

Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 5/29/2018 2:26:14 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: FW: Auto Alliance's legal Motion to Intervene - Filed Friday, May 25th
Attachments: 5-25-18 Mot Lv Int FILED.PDF

Daisy, Brittany, and Nena,

I just wanted to also make you aware of the following email I sent to others at EPA

Dave

From: David Schwietert
Sent: Tuesday, May 29, 2018 10:25 AM
To: 'Gunasekara, Mandy' <Gunasekara.Mandy@epa.gov>; 'Jackson, Ryan' <jackson.ryan@epa.gov>; Andrew Wheeler (wheeler.andrew@epa.gov) <wheeler.andrew@epa.gov>; 'wehrum.william@epa.gov' <wehrum.william@epa.gov>; 'harlow.david@epa.gov' <harlow.david@epa.gov>; 'Lewis, Josh' <Lewis.Josh@epa.gov>
Cc: Mitch Bainwol <MBainwol@autoalliance.org>; John Whatley <JWhatley@autoalliance.org>; Gloria Bergquist <GBERGQUIST@autoalliance.org>
Subject: re: Auto Alliance's legal Motion to Intervene - Filed Friday, May 25th

Deputy Administrator Wheeler, Assistant Administrator Wehrum, Ryan, Mandy, David and Josh,

I wanted to make you aware of the legal motion the Alliance filed last Friday in the DC Circuit.

As you know, on May 1st California, 16 states and the District of Columbia filed a lawsuit challenging EPA's Final Determination announcement.

To preserve our legal rights, the Alliance filed the motion to intervene understanding that we disagree with the lawsuit that California filed because the EPA's Final Determination was not a Final Agency Action, but rather a directional decision that will allow for a range of alternatives to be considered as part of the upcoming joint NPRM from DOT and EPA. In the motion to intervene, we noted the following:

“Because the members of the Auto Alliance would be directly affected by any decision to retain the current standards, or to delay or impede EPA's rulemaking efforts, the Auto Alliance should be permitted to intervene.”

You will recall that when CA filed the lawsuit in May, CARB's chairman Mary Nichols underscored that “We can sue and talk at the same time.” In addition, in a Reuters piece the CARB Chairman said that this action “does not mean that they could not still try to reach agreement with automakers and the federal government.”

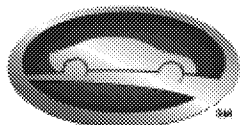
Below is the statement we plan to provide should the Alliance receive media inquiries to the filing that was made last Friday.

More than happy to answer any questions you may have.

Dave

“As we have stated often, automakers support continuous, year-over-year improvements in fuel economy, but future standards must account for marketplace realities. We applaud the Administration for arranging meetings with stakeholders so quickly following the President’s direction to explore the possibility of a single national fuel economy/GHG program including California. This is a priority to us so we support continuing an open dialogue with all stakeholders as we work through the rulemaking process. At the same time that we work towards this agreement, we are following California’s example and intervening in this lawsuit to preserve our options. Like California, we are pursuing an agreement but preparing for other possibilities.”

David Schwietert
Executive Vice President, Federal Government Relations & Public Policy
P: | dschwietert@autoalliance.org



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AUTO ALLIANCE
DRIVING INNOVATION®

<https://autoalliance.org/>

Curious to know how the Auto sector impacts your state or district -- [Click here](#). To get a better understanding of how America’s automobile industry is one of the most powerful engines driving the U.S. economy, [click here](#).

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

STATE OF CALIFORNIA, et al.,)
))
Petitioners,)
v.)
ENVIRONMENTAL PROTECTION AGENCY,)
et al.,)
))
Respondents.)

NATIONAL COALITION FOR ADVANCED)
TRANSPORTATION,)
))
Petitioner,)
v.)
ENVIRONMENTAL PROTECTION AGENCY,)
))
Respondent.)

CENTER FOR BIOLOGICAL DIVERSITY, et)
al.,)
))
Petitioners,)
v.)
ENVIRONMENTAL PROTECTION AGENCY,)
))
Respondent.)

Nos. 18-1114, 18-1118, 18-1139

**MOTION OF THE ALLIANCE OF AUTOMOBILE MANUFACTURERS
TO INTERVENE IN SUPPORT OF RESPONDENTS**

Pursuant to Federal Rule of Appellate Procedure 15(d) and Rule 15(b) of this Court, the Alliance of Automobile Manufacturers (“the Auto Alliance”) respectfully moves for leave to intervene in the above-captioned proceedings. This motion is

timely because it is being filed within 30 days of the filing of the first petition for review in these proceedings. *See* Fed. R. App. P. 15(d).¹

I. Background

Petitioners seek review of developments in administrative proceedings at the U.S. Environmental Protection Agency (“EPA”). In 2012, EPA established motor vehicle greenhouse gas (“GHG”) standards for passenger cars and light-duty trucks for model years (“MYs”) 2017-2025. *See* 40 C.F.R. §86.1818-12.² At that time, the design and production of MY 2022-2025 cars and trucks lay far in the future. Accordingly, the 2012 regulation provided for a mid-term review of EPA’s GHG standards for MYs 2022-2025, with that review to be completed by April 2018. *Id.* §86.1818-12(h).

EPA began its review of the MY 2022-2025 GHG standards in 2016. On December 6, 2016—about a month after the presidential election, and more than a

¹ A group of 17 States and the District of Columbia filed the first petition on May 1, in No. 18-1114; an industry association called the National Coalition for Advanced Transportation filed the second petition on May 3, in No. 18-1118; and a group of public advocacy organizations filed the third petition on May 15, in No. 18-1139.

² *2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards*, 77 Fed. Reg. 62,624 (Oct. 15, 2012). The National Highway Traffic Safety Administration (“NHTSA”) regulates fuel consumption from new cars and trucks through Corporate Average Fuel Economy (“CAFE”) standards. 49 U.S.C. §32092. Because the only method of reducing automotive GHG emissions to the levels set by EPA requires reductions in fuel consumption, EPA and NHTSA coordinated their rulemaking efforts to set GHG and CAFE standards.

year before it had to complete the review—EPA issued a “proposed determination” that the MY 2022-2025 GHG standards set in 2012 should remain in place and opened a 24-day period for public comment on that proposal.³ In January 2017, eight days before the new Administration took office, EPA issued a “final determination” that the MY 2022-2025 standards established in 2012 remained appropriate in all respects and should not be revised.⁴

In March 2017, EPA published notice in the Federal Register of its intent to reconsider the January 2017 decision that the MY 2022-2025 GHG standards set in 2012 remained fully appropriate.⁵ In August 2017, EPA announced a public hearing and opened a 45-day period for public comment on reconsideration of the MY 2022-2025 GHG standards.⁶ EPA held the public hearing on September 6, 2017, and received more than 290,000 public comments.

³ *Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards Under the Midterm Evaluation*, 81 Fed. Reg. 87,927 (Dec. 6, 2016).

⁴ The January 2017 determination was not published in the Federal Register, but is available from the National Service Center for Environmental Publications and on the EPA website at <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas>.

⁵ *Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles*, 82 Fed. Reg. 14,671 (Mar. 22, 2017).

⁶ *Public Hearing for Reconsideration of the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles*, 82 Fed. Reg. 39,976 (Aug. 23, 2017).

On April 13, 2018, EPA published a notice in the Federal Register of a decision signed by the EPA Administrator on April 2, 2018, withdrawing the January 2017 decision to leave the MY 2022-2025 GHG standards in place.⁷ EPA stated that a “significant record that has been developed since the January 2017 Determination” indicated that technological and economic assumptions or findings made in January 2017 “were optimistic or have significantly changed and thus no longer represent realistic assumptions.” 83 Fed. Reg. 16,077-78. EPA announced that it would soon issue a notice of proposed rulemaking to establish revised GHG standards for MYs 2022-2025. EPA explained that the steps it was taking had no immediate effect on the GHG standards adopted in 2012; pending completion of the rulemaking it was announcing, “the current standards remain in effect and there is no change in the legal rights and obligations of any stakeholders.” *Id.* at 16,087. As such, EPA explained that the decision it was announcing was “not a final agency action.” *Id.* The effect of EPA’s actions was to “initiate a rulemaking process.” *Id.* Notwithstanding, petitioners have sought review in this Court, citing section 307(b)(1) of the Clean Air Act, 42 U.S.C. §7607(b)(1).

⁷ *Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light-Duty Vehicles*, 83 Fed. Reg. 16,077 (Apr. 13, 2018). April 2, 2018 was the first business day after the April 1, 2018 deadline specified in 40 C.F.R. §86.1818-12(h), which fell on a Sunday.

II. Interest of the Moving Party and Grounds for Intervention

The Auto Alliance is a trade association representing 12 automobile manufacturers who collectively sell approximately 70 percent of the new cars and light trucks sold in the United States, many of which are produced in facilities located in this country in States and communities that depend on the automobile industry for economic prosperity.⁸

The Auto Alliance has a longstanding and obvious interest in GHG standards, and participated in the EPA rulemaking that produced the GHG standards that the Agency adopted in 2012. The Auto Alliance filed comments on EPA's "proposed determination" of December 2016, participated in the September 2017 public hearing, and filed additional technical comments and a statutory analysis in the rulemaking docket on the MY 2022-2025 GHG standards in October 2017.

In its October 2017 comments, the Auto Alliance urged reconsideration of the MY 2022-2025 GHG standards that EPA adopted in 2012, and explained why EPA should withdraw the January 2017 decision to prematurely terminate the Agency's review of the 2012 GHG standards. EPA's April 13 notice in the Federal Register

⁸ The members of the Auto Alliance are the BMW Group, Fiat Chrysler Automobiles, Ford Motor Company, General Motors Company, Jaguar Land Rover, Mazda, Mercedes-Benz USA, Mitsubishi Motors, Porsche, Toyota, Volkswagen Group of America, and Volvo Car USA.

cited data and analysis provided in the Auto Alliance's October 2017 comments. *See* 83 Fed. Reg. at 16,079-85 & nn.15, 17, 24.

The relief sought by petitioners in these proceedings is unspecified, but any conceivable action this Court might take likely would affect the interests of the Auto Alliance and its members in EPA's effort to revise the MY 2022-2025 GHG standards adopted in October 2012. Because the members of the Auto Alliance would be directly affected by any decision to retain the current standards, or to delay or impede EPA's rulemaking efforts, the Auto Alliance should be permitted to intervene. *See Yakima Valley Cablevision, Inc. v. FCC*, 794 F.2d 737, 744-45 (D.C. Cir. 1986) (finding intervention under Rule 15(d) warranted for parties who are "directly affected" by the action under review); *see also, e.g., Sierra Club, Inc. v. EPA*, 358 F.3d 516, 518 (7th Cir. 2004) ("Persons whose legal interests are at stake are appropriate intervenors ..."); *N.M. Dep't of Human Servs. v. HCFA*, 4 F.3d 882, 884 n.2 (10th Cir. 1993) ("substantial and unique interest in the outcome" warrants intervention); *Bales v. NLRB*, 914 F.2d 92, 94 (6th Cir. 1990) ("substantial interest" warrants intervention). The Auto Alliance's full participation in every phase of the development and reconsideration of EPA's MY 2022-2025 GHG standards further supports permitting intervention here. *See Synovus Fin. Corp. v. Bd. of Governors*, 952 F.2d 426, 433 (D.C. Cir. 1991) (noting that intervenor "fully participated in the proceedings" before the agency).

The Auto Alliance also meets the constitutional and prudential requirements for standing. *See Lujan v. Defs. of Wildlife*, 504 U.S. 555, 561-62 (1992). This Court has regularly permitted the Auto Alliance to participate as an intervenor in similar cases. *See, e.g., Order, California v. EPA*, No. 08-1063 (D.C. Cir. filed Apr. 3, 2008) (intervention by Auto Alliance and others in support of EPA against challenge to Clean Air Act §209(b) waiver decision); *Public Citizen, Inc. v. NHTSA*, 374 F.3d 1251 (D.C. Cir. 2004) (intervention by Auto Alliance in support of NHTSA against challenge to crash-test regulation). Given the substantial interests that the Auto Alliance and its members have at stake here, the Court should grant the Auto Alliance leave to intervene in this proceeding as well.

CONCLUSION

For the foregoing reasons, the Court should grant the Auto Alliance's motion to intervene.

Respectfully submitted,

s/Paul D. Clement

PAUL D. CLEMENT

Counsel of Record

STUART DRAKE

ERIN E. MURPHY

C. HARKER RHODES IV

KIRKLAND & ELLIS LLP

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Washington, DC 20005

(202) 879-5000

paul.clement@kirkland.com

Counsel for the Alliance of Automobile Manufacturers

May 25, 2018

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rules 15(c)(6) and 26.1, the Alliance of Automobile Manufacturers certifies that it is an I.R.C. Section 501(c)(6) not-for-profit trade association of car and light truck manufacturers whose members include the BMW Group, Fiat Chrysler Automobiles, Ford Motor Company, General Motors Company, Jaguar Land Rover, Mazda, Mercedes-Benz USA, Mitsubishi Motors, Porsche, Toyota, Volkswagen Group of America and Volvo Car USA. The Auto Alliance operates for the purpose of promoting the general commercial, professional, legislative, and other common interests of its members. The Auto Alliance does not have any outstanding shares or debt securities in the hands of the public, nor does it have a parent company. No publicly held company has a 10% or greater ownership interest in the Auto Alliance.

CERTIFICATE AS TO PARTIES

Pursuant to D.C. Circuit Rules 27(a)(4) and 28(a)(1)(A), the Auto Alliance submits this certificate of persons who are currently parties, intervenors, or amici:

Petitioners in No. 18-1114: State of California, by and through its Governor Edmund G. Brown Jr., Attorney General Xavier Becerra and California Air Resources Board; State of Connecticut; State of Delaware; District of Columbia; State of Illinois; State of Iowa; State of Maine; State of Maryland; Commonwealth of Massachusetts; State of Minnesota, by and through its Minnesota Pollution Control Agency and Minnesota Department of Transportation; State of New Jersey; State of New York; State of Oregon; Commonwealth of Pennsylvania, by and through its Department of Environmental Protection and Attorney General Josh Shapiro; State of Rhode Island; State of Vermont; Commonwealth of Virginia; State of Washington.

Petitioner in No. 18-1118: National Coalition for Advanced Transportation.

Petitioners in No. 18-1139: Center for Biological Diversity; Conservation Law Foundation; Environmental Defense Fund; Natural Resources Defense Council; Public Citizen, Inc.; Sierra Club; Union of Concerned Scientists.

Respondent in Nos. 18-1114, 18-1118, and 18-1139: Environmental Protection Agency.

Respondent in No. 18-1114: E. Scott Pruitt, as Administrator of the Environmental Protection Agency.

Proposed Intervenor in Nos. 18-1114, 18-1118, and 18-1139: Alliance of Automobile Manufacturers.

Amici Curiae in Nos. 18-1114, 18-1118, and 18-1139: None.

**CERTIFICATE OF COMPLIANCE
WITH TYPE-VOLUME LIMITATION**

I hereby certify that:

1. This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 1,438 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f).

2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the typestyle requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in 14-point font.

May 25, 2018

s/Paul D. Clement
Paul D. Clement

CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2018, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the CM/ECF system. I certify that all participants in this case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/Paul D. Clement

Paul D. Clement

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 5/10/2018 8:16:51 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: FW: Letter to President Trump on CAFÉ and California
Attachments: CAFE Letter to the President PDF.pdf

From: Myron Ebell
Sent: Thursday, May 10, 2018 4:10 PM
To: 'francis.j.brooke' [Ex. 6] 'Griffith, P. Wells W. EOP/NSC'
[Ex. 6] Paul Teller [Ex. 6] <Paul_Teller@cruz.senate.gov>
Subject: Letter to President Trump on CAFÉ and California

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: [Ex. 6]
Tel mobile: [Ex. 6]
E-mail: Myron.Ebell@cei.org
Stop continental drift!

May 10, 2018

The Honorable Donald J. Trump
President
The White House
Washington, DC

Dear Mr. President:

As members of your presidential transition team, we write to thank you for the tremendous progress that America has made under your leadership. As a continuation of that progress, we encourage you to stay the course on needed and essential reforms to the federal automobile mandate, more commonly known as the Corporate Average Fuel Economy (CAFE) program.

We understand that some in the automaker community have expressed concerns about your current plans to reform the program. But it is worth noting that early in your presidency, these same automakers urged your administration to “reconsider imposing such a far-reaching mandate on an entire industry” and were greatly concerned that the existing mandate, which you are attempting to reform, “could cause up to 1.1 million Americans to lose jobs due to lost vehicle sales.”

Their main concern is the expected legal battle with California. Led by Governor Jerry Brown and Attorney General Xavier Becerra, the state intends to sue your administration over the necessary changes to the existing mandate – a mandate they not only support, but also seek to extend even further through 2030. In fact, what many liberal California politicians really want to do is ban gasoline-powered cars altogether, as evidenced by a bill before the California legislature to ban all gas- and diesel-powered cars by 2040.

You should dismiss this concern. We agree that in an ideal world, California would negotiate with you in good faith, but we all know that is not a reality in this current political climate.

Your efforts to reform this mandate are about cost, consumer choice, and whether or not your administration or the State of California gets to set a national policy.

The existing mandate makes cars more expensive. To meet the mandate, automakers often have to sell smaller, less desirable cars at a discount, while increasing prices on larger, more popular cars, crossovers, SUVs, and trucks. This will get worse over time as the mandate becomes even more severe. In short, because of the mandate, those consumers who prefer trucks, SUVs, or crossovers pay more to subsidize those who buy smaller vehicles.

According to the National Auto Dealers Association, the existing mandates under the mandate would cause the price of an average vehicle to increase by \$3,000 in 2025. The Heritage Foundation concluded that repealing the mandate would save car buyers in 2025 at least \$7,200 per vehicle.

These significant increases in the average price of a car or truck are a very real regressive tax on American families that make consumers poorer and the economy weaker.

The existing mandate minimizes consumer choice. Consumer demand for the types of cars required under the current California preferred mandate is low, and these cars cost more – in many cases, significantly more – than other vehicles. Because automakers must sell increasing numbers of these cars to consumers nationwide despite the higher costs and low demand, and because fuel economy standards apply not to individual vehicles but to fleets nationwide, the additional costs of these vehicles are borne by all consumers – including consumers in States that choose not to adopt California’s regulations.

The existing mandate gives California a disproportionate say. Under the Obama Administration, California was given the ability to set the mandate for the entire nation. The automakers agreed to this because they wanted to avoid having to potentially comply with two different mandates and because they had just been given a hefty bailout by the Obama Administration.

If there is to be one national standard, it makes more sense for that standard to be set by the federal government and not by one state government. But that is what is likely to happen if you change direction now.

Mr. President, the fundamental question associated with the CAFE is mandate is clear: Who should decide which cars and trucks consumers should buy – consumers and their families, or unelected bureaucrats in Sacramento? The current mandate, which you rightly seek to reform, compels automakers to design vehicles and fleets to meet the preferences of regulators – not consumers.

Thank you again for your leadership on this important issue. We stand ready to help you in all of your efforts.

Sincerely,

Thomas Pyle
Leader of Trump Transition DOE Agency Action Team
President, Institute for Energy Research

Myron Ebell
Leader of Trump Transition EPA Agency Action Team
Director, Center for Energy and Environment
Competitive Enterprise Institute

Shirley Ybarra
Leader of Trump Transition DOT Agency Action Team
Former Virginia Secretary of Transportation

Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 6/15/2017 4:31:38 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Re: Auto follow up per Mike Catanzaro

Perfect. Call my cell when you are free. I will be available during that time range

Thanks

Dave

On Jun 15, 2017, at 12:30 PM, Bolen, Brittany <bolen.brittany@epa.gov> wrote:

Sure, Dave. I have time between 230-3. Does that work?

Sent from my iPhone

On Jun 15, 2017, at 10:56 AM, David Schwietert <DSchwietert@autoalliance.org> wrote:

Brittany,

I just spoke with Mike Catanzaro and he asked me to follow up with you regarding an EPA career staff with auto manufacturers at the Ann Arbor office next week.

Please give me a call on my cell when you have an opportunity.

Shouldn't take more than a few minutes

Thanks,

Dave

Ex. 6

David Schwietert
Executive Vice President, Federal Government Relations & Public Policy

P: **Ex. 6** dschwietert@autoalliance.org
<image001.png>

<image002.png>

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*Curious to know how the Auto sector impacts your state or district --
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automobile industry is one of the most powerful engines driving the U.S. economy, [click here](#).

Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 4/3/2018 4:51:19 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccc6264ae09df7054c7f1019cb-Letendre, D]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Harlow, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b5a9a34e31fc4fe6b2beadda2affa44-Harlow, Dav]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
CC: Gloria Bergquist [GBERGQUIST@autoalliance.org]
Subject: Auto Alliance Follow up
Attachments: Increasing EPA Fuel Economy.pdf

Team EPA,

Thanks again for including us in today's press event. The Administrator did a nice job outlining why this decision is warranted, as well as next steps with NHTSA.

I wanted to pass along the chart that Mitch referenced in case it would be useful for the Administrator or others.

Talk soon,

Dave

From: David Schwietert
Sent: Tuesday, April 03, 2018 9:08 AM
To: 'Letendre, Daisy' <letendre.daisy@epa.gov>; 'Jackson, Ryan' <jackson.ryan@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; 'bolen.brittany@epa.gov' <bolen.brittany@epa.gov>; 'harlow.david@epa.gov' <harlow.david@epa.gov>
Subject: RealClearPolitics commentary by Bainwol

FYI

From: Gloria Bergquist
Sent: Tuesday, April 03, 2018 9:05 AM
To: bowman.liz@epa.gov
Cc: Amy Dewey <dewey.amy@epa.gov>; David Schwietert <DSchwietert@autoalliance.org>
Subject: RealClearPolitics commentary by Bainwol

Liz, here is Mitch's op ed that is online now. Gloria

https://www.realclearpolitics.com/articles/2018/04/03/revisiting_of_fuel_standards_is_not_a_rollback_136688.html

Revisiting of Fuel Standards Is Not a Rollback

COMMENTARY

By Mitch Bainwol
April 03, 2018

Washington is a town where truth can be elusive. Ideological agendas and herd reporting often distort issues. When it comes to auto policy, especially in today's highly charged political environment, sensationalism routinely warps reality. Here's an example:

Contrary to the breathless coverage of the Trump administration's action to revisit fuel economy and greenhouse gas emission standards, this decision actually fulfills key promises made by the prior administration. Early in Barack Obama's first term in office, automakers agreed with the president to establish long-term fuel economy targets stretching out to 2025. This bold plan, requiring massive investment by automakers to achieve a social goal we embraced -- addressing climate change -- came with two prudent obligations by policymakers.

First, President Obama and his team committed to undertake a midterm review halfway through the timeframe (2018) to check government predictions against reality and use that information to set standards for 2022-2025. The midterm look-back recognized the challenge of forecasting market and technology factors long into the future, as well as the importance of using evidence-based analysis because the economic stakes were so significant.

Second, policymakers made a commitment to harmonize three regulatory programs that effectively serve the same purpose -- managing fuel efficiency/carbon. National Highway Traffic Safety Administration, EPA and California's Air Resources Board all regulate emissions, but in different ways and with different timelines. Redundant government programs drive compliance costs up and that ultimately comes out of the wallets of our customers. The Obama administration stated in writing: "Continuing the National Program ensures that auto manufacturers can build a single fleet of U.S. vehicles that satisfy requirements of both federal programs as well as California's program."

Both of these commitments made sense. The agreement was sound. The goals were shared. And the plan was launched. But something funny happened on the way to the forum.

After the 2016 election, EPA chose to short-circuit the midterm analysis and advance a finding nearly 18 months before it was due. Politics took hold; marketplace realities were ignored. The federal program itself was split, with EPA jumping ahead of NHTSA. The original estimated targets were then justified and rushed through, irrespective of contradictory but salient market developments and irrespective of NHTSA's role in the process. Both commitments -- the midterm and One National Program -- were abrogated.

The market reality is clear. No factor is more relevant than gas prices, which remain significantly lower than projected. In reaction, consumers are buying more SUVs and trucks, bigger engines and fewer alternative powertrains than regulators expected. When the EPA issued the premature determination early last year, it trumpeted the statistic that automakers were over-complying. Weeks later, government reports indicated that statistic was no longer operative, and, for the first time, automakers missed the emissions targets despite achieving record fuel economy. Since then, compliance has slipped even further.

Remember, the government evaluates automakers on fuel economy standards by what consumers buy – not what automakers put in dealer showrooms. In short, the buying pattern of the American public has demonstrated that a rigid adherence to the standards -- as originally contemplated nearly a decade ago -- is inconsistent with market realities.

Moreover, two or three different regulatory rule sets make no sense. As such, we enthusiastically embrace the idea of One National Program. We did so when we signed up in 2011. We did so in the days immediately after the 2016 election and we do so now. Nothing has changed. Writing to the Trump transition team in November of 2016, we asked that “the White House lead efforts with EPA, NHTSA, CARB and the automakers on finding a pathway forward regarding the standards for 2022 MY and beyond.”

Here we are, in April of 2018, the precise point at which the previous administration suggested a judgment be reached about whether to adjust the standards. The new administration has spent a year conducting research, looking at the unfolding data – and has reached the determination that adjustments are warranted.

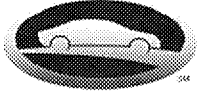
“Adjustments” are not rollbacks. We favor standards that increase year over year. The industry is committed to ongoing progress in a journey that has no end date. After all, we have invested substantially in energy-efficient technologies that we would like to see consumers embrace. We expect that fuel economy will keep rising. The only issue is at what speed. We do not buy the view that the 2012 projections were perfect and that conditions are unchanged. On the contrary, the projections were materially imperfect and conditions have fundamentally changed.

Even so, no matter how these standards ultimately adjust, the fuel savings through 2025 will likely achieve at least 97 percent of the original estimates. That’s because there is profoundly more savings realized on the front end of the curve than on the back end – as moving from 10 to 20 miles per gallon produces 10 times more savings than moving from 40 to 50 miles per gallon.

We asked administration officials to look at the data and base their decision on marketplace realities. They have. We asked them to work with California to try to find a policy outcome that works for both. They are embarked on that mission. Let’s give that a try. Too much is at stake to let politics and overheated rhetoric get in the way.

Mitch Bainwol is president and CEO of the Auto Alliance, the leading automotive advocacy group composed of 12 automakers.

GLORIA BERGQUIST
Vice President, Communications and Public Affairs



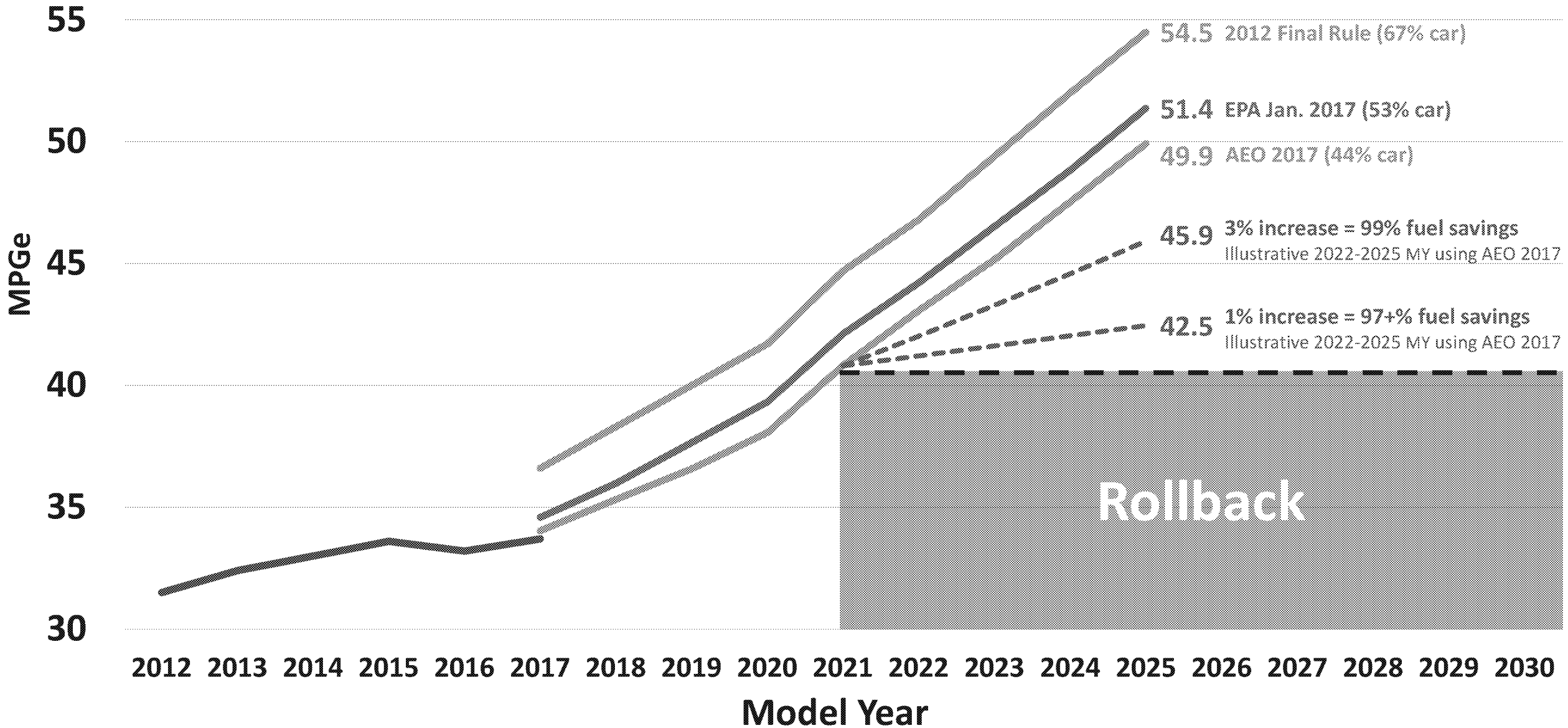
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Alliance of Automobile Manufacturers

Ex. 6 Desk
Mobile

www.autoalliance.org

Increasing EPA Fuel Economy



Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 4/2/2018 7:57:58 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Harlow, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b5a9a34e31fc4fe6b2beadda2affa44-Harlow, Dav]
Subject: Auto Alliance follow up - EPA's Final Determination

Ryan, Mandy, Brittany, Daisy, and David,

Thanks for sharing the Administrator's press release following the signing of the Final Determination earlier this afternoon.

