Message

From: abboud.michael@epa.gov [abboud.michael@epa.gov]
Sent: 9/19/2019 12:18:07 PM
To: Press [Press@epa.gov]
Subject: Fwd: Question for tomorrow

Sent from my iPhone

Begin forwarded message:

> **From:** "Ebbs, Stephanie" <Stephanie.Ebbs@abc.com>
> **Date:** September 18, 2019 at 11:14:02 PM EDT
> **To:** "Molly Block" <block.molly@epa.gov>, EPA Mike Abboud <abboud.michael@epa.gov>
> **Subject: Question for tomorrow**
>
> Unrelated to the actual announcement. The president said tonight EPA will be issuing a violation to San Francisco for debris from homeless encampments like used needles flowing into sewers and into the ocean.
>
> Is that true? Do you have any background on what kind of violation that would be and how something like that is measured?
>
> We can talk in the morning but just putting it out there now so I remember
>
> Stephanie Ebbs
> ABC News- Washington
> Ex. 6 - Personal Privacy

Message

From: Woods, Andrea [Woods.Andrea@epa.gov]
Sent: 9/19/2019 9:05:51 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Block, Molly [block.molly@epa.gov]
CC: McFaul, Jessica [mcfaul.jessica@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]
Subject: RE: Clips from today
Attachments: 9.19.19 SAFE announcement clips.docx

Sorry – correct attachment here

From: Abboud, Michael <abboud.michael@epa.gov>
Sent: Thursday, September 19, 2019 5:05 PM
To: Woods, Andrea <Woods.Andrea@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Block, Molly <block.molly@epa.gov>
Cc: McFaul, Jessica <mcfaul.jessica@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>
Subject: RE: Clips from today

Wrong attachment. Also he had another interview Scott Thuman from Sinclair at 2:20 today as well.

From: Woods, Andrea <Woods.Andrea@epa.gov>
Sent: Thursday, September 19, 2019 5:03 PM
To: Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Block, Molly <block.molly@epa.gov>
Cc: McFaul, Jessica <mcfaul.jessica@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>
Subject: Clips from today

Clips are attached – let me know if I'm good to send around.

Andrea Woods
Deputy Press Secretary
U.S. Environmental Protection Agency
Office of Public Affairs
202-564-2010

SAFE Announcement Clips

[HYPERLINK \l "_Associated_Press"]
The Trump administration's decision to stop California from setting its own emission standards for cars and trucks would undermine the state's ability to convince the world's largest automakers that they should make more environmentally friendly vehicles. "We will not let political agendas in a single state be forced upon the other 49," Transportation Secretary Elaine Chao said Thursday at a Washington news conference after the administration revoked the power California exercised for decades under a waiver from the federal Clean Air Act.

[HYPERLINK \l "_Bloomberg_Environment"]
The Trump administration moved to strip California of its authority to limit greenhouse gas emissions from vehicles, even as it warned the state it needs to do more to combat smog. "California has the worst air quality in the United States," EPA Administrator Andrew Wheeler said Thursday, adding that tens of millions of people in the state live in areas that don't meet ambient air standards. "We hope California will focus on these issues."

[HYPERLINK \l "_CBS_News"]
The Trump administration formally rolled back California's authority to set automotive vehicle emission standards, a[HYPERLINK "https://www.cbsnews.com/news/trump-blocking-california-from-setting-stricter-fuel-standards/"] in the courts. At a press conference on Thursday, Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced that the EPA would withdraw the 2013 Clean Air Act waiver that enabled California to set its own tailpipe greenhouse gas emission standards.

[HYPERLINK \l "_CNet_News"]
A day after learning the Trump administration will [HYPERLINK "https://www.cnet.com/news/trump-california-emissions-waiver-fuel-economy/"], the EPA and NHTSA announced the government's next step on Thursday. The agencies debuted the "One National Program Rule," which essentially gives the federal government full authority to set a single national fuel economy standard.

[HYPERLINK \l "_CNN"]
Two of President Donald Trump's cabinet officials criticized California's environmental record Thursday as the state and the administration are in a pitched battle over the authority to set vehicle emission standards. "No state has the authority to opt out of the nation's rules and no state has the right to impose its policies on everybody else in our whole country," Transportation Secretary Elaine Chao told reporters, discussing the [HYPERLINK "https://www.cnn.com/2019/09/18/politics/epa-trump-california/index.html" \t "_blank"] California's authority to set vehicle emission standards.

[HYPERLINK \l "_The_Detroit_News"]
The Trump administration made official Thursday its move to revoke California's right to set its own gas mileage rules for vehicles, expressing confidence it will prevail in a looming legal fight likely to ensnare the nation's automakers for years to come. U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao said Thursday that their agencies will move

to revoke the Clean Air Act waiver that has been used by California since 1967 to set its own emission standards. That would undo California's Advanced Clean Car Rule, which calls for automakers to reduce pollution from new cars from 2012 model year levels by 40% by 2025.

[HYPERLINK \l "_E&E_News"]
Senior Trump administration officials today defended their decision to block California's plans to enforce greenhouse gas emissions standards for cars, saying they run afoul of the law and would stop the benefits that rolling back federal car rules would bring. Dubbing their decision the "One National Program Rule," the leaders of the Department of Transportation and EPA said California — which is striving to enforce tougher emissions limits for cars sold within its borders and those of 13 states that choose to follow its rules — stands in the way of nationwide consistency for car manufacturers and consumers.

[HYPERLINK \l "_Fox_Business_News"]
The Trump administration announced regulations to withdraw California's waiver to set fuel economy standards. The withdrawal is a response to California [HYPERLINK "https://www.foxbusiness.com/industrials/trump-california-fuel-mileage-emissions-standards" \t "_blank"] the Environmental Protection Agency by agreeing to stricter gas mileage and carbon emissions standards with four top automakers. Ford, Honda, BMW and Volkswagen were part of the July agreement.

[HYPERLINK \l "_Fox_News"]
Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced Thursday a “One National Program Rule,” paving the way for the federal government to set [HYPERLINK "https://www.foxnews.com/politics/trump-administration-revokes-californias-authority-to-set-auto-mileage-standards"] for fuel economy and greenhouse gas emissions for cars and light-duty trucks — in a move to block California's current requirements.

[HYPERLINK \l "_The_Guardian"]
The [HYPERLINK "https://www.theguardian.com/us-news/trump-administration"] has formally moved to revoke [HYPERLINK "https://www.theguardian.com/us-news/california"]’s authority to set its own vehicle emissions standards, in a decision certain to provoke a significant legal challenge. In a statement, the [HYPERLINK "https://www.theguardian.com/environment/epa"] administrator, Andrew Wheeler, said the decision ensures nationwide rules that provide “much-needed regulatory certainty for the automotive industry” and “promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks”.

[HYPERLINK \l "_The_Hill"]
The Trump administration on Thursday officially revoked California's tailpipe waiver under the Clean Air Act, a decision likely to face quick legal challenges. The Department of Transportation and Environmental Protection Agency (EPA) unveiled the “One National Program Rule,” giving the federal government sole authority to set emission standards for cars.

[HYPERLINK \l "_Inside_Climate_News"]

President Donald Trump's administration on Thursday stripped California of its authority to enact the nation's toughest auto pollution standards, setting the stage for an epic legal battle that could squelch the nascent U.S. market for petroleum-free vehicles at a critical time.

[HYPERLINK \l "_NBC_News"]
The Trump administration formally announced plans Thursday to strip away the waiver that had allowed California to set its own fuel economy mandates, while also confirming that a rollback of federal mileage rules will be revealed in the coming weeks. Echoing the words of President Donald Trump, two senior White House officials said the moves would make tomorrow's cars cleaner and safer, while also creating more U.S. jobs.

[HYPERLINK \l "_Politico"]
Trump administration officials today said California should stay in its own lane when it comes to vehicle emissions and focus instead on reducing tailpipe pollution that creates the state's unique smog problem. Revoking the state's greenhouse gas waiver "will not affect California's ability to refocus its efforts on fighting the worst air pollution in the country and comply with existing regulations," Transportation Secretary Elaine Chao said at a press conference.

[HYPERLINK \l "_Reuters"]
The Trump administration said on Thursday it is revoking California's authority to set its own auto tailpipe emissions standards and to require some zero-emission vehicles - a decision that will spark a massive legal battle over the future of U.S. vehicles and the most populous state's regulatory role. Environmental Protection Agency (EPA) Administrator Andrew Wheeler said in a statement the decision will ensure nationwide rules that provide "much-needed regulatory certainty for the automotive industry." Currently, California's more stringent vehicle emissions rules are also followed by a dozen other states that account for than 40% of U.S. vehicle sales.

[HYPERLINK \l "_Sacramento_Bee"]
Trump administration officials expect their move this week to revoke California's unique authority to restrict car pollution will speed up an impending legal clash which could potentially allow them to defend the policy in federal court during President Donald Trump's first term. "This rule will be able to be challenged in court on its own and we can accelerate the timetable for getting a definitive final judgment from the courts," Department of Transportation General Counsel Stephen Bradbury said at a press conference on Thursday.

[HYPERLINK \l "_San_Francisco_Chronicle"]
Trump administration officials attacked California's air quality Thursday as they announced the revocation of the state's authority to set its own auto emissions standards, saying the state should focus on its own problems instead of the rest of the nation."California has the worst air quality in the United States," Environmental Protection Agency Administrator Andrew Wheeler said at a news conference. "We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country."

[HYPERLINK \l "_SF_Gate"]

U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao officially announced Thursday that they are revoking California's authority to set strict auto emission standards. The administration's intention to take that step was announced by President Donald Trump on Wednesday in a tweet.

[HYPERLINK \l "_Wall_Street_Journal"]
The Trump administration formally unveiled a new standard that loosens emissions rules for vehicles sold in the U.S. and moved to strip California's ability to set its own tougher requirements, steps officials said will give drivers access to cheaper, safer cars. Officials from the Environmental Protection Agency and the Transportation Department said Thursday they issued a final action on a rule that will unify the country's fuel-economy and greenhouse-gas-emissions standards. The announcement, which had been previewed by President Trump and other officials earlier in the week, marks another step in easing requirements set under the Obama administration in 2012.

[HYPERLINK \l "_Washington_Examiner"]
The Department of Transportation and Environmental Protection Agency Thursday announced that there will be "one, and only one" national fuel standard, a move made to cut the costs of vehicles and bar California from making stricter standards.

Associated Press

[HYPERLINK "https://www.apnews.com/a45c4a503a7b4ea5a39c904fa18b173b"]

California looks for ways to preserve environmental clout

By Adam Beam and Michael Biesecker

September 19, 2019

The Trump administration's decision to stop California from setting its own emission standards for cars and trucks would undermine the state's ability to convince the world's largest automakers that they should make more environmentally friendly vehicles.

"We will not let political agendas in a single state be forced upon the other 49," Transportation Secretary Elaine Chao said Thursday at a Washington news conference after the administration revoked the power California exercised for decades under a waiver from the federal Clean Air Act.

One California lawmaker is already working on a way to preserve at least some of the state's environmental muscle: rebates for electric cars.

California residents who buy or lease a zero-emission vehicle can get up to $7,000 from the state. A bill by Democratic Assemblyman Phil Ting would mean people could only get that money if they buy a car from a company that has agreed to follow California's emission standards.

California has 35 million registered vehicles, giving it great influence with the auto industry. That was evident in July, when Democratic Gov. Gavin Newsom announced that Ford, BMW, Honda and Volkswagen had agreed to follow California's standards, bypassing the administration, which had been working on new rules.

California officials have been negotiating with other automakers to follow suit. But those talks stalled Wednesday when President Donald Trump announced, via Twitter, that he was revoking California's authority to set its own emission standards.

Ting's proposal, first reported by CalMatters, shows California has other ways it could entice automakers to follow its environmental lead. David Vogel, a professor emeritus of business ethics at the Haas School of Business of the University of California-Berkeley, noted California could accomplish its goals through various tax changes, which the federal government could not stop.

"Even if the Trump administration would win on this, California could use taxes to accomplish much of the same goals," Vogel said. "The federal government would have less of an ability to challenge, because states can pretty much tax who they want."

The California Legislature adjourned for the year last week. But before leaving, lawmakers amended a bill to include the new language so they could debate it when they return to work in January.

State officials could use the tactic to aid negotiations with Toyota and General Motors, two manufacturers that make electric cars but have so far not agreed to California's emission standards. It's

unclear how effective the law would be, given that California's Clean Vehicle Rebate Project has a waiting list.

A Toyota spokesman declined to comment.

Ting, through a spokeswoman, declined immediate comment. Newsom, asked about the proposal, said he would make an announcement by Friday. He did not elaborate.

Trump said his move would result in less expensive, safer cars. He predicted Americans would purchase more new cars, which would result in cleaner air as older models are taken off the roads.

"Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS! Automakers should seize this opportunity because without this alternative to California, you will be out of business," Trump tweeted.

Environmental Protection Agency chief Andrew Wheeler said at the Thursday news conference with Chao that Trump's approach was "good for public safety, good for the economy and good for the environment."

Wheeler also played down electric vehicles, calling them "a product that has minimal impact on the environment and which most families cannot approach"

U.S. automakers contend that without year-over-year increases in fuel efficiency that align with global market realities, their vehicles could be less competitive, potentially resulting in job losses. But most of the industry favors increases in standards that are less than the Obama-era requirements, saying their consumers are gravitating to SUVs and trucks rather than buying more efficient cars.

Top California officials and environmental groups pledged legal action to stop the Trump rollback. The U.S. transportation sector is the nation's biggest single source of greenhouse gasses.

Trump's claim that his proposal would result in a cleaner environment is contrary to his own administration's estimate that by freezing economy standards, U.S. fuel consumption would increase by about 500,000 barrels per day, a 2% to 3% increase. Environmental groups predict even more fuel consumed, resulting in higher pollution.

The administration argues that lower-cost vehicles would allow more people to buy new ones that are safer, cutting roadway deaths by 12,700 lives through the 2029 model year.

But The Associated Press reported last year that internal EPA emails show senior career officials privately questioned the administration's calculations, saying the proposed freeze would actually modestly increase highway fatalities, by about 17 deaths annually.

Bloomberg Environment

[HYPERLINK "https://news.bloombergenvironment.com/environment-and-energy/trump-administration-moves-to-curb-californias-car-regulations"]

EPA Slams California's Air Quality as It Curbs State's Authority (1)

By Ryan Beene

September 19, 2019

The Trump administration moved to strip California of its authority to limit greenhouse gas emissions from vehicles, even as it warned the state it needs to do more to combat smog.

"California has the worst air quality in the United States," EPA Administrator Andrew Wheeler said Thursday, adding that tens of millions of people in the state live in areas that don't meet ambient air standards. "We hope California will focus on these issues."

Although Trump announced the move on Twitter Wednesday, it was formally unveiled during an event at the Environmental Protection Agency headquarters in Washington on Thursday, in front of free-market, conservative advocates, National Automobile Dealers Association officials, multi-franchise owner Geoff Pohanka, and Gloria Bergquist, vice president of the Alliance of Automobile Manufacturers.

Transportation Secretary Elaine Chao said the move to gut California's powers would reinforce the federal government's role setting vehicle standards.

"The one national program that we are announcing today will ensure that there is one -- and only one -- set of national fuel economy standards as Congress mandated and intended," Chao said. "No state has the authority to opt out of the nation's rules and no state has a right to impose its policies on everybody else in our whole country."

In its action, the Transportation Department asserts that its authority to set fuel-economy standards preempts California's own tailpipe standards. The EPA also is formally withdrawing a 2013 waiver that authorized California to pursue its own tailpipe greenhouse gas emission standard and zero-emission vehicle mandate, arguing both programs are prohibited by the Clean Air Act.

Chao and Wheeler framed the actions as delivering on a promise made by President Donald Trump in March 2017, when he declared before a crowd of auto workers in Michigan that his administration would reevaluate fuel economy and emissions standards adopted during the Obama administration.

Chao called those rule "unattainable" and said they needed to be weakened because "consumers were being priced out of newer, safer vehicles."

They also cast it as a measure to prevent California from acting as a de facto national regulator, saying the state cannot overstep its authority to fight local smog and air-pollution within its borders by regulating greenhouse gas emissions linked to climate change, a global issue.

"We will not let political agendas in a single state to be imposed on the other 49," Chao said.

The administration is still working to finalize its plan for weakening existing federal fuel-economy and tailpipe emissions standards. Wheeler said those changes will "save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner and safer cars and trucks."

Trump administration officials say the effort will help everyday Americans afford new vehicles by dialing back environmental mandates that drive up vehicle prices.

Even as the administration moved to undercut California's authority, it took pains to emphasize the state is still on the hook to clean up its auto pollution.

California officials have argued that its tailpipe emission standards are critical to helping clean up smog and satisfy national standards for ozone and air quality and have said they will fight the revocation in court if necessary.

Legal experts said the Trump administration may have a tough time defending a suit. A waiver has never been revoked in the 50-year-history of the Clean Air Act, said Julia Stein, a University of California at Los Angeles environmental law expert.

"Ironically, even though the administration insists that it will be creating 'one national standard' by revoking California's waiver, it will actually be doing the opposite," Stein wrote in a blog post.

California officials including Governor Gavin Newsom and Attorney General Xavier Becerra said in a press conference Wednesday that the state has received roughly 100 waivers to combat air pollution and they would defend the one underpinning its vehicle rules.

"This is such a pivotal moment in the history of climate change," Newsom said, citing statistics on the role of transportation in greenhouse gas emissions. "This is our legacy moment."

With some 35 million vehicles in the state, and the transportation sector's role as the top contributor of greenhouse gas emissions, Becerra said California's ability to combat vehicle greenhouse gas emissions is critical to the state's clean-air goals.

CBS News

[HYPERLINK "https://www.cbsnews.com/news/epa-officially-moves-to-revoke-californias-authority-to-set-own-fuel-standards/"]

EPA officially moves to revoke California's authority to set own fuel standards

By Emily Tillett

September 19, 2019

The Trump administration formally rolled back California's authority to set automotive vehicle emission standards, a[HYPERLINK "https://www.cbsnews.com/news/trump-blocking-california-from-setting-stricter-fuel-standards/"] in the courts. At a press conference on Thursday, Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced that the EPA would withdraw the 2013 Clean Air Act waiver that enabled California to set its own tailpipe greenhouse gas emission standards.

President Trump touted the move by [HYPERLINK "https://twitter.com/realDonaldTrump/status/1174342163141812224" \t "_blank"]on Wednesday, saying that it would result in less expensive and safer cars, and insisting that new cars would be cleaner, even though they will burn more gasoline than they would have under the fuel efficiency standards established during President Obama's administration.

The rollback is a part of the new National Highway Traffic Safety Administration (NHTSA) and the EPA "One National Program Rule," which, as the name states, means the federal government will have one set of nationwide fuel economy and greenhouse gas emission standards for automobiles and light-duty trucks.

"No state has the authority to opt out of the nation's rule, and no state has the right to impose its policies on everybody else and our whole country," Chao said Thursday.

Wheeler told reporters that having one standard will provide stronger "regulatory certainty" for the automotive industry. The Automobile Alliance said in a statement that "we support one national program as the best path to preserve good auto jobs, keep new vehicles affordable for more Americans and avoid a marketplace with different standards."

However, in July, four automakers — Ford, Honda, BMW and Volkswagen — had agreed to meet Califronia's stricter tailpipe emissions, rather than the federal standard. Some of the automakers believe that without a substantial increase in fuel efficiency, their vehicles could be less competitive in the global marketplace, since several other nations demand higher fuel economy than the U.S. The Trump administration has opened an antitrust investigation into the deal between the automakers and California.

The president also seeks to relax Obama-era federal mileage standards nationwide, weakening a key effort by his Democratic predecessor to slow climate change. The Trump administration's original proposal would have frozen the Obama EPA's increase in standards at about 37 miles per gallon in 2021.

President Obama issued a rule that demanded that fuel economy grow every year through 2026, when it would reach a 46.7 mile-per-gallon average for a company's fleet.

CNet News

[HYPERLINK "https://www.cnet.com/roadshow/news/trump-national-fuel-economy-california-emissions/"]

Trump administration issues rule to set one national fuel economy standard

By Sean Szymkowski

September 19, 2019

A day after learning the Trump administration will [HYPERLINK "https://www.cnet.com/news/trump-california-emissions-waiver-fuel-economy/"], the EPA and NHTSA announced the government's next step on Thursday. The agencies debuted the "One National Program Rule," which essentially gives the federal government full authority to set a single national fuel economy standard.

The rule affirms the federal government as the only body with the ability to set such standards. Local and state governments "may not establish their own separate fuel economy standards," according to the announcement.

Secretary of Transportation Elaine Chao underscored the regulatory changes and in a statement said, "Today's action meets President Trump's commitment to establish uniform fuel economy standards for vehicles across the United States, ensuring that no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country."

Her comments reflect the Trump administration's move to revoke California's waiver. Since 2013, California has had the authority to set separate greenhouse gas standards, which essentially allowed the state to all but mandate plug-in vehicle sales. EPA Administrator Andrew Wheeler said the new rule will provide regulatory certainty for automakers -- a shot at California for basically creating a subset of "compliance cars" for the market.

"One national standard provides much-needed regulatory certainty for the automotive industry and sets the stage for the Trump administration's final SAFE rule that will save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner and safer cars and trucks," he said.

The other parts of the proposed fuel economy and emissions changes are still in the works. Wheeler has previously hinted, however, they [HYPERLINK "https://www.cnet.com/news/epa-fuel-economy-emissions-rollback-trump-proposal/"] last year. The EPA also noted California can continue to operate and enforce its Low Emission Vehicle program and other clean air standards to battle smog problems locally.

The White House continues to set the stage for a bitter legal battle. California and its Air Resources Board have vowed not to enforce less stringent fuel economy and emissions standards, arguing it's a state's rights issue. The state went as far as signing a [HYPERLINK "https://www.cnet.com/news/bmw-ford-honda-vw-greenhouse-gas-pact-california-trump/"] with four automakers, though the Department of Justice has since opened an [HYPERLINK "https://www.cnet.com/news/bmw-ford-honda-volkswagen-doj-investigation-california/"] over the deal.

CARB did not immediately respond to a request for comment on today's news.

Automakers have long argued for relaxed fuel economy standards that are more in line with today's realities, though they've also said the government's proposed standard goes too far. Current regulations will see fleet-wide fuel economy rise to 46.7 miles per gallon by 2026. The White House's proposal will dial the figure back to 37 mpg, essentially freezing all increases at 2020 levels.

CNN

[HYPERLINK "https://www.cnn.com/2019/09/19/politics/wheeler-chao-california/index.html"]

Chao, Wheeler call out California over environmental efforts

By Gregory Wallace

September 19, 2019

Two of President Donald Trump's cabinet officials criticized California's environmental record Thursday as the state and the administration are in a pitched battle over the authority to set vehicle emission standards.

"No state has the authority to opt out of the nation's rules and no state has the right to impose its policies on everybody else in our whole country," Transportation Secretary Elaine Chao told reporters, discussing the [HYPERLINK "https://www.cnn.com/2019/09/18/politics/epa-trump-california/index.html" \t "_blank"] California's authority to set vehicle emission standards.

"To do otherwise," Chao continued, "harms consumers and damages the American economy."

The state's Clean Air Act waiver allowed it to set vehicle emission standards that are more stringent than the federal standards. Because more than a dozen states have signed on to California's levels, they became the de facto nationwide standards. The Trump administration is in the process of relaxing federal emission standards set by the Obama administration, but for those to be controlling, needs to also eliminate the California levels.

California Gov. Gavin Newsom told reporters Wednesday -- soon after Trump announced the plans -- that the President is motivated by a "unique frustration with California."

"We're winning. That's the frustration he's having -- we are winning," Newsom said, referring to the state's multiple legal battles with the administration. "He's losing, and we're winning because we have the law, science and facts on our side."

"We have not only the formal authority, we have the moral authority, and that is something missing in this White House," Newsom added.

California has been a persistent thorn in the administration's side, including on environmental and immigration issues.

At the Thursday morning event, Environmental Protection Agency Administrator Andrew Wheeler took California to task for having "the worst air quality in the United States."

"It has 82 non-attainment areas and 34 million people living in areas that do not meet the NAAQS standards," Wheeler said, referring to areas of the Golden State that do not meet the National Ambient Air Quality Standards. "That's more than twice as many people as any other state in the country. We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country."

"California cars have no closer link to California climate impacts than do cars on the road in Japan or anywhere else in the world," he added.

Wheeler said the revised federal standards are still in development but will be announced in the coming weeks.

"We are looking at all the options right now," he said. "We have not made a final decision yet on what the standards will be."

EPA General Counsel Matthew Leopold told reporters after Wheeler's remarks that the administration anticipates litigation over the standards. He said the official action revoking California's authority will likely be published in the Federal Register next week and take effect 60 days later.

The Detroit News

[HYPERLINK "https://www.detroitnews.com/story/business/autos/2019/09/19/feds-move-revoke-california-right-set-mpg-rules/2372374001/"]

Feds move to revoke California's right to set mpg rules

By Keith Laing

September 19, 2019

The Trump administration made official Thursday its move to revoke California's right to set its own gas mileage rules for vehicles, expressing confidence it will prevail in a looming legal fight likely to ensnare the nation's automakers for years to come.

U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao said Thursday that their agencies will move to revoke the Clean Air Act waiver that has been used by California since 1967 to set its own emission standards. That would undo California's Advanced Clean Car Rule, which calls for automakers to reduce pollution from new cars from 2012 model year levels by 40% by 2025.

"No state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on everybody else in our country," Chao said in a press conference at the EPA's headquarters in Washington. "We will not let political agendas in a single state be forced upon the other 49."

Wheeler added: "Our goal from the beginning was a 50-state solution. ... We embrace federalism and the role of states, but federalism does not mean that one state can dictate policy for the rest of the country."

The announcement, pre-empted Wednesday by President Donald Trump on Twitter, has been met with fierce resistance in California, which has already sued over the Trump administration's proposed rollback of stringent fuel economy rules that were adopted by the Obama administration in 2012. The state's Democratic leaders signaled Wednesday they intend to go back to court to protect their right to set their own mpg rules.

"Our message to those who claim to support states' right: Don't trample on ours," California Attorney General Xavier Becerra, a Democrat, said in a press conference shortly after the president's comments.

"For us, this is about survival," Becerra continued. "Our communities are screaming for help to address the climate crisis...We're prepared to lead. We're prepared to fight. We'll do what we must."

The Trump administration and California have battled over gas mileage rules since the earliest days of Trump's presidency.

The Trump administration announced last year its intention to ease stringent gas-mileage rules that would have required fleets averaging nearly 55 miles per gallon by 2025. The administration proposed a freeze in the mandate after 2020, touching off a fierce battle with California, which helped craft the Obama-era rules.

The two sides attempted to negotiate a potential agreement, but the White House said in February it was pulling out of the talks and moving forward with its proposed freeze.

Thirteen states and Washington, D.C., have adopted California's mileage rules, meaning automakers could be left with one set of rules for a quarter of the country and another set for the remaining states unless the Trump administration and California can come to an agreement. Congress gave California the right to set its own standards

California has vowed to fight any attempt to revoke its right to set its own mileage rules in court. The state has reached an agreement with Ford Motor Co. and three other automakers to voluntarily increase the average fuel economy of their fleets from 2021 levels by 3.7% per year, reaching an average of nearly 50 mpg by 2026. The U.S. Department of Justice has launched an antitrust investigation into that agreement.

General Motors Co., Fiat Chrysler Automobiles NV and other automakers have faced pressure from Democratic lawmakers to join the voluntarily agreement with California.

Ford said in a statement: "We have consistently said that the best path forward is a negotiated settlement that offers a workable compromise. We need regulatory certainty, not litigation."

Democrats have decried both the effort to roll back the Obama-era mpg rules and take California's right to set its own gas mileage rules.

"Donald Trump continues his relentless effort to roll back the hard-fought progress we made in the Obama-Biden Administration," former Vice President Joe Biden, who is running for the 2020 Democratic presidential nominated, tweeted Wednesday. "Higher auto emission standards make the air we all breathe cleaner, keep us healthier—and keep our auto industry competitive in the global marketplace."

Trump has defended his move to revoke California's mpg rules as an effort to protect car buyers from higher prices for new cars, although there is little evidence to support the claim that his proposal to roll back the Obama-era mpg rules will lower sticker prices.

"The Trump Administration is revoking California's Federal Waiver on emissions in order to produce far less expensive cars for the consumer, while at the same time making the cars substantially SAFER," Trump tweeted Wednesday.

"This will lead to more production because of this pricing and safety advantage, and also due to the fact that older, highly polluting cars, will be replaced by new, extremely environmentally friendly cars," the president continued on Twitter. "

"There will be very little difference in emissions between the California Standard and the new U.S. Standard, but the cars will be far safer and much less expensive," Trump concluded. "Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS!

Automakers should seize this opportunity because without this alternative to California, you will be out of business."

E&E News

[HYPERLINK "https://www.eenews.net/greenwire/2019/09/19/stories/1061139351"]

Trump officials defend plan to revoke Calif. Waiver

By Timothy Cama

September 19, 2019

Senior Trump administration officials today defended their decision to block California's plans to enforce greenhouse gas emissions standards for cars, saying they run afoul of the law and would stop the benefits that rolling back federal car rules would bring.

Dubbing their decision the "One National Program Rule," the leaders of the Department of Transportation and EPA said California — which is striving to enforce tougher emissions limits for cars sold within its borders and those of 13 states that choose to follow its rules — stands in the way of nationwide consistency for car manufacturers and consumers.

At a news conference this morning at EPA headquarters, accompanied by representatives of supportive groups, EPA head Andrew Wheeler and Transportation Secretary Elaine Chao announced they will seek to stop California from enforcing its emissions rules and its mandate that automakers sell certain numbers of zero-emission vehicles, or ZEVs, in the affected states. It does not affect other California programs that require EPA waivers, like its low-emissions vehicle mandate.

The decision, first announced yesterday by President Trump via tweet, immediately escalates an ongoing feud with California leaders, who have already pledged to sue the administration over its action (*[HYPERLINK "https://www.eenews.net/stories/1061135105"]*, Sept. 18).

It also presages the agencies' coming action to roll back federal fuel efficiency and greenhouse gas emissions standards, which California threatened to complicate. The Trump administration proposed the rollback, dubbed the Safer Affordable Fuel Efficient Vehicles rule, last year, saying it wanted to freeze standards in 2021 and cancel the planned increases in stringency through 2026.

Chao and Wheeler accused California of trying to set national car standards, which is something only the federal government can do. California, the 13 other states and Washington, D.C., make up more than 40% of the national vehicle market, so they have considerable sway over how cars are made.

"No state has the authority to opt out of the nation's rules, and no state has a right to impose its policies on everybody else in our whole country. To do otherwise harms consumers and damages the American economy," Chao said.

"We embrace federalism and the role of states. But federalism does not mean that one state can dictate standards for the entire country," said Wheeler.

He said eliminating California's power to set its rules "will provide much-needed certainty to the automotive industry, and it sets the stage for President Trump's ultimate objective: a final SAFE rule that

will save lives and strengthen the economy by reducing the price of new vehicles and helping more Americans purchase newer, cleaner and safer cars and trucks."

Wheeler said the rollback "is good for public safety, good for the economy and good for the environment," citing disputed findings and arguments, such as that it would increase sales of new vehicles, getting cleaner and safer cars on the road faster.

Neither Chao nor Wheeler repeated Trump's claims that he has made in numerous recent political rallies that new cars are too lightweight to be safe and that the new rule would make them heavier and safer.

Hurdles ahead

California officials, led by Attorney General Xavier Becerra (D) and Gov. Gavin Newsom (D), have already pledged to fight Trump's action in court ([HYPERLINK "https://www.eenews.net/stories/1061135537"], Sept. 18).

Congressional Democrats are also plotting strategies to fight the administration's action against California ([HYPERLINK "https://www.eenews.net/stories/1061136605"], Sept. 19).

Trump and California officials have clashed repeatedly over matters ranging from health care to immigration. Just last night, Trump said EPA would punish San Francisco, alleging that its homeless population is violating water pollution rules ([HYPERLINK "https://www.eenews.net/stories/1061139337"]).

Trump has been particularly angry at California since the July announcement that four automakers agreed with state regulators to follow stronger emissions rules than what EPA and DOT will make final soon. The federal agencies told California the deal is illegal, and the Department of Justice is investigating it for potential violations of antitrust law.

Environmental groups are expected to join the Golden State in suing over the revocation.
Groups representing automakers have generally been in favor of relaxing the Obama administration standards, but not to the degree the Trump administration proposed. They have also tried to avoid protracted litigation over the matter, or to have a divided vehicle market.

Gloria Bergquist, spokeswoman for the Alliance of Automobile Manufacturers, attended today's event but said it was not necessarily a sign of support.

"We are waiting to see what the final rule looks like and look at all of this together about where we stand," she told E&E News, referring to the final rollback action.

"We have seen in the news that California seems to be suggesting that they're going to be pursuing litigation," she said. "So now this is what we didn't want to happen, this uncertainty. But now we're here, so we're eager to have this all resolved."

Officials had proposed revoking California's waiver as part of the larger rollback. But finalizing the issues separately reflects a desire to have the courts consider them as two different actions.

"This rule will be separable, will be able to challenged in court on its own if California so chooses. And we can accelerate the timetable for getting a definitive final judgment from the courts," said Steven Bradbury, DOT's deputy secretary and general counsel.

"Once we get those final determinations in court on these focused legal issues, we'll get that certainty for the auto sector and for the entire nation."

California and its allies have argued that the Clean Air Act, under which the Obama administration granted California's waiver in 2013, does not give EPA authority to revoke a waiver.

But EPA General Counsel Matt Leopold said that interpretation is wrong and the courts will agree. "We have inherent authority to revisit our prior decisions, particularly if they violate the law," he said. The Trump administration's action relies in part on the Energy Policy and Conservation Act, the law that gives DOT's National Highway Traffic Safety Administration the power to regulate fuel efficiency. It also prevents states from enforcing their own fuel efficiency standards.

"EPCA expressly provides that the federal government regulates fuel economy, not the states. Since there's a direct, scientific link between a car's greenhouse gas emissions and its fuel economy, DOT is determining that EPCA preempts state GHG and zero-emission vehicle programs," Wheeler said. Furthermore, EPA is officially determining that California lacks the "compelling and extraordinary conditions" that are required under the Clean Air Act for a waiver, he said.

"California cars have no closer link to California climate impacts than do cars on the road in Japan or anywhere else in the world. And California's climate impacts are not extraordinarily distinct from those in other states," Wheeler explained.

Conservative activists, meanwhile, are squarely in Trump's corner.

"While there are some who would rather have those decisions made by bureaucrats in California, we believe that workers, consumers and families can and should be trusted to make decisions that affect their lives," said Tom Pyle, president of the American Energy Alliance.

"The administration's efforts to reform this ill-conceived and wickedly regressive mandate will save consumers money, preserve their choices, and ensure that the federal government, and not California, sets national fuel efficiency policy," he said.

Fox Business News

[HYPERLINK "https://www.foxbusiness.com/industrials/trump-blocks-california-fuel-economy-standards-auto"]

Trump administration moves to block California fuel economy standards

By Paul Conner

September 19, 2019

The Trump administration announced regulations to withdraw California's waiver to set fuel economy standards.

The withdrawal is a response to California [HYPERLINK "https://www.foxbusiness.com/industrials/trump-california-fuel-mileage-emissions-standards" \t "_blank"] the Environmental Protection Agency by agreeing to stricter gas mileage and carbon emissions standards with four top automakers. Ford, Honda, BMW and Volkswagen were part of the July agreement.

"Federalism does not mean one state can dictate standards for the entire country," EPA Administrator Andrew Wheeler said Thursday.

No state may opt out of federal fuel standards, or set its own standard, Wheeler said.

California's rules would require light-duty model year 2026 vehicles from the four automakers to hit a minimum of 50 miles per gallon. Trump wants the current standard of 37 miles per gallon to continue until 2026 without rising.

“We will not let political agendas in a single state be forced on the other 49,” Secretary of Transportation Elaine Chao said.

Global Automakers said Wednesday it would review Trump administration plans for fuel economy standards.

"A balanced fuel economy regulation is critical for the health of the U.S. auto industry," Global Automakers said in a statement. "Throughout the rulemaking process, Global Automakers has called for a unified national standard that continues the industry’s significant progress in improving motor vehicle fuel economy, and that rewards investments in next-generation fuel-savings technologies. We look forward to seeing the subsequent rule-setting standards for model years 2021 through 2026 when they are finalized."

Wheeler said the standards will keep car prices from rising due to the cost of expensive batteries, and make cars safer.

Fox News

[HYPERLINK "https://www.foxnews.com/politics/trump-admin-moves-toward-national-fuel-economy-standard-prepares-for-legal-battle-with-california"]

Trump administration moves toward national fuel economy standard, prepares for legal battle with California

By Ronn Blitzer

September 19, 2019

Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced Thursday a "One National Program Rule," paving the way for the federal government to set [HYPERLINK "https://www.foxnews.com/politics/trump-administration-revokes-californias-authority-to-set-auto-mileage-standards"] for fuel economy and greenhouse gas emissions for cars and light-duty trucks — in a move to block California's current requirements.

The [HYPERLINK "https://www.foxnews.com/category/person/donald-trump"] administration claims the national standard would give Americans access to vehicles that are less expensive, safer and cleaner. The administration also says it will result in millions of new car sales, boosting the U.S. auto manufacturing industry. The "One National Program Rule" aims to prohibit states from imposing their own stricter standards, as California has done, and the administration challenged the Golden State's ability to do so.

"Today's action meets President Trump's commitment to establish uniform fuel economy standards for vehicles across the United States, ensuring that no State has the authority to opt out of the Nation's rules, and no state has the right to impose its policies on the rest of the country," Chao said.

California's authority to set its own emissions standards, which are tougher than the federal government's, goes back to a waiver issued by Congress during passage of the Clean Air Act in 1970. The state has long pushed automakers to adopt more fuel-efficient passenger vehicles that emit less pollution. A dozen states and the District of Columbia also follow California's fuel economy standards. The Trump administration decision revokes that waiver, touching off what is sure to be another high-profile legal fight with California.

In anticipation of the move, California Attorney General Xavier Becerra said Tuesday that the administration's action will hurt both U.S. automakers and American families. He said California would fight the administration in federal court.

"You have no basis and no authority to pull this waiver," Becerra, a Democrat, said in a statement, referring to Trump. "We're ready to fight for a future that you seem unable to comprehend."

