



Written by [William P. Hoar](#) on September 17, 2018

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Correction Please

Proposed Easing of Obama Fuel-economy Mandates Drives Left Mad



Item: *The editors of the New York Times on August 2 commented that the Trump administration’s “decision to try to weaken President Barack Obama’s landmark 2012 agreement to increase fuel efficiency and decrease global warming emissions from automobiles is dismaying on so many levels that it is hard to know where to begin.”*

They went on, regardless, saying that the proposal from the Trump administration “would freeze the average fuel economy after 2021 at about 37 miles per gallon; the Obama-era rule would have required automakers to hit an average of about 54 miles per gallon by 2025. The Trump plan would also revoke a waiver that the federal government granted to California, which allows the state to set stricter standards because of its particular air pollution problems.”

The editors also tossed in this: “Cars and trucks are currently the largest source of planet-warming emissions in the United States.” The policy-change proposal, they said, “ignores, as have President Trump’s other actions, the rock-solid scientific consensus that without swift action to limit fossil fuel emissions, like those from cars, the consequences of climate change — rising seas, devastating droughts, wildfires and floods, and widespread species extinction — will get steadily worse.”

Item: *California Governor Edmund G. Brown, Jr. on August 2 issued a statement on the proposal, saying in part: “For Trump to now destroy a law first enacted at the request of Ronald Reagan five decades ago is a betrayal and an assault on the health of Americans everywhere. Under his reckless scheme, motorists will pay more at the pump, get worse gas mileage and breathe dirtier air. California will fight this stupidity in every conceivable way possible.”*

Item: *In a piece in The Hill (Washington, D.C.) for August 14, Representative Doris Matsui (D-Calif.) sought to link wildfires in the Golden State and elsewhere in the western U.S. to global warming, connecting that to her allegation that the proposed fuel-efficiency standard freeze was “rolling back one of the most important tools we have in mitigating the effects of our changing climate.”*

Item: *Public Citizen, the radical advocacy group founded by Ralph Nader, protested, as well. Among the group’s announced moves (on August 2) was setting up near the headquarters of the Environmental Protection Agency “25 life-sized cardboard cutouts of children wearing surgical masks to highlight that 25 million Americans — including 6 million children — have asthma.” The group said: “With weaker clean car standards, more asthma-causing pollution will be dumped into the atmosphere.”*

Correction: Actually, rather than protecting polluters, the proposal aims to put American consumers first: The regulatory relaxation makes it cheaper to drive, as well as safer. Nor will this recommendation, if it takes effect as proposed, affect the planet’s climate or kids’ health in any



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discernible fashion.

But who needs facts? The leftist prophets of doom are still furious.

Keep in mind that Obama's idealized fuel-economy standards were not going to be met even if Obamacrats (or Clintoncrats) were in power. Obama's EPA recognized as much.

As Randal O'Toole of the Cato Institute recalled, the Environmental Protection Agency in 2016 "concluded that standards would have to be changed no matter who was in the White House. Changing them now gives Democrats one more tool to use to bash Trump, but another president would have had to make some changes anyway."

This is how Holman W. Jenkins, Jr. put it about Obama's fuel-economy target of 54.5 miles a gallon in his "Business World" column in the *Wall Street Journal* (August 4-5):

Obama's ... flunkies, as documented in a House investigation, simply were looking for an impressive-sounding number to serve the administration's political interests at the time.

The out-year targets were designed to be junked once Mr. Obama was safely in retirement. In the meantime, the rules were deliberately jiggered to help U.S. auto makers sell pickups and SUVs so Mr. Obama could claim a successful auto bailout.

To meet the Obama administration's fuel-economy and greenhouse-gas standards, according to current Transportation Secretary Elaine Chao and acting EPA Administrator Andrew Wheeler, "manufacturers would have to produce vehicle lineups that are 30 percent electric or more over the next seven years — far more vehicles than buyers are likely to want." Electric vehicles, promoted and subsidized by Obamacrats, total only 1.5 percent of new cars bought.

As Chao and Wheeler explained in an August 1 op-ed, the effect

of the last administration's standards was to subsidize these expensive electric vehicles at the expense of affordable traditional cars and trucks. Our goal is to ensure that consumers have a variety of safe, fuel-efficient choices so they can decide for themselves which options suit them best. This includes electric vehicles, for those who want them.

Already, the Obama standards have helped drive up the cost of new automobiles to an average of \$35,000 — out of reach for many American families. Compared with the preferred alternative outlined in the proposal, keeping in place the standards finalized in 2012 would add \$2,340 to the cost of owning a new car and impose more than \$500 billion in societal costs on the U.S. economy over the next 50 years.

While a large number, that is a mere fraction of what Americans will spend on driving over that period. But that additional cost is not distributed equally. As Randal O'Toole said, "To meet the Obama standard, automakers would have to build electric vehicles, sell them at a loss, and then sell their other vehicles for higher prices to make up the difference."

This amounts to a regressive tax on those buying less-expensive autos. A waitress in Louisiana, for example, who needs to buy a car to get to work is stuck picking up part of the tab for a Tesla for a well-heeled Californian who has a yen for a second car that runs on electricity. (Many seem to buy the notion that plug-in cars are true "zero-emissions vehicles." Spoiler alert: They are not run by windmills. They're run by power plants, with emissions aplenty.)