I wanted to follow up with you because in addition to the Auto Alliance statement about the EPA's Final Determination, there's been some questions raised about the Ford statement/joint Op-Ed from last week. Seeing that Ford is a member of the Auto Alliance, I wanted to underscore the following:

- The Auto Alliance statement still stands regarding support for the Administration moving forward with the Final Determination which will initiate a future joint rulemaking process to allow the public and relevant stakeholders to comment on future fuel economy standards between MY 2022-2025.
- I would stress that Ford's statement reiterates support for "increasing" standards and shouldn't be viewed as support for the 2012 Rule that called for 54.5 MPG (EPA equivalent) by MY 2025 – which as you know stipulated that there would be a data driven mid-term review with coordination between EPA and NHTSA.
- In addition, some media outlets can get stuck on the word "rollback" but that would require agreement on a baseline. For instance, if the baseline standard is the MY 2018 fuel economy/GHG standard then "rollback" means something entirely different than a reporter who views a "rollback" as anything that is less than the 2012 Joint Final Rule that envisioned an estimated fuel economy standard of 54.5 MPG by 2025. Under such an interpretation, a rollback is anything less than 54.5 MPG.

Happy to answer any questions you have but I thought it would be important for me to follow up. And of course, my email is not intended to speak for Ford but they are certainly happy to clarify anything if you need additional information.

Also, I thought you might find it useful to see how the auto sector is stacking up regarding its contribution to GHG reduction (see bottom of email)

Thanks,

Dave

AUTO ALLIANCE STATEMENT ON EPA FINAL DETERMINATION (issued 4/2/18):

“This was the right decision, and we support the Administration for pursuing a data-driven effort and a single national program as it works to finalize future standards. We appreciate that the Administration is working to find a way to both increase fuel economy standards and keep new vehicles affordable to more Americans.

“Today’s announcement was the expected necessary step that sets in motion a future rulemaking where the government will propose a range of alternatives – sharing the data gathered to support various options — and seek public comments.

“Automakers are committed to increasing fuel economy requirements and the key to achieving higher standards is selling more of the highly fuel-efficient vehicles, including 50 models of electric cars, now in dealer showrooms. Consumer research shows that the monthly payment is the top concern when car-shopping. So, to ensure ongoing fuel economy improvement, the wisest course of action is to keep new vehicles affordable so more consumers can replace an older car with a new vehicle that uses much less fuel – and offers more safety features. Automakers continue to develop safety and other innovations and we want to get these technologies – and all their benefits – on the road as soon as possible.

“Maintaining a single national program is critical to ensuring that cars remain affordable. We look forward to working with key stakeholders and the State of California once EPA and NHTSA begin a rulemaking. As in the past, we will review their proposed rule through the lens of its impact on jobs and meeting our customers’ needs for affordable, safe, clean and fuel-efficient transportation.”

FORD Op-Ed from last week: <https://medium.com/cityoftomorrow/a-measure-of-progress-bc34ad2b0ed>

“We support increasing clean car standards through 2025 and are not asking for a rollback. We want one set of standards nationally, along with additional flexibility to help us provide more affordable options for our customers. We believe that working together with EPA, NHTSA and California, we can deliver on this standard.

In addition, at Ford, we believe we must deliver on CO2 reductions consistent with the Paris Climate Accord. We already have charted a course for our future that includes investing \$11 billion to put 40 hybrid and fully electric vehicle models on the road by 2022 as well as responsible development of the self-driving car.”

Auto Alliance material about CO2 reduction:

The Paris Agreement called for a 26-28% reduction in US GHG emissions from 2005 to 2025.

In 2005 MY the fleet averaged 447 g/mi CO₂ (EPA Trends Report p4). In 2017 MY the fleet averaged 352 g/mi (projected EPA Trends Report). That is a 21.2% reduction already. And these values represent adjustments for real world emissions (by EPA). The Auto industry is ahead of the game and doing more than our share.

<https://autoalliance.org/2017/06/05/facts-progress-auto-co2-reductions/>

The auto sector has already made significant carbon reductions in its products.

Fleet-wide automobile CO₂ reductions are already more than 22 percent lower than in 2005. According to the 2016 EPA Trends Report, the real-world emissions of new cars and light trucks went from an average of 447 g/mi CO₂ in 2005 to 347 g/mi in 2016.

CO₂ reductions by the auto sector already approach the Paris goals for 2025.

Under the Paris Climate Accord, the Obama Administration agreed that by 2025 the U.S. would cut greenhouse (GHG) emissions by 26-28 percent compared to 2005 levels.

Current NHTSA/EPA requirements for fuel economy/GHG reductions through 2025 would result in a reduction of more than 50 percent — almost double the stringency of the Paris Agreement during the same timeframe of 2005-2025. While the 2022-25 standards are undergoing a midterm review, the overall contribution of autos to carbon reduction will still greatly exceed the Paris stringency, regardless of the results of the midterm review.

Automobiles represent a shrinking portion of total CO₂ emissions, according to EPA data.

Cars and light duty trucks represented 16.45 percent of total US CO₂ emissions in 2015, according to EPA's Greenhouse Gas Inventory. All of US transportation (including rail, airlines, shipping) was 27.5 percent of total US CO₂ emissions in 2015.

Progress is demonstrated across the range of products in dealer showrooms.

Consumers enjoy much choice when shopping for energy-efficient autos. This year, more than 480 models are on sale that achieve high mileage (30+ MPG, highway) — up 530 percent from 2007, when there were 76 models. And, the

number of models reaching 40+ MPG (highway) is increasing as well, with 74 models on sale in 2017. While gasoline engines are becoming more energy-efficient, consumers can also choose from approximately 50 hybrids and 30 electric vehicles on sale.

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 5/26/2017 10:37:59 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Fwd: Alert: California Warns Senate Taking Step to Gut Auto Efficiency Rules

Begin forwarded message:

From: Bloomberg Government <alerts@bgov.com>
Date: May 26, 2017 at 6:18:28 PM EDT
To: <dschwietert@AUTOALLIANCE.ORG>
Subject: Alert: California Warns Senate Taking Step to Gut Auto Efficiency Rules



California Warns Senate Taking Step to Gut Auto Efficiency Rules

By John Lippert and Ryan Beene | May 26, 2017 06:18PM ET | Bloomberg Government

California Governor [Jerry Brown](#) criticized a U.S. Senate bill that aims to simplify auto efficiency standards, warning the measure represents a step toward decimating requirements that manufacturers produce cleaner cars.

Legislation introduced Thursday by Missouri Republican [Roy Blunt](#) would align the differing approaches that separate U.S. agencies take to regulating fuel mileage and carbon emissions. Sponsors include Michigan Democrat [Debbie Stabenow](#).

California countered America's worst smog by writing its own clean-air rules starting in 1970 and has vowed to remain a bulwark against the deregulation President [Donald Trump](#) has promised the auto industry. Brown, a Democrat, said in an interview Friday that the Senate bill bolsters carmakers' efforts to avoid billions of dollars in penalties for failing to reach efficiency goals.

"It's of the nature of salami tactics," Brown said by phone. "They'll try to take a slice, and if they get away with it, they'll take another slice and another slice until they really gut the current regime to reduce greenhouse gases and improve fuel efficiency."

[Read more: QuickTake Q&A on California's clean-car resistance to Trump](#)

The National Highway Traffic Safety Administration regulates fuel economy of U.S. cars and trucks as a matter of energy independence. The Environmental Protection Agency, meanwhile, oversees the carbon emissions of vehicles to curb the effects of man-made climate change.

The agencies are reexamining their rules as part of a midterm review of standards set by former President Barack Obama that aim to boost the average fuel economy of each automaker's fleet to about 50.8 miles per gallon by 2025, up from 30.3 mpg this year. Trump reinstated the review in March, nullifying an EPA determination during the final days of the Obama administration that the requirements were feasible.

One Standard

Dissonance between the overlapping rules could result in heavy fines from NHTSA even if companies comply with the EPA's standards, the Alliance of Automobile Manufacturers said Thursday in a statement. Consumers ultimately wind up paying for the overlap through higher sticker prices, according to the alliance, whose members include General Motors Co., Toyota Motor Corp. and Volkswagen AG.

"This bill gets us closer to one national fuel economy standard program that meets the goals of both the NHTSA and EPA programs in a less costly, more efficient way," Blunt said Thursday in a statement on his website.

The Senate bill would enable automakers to earn more credits for introducing aerodynamic designs that reduce fuel consumption, or new technologies like air conditioners that release fewer or safer chemicals into the atmosphere. Carmakers also would have more time to accumulate such credits and apply them against emissions or fuel requirements for vehicles they're delivering to consumers.

Brown said he'll accept an invitation from EPA Administrator Scott Pruitt to discuss future fuel economy and emissions rules. He said he plans to tell Pruitt that climate change is an existential threat causing rising sea levels and forest fires.

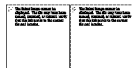
"This measure of so-called harmonization is, more than anything else, perfume to cover the odorous maneuver on which they've now embarked," Brown said.

To contact the reporters on this story:
John Lippert in Chicago at jlippert@bloomberg.net;
Ryan Beene in Washington at rbeene@bloomberg.net

To contact the editors responsible for this story:
Craig Trudell at ctrudell1@bloomberg.net;
Jon Morgan at jmorgan97@bloomberg.net
Anne Riley Moffat

Automobiles News News Alert

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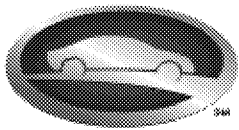
Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 8/3/2017 6:28:17 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: re: EPA Docket materials from December 2016 and January 2017

- Link to CAA hearing request based on January 11, 2017 letter to Janet McCabe:
<https://www.regulations.gov/document?D=EPA-HQ-OAR-2015-0827-6239>
- Link to December 8, 2016 letter to Administrator McCarthy regarding the EPA's Proposed Determination on GHG Standards requesting a withdrawal, or an extension in the comment abbreviated comment period:
<https://www.regulations.gov/document?D=EPA-HQ-OAR-2015-0827-5947>

David Schwietert
Executive Vice President, Federal Government Relations & Public Policy

P: **Ex. 6** dschwietert@autoalliance.org



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Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 5/3/2017 12:58:32 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: FW: re: Auto Alliance follow up - Administrator Pruitt Meeting
Attachments: AdministratorPruittDeck April 27 2017.pptx

From: David Schwietert
Sent: Thursday, April 27, 2017 5:50 PM
To: bollen.brittany@epa.gov; 'dravis.samantha@epa.gov' <dravis.samantha@epa.gov>
Cc: Jennifer Thomas <JThomas@autoalliance.org>; Chris Nevers <CNevers@autoalliance.org>
Subject: RE: re: Auto Alliance follow up - Administrator Pruitt Meeting

And the related charts/slides that were too large to send in one email

Dave

From: David Schwietert
Sent: Thursday, April 27, 2017 5:49 PM
To: bollen.brittany@epa.gov; 'dravis.samantha@epw.gov' <dravis.samantha@epw.gov>
Cc: Jennifer Thomas <JThomas@autoalliance.org>; Chris Nevers <CNevers@autoalliance.org>
Subject: re: Auto Alliance follow up - Administrator Pruitt Meeting

Brittany and Samantha,

We wanted to pass along an electronic copy of the charts and letter that were raised during today's meeting with Administrator Pruitt.

Please let us know if you have any questions – both regarding the Harmonization Petition that was filed jointly with EPA and DOT last June as well as the Mid Term Review for MY 2022-2025 fuel efficiency standards for light-duty vehicles.

Note, when the Harmonization petition was filed last June, we requested a direct fine rule to resolve various issues in hopes of addressing those items ahead of the Draft Technical Assessment Report (TAR) that kicked off the Mid Term Review.

Soon after our petition was filed, EPA/DOT and CARB released their Draft TAR which now means that the issues outlined in the Harmonization petition would more effectively be addressed via a rulemaking process – or handled administratively via interpretations. Additionally, since late 2015 the Alliance has been seeking various Harmonization changes via legislation because certain changes require statutory modification.

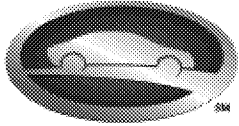
It's also important to keep in mind that the Harmonization issues relate to near term compliance (prior to MY 2022) due to increasing disparity between CAFE and EPA credit and compliance requirements. Effectively, the concept of One National Program hasn't been realized and it can create instances in which an auto manufacturer can be in compliance with more stringent EPA requirements and still be forced to pay CAFE penalties. We have a host of other examples that we'd be happy to walk you through to underscore the changes that need to be made in keeping with the original 2010 and 2012 agreements that were advertised as "One National Program" for compliance purposes.

Thanks,

Dave

David Schwietert
Executive Vice President, Federal Government Relations & Public Policy

P: **Ex. 6** | dschwietert@autoalliance.org



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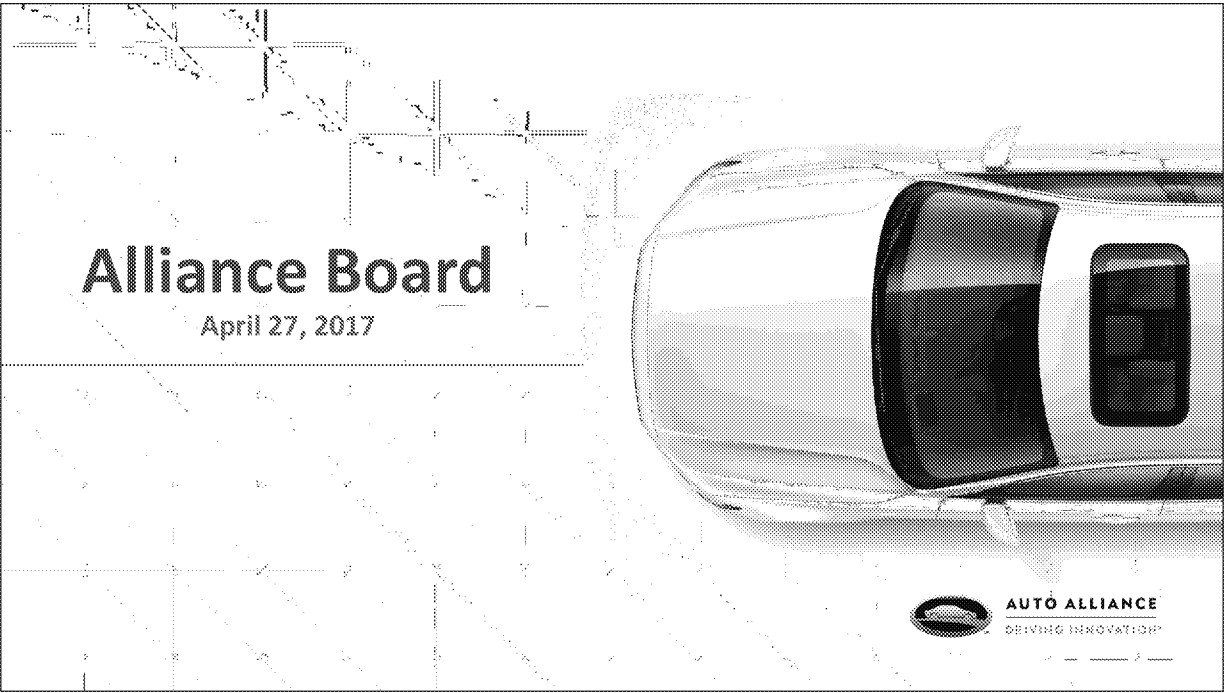
ALLIANCE OF AUTOMOBILE MANUFACTURERS

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Main Fax: 202-326-5567

<https://autoalliance.org/>

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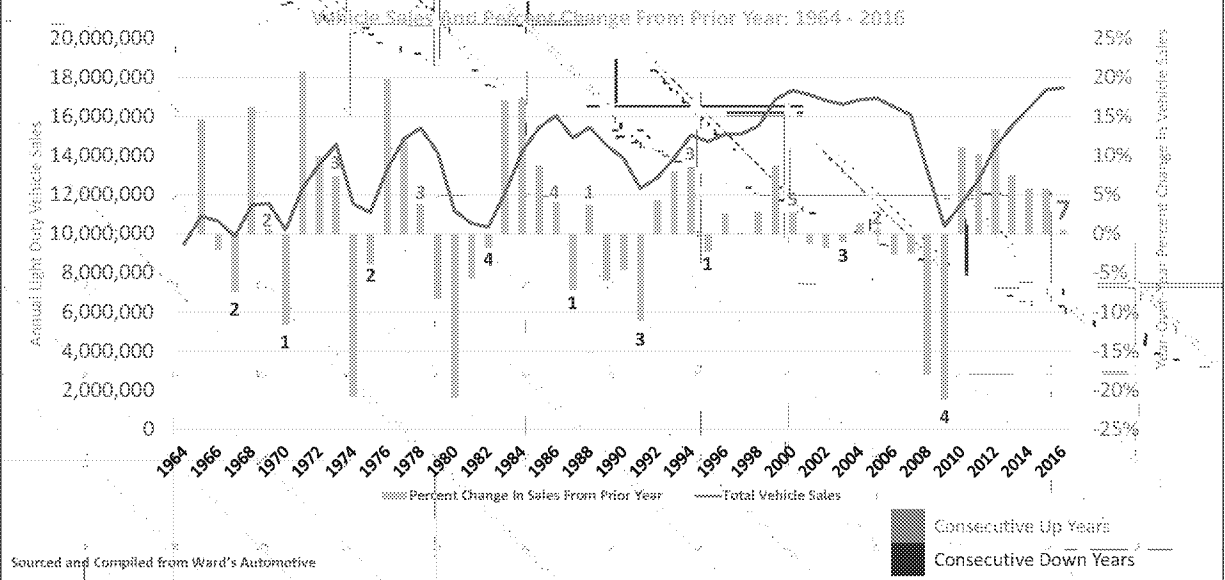


Meeting with EPA Administrator Scott Pruitt

AGENDA

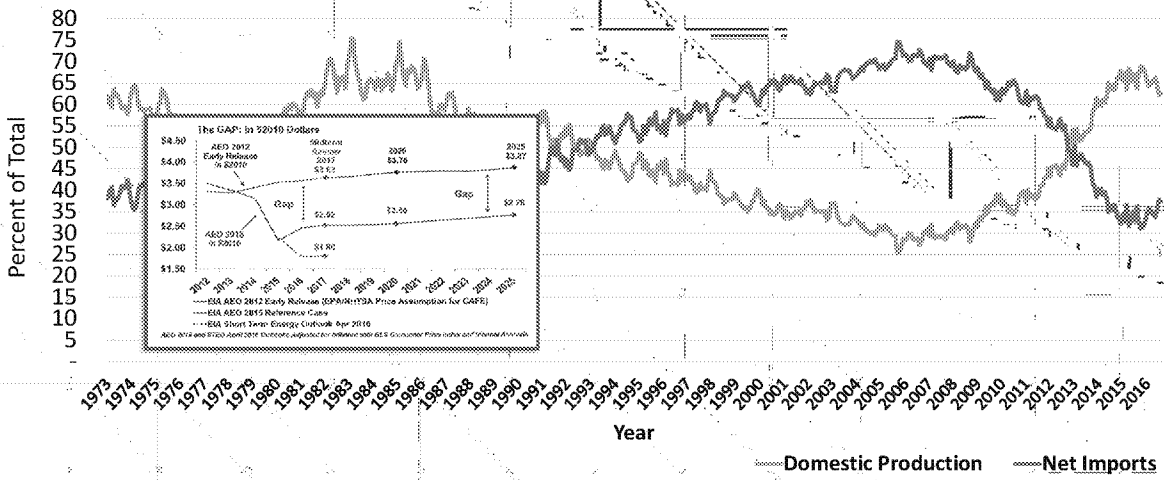
- | | |
|------------------------|------------------------------|
| 1. Welcome | Administrator Pruitt |
| 2. Introduction | Dietmar Exler |
| 3. Situation Review | Mitch Bainwol |
| 4. GHG / Harmonization | Ludwig Willisch / Dan Turton |
| 5. ZEV | Bob Carter |

Seven Years of Growth Historic - But Leveling Off



Price of Gas Way Below Original Projections

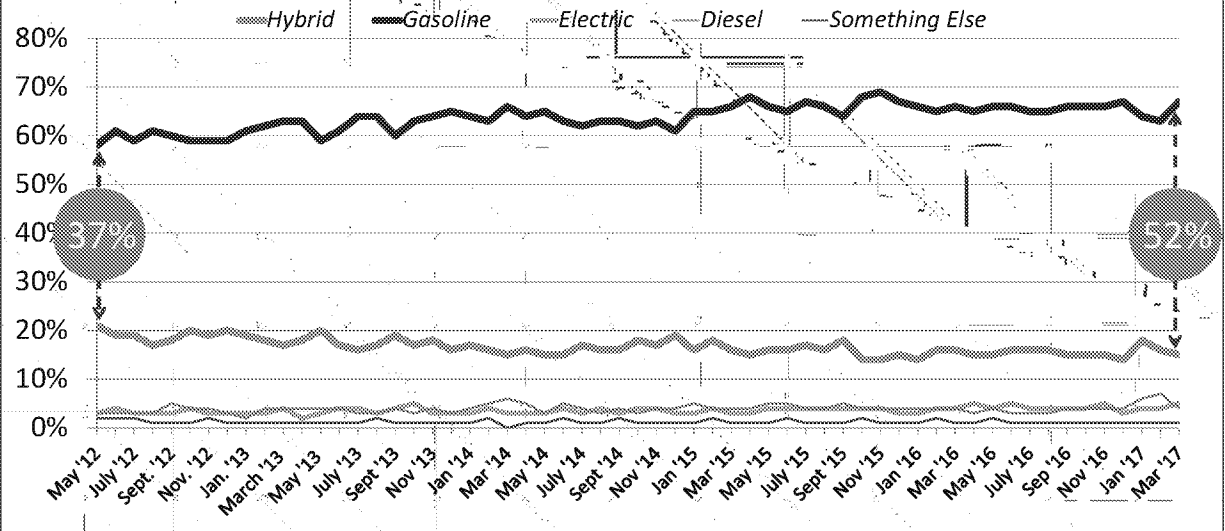
U.S. Crude Oil Production vs. Net Imports (Thousand Barrels per Day)



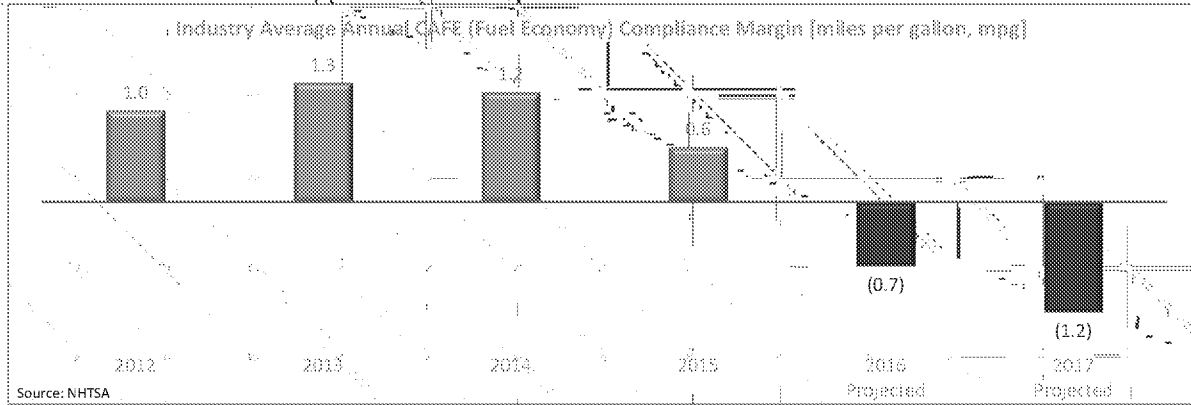
Source: EIA 2016

Low Gas \$ + Early CAFE = Impact on Consumers

What Type of Engine Will Your Next Vehicle Most Likely Be Powered By?



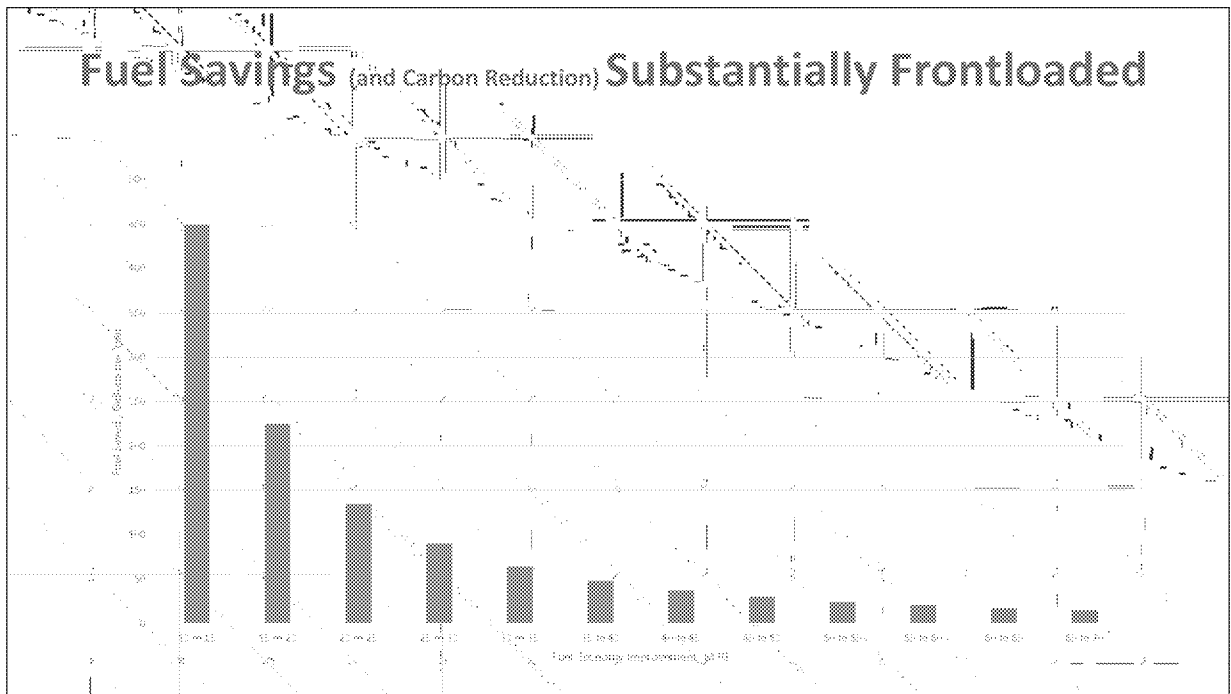
Compliance Trend Contradicts Theory



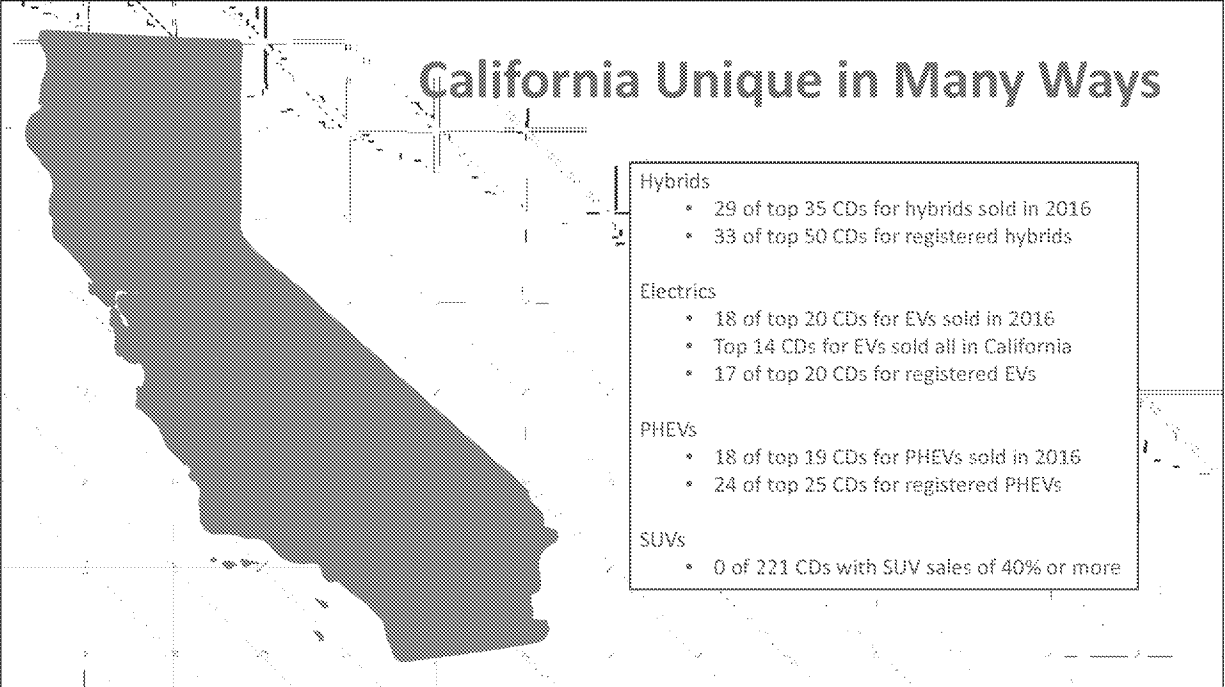
Similar trends are observed for CAFE (fuel economy) compliance

