



S.J. Res. 24 — 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” (Sen. Capito, R-WV)

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FLOOR SCHEDULE:

Scheduled for consideration on December 1, 2015 subject to a closed rule.

TOPLINE SUMMARY:

[S.J. Res. 24](#) would express Congressional disapproval over the Environmental Protection Agency (EPA)'s rule relating to “[Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units](#)”.

COST:

No Congressional Budget Office (CBO) estimate is available. The CBO estimate for H.J. Res. 72, the identical House version of the resolution can be found [here](#).

CONSERVATIVE CONCERNS:

There are no substantive concerns regarding this bill.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

S.J. Res. 24 would express Congressional disapproval under the [Congressional Review Act](#) over the EPA's final rule relating to carbon pollution emission guidelines for electric utility generating units. The resolution deems that the rule would have no force or effect, and prohibits the rule from being reissued in substantially the same form. The carbon pollution emission guidelines issued by the EPA would require states to reduce carbon dioxide emissions from the electricity sector by 32 percent below 2005 levels over the next 15 years. According to a [NERA Economic Consulting](#) study, 48 states would experience higher

electricity prices under the rule. According to the [American Action Forum](#), if the EPA's final greenhouse gas (GHG) standards for existing power plants were implemented, the rule would eliminate 125,800 jobs across the country. More information on the rule can be found [here](#) from the Congressional Research Service (CRS).

The House Energy and Commerce Committee's identical resolution [H.J. Res. 72](#) was reported by the committee on November 19, 2015. Its accompanying report (H. Rept. 114-349) can be found [here](#). A Congressional Research Service report on the Congressional Review Act can be found [here](#).

OUTSIDE ORGANIZATIONS IN SUPPORT:

- [National Taxpayers Union](#)
- [U.S. Chamber of Commerce](#)
- [National Association of Manufacturers](#)
- [American Iron and Steel Institute](#)
- [American Energy Alliance](#)
- [Americans for Prosperity](#)
- [Competitive Enterprise Institute](#)

COMMITTEE ACTION:

S.J. Res. 24 was introduced on October 26, 2015 and was referred to the Senate Committee on Environment and Public Works. The resolution was then passed in the Senate without amendment by Yea-Nay Vote ([52-46](#)).

ADMINISTRATION POSITION:

The Statement of Administration Policy is available [here](#). According to the statement, "if the President were presented with S.J.Res. 24, he would veto the bill."

CONSTITUTIONAL AUTHORITY:

Measures originating in the Senate do not require the inclusion of a constitutional authority statement.

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