



Support Robust Tailpipe Emission Standards

Slamming the brakes on emission standards will hamper American competitiveness, inflict pain at the pump, exacerbate the climate crisis, and harm public health

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Oppose the [H.J. Res. 87](#), [H.J. Res. 88](#), and [H.J. Res. 89](#), which are Congressional Review Act (CRA) resolutions that restricts states' rights to establish robust tailpipe emission standards. Eliminating states' rights to establish more robust fuel economy standards will drive up costs, exacerbate the climate crisis, harm public health, and hamper American competitiveness, investment, and manufacturing in the automobile sector.¹

Tailpipe Emission Waivers

[H.J. Res. 87](#), [H.J. Res. 88](#), and [H.J. Res. 89](#) would revoke several waivers provided to the State of California to set stricter vehicle emission standards.² CRA resolutions are a tool Congress can use to repeal recently finalized rules.³ In general, such resolutions cannot be filibustered in the Senate and, thus, only require a simple majority for Senate approval.⁴

Under the Clean Air Act, the Environmental Protection Agency (EPA) may issue the State of California a waiver to exceed federal emission standards for motor vehicles.⁵ Other states are permitted to adopt California's standards.⁶

In 2024, the EPA provided California waivers for the State's Advanced Clean Cars II (ACC II), Advanced Clean Trucks, and Omnibus NO_x rules.⁷ These standards, which have been adopted in full or

¹ Bresnahan, John and Jake Sherman. "Inside the House's Effort to Roll Back Regulations." *Punchbowl News*, 20 February 2025, punchbowl.news/article/house/house-republicans-cra/. Accessed 10 March 2025.

² *Id.*

³ Davis, Christopher M. and Maeve P. Carey, "The Congressional Review Act (CRA): A Brief Overview." *Congressional Research Service*, 29 August 2024, crsreports.congress.gov/product/pdf/IF/IF10023. Accessed 10 March 2025.

⁴ *Id.*

⁵ Barczewski, Benjamin M. et al. "California and the Clean Air Act (CAA) Waiver: Frequently Asked Question." *Congressional Research Service*, 30 August 2024, crsreports.congress.gov/product/pdf/R/R48168. Accessed 10 March 2025.

⁶ *Id.*

⁷ Environmental Protection Agency. "EPA Grants Waiver for California's Advanced Clean Cars II Regulations." 18 December 2024, www.epa.gov/newsreleases/epa-grants-waiver-californias-advanced-clean-cars-ii-regulations. Accessed 10 March 2025.

Environmental Protection Agency. "EPA Grants Waivers for California's On-highway Heavy-duty Vehicle and Engine Emission Standards." 31 March 2023, www.epa.gov/newsreleases/epa-grants-waivers-californias-highway-heavy-duty-vehicle-and-engine-emission. Accessed 10 March 2025.

in part by 17 states, have nationwide benefits: conserving energy, combating the climate crisis, improving health, and reducing pain at the pump.⁸

Advanced Clean Cars II

California's ACC II rule strengthens tailpipe emission requirements and gradually increases the percentage of zero-emission vehicles required to be sold in California each year, ultimately reaching 100 percent of new vehicle sales by 2035.⁹ If ACC II were fully adopted by all 17 states currently following all or part of California's standards, by 2050 three-quarters of cars in the United States would be electric vehicles (EVs), all households will save over \$230 per year, and nearly 300,000 jobs will be created.¹⁰ Further, the United States would reduce emissions by 1,310 million metric tons of carbon dioxide-equivalent pollutants, which is the equivalent to taking more than 282 million gasoline-powered vehicles off the road for one year.¹¹ Approximately 5,000 deaths and 160,000 asthma attacks could be prevented.¹²

Advanced Clean Trucks

The Advanced Clean Trucks rule requires manufacturers of vans, busses, and trucks to sell zero-emission trucks at an increasing percentage of annual sales in California.¹³ The State projects that the rule will prevent 943 premature deaths, generate \$8.9 billion in health savings, spur nearly \$6 billion in economic activity, and create 7,442 jobs in California between 2020 and 2040.¹⁴

Omnibus NO_x

The Omnibus NO_x rule reduces NO_x emissions from medium-and heavy-duty engines. NO_x can contribute to the formation of harmful ozone and particulate matter in the atmosphere.¹⁵ The rule is projected to produce \$36.8 billion of statewide health benefits from 2024 through 2050.¹⁶ Such benefits include preventing 3,900 premature deaths and 3,150 hospitalizations.¹⁷

These CRAs are Unlawful

⁸ California Air Resources Board. "States that have Adopted California's Vehicle Regulations." June 2024, ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/states-have-adopted-californias-vehicle-regulations. Accessed 10 March 2025.

