

United States Senate

WASHINGTON, DC 20510

April 4, 2013

The Honorable Nancy Sutley
Chairwoman
Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, D.C. 20503

Dear Chairwoman Sutley:

We understand that the Council on Environmental Quality (CEQ) is preparing guidance for Federal agencies to address greenhouse gas emissions under the National Environmental Policy Act (NEPA). We write to express our strong opposition to recent calls that CEQ require Federal agencies to consider greenhouse gas emissions produced outside of the United States by goods exported from the United States.

The Senate recently took up this issue during floor consideration of the Senate Budget Resolution for Fiscal Year 2014. On March 23rd, the Senate voted to adopt an amendment we offered that prohibits Federal agencies from considering greenhouse gas emissions produced outside of the United States by goods exported from the United States. During the debate on our amendment, the Chairwoman of the Senate Budget Committee accurately stated that the amendment reflected current law. We trust you agree with this conclusion and that your agency will not take any action to change or contravene current law. To do so would have devastating consequences for American manufacturers, their employees, and our nation's economy.


In January of 2010, President Obama set forth the goal of doubling our nation's exports in five years. More than three years later, our nation is not on pace to achieve this goal. Part of the problem is the Environmental Protection Agency has aggressively expanded its interpretation of NEPA to block exports of American goods. Ross Eisenberg of the National Association of Manufacturers (NAM) highlighted this issue in testimony before the Senate on February 12th. Mr. Eisenberg testified that NAM "strongly opposes using NEPA to require a cradle-to-grave, lifecycle impact analysis that assesses the impact of [exported] cargo." He explained that such a requirement "would create a very dangerous precedent that could be used to block exports of all types," including automobiles, commercial aircraft, and heavy equipment, such as tractors.

Automobiles, commercial aircraft, and heavy equipment are among America's top exports. However, these goods are also among the world's largest sources of greenhouse gas emissions. Requiring Federal agencies to consider the greenhouse gas emissions produced by exports *after they leave our shores* would be profoundly short-sighted. It would threaten billions of dollars in American export projects and put thousands of good-paying American jobs at risk. In 2012, for example, civilian aircraft, engines, and parts accounted for over \$94 billion in exports. Aircraft, engines, and parts manufacturing alone employs over 400,000 people in the United States. With millions of Americans out of work, the last thing the Administration should do is impose a

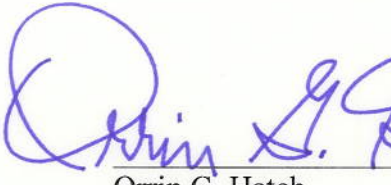
climate change litmus test on these or any other exports. Instead, we must do all we can to increase American exports and the good-paying jobs they provide.

Thank you for your consideration and we look forward to your prompt response.


Sincerely,



John Barrasso, M.D.
United States Senator



Orrin G. Hatch
United States Senator



James M. Inhofe
United States Senator

cc: The Honorable Bob Perciasepe, Acting Administrator, Environmental Protection Agency
The Honorable John McHugh, Secretary of the Army
The Honorable Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works
The Honorable Ken Salazar, Secretary of the Interior