



Current Status Chart – 110<sup>th</sup> Congress, 2<sup>nd</sup> Session

July 30, 2008

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**Follow the Money**

Bill	Status	Additional Information and Upcoming Action
<p><b>FY 09 Budget for year starting Oct 1, 2008.</b></p> <p>(For background on budget process, see 2006 Legislative Update #68.)</p>	<p>Congress approved the FY 2009 Cong. Budget Resolution, S.Con.Res. with party line votes in both bodies (House 214-210; Senate 48-454). This opened the way for FY 2009 appropriations to proceed.</p> <p>➤ For FY 2009 discretionary domestic spending, the Budget Resolution allowed \$38.6 billion, compared to \$31.7 appropriated for FY 2008. However, at the end of the appropriations process, it is doubtful that this \$7 billion funding increase will materialize—if previous appropriations battles are any guide. (See the appropriations portions of Updates #11, 12 and 13 to get a feel for what lies ahead.)</p>	<p>➤ Function 300 of the federal budget includes most environmental programs (regardless of which federal agency administers them or which congressional committee has jurisdiction over them).</p> <p>➤ Budget Resolution is an internal Congressional document and does not require President's signature.</p> <p>➤ As in the last two years, the FY 09 Congressional Budget Resolution has set up a train wreck down the track by allowing Congress to appropriate more than the Administration's budget requested for non-defense discretionary programs—the difference for FY2009 is \$21 billion, including discretionary and mandatory programs.</p>
<p><b>FY 08 Appropriations PL – 110-161</b> (for the year starting October 1, 2007)</p>	<p>FY 2008 appropriations were part of the Continuing Resolution (CR) signed on 12/26/07 after protracted conflict between the administration and the congress over funding levels.</p>	<p>➤ A few programs got increases over FY 07 levels: National Park Service – up 3.9% to \$2.39 billion; Fish &amp; Wildlife Service – up 2.1% to \$1.36 billion. Bureau of Land Management – up 9.9% to \$2.06 billion.</p> <p>➤ Among the FY 2008 decreases from FY 2007 were: Land &amp; Water Conservation Fund – down 31% to \$255.5 million. EPA – down 3.4% to \$7.46 billion (high point was \$8.4 billion in FY 04); Endangered Species &amp; related programs – down 13% to \$224.3 million Office of Surface Mining Reclamation – down 42.2% to \$170.4 million.</p>
<p><b>FY 09 Appropriations</b> (for the year starting October 1, 2008):</p> <p>money and offshore oil</p> <p>See Update #17 for more information on the offshore oil drilling debate.</p>	<p>➤ Partisan bickering and disagreement over offshore drilling for oil in the Outer Continental Shelf (OCS) means that FY 2009 appropriations will be rolled into a huge omnibus Continuing Resolution (CR). Look for this to take shape in September. The 111<sup>th</sup> Congress might adjust it next year.</p> <p>➤ House Republicans' proposal to lift the OCS moratorium failed on party-line 6-9 vote when subcommittee considered the Interior Appropriations bill. Full Committee Ranking Republican Lewis (R-CA) tried to offer OCS moratorium amendment to Labor-HHS appropriations bill.</p> <p>➤ In response to these tactics: Full Comm. Chair Obey (D-WI) closed down any further consideration of appropriations for remainder of the year.</p> <p>➤ Senate Full Comm. Chair Byrd (D-WV) cancelled mark-up of Interior bill for same reason on 7/22/08.</p> <p>➤ Senate Republicans threaten to raise OCS issues on the CR. Could lead to government shut-down.</p> <p>➤ The White House has already issued veto threats against any appropriations bill that exceeds the amount requested by the President. House and Senate bills follow the Budget Resolution's higher totals rather than President's lower request—thus assuring a fight if any bills reach the President's desk.</p>	<p>➤ Expect the FY 2009 appropriations to be a replay of the FY 2007 and FY 2008 appropriations sequence. This means a FY 2009 CR that continues funding programs at roughly FY 2007-2008 levels.</p> <p>➤ House/Senate Interior Appropriations subcommittee bills will be "symbolic" since they are destined for a CR. However, they could set the benchmark for the 111<sup>th</sup> Congress to rewrite them or for the FY 2010 budget proposals under a new administration and new Congress.</p> <p>➤ House subcommittee total for Interior/EPA bill was \$27.9 billion, enough to reverse proposed White House spending cuts and provide significant boosts in funding for national parks, fire suppression and wildlife refuges.</p> <p>➤ House Interior/EPA subcommittee bill included:</p> <ul style="list-style-type: none"> <li>▪ \$2.6 billion for the National Park Service, including a \$158 million increase in funding for operational budgets at the parks</li> <li>▪ \$1.4 billion for Fish and Wildlife Service. The National Wildlife Refuge system, an area of concern for the subcommittee's leadership, would see its funding rise by \$35 million to \$469 million.</li> <li>▪ EPA budget increase of nearly \$700 million over administration's proposed \$7.1 B. Restored key water and air programs.</li> <li>▪ Forest Service: would restore almost \$400 M in cuts proposed by the administration.</li> </ul>



