

Conservative Media Are Trying To Blame Air Pollution Limits For Volkswagen's Emissions Scandal

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In the wake of the Volkswagen emissions-rigging scandal, questions are being raised about the amount of influence automakers have over the enforcement -- or lack thereof -- of vehicle emissions standards. But rather than join in that conversation, conservative media are making excuses for Volkswagen's conduct and seeking to shift much of the blame to the Environmental Protection Agency and emission standards themselves.

Volkswagen Installed Software In Vehicles To Deceptively Circumvent Emissions Standards

Volkswagen Installed "Defeat Devices" In 11 Million Cars To Cheat During Emissions Tests. On September 18, the Environmental Protection Agency (EPA) announced that Volkswagen had violated the Clean Air Act by installing software known as "defeat devices" in many of its diesel cars to evade federal emission limits. The software was designed to turn on emissions controls to allow the vehicles to meet mandatory standards during laboratory emissions testing, but not under normal driving conditions. According to Volkswagen, 11 million cars worldwide were equipped with the software. [EPA.gov, [9/18/15](#); *The New York Times*, [9/22/15](#)]

Volkswagen Cars Emitted Up To 40 Times More Nitrogen Oxide Than Allowed Under Emission Standards. Testing by the EPA and the California Air Resources Board (CARB) found that Volkswagen diesel cars emitted up to 40 times more nitrogen oxide than is allowed by EPA standards under the Clean Air Act. As *The New York Times* reported, nitrogen oxide is "a pollutant that can contribute to respiratory problems including asthma, bronchitis and emphysema." [EPA.gov, accessed [9/24/15](#); *The New York Times*, [9/22/15](#)]

Conservative Media Make Excuses For Volkswagen, Blame Pollution Standards

Wall Street Journal Editorial Claims Defeat Devices Serve "Functional Purpose," Suggests VW Engaged In "Well-Known Regulatory Trade-Off" Rather Than "Great Deception." A *Wall Street Journal* editorial asserted that while EPA regulators "want to pretend that emissions regulations are a clean, free ride," defeat devices "serve a functional purpose, which is usually to increase performance and fuel efficiency." The editorial concluded: "VW deserves to pay for any intentional wrongdoing, but the rest of the industry and the country need to know whether this is the great deception that EPA alleges or the kind of well-known regulatory trade-off that is being harshly punished for the first time." [*The Wall Street Journal*, [9/23/15](#)]

National Review: Temptation To Cheat Is Very Strong When It Comes To "Phony Moral Imperatives" Like Emission Standards. In a column headlined, "Realism on Emissions: Everybody Expects Everybody Else to Cheat," National Review correspondent Kevin D. Williamson wrote that while "Volkswagen's behavior in the emissions-rigging matter is awful, nefarious, and indefensible," cheating is to be expected, particularly "when it comes to phony moral imperatives" such as "American automotive emissions standards and their big brother, the worldwide global-warming crusade":

Humans cheat and, hence, human institutions cheat. In the matter of genuine corporate scandals (which are not rare but which are rarer than media-invention corporate scandals) you often will find that this is a matter of cold calculation. When cutting a certain corner provides savings in excess of what is likely to be extracted in fines or litigation should the scheme be discovered, then the temptation to cheat is strong. This is particularly true when it comes to phony moral imperatives, notable examples of which are American automotive emissions standards and their big brother, the worldwide global-warming crusade.

[...]

Both the developing-world attitude and the American conservative attitude assume a sort of prisoners' dilemma -- everybody expects everybody else to cheat, for good reason. Assuming that they have any powers of introspection, the Chinese expect the Chinese to cheat, too. If you think that the Politburo Standing Committee of the Communist party of China is less likely to countenance the gaming of emissions inspections than is the compliance team at Volkswagen, you are in error. [National Review, [9/24/15](#)]

CNBC's Joe Kernen: "I'm Glad *The Journal* Is Here" To Defend Volkswagen From "Knee-Jerk Liberal Reaction." Joe Kernen, the co-host of CNBC's *Squawk Box*, said he's "glad" *The Wall Street Journal* is taking Volkswagen's side "because *The New York Times* wants to send the executives to the gallows." Kernen, who admitted he was "not sure what exactly" *The Journal* editorial was saying, also asserted that there is a "weird charade going on between the EPA and automakers where they kind of looked the other way for years" because evading emissions standards "does boost horsepower and boosts torque and allows for better performance":

JOE KERNEN: [*The Journal* editorial board] point out that defeat devices that turn off the NO2 emissions -- that they've been around forever and that there's sort of this weird Kabuki dance going on. There's this weird charade going on between the EPA and automakers where they kind

of looked the other way for years and maybe this isn't the first time that there was a wink and a nod in previous times when it was done because it does boost horsepower and boosts torque and allows for better performance. I'm not sure what exactly they're saying but seems like there's more to it.

[...]

KERNEN: I'm glad *The Journal* is here to do that, because The New York Times wants to send the executives to the gallows or walk the plank and actually maybe run them out of town, tarred and feathered, so at least you get both sides. It's nuanced, at least a little.

BECKY QUICK: The thing that bothers me with that is they're saying "If this happened." The company's already admitted that they've done it.

KERNEN: They have, but, but, there's a lot -- defeat devices --

ANDREW ROSS SORKIN: What is their defense?

KERNEN: It's hard to see one, but there's a lot of defeat devices over the last 50 years that they put in for a lot of different reasons.

[...]

