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June 7, 2007

The Honorable Rick Boucher  
Chairman, Subcommittee on Energy and Air Quality  
Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, D.C. 20515

RE: Discussion Draft -- Alternative Fuels, Infrastructure and Vehicles

Dear Representative Boucher:

We are writing to express our strong opposition to the June 1, 2007, discussion draft of Alternative Fuels, Infrastructure and Vehicles. This legislation preempts our states' critical efforts to combat climate change by enacting regulations that reduce greenhouse gas emissions. While federal action is necessary and long overdue on climate change, Congress must not deny states the right to pursue solutions in the absence of federal policy.

Specifically, this bill will preempt California's passenger vehicles and light duty truck emission standards, which will reduce greenhouse emissions by 30 percent. Our states, which collectively represent over one-third of the automobile market, have either adopted or will adopt California's standards. Not only does this bill deny our right to adopt California's vehicle emissions standards—a right granted by the federal Clean Air Act—it eliminates the Environmental Protection Agency's regulatory authority over greenhouse gasses as a pollutant. This amounts to an about-face reversal of the Supreme Court decision identifying CO<sub>2</sub> as a pollutant within the scope of the Clean Air Act (*Massachusetts v. EPA*). Finally, we are opposed to the bill's delegation of regulatory authority to the National Highway Traffic Safety Administration.

Our states are at the forefront of the effort to reduce greenhouse gas emissions and our nation's dependency on carbon-based fuels. Climate change is real and it impacts the public health and welfare of every American. Congress must preserve states' ability to fight greenhouse gas emissions now. Going forward, states and the federal government must collaborate to take even stronger actions against the continuing threat of climate change.

We urge you to pursue legislation that instead enhances and complements the efforts already underway in our states.

Sincerely,



Governor Arnold Schwarzenegger  
California



Governor Deval Patrick  
Massachusetts



Governor Christine O. Gregoire  
Washington



Governor Bill Richardson  
New Mexico



Governor Theodore R. Kulongoski  
Oregon



Governor Edward G. Rendell  
Pennsylvania



Governor Janet Napolitano  
Arizona



Governor Eliot Spitzer  
New York