United States Senate

WASHINGTON, DC 20510

October 26, 2018

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

The Honorable Elaine Chao
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Acting Administrator Wheeler and Secretary Chao,

We are writing to express our strong opposition to the recently proposed Safer Affordable Fuel-Efficient (SAFE) Vehicles Proposed Rule for Model Years (MY) 2021-2026 released by the Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) on August 2, 2018. The preferred option in the SAFE Vehicles Proposed Rule would freeze NHTSA's light-duty fuel economy standards at MY 2020 levels, with no year-over-year improvement through 2026. When considered together with an additional proposal to eliminate the hydrofluorocarbon compliance credits, the stringency of EPA's vehicle greenhouse gas emissions standards would actually be frozen from 2018 through 2026. This preferred alternative would result in an estimated light-duty fleet fuel economy of around 37 miles per gallon[1] and a carbon dioxide emission standard of around 240 grams per mile.[2] Under the current standards, light-duty fleet carbon dioxide emissions are projected to be limited to 173 grams per mile, with an equivalent fuel economy rating of more than 50 miles per gallon by 2025.[3]

The fuel economy and vehicle greenhouse gas emissions standards on the books save consumers money on gasoline, reduce oil consumption, promote jobs in manufacturing and fuel efficient technology, and help our automakers compete in a fast-changing global market. They also cut down on carbon emissions and other dangerous air pollutants.

The standards help stretch consumers' budgets by getting them further on each gallon of gasoline. The Union of Concerned Scientists has estimated that the standards have saved American drivers more than $67 billion so far[4] and that the rollback would increase consumer

---

[1] This is the measurement on the test cycle. Consumers would see a real-world fuel economy of 30 mpg.

[2] *The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks* [NHTSA–2018–0067; EPA–HQ–OAR–2018– 0283; FRL–9981–74–OAR] https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-16820.pdf.

[3] *Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation* [EPA-420-R-17-001], https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100QQ91.pdf at p. 5.

[4] *Fuel Economy Ticker*, Union of Concerned Scientists, https://www.ucsusa.org/clean-vehicles/fuel-economy-ticker.

spending by $20 billion in 2025 and almost $50 billion by 2035.[5] A June 2018 EPA review of the proposed rule found that consumer savings would cancel out any increase in up-front cost within 3.5 years—eight years faster than the NHTSA model claimed.[6] Over the entire lifetime of a car or truck, the savings will accrue even further. One recent study concluded that owners of MY2025 cars would save up to $5,000 over the lifetime of their vehicle under the current standard, compared to owners of MY2020 cars.[7]

Freezing the standards at 2020 levels, as the Trump administration proposes in this rule, would increase domestic oil consumption by 500,000 barrels of oil per day.[8] Some external estimates are far higher—that this freeze could lead to as much as 881,000 more barrels of oil used per day by 2035.[9] Additionally, if we freeze the fuel economy and vehicle emissions standards at 2020 levels, we will emit an additional 2.2 billion metric tons of global warming pollution—as much as would be emitted by 55 coal-fired power plants, running for ten straight years.[10]

These standards are also helping to create jobs in the domestic auto industry. Since 2012—the year the current fuel economy standards were established following an agreement between the auto industry, the California Air Resources Board, and the federal government—motor vehicle parts manufacturing jobs grew by more than 19 percent, representing the largest sector of manufacturing jobs in the country.[11] A May 2017 report found that more than 288,000 workers are currently employed in jobs connected to vehicle fuel efficiency, jobs that would be threatened if the freeze on innovation in the preferred option is instituted.[12] The auto assembly workforce has likewise boomed, with seven straight years of growth and a 40 percent overall increase from 2010 to 2016.[13] Under the administration's own analysis, however, their proposal to freeze the fuel economy and vehicle emissions standards would result in 60,000 lost jobs in the American auto industry alone in 2030.[14]

