Message

From: Duncan, Allen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5F4A476A56C342E7A2EEED96115208AC-DUNCAN, ALL]
Sent: 1/6/2023 7:58:23 PM
To: Palermo, Mark [palermo.mark@epa.gov]
Subject: FW: Thank you for your time yesterday
Attachments: EPA Ag Right to Repair Plea V 5.5.pdf; A Plea to the US Environmental Protection Agency - Summary for 20-Dec-2022.docx

Mark;
I should have forwarded this to you last month and I apologize that I didn't (see closing paragraph). OTAQ and OGC/ARLO are discussing.
Let me know if you have comments or questions.
Best regards,
Allen

From: Willie Cade <willie@graceful.solutions>
Sent: Wednesday, December 21, 2022 9:23 AM
To: Saucedo, Alfred <Saucedo.Alfred@epa.gov>
Cc: Mooney, John <Mooney.John@epa.gov>; Acevedo, Frank <acevedo.francisco@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>; Duncan, Allen <duncan.allen@epa.gov>; Snyder, Rodney <Snyder.Rodney@epa.gov>; timothy.wu@who.eop.gov; Blazek, Kelliann M. EOP/WHO <kelliann.m.blazek@who.eop.gov>; mcmurray.matt@gmail.com; McIntee, Will T. EOP/WHO <William.T.McIntee@who.eop.gov>; 'Oo, Olivia (Tester)' <Olivia_Oo@tester.senate.gov>; Antonietti, Patrick (Tester) <patrick_antonietti@tester.senate.gov>; Atkinson, Todd (Durbin) <Todd_Atkinson@durbin.senate.gov>; Hantson, Jeff (Judiciary-Dem) <Jeff_Hantson@judiciary-dem.senate.gov>; Lefeber, Kevin (Durbin) <Kevin_Lefeber@durbin.senate.gov>; Jorgenson, Scott (Judiciary-Dem) <Scott_Jorgenson@judiciary-dem.senate.gov>; Zipkin, Adam (Booker) <Adam_Zipkin@booker.senate.gov>; Whitney, Anna (Booker) <Anna_Whitney@booker.senate.gov>; jgoodman1@ftc.gov; McNulty, Connell <pmcnulty@ftc.gov>; Joe Maxwell <jmaxwell@farmactionalliance.org>; Bruce Rieker <brucer@nefb.org>; Justin_folsom@tester.senate.gov; jason_thielman@tester.senate.gov; OIG WEBCOMMENTS <OIG_WEBCOMMENTS@epa.gov>; Regan, Michael <Regan.Michael@epa.gov>; Nian, Jaina - AMS <jaina.nian@usda.gov>; Green, Andrew - MRP, Washington, DC <andrew.green2@usda.gov>; David Mindell <dmindell@edelson.com>; Sarah Carden <scarden@farmactionfund.us>; Megan Hart <megan.hart@coherentecon.com>
Subject: Thank you for your time yesterday

Mr Saucedo,

Thank you for your time yesterday. As promised during our meeting, I have attached the updated document from my meeting 26-Oct-2022 with Mr. Snyder in Washington, DC. I have also included the summary document that we used during today's meeting. I appreciate your positive comments about the clarity of the Summary. While you didn't find fault with my logic, you also didn't validate my assertions. I would appreciate future follow-up, even if it is just, 'we are working internally on the issue.'

While I understand that the EPA has a large and complex agenda, I nevertheless am amazed how this issue is delayed again and again. It has been nearly 18 months since President Biden called on the '*Whole-of-Government*' to solve the issue of agricultural Right to Repair in Executive Order 14036. This is not only an issue of competitiveness but also national security (OE 14029) and supply chain resilience (EO 14017). I don't mind sharing with you just how excited I was that this administration looked like it was going to take action.

I am sympathetic to the issue of emissions tampering. The two issues; repair and tampering, are separate and should not be conflated. I can say with confidence that the Clean Air Act does not empower the EPA to enable or allow manufactures to withhold tools and information. The EPA's deafening silence on this issue has allowed the

manufacturer's false and misleading narrative to dominate the debate. Your comment during our meeting that EPA will not likely act on my simple initial plea in the first quarter of 2023 is unacceptable and frankly insulting to rural America. Unfortunately, this just reenforces the negative stereotype, that people in government are unaware of vital rural issues. I have personally had the experience of anger, hate, and discuss towards the EPA associated with emissions repair. The irony here is that the EPA could be the good guys, but manufacturers are exploiting and expanding the negative reputation. While I have tried to assure people that Right to Repair is supported by this administration and that we will prevail, I am losing confidence.

Therefore, reluctantly, I am notifying you and all others copied on this email that I intend to file suit in Federal Court after the required 30-day waiting period to obtain a writ of mandamus. While the EPA gets sued all the time, it is a rare day indeed, when a Federal Judge is needed to enact the policy of the current administration, especially when there are long standing statues supporting the policy.

Agricultural producers need relief, relief from the fear of retribution by manufacturers and their dealers, fear from the loss of their crops and businesses, and for us all to be spared a possibly catastrophic disruption of our food supply.

I hope for real action, but I will not wait any longer.

Willie Cade
Cell 773-562-3377
Twitter: @williecade7

. . . simply not finished.

"This is the true joy in life, the being used for a purpose recognized by yourself as a mighty one." George Bernard Shaw