

Obama's cold political calculus on global warming

The president assumes his anti-coal momentum is unstoppable

By: Pat Michaels

Date: June 2, 2014

Back in 2008, then-senator and presidential candidate [Barack Obama](#) said, if elected, he would “necessarily bankrupt” anyone who dared to build a new coal-fired electric station. On Monday, he made good on his campaign promise.

First, the [science](#): The [Environmental Protection Agency's](#) ([EPA](#)) own computer model easily shows that President [Obama's](#) proposed regulations would reduce global warming by around 0.02 of a degree Celsius by the year 2100. Actually, the true number is probably even smaller because that calculation assumes a future rate of warming — there hasn't been any for 17 years now — quite a bit higher than it is likely to be.

Now, the process: People will ask where the president was granted such [power](#) to do this without the explicit consent of the [Congress](#). The answer lies in the mirror. We, the people, elected a [Congress](#) that, in 1990, passed a massive amendment to the existing Clean Air Act that barely mentioned carbon dioxide. Only a few green lobbyists probably knew that it was buried in the text. In 2007, the [Supreme Court](#) held in a 5-4 decision that the act indeed gave the president the power to regulate carbon dioxide.

The [court](#) held that the president could only do this if an appropriate federal agency found that it “endangered” human health and welfare. The [Bush administration](#) sat on its hands, but the Obama clan had a preliminary finding on said endangerment 90 days after he took the oath of office.

It also doesn't matter that the [EPA's](#) basis for finding “endangerment” was pretty cheesy and easy to tear apart. As a rule, the courts don't like to mess with technical decisions made by Washington regulators, so the [EPA](#) in 2009 granted the president authority to do precisely what he did Monday morning. And more.

Now, the impact: Having established that Monday's action will do nothing about [global warming](#), and that it was apparently quite legal, we can also be pretty confident that the coal industry of West Virginia, Southwest Virginia and eastern Kentucky — where much of the stuff that power plants burn comes from — has been dealt a very serious blow.

You might say: So what? Why can't we just export more of it and [invest](#) in Norfolk Southern and CSX Corp., which already make lots of money hauling coal to Portsmouth, Va?

Not so [fast](#). Any big bump in exports would have to ship to a new market, which would be China, where the demand for coal is growing by leaps and bounds. Unlike the United States, China continues to build a huge array of new electric plants. There is no way we can compete with Australia for that market. Eastern coal would have to go through the Panama Canal and then sail all the way across the Pacific, while Australia is a much shorter transit.

Finally, the political fallout: Monday's action greatly increased the likelihood that no Democrat is going to be elected to the Senate from West Virginia (both seats now held by the party), or from Kentucky, where they had an outside chance of ousting the minority leader, Mitch McConnell. The opportunity for Republicans to actually win a majority position in the Senate just went up, big time.

The fact is the [administration](#) does not care. It will continue to govern by [executive](#) order, which it is already doing now because the Republican House is standing in its way. Does it really matter if both houses of [Congress](#) are against it?

For any of today's actions to be reversed, both the president and [Congress](#) must be of the same party. That's not likely to happen for Republicans, but it could for Democrats. They are counting on Hillary Clinton to sweep to power in January 2017. They also know that the election demographics look as bad for the Republicans in 2016 as they do for the Democrats this year, and that maybe she will even win big enough to turn the House back with a slim majority.

This is the cold calculation made by the [administration](#) with regard to [EPA](#)'s sweeping pronouncement. It does not care. We, the people, by electing people who passed the Clean Air Act with the words "carbon dioxide" in it, along with a 5-4 decision in 2007 by the [Supreme Court](#), gave them the power. Only a wave election, like Ronald Reagan's in 1980, will take it away.

Pat Michaels is director of the Center for the Study of Science at the Cato Institute.