Programs and Issues

Bill	Status	Additional Information and Upcoming Action
<p><b>“Farm Bill” Agriculture Reauthorization HR 2419, P. L. 110-246</b></p>	<p>A protracted House-Senate conference on the farm bill finally reached an agreement that satisfied no one but which was marginally agreeable to enough legislators to be passed. Enrolling error required final bill to be passed twice, vetoed twice and overridden twice.</p>	<ul style="list-style-type: none"> <li>➤ Final bill provided for a two-year extension of the liberalized tax deduction for contributions of <b>conservation easements</b>.</li> <li>➤ The bill did not significantly trim the payment of large subsidies to wealthy landowners and agribusiness operations, and new subsidies created in the bill might even result in higher payments than before.</li> <li>➤ Conservation programs were increased by 13% overall, including the CRP, WRP, EQIP, CSP. Funding also provided for Chesapeake Bay Region.</li> <li>➤ A \$250 million forestry conservation tax credit bond was included to help the Plum Creek Timber Co. sell land to The Nature Conservancy—NAL/Conservation Committees visited Montana’s Blackfoot River Valley in Sept. 2007 and saw Plum Creek Timber presence there and heard about its conservation work.</li> <li>➤ For the first time, there is a title devoted to fruit and vegetable production and encouraging farmers’ markets. Biofuels received \$1B in assistance although corn was downplayed in favor of other biomass options.</li> </ul>
<p><b>Agriculture Conservation Programs – Appropriations limits</b></p>	<ul style="list-style-type: none"> <li>➤ Senate Appropriations Full Committee on 7/17/08 approved FY 2009 bill that put limits on the mandatory increases just enacted for conservation programs in the farm bill.</li> <li>➤ House bill rejected these cuts except for EQIP, which was cut \$270 million to \$1.1 billion.</li> <li>➤ Final levels will be worked out when CR is negotiated in September.</li> </ul>	<p>Senate bill diverted funds from agricultural conservation to Food/Drug Adm. and Women/Infants/ Children food aid program. Bill would give conservation programs more than last year but not the full \$4 billion legislated in the just-passed farm bill. Specific cuts from farm bill levels:</p> <ul style="list-style-type: none"> <li>▪ EQIP: cut \$285 M (this program got one of the biggest increases in farm bill)</li> <li>▪ Grasslands Reserve Program: cut \$15 M</li> <li>▪ Wildlife Habitat Incentives Program: cut \$11 M</li> <li>▪ Renewable energy projects on farms: cut \$5 million</li> </ul>
<p><b>Beach Protection Act – HR 2537, S.2844</b></p>	<ul style="list-style-type: none"> <li>➤ A bill to increase the authorization for state water quality grants for identifying and cleaning up beach water pollution was passed by the House on April 16, 2008 on a voice vote.</li> <li>➤ The companion Senate legislation was approved by Senate Environment &amp; Public Works Committee on 5/21/08.</li> <li>➤ S.2844 was added to the consolidated package of 34 non-controversial ocean, wildlife and research bills that Sen. Majority Leader Reid raised on 7/28/08. Cloture vote failed 52-40, effectively killing the bill for the year.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Bill would require grant recipients to use the latest technology to test for contaminated beach waters. Inslee (D-WA) amendment would require EPA to conduct a study on the long-term effects of climate change on the pollution of coastal recreation waters. Senate bill authorizes \$60 billion/year for 2008-2013 period for state water quality grants. House bill authorizes \$40 B/yr through 2012.</li> <li>➤ Sponsors earlier tried to “hotline” the 34 bills to get agreement to pass them by unanimous consent. Sen. Coburn (R-OK) objected because of their combined \$11.3 billion cost.</li> <li>➤ Cloture vote on 7/28 reflected Republican’s campaign to open up offshore drilling—they insist that this be resolved before any other bills can proceed.</li> <li>➤</li> </ul>
<p><b>Raw Sewage Community Right-to- Know Act, H.R. 2452, S. 2080.</b></p>	<p>The House Transportation and Infrastructure Committee approved this bill on May 15 to amend the Clean Water Act to provide stricter standards for public notification of sewage overflows. It is intended to let the public know when it is safe to swim in local waters.</p>	



