

April 28, 2025

Open Letter: Conservative Coalition Support to Repeal California's Waiver from the Clean Air Act

Dear Member of Congress:

On behalf of the undersigned organizations, representing a wide array of taxpayer, free market, and consumer advocates, we write to express our strong support for H.J Res 88, authored by Representative John Joyce (R-PA). This important pro-growth and pro-consumer Congressional Review Act Resolution would preserve choice in the automobile market by revoking certain California waivers from the Clean Air Act for its Advanced Clean Cars II regulation, which has created a de-facto electric vehicle (EV) mandate on states across the country. Our collective organizations strongly urge you to support this proposal when it comes to the floor for a vote.

Among his campaign promises, President Trump vowed to reverse the previous administration's costly, unworkable, and unrealistic EV mandates. Thanks to a Day One Executive Order ([EO 14154](#)), part of that promise has already been kept, but more must be done at the federal level. As you may know, in the waning days of the last administration, the Environmental Protection Agency granted the State of California a waiver to implement and enforce its Advanced Clean Cars II (ACC II) regulations. As a result, it permits the State to proceed with requiring all new cars sold in the state to be zero-emission by 2035. In addition, almost a dozen states have tied their automobile emissions standards to California, so the California waiver makes far-reaching policy that not only creates a mandate that may not be achievable, but also bans gas-powered as well as conventional hybrid cars in many other states as well.

This waiver builds on an ongoing effort by California to ban gas-powered vehicles and coerce car manufacturers into following and defending California's regulations. The EPA in recent years has granted other waivers to the State that have had a direct effect on the automobile industry in jurisdictions outside its borders.

Mandating EVs amounts to very bad policy that would lead to higher automobile sticker prices, less economic activity, and virtually no consumer choice. In our view, the federal government has no business forcing an automobile with an Internal Combustion Engine or one with a battery on consumers.

Thankfully, H.J Res 88 repeals this waiver, providing greater regulatory certainty and giving Americans the freedom to choose the type of vehicle they want – rather than follow California's failed policies that have made gas prices among the highest in the nation. In order to grant this

sweeping power to reorder the motor vehicles market to California, Congress must clearly authorize (or not) such authority.

We appreciate that consumers are choosing EVs (due largely to federal tax advantages and state policies), and that is well within their right. But it is wrong for the EPA to hand California de facto regulatory authority over the nation’s motor vehicles industry. While EV sales are projected to grow in the future, the private sector will need to respond to this trend with greater charging infrastructure that is woefully inadequate at the present time. This imbalance would only be exacerbated by mandates since it would be government – not private enterprise – leading the EV effort.

The fact of the matter isn’t gas powered or electric, but rather American freedoms or government mandates. We urge you to stand on the side of consumers, car manufacturers and dealers, and autoworkers by supporting this important CRA when it comes to the floor for a vote this week.

Sincerely,

Charles Sauer
The Market Institute

James L. Martin
60 Plus Association

Saulius “Saul” Anuzis
American Association of Senior
Citizens

Phil Kerpen
American Commitment

Steve Pociask
American Consumer Institute

Brent Gardener
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Will Swain
California Policy Center

John Hinderaker
Center for the American Experiment

Jeff Mazzella
Center for Individual Freedom

Ryan Ellis
Center for a Free Economy

Daren Bakst
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James Edwards
Conservatives for Property Rights

Gerard Scimeca
Consumer Action for a Strong
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Yael Ossowski
Consumer Choice Center

Tom Schatz
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George Landrith
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Mailee Smith
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Gabriella Hoffman
Independent Women’s Forum

Helder Toste
Libre Initiative

Jason Hayes
Mackinac Center for Public Policy

Pete Sepp
National Taxpayers Union

Paul Gessing
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Southwest Public Policy Institute

David Williams

Norm Singleton

Taxpayers Protection Alliance

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