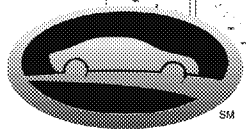
- Between 2012 and 2014, manufacturers averaged 1.0 to 1.3 miles per gallon (mpg) better fuel economy than their standards
- In 2015, this compliance margin dropped in half to 0.6 mpg
- NHTSA projects that manufacturers on average will fail to meet the CAFE standards in 2016 and 2017

Fuel Savings (and Carbon Reduction) Substantially Frontloaded



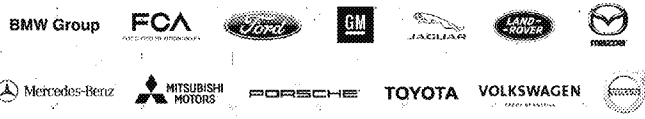
California Unique in Many Ways





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	Hybrid	Gasoline	Electric	Diesel	Something Else
May '12	21%	58%	3%	3%	2%
	19%	61%	4%	3%	2%
July '12	19%	59%	3%	3%	2%
	17%	61%	3%	3%	1%
Sept. '12	18%	60%	3%	5%	1%
	20%	59%	4%	4%	1%
Nov. '12	19%	59%	3%	4%	2%
	20%	59%	3%	3%	1%
Jan. '13	19%	61%	3%	2%	1%
	18%	62%	3%	4%	1%
March '13	17%	63%	4%	4%	1%
	18%	63%	2%	4%	1%
May '13	20%	59%	3%	4%	1%
	17%	61%	4%	4%	1%
July '13	16%	64%	4%	3%	1%
	17%	64%	3%	3%	2%
Sept '13	19%	60%	4%	4%	1%
	17%	63%	5%	3%	1%
Nov '13	18%	64%	3%	4%	1%
	16%	65%	3%	3%	1%
Jan '14	17%	64%	3%	4%	1%
	16%	63%	4%	5%	2%
Mar '14	15%	66%	3%	6%	0%
	16%	64%	3%	5%	1%
May '14	15%	65%	3%	3%	1%
	15%	63%	4%	5%	2%
July '14	17%	62%	3%	4%	1%
	16%	63%	4%	3%	1%
Sept '14	16%	63%	3%	4%	2%
	18%	62%	4%	3%	1%
Nov '14	17%	63%	4%	4%	1%
	19%	61%	3%	4%	1%
Jan '15	16%	65%	3%	5%	1%
	18%	65%	4%	4%	2%
Mar '15	16%	66%	3%	4%	1%
	15%	68%	3%	4%	1%
May '15	16%	66%	4%	5%	1%
	16%	65%	4%	5%	2%
July '15	17%	67%	4%	4%	1%
	16%	66%	4%	4%	1%
Sept '15	18%	64%	4%	5%	1%
	14%	68%	4%	4%	2%
Nov '15	14%	69%	4%	4%	1%
	15%	67%	3%	4%	1%
Jan '16	14%	66%	3%	4%	1%

May '12
June '12
July '12
Aug. '12
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June '14
July '14
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Sept '14
Oct '14
Nov '14
Dec '14

	16%	65%	4%	4%	2%
Mar '16	16%	66%	4%	4%	1%
	15%	65%	5%	3%	1%
May '16	15%	66%	4%	4%	2%
	16%	66%	5%	3%	1%
July '16	16%	65%	4%	3%	1%
	16%	65%	4%	3%	1%
Sep '16	15%	66%	4%	4%	1%
	15%	66%	4%	4%	1%
Nov '16	15%	66%	5%	4%	1%
	14%	67%	3%	4%	1%
Jan '17	18%	64%	4%	6%	1%
	16%	63%	4%	7%	1%
Mar '17	15%	67%	5%	4%	1%

Jan '15
Feb '15
Mar '15
Apr '15
May '15
June '15
July '15
Aug '15
Sept '15
Oct '15

What Type of Engine Will Next Vehicle Most Likely Be

Hybrid	Gas-powered	Electric	Diesel	Something else	Not sure
21%	58%	3%	3%	2%	13%
19%	61%	4%	3%	2%	11%
19%	59%	3%	3%	2%	14%
17%	61%	3%	3%	1%	14%
18%	60%	3%	5%	1%	13%
20%	59%	4%	4%	1%	13%
19%	59%	3%	4%	2%	14%
20%	59%	3%	3%	1%	14%
19%	61%	3%	2%	1%	14%
18%	62%	3%	4%	1%	11%
17%	63%	4%	4%	1%	12%
18%	63%	2%	4%	1%	13%
20%	59%	3%	4%	1%	13%
17%	61%	4%	4%	1%	12%
16%	64%	4%	3%	1%	12%
17%	64%	3%	3%	2%	11%
19%	60%	4%	4%	1%	11%
17%	63%	5%	3%	1%	11%
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16%	65%	3%	3%	1%	12%
17%	64%	3%	4%	1%	10%
16%	63%	4%	5%	2%	10%
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16%	64%	3%	5%	1%	10%
15%	65%	3%	3%	1%	12%
15%	63%	4%	5%	2%	11%
17%	62%	3%	4%	1%	12%
16%	63%	4%	3%	1%	12%
16%	63%	3%	4%	2%	12%
18%	62%	4%	3%	1%	12%
17%	63%	4%	4%	1%	12%
19%	61%	3%	4%	1%	12%

Nov '15	Adults	14%	69%	4%	4%	1%
Dec '15	Adults	15%	67%	3%	4%	1%

16%	65%	3%	5%	1%	9%
18%	65%	4%	4%	2%	8%
16%	66%	3%	4%	1%	10%
15%	68%	3%	4%	1%	8%
16%	66%	4%	5%	1%	9%
16%	65%	4%	5%	2%	9%
17%	67%	4%	4%	1%	7%
16%	66%	4%	4%	1%	9%
18%	64%	4%	5%	1%	8%
14%	68%	4%	4%	2%	9%

8%
10%

Series 1

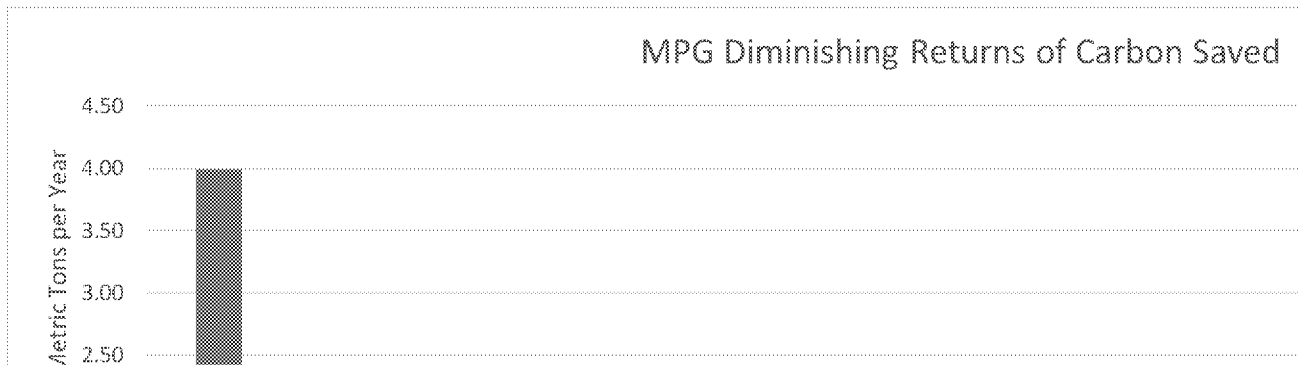
2012	1.0
2013	1.3
2014	1.2
2015	0.6
2016	
Projected	-0.7
2017	
Projected	-1.2

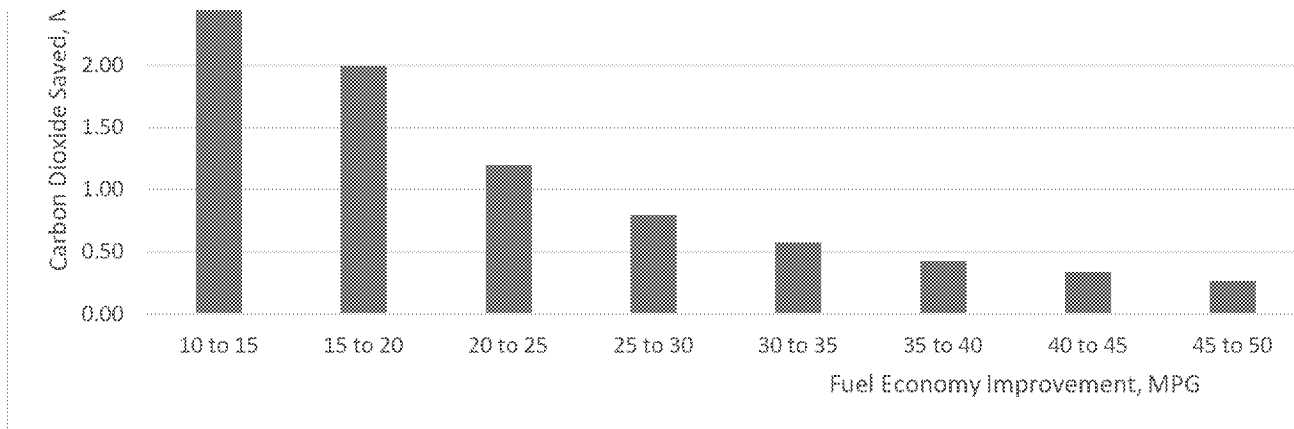
Price of Fuel
Miles Per Year

\$2.50 dollars per gallon
13,476 miles

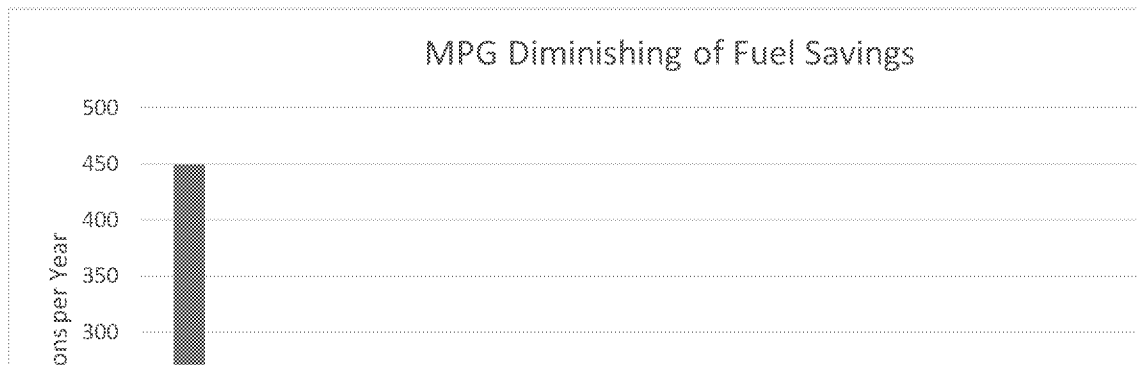
Miles per Gallon		Fuel Per Year		Annual Fuel Saved Gallons
Start	End	Start	End	
10	15	1348	898	449
15	20	898	674	225
20	25	674	539	135
25	30	539	449	90
30	35	449	385	64
35	40	385	337	48
40	45	337	299	37
45	50	299	270	30
50	55	270	245	25
55	60	245	225	20
60	65	225	207	17
65	70	207	193	15

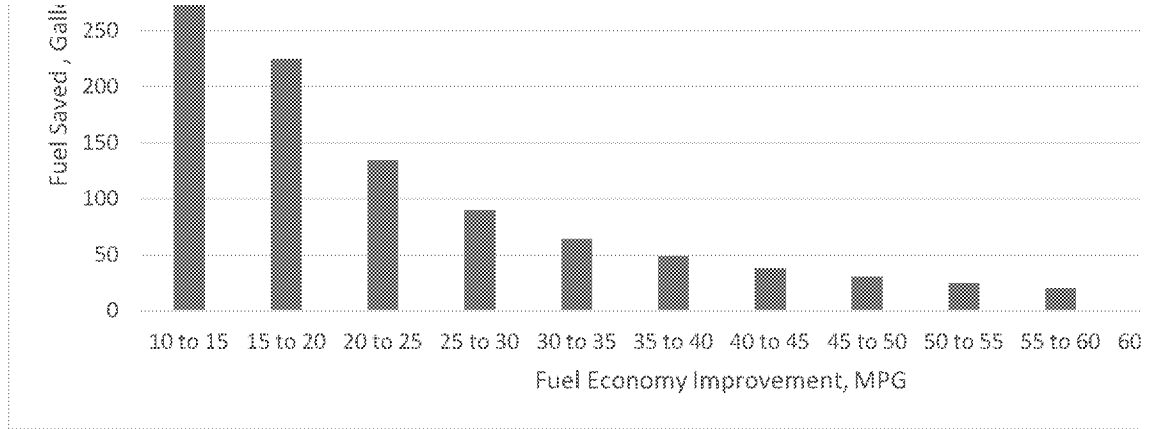
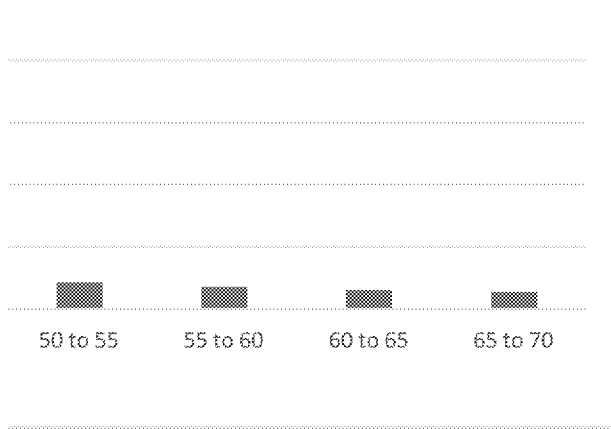
Assumes: 8,887g of Carbon Dioxide per gallon of gasoline
13,476 miles per year driven on average*
*<https://www.fhwa.dot.gov/ohim/onh00/bar8.htm>



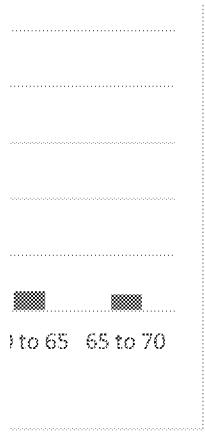


Annual Metric Tons of CO2 saved, Grams	Annual Savings, \$	
3.99	1123.00	10 to 15
2.00	561.50	15 to 20
1.20	336.90	20 to 25
0.80	224.60	25 to 30
0.57	160.43	30 to 35
0.43	120.32	35 to 40
0.33	93.58	40 to 45
0.27	74.87	45 to 50
0.22	61.25	50 to 55
0.18	51.05	55 to 60
0.15	43.19	60 to 65
0.13	37.02	65 to 70

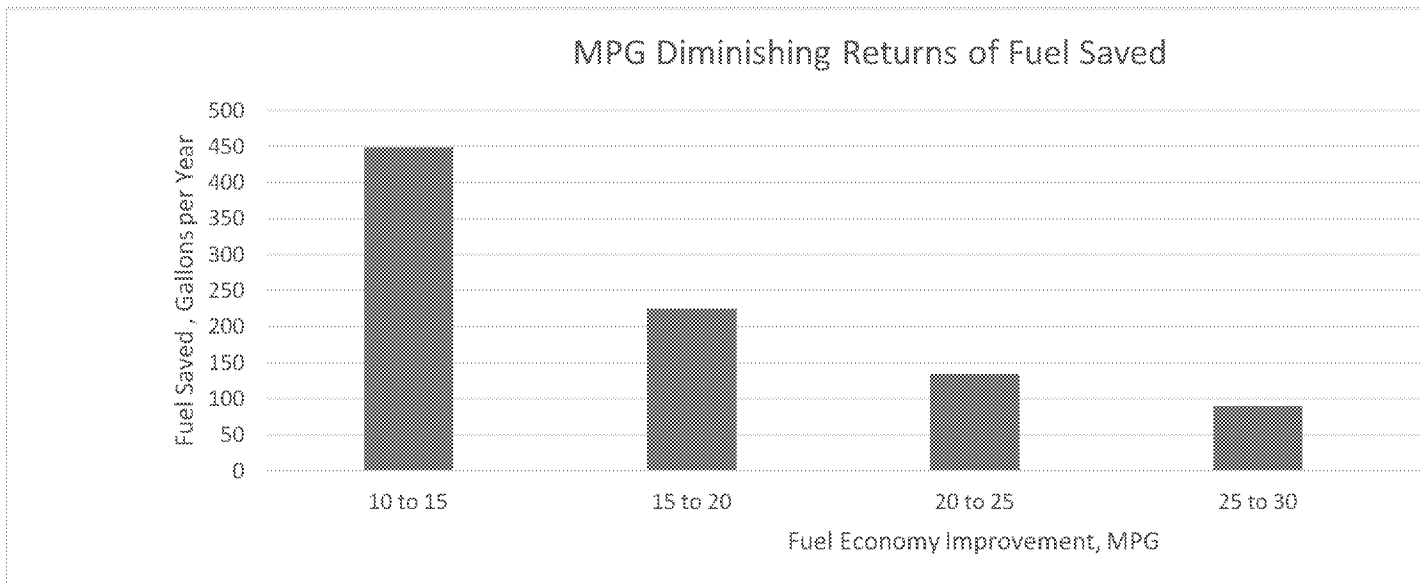


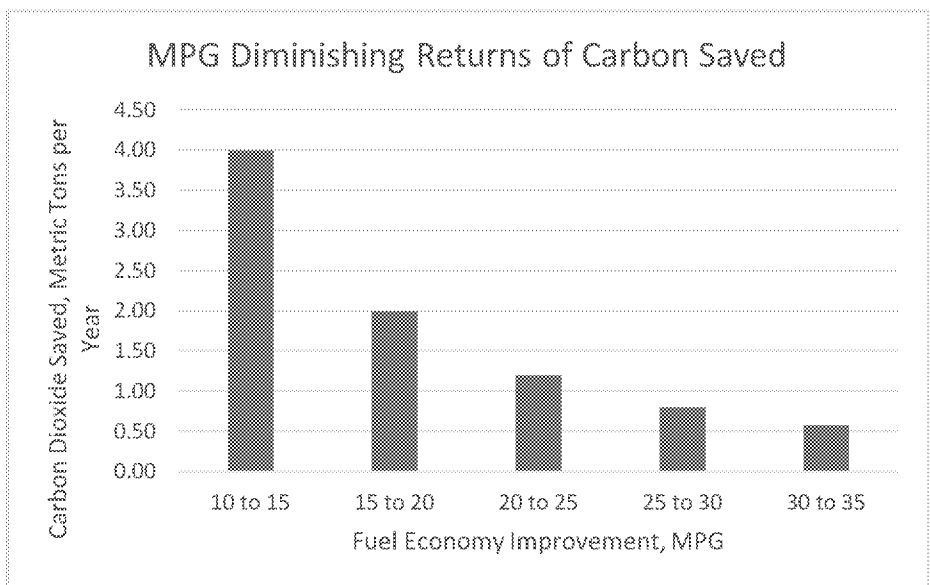
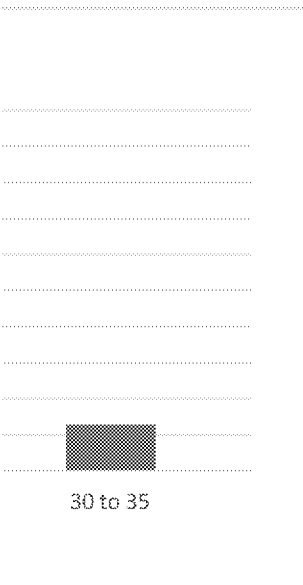
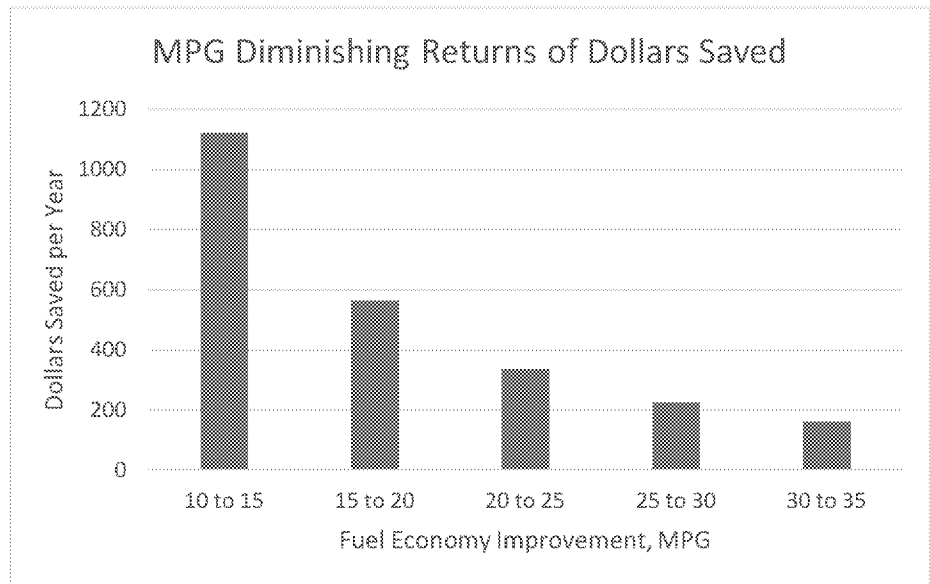






Just the first 5 Values----->





Simple Model

Gas Price, \$ per Gallon	2.5	Enter Inputs
Miles Driven Per Year	15000	
Fuel Economy Car 1, mpg	30	
Fuel Economy Car 2, higher than 1	35.2	
Savings per year	\$184.66	Assuming Added Technology Cost is Zero
Savings per month	\$15.39	
Savings per day	\$0.51	

Using Industry Cost and Tech Effectiveness to go from 30 to 35.2 mpg at the cost of 995\$

Gas Price, \$ per Gallon	2.5	Enter Inputs
Miles Driven Per Year	12000	
Fuel Economy Car 1, mpg	30	
Fuel Economy Car 2, higher than 1	35.2	
Initial Cost Increase for technology	\$995.00	See table
Interest Rate	3%	Bankrate.com
5 year loan monthly payment increase due to tech *	\$ 17.88	
Savings per year, 1st 5 years	-\$66.83	Assuming Industry Costs with 5 year loan
Savings per month	-\$5.57	
Savings per day	-\$0.18	
Savings per year, after loan is paid	\$147.73	After Loan is paid off
Savings per month, after loan is paid	\$12.31	
Savings per day, after loan is paid	\$0.40	

* - Bankrate.com

Using NHTSA Cost and Tech Effectiveness to go from 30 to 36.17 mpg at the cost of 480\$

Gas Price, \$ per Gallon	2.5	Enter Inputs
Miles Driven Per Year	12000	

Fuel Economy Car 1, mpg	30	Enter inputs
Fuel Economy Car 2, higher than 1	36.17	
Initial Cost Increase for technology	\$480.00	See Table
Interest Rate	3%	
5 year loan monthly payment increase due to tech *	\$ 8.62	Bankrate.com
Savings per year, 1st 5 years	\$67.14	Assuming NHTSA Costs
Savings per month	\$5.60	
Savings per day	\$0.18	
Savings per year, after loan is paid	\$170.58	After Loan is paid off
Savings per month, after loan is paid	\$14.22	
Savings per day, after loan is paid	\$0.47	

* - Bankrate.com

Large car

Base FE		% Improvement		Added Cost NHTS		New FE		Cumm. Cost NNTS		Base Engine Technology	Incremental Engine Technology
NHTSA	CAR	NHTSA	CAR	A	CAR	NNTSA	CAR	A	CAR	Column (A)	Column (B)
30.00	30.00	4.80%	2.20%	149	152	31.44	30.66	149	152	V6 PFI DOHC Fixed Valve	V6 PFI DOHC Fixed Valve with EFR-LUB
31.44	30.66	5.40%	5.40%	146	161	32.31564	32.31564	295	313	V6 PFI DOHC Fixed Valve with EFR-LUB	V6 PFI Variable Valve Timing (DCP)
32.32	32.32	3.90%	1.50%	168	240	33.57594996	32.8003746	463	553	V6 PFI Variable Valve Timing	V6 PFI Variable Valve Lift (Discrete)

33.58	32.80	1.50%	2.30%	290	257	33.29238022	33.55478322	753	810	V6 PFI Variable Valve Lift (w'/ Cylinder Deact)	V6 Gasoline Direct Injection
33.29	33.55	7.80%	4.90%	-455	32	36.17205631	35.19896759	298	842	V6 GDI	I4 Turbo 18 bar with cylinder reduction and DOHC
36.17	35.20	3.70%	1.80%	182	153	36.50132939	35.83254901	480	995	I4 Turbo 18 bar w/cylinder reduction	I4 Turbo I4 Turbo 24 bar w/50% downsizing (Level 2)
36.50	35.83	3.50%	1.40%	212	191	37.08668823	36.3342047	692	1186	I4 Turbo 24 bar	I4 Turbo 24 bar with CEGR

Small Car

Base FE		%		Added Cost NHTS		New FE		Cumm. Cost NNTS	
NHTSA	CAR	NHTSA	CAR	A	CAR	NNTSA	CAR	A	CAR
30.00	30.00	4.60%	2.10%	102	112	31.38	30.63	102	112
31.38	30.63	5.10%	3.20%	68	85	32.19213	31.61016	170	197
32.19	31.61	3.60%	1.60%	116	164	32.74812576	32.11592256	286	361
32.75	32.12	1.50%	2.10%	182	207	32.5976614	32.79035693	468	568
32.60	32.79	8.30%	8.70%	288	378	35.51195656	35.64311799	756	946

Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 5/3/2017 12:58:21 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: FW: re: Auto Alliance follow up - Administrator Pruitt Meeting
Attachments: Auto Alliance Letter Administrator Pruitt April 27 2017.pdf; Joint Alliance - Global Petition for Rulemaking June 2016.pdf

I realized I had your email incorrect when I sent the following on Thursday of last week

Dave

From: David Schwietert
Sent: Thursday, April 27, 2017 5:49 PM
To: bollen.brittany@epa.gov; 'dravis.samantha@epw.gov' <dravis.samantha@epw.gov>
Cc: Jennifer Thomas <JThomas@autoalliance.org>; Chris Nevers <CNevers@autoalliance.org>
Subject: re: Auto Alliance follow up - Administrator Pruitt Meeting

Brittany and Samantha,

We wanted to pass along an electronic copy of the charts and letter that were raised during today's meeting with Administrator Pruitt.

Please let us know if you have any questions – both regarding the Harmonization Petition that was filed jointly with EPA and DOT last June as well as the Mid Term Review for MY 2022-2025 fuel efficiency standards for light-duty vehicles.

Note, when the Harmonization petition was filed last June, we requested a direct fine rule to resolve various issues in hopes of addressing those items ahead of the Draft Technical Assessment Report (TAR) that kicked off the Mid Term Review.


Soon after our petition was filed, EPA/DOT and CARB released their Draft TAR which now means that the issues outlined in the Harmonization petition would more effectively be addressed via a rulemaking process – or handled administratively via interpretations. Additionally, since late 2015 the Alliance has been seeking various Harmonization changes via legislation because certain changes require statutory modification.

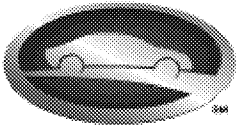
It's also important to keep in mind that the Harmonization issues relate to near term compliance (prior to MY 2022) due to increasing disparity between CAFE and EPA credit and compliance requirements. Effectively, the concept of One National Program hasn't been realized and it can create instances in which an auto manufacturer can be in compliance with more stringent EPA requirements and still be forced to pay CAFE penalties. We have a host of other examples that we'd be happy to walk you through to underscore the changes that need to be made in keeping with the original 2010 and 2012 agreements that were advertised as "One National Tier Program" for compliance purposes.

Thanks,

Dave

David Schwietert
Executive Vice President, Federal Government Relations & Public Policy

P:  Ex. 6 dschwietert@autoalliance.org



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April 27, 2017

The Honorable E. Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Pruitt:

On behalf of the Alliance of Automobile Manufacturers, Inc. (“Alliance”), I would like to thank you for helping to initiate two recent efforts that impact our industry:

- 1) EPA’s reconsideration of the Final Determination on greenhouse gas standards for light-duty vehicles that was rushed through by the last Administration and;
- 2) Seeking public input on finding opportunities to streamline the complex array of existing regulations that could be repealed, replaced or modified to make them less burdensome.

The Alliance pledges to work with you on the two above actions and the attached harmonization petition as part of our industry’s commitment to improve fuel economy and reduce emissions in a responsible and sustainable manner.

As mentioned in our letter to you dated February 21, 2017, the EPA’s premature Final Determination improperly accelerated the single most important decision made by the EPA in recent history. By reconsidering the Final Determination, the EPA has exercised its authority to return to the promised Midterm Evaluation (“MTE”) process. The MTE is a key component of the One National Program (“ONP”) for fuel economy and greenhouse gas (“GHG”) regulations in order to determine the appropriateness of Model Year (“MY”) 2022-2025 standards. As your Notice of Intent explained, EPA is required under its own regulations to cooperate and interact with the National Highway Traffic Safety Administration (“NHTSA”) during the MTE. Reconsideration of the Final Determination allows EPA to closely engage with NHTSA and to return to a well-reasoned process concerning MY 2022-2025 standards that fully accounts for market conditions, technology advancements, “real world” constraints, economic and employment impacts, previously dismissed or misunderstood stakeholder input, and recent compliance trends.

The Alliance appreciates EPA’s commitment to revisit the existing record and consider new and more current data to ensure that “technological and economic concerns raised by the regulated community” are adequately considered and will be addressed moving forward. We look forward to working with you and your team on an informed revised Final Determination for the MY 2022-2025 standards that ensures auto manufacturers can meet the targets in a sustainable manner that does not sacrifice consumer choice, affordability, safety, employment, or fleet turnover. (Fleet turnover is a key indicator of a successful program because it demonstrates that consumers are finding that new and more technologically advanced vehicles are affordable which ensures the safest, cleanest, and most efficient new vehicles are on the road.)