<p><b>Clean Air Interstate Rule (CAIR)</b></p>	<ul style="list-style-type: none"> <li>➤ Senate Environment/Public Works Committee held hearing 7/29/08 on possible Congressional response to federal appeals court decision that struck down EPA's CAIR. Action in 2008 is unlikely. Long-term options:             <ul style="list-style-type: none"> <li>▪ Rifle-shot bill to give EPA authority to implement CAIR,</li> <li>▪ Major overhaul of Clean Air Act.,</li> <li>▪ Carper bill,</li> <li>▪ Include SO<sub>2</sub>, NO<sub>x</sub> and Hg in a bill limiting carbon emissions.</li> </ul> </li> <li>➤ Sen. Carper (D-DE) is long-time champion of S.1177, his bill to put cap-and-trade on NO<sub>x</sub>, SO<sub>2</sub> and Hg. His bill might pick up support in the vacuum created by court decision.</li> <li>➤ EPA might appeal court decision. Plaintiffs also might appeal.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Bush Administration's 2005 CAIR rule covered the 28 eastern states and required steep reductions in SO<sub>2</sub> and NO<sub>x</sub>. It was supported by environmental groups &amp; some regulated companies. North Carolina sued to make the program stronger, several power companies questioned rule's technicalities, and MN, FL and western TX appealed to exclude their power plants from CAIR.</li> <li>➤ DC Circuit Court of Appeals 7/11/08 struck down CAIR, saying EPA exceeded its authority and CAIR had fatal flaws. Earlier this year, court struck down EPA rule controlling mercury emissions from power plants. Thus, no federal power plant air pollution controls are left. Few states other than N.C. have tough rules.</li> <li>➤ Industry is seeking certainty and is dismayed that entire rule was thrown out. Pollution abatement projects might sit idle and new projects will be suspended.</li> <li>➤ SO<sub>2</sub> trading market, in place since mid-1990s now is in limbo.</li> </ul>
<p><b>Clean Water Authority Restoration Act (CWARA) – H.R. 2421 &amp; S 1870</b></p> <p>For background, see Updates #13 #14.</p>	<p>Supreme Court 4-1-4 split decision 9/16/06 on <i>Rapanos v. U.S. et al</i> and the SWANCC case left wetlands enforcement issues unresolved.</p> <p>House and Senate bills to clarify the protections for wetlands have run into substantial opposition from farmers, developers, states' rights advocates and others. It is no longer expected that legislation will be enacted in the 110<sup>th</sup> Congress.</p>	<p>Hearings were held in both the House (where GCA members offered support) and Senate, and Rep. Oberstar (D-MN) and Sen. Feingold (D-WI) gave the issue high priority. However, there is no viable consensus on how best to untangle the policy regarding definition of "tributary" and "navigable waters." Rep. Oberstar asked witnesses critical of his bill to submit specific suggestions for improving the bill.</p> <p>Neither chairman is willing to move legislation out of committee until there is sufficient support for floor passage. Efforts to attract substantial numbers of additional co-sponsors did not succeed—House sponsors still locked at 176 and Senate sponsors remain frozen at 20.</p>
<p><b>Great Lakes Legacy Act – H.R. 6460, S. 2994</b></p>	<p>Mark-up scheduled in House Transportation/Infrastructure Committee for 7/31/08. Bill sponsored by Reps. Oberstar (D-MN) and Ehlers (R-MI). It would increase cleanup funding for Great Lakes from \$50 million to \$150 million a year through 2013 for eliminating hot spots of PCBs, heavy metals and industrial pollutants.</p>	<ul style="list-style-type: none"> <li>➤ Obama and McCain both signed a pledge to fund and support restoration of Great Lakes.</li> <li>➤ Senators Voinovich (R-OH) and Levin (D-MI) and 9 co-sponsors have sponsored companion bill, S.2994.</li> <li>➤ Clean-up estimated to cost \$20 billion. Legislation would increase annual funding from \$50 million to \$150 million. (\$20 billion ÷ \$150 million = 133 years.)</li> </ul>
<p><b>Great Lakes Basin Compact, S.J. Res 45</b></p>	<p>Senators Voinovich (R-OH) and Levin (D-MI) and Rep. Oberstar (D-MN) are pushing for congressional approval of the compact. Senate Judiciary Committee hearing scheduled for 7/30/08.</p>	<p>Eight state legislatures have approved the compact to manage water diversions and withdrawals: IL, IN, MI, MN, NY, OH, PA and WI. Also Ontario and Quebec.</p>
<p><b>National Landscape Conservation System H.R. 2016, S. 1139</b></p>	<ul style="list-style-type: none"> <li>➤ The House passed HR 2016 by 278-140 on April 9, 2008. It would make permanent the 26-million-acre National Landscape Conservation System within the BLS. Amendments preserved grazing, energy development, hunting and recreational shooting on these lands.</li> <li>➤ S.1139 was reported from Committee on Energy and Natural Resources in June, 2007 and still awaits floor action.</li> </ul>	<p>Administration supports this legislation.</p>
<p><b>National Park Centennial Fund, H.R. 3094, S.2817</b></p> <p>For more information, see Update #11, item 10 and June, 2008 report by Carole Hunter.</p>	<ul style="list-style-type: none"> <li>➤ House Natural Resources Committee held a mark-up on May 7, 2008 and by a voice vote ordered reported a scaled-down version of the Centennial Fund legislation, HR 3094.</li> <li>➤ Floor action depends on identifying revenues or spending cuts to pay for the bill's cost. NYTimes editorial 6/10/08 summed up thusly: "... [the bill is the] victim of wrangling between House members who rightly demand offsetting revenue raising measures . . . and the administration's budget office, which says it can't find such offsets. House Democrats who are loath to hand Mr. Bush anything he can celebrate have also been less than helpful."</li> </ul>	<ul style="list-style-type: none"> <li>➤ Reported House bill creates a 10-year entitlement of \$300 million. It directs the Sec. of Treasury to deposit \$30 million/year over the 2009-2018 period into a new National Park Centennial Fund, to be available without further appropriation. Funds would be used to carry out centennial projects at National Parks focused on themes specified by the bill and could involve developing new interpretive programs, constructing new facilities, or improving park practices and operations. Park Centennial year is 2016.</li> <li>➤ Bill is budget-neutral, at least on paper. To pay for the \$300 million, unused contract authority provided each year for land acquisition by the Land and Water</li> </ul>



