

PETER WELCH
AT-LARGE, VERMONT

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COMMITTEE ON RULES

COMMITTEE ON
OVERSIGHT AND GOVERNMENT
REFORM

Congress of the United States
House of Representatives
Washington, DC 20515-4501

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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.

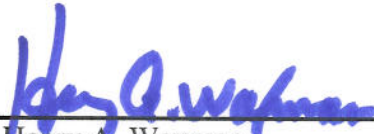
This decision, as well as Judge Session's decision, should guide the EPA as it completes the review of the California waiver.

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.

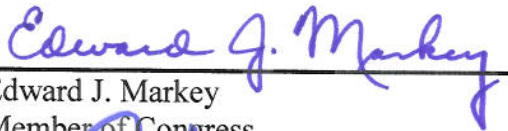
Sincerely,



Peter Welch
Member of Congress



Henry A. Waxman
Member of Congress



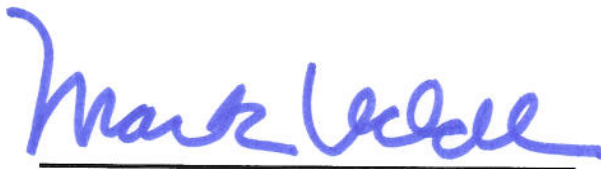
Edward J. Markey
Member of Congress



Kathy Castor
Member of Congress



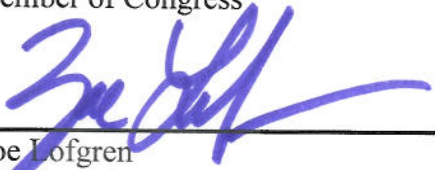
Jay Inslee
Member of Congress



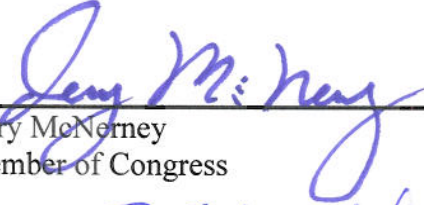
Mark Udall
Member of Congress



Pete Stark
Member of Congress



Zoe Lofgren
Member of Congress



Jerry McNerney
Member of Congress



James Langevin
Member of Congress



Adam Schiff
Member of Congress



Diane Watson
Member of Congress



Michael Arcuri
Member of Congress



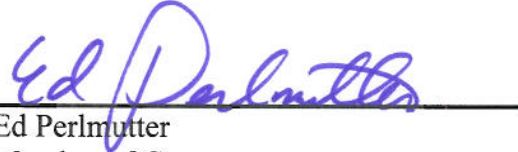
Anna Eshoo
Member of Congress



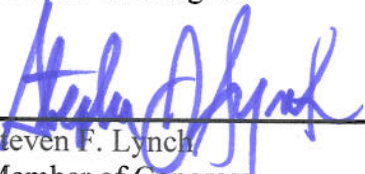
Patrick J. Kennedy
Member of Congress



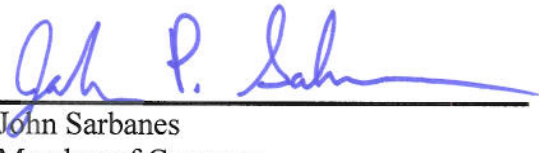
