

Johnson, Robert <OST>

From: Shane, Jeff <OST>
Sent: Wednesday, May 23, 2007 11:43 AM
To: Johnson, Robert <OST>
Subject: Re: Email

Sorry - then a timely response to my email yesterday, or a phone call -- not radio silence -- would have been helpful. Our boss is getting impatient for information, is probably not happy about relying on the other agency, and email is my only connection to my staff until this SED ends (shortly). I'll catch up with you when I get back this afternoon.

----- Original Message -----
From: Johnson, Robert <OST>
To: Shane, Jeff <OST>
Sent: Wed May 23 11:37:31 2007
Subject: Email

The last email isn't a good conversation for email. I think we need to know how much we want to get out of our lane on this. At least on the press side WH was clear yesterday in telling us to leave it to the other agency. Do we know if they feel the same way about the rest of the pieces of the issue? Tyler and I talked about this this morning.

DeHaan, Robert <OST>

From: DeHaan, Robert <OST>
Sent: Wednesday, May 23, 2007 12:18 PM
To: Duvall, Tyler <OST>
Subject: Re: EPA waiver

Up front with Robert on this. We are trying to reach Rosen to talk to him about WH reactions on this that are not entirely consistent.

----- Original Message -----

From: Duvall, Tyler <OST>
To: Shane, Jeff <OST>; DeHaan, Robert <OST>; Gros, Simon <OST>; Cumber, Husein <OST>
Cc: Wascom, Michael <OST>; Johnson, Robert <OST>
Sent: Wed May 23 11:35:00 2007
Subject: Re: EPA waiver

I'm discussing this with Kerry O'Hare. I think we need to be a bit careful with this.

----- Original Message -----

From: Shane, Jeff <OST>
To: Duvall, Tyler <OST>; DeHaan, Robert <OST>; Gros, Simon <OST>; Cumber, Husein <OST>
Cc: Wascom, Michael <OST>; Johnson, Robert <OST>
Sent: Wed May 23 11:30:38 2007
Subject: Re: EPA waiver

Are we making any headway in identifying sympathetic governors? SI asked me about this again this morning. I haven't had a response from anyone. She's going to want to address it this afternoon.

J.

----- Original Message -----

From: Shane, Jeff <OST>
To: Duvall, Tyler <OST>; DeHaan, Robert <OST>; Gros, Simon <OST>; Cumber, Husein <OST>
Cc: Wascom, Michael <OST>; Johnson, Robert <OST>
Sent: Tue May 22 15:04:31 2007
Subject: EPA waiver

SI asked that we develop some ideas asap about facilitating a pushback from governors (esp. D's) and others opposed to piecemeal regulation of emissions, as per CA's waiver petition. She has heard that such objections could have an important effect on the way Congress looks at the issue.

Johnson, Robert <OST>

From: Duvall, Tyler <OST>
Sent: Wednesday, May 23, 2007 12:49 PM
To: Johnson, Robert <OST>
Subject: Re: Update

Ok.

----- Original Message -----
From: Johnson, Robert <OST>
To: Duvall, Tyler <OST>
Sent: Wed May 23 12:47:23 2007
Subject: Update

Johnson asked her to do this yesterday. I have talked to her. Jess is checking to see if WH wants us to engage. Get your list together. She knows about that. As usual, this is important but not the crisis that Jeff Shane makes it out to be.

Johnson, Robert <OST>

From: Sharp, Jess [REDACTED]
Sent: Wednesday, May 23, 2007 2:58 PM
To: Johnson, Robert <OST>
Subject: Re: Can you call me?

Did you get a call from Marty Hall, COS at CEQ? I figured he'd be able to get you a faster answer. Also a useful guy to know.

----- Original Message -----

From: Robert.Johnson [REDACTED]
To: Sharp, Jess
Sent: Wed May 23 12:10:10 2007
Subject: RE: Can you call me?

Im here. Thanks.

-----Original Message-----

From: Sharp, Jess [REDACTED]
Sent: Wednesday, May 23, 2007 12:09 PM
To: Johnson, Robert <OST>
Subject: Re: Can you call me?

Can you give me 10 min?

----- Original Message -----

From: Robert.Johnson [REDACTED]
To: Sharp, Jess
Sent: Wed May 23 12:01:12 2007
Subject: Can you call me?

The Secretary has an issue with EPA and I need your advice. [REDACTED]. Kinda urgent.
Thanks.