The Alliance plans on working with NHTSA and EPA on the 2022-2025 MY Corporate Average Fuel Economy (“CAFE”) and GHG standards and in addressing outstanding harmonization issues between the existing programs (attached). It is important to note that the Energy Policy and Conservation Act (EPCA) uniquely requires NHTSA to consider several key factors as part of its separate rulemaking. These factors include technological feasibility, economic practicability, and the effect of CAFE standards on motor vehicle safety.¹ As such, NHTSA is best suited to take a leadership role in both resolving harmonization issues and in determining final 2022-2025 standards.

The Alliance also looks forward to participating in EPA’s implementation of Executive Order 13777: Enforcing the Regulatory Reform Agenda. We plan to both submit comments and work with the EPA’s Regulatory Reform Task Force to identify specific rules that can be repealed, replaced, or modified while not affecting the continued advancements in fuel economy and emissions reductions. While an on-going iterative process is most likely necessary to identify regulatory opportunity, the major mobile source needs of the automotive industry can be broken down into three categories: revision and elimination of duplicative and unnecessary requirements, streamlining of certification and approval processes, and ensuring all vehicles and fuels are subject to performance-based metrics.

Duplicative and unnecessary requirements add time and complexity to the development and sale of new vehicles. Multiple vehicle regulatory programs at the Federal and State levels² require separate and duplicative reporting, accounting, and testing. For example, EPA and California have adopted nearly identical procedures for testing and reporting. The EPA should work with California and related stakeholders to either eliminate these duplicative procedures or apply broad “deemed to comply” provisions.

Streamlining the certification and approval processes is also important to industry. Highly concerning is the increased uncertainty and delays to the certification process caused by recently added undefined portable emissions measurement testing, unclear interpretation of auxiliary emissions control devices, and inconsistent approvals of GHG off-cycle credit requests. More certainty is needed for an already highly regulated industry. Regulatory interpretation is at the root of many of the certification challenges that the industry is facing and could be addressed either via guidance or through regulatory modifications.

While we encourage streamlining of the certification process, we are concerned over recent news surrounding the Administration’s proposed budget cuts for the agency and the possible negative implications for vehicle certification. Although streamlining may assist the Administration to achieve some of the proposed budgetary goals, the Alliance would like to point out that EPA staff engaged in vehicle certification are critical to our industry and the economy. In addition, fees are currently structured to cover certification and compliance costs. We would be happy to follow up regarding the current fees that manufacturers already provide for critical EPA operations.

Lastly, equal treatment across all fuels and vehicle technologies is another key factor in ensuring a level playing field among automotive competitors. Automobile manufacturers should

¹ Energy Policy and Conservation Act, as amended, 49 U.S.C. § 32902(f).

² EPA GHG, California Air Resources Board (“CARB”) GHG, NHTSA CAFE, Section 177 State GHG programs, CARB Zero Emissions Vehicle Program (“ZEV”), Federal On-Board Diagnostics (“OBD”), CARB OBD, Section 177 State ZEV and LEV programs, EPA Tier 3, and ARB LEV 3.

not be held responsible for emissions associated with the production of electricity (“upstream emissions”) as has always appropriately been the case for petroleum products. This includes both upstream fuel accounting and test procedures. As described in past Alliance comments, manufacturers should not carry the burden of addressing emissions from the production of fuels by other regulated entities that are completely independent of automotive manufacturers. Fuels should not be discredited or penalized at the tailpipe, but rather what is measured should be reported. Furthermore, diesel-fueled vehicles should be allowed the same durability procedures as similar advanced gasoline technology vehicles.

Once again, thank you for the opportunity to share our ideas. The Alliance and its members are highly interested in both regulatory reform and fuel economy standards. We intend to participate in upcoming regulatory reform stakeholder events and follow up with you and your staff on additional suggestions and specifics. We look forward to working with you to further reduce emissions and alleviate unnecessary regulatory burdens while improving fuel economy in a sustainable manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitch Bainwol", written over a light blue horizontal line.

Mitch Bainwol

Attachment: Letter from Mitch Bainwol and John Bozzella to Administrator McCarthy and Administrator Rosekind Re: Petition for Direct Final Rule with Regard to Various Aspects of the Corporate Average Fuel Economy Program and Greenhouse Gas Program.



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Mark Rosekind, PhD
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington DC 20590

June 20, 2016

Gina McCarthy
Administrator
Environmental Protection Agency
Office of the Administrator 1101A
1200 Pennsylvania Avenue, N.W.
Washington DC 20460

Re: Petition for Direct Final Rule with Regard to Various Aspects of the Corporate Average Fuel Economy Program and the Greenhouse Gas Program

Dear Administrators Rosekind and McCarthy:

This is a petition for a Direct Final Rule pursuant to 49 CFR § 553.14 and 5 U.S.C. § 553(e) requesting that the National Highway Traffic Safety Administration (NHTSA) and the U. S. Environmental Protection Agency (EPA) exercise their authority¹ to address various inconsistencies between the Corporate Average Fuel Economy (CAFE) regulatory program and the light-duty vehicle greenhouse gas (GHG) emissions regulations and to address additional inefficiencies in the programs.

The Petitioners, the Alliance of Automobile Manufacturers and the Association of Global Automakers (jointly known as the trade associations), are trade associations representing manufacturers of automobiles, as defined by the Energy Policy and Conservation Act (EPCA), 49 U.S.C. § 32901, et. seq..² The Petitioners submit this petition on behalf of their member companies.

¹ 49 USC § 32901 et. seq.

² The Alliance of Automobile Manufacturers is an association of 12 vehicle manufacturers which account for roughly 77% of all car and light truck sales in the United States. These members are BMW Group, FCA US LLC, Ford Motor Company, General Motors, Jaguar Land Rover, Mazda, Mercedes-Benz USA, Mitsubishi Motors, Porsche Cars North America, Toyota, Volkswagen Group of America, and Volvo Car USA.

The actions requested are appropriate as a Direct Final Rule because they are essentially technical amendments relating to inconsistencies, errors, or procedural issues with respect to the CAFE and GHG programs. They do not impact the stringency of the standards as originally intended, nor are they contrary to the underlying analyses upon which the standards were based. The Petitioners seek expeditious action on the requested changes in order to address pending issues affecting many of our members, and to provide certainty in compliance planning.

On May 21, 2010, President Obama issued an Executive Order directing NHTSA and EPA to develop a “coordinated national program” of “joint Federal standards” to improve automobile fuel efficiency and reduce GHG emissions from light-duty vehicles. The National Program was premised on harmonization between the two programs. Many trade association member companies entered into Commitment Agreements with NHTSA and EPA through which they committed to abide by a harmonized set of CAFE and GHG standards for Model Years 2012-2025.³

The specific regulatory changes that the trade associations request are set forth in detail in this petition, along with supporting material demonstrating that the proposed changes are aligned with widely accepted policy goals, are technically sound, and are consistent with the relevant statutes. Some of the requested changes relate to aspects of the CAFE rules that result in a greater level of stringency than the GHG program. The CAFE standards are required to be set at a level that is technologically and economically feasible without the need to pay CAFE fines. To the extent that discrepancies and correctable inefficiencies in the program could force manufacturers to pay CAFE fines despite being able to meet the GHG standards, the CAFE standards are beyond what should be considered “maximum feasible.” This petition does not address the feasibility of the augural CAFE standards for MYs 2022-2025, and making the changes requested here would not have a material impact on the feasibility of those standards. Rather, these changes are necessary to bring the overall CAFE program into better alignment with the “maximum feasible” level of fuel economy for MYs 2010-2021.

The National Program is Premised on Harmonization

From the beginning, the National Program was intended to result in a joint rule to set standards for both the GHG and CAFE programs that would allow automakers to comply with both programs through a single unified fleet. As noted by the agencies when announcing the MY 2017-2025 standards: “the goal . . . is to establish harmonized federal standards such that automobile manufacturers will be able to build a single light-duty national fleet that satisfies all

³ The Commitments from the Petitioners and from EPA and NHTSA were set forth in letters dated May, 2009 (with regard to the MY 2012-2016 standards), May, 2010 (with regard to continuing the process), and July, 2011 (with regard to the MY 2017-2025 standards).

federal and state requirements, while enabling consumers to still have a full range of vehicle choices.”⁴

The National Program has been operational since MY 2012, and both manufacturers and the agencies have now had the benefit of experiencing how the elements of the programs and the market have impacted the ability of manufacturers to comply with both programs through a single fleet and technology array.⁵ With the perspective of hindsight, it is clear that certain discrepancies between the two programs have prevented the level of harmonization sought and anticipated. Some manufacturers are projecting that, despite being able to comply with the numerically more stringent GHG standards, they are likely to be in a position to pay CAFE fines. This was not the intent of the National Program.

Petitioners’ member companies anticipate that some of these impediments, which are apparent already for purposes of the MY 2012-2016 standards, will continue to be impediments for MYs 2017-2025.

The Petitioners acknowledges that EPCA contains certain constraints preventing full harmonization between the two programs. This petition does not request that the agencies attempt to harmonize the CAFE and GHG programs in a manner that contravenes statutory directives. Certain aspects of the programs will require legislative change to ensure consistency, and include the following:

EPCA limits the maximum increase in any compliance category attributable to transferred credits. *See* 49 U.S.C. § 32903(g)(3). The GHG program includes no such limitation, and therefore offers a more significant incentive to deploy advance technologies early in order to cover unexpected market fluctuations, product planning assumptions that prove inaccurate, product changeover plans, or to provide credits to the market.

EPCA limits the number of years an earned credit may be applied to a manufacturer’s compliance calculation. EPCA allows credits to be used for five model years forward and for three model years back. EPA has harmonized with this constraint, but further allowed a one-time carry forward to allow credits earned in MYs 2010-2016 to be used through

⁴ During the initial implementation of the National Program, the agencies noted in the 2010 rule that “NHTSA and EPA’s standards would require *slightly different* fuel efficiency improvements.” 75 Fed. Reg. 25324, 25342 (May 7, 2010) (emphasis added). The agencies did not expect significantly different fuel efficiency improvements in order to meet the CAFE standards in addition to the GHG standards.

⁵ As described in more detail below, some aspects of the program have been applied to MYs prior to 2012. Where appropriate, the agencies should adopt the changes in the CAFE program beginning with the same model year that they became operative in the GHG program.

MY 2021. Due to the statutory limitation, that same consideration cannot be accorded within the CAFE program.⁶

The agencies, however, have the ability to address a number of other inconsistencies without jeopardizing the fuel consumption benefits associated with the standards. In particular, and for the reasons set forth below, petitioners request that the agencies harmonize the programs as follows:

The Petitioners request that EPA and NHTSA calculate the fuel economy for a manufacturer's fleets for MYs 2010-2016 taking into account off-cycle technologies at the same levels and in the same way as EPA accounts for those technologies in the GHG program. Doing so would not erode the overall benefits of the CAFE standards or the National Program. The Petitioners recognize that EPA, in conjunction with NHTSA, has taken into account such off-cycle technologies in calculating compliance with the MYs 2017-2025 standards. Similar treatment would be just as appropriate with regard to the earlier model years consistent with EPA's recognition of off-cycle technology beginning in 2010.

The Petitioners request that EPA and NHTSA calculate the fuel economy for a manufacturer's fleets for MYs 2010-2016 taking into account air conditioning efficiencies at the same levels and the same ways as EPA is accounting for those efficiencies in the GHG program. Below we provide an approach that would grant such credits while also accounting for the differences in the stringency of the GHG and CAFE standards that was based on originally not having included these credits in the CAFE standards.

The Petitioners request that NHTSA apply the adjustment factor, beginning in Model Year 2011, when credits are carried forward or carried back within a compliance category, as well as when they are traded and transferred. The adjustment factor in 49 C.F.R. Part 536 was established by NHTSA in response to the Congressional mandate to ensure, when creating a program for trading credits between manufacturers, that overall oil savings remains the same. EPA has a different approach to ensuring the consistency of the benefits in the GHG program. The change being requested in this petition would help to harmonize the two approaches since the adjustment factor equates the CAFE credit to a linear function similar to the way in which credits are applied in the GHG program.

⁶ EPA has made additional allowances to harmonize the GHG program with the CAFE program despite an absence of statutory constraints. For example, EPCA specifies certain values for dual-fueled vehicles, which values EPA has adopted through MY 2015. Additionally, for purposes of establishing CAFE standards, EPCA assumes that fuel economy will be measured only with regard to fuel consumption during vehicle travel. The CO₂ program also accounts for emissions reductions that are not associated with the fuel economy cycle testing. EPA and NHTSA have resolved this discrepancy by recognizing that EPA has the authority to determine how to calculate fuel economy, an authority which allows EPA to take such "off-cycle" improvements into account and provide appropriate incentive in both programs for the substantial benefits represented by such technologies.

The Petitioners request that NHTSA reconsider its decision not to harmonize with EPA by using the same, fixed Lifetime Vehicle Miles Traveled (VMT) values in the adjustment factor for MYs 2011-2016. NHTSA's VMTs for MYs 2011-2016 are generally lower than those derived from the 2009 National Household Travel Survey, even without the VMT growth rate assumed by the agencies, with the result that the adjustment factor is artificially low. As noted in the rulemaking analyses, while EPA's approach is similar to NHTSA's approach, it provides for better year-over-year consistency and accounts for the external factors that impact the VMT calculation. Since the fixed VMT value being employed incorporates an average which includes the earlier model years, applying it to those model years is analytically consistent.

Petitioners request NHTSA revise the definition of the term "transfer" in 40 CFR 536.3 to be consistent with language in the 2010 preamble of the proposed rulemaking for 2017-2025 GHG/CAFE standards. This revision would more closely align the NHTSA credit transfer program with that of the EPA GHG provisions as was the expressed intent in the 2010 preamble language.

In addition to the above, the Petitioners request that the agencies allow manufacturers to manage their credit supply and use. We note that, while the manufacturer model year reports⁷ track certain credits separately, such as the off-cycle credits, and appear to allow manufacturers the ability to apply either those credits or over-compliance credits as they choose, in a recent publication EPA stated instead that technology credits must be applied before any over-compliance credits are applied.⁸ The Petitioners request that, rather than imposing a priority system on the application of credits, the agencies allow manufacturers to choose how to apply their available credits.

The Petitioners also request that each agency take the following actions. While not giving rise to direct conflicts between the programs, the following issues involve potential difficulties that could lead to compliance disparities and/or that are inconsistent with the original intent of the programs.

The Petitioners request that NHTSA adjust the minimum domestic passenger car standard for MYs 2012-2016 to reflect 92% of the required average passenger car standard taking into account the fleet mix as it occurred, rather than what was forecast. Doing so better aligns the overall CAFE performance values with real world results and EPA's calculations, and is fully consistent with the statute.

The Petitioners request that EPA and NHTSA provide for a default acceptance of petitions for off-cycle credits, provided that all required information has been provided. Limited agency resources have delayed the processing of these petitions, and the delay

⁷ See 40 CFR 600.512-12

⁸ Environmental Protection Agency. "Greenhouse Gas Emissions Standards for Light-Duty Vehicles – Manufacturers Performance Report for the 2014 Model Year" (EPA-420-R-15-026). December 2015. (P. 17)

impedes manufacturers' ability to plan for compliance or make investment decisions. Streamlining the process will further promote a more efficient and better harmonized National Program.

The Petitioners request that EPA remedy the equation applied to calculate the multiplier credits available in the GHG program. As the agency is aware, the calculation that is currently in the regulatory text does not reflect the intent, with the result that manufacturers earn fewer multiplier credits than was originally intended. This important flexibility was intended to encourage the ongoing production of zero emission vehicles, and achieving the full flexibility is particularly important in an environment of lower gasoline prices. Although not directly related to harmonization, the Petitioners believe that it would be appropriate for EPA to additionally address this error when processing this petition.

The above items are appropriate for the agencies to handle through a Direct Final Rule. The requested modifications would change neither the stringency levels of the standards themselves nor the overall benefits achieved through the National Program. The modifications requested in this petition are therefore suited to a Direct Final Rule. While there may be other opportunities for EPA and NHTSA to enhance harmonization between their two programs, the items discussed in this Petition represent a meaningful step in the right direction.

Specific Requests

This section sets forth the specific requests for modifications to the regulations, along with the supporting rationale for each request.

1. Include Off-Cycle Credits in the CAFE Calculation for MYs 2010-2016

The agencies should take appropriate steps to calculate corporate average fuel economy for MYs 2010-2016 more consistently with how corporate average fuel economy is to be calculated for MYs 2017-2025 by including in the CAFE compliance calculation the same off-cycle credits applied in the GHG program for earlier model years. Significantly, EPA acknowledged off-cycle credits beginning with MY 2010.

In 2012, EPA and NHTSA finalized action to acknowledge off-cycle credits equally in the CAFE program through EPA's authority to calculate a manufacturer's fuel economy performance. NHTSA, however, resisted applying those credits to earlier model years as EPA had done.

NHTSA's decision not to do so was premised on an erroneous assumption that NHTSA had fully accounted for the benefits of those technologies in the later model years, while it had not done so for earlier model years. In fact, however, neither EPA nor NHTSA took those benefits into account (instead creating a pure incentive) and, therefore, the agencies can maintain

consistency by providing the credits in both programs for all model years, starting with MY 2010.

Significantly, the GHG standards -- like the corresponding CAFE standards -- did not include any quantification of the impacts of the off-cycle credits approved for use during MYs 2012-2016. 75 Fed. Reg. at 25438 ("Because these technologies are not nearly so well developed and understood, EPA is not prepared to consider them in assessing the stringency of the CO₂ standards").⁹ Similarly, the agencies did not consider the benefits of off-cycle technologies in setting the standards for MYs 2017-2025, other than the 2-cycle benefits of stop-start and active aerodynamics.¹⁰

NHTSA nevertheless declined to apply the same off-cycle credits to earlier model years as EPA had done, noting only that "NHTSA did not take such credits into account when adopting the CAFE standards for those model years. As such extending the credit program to the CAFE program for those model years would not be appropriate." 77 Fed. Reg. at 62840. That statement, however, appears inconsistent with the considerations of off-cycle credits as more specifically described within the rulemaking analyses. Indeed, in addition to the fact that neither EPA nor NHTSA accounted for those benefits -- other than the 2-cycle benefits of stop-start and active aerodynamics in the MY 2017-2025 rule -- NHTSA's analysis of "maximum feasibility" in the 2010 preamble makes clear that the agency did in fact consider all relevant technologies, and did so in a way that the agency announced were "consistent standards among all components of the National Program." 75 Fed. Reg. at 25607.¹¹

The Petitioners request that the agencies reconsider calculating fuel economy for the earlier model years, and applying the same off-cycle credits offered in the GHG program in the CAFE program as well.

Recommendation: Section 600.510-12 Calculation of average fuel economy and average carbon-related exhaust emissions. Subsection (c)(1):

Change From:

- (i) Except as allowed in paragraph (d) of this section, the average fuel economy for the model years before 2017 will be calculated individually for each category identified

⁹ Consistent with the fact that neither EPA nor NHTSA included off-cycle credits in their stringency analyses, NHTSA did not adjust its standards to account for off-cycle credits when EPA adopted them. The result is that, while the stringency of the standards is nominally the same as it regards off-cycle technology (other than air conditioning), EPA provided a full incentive for the introduction of innovative and novel technologies during the MY 2012-2016 timeframe, while NHTSA did not.

¹⁰ The agencies noted that "the ability to generate off-cycle credits and increases in fuel economy for use in compliance will not affect or change the stringency of the GHG or CAFE standards established by each agency."

¹¹ Although EPCA does not require that CAFE standards meet a cost/benefit analysis, the agency noted that it is permitted to conduct one. See, e.g., 75 Fed. Reg. at 25553 and *Center for Biological Diversity v. NHTSA*, 508 F.3d 508 (9th Cir. 2007) The substantial benefits of the CAFE standards, which overlap with the benefits of the overall National Program, illustrate that the CAFE program, as modified, would continue to provide substantial societal benefits far beyond the societal costs. There would be no erosion of the beneficial impact of the CAFE standards.

in paragraph (a)(1) of this according to the provisions of paragraph (c)(2) of this section.

- (ii) Except as permitted in paragraph (d) of this section, the average fuel economy for the 2017 and later model years will be calculated individually for each category identified in paragraph (a)(1) of this section using the following equation:

$$\text{Average MPG} = 1/[1/\text{MPG}-(\text{FCIVac} + \text{FCIVoc} + \text{FCIVpu})]$$

Change to:

- (i) Except as permitted in paragraph (d) of this section, the average fuel economy for the 2010 through 2016 model years will be calculated individually for each category identified in paragraph (a)(1) of this section using the following equation:

$$\text{Average MPG} = 1/[1/\text{MPG}-(\text{FCIVoc})]$$

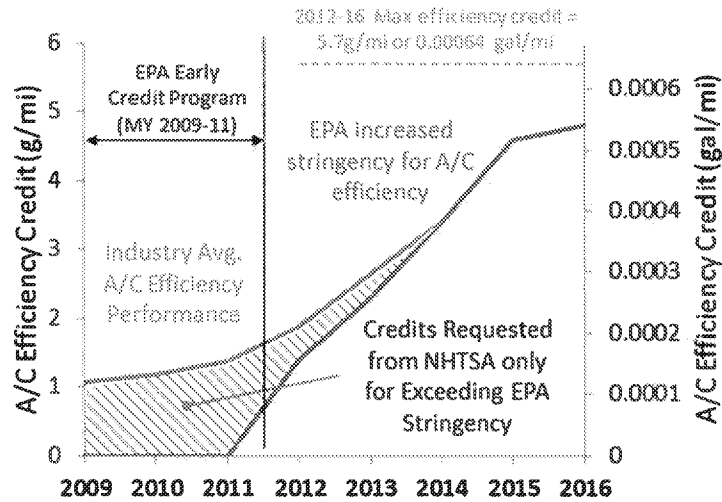
- (ii) Except as permitted in paragraph (d) of this section, the average fuel economy for the 2017 and later model years will be calculated individually for each category identified in paragraph (a)(1) of this section using the following equation:

$$\text{Average MPG} = 1/[1/\text{MPG}-(\text{FCIVac} + \text{FCIVoc} + \text{FCIVpu})]$$

2. Include Air-Conditioning Efficiency Credits in the CAFE Calculation for MYs 2010-2016

For similar reasons, the agencies should also permit the use of air conditioning efficiency credits in MYs 2010-2016 consistent with the agencies' approach to MYs 2017-2025. In the rule for the earlier years, the agencies accounted for the difference of including these credits in one program but not the other by adjusting the overall stringency of the standards for MYs 2012-2016. While the GHG standards amounted to an overall targeted level of 35.5 mpg, the CAFE standards amounted to an overall combined fleet target level of 34.1 mpg in 2016. The Petitioners propose an approach that provides full harmonization by allowing such credits for MYs 2010-2016 while also taking into account the difference in the levels of the standard.

The disparity between the standards creates a situation in which a manufacturer that includes more efficient air-conditioning systems than those assumed by EPA for the industry as a whole is penalized in the CAFE program by not receiving the same consideration provided in the GHG program. The below graph illustrates the substantial, and unnecessary distinction, between the two programs due to this disparity:



The blue line represents the amount of air-conditioner efficiency credits EPA projected for the fleet, including the stringency beyond the CAFE standards. The red line shows how the industry performed on average. The shaded area between the two shows the credits disregarded in the CAFE program, already accounting for the difference in the stringency of the standards.

In developing the program, EPA assumed a maximum benefit of 5.7 g/mi due to air conditioning efficiency credits. The chart below shows the projected penetration rate and the total CO₂ credit in the EPA program based on that penetration rate. The Petitioners suggest that the agencies apply a formula (FCIV_{ACPROJ}) to adjust that credit to account for the difference in stringency between the programs.

For example, if a manufacturer deployed MAC efficiency technology worth 3.1 g CO₂/mile across its MY 2013 fleet, the full credit for CAFE would have been a FCIV of 0.00035 (3.1/8887). However, since the stringency would also have been increased in MY 2013 by a FCIV of 0.00026, the net effect would be 0.00009 gallons/mile.

Model Year	2009-11	2012	2013	2014	2015	2016
Projected Penetration Rate	N/A	28%	40%	60%	80%	85%
CO ₂ Credit (5.7 g/mi x Penetration Rate)	0	1.6	2.3	3.4	4.6	4.8
FCIV _{ACPROJ} (gallons/mile, CO ₂ credit/8887)	0	.00018	.00026	.00038	.00052	.00054

As with the off-cycle credits, the agencies can harmonize the programs while maintaining the same levels of overall stringency and remaining consistent with the analyses previously set

forth. With the benefit of hindsight, it has become clear that the program disparities are unnecessarily undermining the intent of the National Program.

Recommendation: Section 600.510-12 Calculation of average fuel economy and average carbon-related exhaust emissions. Subsection (c)(1):

Change From:

- (i) Except as allowed in paragraph (d) of this section, the average fuel economy for the model years before 2017 will be calculated individually for each category identified in paragraph (a)(1) of this according to the provisions of paragraph (c)(2) of this section.

Change to:

- (i) Except as permitted in paragraph (d) of this section, the average fuel economy for the 2010 through 2016 model years will be calculated individually for each category identified in paragraph (a)(1) of this section using the following equation:

$$\text{Average MPG} = 1/[1/\text{MPG}-(\text{FCIVoc})-\max(0,(\text{FCIVac}-\text{FCIVac proj}))]$$

Where FCIVac proj is from the table above. FCIVoc is for off-cycle credits discussed above.

3. Apply the Fuel Savings Adjustment Factor Across Model Years

The Petitioners request that NHTSA modify the fuel savings adjustment factor by making it applicable when credits are carried forward or carried back within the same fleet. When Congress authorized a credit trading program between manufacturers, it also mandated that NHTSA ensure that total oil savings be preserved. *See* 49 U.S.C. § 32903(f)(1). Congress did not include the same provision in the provision mandating a credit transfer program between the fleets, but NHTSA decided that such a provision was appropriate. *See* 49 U.S.C. § 32903(g); 74 Fed. Reg. 14,452 (March 30, 2009). As a result, the adjustment factor established in Part 536 applies to both.

It has long been recognized that fuel savings is not linear with fuel consumption. The amount of fuel consumed by exceeding a standard by 1 mpg will vary based on the level of the standard. Although carry forward/carry back credits were used for many years, for much of that time – during the years of the Congressional CAFE freeze – the standards did not change and therefore credits were associated with the same amount of fuel savings from year to year. When developing the credit trading and credit transfer programs, and establishing the adjustment factor, consideration was not given to also applying the adjustment factor between model years within the same compliance fleet. The theory, however, remains the same and the adjustment factor would ensure that total oil savings are achieved regardless of when and where the credits are used. We recognize there may be some accounting challenges associated with implementation of

this concept. We look forward to working with you to consider and develop an appropriate process to consider and account for these situations.

Recommendation: Section 536.4 Credits. Subsection (c):

Change From:

(c) Adjustment factor. When traded or transferred and used, fuel economy credits are adjusted to ensure fuel oil savings is preserved. For traded credits, the user (or buyer) must multiply the calculated adjustment factor by the number of its shortfall credits it plans to offset in order to determine the number of equivalent credits to acquire from the earner (or seller). For transferred credits, the user of credits must multiply the calculated adjustment factor by the number of its shortfall credits it plans to offset in order to determine the number of equivalent credits to transfer from the compliance category holding the available credits. The adjustment factor is calculated according to the following formula:

Change to:

(c) Adjustment factor. When traded or transferred and used, fuel economy credits are adjusted to ensure fuel oil savings is preserved. *This adjustment factor also applies to credits used within a manufacturer's same fleet, i.e. domestic car to domestic car.* For traded credits,..."

4. Apply the Harmonized VMT Estimates from MYs 2017-2025 to MYs 2011-2016

The Petitioners request that NHTSA reconsider its position with regard to the estimate of Vehicle Miles Traveled (VMT) used in the adjustment factor. For MYs 2012-2016, the agency had estimated VMT separately by model year and, in 2012 added an additional estimate for MY 2011. For MYs 2017-2025, NHTSA proposed to align with EPA and used a fixed VMT value approach. In response to a comment from the Alliance, NHTSA decided against applying the same fixed values to the earlier model years, stating that "we do not believe that the benefits of harmonization in this particular aspect for these model years outweigh the potential fuel savings losses that may occur if a change is made at this time." 77 Fed. Reg. at 63130.

With the benefit of hindsight, it is clear that no fuel savings were, in fact, lost. Instead, because VMT for the earlier model years, as derived from the 2009 National Household Travel Survey, were generally higher than NHTSA's projections, the amount of fuel savings per credit was actually undervalued. NHTSA should, at the least, update the VMT estimates to the best VMT estimates to reflect better the real world fuel economy results.¹²

¹² Petitioners acknowledge that adjusting the VMT estimates would present further challenges to those companies which may have traditionally run at a CAFE deficit and for whom accommodations were made to assist in the transition from a CAFE program permitting the payment of civil fines in lieu of compliance to the GHG program where non-compliance is not an option. Petitioners suggest that if a company is entitled to participate in the

Estimated VMT represents an analysis that takes into account various factors impacting the extent to which consumers use their vehicles. Considerations wholly external to motor vehicle manufacturers and motor vehicle regulators impact each year's VMT. To derive a reasonable estimate, EPA conducted its analyses and averaged the calculated, anticipated VMT for MYs 2012-2030. While micro- and macro-economic considerations may impact VMT year-by-year, the averaging approach provides a consistent and reasonable basis (as evidenced by the fact that both agencies have adopted it prospectively) to proceed.