Joe Courtney
Member of Congress



Ed Perlmutter
Member of Congress



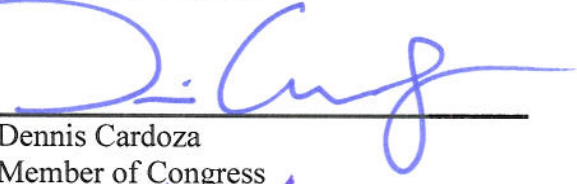
Steven F. Lynch
Member of Congress



John Sarbanes
Member of Congress



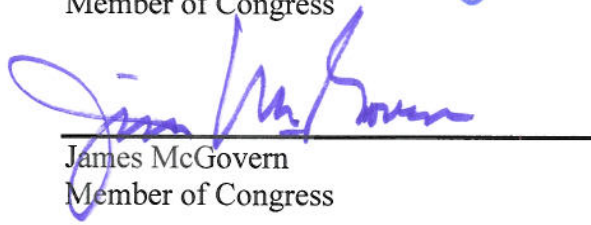
Doris Matsui
Member of Congress



Dennis Cardoza
Member of Congress



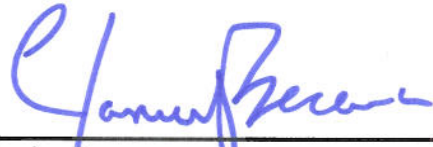
Mike Thompson
Member of Congress



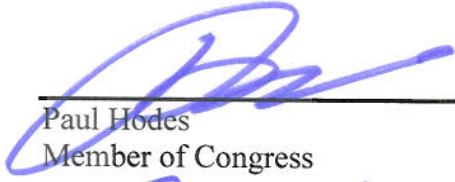
James McGovern
Member of Congress



Christopher Murphy
Member of Congress



Xavier Becerra
Member of Congress



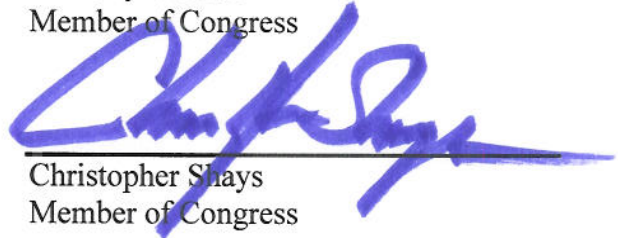
Paul Hodes
Member of Congress



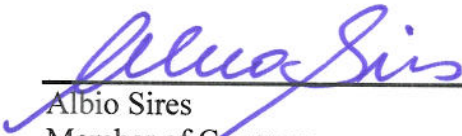
Anthony Weiner
Member of Congress



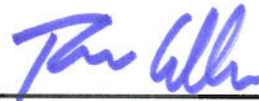
Rush Holt
Member of Congress



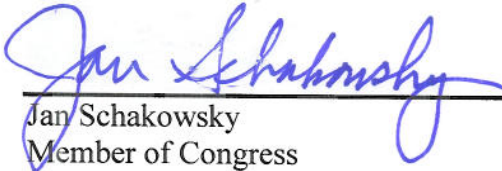
Christopher Shays
Member of Congress



Albio Sires
Member of Congress



Thomas Allen
Member of Congress



Jan Schakowsky
Member of Congress



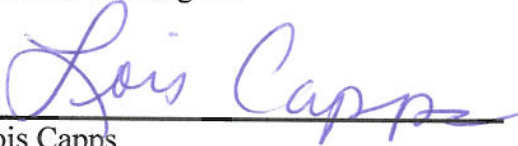
Keith Ellison
Member of Congress



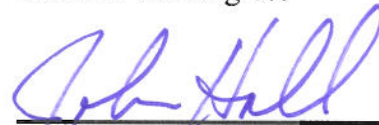
Jim McDermott
Member of Congress



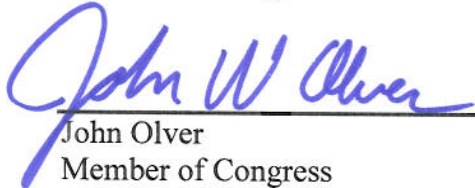
Timothy V. Johnson
Member of Congress



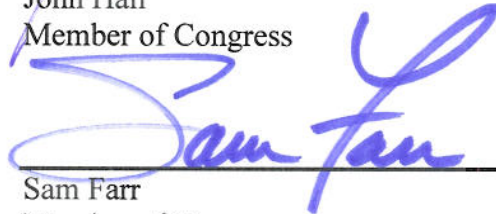
Lois Capps
Member of Congress



John Hall
Member of Congress



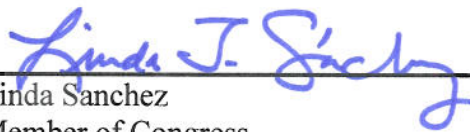
John Olver
Member of Congress



Sam Farr
Member of Congress