Johnson, Robert <OST>

From: Snyder, Sandy <OST>

Sent: Friday, May 25, 2007 12:24 PM

To: Johnson, Robert <OST>

Subject: Phone call from Marty Hall.....

Marty Hall


"Ok w/ S1 making calls. spoke with Steve Johnson yesterday"

6/21/2007

Johnson, Robert <OST>

From: [REDACTED]

Sent: Thursday, May 31, 2007 8:46 AM

To: Johnson, Robert <OST>

Subject: Calls to Gov's

Robert, I hope Alex arrived safely, and that the two of you enjoy your day together. Sorry to bother you, but Tyler/Jenny mentioned yesterday that they thought the WH had approved calls to the Gov's on the issue I had discussed with Administrator Johnson. If so, I should get those worked in today or tomorrow. Please let me know.

Thanks, Mary

6/21/2007

From: Johnson, Robert <OST>
Sent: Thursday, May 31, 2007 9:47 AM
To: [REDACTED]
Subject: Re: Calls to Gov's

I have discussed with Husein and he will corral the parts with the goal of doing these today.

----- Original Message -----

From: [REDACTED]
To: Johnson, Robert <OST>
Sent: Thu May 31 08:45:41 2007
Subject: Calls to Gov's

Robert, I hope [REDACTED] arrived safely, and that the two of you enjoy your day together. Sorry to bother you, but Tyler/Jenny mentioned yesterday that they thought the WH had approved calls to the Gov's on the issue I had discussed with Administrator Johnson. If so, I should get those worked in today or tomorrow. Please let me know.

Thanks, Mary

Johnson, Robert <OST>

From: [REDACTED]
Sent: Thursday, May 31, 2007 9:58 AM
To: Johnson, Robert <OST>
Subject: RE: Calls to Gov's

Tyler did mention it to me yesterday, but I wanted to touch base with you first.

-----Original Message-----

From: Johnson, Robert <OST>
Sent: Thursday, May 31, 2007 9:18 AM
To: [REDACTED]
Subject: Re: Calls to Gov's

They have and I asked Tyler to talk to you about those calls he thought you should make. He was to do that yesterday. I will follow up with him.

----- Original Message -----

From: [REDACTED]
To: Johnson, Robert <OST>
Sent: Thu May 31 08:45:41 2007
Subject: Calls to Gov's

Robert, I hope [REDACTED] arrived safely, and that the two of you enjoy your day together. Sorry to bother you, but Tyler/Jenny mentioned yesterday that they thought the WH had approved calls to the Gov's on the issue I had discussed with Administrator Johnson. If so, I should get those worked in today or tomorrow. Please let me know.

Thanks, Mary

Johnson, Robert <OST>

From: [REDACTED]
Sent: Thursday, May 31, 2007 11:01 AM
To: Johnson, Robert <OST>
Subject: RE: Calls to Gov's

So did I - no problem. We are working to get the calls scheduled later today.

-----Original Message-----
From: Johnson, Robert <OST>
Sent: Thursday, May 31, 2007 9:59 AM
To: [REDACTED]
Subject: Re: Calls to Gov's

No problem. Sorry I forgot to mention it at lunch yesterday.

----- Original Message -----
From: [REDACTED]
To: Johnson, Robert <OST>
Sent: Thu May 31 09:58:17 2007
Subject: RE: Calls to Gov's

Tyler did mention it to me yesterday, but I wanted to touch base with you first.

-----Original Message-----
From: Johnson, Robert <OST>
Sent: Thursday, May 31, 2007 9:18 AM
To: [REDACTED]
Subject: Re: Calls to Gov's

They have and I asked Tyler to talk to you about those calls he thought you should make. He was to do that yesterday. I will follow up with him.

----- Original Message -----
From: [REDACTED]
To: Johnson, Robert <OST>
Sent: Thu May 31 08:45:41 2007
Subject: Calls to Gov's

Robert, I hope [REDACTED] arrived safely, and that the two of you enjoy your day together. Sorry to bother you, but Tyler/Jenny mentioned yesterday that they thought the WH had approved calls to the Gov's on the issue I had discussed with Administrator Johnson. If so, I should get those worked in today or tomorrow. Please let me know.