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Moreover, because auto costs are increasing, as Chao and Wheeler wrote, “Americans are holding on to their older, less-safe vehicles longer and buying older-model vehicles. The average vehicle on the road today is 12 years old, and data from the National Highway Traffic Safety Administration shows passengers are likelier to be killed in older vehicles than newer ones.” Americans would also be expected to die because to achieve Obama’s fuel-efficiency standards, manufacturers have to make the cars lighter. The Trump standards are expected to save about 1,000 people per year.

Moreover, the global-warmist forecasts about the proposed Trump standards simply don’t hold water. The prognostications of Public Citizen are laughable. One claims that the Obama-directed actions — with standards based in large part on widespread use of technology that is not currently available — would “reduce the amount of climate pollution” by the “equivalent of a year’s worth of pollution from 150 power plants.”

The environmental and political extremists act as if there will be a planetary meltdown simply because the United States maintains the existing fuel-economy standard, which increases to 37 mpg by 2020, and is then kept at that level. Would that really cause the Earth to burst into flames? Not so you would notice it.

And, by the way, carbon dioxide represents about 94 percent of all motor vehicle greenhouse gas emissions. And CO₂ — which is essential for human and plant life — is not “pollution.”

Specifically refuting leftists’ claims are more-recent official estimates of the EPA — based on models of the Intergovernmental Panel on Climate Change (IPCC). The vaunted standards pushed by Obama would have avoided perhaps about 0.0008 C degrees of warming by 2100. That is not detectable by current measurements. Or, expressed in another way by Marlo Lewis of the Competitive Enterprise Institute, under the revised standards of the Trump-era Environmental Protection Agency and National Highway Traffic Safety Administration (NHTSA), “atmospheric carbon dioxide concentration would reach 789.76 parts per million in the year 2100 instead of 789.11 ppm — an 8/100th of a percent increase.”

Green leftists still try to pull the wool over our eyes, but many more are recognizing the yarn. Real facts help: Officials at Department of Transportation and EPA have determined that there also will be “no noticeable impact to net emissions of smog-forming or other ‘criteria’ or toxic air pollutants” from the new standard.

Meanwhile, what makes California special when it comes to rules intended for the whole country? The answer involves some history.

As has been pointed out by Marlo Lewis, “Congress never authorized California to regulate fuel economy.” And when Congress created CAFE (Corporate Average Fuel Economy) “it expressly prohibited states from adopting or enforcing laws or regulations ‘related to’ fuel economy.”

Thereafter, CAFE was repurposed to deal with issues for which it was not designed to deal — in particular, global warming, later dubbed “climate change.” Activist judges got involved, as was pointed out by Cato’s Peter Van Doren: “Since the 2007 Supreme Court decision in *Massachusetts v. Environmental Protection Agency* that the EPA has authority to regulate tailpipe greenhouse gas emissions, CAFE has become a tool for CO₂ emissions reduction.”

The Department of Transportation and the EPA insist that the Clean Air Act waiver that was previously



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granted to California does not affect preemption of the Energy Policy and Conservation Act of 1975 (EPCA), which allows the government to set mileage standards. Indeed the EPCA requires the National Highway Traffic Safety Administration to set *national* fuel-economy standards for new motor vehicles and also includes an express preemption provision:

When an average fuel economy standard prescribed under this chapter is in effect, a State or a political subdivision of a State may not adopt or enforce a law or regulation *related to* fuel economy standards or average fuel economy standards for automobiles covered by an average fuel economy standard under this chapter. [Emphasis added.]

The Trump administration aims to revoke the Obama-era waiver permitting California to set its own vehicle emissions standards, as well as allowing other states to follow the lead of California. Administration officials currently seem to be opening the door to negotiations with California about this, though officials in California boast that they will win a court battle. Yet, if this comes to a judicial tussle, the Trump administration believes the stronger legal arguments are in its favor.

At this point, as Van Doren wrote on August 7,

California standards are set to continue on the Obama 2012 path. So, if the Trump administration freezes national standards but California's separate standards are permitted, then automakers would be forced either to sell different cars in California and the states that follow its lead or comply with California standards in all states.

The origin of the California waiver, like CAFE in general, is divorced from its original intent. The waiver's purpose was to allow California to impose its own regulations on conventional emissions because of unique weather and geographic conditions around Los Angeles that make it especially susceptible to smog.

Smog-forming pollutants and greenhouse gases are very different emissions.

Because of that, the Trump administration insists that fuel-economy rules should not be employed to attempt "to solve climate change, even in part," as quoted by the *Los Angeles Times*. This assertion is based on the fact that such a goal is "fundamentally different" from the Clean Air Act's "original purpose of addressing smog-related air quality problems."

Whom to believe? Well, we recall the previous progressive panacean assurances, for instance, about the savings that would ensue by government taking over the nation's healthcare system. Remember when we were assured that, under ObamaCare, premiums of the typical family would be slashed by \$2,500 yearly? In the face of contrary reality, we were also told repeatedly that, "If you like your healthcare plan, you can keep it."

We don't want to be stuck aboard another phony Obama-mandated ride, this one driven by unrealistic fuel standards. At least the current administration's projected path offers actual and greater choices for those Americans who build and buy motor vehicles.

— William P. Hoar

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