



September 4, 2026

The Honorable John Thune
Senate Majority Leader
United States Senate
511 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
521 Cannon House Office Building
Washington, DC 20515

Dear Members of Congress,

The undersigned organizations write in strong support of Congressional Review Act (CRA) resolutions of disapproval targeting Environmental Protection Agency Clean Air Act preemption waivers granted to California. We urge both the House and Senate to prioritize these companion measures as they return from the August recess.

The resolutions before Congress are:

- 2009 greenhouse gas (GHG) standards for passenger cars, light-duty trucks, and medium-duty vehicles (California's first GHG vehicle waiver): H.J. Res. 202, introduced by Rep. Harriet Hageman (R-WY), and S.J. Res. 206, introduced by Sen. Eric Schmitt (R-MO).
- Advanced Clean Cars I (ACC I) program (criteria pollutant and GHG standards beginning with model year 2015): H.J. Res. 205, introduced by Rep. John Joyce (R-PA), and S.J. Res. 207, introduced by Sen. Pete Ricketts (R-NE).
- 2022 reinstatement of the ACC I waiver (after an earlier rescission): H.J. Res. 212, introduced by Rep. August Pfluger (R-TX), and S.J. Res. 208, introduced by Sen. Jon Husted (R-OH).
- Small Off-Road Engine (SORE) standards for lawn and garden equipment and similar engines: H.J. Res. 214, introduced by Rep. Jay Obernolte (R-CA), and S.J. Res. 205, introduced by Sen. Cynthia Lummis (R-WY).
- Ocean-Going Vessels At-Berth regulation (shore power or equivalent emission controls for ships at California ports): H.J. Res. 210, introduced by Rep. Vince Fong (R-CA), and S.J. Res. 209, introduced by Sen. Dan Sullivan (R-AK).
- Commercial Harbor Craft (CHC) regulation (tugs, ferries, and other workboats): S.J. Res. 210, introduced by Sen. Bernie Moreno (R-OH). The House companion bill is H.J. Res. 213, introduced by Rep. James Gallagher (R-CA).

These actions continue the important work Congress began last year when it disapproved the Advanced Clean Cars II, Advanced Clean Trucks, and related waivers. California's special waiver authority under Section 209 of the Clean Air Act was intended to address unique, localized air-quality problems in that state. It was never intended to turn the California Air Resources Board into a de facto national regulator that dictates vehicle design, engine technology, port operations, and consumer choice for the rest of the country.

The 2009 GHG waiver first authorized California to regulate greenhouse-gas emissions from new motor vehicles. The ACC I waiver, and its later reinstatement, were built on that foundation and advanced California's electric-vehicle mandate. The SORE waiver extends the same approach to lawn mowers, chainsaws, leaf blowers, and other small off-road equipment that millions of American families and small businesses rely on every day. The At-Berth and Commercial Harbor Craft waivers apply the same model to ocean-going ships and harbor vessels serving ports that handle a large share of the nation's imports. Together, these waivers are the foundation for policies that raise costs, limit choices, and impose California's policy preferences on Americans nationwide.

Once EPA transmitted these waiver decisions to Congress under the CRA, Congress has the authority to approve or disapprove them. The CRA exists precisely for agency actions with nationwide economic consequences, and these waivers meet that test because they affect the entire motor-vehicle, small-engine, and maritime markets—not merely a single state's internal enforcement. Passing these House and Senate resolutions would also trigger the CRA's "substantially the same" prohibition, preventing EPA from simply reissuing similar waivers in a future administration without new congressional authorization. That is a durable, statutory protection for consumer choice and federalism that litigation alone cannot provide.

Support for H.J. Res. 202, 205, 210, 212, 213, and 214 and their Senate companions, including S.J. Res. 205, 206, 207, 208, 209, and 210, is a vote for consumer freedom and for the principle that national regulatory policy is set by Congress, not by a single state's air board.

Sincerely,

Tom Pyle
President
American Energy Alliance

Phil Kerpen
President
American Commitment

Brent Gardner
Chief Government Affairs Officer
Americans for Prosperity

Daren Bakst
Director, Center for Energy and
Environment, and Senior Fellow
Competitive Enterprise Institute

Jenny Beth Martin
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Hon. Jason Isaac
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Frontiers of Freedom

Joshua Schubert
Energy Policy Analyst
Commonwealth Foundation

Frank Lasee
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Truth in Energy and Climate