Thanks, Mary

Wood, Steve <NHTSA>

From: Cooke, Anthony <NHTSA>
Sent: Thursday, May 31, 2007 12:59 PM
To: Brosnahan, Jennifer <OST>
Cc: Nason, Nicole <NHTSA>; Harrington, Michael <NHTSA>; Kelly, David <NHTSA>; Wood, Steve <NHTSA>
Subject: Fw:

Jen,

The following are some bullets about the waiver process. (I'm working at home during the move so I had to email myself the attached message - I hope the format is readable.)

A few preliminary notes:

1. The comment period is open until June 15.
2. According to the EPA notice on the waiver, "EPAs policy is that all comments received will be included in the public docket.". If a State were to weigh in, they should consider ex parte rules - although it would be EPAs place to advise them on this.
3. The first bullet includes the policy issue, I believe, for the state. Please note that I have not had an opportunity to vet this within the agency.
4. Finally, the governors' staff who is working on this issue will want to read the EPA notice at 72 FR 21260 (April 30, 2007).

I can be reached on my cell at [REDACTED].

----- Original Message -----

From: amcooke [REDACTED]
To: Cooke, Anthony <NHTSA>
Sent: Thu May 31 12:13:37 2007

The State of ___ may be interested in weighing in with EPA on a matter currently under consideration at that agency relating to state-level regulation of greenhouse gas emissions from vehicles that, in effect, could lead to a patchwork of fairly stringent state-by-state fuel economy standards.

Compliance with such a regulatory system could have significant impacts on the domestic car industry.

The State of California has adopted greenhouse gas emission regulations for passenger cars and light-duty trucks beginning in the model year 2009.

The Department of Transportation views regulation of GHG emissions, specifically CO2, from a vehicle to be the same as regulation of fuel economy. As a practical matter, the only way to control the emission of CO2 from a vehicle is to regulate the fuel economy of that vehicle.

The Clean Air Act says states may not regulate emissions unless they are granted a waiver by the EPA.

If California receives such a waiver allowing them to enforce these emission regulations, any state would be permitted to enact similar regulations.

We understand that a number of states have already indicated that they would follow California's lead including: Conn., Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington.

This waiver request is currently before the EPA to decide and they are receiving comments on the matter from interested parties until June 15. EPA has also already held 2 public hearings.

Wood, Steve <NHTSA>

From: Cooke, Anthony <NHTSA>
Sent: Thursday, May 31, 2007 10:50 PM
To: Wood, Steve <NHTSA>
Subject: Fw: cal waiver TPs

Steve,

What do you think?

----- Original Message -----

From: Brosnahan, Jennifer <OST>
To: Cooke, Anthony <NHTSA>
Cc: Duvall, Tyler <OST>; DeHaan, Robert <OST>
Sent: Thu May 31 19:20:29 2007
Subject: FW: cal waiver TPs

Tony - The calls were put off until tomorrow. Thanks again for the scramble to put the TPs together. With the added time, I've rearranged the draft slightly. What do you think?

Thanks for any thoughts.
Jenny

- As you may know, the EPA is currently considering a petition by the State of California, in which California seeks permission to regulate greenhouse gas emissions from vehicles.
- This petition is called a "waiver petition" because California seeks a waiver of the normal rule that state regulations are preempted under the Clean Air Act.
- As a practical matter, the only way to regulate the emission of CO2 from a vehicle is to regulate the fuel economy of that vehicle, and the United States currently has a nationally uniform regulatory scheme for fuel economy, through NHTSA regulations.
- If EPA grants California's petition, California could impose its own more stringent fuel economy regulations, any state would be permitted to enact similar regulations. The door would thus be opened to an eventual patchwork of state-by-state fuel economy standards.
- We understand that a number of states have already indicated that they would follow California's lead including: Conn., Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington.
- Compliance with such a regulatory patchwork could have significant impacts on the domestic car industry, so I know it is of great interest to your state.
- The EPA has held 2 public meetings regarding the California waiver petition and is currently receiving comments from the public until June 15.
- According to the EPA's public notice about this matter, "EPAs policy is that all comments received will be included in the public docket."

(The EPA notice is available at 72 Federal Register 21260 (April 30, 2007).)

-----Original Message-----

From: Cooke, Anthony <NHTSA>
Sent: Thursday, May 31, 2007 12:59 PM
To: Brosnahan, Jennifer <OST>
Cc: Nason, Nicole <NHTSA>; Harrington, Michael <NHTSA>; Kelly, David <NHTSA>; Wood, Steve <NHTSA>
Subject: Fw:

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I can be reached on my cell at [REDACTED].