KERNEN: *The Journal* will tell you that broken glass in a bag is fine, a fine toy for you -- but I'm glad there's someone there to do it, just not the knee-jerk liberal reaction. [CNBC, *Squawk Box*, [9/24/15](#)]

Reason's Shikha Dalmia: "Aggressive Regulations" Are To Blame For Volkswagen's Deception. In a blog post for Reason.com, Reason Foundation senior analyst Shikha Dalmia faulted regulations -- not Volkswagen -- for the scandal, writing: "It's not the company's greed, but the bad incentives produced by aggressive regulations that are to blame." Dalmia also blamed the EPA in a column she wrote for *The Week*, which said: "The whole episode should call as much attention to the Environmental Protection Agency's unrealistic, even crazy, car emissions standards -- the toughest in the world -- as VW's flouting of them. Indeed, VW's scam might be a harbinger of things to come if the EPA itself is not curbed." [Reason.com, [9/24/15](#), *The Week*, [9/24/15](#)]

Daily Mail Column: "Global Warming Zealots Are To Blame" For VW Scandal. A column by Stephen Glover of *The Daily Mail* featured the headline: "It's an inconvenient truth, but the global warming zealots are to blame for the deadly diesel fiasco, writes STEPHEN GLOVER." In the column, Glover wrote: "Amid all the reporting of Volkswagen's rigging of emission tests on its diesel cars, one inconvenient truth has been overlooked by the BBC and many media organisations. It is that we very largely owe the prevalence of these death-traps to the pernicious tyranny of the Green lobby." Glover added that while "Volkswagen has emerged from this story as a devious and untrustworthy conglomerate," the "biggest lesson of this debacle" is that the

British government had "caved in" to "[g]reens and climate-change zealots" by encouraging the proliferation of diesel vehicles. [*The Daily Mail*, [9/24/15](#)]

Automobile Industry, Including Volkswagen, Has Long History Of Sidestepping Regulations

New York Times: Automobile Industry Has "Well-Known Record" Of Dodging Regulations. Following the revelations about Volkswagen's emissions manipulation, *The New York Times* reported that "the automobile industry, Volkswagen included, had a well-known record of sidestepping regulation and even duping regulators," with car companies finding "ways to rig mileage and emissions testing data" for several decades. [*The New York Times*, [9/23/15](#)]

AutoWeek: Volkswagen Is A "Repeat Offender" In Using Defeat Devices. *AutoWeek* reported that the most recent defeat device revelation is not the first time Volkswagen has been accused of improperly using such devices. In 1974, "Volkswagen agreed to pay \$120,000 to settle a complaint filed by the EPA that the company failed to properly disclose the existence of two devices that modified emissions controls on about 25,000 1973-model VWs, according to a Wall Street Journal report and an EPA press release about the case. The settlement included no admission of wrongdoing by VW, the Journal reported." [*AutoWeek*, [9/24/15](#)]

Media And Industry Analysts Question Automakers' Role In Emissions Testing

New York Times: Volkswagen Episode Puts Emissions Test Practices "Under Global Scrutiny." *The New York Times* reported that Volkswagen's emissions scandal has put auto emission test practices under "global scrutiny," noting:

In the United States, automakers conduct their own emissions tests and submit the results to the government. In Europe, automakers pick who conducts the tests and where they are done. And these two regulatory systems are considered the world's gold standards.

The Times added that in the U.S., "[i]ndependent testing has shown a widening gap between results in laboratories and the real world, raising suspicion." The article also quoted Dan Becker, director of the safe climate campaign at the Center for Auto Safety, as saying: "The automakers have proven that they're not trustworthy. ... The government has to overhaul the testing to make sure that independent parties ensure that the cars that are put on the road pollute less and are safe." [*The New York Times*, [9/24/15](#)]

Vox's Brad Plumer: VW Scandal "Exposes Problems With Current Emission Tests." Brad Plumer of Vox wrote that the Volkswagen scandal "exposes problems with current emission tests" and highlighted numerous ways emissions tests are susceptible to cheating:

Part of the problem here is that regulators usually test these vehicles under laboratory conditions, placing them on giant treadmills and requiring them to do a series of maneuvers. Because this

process is predictable, it's easier to game. Combined with the fact that automakers are developing ever-more-elaborate software that can control and fine-tune engines, there are ample opportunities for fraud.

[...]

Meanwhile, the VW scandal raises another issue surrounding car regulations, as Alex Davies explains at Wired. Modern-day cars feature complex computer systems and software. And, right now, this software is protected under the 1998 Digital Millennium Copyright Act -- it's illegal to fiddle with the software. The ostensible rationale is to make it harder for consumers to tamper with emissions controls. But these protections also make it harder for independent researchers to scrutinize that code and identify problems. Some experts have proposed DMCA exemptions to allow researchers to test and evaluate these engines, but so far automakers and the EPA have resisted this. Presumably, if those exemptions had existed, Volkswagen's deception might have been caught sooner. [Vox.com, [9/23/15](#)]

Bloomberg View Editorial: Current Testing System "Is All Too Easy For Carmakers To Game." A Bloomberg View editorial also identified major issues with emissions testing in the U.S.:

As things work now in the U.S., carmakers test their own vehicles and send the results to the Environmental Protection Agency, whose engineers review them and, usually, apply a rubber stamp. The EPA allows manufacturers broad latitude in determining test conditions, an invitation to hanky-panky. The agency does some independent, random testing -- but on just 10 percent to 15 percent of new models. Only in rare cases does it test cars that have actually been driven off the lot.

The Bloomberg View editorial emphasized the necessity for "enact[ing] safeguards on a system that is all too easy for carmakers to game," adding: "For years, automakers have been able to exploit lax testing systems in the U.S. and Europe. Regulators owe it to both car buyers and the environment to make these systems more rigorous." [Bloomberg View, [9/23/15](#)]

<http://mediamatters.org/research/2015/09/25/conservative-media-are-trying-to-blame-air-poll/205788>