

To the office of U.S. Representative Jay Obernolte

Re: HJRES 214 (119th Congress), Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to "California State Nonroad Engine Pollution Control Standards; Small Off-Road Engines Regulations; Notice of Decision". · Latest action (2026-08-10): Referred to the House Committee on Energy and Commerce.

VFA SI Solution #248 · published 2026-08-13 · <https://www.valuesforamerica.com/solutions/248>
Office of record (Congress.gov): 2433 Rayburn House Office Building, Washington, DC · (202) 225-5861

Uniform Small Off-Road Engine Emissions Standards Act of 2025

The measure, as described from the official record: To overturn the EPA's approval of California's stricter emissions standards for small off-road engines, thereby preventing a patchwork of state regulations and ensuring a single national standard for these engines.

THE PROPOSAL

This Act finds that a uniform national standard for emissions from small off-road engines (SOREs) is necessary to protect interstate commerce by reducing compliance costs for manufacturers and preventing regulatory fragmentation. Within 180 days of enactment, the Administrator of the Environmental Protection Agency (EPA) shall issue a final rule establishing national emissions standards for SOREs that are at least as stringent as the standards approved by the EPA for California in 2024. No state or political subdivision may adopt or enforce emissions standards for SOREs that are more stringent than the federal national standards, provided that any state may petition the EPA for a waiver of this preemption if the state demonstrates that (1) its air quality is significantly worse than the national average as measured by the National Ambient Air Quality Standards, (2) the state's proposed standards are necessary to achieve attainment of those standards, and (3) the state's standards do not impose an undue burden on interstate commerce. The EPA shall approve or deny such a waiver petition within 180 days of submission. Enforcement of the national standards shall be carried out by the EPA through civil penalties of up to \$10,000 per violation for manufacturers. States that adopt or enforce more stringent standards in violation of this preemption shall have a percentage of their federal highway funds withheld, as determined by the Secretary of Transportation. This Act shall sunset 10 years after enactment, and the EPA shall submit a report to Congress on the effectiveness of the national standards and the waiver process no later than 9 years after enactment.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	General revenue (Treasury)
Funding Amount	\$50,000,000
Sunset Years	10 years
Oversight Body	EPA Office of Inspector General
Enforcement Mechanism	Civil penalties up to \$10,000 per violation for manufacturers; withholding of a percentage of federal highway funds for states that violate the preemption provision.

Effective Date 180 days after enactment

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 3 (Commerce Clause)
- Article I, Section 8, Clause 18 (Necessary and Proper Clause)
- Tenth Amendment (as limited by the preemption provision under the Commerce Clause)

Concerns with the measure as written:

- The original CRA resolution may violate the Tenth Amendment by preempting California's exercise of its police powers to regulate air pollution within its borders.
 - The resolution may impinge on the Clean Air Act's longstanding waiver provision, which is a cooperative federalism mechanism that has been upheld under the Commerce Clause.
-

WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Honors Democratic priorities by setting a national emissions standard at least as stringent as California's, ensuring strong environmental protection and reducing air pollution. Honors Republican priorities by establishing regulatory uniformity, reducing compliance costs for manufacturers, and preventing a patchwork of state regulations that burden interstate commerce.

Values for America is a nonpartisan, constitution-first SI think tank. This brief is informational. It is a policy proposal, not law, and it does not support or oppose any candidate or party. Full analysis and sources:

<https://www.valuesforamerica.com/solutions/248> · Methodology: <https://www.valuesforamerica.com/methodology>