EPA General Counsel Matt Leopold said Thursday, "We're ready to defend our interpretation of the waiver withdraw." He said they are confident that the administration would succeed.

The move comes after the Justice Department recently opened an antitrust investigation into a deal between California and four automakers for tougher pollution and related mileage requirements than those sought by Trump.

Wheeler said Thursday that the administration has asked California for the legal authority for their agreement. He also took a shot at California's environmental woes, claiming that the state has "the worst air quality in the United States," and that they should put their efforts into solving that problem. "We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country," Wheeler said.

The Guardian

[HYPERLINK "https://www.theguardian.com/us-news/2019/sep/19/california-trump-vehicle-emissions-standards-cars"]

California vows fightback after Trump voids state's right to set emissions rules

By Edward Helmore

September 19, 2019

The [HYPERLINK "https://www.theguardian.com/us-news/trump-administration"] has formally moved to revoke [HYPERLINK "https://www.theguardian.com/us-news/california"]'s authority to set its own vehicle emissions standards, in a decision certain to provoke a significant legal challenge.

In a statement, the [HYPERLINK "https://www.theguardian.com/environment/epa"] administrator, Andrew Wheeler, said the decision ensures nationwide rules that provide "much-needed regulatory certainty for the automotive industry" and "promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks".

[HYPERLINK "https://www.epa.gov/newsreleases/trump-administration-announces-one-national-program-rule-federal-preemption-state-fuel"] was made with the transportation secretary, Elaine Chao, who said the decision ensures "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country".

The move, widely opposed by critics including the former two-term state governor Arnold Schwarzenegger, represents a wider effort to restrict California's plans to reshape the mix of vehicles on its roads. It comes before an expected decision to roll back fuel-efficiency standards set under [HYPERLINK "https://www.theguardian.com/us-news/barack-obama"].

"See you in court," California's governor, Gavin Newsom,[HYPERLINK "https://nl.nytimes.com/f/a/GburNtDlxy30uH6jghLHqg~~/AAAAAQA~/RgRfZghlP0TQaHR0cHM6Ly90d2l0dGVyLmNvbS9HYXZpbk5ld3NvbS9zdGF0dXMvMTE3NDM2NTc2MDg4NzUxMzA4OD90ZT0xJm5sPWNhbGlmb3JuaWEtdG9kYXkmZW1jPWVkaXRfY2FfMjAxOTA5MTk_Y2FtcGFpZ25faWQ9NDkmaW5zdGFuY2VfaWQ9MTI0OTImc2VnbWVudF9pZD0xNzE1NiZ1c2VyX2lkPWNmOTFhNWU4MmUxOThlMmI1NTk3Mzc5NjViYTE2ZmE2JnJlZ2lfaWQ9MzA1N1cDbnl0QgoAG2WDg11faM-OUh5lZHdhcmQuaGVsbW9yZUB0aGVndWFyZGlhbi5jb21YBAAAAAA~"] soon after the announcement. Newsom and other state leaders condemned the president's latest moves. He, California's attorney general, Xavier Becerra, and Mary Nichols, the state's top clean air regulator, described the move as part of a "political vendetta".

Trump criticized [HYPERLINK "https://www.theguardian.com/us-news/california"] as he returned to Washington from a two-day fundraising visit, blaming the state's "liberal establishment" for a surge in homelessness.

"It's a terrible situation that's in Los Angeles and in San Francisco," Trump told reporters. "They have to clean it up. We can't have our cities going to hell."

The San Francisco mayor, London Breed, called Trump's remarks "ridiculous".
Breed said the city was combating a homelessness crisis by adding 1,000 beds to shelters, and wants to pass a $600m bond to build affordable housing and increase services for people with addiction and mental illness.

On Tuesday, Newsom and the mayors of California's 13 largest cities sent Trump a letter asking his administration to provide more aid to tackle the problem, including an additional 50,000 housing vouchers for poor Californians.

The housing secretary, Ben Carson, responded by saying California's policies on law enforcement, an overregulated housing market and [HYPERLINK "https://www.theguardian.com/us-news/2017/oct/05/california-sanctuary-state-law-trump"] cities had driven up housing costs while increasing demand.

Carson wrote: "Your letter seeks more federal dollars for California from hard-working American taxpayers but fails to admit that your state and local policies have played a major role in creating the current crisis."

Carson's comments came after he toured Los Angeles's Skid Row, the centre of a crisis that numbers 60,000 homeless people in Los Angeles county alone.

The Los Angeles County board of supervisors said it planned to join an effort to petition the supreme court to review a decision that restricts efforts to prevent homeless people from sleeping rough in western states.

"The status quo is untenable," said county supervisor Mark Ridley-Thomas. "We need to call this what it is: a state of emergency."

The Hill

[HYPERLINK "https://thehill.com/policy/energy-environment/462142-trump-administration-officially-revokes-california-tailpipe"]

Trump administration officially revokes California tailpipe emissions waiver

By Chris Mills Rodrigo

September 19, 2019

The Trump administration on Thursday officially revoked California's tailpipe waiver under the Clean Air Act, a decision likely to face quick legal challenges.

The Department of Transportation and Environmental Protection Agency (EPA) unveiled the "One National Program Rule," giving the federal government sole authority to set emission standards for cars.

The rule is part of the administration's Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule, a draft of which was submitted to the White House in August.

The second part of the rule will include a final decision over what fuel efficiency levels to set emissions at starting in 2025.

Revoking California's waiver will also affect 13 other states that adopt California's tougher emissions standards.

"One national standard provides much-needed regulatory certainty for the automotive industry and sets the stage for the Trump Administration's final SAFE rule that will save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks," EPA Administrator [HYPERLINK "https://thehill.com/people/andrew-wheelerr"] said in a statement.

[HYPERLINK "https://thehill.com/people/donald-trump"] on Wednesday [HYPERLINK "https://thehill.com/policy/energy-environment/461943-trump-announces-californias-emissions-waiver-will-be-revoked"] that the waiver would be revoked while he was fundraising in California.

California Attorney General [HYPERLINK "https://thehill.com/people/xavier-becerra"] (D) has [HYPERLINK "https://thehill.com/policy/energy-environment/461973-california-preps-for-legal-battle-as-trump-moves-to-strip-state"] the administration if it moved to revoke the state's waiver. The state has relied on the waiver process to set their own tougher emissions standards for about 50 years.

"There's no question, of course, that we will be in court," California Air Resources Board Chairwoman Mary Nichols said in a press conference Wednesday.

"This is the fight of a lifetime. We have to win this," she added.

California sees the waiver as an important states' rights battle. The state says tougher emissions standards are necessary to fight climate change and reduce air pollution.

Inside Climate News

[HYPERLINK "https://insideclimatenews.org/news/18092019/trump-auto-standards-rollback-california-waiver-electric-vehicles-climate-change"]

Trump Strips California's Right to Set Tougher Auto Standards

By Marianne Lavelle

September 19, 2019

President Donald Trump's administration on Thursday stripped California of its authority to enact the nation's toughest auto pollution standards, setting the stage for an epic legal battle that could squelch the nascent U.S. market for petroleum-free vehicles at a critical time.

The long-anticipated move, which Trump himself touted [HYPERLINK "https://twitter.com/realDonaldTrump/status/1174342163141812224?s=20"] just days before a United Nations summit on climate change, could prove to be his administration's most consequential policy retreat from efforts to rein in greenhouse gas emissions. When coupled with the administration's planned freeze on fuel-economy improvements, it will negate one of the largest steps that any nation has made to cut carbon emissions.

Trump's Transportation Department and Environmental Protection Agency [HYPERLINK "https://www.epa.gov/newsreleases/trump-administration-announces-one-national-program-rule-federal-preemption-state-fuel"] the California action the "One National Program Rule," but that is a misnomer. On greenhouse gases, there has been one national program, which the Trump administration is now trying to weaken and California is seeking to retain.

California has led the nation in a slow, but steady move toward electric vehicles—a turnover that experts believe is essential for gaining control of rising U.S. carbon emissions from transportation. Nine other states have adopted its rules requiring automakers to sell a certain number of electric cars and trucks, based on each manufacturer's overall in-state sales.

But California and those other states now lose the power to enforce those zero-emissions vehicle requirements—at least temporarily.

Auto industry experts and analysts expect the uncertainty that would create would dampen the market for zero-emissions vehicles.

Improvements in U.S. fuel economy so far have not been sufficient to curb carbon emissions from transportation, which grew 1.2 percent in 2017 even as the nation's overall carbon emissions fell 0.5 percent, according to the latest figures from the Environmental Protection Agency.

As long as more consumers are driving more miles each year, only electric and other zero-emissions vehicles can reverse the trend that has made transportation the largest source of U.S. greenhouse gas emissions.

"You can't get serious about climate change unless you get serious about vehicle emissions," California Gov. Gavin Newsom said Wednesday at a news conference in Sacramento. "This is such a pivotal moment in the climate change debate, not just for California, but for our leadership around the world. It is a legacy moment."

Newsom vowed to fight the Trump administration's move in court. "We will prevail," he said. "It may take years, more uncertainty and more anxiety."

In August, four automakers, comprising 30 percent of the market, struck a deal with California to voluntarily implement annual fuel economy improvements across their fleets if the federal rules were weakened.

Under that agreement, made in anticipation of Trump's action, Ford, Honda, BMW and Volkswagen would continue to improve gas mileage—[HYPERLINK "https://rhg.com/research/californias-deal-with-automakers/"][HYPERLINK "https://rhg.com/research/californias-deal-with-automakers/"] than under the Obama administration's rules. The deal, which served to isolate the Trump administration in its battle with California,[HYPERLINK "https://www.nytimes.com/2019/08/20/climate/trump-auto-emissions-rollback-disarray.html?smid=tw-nytclimate&smtyp=cur"] the president. And although California has continued talks with the remaining automakers, the Trump Justice Department has been using the threat of antitrust enforcement to dissuade automakers from cooperating with the state, Newsom said.

"The innovation genie is out of the bottle," the governor said. "Every single one of these companies knows where the country is going, and where the world is going ... and that's the elimination of the internal combustion engine."

A Long History of Waivers for California

California's role as a leader in the nation's air pollution laws dates back to the beginnings of federal environmental law in the late 1960s.

When Congress got around to creating a program to control air pollution, it sought not to disrupt the steps that already had been taken by California to deal with its legendary urban smog. Congress gave California authority to set its own standards, and gave other states the option of following California's program.

But each time California sets a new, tougher air standard, it must receive a "waiver" from the federal government, certifying that the standard is at least as protective as the federal standard, that it is not arbitrary and capricious, and that the state has a compelling need to act. Over the years, California has received hundreds of such waivers. As a result, it has led the nation in control of carbon monoxide, smog-forming pollutants and other tailpipe emissions.

The waiver that Trump revoked was granted by President Barack Obama and governed California's authority to control greenhouse gas emissions from vehicles. Obama then brought federal rules in line

with California's standards in a landmark deal negotiated with the U.S. automakers as part of the $80.7 billion bailout of their industry in 2009.

Soon after Trump won the 2016 election, automakers [HYPERLINK "https://www.documentcloud.org/documents/4954121-Auto-Alliance-Letter-to-Trump-Transition.html"] asking him for additional flexibility under the fuel economy and greenhouse gas rules. Even though they are making large investments in electric cars, automakers' most profitable vehicles are still the gas-guzzling SUVs and pickup trucks that are making up [HYPERLINK "https://insideclimatenews.org/news/15102018/automakers-gm-ford-pickup-suv-electric-vehicle-emissions-standards-climate-change-industry-bailout"] in the United States.

But Trump went even farther. The carmakers did not want a legal battle with California, and [HYPERLINK "https://www.nytimes.com/2019/06/06/climate/trump-auto-emissions-rollback-letter.html"] for the Trump administration to reach a deal with the state.

A Claim About Jobs, and an Analysis

In his tweet effectively rejecting that plea, Trump asserted that the revocation of California's waiver will result in less expensive and safer vehicles. "Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS!" Trump tweeted.

But last year, the Trump administration's own analysis of its proposed rollback projected that it would result in [HYPERLINK "https://u7061146.ct.sendgrid.net/wf/click?upn=G62jSYfZdO-2F12d8lSllQB-2F2Sw7fOO7QXlcZLHHd7HZ92JASztHoEtr0WyvhQMHIavummltfsrCjTPyY5lRpTXTsCeMIhWKO6ZGLkxgO3rLI-3D_sRhcW2-2BDTRE7lPe159GnTJliXaLTaTrlJcRFXi-2F4W69XWlrvPPi4dNOnd-2FAyV2B13N2prmSSo9s9Ut3qEkyKxUlkr7hInytwOOTgdlEN-2FiTl7wklVCSriRrEaDVyOV45X-2Bm-2FrpxviSBbpphsHdICl45yaCWzpBMX04qP4PuPOMGKMJtilnFYCGOf3JjArhHoF8u-2BavfwjddP9PwjgQEiWsxEswF4R7KQQWPYoELeZh1HuKRIutspHTR5zPsjtrFS7kyKR5-2FW4AAqJFxOSWgH0tExwoRP895BKNWMxifsStamKbjwmnoWZgOQTn-2FWxeMuttxzREhWcRJZJNRmU5F9Y-2FltN10TWlLGyFAJnkYlHLF2-2BCdRMQCbBrghFF19Mu-2Fy"].

"For over 50 years, California has played a leadership role in advancing vehicle standards and air quality policies that created a market for clean vehicle technologies," [HYPERLINK "https://www.documentcloud.org/documents/6420580-MECA-EPA-NHTSA-SAFE-Vehicle-Rule-Comments-10262018.html"] in a plea it filed with the Environmental Protection Agency to retain the California standard.

The association said more than 300,000 people at more than 1,200 facilities across North America are employed in design and manufacture of emissions control and efficiency technology. "The Clean Air Act viewed California as a laboratory for innovative policies that drive early technology introduction," it said.
Nearly Half EV Growth Was in California

California's impact on the market is clear in the sales figures for electric vehicles.

New registrations of EVs in the United States more than doubled in 2018 to 208,000, with nearly 46 percent of that growth occurring in California. An additional 13 percent were in the nine states that have adopted that state's zero-emissions rules, [HYPERLINK "https://news.ihsmarkit.com/press-release/automotive/us-electric-vehicle-loyalty-and-volumes-reach-record-highs-according-ihs-ma"]

EVs are on track to grow from 2 percent of the total U.S auto fleet in 2020 to more than 7 percent by 2025, IHS Markit said in April. But the consulting firm added, "The greatest headwind for EV sales in the U.S. may soon be any elimination or delay to California's Zero Emission Vehicles (ZEV) mandate by the federal government."

"Simply put, the California Waiver has enabled greater EV penetration in markets nationwide," said [HYPERLINK "https://www.documentcloud.org/documents/6420581-EPA-NHSTA-Comments-ChargePoint-SVR-Final.html"], in comments it filed with the federal government last year. Revoking the California waiver would "stifle EV markets across the country at a time of rapid growth," ChargePoint said.

Groups from the ideological right and supporters of the fossil fuel industry have been urging the Trump administration to withdraw California's authority.

Grover Norquist's Americans for Tax Reform [HYPERLINK "https://www.documentcloud.org/documents/6420579-ATR-SAFE-Vehicle-Letter.html"] to "[restore] proper federalism by removing California's ability to dictate national policy." The fossil fuel industry-supported [HYPERLINK "https://www.americanenergyalliance.org/2019/02/trump-administration-rightly-rejects-californias-power-grab/"], "Consumers, not unelected bureaucrats in Sacramento, should decide what cars they want to buy."

The Trump Administration's Argument

The Trump administration unveiled[HYPERLINK "https://insideclimatenews.org/news/02082018/trump-fuel-efficiency-standards-rollback-climate-change-epa"] last year. In that notice, it signaled it plans to make the legal argument that the greenhouse gas emissions standards are, in effect, fuel economy standards—and that Congress prohibited states from setting their own fuel economy standards when it established a national auto efficiency program in 1975.

Two federal courts—[HYPERLINK "https://casetext.com/case/green-mountain-chrysler-plymouth-dodge-jeep-v-crombie-2"] and [HYPERLINK "http://columbiaclimatelaw.com/resources/state-ag-environmental-actions/central-valley-chrysler-jeep-inc-v-goldstene-2007/"]—rejected that argument when President George W. Bush's administration tried to deny California authority to set its own greenhouse gas emissions standards in 2007. That same year, the U.S. Supreme Court rejected the same notion when it decided that [HYPERLINK "https://www.law.cornell.edu/supct/html/05-1120.ZS.html"] under the meaning of the Clean Air Act.

"Sure it's true that one of the ways you limit greenhouse gas emissions is by improving fuel economy. But that doesn't turn those standards into fuel economy standards," said Jack Lienke, regulatory policy

director at New York University's Institute for Policy Integrity. "Their purpose is to limit pollution and protect health."

The Environmental Protection Agency and the Department of Transportation are expected to finalize the weakening of federal fuel economy standards later this year, but it decided to act on the California waiver first.

It is not yet clear how the Trump administration's plan would affect global warming emissions. The Obama administration's rules were designed to cut more than 6,000 million metric tons of greenhouse gases—more than one year's worth of total U.S. emissions—over the lifetime of vehicles sold from model years 2011 to 2025. The Obama administration had [HYPERLINK "https://www.gpo.gov/fdsys/pkg/FR-2012-10-15/pdf/2012-21972.pdf" \l "page=270"] that the fuel economy standards would account for 8 percent of the cuts needed to meet the U.S. pledge under the Paris climate accord.

NBC News

[HYPERLINK "https://www.nbcnews.com/business/autos/trump-s-new-fuel-economy-rules-won-t-lead-cleaner-n1056426"]

By Paul Eisenstein

September 19, 2019

Trump's new fuel economy rules won't lead to "cleaner and safer" cars, say industry experts

The Trump administration formally announced plans Thursday to strip away the waiver that had allowed California to set its own fuel economy mandates, while also confirming that a rollback of federal mileage rules will be revealed in the coming weeks.

Echoing the words of President Donald Trump, two senior White House officials said the moves would make tomorrow's cars cleaner and safer, while also creating more U.S. jobs.

As for the battery-electric vehicles the Obama-era rules would have encouraged, Andrew Wheeler, the administrator of the Environmental Protection Agency, dismissed them as little more than toys for the rich being subsidized by less affluent American motorists.

While Wheeler said he hopes the administration's moves will gain widespread support, that seems questionable. Several major automakers have already laid out plans to expand production of electric vehicles and other high-mileage models, despite Trump's rollback, and 14 states plus the District of Columbia have adopted the tougher California standards.

The EPA chief stressed that the move to block California from setting greenhouse gas standards will not impact its ability to regulate other pollutants, such as ozone, adding that, "We hope the state will focus on these issues rather than trying to set fuel economy standards for the rest of the country."

The elimination of California's ability to regulate CO2 and other greenhouse gases was announced first, administration officials acknowledged, in order to make it easier to defend against the anticipated legal challenges.

On Wednesday, during a news conference in Sacramento, California's Attorney General Xavier Becerra made it clear the state will not readily accept losing its emissions waiver. "For us, this is about survival," said Becerra. "Our communities are screaming for help to address the climate crisis. Unlike the Trump administration, we don't run scared. We're prepared to lead. We're prepared to fight. We'll do what we must."

The administration will announce the second part of the mileage rules change in a matter of weeks, explained Department of Transportation Secretary Elaine Chao, who appeared with Wheeler in Washington Thursday morning. Both the EPA and the DOT are jointly charged with regulating CAFE, the Corporate Average Fuel Economy regulations.

"The updated standards will be reasonable," said Chao, indicating they likely will not be rolled back as much as the administration had first suggested during a news conference late last year.

What will be called the SAFE Vehicle mandate is expected to put substantially less pressure on automakers to switch away from conventional, gas-powered vehicles. "The rule will not force automakers to spend billions of dollars to build cars that American consumers do not want to buy or drive," said Chao.

Wheeler was even blunter, pointing to what he claimed was an average $12,000 premium for battery-electric vehicles, a price penalty partially offset by taxpayer-funded incentives. More than half of the subsidies have been going to motorists making over $100,000 annually, the EPA chief said.

Meanwhile, automakers are funding development of the new technology by raising new vehicle prices to a record $39,000 average during the first quarter of 2019, Wheeler said, meaning "Americans are paying more for SUVs and trucks so automakers can sell cheaper electric vehicles"

Both Chao and Wheeler echoed comments President Trump made in a series of Wednesday tweets declaring revised rules would make vehicles "substantially SAFER," while also "meaning significantly more JOBS, JOBS, JOBS!"

The administration's logic is that conventional vehicles will cost less, encouraging more motorists to trade in on newer models with the latest safety and emissions equipment.

But whether that actually will play out is uncertain. For one thing, automakers operate on a global scale and battery cars are being mandated in much of the rest of the world. It actually makes more sense to also bring them to market in the U.S., moving forward, experts stressed.

One reason the industry may not back down on EV plans, several insiders told NBC News, is that the business requires long-term planning. With a presidential election coming in barely 14 months, and the re-election chances of the current president far from certain, automakers realize a new, Democratic administration could reenact tough mileage rules. That said, there is general support for adopting a single mileage standard. But even there, industry officials caution, they need to see if the move to strip California's waiver will stand up to a court challenge.

Politico

Wheeler, Chao to California: Stay in your own lane

By Alex Guillen

September 19, 2019

Trump administration officials today said California should stay in its own lane when it comes to vehicle emissions and focus instead on reducing tailpipe pollution that creates the state's unique smog problem.

Revoking the state's greenhouse gas waiver "will not affect California's ability to refocus its efforts on fighting the worst air pollution in the country and comply with existing regulations," Transportation Secretary Elaine Chao said at a press conference.

President Donald Trump [HYPERLINK "https://www.politico.com/story/2019/09/17/epa-california-obama-waiver-1500336" \t "_blank"] with California on Wednesday, saying he was revoking its power to enforce more stringent limits on vehicle carbon pollution than the federal government.

EPA Administrator Andrew Wheeler told reporters that Congress had intended for California to use Clean Air Act waivers to combat particulate matter, nitrogen oxides and other pollutants that have plagued California both because of the number of cars in the state and because of unique geographic features that worsen its air quality.

But unlike smog, carbon dioxide emitted from cars in California contributes to climate change as much as cars driven anywhere else in the world, Wheeler noted.

"It makes sense that Congress carved out waiver authority for California to address its unique local problems," Wheeler said. "It does not make sense to try to use that authority to address national and global issues like greenhouse gas emissions."

Reuters

[HYPERLINK "https://www.cnbc.com/2019/09/19/reuters-america-update-1-trump-administration-bars-california-from-requiring-cleaner-cars.html"]

Trump administration bars California from requiring cleaner cars

By David Shepardson

September 19, 2019

The Trump administration said on Thursday it is revoking California's authority to set its own auto tailpipe emissions standards and to require some zero-emission vehicles - a decision that will spark a massive legal battle over the future of U.S. vehicles and the most populous state's regulatory role.

Environmental Protection Agency (EPA) Administrator Andrew Wheeler said in a statement the decision will ensure nationwide rules that provide "much-needed regulatory certainty for the automotive industry." Currently, California's more stringent vehicle emissions rules are also followed by a dozen other states that account for than 40% of U.S. vehicle sales.

Transportation Secretary Elaine Chao said in a statement the decision ensures "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country."

Revocation of California's ability to set its own standards is part of a multipronged battle by the Trump administration to counter the state's efforts to reshape the mix of vehicles driven by Americans. The administration also plans to finalize in coming months a separate rule that would roll back fuel-efficiency standards set under preceding President Barack Obama.

The Obama-era rules called for a fleetwide fuel efficiency average of 46.7 miles (75 kilometers) per gallon by 2025, with average annual increases of about 5%, compared with 37 mpg by 2026 under the Trump administration's preferred option to freeze requirements.

In a joint statement with the EPA, the Department of Transportation's National Highway Traffic Safety Administration said it is affirming that federal law preempts state and local regulation of vehicle fuel economy.

Meanwhile the EPA said in the statement it is withdrawing the Clean Air Act waiver granted to California in January 2013 for its tailpipe greenhouse gas emissions and zero emission vehicle regulations.

Reuters reported Wednesday the agencies will cite the California's voluntary agreement with four automakers reached in July in its rationale to revoke the waiver.

Trump on Wednesday characterized the planned step as a win for consumers, saying vehicles would be less expensive and safer under federal requirements.

Officials in California rejected those claims and vowed to fight any attempt by the federal government to restrict the state's ability to set its own standards on vehicle emissions and electric cars.

Calling it a "political vendetta," California Governor Gavin Newsom, California Attorney General Xavier Becerra and Mary Nichols, the state's top clean air regulator, said Trump's action would compromise public health and leave the U.S. auto industry behind in the global race to build electric vehicles.

Automakers are caught in the middle.

While worried that California's electric vehicle mandates will be costly, global automakers have little choice but to develop battery electric cars and trucks because Europe and China are pushing ahead with rules requiring them.

The Alliance of Automobile Manufacturers, a trade group representing General Motors Co, Toyota Motor Corp , Volkswagen AG, Ford Motor Co and others, declined on Wednesday to take a position on Trump's revocation of California's waiver.

Sacramento Bee

[HYPERLINK "https://www.sacbee.com/news/politics-government/capitol-alert/article235248672.html"]

EPA hopes to accelerate legal clash with California over clean car standards

By Emily Cadei

September 19, 2019

Trump administration officials expect their move this week to revoke California's unique authority to restrict car pollution will speed up an impending legal clash which could potentially allow them to defend the policy in federal court during President Donald Trump's first term.

"This rule will be able to be challenged in court on its own and we can accelerate the timetable for getting a definitive final judgment from the courts," Department of Transportation General Counsel Stephen Bradbury said at a press conference on Thursday.

The timing is critical, given the looming presidential election. Should a Democrat defeat Trump in 2020, they would undoubtedly drop the challenge against California.

California's Democratic leaders have already promised to sue to protect their waiver authority, granted under the Clean Air Act of 1970. Thirteen other states and the District of Columbia have followed California's lead in setting emissions standards that are stricter than federal government requirements. In 2012, those states reached a deal with the Obama administration to set new, stricter national standards through 2025.

The Trump administration is in the process of rewriting those regulations now, but the release of that new rule, initially expected this summer, has been delayed.

Administration officials are now portraying the move against California as the first step in that broader effort to roll back the Obama-era standards, which Transportation Secretary Elaine Chao argued would "force automakers to spend billions of dollars developing cars that consumers do not want to buy or drive."

"It's time to put California's waiver back in its box, a box that Congress always intended it to stay in," Environmental Protection Agency Administrator Andrew Wheeler said at the press event in Washington.

He added that the "action finally clears the way for our final SAFE rule," as the proposed Trump regulation has been labeled.

"Our goal from the beginning was a 50-state solution," Wheeler said.

Gov. Gavin Newsom responded preemptively in a prepared statement Wednesday, saying "California won't ever wait for permission from Washington to protect the health and safety of children and families."

“We will fight this latest attempt and defend our clean car standards,” Newsom promised.

In California alone, vehicle pollution represents 40 percent of the greenhouse gases emitted, the state says.

Wheeler and Chao argued California should focus on other efforts to rein in pollution, slamming the state for having the worst air quality in the country.

“We hope that the state will focus on these issues rather than trying to set fuel economy standards,” Wheeler said.

San Francisco Chronicle

[HYPERLINK "https://www.sfchronicle.com/politics/article/Trump-officials-slam-California-air-rescind-14452049.php"]

Trump officials slam California air, rescind state's authority on emissions

By Tal Kopan

September 19, 2019

Trump administration officials attacked California's air quality Thursday as they announced the revocation of the state's authority to set its own auto emissions standards, saying the state should focus on its own problems instead of the rest of the nation.

"California has the worst air quality in the United States," Environmental Protection Agency Administrator Andrew Wheeler said at a news conference. "We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country."

Wheeler drew a distinction between smog and greenhouse gases, saying California was trying to form national policies on climate change and that its authority to set its own standards was limited to dealing with its air pollution.

The announcement capped a [HYPERLINK "https://www.sfchronicle.com/politics/article/Trump-announces-repeal-of-California-s-ability-14449416.php"]waiver under the Clean Air Act allowing it to set stricter emissions standards than those imposed by the federal government. California has promised to fight the move in court.

Wheeler and Transportation Secretary Elaine Chao announced the move a day after President Trump tweeted it was coming.

California officials relied on the waiver to reach a [HYPERLINK "https://www.sfchronicle.com/politics/article/California-reaches-fuel-efficiency-deal-with-4-14129955.php?psid=d3J9N"] on emissions under which they will increase 2026 [HYPERLINK "https://www.sfchronicle.com/science/article/California-sues-Trump-administration-over-13745681.php"] to closely match those set under former President Barack Obama. Trump is trying to repeal those standards as well, saying they will make new cars too expensive and prompt people to keep their old, less safe vehicles longer, making the roads more dangerous.

Gov. Gavin Newsom said Wednesday that the attempt to repeal California's waiver was motivated by the administration's battles with the state on several front. "That's the perversion of this moment: pure politics," he said.

The rule change will take effect 60 days from when it is published, expected this week.

The EPA argues that the Energy Policy and Conservation Act preempts the states on fuel economy standards and that there are no "extraordinary and compelling" conditions justifying California's actions.

Wheeler argued that while California deserves its waiver authority to deal with smog — and will keep that ability — greenhouse gases are different, and thus the issue of fuel economy standards is separate.

"California cars have no closer link to California climate impacts than do cars on the road in Japan or anywhere else in the world, and California's climate impacts are not extraordinarily distinct from those felt in other states in the same way that its smog impacts are," Wheeler said.

Chao said the new regulation "will ensure that there is one — and only one — set of national fuel economy standards as Congress mandated and intended."

Thirteen other states follow California's emission standards, and automakers have expressed concern about having to deal with two different sets of rules that would essentially split the nation's car market in two.
"No state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on everybody else in the country," she said. "To do otherwise harms consumers and damages the American economy."

SF Gate

[HYPERLINK "https://www.sfgate.com/news/bayarea/article/Trump-Administration-Revokes-California-s-Auto-14452427.php"]

Trump Administration Revokes California's Auto Emissions Standards Waiver

September 19, 2019

U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao officially announced Thursday that they are revoking California's authority to set strict auto emission standards.

The administration's intention to take that step was announced by President Donald Trump on Wednesday in a tweet.

California Gov. Gavin Newsom and Attorney General Xavier Becerra said Wednesday they plan to sue to protect the state's right to set limits on tailpipe air pollution that are stricter than federal limits.

The U.S. Clean Air Act of 1970 gives California the right to obtain a waiver from the EPA to set stricter standards and allows other states to choose to follow California's lead. Thirteen states have done so.

Wheeler and Chao said the administration will now set a single national rule for auto fuel economy and greenhouse gas emissions.

Chao said in a statement that the federal action will ensure that "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country."

Wall Street Journal

[HYPERLINK "https://www.wsj.com/articles/trump-administration-issues-looser-emissions-standard-11568902413"]

Trump Administration Issues Looser Emissions Standard

By Katy Stech Ferek

September 19, 2019

The Trump administration formally unveiled a new standard that loosens emissions rules for vehicles sold in the U.S. and moved to strip California's ability to set its own tougher requirements, steps officials said will give drivers access to cheaper, safer cars.

Officials from the Environmental Protection Agency and the Transportation Department said Thursday they issued a final action on a rule that will unify the country's fuel-economy and greenhouse-gas-emissions standards. The announcement, which had been previewed by President Trump and other officials earlier in the week, marks another step in easing requirements set under the Obama administration in 2012.

The actions ensure that "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country," said Secretary of Transportation Elaine Chao.

Critics say the administration's moves will hurt air quality and the fight against climate change.

Ahead of the formal announcement, Public Citizen, a Washington, D.C., advocacy group, said the move to take away California's ability to set its own rules "will further impede efforts to combat global climate change even as the signs of impending climate disaster grow ever clearer."

EPA Administrator Andrew Wheeler said that the action will provide certainty for auto makers as they prepare to comply with stronger standards designed to cut air pollution.

"Most auto makers can't comply with the trajectory of the current standards," Mr. Wheeler said at a press conference Thursday morning.

In the press conference, Ms. Chao called the standards set by the Obama administration "unattainable" and said they made the price of new cars unaffordable for some families. "The rule will not force auto makers to spend billions of dollars developing cars that consumers do not want to buy or drive," she said.

California has long had the authority to set its own rules on limiting air pollutants from cars, but the Trump administration believes such requirements [HYPERLINK "https://www.wsj.com/articles/trump-administration-revoking-california-emissions-waiver-11568821295?mod=article_inline"]. California has already taken legal action to block the White House's efforts to take away its waiver to set its own standards, and top state officials threatened more lawsuits on Wednesday.

Federal officials said they are still working on additional rules that will give auto makers the full scope of requirements and expect to release those details later this year.

Rescinding the California waiver would fulfill a longstanding goal of the administration to curb California's influence over the car industry with its ability to set more stringent emissions rules than federal mandates. In July, four car companies— [HYPERLINK "https://quotes.wsj.com/F"] Co. , [HYPERLINK "https://quotes.wsj.com/HMC"] Co. , [HYPERLINK "https://quotes.wsj.com/XE/XETR/VOW"] AG and [HYPERLINK "https://quotes.wsj.com/XE/XETR/BMW"] AG —[HYPERLINK "https://www.wsj.com/articles/auto-makers-agree-to-stricter-california-tailpipe-emissions-standards-11564074757?mod=article_inline"]to meet tougher emission requirements than those proposed by the Trump administration.

In previewing the planned action, Mr. Trump tweeted Wednesday: "Auto makers should seize this opportunity because without this alternative to California, you will be out of business."

Washington Examiner

[HYPERLINK "https://www.washingtonexaminer.com/washington-secrets/dot-announces-one-and-only-one-national-fuel-standard-hits-california"]

DOT, EPA announce 'one, and only one' national fuel standard, hit California

By Paul Bedard

September 19, 2019

The Department of Transportation and Environmental Protection Agency Thursday announced that there will be "one, and only one" national fuel standard, a move made to cut the costs of vehicles and bar California from making stricter standards.

In a release and in a briefing today, the department said, "This action will help ensure that there will be one, and only one, set of national fuel economy and greenhouse gas emission standards for vehicles."

The department, in the release shared in advance with Secrets, also took a shot at California which will lose its waiver to require different fuel standards, a model followed by a dozen other states.

"Moving forward, California must continue to enforce its programs to address smog and other forms of traditional air pollution caused by motor vehicles. The state must redouble its efforts to address the worst air quality in the United States and finally achieve compliance with EPA's National Ambient Air Quality Standards, where for decades it has failed to address serious, severe, and extreme non-compliance status in several areas within the state," it said.

Trump on Wednesday tweeted his plans to shake up the fuel standard rules as part of the proposed Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule.

In reaction, California officials promised legal action and said that their rules are tougher and prevent greater pollution than federal standards.

"You can't get serious about climate change unless you are serious about vehicle emissions," said California Gov. Gavin Newsom. "This is such a pivotal moment in the history of the climate change debate," he added.

The battle between Washington and California is likely to help shape the climate change fight on the 2020 campaign trail. Some polls show that it is a key issue in the eyes of voters.

Automakers have said that they prefer moving to increased mileage requirements because it will keep their vehicles competitive with others worldwide. However, they don't want the standards to be as high as the Obama administration had set.

Still, this year Honda, Ford, BMW, and Volkswagen signed on to the California standards, creating an industry split.

In the release, Transportation Secretary Elaine Chao said the federal government, not a state, has the authority to set national standards.

"Today's action meets President Trump's commitment to establish uniform fuel economy standards for vehicles across the United States, ensuring that no State has the authority to opt out of the nation's rules, and no State has the right to impose its policies on the rest of the country," she said.

She also made a statement shown on the DOT twitter site.

Environmental Protection Agency chief Andrew Wheeler added, "One national standard provides much-needed regulatory certainty for the automotive industry and sets the stage for the Trump Administration's final SAFE rule that will save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks."

Message

From: Richard Manning [rmanning@getliberty.org]
Sent: 9/19/2019 6:34:52 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]
Subject: San Francisco, Los Angeles and Seattle should be held to Clean Water Act standards as human waste pollutes their waterways

Clean Water Act enforcement urged.

I did a piece on the situation in Seattle where they are finding opioids in the shellfish which is directly related to untreated human waste washing into the Puget Sound (which may need to change its name to P.U. jet sound) and included that finding in the piece to contextualize why SF is a problem, but also to encourage a full view of left coast values destroying the eco-system.

RM

From: Americans for Limited Government <media@limitgov.org>
Sent: Thursday, September 19, 2019 2:15 PM
To: Richard Manning <rmanning@getliberty.org>
Subject: San Francisco, Los Angeles and Seattle should be held to Clean Water Act standards as human waste pollutes their waterways

Human waste polluting natural waterways

For Immediate Release Contact: Robert Romano

Sept. 19, 2019 Phone: 703-383-0880 ext. 1

San Francisco, Los Angeles and Seattle should be held to Clean Water Act standards as human waste pollutes their waterways

Sept. 19, 2019, Fairfax, Va.—Americans for Limited Government President Rick Manning today issued the following statement in reaction to President Donald Trump calling on the EPA to take Clean Water Act action against west coast cities that put human waste into natural waterways:

"In March of 2018, San Diego County, California cities of Imperial Beach and Chula Vista sued the International Boundary & Water Commission-United States Section and Veolia Water North America West over the 'devastating pollution discharges' from the Tijuana River. Last night, President Trump stated that he

anticipated that the United States Environmental Protection Agency will take action against San Francisco and potentially, Los Angeles, which have exacerbated a homeless problem to such an extent that they are polluting the Pacific Ocean with drug needles and raw human waste.

"While some might laugh at the notion that the washing of raw human waste into the San Francisco Bay should be cited by the EPA, the truth is that the effects can be catastrophic. Just last year in Seattle, Washington (which should be in line for EPA sanction as well), opioids were found in mussels pulled from the Puget Sound. Mussels, which filter sediment for nutrition, became contaminated due to the washing to raw human waste from a drug addicted homeless population directly into the Sound.

"It is beyond ironic that the far-left urban policies of cities like Los Angeles, San Francisco and Seattle are creating an environmental disaster for the coastal sea life which these same politicians claim to revere. An EPA lawsuit holding these eco-socialist elites to the same standards which they would hold a private company should create an existential values clash on the left coast. And hopefully, they will become 'woke' to the reality that their urban policies fail to serve any of their purported values."

To view online: https://getliberty.org/2019/09/san-francisco-los-angeles-and-seattle-should-be-held-to-clean-water-act-standards-as-human-waste-pollutes-their-waterways/

Interview Availability: Please contact Americans for Limited Government at 703-383-0880 ext. 1 or at media@limitgov.org.

