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NEWS FOR IMMEDIATE RELEASE

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AG Kaul Challenges Unlawful Rescission of Landmark 2009 Greenhouse Gas Endangerment Finding

Coalition of States, Counties, and Cities Across the Country Mount Legal Challenge in Opposition to EPA's Unlawful Rollback

MADISON, Wis. – Attorney General Josh Kaul today joined a coalition of states, counties, and cities in [challenging](#) the U.S. Environmental Protection Agency's unlawful attempt to rescind its 2009 Endangerment Finding – the agency's determination that greenhouse gas pollution from motor vehicles drives climate change and endangers public health and welfare.

“Pretending that climate change is a ‘hoax’ won’t make it go away,” said AG Kaul. “The federal government should acknowledge what’s actually happening and make decisions based on science.”

The 2009 Endangerment Finding was a direct result of the landmark 2007 Supreme Court decision in [Massachusetts v. EPA](#), which confirmed that the Clean Air Act authorizes EPA to regulate greenhouse gas emissions that endanger public health and welfare. Based on years of rigorous scientific analysis and review, in 2009 EPA determined that emissions from motor vehicles contribute to air pollution that harms public health and the environment. EPA then set federal standards to limit those emissions, which have led to significant reductions in greenhouse gas emissions from motor vehicles.

Now, EPA has rushed a rulemaking process to rescind the Endangerment Finding and repeal all motor vehicle greenhouse gas standards, blatantly disregarding the law and science. EPA's rescission is based on flawed interpretations of the law —

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previously rejected by the Supreme Court — that the agency lacks authority to regulate greenhouse gas emissions. The rescission also ignores decades of peer-reviewed scientific evidence confirming the reality and severity of climate change. By eliminating all existing and future federal vehicle greenhouse gas emission standards, the rule violates EPA’s legal obligations, fundamental principles of administrative law, and its mission to protect public health and welfare.

Today’s lawsuit is the latest action taken by AG Kaul to fight back against the current EPA’s unlawful rescission of the 2009 Endangerment Finding. In the fall of 2025, AG Kaul joined other attorneys general, counties, and cities in submitting two comment letters urging EPA to abandon the proposal, arguing that it would violate settled law, Supreme Court precedent, and scientific consensus, endangering hundreds of millions of Americans—particularly communities disproportionately burdened by environmental harms—and causing unprecedented disruption to the regulatory landscape with catastrophic consequences for residents, industries, natural resources, and public investments.

AG Kaul is joined in filing this challenge by the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, Hawai‘i, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Nevada, North Carolina, Oregon, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia. In addition, this challenge is joined by Pennsylvania Governor Josh Shapiro; City of Boston, Massachusetts; City of Chicago, Illinois; City of Cleveland, Ohio; City of Columbus, Ohio; City and County of Denver, Colorado; City of Los Angeles, California; City of New York, New York; City and County of San Francisco, California; County of Santa Clara, California; and Harris County Texas.