



July 8, 2009

The Honorable U.S. Senator Barbara Boxer, Chairman
Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable U.S. Senator James Inhofe, Ranking Member
Senate Committee on Environment and Public Works
456 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Boxer and Ranking Member Inhofe:

On behalf of the 31 member states of the States for Passenger Rail Coalition, I write concerning your deliberations on climate change legislation. As you know, the Waxman-Markey version, H.R. 2454, the American Clean Energy and Security Act of 2009 (ACES), passed in the U.S. House of Representatives on June 26, 2009, incorporating a Substitute Amendment (HR-2998) that includes language addressing transportation.

Under the cap-and-trade program proposed in ACES, 80 percent of all emissions allowances would be distributed free of charge from the federal government to states and Metropolitan Planning Organizations (MPOs) with populations of 200,000 or more in the first year. The remaining 20 percent would be auctioned to the highest bidder. If states and MPOs are able to reduce their greenhouse gas (GHG) emissions and can sell some of their allowances, the proceeds of those sales can be used to implement emissions reduction plans in support of renewable energy, energy efficiency, and surface transportation capital projects that pollute less. The Coalition is concerned that intercity passenger rail is not among the eligible transportation uses in this bill.

Since transportation contributes to about one-third of the nation's GHG emissions, it is reasonable that new or expanded intercity passenger rail, transit, carpool, vanpool and bicycle facilities be eligible for funding under climate change legislation.

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CLEAN-TEA (S. 575), a bill introduced by Senators Carper and Specter, would make a full ten percent of auction proceeds available for transportation projects that help reduce the transport sector's share of contributions to our nation's GHG emissions. The House-passed version of ACES allows only a small percentage of the allowances distributed to states to be used for the reduction of GHG emissions in the transportation sector.

The Coalition respectfully requests your support of the eligibility of new or expanded intercity passenger rail projects under this legislation. We would also like to see more flexibility for states and MPOs to invest their allowances in cleaner transportation.

Sincerely,

Frank J. Busalacchi
Chair, States for Passenger Rail Coalition
Secretary, Wisconsin Department of Transportation

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