



ATTORNEY GENERAL STRANGE, 24-STATE COALITION OFFER PLAN FOR TRUMP ADMINISTRATION TO HALT OBAMA CLEAN POWER PLAN

(MONTGOMERY) – Alabama Attorney General Luther Strange joined a 24-state coalition urging President-elect Donald Trump and congressional leaders to withdraw President Obama’s so-called Clean Power Plan and take the necessary steps to prevent similar or more extreme measures in the future.

“Conservative Attorneys General continue to play an important role in reversing unlawful federal mandates by challenging them in court and working with the incoming Trump administration to stop them at the source,” said Attorney General Strange. “We are committed to working with the new administration and Congress in uprooting unlawful rulemaking which has had an adverse effect on States and our economy.”

The bipartisan letter – addressed Wednesday to Vice President-elect Mike Pence, Senate President Mitch McConnell and House Speaker Paul Ryan – suggests a four-point strategy that begins with President-elect Trump rescinding his predecessor’s Climate Action Plan on day one.

The coalition suggests President-elect Trump follow with formal administrative action to withdraw the Clean Power Plan and related matters in court. Such action will properly effectuate the rule’s withdrawal, while negotiating an end to pending litigation.

Finally, the coalition recommends Congress take longer-term legislative action. The proposed legislative fix aims to prevent any future U.S. Environmental Protection Agency from drafting similarly unlawful and/or more extreme rules. The coalition suggests the new White House work with Congress to adopt such legislation.

Alabama joined a 27-state coalition led by Texas and West Virginia challenging the EPA’s Clean Power Plan on October 23, 2015, the very day it was published. That coalition then halted the rule’s enforcement by winning an unprecedented and historic stay of the regulation February 9, 2016, before the U.S. Supreme Court.

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The legal challenge argues the Clean Power Plan exceeded EPA's congressional authority by transforming the nation's energy industry, double regulating coal-fired power plants and forcing states to fundamentally shift their energy portfolios away from coal-fired generation.

Furthermore, it argues the Clean Power Plan violates the U.S. Constitution by attempting to commandeer and coerce the states into carrying out federal energy policy.

Those challenging the regulation in *West Virginia v. EPA* await a final ruling by the U.S. Court of Appeals for the District of Columbia Circuit. The court heard oral arguments September 27, 2016.

Alabama signed the letter with West Virginia, Texas, Arkansas, Arizona, Colorado, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, Montana, Nebraska, North Dakota, Ohio, South Carolina, South Dakota, Utah, Wisconsin and Wyoming, along with the Mississippi and North Carolina Departments of Environmental Quality.

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A copy of the state coalition letter can be read at <http://bit.ly/2htHSQ3>