

Sign onto Amicus Brief in Support of the Clean Power Plan

Dear Colleague:

Please join us in signing onto an *amici curiae* brief to the U.S. Court of Appeals for the D.C. Circuit supporting the Environmental Protection Agency's (EPA) final Clean Power Plan.

On August 3, 2015, EPA finalized the Clean Power Plan under the authority of §111(d) of the Clean Air Act. The rule establishes emission guidelines for states to follow in developing plans to control CO₂ pollution from existing power plants. The final rule over its lifetime will secure critical reductions in greenhouse gas emissions from the largest stationary source emitters in the United States—fossil-fuel-fired power plants—while providing states significant flexibility in meeting these targets.

True to form, Republican Members of Congress have already filed an *amici curiae* brief with the court opposing EPA's final rule. They argue, among other things, that the Clean Power Plan “fails to ‘conform’ to clear congressional instructions and is seeking to usurp the role of Congress to establish climate and energy policy for the nation.”

We strongly disagree. Our brief will demonstrate that EPA acted well within its legal authority under the Clean Air Act, in developing the Clean Power Plan. Our brief will argue that the Clean Air Act was drafted in broad terms to give EPA substantial authority to determine how best to achieve the statute's objectives and to ensure that EPA can address new air pollution problems as they arise. The brief will also argue that the Clean Power Plan is consistent with the text, structure, and legislative history of the Clean Air Act, including the amendments of 1990.

A summary of the brief is attached. To co-sign the brief, please contact Caitlin Haberman with the Energy & Commerce Democratic staff at Caitlin.Haberman@mail.house.gov or (202) 225-4407 or Nick Hromalik with Congressman Huffman's office at Nicholas.Hromalik@mail.house.gov or (202) 225-5161.

Sincerely,

FRANK PALLONE, JR.
Ranking Member
Committee on Energy and Commerce

JARED HUFFMAN
Member of Congress