

The Push For Climate Change Legislation Loses Steam

But It Could Return Early In 2010 With A Renewed Push For Nuclear Energy, Oil Drilling

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For most of this year, we've heard repeatedly that President Barack Obama wanted Congress to tackle climate change prior to a Dec. 7-18th international summit on this topic in Copenhagen. Signing climate change legislation was one of his top domestic priorities and he succeeded in working with House Speaker Nancy Pelosi to deliver a bill in the U.S. House of Representatives earlier this year, albeit by a 219-212 margin.

But in the U.S. Senate, the slogging continues over a gigantic health care reform package and financial regulatory reform – topics that are likely to take up most of this year's legislative agenda. In the process, the controversial climate change debate has moved to the back of the legislative bus.

As President Obama met with other world leaders from across Asia and the Pacific Rim recently, the obvious became apparent: there will not be a legally binding treaty coming out of the U.N. Climate Change conference in Copenhagen. At best, there is likely to be a broad-based political agreement, allowing government leaders to act like they have at least done something during this global get together. The latest talking points out of the White House refer to the Copenhagen meeting as an "important step forward," while acknowledging the need for a more binding agreement.

Compromise in the works?

But lack of action in Copenhagen should not be perceived as lack of activity on Capitol Hill. U.S. Sen. John Kerry (D-MA), who worked with Chairman Barbara Boxer (D-CA) to move a bill out of the Senate Environment and Public Works Committee on a mostly party-line vote, now says the Senate will attempt to pass a climate-change bill in "early spring" of 2010.

Kerry is working with Lindsey Graham (R-SC) and Joe Lieberman (I-CT) to tackle climate change in a way that includes all forms of energy, including nuclear, offshore oil drilling and investments in "clean" coal.

In an OpEd in The New York Times last month, Graham and Kerry said: "Nuclear power needs to be a core component of electricity generation if we are to meet our emission reduction targets." In any revised bill, Graham calls for "a renaissance of nuclear power that will help us solve the climate problem, as well as create millions of new jobs." Nuclear reactors account for about 20 percent of the electricity produced in the United States, according to the World Nuclear Association – a small portion compared to France where about 80 percent of its electricity is produced at nuclear plants.

The lawmakers said that "even climate change skeptics should recognize that reducing our dependence on foreign oil and increasing our energy efficiency strengthens our national security."

Ag Committee consideration

While behind the scenes negotiations with Kerry, Graham and others continue, five other Senate committees share jurisdiction over the legislation and work is expected to continue within the committee framework. Senate Agriculture Committee Chairman Blanche Lincoln (D-AR) has already expressed her reservations about the Boxer-Kerry climate change bill and the potential impacts on farm inputs and food prices.

Her skepticism is shared by Senator Pat Roberts (R-KS), who calls the the Kerry-Boxer climate change bill "a partisan cap and tax bill." Roberts said "cap-and-tax" proposals attempt to ration domestic energy production and will lead to higher unemployment rates and a net loss for Kansas, which ranks 9th amongst oil and 8th amongst gas producing states.

"I know the proponents of cap-and-trade proposals talk about green job creation," he said. "What is a green job? And why should the federal government pick-pocket hard-working Kansans if at the end of the bill there are little to no environmental benefits?"

Sen. Debbie Stabenow (D-MI) who also serves on the Senate Agriculture Committee, introduced her "Clean Energy Partnerships Act of 2009" to add a slew of agriculture offset provisions to the Kerry-Boxer bill. Her bill specifies that USDA – not EPA – will be the lead agency . . . for agricultural and forestry offset projects.

But farm groups say that Stabenow's bill represents only good first step toward making climate change legislation workable. 25x'25, a nonpartisan alliance of farm and business groups, suggests that any cap-and-trade bill adopted by Congress must include an expansion of the definition of eligible biomass, a delay in the consideration of indirect land use impacts in calculating the greenhouse gas emission of biofuels, and the grandfathering of pre-existing soy biodiesel producers under greenhouse gas reduction requirements.

After all of the committees complete work on climate change legislation, Senate Majority Leader Harry Reid is expected to merge the various Senate bills. But his job will be complicated, especially because he has long opposed disposing of nuclear waste in his home state of Nevada. Efforts to build a compromise with GOP Senators who favor more of an "all of the above" approach to tackling global warming, as opposed to a more narrowly crafted "cap and trade" bill, may alienate more liberal members of the Democratic party. Those who fiercely oppose more oil drilling and investments in nuclear energy may not vote for any compromise package. As such, finding the right balance of provisions will likely determine whether or not climate change legislation can advance in the U.S. Senate and eventually become law next spring. Δ

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