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Update your preferences or Unsubscribe

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/20/2019 3:13:56 PM
To: Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]
Subject: FW: hearing press clips

From: Sullivan, Melissa <sullivan.melissa@epa.gov>
Sent: Friday, September 20, 2019 11:09 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; AO OPA Media Relations <AO_OPA_Media_Relations@epa.gov>
Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>
Subject: RE: hearing press clips

Good morning Carolyn,

Below, please find clips from yesterday's HSST hearing.

Thank you,
Melissa

PoliticoPro
"EPA to rework controversial scientific transparency rule proposal"
https://subscriber.politicopro.com/article/2019/09/epa-to-rework-controversial-scientific-transparency-rule-proposal-3859186
Annie Snider

EPA Administrator Andrew Wheeler said his agency will revise its proposal for its controversial scientific transparency rule "early next year," a sign that the Trump administration may have determined that the original proposal would be difficult to defend in court.

Testifying before the House Science Committee this morning, Wheeler said the supplemental proposed rule would "apply prospectively to final significant regulatory actions."

The original rule was proposed by former EPA Administrator Scott Pruitt in April 2018 as he struggled to fend off mounting scandals. It would fulfill a long-standing goal of some industry groups by requiring EPA to use only at scientific studies with publicly available data when making regulatory decisions.

Public health advocates and academic researchers have opposed the rule, saying it would severely limit the agency's ability to use human health studies. It has also prompted concerns among EPA's science advisers, including those appointed by the Trump administration.

Under questioning from Rep. Suzanne Bonamici (D-Oreg.), Wheeler said he would not finalize the rule until the EPA panel completes its review.

The Trump administration had been pushing to finalize the rule by the end of the year, but reproposing it will make it extremely difficult to finish it before the 2020 election. At the same time, EPA has sought to push some of its policies through other avenues as well, for instance by updating the agency's cancer and non-cancer guidelines.

PoliticoPro
"EPA's Wheeler: No 'official steps yet' on Trump's San Francisco warning"
https://subscriber.politicopro.com/article/2019/09/epas-wheeler-no-official-steps-yet-on-trumps-san-francisco-warning-3866116
Annie Snider

EPA Administrator Andrew Wheeler said today EPA has "not taken any official steps yet" to warn San Francisco that it was breaking environmental rules related to pollution from its homeless population, and he declined to comment on President Donald Trump's comments that the agency would soon issue a violation notice to the city.

Testifying before the House Science Committee Thursday, Wheeler said he couldn't comment on any "pending or potential enforcement action."

However, Wheeler appeared surprised by the tight deadline that the president set for the move when he spoke with reporters aboard Air Force One late Wednesday when a Democratic lawmaker pressed him for details.

"I didn't see where he said it was happening this week," he told Rep. Bill Foster (D-Ill.) when pressed on what evidence the agency has of pollution problems in the city.

Trump told reporters on Air Force One Wednesday that "EPA is going to be putting out a notice. And, you know, they're in serious violation."

Wheeler told reporters after the hearing that EPA is looking into the matter under its major water authorities.

"We have regulatory [authority] under both the Safe Drinking Water Act and the Clean Water Act for disposal of waste going into the sewer systems, combined sewer overflow. There's a number of permits that are involved. We are taking a look at whether or not permits have been in violation," he said.

But San Francisco officials said overnight that there is nothing to Trump's strange statement since virtually all of the city's water runoff goes through treatment before it is released into the bay.

"To be clear, San Francisco has a combined sewer system, one of the best and most effective in the country, that ensures that all debris that flow into storm drains are filtered out at the city's wastewater treatment plants," San Francisco Mayor London Breed said in a statement. "No debris flow out into the bay or the ocean."

The Hill
"EPA head dodges questions about environmental action against San Francisco"
https://thehill.com/policy/energy-environment/462200-epa-head-inappropriate-to-comment-on-potential-san-francisco
Miranda Green

Environmental Protection Agency (EPA) Administrator Andrew Wheeler dodged questions about any agency plans to bring enforcement against San Francisco, a day after President Trump derided pollution and homelessness in the city and promised a notice "very soon."

"I'm not going to comment on a potential enforcement action that we may or may not take. It's inappropriate for me to do so," Wheeler told reporters following a congressional hearing Thursday.

Flying back from California Wednesday night, Trump said he expected the EPA to slap San Francisco with a violation notice in the coming days related to pollution associated with the city's homeless population.

"There's tremendous pollution being put into the ocean because they're going through what's called the storm sewer that's for rainwater," Trump said. "And we have tremendous things that we don't have to discuss pouring into the ocean. You know there are needles, there are other things."

He continued: "It's a terrible situation that's in Los Angeles and in San Francisco. And we're going to be giving San Francisco, they're in total violation, we're going to be giving them a notice very soon."

Asked what jurisdiction EPA had with San Francisco's homeless population, Wheeler said any actions that might be taken would involve regulatory authority under the Safe Drinking Water and Clean Water Acts for the disposal of water and waste going into the sewer systems.

He said that last week the EPA had sent a few staff members out to California "to look at some of the issues and the problems," in various California communities. But he said the agency has not "taken any official steps yet."

"There are a number of permits involved. We're taking a look into whether permits were in violation," he said, adding that the focus was not specifically on San Francisco or California.

"I don't want to speak with any specificity to any particular city at this point," Wheeler said. "We don't look at any one particular city or state."

Asked why Trump mentioned San Francisco by name, Wheeler said he believed it was because Trump was in California this week.

At the hearing, Rep. Bill Foster (D-Ill.) asked about the typical operating procedure for when a president requests EPA enforcement actions be taken.

"When the president said it was coming this week, is it routine for you to issue notices of violation, whatever that means, with less than one week of preparatory work?" Foster asked Wheeler.

Wheeler said he didn't "see" that Trump said it was occurring this week.

"So you are saying there was no preliminary finding ... How was San Francisco chosen?" Foster asked.

Wheeler said he couldn't comment on his conversations with the president.

The Hill
"EPA moving ahead with science transparency rule by 'early next year'"
https://thehill.com/policy/energy-environment/462157-epa-moving-ahead-with-science-transparency-rule-by-early-next-year
Miranda Green

Environmental Protection Agency (EPA) head Andrew Wheeler said Thursday his agency will move forward with its proposed science transparency rule by "early next year."

Testifying before the House Science, Space and Technology Committee, Wheeler said the decision to move forward with the controversial open-science rule reflects a commitment to "the highest-quality science."

"Good science is science that can be replicated and independently validated; science that holds up to scrutiny. That is why we are moving forward to ensure that the science supporting agency decisions is transparent and available for evaluation by the public and stakeholders," he said in his opening statement.

The Strengthening Transparency in Regulatory Science draft rule was first proposed in April 2018 under former EPA Administrator Scott Pruitt.

The highly controversial rule would mandate that for regulations and other decisions, the EPA can only use scientific data and findings for which all of the underlying data can be made publicly available and reproducible. Critics have argued the move would limit the available science that can be considered for agency rulemaking due to privacy obligations often tied to health studies.

Last fall, action on the rule was put on hold when it was placed on the Trump administration's "long-term actions" agenda.

The agency at the time said it expected the rule would be made final around January 2020.

"This is not a delay. The agency is continuing its internal rulemaking development process for this action," EPA spokesman Michael Abboud said at the time.

The transparency rule was a key priority for Pruitt before he resigned from the agency in July of last year under a slew of ethics and spending scandals. But Wheeler has always made it clear that he isn't letting it fall by the wayside.

In an exclusive interview with The Hill last December, Wheeler said, "I've worked on those issues for over 20 years. So I feel very strongly about science transparency."

Wheeler previously served as a career EPA employee, a GOP Senate aide and an energy industry lobbyist.

"I cut my teeth on the Right to Know Act — I believe that if we put the science out for everyone to see and understand then there will be acceptance of our regulatory decisions," Wheeler told the committee.

Government Executive
"EPA Chief Says He's 'Absolutely' Concerned About Brain Drain at the Agency"
https://www.govexec.com/workforce/2019/09/epa-chief-says-hes-absolutely-concerned-about-brain-drain-agency/160016/
Eric Katz

The head of the Environmental Protection Agency sought to brush aside allegations that his agency is sidelining science during a congressional hearing on Thursday and said he has personally intervened to help grow a more robust scientific workforce.

EPA Administrator Andrew Wheeler repeatedly came under fire during the House Science, Space and Technology Committee hearing for an array of decisions that lawmakers said undermined the agency's mission, but Wheeler consistently pushed back and said they would protect the environment, public health and businesses of all sizes. The administrator also defended his treatment of the EPA workforce, saying he consistently relies "on their work and expertise."

"Every day, our scientists produce information critical to protecting human health and the environment," Wheeler said, adding he has been impressed by the "rigor, integrity and dedication of our career scientists and staff."

EPA under the Trump administration has faced criticism from environmental and good-government groups who have accused the agency of silencing employees, interfering with science and rolling back regulations at the behest of

industry. The agency has repeatedly asked Congress to dramatically slash its budget and workforce, saying it is taking a more narrow approach to enforcement after years of overreach.

Still, Wheeler expressed concern about the "brain drain" occurring at the agency. He said he was "absolutely" worried about an exodus of career scientists leading to a decades-low staffing level, noting 40% of the EPA workforce is eligible to retire within the next five years. He said he personally participated in the process for the recent hiring of a new human resources manager, calling it an unusual step for the EPA administrator.

In its fiscal 2020 budget, EPA requested funding to offer employees buyouts and early retirement incentives. It is also in the process of consolidating several of its regional laboratories, which Wheeler also defended in the face of congressional opposition.

The closures could "lead to significant brain drain as many employees may not be able to relocate," said Rep. Lizzie Fletcher, D-Texas, whose district includes a Houston-based lab that EPA is moving to Oklahoma.

Wheeler said all of the relocations—EPA closed a Las Vegas lab last year—are part of an effort to shed leased office space in favor of buildings owned by the agency or the General Services Administration. He also vowed that the agency would not seek to relocate anyone out of the Washington, D.C., area.

The administrator faced criticism for EPA's proposal to ban the use of "secret science," which prohibited agency employees from using data that is not fully available to the public. Critics of the plan have argued that is often the case due to privacy concerns of individuals in testing and surveys. Wheeler promised to issue a supplementary rule next year in response to the thousands of public comments EPA received.

"This is an attack on the role of science at EPA," said Rep. Suzanne Bonamici, D-Ore., warning it could create a "chilling impact" at the agency and perpetuates an "incorrect notion" that EPA relies on hidden data.

Wheeler pushed back, saying the proposed changes would lead to increased transparency.

"If we put that science out there for everyone to see, there will be more acceptance of our regulatory decisions," he said. "I believe we should be transparent in everything that we do."

E&E News
"Wheeler signals retreat from 'secret science' rule"
https://www.eenews.net/stories/1061139519
Sean Reilly

EPA is dropping plans to issue a final version this year of its divisive plan to limit the agency's use of scientific studies in crafting major new regulations, Administrator Andrew Wheeler indicated at a congressional hearing this morning.

Instead, the agency will issue a supplemental proposal early next year, Wheeler told members of the House Science, Space and Technology Committee, adding that it will apply only to future rulemakings.

He again defended, however, the agency's initial rationale for requiring only studies for which underlying data are available for "independent validation."

"I fundamentally believe that the more information we provide to the public, the better our regulations will be and the more they will trust our decisions," Wheeler said.

In an email, Gretchen Goldman of the Union of Concerned Scientists welcomed his decision to rethink the proposal, officially titled "Strengthening Transparency in Regulatory Science."

The group has been among a legion of critics who see the proposal's actual purpose as limiting EPA's ability to consider scientific evidence that might justify the need for stronger regulations.

"This was never legally or scientifically defensible," said Goldman, who is research director of the group's Center for Science and Democracy. "Rather than finding ways to restrict the science EPA uses, Administrator Wheeler should focus on EPA's mission of protecting public health and the environment," she said.

The agency received more than 600,000 public comments on the original proposal. Since the comment period closed last year, "I've had several briefings with my career staff on this," Wheeler told reporters after the hearing when asked why EPA has now opted to proceed with a supplemental proposal.

"They raised a number of issues, I asked a number of questions back to them. They're taking a look and they are going to come forward with a recommendation on a proposal," he said.

While declining to "prejudge" what the supplemental proposal will look like, Wheeler said that agency officials decided the changes would be significant enough "that we need to have additional public comment."

The original draft rule released in April 2018 under then-EPA Administrator Scott Pruitt had left large questions unanswered about how the planned regime would work in practice. As of this July, EPA employees appeared to be struggling to flesh out answers, according to responses provided to an independent panel, the Science Advisory Board, that is reviewing the original proposal (Greenwire, Aug. 28).

Asked about the issue today, Wheeler disagreed with that appraisal. "I would say the Science Advisory Board raised a number of issues that we're looking at as well."

"This is not something we're trying to rush through," he added. "We want to make sure we get this right."

When EPA was putting together the original proposal last year, however, the White House regulations office completed a required review in a matter of days https://www.eenews.net/greenwire/stories/1060080209/.

Wheeler slowed the pace considerably after becoming acting administrator in July 2018 following Pruitt's forced resignation. EPA had planned to issue the final rule by this December, according to its latest semi-annual regulatory agenda.

The initial proposal drew on legislation introduced earlier this decade by the Science Committee's then-Chairman Lamar Smith (R-Texas). Smith, who retired early this year, dubbed the bill the "Secret Science Reform Act."

In another major retrenchment, EPA no longer intends to pursue a separate proposal to set an agencywide approach for carrying out cost-benefit analyses for draft regulations, Wheeler said. After reviewing comments on the proposal, the agency will take a statute-by-statute approach to implementing that requirement in a "tailor-made" way, starting with the Clean Air Act, Wheeler said.

In response to one lawmaker's questions, Wheeler said EPA — unlike the Agriculture Department and Bureau of Land Management — has no plans to move a substantial number of employees out of the Washington, D.C., area. He also defended a reorganization of the agency's Office of Research and Development set for completion by next month.

"It does not change any of the important work ORD is tasked with — only how we manage those functions," he said in his opening statement.

The two-hour hearing marked Wheeler's first appearance before the committee. While the ostensible theme was "science and technology" at EPA, lawmakers took the opportunity to query Wheeler on topics ranging from recycling to

its revocation of California's long-standing Clean Air Act waiver to set its own greenhouse gas emissions standards for cars.

"You created chaos here because the automakers are not going to know what to do," said Rep. Zoe Lofgren (D-Calif.). "This is going to be tied up in court for the foreseeable future."

E&E News
"Wheeler walks back two initiatives but gives little ground"
https://www.eenews.net/eedaily/stories/1061141399
Sean Reilly

EPA Administrator Andrew Wheeler used a congressional hearing yesterday to announce retrenchments on two far-reaching regulatory initiatives, but otherwise gave no ground during several hours of sometimes sharp give-and-take.

The hearing was Wheeler's first appearance before the House Science, Space and Technology Committee. While the stated topic was "science and technology" at EPA, lawmakers took the occasion to query him on issues including methane regulations and funding for water systems.

Even by Trump administration standards, EPA's handling of science has been notably divisive. Agency officials have sought to cast doubt on the widely held consensus that human activities are driving climate change, restructured key advisory panels to make them more industry-friendly and proposed to limit the types of studies that can be used in crafting major new regulations.

"Let me be clear: Gutting the role of science in EPA's regulatory and decisionmaking processes will not make our air safer to breathe or our water safer to drink," committee Chairwoman Eddie Bernice Johnson (D-Texas) said at the outset.

In his opening statement, Wheeler lauded the agency's work. "I am always impressed with the rigor, integrity and dedication of our career scientists and staff," he said.

He defended an overhaul of EPA's Office of Research and Development as geared to better addressing "the increasingly complex challenges of the 21st century" and touted a recently announced initiative to reduce animal testing.

But as the hearing proceeded, Wheeler also defended the Trump administration's governmentwide move to slash the number of federal advisory committees at major agencies by at least one-third.

"I don't believe it will have any negative impact at all," he said in response to a question from Rep. Ralph Norman (R-S.C.). He declined to say which ones have been recommended to the White House for elimination but said the agency had identified a pool of about a dozen that could be cut because they were not statutorily created.

A couple of those committees hadn't met in several years, he added, raising questions about whether they still served a "useful purpose."

He also signaled major detours on the paths of two proposed rules (Greenwire, Sept. 19).

The first, officially billed as "strengthening transparency in regulatory science," would limit EPA to tapping studies for which the underlying research data "are publicly available in a manner sufficient for independent validation" in drafting new rules, according to the text.

After issuing the initial proposal in April 2018, EPA had planned to wrap up work on the final version by this December. Instead, the agency will now release a "supplemental proposal" for a fresh round of public comment early next year, Wheeler said.

A more immediate retooling is in the works for an initiative launched last year to increase consistency in EPA's forecasting of costs and benefits stemming from planned regulations. The original approach called for that overhaul to be agencywide, Wheeler said.

After taking a hard look at some 3,000 comments, however, "we're going to go by statute by statute instead," he said. By the end of this year, the agency hopes to start by issuing a proposal that would mandate cost-benefit analyses for all future Clean Air Act regulations, he noted.

The agency will then proceed with comparable regulations for other programs, "tailor-made" for each program's respective statutory scope, he said.

Republicans, often focused on the administration's dismantling of Obama-era regulations, were almost uniformly laudatory. Rep. Jaime Herrera Beutler (R-Wash.), for example, praised the repeal of the "erroneous, burdensome" Obama-era "Waters of the U.S." rule and asked whether legislation might be needed to refine the definition of navigable waters.

Wheeler replied that he could not endorse specific bills but said the agency's goal is now to follow the Clean Water Act, as well as Supreme Court decisions, to make it easier for property owners to decide whether they need a permit.

In an exchange with Rep. Pete Olson (R-Texas), Wheeler repeated his determination to complete a review of the ground-level ozone standards within the five-year cycle set by the Clean Air Act. The last assessment ended in 2015.

"We are on track" to complete reviews of both EPA's ozone and particulate matter standards by the end of next year, Wheeler said.

He did not mention that a recently released agency plan indicates that the ozone standards review could drift into early 2021 (Greenwire, Aug. 30).

His decision last year to get rid of auxiliary panels of experts that had traditionally provided independent advice was driven by the need to meet the five-year timetable, he said.

Earlier this week, Johnson and several other Science Committee members signed on to a letter questioning Wheeler's decision to instead resort to handpicked consultants to supply that know-how (E&E Daily, Sept. 17). None, however, asked him about it at yesterday's hearing. Also contentious has been EPA's posture toward its advisory committees.

A 2017 membership policy set by then-Administrator Scott Pruitt and continued by Wheeler generally bars people from serving on the Science Advisory Board (SAB) and other panels if they receive EPA grants. The policy helped open up vacancies on the board that have often been filled by members with ties to industries regulated by EPA.

In June, Wheeler vowed to improve what he labeled a "broken" relationship with the board (Greenwire, June 5).

Asked yesterday by Rep. Suzanne Bonamici (D-Ore.) whether he would wait for the SAB to complete a "comprehensive review" of the draft science transparency rule before issuing the final version, Wheeler replied, "We certainly hope to do that."

He would make no such commitment for a separate board review of the planned rollback of long-term vehicle fuel efficiency and greenhouse gas emissions standards. The agency released the first part of its proposal, dubbed the "Safer Affordable Fuel-Efficient Vehicles Rule," yesterday; the second will land in the coming weeks, Wheeler told Rep. Jerry McNerney (D-Calif.).

"Will you commit to not finalizing the proposed rule until the SAB has had time to complete its review?" McNerney asked.

"No, we will not wait for that," Wheeler said. "I don't believe at this point they are looking at specific science questions within the regulation."

The Brunswick News
"EPA admin talks WOTUS at hearing, following repeal"
https://thebrunswicknews.com/news/local_news/epa-admin-talks-wotus-at-hearing-following-repeal/article_3e96284c-b40d-5e5f-9025-47872c897158.html
Wes Wolfe

When Environmental Protection Agency Administrator Andrew Wheeler sat before the U.S. House Committee on Science, Space and Technology at 10 a.m. Thursday, he'd already alerted the committee chairwoman he needed to be done by noon. Over the next two hours, committee members — depending on party — either took Wheeler to task or worked with the administrator to pad Trump administration talking points.

Last week, the EPA officially repealed the 2015 Clean Water Rule, a regulatory measure the Obama administration sought to expand and enhance clean water protections. The second the regulation hit the books, lawsuits appeared in courts all across the country, including federal court in Brunswick, backed by states generally governed by Republicans, along with large manufacturing and agribusiness groups.

Wheeler didn't talk much about WOTUS and his agency's major changes to the scope and enforcement of the Clean Water Rule.

Responding to a question from U.S. Rep. Randy Weber, R-Texas, Wheeler said, "On (the Waters of the United States, or WOTUS), as soon as the Obama administration went forward with their WOTUS proposal, it was stayed by courts around the country. It was only in effect in 22 states — 28 other states were not following the Obama WOTUS proposal, which is why we had to withdraw it so we could have one regulation for the entire country. We didn't think a patchwork approach would be useful for WOTUS."

Regarding Georgia and 10 other states, the reality is more complex that what Wheeler said. Legal strategies and lawsuits whirred into action, but federal courts don't act that fast.

The states filed their lawsuit in Brunswick on June 30, 2015, and the Obama EPA a month later asked for a stay in order to transfer the case to a judicial panel on multi-district litigation. The federal court system uses MDLs to handle — as the name suggests — numerous cases from different jurisdictions that have similar issues. For instance, there is an MDL currently in Ohio regarding lawsuits against opioid manufacturers.

The hearing on the EPA's motion for a stay and the state's motion for preliminary injunction occurred on Aug. 12, followed by post-hearing brief filings. U.S. District Judge Lisa Godbey Wood denied the preliminary injunction motion on Aug. 27. In October, a different judge denied the MDL transfer.

The reason a patchwork of regulation enforcement existed on what was regulated by the Clean Water Act and what was not, is that different cases filed in different courts with different jurisdictions take different amounts of time and achieve different results.

Indeed, the states were successful in an interlocutory appeal to the 11th U.S. Circuit Court of Appeals, which vacated — on Jan. 24, 2018 — Wood's denial of preliminary injunction. She didn't grant that injunction, which applied to Georgia and the other states involved in the suit, until June 2018, three years after the lawsuit began and the WOTUS rule went into effect.

The same day in August of this year that the EPA Region 4 administrator was in Glynn County, Wood issued her order — a full nine months after the last hearing in the case — granting summary judgment to the state plaintiffs, declaring the 2015 rule violated the Administrative Procedure Act, and remanded the regulations back to EPA and the Army Corps of Engineers for further work.

Tuesday, the states filed a motion with the court asking for Wood to vacate the 2015 rule in its entirety.

The states argue, "And this relief is needed because without it, there remains a real risk that challenges to the agencies' planned repeal of the 2015 rule brought in different district courts could result in this unlawful rule going into effect in some or all of the plaintiff states — after the states have spent more than four years in litigation before this court to protect their residents from that very result.

"This court issued a preliminary injunction to protect the plaintiff states from that harm during the pendency of this litigation. Having now concluded in a final order that the 2015 WOTUS rule is unlawful in numerous respects, this court should provide a remedy that will make that protection permanent."

The business intervenors — large manufacturing and agribusiness associations — made a similar motion Sept. 6.

US News & World Report
"Wheeler Won't Commit to Trump's San Francisco Plan"
https://www.usnews.com/news/national-news/articles/2019-09-19/epa-head-andrew-wheeler-wont-commit-to-trumps-san-francisco-homeless-plan
Cecilia Smith-Shoenwalder

The head of the Environmental Protection Agency on Thursday said he could not confirm whether the agency will be citing San Francisco for pollution related to the city's homeless population, after President Donald Trump indicated the agency would be taking action soon.

Speaking at a House Science, Space and Technology Committee hearing, EPA Administrator Andrew Wheeler said he could not comment on potential EPA enforcement actions, adding that the agency is still examining its options.

"We've not taken any official steps yet," Wheeler said. "We're still looking into the issue, and I can't comment on a pending or potential enforcement action."

"There's tremendous pollution being put into the ocean because they're going through what's called the storm sewer that's for rainwater," Trump said. "And we have tremendous things that we don't have to discuss pouring into the ocean. You know there are needles, there are other things."

San Francisco Mayor London Breed criticized Trump's characterization, calling it "ridiculous," The New York Times reported. "No debris flow out into the bay or ocean," Breed said.

Pittsburg Post-Gazette
"Lamb to EPA chief: You're on the 'wrong side' after methane rule rollback"
https://www.post-gazette.com/news/politics-nation/2019/09/19/Conor-Lamb-Andrew-Wheeler-EPA-methane-natural-gas-fracking/stories/201909190034
Daniel Moore

WASHINGTON — The Trump administration has rolled back environmental standards set by former President Barack Obama in a sometimes dizzying frenzy, targeting rules governing water pollution, automobile efficiency, power plant emissions, coal ash dumping and pesticides.

The campaign, which has sharply divided Republicans and Democrats, was at the center of the two-hour questioning Thursday of Andrew Wheeler, administrator of the U.S. Environmental Protection Agency. It was Mr. Wheeler's first appearance before the House Committee on Science, Space and Technology,

Rep. Conor Lamb, D-Mt. Lebanon, joined the chorus of criticism coming from Democrats — while focusing on how, he believed, regulations actually support an extractive industry.

Mr. Lamb, who represents the northwestern Pittsburgh suburbs that include Shell's ethane cracker plant currently under construction in Beaver County, praised the economic boost that natural gas drilling has provided for a wide variety of people. "It's been incredible for our area," he said.

But that boost, he argued, is under serious threat after Mr. Wheeler proposed a rule in August that could roll back requirements on detecting and plugging methane leaks at oil and gas facilities.

"If we do not stop leaking methane and we lose that climate benefit, this entire industry is threatened," he said. "It's about the environment, but it's about these people's jobs."

As a fuel, natural gas burns cleaner than coal. As hydraulic fracturing, or "fracking," unlocked an ocean of natural gas in the shale rock beneath Pennsylvania, it also caused natural gas prices to plummet. Power plant operators switched to natural gas due to the cost savings and environmental benefits, industry analysts have said.

But methane — the primary component of natural gas — is a much more potent heat-trapping greenhouse gas that can warm the atmosphere at 25 times the rate of carbon dioxide. The EPA lists the oil and gas industry as the largest source of methane emissions in the country, primarily through leaks from pipelines and other infrastructure.

Mr. Lamb used his four minutes of allotted time to read a series of statements from large oil and gas companies — BP, Exxon, Royal Dutch Shell — that preferred the Obama-era methane regulations.

Among them was Gretchen Watkins, a Shell executive who told Reuters in March she believed methane "is a big part of the climate problem and, frankly, we can do more."

"We don't usually tell governments how to do their job, but we're ready to break with that and say, 'Actually, we want to tell you how to do your job,'" Ms. Watkins told Reuters.

Mr. Lamb agreed with those executives that the future demand for natural gas depends on plugging leaks.

"Reconsider," Mr. Lamb said, as his time expired. "These families are depending on this industry and depending on the climate benefits that have come from it. We have to do it the right way. You are on the wrong side of both business and public opinion."

Mr. Wheeler responded, "We don't do our regulations for big business. We take a look at all business, including small and medium sized companies."
Mr. Wheeler later added that companies should already have incentive to plug leaky pipelines because methane escaping into the atmosphere is lost revenue. The natural gas industry has reduced its emissions by 15% since 1990, he said, while it doubled its production.

The EPA's new proposal to replace the Obama standards involves regulating methane indirectly. The agency believes its existing regulations on volatile organic compounds, a separate but related category of gases, will sufficiently ensure oversight.

"VOC emissions will go down, and, as a side benefit, methane emissions will also go down," Mr. Wheeler said. "We want to make sure that our regulatory approach does not stifle innovation."

The new methane rules must go through a period of public comment and review and could be finalized early next year.

Mr. Wheeler told the committee he had to leave the hearing at noon, limiting each lawmaker's time to question him to four minutes from the typical five minutes. He also provided the committee his testimony only 24 hours prior to the hearing; committee Chairwoman Eddie Bernice Johnson, D-Tex., said that did not allow lawmakers to fully prepare for questioning.

"I hope this will not be the only time we see you before this committee," Ms. Johnson said.

Mr. Wheeler said he hoped to have a "good, open dialogue with the committee."

Bloomberg Environment
"EPA's Wheeler Faces Tough House Crowd After California Curbs"
https://news.bloombergenvironment.com/environment-and-energy/epas-wheeler-faces-tough-crowd-in-house-after-california-action
Stephen Lee

The EPA won't wait for a review by its science advisers before forging ahead with its effort to strip California of its ability to limit greenhouse gas emissions from vehicles, Environmental Protection Agency Administrator Andrew Wheeler told skeptical lawmakers Sept. 19.

The agency does welcome "anyone's input," but the second phase of the plan will be issued in the coming weeks regardless of what its Science Advisory Board has to say, Wheeler told the House Science, Space, and Technology Committee.

Wheeler also said the SAB's charge is only to review scientific matters, and that its members "sometimes want to get outside of science issues."

Committee Democrats, including Rep. Jerry McNerney (D-Calif.), blasted Wheeler over the California waiver revocation and other recent agency actions.

"He was trying to disguise it by saying there's a timing issue, they're stepping outside of their lane," McNerney told Bloomberg Environment. "But that isn't at all the truth. The truth is the Science Advisory Board is doing their job, and [EPA is] going to step ahead of that."

Just hours earlier, Wheeler and Secretary of Transportation Elaine Chao said the administration was moving to ensure the nation has only one set of national fuel economy standards.

"You created chaos here," Rep. Zoe Lofgren (D-Calif.) told Wheeler. "This is going to be tied up in court for the foreseeable future."

Lofgren also bluntly told Wheeler: "We are going to sue you."

Secret Science Rule

Wheeler also said the EPA will issue a supplemental proposal on its "secret science" rulemaking early next year, rather than coming forward with a final rule this year.

The shift is happening because the rule was deemed significant enough to warrant additional public comment, Wheeler told reporters after the hearing.

That rulemaking would bar the agency from using scientific research that isn't or can't be made public, a shift that represents a stark change from the EPA's decades-old approach to using science in rule-making.

Wheeler said he has had several briefings with career staff on the proposal.

"They raised a number of issues. I asked a number of questions back to them. They're taking a look, and they're going to come forward with a recommendation on a new proposal," he told reporters. "I want to wait and see how they answer my questions before I signal how we might go."

During the hearing, Wheeler defended the proposal by saying it will make the EPA's decisions more transparent and give the public a better chance to weigh in.

Coal Wish List

At another point in the hearing, Rep. Don Beyer (D-Va.) accused the EPA of fulfilling a wish list offered by coal magnate Robert Murray, chief executive officer of Murray Energy Corp. That drew a heated response from Wheeler.

"As I've said many times, I've never read the Murray action plan," Wheeler said. "I didn't have it, I didn't write it, and I didn't read it."

In another exchange, Rep. Conor Lamb (D-Pa.) confronted the EPA's August proposal to weaken methane leak rules from oil wells. That change is opposed not only by his constituents but also by big companies like BP Plc, Royal Dutch Shell Plc, and Exxon Mobil Corp., Lamb said.

"You are on the wrong side of both business and public opinion," he said.

"We don't do our regulations for big business," Wheeler said. "We don't write our regulations to appease the large companies."

Ranking member Rep. Frank Lucas (R-Okla.) praised Wheeler for shrinking government and regulations.

"In the past, it seemed like, instead of protecting the environment, the EPA was more focused on pursuing a political agenda that led to expansive—and might I add expensive—regulatory burdens. Fortunately, that is no longer the case," Lucas said.

Wheeler also said the Children's Health Protection Advisory Committee is safe. Some had speculated the committee would be cut under a White House executive order (E.O. 13875) to eliminate a third of all discretionary advisory committees across the federal government.

He said the EPA has recommended to the White House which committees it could cut, but couldn't speak about which ones had been identified.

From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Friday, September 20, 2019 10:25 AM
To: Sullivan, Melissa <sullivan.melissa@epa.gov>; AO OPA Media Relations <AO_OPA_Media_Relations@epa.gov>
Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>
Subject: RE: hearing press clips

Thanks

From: Sullivan, Melissa <sullivan.melissa@epa.gov>
Sent: Friday, September 20, 2019 10:25 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; AO OPA Media Relations <AO_OPA_Media_Relations@epa.gov>
Subject: RE: hearing press clips

I will compile and send to Carolyn.

From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Friday, September 20, 2019 10:24 AM
To: AO OPA Media Relations <AO_OPA_Media_Relations@epa.gov>
Subject: FW: hearing press clips

Do we have clips? Thanks ng

From: Levine, Carolyn <Levine.Carolyn@epa.gov>
Sent: Friday, September 20, 2019 10:23 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: hearing press clips

NG,
Do you know if there was/will be HSST hearing-related OPA press clips? I didn't see any in yesterday's clips.
No worries if not.

Thanks,
Carolyn

Carolyn Levine
Office of Congressional and
Intergovernmental Relations
U.S. EPA
(202) 564-1859
levine.carolyn@epa.gov

Message

From: Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Sent: 9/20/2019 1:55:58 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]
CC: Beach, Christopher [beach.christopher@epa.gov]
Subject: today
Attachments: Hot Topics 09.19.2019.docx; One National Rule waiver Talking points (002).docx

Hello! Hope everyone had fun/is having fun at the arrival ceremony. Weather couldn't be more perfect! Also…I have some mini cookies and mini scones in my office (the items I forgot yesterday!).

I have to run off to a meeting within the hour, so in case I don't see everyone here are some immediate items we need to tackle today:

Jess is working on docs and plans for CA issues to begin rolling out next week. Mtg w/ Doug at 1pm to discuss. Need Air talking points, q/a (by end of day), press releases, rollout plan including targeted media and who is the Principal (Anne for SF Chron on Mon, maybe media call on Tues/ AAW for any TV).

Jess…food waste press release for NYC events on Sunday.

Michael…NYC trip…need briefing docs and media plan. Briefing materials are due to Aaron no later than 2pm. I highly suggest reaching out to Tate to see what she plans to send up for Sunday's events…as there may be info for Food/waste talking points. Please cc me on all briefing materials.

Michael…NPR interview today at 1:30pm.

Molly…Could you monitor the OpEd that Chris pitched to McClatchy…I will loop you in if you aren't already. Chris is out today and will be offline for a large chunk of the day.

Molly…week in review and monitor the press email box.

Andrea…follow up clips from yesterday. WH report…assist with press email box. Bios for briefing materials.

I'm still waiting to hear from Fox and Friends for Sunday. I believe Michael is also on those emails.

We have CA waiver/SAFE talking points and I updated the Hot Topics points (both attached) for any briefing papers…but the food waste points for Sunday will need to be developed.

Let me know what I may have missed.

Thank you!!!

Corry Schiermeyer
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
Schiermeyer.corry@epa.gov
202-564-6782

Message

From: Woods, Andrea [Woods.Andrea@epa.gov]
Sent: 9/19/2019 9:48:36 PM
To: Ex. 6 / Administrator Wheeler; Jackson, Ryan [jackson.ryan@epa.gov]; Molina, Michael [molina.michael@epa.gov]; Idsal, Anne [idsal.anne@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Schwab, Justin [Schwab.Justin@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Block, Molly [block.molly@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]
Subject: 9.19.19 One National Program announcement clips
Attachments: 9.19.19 One National announcement clips.docx

Sir,

Please see clips from today's One National Program announcement. We will send an updated doc with any additional coverage tomorrow.

9.19.19 One National Program Announcement Clips

Associated Press: California looks for ways to preserve environmental clout
The Trump administration's decision to stop California from setting its own emission standards for cars and trucks would undermine the state's ability to convince the world's largest automakers that they should make more environmentally friendly vehicles. "We will not let political agendas in a single state be forced upon the other 49," Transportation Secretary Elaine Chao said Thursday at a Washington news conference after the administration revoked the power California exercised for decades under a waiver from the federal Clean Air Act.

Bloomberg Environment: EPA Slams California's Air Quality as It Curbs State's Authority (1)
The Trump administration moved to strip California of its authority to limit greenhouse gas emissions from vehicles, even as it warned the state it needs to do more to combat smog. "California has the worst air quality in the United States," EPA Administrator Andrew Wheeler said Thursday, adding that tens of millions of people in the state live in areas that don't meet ambient air standards. "We hope California will focus on these issues."

CBS News: EPA officially moves to revoke California's authority to set own fuel standards
The Trump administration formally rolled back California's authority to set automotive vehicle emission standards, a move state officials have vowed to fight in the courts. At a press conference on Thursday, Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced that the EPA would withdraw the 2013 Clean Air Act waiver that enabled California to set its own tailpipe greenhouse gas emission standards.

CNet News: Trump administration issues rule to set one national fuel economy standard
A day after learning the Trump administration will revoke California's emissions waiver, the EPA and NHTSA announced the government's next step on Thursday. The agencies debuted the "One National Program Rule," which essentially gives the federal government full authority to set a single national fuel economy standard.

CNN: Chao, Wheeler call out California over environmental efforts
Two of President Donald Trump's cabinet officials criticized California's environmental record Thursday as the state and the administration are in a pitched battle over the authority to set vehicle emission standards. "No state has the authority to opt out of the nation's rules and no state has the right to impose its policies on everybody else in our whole country," Transportation Secretary Elaine Chao told reporters, discussing the administration's plans to revoke California's authority to set vehicle emission standards.

The Detroit News: Feds move to revoke California's right to set mpg rules
The Trump administration made official Thursday its move to revoke California's right to set its own gas mileage rules for vehicles, expressing confidence it will prevail in a looming legal fight likely to ensnare the nation's automakers for years to come. U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao said Thursday that their agencies will move to revoke the Clean Air Act waiver that has been used by California since 1967 to set its own emission standards. That would undo California's Advanced Clean Car Rule, which calls for automakers to reduce pollution from new cars from 2012 model year levels by 40% by 2025.

E&E News: Trump officials defend plan to revoke Calif. Waiver
Senior Trump administration officials today defended their decision to block California's plans to enforce greenhouse gas emissions standards for cars, saying they run afoul of the law and would stop the benefits that rolling back federal car rules would bring. Dubbing their decision the "One National Program Rule," the leaders of the Department of Transportation and EPA said California — which is striving to enforce tougher emissions limits for cars sold within its borders and those of 13 states that choose to follow its rules — stands in the way of nationwide consistency for car manufacturers and consumers.