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This waiver request is currently before the EPA to decide and they are receiving comments on the matter from interested parties until June 15. EPA has also already held 2 public hearings.

Wood, Steve <NHTSA>

From: Wood, Steve <NHTSA>
Sent: Friday, June 01, 2007 7:27 AM
To: Cooke, Anthony <NHTSA>
Subject: RE: cal waiver TPs

Attachments: California waiver TP.doc



California waiver
TP.doc (26 K...

I think that I would like to get rid of the headaches I've had for the last 24 hours.

Aside from that (you can see the edits in the attachment):

- As you may know, the EPA is currently considering a petition by the State of California, in which California seeks permission to regulate greenhouse gas emissions from vehicles.

- This petition is called a "waiver petition" because California seeks a waiver of the normal rule that state regulations are preempted under the Clean Air Act.

- As a practical matter, the only way to regulate the tailpipe emission of CO2 from a vehicle is to regulate the fuel economy of that vehicle, and the United States currently has a nationally uniform regulatory scheme for fuel economy, through NHTSA regulations.

- If EPA grants California's petition, California could begin to enforce impose its own more stringent fuel economy regulations which it has already adopted. Further, any state would be permitted to enact similar regulations. The door would thus be opened to an eventual patchwork of state-by-state fuel economy standards.

- We understand that a number of states have already adopted indicated that they would follow California's regulations lead including: Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington.

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- The EPA has held 2 public meetings regarding the California waiver petition and is currently receiving written comments from the public until June 15.

- According to the EPA's public notice about this matter, "EPA's policy is that all comments received will be included in the public docket."

(The EPA notice is available at 72 Federal Register 21360 (April 30, 2007).)

-----Original Message-----
From: Cooke, Anthony <NHTSA>
Sent: Thu 6/31/2007 10:50 PM
To: Wood, Steve <NHTSA>
Subject: Fw: cal waiver TPs

Steve,

What do you think?

----- Original Message -----

From: Brosnahan, Jennifer <OST>
To: Cooke, Anthony <NHTSA>
Cc: Duvall, Tyler <OST>; DeHaan, Robert <OST>
Sent: Thu May 31 19:20:29 2007
Subject: FW: cal waiver TPS

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I can be reached on my cell at [REDACTED].

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Deleted: in which California

Deleted: .

- This petition is called a "waiver petition" because California seeks a waiver of the normal rule that state regulations are preempted under the Clean Air Act.

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- We understand that a number of states have already adopted California's regulatory program. Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington.

Deleted: indicated that they would follow

Deleted: lead including

Deleted:

- Compliance with such a regulatory patchwork could have significant impacts on the domestic car and light truck industry, so I know it is of great interest to your state.

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(The EPA notice is available at 72 Federal Register 21260 (April 30, 2007).)

Brosnahan, Jennifer <OST>

From: Gros, Simon <OST>

Sent: Monday, June 04, 2007 3:34 PM

To: Brosnahan, Jennifer <OST>; Duvall, Tyler <OST>

Can one of you guys call me re: the calls to govs on EPA waivers today? Husein called to say that she now wants to call Dingell, Knollenberg, etc? What's going on?

Simon Gros
Deputy Chief of Staff
US Department of Transportation
[REDACTED]

Duvall, Tyler <OST>

From: Duvall, Tyler <OST>
Sent: Monday, June 04, 2007 4:04 PM
To: Gros, Simon <OST>; Brosnahan, Jennifer <OST>
Subject: Re:

Jenny - did you talk to him?

----- Original Message -----

From: Gros, Simon <OST>
To: Brosnahan, Jennifer <OST>; Duvall, Tyler <OST>
Sent: Mon Jun 04 15:33:36 2007
Subject:

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Simon Gros
Deputy Chief of Staff
US Department of Transportation
[REDACTED]

Brosnahan, Jennifer <OST>

From: Brosnahan, Jennifer <OST>
Sent: Monday, June 04, 2007 4:05 PM
To: Duvall, Tyler <OST>
Subject: RE:

Yes, but I suggested he talk to you, too. He has concerns about how this fits into the big picture of things we need to talk to these members about.

-----Original Message-----

From: Duvall, Tyler <OST>
Sent: Monday, June 04, 2007 4:04 PM
To: Gros, Simon <OST>; Brosnahan, Jennifer <OST>
Subject: Re:

Jenny - did you talk to him?