---

[5] Don Anair, *Auto Standards Rollback: Oil Companies Win, Everyone Else Loses*, Union of Concerned Scientists (July 27, 2018), https://blog.ucsusa.org/don-anair/auto-standards-rollback-oil-companies-win-everyone-else-loses.
[6] *Email 5 - Email from William Charmley to Chandana Achanta - June 18, 2018* [EPA-HQ-OAR-2018-0283], https://www.regulations.gov/document?D=EPA-HQ-OAR-2018-0283-0453.
[7] *Clean Car Roll-back*, M. J. Bradley & Associates LLC (July 20, 2018), https://www.edf.org/sites/default/files/MJ_Bradley_Clean_Cars_rollback_report.pdf
[8] NHTSA–2018–0067; EPA–HQ–OAR–2018– 0283; FRL–9981–74–OAR
[9] Kate Larsen, Trevor Houser, and Shashank Mohan, *Sizing Up a Potential Fuel Economy Standards Freeze*, Rhodium Group (May 3, 2018), https://rhg.com/research/sizing-up-a-potential-fuel-economy-standards-freeze/.
[10] Dave Cooke, *New EPA Administrator, Same Bad Idea—Car Standard Rollbacks Would be Awful*, Union of Concerned Scientists (Jul. 20, 2018), https://blog.ucsusa.org/dave-cooke/new-epa-administrator-same-bad-idea-car-standard-rollbacks-would-be-awful.
[11] *Driving the Future*, Motor & Equipment Manufacturers Association (January 26, 2017), https://www.mema.org/sites/default/files/MEMA_ImpactBook.pdf
[12] *Supplying Ingenuity II*, NRDC and BlueGreen Alliance (May 2017), https://www.bluegreenalliance.org/wp-content/uploads/2017/05/Supplying-Ingenuity-vFINAL-low-res.pdf.
[13] *Automotive Industry: Employment, Earnings, and Hours*, Bureau of Labor Statistics, https://www.bls.gov/iag/tgs/iagauto.htm.
[14] NHTSA–2018–0067; EPA–HQ–OAR–2018– 0283; FRL–9981–74–OAR (Table VII-5).

Countries around the world are moving toward more fuel efficient and lower-emitting vehicles. If the United States chooses to push oil over innovation, we are leaving our auto companies at risk of years of uncertainty and making it more likely that companies will lose out in the global marketplace. This worldwide trend toward strong standards is only accelerating. On October 3, 2018, the European Union voted in favor of new rules that would require the transport sector to cut its carbon dioxide emissions by 40 percent by 2030, compared with 2021 levels, with a penalty for automakers who fail to meet the benchmarks.[15]

The Trump administration's proposal to freeze the fuel economy and vehicle greenhouse gas emissions standards is wrong on its merits. It is also being coupled with an attack on the Clean Air Act waiver that California, 12 other states, and the District of Columbia use to implement strong state-level standards—a direct assault on clean air, states' rights, and certainty for the auto industry. This move to preempt the waiver directly contradicts legislative intent, statutory text, and past court decisions, and out of the more than 100 waivers granted over the past 50 years, none has ever been revoked.

For these reasons, we ask that you reject the preferred alternative of freezing the fuel economy emissions standards at 2020 levels, and instead adopt strong standards that all stakeholders, including California, can support. If strong standards that maximize fuel savings are maintained, consumers will save money on gas, jobs in auto manufacturing and fuel-efficient technology will continue to increase, the American auto industry will be able to compete internationally, and innovation will continue to thrive.

Sincerely,

Edward J. Markey
United States Senator

Tom Carper
United States Senator

Dianne Feinstein
United States Senator

Charles E. Schumer
United States Senator

[15] Gilbert Reilhac, Alissa de Carbonnel, and Daphne Psaledakis, *EU Lawmakers Back 40 Percent CO2 Cut for Cars, Vans by 2030*, Reuters (Oct. 3, 2018), https://www.reuters.com/article/us-eu-auto-emissions/eu-lawmakers-to-vote-on-co2-cut-for-cars-vans-idUSKCN1MD0RC.

Maria Cantwell
United States Senator

Catherine Cortez Masto
United States Senator

Robert Menendez
United States Senator

Kamala D. Harris
United States Senator

Richard Blumenthal
United States Senator

Tammy Baldwin
United States Senator

Ron Wyden
United States Senator

Richard J. Durbin
United States Senator

Tina Smith
United States Senator

Sheldon Whitehouse
United States Senator

Chris Van Hollen
United States Senator

Brian Schatz
United States Senator

Amy Klobuchar
United States Senator

Patrick Leahy
United States Senator

Michael F. Bennet
United States Senator

Kirsten Gillibrand
United States Senator

Jack Reed
United States Senator

Robert P. Casey, Jr.
United States Senator

Benjamin L. Cardin
United States Senator

Bernard Sanders
United States Senator

Jeffrey A. Merkley
United States Senator

Margaret Wood Hassan
United States Senator

Jeanne Shaheen
United States Senator

Mazie K. Hirono
United States Senator

Patty Murray
United States Senator

Christopher A. Coons
United States Senator

Bill Nelson
United States Senator

Elizabeth Warren
United States Senator