



Bernard Hibbitts, Publisher & Editor-in-Chief



3:17 PM Wednesday, Apr. 22, 2009

**Vote for JURIST as best law website in the 2009 Webby Awards... Polls close April 30!**

[NEWS](#)
[COMMENTARY](#)
[DOCUMENTS](#)
[VIDEO](#)
[TOPICS](#)
[ABOUT JURIST](#)
[HOME](#)

[NEWS](#)
[FORUM](#)
[HOTLINE](#)
[DATELINE](#)
[FORUM](#)
[HOTLINE](#)
[DATELINE](#)

## HOTLINE BUZZ

Real-time comments on legal news by newsmakers, activists, legal experts and special guests...



### LATEST COMMENTS

- ▶ [EPA greenhouse gas finding allows Congress to duck legislative responsibility](#)  
April 22, 2009
- ▶ [EPA finding on greenhouse gases paves way for costly regulation by bureaucrats](#)  
April 21, 2009
- ▶ [Pakistan's acceptance of Sharia law in Swat Valley signals weakness to militants](#)  
April 20, 2009
- ▶ [click for more...](#)

 **Wednesday, April 22, 2009**

## EPA greenhouse gas finding allows Congress to duck legislative responsibility

7:36 AM ET

**Patrick J. Michaels** [Senior Fellow in Environmental Studies, [Cato Institute](#); Professor of Environmental Sciences, [University of Virginia](#)]: "When the US Environmental Protection Agency **determined** that carbon dioxide and other "greenhouse" gases "endanger public health and welfare," they virtually guaranteed that the Executive Branch will be responsible for promulgating and enforcing mandatory reductions in the use of fossil fuels, without the advice and consent of Congress.

When EPA Administrator Lisa Jackson announced the finding, she also said that the Obama Administration preferred that greenhouse-gas emissions be regulated by Congress. But, in reality, the EPA's finding gives Congress a very good excuse to *not* pass an enormously expensive cap-and-trade program for greenhouse gases.

Global warming legislation will soon be introduced in the House. Current proposals mandate per-capita carbon dioxide emissions in 2050 - just 40 years from today - to be what they were in 1867. This may pass the House, but the Senate is likely to punt this hot potato back to the EPA. Absent legislation, the EPA *will* act.

Why such certainty? The Obama Administration is top-heavy with climate change radicals, including Presidential Science Advisor John Holdren, Energy Secretary Chu and Climate Czarina Carol Browner. Even if Obama wants to go slow (he doesn't, but he *is* politic), there will be just too much pressure - of his own creation - that will throw caution to the wind.

Not that anything we do will have much of an effect on global temperature. Between 2000 and 2006, US total carbon dioxide emissions were virtually constant, rising a mere 0.7%. China's rose 103%, and by 2006 had passed us in emissions volume.

If the US had decided to emit zero carbon dioxide in 2000, the Chinese would have made up for our total and then some by next year. Do they have the same incentive to reduce emissions? No, they would rather export Chery automobiles.

The Administration's response to this dilemma was floated by Secretary Chu last month: tariffs. These have a way of leading to trade wars, which have a historical way of leading to real wars.

Don't you think our legislators are breathing a sigh of relief after EPA's findings?"

*Opinions expressed in JURIST's Hotline are the sole responsibility of their authors and do not necessarily reflect the views of JURIST's editors, staff, or the University of Pittsburgh.*

[Link](#) | e-mail post  | [post comment](#) | how to [subscribe](#) | © [JURIST](#)

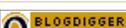
### Comments:

[NEWS](#)
[FORUM](#)
[HOTLINE](#)
[DATELINE](#)
[FORUM](#)
[HOTLINE](#)
[DATELINE](#)

[NEWS](#)
[COMMENTARY](#)
[DOCUMENTS](#)
[VIDEO](#)
[TOPICS](#)
[ABOUT JURIST](#)
[HOME](#)

### HOTLINE SEARCH

Search JURIST's news comments archive...

Powered by 

### CONTACT

E-mail your comments on this blog or anything else on JURIST to [Hibbitts@pitt.edu](mailto:Hibbitts@pitt.edu)

© JURIST Legal News and Research Services, Inc., 2008. JURIST is a 501(c)(3) non-profit organization. E-mail inquiries, changes, news tips, URLs, corrections, etc. to [JURIST@pitt.edu](mailto:JURIST@pitt.edu). This site is not an official site of the University of Pittsburgh. The University of Pittsburgh is not responsible for its content. Nothing on this site is intended as legal advice. If you have a legal problem, please consult an attorney. JURIST news tickers powered by Yahoo! News.

 33 online

[BF](#) [MAPSTATS](#) 