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September 25, 2009

Senator Daniel Inouye, Chairman
Senate Committee on Appropriations
Room S 128
The Capitol
Washington, DC 20510
Staff Contact: Peter Kiefhaber
peter_kiefhaber@appro.senate.gov

Senator Thad Cochran, Ranking Member
Senate Committee on Appropriations
Room S 128
The Capitol
Washington, DC 20510
Staff Contact: T.A. Hawks
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Senator Lamar Alexander, Ranking Member
Senate Subcommittee on Interior,
Environment and Related Agencies
455 Dirksen Senate Office Building
Washington, DC 20510
Staff Contact: Elise Fannesbeck
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Senator Diane Feinstein, Chairman
Senate Subcommittee on Interior,
Environment and Related Agencies
331 Hart Senate Office Building
Washington, DC 20510
Staff Contact: Matthew Nelson
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Dear Senators Inouye, Cochran, Alexander and Feinstein:

We are writing to urge your opposition to a proposed amendment to H.R. 2996, the FY 2010 Interior Department Appropriations bill by United States Senator Lisa Murkowski. This amendment effectively prohibits the Environmental Protection Agency (EPA) from taking any action for a year to regulate carbon dioxide (CO₂) emissions from stationary sources such as power plants.

The time is long overdue to take action to reverse the emissions of greenhouse gases. This amendment is a giant step backwards.

The United States accounts for 25 percent of the world's carbon dioxide pollution. Stationary sources are some of the largest emitters of CO₂. Coal burning power plants are the largest source of carbon dioxide pollution in the United States.

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States have taken the lead in limiting CO2 emissions through state regulation and litigation. Recently, the Second Circuit Court of Appeals overturned the dismissal of a public nuisance lawsuit filed by us and several other Attorneys General against power plant operators. See *Connecticut v. AEP*, No. 05-5104-cv, slip op (2nd Cir. Sept. 21, 2009). EPA has begun the process of regulating CO2 emissions from mobile sources such as motor vehicles. Even this vital regulation will be thrown into doubt and uncertainty if the amendment passes. Unless there is effective federal regulation of greenhouse gas emissions from stationary sources, we will continue to litigate this case in order to protect the public health and environment.

There is no longer any real debate that greenhouse gases such as carbon dioxide contribute to climate change. Scientific consensus is overwhelming but time is running out to take action. The federal government must act quickly and effectively – without delay -- to regulate the single greatest source of CO2 emissions.

EPA has begun the process of regulating CO2 emissions from mobile sources such as motor vehicles. Similar regulations on stationary sources are critical to successfully stemming climate change. Any delay in what will no doubt be a lengthy regulatory process will have far-reaching consequences.

We urge your rejection of Senator Murkowski's amendment to H.R. 2996. If you have any questions, please contact me

Very truly yours,



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