

Remarks of U.S. Rep. Nick J. Rahall, II
Ranking Member
Committee on Transportation and Infrastructure
Floor Consideration of S. 1956, the “European Union Emissions Trading Scheme
Prohibition Act of 2011”
November 13, 2012

I rise in support of S. 1956, a bill to protect America’s airline workers, passengers, and airlines from an emissions trading scheme of the European Union that flies in the face of the international community.

In my view, the EU’s proposed emissions trading scheme is inconsistent with international aviation law and practice. Additionally, airlines and labor groups oppose it because it will impose new and unjustified costs on the industry and destroy American jobs. Rather than solving a serious global problem, the emissions trading scheme has created an international distraction.

Along with 35 Democratic and Republican colleagues, I was pleased to co-sponsor a similar bill last year. As I said when the House passed that bill, reducing aviation emissions is a goal worth pursuing. I do not think anyone disagrees on that. But the EU’s emissions trading scheme, when applied to U.S. airlines, is the wrong way to achieve the right objective. It goes against international law and agreements – and it brings the hand of European regulators into our own airspace. The EU’s go-it-alone approach is not the way to find a global solution to a global problem.

A large part of the international community rejects the EU’s approach. The United States has joined more than 20 other countries in signing two declarations pointing out the many fatal flaws in the emissions trading scheme and calling on EU members to re-join ongoing work within the International Civil Aviation Organization.

European leaders appear to be getting the message. Just yesterday, EU officials announced a one-year suspension of ETS application to international flights as long as a global deal is reached.

But Congress must enact this bill regardless, to send a strong message to the EU that whether the international aviation organization is able to act on the EU’s timetable or not, the EU’s unilateral scheme is not the proper way to solve a global problem.

This bill will protect U.S. airlines, and all those who rely on them for travel and employment, from the unjust effects of the emissions trading scheme. This bill directs the Secretary of Transportation to prohibit U.S. airlines from participating in the emissions trading scheme if the Secretary finds that is in the public interest.

The bill also encourages the government to continue negotiating with the EU on a resolution. And it prohibits use of the Airport and Airway Trust Fund or any appropriated funds to pay penalties to EU countries on behalf of airlines. It ensures that American taxpayers will not end up paying the bill for a counterproductive emissions scheme that causes more problems than it solves.

I urge my colleagues to support this legislation.