Fox Business News: Trump administration moves to block California fuel economy standards
The Trump administration announced regulations to withdraw California's waiver to set fuel economy standards. The withdrawal is a response to California sidestepping the Environmental Protection Agency by agreeing to stricter gas mileage and carbon emissions standards with four top automakers. Ford, Honda, BMW and Volkswagen were part of the July agreement.

Fox News: Trump administration moves toward national fuel economy standard, prepares for legal battle with California
Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced Thursday a "One National Program Rule," paving the way for the federal government to set national uniform standards for fuel economy and greenhouse gas emissions for cars and light-duty trucks — in a move to block California's current requirements.

The Guardian: California vows fightback after Trump voids state's right to set emissions rules
The Trump administration has formally moved to revoke California's authority to set its own vehicle emissions standards, in a decision certain to provoke a significant legal challenge. In a statement, the Environmental Protection Agency administrator, Andrew Wheeler, said the decision ensures nationwide rules that provide "much-needed regulatory certainty for the automotive industry" and "promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks".

The Hill: Trump administration officially revokes California tailpipe emissions waiver
The Trump administration on Thursday officially revoked California's tailpipe waiver under the Clean Air Act, a decision likely to face quick legal challenges. The Department of Transportation and Environmental Protection Agency (EPA) unveiled the "One National Program Rule," giving the federal government sole authority to set emission standards for cars.

Inside Climate News: Trump Strips California's Right to Set Tougher Auto Standards
President Donald Trump's administration on Thursday stripped California of its authority to enact the nation's toughest auto pollution standards, setting the stage for an epic legal battle that could squelch the nascent U.S. market for petroleum-free vehicles at a critical time.

NBC News: Trump's new fuel economy rules won't lead to "cleaner and safer" cars, say industry experts
The Trump administration formally announced plans Thursday to strip away the waiver that had allowed California to set its own fuel economy mandates, while also confirming that a rollback of federal mileage rules

will be revealed in the coming weeks. Echoing the words of President Donald Trump, two senior White House officials said the moves would make tomorrow's cars cleaner and safer, while also creating more U.S. jobs.

Politico: Wheeler, Chao to California: Stay in your own lane
Trump administration officials today said California should stay in its own lane when it comes to vehicle emissions and focus instead on reducing tailpipe pollution that creates the state's unique smog problem. Revoking the state's greenhouse gas waiver "will not affect California's ability to refocus its efforts on fighting the worst air pollution in the country and comply with existing regulations," Transportation Secretary Elaine Chao said at a press conference.

Reuters: Trump administration bars California from requiring cleaner cars
The Trump administration said on Thursday it is revoking California's authority to set its own auto tailpipe emissions standards and to require some zero-emission vehicles - a decision that will spark a massive legal battle over the future of U.S. vehicles and the most populous state's regulatory role. Environmental Protection Agency (EPA) Administrator Andrew Wheeler said in a statement the decision will ensure nationwide rules that provide "much-needed regulatory certainty for the automotive industry." Currently, California's more stringent vehicle emissions rules are also followed by a dozen other states that account for than 40% of U.S. vehicle sales.

Sacramento Bee: EPA hopes to accelerate legal clash with California over clean car standards
Trump administration officials expect their move this week to revoke California's unique authority to restrict car pollution will speed up an impending legal clash which could potentially allow them to defend the policy in federal court during President Donald Trump's first term. "This rule will be able to be challenged in court on its own and we can accelerate the timetable for getting a definitive final judgment from the courts," Department of Transportation General Counsel Stephen Bradbury said at a press conference on Thursday.

San Francisco Chronicle: Trump officials slam California air, rescind state's authority on emissions
Trump administration officials attacked California's air quality Thursday as they announced the revocation of the state's authority to set its own auto emissions standards, saying the state should focus on its own problems instead of the rest of the nation."California has the worst air quality in the United States," Environmental Protection Agency Administrator Andrew Wheeler said at a news conference. "We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country."

SF Gate: Trump Administration Revokes California's Auto Emissions Standards Waiver
U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao officially announced Thursday that they are revoking California's authority to set strict auto emission standards. The administration's intention to take that step was announced by President Donald Trump on Wednesday in a tweet.

Wall Street Journal: Trump Administration Takes Step Toward Loosening Vehicle Emissions Standard
The Trump administration took a step toward loosening emissions rules for vehicles sold in the U.S. by moving to strip California's ability to set its own tougher requirements, which officials said will give drivers access to cheaper, safer cars. Officials from the Environmental Protection Agency and the Transportation Department said Thursday they issued a final action on a rule that will unify the country's fuel-economy and greenhouse-gas-emissions standards.

Wall Street Journal: Editorial: California Can't Go Its Own Way
If you haven't heard, President Trump has declared war on California, the auto industry and the world's climate. Or that's what liberals are saying about his Administration's plans to revoke California's waiver that lets it set national fuel economy rules that raise costs for consumers across the country.

Washington Examiner: DOT, EPA announce 'one, and only one' national fuel standard, hit California

The Department of Transportation and Environmental Protection Agency Thursday announced that there will be "one, and only one" national fuel standard, a move made to cut the costs of vehicles and bar California from making stricter standards.

Associated Press
https://www.apnews.com/a45c4a503a7b4ea5a39c904fa18b173b

California looks for ways to preserve environmental clout

By Adam Beam and Michael Biesecker
September 19, 2019

The Trump administration's decision to stop California from setting its own emission standards for cars and trucks would undermine the state's ability to convince the world's largest automakers that they should make more environmentally friendly vehicles.

"We will not let political agendas in a single state be forced upon the other 49," Transportation Secretary Elaine Chao said Thursday at a Washington news conference after the administration revoked the power California exercised for decades under a waiver from the federal Clean Air Act.

One California lawmaker is already working on a way to preserve at least some of the state's environmental muscle: rebates for electric cars.

California residents who buy or lease a zero-emission vehicle can get up to $7,000 from the state. A bill by Democratic Assemblyman Phil Ting would mean people could only get that money if they buy a car from a company that has agreed to follow California's emission standards.

California has 35 million registered vehicles, giving it great influence with the auto industry. That was evident in July, when Democratic Gov. Gavin Newsom announced that Ford, BMW, Honda and Volkswagen had agreed to follow California's standards, bypassing the administration, which had been working on new rules.

California officials have been negotiating with other automakers to follow suit. But those talks stalled Wednesday when President Donald Trump announced, via Twitter, that he was revoking California's authority to set its own emission standards.

Ting's proposal, first reported by CalMatters, shows California has other ways it could entice automakers to follow its environmental lead. David Vogel, a professor emeritus of business ethics at the Haas School of Business of the University of California-Berkeley, noted California could accomplish its goals through various tax changes, which the federal government could not stop.

"Even if the Trump administration would win on this, California could use taxes to accomplish much of the same goals," Vogel said. "The federal government would have less of an ability to challenge, because states can pretty much tax who they want."

The California Legislature adjourned for the year last week. But before leaving, lawmakers amended a bill to include the new language so they could debate it when they return to work in January.

State officials could use the tactic to aid negotiations with Toyota and General Motors, two manufacturers that make electric cars but have so far not agreed to California's emission standards. It's unclear how effective the law would be, given that California's Clean Vehicle Rebate Project has a waiting list.

A Toyota spokesman declined to comment.

Ting, through a spokeswoman, declined immediate comment. Newsom, asked about the proposal, said he would make an announcement by Friday. He did not elaborate.

Trump said his move would result in less expensive, safer cars. He predicted Americans would purchase more new cars, which would result in cleaner air as older models are taken off the roads.

“Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS! Automakers should seize this opportunity because without this alternative to California, you will be out of business,” Trump tweeted.

Environmental Protection Agency chief Andrew Wheeler said at the Thursday news conference with Chao that Trump’s approach was “good for public safety, good for the economy and good for the environment.”

Wheeler also played down electric vehicles, calling them “a product that has minimal impact on the environment and which most families cannot approach”

U.S. automakers contend that without year-over-year increases in fuel efficiency that align with global market realities, their vehicles could be less competitive, potentially resulting in job losses. But most of the industry favors increases in standards that are less than the Obama-era requirements, saying their consumers are gravitating to SUVs and trucks rather than buying more efficient cars.

Top California officials and environmental groups pledged legal action to stop the Trump rollback. The U.S. transportation sector is the nation’s biggest single source of greenhouse gasses.

Trump’s claim that his proposal would result in a cleaner environment is contrary to his own administration’s estimate that by freezing economy standards, U.S. fuel consumption would increase by about 500,000 barrels per day, a 2% to 3% increase. Environmental groups predict even more fuel consumed, resulting in higher pollution.

The administration argues that lower-cost vehicles would allow more people to buy new ones that are safer, cutting roadway deaths by 12,700 lives through the 2029 model year.

But The Associated Press reported last year that internal EPA emails show senior career officials privately questioned the administration’s calculations, saying the proposed freeze would actually modestly increase highway fatalities, by about 17 deaths annually.

Bloomberg Environment
https://news.bloombergenvironment.com/environment-and-energy/trump-administration-moves-to-curb-californias-car-regulations

EPA Slams California's Air Quality as It Curbs State's Authority (1)

By Ryan Beene
September 19, 2019

The Trump administration moved to strip California of its authority to limit greenhouse gas emissions from vehicles, even as it warned the state it needs to do more to combat smog.

"California has the worst air quality in the United States," EPA Administrator Andrew Wheeler said Thursday, adding that tens of millions of people in the state live in areas that don't meet ambient air standards. "We hope California will focus on these issues."

Although Trump announced the move on Twitter Wednesday, it was formally unveiled during an event at the Environmental Protection Agency headquarters in Washington on Thursday, in front of free-market, conservative advocates, National Automobile Dealers Association officials, multi-franchise owner Geoff Pohanka, and Gloria Bergquist, vice president of the Alliance of Automobile Manufacturers.

Transportation Secretary Elaine Chao said the move to gut California's powers would reinforce the federal government's role setting vehicle standards.

"The one national program that we are announcing today will ensure that there is one -- and only one -- set of national fuel economy standards as Congress mandated and intended," Chao said. "No state has the authority to opt out of the nation's rules and no state has a right to impose its policies on everybody else in our whole country."

In its action, the Transportation Department asserts that its authority to set fuel-economy standards preempts California's own tailpipe standards. The EPA also is formally withdrawing a 2013 waiver that authorized California to pursue its own tailpipe greenhouse gas emission standard and zero-emission vehicle mandate, arguing both programs are prohibited by the Clean Air Act.

Chao and Wheeler framed the actions as delivering on a promise made by President Donald Trump in March 2017, when he declared before a crowd of auto workers in Michigan that his administration would reevaluate fuel economy and emissions standards adopted during the Obama administration.

Chao called those rule "unattainable" and said they needed to be weakened because "consumers were being priced out of newer, safer vehicles."

They also cast it as a measure to prevent California from acting as a de facto national regulator, saying the state cannot overstep its authority to fight local smog and air-pollution within its borders by regulating greenhouse gas emissions linked to climate change, a global issue.

"We will not let political agendas in a single state to be imposed on the other 49," Chao said.

The administration is still working to finalize its plan for weakening existing federal fuel-economy and tailpipe emissions standards. Wheeler said those changes will "save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner and safer cars and trucks."

Trump administration officials say the effort will help everyday Americans afford new vehicles by dialing back environmental mandates that drive up vehicle prices.

Even as the administration moved to undercut California's authority, it took pains to emphasize the state is still on the hook to clean up its auto pollution.

California officials have argued that its tailpipe emission standards are critical to helping clean up smog and satisfy national standards for ozone and air quality and have said they will fight the revocation in court if necessary.

Legal experts said the Trump administration may have a tough time defending a suit. A waiver has never been revoked in the 50-year-history of the Clean Air Act, said Julia Stein, a University of California at Los Angeles environmental law expert.

"Ironically, even though the administration insists that it will be creating 'one national standard' by revoking California's waiver, it will actually be doing the opposite," Stein wrote in a blog post.

California officials including Governor Gavin Newsom and Attorney General Xavier Becerra said in a press conference Wednesday that the state has received roughly 100 waivers to combat air pollution and they would defend the one underpinning its vehicle rules.

"This is such a pivotal moment in the history of climate change," Newsom said, citing statistics on the role of transportation in greenhouse gas emissions. "This is our legacy moment."

With some 35 million vehicles in the state, and the transportation sector's role as the top contributor of greenhouse gas emissions, Becerra said California's ability to combat vehicle greenhouse gas emissions is critical to the state's clean-air goals.

CBS News
https://www.cbsnews.com/news/epa-officially-moves-to-revoke-californias-authority-to-set-own-fuel-standards/

EPA officially moves to revoke California's authority to set own fuel standards

By Emily Tillett
September 19, 2019

The Trump administration formally rolled back California's authority to set automotive vehicle emission standards, a move state officials have vowed to fight in the courts. At a press conference on Thursday, Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced that the EPA would withdraw the 2013 Clean Air Act waiver that enabled California to set its own tailpipe greenhouse gas emission standards.

President Trump touted the move by tweet on Wednesday, saying that it would result in less expensive and safer cars, and insisting that new cars would be cleaner, even though they will burn more gasoline than they would have under the fuel efficiency standards established during President Obama's administration.

The rollback is a part of the new National Highway Traffic Safety Administration (NHTSA) and the EPA "One National Program Rule," which, as the name states, means the federal government will have one set of nationwide fuel economy and greenhouse gas emission standards for automobiles and light-duty trucks.

"No state has the authority to opt out of the nation's rule, and no state has the right to impose its policies on everybody else and our whole country," Chao said Thursday.

Wheeler told reporters that having one standard will provide stronger "regulatory certainty" for the automotive industry. The Automobile Alliance said in a statement that "we support one national program as the best path to preserve good auto jobs, keep new vehicles affordable for more Americans and avoid a marketplace with different standards."

However, in July, four automakers — Ford, Honda, BMW and Volkswagen — had agreed to meet Califronia's stricter tailpipe emissions, rather than the federal standard. Some of the automakers believe that without a substantial increase in fuel efficiency, their vehicles could be less competitive in the global marketplace, since several other nations demand higher fuel economy than the U.S. The Trump administration has opened an antitrust investigation into the deal between the automakers and California.

The president also seeks to relax Obama-era federal mileage standards nationwide, weakening a key effort by his Democratic predecessor to slow climate change. The Trump administration's original proposal would have frozen the Obama EPA's increase in standards at about 37 miles per gallon in 2021. President Obama issued a rule that demanded that fuel economy grow every year through 2026, when it would reach a 46.7 mile-per-gallon average for a company's fleet.

CNet News
https://www.cnet.com/roadshow/news/trump-national-fuel-economy-california-emissions/

Trump administration issues rule to set one national fuel economy standard

By Sean Szymkowski
September 19, 2019

A day after learning the Trump administration will revoke California's emissions waiver, the EPA and NHTSA announced the government's next step on Thursday. The agencies debuted the "One National Program Rule," which essentially gives the federal government full authority to set a single national fuel economy standard.

The rule affirms the federal government as the only body with the ability to set such standards. Local and state governments "may not establish their own separate fuel economy standards," according to the announcement.

Secretary of Transportation Elaine Chao underscored the regulatory changes and in a statement said, "Today's action meets President Trump's commitment to establish uniform fuel economy standards for vehicles across the United States, ensuring that no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country."

Her comments reflect the Trump administration's move to revoke California's waiver. Since 2013, California has had the authority to set separate greenhouse gas standards, which essentially allowed the state to all but mandate plug-in vehicle sales. EPA Administrator Andrew Wheeler said the new rule will provide regulatory certainty for automakers -- a shot at California for basically creating a subset of "compliance cars" for the market.

"One national standard provides much-needed regulatory certainty for the automotive industry and sets the stage for the Trump administration's final SAFE rule that will save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner and safer cars and trucks," he said.

The other parts of the proposed fuel economy and emissions changes are still in the works. Wheeler has previously hinted, however, they will not be as relaxed as the initial proposal last year. The EPA also noted California can continue to operate and enforce its Low Emission Vehicle program and other clean air standards to battle smog problems locally.

The White House continues to set the stage for a bitter legal battle. California and its Air Resources Board have vowed not to enforce less stringent fuel economy and emissions standards, arguing it's a state's rights issue. The state went as far as signing a voluntary greenhouse gas pact with four automakers, though the Department of Justice has since opened an antitrust investigation over the deal.
CARB did not immediately respond to a request for comment on today's news.

Automakers have long argued for relaxed fuel economy standards that are more in line with today's realities, though they've also said the government's proposed standard goes too far. Current regulations will see fleet-wide fuel economy rise to 46.7 miles per gallon by 2026. The White House's proposal will dial the figure back to 37 mpg, essentially freezing all increases at 2020 levels.

CNN
https://www.cnn.com/2019/09/19/politics/wheeler-chao-california/index.html

Chao, Wheeler call out California over environmental efforts

By Gregory Wallace
September 19, 2019

Two of President Donald Trump's cabinet officials criticized California's environmental record Thursday as the state and the administration are in a pitched battle over the authority to set vehicle emission standards.

"No state has the authority to opt out of the nation's rules and no state has the right to impose its policies on everybody else in our whole country," Transportation Secretary Elaine Chao told reporters, discussing the administration's plans to revoke California's authority to set vehicle emission standards.

"To do otherwise," Chao continued, "harms consumers and damages the American economy."

The state's Clean Air Act waiver allowed it to set vehicle emission standards that are more stringent than the federal standards. Because more than a dozen states have signed on to California's levels, they became the de facto nationwide standards. The Trump administration is in the process of relaxing federal emission standards set by the Obama administration, but for those to be controlling, needs to also eliminate the California levels.

California Gov. Gavin Newsom told reporters Wednesday -- soon after Trump announced the plans -- that the President is motivated by a "unique frustration with California."

"We're winning. That's the frustration he's having -- we are winning," Newsom said, referring to the state's multiple legal battles with the administration. "He's losing, and we're winning because we have the law, science and facts on our side."

"We have not only the formal authority, we have the moral authority, and that is something missing in this White House," Newsom added.

California has been a persistent thorn in the administration's side, including on environmental and immigration issues.

At the Thursday morning event, Environmental Protection Agency Administrator Andrew Wheeler took California to task for having "the worst air quality in the United States."

"It has 82 non-attainment areas and 34 million people living in areas that do not meet the NAAQS standards," Wheeler said, referring to areas of the Golden State that do not meet the National Ambient Air Quality Standards. "That's more than twice as many people as any other state in the country. We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country."

"California cars have no closer link to California climate impacts than do cars on the road in Japan or anywhere else in the world," he added.

Wheeler said the revised federal standards are still in development but will be announced in the coming weeks.

"We are looking at all the options right now," he said. "We have not made a final decision yet on what the standards will be."

EPA General Counsel Matthew Leopold told reporters after Wheeler's remarks that the administration anticipates litigation over the standards. He said the official action revoking California's authority will likely be published in the Federal Register next week and take effect 60 days later.

The Detroit News
https://www.detroitnews.com/story/business/autos/2019/09/19/feds-move-revoke-california-right-set-mpg-rules/2372374001/

Feds move to revoke California's right to set mpg rules

By Keith Laing
September 19, 2019

The Trump administration made official Thursday its move to revoke California's right to set its own gas mileage rules for vehicles, expressing confidence it will prevail in a looming legal fight likely to ensnare the nation's automakers for years to come.

U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao said Thursday that their agencies will move to revoke the Clean Air Act waiver that has been used by California since 1967 to set its own emission standards. That would undo California's Advanced Clean Car Rule, which calls for automakers to reduce pollution from new cars from 2012 model year levels by 40% by 2025.

"No state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on everybody else in our country," Chao said in a press conference at the EPA's headquarters in Washington. "We will not let political agendas in a single state be forced upon the other 49."

Wheeler added: "Our goal from the beginning was a 50-state solution. ... We embrace federalism and the role of states, but federalism does not mean that one state can dictate policy for the rest of the country."

The announcement, pre-empted Wednesday by President Donald Trump on Twitter, has been met with fierce resistance in California, which has already sued over the Trump administration's proposed rollback of stringent fuel economy rules that were adopted by the Obama administration in 2012. The state's Democratic leaders signaled Wednesday they intend to go back to court to protect their right to set their own mpg rules.

"Our message to those who claim to support states' right: Don't trample on ours," California Attorney General Xavier Becerra, a Democrat, said in a press conference shortly after the president's comments.

"For us, this is about survival," Becerra continued. "Our communities are screaming for help to address the climate crisis...We're prepared to lead. We're prepared to fight. We'll do what we must."

The Trump administration and California have battled over gas mileage rules since the earliest days of Trump's presidency.

The Trump administration announced last year its intention to ease stringent gas-mileage rules that would have required fleets averaging nearly 55 miles per gallon by 2025. The administration proposed a freeze in the mandate after 2020, touching off a fierce battle with California, which helped craft the Obama-era rules.

The two sides attempted to negotiate a potential agreement, but the White House said in February it was pulling out of the talks and moving forward with its proposed freeze.

Thirteen states and Washington, D.C., have adopted California's mileage rules, meaning automakers could be left with one set of rules for a quarter of the country and another set for the remaining states unless the Trump administration and California can come to an agreement. Congress gave California the right to set its own standards

California has vowed to fight any attempt to revoke its right to set its own mileage rules in court. The state has reached an agreement with Ford Motor Co. and three other automakers to voluntarily increase the average fuel economy of their fleets from 2021 levels by 3.7% per year, reaching an average of nearly 50 mpg by 2026. The U.S. Department of Justice has launched an antitrust investigation into that agreement.

General Motors Co., Fiat Chrysler Automobiles NV and other automakers have faced pressure from Democratic lawmakers to join the voluntarily agreement with California.

Ford said in a statement: "We have consistently said that the best path forward is a negotiated settlement that offers a workable compromise. We need regulatory certainty, not litigation."

Democrats have decried both the effort to roll back the Obama-era mpg rules and take California's right to set its own gas mileage rules.

"Donald Trump continues his relentless effort to roll back the hard-fought progress we made in the Obama-Biden Administration," former Vice President Joe Biden, who is running for the 2020 Democratic presidential nominated, tweeted Wednesday. "Higher auto emission standards make the air we all breathe cleaner, keep us healthier—and keep our auto industry competitive in the global marketplace."

Trump has defended his move to revoke California's mpg rules as an effort to protect car buyers from higher prices for new cars, although there is little evidence to support the claim that his proposal to roll back the Obama-era mpg rules will lower sticker prices.

"The Trump Administration is revoking California's Federal Waiver on emissions in order to produce far less expensive cars for the consumer, while at the same time making the cars substantially SAFER," Trump tweeted Wednesday.

"This will lead to more production because of this pricing and safety advantage, and also due to the fact that older, highly polluting cars, will be replaced by new, extremely environmentally friendly cars," the president continued on Twitter. "

"There will be very little difference in emissions between the California Standard and the new U.S. Standard, but the cars will be far safer and much less expensive," Trump concluded. "Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS! Automakers should seize this opportunity because without this alternative to California, you will be out of business."

E&E News
https://www.eenews.net/greenwire/2019/09/19/stories/1061139351

Trump officials defend plan to revoke Calif. Waiver

By Timothy Cama
September 19, 2019

Senior Trump administration officials today defended their decision to block California's plans to enforce greenhouse gas emissions standards for cars, saying they run afoul of the law and would stop the benefits that rolling back federal car rules would bring.

Dubbing their decision the "One National Program Rule," the leaders of the Department of Transportation and EPA said California — which is striving to enforce tougher emissions limits for cars sold within its borders and those of 13 states that choose to follow its rules — stands in the way of nationwide consistency for car manufacturers and consumers.

At a news conference this morning at EPA headquarters, accompanied by representatives of supportive groups, EPA head Andrew Wheeler and Transportation Secretary Elaine Chao announced they will seek to stop California from enforcing its emissions rules and its mandate that automakers sell certain numbers of zero-emission vehicles, or ZEVs, in the affected states. It does not affect other California programs that require EPA waivers, like its low-emissions vehicle mandate.

The decision, first announced yesterday by President Trump via tweet, immediately escalates an ongoing feud with California leaders, who have already pledged to sue the administration over its action (*Greenwire*, Sept. 18).

It also presages the agencies' coming action to roll back federal fuel efficiency and greenhouse gas emissions standards, which California threatened to complicate. The Trump administration proposed the rollback, dubbed the Safer Affordable Fuel Efficient Vehicles rule, last year, saying it wanted to freeze standards in 2021 and cancel the planned increases in stringency through 2026.

Chao and Wheeler accused California of trying to set national car standards, which is something only the federal government can do. California, the 13 other states and Washington, D.C., make up more than 40% of the national vehicle market, so they have considerable sway over how cars are made.

"No state has the authority to opt out of the nation's rules, and no state has a right to impose its policies on everybody else in our whole country. To do otherwise harms consumers and damages the American economy," Chao said.

"We embrace federalism and the role of states. But federalism does not mean that one state can dictate standards for the entire country," said Wheeler.

He said eliminating California's power to set its rules "will provide much-needed certainty to the automotive industry, and it sets the stage for President Trump's ultimate objective: a final SAFE rule that will save lives and strengthen the economy by reducing the price of new vehicles and helping more Americans purchase newer, cleaner and safer cars and trucks."

Wheeler said the rollback "is good for public safety, good for the economy and good for the environment," citing disputed findings and arguments, such as that it would increase sales of new vehicles, getting cleaner and safer cars on the road faster.

Neither Chao nor Wheeler repeated Trump's claims that he has made in numerous recent political rallies that new cars are too lightweight to be safe and that the new rule would make them heavier and safer.

Hurdles ahead

California officials, led by Attorney General Xavier Becerra (D) and Gov. Gavin Newsom (D), have already pledged to fight Trump's action in court (*E&E News PM*, Sept. 18).

Congressional Democrats are also plotting strategies to fight the administration's action against California (*E&E Daily*, Sept. 19).

Trump and California officials have clashed repeatedly over matters ranging from health care to immigration. Just last night, Trump said EPA would punish San Francisco, alleging that its homeless population is violating water pollution rules (*see related story*).

Trump has been particularly angry at California since the July announcement that four automakers agreed with state regulators to follow stronger emissions rules than what EPA and DOT will make final soon. The federal agencies told California the deal is illegal, and the Department of Justice is investigating it for potential violations of antitrust law.

Environmental groups are expected to join the Golden State in suing over the revocation.

Groups representing automakers have generally been in favor of relaxing the Obama administration standards, but not to the degree the Trump administration proposed. They have also tried to avoid protracted litigation over the matter, or to have a divided vehicle market.

Gloria Bergquist, spokeswoman for the Alliance of Automobile Manufacturers, attended today's event but said it was not necessarily a sign of support.

"We are waiting to see what the final rule looks like and look at all of this together about where we stand," she told E&E News, referring to the final rollback action.

"We have seen in the news that California seems to be suggesting that they're going to be pursuing litigation," she said. "So now this is what we didn't want to happen, this uncertainty. But now we're here, so we're eager to have this all resolved."

Officials had proposed revoking California's waiver as part of the larger rollback. But finalizing the issues separately reflects a desire to have the courts consider them as two different actions.

"This rule will be separable, will be able to challenged in court on its own if California so chooses. And we can accelerate the timetable for getting a definitive final judgment from the courts," said Steven Bradbury, DOT's deputy secretary and general counsel.

"Once we get those final determinations in court on these focused legal issues, we'll get that certainty for the auto sector and for the entire nation."

California and its allies have argued that the Clean Air Act, under which the Obama administration granted California's waiver in 2013, does not give EPA authority to revoke a waiver.

But EPA General Counsel Matt Leopold said that interpretation is wrong and the courts will agree.
"We have inherent authority to revisit our prior decisions, particularly if they violate the law," he said.

The Trump administration's action relies in part on the Energy Policy and Conservation Act, the law that gives DOT's National Highway Traffic Safety Administration the power to regulate fuel efficiency. It also prevents states from enforcing their own fuel efficiency standards.

"EPCA expressly provides that the federal government regulates fuel economy, not the states. Since there's a direct, scientific link between a car's greenhouse gas emissions and its fuel economy, DOT is determining that EPCA preempts state GHG and zero-emission vehicle programs," Wheeler said.

Furthermore, EPA is officially determining that California lacks the "compelling and extraordinary conditions" that are required under the Clean Air Act for a waiver, he said.

"California cars have no closer link to California climate impacts than do cars on the road in Japan or anywhere else in the world. And California's climate impacts are not extraordinarily distinct from those in other states," Wheeler explained.

Conservative activists, meanwhile, are squarely in Trump's corner.

"While there are some who would rather have those decisions made by bureaucrats in California, we believe that workers, consumers and families can and should be trusted to make decisions that affect their lives," said Tom Pyle, president of the American Energy Alliance.

"The administration's efforts to reform this ill-conceived and wickedly regressive mandate will save consumers money, preserve their choices, and ensure that the federal government, and not California, sets national fuel efficiency policy," he said.

Fox Business News
https://www.foxbusiness.com/industrials/trump-blocks-california-fuel-economy-standards-auto
Trump administration moves to block California fuel economy standards
By Paul Conner
September 19, 2019

The Trump administration announced regulations to withdraw California's waiver to set fuel economy standards.

The withdrawal is a response to California sidestepping the Environmental Protection Agency by agreeing to stricter gas mileage and carbon emissions standards with four top automakers. Ford, Honda, BMW and Volkswagen were part of the July agreement.

"Federalism does not mean one state can dictate standards for the entire country," EPA Administrator Andrew Wheeler said Thursday.

No state may opt out of federal fuel standards, or set its own standard, Wheeler said.

California's rules would require light-duty model year 2026 vehicles from the four automakers to hit a minimum of 50 miles per gallon. Trump wants the current standard of 37 miles per gallon to continue until 2026 without rising.

“We will not let political agendas in a single state be forced on the other 49,” Secretary of Transportation Elaine Chao said.

Global Automakers said Wednesday it would review Trump administration plans for fuel economy standards.

"A balanced fuel economy regulation is critical for the health of the U.S. auto industry," Global Automakers said in a statement. "Throughout the rulemaking process, Global Automakers has called for a unified national standard that continues the industry's significant progress in improving motor vehicle fuel economy, and that rewards investments in next-generation fuel-savings technologies. We look forward to seeing the subsequent rule-setting standards for model years 2021 through 2026 when they are finalized."

Wheeler said the standards will keep car prices from rising due to the cost of expensive batteries, and make cars safer.

Fox News
https://www.foxnews.com/politics/trump-admin-moves-toward-national-fuel-economy-standard-prepares-for-legal-battle-with-california

Trump administration moves toward national fuel economy standard, prepares for legal battle with California

By Ronn Blitzer
September 19, 2019

Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced Thursday a "One National Program Rule," paving the way for the federal government to set national uniform standards for fuel economy and greenhouse gas emissions for cars and light-duty trucks — in a move to block California's current requirements.

The Trump administration claims the national standard would give Americans access to vehicles that are less expensive, safer and cleaner. The administration also says it will result in millions of new car sales, boosting the U.S. auto manufacturing industry. The "One National Program Rule" aims to prohibit states from imposing their own stricter standards, as California has done, and the administration challenged the Golden State's ability to do so.

"Today's action meets President Trump's commitment to establish uniform fuel economy standards for vehicles across the United States, ensuring that no State has the authority to opt out of the Nation's rules, and no state has the right to impose its policies on the rest of the country," Chao said.

California's authority to set its own emissions standards, which are tougher than the federal government's, goes back to a waiver issued by Congress during passage of the Clean Air Act in 1970. The state has long pushed automakers to adopt more fuel-efficient passenger vehicles that emit less pollution. A dozen states and the District of Columbia also follow California's fuel economy standards.

The Trump administration decision revokes that waiver, touching off what is sure to be another high-profile legal fight with California.

In anticipation of the move, California Attorney General Xavier Becerra said Tuesday that the administration's action will hurt both U.S. automakers and American families. He said California would fight the administration in federal court.

"You have no basis and no authority to pull this waiver," Becerra, a Democrat, said in a statement, referring to Trump. "We're ready to fight for a future that you seem unable to comprehend."

EPA General Counsel Matt Leopold said Thursday, "We're ready to defend our interpretation of the waiver withdraw." He said they are confident that the administration would succeed.

The move comes after the Justice Department recently opened an antitrust investigation into a deal between California and four automakers for tougher pollution and related mileage requirements than those sought by Trump.

Wheeler said Thursday that the administration has asked California for the legal authority for their agreement. He also took a shot at California's environmental woes, claiming that the state has "the worst air quality in the United States," and that they should put their efforts into solving that problem.

"We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country," Wheeler said.

The Guardian
https://www.theguardian.com/us-news/2019/sep/19/california-trump-vehicle-emissions-standards-cars

California vows fightback after Trump voids state's right to set emissions rules

By Edward Helmore
September 19, 2019

The Trump administration has formally moved to revoke California's authority to set its own vehicle emissions standards, in a decision certain to provoke a significant legal challenge.

In a statement, the Environmental Protection Agency administrator, Andrew Wheeler, said the decision ensures nationwide rules that provide "much-needed regulatory certainty for the automotive industry" and "promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks".

The announcement was made with the transportation secretary, Elaine Chao, who said the decision ensures "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country".

The move, widely opposed by critics including the former two-term state governor Arnold Schwarzenegger, represents a wider effort to restrict California's plans to reshape the mix of vehicles on its roads. It comes before an expected decision to roll back fuel-efficiency standards set under Barack Obama.

"See you in court," California's governor, Gavin Newsom, tweeted soon after the announcement.

Newsom and other state leaders condemned the president's latest moves. He, California's attorney general, Xavier Becerra, and Mary Nichols, the state's top clean air regulator, described the move as part of a "political vendetta".

Trump criticized California as he returned to Washington from a two-day fundraising visit, blaming the state's "liberal establishment" for a surge in homelessness.

"It's a terrible situation that's in Los Angeles and in San Francisco," Trump told reporters. "They have to clean it up. We can't have our cities going to hell."

The San Francisco mayor, London Breed, called Trump's remarks "ridiculous".

Breed said the city was combating a homelessness crisis by adding 1,000 beds to shelters, and wants to pass a $600m bond to build affordable housing and increase services for people with addiction and mental illness.

On Tuesday, Newsom and the mayors of California's 13 largest cities sent Trump a letter asking his administration to provide more aid to tackle the problem, including an additional 50,000 housing vouchers for poor Californians.

The housing secretary, Ben Carson, responded by saying California's policies on law enforcement, an overregulated housing market and sanctuary cities had driven up housing costs while increasing demand.

Carson wrote: "Your letter seeks more federal dollars for California from hard-working American taxpayers but fails to admit that your state and local policies have played a major role in creating the current crisis."

Carson's comments came after he toured Los Angeles's Skid Row, the centre of a crisis that numbers 60,000 homeless people in Los Angeles county alone.

The Los Angeles County board of supervisors said it planned to join an effort to petition the supreme court to review a decision that restricts efforts to prevent homeless people from sleeping rough in western states.

"The status quo is untenable," said county supervisor Mark Ridley-Thomas. "We need to call this what it is: a state of emergency."

The Hill
https://thehill.com/policy/energy-environment/462142-trump-administration-officially-revokes-california-tailpipe

Trump administration officially revokes California tailpipe emissions waiver
By Chris Mills Rodrigo
September 19, 2019

The Trump administration on Thursday officially revoked California's tailpipe waiver under the Clean Air Act, a decision likely to face quick legal challenges.

The Department of Transportation and Environmental Protection Agency (EPA) unveiled the "One National Program Rule," giving the federal government sole authority to set emission standards for cars.

The rule is part of the administration's Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule, a draft of which was submitted to the White House in August.

The second part of the rule will include a final decision over what fuel efficiency levels to set emissions at starting in 2025.

Revoking California's waiver will also affect 13 other states that adopt California's tougher emissions standards.

"One national standard provides much-needed regulatory certainty for the automotive industry and sets the stage for the Trump Administration's final SAFE rule that will save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks," EPA Administrator Andrew Wheeler said in a statement.

President Trump on Wednesday tweeted that the waiver would be revoked while he was fundraising in California.

California Attorney General Xavier Becerra (D) has threatened to sue the administration if it moved to revoke the state's waiver. The state has relied on the waiver process to set their own tougher emissions standards for about 50 years.

"There's no question, of course, that we will be in court," California Air Resources Board Chairwoman Mary Nichols said in a press conference Wednesday.

"This is the fight of a lifetime. We have to win this," she added.

California sees the waiver as an important states' rights battle. The state says tougher emissions standards are necessary to fight climate change and reduce air pollution.

Inside Climate News
https://insideclimatenews.org/news/18092019/trump-auto-standards-rollback-california-waiver-electric-vehicles-climate-change

Trump Strips California's Right to Set Tougher Auto Standards

By Marianne Lavelle
September 19, 2019

President Donald Trump's administration on Thursday stripped California of its authority to enact the nation's toughest auto pollution standards, setting the stage for an epic legal battle that could squelch the nascent U.S. market for petroleum-free vehicles at a critical time.

The long-anticipated move, which Trump himself touted on Twitter just days before a United Nations summit on climate change, could prove to be his administration's most consequential policy retreat from efforts to rein in greenhouse gas emissions. When coupled with the administration's planned freeze on fuel-economy improvements, it will negate one of the largest steps that any nation has made to cut carbon emissions.

Trump's Transportation Department and Environmental Protection Agency called the California action the "One National Program Rule," but that is a misnomer. On greenhouse gases, there has been one national program, which the Trump administration is now trying to weaken and California is seeking to retain.

California has led the nation in a slow, but steady move toward electric vehicles—a turnover that experts believe is essential for gaining control of rising U.S. carbon emissions from transportation. Nine other states have adopted its rules requiring automakers to sell a certain number of electric cars and trucks, based on each manufacturer's overall in-state sales.

But California and those other states now lose the power to enforce those zero-emissions vehicle requirements—at least temporarily.

Auto industry experts and analysts expect the uncertainty that would create would dampen the market for zero-emissions vehicles.

Improvements in U.S. fuel economy so far have not been sufficient to curb carbon emissions from transportation, which grew 1.2 percent in 2017 even as the nation's overall carbon emissions fell 0.5 percent, according to the latest figures from the Environmental Protection Agency.

As long as more consumers are driving more miles each year, only electric and other zero-emissions vehicles can reverse the trend that has made transportation the largest source of U.S. greenhouse gas emissions.

"You can't get serious about climate change unless you get serious about vehicle emissions," California Gov. Gavin Newsom said Wednesday at a news conference in Sacramento. "This is such a pivotal moment in the climate change debate, not just for California, but for our leadership around the world. It is a legacy moment."

Newsom vowed to fight the Trump administration's move in court. "We will prevail," he said. "It may take years, more uncertainty and more anxiety."

In August, four automakers, comprising 30 percent of the market, struck a deal with California to voluntarily implement annual fuel economy improvements across their fleets if the federal rules were weakened.

