

*89 Members join Welch urging EPA to promptly grant California auto emissions waiver*

Washington, DC - Rep. Peter Welch has rallied 89 members of Congress to urge the Environmental Protection Agency (EPA) to promptly grant California a waiver to adopt stricter emissions standards, allowing other states to follow its lead.

Welch believes that the ruling by Vermont United States District Court Judge William Sessions that federal law does not prevent California and other states from adopting regulations to cut global warming pollution from vehicles means the EPA should quickly grant California's waiver.

The EPA has been considering the waiver since 2005.

In a letter authored by Welch to Stephen Johnson, administrator of the EPA, the lawmakers argues that, "In light of last week's ruling by United States District Court Judge William Sessions, we write to urge your immediate approval of California's Clean Air Act waiver related to tail pipe emissions." The letter continues, "We urge you to make your decision on the merits, in accordance with the law and the facts of this case, which demand you immediately grant California's waiver, allowing California and other states to move forward---ideally in partnership with the federal government."

"Judge Sessions' ruling gives the EPA necessary guidance to quickly move forward to approve state waivers for automobile efficiency standards," said Welch. "While I believe the federal government must adopt stronger mileage standards, states should not be prevented from leading the way."

Welch added, "Increasing automobile efficiency will benefit consumers, our economy, and the environment."

Eleven states, including Vermont, have adopted California's Low Emission Vehicle Standards, including mandated reductions in greenhouse gas emissions, which limit the amount of carbon

dioxide and other gasses that can be emitted from vehicle tailpipes. Several other states are considering adopting similar standards.

In June, Welch led an effective effort in Congress to block a proposal being considered by the House Energy and Commerce Committee that would have prohibited states like Vermont from adopting auto emission standards that are tougher than those imposed by the federal government.

The letter with signers is below (a PDF is available upon request):

September 20, 2007

The Honorable Stephen Johnson  
Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Dear Administrator Johnson:

In light of last week's ruling by United States District Court Judge William Sessions, we write to urge your immediate approval of California's Clean Air Act waiver related to tail pipe emissions.

As you know, this waiver of preemption under the Clean Air Act would allow California to aggressively regulate global warming pollution from automobiles. Many states have passed legislation that would impose identical reductions of greenhouse gases and are awaiting the Environmental Protection Agency's (EPA's) decision regarding California's waiver before they

can proceed. States that have already taken such action include: Vermont, Oregon, Washington, Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island. Other states are also carefully considering the adoption of California's emissions requirements, including Illinois, Arizona, North Carolina, Colorado, New Mexico and New Hampshire.

On September 12, 2007, United States District Court Judge William K. Sessions effectively upheld California's landmark global warming tailpipe standards. Judge Sessions ruled that the automotive companies who brought the suit, "have not carried their burden to show that compliance with the regulation is not feasible; nor have they demonstrated that it will limit consumer choice, create economic hardship for the automobile industry, cause significant job loss, or undermine safety." The Court also found that the federal fuel economy law does not block California and other states from adopting laws under the Clean Air Act to cut global warming pollution from vehicles. Further, the Court clearly rejected the automotive manufacturers' claims that the standards would hurt consumers or are technically infeasible.

Your approval of this waiver would be consistent with the intent of the April 2, 2007 decision by the United States Supreme Court in *Massachusetts v. EPA*. There the Court held that greenhouse gases are air pollutants and therefore are subject to EPA regulation. This decision, as well as Judge Session's decision, should guide the EPA as it completes the review of the California waiver.

There is a growing consensus among the states that immediate action is necessary to reduce the imminent hazards of America's global warming pollution. We urge you to make your decision on the merits, in accordance with the law and the facts of this case, which demand you immediately grant California's waiver, allowing California and other States to move forward---ideally in partnership with the federal government.

Sincerely,

Peter Welch (VT)

Henry Waxman (CA)

Edward Markey (MA)

Jay Inslee (WA)

Kathy Castor (FL)

Mark Udall (CO)

Zoe Lofgren (CA)

James Langevin (RI)

Diane Watson (CA)

Anna Eshoo (CA)

Joe Courtney (CT)

Steven F. Lynch (MA)

Doris Matsui (CA)

Mike Thompson (CA)

Frank Pallone, Jr. (NJ)

Pete Stark (CA)

Jerry McNerney (CA)

Adam Schiff (CA)

Michael Arcuri (NY)

Patrick J. Kennedy (RI)

Ed Perlmutter (CO)

John Sarbanes (MD)

Dennis Cardoza (CA)

James McGovern (MA)

Christopher Murphy (CT)

Paul Hodes (NH)

Rush Holt (NJ)

Albio Sires (NJ)

Jan Schakowsky (IL)

Jim McDermott (WA)

Lois Capps (CA)

John Olver (MA)

Phil Hare (IL)

Xavier Becerra (CA)

Anthony Weiner (NY)

Christopher Shays (CT)

Thomas Allen (ME)

Keith Ellison (MN)

Timothy V. Johnson (IL)

John Hall (NY)

Sam Farr (CA)

Linda Sanchez (CA)

Gwen Moore (WI)

Bruce Braley (IA)

Tom Udall (NM)

Hilda Solis (CA)

Carol Shea-Porter (NH)

Susan A. Davis (CA)

Michael Capuano (MA)

Grace Napolitano (CA)

Chris Van Hollen (MD)

Michael Honda (CA)

Betty McCollum (MN)

Brad Miller (NC)

Michael Michaud (ME)

Peter DeFazio (OR)

Eleanor Holmes Norton (DC)

Danny Davis (IL)

David Price (NC)

George Miller (CA)

Richard Neal (MA)

Donald M. Payne (NJ)

Michael R. McNulty (NY)

Howard Berman (CA)

John Tierney (MA)

Jim Moran (VA)

Brad Sherman (CA)

Barney Frank (MA)

Rosa DeLauro (CT)

Lynn Woolsey (CA)

Earl Blumenauer (OR)

Marion Berry (AR)

Lucille Roybal-Allard (CA)

Carolyn Maloney (NY)

Jerry Nadler (NY)

David Wu (OR)

Maxine Waters (CA)

Jane Harman (CA)

Tom Lantos (CA)

Bob Filner (CA)

Maurice Hinchey (NY)

Barbara Lee (CA)

Dennis Kucinich (OH)

Tammy Baldwin (WI)

William Delahunt (MA)

Julia Carson (IN)

Ellen O. Tauscher (CA)

Louise Slaughter (NY)

Albert Wynn (MD)

Donna M. Christensen (VI)