----- Original Message -----

From: Gros, Simon <OST>
To: Brosnahan, Jennifer <OST>; Duvall, Tyler <OST>
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Simon Gros
Deputy Chief of Staff
US Department of Transportation
[REDACTED]

Brosnahan, Jennifer <OST>

From: Duvall, Tyler <OST>
Sent: Monday, June 04, 2007 4:25 PM
To: Brosnahan, Jennifer <OST>
Subject: Re:

Tell him to talk to the Secretary

----- Original Message -----
From: Brosnahan, Jennifer <OST>
To: Duvall, Tyler <OST>
Sent: Mon Jun 04 16:04:39 2007
Subject: RE:

Yes, but I suggested he talk to you, too. He has concerns about how this fits into the big picture of things we need to talk to these members about.

-----Original Message-----
From: Duvall, Tyler <OST>
Sent: Monday, June 04, 2007 4:04 PM
To: Gros, Simon <OST>; Brosnahan, Jennifer <OST>
Subject: Re:

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From: Gros, Simon <OST>
To: Brosnahan, Jennifer <OST>; Duvall, Tyler <OST>
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Simon Gros
Deputy Chief of Staff
US Department of Transportation
[REDACTED]

Gros, Simon <OST>

From: [REDACTED]
Sent: Monday, June 04, 2007 6 50 PM
To: Gros, Simon <OST>
Subject: Re: Member calls on EPA Waiver

Sounds good. Thx

----- Original Message -----

From: Gros, Simon <OST>
To: [REDACTED] Cumber, Husein <OST>; Duvall, Tyler <OST>
Sent: Mon Jun 04 18:47:37 2007
Subject: Member calls on EPA Waiver

Mary -

I spoke with Tyler and Husein after your call with Gov. Granholm today. They said that you'd like to call some members of the MI delegation on the waiver issue. Before you call the members themselves, let me reach out to their staffs to see if the message can't be sent at the staff level. We might not have to use a chit to get them to see things our way.

I'll report back after I speak with staff.

Simon

Simon Gros
Deputy Chief of Staff
US Department of Transportation
[REDACTED]

Brosnahan, Jennifer <OST>

From: Brosnahan, Jennifer <OST>
Sent: Wednesday, June 06, 2007 5:07 PM
To: Stusrud, Katherine <OST>; Duvall, Tyler <OST>
Subject: RE: EPA Notice re California Clean Air Act California Waiver request

I just talked to EPA's Deputy General Counsel, who confirmed that the comment period is open until June 15. She speculated that any reference to an earlier date like June 8 or June 11 might have been Adm. Johnson's internal deadline for deciding whether to extend the comment period beyond June 15. Sounds like he is pondering that decision, and maybe wires got crossed when he was talking to S-1.

She is going to verify things on her end and get back to me.

-----Original Message-----

From: Stusrud, Katherine <OST>
Sent: Wednesday, June 06, 2007 5:03 PM
To: Brosnahan, Jennifer <OST>; Duvall, Tyler <OST>
Subject: Re: EPA Notice re California Clean Air Act California Waiver request

I will relay to S1. Is someone going to call Johnson's office to clarify?

----- Original Message -----

From: Brosnahan, Jennifer <OST>
To: Duvall, Tyler <OST>; Stusrud, Katherine <OST>
Sent: Wed Jun 06 16:58:06 2007
Subject: FW: EPA Notice re California Clean Air Act California Waiver request

Tyler and Kate - See the attached Fed Reg notice about the Cal. waiver petition. It says, on the second page at the top of the right hand column, that "EPA will keep the record open until June 15, 2007."

Not sure what Administrator Johnson was talking about re June 8....

Kate- I can fax the Oge letter to you. Please send a fax #. Thanks.

Jenny

From: Cooke, Anthony <NHTSA>
Sent: Monday, April 30, 2007 2:44 PM
To: Brosnahan, Jennifer <OST>
Subject: FW: EPA Notice re California Clean Air Act California Waiver request

Did we know EPA was posting this today?

