



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 23 2009

THE ADMINISTRATOR

The Honorable Dianne Feinstein  
United States Senate  
Washington, DC 20510

Dear Senator Feinstein:

Thank you for your letter about Senator Lisa Murkowski's Amendment Number 2530 to H.R. 2996, the Department of the Interior, Environment, and Related Agencies Appropriations Act. As you noted in your letter, Senator Murkowski's amendment would prohibit the Environmental Protection Agency from using any funds made available under the Act to take any action that would have the effect of making carbon dioxide a pollutant subject to regulation under the Clean Air Act for any source other than a mobile source.

You asked me what the practical impact would be if Congress enacted Senator Murkowski's amendment. Perhaps the most striking impact would be to make it impossible for the Environmental Protection Agency to promulgate the light-duty vehicle greenhouse-gas emissions standards that the agency proposed on September 15, 2009. Because of the way the Clean Air Act is written, promulgation of the proposed light-duty vehicle rule will automatically make carbon dioxide a pollutant subject to regulation under the Clean Air Act for stationary sources, as well as for light-duty vehicles. The only way that EPA could comply with the prohibition in Senator Murkowski's amendment would be to not promulgate the light-duty vehicle standards.

As you know, promulgation of EPA's light-duty vehicle greenhouse-gas emissions standards is an essential part of the historic agreement that President Obama announced earlier this year with the nation's auto-makers, the State of California, the Department of Transportation, and EPA. That agreement attracted broad, bi-partisan support. The joint DOT-EPA standards are projected to save 1.8 billion barrels of oil over the life of the program, which is twice the amount of oil (crude oil and products) imported in 2008 from the Persian Gulf countries, according to the Department of Energy's Energy Information Administration Office. Additionally, the standards are projected to help save consumers more than \$3,000 over the lifetime of a model year 2016 vehicle and reduce approximately 900 million metric tons of greenhouse gas emissions. Enactment of Senator Murkowski's amendment would pull the plug on those extraordinary accomplishments.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Jackson".

Lisa P. Jackson