



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503**

April 29, 2026
(Senate)

STATEMENT OF ADMINISTRATION POLICY

S.J. Res. 139 – Providing for Congressional Disapproval of the Rule Submitted by the Environmental Protection Agency Relating to “Air Plan Disapproval; Colorado; Regional Haze Plan for the Second Implementation Period”

(Sen. Bennet, D-CO, and two cosponsors)

The Administration strongly opposes passage of S.J. Res. 139, which would disapprove a rule submitted by the Environmental Protection Agency (EPA) relating to “Air Plan Disapproval; Colorado; Regional Haze Plan for the Second Implementation Period.”

On January 26, 2026, the EPA disapproved a State Implementation Plan (SIP) revision submitted by the State of Colorado on May 20, 2022, to address applicable requirements under the Clean Air Act (CAA) and the EPA’s Regional Haze Rule (RHR). The RHR calls for State and Federal agencies to work together to improve visibility in 156 national parks and wilderness areas, known as mandatory Class I Federal areas. The EPA determined that Colorado’s proposal to shut down coal-fired power plants, without consent from all affected facilities, does not comply with the CAA and would harm grid reliability. Colorado failed to provide necessary assurances that unconsented source closures would not result in a taking in violation of the U.S. Constitution, comparable provisions of the Colorado Constitution, or otherwise violate the CAA. Additionally, the EPA determined that shutting down those power plants are not necessary to meet requirements under the RHR, and including forced closure deadlines for facilities that want to stay open would be a misuse of the CAA.

Coal-fired power plants are vital to delivering reliable and affordable energy to Colorado families and to ensuring American energy independence. The Administration supports EPA’s commitment to fulfilling all legal obligations, ensuring affordable baseload power, furthering American energy dominance, and improving visibility within our national parks and wilderness areas.

If S.J. Res. 139 were presented to the President, his advisors would recommend that he veto it.

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