In the Regulatory Impact Analysis for MYs 2017-2025, the agencies noted that NHTSA's approach to estimating VMT closely approximated EPA's approach for those model years. (*See* 2012 Regulatory Impact Analysis, pp. 4-118-119). EPA made adjustments to its VMT modeling "to improve consistency with the CAFE model and with the analysis used to collect the VMT and survival rate data." (RIA, p. 4-121). The RIA further indicates that EPA's approach "is consistent with the MYs 2012-2016 rule. . . . The use of a single growth factor ensures consistency with the AEO projections about future micro and macroeconomic trends and underlying assumptions about consumer responsiveness to those trends." (RIA, p. 4-119, n. www)

According to the agencies' Regulatory Impact Analysis, the EPA approach is both similar to the NHTSA approach and similar to the approach EPA used for the earlier rulemaking. The EPA model is considered a reasonable estimate of future VMT, taking into account the various economic factors that impact VMT. Any assumed loss of fuel savings, therefore, would appear to be a "paper loss" based solely on NHTSA's estimate, not an actual loss based on statistical analyses the agencies have jointly decided to use prospectively.

Harmonizing VMT estimates for all model years of the National Program is particularly important to maintain consistency in manufacturer's compliance planning in light of market conditions. Credit flexibilities – particularly those that align more fully with EPA – are critical to providing the needed support to ensure that a company can meet the requirements of both programs with the same fleet of vehicles. Since NHTSA's VMT estimates appear to have artificially diminished the value of each credit, and since EPA's VMT approach has been modified to align well with CAFE and has been adopted by both agencies as a valid methodology, the Petitioners request that NHTSA reconsider its position and apply the EPA VMT estimates to MYs 2011-2016.

Recommendation: Section 536.4 Credits. Subsection (c):

Change From:

VMTe = Lifetime vehicle miles traveled as provided in the following table for the model year and compliance category in which the credit was earned;

transitional TLAAS program, and would be adversely impacted by the VMT adjustment, that company should be allowed a one-time option to retain the original VMT estimates.

VMTu = Lifetime vehicle miles traveled as provided in the following table for the model year and compliance category in which the credit is used for compliance;

Change to:

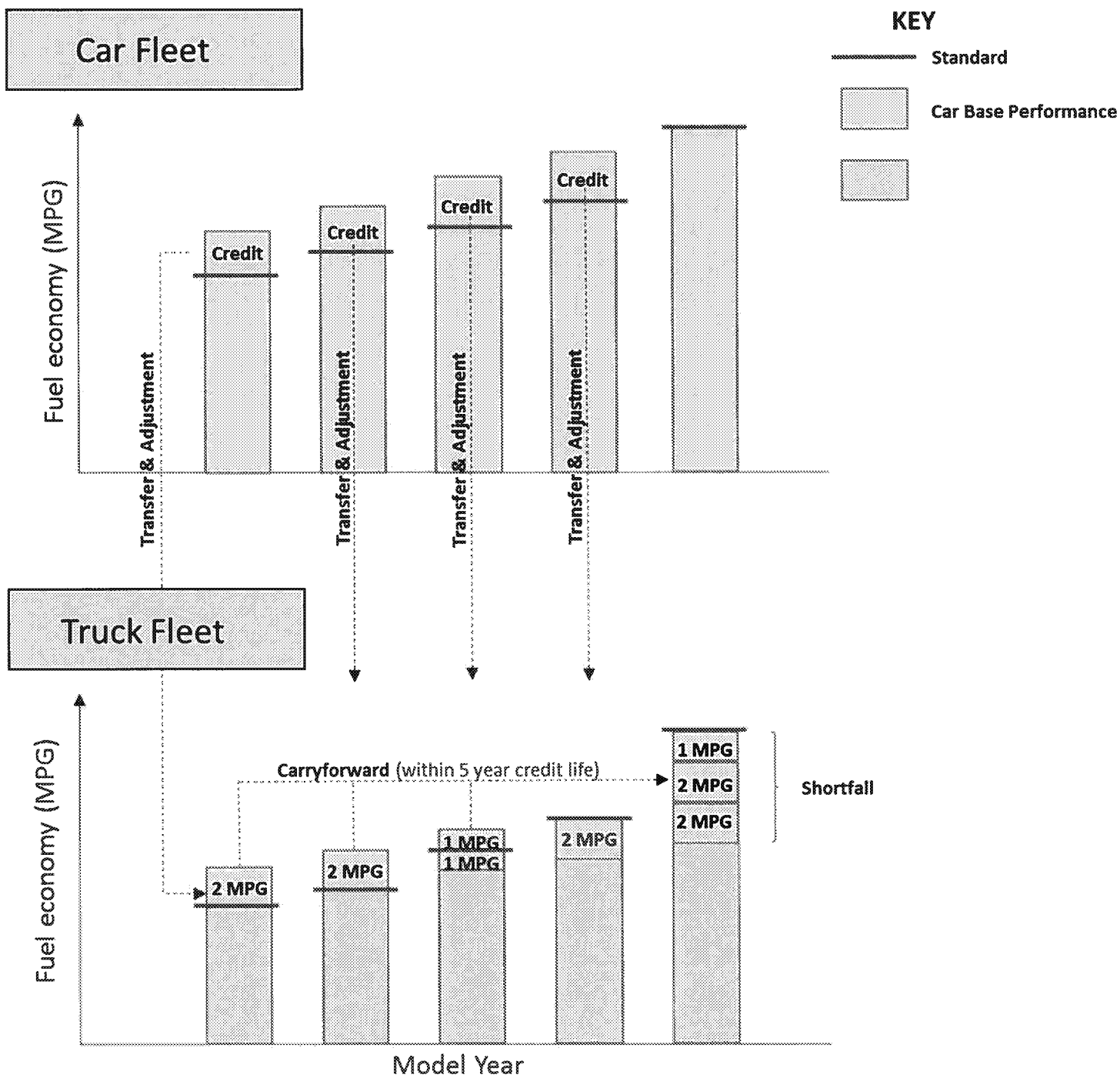
VMTe= 195,264 for passenger cars and 225,865 for light duty trucks

VMTu= 195,264 for passenger cars and 225,865 for light duty trucks

5. Revise NHTSA Credit Transfer Definition to be More Consistent with EPA

The Petitioners request NHTSA revise the definition of the term “transfer” in 40 CFR 536.3 to be consistent with language in the 2010 preamble of the proposed rulemaking for 2017-2025 GHG/CAFE standards.

In the 2010 rulemaking, NHTSA made an effort to harmonize, to the extent allowable under the CAFE statute, its credit transfer program with EPA’s GHG credit transfer approach. In the preamble to that rulemaking, NHTSA stated: “As a way to improve the transferring flexibility mechanism for manufacturers, NHTSA interprets EISA not to prohibit the banking of transferred credits for use in later model years.” Thus, credits could be transferred from one fleet to another (subject to the statutory limitation in 49 USC 32903 (g)(3)), banked in the receiving fleet, and then the “credits could be carried forward or back without limit later if and when a shortfall ever occurred in that same fleet.” 75 Fed. Reg. at 25666. Such a treatment of over-compliance credits is illustrated below:



Note: Scenario showing 2 mpg credit transfer limit.

However, in a subsequent interpretation letter to a manufacturer, NHTSA moved away from the language in the preamble and stated that its intent was to apply the statutory limitation at the time the credits are used, as opposed to the time they were transferred and banked by a

manufacturer.¹³ The result of this interpretation prohibits the banking and carryforward of credits illustrated in the figure above which is inconsistent with the preamble's stated intent "to harmonize better with EPA's CO2 program." This regulatory interpretation makes the NHTSA and EPA programs very different with regard to the flexibility to earn and use credits for over-compliance with required standards, since EPA allows unlimited transfer of GHG credits between a manufacturer's fleets. This disharmony creates unnecessary burdens and creates unnecessary complexity between the NHTSA and EPA programs.

Recommendation:

At the end of the existing definition of the term "Transfer" in 49 CFR 536.3, add the following:

The limitation in 49 USC 32903(g)(3) shall apply at the time such credits are transferred. Once transferred, the credits are considered part of the receiving fleet and may be carried forward or back to the same extent that they could have before being transferred. The adjustment factor will be applied at the time credits are used to achieve compliance.

6. Refrain From Imposing Unnecessary Restrictions on The Use of Credits

Both the CAFE program and the GHG program were intended to allow manufacturers to earn credits and to utilize those credits as they deem appropriate to cover any shortfalls. Permitting the companies to manage their credits allows manufacturers to take into account future technology planning. This means that manufacturers with more credits than needed to cover an immediate shortfall should be able to choose which bank of credits to draw from to cover the shortfall and which to hold for future model years.

The Petitioners are concerned about the following language appearing in EPA's Manufacturer's Performance Report for the 2014 Model Year:

Every manufacturer starts at the same place: by measuring the CO2 tailpipe emissions performance of their vehicles using EPA's City and Highway test procedures (referred to as the "2-cycle" tests). Then they may choose to apply a variety of optional technology-based credits to further reduce their fleet GHG emissions compliance value. The 2-cycle tailpipe CO2 value, when reduced by the net grams/mile equivalent of the optional credits, determines a manufacturer's model year performance and whether credits or deficits are generated by a manufacturer's model year fleet.

EPA-420-R-15-026 (Dec. 2015).

As stated, the language suggests that EPA will initially measure emissions based on the fuel economy testing, and then apply any technology credits (such as off-cycle and air conditioning credits) to determine a manufacturer's fleet performance. Once that performance has been calculated, EPA will determine whether there are over-compliance credits earned or

¹³ See letter from O. Kevin Vincent to Toyota dated July 6, 2011.

available under the GHG program and NHTSA will determine whether there are over-compliance credits available under the CAFE program.

The problem with this approach is that it denies manufacturers the ability to get the full benefit of past model year credits that they have earned under the GHG and CAFE programs. Under the credit banking provisions of both programs, manufacturers may earn credits by overachieving the standards in one model year, and apply those credits to offset shortfalls in a future model year. Under the agencies' prescriptive approach to credit management, technology credits earned in the current model year must be immediately applied toward any deficits in the current model year. This approach forces manufacturers to use their credits in a sub-optimal way, and can result in stranded credits.

We suggest that a better approach to calculating compliance is to measure compliance based on each manufacturer's test results, and then allow the companies to apply earned credits as they see fit. Allowing for that flexibility allows each manufacturer to optimize its planning, and does not reduce overall benefits since the credits have already been earned. Unlike "credits" for advanced technologies and alternative fuel capability, which are included in the base fuel economy performance determination, credits earned for air conditioning leakage and efficiency and for the use of off-cycle technologies are tracked and reported separately for the car and truck fleets in the final model year reports.

Our suggested approach is consistent with the way in which the agencies interpreted credit management in the 2009 – 2011 model years ("early credits"), in which manufacturers were able to apply carry forward credits before current model year earned credits were applied. Manufacturers provided the pre-Model Year reports, in which certain credit categories (such as off-cycle credits and air conditioning leakage and efficiency credits) were tracked and listed separately.

Those credits, as well as other Averaging, Banking, and Trading (ABT) credits, should all be available to companies to apply as they see fit. By inserting an artificial priority on the application of those credits, the agencies are imposing the possibility that some credits may expire before they are allowed to be used. That devalues credit creation and unnecessarily detracts from the incentive to develop and deploy novel technology as early as possible.

The Petitioners request the agencies to reconfirm the original approach to allow manufacturers to manage and apply their credits, regardless of the origin of the credits in their accounts. While the current regulations do not preclude the continuation of this optimal credit management, the regulation should be clarified to inform future guidance.

Recommendation

Amend 40 CFR 86.1865(k)(5) to read as follows:

(5) Total credits or debits generated in a model year, maintained and reported separately for passenger automobiles and light trucks, shall be the sum of the credits or debits calculated in

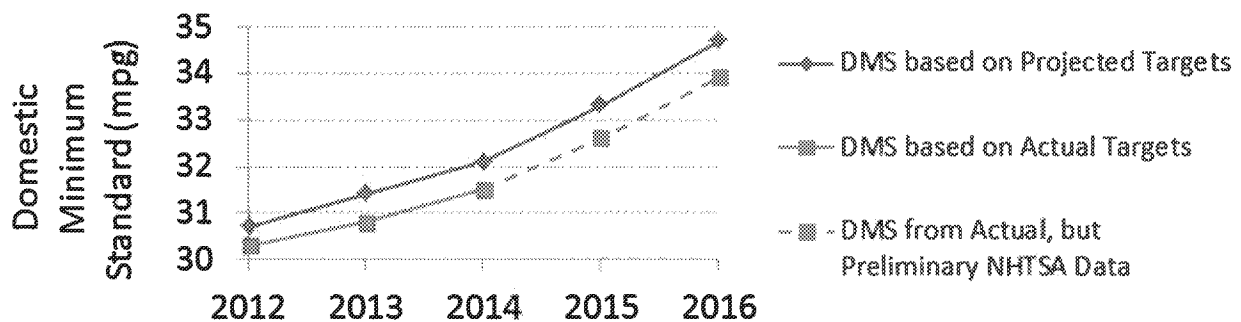
paragraph (k)(4) of this section, plus any credits earned in a prior model year and used by the manufacturer to fully or partially offset any such debits in accordance with paragraph (k)(7)(i) of this section, plus any of the following credits, if applicable, minus any N₂O and/or CH₄ CO₂-equivalent debits calculated according to the provisions of § 86.1818–12(f)(4):

- (i) Air conditioning leakage credits earned according to the provisions of § 86.1867–12(b);
- (ii) Air conditioning efficiency credits earned according to the provisions of § 86.1868–12(c);
- (iii) Off-cycle technology credits earned according to the provisions of § 86.1869–12(d).
- (iv) Full size pickup truck credits earned according to the provisions of § 86.1870–12(c).
- (v) N₂O and/or CH₄ CO₂-equivalent debits accumulated according to the provisions of § 86.1818–12(f)(4).

7. Adjust the CAFE Minimum Domestic Passenger Car Standard to Reflect The Final Standard Applicable to Each Model Year

NHTSA is required by statute to establish a minimum standard for domestic passenger vehicles that, effectively, is 92% of the average fuel economy projected for the combined domestic and imported passenger automobile fleets manufactured for sale in the United States by all manufacturers in the model year. The projected minimum standard must be published at the same time as the standards upon which they are based and promulgated. *See* 49 U.S.C. § 32902(b)(4).

Fuel economy standards under the attribute-based system should reflect a manufacturer’s actual fleet mix. The minimum domestic passenger car standard was intended to protect small car production in the United States by imposing a minimum standard for domestically produced passenger cars. Macro-economic factors play a significant role, however, in the extent to which the projections manifest in later years. Neither the agency nor the manufacturers can fully predict and account for macro-trends impacting the motor vehicle market. As a result, and as NHTSA has intimated in the course of rulemaking, it is appropriate to revisit the projections to base them on the standards for passenger cars that emerge once the fleet mix is settled. The chart below shows the difference that has emerged between the domestic minimum standards based on NHTSA projections and the domestic minimum standard based on the actual passenger car targets.



We believe that the statutory intent was in fact to base the minimum domestic passenger car standard on the final “standard,” and not merely on the initial estimate of what the standard might be in the future. This is reflected in the statutory reference to using either the 27.5 mpg traditional passenger car standard or the percentage of the attribute-based standard.

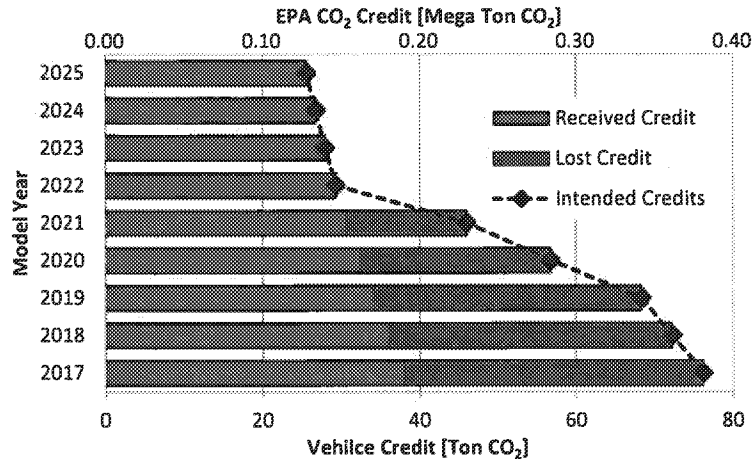
Establishing the minimum domestic passenger car standard in this way takes into account manufacturers’ planning as well as unexpected market demand. As long as manufacturers have engaged in a good faith effort to meet the projected minimum domestic passenger car standard, they should not be penalized if market conditions drive consumer choices elsewhere. While the minimum domestic passenger car standard may be well-intentioned, it should be noted that noncompliance despite good faith efforts will not result in more domestic employment, but rather in the unintentional payment of CAFE fines.

Accordingly, NHTSA should adjust the minimum domestic passenger car standard, as finally entered, to reflect 92% of the required average fuel economy passenger car standards in order to maintain consistency with market conditions and the Congressional intent to ensure that efforts are made in good faith to ensure domestic investment in-line with external market forces.

8. Correct the Multiplier for BEVs, PHEVs, FCVs, and CNGs

The GHG program includes volume multipliers for low emission vehicles in order to promote the production of these disruptive technologies and to encourage consumer acceptance. Although not a direct harmonization issue, Petitioners’ members have noted that the equation through which the number of earned credits is calculated is inaccurately stated in the regulations. The multiplier goes into effect with MY 2017 and this Direct Final Rule would be an appropriate place to correct the inadvertent error.

The illustration below provides a simple example of the credits received and credits inadvertently lost for a manufacturer that sells 5,000 BEVs in 2017-2021 MYs with the multiplier as finalized. The green bars represent the credit received with the multiplier as finalized in the 2017-2025 final rule and the red bars represent the intended credit.



Originally, the volume multiplier was used to compute the fleet averaged carbon related exhaust emissions. The volume multiplier was incorrectly applied to the vehicle volume (when applicable) in 40 CFR 86.1866 (b) (3). The volume multiplier should be applied to the on-cycle vehicle credit ($CO_{2,i} \text{ Target} - CREE_i$) of the preferred technologies (e.g. BEV, PHEV, CNG, or FCV). The Petitioners request that EPA correct the advanced credit multiplier calculation.

Recommendation

The methodology ultimately adopted should provide the incentive originally intended by the rule while respecting the fact that some manufacturers have already made plans according to the rules as they exist. Because the derivation of the multiplier equation involves several sections of the regulatory text, we are not proposing specific regulatory changes at this time. The final form of the changes, however, would reflect the following:

$$\begin{aligned} \text{CFR Version } CO_2 \text{ Credits or Debits} &= (STD - CREE_{AVG}) \times VLM \times \text{Production}, [Mg] \\ \text{Corrected } CO_2 \text{ Credits or Debits} &= (STD_c - CREE_{AVG,c}) \times VLM \times \text{Production}, [Mg] \end{aligned}$$

$$\text{CFR Averages } STD = \frac{\sum T \times Vol}{\sum Vol}, [g/mile] \quad CREE_{AVG} = \frac{\sum CREE \times Vol \times M}{\sum Vol \times M}, [g/mile]$$

$$\text{Corrected Averages } STD_c = \frac{\sum T \times Vol \times M}{\sum Vol}, [g/mile] \quad CREE_{AVG,c} = \frac{\sum CREE \times Vol \times M}{\sum Vol}, [g/mile]$$

Where:

T = Model Type Footprint Target

M = Multiplier

C = "Corrected"

We look forward to working with the Agency in developing the appropriate regulatory changes.

9. Provide an Improved Off-Cycle Credit Approval Process

Although EPA has noted the importance of innovative technologies and encouraged the development of off-cycle credits, in some instances, the agency has been unable to process petitions for off-cycle credits as expected. This has occurred even when a manufacturer has provided all of the requisite information specified in the rule. Moving forward, of course, both agencies will be involved in managing that portion of the program and ensuring that the benefits of these innovative technologies are recognized.

In order to maintain the effectiveness of the off-cycle program, the agencies should:

- re-affirm that technologies meeting the stated definitions are entitled to the off-cycle credits at the values stated in the regulation;
- re-acknowledge that technologies shown to generate more emissions reductions than the pre-approved amount are entitled to additional credit;
- confirm that technologies not in the null vehicle set (the null vehicle being a MY2008 vehicle with naturally aspirated, port fuel injection, fixed cam timing engine, 4 speed transmission, and no weight reduction), but which are demonstrated to provide emissions reductions benefits constitute off-cycle credits; and
- modify the off-cycle program to account for unanticipated delays in the approval process by providing that applications based on the 5-cycle methodology are to be deemed approved if not acted upon by the agencies within a specified timeframe (for instance 90 days), subject to any subsequent review of accuracy and good faith.

Conclusion

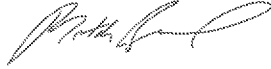
The Petitioners seek immediate and direct action on the issues above because their resolution will significantly affect petitioners' ability to comply with the CAFE standards moving forward into MYs 2017-2021. While the later standards for MYs 2022-2025 will be subject to reconsideration, during the interim years petitioners face the prospect of complying with the numerically more stringent GHG standards while not being able – even with the same vehicle fleet and same technology application – to meet the corresponding CAFE standards.

The Petitioners request the agencies issue a Direct Final Rule adopting the modifications set forth above to bring to fruition and to improve the National Program.

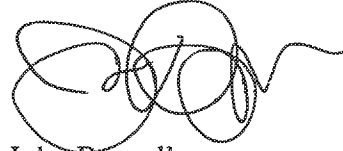
The Petitioners look forward to working with the agencies during the mid-term evaluation and analyzing the various technical and policy considerations that will arise during that review.

We would be glad to meet with Agency staff to answer any question about the material in this petition.

Sincerely,



Mitch Bainwol
President and CEO
Alliance of Automobile Manufacturers



John Bozzella
President and CEO
Association of Global Automakers

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 6/23/2017 2:05:49 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: [SPAM] Cooler Heads Coalition next meeting and other items

The Cooler Heads Coalition will hold its July strategy meeting on Monday, 10th July, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with agenda items or questions.

Robert O'Harrow, an investigative reporter with the Post, has begun investigating the obscure yet powerful influence of CEI, the Cooler Heads Coalition, and me. We don't expect this will be a positive story, but we are talking to Mr. O'Harrow to make the facts as accurate as possible. Here's a recent story by him on the [Freedom Center's David Horowitz](#).

Several of you have already been contacted by Mr. O'Harrow, and I expect he'll be calling quite a few more of you. I wouldn't recommend talking to him, but if you do here are a few points to keep in mind:

The Cooler Heads Coalition is an informal, ad hoc coalition that takes no positions of its own. Most of the activities are done by individual groups, but when we do act together, as in the joint letter on the Paris treaty, it is not a Cooler Heads Coalition letter but rather a letter signed by individual groups.

The only activities undertaken by the coalition are educational in nature: the newsletter, web site, and occasional briefings on the Hill, usually by scientists.

The Cooler Heads Coalition was founded by Consumer Alert and CEI in 1997 to organize opposition to the Kyoto Protocol. Its intentionally loose goals are to question global warming alarmism and oppose energy-rationing policies. CEI provides the organizational

If you don't mind, please let me know if he calls you.

Here's an important and amusing article by Todd Myers of the Washington Policy Center in Seattle:

U.S. Mayors on Climate: This Time Will Be Different

Mayors who promise to meet the Paris climate targets have failed to meet existing targets

By Todd Myers — June 15, 2017

It happened in 2007, but it could have been last week. Climate change, Michael Bloomberg told the audience, is an example of cities' "leading where Washington has not": "We don't wait for others to act," he announced. "We lead by example."

In 2007, New York mayor Bloomberg pledged his city would meet the emissions targets of the Kyoto Protocol. Back then, more than 1,000 mayors signed the U.S. Conference of Mayors Climate Protection Agreement. If President George W. Bush wouldn't follow the Kyoto Protocol, the mayors proclaimed, they surely would.

When Kyoto's 2012 carbon-reduction deadline arrived, however, virtually all these cities had failed to live up to the pledge their mayors had made, missing the Kyoto targets badly.

So now Bloomberg and mayors around the country are replacing those old promises with new ones. Cities are now signing the "We Are Still In" pledge to meet the Paris Accord's CO₂ emissions targets. Their history of failure demonstrates how hollow the new promises are.

Launched in 2005 by Seattle mayor Greg Nickels, the Climate Protection Agreement committed cities to the Kyoto targets to "reduce carbon dioxide emissions by 7 percent below 1990 levels by 2012." Mayors signed on in cities across the U.S., including New York, Chicago, and more than 1,000 other municipalities. The results are instructive.

Seattle, where the effort was launched, missed the goal badly. In a 2015 report, the city admitted it "reduced GHG (greenhouse gas) emissions by 1 percent from 1990 to 2012, falling short of the target."

To be fair, at least Seattle tracked its own failure. In contrast, I called the more than 30 other cities in Washington that signed the Kyoto-targets agreement to see if they had lived up to their promises. Two-thirds of them said something akin to: "We don't know what you are talking about." After sending the initial press release proclaiming their environmental commitment, the vast majority of city officials simply ignored their commitments.

These results are not unique to Washington.

In 2007, Mayor Bloomberg went beyond the Kyoto goals, pledging that by 2030, New York would reduce the city's CO₂ emissions to 30 percent below the 2005 level. Thanks to the economic downturn, NYC got off to a good start. After 2012, however, emissions actually increased. At the current rate, New York will miss Bloomberg's 2030 target.

Bloomberg's successor, Bill de Blasio, made the targets even more unreasonable by promising an 80 percent reduction in emissions by 2050. After just a few years, the city is already more than 4 percent behind and will need to reduce emissions at more than four times the current rate to have any hope of meeting de Blasio's promised goal.

Chicago's results are even more dismal. Mayor Richard Daley pledged Chicago would reduce emissions in the city by 25 percent in 2020, compared with 1990 levels. According to the most recent data, Chicago's emissions are 10 percent above where they need to be to meet that promise. The city's "Climate Action Plan" web page admits: "If Chicago continues on its current path . . . its emissions would grow to 39.3" million metric tons of CO₂ by 2020. That would actually be 22 percent *above* 1990 levels, and a remarkable 62 percent *above* the promised target.

Chicago's current mayor, Rahm Emanuel, recently set a new goal. In an executive order on June 7, Emanuel committed Chicago to reducing citywide greenhouse-gas emissions to the levels in the Paris Accord — about 26 percent below 2005 levels by 2025. Ironically, that new pledge is actually weaker than the previous goal.

Even with the weaker targets, Chicago is unlikely to meet the goal. As the city's own report admits, emissions are likely to increase due to the continuing economic recovery. The only significant reductions during the last two decades came as a result of the economic downturn, not public policy. Previous laundry lists of "green" policies haven't delivered meaningful results and the new ones are likely to see similar failures.

Despite these failures, Bloomberg has been joined by Emanuel, de Blasio, and about 200 other mayors in the latest pledge. "Today, on behalf of an unprecedented collection of U.S. cities, states, businesses and other organizations," Bloomberg said in a statement, "I am communicating to the United Nations and the global community that American society remains committed to achieving the emission reductions we pledged to make in Paris in 2015." Ringing words — just as they were in 2007.

The failure of these cities to achieve existing goals is a stark demonstration of the gap between environmental rhetoric and results from those who style themselves as environmental heroes. Yet rather than holding politicians accountable for these failures, environmental groups actually praised the new promises.

With such perverse incentives, we shouldn't be surprised at these failures. Politicians benefit politically when they make dramatic — but unrealistic — environmental pledges. When those promises are broken, they are never mentioned again, and politicians pay no price.

By way of contrast, businesses pay a real price if they are not energy-efficient. Farmers pay for using water or fertilizer inefficiently. Drivers feel the hit at the pump when they use too much fuel. In the real world, personal incentives, not political motives, drive efforts to do more with less that improve the health of the environment.

Conservatives are often intimidated by the Left's environmental boasting. Too often, conservatives respond to environmental concerns with arguments about the economic cost or jobs. These are legitimate concerns, but we should also call the Left's bluff.

Despite their self-congratulatory press releases, the record of the environmental Left in the past few decades is abysmal, as environmentalism has become more about virtue signaling than about environmental protection. Businesses and individuals, with market incentives, have been the real conservation leaders, improving energy efficiency and reducing air and water pollution.

Bloomberg's "We Are Still In" pledge promises that cities will "pursue ambitious climate goals" to "avoid the most dangerous and costly effects of climate change." Mayors are feverishly sending press releases, hoping to burnish their image as committed environmental crusaders. But given the long history of failure, these promises are just more evidence that it is time for a change, and that much of our current environmental policy is political symbolism, not sincere environmental concern.

— *Todd Myers is the environmental director of the Washington Policy Center in Seattle.*

<http://www.nationalreview.com/article/448654/us-mayors-climate-pledges-all-talk-no-action>

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor

Washington, DC 20005, USA

Tel direct:

Ex. 6

Tel mobile:

E-mail: Myron.Ebell@cei.org

Stop continental drift!

Message

From: Mike Jayne [mjayne@mercatus.gmu.edu]
Sent: 6/1/2018 8:32:21 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Read the Latest Economic Quarterly Report by Bruce Yandle

How is the economy doing in 2018? Dr. Bruce Yandle's latest quarterly report provides a mid-year check-up on the nation's GDP growth, unemployment rate, and level of inflation.

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How is the economy doing in 2018? Dr. Bruce Yandle's latest quarterly report provides a mid-year check-up on the nation's GDP growth, unemployment rate, and level of inflation. While finding a strong economic foundation, Yandle warns of cracks in the foundation that could compromise prosperity, such as uncertainty stemming from trade restrictions and the Fed's expected raising of interest rates.

Yandle describes how the United States is less of a free trader than one would think and cautions against counterproductive actions toward China. He also provides an overview of charitable giving in America and makes predictions for the economy in the coming months.

The report includes the regular features that have made it popular with policymakers and laypersons alike, including economic comparisons across states, with an in-depth spotlight on Utah.

Read the full report on mercatus.org.

For questions or to receive other research updates, please contact Mike Jayne at mjayne@mercatus.gmu.edu or **Ex. 6**

Recent Commentary from Dr. Yandle

Why Pass \$1.3 Trillion Budget Bills That No One Has Read?