Under that agreement, made in anticipation of Trump's action, Ford, Honda, BMW and Volkswagen would continue to improve gas mileage—although at a slower rate than under the Obama administration's rules. The deal, which served to isolate the Trump administration in its battle with California, reportedly enraged the president. And although California has continued talks with the remaining automakers, the Trump Justice

Department has been using the threat of antitrust enforcement to dissuade automakers from cooperating with the state, Newsom said.

"The innovation genie is out of the bottle," the governor said. "Every single one of these companies knows where the country is going, and where the world is going ... and that's the elimination of the internal combustion engine."

A Long History of Waivers for California

California's role as a leader in the nation's air pollution laws dates back to the beginnings of federal environmental law in the late 1960s.

When Congress got around to creating a program to control air pollution, it sought not to disrupt the steps that already had been taken by California to deal with its legendary urban smog. Congress gave California authority to set its own standards, and gave other states the option of following California's program.

But each time California sets a new, tougher air standard, it must receive a "waiver" from the federal government, certifying that the standard is at least as protective as the federal standard, that it is not arbitrary and capricious, and that the state has a compelling need to act. Over the years, California has received hundreds of such waivers. As a result, it has led the nation in control of carbon monoxide, smog-forming pollutants and other tailpipe emissions.

The waiver that Trump revoked was granted by President Barack Obama and governed California's authority to control greenhouse gas emissions from vehicles. Obama then brought federal rules in line with California's standards in a landmark deal negotiated with the U.S. automakers as part of the $80.7 billion bailout of their industry in 2009.

Soon after Trump won the 2016 election, automakers sent him a letter asking him for additional flexibility under the fuel economy and greenhouse gas rules. Even though they are making large investments in electric cars, automakers' most profitable vehicles are still the gas-guzzling SUVs and pickup trucks that are making up an increasing portion of their sales in the United States.

But Trump went even farther. The carmakers did not want a legal battle with California, and they have pleaded for the Trump administration to reach a deal with the state.

A Claim About Jobs, and an Analysis

In his tweet effectively rejecting that plea, Trump asserted that the revocation of California's waiver will result in less expensive and safer vehicles. "Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS!" Trump tweeted.

But last year, the Trump administration's own analysis of its proposed rollback projected that it would result in 50,000 to 60,000 fewer jobs.

"For over 50 years, California has played a leadership role in advancing vehicle standards and air quality policies that created a market for clean vehicle technologies," the Manufacturers of Emissions Controls Association wrote in a plea it filed with the Environmental Protection Agency to retain the California standard.

The association said more than 300,000 people at more than 1,200 facilities across North America are employed in design and manufacture of emissions control and efficiency technology. "The Clean Air Act viewed California as a laboratory for innovative policies that drive early technology introduction," it said.

Nearly Half EV Growth Was in California

California's impact on the market is clear in the sales figures for electric vehicles.

New registrations of EVs in the United States more than doubled in 2018 to 208,000, with nearly 46 percent of that growth occurring in California. An additional 13 percent were in the nine states that have adopted that state's zero-emissions rules, according to the consulting firm IHS Markit.

EVs are on track to grow from 2 percent of the total U.S auto fleet in 2020 to more than 7 percent by 2025, IHS Markit said in April. But the consulting firm added, "The greatest headwind for EV sales in the U.S. may soon be any elimination or delay to California's Zero Emission Vehicles (ZEV) mandate by the federal government."

"Simply put, the California Waiver has enabled greater EV penetration in markets nationwide," said ChargePoint, the world's largest EV charging network, in comments it filed with the federal government last year. Revoking the California waiver would "stifle EV markets across the country at a time of rapid growth," ChargePoint said.

Groups from the ideological right and supporters of the fossil fuel industry have been urging the Trump administration to withdraw California's authority.

Grover Norquist's Americans for Tax Reform urged the administration to "[restore] proper federalism by removing California's ability to dictate national policy." The fossil fuel industry-supported American Energy Alliance said, "Consumers, not unelected bureaucrats in Sacramento, should decide what cars they want to buy."

The Trump Administration's Argument

The Trump administration unveiled its proposal to roll back fuel economy standards last year. In that notice, it signaled it plans to make the legal argument that the greenhouse gas emissions standards are, in effect, fuel economy standards—and that Congress prohibited states from setting their own fuel economy standards when it established a national auto efficiency program in 1975.

Two federal courts—in Vermont and in California—rejected that argument when President George W. Bush's administration tried to deny California authority to set its own greenhouse gas emissions standards in 2007. That same year, the U.S. Supreme Court rejected the same notion when it decided that carbon dioxide is a pollutant under the meaning of the Clean Air Act.

"Sure it's true that one of the ways you limit greenhouse gas emissions is by improving fuel economy. But that doesn't turn those standards into fuel economy standards," said Jack Lienke, regulatory policy director at New York University's Institute for Policy Integrity. "Their purpose is to limit pollution and protect health."

The Environmental Protection Agency and the Department of Transportation are expected to finalize the weakening of federal fuel economy standards later this year, but it decided to act on the California waiver first.

It is not yet clear how the Trump administration's plan would affect global warming emissions. The Obama administration's rules were designed to cut more than 6,000 million metric tons of greenhouse gases—more than one year's worth of total U.S. emissions—over the lifetime of vehicles sold from model years 2011 to 2025. The Obama administration had estimated that the fuel economy standards would account for 8 percent of the cuts needed to meet the U.S. pledge under the Paris climate accord.

NBC News
https://www.nbcnews.com/business/autos/trump-s-new-fuel-economy-rules-won-t-lead-cleaner-n1056426
By Paul Eisenstein
September 19, 2019

Trump's new fuel economy rules won't lead to "cleaner and safer" cars, say industry experts
The Trump administration formally announced plans Thursday to strip away the waiver that had allowed California to set its own fuel economy mandates, while also confirming that a rollback of federal mileage rules will be revealed in the coming weeks.

Echoing the words of President Donald Trump, two senior White House officials said the moves would make tomorrow's cars cleaner and safer, while also creating more U.S. jobs.

As for the battery-electric vehicles the Obama-era rules would have encouraged, Andrew Wheeler, the administrator of the Environmental Protection Agency, dismissed them as little more than toys for the rich being subsidized by less affluent American motorists.

While Wheeler said he hopes the administration's moves will gain widespread support, that seems questionable. Several major automakers have already laid out plans to expand production of electric vehicles and other high-mileage models, despite Trump's rollback, and 14 states plus the District of Columbia have adopted the tougher California standards.

The EPA chief stressed that the move to block California from setting greenhouse gas standards will not impact its ability to regulate other pollutants, such as ozone, adding that, "We hope the state will focus on these issues rather than trying to set fuel economy standards for the rest of the country."

The elimination of California's ability to regulate CO2 and other greenhouse gases was announced first, administration officials acknowledged, in order to make it easier to defend against the anticipated legal challenges.

On Wednesday, during a news conference in Sacramento, California's Attorney General Xavier Becerra made it clear the state will not readily accept losing its emissions waiver. "For us, this is about survival," said Becerra. "Our communities are screaming for help to address the climate crisis. Unlike the Trump administration, we don't run scared. We're prepared to lead. We're prepared to fight. We'll do what we must."

The administration will announce the second part of the mileage rules change in a matter of weeks, explained Department of Transportation Secretary Elaine Chao, who appeared with Wheeler in Washington Thursday morning. Both the EPA and the DOT are jointly charged with regulating CAFE, the Corporate Average Fuel Economy regulations.

"The updated standards will be reasonable," said Chao, indicating they likely will not be rolled back as much as the administration had first suggested during a news conference late last year.
What will be called the SAFE Vehicle mandate is expected to put substantially less pressure on automakers to switch away from conventional, gas-powered vehicles. "The rule will not force automakers to spend billions of dollars to build cars that American consumers do not want to buy or drive," said Chao.

Wheeler was even blunter, pointing to what he claimed was an average $12,000 premium for battery-electric vehicles, a price penalty partially offset by taxpayer-funded incentives. More than half of the subsidies have been going to motorists making over $100,000 annually, the EPA chief said.

Meanwhile, automakers are funding development of the new technology by raising new vehicle prices to a record $39,000 average during the first quarter of 2019, Wheeler said, meaning "Americans are paying more for SUVs and trucks so automakers can sell cheaper electric vehicles"

Both Chao and Wheeler echoed comments President Trump made in a series of Wednesday tweets declaring revised rules would make vehicles "substantially SAFER," while also "meaning significantly more JOBS, JOBS, JOBS!"

The administration's logic is that conventional vehicles will cost less, encouraging more motorists to trade in on newer models with the latest safety and emissions equipment.

But whether that actually will play out is uncertain. For one thing, automakers operate on a global scale and battery cars are being mandated in much of the rest of the world. It actually makes more sense to also bring them to market in the U.S., moving forward, experts stressed.

One reason the industry may not back down on EV plans, several insiders told NBC News, is that the business requires long-term planning. With a presidential election coming in barely 14 months, and the re-election chances of the current president far from certain, automakers realize a new, Democratic administration could reenact tough mileage rules. That said, there is general support for adopting a single mileage standard. But even there, industry officials caution, they need to see if the move to strip California's waiver will stand up to a court challenge.

Politico
https://subscriber.politicopro.com/article/2019/09/wheeler-chao-to-california-stay-in-your-own-lane-3859061
Wheeler, Chao to California: Stay in your own lane
By Alex Guillen
September 19, 2019

Trump administration officials today said California should stay in its own lane when it comes to vehicle emissions and focus instead on reducing tailpipe pollution that creates the state's unique smog problem.

Revoking the state's greenhouse gas waiver "will not affect California's ability to refocus its efforts on fighting the worst air pollution in the country and comply with existing regulations," Transportation Secretary Elaine Chao said at a press conference.

President Donald Trump set off a battle with California on Wednesday, saying he was revoking its power to enforce more stringent limits on vehicle carbon pollution than the federal government.

EPA Administrator Andrew Wheeler told reporters that Congress had intended for California to use Clean Air Act waivers to combat particulate matter, nitrogen oxides and other pollutants that have plagued California both because of the number of cars in the state and because of unique geographic features that worsen its air quality.

But unlike smog, carbon dioxide emitted from cars in California contributes to climate change as much as cars driven anywhere else in the world, Wheeler noted.

"It makes sense that Congress carved out waiver authority for California to address its unique local problems," Wheeler said. "It does not make sense to try to use that authority to address national and global issues like greenhouse gas emissions."

Reuters
https://www.cnbc.com/2019/09/19/reuters-america-update-1-trump-administration-bars-california-from-requiring-cleaner-cars.html

Trump administration bars California from requiring cleaner cars

By David Shepardson
September 19, 2019

The Trump administration said on Thursday it is revoking California's authority to set its own auto tailpipe emissions standards and to require some zero-emission vehicles - a decision that will spark a massive legal battle over the future of U.S. vehicles and the most populous state's regulatory role.

Environmental Protection Agency (EPA) Administrator Andrew Wheeler said in a statement the decision will ensure nationwide rules that provide "much-needed regulatory certainty for the automotive industry." Currently, California's more stringent vehicle emissions rules are also followed by a dozen other states that account for than 40% of U.S. vehicle sales.

Transportation Secretary Elaine Chao said in a statement the decision ensures "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country."

Revocation of California's ability to set its own standards is part of a multipronged battle by the Trump administration to counter the state's efforts to reshape the mix of vehicles driven by Americans. The administration also plans to finalize in coming months a separate rule that would roll back fuel-efficiency standards set under preceding President Barack Obama.

The Obama-era rules called for a fleetwide fuel efficiency average of 46.7 miles (75 kilometers) per gallon by 2025, with average annual increases of about 5%, compared with 37 mpg by 2026 under the Trump administration's preferred option to freeze requirements.

In a joint statement with the EPA, the Department of Transportation's National Highway Traffic Safety Administration said it is affirming that federal law preempts state and local regulation of vehicle fuel economy.

Meanwhile the EPA said in the statement it is withdrawing the Clean Air Act waiver granted to California in January 2013 for its tailpipe greenhouse gas emissions and zero emission vehicle regulations.

Reuters reported Wednesday the agencies will cite the California's voluntary agreement with four automakers reached in July in its rationale to revoke the waiver.

Trump on Wednesday characterized the planned step as a win for consumers, saying vehicles would be less expensive and safer under federal requirements.

Officials in California rejected those claims and vowed to fight any attempt by the federal government to restrict the state's ability to set its own standards on vehicle emissions and electric cars.

Calling it a "political vendetta," California Governor Gavin Newsom, California Attorney General Xavier Becerra and Mary Nichols, the state's top clean air regulator, said Trump's action would compromise public health and leave the U.S. auto industry behind in the global race to build electric vehicles.

Automakers are caught in the middle.

While worried that California's electric vehicle mandates will be costly, global automakers have little choice but to develop battery electric cars and trucks because Europe and China are pushing ahead with rules requiring them.

The Alliance of Automobile Manufacturers, a trade group representing General Motors Co, Toyota Motor Corp , Volkswagen AG, Ford Motor Co and others, declined on Wednesday to take a position on Trump's revocation of California's waiver.

Sacramento Bee
https://www.sacbee.com/news/politics-government/capitol-alert/article235248672.html
EPA hopes to accelerate legal clash with California over clean car standards
By Emily Cadei
September 19, 2019

Trump administration officials expect their move this week to revoke California's unique authority to restrict car pollution will speed up an impending legal clash which could potentially allow them to defend the policy in federal court during President Donald Trump's first term.

"This rule will be able to be challenged in court on its own and we can accelerate the timetable for getting a definitive final judgment from the courts," Department of Transportation General Counsel Stephen Bradbury said at a press conference on Thursday.

The timing is critical, given the looming presidential election. Should a Democrat defeat Trump in 2020, they would undoubtedly drop the challenge against California.

California's Democratic leaders have already promised to sue to protect their waiver authority, granted under the Clean Air Act of 1970. Thirteen other states and the District of Columbia have followed California's lead in setting emissions standards that are stricter than federal government requirements. In 2012, those states reached a deal with the Obama administration to set new, stricter national standards through 2025.

The Trump administration is in the process of rewriting those regulations now, but the release of that new rule, initially expected this summer, has been delayed.

Administration officials are now portraying the move against California as the first step in that broader effort to roll back the Obama-era standards, which Transportation Secretary Elaine Chao argued would "force automakers to spend billions of dollars developing cars that consumers do not want to buy or drive."

"It's time to put California's waiver back in its box, a box that Congress always intended it to stay in," Environmental Protection Agency Administrator Andrew Wheeler said at the press event in Washington.

He added that the "action finally clears the way for our final SAFE rule," as the proposed Trump regulation has been labeled.

"Our goal from the beginning was a 50-state solution," Wheeler said.

Gov. Gavin Newsom responded preemptively in a prepared statement Wednesday, saying "California won't ever wait for permission from Washington to protect the health and safety of children and families."

"We will fight this latest attempt and defend our clean car standards," Newsom promised.

In California alone, vehicle pollution represents 40 percent of the greenhouse gases emitted, the state says.

Wheeler and Chao argued California should focus on other efforts to rein in pollution, slamming the state for having the worst air quality in the country.

"We hope that the state will focus on these issues rather than trying to set fuel economy standards," Wheeler said.

San Francisco Chronicle
https://www.sfchronicle.com/politics/article/Trump-officials-slam-California-air-rescind-14452049.php
Trump officials slam California air, rescind state's authority on emissions
By Tal Kopan
September 19, 2019

Trump administration officials attacked California's air quality Thursday as they announced the revocation of the state's authority to set its own auto emissions standards, saying the state should focus on its own problems instead of the rest of the nation.

"California has the worst air quality in the United States," Environmental Protection Agency Administrator Andrew Wheeler said at a news conference. "We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country."

Wheeler drew a distinction between smog and greenhouse gases, saying California was trying to form national policies on climate change and that its authority to set its own standards was limited to dealing with its air pollution.

The announcement capped a long rollout of the administration's attempt to curtail California's nearly 50-year-old waiver under the Clean Air Act allowing it to set stricter emissions standards than those imposed by the federal government. California has promised to fight the move in court.

Wheeler and Transportation Secretary Elaine Chao announced the move a day after President Trump tweeted it was coming.

California officials relied on the waiver to reach a deal with four automakers on emissions under which they will increase 2026 fuel economy standards to closely match those set under former President Barack Obama. Trump is trying to repeal those standards as well, saying they will make new cars too expensive and prompt people to keep their old, less safe vehicles longer, making the roads more dangerous.

Gov. Gavin Newsom said Wednesday that the attempt to repeal California's waiver was motivated by the administration's battles with the state on several front. "That's the perversion of this moment: pure politics," he said.

The rule change will take effect 60 days from when it is published, expected this week.

The EPA argues that the Energy Policy and Conservation Act preempts the states on fuel economy standards and that there are no "extraordinary and compelling" conditions justifying California's actions.
Wheeler argued that while California deserves its waiver authority to deal with smog — and will keep that ability — greenhouse gases are different, and thus the issue of fuel economy standards is separate.

"California cars have no closer link to California climate impacts than do cars on the road in Japan or anywhere else in the world, and California's climate impacts are not extraordinarily distinct from those felt in other states in the same way that its smog impacts are," Wheeler said.

Chao said the new regulation "will ensure that there is one — and only one — set of national fuel economy standards as Congress mandated and intended."

Thirteen other states follow California's emission standards, and automakers have expressed concern about having to deal with two different sets of rules that would essentially split the nation's car market in two. "No state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on everybody else in the country," she said. "To do otherwise harms consumers and damages the American economy."

SF Gate
https://www.sfgate.com/news/bayarea/article/Trump-Administration-Revokes-California-s-Auto-14452427.php
Trump Administration Revokes California's Auto Emissions Standards Waiver
September 19, 2019

U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao officially announced Thursday that they are revoking California's authority to set strict auto emission standards.

The administration's intention to take that step was announced by President Donald Trump on Wednesday in a tweet.

California Gov. Gavin Newsom and Attorney General Xavier Becerra said Wednesday they plan to sue to protect the state's right to set limits on tailpipe air pollution that are stricter than federal limits.

The U.S. Clean Air Act of 1970 gives California the right to obtain a waiver from the EPA to set stricter standards and allows other states to choose to follow California's lead. Thirteen states have done so.

Wheeler and Chao said the administration will now set a single national rule for auto fuel economy and greenhouse gas emissions.

Chao said in a statement that the federal action will ensure that "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country."

Wall Street Journal
https://www.wsj.com/articles/trump-administration-issues-looser-emissions-standard-11568902413
Trump Administration Takes Step Toward Loosening Vehicle Emissions Standard
By Katy Stech Ferek
September 19, 2019

The Trump administration took a step toward loosening emissions rules for vehicles sold in the U.S. by moving to strip California's ability to set its own tougher requirements, which officials said will give drivers access to cheaper, safer cars.

Officials from the Environmental Protection Agency and the Transportation Department said Thursday they issued a final action on a rule that will unify the country's fuel-economy and greenhouse-gas-emissions standards.

The announcement, which had been previewed by President Trump and other officials earlier in the week, marks another step in easing requirements set under the Obama administration in 2012.

The actions ensure that "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country," said Secretary of Transportation Elaine Chao.

Critics say the administration's moves will hurt air quality and the fight against climate change.

"You created chaos here because the auto makers are not going to know what to do," said Rep. Zoe Lofgren (D., Calif.) at a hearing on Capitol Hill following the announcement. "This is going to be tied up in court for the foreseeable future."

EPA Administrator Andrew Wheeler said that the action will provide certainty for auto makers as they prepare to comply with stronger standards designed to cut air pollution.

"Most auto makers can't comply with the trajectory of the current standards," Mr. Wheeler said at a press conference.

In the press conference, Ms. Chao called the standards set by the Obama administration unattainable and said they made the price of new cars unaffordable for some families.

"The rule will not force auto makers to spend billions of dollars developing cars that consumers do not want to buy or drive," she said.

The 230-page rule released Thursday lays out the legal basis for the Trump administration's power to rescind California's own standard-setting authority as part of its broader effort to lay out fuel-economy standards for new cars and light-duty vehicles made for sale from 2021 to 2026. The federal agency granted that authority in the form of a waiver under the Clean Air Act in January 2013.

California has long had the authority to set its own rules on limiting air pollutants from cars, but the Trump administration believes such requirements should be set by the federal government.

California has already taken legal action to block the White House's efforts to take away its waiver to set its own standards, and top state officials threatened more lawsuits on Wednesday.
Federal officials said they are still working on additional rules that will give auto makers the full scope of requirements and expect to release those details later this year.

Rescinding the California waiver would fulfill a longstanding goal of the administration to curb California's influence over the car industry with its ability to set more stringent emissions rules than federal mandates.

In July, four car companies— Ford Motor Co. , Honda Motor Co. , Volkswagen AG and BMW AG —signed an agreement with California to meet tougher emission requirements than those proposed by the Trump administration.

In previewing the planned action, Mr. Trump tweeted Wednesday: "Auto makers should seize this opportunity because without this alternative to California, you will be out of business."

Wall Street Journal
https://www.wsj.com/articles/california-cant-go-its-own-way-11568847781
Editorial: California Can't Go Its Own Way
Editorial Board
September 19, 2019

If you haven't heard, President Trump has declared war on California, the auto industry and the world's climate. Or that's what liberals are saying about his Administration's plans to revoke California's waiver that lets it set national fuel economy rules that raise costs for consumers across the country.

Mr. Trump trolled California progressives during a visit to the Golden State on Wednesday by tweeting that his Administration would yank California's Clean Air Act waiver. The Environmental Protection Agency last year foreshadowed its plans to do so when it proposed relaxing the Obama -era corporate average fuel economy (Cafe) standards.

The 1970 Clean Air Act prohibits states from regulating tailpipe emissions, but it allows California to request a waiver to "meet compelling and extraordinary conditions." This waiver authority was intended to help California reduce tailpipe pollutants such as NOx and sulphur that contribute to smog. The LA haze in those days could be as thick as San Francisco's fog.

Yet the Obama Administration in 2009 issued California a waiver to regulate greenhouse gas emissions despite the lack of legal or environmental justification. The Energy Policy and Conservation Act pre-empts state regulations of fuel economy, and CO2 emissions don't cause smog. CO2 wasn't even considered a pollutant until the Supreme Court's *Massachusetts v. EPA* (2007) decision.

The Trump Administration now has strong economic, regulatory and constitutional reasons to revoke the waiver. California has used its waiver to impose electric car quotas that will raise costs for consumers across the country. Manufacturing an electric car costs $12,000 more than an equivalent gas-powered vehicle. Despite generous federal and state consumer subsidies, auto makers will probably have to sell EVs below cost in California and raise prices on gas-powered cars everywhere else.

The state's EV mandate doesn't even account for all CO2 emissions since it awards more credit for longer-range batteries, even though they require more energy (and fossil fuels) to manufacture. A Tesla Model S, for instance, receives almost twice as much regulatory credit as a Nissan Leaf. It also provides credit for hydrogen fuel-cell vehicles that derive energy mostly from natural gas. This scheme encourages regulatory arbitrage.

Fair-weather liberal federalists are complaining that the Trump Administration is running over states' rights. Yet the Commerce Clause prohibits states from burdening interstate commerce, and the California rules discriminate against consumers in other states. If California's waiver is allowed to stand, its rules would become the de facto national standard.

Auto makers want regulatory certainty and have urged the Trump Administration to compromise with California to avoid a prolonged legal brawl. But California progressives as usual want it their way or the highway. As Gov. Gavin Newsom declared, "California will prevail because we're leaders in this space."

California intends to sue to enforce its own rules, and the Supreme Court may have an opportunity to consider the case before the end of President Trump's term. If that happens, the Justices might also consider setting guardrails on *Massachusetts v. EPA,* which liberals have invoked to demand climate regulation not authorized by Congress.

Most auto makers are already increasing investment in electric cars to comply with regulations in China and Europe. The Trump Administration isn't prohibiting them from manufacturing more fuel-efficient and electric cars. Liberals call the President a totalitarian, but he's the one giving consumers and businesses a choice.

Washington Examiner
https://www.washingtonexaminer.com/washington-secrets/dot-announces-one-and-only-one-national-fuel-standard-hits-california

DOT, EPA announce 'one, and only one' national fuel standard, hit California

By Paul Bedard
September 19, 2019

The Department of Transportation and Environmental Protection Agency Thursday announced that there will be "one, and only one" national fuel standard, a move made to cut the costs of vehicles and bar California from making stricter standards.

In a release and in a briefing today, the department said, "This action will help ensure that there will be one, and only one, set of national fuel economy and greenhouse gas emission standards for vehicles."

The department, in the release shared in advance with Secrets, also took a shot at California which will lose its waiver to require different fuel standards, a model followed by a dozen other states.

"Moving forward, California must continue to enforce its programs to address smog and other forms of traditional air pollution caused by motor vehicles. The state must redouble its efforts to address the worst air quality in the United States and finally achieve compliance with EPA's National Ambient Air Quality Standards, where for decades it has failed to address serious, severe, and extreme non-compliance status in several areas within the state," it said.

Trump on Wednesday tweeted his plans to shake up the fuel standard rules as part of the proposed Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule.

In reaction, California officials promised legal action and said that their rules are tougher and prevent greater pollution than federal standards.

"You can't get serious about climate change unless you are serious about vehicle emissions," said California Gov. Gavin Newsom. "This is such a pivotal moment in the history of the climate change debate," he added.

The battle between Washington and California is likely to help shape the climate change fight on the 2020 campaign trail. Some polls show that it is a key issue in the eyes of voters.

Automakers have said that they prefer moving to increased mileage requirements because it will keep their vehicles competitive with others worldwide. However, they don't want the standards to be as high as the Obama administration had set.

Still, this year Honda, Ford, BMW, and Volkswagen signed on to the California standards, creating an industry split.

In the release, Transportation Secretary Elaine Chao said the federal government, not a state, has the authority to set national standards.

"Today's action meets President Trump's commitment to establish uniform fuel economy standards for vehicles across the United States, ensuring that no State has the authority to opt out of the nation's rules, and no State has the right to impose its policies on the rest of the country," she said.

She also made a statement shown on the DOT twitter site.

Environmental Protection Agency chief Andrew Wheeler added, "One national standard provides much-needed regulatory certainty for the automotive industry and sets the stage for the Trump Administration's final SAFE rule that will save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks."

Andrea Woods
Deputy Press Secretary
U.S. Environmental Protection Agency
Office of Public Affairs
202-564-2010

Message

From: Block, Molly [block.molly@epa.gov]
Sent: 9/19/2019 7:50:20 PM
To: Dennis, Brady [Brady.Dennis@washpost.com]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: san fran

Adding the press box.

From: Dennis, Brady <Brady.Dennis@washpost.com>
Sent: Thursday, September 19, 2019 3:48 PM
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>
Subject: san fran

I'm sure I'm not the first to inquire whether EPA is actually going to ding San Francisco over needles and homeless-related pollution?

https://www.latimes.com/california/story/2019-09-19/trump-threatens-to-punish-san-francisco-over-filth-needles-pollution

The Washington Post

Brady Dennis
National Reporter
Health, Science & Environment
Work: Ex. 6 Personal Privacy (PP)
Email: brady.dennis@washpost.com
Twitter: @brady_dennis
Stories: http://wapo.st/2sS5gfK

Message

From: Dawn Reeves [dreeves@iwpnews.com]
Sent: 9/19/2019 7:49:15 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: question from a reporter

Thanks.

From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Thursday, September 19, 2019 3:33 PM
To: Dawn Reeves <dreeves@iwpnews.com>
Cc: Press <Press@epa.gov>
Subject: Re: question from a reporter

Hi Dawn,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

On Sep 19, 2019, at 3:32 PM, Dawn Reeves <dreeves@iwpnews.com> wrote:

Hi,
It's Dawn Reeves at Inside EPA. Can you please tell me what action the agency will take regarding the President's tweet about homeless populations in San Francisco polluting the ocean? He told a pool reporter about this yesterday.
Thanks for any info!
Dawn

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/19/2019 1:43:31 PM
To: Nick Visser [nick.visser@huffpost.com]
CC: Press [Press@epa.gov]
Subject: Re: HuffPost inquiry // President Trump on San Francisco and Los Angeles

Hi Nick,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

On Sep 18, 2019, at 10:53 PM, Nick Visser <nick.visser@huffpost.com> wrote:

Hello,

President Trump said this evening that the EPA would soon be giving Los Angeles and San Francisco a "notice very soon" for an environmental violation related to the city's homeless populations, specifically mentioning used needles flowing into the ocean.

Can the EPA provide more context about what violation the agency plans to issue to the two cities, when it would be issued and what kind of enforcement efforts the agency would mandate?

Thank you,

--
Nick Visser
Senior Reporter, HuffPost
Sydney

Message

From: Vickery, Bryce [Vickery.Bryce@epa.gov]
Sent: 9/19/2019 7:00:38 PM
To: Press [Press@epa.gov]
Subject: Whitehouse report 9/19/2019

(Last edit Patty Roth 2:47)

Whitehouse Report 9/19/2019

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/19/2019 6:28:40 PM
To: Freking, Kevin [kfreking@ap.org]
CC: Press [Press@epa.gov]
Subject: Re: Press inquiry regarding EPA statement on San Francisco

Hi Kevin,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

On Sep 19, 2019, at 2:27 PM, Freking, Kevin <kfreking@ap.org> wrote:

I understand the EPA has a statement concerning an issue the president discussed last night on Air Force One. He said that the EPA will soon be issuing a notice to San Francisco stemming from environmental problems related to homelessness. Can we get the statement and information about what specifically San Francisco is in violation of and the potential penalty involved? Thank you.

Kevin Freking
White House Reporter
Associated Press
(w) Ex. 6 Personal Privacy (PP)
(m)
Twitter: @APkfreking

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Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 9/19/2019 12:18:08 PM
To: Press [Press@epa.gov]
Subject: Fwd: Question for tomorrow

Sent from my iPhone

Begin forwarded message:

> **From:** "Ebbs, Stephanie" <Stephanie.Ebbs@abc.com>
> **Date:** September 18, 2019 at 11:14:02 PM EDT
> **To:** "Molly Block" <block.molly@epa.gov>, EPA Mike Abboud <abboud.michael@epa.gov>
> **Subject: Question for tomorrow**
>
> Unrelated to the actual announcement. The president said tonight EPA will be issuing a violation to San Francisco for debris from homeless encampments like used needles flowing into sewers and into the ocean.
>
> Is that true? Do you have any background on what kind of violation that would be and how something like that is measured?
>
> We can talk in the morning but just putting it out there now so I remember
>
> Stephanie Ebbs
> ABC News- Washington
> Ex. 6 Personal Privacy (PP)

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/19/2019 6:24:51 PM
To: PShuler@kqed.org
CC: Press [Press@epa.gov]; Calvino, Maria Soledad [Calvino.Maria@epa.gov]
Subject: Fwd: KQED Request

Hi Peter,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

From: "Calvino, Maria Soledad" <Calvino.Maria@epa.gov>
Date: September 19, 2019 at 2:10:24 PM EDT
To: Peter Jon Shuler <PShuler@KQED.org>
Cc: Press <Press@epa.gov>
Subject: RE: KQED Request

Hi Peter,
Yes, I'm Cc'ing our HQ office here on this email. They will reply to your request.
Thank you,

Soledad Calvino
Press Officer | Office of Public Affairs
U.S. Environmental Protection Agency | Region 9
calvino.maria@epa.gov
Office 415.972.3512 | Mobile Ex. 6 Personal Privacy (PP)

From: Peter Jon Shuler <PShuler@KQED.org>
Sent: Thursday, September 19, 2019 11:04 AM
To: Calvino, Maria Soledad <Calvino.Maria@epa.gov>
Subject: KQED Request

Hi Soledad,

I am trying to arrange an interview or get a statement regarding President Trump's remarks that the EPA will be "putting out a notice" of violations in San Francisco related to the city's homeless problem. He said that a tremendous amount of waste, including needles, goes through storm drains into the ocean:

https://www.sfchronicle.com/bayarea/article/Trump-threatens-to-cite-San-Francisco-says-city-14451275.php

https://www.nytimes.com/2019/09/18/us/politics/trump-san-francisco-homeless.html?action=click&module=Top%20Stories&pgtype=Homepage

I'm not looking for a typical reaction story, but trying to dig into the facts of the matter. Is there any evidence of needles and other hazardous waste flowing into the Bay and Ocean to back up his statements? If the EPA has evidence or data

to back this up, that would be significant news and we would be happy to report it. I believe it's only ethically appropriate to give the EPA an opportunity to provide substance to the President's comments.

But I am interested in reporting facts, not opinions.

Can you help?

Is there someone at the main EPA press office I should be reaching out to?

Please let me know.

Thanks,
Peter

Peter Jon Shuler
Reporter
KQED News
mobile Ex. 6 Personal Privacy (PP)
pshuler@kqed.org
Facebook.com/KQEDnews
Twitter.com/KQEDnews

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/20/2019 7:00:02 PM
To: Press [Press@epa.gov]
Subject: White House Report, 9/20/19

White House Report
Friday, September 20, 2019

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Sent: 9/19/2019 6:24:22 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Press inquiry

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Sep 19, 2019, at 2:08 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Resent-From: <Press@epa.gov>
From: Peter Jon Shuler <PShuler@KQED.org>
Date: September 19, 2019 at 2:07:47 PM EDT
To: Press <Press@epa.gov>
Subject: Press inquiry

Hi,

I am working on a deadline story for today 9/19/19 BEFORE 3pm Pacific/6pm Eastern.

I am trying to arrange an interview or get a statement regarding President Trump's remarks that the EPA will be "putting out a notice" of violations in San Francisco related to the city's homeless problem. He said that a tremendous amount of waste, including needles, goes through storm drains into the ocean:

I'm not looking for a typical reaction story, but trying to dig into the facts of the matter. Is there any evidence of needles and other hazardous waste flowing into the Bay and Ocean to back up his statements?

If the EPA has evidence or data to back this up, that would be significant news and we would be happy to report it. I believe it's only ethically appropriate to give the EPA an opportunity to provide substance to the President's comments.

But I am interested in reporting facts, not opinions.

Can you help?

Please let me know and provide a statement either way.

Peter Jon Shuler
Reporter
KQED News
mobile Ex. 6 Personal Privacy (PP)
pshuler@kqed.org
Facebook.com/KQEDnews
Twitter.com/KQEDnews

Message

From: Jason Green [jason.green@bayareanewsgroup.com]
Sent: 9/19/2019 3:10:44 AM
To: Press [Press@epa.gov]
Subject: Request for comment

Hello,

Tonight, President Donald Trump told reporters the EPA will be "putting out a notice" of violations in San Francisco related to the city's homeless population. The president went on to say that a tremendous amount of waste, including needles, is going through storm drains into the ocean.

The president said, "It's a terrible situation that's in Los Angeles and in San Francisco. And we're going to be giving San Francisco — they're in total violation — we're going to be giving them a notice very soon."

Questions:

1. Will the EPA be issuing a notice, as claimed by the president? If so, when, and what will it entail?
2. Is the president correct in saying a tremendous amount of waste, including needles, is going through storm drains into the oceans?
3. Specifically, what violations have San Francisco and Los Angeles committed?

Best,

--Jason

--
Jason Green Breaking News reporter | Editorial
jason.green@bayareanewsgroup.com
Ex. 6 Personal Privacy (PP) Direct
@JGreenMercNews

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Message

From: Kevin Bogardus [kbogardus@eenews.net]
Sent: 9/19/2019 3:47:39 PM
To: Schiermeyer, Corry [schiermeyer.corry@epa.gov]; PerezSullivan, Margot [PerezSullivan.Margot@epa.gov]; Timothy Cama [tcama@eenews.net]; Press [Press@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]
Subject: RE: President Trump's comments on San Francisco and EPA

Many thanks, Corry. We will note that in the story. Thanks again and talk to you later.

-Kevin

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Sent: Thursday, September 19, 2019 11:13 AM
To: Kevin Bogardus <kbogardus@eenews.net>; PerezSullivan, Margot <PerezSullivan.Margot@epa.gov>; Timothy Cama <tcama@eenews.net>; Press <Press@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>
Subject: RE: President Trump's comments on San Francisco and EPA

Hello Kevin,

"EPA does not comment on potential enforcement actions." – EPA spokesperson

---

From: Kevin Bogardus <kbogardus@eenews.net>
Sent: Thursday, September 19, 2019 10:50 AM
To: PerezSullivan, Margot <PerezSullivan.Margot@epa.gov>; Timothy Cama <tcama@eenews.net>; Press <Press@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>
Subject: President Trump's comments on San Francisco and EPA

Margot, Hi, it's Kevin Bogardus with E&E News. Thank you for taking my call just now. I really appreciate it. Please see below for my original query to EPA Region 9 regarding President Trump's comments on San Francisco and EPA.

Per our conversation on the phone, I will include in my story that an EPA Region 9 spokeswoman said EPA has a longstanding history of not commenting on potential enforcement actions and referred E&E News to the EPA headquarters' press office.

And everyone in the EPA headquarters' press office who is CC'ed on this email, please let me know if you any comment on President Trump's comments on San Francisco and EPA. We will include in our story that Administrator Wheeler said he cannot comment on potential enforcement actions, which he told reporters this morning. Please get back to me as soon as possible. My deadline is noon EST today but the sooner you get back to me, the more it helps my reporting.

Thank you all for your help and talk to you later.

Kevin Bogardus
E&E News Reporter
kbogardus@eenews.net

Ex. 6 Personal Privacy (PP) (p)
(c)
202-737-5299 (f)

Follow me @KevinBogardus

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM, E&ETV

From: Kevin Bogardus
Sent: Thursday, September 19, 2019 10:14 AM
To: Glenn, William <Glenn.William@epa.gov>; Timothy Cama <tcama@eenews.net>
Subject: President Trump's comments on San Francisco and EPA

Bill,

Hi, it's Kevin Bogardus with E&E News.

Myself and my colleague Timothy Cama (who is CC'ed on this email) are working on a story about President Trump saying last night that EPA will give San Francisco a violation notice for "tremendous pollution" going into the ocean (please see below). I had a few questions about this, which are:

- Is EPA Region 9 aware of any forthcoming enforcement action against the City of San Francisco by EPA? If so, what is that action?

Please get back to me as soon as possible. My deadline is noon EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus
E&E News Reporter
kbogardus@eenews.net
Ex. 6 Personal Privacy (PP) (p)
(c)
202-737-5299 (f)

Follow me @KevinBogardus

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P.S. – Here are President Trump's comments in italics below regarding San Francisco and EPA:

Ben Carson's following you to San Francisco and Los Angeles, is he here on a fact-finding mission and is he going to put together a report?

