, the enrolled bill was signed on January 7, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. COTTON).

The message also announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (22 U.S.C. 7002), amended by the division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), the Minority Leader re-appointed the following members to the United States-China Economic and Security Review Commission: Ms. Carolyn Bartholomew of Washington D.C. and Mr. Jefferey L. Fiedler of Great Falls, Virginia.

#### MESSAGE FROM THE HOUSE

At 2:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 712. An act to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes.

H.R. 1155. An act to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes.

H.R. 1927. An act to amend title 28, United States Code, to improve fairness in class action litigation.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 712. An act to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

H.R. 1155. An act to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1927. An act to amend title 28, United States Code, to improve fairness in class action litigation; to the Committee on the Judiciary.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2434. A bill to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3952. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XE335) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3953. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish Hook-and-Line Component" (RIN0648-XE215) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3954. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE342) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3955. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled