Congress must now set realistic emissions rules

by The Detroit News

The fallout from the U.S. Supreme Court's ruling on climate change could be significant. It hits the domestic auto industry particularly hard. A majority of the justices reached beyond their expertise to parrot environmental activists' claims that climate change is forcing massive damage to the Earth.

But neither the court nor the rest of the government should target any one industry when the causes are so broad. Of course, keeping environmental alarmists at bay will be even more difficult since they see the narrow majority decision as a justification to attack the auto industry with more vigor.

In a 5-4 decision, the Supreme Court said the U.S. Environmental Protection Agency has the authority to regulate greenhouse gas emission from new cars and trucks under the Clean Air Act and must do so unless it can produce compelling evidence not to.

All is not lost for General Motors Corp., Ford Motor Co. and the Chrysler Group, as long as Congress acts responsibly and pursues carbon dioxide policy changes that address all industries. Congress, not the courts, sets pollution standards. Fortunately, the court also reminded the states that they are not allowed to pre-empt federal law.

Rep. John Dingell, D-Mich., chairman of the House Energy and Commerce Committee and a staunch defender of the auto industry, not only understands the role of government and the courts on this issue, he's worked to rein in the overzealous members of his party.

After the decision, environmental activists crowed that Detroit's automakers must now put more fuel-efficient cars and trucks on the roads, ignoring the fact that consumers have rejected those vehicles. The ruling also fueled support for reckless proposals - including a push from President George W. Bush - to increase the failed Corporate Average Fuel Economy standards by as much as 4 percent a year.

But the narrow margin of victory reminds us that the issue is still undecided - particularly on the effect autos have on the environment. Even Justice John Paul Stevens acknowledged this in his majority opinion when he wrote that "regulating motor-vehicle emissions may not by itself reverse global warming." The Big Three say they'll work with Congress to craft legislation that addresses global climate change, as long as it is for all industries. The auto industry estimates that proposals before Congress would cost $85 billion or more and result in the loss of thousands of jobs.

The auto industry has made tremendous strides in increasing fuel economy and reducing carbon emissions and can continue to do so best if not hampered by unrealistic regulations.

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