



What Journalists and Politicians Are Getting Wrong About Trump Revoking California's Mileage Waiver

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One might think that President Donald Trump said he was going to order the U.S. Air Force to bomb California, given the reaction when he announced that his administration was revoking the state's waiver allowing it to set its own auto fuel-economy and greenhouse gas emissions standards.

The responses included a lot of fighting words.

"We will fight this latest attempt and defend our clean car standards," said Gov. Gavin Newsom, who also claimed the waiver withdrawal "could have devastating consequences for our kids' health and the air we breathe, if California were to roll over."

"We're ready to fight for a future that you seem unable to comprehend; we'll see you in court if you stand in our way," Attorney General Xavier Becerra told the White House in a prepared statement.

U.S. Senator Dianne Feinstein wasn't necessarily in a fighting mood, but she did say Trump's decision was an "ill-advised move," and "strongly" supported Becerra, who promised Trump "we'll see you in court."

Of course, much of the chatter about Trump's decision was centered on his ongoing battle with California, and its "resistance" to his administration. But all that talk covers up a more important point: There's a great deal of confusion about what the president is actually doing.

Policymaker and media objections are primarily focused on the climate impacts of vehicles' carbon dioxide emissions. But the corporate average fuel economy (CAFE) standards that determine automobiles' gas mileage were created by Congress when there was more concern about the possibility of a new Ice Age than a warming planet. The CAFE rules were enacted by Congress in 1975 "to reduce energy consumption by increasing the fuel economy of cars and light trucks" in response to the 1973 Arab oil embargo, which caused legendary fuel shortages, punishingly high prices, and long lines at service stations across the country.

Now an antiquated policy relic, CAFE has been repurposed to manage a problem for which it was not designed and is thus a very costly and imperfect remedy says the Cato Institute's Peter Van Doren.

Five years before the CAFE standards were established, the federal Clean Air Act gave smog-inundated California special authority to enact stricter air pollution standards for motor vehicles than the federal government's. This included the regulation of emissions such as nitrogen oxides and carbon dioxide.

Decades later during the Obama years, the Environmental Protection Agency granted California the authority to set its own fuel-economy standards, as well as govern tailpipe greenhouse gas emissions, which aren't dirty and make no one sick. The Supreme Court ruled 5-4 in 2007 that the Environmental Protection Agency could regulate carbon dioxide as an air pollutant, but to classify this naturally occurring gas as such not only strains reason, it truly poisons the meaning of the word.

This is where the muddle of facts, maybe intentional or perhaps by accident, begins. The fuel-economy standards and the emissions rules the president plans to revoke have nothing to do with toxic emissions.

American Enterprise Institute researcher, and Pacific Research Institute senior fellow Benjamin Zycher says it's a dishonest assertion to claim people will get sick and die if the Trump administration succeeds in its regulatory effort to mandate a uniform mileage standard of 37 miles per gallon by 2026.

Removing the waiver, according to Zycher, would have no effect on "emissions limits for such conventional pollutants as carbon monoxide or nitrogen oxides," he says, as "those emission standards are defined in grams per mile, not grams per gallon." So relaxing "mileage requirements would not affect those emissions on a per-vehicle basis, a regulatory reality that seems to have escaped the attention of many journalists."

That final clause makes a key point. Much of the breathless reporting is telling us that Trump is killing California's auto-emissions authority, stripping the state of its power to set auto emission standards, and blocking California from setting auto emissions rules.

Vox even conflated the separate issues, and further increased the tangle of facts, by declaring that Trump had revoked the waiver "that allows California to set higher fuel emission standards." The emissions in question are not directly related to fuel, which is part of the mileage standards equation, but instead to the exhaust created by the combustion of fuel.

"There seems to be a range of dishonesty and ignorance, in varying proportions," says Zycher.

That that isn't a surprise in California is an indictment of the state's politics.