From: Guerci, Lloyd <NHTSA>
Sent: Monday, April 30, 2007 8:54 AM
To: Cooke, Anthony <NHTSA>; Medford, Ronald <NHTSA>; Kratzke, Steve <NHTSA>; Abraham, Julie <NHTSA>; Feather, Peter <NHTSA>; Wood, Steve <NHTSA>
Cc: Nason, Nicole <NHTSA>; Kelly, David <NHTSA>; Hopkins, Heather <NHTSA>; Harrington, Michael <NHTSA>

Subject: EPA Notice re California Clean Air Act California Waiver request
In today's Federal Register:

May 22: Public hearing in Washington DC

June 15: Close of comment period

Cumber, Husein <OST>

From: Cumber, Husein <OST>
Sent: Wednesday, June 06, 2007 6:12 PM
To: Gros, Simon <OST>
Cc: Duvall, Tyler <OST>; Brosnahan, Jennifer <OST>
Subject: RE: Member calls on EPA Waiver

Anything come out of these calls?

-----Original Message-----

From: Gros, Simon <OST>
Sent: Monday, June 04, 2007 6:48 PM
To: [REDACTED] Cumber, Husein <OST>; Duvall, Tyler <OST>
Subject: Member calls on EPA Waiver

Mary -

I spoke with Tyler and Husein after your call with Gov. Granholm today. They said that you'd like to call some members of the MI delegation on the waiver issue. Before you call the members themselves, let me reach out to their staffs to see if the message can't be sent at the staff level. We might not have to use a chit to get them to see things our way.

I'll report back after I speak with staff.

Simon

Simon Gros
Deputy Chief of Staff
US Department of Transportation
[REDACTED]

6/25/2007

Gros, Simon <OST>

From: Stusrud, Katherine <OST>
Sent: Thursday, June 07, 2007 9:28 AM
To: Gros, Simon <OST>
Subject: RE: Are you around?

Great – she just asked me last night to relay that on to you.

From: Gros, Simon <OST>
Sent: Thursday, June 07, 2007 9:23 AM
To: Stusrud, Katherine <OST>
Subject: RE: Are you around?

I don't think it's going to be necessary – we are casting our net wide on this one.

From: Stusrud, Katherine <OST>
Sent: Thursday, June 07, 2007 9:16 AM
To: Gros, Simon <OST>
Subject: RE: Are you around?

Great – S1 also said last night that she could make phone calls if necessary today.

From: Gros, Simon <OST>
Sent: Thursday, June 07, 2007 9:15 AM
To: Stusrud, Katherine <OST>
Subject: RE: Are you around?

I have been in contact with Tyler this morning and have and continue to make calls.

From: Stusrud, Katherine <OST>
Sent: Thursday, June 07, 2007 9:14 AM
To: Gros, Simon <OST>
Subject: Are you around?

S1 wanted me to touch base with you asap regarding the California Clean Air Act Waiver request. She would like us to contact Members. I can come down and chat with you if you are in.

Thanks,

kate

Gros, Simon <OST>

From: Shahmoradi, Heideh <OST>
Sent: Thursday, June 07, 2007 10:47 AM
To: Gros, Simon <OST>
Subject: PLEASE RESPOND ASAP
Importance: High

Simon-- we are a bit concerned about the conversation on this task....appears to sound more like lobbying. So we want to be careful on what exactly we say. Can you look over the points below and see if this does the trick.

I have already made a bunch of calls....looking back, I may have said more than I should have...will let you know what was said...but Kelly and Bill have me a bit paranoid now. Of the folks I talked to, most have said they need to check with their bosses.

- I'm not sure if you are aware, but EPA is currently considering a petition from the State of California to set its own CO2 standards.
- The President announced that we are going to pursue rulemakings on a national level. If California were to receive this waiver, this could lead a patchwork of regulations on vehicle emissions which would have significant impacts on the light truck and car industry.
- The EPA is currently receiving comments and the docket is opened until June 15. However, tomorrow the EPA Administrator will decide whether or not to extend the deadline.
- We are gauging to see if your boss would be interested in submitting comments or reaching out to your Governor's Office for them to submit comments to the docket since this could greatly impact the auto facilities within your District.

[If asked our position, we say we are in opposition of the waiver].

Let me know if this is sufficient. Thanks!

Gros, Simon <OST>

From: Shahmoradi, Heideh <OST>
Sent: Thursday, June 07, 2007 10:50 AM
To: Gros, Simon <OST>
Cc: Kolb, Kelly <OST>; Rayball, Bill <OST>
Subject: RE: PLEASE RESPOND ASAP

Ok...thanks.

