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SUPREME COURT SLAMS EPA ON GREENHOUSE GAS REGS: “Overreach, Violates Separation of Powers” in 5-Year Climate Change Case

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ATLANTA, GA/WASHINGTON, DC: The Supreme Court of the United States today held that the Obama Administration’s Environmental Protection Agency overstepped its authority by rewriting the Clean Air Act to fit its regulations on greenhouse gas emissions. The Court struck down the agency’s broad assertion of power and held that the EPA must have Congressional authorization to rewrite the Clean Air Act. *Southeastern Legal Foundation, et al. v. EPA, et al. (No. 12-1268)*, *Utility Air Regulatory Group v. EPA, et al. (No. 12-1146)*.

“The Supreme Court’s decision today is a tremendous victory for constitutional separation of powers and limits on Executive authority by this Administration – a decision that will hold far-reaching implications for efforts by other agencies who now asserting new powers not given by Congress,” said Shannon L. Goessling, executive director and chief legal counsel for Southeastern Legal Foundation, which represented 12 members of Congress and 16 professional associations and companies challenging the EPA greenhouse gas regulations.

“The Court deliberately and thoroughly addressed each overreach by the EPA, particularly the wholesale rewriting of specific limits in the Clean Air Act itself,” said Goessling. **“This is critical precedent for many pending and future cases in which the Obama Administration’s agencies are enacting new regulations, asserting the authority to rewrite the law, and arguing that they are not subject to judicial review. Today’s decision makes it patently clear – they are subject to Court review, and they must follow existing law.”**

At stake in the case are so-called “climate change” regulations on greenhouse gas emissions, which the EPA has itself admitted would bring “absurd results” and no measurable climate impact, but would cost the American economy millions of jobs and nearly a trillion dollars in increased energy costs over the next 20 years.

“The Court held that *Massachusetts v. EPA* (549 US 497), was clearly misinterpreted by the EPA and neither forced nor allowed it to enact draconian and unauthorized greenhouse gas regulations,” added Goessling.

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