



March 27, 2025

VIA ELECTRONIC MAIL

The Honorable Mike Johnson
Speaker of the House
H-232 Capitol Building
Washington, D.C. 20515

The Honorable Hakeem Jeffries
House Minority Leader
H-204 Capitol Building
Washington, D.C. 20515

The Honorable John Thune
Senate Majority Leader
S-221 Capitol Building
Washington, D.C. 20510

The Honorable Chuck Schumer
Senate Minority Leader
S-230 Capitol Building
Washington, D.C. 20510

Re: Please support Congressional Review Act resolutions to disapprove of EPA’s California waivers

Dear Speaker Johnson, Leader Thune, Leader Jeffries, and Leader Schumer:

Recently, the Environmental Protection Agency (EPA) transmitted to Congress two rules waiving federal preemption of certain California Air Resources Board (CARB) regulations—(1) the CARB Advanced Clean Cars II regulation, and (2) the CARB Advanced Clean Trucks regulation—which together mandate electric drivetrains for light-duty and heavy-duty vehicles.¹

The undersigned organizations, representing motor fuel retailers and their suppliers across the country, respectfully urge passage of Congressional Review Act resolutions disapproving both rules.²

Our industries are together responsible for more than 90 percent of the motor fuels sold in the United States. As such, our member companies are heavily invested in the transportation energy

¹ 171 Cong. Rec. H1035 at EC-520 (citing FRL No. 11010-02-OAR, the “Advanced Clean Cars II” waiver rule) and EC-518 (citing FRL No. 9900-02-OAR, the “Advanced Clean Trucks” waiver rule)

² NACS is an international trade association representing the convenience store industry with more than 1,300 retail and 1,600 supplier companies as members, the majority of whom are based in the United States. NATSO currently represents approximately 5,000 travel plazas and truckstops nationwide, comprising both national chains and small, independent locations. SIGMA represents a diverse membership of approximately 260 independent chain retailers and marketers of motor fuel. Together, NACS, NATSO, and SIGMA provide 2.38 million jobs at approximately 120,000 retail establishments across the country. EMA is a federation of 49 state and regional trade associations representing family-owned and operated small business energy marketers throughout the United States. EMA members supply 80 percent of all finished motor and heating fuel products sold nationwide including renewable hydrocarbon biofuels, gasoline, diesel fuel, biofuels, heating fuel, jet fuel, kerosene, racing fuel and lubricating oils.

technologies required to meet the current and future needs of the motoring public, including investments in the equipment and infrastructure required to service electric vehicles.

The most effective and equitable way to manage emissions is by the adoption of performance standards, which spur the deployment of capital for research and development in the competitive market. That is how existing technologies are improved, and how new technologies are born—and that is where EPA and the state of California have erred.

By mandating one technology, the CARB regulations pick winners and losers at the expense of innovation, stunting investment in other technologies that could reduce emissions more rapidly and sustainably. Nobody knows how those technologies might develop to reduce carbon, improve efficiency, and enhance performance of vehicles—CARB certainly does not, and EPA should not have permitted them to prematurely decide the matter in favor of electric vehicles.

The EPA waivers transform one state’s flawed and overly prescriptive regulatory design into a second national standard. Under the Clean Air Act, once a waiver is granted, other states are free to adopt California’s standards.³ According to CARB, at least a dozen states have already done so here.⁴ In those states, as in California, promising alternative technologies like biofuels, synthetic fuels, and natural gas will be artificially suppressed and unable to compete.

Whether there should be a federal standard to ban liquid motor fuels and mandate electric vehicles is an important question with major social and economic consequences, and that question should be answered by Congress, not California.

Passage of Congressional Review Act resolutions disapproving these rules will ensure the full array of new and existing technologies—rather than electric vehicles alone—can develop to grow the economy, protect consumer choice, and control emissions.

Sincerely,

National Association of Convenience
Stores (NACS)

NATSO, Representing America’s Travel
Centers and Truck Stops

SIGMA: America’s Leading Fuel Marketers

Energy Marketers of America (EMA)

³ Clean Air Act § 177 (42 U.S.C. § 7507)

⁴ *States that have Adopted California’s Vehicle Regulations*, California Air Resources Board (June 2024), <https://perma.cc/LYJ4-Y4YR>