Phil Hare
Member of Congress



Linda Sanchez
Member of Congress



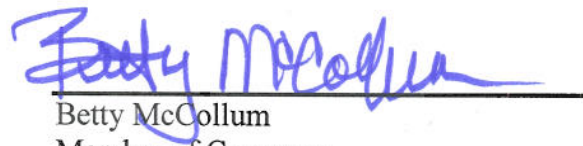
Gwen Moore
Member of Congress



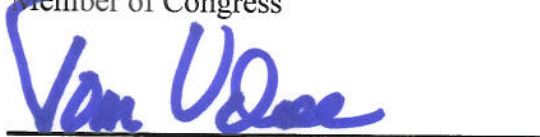
Michael Honda
Member of Congress



Bruce Braley
Member of Congress



Betty McCollum
Member of Congress



Tom Udall
Member of Congress



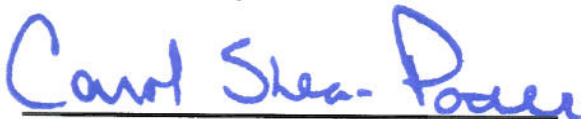
Michael Michaud
Member of Congress



Hilda Solis
Member of Congress



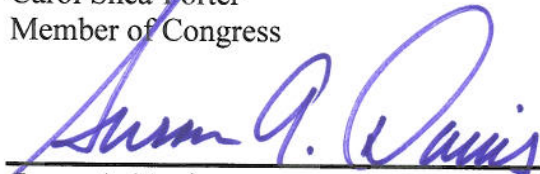
Peter DeFazio
Member of Congress



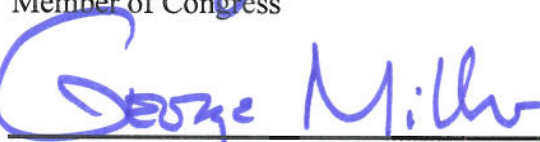
Carol Shea-Porter
Member of Congress



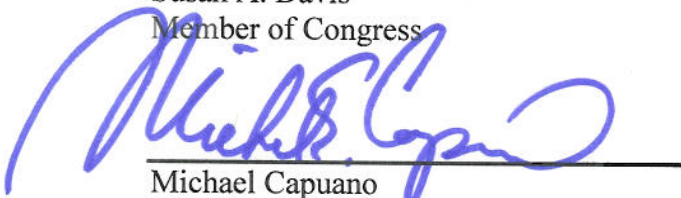
Danny Davis
Member of Congress



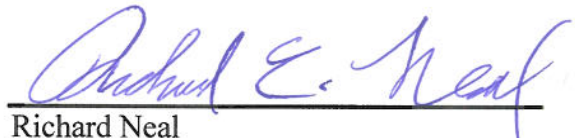
Susan A. Davis
Member of Congress



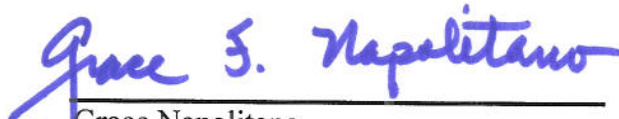
George Miller
Member of Congress



Michael Capuano
Member of Congress



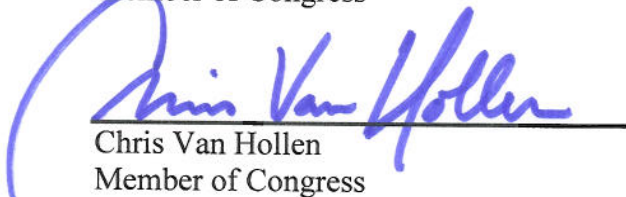
Richard Neal
Member of Congress



Grace Napolitano
Member of Congress



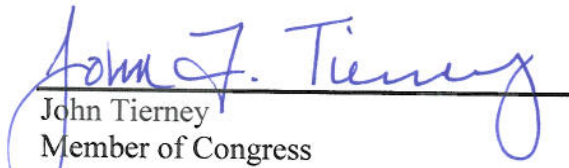
Donald M. Payne
Member of Congress




Chris Van Hollen
Member of Congress

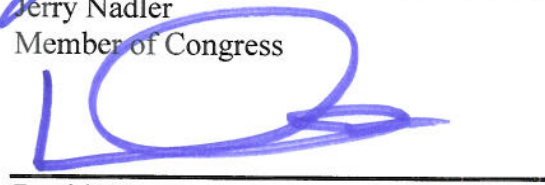


Howard Berman
Member of Congress


John Tierney
Member of Congress



Jerry Nadler
Member of Congress

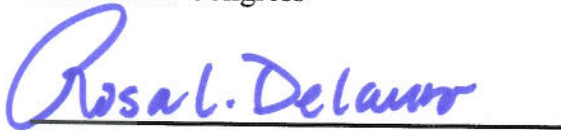

Jim Moran
Member of Congress



David Wu
Member of Congress

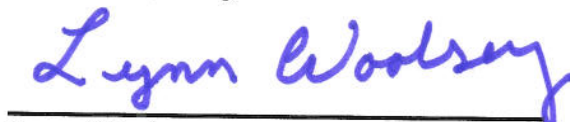

