



February 20, 2025

The Honorable Shelley Moore Capito
Chairman
U.S. Senate Committee on Environment &
Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
Ranking Member
U.S. Senate Committee on Environment &
Public Works
456 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Brett Guthrie
Chairman
U.S. House Committee on Energy &
Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Frank Pallone, Jr.
Ranking Member
U.S. House Committee on Energy &
Commerce
2322A Rayburn House Office Building
Washington, D.C. 20515

Re: Congressional Review Act and California Electric Vehicle Mandates

Dear Chairman Capito, Ranking Member Whitehouse, Chairman Guthrie, Ranking Member Pallone:

Alliance for Automotive Innovation urges you to consider a resolution of disapproval – using Congressional Review Act (CRA) authority – of a recent Environmental Protection Agency rule permitting California and 11 states to *ban* the sale of new gas-powered vehicles – and *mandate* 100 percent electric vehicle sales by 2035.

Alliance for Automotive Innovation represents the auto manufacturers producing nearly all vehicles sold today in the United States, as well as major equipment suppliers, battery manufacturers, semiconductor makers, and autonomous vehicle and technology corporations.

Automaking is America’s largest manufacturing sector and employs 10 million Americans in all 50 states. We build 10.3 million vehicles annually here at home (and export 1.5 million), generate five percent of GDP, and drive \$1.2 trillion into the economy annually.

California’s Advanced Clean Cars II is an electric vehicle mandate

The U.S. regulates a single vehicle tailpipe with half a dozen rules set by three federal agencies (EPA, the U.S. Departments of Transportation and Energy) as well as California’s Air Resources Board.

The Clean Air Act authorizes EPA to issue a waiver to California to set its own motor vehicle emission standards. The law also allows other states to follow California’s lead. Currently, 11 states have

voluntarily adopted California's [Advanced Clean Cars \(ACC\) II](#) standards over the existing federal rules.

The most recent emissions standards set by California through its ACC II program require something never attempted before: a *ban* on the sale of new gas-powered vehicles.

California's ACC II sales mandate requires 100 percent of new vehicle sales in California, Oregon, Washington, New York, Massachusetts, Vermont, New Jersey, Rhode Island, and Maryland to be zero emission by 2035.

Colorado, Delaware and New Mexico follow the regulation through 2032 and top out at an 82 percent electric vehicle sales requirement.

A consequence of this electric vehicle requirement? The number of gas-powered vehicles sold in California and these 11 states (about 30 percent of the U.S. auto market) must also decline in the coming years before they are phased out *completely* by 2035.

Will take a miracle, depress economic activity, obliterate customer choice

It will take a miracle for most states following the California program to meet these electric vehicle sales requirements.

They lack not only charging infrastructure but sufficient customers. That gap between supply side regulations and consumer demand is widening.

For example, ACC II regulations require New York to reach 35 percent electric vehicles sales in model year 2026 – *this year for automakers* – 43 percent in 2027, 51 percent in 2028, 82 percent in 2032 and so on.

Current electric vehicle market share in New York is approaching 10 percent – well short of the rule's sales requirement.

To comply with the electric vehicle sales mandate, automakers may be forced to substantially reduce the number of overall vehicles available for sale in New York – something that would inflate the proportion of electric vehicles sold in the state.

This solution (if you call selling *fewer* vehicles a solution) is a scenario we expect to play out in most 'California' states. Attempting it will depress economic activity, increase automobile prices and obliterate customer choice.

Congress can restore balance and accountability

Using its CRA authority to revoke EPA’s ACC II electric vehicle mandate waiver, Congress can restore a degree of balance to vehicle emissions regulations in the U.S. and support a healthy and competitive auto industry in America.

Congress can also ensure customers remain free to choose the type of vehicle that works for them and their family.

Indeed, the purpose of the CRA is to provide Congress with oversight of significant federal agency actions that impose substantial regulatory burdens on American consumers and businesses.

EPA’s permission slip for a California emissions program that isn’t accountable to EPA or Congress, that bans gas-powered vehicles and requires a mandatory jump in electric vehicle sales for 30 percent of the country (for each of the next 10 years) certainly qualifies under that definition.

A Congressional Review Act resolution of disapproval would prevent gas-powered vehicle bans – and electric vehicle sales mandates – from going into effect as scheduled.

Sincerely,



John Bozzella
President and CEO
Alliance for Automotive Innovation

Cc: The Honorable Lee Zeldin
Administrator, U.S. Environmental Protection Agency

The Honorable Sean Duffy
Secretary, U.S. Department of Transportation

The Honorable Chris Wright
Secretary, U.S. Department of Energy

Encl: Alliance for Automotive Innovation memo
[It’s gonna take a miracle: California and states with EV sales requirements](#)