"We'll start with those two cities. We're looking at San Francisco and we're looking at Los Angeles, and we're looking at all of the things that are happening. You know, there's tremendous pollution being put into the ocean because they're

going through what's called the storm sewer that's for rainwater. And we have tremendous things that we don't have to discuss pouring into the ocean. You know there are needles, there are other things."

"It's a terrible situation – that's in Los Angeles and in San Francisco. And we're going to be giving San Francisco, they're in total violation, we're going to be giving them a notice very soon."

What kind of notice?

"You're going to see over the next, I would say, less than a week. EPA is going to be putting out a notice. They're in serious violation."

"And this is environmental… and they have to clean it up. We can't have our cities going to hell. These are great cities. And we can't lose our great cities like this."

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/19/2019 2:41:16 PM
To: Mack DeGeurin [mdegeurin@businessinsider.com]
CC: Press [Press@epa.gov]
Subject: Re: Business Insider Reporter Asking about San Fransisco Environmental Violation

Hi Mack,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

On Sep 19, 2019, at 10:40 AM, Mack DeGeurin <mdegeurin@businessinsider.com> wrote:

Good morning,

My name is Mack DeGeurin and I'm a reporter with Business Insider. I'm reaching out because I am working on a story right now about President Trump's recent statements where he announced the EPA was planning to penalize the city of San Francisco for environmental violations related to its homeless population. Can someone from the EPA confirm that measures will, in fact, be taken against the city of San Francisco?

If the EPA is planning to announce that the city of San Facon Sirco is in violation of EPA rules I was hoping somebody from the agency could tell me which exact laws or regulations San Francisco has been found in violation of. I'd appreciate any clarification you can provide. Thank you.

Best,
Mack DeGeurin

mdegeurin@businessinsider.com
Ex. 6

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/19/2019 1:45:34 PM
To: stephanie.ebbs@abc.com
CC: Press [Press@epa.gov]
Subject: Fwd: Question for tomorrow

Hi Stephanie,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

> **From:** "Ebbs, Stephanie" <Stephanie.Ebbs@abc.com>
> **Date:** September 18, 2019 at 11:14:02 PM EDT
> **To:** "Molly Block" <block.molly@epa.gov>, EPA Mike Abboud <abboud.michael@epa.gov>
> **Subject: Question for tomorrow**
>
> Unrelated to the actual announcement. The president said tonight EPA will be issuing a violation to San Francisco for debris from homeless encampments like used needles flowing into sewers and into the ocean.
>
> Is that true? Do you have any background on what kind of violation that would be and how something like that is measured?
>
> We can talk in the morning but just putting it out there now so I remember
>
> Stephanie Ebbs
> ABC News- Washington
> Ex. 6 Personal Privacy (PP)

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/19/2019 1:43:56 PM
To: Kelsey Tamborrino [ktamborrino@politico.com]
CC: Press [Press@epa.gov]
Subject: Re: For Politico

Hi Kelsey,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

On Sep 18, 2019, at 11:27 PM, Kelsey Tamborrino <ktamborrino@politico.com> wrote:

Hi all,

Apologies for the late-night email, but I'm reaching out on reports tonight https://www.apnews.com/5960e16a01574e60848017190bde11a4 that President Trump told reporters aboard Air Force One that EPA will issue notice of environmental violations within a week to San Francisco related to its homeless population and pollution.

Do you have any comment or response? Could you provide any further information or details on what the violations would be for?

Thanks,

Kelsey Tamborrino | Energy Reporter | **POLITICO**PRO
1000 Wilson Boulevard, 8th Floor | Arlington, VA 22209
Ex. 6 Personal Privacy (PP) | Twitter: @kelseytam

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/19/2019 1:43:43 PM
To: Jason Green [jason.green@bayareanewsgroup.com]
CC: Press [Press@epa.gov]
Subject: Re: Request for comment

Hi Jason,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

On Sep 18, 2019, at 11:11 PM, Jason Green <jason.green@bayareanewsgroup.com> wrote:

Hello,

Tonight, President Donald Trump told reporters the EPA will be "putting out a notice" of violations in San Francisco related to the city's homeless population. The president went on to say that a tremendous amount of waste, including needles, is going through storm drains into the ocean.

The president said, "It's a terrible situation that's in Los Angeles and in San Francisco. And we're going to be giving San Francisco — they're in total violation — we're going to be giving them a notice very soon."

Questions:

1. Will the EPA be issuing a notice, as claimed by the president? If so, when, and what will it entail?
2. Is the president correct in saying a tremendous amount of waste, including needles, is going through storm drains into the oceans?
3. Specifically, what violations have San Francisco and Los Angeles committed?

Best,

--Jason

--
Jason Green Breaking News reporter | Editorial
jason.green@bayareanewsgroup.com
Ex. 6 Personal Privacy (PP) Direct
@JGreenMercNews

bayareanewsgroup.com
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Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/19/2019 7:51:26 PM
To: Brady.Dennis@washpost.com
CC: Press [Press@epa.gov]
Subject: Fwd: san fran

Hi Brady,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

---

From: Dennis, Brady <Brady.Dennis@washpost.com>
Sent: Thursday, September 19, 2019 3:48 PM
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>
Subject: san fran

I'm sure I'm not the first to inquire whether EPA is actually going to ding San Francisco over needles and homeless-related pollution?

https://www.latimes.com/california/story/2019-09-19/trump-threatens-to-punish-san-francisco-over-filth-needles-pollution

The Washington Post

Brady Dennis

National Reporter

Health, Science & Environment

Work: Ex. 6 Personal Privacy (PP)

Email: brady.dennis@washpost.com

Twitter: @brady_dennis

Stories: http://wapo.st/2sS5gfK

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 9/19/2019 8:39:58 PM
To: Dickerson, Aaron [dickerson.aaron@epa.gov]; Scott, Corey [scott.corey@epa.gov]
CC: Andrea Woods [woods.andrea@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Subject: NPR radio brief
Attachments: Radio Interivew with NPR 9.19.19.docx; Audie Cornish NPR bio.docx; Hot Topics 09.19.2019.docx; One National Rule waiver Talking points (002).docx

Attached.

Michael Abboud
U.S. Environmental Protection Agency
Office of Public Affairs
M: Ex. 6 Personal Privacy (PP)

Message

Sent: 9/19/2019 11:59:05 AM
To: Bodine, Susan [bodine.susan@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Subject: Responses

See below, the question has arisen whether San Francisco's system is effectively treating all

Please see below. The President told the WH traveling press that EPA would be sending San Francisco a notice of violation soon.

Responses to questions:

Ex. 5 Deliberative Process (DP)

Message

Sent: 9/19/2019 12:04:37 PM
Subject: FW: Responses

From: Benevento, Douglas
Sent: Thursday, September 19, 2019 8:00 AM
To: Bodine, Susan <bodine.susan@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Subject: Responses

See below, the question has arisen whether San Francisco's system is effectively treating all effluent in its system. If this ok Corry will you make sure he has it.

Please see below. The President told the WH traveling press that EPA would be sending San Francisco a notice of violation soon.

Responses to questions:

Ex. 5 Deliberative Process (DP)

Message

Sent: 9/6/2019 4:12:02 PM
Attachments: California Letter - Revised (002)- dlf.docx; scan.pdf

Message

From: Benevento, Douglas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=93DBA0F4F0FC41C091499009A2676F89-BENEVENTO,]
Sent: 9/19/2019 12:00:03 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Subject: Responses

See below, the question has arisen whether San Francisco's system is effectively treating all effluent in its system. If this ok Corry will you make sure he has it.

Please see below. The President told the WH traveling press that EPA would be sending San Francisco a notice of violation soon.

Responses to questions:

Ex. 5 Deliberative Process (DP)

Message

From: Woods, Andrea [Woods.Andrea@epa.gov]
Sent: 9/19/2019 6:45:14 PM
To: Block, Molly [block.molly@epa.gov]
Subject: clips
Attachments: 9.19.19 SAFE announcement clips.docx

Andrea Woods
Deputy Press Secretary
U.S. Environmental Protection Agency
Office of Public Affairs
202-564-2010

SAFE Announcement Clips

[HYPERLINK \l "_Associated_Press"]
The Trump administration's decision to stop California from setting its own emission standards for cars and trucks would undermine the state's ability to convince the world's largest automakers that they should make more environmentally friendly vehicles. "We will not let political agendas in a single state be forced upon the other 49," Transportation Secretary Elaine Chao said Thursday at a Washington news conference after the administration revoked the power California exercised for decades under a waiver from the federal Clean Air Act.

[HYPERLINK \l "_Bloomberg_Environment"]
The Trump administration moved to strip California of its authority to limit greenhouse gas emissions from vehicles, even as it warned the state it needs to do more to combat smog. "California has the worst air quality in the United States," EPA Administrator Andrew Wheeler said Thursday, adding that tens of millions of people in the state live in areas that don't meet ambient air standards. "We hope California will focus on these issues."

[HYPERLINK \l "_CBS_News"]
The Trump administration formally rolled back California's authority to set automotive vehicle emission standards, a[HYPERLINK "https://www.cbsnews.com/news/trump-blocking-california-from-setting-stricter-fuel-standards/"] in the courts. At a press conference on Thursday, Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced that the EPA would withdraw the 2013 Clean Air Act waiver that enabled California to set its own tailpipe greenhouse gas emission standards.

[HYPERLINK \l "_CNet_News"]
A day after learning the Trump administration will [HYPERLINK "https://www.cnet.com/news/trump-california-emissions-waiver-fuel-economy/"], the EPA and NHTSA announced the government's next step on Thursday. The agencies debuted the "One National Program Rule," which essentially gives the federal government full authority to set a single national fuel economy standard.

[HYPERLINK \l "_CNN"]
Two of President Donald Trump's cabinet officials criticized California's environmental record Thursday as the state and the administration are in a pitched battle over the authority to set vehicle emission standards. "No state has the authority to opt out of the nation's rules and no state has the right to impose its policies on everybody else in our whole country," Transportation Secretary Elaine Chao told reporters, discussing the [HYPERLINK "https://www.cnn.com/2019/09/18/politics/epa-trump-california/index.html" \t "_blank"] California's authority to set vehicle emission standards.

[HYPERLINK \l "_The_Detroit_News"]
The Trump administration made official Thursday its move to revoke California's right to set its own gas mileage rules for vehicles, expressing confidence it will prevail in a looming legal fight likely to ensnare the nation's automakers for years to come. U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao said Thursday that their agencies will move

to revoke the Clean Air Act waiver that has been used by California since 1967 to set its own emission standards. That would undo California's Advanced Clean Car Rule, which calls for automakers to reduce pollution from new cars from 2012 model year levels by 40% by 2025.

[HYPERLINK \l "_E&E_News"]
Senior Trump administration officials today defended their decision to block California's plans to enforce greenhouse gas emissions standards for cars, saying they run afoul of the law and would stop the benefits that rolling back federal car rules would bring. Dubbing their decision the "One National Program Rule," the leaders of the Department of Transportation and EPA said California — which is striving to enforce tougher emissions limits for cars sold within its borders and those of 13 states that choose to follow its rules — stands in the way of nationwide consistency for car manufacturers and consumers.

[HYPERLINK \l "_Fox_Business_News"]
The Trump administration announced regulations to withdraw California's waiver to set fuel economy standards. The withdrawal is a response to California [HYPERLINK "https://www.foxbusiness.com/industrials/trump-california-fuel-mileage-emissions-standards" \t "_blank"] the Environmental Protection Agency by agreeing to stricter gas mileage and carbon emissions standards with four top automakers. Ford, Honda, BMW and Volkswagen were part of the July agreement.

[HYPERLINK \l "_Fox_News"]
Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced Thursday a “One National Program Rule,” paving the way for the federal government to set [HYPERLINK "https://www.foxnews.com/politics/trump-administration-revokes-californias-authority-to-set-auto-mileage-standards"] for fuel economy and greenhouse gas emissions for cars and light-duty trucks — in a move to block California's current requirements.

[HYPERLINK \l "_The_Hill"]
The Trump administration on Thursday officially revoked California's tailpipe waiver under the Clean Air Act, a decision likely to face quick legal challenges. The Department of Transportation and Environmental Protection Agency (EPA) unveiled the “One National Program Rule,” giving the federal government sole authority to set emission standards for cars.

[HYPERLINK \l "_Inside_Climate_News"]
President Donald Trump's administration on Thursday stripped California of its authority to enact the nation's toughest auto pollution standards, setting the stage for an epic legal battle that could squelch the nascent U.S. market for petroleum-free vehicles at a critical time.

[HYPERLINK \l "_NBC_News"]
The Trump administration formally announced plans Thursday to strip away the waiver that had allowed California to set its own fuel economy mandates, while also confirming that a rollback of federal mileage rules will be revealed in the coming weeks. Echoing the words of President Donald Trump, two senior

White House officials said the moves would make tomorrow's cars cleaner and safer, while also creating more U.S. jobs.

[HYPERLINK \l "_Politico"]
Trump administration officials today said California should stay in its own lane when it comes to vehicle emissions and focus instead on reducing tailpipe pollution that creates the state's unique smog problem. Revoking the state's greenhouse gas waiver "will not affect California's ability to refocus its efforts on fighting the worst air pollution in the country and comply with existing regulations," Transportation Secretary Elaine Chao said at a press conference.

[HYPERLINK \l "_Reuters"]
The Trump administration said on Thursday it is revoking California's authority to set its own auto tailpipe emissions standards and to require some zero-emission vehicles - a decision that will spark a massive legal battle over the future of U.S. vehicles and the most populous state's regulatory role. Environmental Protection Agency (EPA) Administrator Andrew Wheeler said in a statement the decision will ensure nationwide rules that provide "much-needed regulatory certainty for the automotive industry." Currently, California's more stringent vehicle emissions rules are also followed by a dozen other states that account for than 40% of U.S. vehicle sales.

[HYPERLINK \l "_Sacramento_Bee"]
Trump administration officials expect their move this week to revoke California's unique authority to restrict car pollution will speed up an impending legal clash which could potentially allow them to defend the policy in federal court during President Donald Trump's first term. "This rule will be able to be challenged in court on its own and we can accelerate the timetable for getting a definitive final judgment from the courts," Department of Transportation General Counsel Stephen Bradbury said at a press conference on Thursday.

San Francisco Chronicle: Trump officials slam California air, rescind state's authority on emissions

[HYPERLINK \l "_SF_Gate"]
U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao officially announced Thursday that they are revoking California's authority to set strict auto emission standards. The administration's intention to take that step was announced by President Donald Trump on Wednesday in a tweet.

[HYPERLINK \l "_Wall_Street_Journal"]
The Trump administration formally unveiled a new standard that loosens emissions rules for vehicles sold in the U.S. and moved to strip California's ability to set its own tougher requirements, steps officials said will give drivers access to cheaper, safer cars. Officials from the Environmental Protection Agency and the Transportation Department said Thursday they issued a final action on a rule that will unify the country's fuel-economy and greenhouse-gas-emissions standards. The announcement, which had been previewed by President Trump and other officials earlier in the week, marks another step in easing requirements set under the Obama administration in 2012.

[HYPERLINK \l "_Washington_Examiner"]
The Department of Transportation and Environmental Protection Agency Thursday announced that there will be “one, and only one” national fuel standard, a move made to cut the costs of vehicles and bar California from making stricter standards.

Associated Press

[HYPERLINK "https://www.apnews.com/a45c4a503a7b4ea5a39c904fa18b173b"]

California looks for ways to preserve environmental clout

By Adam Beam and Michael Biesecker

September 19, 2019

The Trump administration's decision to stop California from setting its own emission standards for cars and trucks would undermine the state's ability to convince the world's largest automakers that they should make more environmentally friendly vehicles.

"We will not let political agendas in a single state be forced upon the other 49," Transportation Secretary Elaine Chao said Thursday at a Washington news conference after the administration revoked the power California exercised for decades under a waiver from the federal Clean Air Act.

One California lawmaker is already working on a way to preserve at least some of the state's environmental muscle: rebates for electric cars.

California residents who buy or lease a zero-emission vehicle can get up to $7,000 from the state. A bill by Democratic Assemblyman Phil Ting would mean people could only get that money if they buy a car from a company that has agreed to follow California's emission standards.

California has 35 million registered vehicles, giving it great influence with the auto industry. That was evident in July, when Democratic Gov. Gavin Newsom announced that Ford, BMW, Honda and Volkswagen had agreed to follow California's standards, bypassing the administration, which had been working on new rules.

California officials have been negotiating with other automakers to follow suit. But those talks stalled Wednesday when President Donald Trump announced, via Twitter, that he was revoking California's authority to set its own emission standards.

Ting's proposal, first reported by CalMatters, shows California has other ways it could entice automakers to follow its environmental lead. David Vogel, a professor emeritus of business ethics at the Haas School of Business of the University of California-Berkeley, noted California could accomplish its goals through various tax changes, which the federal government could not stop.

"Even if the Trump administration would win on this, California could use taxes to accomplish much of the same goals," Vogel said. "The federal government would have less of an ability to challenge, because states can pretty much tax who they want."

The California Legislature adjourned for the year last week. But before leaving, lawmakers amended a bill to include the new language so they could debate it when they return to work in January.

State officials could use the tactic to aid negotiations with Toyota and General Motors, two manufacturers that make electric cars but have so far not agreed to California's emission standards. It's

unclear how effective the law would be, given that California's Clean Vehicle Rebate Project has a waiting list.

A Toyota spokesman declined to comment.

Ting, through a spokeswoman, declined immediate comment. Newsom, asked about the proposal, said he would make an announcement by Friday. He did not elaborate.

Trump said his move would result in less expensive, safer cars. He predicted Americans would purchase more new cars, which would result in cleaner air as older models are taken off the roads.

"Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS! Automakers should seize this opportunity because without this alternative to California, you will be out of business," Trump tweeted.

Environmental Protection Agency chief Andrew Wheeler said at the Thursday news conference with Chao that Trump's approach was "good for public safety, good for the economy and good for the environment."

Wheeler also played down electric vehicles, calling them "a product that has minimal impact on the environment and which most families cannot approach"

U.S. automakers contend that without year-over-year increases in fuel efficiency that align with global market realities, their vehicles could be less competitive, potentially resulting in job losses. But most of the industry favors increases in standards that are less than the Obama-era requirements, saying their consumers are gravitating to SUVs and trucks rather than buying more efficient cars.

Top California officials and environmental groups pledged legal action to stop the Trump rollback. The U.S. transportation sector is the nation's biggest single source of greenhouse gasses.

Trump's claim that his proposal would result in a cleaner environment is contrary to his own administration's estimate that by freezing economy standards, U.S. fuel consumption would increase by about 500,000 barrels per day, a 2% to 3% increase. Environmental groups predict even more fuel consumed, resulting in higher pollution.

The administration argues that lower-cost vehicles would allow more people to buy new ones that are safer, cutting roadway deaths by 12,700 lives through the 2029 model year.

But The Associated Press reported last year that internal EPA emails show senior career officials privately questioned the administration's calculations, saying the proposed freeze would actually modestly increase highway fatalities, by about 17 deaths annually.

Bloomberg Environment

[HYPERLINK "https://news.bloombergenvironment.com/environment-and-energy/trump-administration-moves-to-curb-californias-car-regulations"]

EPA Slams California's Air Quality as It Curbs State's Authority (1)

By Ryan Beene

September 19, 2019

The Trump administration moved to strip California of its authority to limit greenhouse gas emissions from vehicles, even as it warned the state it needs to do more to combat smog.

"California has the worst air quality in the United States," EPA Administrator Andrew Wheeler said Thursday, adding that tens of millions of people in the state live in areas that don't meet ambient air standards. "We hope California will focus on these issues."

Although Trump announced the move on Twitter Wednesday, it was formally unveiled during an event at the Environmental Protection Agency headquarters in Washington on Thursday, in front of free-market, conservative advocates, National Automobile Dealers Association officials, multi-franchise owner Geoff Pohanka, and Gloria Bergquist, vice president of the Alliance of Automobile Manufacturers.

Transportation Secretary Elaine Chao said the move to gut California's powers would reinforce the federal government's role setting vehicle standards.

"The one national program that we are announcing today will ensure that there is one -- and only one -- set of national fuel economy standards as Congress mandated and intended," Chao said. "No state has the authority to opt out of the nation's rules and no state has a right to impose its policies on everybody else in our whole country."

In its action, the Transportation Department asserts that its authority to set fuel-economy standards preempts California's own tailpipe standards. The EPA also is formally withdrawing a 2013 waiver that authorized California to pursue its own tailpipe greenhouse gas emission standard and zero-emission vehicle mandate, arguing both programs are prohibited by the Clean Air Act.

Chao and Wheeler framed the actions as delivering on a promise made by President Donald Trump in March 2017, when he declared before a crowd of auto workers in Michigan that his administration would reevaluate fuel economy and emissions standards adopted during the Obama administration.

Chao called those rule "unattainable" and said they needed to be weakened because "consumers were being priced out of newer, safer vehicles."

They also cast it as a measure to prevent California from acting as a de facto national regulator, saying the state cannot overstep its authority to fight local smog and air-pollution within its borders by regulating greenhouse gas emissions linked to climate change, a global issue.

"We will not let political agendas in a single state to be imposed on the other 49," Chao said.

The administration is still working to finalize its plan for weakening existing federal fuel-economy and tailpipe emissions standards. Wheeler said those changes will "save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner and safer cars and trucks."

Trump administration officials say the effort will help everyday Americans afford new vehicles by dialing back environmental mandates that drive up vehicle prices.

Even as the administration moved to undercut California's authority, it took pains to emphasize the state is still on the hook to clean up its auto pollution.

California officials have argued that its tailpipe emission standards are critical to helping clean up smog and satisfy national standards for ozone and air quality and have said they will fight the revocation in court if necessary.

Legal experts said the Trump administration may have a tough time defending a suit. A waiver has never been revoked in the 50-year-history of the Clean Air Act, said Julia Stein, a University of California at Los Angeles environmental law expert.

"Ironically, even though the administration insists that it will be creating 'one national standard' by revoking California's waiver, it will actually be doing the opposite," Stein wrote in a blog post.

California officials including Governor Gavin Newsom and Attorney General Xavier Becerra said in a press conference Wednesday that the state has received roughly 100 waivers to combat air pollution and they would defend the one underpinning its vehicle rules.

"This is such a pivotal moment in the history of climate change," Newsom said, citing statistics on the role of transportation in greenhouse gas emissions. "This is our legacy moment."

With some 35 million vehicles in the state, and the transportation sector's role as the top contributor of greenhouse gas emissions, Becerra said California's ability to combat vehicle greenhouse gas emissions is critical to the state's clean-air goals.

CBS News

[HYPERLINK "https://www.cbsnews.com/news/epa-officially-moves-to-revoke-californias-authority-to-set-own-fuel-standards/"]

EPA officially moves to revoke California's authority to set own fuel standards

By Emily Tillett

September 19, 2019

The Trump administration formally rolled back California's authority to set automotive vehicle emission standards, a[HYPERLINK "https://www.cbsnews.com/news/trump-blocking-california-from-setting-stricter-fuel-standards/"] in the courts. At a press conference on Thursday, Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced that the EPA would withdraw the 2013 Clean Air Act waiver that enabled California to set its own tailpipe greenhouse gas emission standards.

President Trump touted the move by [HYPERLINK "https://twitter.com/realDonaldTrump/status/1174342163141812224" \t "_blank"]on Wednesday, saying that it would result in less expensive and safer cars, and insisting that new cars would be cleaner, even though they will burn more gasoline than they would have under the fuel efficiency standards established during President Obama's administration.

The rollback is a part of the new National Highway Traffic Safety Administration (NHTSA) and the EPA "One National Program Rule," which, as the name states, means the federal government will have one set of nationwide fuel economy and greenhouse gas emission standards for automobiles and light-duty trucks.

"No state has the authority to opt out of the nation's rule, and no state has the right to impose its policies on everybody else and our whole country," Chao said Thursday.

Wheeler told reporters that having one standard will provide stronger "regulatory certainty" for the automotive industry. The Automobile Alliance said in a statement that "we support one national program as the best path to preserve good auto jobs, keep new vehicles affordable for more Americans and avoid a marketplace with different standards."

However, in July, four automakers — Ford, Honda, BMW and Volkswagen — had agreed to meet Califronia's stricter tailpipe emissions, rather than the federal standard. Some of the automakers believe that without a substantial increase in fuel efficiency, their vehicles could be less competitive in the global marketplace, since several other nations demand higher fuel economy than the U.S. The Trump administration has opened an antitrust investigation into the deal between the automakers and California.

The president also seeks to relax Obama-era federal mileage standards nationwide, weakening a key effort by his Democratic predecessor to slow climate change. The Trump administration's original proposal would have frozen the Obama EPA's increase in standards at about 37 miles per gallon in 2021.

President Obama issued a rule that demanded that fuel economy grow every year through 2026, when it would reach a 46.7 mile-per-gallon average for a company's fleet.

CNet News

[HYPERLINK "https://www.cnet.com/roadshow/news/trump-national-fuel-economy-california-emissions/"]

Trump administration issues rule to set one national fuel economy standard

By Sean Szymkowski

September 19, 2019

A day after learning the Trump administration will [HYPERLINK "https://www.cnet.com/news/trump-california-emissions-waiver-fuel-economy/"], the EPA and NHTSA announced the government's next step on Thursday. The agencies debuted the "One National Program Rule," which essentially gives the federal government full authority to set a single national fuel economy standard.

The rule affirms the federal government as the only body with the ability to set such standards. Local and state governments "may not establish their own separate fuel economy standards," according to the announcement.

Secretary of Transportation Elaine Chao underscored the regulatory changes and in a statement said, "Today's action meets President Trump's commitment to establish uniform fuel economy standards for vehicles across the United States, ensuring that no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country."

Her comments reflect the Trump administration's move to revoke California's waiver. Since 2013, California has had the authority to set separate greenhouse gas standards, which essentially allowed the state to all but mandate plug-in vehicle sales. EPA Administrator Andrew Wheeler said the new rule will provide regulatory certainty for automakers -- a shot at California for basically creating a subset of "compliance cars" for the market.

"One national standard provides much-needed regulatory certainty for the automotive industry and sets the stage for the Trump administration's final SAFE rule that will save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner and safer cars and trucks," he said.

The other parts of the proposed fuel economy and emissions changes are still in the works. Wheeler has previously hinted, however, they [HYPERLINK "https://www.cnet.com/news/epa-fuel-economy-emissions-rollback-trump-proposal/"] last year. The EPA also noted California can continue to operate and enforce its Low Emission Vehicle program and other clean air standards to battle smog problems locally.

The White House continues to set the stage for a bitter legal battle. California and its Air Resources Board have vowed not to enforce less stringent fuel economy and emissions standards, arguing it's a state's rights issue. The state went as far as signing a [HYPERLINK "https://www.cnet.com/news/bmw-ford-honda-vw-greenhouse-gas-pact-california-trump/"] with four automakers, though the Department of Justice has since opened an [HYPERLINK "https://www.cnet.com/news/bmw-ford-honda-volkswagen-doj-investigation-california/"] over the deal.

CARB did not immediately respond to a request for comment on today's news.

Automakers have long argued for relaxed fuel economy standards that are more in line with today's realities, though they've also said the government's proposed standard goes too far. Current regulations will see fleet-wide fuel economy rise to 46.7 miles per gallon by 2026. The White House's proposal will dial the figure back to 37 mpg, essentially freezing all increases at 2020 levels.

CNN

[HYPERLINK "https://www.cnn.com/2019/09/19/politics/wheeler-chao-california/index.html"]

Chao, Wheeler call out California over environmental efforts

By Gregory Wallace

September 19, 2019

Two of President Donald Trump's cabinet officials criticized California's environmental record Thursday as the state and the administration are in a pitched battle over the authority to set vehicle emission standards.

"No state has the authority to opt out of the nation's rules and no state has the right to impose its policies on everybody else in our whole country," Transportation Secretary Elaine Chao told reporters, discussing the [HYPERLINK "https://www.cnn.com/2019/09/18/politics/epa-trump-california/index.html" \t "_blank"] California's authority to set vehicle emission standards.

"To do otherwise," Chao continued, "harms consumers and damages the American economy."

The state's Clean Air Act waiver allowed it to set vehicle emission standards that are more stringent than the federal standards. Because more than a dozen states have signed on to California's levels, they became the de facto nationwide standards. The Trump administration is in the process of relaxing federal emission standards set by the Obama administration, but for those to be controlling, needs to also eliminate the California levels.

California Gov. Gavin Newsom told reporters Wednesday -- soon after Trump announced the plans -- that the President is motivated by a "unique frustration with California."

"We're winning. That's the frustration he's having -- we are winning," Newsom said, referring to the state's multiple legal battles with the administration. "He's losing, and we're winning because we have the law, science and facts on our side."

"We have not only the formal authority, we have the moral authority, and that is something missing in this White House," Newsom added.

California has been a persistent thorn in the administration's side, including on environmental and immigration issues.

At the Thursday morning event, Environmental Protection Agency Administrator Andrew Wheeler took California to task for having "the worst air quality in the United States."

"It has 82 non-attainment areas and 34 million people living in areas that do not meet the NAAQS standards," Wheeler said, referring to areas of the Golden State that do not meet the National Ambient Air Quality Standards. "That's more than twice as many people as any other state in the country. We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country."

"California cars have no closer link to California climate impacts than do cars on the road in Japan or anywhere else in the world," he added.

Wheeler said the revised federal standards are still in development but will be announced in the coming weeks.

"We are looking at all the options right now," he said. "We have not made a final decision yet on what the standards will be."

EPA General Counsel Matthew Leopold told reporters after Wheeler's remarks that the administration anticipates litigation over the standards. He said the official action revoking California's authority will likely be published in the Federal Register next week and take effect 60 days later.

The Detroit News

[HYPERLINK "https://www.detroitnews.com/story/business/autos/2019/09/19/feds-move-revoke-california-right-set-mpg-rules/2372374001/"]

Feds move to revoke California's right to set mpg rules

By Keith Laing

September 19, 2019

The Trump administration made official Thursday its move to revoke California's right to set its own gas mileage rules for vehicles, expressing confidence it will prevail in a looming legal fight likely to ensnare the nation's automakers for years to come.

U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao said Thursday that their agencies will move to revoke the Clean Air Act waiver that has been used by California since 1967 to set its own emission standards. That would undo California's Advanced Clean Car Rule, which calls for automakers to reduce pollution from new cars from 2012 model year levels by 40% by 2025.

"No state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on everybody else in our country," Chao said in a press conference at the EPA's headquarters in Washington. "We will not let political agendas in a single state be forced upon the other 49."

Wheeler added: "Our goal from the beginning was a 50-state solution. ... We embrace federalism and the role of states, but federalism does not mean that one state can dictate policy for the rest of the country."

The announcement, pre-empted Wednesday by President Donald Trump on Twitter, has been met with fierce resistance in California, which has already sued over the Trump administration's proposed rollback of stringent fuel economy rules that were adopted by the Obama administration in 2012. The state's Democratic leaders signaled Wednesday they intend to go back to court to protect their right to set their own mpg rules.

"Our message to those who claim to support states' right: Don't trample on ours," California Attorney General Xavier Becerra, a Democrat, said in a press conference shortly after the president's comments.

"For us, this is about survival," Becerra continued. "Our communities are screaming for help to address the climate crisis...We're prepared to lead. We're prepared to fight. We'll do what we must."

The Trump administration and California have battled over gas mileage rules since the earliest days of Trump's presidency.

The Trump administration announced last year its intention to ease stringent gas-mileage rules that would have required fleets averaging nearly 55 miles per gallon by 2025. The administration proposed a freeze in the mandate after 2020, touching off a fierce battle with California, which helped craft the Obama-era rules.

The two sides attempted to negotiate a potential agreement, but the White House said in February it was pulling out of the talks and moving forward with its proposed freeze.

Thirteen states and Washington, D.C., have adopted California's mileage rules, meaning automakers could be left with one set of rules for a quarter of the country and another set for the remaining states unless the Trump administration and California can come to an agreement. Congress gave California the right to set its own standards

California has vowed to fight any attempt to revoke its right to set its own mileage rules in court. The state has reached an agreement with Ford Motor Co. and three other automakers to voluntarily increase the average fuel economy of their fleets from 2021 levels by 3.7% per year, reaching an average of nearly 50 mpg by 2026. The U.S. Department of Justice has launched an antitrust investigation into that agreement.

General Motors Co., Fiat Chrysler Automobiles NV and other automakers have faced pressure from Democratic lawmakers to join the voluntarily agreement with California.

Ford said in a statement: "We have consistently said that the best path forward is a negotiated settlement that offers a workable compromise. We need regulatory certainty, not litigation."

Democrats have decried both the effort to roll back the Obama-era mpg rules and take California's right to set its own gas mileage rules.

"Donald Trump continues his relentless effort to roll back the hard-fought progress we made in the Obama-Biden Administration," former Vice President Joe Biden, who is running for the 2020 Democratic presidential nominated, tweeted Wednesday. "Higher auto emission standards make the air we all breathe cleaner, keep us healthier—and keep our auto industry competitive in the global marketplace."

Trump has defended his move to revoke California's mpg rules as an effort to protect car buyers from higher prices for new cars, although there is little evidence to support the claim that his proposal to roll back the Obama-era mpg rules will lower sticker prices.

"The Trump Administration is revoking California's Federal Waiver on emissions in order to produce far less expensive cars for the consumer, while at the same time making the cars substantially SAFER," Trump tweeted Wednesday.

"This will lead to more production because of this pricing and safety advantage, and also due to the fact that older, highly polluting cars, will be replaced by new, extremely environmentally friendly cars," the president continued on Twitter. "

"There will be very little difference in emissions between the California Standard and the new U.S. Standard, but the cars will be far safer and much less expensive," Trump concluded. "Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS!

Automakers should seize this opportunity because without this alternative to California, you will be out of business."

E&E News

[HYPERLINK "https://www.eenews.net/greenwire/2019/09/19/stories/1061139351"]

Trump officials defend plan to revoke Calif. Waiver

By Timothy Cama

September 19, 2019

Senior Trump administration officials today defended their decision to block California's plans to enforce greenhouse gas emissions standards for cars, saying they run afoul of the law and would stop the benefits that rolling back federal car rules would bring.

Dubbing their decision the "One National Program Rule," the leaders of the Department of Transportation and EPA said California — which is striving to enforce tougher emissions limits for cars sold within its borders and those of 13 states that choose to follow its rules — stands in the way of nationwide consistency for car manufacturers and consumers.

At a news conference this morning at EPA headquarters, accompanied by representatives of supportive groups, EPA head Andrew Wheeler and Transportation Secretary Elaine Chao announced they will seek to stop California from enforcing its emissions rules and its mandate that automakers sell certain numbers of zero-emission vehicles, or ZEVs, in the affected states. It does not affect other California programs that require EPA waivers, like its low-emissions vehicle mandate.

The decision, first announced yesterday by President Trump via tweet, immediately escalates an ongoing feud with California leaders, who have already pledged to sue the administration over its action (*[HYPERLINK "https://www.eenews.net/stories/1061135105"]*, Sept. 18).

It also presages the agencies' coming action to roll back federal fuel efficiency and greenhouse gas emissions standards, which California threatened to complicate. The Trump administration proposed the rollback, dubbed the Safer Affordable Fuel Efficient Vehicles rule, last year, saying it wanted to freeze standards in 2021 and cancel the planned increases in stringency through 2026.

Chao and Wheeler accused California of trying to set national car standards, which is something only the federal government can do. California, the 13 other states and Washington, D.C., make up more than 40% of the national vehicle market, so they have considerable sway over how cars are made.

"No state has the authority to opt out of the nation's rules, and no state has a right to impose its policies on everybody else in our whole country. To do otherwise harms consumers and damages the American economy," Chao said.

"We embrace federalism and the role of states. But federalism does not mean that one state can dictate standards for the entire country," said Wheeler.

He said eliminating California's power to set its rules "will provide much-needed certainty to the automotive industry, and it sets the stage for President Trump's ultimate objective: a final SAFE rule that

will save lives and strengthen the economy by reducing the price of new vehicles and helping more Americans purchase newer, cleaner and safer cars and trucks."

Wheeler said the rollback "is good for public safety, good for the economy and good for the environment," citing disputed findings and arguments, such as that it would increase sales of new vehicles, getting cleaner and safer cars on the road faster.

Neither Chao nor Wheeler repeated Trump's claims that he has made in numerous recent political rallies that new cars are too lightweight to be safe and that the new rule would make them heavier and safer.

Hurdles ahead

California officials, led by Attorney General Xavier Becerra (D) and Gov. Gavin Newsom (D), have already pledged to fight Trump's action in court ([HYPERLINK "https://www.eenews.net/stories/1061135537"], Sept. 18).

Congressional Democrats are also plotting strategies to fight the administration's action against California ([HYPERLINK "https://www.eenews.net/stories/1061136605"], Sept. 19).

Trump and California officials have clashed repeatedly over matters ranging from health care to immigration. Just last night, Trump said EPA would punish San Francisco, alleging that its homeless population is violating water pollution rules ([HYPERLINK "https://www.eenews.net/stories/1061139337"]).

Trump has been particularly angry at California since the July announcement that four automakers agreed with state regulators to follow stronger emissions rules than what EPA and DOT will make final soon. The federal agencies told California the deal is illegal, and the Department of Justice is investigating it for potential violations of antitrust law.

Environmental groups are expected to join the Golden State in suing over the revocation.
Groups representing automakers have generally been in favor of relaxing the Obama administration standards, but not to the degree the Trump administration proposed. They have also tried to avoid protracted litigation over the matter, or to have a divided vehicle market.

Gloria Bergquist, spokeswoman for the Alliance of Automobile Manufacturers, attended today's event but said it was not necessarily a sign of support.

"We are waiting to see what the final rule looks like and look at all of this together about where we stand," she told E&E News, referring to the final rollback action.

"We have seen in the news that California seems to be suggesting that they're going to be pursuing litigation," she said. "So now this is what we didn't want to happen, this uncertainty. But now we're here, so we're eager to have this all resolved."

Officials had proposed revoking California's waiver as part of the larger rollback. But finalizing the issues separately reflects a desire to have the courts consider them as two different actions.

"This rule will be separable, will be able to challenged in court on its own if California so chooses. And we can accelerate the timetable for getting a definitive final judgment from the courts," said Steven Bradbury, DOT's deputy secretary and general counsel.

"Once we get those final determinations in court on these focused legal issues, we'll get that certainty for the auto sector and for the entire nation."