Newsday | April 4, 2018

The Economy Has a Speed Limit, No Matter What Politicians Say

The Hill | March 29, 2018

Who Is the Forgotten Man (and Woman) on the Fiscal Commons?

The Independent Review | March 2018

The Economic Situation, March 2018

Mercatus Center | March 1, 2018

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Sent: 5/23/2018 9:11:21 PM
To: Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Blog post of interest please share with Richard. Thanks

<https://cei.org/blog/honesty-and-honest-brokers-government-science>

Message

From: Karen Czarnecki [events@mercatus.gmu.edu]
Sent: 5/11/2018 12:24:49 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Starting Soon: Debating Work Requirements, Work Availability, and Training

Join us in Rayburn 2237 to learn more about Farm Bill work requirements and why low labor force participation is problematic

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Why Are There So Many Open Jobs and So Many Americans Without Jobs?

Policy Solutions: Work Requirements, Work Availability, and Training

Please join us at **10am in Rayburn 2237** as experts discuss work requirements, work availability, training, and how these topics effect current policy debates such as the Farm Bill and Senator Sanders' guaranteed jobs proposal.

Each month, there are hundreds of thousands of open jobs in the U.S., and yet there are millions of Americans who do not have a job. Many have given up looking for work. [Click here to learn more.](#)

Event Details

TODAY, May 11, 2018

10AM – 12PM

Duck Donuts will be provided.

Rayburn House Building Room 2237

Opt out of emails for this event in [one click](#).

About the Event

Panel 1: Examining All Angles: Work Requirements, Work Availability, and Education

What are the benefits and limitations of work requirements, training programs, and subsidized work? How can we test such policies?

- **Harry Holzer**, LaFarge SJ Professor Professor, Georgetown University and Nonresident Senior Fellow, Brookings
- **Jason Fichtner**, Senior Research Fellow, Mercatus Center
- Moderated by: Nick Timiraos, *The Wall Street Journal*

Panel 2: What Can Help Americans Find Jobs?

Expert panelists will share their experiences with local workforce development programs and the major barriers they encounter in helping the public get back to work.

- **Mason Bishop**, Former Deputy Assistant Secretary, Employment and Training Administration, U.S. Department of Labor
- **Sharon Johnson**, CEO, Shenandoah Valley Workforce Development Board, Inc. and Chairperson, Virginia Association of Workforce Directors
- **Montez King**, Executive Director, NIMS and Appointee to the President's Task Force on Apprenticeship Expansion
- **Mardy Leathers**, Director, Missouri Division of Workforce Development
- Moderated by: Veronique de Rugy, Mercatus Center

Seating is limited, please RSVP [here](#). For questions, please contact Jen Campbell at jcampbell@mercatus.gmu.edu or Ex. 6

About the Speakers



Mason Bishop is the Principal of WorkED Consulting, LLC, a provider of workforce development and higher education consulting and management services. Previously, Bishop was the Deputy Assistant Secretary in the Employment and Training Administration for the US Department of Labor. He led national workforce policy efforts and initiatives, oversaw key workforce investment programs, and assisted with congressional relations and legislative issues.



Jason J. Fichtner is a Senior Research Fellow at the Mercatus Center at George Mason University. His research focuses on Social Security, federal tax policy, federal budget policy, retirement security, and policy proposals to increase saving and investment. Previously, he served in several positions at the Social Security Administration, including as deputy commissioner of Social Security (acting), chief economist, and associate commissioner for retirement policy.



Harry J. Holzer is a Nonresident Senior Fellow in Economic Studies at the Brookings Institution and the LaFarge SJ Professor at the McCourt School of Public Policy at Georgetown. He previously served as Chief Economist for the U.S. Department of Labor and professor of economics at Michigan State University. Prior to coming to Georgetown, Professor Holzer served as Chief Economist for the U.S. Department of Labor and professor of economics at Michigan State University.



Sharon Johnson is CEO for the Shenandoah Valley Workforce Development Board, Inc. and Chairperson for the Virginia Association of Workforce Directors. She has over 25 years of talent development experience working with the private sector, public workforce system, economic development, and community colleges. Sharon received her PhD in Human Capital Development from the University of Southern Mississippi and her MS in Adult Education and Human Resource Development from James Madison University.



Montez King is the Executive Director of NIMS, developing national standards and competency-based credentials in manufacturing trades. Montez is responsible for overseeing the administration, programs, and strategic plan of the organization. In October 2017, Montez was appointed to the President's Task Force on Apprenticeship Expansion.



Mardy Leathers was appointed to serve as the Director of the Missouri Division of Workforce Development in October 2017. He most recently served as Executive Director of the Center for Workforce Development at East Central College in Union, Missouri. There, he played a key role in developing the statewide Community College Workforce Development Network and oversaw the college's business and industry training efforts, community education, healthcare career certification and WIOA programs.



Nick Timiraos (moderator) is a national economics correspondent for *The Wall Street Journal* in Washington, DC. He has covered the housing bust and the government's response to the mortgage crisis, including the bailout of finance giants Fannie Mae and Freddie Mac. In 2008, he contributed to the *Journal's* coverage of the presidential election. He joined the *Journal* in 2006 and graduated from Georgetown University, where he studied government and American studies.



Veronique de Rugy (moderator) is a Senior Research Fellow at the Mercatus Center at George Mason University and a nationally syndicated columnist. Her primary research interests include the US economy, the federal budget, homeland security, taxation, tax competition, and financial privacy. Her popular weekly charts address economic issues ranging from lessons on creating sustainable economic growth to the implications of government tax and fiscal policies. She has testified numerous times in front of Congress on the effects of fiscal stimulus, debt and deficits, and regulation on the economy. She received her PhD in economics from the Pantheon-Sorbonne University.

This event is free and open to the general public. This event has been planned in accordance with the widely-attended event exception to congressional gift rules and government ethics memoranda. Breakfast will be provided.

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Sent: 5/8/2018 9:38:08 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Fwd: This Friday - Debating Work Requirements, Work Availability, and Training

Good afternoon,

This Friday, May 11, at **10am** we are hosting an event focused on work requirements, work availability, and other policies that increase employment opportunities, and I wanted to make sure you had seen the invite below. **Duck Donuts** will be provided along with coffee and juice, in Rayburn 2237.

Our first panel will touch on the Farm Bill work requirements, the guaranteed jobs proposal from Senator Bernie Sanders, and other proposals to address job market barriers. [Jason Fichtner](#) and [Harry Holzer](#) will discuss these issues, from both sides of each debate.

Professionals from outside of Washington who are engaged in workforce development will share their experiences on the second panel, explaining how they've witnessed federal programs success and failures at a local level.

Register [here](#) or let me know if you can make it.

Sincerely,

Karen Czarnecki

A wakeup call for today's modern workforce.

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Why Are There So Many Open Jobs and So Many Americans Without Jobs?

Policy Solutions: Work Requirements, Work Availability, and Training

Each month, there are hundreds of thousands of open jobs in the U.S., and yet there are millions of Americans who do not have a job. Many have given up looking for work.

Will current policies considered by the [House](#), [Senate](#), and [Administration](#) help? What else should policymakers consider? [Click here to learn more.](#)

Event Details

[Register](#)

Friday, May 11, 2018

10AM – 12PM

Duck Donuts will be provided.

Rayburn House Building Room 2237

[Opt out of emails for this event in one click.](#)

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To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: NEXT WEEK: "Inclusive Regulatory Reform: Solutions for the Poor and Entrepreneurs"

Inclusive Regulatory Reform: Solutions for the Poor and Entrepreneurs

With Keynote Address by Senator James Lankford

Event Details

[Register](#)

Thursday, April 26, 2018
Check-In & Breakfast: 8:30 - 9:00 a.m.
Event: 9:00 - 11:30 a.m.

Reserve Officers Association
One Constitution Avenue, NE
Washington, DC

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About the Event

Please join the Mercatus Center on Thursday, April 26, as leading scholars and policymakers discuss the current regulatory state and its effect on two significant groups—the poor and entrepreneurs.

Academics have documented that many well-intentioned, but ill-informed, regulations disproportionately harm these groups. Unfortunately, finding and implementing solutions has proven difficult.

The event will include a keynote address and two discussion panels that consider:

- **The Problem.** Scholars doing in-depth economic analysis will present their research on the economic barriers that regulation can create for the poor, entrepreneurs, and small businesses. **Speakers: Rutheford B. Campbell, Dustin Chambers, and Derek Moore**
 - How regulations raise prices on consumer goods to the particular detriment of the poor, disproportionately burden small businesses, and impact states differently
 - How regulatory capture occurs; the impact of occupational licensing requirements on the poor, small businesses and military families; and how federal antitrust enforcement can play a role in crafting prudent public policy approaches
 - How state and federal regulation affects small business capital formation and how a complicated patchwork of securities rules results in unintended consequences
- **The Solution.** Representatives from the US state and federal government and the Canadian government will discuss current efforts to reduce regulatory burdens and prevent economic harm. **Speakers: Scott Brinkman, Anthony Campau, and Kevin Falcon**
 - How British Columbia's approach to cutting red tape and improving regulation is inspiring state and federal policymakers and how lessons from this success can be applied to today's problems
 - How Kentucky is streamlining its regulatory code by cutting red tape
 - How the Office of Information and Regulatory Affairs is improving federal regulation

To see a full agenda and register, [click here](#). For questions, please contact Haley Larsen at hlarsen@mercatus.gmu.edu or **Ex. 6**

About the Speakers


James Lankford is a US Senator for the state of Oklahoma. As chairman of the Senate Subcommittee on Regulatory Affairs and Federal Management, Lankford fights unnecessary and burdensome regulation and advocates for a more restrained federal government.

Scott Brinkman currently serves as the Secretary of the Executive Cabinet in Governor Bevin's administration. In this capacity, he oversees the various Cabinets and is responsible for implementing the Governor's policies and programs.


Rutheford B. Campbell is a Professor of Law who has returned to full-time teaching following service from 1988 to 1993 as Dean of the College of Law. He is a graduate of Centre College and a Coif graduate of the College of Law where he served on the *Kentucky Law Journal*. In 1971, he received an LL.M. from Harvard Law School.

Anthony Campau is the Chief of Staff and Counselor for the Office of Information and Regulatory Affairs. In this role, he helps to oversee and implement President Trump's government-wide regulatory reform initiatives. He also served as the only political officer at OIRA, prior to the Administrator's confirmation. Mr. Campau was a member of the Regulatory Reform Team on the Trump Transition team, where his responsibilities included working with the team to draft the Transition Team's Regulatory Reform Plan and penning the first draft of EO 13777. Prior to his time in the Executive branch, he practiced law in Washington, DC and worked at the Heritage Foundation for nine years.


Kevin Falcon is the former Minister of State Deregulation for British Columbia where he led the government's successful effort to reduce unnecessary red tape by more than 40%. He further served for 6 years as Minister of Transportation and Infrastructure, overseeing the largest transportation capital program in BC history, including the Sea to Sky Highway upgrade, Canada Line, William Bennett Bridge, and the Port Mann Bridge.




Derek W. Moore is an attorney advisor in the Office of Policy Planning at the Federal Trade Commission. Prior to that, he was an attorney advisor to FTC Commissioner Joshua D. Wright. Previously, Mr. Moore served as a law clerk to the Honorable Douglas H. Ginsburg, Circuit Judge on the United States Court of Appeals for the D.C. Circuit, and the Honorable Claude M. Hilton, Senior District Judge on the United States District Court for the Eastern District of Virginia.



Dustin Chambers is Professor of Economics at Salisbury University. His research focuses on economic effects of regulation, income inequality and economic growth, nonparametric econometrics, and machine learning and big data.



Laura Jones is the Executive Vice-President and Chief Strategic Officer at the Canadian Federation of Independent Businesses where she is responsible for legislative, communications, research, and IT functions. Since joining CFIB in 2003, Jones has spearheaded a number of high-profile campaigns on behalf of small businesses, including CFIB's annual Red Tape Awareness Week™.



Patrick McLaughlin is the Director of the Program for Economic Research on Regulation and a Senior Research Fellow at the Mercatus Center at George Mason University. McLaughlin created and leads the RegData and QuantGov projects, deploying machine-learning and other tools of data science to quantify governance indicators found in federal and state regulations and other policy documents.



Eileen Norcross is a Senior Research Fellow and incoming Vice President of Policy Research at the Mercatus Center at George Mason University. Norcross's research focuses on questions of public finance and how economic institutions support or hamper economic resiliency and civil society. She specializes in fiscal federalism and institutions, state and local government finance, public sector pensions, public administration, and economic development.

Additional speakers to be announced.

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From: Letendre, Daisy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B691CCCCA6264AE09DF7054C7F1019CB-LETENDRE, D]
Sent: 3/27/2018 6:25:12 PM
To: David Schwietert [DSchwietert@autoalliance.org]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Mitch Bainwol [MBainwol@autoalliance.org]; Gloria Bergquist [GBERGQUIST@autoalliance.org]; Chris Nevers [CNevers@autoalliance.org]
Subject: RE: Auto Alliance follow up

Thanks so much Dave – I've added our communications director Liz Bowman to this email as well.

As I mentioned earlier, this event will take place at Pohanka Chevrolet (13915 Lee Jackson Memorial Hwy, Chantilly, VA, 20151) at 10:30AM on Tuesday 4/3 – we're so glad to have Mitch in attendance and will be in touch as we build out the final run-of-show.

Appreciate the contact info for Ann and Cody as well. Should be a great event.

Daisy C. Letendre

Letendre.Daisy@epa.gov

From: David Schwietert [mailto:DSchwietert@autoalliance.org]
Sent: Tuesday, March 27, 2018 2:16 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Mitch Bainwol <MBainwol@autoalliance.org>; Gloria Bergquist <GBERGQUIST@autoalliance.org>; Chris Nevers <CNevers@autoalliance.org>
Subject: Auto Alliance follow up

Ryan, Mandy, Brittany and Daisy,

In advance of the Administrator's upcoming announcement regarding the light-duty vehicle Final Determination, below you will find the current Alliance statement that we plan to issue.

Keep in mind, this is subject to change and is based on a directional decision by Administrator Pruitt about the previous EPA Determination not being appropriate - and pointing to a future rulemaking process between EPA and NHTSA that will allow for public comment.

Mitch Bainwol, copied on this email, is available and willing to participate in the Administrator's public announcement next Tuesday.

In addition, I've copied Gloria Bergquist who heads up our communication department in case you have any questions for her

Last but not least, as EPA looks to invite other speakers/stakeholders, I would recommend the following (in addition to NADA and Global Automakers):

Ann Wilson, Motor & Equipment Manufacturers Association (MEMA)

Ex. 6 cell).

Cody Lusk

American International Automobile Dealers Association (AIADA).

luskc@aiada.org

Ex. 6

DRAFT AUTO ALLIANCE STATEMENT:

“This was the right decision, and we support the Administration for pursuing a data-driven effort and a single national program as it works to finalize future standards. We appreciate that the Administration is working to find a way to both increase fuel economy standards and keep new vehicles affordable to more Americans.

“Today’s announcement was the expected necessary step that sets in motion a future rulemaking where the government will propose a range of alternatives – sharing the data gathered to support various options — and seek public comments.

“Automakers are committed to increasing fuel economy requirements and the key to achieving higher standards is selling more of the highly fuel-efficient vehicles, including 50 models of electric cars, now in dealer showrooms. Consumer research shows that the monthly payment is the top concern when car-shopping. So, to ensure ongoing fuel economy improvement, the wisest course of action is to keep new vehicles affordable so more consumers can replace an older car with a new vehicle that uses much less fuel – and offers more safety features. Automakers continue to develop safety and other innovations and we want to get these technologies – and all their benefits – on the road as soon as possible.

“Maintaining a single national program is critical to ensuring that cars remain affordable. We look forward to working with key stakeholders and the State of California once EPA and NHTSA begin a rulemaking. As in the past, we will review their proposed rule through the lens of its impact on jobs and meeting our customers’ needs for affordable, safe, clean and fuel-efficient transportation.”

Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 3/27/2018 6:16:07 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
CC: Mitch Bainwol [MBainwol@autoalliance.org]; Gloria Bergquist [GBERGQUIST@autoalliance.org]; Chris Nevers [CNevers@autoalliance.org]
Subject: Auto Alliance follow up

Ryan, Mandy, Brittany and Daisy,

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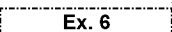
Keep in mind, this is subject to change and is based on a directional decision by Administrator Pruitt about the previous EPA Determination not being appropriate - and pointing to a future rulemaking process between EPA and NHTSA that will allow for public comment.

Mitch Bainwol, copied on this email, is available and willing to participate in the Administrator's public announcement next Tuesday.

In addition, I've copied Gloria Bergquist who heads up our communication department in case you have any questions for her

Last but not least, as EPA looks to invite other speakers/stakeholders, I would recommend the following (in addition to NADA and Global Automakers):

Ann Wilson, Motor & Equipment Manufacturers Association (MEMA)

 Ex. 6 (cell).

Cody Lusk
American International Automobile Dealers Association (AIADA).
luskc@aiada.org

 Ex. 6

DRAFT AUTO ALLIANCE STATEMENT:

“This was the right decision, and we support the Administration for pursuing a data-driven effort and a single national program as it works to finalize future standards. We appreciate that the Administration is working to find a way to both increase fuel economy standards and keep new vehicles affordable to more Americans.

“Today’s announcement was the expected necessary step that sets in motion a future rulemaking where the government will propose a range of alternatives – sharing the data gathered to support various options — and seek public comments.

“Automakers are committed to increasing fuel economy requirements and the key to achieving higher standards is selling more of the highly fuel-efficient vehicles, including 50 models of electric cars, now in dealer showrooms. Consumer research shows that the monthly payment is the top concern when car-shopping. So, to ensure ongoing fuel economy improvement, the wisest course of action is to keep new vehicles affordable so more consumers can replace an older car with a new vehicle that uses much less fuel – and offers more safety features. Automakers continue to develop safety and other innovations and we want to get these technologies – and all their benefits – on the road as soon as possible.

“Maintaining a single national program is critical to ensuring that cars remain affordable. We look forward to working with key stakeholders and the State of California once EPA and NHTSA begin a rulemaking. As in the past, we will review their proposed rule through the lens of its impact on jobs and meeting our customers’ needs for affordable, safe, clean and fuel-efficient transportation.”

Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 12/7/2017 12:07:51 AM
To: Atkinson, Emily [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb2155adef6a44aea9410741f0c01d27-Atkinson, Emily]
CC: Millett, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c067caa6c93544f78c26ab08cc567d27-Millett, John]; DeLuca, Isabel [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b021c30cbee4637a7c7ca683e5e044a-IDELUCA]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Sheila James [sjames@autoalliance.org]
Subject: RE: Confirmed 12/7 at 10am: Auto Alliance Board Invitation for Bill Wehrum

Team EPA,

We are very much looking forward to AA Wherum's participation in tomorrow's board meeting here at the Auto Alliance.

Below you will see a listing of confirmed attendees. In addition, I wanted to pass along the contact information for Sheila James (copied on this email) so she can be a point of contact for the Assistant Administrator and others when they arrive.

Sheila's cell phone number is: **Ex. 6**

If you can let her know when the Assistant Administrator is en-route or about to arrive she can escort him to our 5th floor conference room.

Thanks again!

Dave

BOD Meeting Attendees December 7, 2017	
BMW	
Bryan Jacobs	
FCA	
Shane Karr	
Mark Chernoby	
FORD	
Curt Magleby	
Kim Pittel	
GENERAL MOTORS	
Craig Glidden	

Dan Turton
Bryan Roosa
JAGUAR LAND ROVER
Chris Marchand
MAZDA
Shawn Murphy
Dan Ryan
MERCEDES-BENZ USA
Bill Craven
MITSUBISHI
George Takahashi
Stephane Thiriez
PORSCHE
Joseph Folz
Jeff Gates
TOYOTA
James Lentz
Stephen Ciccone
Tom Stricker
VOLVO
Anders Gustafsson
Katie Yehl
VOLKSWAGEN
David Geanacopoulos
Anna Schneider
ALLIANCE STAFF
Mitch Bainwol
John Whatley
Chris Nevers
Robert Strassburger
Jonathan Weinberger
David Schwietert
Jennifer Thomas

From: Atkinson, Emily [mailto:Atkinson.Emily@epa.gov]
Sent: Monday, November 27, 2017 2:30 PM
To: David Schwietert <DSchwietert@autoalliance.org>
Cc: Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Sheila James <sjames@autoalliance.org>
Subject: Confirmed 12/7 at 10am: Auto Alliance Board Invitation for Bill Wehrum

Thank you Dave. This is confirmed on Bill Wehrum's calendar for Thursday, December 7 at 10am

Emily Atkinson
Management Analyst/Office Manager
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
Room 5412B, 1200 Pennsylvania Avenue NW
Washington, DC 20460
Voice: 202-564-1850
Email: atkinson.emily@epa.gov

From: David Schwietert [<mailto:DSchwietert@autoalliance.org>]
Sent: Monday, November 27, 2017 1:58 PM
To: Atkinson, Emily <Atkinson.Emily@epa.gov>
Cc: Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Sheila James <sjames@autoalliance.org>
Subject: RE: Auto Alliance Board Invitation for Bill Wehrum

Emily,

Attached you will find the completed event form.

Please let me know if you have any questions or if I omitted anything.

We look forward to seeing the Assistant Administrator on the morning of December 7th

Dave

From: Atkinson, Emily [<mailto:Atkinson.Emily@epa.gov>]
Sent: Wednesday, November 22, 2017 2:14 PM
To: David Schwietert <DSchwietert@autoalliance.org>
Cc: Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: FW: Auto Alliance Board Invitation for Bill Wehrum

Hi Dave,

Bill Wehrum has reviewed this request and asked that I arrange his participation in the Auto Alliance Board meeting. It looks like you are wanting to have him participate on Thursday, December 7, 2017 from 10:00 – 11:00am. I will hold this time slot on his calendar for now.

Please fill out the attached event form and return it to me no later than Friday, December 1.

Thank you.
Emily

Emily Atkinson
Management Analyst/Office Manager
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA

Room 5412B, 1200 Pennsylvania Avenue NW
Washington, DC 20460
Voice: 202-564-1850
Email: atkinson.emily@epa.gov

From: "David Schwietert" <DSchwietert@autoalliance.org>
To: "Dravis, Samantha" <dravis.samantha@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Gunasekara, Mandy" <Gunasekara.Mandy@epa.gov>
Subject: RE: re: Auto Alliance Board Invitation for Bill Wehrum

Mandy, Samantha, and Brittany,

I know it's only been a week since I transmitted an invite request for Assistant Administrator Wehrum to join our upcoming Board meeting but I thought I'd circle back with the three of you to see if you thought that might be feasible since the 12/7 meeting is just around the corner.

I hope you and the Assistant Administrator can see the benefit of sitting down with our board members, along with Mike Catanzaro that morning.

Happy to talk in more detail if you have time today or tomorrow. Alternatively, if this is just too complicated to give a definitive answer, I'm happy to follow up next Monday depending on your travel plans with Thanksgiving.

Thanks so much!

Dave

Ex. 6

From: David Schwietert
Sent: Tuesday, November 14, 2017 12:42 PM
To: Samantha Dravis <dravis.samantha@epa.gov>; 'bolen.brittany@epa.gov' <bolen.brittany@epa.gov>
Subject: FW: re: Auto Alliance Board Invitation for Bill Wehrum

Samantha and Brittany,

I intended to copy you on my email below to Mandy a few minutes ago.

Wanted to flag this invitation for your awareness.

Thanks!

Dave

From: David Schwietert
Sent: Tuesday, November 14, 2017 12:40 PM
To: 'gunasekara.mandy@epa.gov' <gunasekara.mandy@epa.gov>
Subject: re: Auto Alliance Board Invitation for Bill Wehrum

Mandy,

Attached is a formal invitation Assistant Administrator Bill Wehrum to attend a portion of the Auto Alliance Board Meeting here in Washington D.C. on the morning of Thursday, December 7th

Mike Catanzaro is confirmed to join our meeting around 10:00 AM and we felt it would be great to have the Assistant Administrator join us as well.

I wanted to flag this for you and I'm happy to provide any additional information. I'm also happy to route the request to others within EPA if necessary.

So far, the Board has confirmed meetings with various Administration officials on December 7th –Deputy DOT Secretary Rosen and we're awaiting confirmations from NHTSA Deputy Administrator King and DOT Undersecretary for Policy, Derek Kan. Senate Majority Leader McConnell is also confirmed to meet with our Board.

We've appreciated the EPA Administrator's willingness to spend time with our Board during their April meeting and with Assistant Administrator Wehrum's swearing in this week and direct involvement in key issues impacting the auto sector (mid term review) we felt our board meeting next month might be a nice way for us to underscore the important work that's underway between EPA, DOT, and CA to preserve One National Program for vehicle fuel economy standards.

Let me know if I can answer any questions.

Thanks!

Dave

David Schwietert

Executive Vice President, Federal Government Relations & Public Policy

P: Ex. 6 dschwietert@autoalliance.org

Message

From: Mike Jayne [Mjayne@mercatus.gmu.edu]
Sent: 12/6/2017 8:04:44 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Feeley, Drew (Robert) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=abae82aa36da4d3383eae19a8efa683c-Feeley, Rob]; Kate De Lanoy [kdelanoy@mercatus.gmu.edu]
Subject: RE: Good to Meet You

Hi Liz,

Thanks for the introduction. I'm copying Kate from our media team.

Thanks, Brittany. It is a small world. I'll coordinate with Robin then about potentially joining the meeting. Thanks for taking the time to arrange that.

Best,

Mike

From: Bolen, Brittany [mailto:bolen.brittany@epa.gov]
Sent: Wednesday, December 6, 2017 1:58 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Mike Jayne <Mjayne@mercatus.gmu.edu>
Cc: Feeley, Drew (Robert) <Feeley.Drew@epa.gov>
Subject: RE: Good to Meet You

Liz, thanks for the introduction.

Mike, coincidentally we were working to accommodate a request from your colleague, Robin Bowen, on setting up a call or meeting next week. Please feel free to coordinate with her and join our meeting.

Best,

Brittany

Brittany Bolen

Deputy Associate Administrator, Office of Policy
U.S. Environmental Protection Agency
(202) 564-3291
Bolen.Brittany@epa.gov

From: Bowman, Liz
Sent: Wednesday, December 6, 2017 10:43 AM
To: Mike Jayne <Mjayne@mercatus.gmu.edu>
Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Feeley, Drew (Robert) <Feeley.Drew@epa.gov>
Subject: RE: Good to Meet You

Thank you, Mike. It was nice to meet you as well. I am copying Brittany Bolen and Drew Feeling, from our Policy Office. They would be good for you to connect with. Can you please also connect us with the communications person at Mercatus?

Thank you, Liz

From: Mike Jayne [<mailto:Mjayne@mercatus.gmu.edu>]
Sent: Tuesday, December 5, 2017 9:38 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Good to Meet You

Hi Liz,

It was good meeting you at the Hoover Institution today following Administrator Pruitt's interview. It's obvious he is making regulatory reform a priority. To that end, if you or your office is ever looking for the latest research to inform your discussions with policymakers and the public, I'd be happy to provide insight into our resource library or put you in touch with one of our scholars.

Given your communications expertise, it would be interesting to get your take on how well we are communicating our ideas to a mass audience as well.

In any case, I'm sure our paths will cross at another event in the future. Have a great rest of the week.

Best,

Mike

Mike Jayne
Assistant Director of Regulatory Outreach



Mercatus Center at George Mason University
3434 Washington Blvd.
Arlington, VA 22201

O: **Ex. 6**
C:
mjayne@mercatus.gmu.edu
www.mercatus.org

Message

From: Marlo Lewis [Marlo.Lewis@cei.org]
Sent: 5/7/2018 4:03:14 PM
To: Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Teller, Paul S. EOP/WHO
Subject: Ex. 6 My op-ed in the Hill on the California fuel economy litigation; fyi

<http://thehill.com/opinion/energy-environment/386293-fuel-economy-californias-empty-suit>

Message

From: Marlo Lewis [Marlo.Lewis@cei.org]
Sent: 5/3/2018 2:33:32 PM
To: Teller, Paul S. EOP/WHO (Ex. 6); Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]
Subject: My blog post on the California fuel economy lawsuit; fyi

<https://cei.org/blog/multi-state-petition-against-epa-vehicle-standards-makes-weak-legal-case>

Message

From: Karen Czarnecki [events@mercatus.gmu.edu]
Sent: 5/3/2018 1:10:20 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: May 11: Debating Work Requirements, Work Availability, and Training

A wakeup call for today's modern workforce.

Email not displaying correctly?
[View it in your browser.](#)

Why Are There So Many Open Jobs and So Many Americans Without Jobs?

Policy Solutions: Work Requirements, Work Availability, and Training

Each month, there are hundreds of thousands of open jobs in the U.S., and yet there are millions of Americans who do not have a job. Many have given up looking for work.

Will current policies considered by the [House](#), [Senate](#), and [Administration](#) help? What else should policymakers consider? [Click here to learn more.](#)

Event Details

[Register](#)

Friday, May 11, 2018

10AM – 12PM

Duck Donuts will be provided.

Rayburn House Building Room 2237

[Opt out of emails for this event in one click.](#)

About the Event

Panel 1: Examining All Angles: Work Requirements, Work Availability, and Education

What are the benefits and limitations of work requirements, training programs, and subsidized work? How can we test such policies?

- **Harry Holzer**, LaFarge SJ Professor Professor, Georgetown University and Nonresident Senior Fellow, Brookings
- **Jason Fichtner**, Senior Research Fellow, Mercatus Center
- Moderated by: Nick Timiraos, *The Wall Street Journal*

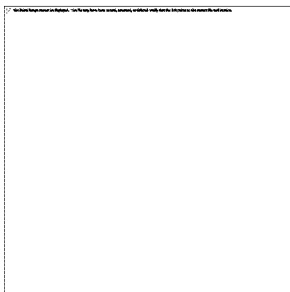
Panel 2: What Can Help Americans Find Jobs?

