



Advocacy partner of Environmental Defense Fund

March 19, 2024

Re: American Petroleum Institute False and Misleading Radio Ads on Tailpipe Emission Standards

Dear Station Manager,

The latest ad from the oil industry lobby is outrageously misleading, even for them. In a new radio ad targeting the EPA Tailpipe Emission rule they claim that the Biden Administration is “pushing mandates that would ban two out of every three vehicles on the road today.” **This is an absurdly misleading and false assertion.**

The ads refer to [new pollution standards](#) proposed by the EPA which aim to reduce health-harming pollution from new passenger vehicles sold from 2027 through 2032. The standards do not apply to vehicles currently on the road, nor do they apply to future used car sales. In fact, the rules do not require manufacturers to sell any particular type of vehicle.

EPA’s proposals are performance-based standards that will require automakers to sell cleaner vehicles. The standards are technology-neutral, consistent with the Agency’s decades-long approach to setting standards across Democratic and Republican administrations alike. That means manufacturers can choose to comply with any combination of design changes to gasoline-fueled vehicles, hybrids, plug-in hybrids, fuel cell vehicles, and battery electric vehicles (BEVs) that lower tailpipe emissions. [Recent EDF analysis concludes](#) that EPA’s standards are technology feasible and cost beneficial even where automakers choose to meet them without selling any additional battery electric vehicles.

Even if all manufacturers chose to meet the standards exclusively through new battery electric vehicles, **one-third of new car sales would still be gas-powered nearly a decade from now and some 80% of the vehicles on the road would still be gas cars.**

Recent ads run by another oil and gas trade group, the American Fuel and Petrochemical Manufacturers (largely representing oil refineries), ran ads that did not go as far as the current API ads, but were still called out by multiple [independent factcheckers](#) for calling the rules a “ban” on gas-powered vehicles.

There are numerous pathways to compliance with EPA’s proposed standards and no technology is required in whole or in part to meet the standards. Even so, many manufacturers have committed to increasing EV sales and doing so gives consumers more choices that will save them money, support domestic manufacturing, strengthen national security, and substantially reduce pollution.

Regardless of how manufacturers choose to meet EPA’s standards, with lower-emitting gasoline vehicles, hybrids and plug-in hybrids, or battery electric vehicles, they will have substantial benefits in reducing pollution, protecting public health, saving consumers money, and supporting U.S. clean vehicle manufacturing – they are simply not a “ban” on gas-powered cars, let alone a “mandate” that would “ban two out of every three vehicles on the road today.”

EDF Action, the advocacy partner of the Environmental Defense Fund, has a long history of supporting bipartisan policies that advance public health and the environment. We represent hundreds of thousands of members and supporters across the country and have an interest in ensuring a robust and healthy discussion around environmental policies.

The American Petroleum Institute represents major oil interests that benefit from continued American reliance on oil. While they clearly have an incentive to oppose policies that help consumers move to cleaner alternatives, they do not have the right to mislead voters and spread disinformation on public airwaves. In contrast to the obligation to air the advertisements of political candidates, even when false claims are made, broadcast facilities are under no obligation to air the advertisements of independent entities such as API. (47 USC section 315(a)). Therefore, we believe you should immediately stop airing the ads on your station.

Sincerely,

/s/

Ronnie Pawelko
Senior Counsel, Political Law