California and its allies have argued that the Clean Air Act, under which the Obama administration granted California's waiver in 2013, does not give EPA authority to revoke a waiver.

But EPA General Counsel Matt Leopold said that interpretation is wrong and the courts will agree. "We have inherent authority to revisit our prior decisions, particularly if they violate the law," he said. The Trump administration's action relies in part on the Energy Policy and Conservation Act, the law that gives DOT's National Highway Traffic Safety Administration the power to regulate fuel efficiency. It also prevents states from enforcing their own fuel efficiency standards.

"EPCA expressly provides that the federal government regulates fuel economy, not the states. Since there's a direct, scientific link between a car's greenhouse gas emissions and its fuel economy, DOT is determining that EPCA preempts state GHG and zero-emission vehicle programs," Wheeler said. Furthermore, EPA is officially determining that California lacks the "compelling and extraordinary conditions" that are required under the Clean Air Act for a waiver, he said.

"California cars have no closer link to California climate impacts than do cars on the road in Japan or anywhere else in the world. And California's climate impacts are not extraordinarily distinct from those in other states," Wheeler explained.

Conservative activists, meanwhile, are squarely in Trump's corner.

"While there are some who would rather have those decisions made by bureaucrats in California, we believe that workers, consumers and families can and should be trusted to make decisions that affect their lives," said Tom Pyle, president of the American Energy Alliance.

"The administration's efforts to reform this ill-conceived and wickedly regressive mandate will save consumers money, preserve their choices, and ensure that the federal government, and not California, sets national fuel efficiency policy," he said.

Fox Business News

[HYPERLINK "https://www.foxbusiness.com/industrials/trump-blocks-california-fuel-economy-standards-auto"]

Trump administration moves to block California fuel economy standards

By Paul Conner

September 19, 2019

The Trump administration announced regulations to withdraw California's waiver to set fuel economy standards.

The withdrawal is a response to California [HYPERLINK "https://www.foxbusiness.com/industrials/trump-california-fuel-mileage-emissions-standards" \t "_blank"] the Environmental Protection Agency by agreeing to stricter gas mileage and carbon emissions standards with four top automakers. Ford, Honda, BMW and Volkswagen were part of the July agreement.

"Federalism does not mean one state can dictate standards for the entire country," EPA Administrator Andrew Wheeler said Thursday.

No state may opt out of federal fuel standards, or set its own standard, Wheeler said.

California's rules would require light-duty model year 2026 vehicles from the four automakers to hit a minimum of 50 miles per gallon. Trump wants the current standard of 37 miles per gallon to continue until 2026 without rising.

“We will not let political agendas in a single state be forced on the other 49,” Secretary of Transportation Elaine Chao said.

Global Automakers said Wednesday it would review Trump administration plans for fuel economy standards.

"A balanced fuel economy regulation is critical for the health of the U.S. auto industry," Global Automakers said in a statement. "Throughout the rulemaking process, Global Automakers has called for a unified national standard that continues the industry’s significant progress in improving motor vehicle fuel economy, and that rewards investments in next-generation fuel-savings technologies. We look forward to seeing the subsequent rule-setting standards for model years 2021 through 2026 when they are finalized."

Wheeler said the standards will keep car prices from rising due to the cost of expensive batteries, and make cars safer.

Fox News

[HYPERLINK "https://www.foxnews.com/politics/trump-admin-moves-toward-national-fuel-economy-standard-prepares-for-legal-battle-with-california"]

Trump administration moves toward national fuel economy standard, prepares for legal battle with California

By Ronn Blitzer

September 19, 2019

Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao announced Thursday a "One National Program Rule," paving the way for the federal government to set [HYPERLINK "https://www.foxnews.com/politics/trump-administration-revokes-californias-authority-to-set-auto-mileage-standards"] for fuel economy and greenhouse gas emissions for cars and light-duty trucks — in a move to block California's current requirements.

The [HYPERLINK "https://www.foxnews.com/category/person/donald-trump"] administration claims the national standard would give Americans access to vehicles that are less expensive, safer and cleaner. The administration also says it will result in millions of new car sales, boosting the U.S. auto manufacturing industry. The "One National Program Rule" aims to prohibit states from imposing their own stricter standards, as California has done, and the administration challenged the Golden State's ability to do so.

"Today's action meets President Trump's commitment to establish uniform fuel economy standards for vehicles across the United States, ensuring that no State has the authority to opt out of the Nation's rules, and no state has the right to impose its policies on the rest of the country," Chao said.

California's authority to set its own emissions standards, which are tougher than the federal government's, goes back to a waiver issued by Congress during passage of the Clean Air Act in 1970. The state has long pushed automakers to adopt more fuel-efficient passenger vehicles that emit less pollution. A dozen states and the District of Columbia also follow California's fuel economy standards. The Trump administration decision revokes that waiver, touching off what is sure to be another high-profile legal fight with California.

In anticipation of the move, California Attorney General Xavier Becerra said Tuesday that the administration's action will hurt both U.S. automakers and American families. He said California would fight the administration in federal court.

"You have no basis and no authority to pull this waiver," Becerra, a Democrat, said in a statement, referring to Trump. "We're ready to fight for a future that you seem unable to comprehend."

EPA General Counsel Matt Leopold said Thursday, "We're ready to defend our interpretation of the waiver withdraw." He said they are confident that the administration would succeed.

The move comes after the Justice Department recently opened an antitrust investigation into a deal between California and four automakers for tougher pollution and related mileage requirements than those sought by Trump.

Wheeler said Thursday that the administration has asked California for the legal authority for their agreement. He also took a shot at California's environmental woes, claiming that the state has "the worst air quality in the United States," and that they should put their efforts into solving that problem. "We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country," Wheeler said.

The Hill

[HYPERLINK "https://thehill.com/policy/energy-environment/462142-trump-administration-officially-revokes-california-tailpipe"]

Trump administration officially revokes California tailpipe emissions waiver

By Chris Mills Rodrigo

September 19, 2019

The Trump administration on Thursday officially revoked California's tailpipe waiver under the Clean Air Act, a decision likely to face quick legal challenges.

The Department of Transportation and Environmental Protection Agency (EPA) unveiled the "One National Program Rule," giving the federal government sole authority to set emission standards for cars.

The rule is part of the administration's Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule, a draft of which was submitted to the White House in August.

The second part of the rule will include a final decision over what fuel efficiency levels to set emissions at starting in 2025.

Revoking California's waiver will also affect 13 other states that adopt California's tougher emissions standards.

"One national standard provides much-needed regulatory certainty for the automotive industry and sets the stage for the Trump Administration's final SAFE rule that will save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks," EPA Administrator [HYPERLINK "https://thehill.com/people/andrew-wheelerr"] said in a statement.

[HYPERLINK "https://thehill.com/people/donald-trump"] on Wednesday [HYPERLINK "https://thehill.com/policy/energy-environment/461943-trump-announces-californias-emissions-waiver-will-be-revoked"] that the waiver would be revoked while he was fundraising in California.

California Attorney General [HYPERLINK "https://thehill.com/people/xavier-becerra"] (D) has [HYPERLINK "https://thehill.com/policy/energy-environment/461973-california-preps-for-legal-battle-as-trump-moves-to-strip-state"] the administration if it moved to revoke the state's waiver. The state has relied on the waiver process to set their own tougher emissions standards for about 50 years.

"There's no question, of course, that we will be in court," California Air Resources Board Chairwoman Mary Nichols said in a press conference Wednesday.

"This is the fight of a lifetime. We have to win this," she added.

California sees the waiver as an important states' rights battle. The state says tougher emissions standards are necessary to fight climate change and reduce air pollution.

Inside Climate News

[HYPERLINK "https://insideclimatenews.org/news/18092019/trump-auto-standards-rollback-california-waiver-electric-vehicles-climate-change"]

Trump Strips California's Right to Set Tougher Auto Standards

By Marianne Lavelle

September 19, 2019

President Donald Trump's administration on Thursday stripped California of its authority to enact the nation's toughest auto pollution standards, setting the stage for an epic legal battle that could squelch the nascent U.S. market for petroleum-free vehicles at a critical time.

The long-anticipated move, which Trump himself touted [HYPERLINK "https://twitter.com/realDonaldTrump/status/1174342163141812224?s=20"] just days before a United Nations summit on climate change, could prove to be his administration's most consequential policy retreat from efforts to rein in greenhouse gas emissions. When coupled with the administration's planned freeze on fuel-economy improvements, it will negate one of the largest steps that any nation has made to cut carbon emissions.

Trump's Transportation Department and Environmental Protection Agency [HYPERLINK "https://www.epa.gov/newsreleases/trump-administration-announces-one-national-program-rule-federal-preemption-state-fuel"] the California action the "One National Program Rule," but that is a misnomer. On greenhouse gases, there has been one national program, which the Trump administration is now trying to weaken and California is seeking to retain.

California has led the nation in a slow, but steady move toward electric vehicles—a turnover that experts believe is essential for gaining control of rising U.S. carbon emissions from transportation. Nine other states have adopted its rules requiring automakers to sell a certain number of electric cars and trucks, based on each manufacturer's overall in-state sales.

But California and those other states now lose the power to enforce those zero-emissions vehicle requirements—at least temporarily.

Auto industry experts and analysts expect the uncertainty that would create would dampen the market for zero-emissions vehicles.

Improvements in U.S. fuel economy so far have not been sufficient to curb carbon emissions from transportation, which grew 1.2 percent in 2017 even as the nation's overall carbon emissions fell 0.5 percent, according to the latest figures from the Environmental Protection Agency.

As long as more consumers are driving more miles each year, only electric and other zero-emissions vehicles can reverse the trend that has made transportation the largest source of U.S. greenhouse gas emissions.

"You can't get serious about climate change unless you get serious about vehicle emissions," California Gov. Gavin Newsom said Wednesday at a news conference in Sacramento. "This is such a pivotal moment in the climate change debate, not just for California, but for our leadership around the world. It is a legacy moment."

Newsom vowed to fight the Trump administration's move in court. "We will prevail," he said. "It may take years, more uncertainty and more anxiety."

In August, four automakers, comprising 30 percent of the market, struck a deal with California to voluntarily implement annual fuel economy improvements across their fleets if the federal rules were weakened.

Under that agreement, made in anticipation of Trump's action, Ford, Honda, BMW and Volkswagen would continue to improve gas mileage—[HYPERLINK "https://rhg.com/research/californias-deal-with-automakers/"][HYPERLINK "https://rhg.com/research/californias-deal-with-automakers/"] than under the Obama administration's rules. The deal, which served to isolate the Trump administration in its battle with California,[HYPERLINK "https://www.nytimes.com/2019/08/20/climate/trump-auto-emissions-rollback-disarray.html?smid=tw-nytclimate&smtyp=cur"] the president. And although California has continued talks with the remaining automakers, the Trump Justice Department has been using the threat of antitrust enforcement to dissuade automakers from cooperating with the state, Newsom said.

"The innovation genie is out of the bottle," the governor said. "Every single one of these companies knows where the country is going, and where the world is going ... and that's the elimination of the internal combustion engine."

A Long History of Waivers for California

California's role as a leader in the nation's air pollution laws dates back to the beginnings of federal environmental law in the late 1960s.

When Congress got around to creating a program to control air pollution, it sought not to disrupt the steps that already had been taken by California to deal with its legendary urban smog. Congress gave California authority to set its own standards, and gave other states the option of following California's program.

But each time California sets a new, tougher air standard, it must receive a "waiver" from the federal government, certifying that the standard is at least as protective as the federal standard, that it is not arbitrary and capricious, and that the state has a compelling need to act. Over the years, California has received hundreds of such waivers. As a result, it has led the nation in control of carbon monoxide, smog-forming pollutants and other tailpipe emissions.

The waiver that Trump revoked was granted by President Barack Obama and governed California's authority to control greenhouse gas emissions from vehicles. Obama then brought federal rules in line

with California's standards in a landmark deal negotiated with the U.S. automakers as part of the $80.7 billion bailout of their industry in 2009.

Soon after Trump won the 2016 election, automakers [HYPERLINK "https://www.documentcloud.org/documents/4954121-Auto-Alliance-Letter-to-Trump-Transition.html"] asking him for additional flexibility under the fuel economy and greenhouse gas rules. Even though they are making large investments in electric cars, automakers' most profitable vehicles are still the gas-guzzling SUVs and pickup trucks that are making up [HYPERLINK "https://insideclimatenews.org/news/15102018/automakers-gm-ford-pickup-suv-electric-vehicle-emissions-standards-climate-change-industry-bailout"] in the United States.

But Trump went even farther. The carmakers did not want a legal battle with California, and [HYPERLINK "https://www.nytimes.com/2019/06/06/climate/trump-auto-emissions-rollback-letter.html"] for the Trump administration to reach a deal with the state.

A Claim About Jobs, and an Analysis

In his tweet effectively rejecting that plea, Trump asserted that the revocation of California's waiver will result in less expensive and safer vehicles. "Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS!" Trump tweeted.

But last year, the Trump administration's own analysis of its proposed rollback projected that it would result in [HYPERLINK "https://u7061146.ct.sendgrid.net/wf/click?upn=G62jSYfZdO-2F12d8lSllQB-2F2Sw7fOO7QXlcZLHHd7HZ92JASztHoEtr0WyvhQMHIavummltfsrCjTPyY5lRpTXTsCeMIhWKO6ZGLkxgO3rLI-3D_sRhcW2-2BDTRE7lPe159GnTJliXaLTaTrlJcRFXi-2F4W69XWlrvPPi4dNOnd-2FAyV2B13N2prmSSo9s9Ut3qEkyKxUlkr7hInytwOOTgdlEN-2FiTl7wklVCSriRrEaDVyOV45X-2Bm-2FrpxviSBbpphsHdICl45yaCWzpBMX04qP4PuPOMGKMJtilnFYCGOf3JjArhHoF8u-2BavfwjddP9PwjgQEiWsxEswF4R7KQQWPYoELeZh1HuKRIutspHTR5zPsjtrFS7kyKR5-2FW4AAqJFxOSWgH0tExwoRP895BKNWMxifsStamKbjwmnoWZgOQTn-2FWxeMuttxzREhWcRJZJNRmU5F9Y-2FltN10TWlLGyFAJnkYlHLF2-2BCdRMQCbBrghFF19Mu-2Fy"].

"For over 50 years, California has played a leadership role in advancing vehicle standards and air quality policies that created a market for clean vehicle technologies," [HYPERLINK "https://www.documentcloud.org/documents/6420580-MECA-EPA-NHTSA-SAFE-Vehicle-Rule-Comments-10262018.html"] in a plea it filed with the Environmental Protection Agency to retain the California standard.

The association said more than 300,000 people at more than 1,200 facilities across North America are employed in design and manufacture of emissions control and efficiency technology. "The Clean Air Act viewed California as a laboratory for innovative policies that drive early technology introduction," it said.
Nearly Half EV Growth Was in California

California's impact on the market is clear in the sales figures for electric vehicles.

New registrations of EVs in the United States more than doubled in 2018 to 208,000, with nearly 46 percent of that growth occurring in California. An additional 13 percent were in the nine states that have adopted that state's zero-emissions rules, [HYPERLINK "https://news.ihsmarkit.com/press-release/automotive/us-electric-vehicle-loyalty-and-volumes-reach-record-highs-according-ihs-ma"]

EVs are on track to grow from 2 percent of the total U.S auto fleet in 2020 to more than 7 percent by 2025, IHS Markit said in April. But the consulting firm added, "The greatest headwind for EV sales in the U.S. may soon be any elimination or delay to California's Zero Emission Vehicles (ZEV) mandate by the federal government."

"Simply put, the California Waiver has enabled greater EV penetration in markets nationwide," said [HYPERLINK "https://www.documentcloud.org/documents/6420581-EPA-NHSTA-Comments-ChargePoint-SVR-Final.html"], in comments it filed with the federal government last year. Revoking the California waiver would "stifle EV markets across the country at a time of rapid growth," ChargePoint said.

Groups from the ideological right and supporters of the fossil fuel industry have been urging the Trump administration to withdraw California's authority.

Grover Norquist's Americans for Tax Reform [HYPERLINK "https://www.documentcloud.org/documents/6420579-ATR-SAFE-Vehicle-Letter.html"] to "[restore] proper federalism by removing California's ability to dictate national policy." The fossil fuel industry-supported [HYPERLINK "https://www.americanenergyalliance.org/2019/02/trump-administration-rightly-rejects-californias-power-grab/"], "Consumers, not unelected bureaucrats in Sacramento, should decide what cars they want to buy."

The Trump Administration's Argument

The Trump administration unveiled[HYPERLINK "https://insideclimatenews.org/news/02082018/trump-fuel-efficiency-standards-rollback-climate-change-epa"] last year. In that notice, it signaled it plans to make the legal argument that the greenhouse gas emissions standards are, in effect, fuel economy standards—and that Congress prohibited states from setting their own fuel economy standards when it established a national auto efficiency program in 1975.

Two federal courts—[HYPERLINK "https://casetext.com/case/green-mountain-chrysler-plymouth-dodge-jeep-v-crombie-2"] and [HYPERLINK "http://columbiaclimatelaw.com/resources/state-ag-environmental-actions/central-valley-chrysler-jeep-inc-v-goldstene-2007/"]—rejected that argument when President George W. Bush's administration tried to deny California authority to set its own greenhouse gas emissions standards in 2007. That same year, the U.S. Supreme Court rejected the same notion when it decided that [HYPERLINK "https://www.law.cornell.edu/supct/html/05-1120.ZS.html"] under the meaning of the Clean Air Act.

"Sure it's true that one of the ways you limit greenhouse gas emissions is by improving fuel economy. But that doesn't turn those standards into fuel economy standards," said Jack Lienke, regulatory policy

director at New York University's Institute for Policy Integrity. "Their purpose is to limit pollution and protect health."

The Environmental Protection Agency and the Department of Transportation are expected to finalize the weakening of federal fuel economy standards later this year, but it decided to act on the California waiver first.

It is not yet clear how the Trump administration's plan would affect global warming emissions. The Obama administration's rules were designed to cut more than 6,000 million metric tons of greenhouse gases—more than one year's worth of total U.S. emissions—over the lifetime of vehicles sold from model years 2011 to 2025. The Obama administration had [HYPERLINK "https://www.gpo.gov/fdsys/pkg/FR-2012-10-15/pdf/2012-21972.pdf" \l "page=270"] that the fuel economy standards would account for 8 percent of the cuts needed to meet the U.S. pledge under the Paris climate accord.

NBC News

[HYPERLINK "https://www.nbcnews.com/business/autos/trump-s-new-fuel-economy-rules-won-t-lead-cleaner-n1056426"]

By Paul Eisenstein

September 19, 2019

Trump's new fuel economy rules won't lead to "cleaner and safer" cars, say industry experts

The Trump administration formally announced plans Thursday to strip away the waiver that had allowed California to set its own fuel economy mandates, while also confirming that a rollback of federal mileage rules will be revealed in the coming weeks.

Echoing the words of President Donald Trump, two senior White House officials said the moves would make tomorrow's cars cleaner and safer, while also creating more U.S. jobs.

As for the battery-electric vehicles the Obama-era rules would have encouraged, Andrew Wheeler, the administrator of the Environmental Protection Agency, dismissed them as little more than toys for the rich being subsidized by less affluent American motorists.

While Wheeler said he hopes the administration's moves will gain widespread support, that seems questionable. Several major automakers have already laid out plans to expand production of electric vehicles and other high-mileage models, despite Trump's rollback, and 14 states plus the District of Columbia have adopted the tougher California standards.

The EPA chief stressed that the move to block California from setting greenhouse gas standards will not impact its ability to regulate other pollutants, such as ozone, adding that, "We hope the state will focus on these issues rather than trying to set fuel economy standards for the rest of the country."

The elimination of California's ability to regulate CO2 and other greenhouse gases was announced first, administration officials acknowledged, in order to make it easier to defend against the anticipated legal challenges.

On Wednesday, during a news conference in Sacramento, California's Attorney General Xavier Becerra made it clear the state will not readily accept losing its emissions waiver. "For us, this is about survival," said Becerra. "Our communities are screaming for help to address the climate crisis. Unlike the Trump administration, we don't run scared. We're prepared to lead. We're prepared to fight. We'll do what we must."

The administration will announce the second part of the mileage rules change in a matter of weeks, explained Department of Transportation Secretary Elaine Chao, who appeared with Wheeler in Washington Thursday morning. Both the EPA and the DOT are jointly charged with regulating CAFE, the Corporate Average Fuel Economy regulations.

"The updated standards will be reasonable," said Chao, indicating they likely will not be rolled back as much as the administration had first suggested during a news conference late last year.

What will be called the SAFE Vehicle mandate is expected to put substantially less pressure on automakers to switch away from conventional, gas-powered vehicles. "The rule will not force automakers to spend billions of dollars to build cars that American consumers do not want to buy or drive," said Chao.

Wheeler was even blunter, pointing to what he claimed was an average $12,000 premium for battery-electric vehicles, a price penalty partially offset by taxpayer-funded incentives. More than half of the subsidies have been going to motorists making over $100,000 annually, the EPA chief said.

Meanwhile, automakers are funding development of the new technology by raising new vehicle prices to a record $39,000 average during the first quarter of 2019, Wheeler said, meaning "Americans are paying more for SUVs and trucks so automakers can sell cheaper electric vehicles"

Both Chao and Wheeler echoed comments President Trump made in a series of Wednesday tweets declaring revised rules would make vehicles "substantially SAFER," while also "meaning significantly more JOBS, JOBS, JOBS!"

The administration's logic is that conventional vehicles will cost less, encouraging more motorists to trade in on newer models with the latest safety and emissions equipment.

But whether that actually will play out is uncertain. For one thing, automakers operate on a global scale and battery cars are being mandated in much of the rest of the world. It actually makes more sense to also bring them to market in the U.S., moving forward, experts stressed.

One reason the industry may not back down on EV plans, several insiders told NBC News, is that the business requires long-term planning. With a presidential election coming in barely 14 months, and the re-election chances of the current president far from certain, automakers realize a new, Democratic administration could reenact tough mileage rules. That said, there is general support for adopting a single mileage standard. But even there, industry officials caution, they need to see if the move to strip California's waiver will stand up to a court challenge.

Politico

Wheeler, Chao to California: Stay in your own lane

By Alex Guillen

September 19, 2019

Trump administration officials today said California should stay in its own lane when it comes to vehicle emissions and focus instead on reducing tailpipe pollution that creates the state's unique smog problem.

Revoking the state's greenhouse gas waiver "will not affect California's ability to refocus its efforts on fighting the worst air pollution in the country and comply with existing regulations," Transportation Secretary Elaine Chao said at a press conference.

President Donald Trump [HYPERLINK "https://www.politico.com/story/2019/09/17/epa-california-obama-waiver-1500336" \t "_blank"] with California on Wednesday, saying he was revoking its power to enforce more stringent limits on vehicle carbon pollution than the federal government.

EPA Administrator Andrew Wheeler told reporters that Congress had intended for California to use Clean Air Act waivers to combat particulate matter, nitrogen oxides and other pollutants that have plagued California both because of the number of cars in the state and because of unique geographic features that worsen its air quality.

But unlike smog, carbon dioxide emitted from cars in California contributes to climate change as much as cars driven anywhere else in the world, Wheeler noted.

"It makes sense that Congress carved out waiver authority for California to address its unique local problems," Wheeler said. "It does not make sense to try to use that authority to address national and global issues like greenhouse gas emissions."

Reuters

[HYPERLINK "https://www.cnbc.com/2019/09/19/reuters-america-update-1-trump-administration-bars-california-from-requiring-cleaner-cars.html"]

Trump administration bars California from requiring cleaner cars

By David Shepardson

September 19, 2019

The Trump administration said on Thursday it is revoking California's authority to set its own auto tailpipe emissions standards and to require some zero-emission vehicles - a decision that will spark a massive legal battle over the future of U.S. vehicles and the most populous state's regulatory role.

Environmental Protection Agency (EPA) Administrator Andrew Wheeler said in a statement the decision will ensure nationwide rules that provide "much-needed regulatory certainty for the automotive industry." Currently, California's more stringent vehicle emissions rules are also followed by a dozen other states that account for than 40% of U.S. vehicle sales.

Transportation Secretary Elaine Chao said in a statement the decision ensures "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country."

Revocation of California's ability to set its own standards is part of a multipronged battle by the Trump administration to counter the state's efforts to reshape the mix of vehicles driven by Americans. The administration also plans to finalize in coming months a separate rule that would roll back fuel-efficiency standards set under preceding President Barack Obama.

The Obama-era rules called for a fleetwide fuel efficiency average of 46.7 miles (75 kilometers) per gallon by 2025, with average annual increases of about 5%, compared with 37 mpg by 2026 under the Trump administration's preferred option to freeze requirements.

In a joint statement with the EPA, the Department of Transportation's National Highway Traffic Safety Administration said it is affirming that federal law preempts state and local regulation of vehicle fuel economy.

Meanwhile the EPA said in the statement it is withdrawing the Clean Air Act waiver granted to California in January 2013 for its tailpipe greenhouse gas emissions and zero emission vehicle regulations.

Reuters reported Wednesday the agencies will cite the California's voluntary agreement with four automakers reached in July in its rationale to revoke the waiver.

Trump on Wednesday characterized the planned step as a win for consumers, saying vehicles would be less expensive and safer under federal requirements.

Officials in California rejected those claims and vowed to fight any attempt by the federal government to restrict the state's ability to set its own standards on vehicle emissions and electric cars.

Calling it a "political vendetta," California Governor Gavin Newsom, California Attorney General Xavier Becerra and Mary Nichols, the state's top clean air regulator, said Trump's action would compromise public health and leave the U.S. auto industry behind in the global race to build electric vehicles.

Automakers are caught in the middle.

While worried that California's electric vehicle mandates will be costly, global automakers have little choice but to develop battery electric cars and trucks because Europe and China are pushing ahead with rules requiring them.

The Alliance of Automobile Manufacturers, a trade group representing General Motors Co, Toyota Motor Corp , Volkswagen AG, Ford Motor Co and others, declined on Wednesday to take a position on Trump's revocation of California's waiver.

Sacramento Bee

[HYPERLINK "https://www.sacbee.com/news/politics-government/capitol-alert/article235248672.html"]

EPA hopes to accelerate legal clash with California over clean car standards

By Emily Cadei

September 19, 2019

Trump administration officials expect their move this week to revoke California's unique authority to restrict car pollution will speed up an impending legal clash which could potentially allow them to defend the policy in federal court during President Donald Trump's first term.

"This rule will be able to be challenged in court on its own and we can accelerate the timetable for getting a definitive final judgment from the courts," Department of Transportation General Counsel Stephen Bradbury said at a press conference on Thursday.

The timing is critical, given the looming presidential election. Should a Democrat defeat Trump in 2020, they would undoubtedly drop the challenge against California.

California's Democratic leaders have already promised to sue to protect their waiver authority, granted under the Clean Air Act of 1970. Thirteen other states and the District of Columbia have followed California's lead in setting emissions standards that are stricter than federal government requirements. In 2012, those states reached a deal with the Obama administration to set new, stricter national standards through 2025.

The Trump administration is in the process of rewriting those regulations now, but the release of that new rule, initially expected this summer, has been delayed.

Administration officials are now portraying the move against California as the first step in that broader effort to roll back the Obama-era standards, which Transportation Secretary Elaine Chao argued would "force automakers to spend billions of dollars developing cars that consumers do not want to buy or drive."

"It's time to put California's waiver back in its box, a box that Congress always intended it to stay in," Environmental Protection Agency Administrator Andrew Wheeler said at the press event in Washington.

He added that the "action finally clears the way for our final SAFE rule," as the proposed Trump regulation has been labeled.

"Our goal from the beginning was a 50-state solution," Wheeler said.

Gov. Gavin Newsom responded preemptively in a prepared statement Wednesday, saying "California won't ever wait for permission from Washington to protect the health and safety of children and families."

“We will fight this latest attempt and defend our clean car standards,” Newsom promised.

In California alone, vehicle pollution represents 40 percent of the greenhouse gases emitted, the state says.

Wheeler and Chao argued California should focus on other efforts to rein in pollution, slamming the state for having the worst air quality in the country.

“We hope that the state will focus on these issues rather than trying to set fuel economy standards,” Wheeler said.

SF Gate

[HYPERLINK "https://www.sfgate.com/news/bayarea/article/Trump-Administration-Revokes-California-s-Auto-14452427.php"]

Trump Administration Revokes California's Auto Emissions Standards Waiver

September 19, 2019

U.S. Environmental Protection Agency Administrator Andrew Wheeler and Transportation Secretary Elaine Chao officially announced Thursday that they are revoking California's authority to set strict auto emission standards.

The administration's intention to take that step was announced by President Donald Trump on Wednesday in a tweet.

California Gov. Gavin Newsom and Attorney General Xavier Becerra said Wednesday they plan to sue to protect the state's right to set limits on tailpipe air pollution that are stricter than federal limits.

The U.S. Clean Air Act of 1970 gives California the right to obtain a waiver from the EPA to set stricter standards and allows other states to choose to follow California's lead. Thirteen states have done so.

Wheeler and Chao said the administration will now set a single national rule for auto fuel economy and greenhouse gas emissions.

Chao said in a statement that the federal action will ensure that "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country."

Wall Street Journal

[HYPERLINK "https://www.wsj.com/articles/trump-administration-issues-looser-emissions-standard-11568902413"]

Trump Administration Issues Looser Emissions Standard

By Katy Stech Ferek

September 19, 2019

The Trump administration formally unveiled a new standard that loosens emissions rules for vehicles sold in the U.S. and moved to strip California's ability to set its own tougher requirements, steps officials said will give drivers access to cheaper, safer cars.

Officials from the Environmental Protection Agency and the Transportation Department said Thursday they issued a final action on a rule that will unify the country's fuel-economy and greenhouse-gas-emissions standards. The announcement, which had been previewed by President Trump and other officials earlier in the week, marks another step in easing requirements set under the Obama administration in 2012.

The actions ensure that "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country," said Secretary of Transportation Elaine Chao.

Critics say the administration's moves will hurt air quality and the fight against climate change.

Ahead of the formal announcement, Public Citizen, a Washington, D.C., advocacy group, said the move to take away California's ability to set its own rules "will further impede efforts to combat global climate change even as the signs of impending climate disaster grow ever clearer."

EPA Administrator Andrew Wheeler said that the action will provide certainty for auto makers as they prepare to comply with stronger standards designed to cut air pollution.

"Most auto makers can't comply with the trajectory of the current standards," Mr. Wheeler said at a press conference Thursday morning.

In the press conference, Ms. Chao called the standards set by the Obama administration "unattainable" and said they made the price of new cars unaffordable for some families. "The rule will not force auto makers to spend billions of dollars developing cars that consumers do not want to buy or drive," she said.

California has long had the authority to set its own rules on limiting air pollutants from cars, but the Trump administration believes such requirements [HYPERLINK "https://www.wsj.com/articles/trump-administration-revoking-california-emissions-waiver-11568821295?mod=article_inline"]. California has already taken legal action to block the White House's efforts to take away its waiver to set its own standards, and top state officials threatened more lawsuits on Wednesday.

Federal officials said they are still working on additional rules that will give auto makers the full scope of requirements and expect to release those details later this year.

Rescinding the California waiver would fulfill a longstanding goal of the administration to curb California's influence over the car industry with its ability to set more stringent emissions rules than federal mandates. In July, four car companies— [HYPERLINK "https://quotes.wsj.com/F"] Co. , [HYPERLINK "https://quotes.wsj.com/HMC"] Co. , [HYPERLINK "https://quotes.wsj.com/XE/XETR/VOW"] AG and [HYPERLINK "https://quotes.wsj.com/XE/XETR/BMW"] AG —[HYPERLINK "https://www.wsj.com/articles/auto-makers-agree-to-stricter-california-tailpipe-emissions-standards-11564074757?mod=article_inline"]to meet tougher emission requirements than those proposed by the Trump administration.

In previewing the planned action, Mr. Trump tweeted Wednesday: "Auto makers should seize this opportunity because without this alternative to California, you will be out of business."

Washington Examiner

[HYPERLINK "https://www.washingtonexaminer.com/washington-secrets/dot-announces-one-and-only-one-national-fuel-standard-hits-california"]

DOT, EPA announce 'one, and only one' national fuel standard, hit California

By Paul Bedard

September 19, 2019

The Department of Transportation and Environmental Protection Agency Thursday announced that there will be "one, and only one" national fuel standard, a move made to cut the costs of vehicles and bar California from making stricter standards.

In a release and in a briefing today, the department said, "This action will help ensure that there will be one, and only one, set of national fuel economy and greenhouse gas emission standards for vehicles."

The department, in the release shared in advance with Secrets, also took a shot at California which will lose its waiver to require different fuel standards, a model followed by a dozen other states.

"Moving forward, California must continue to enforce its programs to address smog and other forms of traditional air pollution caused by motor vehicles. The state must redouble its efforts to address the worst air quality in the United States and finally achieve compliance with EPA's National Ambient Air Quality Standards, where for decades it has failed to address serious, severe, and extreme non-compliance status in several areas within the state," it said.

Trump on Wednesday tweeted his plans to shake up the fuel standard rules as part of the proposed Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule.

In reaction, California officials promised legal action and said that their rules are tougher and prevent greater pollution than federal standards.

"You can't get serious about climate change unless you are serious about vehicle emissions," said California Gov. Gavin Newsom. "This is such a pivotal moment in the history of the climate change debate," he added.

The battle between Washington and California is likely to help shape the climate change fight on the 2020 campaign trail. Some polls show that it is a key issue in the eyes of voters.

Automakers have said that they prefer moving to increased mileage requirements because it will keep their vehicles competitive with others worldwide. However, they don't want the standards to be as high as the Obama administration had set.

Still, this year Honda, Ford, BMW, and Volkswagen signed on to the California standards, creating an industry split.

In the release, Transportation Secretary Elaine Chao said the federal government, not a state, has the authority to set national standards.

"Today's action meets President Trump's commitment to establish uniform fuel economy standards for vehicles across the United States, ensuring that no State has the authority to opt out of the nation's rules, and no State has the right to impose its policies on the rest of the country," she said.

She also made a statement shown on the DOT twitter site.

Environmental Protection Agency chief Andrew Wheeler added, "One national standard provides much-needed regulatory certainty for the automotive industry and sets the stage for the Trump Administration's final SAFE rule that will save lives and promote economic growth by reducing the price of new vehicles to help more Americans purchase newer, cleaner, and safer cars and trucks."

Message

From: Mike Allen [mike@axios.com]
Sent: 9/17/2019 8:24:12 PM
To: Block, Molly [block.molly@epa.gov]
Subject: Axios PM: Netanyahu's bad exit polling — Anti-vaping tipping point — Lewandowski stonewalls

AXIOS

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Axios PM

By Mike Allen · Sep 17, 2019

Good afternoon: Today's PM — edited by Justin Green — is 502 words, a 2 minute read.

Situational awareness: Israeli exit polls show Benjamin Netanyahu falling short of the 61 seats needed for a majority. *Go deeper*.

1 big thing: The anti-vaping tipping point

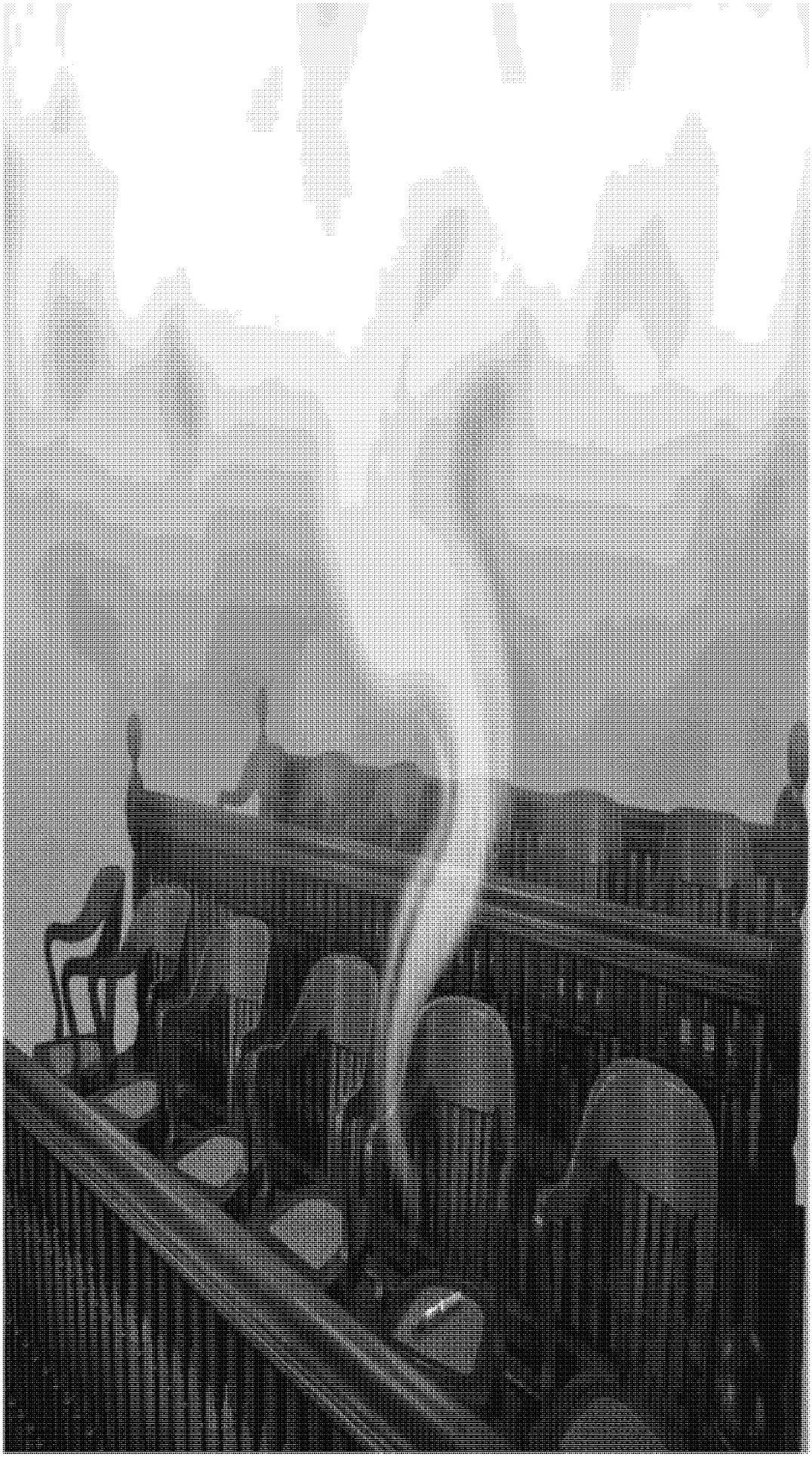


Illustration: Sarah Grillo/Axios

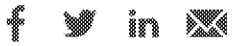
President Trump's surprise announcement last week is just one data point in the sudden tidal wave of anti-vaping action nationwide.