Expert panelists will share their experiences with local workforce development programs and the major barriers they encounter in helping the public get back to work.

- **Mason Bishop**, Former Deputy Assistant Secretary, Employment and Training Administration, U.S. Department of Labor
- **Sharon Johnson**, CEO, Shenandoah Valley Workforce Development Board, Inc. and Chairperson, Virginia Association of Workforce Directors
- **Montez King**, Executive Director, NIMS and Appointee to the President's Task Force on Apprenticeship Expansion
- **Mardy Leathers**, Director, Missouri Division of Workforce Development
- Moderated by: Veronique de Rugy, Mercatus Center

Seating is limited, please RSVP here. For questions, please contact Jen Campbell at jcampbell@mercatus.gmu.edu or **Ex. 6**

About the Speakers



Mason Bishop is the Principal of WorkED Consulting, LLC, a provider of workforce development and higher education consulting and management services. Previously, Bishop was the Deputy Assistant Secretary in the Employment and Training Administration for the US Department of Labor. He led national workforce policy efforts and initiatives, oversaw key workforce investment programs, and assisted with congressional relations and legislative issues.



Jason J. Fichtner is a Senior Research Fellow at the Mercatus Center at George Mason University. His research focuses on Social Security, federal tax policy, federal budget policy, retirement security, and policy proposals to increase saving and investment. Previously, he served in several positions at the Social Security Administration, including as deputy commissioner of Social Security (acting), chief economist, and associate commissioner for retirement policy.



Harry J. Holzer is a Nonresident Senior Fellow in Economic Studies at the Brookings Institution and the LaFarge SJ Professor at the McCourt School of Public Policy at Georgetown. He previously served as Chief Economist for the U.S. Department of Labor and professor of economics at Michigan State University. Prior to coming to Georgetown, Professor Holzer served as Chief Economist for the U.S. Department of Labor and professor of economics at Michigan State University.



Sharon Johnson is CEO for the Shenandoah Valley Workforce Development Board, Inc. and Chairperson for the Virginia Association of Workforce Directors. She has over 25 years of talent development experience working with the private sector, public workforce system, economic development, and community colleges. Sharon received her PhD in Human Capital Development from the University of Southern Mississippi and her MS in Adult Education and Human Resource Development from James Madison University.



Montez King is the Executive Director of NIMS, developing national standards and competency-based credentials in manufacturing trades. Montez is responsible for overseeing the administration, programs, and strategic plan of the organization. In October 2017, Montez was appointed to the President's Task Force on Apprenticeship Expansion.



Mardy Leathers was appointed to serve as the Director of the Missouri Division of Workforce Development in October 2017. He most recently served as Executive Director of the Center for Workforce Development at East Central College in Union, Missouri. There, he played a key role in developing the statewide Community College Workforce Development Network and oversaw the college's business and industry training efforts, community education, healthcare career certification and WIOA programs.



Nick Timiraos (moderator) is a national economics correspondent for *The Wall Street Journal* in Washington, DC. He has covered the housing bust and the government's response to the mortgage crisis, including the bailout of finance giants Fannie Mae and Freddie Mac. In 2008, he contributed to the *Journal's* coverage of the presidential election. He joined the *Journal* in 2006 and graduated from Georgetown University, where he studied government and American studies.



Veronique de Rugy (moderator) is a Senior Research Fellow at the Mercatus Center at George Mason University and a nationally syndicated columnist. Her primary research interests include the US economy, the federal budget, homeland security, taxation, tax competition, and financial privacy. Her popular weekly charts address economic issues ranging from lessons on creating sustainable economic growth to the implications of government tax and fiscal policies. She has testified numerous times in front of Congress on the effects of fiscal stimulus, debt and deficits, and regulation on the economy. She received her PhD in economics from the Pantheon-Sorbonne University.

This event is free and open to the general public. This event has been planned in accordance with the widely-attended event exception to congressional gift rules and government ethics memoranda. Breakfast will be provided.

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Our mailing address is:

Mercatus Center
3434 Washington Blvd
Arlington, VA 22201

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Message

From: Jeff Beck [JBeck@autoalliance.org]
Sent: 12/6/2017 3:15:03 PM
To: Jeff Beck [JBeck@autoalliance.org]
CC: Cerisse Holliman [cholliman@autoalliance.org]
Subject: Follow up: North American International Auto Show and the Reception/Dinner

Hello,

This email serves as a follow up to the email sent last week regarding the North American International Auto Show and the Reception/Dinner to follow. This is a great opportunity to see some of the exciting things happening in the automotive industry.

To obtain the credentials needed for access to the show, and help with planning, please respond to Jeff Beck at jbeck@autoalliance.org and Cerisse Holliman at cholliman@autoalliance.org by this Friday, December 8th, if possible, with the following information:

1. The names of the individuals that will attend the Show.
2. The names of the individuals that will attend the Tuesday dinner. (Cost for government employees is \$45).

Please do not hesitate to reach out with any questions that you may have.

To help with your own planning and decision making, key information about the Show is as follows:

WHAT: North American International Auto Show

WHEN: Press Preview Day
Tues., Jan. 16, 2018, 7:00 am to 7:00 pm

WHERE: Cobo Center
One Washington Boulevard
Detroit, MI 48226

WHAT: Tuesday Night Reception/Dinner

WHEN: Tues., Jan. 16, 2018
6:30pm Reception
7:15pm Dinner

WHERE: Wright and Co. Restaurant
1500 Woodward Avenue
2nd Floor

Detroit, MI 48226

Ex. 6

We look forward to seeing you and your colleagues at the show.

Jeff Beck

Jeff Beck

Manager of Federal Affairs

P: Ex. 6 C: Ex. 6 jbeck@autoalliance.org



ALLIANCE OF AUTOMOBILE MANUFACTURERS

803 7th Street, NW
Suite 300
Washington, DC 20001

Main Phone: 202-326-5500
Main Fax: 202-326-5567

<https://autoalliance.org/>

Curious to know how the Auto sector impacts your state or district -- [Click here](#). To get a better understanding of how America's automobile industry is one of the most powerful engines driving the U.S. economy, [click here](#).

Message

From: Marlo Lewis [Marlo.Lewis@cei.org]
Sent: 4/16/2018 2:20:40 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Please call when you have about 5 minutes. Thanks.

Ex. 6

Message

From: Robin Bowen [rbowen@mercatus.gmu.edu]
Sent: 11/27/2017 12:59:56 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: RE: Mercatus Annual Dinner

Flag: Follow up

And I hope work and travel are going well. Would you have time to catch up by phone or with a visit in the coming weeks?

Sincerely,

Robin J. Bowen
Director of Federal Outreach

Mercatus Center at George Mason University

Ex. 6 (o) **Ex. 6** (m)

www.mercatus.org

From: Bolen, Brittany [mailto:bolen.brittany@epa.gov]
Sent: Saturday, November 25, 2017 4:03 PM
To: Robin Bowen
Subject: RE: Mercatus Annual Dinner

Hi Robin –

I hope you had a nice Thanksgiving. Forgive the delayed response. I was unable to attend the dinner due to work travel, but appreciate your email. Please keep in touch.

Best,
Brittany

Brittany Bolen
Deputy Associate Administrator, Office of Policy
U.S. Environmental Protection Agency
(202) 564-3291
Bolen.Brittany@epa.gov

From: Robin Bowen [mailto:rbowen@mercatus.gmu.edu]
Sent: Tuesday, November 7, 2017 1:44 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>
Subject: Mercatus Annual Dinner

Dear Brittany,

I hope you are doing well. Next Wednesday, the Mercatus Center will have our Annual Dinner which features a conversation with the remarkable Andy Weir, author of *The Martian*.

I apologize for the late notice. I realized only recently that I didn't have your updated email and was unable to send an invitation. If you're available we would love for you to join. The event will give you an opportunity to network with other policy professionals who, like yourself, are working on relevant issues.

Below is the invitation with additional details. Please let me know if you have any questions and if you're able to attend. I hope to see you there.

Best,
Robin

Robin J. Bowen
Director of Federal Outreach

The Mercatus Center at George Mason University

Ex. 6

(o)

Ex. 6

(m)

Conversation in DC is stuck.
Small thinking produces small results.
So let's think bigger.

Let's Be Different.

What does a moonshot mean to you? To Andy Weir, it meant self-publishing a serialized novel about a man stranded on Mars. A software engineer by trade, Andy never expected the landslide success his story would become: *The Martian* is a best-seller, the movie was a box office hit, and Weir's second book is arriving November 14 with the movie rights already purchased.

Please join us at the **Mercatus Center Annual Dinner** to learn from Andy's story and explore how moonshot thinking can open up the conversation in Washington.

To RSVP, contact Caitlyn Schmidt at cschmidt@mercatus.gmu.edu or Ex. 6 Seating is limited, so don't miss out.

EVENT DETAILS

Wednesday, November 15, 2017

JW Marriott

1331 Pennsylvania Ave NW

Washington, DC 20004

Reception

6:00 p.m. - 7:30 p.m.

Dinner and Remarks

7:30 p.m. - 9:00 p.m.

Dessert Reception to Follow

Dress for this event is business attire. For purposes of congressional ethics rules, this dinner is a widely-attended event. This event is by invitation only and your invitation is non-transferrable.

[update subscription preferences](#) | [Mercatus Center 3434 Washington Blvd, Arlington, VA 22201](#)

Message

From: Karen Czarnecki [events@mercatus.gmu.edu]
Sent: 4/24/2018 8:02:30 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: You're Invited: Debating Solutions to Declining Labor Force Participation

Experienced experts discuss real solutions for getting more non-working Americans into the labor force.

Email not displaying correctly?
[View it in your browser.](#)

A Wakeup Call for Today's Modern Workforce

Event Details

[Register](#)

Friday, May 11, 2018
Breakfast/Check-in: 9:30AM – 10AM
Event Discussion: 10AM – 12PM

Rayburn House Office Building
Room TBD
45 Independence Ave SW
Washington, DC 20515

[Opt out of emails for this event in one click.](#)

About the Event

Despite low unemployment numbers, the US still faces low labor force participation rates. There are millions of Americans who do not have a job but are not counted as unemployed since they are no longer looking for work. Who are these people, why are they not working, and how can policymakers help?

Panel 1: Examining All Angles: Work Requirements, Work Availability, and Education

What policy solutions can address low labor force participation? What are the benefits and limitations of work requirements and how can we test such policies? This panel will cover how to make work more available and attractive to workers, including topics such as subsidized jobs, training, and expanding the Earned Income Tax Credit.

- **Harry Holzer**, LaFarge SJ Professor Professor, Georgetown University and Nonresident Senior Fellow, Brookings
- **Jason Fichtner**, Senior Research Fellow, Mercatus Center
- Moderated by: Nick Timiraos, *The Wall Street Journal*

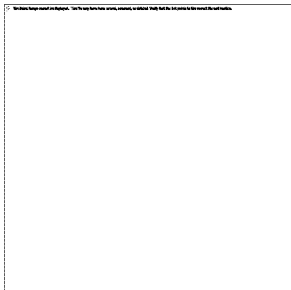
Panel 2: What Can Help Americans Find Jobs?

Expert panelists will share their experiences with local workforce development programs and the major barriers they encounter in helping the public get back to work.

- **Mason Bishop**, Former Deputy Assistant Secretary, Employment and Training Administration, U.S. Department of Labor
- **Sharon Johnson**, CEO, Shenandoah Valley Workforce Development Board, Inc. and Chairperson, Virginia Association of Workforce Directors
- **Montez King**, Executive Director, NIMS and Appointee to the President's Task Force on Apprenticeship Expansion
- **Mardy Leathers**, Director, Missouri Division of Workforce Development
- Moderated by: Veronique de Rugy, Mercatus Center

Seating is limited, please RSVP here. For questions, please contact Jen Campbell at jcampbell@mercatus.gmu.edu or Ex. 6

About the Speakers



Mason Bishop is the Principal of WorkED Consulting, LLC, a provider of workforce development and higher education consulting and management services. Previously, Bishop was the Deputy Assistant Secretary in the Employment and Training Administration for the US Department of Labor. He led national workforce policy efforts and initiatives, oversaw key workforce investment programs, and assisted with congressional relations and legislative issues.

Jason J. Fichtner is a Senior Research Fellow at the Mercatus Center at George Mason University. His research focuses on Social Security, federal tax policy, federal budget policy, retirement security, and policy proposals to increase saving and investment. Previously, he served in several positions at the Social Security Administration, including as deputy commissioner of Social Security (acting), chief economist, and associate commissioner for retirement policy.

Harry J. Holzer is a Nonresident Senior Fellow in Economic Studies at the Brookings Institution and the LaFarge SJ Professor at the McCourt School of Public Policy at Georgetown. He previously served as Chief Economist for the U.S. Department of Labor and professor of economics at Michigan State University. Prior to coming to Georgetown, Professor Holzer served as Chief Economist for the U.S. Department of Labor and professor of economics at Michigan State University.

Sharon Johnson is CEO for the Shenandoah Valley Workforce Development Board, Inc. and Chairperson for the Virginia Association of Workforce Directors. She has over 25 years of talent development experience working with the private sector, public workforce system, economic development, and community colleges. Sharon received her PhD in Human Capital Development from the University of Southern Mississippi and her MS in Adult Education and Human Resource Development from James Madison University.

Montez King is the Executive Director of NIMS, developing national standards and competency-based credentials in manufacturing trades. Montez is responsible for overseeing the administration, programs, and strategic plan of the organization. In October 2017, Montez was appointed to the President's Task Force on Apprenticeship Expansion.

Mardy Leathers was appointed to serve as the Director of the Missouri Division of Workforce Development in October 2017. He most recently served as Executive Director of the Center for Workforce Development at East Central College in Union, Missouri. There, he played a key role in developing the statewide Community College Workforce Development Network and oversaw the college's business and industry training efforts, community education, healthcare career certification and WIOA programs.



Nick Timiraos (moderator) is a national economics correspondent for *The Wall Street Journal* in Washington, DC. He has covered the housing bust and the government's response to the mortgage crisis, including the bailout of finance giants Fannie Mae and Freddie Mac. In 2008, he contributed to the *Journal's* coverage of the presidential election. He joined the *Journal* in 2006 and graduated from Georgetown University, where he studied government and American studies.



Veronique de Rugy (moderator) is a Senior Research Fellow at the Mercatus Center at George Mason University and a nationally syndicated columnist. Her primary research interests include the US economy, the federal budget, homeland security, taxation, tax competition, and financial privacy. Her popular weekly charts address economic issues ranging from lessons on creating sustainable economic growth to the implications of government tax and fiscal policies. She has testified numerous times in front of Congress on the effects of fiscal stimulus, debt and deficits, and regulation on the economy. She received her PhD in economics from the Pantheon-Sorbonne University.

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Message

From: Dominguez, Alexander [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5CED433B4EF54171864ED98A36CB7A5F-DOMINGUEZ,]
Sent: 10/1/2017 4:13:45 PM
To: Myron Ebell [Myron.Ebell@cei.org]
CC: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]
Subject: RE: Scheduling a meeting with a visitor

Myron – Can you do Wednesday, October 4th at 2:30PM?

Best,

Alex Dominguez

*Policy Analyst to the Senior Advisors to
the Administrator for Air and Water*
U.S. Environmental Protection Agency

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Friday, September 29, 2017 8:45 AM
To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: Re: Scheduling a meeting with a visitor

Dear Mandy, Great. I spoke to Brittany about this yesterday, and she said she'd co-ordinate with you on a time. Wednesday afternoon looks booked now until 4:30 or 5 (but you know how unreliable Congressfolk are). 5 onwards is open. Owen is also free Thursday morning, but would have to leave for Heritage by 11:30. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
Tel:
Mobile:
E-mail: Myron.Ebell@cei.org

On Sep 28, 2017, at 12:57 PM, Gunasekara, Mandy <Gunasekara.Mandy@epa.gov> wrote:

Myron,
Great to hear from you. For me, the afternoon of the 4th is somewhat flexible. I'll be at the nomination hearing so hopefully that will wrap up by early afternoon and I'd be happy to meet with Owen. Is it best for use to coordinate with you or should we reach out to him?

I've also cc'd Alex who can firm up all the logistics from our end.
Best,
Mandy

From: Myron Ebell [mailto:Myron.Ebell@cei.org]

Sent: Thursday, September 28, 2017 12:18 PM

To: Bolen, Brittany <bolen.brittany@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>

Subject: Scheduling a meeting with a visitor

Dear Brittany and Mandy, My friend of fifteen years, Owen Paterson, MP, is going to be in town next week, and I wonder if you or any of your colleagues would like to meet with him. Owen was cabinet minister for the Department of Environment, Food, and Rural Affairs in the Cameron government from 2012 to 2014. He was sacked because he was far too conservative and un-green for the Prime Minister. He is keen to re-establish contacts with key people in Washington on environmental and energy issues. I have pasted a short bio below. Owen is free for much of next Wednesday afternoon and evening the 4th and Thursday morning the 5th. He's giving a talk at lunch at CEI on Wednesday (which you are of course invited to attend), which will end at 1:30, and he's giving a speech at Heritage at noon on Thursday. Right now, the only definite appointment he has is 3 PM Wednesday with Lamar Smith. Thanks, Myron.

Right Honorable Owen Paterson, MP

Owen comes from an old farming family in Shropshire and has represented his home constituency of North Shropshire in the House of Commons since 1997. He served in the Conservative shadow cabinet as shadow minister for agriculture, fisheries, and food and then as shadow minister for Northern Ireland. When the Cameron Coalition government took office in 2010, he first served as secretary of state for Northern Ireland and from 2012 to 2014 as secretary of state for environment, food, and rural affairs. Owen then founded the think tank UK2020 and in 2015 was one of the three founders of Vote Leave, where he played a leading role in the successful Brexit campaign. Owen is a Cambridge graduate in history and worked for twenty years in the British leather industry, which included a term as president of the European tanning association.

Myron Ebell

Director, Center for Energy and Environment

Competitive Enterprise Institute

1310 L Street, N. W., Seventh Floor

Washington, DC 20005, USA

Tel direct: (

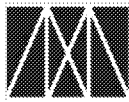
Ex. 6

) Tel mobile:

E-mail: Myron.Ebell@cei.org

Stop continental drift!

From: Robin Bowen [rbowen@mercatus.gmu.edu]
Sent: 9/29/2017 2:34:15 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Red Tape Day: Research from Mercatus



MERCATUS CENTER
George Mason University

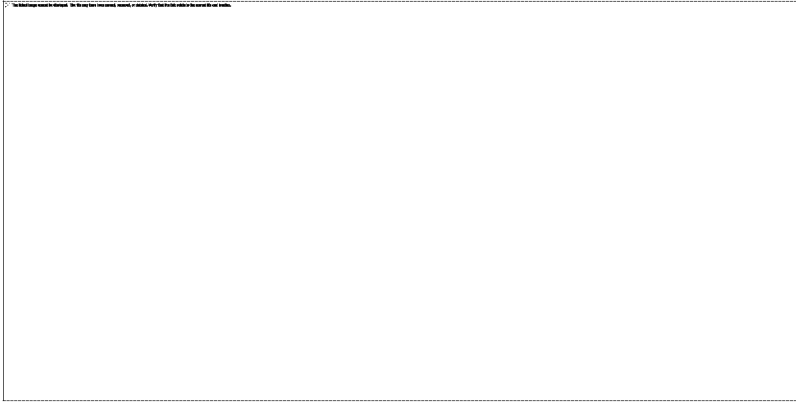
Cutting Hidden Taxes by Cutting Red Tape

There is increasing evidence that regulatory accumulation represents a growing but hidden tax that hinders innovation and entrepreneurship, negatively affects wage growth in some occupations, and disproportionately harms low- and middle-income households.

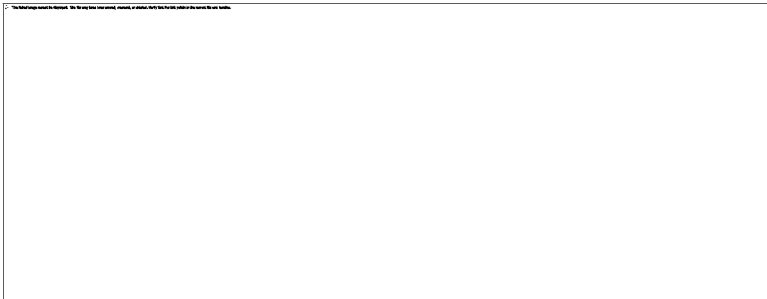
Policymakers in over six states and in Washington, D.C. are making red tape reduction a priority in order to recapture part of the trillions lost annually from our economy due to regulatory accumulation. Governments in other nations have already embraced better regulation as their priority to the benefit of their constituents and their economies.

Ensuring we have intelligent, efficient, and effective regulation long-term requires work at the federal and state levels to change how legislators authorize new regulation, how regulators formulate and manage new rules, and how legislators and regulators assess the results of their work. With this goal in mind, I'd like to share Mercatus research that identifies changes policymakers can make to grow the economy and improve regulatory outcomes.

Key Points



- While regulators and policymakers claim that regulations are intended to protect the most vulnerable in society, the **economic effects are often most harmful** to the poor.
- To solve problems without creating new ones, we must use better information about the potential **economic effects** of regulatory legislation and proposed rules before we make law.
- A **regulatory budget** could go a long way in preventing regulatory errors.



Key Research

What's at stake -

- [The Cumulative Cost of Regulations | Working Paper](#)
- [The Impact of Federal Regulation on the 50 States | Website](#)
- [How Do Federal Regulations Affect Consumer Prices? An Analysis of the Regressive Effects of Regulation | Working Paper](#)

What can be done -

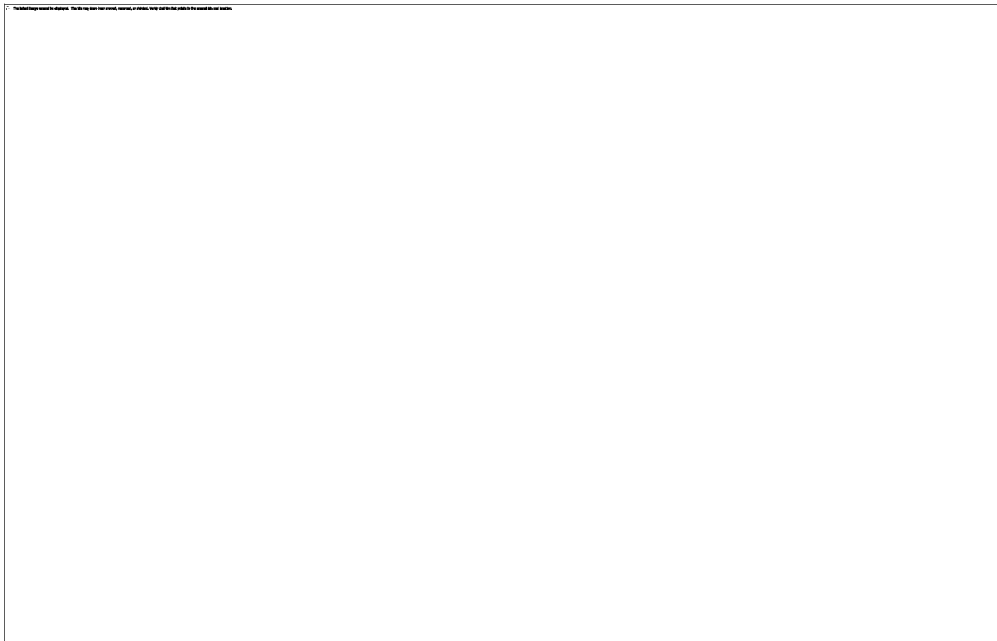
- [Regulatory Accumulation: The Problem and Solutions | Policy Briefing](#)

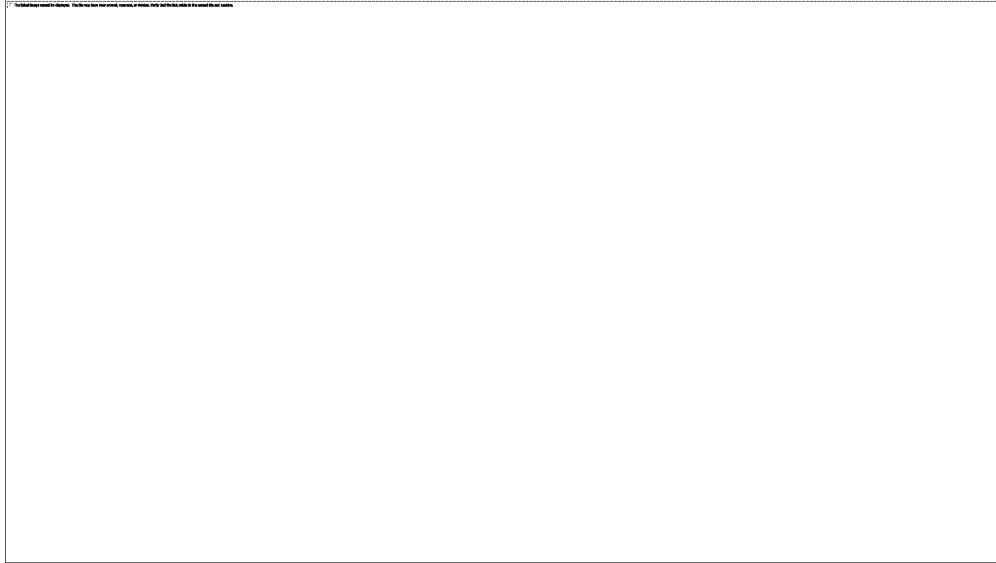
- Comprehensive Regulatory Reform | Policy Primer
- Cutting Red Tape in Canada: A Regulatory Reform Model for the United States? | Research Paper
- What Patrick McLaughlin Says Is Needed to Get It Right | Video

For questions or to speak with a scholar, please contact Robin Bowen at rbowen@mercatus.gmu.edu.

Ex. 6

The Cost of Regulation in Pictures





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Message

From: David Schwietert [DSchwietert@autoalliance.org]
Sent: 1/25/2018 5:47:36 PM
CC: David Schwietert [DSchwietert@autoalliance.org]; Hannah Izon [hizon@globalautomakers.org]
Subject: Washington Auto Show tour update

The Auto Alliance and Global Automakers look forward to seeing you at the DC Auto Show this afternoon.

Tours will begin for the record number of attendees from the Hill and the Administration. Please arrive promptly at 1:45 at the DC Convention Center -- proceed to Room 201 up the escalators to get your credentials and drop off your coats. We will have groups gather at your assigned number to ensure everyone is together.

We will send assigned groups on tours starting just after 2:00 p.m.

Last but not least, we wanted to make you aware of an additional exhibit at this year's Auto Show. On the lower level, the DADSS program (Driver Alcohol Detection System for Safety) will allow attendees to witness the on-going research partnership between Auto Manufacturers, NHTSA, and the state of Virginia to create first-of-its-kind technology that can help reduce the 10,000 lives lost each year to drunk driving.

Attached you will see a picture of the DADSS exhibit and we welcome you to stop by after the formal tours to learn more about the advances that have been made to help detect when a driver is intoxicated with a BAC above .08 and prevent a car from moving.

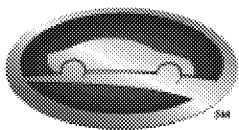
This exhibit will also be open during the Sneak Peek Reception that starts at 5:00 p.m. and will provide attendees with the opportunity to see and experience the breath-based and touch-based systems for detecting alcohol.

Look forward to seeing you soon,

Dave

David Schwietert
Executive Vice President, Federal Government Relations & Public Policy

P: **Ex. 6** dschwietert@autoalliance.org



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Main Fax: 202-326-5567

<https://autoalliance.org/>

Curious to know how the Auto sector impacts your state or district -- Click here. To get a better understanding of how America's automobile industry is one of the most powerful engines driving the U.S. economy, click here.





Message

From: Jackson, Ryan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38BC8E18791A47D88A279DB2FEC8BD60-JACKSON, RY]
Sent: 4/3/2018 1:35:48 PM
To: David Schwietert [DSchwietert@autoalliance.org]
CC: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccc6264ae09df7054c7f1019cb-Letendre, D]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Harlow, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b5a9a34e31fc4fe6b2beadda2affa44-Harlow, Dav]
Subject: Re: RealClearPolitics commentary by Bainwol

Thanks.

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Apr 3, 2018, at 9:07 AM, David Schwietert <DSchwietert@autoalliance.org> wrote:

FYI

From: Gloria Bergquist
Sent: Tuesday, April 03, 2018 9:05 AM
To: bowman.liz@epa.gov
Cc: Amy Dewey <dewey.amy@epa.gov>; David Schwietert <DSchwietert@autoalliance.org>
Subject: RealClearPolitics commentary by Bainwol

Liz, here is Mitch's op ed that is online now. Gloria

https://www.realclearpolitics.com/articles/2018/04/03/revisiting_of_fuel_standards_is_not_a_rollback_136688.html

Revisiting of Fuel Standards Is Not a Rollback

COMMENTARY

By Mitch Bainwol
April 03, 2018

Washington is a town where truth can be elusive. Ideological agendas and herd reporting often distort issues. When it comes to auto policy, especially in today's highly charged political environment, sensationalism routinely warps reality. Here's an example:

Contrary to the breathless coverage of the Trump administration's action to revisit fuel economy and greenhouse gas emission standards, this decision actually fulfills key promises made by the prior administration. Early in Barack Obama's first term in office, automakers agreed with the president to establish long-term fuel economy targets stretching out to 2025. This bold plan, requiring massive investment by automakers to achieve a social goal we embraced -- addressing climate change -- came with two prudent obligations by policymakers.

First, President Obama and his team committed to undertake a midterm review halfway through the timeframe (2018) to check government predictions against reality and use that information to set standards for 2022-2025. The midterm look-back recognized the challenge of forecasting market and technology factors long into the future, as well as the importance of using evidence-based analysis because the economic stakes were so significant.