-----Original Message-----

From: Gros, Simon <OST>
Sent: Thursday, June 07, 2007 10:49 AM
To: Shahmoradi, Heideh <OST>
Subject: Re: PLEASE RESPOND ASAP

There are fine but there is no problem with going farther if asked. I have cleared it with Lindy -

----- Original Message -----

From: Shahmoradi, Heideh <OST>
To: Gros, Simon <OST>
Sent: Thu Jun 07 10:47:04 2007
Subject: PLEASE RESPOND ASAP

Simon-- we are a bit concerned about the conversation on this task....appears to sound more like lobbying. So we want to be careful on what exactly we say. Can you look over the points below and see if this does the trick.

I have already made a bunch of calls....looking back, I may have said more than I should have...will let you know what was said....but Kelly and Bill have me a bit paranoid now.

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within your District.

[If asked our position, we say we are in opposition of the waiver].

Let me know if this is sufficient. Thanks!

Brosnahan, Jennifer <OST>

From: Brosnahan, Jennifer <OST>
Sent: Thursday, June 07, 2007 11:23 AM
To: Brosnahan, Jennifer <OST>; Duvall, Tyler <OST>; O'Hare, Kerry <OST>; Gros, Simon <OST>
Subject: EPA update
Importance: High

EPA GC's office says the Administrator is leaning toward NOT extending the comment period, but wants people to know that he has the discretion to accept late-filed comments. So the legislators and Governors should not despair if they can't meet the June 15 deadline.

Also, they asked for feedback asap (next hour or two) on whether we are ok with Adm. Johnson saying at the hearing tomorrow that he is not extending the comment period. Now's our chance to "raise a red flag" if we want to.

From: Brosnahan, Jennifer <OST>
Sent: Thursday, June 07, 2007 11:08 AM
To: Duvall, Tyler <OST>; O'Hare, Kerry <OST>; Gros, Simon <OST>
Subject: Granholm

Just talked to Dan Beattie of Gov. Granholm's staff. He said they are still working out whether to respond through the EPA process, or through the legislative process, or both. He kicked around some possible approaches with me for a comment to EPA. Sounds like, if they submit a comment, it will be on June 15 on the substance, rather than an earlier comment seeking more time, though he understands that option.

Jennifer R. Brosnahan
Deputy General Counsel
U.S. Department of Transportation
[REDACTED]

Gros, Simon <OST>

From: Shahmoradi, Heideh <OST>
Sent: Thursday, June 07, 2007 11:59 AM
To: Gros, Simon <OST>
Subject: RE: msg from Tyler

Will check...so far no one has said they WILL comment. Many are interested but need to do further research and check with the motor companies or their bosses.

-----Original Message-----

From: Gros, Simon <OST>
Sent: Thursday, June 07, 2007 11:57 AM
To: Shahmoradi, Heideh <OST>
Subject: Fw: msg from Tyler
Importance: High

Any of these overlap?

Heading over to have lunch with Kamarck...

----- Original Message -----

From: Brosnahan, Jennifer <OST>
To: Gros, Simon <OST>
Cc: Duvall, Tyler <OST>
Sent: Thu Jun 07 11:35:04 2007
Subject: msg from Tyler

Message from Tyler: Apparently there is a bill (Boucher bill?) with 18 co-sponsors that would do the same thing as denying the Cal. waiver, namely establish a uniform federal standard. It would be good to reach out to those 18 co-sponsors.

Jennifer R. Brosnahan

Deputy General Counsel

U.S. Department of Transportation

[REDACTED]

[REDACTED] (fax)

Brosnahan, Jennifer <OST>

From: Shahmoradi, Heideh <OST>
Sent: Thursday, June 07, 2007 12:05 PM
To: Brosnahan, Jennifer <OST>
Subject: FW: msg from Tyler

Importance: High

Would you happen to know the bill number? Thanks!

----- Original Message -----

From: Brosnahan, Jennifer <OST>
To: Gros, Simon <OST>
Cc: Duvall, Tyler <OST>
Sent: Thu Jun 07 11:35:04 2007
Subject: msg from Tyler

Message from Tyler: Apparently there is a bill (Boucher bill?) with 18 co-sponsors that would do the same thing as denying the Cal. waiver, namely establish a uniform federal standard. It would be good to reach out to those 18 co-sponsors.

Jennifer R. Brosnahan

Deputy General Counsel

U.S. Department of Transportation
[REDACTED]
[REDACTED]

From: Gros, Simon <OST>
Sent: Thursday, June 07, 2007 1:04 PM
To: [REDACTED]
Subject: Re: [REDACTED]

If you'd like but he is very much on point. His staff is also going to ping other members of the automotive caucus for us.

