

## **Smog fighters furious at Bush administration**

BY LISA FRIEDMAN, Washington Bureau

LA Daily News

Article Launched:07/03/2007 12:00:00 AM PDT

WASHINGTON — California leaders reacted furiously Monday to newly released documents on the Bush administration's attempt to thwart the state's first-in-the-nation cap on greenhouse-gas emissions from cars.

In more than 70 pages of internal e-mails and memos released by the U.S. Department of Transportation, agency officials openly acknowledge their opposition to California's request for a waiver allowing the state to enact the nation's toughest-in-the-nation auto-emissions standards.

The documents also show that the Auto Alliance — a trade group representing Ford Motor Co., DaimlerChrysler and others — provided the agency with a breakdown of auto facilities and employees in each congressional district. DOT officials then used the list to systematically target lawmakers likely to oppose California's request.

"Just hit the members/senators with the really big facilities. No need to call those with small distribution centers or anything," Simon Gros, deputy chief of staff to Transportation Secretary Mary Peters, instructed his staff in a June 7 e-mail.

The DOT turned over the documents late Friday to Rep. Henry Waxman, D-Los Angeles, the House Oversight and Government Reform Committee chairman. He demanded them information after obtaining evidence the agency was urging lawmakers to fight California's waiver request.

"This initial set of documents reveals that the Bush administration was working hand in glove with the auto industry against state efforts to fight global warming," Waxman said Monday, adding that the committee intends to acquire more materials from the DOT.

Waxman had previously questioned the legality of using federal resources to lobby members of Congress.

In releasing the memos, Transportation Department General Counsel D.J. Gribbin maintained the calls did not violate anti-lobbying restrictions.

"DOT's interest in informing the public and their elected representatives about this important issue is consistent with its longstanding and well-known support of a single, national regulatory scheme for motor vehicle fuel economy," Gribbin wrote.

In 2005, California requested a waiver so it could implement state legislation cutting greenhouse-gas emissions from cars by 25 percent and from sport utility vehicles by 18 percent, starting in 2009.

While California has the authority under the Clean Air Act to enact stringent air-pollution rules, it but must have a federal waiver to implement them.

Environmental Protection Agency officials say they continue to review California's waiver request and will decisionact by December. California leaders, however, say the memos expose the administration's bias the auto industry.

"It's stunning, but not surprising, that the Bush administration will do everything in its power to thwart California's effort to reduce greenhouse gases," said California Assembly Speaker Fabian Nuñez.

U.S. Sen. Barbara Boxer, who chairs the Senate Environment and Public Works Committee, expressed outrage over the memos and said. She is scheduling a hearing with EPA Administrator Stephen Johnson to look into the agency's decision making.

"The inappropriate manipulation of the California waiver process was designed to make the California waiver controversial, when in fact it is necessary and essential in the fight against global warming," said Boxer, D-Calif. "The Bush administration must be held accountable once again for their underhanded effort to block environmental progress."

Gov. Arnold Schwarzenegger has already warned the EPA that a lawsuit is "inevitable" unless the agency makes a decision by Oct. 24.

On Monday, a Schwarzenegger spokesman said the governor is "very concerned" about the Transportation Department's lobbying efforts, but that it would not impact the state's efforts to obtain the waiver.

According to the released e-mails, agency officials targeted lawmakers in Michigan, Indiana, Ohio, Kentucky, Texas, Missouri, Delaware and Tennessee with a suggested script:

"If California were to receive this waiver, this could lead to a patchwork of regulation on vehicle emissions, which would have significant impacts on the light-truck and car industry. If asked our position, we say we are in opposition of the waiver."

The message urged lawmakers to submit comments to the EPA opposing the waiver by a June 15 deadline. It suggests that sufficient feedback might prompt the agency to extend the comment period. Such an extension — which did not occur — was supported by the auto industry. It would have further delayed any decisions about California's waiver.

One e-mail from DOT General Counsel and former White House Counsel Jennifer Brosnahan laid out a strategy for delay.

"Apparently the autos have asked for more time, and some governors oppose an extension. That's why it would help to have different governors support an extension — helps justify a decision to extend the comment period," she wrote to colleagues in a June 6 e-mail.

Nuñez had two words for the documents: "Dirty tricks."