



Air Resources Board



Linda S. Adams
*Acting Secretary for
Environmental Protection*

Mary D. Nichols, Chairman
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Edmund G. Brown Jr.
Governor

March 14, 2011

The Honorable Fred Upton, Chairman
House Committee on Energy and Commerce
United States House of Representatives
2183 Rayburn House Office Building
Washington, DC 20515

The Honorable Henry Waxman, Ranking Member
House Committee on Energy and Commerce
United States House of Representatives
2204 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Upton and Ranking Member Waxman:

I'm writing today to express my strong opposition to HR 910. Not only does this undermine critical public health protections; but at a time of global instability, energy insecurity, and rapidly rising fuel prices, this bill would deepen American dependence on volatile oil supplies and send more dollars abroad that could instead be invested in jobs in America.

California's ability to develop, and all states' authority to adopt, pollution control standards for vehicles has been one of the most successful programs for consumers and the environment. History has shown that California's standards are well-designed, protective of public health, cost-effective, and a benefit to the nation. Each successive California standard has soon proven its value by being adopted at the federal level.

California's standards for carbon pollution have continued this proud tradition. The standards adopted by thirteen states and the District of Columbia, and at the federal level in 2010, will reduce pollution by vehicles sold in 2016 by 30%. Now we are hard at work, side-by-side with federal agencies, on a new round of standards that would further reduce emissions by up to 6% annually through 2025, saving consumers of these vehicles as much as \$7,400 in the process.

HR 910 not only eliminates these future benefits, it threatens the current, carefully calibrated and successful program. Analysts have suggested that the legislation's attempt to preserve the existing vehicle standards while repealing the statutory authority

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

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on which those standards rest could be legally vulnerable. If this concern proves warranted, NHTSA would be forced back into rulemaking, automakers would be thrown into new uncertainty, and any new standards would have substantially less benefits for the American people.

In addition, California is concerned that this bill could cast uncertainty on our effort to harmonize enforcement of our vehicle pollution standards with federal standards for model years 2012-2016. Due to the broad scope of constraints on EPA, the bill puts into question EPA's ability to confirm that the broadly supported harmonizing amendments to California's standards are "within the scope" of the waiver EPA granted to California in July 2009. This leaves the industry potentially subject to the original California standards that lack the flexibility California agreed to provide toward a harmonized National Program beginning in 2012.

I urge you to protect the health and security of Americans by retaining the existing system in the Clean Air Act for establishing motor vehicle emission standards.

Yours truly,

A handwritten signature in blue ink, appearing to read "Mary D. Nichols".

Mary D. Nichols
Chairman