

# **OPPOSE UNILATERAL AND EXTRATERRITORIAL IMPOSITION OF THE EUROPEAN UNION EMISSIONS TRADING SCHEME**

**From: The Committee on Transportation and  
Infrastructure  
Bill: H.R. 2594  
Date: 10/24/2011**

## **OPPOSE UNILATERAL AND EXTRATERRITORIAL IMPOSITION OF THE EUROPEAN UNION EMISSIONS TRADING SCHEME**

**VOTE “YES” FOR H.R. 2594**

**From: Transportation and Infrastructure Majority and Minority Staff  
Sent By: Holly Woodruff Lyons  
Date: 10/24/2011**

Dear Colleague:

Today the House will consider H.R. 2594, the European Union Emissions Trading Scheme Act of 2011. This bipartisan bill prohibits U.S. air carriers and other aircraft operators from participating in the European Union (EU) Emissions Trading Scheme (ETS). It also directs the FAA, the DOT, and other U.S. Government officials to use their authority to negotiate and take other actions to ensure that U.S. operators are held harmless from any unilaterally established EU ETS.

Here are a few facts about the European Union Emissions Trading Scheme:

- On January 1, 2012, all international flights operating to and from the EU will be included in the ETS, including flights between the U.S. and the EU.
- U.S. airlines will be required to pay for carbon allowances for all segments of flights between the United States and Europe. For example, on a flight from Los Angeles to a European city, an airline would be liable for emissions over the U.S., Canada, and international waters.
- The Air Transport Association estimated that application of the system to U.S. airlines, as proposed, would cost U.S. airlines and passengers more than \$3.1 billion between 2012 and 2020, which could be used for more than 39,200 U.S. airline jobs. The Air Line Pilots Association has also expressed concerns that application of the EU ETS to U.S. airlines will result in the loss of American jobs.
- Fees for carbon allowances under the system would be paid directly to EU Member States without obligation to use them to mitigate aviation emissions impacts.
- The Obama Administration testified before the House Committee on Transportation & Infrastructure that the EU ETS is inconsistent with international aviation law.
- The EU ETS violates U.S. sovereignty by imposing liability on U.S. airlines for operations in the U.S. National Airspace System.
- In addition to the United States, other nations have voiced opposition to the EU's scheme, including Argentina, Brazil, Chile, China, Colombia, Cuba, Egypt, India, Japan, the Republic of Korea, Malaysia, Mexico, Nigeria, Paraguay, Qatar, the Russian Federation, Saudi Arabia, Singapore, South Africa, the United Arab Emirates, and the member States of the Latin American Civil Aviation Commission (LACAC).
- Even EU Member States, including Italy, the Netherlands, France, Belgium, and Spain, are calling for postponement of the EU ETS due to confusion over its implementation and opposition and potential retaliation from other nations.
- The proper forum to address international civil aviation emissions based on constructive negotiation and mutual agreement is the United Nation's International Civil Aviation Organization (ICAO).
- The EU ETS has been criticized as nothing but a revenue-raiser for EU Member States.

- The following organizations support H.R. 2594: ATA, ASTA, ALPA, CAA, GAMA, IATA, NACA, NATA, NBAA, RAA, and US Travel Association

We hope you will join us in protecting the sovereignty of the United States and support H.R. 2594. For more information, please contact Holly Woodruff Lyons, the Republican Staff Director of the Subcommittee on Aviation at 6-3220, or Giles Giovinazzi, the Democratic Staff Director of the Subcommittee on Aviation at 5-9161.

**John L. Mica**

Chairman

Committee on Transportation  
and Infrastructure

**Nick J. Rahall**

Ranking Member

Committee on Transportation  
and Infrastructure

**Thomas E. Petri  
Costello**

Chairman

Subcommittee on Aviation

**Jerry F.**

Ranking Member

Subcommittee on Aviation