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SUBCOMMITTEE ON HEALTH

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ENVIRONMENT AND THE ECONOMY

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3505**

September 19, 2011

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President Barack Obama  
The White House  
1600 Pennsylvania Ave.  
Washington, D.C., 20500

Dear Mr. President,

On September 2, you announced your request to Environmental Protection Agency (EPA) Administrator Lisa Jackson to withdraw the agency's draft Ozone National Ambient Air Quality Standards (NAAQS). Specifically, your statement acknowledged the "importance of reducing regulatory burdens and regulatory uncertainty, particularly as our economy continues to recover." I commend your decision and agree that the economy should be considered when implementing regulations and standards with such far reaching effects. As a result, I am writing to request your support for my amendment to H.R. 2401, the TRAIN Act, which will receive a House floor vote this week.

As you know, in 2001, the Supreme Court held that Section 109(b) of the Clean Air Act (CAA) does not permit the Administrator to consider implementation costs in setting NAAQS. *See Whitman v. American Trucking Assns., Inc., 531 U.S. 457 (2001)*. My amendment would ensure that the EPA Administrator, and all of her successors, are able to consider all the relevant factors, including implementation costs, when updating NAAQS.

Your decision on September 2 was one of the few areas where the White House and House Republicans have been able to find common ground on how to save and create jobs. With your backing, I believe my amendment can pass with bipartisan support on the House floor. In addition, your support may motivate Senate Democrats to move this commonsense piece of legislation and get Americans back to work. I look forward to your response.

Sincerely,



Robert E. Latta  
Member of Congress

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