My staff this morning called just about every auto-friendly member of this issue. No other firm commitments but a number of offices with legitimate interest. We'll be able to get Dingell too...

----- Original Message -----

From: [REDACTED]
To: Gros, Simon <OST>
Sent: Thu Jun 07 12:59:57 2007
Subject: RE:

OK - got it. Do I need to touch base with Knollenberg to coordinate our efforts?

-----Original Message-----

From: Gros, Simon <OST>
Sent: Thursday, June 07, 2007 12:38 PM
To: Duvall, Tyler <OST>; [REDACTED] Brosnahan, Jennifer <OST>; Cumber, Husein <OST>
Subject: Re:

Final disposition was to include language urging EPA to come to a decision - not to necessarily favor one side or the other.

----- Original Message -----

From: Gros, Simon <OST>
To: Duvall, Tyler <OST>; [REDACTED] Brosnahan, Jennifer <OST>
Sent: Thu Jun 07 12:26:22 2007

Full house approps committee is currently debating an amendment to the Interior approps bill (includes epa funding) by Olver to report language that urges epa to issue the CA waiver. Knollenberg is vigorously opposing the amendment right now - he will also send a comment to epa and a letter to granholm urging her to comment too.

This amendment will pass but it is only report language.

From: Gros, Simon <OST>
Sent: Thursday, June 07, 2007 1:07 PM
To: [REDACTED]
Subject: Re:

Definitely will.

----- Original Message -----

From: [REDACTED]
To: Gros, Simon <OST>
Sent: Thu Jun 07 13:06:30 2007
Subject: RE:

Why don't you let staff at Knollenberg's office know that I would be happy to have a discussion with him if he thinks that would be helpful, and to let them know that I/we appreciate his efforts.
Thx

-----Original Message-----

From: Gros, Simon <OST>
Sent: Thursday, June 07, 2007 1:04 PM
To: [REDACTED]
Subject: Re:

If you'd like but he is very much on point. His staff is also going to ping other members of the automotive caucus for us.

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To: Gros, Simon <OST>
Sent: Thu Jun 07 12:59:57 2007
Subject: RE:

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To: Duvall, Tyler <OST>; [REDACTED] Brosnahan, Jennifer <OST>; Cumber, Husein <OST>
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This amendment will pass but it is only report language.

Gros, Simon <OST>

From: Shahmoradi, Heideh <OST>
Sent: Thursday, June 07, 2007 5:54 PM
To: Gros, Simon <OST>
Subject: Re: EPA stuff

Will do.

----- Original Message -----

From: Gros, Simon <OST>
To: Shahmoradi, Heideh <OST>
Sent: Thu Jun 07 17:25:56 2007
Subject: EPA stuff

around noon tomorrow, let's put a list together of the most promising members/govs who might comment on the waiver issue and be prepared to send it to the secretary. She might want to make some calls.

Kelly, David <NHTSA>

From: Turmail, Brian <OST>
Sent: Wednesday, June 13, 2007 10:42 AM
To: Kelly, David <NHTSA>
Subject: RE: Do you have a second

DRAFT TALKING POINTS FOR FOLLOW UP CALLS
(6/13/07)

- The Department's strong support of the need for a single, national set of fuel economy standards is long established and well known.
- Since the 1970's this Department has consistently backed Congress's clear view that a single federal standard is the best way to reduce fuel consumption, protect the environment, preserve vehicle safety and support the economy.
- As recently as 2005, the Department's National Highway Traffic Safety Administration made it clear that states do not have the right to preempt federal standards when it increased mileage requirements for light trucks.
- The Department also has been inserting language into many of its safety rulemakings for over two decades prohibiting states from creating separate, competing safety regulations.
- Our efforts to inform members of Congress about a pending petition are legal, appropriate and consistent with our decades-long stance on the subject.
- Ultimately, it's difficult to understand why anyone would object to informing members of Congress about a public proceeding that has serious implications for our environment, economy and the safety of our highways.

From: Kelly, David <NHTSA>
Sent: Wednesday, June 13, 2007 9:58 AM
To: Turmail, Brian <OST>
Subject: RE: Do you have a second

From: Turmail, Brian <OST>
Sent: Wednesday, June 13, 2007 9:57 AM
To: Kelly, David <NHTSA>
Subject: Do you have a second

And if so, what's your number.