⁹ California Air Resources Board. "Advanced Clean Cars II." ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/advanced-clean-cars-ii. Accessed 10 March 2025.

¹⁰ Goldstein, Rachel et al. "Nationwide Impacts of California's Advanced Clean Cars II Rule." *Energy Innovation Policy & Technology LLC*, April 2023, energyinnovation.org/wp-content/uploads/Nationwide-Impacts-Of-Californias-Advanced-Clean-Cars-II-Rule-1.pdf. Accessed 10 March 2025.

¹¹ *Id.*

¹² *Id.*

¹³ California Air Resources Board. "Advanced Clean Trucks Fact Sheet." 20 August 2021, ww2.arb.ca.gov/resources/fact-sheets/advanced-clean-trucks-fact-sheet. Accessed 10 March 2025.

¹⁴ The International Council on Clean Transportation. "California's Advanced Clean Trucks Regulation: Sales Requirements for Zero-Emission Heavy-Duty Trucks." 25 June 2020, theicct.org/wp-content/uploads/2021/06/CA-HDV-EV-policy-update-jul212020.pdf. Accessed 10 March 2025.

¹⁵ California Air Resources Board. "Heavy-Duty Omnibus Regulation Fact Sheet." ww2.arb.ca.gov/our-work/programs/heavy-duty-low-nox/heavy-duty-omnibus-regulation-fact-sheet. Accessed 10 March 2025.

¹⁶ California Air Resources Board. "Facts about the Low NO_x Heavy-Duty Omnibus Regulation." ww2.arb.ca.gov/sites/default/files/classic/msprog/hdlownox/files/HD_NOx_Omnibus_Fact_Sheet.pdf. Accessed 10 March 2025.

¹⁷ *Id.*

Congress is overstepping the legal bounds of the CRA by seeking to revoke California’s waiver through a CRA resolution. CRA resolutions may only revoke rules.¹⁸ In accordance with current law, the Government Accountability Office (GAO) is tasked with assessing if an executive action meets the statutory definition of a rule.¹⁹ On March 6, 2025, the GAO reaffirmed their interpretation that tailpipe emission waivers are not a rule subject to the CRA but are adjudicatory orders.²⁰

Robust Standards Strengthen the Nation

These CRAs are merely the opening salvo against advanced vehicle technologies, robust fuel economy standards, and effective tailpipe emission standards. Congress should stop this assault at its inception. Doing so will strengthen American competitiveness, affordability, health, and the environment.

Consumers

Costs are low when clean car standards are high. Since 2001, improvements in vehicle fuel efficiency have saved consumers \$9,000 over the life of their vehicle.²¹ Further, there has not been an appreciable increase in the price of vehicles, demonstrating that manufacturers have adopted cost-effective approaches to improving efficiency and reducing emissions.²² EVs may save an owner \$6,000 to \$10,000 over the life of the vehicle.²³ Further, the EPA’s model year 2027 – 2032 tailpipe emission standards for light and medium-duty vehicles (the FY 27-32 standards) is projected reduce annual fuel, maintenance, and repair costs by \$62 billion each year.²⁴

Consumers are calling for cleaner and more efficient vehicles. Ninety-six percent of drivers believe that fuel economy is at least somewhat important, with two-thirds reporting that fuel efficiency is very or extremely important.²⁵ Three quarters of Americans believe automakers have an obligation to improve fuel mileage.²⁶

¹⁸ See note 5.

¹⁹ Government Accountability Office. “Congressional Review Act.” www.gao.gov/legal/congressional-review-act. Accessed 10 March 2025.

²⁰ Perez, Edda Emmanuelli. “Observations Regarding the Environmental Protection Agency’s Submission of Notices of Decision on Clean Air Act Preemption Waivers as Rules Under the Congressional Review Act.” 6 March 2025, *Government Accountability Office*, www.gao.gov/assets/880/875948.pdf. Accessed 10 March 2025.

²¹ Harto, Chris. “Blog: Strong Efficiency and Emissions Standards Deliver Thousands in Fuel Savings for Consumers.” *Consumer Reports*, 14 January 2025, advocacy.consumerreports.org/research/blog-strong-efficiency-and-emissions-standards-deliver-thousands-in-fuel-savings-for-consumers/. Accessed 10 March 2025.

²² Harto, Chris. “Vehicle Price Trends: Fuel Economy and Safety Improvements Come Standard.” *Consumer Reports*, 21 February 2023, advocacy.consumerreports.org/research/vehicle-price-trends-report/. Accessed 10 March 2025.

²³ Preston, Benjamine. “EVs Offer Big Savings Over Traditional Gas-Powered Cars.” *Consumer Reports*, 8 October 2020, www.consumerreports.org/hybrids-evs/evs-offer-big-savings-over-traditional-gas-powered-cars/. Accessed 10 March 2025.

