

California Legislature

September 14th, 2026

California Congressional Delegation
United States Congress
Washington D.C.

RE: Request for Opposition to Congressional Review Act Resolutions:

H.J.Res. 202 (Hageman), H.J.Res 205 (Joyce), H.J.Res. 210 (Fong), H.J.Res. 211 (Palmer), H.J.Res. 212 (Pfluger), H.J.Res. 213 (Gallagher), H.J.Res. 214 (Obernolte); S.J.Res 205 (Lummis), S.J.Res. 206 (Schmitt), S.J.Res 207 (Ricketts), S.J.Res 208 (Husted), S.J.209 (Sullivan), S.J.Res 210 (Moreno)

Dear Members of the California Congressional Delegation:

We, the undersigned California state legislators, represent communities across the state that are disproportionately impacted by poor air quality and bear a greater burden of inequitable economic and public health impacts. As leaders committed to advancing clean air and improving people's health, we strongly urge California Congress Members to reflect that same commitment and oppose the above 13 resolutions as they advance to a vote.

The above resolutions seek to improperly disapprove of decades-long established California regulations, including Advanced Clean Cars I (ACCI) and 2009 Greenhouse Gas (GHG) Emissions Standards, as well as the more recently updated Small Off-Road Engines (SORE) program. Despite some of these rules having been fully implemented, and the fact that they are definitively not subject to the Congressional Review Act, we are witness to yet another attempt spurred by U. S. EPA in coordination with Congress that will further restrict California's authority to enforce emissions-based standards that entities, including auto manufacturers, are already in compliance with. Revoking these rules will result in increased air pollution, risk federal sanctions for failing to comply with National Ambient Air Quality standards (NAAQS), and require California to target additional sources of pollution in order to comply with federal and state standards.

ACCI, adopted in 2012, set standards for auto manufacturers to reduce average fleet carbon emissions output, in addition to smog and particulate pollution. All manufacturers reached

compliance with these standards through 2024 and the state recently adopted emergency regulations that would allow certain ACCI requirements to continue to be enforced for future model years to ensure California can continue to reduce toxic air pollution. However, H.J.Res. 202 attempts to revoke the previously approved waiver for ACCI and, if signed into law, would effectively remove vital California requirements for emission controls on vehicles and leave the United States with no greenhouse gas emission standards for on-road transportation. This would allow manufacturers to ignore compliance moving forward, putting at risk the air quality improvements the state has gained, and the health of frontline communities most heavily impacted by vehicle emissions. Similarly, SORE set standards to transition small engines, such as those found in lawn or garden equipment, to zero-emission alternatives. While significant emission reductions have been made since the first standards for the program were adopted decades ago, more progress is needed. Since 2021, smog-forming emissions from SORE have exceeded those from light-duty passenger vehicles in California; improperly disapproving such a rule now through H.J.Res. 214 and S.J.Res 205 will only heighten the disproportionate impact this pollution has on California communities and will greatly restrict the state's ability to protect residents' health.¹

Revoking these standards through the Congressional Review Act would also undermine California's ability to comply with federal National Ambient Air Quality standards and risk billions of dollars in federal highway funds. California pollution standards, including ACCI and SORE, are necessary to meet our state and federal air quality requirements, including our federal Clean Air Act obligations.² These regulations were included as part of the State Implementation Plan (SIP) approved by U.S. EPA because they are needed to reach the required reductions. Elimination of ACCI, SORE, and other health protective rules would require the state to achieve equivalent emission reductions elsewhere in order to reach compliance, due to the state's overall poor air quality. However, crafting equivalent emission reductions regulations for other sources to meet compliance will prove difficult because the majority of emissions in the state are derived from mobile sources, which these regulations specifically target.