Brad Sherman
Member of Congress

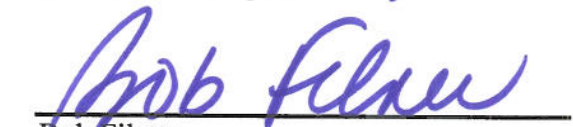

Barney Frank
Member of Congress



Jane Harman
Member of Congress

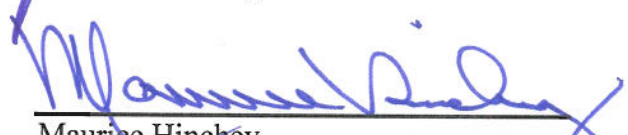

Rosa DeLauro
Member of Congress


Tom Lantos
Member of Congress


Lynn Woolsey
Member of Congress


Bob Filner
Member of Congress



Earl Blumenauer
Member of Congress

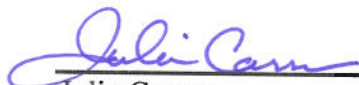

Maurice Hinchey
Member of Congress


Marion Berry
Member of Congress

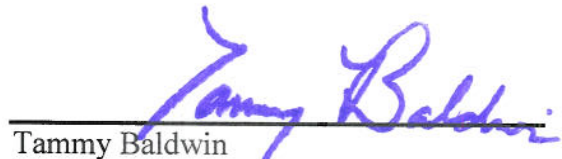

Barbara Lee
Member of Congress


Lucille Roybal-Allard
Member of Congress


William Delahunt
Member of Congress



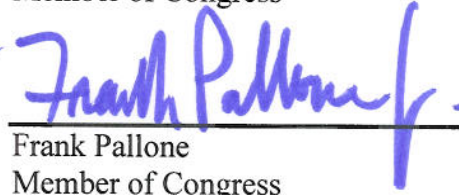
Julia Carson
Member of Congress



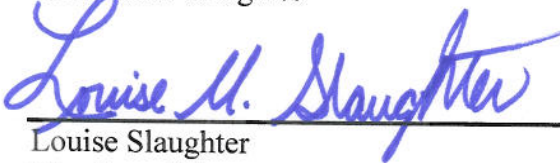
Tammy Baldwin
Member of Congress



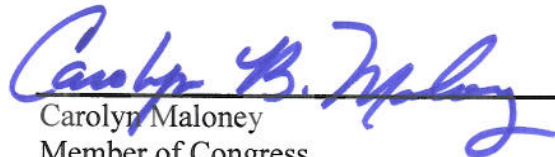
Ellen O. Tauscher
Member of Congress



Frank Pallone
Member of Congress



Louise Slaughter
Member of Congress



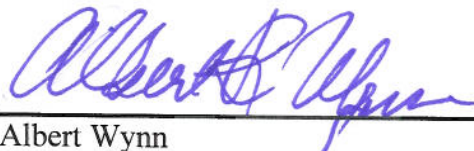
Carolyn Maloney
Member of Congress



Eleanor Holmes Norton
Member of Congress



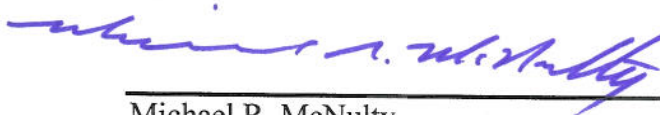
Dennis Kucinich
Member of Congress



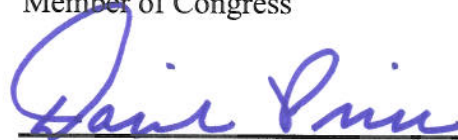
Albert Wynn
Member of Congress



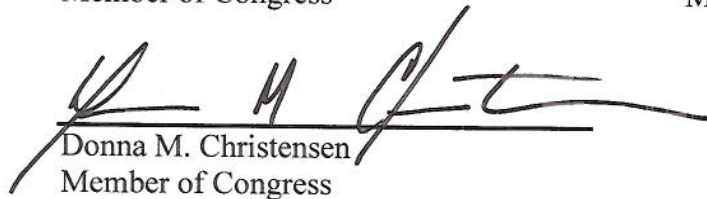
Brad Miller
Member of Congress



Michael R. McNulty
Member of Congress



David E. Price
Member of Congress



Donna M. Christensen
Member of Congress