Why it matters: Companies like Juul and others — which now market their vaping products around smoking cessation — suddenly face a nasty political climate based on fears of kids getting addicted.

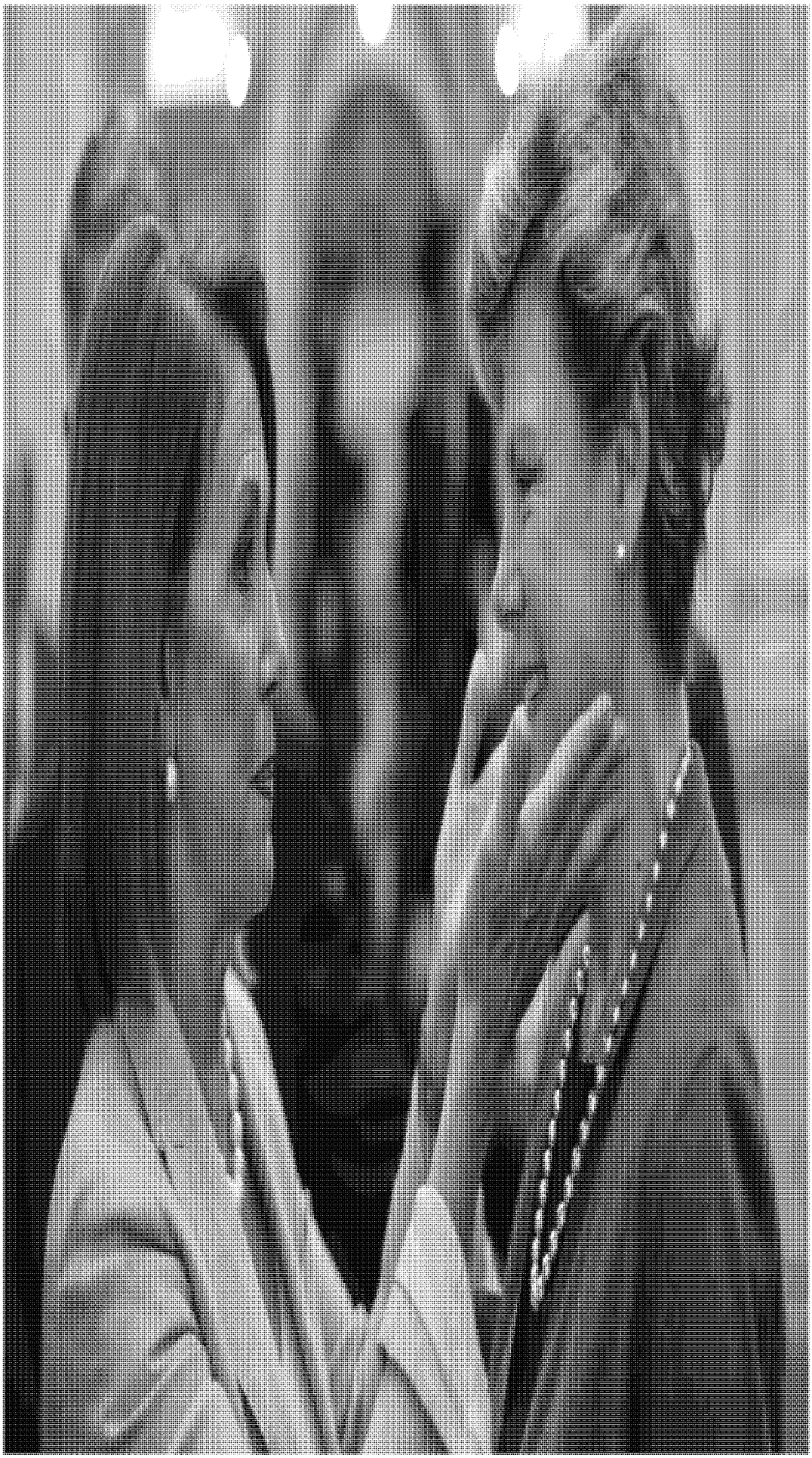
- **Numerous states** are pushing major anti-vaping efforts, testing everything from banning flavored cartridges to PSA messages aimed at teens that feel like rehashes of the anti-cigarette movement.
- **That now extends to local government:** D.C. suburb Montgomery County is considering a rule that'd ban vape shops from within a 1/2 mile of public middle and high schools — effectively closing 19 of the county's 22 stores, the WashPost notes.
- **Legal vaping manufacturers** (particularly in the marijuana variety) are rushing to make sure their product doesn't get mistaken for the bootlegged cartridges that officials believe are causing some of the vaping-related lung illnesses.

The big picture: Hundreds of people nationwide have suffered vaping-related lung illnesses, with 7 deaths.

- **But it's still a mystery** what exactly is causing the illnesses.
- **The FDA has pointed to vitamin E acetate** in THC vaping cartridges, but "no candidate substances have consistently turned up across samples so far," Scientific American warns.
- **Although most "cases** involve pods containing THC ... not all of them do. ... In a good chunk of cases, patients say the one they vaped contained only nicotine. Although it is possible patients do not want to admit to THC use in states where it is not decriminalized, there is no evidence they are lying."



2. RIP Cokie Roberts



Nancy Pelosi and Cokie Roberts in 2016. Photo: Pablo Martinez Monsivais

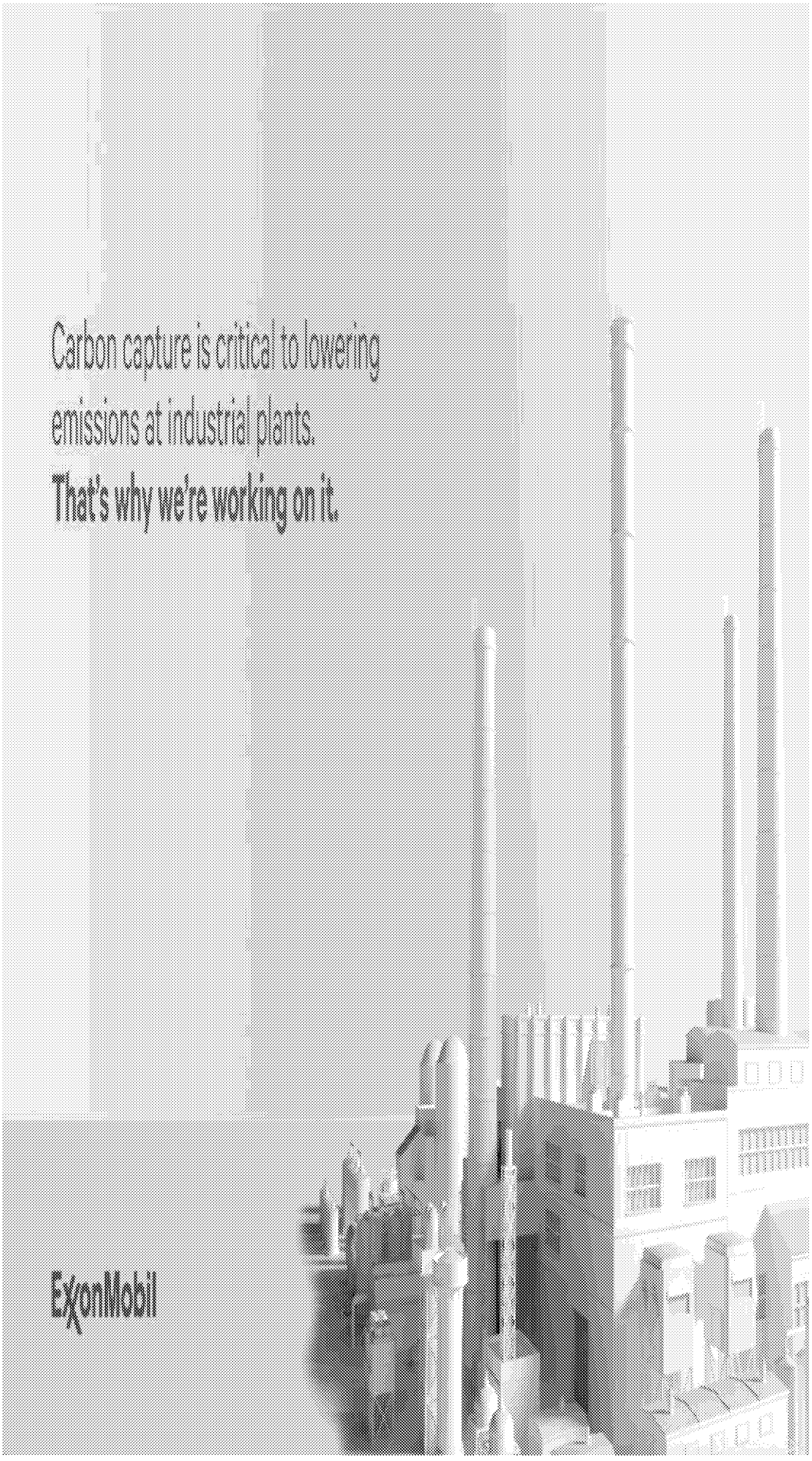
Trailblazing journalist Cokie Roberts, a role model to generations of young journalists, has died at the age of 75.

- **From her NPR obituary:** "A bestselling author and Emmy Award winner, Roberts was one of NPR's most recognizable voices and is considered one of a handful of pioneering female journalists — along with Nina Totenberg, Linda Wertheimer and Susan Stamberg — who helped shape the public broadcaster's sound and culture at a time when few women held prominent roles in journalism."

Worthy of your time.

A MESSAGE FROM EXXONMOBIL

Independent experts believe in carbon capture. We do, too

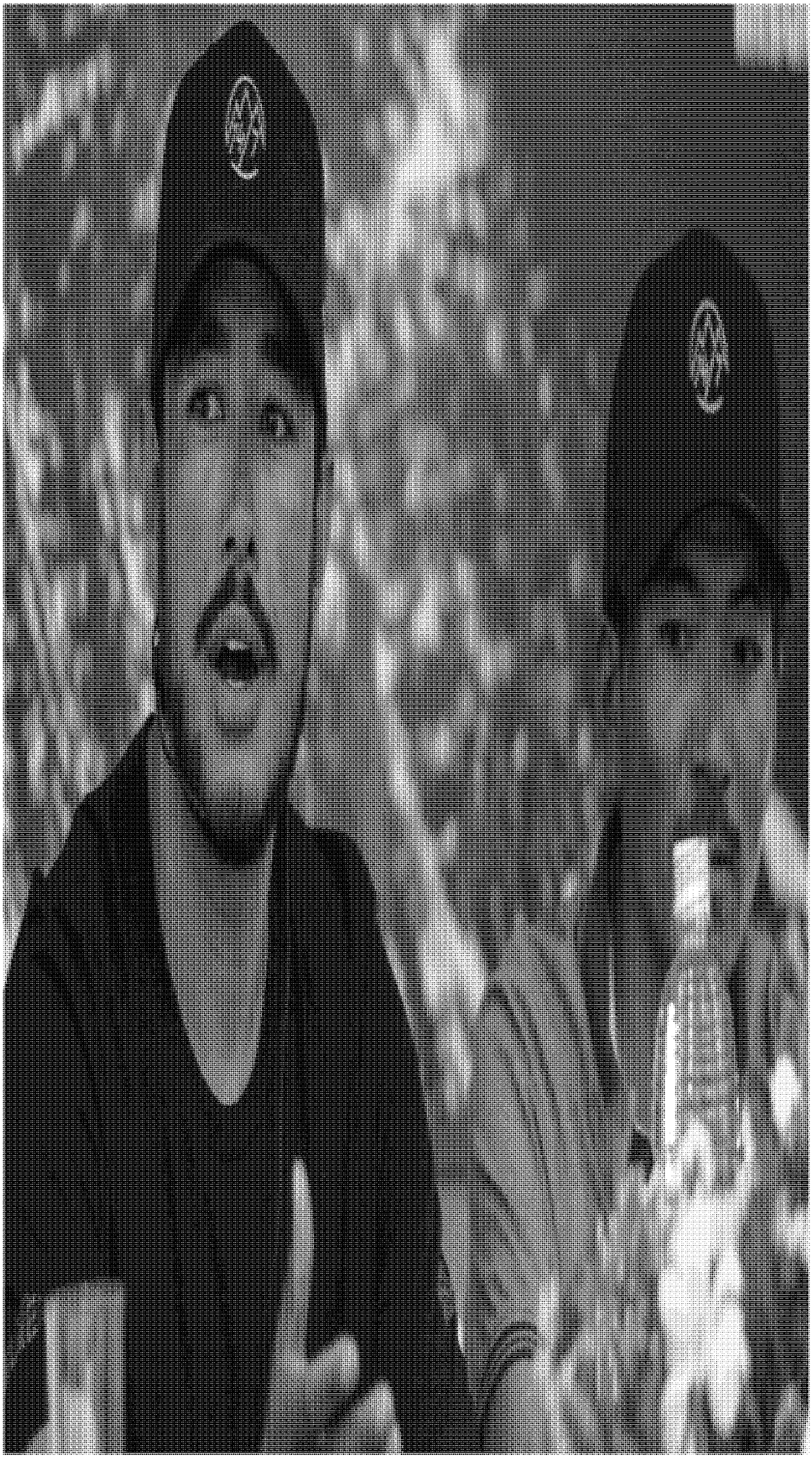

Carbon capture is critical to lowering
emissions at industrial plants.
That's why we're working on it.
ExxonMobil

Independent science organizations agree that carbon capture is critical in reducing CO_2 emissions at industrial plants. ExxonMobil is working on ways to make it more efficient and affordable. Learn more.

3. What you missed

1. **Former Trump campaign manager Corey Lewandowski refused** to answer questions from the House Judiciary Committee that involved conversations with President Trump not referenced in the Mueller report. *Video.*
2. **Federal regulators are increasingly fighting over who gets to investigate Big Tech** companies like Facebook and Google. *Go deeper.*
3. **Trump is considering an "individual task force" on homelessness** in California, which he said is "destroying" cities like San Francisco and Los Angeles. *Go deeper.*
4. **Hurricane Humberto has strengthened to a Category 2 storm**, with maximum sustained winds of 100 mph as it makes its way toward Bermuda. *Go deeper.*

4. 1 ⛰ thing



Mountaineer Nirmal Purja (L) speaks alongside Nepali mountaineer Mingma David Sherpa. Photo: Prakash Mathema/AFP/Getty Images

"The current record for climbing the world's 14 tallest peaks is almost eight years. Nepali climber, Nirmal Purja, who served in the British special forces, has a target of seven months," AFP reports.

- **"On track to make climbing history**, the phenomenal mountaineer has in the process also set several speed climbing records this year."
- **"This included his summits** of Everest, Lhotse and Mount Makalu, three of the world's five highest mountains, in a record 48 hours — and despite the deadly overcrowding this season on the planet's top peak."

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From: White House Press Office [info@mail.whitehouse.gov]
Sent: 9/16/2019 11:40:07 PM
To: Block, Molly [block.molly@epa.gov]
Subject: On-the-Record Press Call on the CEA Report on the State of Homelessness in America

On-the-Record Press Call on the CEA Report on the State of Homelessness in America

Office of the Press Secretary

FOR IMMEDIATE RELEASE
September 16, 2019

ON-THE-RECORD PRESS CALL
BY SENIOR ADMINISTRATION OFFICIALS
ON THE CEA REPORT ON THE STATE OF HOMELESSNESS IN AMERICA

Via Teleconference

4:31 P.M. EDT

MS. SLOBODIEN: Thank you everyone for joining us. Today we are joined by Acting Chairman of the Council of Economic Advisers Tomas Philipson who will provide on-the-record remarks about the state of homelessness in America. After his remarks conclude and time permitting, we will open the lines up for question and answer. At that time, we may have additional senior administration officials speak on background. I will now turn things over to Tomas.

ACTING CHAIRMAN PHILIPSON: Thank you, Rachael. And thank you everyone for joining in our call today to discuss CEA's newly released report which provides an in-depth look at the state of homelessness in America and the supply and demand factors in the

housing market that may actually cause it.

The Trump administration's overall economic agenda has been involved in an extensive amount of deregulation that has lowered costs of the supply side of the economy and thereby increased economic activity and GDP growth.

In several previous CEA reports, we have documented large economic value to the U.S. economy from the deregulatory agenda. CEA's report today on the state of homelessness in America continues this effort by focusing on how government barriers in the housing market limit supply and thereby raises prices. These barriers can be reduced by deregulation that increases competition on the supply side, reduces prices, and thereby lowers homelessness.

More specifically, as our report discusses, harmful local government policies in select cities, along with ineffective federal government policies of prior administrations, have exaggerated the homelessness problem. Therefore, the Trump administration is working to reverse the failed policies of the past, and instead implement policies that address the underlying causes of homelessness.

Before discussing the finding of this report, I'll offer an outline on what it entails.

In this report, CEA first describes the homelessness barriers across the United States and analyzes the major factors driving these differences, especially harmful local government policies.

Next, we discuss the shortcomings of previous federal policies to reduce homelessness populations.

And finally, we describe what the Trump administration is doing to improve federal efforts to reduce homelessness through

increasing both the supply and demand for homes. I will now go over each of these three parts in turn.

Our first part was on the state of homelessness across America. On any given night, over half a million Americans are homeless, which is about 0.2 percent of our population. Approximately 65 percent of homeless people are found in a homeless shelter, and the other 35 percent are found in unsheltered -- or found unsheltered on our streets and places not intended for human habitation, such as sidewalks, parks, cars, or abandoned buildings.

Contrary to reported trends that suggest that more than 94,000, or 15 percent, of a reduction that's taken place since 2007, it is unclear whether homelessness in the United States has actually decreased. At least in part, the reported decline in homelessness may be a result of an inconsistent definition of people living in transitional housing versus rapid re-housing, and miscounting of the unsheltered homeless population.

Today, unsheltered homelessness remains concentrated on the West Coast, where sheltered homelessness is concentrated in the Northeast. First, we document several facts in this report on unsheltered homelessness. In total, almost half, or 47 percent, of people sleeping on the streets in the United States are found in California, although the state only represents 12 percent of the U.S. population.

Almost one-fifth, or 19 percent, of all people sleeping on the streets in the United States are found in Los Angeles County, although the county only represents 3.1 percent of the U.S. population. Of the five cities with the highest rates of unsheltered homelessness, four are in California, the fifth being in Seattle.

The highest rates of sheltered homelessness are in the three

cities in the Northeast: Boston, New York, and Washington, D.C. The rates of sheltered homelessness in these three cities are more than twice as high as the rate in every other major city.

In fact, over 20 percent of all people sleeping in shelters in the United States are found in New York City, although the city only represents 2.6 percent of the U.S. population.

One of the questions this CEA report addresses is: What is the reason for the higher concentration of homelessness in Northeast and on the West Coast? What's responsible for these differences? In particular, have state and local government policies in these regions contributed to the problem?

The simple answer to this question is yes. Specifically, overregulation of local housing markets has reduced supply and raised prices, making the cost of a home out of reach for more people. In fact, as this CEA report finds, deregulating housing markets with excessive regulations would result in major reductions in homelessness in a number of key metropolitan areas.

Homelessness would fall by 54 percent in San Francisco. It would fall by 40 percent in Los Angeles. It would fall by 36 percent in Washington, D.C., and 23 percent in New York City, if markets were deregulated.

Homelessness would fall by an average of 31 percent in the 11 metropolitan areas with excessive regulation that significantly drives up the cost of housing. These 11 metropolitan areas currently contain 42 percent of the overall homeless population in the United States.

A second major factor that increases homelessness is the tolerability of sleeping on the street. Unsurprisingly, unsheltered homelessness is much more likely in warmer cities.

But not all warm places have high rates of unsheltered homelessness.

The report finds that states like California, Oregon, and Washington have rates of unsheltered homelessness over twice as high as would be predicted given their weather, home prices, and poverty rates. On the contrary, states like Florida and Arizona have lower-than-expected rates.

Local policies, including the role of the police, could play a role in these differences. When paired with effective services, humane policing may be an important tool to help move people off the street and into shelter or housing where they can get the services they need, as well as to ensure the health and safety of homeless and non-homeless people alike.

A third major factor that increases homelessness is the quality and availability of shelters. Boston, New York City, and Washington, D.C., have rates of sheltered homeless over 2.7 times as high as the rate in every other city. Each of these cities has the Right to Shelter law that guarantees shelter of minimum-quality level.

Of course, it is important to provide shelters to those who need it, but Right to Shelter laws can be an inefficient way to ensure people remain housed.

Finally, the prevalence of individual risk factors that lowers demand for housing, such as mental illness and substance abuse, can increase homelessness as well.

Our second part of the report discusses the failed policies of the past. In addition to shortcomings at the local government level, decades of misguided federal government politics have largely been ineffective. The federal government has supported a major expansion of permanent housing assistance targeted to

homeless people over the past decade.

Though well intentioned, these policies may be less effective in the long run as permanent housing assistance delays transitions into private, as opposed to public, housing.

The failure is evidenced by the lack of reduction in homelessness correctly measured. Falling homeless counts over the past decade do not represent the actual hardship of the homeless population in that they are likely a result of inconsistent definitions of homelessness across assistance types and miscounting unsheltered homeless populations.

Lastly, our third part of the report discusses the Trump administration's policies to reduce homelessness. The administration is dedicated to reversing the failed policies of the past by addressing the root causes of homelessness. To this end, President Trump has signed an executive order on removing regulatory barriers limiting housing supply. This regulatory effort would reduce the price of homes and, in turn, reduce homelessness. This executive order continues the President's overall effort to deregulate the economy for better performance.

In addition to addressing factors that limit supply, the Trump administration is also addressing factors that reduce demand for housing, and thereby raise homelessness.

These actions include successful efforts to stem the illicit drug prices, improve the federal response to mental illness, improve the prospects for people exiting prison, and increasing incomes and opportunity for those at the bottom of the income distribution.

The President's policies to reduce the supply of illicit drugs entering the United States, prevent new people from becoming addicted by ensuring proper use of prescription drugs,

and provide treatment to those with substance use disorders have been successful in finally reducing drug overdose deaths.

The Trump administration is also supporting the police in their efforts to promote safer cities. When paired with effective social service provisions, the police can be an important partner in moving highly vulnerable people off the streets into shelter or housing where they can receive the help they need.

As potential evidence of better-supported police, the violent crime rate fell slightly, by 0.9 percent, in 2017 after increasing by 7 percent between 2014 and ’16. According to preliminary data based on the first six months of 2018, violent crime in 2018 fell by 4.3 percent.

Under the Department of Housing and Urban Development’s lead, federal homeless assistance programs have been improved by providing flexibility for communities, if they choose, to require people who use homeless assistance to participate in provided supportive services that address their underlying problems after they have been stabilized in housing. Programs have also been improved to more strongly encourage self-sufficiency.

Finally, strong economic growth, historically low unemployment rates, and reductions in poverty have increased the incomes of people at the bottom of the distribution and can reduce their likelihood of falling into homelessness.

During the second quarter of 2019, the weekly wages for the 10th percentile of full-time workers -- meaning, the 10 percent of the lowest compensated workers -- was up 6.6 percent year-to-year, according to BLS data. This is higher than the median 3.7 [percent] year-to-year growth and higher than during the Obama administration, particularly so for lower-income individuals.

With the time remaining, I would be happy to take any

questions. Thank you.

Q Hi, there. Thank you for taking the time. Just a quick point of clarification. The call is all on the record, but any comments other than Mr. Philipson -- Chairman Philipson, would be background? If you could just clarify that.

And, Mr. Philipson, I wanted you to address, again, the executive order. Did you say that was signed today? And could you give us any more detail on that?

SENIOR ADMINISTRATION OFFICIAL: Josh, this is [senior administration official]. Yes, you are correct in understanding of the ground rules. Everything that Chairman Philipson says is on the record. And then we also have senior administration officials who will be speaking on background.

And I'll turn that over -- turn it over to them to answer the question about the executive order.

SENIOR ADMINISTRATION OFFICIAL: Yes, the executive order under question was signed on June 25th, so just a couple of months ago. It established the White House Council on Eliminating Regulatory Barriers to Affordable Housing.

Q Thank you.

Q Hi. Thank you for taking my call. Could you please -- could somebody please explain a little bit more how you reach these figures on how much homelessness would be reduced in these cities if you deregulated the housing market? I mean, this seems, on the surface, quite a leap. I mean, how can you tell that homelessness would go down 54 percent in San Francisco by removing housing regulations?

SENIOR ADMINISTRATION OFFICIAL: Sure. So I would definitely

recommend checking the report. So we basically take estimates from Ed Glaesar and Joe Gyourko, who have a lot of research on the impacts of regulations in the housing market and driving up home prices.

So, basically, we assume that if you deregulated these housing markets, home prices would fall until hitting the cost to produce a home. We then translate that reduction in home prices into reductions in rent. And we use estimates on the academic literature to estimate how much debt reduction in rent would reduce homelessness.

Q Okay. Does it clarify what regulations you're talking about?

SENIOR ADMINISTRATION OFFICIAL: I mean, we do list a large set of examples. There are a lot of different types of regulations that drive up home prices. And we do list a number of those in the report. Those are also areas that have been listed in the executive order on deregulation housing markets. And that will hopefully be addressed as well.

Q Thank you.

Q Hi. Thanks for doing the call. I was hoping you could just expand a little bit more about your findings in New York City -- what you're seeing about the state of homelessness there, as well as what Bill de Blasio and the city administration is doing that is helping or hurting the homeless population.

SENIOR ADMINISTRATION OFFICIAL: Sure. I think the main factor in New York City -- I mean, one factor is their higher home prices due to overregulation of housing markets. We do find that, if they were to deregulate their housing markets, you would see something like a 20, 23 percent reduction in homelessness.

Another factor with New York City -- and they share this characteristic with Boston in the state of Massachusetts and Washington, D.C. -- is a Right to Shelter law, which basically says, "We're going to provide shelter to all those who need it." Obviously, we do want to provide shelter to those who need it, but this type of provision does end up bringing in people into the system who otherwise would be housed on their own. And so, for this reason, we see much higher rates of sheltered homelessness in New York City than other places with similar characteristics.

Q And, forgive me, who is this speaking?

SENIOR ADMINISTRATION OFFICIAL: A senior administration official on background.

Q Okay. Thank you.

Q Hi. Thank you for taking my question. I wanted to ask about the portion of the report about conditions for sleeping on the streets and -- as it relates to policing. Are you saying that -- you know, areas like Los Angeles maybe, cities in California, are fairly heavily policed? So what exactly are you saying would be a change necessary that -- from police -- that would improve homelessness?

SENIOR ADMINISTRATION OFFICIAL: Yes. I mean, I think the main message from the paper on this is, you know, one of the major factors when it comes to unsheltered homelessness is obviously climate. If it's very cold out -- places like Minneapolis have very low rates of unsheltered homelessness. What we find is that if you look at warm places, such as places in California or Florida, there's lot of variation in rates of unsheltered homelessness. So, for instance, California has a much higher rate of unsheltered homelessness than Florida.

There's lots of potential factors that could explain that. One of them could be policing. You know, we need more research on the extent to what types of policing policies, what types of ordinances affect that.

I think, policy-wise, obviously there's lots of options that are being considered. But it is important, we believe, to get people off the street and into the services that they need in order to address their fundamental problem.

Q Okay. So just to clarify, you didn't identify a specific policy or method of policing, such as, like, a broken windows policy that contributed to that difference.

SENIOR ADMINISTRATION OFFICIAL: Correct.

Q Thank you.

Q Hi, guys. Thanks for doing the call. One, I was wondering if you could address the rumor that the President is going to be making a visit to San Francisco on this topic as part of his trip this week.

And secondly, when you talk about regulation driving up housing costs, did you all consider factors like concentration, desirability of these cities -- when you talk about like a New York or a San Francisco, just in terms of inability to expand? Did you look at that as a factor in driving up the cost of homes?

SENIOR ADMINISTRATION OFFICIAL: On the second question, I can answer. I mean, there is certainly geographical constraints around building housing in places like San Francisco.

But, for the most part, you know, we're looking at

metropolitan areas here. And there generally is room to build -- either more densely, building up higher. And so, there are real ways in which regulation -- even in these places with geographic constraints, these regulations really are driving up the price of homes. And with real deregulatory action, we could see reduction in rent and therefore reductions in homelessness.

SENIOR ADMINISTRATION OFFICIAL: And for the question about the President's schedule, I'd refer you to the White House Press Office.

Q Okay, thanks.

Q Yes. Thank you. Hi, thank you for taking -- making this call available. I'm -- there's been some discourse that this homelessness push is a punitive measure meant to punish states like New York and California -- in particular cities like San Francisco, New York, where the President is not popular. How do you -- how do you address that and how do you do this work -- how does this work have legitimacy in those places?

ACTING CHAIRMAN PHILIPSON: So basically -- this is Tomas Philipson again. Basically, this report basically only lays out the facts. So those facts are basically the ones I discussed, where it's concentrated in California for unsheltered homelessness, and in the Northeast for sheltered. And then we looked at the evidence on what are driving those patterns and we argued that deregul- -- or regulatory barriers to supply is an important component of the homelessness. And we're not necessarily singling out, we're just documenting the facts around the problem.

Q Hi, this is Ben Oreskes from the LA Times. Could you guys address sort of the reports from the Washington Post last week about using government buildings to build shelters in California, and whether or not there is any credence to the idea

that you'd be kind of trying to find ways to compel people who are living on the streets without access to a shelter into these FAA facilities or other shelters that you might have in mind?

ACTING CHAIRMAN PHILIPSON: So this report is -- it's Tom Philipson again. This report only addresses the evidence, which it -- basically therefore (inaudible) to past evidence on homelessness. And current deliberations on our policy agenda going forward is not something that the report addresses, and I'm not going to address it today.

Q But is there anything you could say, just broadly, about the administration's thinking about how they could help cities? I mean, the federal government's role in dealing with or addressing homelessness is new. This would be new. Can you say anything about what you guys are thinking may be ways you could help?

ACTING CHAIRMAN PHILIPSON: Well, obviously the President is very concerned with the unsheltered homelessness crisis in California. But today's talk -- today's call is only on this report and we will be discussing, you know, our initiatives in future calls.

Q Hi there. This is Alex Alper and Lisa Lambert. Will there be any policy announcements on Trump's trip to California this week on homelessness?

SENIOR ADMINISTRATION OFFICIAL: Again, I would refer you to the White House Press Office for questions regarding the President's travel.

I think we have time for one more caller.

Q Hi there and thanks for doing the call. Governor Newsom has come out with a statement saying that the

administration is obviously proposing significant cuts to public housing, asking for 50,000 more vouchers. What is your response to the Governor? And do you see any room to work with California? Do you see any middle ground?

ACTING CHAIRMAN PHILIPSON: Yeah, so I think this is not the correct call for that. I think that you should discuss that with the Governmental Affairs Office, as opposed to the Council of Economic Advisers.

MS. SLOBODIEN: And with that, we're ready to wrap up our call. Thank you everyone for joining us today.

END 4:56 P.M. EDT

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FARM & RURAL POLICY

Agri-Pulse: Daybreak for September 19, 2019

Link - (Audio) Stopgap bill demands trade aid report; Lighthizer, Dems continue talks; Cash accounting at risk.

Agri-Pulse: DriveTime: September 18, 2019

Link - (Audio) A potential issue for trade aid payments in the government funding bill has been "resolved." More on that and an update on biofuels policy and staffing at the National Cattlemen's Beef Association.

Agri-Pulse: How did California agriculture fair in the Legislature this year?
Link - California lawmakers kicked off 2019 with more than 2,000 bills pummeling into print and ended the year with a dramatic 3 a.m. rally.

Agri-Pulse: Six questions for FSA Director Connie Conway
Link - Conway discussed the latest rollout of the Market Facilitation Program payments, the regulatory push towards consolidation and her first month in the role.

Agri-Pulse: NCBA picks Woodall as its new CEO, Lane as new chief lobbyist
Link - The National Cattlemen's Beef Association plans to hire Colin Woodall as its new CEO and Ethan Lane to Woodall's former role as the organization's vice president of government affairs, giving the nation's largest beef industry group two familiar faces in new roles.

ENERGY

Des Moines Register: Kim Reynolds says ethanol meeting with Trump went 'great,' but 'the devil's in the details'
Link - Reynolds and other Midwest Republicans met with Trump last week to discuss the waivers his EPA has granted to oil refineries.

Reuters: Trump to meet with U.S. senators Thursday over biofuels policy
Link - President Donald Trump will meet on Thursday with U.S. senators to discuss biofuels policy, Senator Bill Cassidy's office said, as Trump attempts to find a compromise between Big Oil and Big Corn on an issue that pits two constituencies that are important to Trump's quest for a second term against each other.

Chron: Solar installations down this year
Link - The U.S. solar energy industry installed 2.1 gigawatts of new solar capacity during the second quarter, a 7 percent decrease from a year ago, reflecting interconnection delays in key commercial solar markets and new rate structures that have depressed demand.

Gizmodo: Just Days Ahead of Employee Climate Strike, Microsoft Announces Partnership with Chevron to Accelerate Oil Extraction

Link - Mere days before Microsoft workers are set to walk out of their jobs and publicly call on their employer to reduce carbon emissions and sever its ties with fossil fuel companies, the tech giant has announced a major partnership with two of the biggest corporations in the oil industry.

FOOD & NUTRITION

CBS New York: Customs And Border Protection Specialists At JFK Stay Very Busy Enforcing Agriculture Restrictions

Link - U.S. Customs and Border Protection works to keep us safe from all kinds of threats, some of which can come in the shape of fruits and vegetables.

Cointelegraph: US FDA to Hold Meeting on Blockchain and AI in Food Traceability

Link - The United States Food and Drug Administration (FDA) will hold a public meeting at which it will discuss its "New Era of Smarter Food Safety" initiative.

Tech Crunch: TechCrunch: On-demand plant food startup Simple Feast raises $33M B round to push its climate credentials

Link - Simple Feast launched its plant-based food product in early 2017 and since then has developed a fast-food range that is catching the climate and taste fashion wave.

KSBY: San Luis Coastal Unified School District uses food grown by local farmers for lunch program

Link - The San Luis Coastal Unified School District is teaming up with FarmSLO and Slow Money SLO to bring locally grown food to student lunches.

Newsweek: Trump Administration's New Hog Slaughterhouse Rules May Risk 'More Contamination and Food Safety Recalls'

Link - The U.S. Department of Agriculture announced updates on Tuesday to the nation's hog slaughterhouse inspection procedures that critics warn yield more oversight to the industry and could endanger workers and consumers.

TRADE & INTERNATIONAL

Agri-Pulse: New grants aim to boost exports

Link - California received a $600,000 grant from the U.S. Small Business Administration (SBA) to help California small businesses boost trade and exports abroad.

Reuters: U.S., Chinese trade deputies face off in Washington amid deep differences

Link - U.S. and Chinese deputy trade negotiators were set to resume face-to-face talks on Thursday for the first time in nearly two months as the world's two largest economies try to bridge deep policy differences and find a way out of a bitter and protracted trade war.

CNN: Agco CEO explains how his agricultural company has avoided big losses from US-China trade war

Link - Agco CEO Martin Richenhagen says his company has avoided a lot of the U.S-China trade war's impacts because of its large international exposure.

The Hindu Business Line: India can emerge as global seed hub, Minister Parshottam Rupala tells tech congress

Link - India has the potential to emerge as a global seed hub, said Union Minister of State for Agriculture Parshottam Rupala, exhorting the seed sector to take advantage of the market opportunity to boost exports.

Resilience: Regenerative Agriculture is Trending in South Africa

Link - Arable farming systems across South Africa are going through a change.

CONSERVATION & WILDLIFE

Agri-Pulse: AFBF seeks NRCS appeals reform in wake of court decision
Link - The American Farm Bureau Federation is calling on USDA to reform its appeals process for wetland determinations, using a recent federal appeals court decision to show farmers are being treated unfairly.

the guardian: Tap water contaminants linked with 100,000 cancer cases, US study finds
Link - Most of the risk is from naturally occurring arsenic, the byproducts of chemicals used to disinfect water and contaminants.

CNN: Trump revokes waiver for California to set higher auto emissions standards
Link - President Donald Trump announced Wednesday he was revoking California's authority to set its own vehicle emission standards, the latest move in the Trump administration's ongoing fight with the Golden State and attempts to chip away at former President Barack Obama's environmental legacy.

The Washington Post: Trump threatens San Francisco with environmental violations over homelessness
Link - The president cited “tremendous pollution” entering the ocean through storm sewers, specifically expressing a concern about used needles.

The Hill: The Hill: Coalition of farmers and ranchers endorses Green New Deal
Link - A national coalition representing thousands of farmers and ranchers endorsed the Green New Deal on Wednesday, with Democratic lawmakers from agricultural states praising their support.

the guardian: Slimy lakes and dead dogs: climate crisis has brought the season of toxic algae

Link - Warming water and pollution are contributing to a variety of harmful bacteria that can wreak havoc on aquatic environments.

LABOR & IMMIGRATION

KOAT: Americans don't meet requirements, so NM business hires immigrant workers
Link - Peruvian immigrant sheepheaders and Mexican truckers in high demand in New Mexico.

MDJ Online: Illinois Department of Labor focuses on grain bin safety
Link - The Illinois Department of Labor is using Farm Safety Week to remind farmers of the potential hazards related to grain bins.

The Washington Post: Trump tours border barrier as part of a show of force on immigration ahead of reelection campaign
Link - President Trump on Wednesday toured a border barrier here along the U.S.-Mexico divide while his top aides conducted a Coast Guard flyover of the double-layered, steel fencing — part of a show of force ahead of the 2020 election aimed reducing a massive spike in unauthorized immigration.

MISCELLANEOUS

KTSM: Agriculture students at Coronado High School could be the future of El Paso farming

Link - Planting seeds, plowing fields and tending to animals isn't in every high schoolers class schedule. But the Coronado program is training student to be the future farmers of America.

Western Courier: Western is awarded $10 million for agriculture research

Link - Western Illinois University and the School of Agriculture held a press conference Tuesday to announce the selection of Agriculture Professor Win Phippen as the recipient of a $10 million federal grant for Integrated Pennycress Research Enabling Farm and Energy Resilience or IPREFER research at Western.

Atlanta Journal Constitution: Austin Scott makes play for top agriculture position

Link - Scott is one of three GOP lawmakers vying to lead the party on the House Agriculture Committee.

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