

**Attorneys General of the Commonwealth of Massachusetts and the States of California,  
Connecticut, Delaware, Iowa, Maine, Maryland, Minnesota, New Jersey,  
New Mexico, New York, Oregon, Rhode Island, and Vermont, and  
the Corporation Counsel for the City of New York**

June 6, 2007

The Honorable John D. Dingell, Chair  
House Energy & Commerce Committee  
2328 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Joe Barton, Ranking Member  
House Energy & Commerce Committee  
2109 Rayburn House Office Building  
Washington, D.C. 20515

Re: June 1, 2007 Discussion Draft of Motor Vehicle Bill

Dear Chairman Dingell & Ranking Member Barton:

We write today to state our strong opposition to a legislative proposal that Congressman Rick Boucher, Chairman of the Energy & Air Quality Subcommittee, unveiled on June 1, 2007, regarding the regulation of motor vehicle emissions. *See* attached discussion draft. We understand that this proposed bill is going to be the subject of a hearing scheduled for tomorrow before Chairman Boucher's Subcommittee.

While requiring only incremental increases in federal motor vehicle fuel economy standards, the proposed bill would amend the Clean Air Act in two fundamentally short-sighted ways. First, the bill would eliminate the authority that the Clean Air Act has provided EPA for decades to regulate greenhouse gas emissions, as the U.S. Supreme Court recently recognized. We acknowledge that Congress is, of course, free to amend the underlying statutory framework that the Court reviewed in *Massachusetts v. EPA*. Nevertheless, now is the time for aggressive action to combat the harmful emissions that cause climate change, and we urge Congress not to turn the clock backwards in the proposed manner.

Second, the bill would eliminate EPA's ability to grant a waiver of preemption for California state motor vehicle emission standards for greenhouse gases. As you are aware, other states are currently free to adopt those standards pursuant to Section 177 of the Clean Air Act. A total of twelve of our states have adopted the California standards, with others currently considering them. The bill


would eliminate the statutory right of states to do so, thereby upsetting the longstanding cooperative federalism established by the Act. The current system of allowing two, but only two, sets of motor vehicle emission standards has worked well over the last four decades. Indeed, most of the technological innovations needed to reduce air pollutant emissions have been because of California's standards.

We urge you to not support this proposal.

Sincerely,



Martha Coakley  
Attorney General of Massachusetts



Edmund G. Brown, Jr.  
Attorney General of California



Richard Blumenthal  
Attorney General of Connecticut



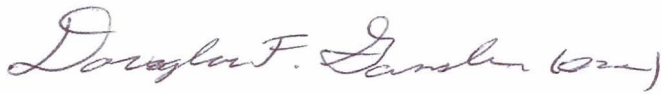
Joseph R. Biden, III  
Attorney General of Delaware



Thomas J. Miller  
Attorney General of Iowa



G. Steven Rowe  
Attorney General of Maine



Douglas F. Gansler  
Attorney General of Maryland



Stuart Rabner  
Attorney General of New Jersey



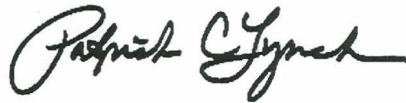
Gary K. King  
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Andrew M. Cuomo  
Attorney General of New York



Hardy Myers  
Attorney General of Oregon



Patrick C. Lynch  
Attorney General of Rhode Island



William H. Sorrell  
Attorney General of Vermont



Lori Swanson  
Attorney General of Minnesota

A handwritten signature in dark ink, reading "Michael A. Cardozo" followed by a circled "2" in parentheses.

Michael A. Cardozo  
Corporation Counsel  
City of New York

cc, Committee Members