²⁴ Environmental Protection Agency. “Biden-Harris Administration finalizes strongest-ever pollution standards for cars that position U.S. companies and workers to lead the clean vehicle future, protect public health, address the climate crisis, save drivers money.” 20 March 2024, www.epa.gov/newsreleases/biden-harris-administration-finalizes-strongest-ever-pollution-standards-cars-position. Accessed 10 March 2025.

²⁵ Bartlett, Jeff S. “Survey Shows Americans Want Better Fuel Economy.” *Consumer Reports*, 14 January 2025, www.consumerreports.org/cars/fuel-economy-efficiency/survey-americans-want-better-fuel-economy-a1173495182/. Accessed 10 March 2025.

²⁶ *Id.*

Competitiveness

The United States must create a thriving EV industrial base to preserve the nation's automobile manufacturing capacity. There is an industry consensus that EVs are the future of the automobile industry.²⁷ China controls three quarters of global EV sales.²⁸ Low cost of labor and \$231 billion in government subsidies since 2009 has given Chinese manufacturers a competitive advantage.²⁹ If the United States is to retain a thriving domestic automobile manufacturing base, the United States must be able to produce EVs. Clean car standards, coupled with domestic manufacturing and purchasing incentives and tariffs, can help turn the tide.

Strong clean car standards create demand for cleaner cars, drive innovation, and encourage investment in domestic manufacturing, which supports our nation's competitiveness and economic vitality. In 2024, 410,420 Americans were gainfully employed manufacturing clean vehicles. The clean vehicle industry leads all clean energy sectors in terms of job growth, with 17,000 EV jobs and 15,900 hybrid EV jobs created last year alone. In the EV sector, there are 536 manufacturing facilities, \$211.3 billion in announced investment, and 227,300 announced jobs across the country.³⁰

Climate

Robust clean car standards are vital to combatting the climate crisis. The transportation sector is the greatest contributor to greenhouse gas emissions in the United States, accounting for 28 percent of all emissions.³¹ These heat trapping gases are dramatically intensifying the effects of climate change. In 2024, there were 27 individual weather and climate disasters, which caused approximately \$182.7 billion in damage and 568 fatalities.³² The FY 27-32 standards are estimated to prevent 7 billion tons of carbon from being emitted.³³

Health

Clean car standards prevent harmful pollutants from entering our atmosphere, protecting public health. Nearly 120 million Americans – over a third of the population – live in areas with unhealthy levels of ozone or particulate pollution.³⁴ The FY 27-32 standards are projected to save \$13 billion in annual public health expenditures due to improved air quality.³⁵

²⁷ Alliance for Automotive Innovation. "Electric Drive." <https://www.autosinnovate.org/initiatives/energy-and-environment/electric-drive>. Accessed 10 March 2025.

²⁸ Anderson, Brad. "Chinese Brands Now Dominate 76% Of Global EV Sales." *Carscoops*, 26 February 2025, www.carscoops.com/2025/02/chinese-automakers-already-dominate-the-global-ev-market/. Accessed 10 March 2025.

²⁹ Kennedy, Scott. "The Chinese EV Dilemma: Subsidized Yet Striking." *Center for Strategic and International Studies*, 20 June 2024, www.csis.org/blogs/trustee-china-hand/chinese-ev-dilemma-subsidized-yet-striking. Accessed 10 March 2025.

³⁰ BlueGreen Alliance Foundation. "EV Jobs Hub." evjobs.bgafoundation.org/. Accessed 10 March 2025.

³¹ Environmental Protection Agency. "Sources of Greenhouse Gas Emissions." www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions. Accessed 10 March 2025.

³² Smith, Adam B. "2024: An Active Year of U.S. Billion-Dollar Weather and Climate Disasters." *National Oceanic and Atmospheric Administration*, 10 January 2025, <https://www.climate.gov/news-features/blogs/beyond-data/2024-active-year-us-billion-dollar-weather-and-climate-disasters>. Accessed 10 March 2025.

³³ See note 24.

³⁴ American Lung Association. "State of the Air" 2024, www.lung.org/research/sota/key-findings. Accessed 10 March 2025.

³⁵ See note 24.

Conclusion

Robust tailpipe emission standards save consumer money, improves public health, helps combat the climate crisis, and strengthens American competitiveness, manufacturing, and innovation. These CRAs would restrict states' authority to establish tailpipe emission standards that exceed federal levels, eliminating a vital backstop that ensures the most appropriate standards are implemented. Oppose [H.J. Res. 87](#), [H.J. Res. 88](#), and [H.J. Res. 89](#).