

September 12, 2023

The Honorable Kevin McCarthy
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

The Honorable Hakeem Jeffries
Democratic Leader
U.S. House of Representatives
Washington, DC 20515

RE: Opposition to H.R.1435, The Preserving Choice in Vehicle Purchases Act

Speaker Kevin McCarthy, Democratic Leader Hakeem Jeffries, and Members of the House of Representatives:

On behalf of our millions of members and supporters, we write in strong opposition to the H.R.1435, The Preserving Choice in Vehicle Purchases Act (Joyce, PA-13), which will be considered by the House of Representatives.

H.R. 1435, The Preserving Choice in Vehicle Purchases Act, aims to “amend the Clean Air Act to prevent the elimination of the sale of internal combustion engines” by restricting the ability for states to set emissions standards as currently allowed under the Act. This bill is a blatant attack on the Clean Air Act and state authority. For decades, the federal government has recognized California’s authority to enact clean air and climate programs to address its compelling need to reduce air pollution, and the right for other states to adopt these standards. These state actions have advanced emissions reduction technologies, enabling continued progress to cut harmful transportation pollution nationwide. Legislating away this authority would preclude the use of states as laboratories of innovation, interrupting the rate of technological and clean air progress, and violating the original intent of Congress when it explicitly granted states authority to adopt their own vehicle emission standards. It would set a dangerous precedent - injecting politics into deliberative processes that should instead be based on the best available science and the need to protect public health and welfare as the law requires.

Rather than recognize the twin crises of unmitigated climate change¹ and public health impacts from transportation pollution² and the transition to zero-emission vehicles underway³ this bill aim to stem the tide of progress towards clean air and a healthy future. We need to move forward, not backward. H.R. 1435 should be rejected outright.

Sincerely,

Center for Biological Diversity
Clean Energy for America
Climate Action Campaign
Coltura
Conservation Law Foundation
Earthjustice
Ecology Center (of Michigan)
Elders Climate Action
Electric Vehicle Association

¹ <https://www.ipcc.ch/assessment-report/ar6/>

² <https://blog.ucsusa.org/dave-reichmuth/air-pollution-from-cars-trucks-and-buses-in-the-u-s-everyone-is-exposed-but-the-burdens-are-not-equally-shared/>

³ <https://about.bnef.com/electric-vehicle-outlook/>

Environmental Defense Fund
Environmental Law & Policy Center
Environmental Protection Network
Evergreen Action
GreenLatinos
Hip Hop Caucus
Interfaith Power & Light
League of Conservation Voters (LCV)
Moms Clean Air Force
Mothers Out Front
National Consumer Law Center, on behalf of our low-income clients
Natural Resources Defense Council
Plug In America
Public Citizen
Sierra Club
Southern Environmental Law Center
Union of Concerned Scientists

CC: Members of the House of Representatives