

**ATTORNEYS GENERAL OF THE
STATES OF RHODE ISLAND, CALIFORNIA, CONNECTICUT,
DELAWARE, NEW MEXICO, VERMONT, AND THE
CORPORATION COUNSEL FOR THE CITY OF NEW YORK**

January 19, 2010

The Honorable Harry Reid
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitchell McConnell
Minority Leader
United States Senate
Washington, DC 20510

Re: Senator Murkowski's anticipated Amendment to H.J.Res.45; also, any Congressional Review Act Resolution Relating to EPA's Endangerment Finding

Dear Senators Reid and McConnell:

We are writing to urge you to oppose Senator Murkowski's anticipated amendment to the debt limit bill (H.J.Res. 45), which is expected to embody a Congressional limitation on actions by the Environmental Protection Agency (EPA) to begin to regulate carbon dioxide and other global warming pollutants. We refer to Senator Murkowski's widely-reported attempt to introduce a floor amendment to restrict or void the EPA's recent (December 15, 2009) endangerment finding (found at 74 Fed. Reg. 66496) [or to block EPA from limiting emissions from power plants or other sources of carbon pollution](#). That amendment will probably be offered on January 20, or shortly thereafter, as an extraneous addition to the debt limit bill.

We also oppose, whether introduced by this means, at this time, or otherwise, any Congressional Review Act (CRA) resolution relating to the endangerment finding. Thus, this letter also applies to any attempt, in the coming months, at a Congressional veto of the EPA's above-referenced action.

The time is long overdue for the federal government to take action to drastically reduce greenhouse gas emissions and to prevent disruptive climate change. The anticipated Murkowski amendment and/or the CRA resolution would be not only giant steps backwards, but would needlessly delay reductions in greenhouse gas emissions that we can and should begin making today.

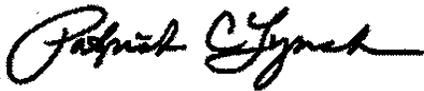
EPA's endangerment finding is compelled by the Supreme Court's decision in [Massachusetts v. EPA](#), 549 U.S. 497, 528-29 (2007), ruling that the Clean Air Act covers global warming pollutants. The finding is the basis for President Obama's issuance of landmark greenhouse gas emission vehicle standards – with the support of auto companies, auto workers, states, and

environmentalists – that will save consumers money at the pump, cut global warming pollution, reduce America’s oil dependence and lay the groundwork for the new clean energy economy. This amendment would eviscerate the important progress EPA, partly at the behest of the States, has made in this area.

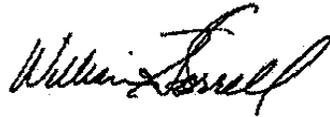
The amendment also would undermine EPA’s important efforts to use the Clean Air Act to ensure that the nation’s largest power plants and factories use modern technology to reduce their global warming pollution, as they already must do for other pollutants. EPA has proposed to tailor those rules to exempt small carbon emitters.

In sum, we support EPA’s actions as a start towards holding the biggest polluters accountable, reducing America’s oil dependence and jump-starting a vibrant clean energy economy. A vote for the Murkowski amendment would be a step backwards. Instead of standing in the way of progress, Congress should defeat the promised floor amendment and any measures of that nature.

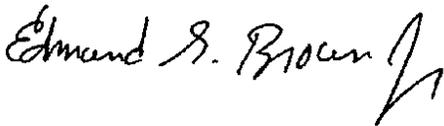
Very truly yours,



Patrick C. Lynch
Rhode Island Attorney General



William H. Sorrell
Vermont Attorney General



Edmund G. Brown Jr.
California Attorney General



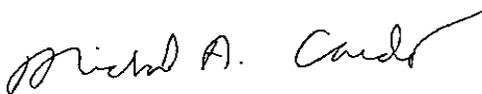
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City of New York