California is home to six of the ten most ozone-polluted cities in the United States, and both the South Coast Air Basin and the San Joaquin Valley are currently classified as "extreme" nonattainment areas, the most severe classification under the Clean Air Act, for the 2015 8-hour ozone NAAQS.³ As one example, in the San Joaquin Valley, air quality modeling shows that total NOx emissions will need to decrease to approximately 62 tons per day in 2037 to achieve the ozone standard, which is a 29% reduction from baseline and a 73% reduction from current levels.⁴ Failure to attain the ozone NAAQS by the 2037 deadline would trigger severe penalties

¹ California Air Resources Board. SORE - Small Engine Fact Sheet, 2021. 2026, <https://ww2.arb.ca.gov/resources/fact-sheets/sore-small-engine-fact-sheet>

² California Air Resources Board. 2026 State Implementation Plan Revision for the California Extreme Ozone Nonattainment Areas. July 2026. 2026, <https://ww2.arb.ca.gov/sites/default/files/barcu/board/books/2026/072326/26-5-2pres.pdf>

³ American Lung Association. State of the Air 2026. 2026, <https://www.lung.org/research/sota>

⁴ California Air Resources Board. Staff Report: CARB Review of the San Joaquin Valley 2022 Plan for the 70 ppb 8-Hour Ozone Standard. 2026, https://ww2.arb.ca.gov/sites/default/files/2022-12/Jan_2023_SJV_70ppb_Staff_Report.pdf

under the Clean Air Act, including the potential loss of federal transportation funding, with California residents bearing the burdens that result.

California's authority under the Clean Air Act to establish and enforce more health protective standards than the federal government is clear. The state has utilized this authority consistently over the past 60 years, and has subsequently led the nation in the development of technological and policy solutions that address air pollution. Considering the compelling and extraordinary air quality circumstances faced by Californians, and the economic costs to California that would occur by revoking these standards, we urge Members representing our same constituencies to protect California's statutory right to regulate in this manner, and wholly reject the resolutions being pushed forward.

Thank you for your consideration of this vital matter.

Sincerely,

Lead signatories:



ELOISE GÓMEZ REYES
Senator, 29th District



DAVE CORTESE
Senator, 15th District



ISAAC G. BRYAN
Assemblymember, 55th District

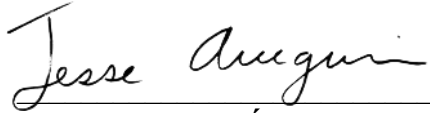
Joined by:



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Senator, 24th District



BOB ARCHULETA
Senator, 30th District



JESSE ARREGUÍN

Senator, 7th District



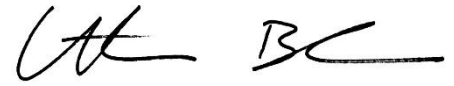
JOSH BECKER

Senator, 13th District



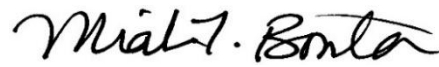
MARC BERMAN

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Senator, 38th District



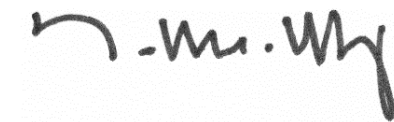
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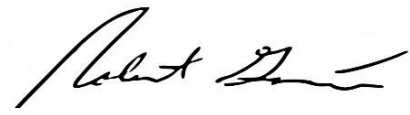
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Assemblymember, 50th District



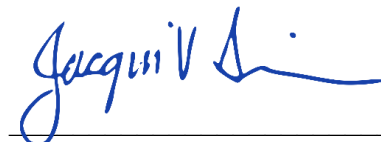
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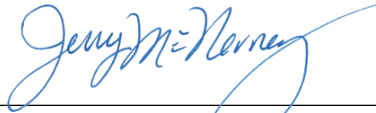
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ASH KALRA

Assemblymember, 25th District



JERRY MCNERNEY

Senator, 5th District



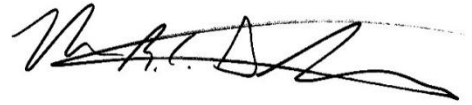
GAIL PELLERIN

Assemblymember, 28th District



CELESTE RODRIGUEZ

Assemblymember, 43rd District



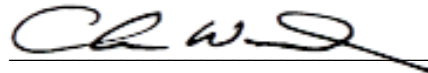
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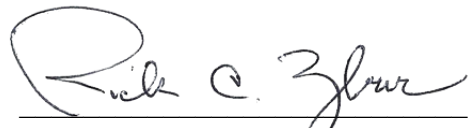
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