

**National Conference of State Legislatures  
National Association of Counties  
International City/County Management Association**

**National League of Cities  
U.S. Conference of Mayors  
The Council of State Governments**

September 21, 2005

The Honorable Joe Barton, Chairman  
House Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Barton:

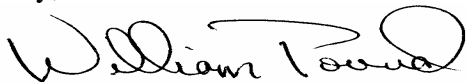
On behalf of state and local governments, we are writing to encourage careful consideration of energy policies that will help to spur recovery following the aftermath of Hurricane Katrina. In that spirit, we respectfully ask that any proposed energy legislation exclude provisions that would preempt state and local governments' permitting processes for energy facilities and related infrastructure, including refineries.

Specifically, we are requesting that the committee hold hearings and follow regular legislative order before considering any such proposal. It is imperative that Members of Congress hear from the communities that would be directly affected by any changes to siting and permitting laws in order to make informed policy decisions. The expertise of state and local officials is critical to helping your committee arrive at the best devised plan. Now more than ever, prudence must guide Congress' hand as it considers legislation on the redevelopment of the affected Gulf areas and revitalization of the energy sector damaged by Hurricane Katrina.

State and local governments were excluded from your committee's hearings and other deliberations during the consideration of H.R. 6. In particular, we were disappointed with the preemption language regarding the siting of liquid natural gas utilities and oil refineries. At this critical juncture, we strongly urge you to hear from our officials who can provide you with valuable information and discuss the consequences of sweeping preempting measures. We stand ready to assist you as you begin deliberations on these important energy issues.

Thank you for your consideration of our concerns.

Sincerely,



Executive Director  
National Conference of State Legislatures



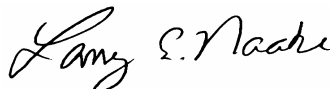
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cc.: Members of the House Committee on Energy and Commerce