



Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515

Peter A. DeFazio
Ranking Member

Christopher P. Bertram, Staff Director

Katherine W. Dedrick, Democratic Staff Director

August 18, 2016

The Honorable Anthony Foxx
Secretary
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Re: Docket No. FHWA-2013-0054

Dear Secretary Foxx:

We write you to express our disapproval of a component of the U.S. Department of Transportation's (U.S. DOT) Notice of Proposed Rulemaking on "National Performance Management Measures; Assessing Performance of the National Highway System, Congestion Mitigation and Air Quality Improvement Program, and Freight Movement on the Interstate System," which seeks comment on whether and how to establish a performance measure on greenhouse gases.

In Moving Ahead for Progress in the 21st Century (P.L. 112-141; MAP-21), the Secretary was directed to establish a clearly defined performance measure in Section 150(c) of Title 23, United States Code for "on-road mobile source emissions," which includes ozone, carbon monoxide, and particulate matter as listed in Section 149 of Title 23, United States Code. The creation and parameters of this performance measure and the other performance measures included in Section 150 (c) of Title 23, United States Code were carefully negotiated by Congress and signed into law by President Obama. Nowhere in MAP-21 or the more recently passed Fixing America's Surface Transportation (FAST) Act (P.L. 114-94) is the Secretary given the authority to establish a performance measure on greenhouse gases.

If the final rule were to include a performance measure on greenhouse gases, it would be a severe overreach by the Administration in direct contravention of statute and Congressional intent.

We urge you to not include a performance measure on greenhouse gases in the final rule and encourage you to focus U.S. DOT's resources on finalizing the outstanding rulemakings as required by MAP-21 and the FAST Act. Thank you for your attention to this matter.

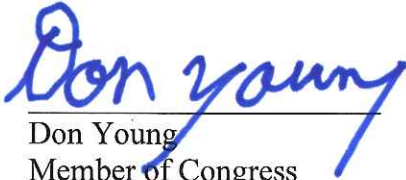
Sincerely,



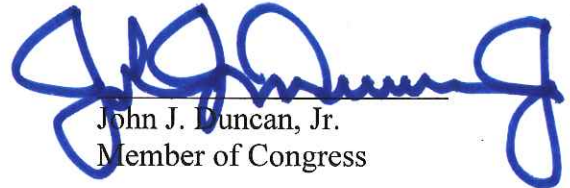
Bill Shuster
Chairman
Committee on Transportation
and Infrastructure



Sam Graves
Chairman
Subcommittee on Highways
and Transit



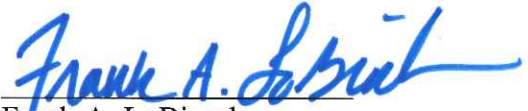
Don Young
Member of Congress



John J. Duncan, Jr.
Member of Congress



John L. Mica
Member of Congress



Frank A. LoBiondo
Member of Congress



Duncan Hunter
Member of Congress



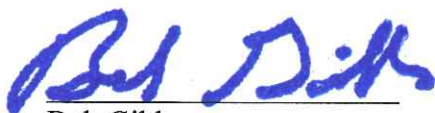
Eric A. "Rick" Crawford
Member of Congress



Lou Barletta
Member of Congress



Blake Farenthold
Member of Congress



Bob Gibbs
Member of Congress



Daniel Webster
Member of Congress



Jeff Denham
Member of Congress



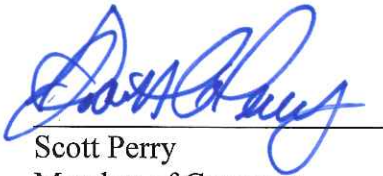
Reid J. Ribble
Member of Congress



Thomas Massie
Member of Congress



Mark Meadows
Member of Congress



Scott Perry
Member of Congress



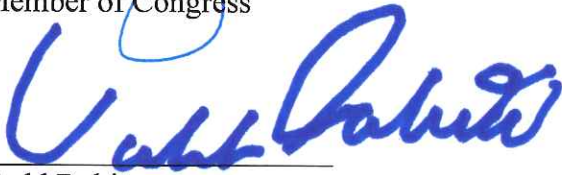
Rodney Davis
Member of Congress



Mark Sanford
Member of Congress



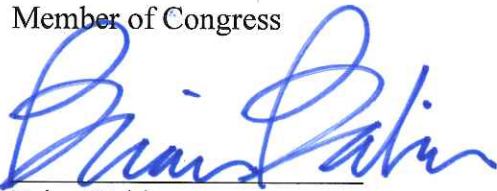
Rob Woodall
Member of Congress



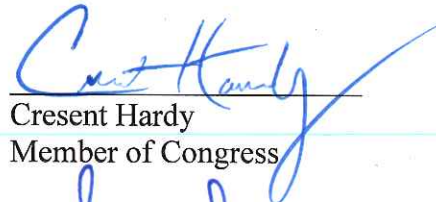
Todd Rokita
Member of Congress



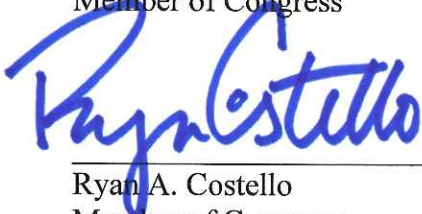
John Katko
Member of Congress



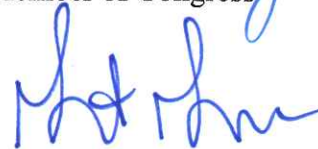
Brian Babin
Member of Congress




Cresent Hardy
Member of Congress



Ryan A. Costello
Member of Congress



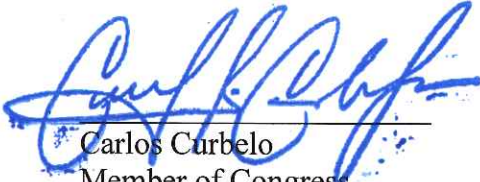
Garret Graves
Member of Congress



Mimi Walters
Member of Congress



Barbara Comstock
Member of Congress



Carlos Curbelo
Member of Congress



David Rouzer
Member of Congress



Mike Bost
Member of Congress