Second, policymakers made a commitment to harmonize three regulatory programs that effectively serve the same purpose -- managing fuel efficiency/carbon. National Highway Traffic Safety Administration, EPA and California's Air Resources Board all regulate emissions, but in different ways and with different timelines. Redundant government programs drive compliance costs up and that ultimately comes out of the wallets of our customers. The Obama administration stated in writing: "Continuing the National Program ensures that auto manufacturers can build a single fleet of U.S. vehicles that satisfy requirements of both federal programs as well as California's program."

Both of these commitments made sense. The agreement was sound. The goals were shared. And the plan was launched. But something funny happened on the way to the forum.

After the 2016 election, EPA chose to short-circuit the midterm analysis and advance a finding nearly 18 months before it was due. Politics took hold; marketplace realities were ignored. The federal program itself was split, with EPA jumping ahead of NHTSA. The original estimated targets were then justified and rushed through, irrespective of contradictory but salient market developments and irrespective of NHTSA's role in the process. Both commitments -- the midterm and One National Program -- were abrogated.

The market reality is clear. No factor is more relevant than gas prices, which remain significantly lower than projected. In reaction, consumers are buying more SUVs and trucks, bigger engines and fewer alternative powertrains than regulators expected. When the EPA issued the premature determination early last year, it trumpeted the statistic that automakers were over-complying. Weeks later, government reports indicated that statistic was no longer operative, and, for the first time, automakers missed the emissions targets despite achieving record fuel economy. Since then, compliance has slipped even further.

Remember, the government evaluates automakers on fuel economy standards by what consumers buy – not what automakers put in dealer showrooms. In short, the buying pattern of the American public has demonstrated that a rigid adherence to the standards -- as originally contemplated nearly a decade ago -- is inconsistent with market realities.

Moreover, two or three different regulatory rule sets make no sense. As such, we enthusiastically embrace the idea of One National Program. We did so when we signed up in 2011. We did so in the days immediately after the 2016 election and we do so now. Nothing has changed. Writing to the Trump transition team in November of 2016, we asked that “the White House lead efforts with EPA, NHTSA, CARB and the automakers on finding a pathway forward regarding the standards for 2022 MY and beyond.”

Here we are, in April of 2018, the precise point at which the previous administration suggested a judgment be reached about whether to adjust the standards. The new administration has spent a year conducting research, looking at the unfolding data – and has reached the determination that adjustments are warranted.

“Adjustments” are not rollbacks. We favor standards that increase year over year. The industry is committed to ongoing progress in a journey that has no end date. After all, we have invested substantially in energy-efficient technologies that we would like to see consumers embrace. We expect that fuel economy will keep rising. The only issue is at what speed. We do not buy the view that the 2012 projections were perfect and that conditions are unchanged. On the contrary, the projections were materially imperfect and conditions have fundamentally changed.

Even so, no matter how these standards ultimately adjust, the fuel savings through 2025 will likely achieve at least 97 percent of the original estimates. That’s because there is profoundly more savings realized on the front end of the curve than on the back end – as moving from 10 to 20 miles per gallon produces 10 times more savings than moving from 40 to 50 miles per gallon.

We asked administration officials to look at the data and base their decision on marketplace realities. They have. We asked them to work with California to try to find a policy outcome that works for both. They are embarked on that mission. Let’s give that a try. Too much is at stake to let politics and overheated rhetoric get in the way.

Mitch Bainwol is president and CEO of the Auto Alliance, the leading automotive advocacy group composed of 12 automakers.

GLORIA BERGQUIST
Vice President, Communications and Public Affairs

Alliance of Automobile Manufacturers <!--[if !vml]--><image003.jpg><!--[endif]-->

Ex. 6

Desk
Mobile

www.autoalliance.org

Message

From: Jeff Beck [JBeck@autoalliance.org]
Sent: 11/27/2017 4:45:59 PM
To: Jeff Beck [JBeck@autoalliance.org]
CC: Cerisse Holliman [cholliman@autoalliance.org]
Subject: Invitation to the North American International (Detroit) Auto Show

Once again, the Auto Alliance will host a visit to the North American International (Detroit) Auto Show. As in years past, the Alliance will help to facilitate and coordinate visits with individual automakers at their show stands during the Press Preview Day. In addition, the Alliance will host a reception/dinner on Tuesday evening for those who wish to participate.

This email serves to invite EPA staff and appointees to both the Preview and dinner. To help with planning and to obtain the credentials needed to gain access to the Show, please respond to Jeff Beck at jbeck@autoalliance.org and Cerisse Holliman at cholliman@autoalliance.org by Fri., December 8, 2017, if possible, with the following information:

1. The names of the individuals that will attend the Show.
2. The names of the individuals that will attend the Tuesday dinner. (Cost for government employees is \$45).

To help with your own planning and decision making, key information about the Show is as follows:

WHAT: North American International Auto Show

WHEN: Press Preview Day
Tues., Jan. 16, 2018, 7:00 am to 7:00 pm

WHERE: Cobo Center
One Washington Boulevard
Detroit, MI 48226

WHAT: Tuesday Night Reception/Dinner

WHEN: Tues., Jan. 16, 2018
6:30pm Reception

7:15pm Dinner

WHERE: Wright and Co. Restaurant
1500 Woodward Avenue
2nd Floor
Detroit, MI 48226

Ex. 6

We look forward to seeing you and your colleagues at the show.

Jeff Beck

Jeff Beck

Manager of Federal Affairs

P: **Ex. 6** C: 202-557-8792 | jbeck@autoalliance.org



ALLIANCE OF AUTOMOBILE MANUFACTURERS

803 7th Street, NW
Suite 300
Washington, DC 20001

Main Phone: 202-326-5500
Main Fax: 202-326-5567

<https://autoalliance.org/>

Curious to know how the Auto sector impacts your state or district -- [Click here](#). To get a better understanding of how America's automobile industry is one of the most powerful engines driving the U.S. economy, [click here](#).

Message

From: Dravis, Samantha [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ECE53F0610054E669D9DFFE0B3A842DF-DRAVIS, SAM]
Sent: 11/14/2017 5:44:34 PM
To: David Schwietert [DSchwietert@autoalliance.org]
CC: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Re: Auto Alliance Board Invitation for Bill Wehrum

Thanks Dave, hope you are doing well!

Sent from my iPhone

> On Nov 14, 2017, at 12:43 PM, David Schwietert <DSchwietert@autoalliance.org> wrote:
>
> Samantha and Brittany,
>
> I intended to copy you on my email below to Mandy a few minutes ago.
>
> Wanted to flag this invitation for your awareness.
>
> Thanks!
>
> Dave
>
> From: David Schwietert
> Sent: Tuesday, November 14, 2017 12:40 PM
> To: 'gunasekara.mandy@epa.gov' <gunasekara.mandy@epa.gov>
> Subject: re: Auto Alliance Board Invitation for Bill Wehrum
>
> Mandy,
>
> Attached is a formal invitation Assistant Administrator Bill Wehrum to attend a portion of the Auto Alliance Board Meeting here in Washington D.C. on the morning of Thursday, December 7th
>
> Mike Catanzaro is confirmed to join our meeting around 10:00 AM and we felt it would be great to have the Assistant Administrator join us as well.
>
> I wanted to flag this for you and I'm happy to provide any additional information. I'm also happy to route the request to others within EPA if necessary.
>
> So far, the Board has confirmed meetings with various Administration officials on December 7th -Deputy DOT Secretary Rosen and we're awaiting confirmations from NHTSA Deputy Administrator King and DOT Undersecretary for Policy, Derek Kan. Senate Majority Leader McConnell is also confirmed to meet with our Board.
>
> We've appreciated the EPA Administrator's willingness to spend time with our Board during their April meeting and with Assistant Administrator Wehrum's swearing in this week and direct involvement in key issues impacting the auto sector (mid term review) we felt our board meeting next month might be a nice way for us to underscore the important work that's underway between EPA, DOT, and CA to preserve One National Program for vehicle fuel economy standards.
>
> Let me know if I can answer any questions.
>
> Thanks!
>
> Dave
>
> David Schwietert
> Executive Vice President, Federal Government Relations & Public Policy
> P:  | dschwietert@autoalliance.org<mailto:dschwietert@autoalliance.org>
>
>
>
> [cid:image002.png@01D09E0D.54A04F20]
>
> ALLIANCE OF AUTOMOBILE MANUFACTURERS
>
> 803 7th Street, NW

> Suite 300
> Washington, DC 20001
>
> Main Phone:
> Main Fax: 202-326-5567
>
>
>
>
> <https://autoalliance.org/>
>
>
> Curious to know how the Auto sector impacts your state or district -- Click
here<<https://autoalliance.org/in-your-state/>>. To get a better understanding of how America's automobile
industry is one of the most powerful engines driving the U.S. economy, click
here<<https://autoalliance.org/economy/>>.
>
> <image001.png>
> <image002.png>
> <Bill Wehrum Board Invitation Letter Signed 11142017.pdf>

Message

From: Angela Logomasini [Angela.Logomasini@cei.org]
Sent: 2/15/2018 10:33:18 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Invitation: Advancing Scientific Integrity in the Federal Government
Flag: Follow up

Hi Brittany,

Your colleague Liz Bowman said you might be interested in attending this roundtable discussion. I hope you can make it.

You are invited to a roundtable discussion on:

Advancing Scientific Integrity in the Federal Government

Existing Tools and Potential Improvements

Featuring Dr. Anne LeHuray, Ph.D.

With a Ph.D. in geochemistry from Florida State University, Dr. LeHuray has received National Science Foundation grants for academic research at Columbia University, as a contractor to EPA and NASA, and as an environmental consultant to the Department of Energy. For the past two decades she has served as a trade association scientist and executive, interfacing with regulatory and non-regulatory government agencies to translate science into policy. She is currently the executive director of two small 501(c)(6) associations: the Naphthalene Council and the Pavement Coatings Technology Council. She is an appointed member of the Great Lakes Water Quality Agreement Annex 10 (Science) Extended Subcommittee and is active in the Science Integrity Subcommittee of the Society of Environmental Toxicology and Chemistry. She is also part of an effort to revitalize the Institute for Regulatory Science.

Please note that this is an invitation-only event and RSVPs are required.

Date: March 1, 2017

Location: 1310 L Street, NW, #700, Washington DC 20005

Time: 12:00 PM to 1:30 PM

RSVP to: Angela.logomasini@cei.org

Angela Logomasini, Ph.D.
Senior Fellow
Competitive Enterprise Institute
1310 L Street NW, 7th Floor
Washington, DC 20005
Direct ph:
Websites: CEI.org and SafeChemicalPolicy.org

Message

From: Jeff Beck [JBeck@autoalliance.org]
Sent: 1/23/2018 5:05:16 PM
To: Jeff Beck [JBeck@autoalliance.org]
CC: Hannah Izon [hizon@globalautomakers.org]
Subject: Washington D.C. Auto Show Information

Good Afternoon,

On behalf of the Auto Alliance and Global Automakers, I want to thank you for registering to tour the Washington D.C. Auto Show! Below is some additional information for your upcoming tour on Thursday, January 25th.

The tours will take place at the Walter E. Washington Convention Center, located at 801 Mt Vernon Place NW, Washington, DC 20001. This location is easily accessible through cab/ride share services and is also served by the *Mt Vernon Sq 7th St-Convention Center* Metro Stop (Yellow and Green lines).

Please meet us at 1:45 PM in room 201, located on the second floor of the Convention Center. Here we will be able to take and store your coats as well as provide your pass for the tour. When you arrive, please look for table number 1, this number will also serve as your group number throughout the tour.

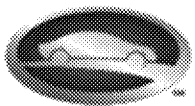
Your tour should conclude at approximately 5 PM when the Washington Auto Show Sneak Peek Reception will begin. The Sneak Peek runs until 8:00 PM, and if you have any questions that you were unable to ask during the tour, all of the exhibitors will have representatives available to speak during this time.

We look forward to seeing you on Thursday and if you have any questions, please do not hesitate to contact Jeff Beck (jbeck@autoalliance.org) or Hannah Izon (hizon@globalautomakers.org).

Jeff Beck

Manager of Federal Affairs

P: | C: | jbeck@autoalliance.org



AUTO ALLIANCE
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ALLIANCE OF AUTOMOBILE MANUFACTURERS

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<https://autoalliance.org/>

Curious to know how the Auto sector impacts your state or district -- [Click here](#). To get a better understanding of how America's automobile industry is one of the most powerful engines driving the U.S. economy, [click here](#).

Message

From: Robin Bowen [rbowen@mercatus.gmu.edu]
Sent: 11/7/2017 6:44:16 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Mercatus Annual Dinner
Flag: Follow up

Dear Brittany,

I hope you are doing well. Next Wednesday, the Mercatus Center will have our Annual Dinner which features a conversation with the remarkable Andy Weir, author of *The Martian*.

I apologize for the late notice. I realized only recently that I didn't have your updated email and was unable to send an invitation. If you're available we would love for you to join. The event will give you an opportunity to network with other policy professionals who, like yourself, are working on relevant issues.

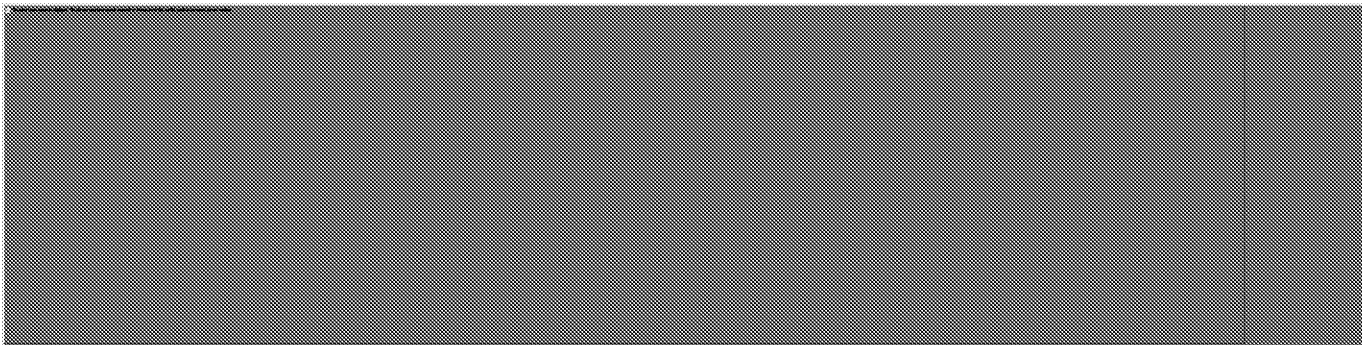
Below is the invitation with additional details. Please let me know if you have any questions and if you're able to attend. I hope to see you there.

Best,
Robin

Robin J. Bowen
Director of Federal Outreach

The Mercatus Center at George Mason University

Ex. 6 (o); **Ex. 6** (m)



Conversation in DC is stuck.
Small thinking produces small results.
So let's think bigger.

Let's Be Different.

What does a moonshot mean to you? To Andy Weir, it meant self-publishing a serialized novel about a man stranded on Mars. A software engineer by trade, Andy never expected the landslide success his story would become: *The Martian* is a best-seller, the movie was a box office hit, and Weir's second book is arriving November 14 with the movie rights already purchased.

Please join us at the **Mercatus Center Annual Dinner** to learn from Andy's story and explore how moonshot thinking can open up the conversation in Washington.

To RSVP, contact Caitlyn Schmidt at eschmidt@mercatus.gmu.edu or **Ex. 6** Seating is limited, so don't miss out.

EVENT DETAILS

Wednesday, November 15, 2017

JW Marriott

1331 Pennsylvania Ave NW
Washington, DC 20004

Reception

6:00 p.m. - 7:30 p.m.

Dinner and Remarks

7:30 p.m. - 9:00 p.m.

Dessert Reception to Follow

Dress for this event is business attire. For purposes of congressional ethics rules, this dinner is a widely-attended event. This event is by invitation only and your invitation is non-transferrable.

[update subscription preferences](#) | Mercatus Center 3434 Washington Blvd, Arlington, VA 22201

Message

From: Dominguez, Alexander [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5CED433B4EF54171864ED98A36CB7A5F-DOMINGUEZ,]
Sent: 10/3/2017 8:47:52 PM
To: Myron Ebell [Myron.Ebell@cei.org]
CC: Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: RE: Scheduling a meeting with a visitor

Myron – Let's do tomorrow, Oct. 4th, at 5:15PM.

Location: 1200 Pennsylvania Avenue, NW.

Directions: Please use the William Jefferson Clinton North Entrance located on your right as you exit the Federal Triangle Metro Station.

<https://www.epa.gov/sites/production/files/2013-08/federaltrianglemap5.jpg>

EPA Contact: For an escort from Security to the meeting call: **Ex. 6** or **Ex. 6**

Anything else please let me know. Looking forward to it.

Best,

Alex Dominguez

*Policy Analyst to the Senior Advisors to
the Administrator for Air and Water
U.S. Environmental Protection Agency*

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Tuesday, October 3, 2017 2:47 PM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>
Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Subject: RE: Scheduling a meeting with a visitor

Dear Alex, Later on Wednesday is better if that suits you. If it's late enough, we can meet for drinks! Thursday afternoon is out. Thanks, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: **Ex. 6**
Tel mobile:
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Dominguez, Alexander [<mailto:dominguez.alexander@epa.gov>]
Sent: Tuesday, October 3, 2017 2:44 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Subject: RE: Scheduling a meeting with a visitor

Myron - The earliest Mandy could do tomorrow is at 5:15 or Thursday at 5:00. Let me know if any of these work. If not I am happy to facilitate a call.

Alex

From: Myron Ebell [<mailto:Myron.Ebell@cei.org>]
Sent: Tuesday, October 3, 2017 2:37 PM
To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: RE: Scheduling a meeting with a visitor

Dear Brittany and Mandy, Do you still have any time to get together with Owen Paterson and me? He's meeting Lamar Smith at 9:30 on Thursday and someone in the OEOB at 10:30 and then has to be at Heritage before 12 noon. Tomorrow—Wednesday—afternoon, the only meeting he has after lunch that can't be moved is with Inhofe at 3 PM. Or you're welcome to come to lunch at CEI, where you'll see many friends. By the way, do you and Ryan know about the Weyrich Awards dinner on the 17th? If not, I'll tell you over the phone or in person. Yours, Myron

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Washington, DC 20005, USA
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E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Gunasekara, Mandy [<mailto:Gunasekara.Mandy@epa.gov>]
Sent: Thursday, September 28, 2017 12:57 PM
To: Myron Ebell <Myron.Ebell@cei.org>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: RE: Scheduling a meeting with a visitor

Myron,
Great to hear from you. For me, the afternoon of the 4th is somewhat flexible. I'll be at the nomination hearing so hopefully that will wrap up by early afternoon and I'd be happy to meet with Owen. Is it best for use to coordinate with you or should we reach out to him?

I've also cc'd Alex who can firm up all the logistics from our end.
Best,
Mandy

From: Myron Ebell [<mailto:Myron.Ebell@cei.org>]

Sent: Thursday, September 28, 2017 12:18 PM

To: Bolen, Brittany <bolen.brittany@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>

Subject: Scheduling a meeting with a visitor

Dear Brittany and Mandy, My friend of fifteen years, Owen Paterson, MP, is going to be in town next week, and I wonder if you or any of your colleagues would like to meet with him. Owen was cabinet minister for the Department of Environment, Food, and Rural Affairs in the Cameron government from 2012 to 2014. He was sacked because he was far too conservative and un-green for the Prime Minister. He is keen to re-establish contacts with key people in Washington on environmental and energy issues. I have pasted a short bio below. Owen is free for much of next Wednesday afternoon and evening the 4th and Thursday morning the 5th. He's giving a talk at lunch at CEI on Wednesday (which you are of course invited to attend), which will end at 1:30, and he's giving a speech at Heritage at noon on Thursday. Right now, the only definite appointment he has is 3 PM Wednesday with Lamar Smith. Thanks, Myron.

Right Honorable Owen Paterson, MP

Owen comes from an old farming family in Shropshire and has represented his home constituency of North Shropshire in the House of Commons since 1997. He served in the Conservative shadow cabinet as shadow minister for agriculture, fisheries, and food and then as shadow minister for Northern Ireland. When the Cameron Coalition government took office in 2010, he first served as secretary of state for Northern Ireland and from 2012 to 2014 as secretary of state for environment, food, and rural affairs. Owen then founded the think tank UK2020 and in 2015 was one of the three founders of Vote Leave, where he played a leading role in the successful Brexit campaign. Owen is a Cambridge graduate in history and worked for twenty years in the British leather industry, which included a term as president of the European tanning association.

Myron Ebell

Director, Center for Energy and Environment

Competitive Enterprise Institute

1310 L Street, N. W., Seventh Floor

Washington, DC 20005, USA

Tel direct:

Ex. 6

Tel mobile:

E-mail: Myron.Ebell@cei.org

Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 9/25/2017 7:44:58 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Hi, Brittany, Do you have time in the next day or two for a quick phone chat?
Flag: Follow up

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
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Sent: 10/3/2017 6:50:08 PM
To: Myron Ebell [Myron.Ebell@cei.org]
CC: Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: RE: Scheduling a meeting with a visitor

Great. I will confirm with Mandy and get back to you shortly.

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Message

From: Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]
Sent: 2/1/2018 12:06:10 AM
To: Joe Koch [jk@wanada.org]; David Schwietert [DSchwietert@autoalliance.org]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]
Subject: RE: Washington DC Auto Show

Thanks, Dave and Joe! I have some availability Friday late afternoon, and hope to stop by then.
Best,
Brittany

From: Joe Koch [mailto:jk@wanada.org]
Sent: Wednesday, January 31, 2018 4:17 PM
To: David Schwietert <DSchwietert@autoalliance.org>; Bolen, Brittany <bolen.brittany@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>
Subject: RE: Washington DC Auto Show

Hi Brittany & Samantha,

I'll have tickets under your name in the show office (Room 209A) that you can pick up whenever you arrive onsite. My cell # is in my signature below, so please feel free to give me a ring if you need anything further. We're looking forward to having you onsite and hope you enjoy the show!

Thanks!

Joe Koch
Vice President of Association Operations

Washington Area New Automobile
Dealers Association

5301 Wisconsin Avenue, N.W., Suite 210
Washington, DC 20015
(202) 237-7200
(202) 237-7779 Fax

Ex. 6 Mobile

jk@wanada.org

www.wanada.org

www.washingtonautoshow.com

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From: David Schwietert [mailto:DSchwietert@autoalliance.org]
Sent: Wednesday, January 31, 2018 3:53 PM
To: 'bolen.brittany@epa.gov'; 'dravis.samantha@epa.gov'
Cc: Joe Koch
Subject: Washington DC Auto Show

Samantha and Brittany,

Thanks again for taking the time to meet with us earlier. I know Bryan Jacobs at BMW appreciated your time to discuss a few key issues.

I've copied Joe Koch from the Washington Auto Dealers (point person for the auto show) because he can ensure you have access to the show before it ends on Sunday (2/4).

Since you weren't able to attend the sneak peek tour last Thursday before the show opened to the public, we hope you are able to see some of the vehicles that are on display – or take part in the Jaguar, Land Rover test drives on the main floor.

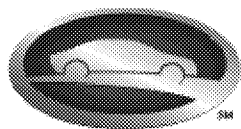
Happy to help coordinate a tour of the floor if you want and I'm sure Joe would be happy to make arrangements if the Administrator wanted to swing by the show late this week/weekend.

<https://www.washingtonautoshow.com/schedule-of-events/>

Dave

David Schwietert
Executive Vice President, Federal Government Relations & Public Policy

P: Ex. 6 dschwietert@autoalliance.org



AUTO ALLIANCE
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ALLIANCE OF AUTOMOBILE MANUFACTURERS

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<https://autoalliance.org/>

Curious to know how the Auto sector impacts your state or district -- [Click here](#). To get a better understanding of how America's automobile industry is one of the most powerful engines driving the U.S. economy, [click here](#).

Message

From: Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]
Sent: 5/3/2017 3:20:34 PM
To: David Schwietert [DSchwietert@autoalliance.org]
Subject: Re: Auto Alliance follow up - Administrator Pruitt Meeting

It's okay, Dave. I understand I'm still not in the online staff directory.

Sent from my iPhone

> On May 3, 2017, at 9:00 AM, David Schwietert <DSchwietert@autoalliance.org> wrote:
>
> I realized I had your email incorrect when I sent the following on Thursday of last week
>
> Dave
>
> From: David Schwietert
> Sent: Thursday, April 27, 2017 5:49 PM
> To: bollen.brittany@epa.gov; 'dravis.samantha@epw.gov' <dravis.samantha@epw.gov>
> Cc: Jennifer Thomas <JThomas@autoalliance.org>; Chris Nevers <CNevers@autoalliance.org>
> Subject: re: Auto Alliance follow up - Administrator Pruitt Meeting
>
> Brittany and Samantha,
>
> We wanted to pass along an electronic copy of the charts and letter that were raised during today's meeting with Administrator Pruitt.
>
> Please let us know if you have any questions – both regarding the Harmonization Petition that was filed jointly with EPA and DOT last June as well as the Mid Term Review for MY 2022-2025 fuel efficiency standards for light-duty vehicles.
>
> Note, when the Harmonization petition was filed last June, we requested a direct fine rule to resolve various issues in hopes of addressing those items ahead of the Draft Technical Assessment Report (TAR) that kicked off the Mid Term Review.
> Soon after our petition was filed, EPA/DOT and CARB released their Draft TAR which now means that the issues outlined in the Harmonization petition would more effectively be addressed via a rulemaking process – or handled administratively via interpretations. Additionally, since late 2015 the Alliance has been seeking various Harmonization changes via legislation because certain changes require statutory modification.
>
> It's also important to keep in mind that the Harmonization issues relate to near term compliance (prior to MY 2022) due to increasing disparity between CAFE and EPA credit and compliance requirements. Effectively, the concept of One National Program hasn't been realized and it can create instances in which an auto manufacturer can be in compliance with more stringent EPA requirements and still be forced to pay CAFE penalties. We have a host of other examples that we'd be happy to walk you through to underscore the changes that need to be made in keeping with the original 2010 and 2012 agreements that were advertised as "One National Program" for compliance purposes.
>
> Thanks,
>
> Dave
>
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> David Schwietert
> Executive Vice President, Federal Government Relations & Public Policy
> P: [Ex. 6] dschwietert@autoalliance.org<mailto:dschwietert@autoalliance.org>
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> <image001.png>
> <image002.png>
> <Auto Alliance Letter Administrator Pruitt April 27 2017.pdf>
> <Joint Alliance - Global Petition for Rulemaking June 2016.pdf>

Message

From: Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]
Sent: 11/25/2017 9:03:03 PM
To: Robin Bowen [rbowen@mercatus.gmu.edu]
Subject: RE: Mercatus Annual Dinner

Hi Robin –

I hope you had a nice Thanksgiving. Forgive the delayed response. I was unable to attend the dinner due to work travel, but appreciate your email. Please keep in touch.

Best,
Brittany

Brittany Bolen

Deputy Associate Administrator, Office of Policy
U.S. Environmental Protection Agency
(202) 564-3291
Bolen.Brittany@epa.gov

From: Robin Bowen [mailto:rbowen@mercatus.gmu.edu]
Sent: Tuesday, November 7, 2017 1:44 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>
Subject: Mercatus Annual Dinner

Dear Brittany,

I hope you are doing well. Next Wednesday, the Mercatus Center will have our Annual Dinner which features a conversation with the remarkable Andy Weir, author of *The Martian*.

I apologize for the late notice. I realized only recently that I didn't have your updated email and was unable to send an invitation. If you're available we would love for you to join. The event will give you an opportunity to network with other policy professionals who, like yourself, are working on relevant issues.

Below is the invitation with additional details. Please let me know if you have any questions and if you're able to attend. I hope to see you there.

Best,
Robin

Robin J. Bowen
Director of Federal Outreach

The Mercatus Center at George Mason University

Ex. 6 (o); Ex. 6 (m)

Conversation in DC is stuck.
Small thinking produces small results.
So let's think bigger.

Let's Be Different.

What does a moonshot mean to you? To Andy Weir, it meant self-publishing a serialized novel about a man stranded on Mars. A software engineer by trade, Andy never expected the landslide success his story would become: *The Martian* is a best-seller, the movie was a box office hit, and Weir's second book is arriving November 14 with the movie rights already purchased.

Please join us at the Mercatus Center Annual Dinner to learn from Andy's story and explore how moonshot thinking can open up the conversation in Washington.

To RSVP, contact Caitlyn Schmidt at cschmidt@mercatus.gmu.edu or

Ex. 6

Ex. 6 Seating is limited, so don't miss out.

EVENT DETAILS

Wednesday, November 15, 2017

JW Marriott

[1331 Pennsylvania Ave NW](#)

Washington, DC 20004

Reception

6:00 p.m. - 7:30 p.m.

Dinner and Remarks

7:30 p.m. - 9:00 p.m.

Dessert Reception to Follow

Dress for this event is business attire. For purposes of congressional ethics rules, this dinner is a widely-attended event. This event is by invitation only and your invitation is non-transferrable.

[update subscription preferences](#) | Mercatus Center 3434 Washington Blvd, Arlington, VA 22201

Message

From: Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]
Sent: 6/15/2017 4:30:22 PM
To: David Schwietert [DSchwietert@autoalliance.org]
Subject: Re: Auto follow up per Mike Catanzaro

Sure, Dave. I have time between 230-3. Does that work?

Sent from my iPhone

On Jun 15, 2017, at 10:56 AM, David Schwietert <DSchwietert@autoalliance.org> wrote:

Brittany,

I just spoke with Mike Catanzaro and he asked me to follow up with you regarding an EPA career staff with auto manufacturers at the Ann Arbor office next week.

Please give me a call on my cell when you have an opportunity.

Shouldn't take more than a few minutes

Thanks,

Dave

Ex. 6

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Executive Vice President, Federal Government Relations & Public Policy

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