<p>National Park Centennial, cont.</p>	<ul style="list-style-type: none"> <li>➤ SUPPORT IS NEEDED from the grass roots to encourage more Representatives to push for the bill. When there is sufficient support to be sure that it will pass, it will be scheduled for debate on the Floor of the House of Representatives.</li> <li>➤ GCA position paper on National Parks supports fully funding the operations of the entire park system, and placing a priority on conservation, preservation, education and diversity.</li> <li>➤ Maryjo Garre, GCA President, sent a letter to all members of the House of Representatives in June thanking the cosponsors of the bill and urging others to become cosponsors.</li> </ul>	<p>Conservation Fund Act would be repealed. (This provision is a "placeholder." Reportedly the White House has alternative provisions that would achieve "real world" savings. These will be revealed if/when the bill begins to move.)</p> <ul style="list-style-type: none"> <li>➤ Senator Salazar has identified the funding as new royalties on unanticipated off-shore oil and gas from the Gulf of Mexico.</li> <li>➤ Supporters of the bill, including the National Parks Conservation Association, say that while they are disappointed that the full \$1 billion they were seeking was not authorized, this bill nevertheless represents "a good start."</li> <li>➤ Supporters are striving for bipartisanship. Centennial initiative was proposed by the Administration, which still supports it. Rep. Rahall (D-WV), Chair of the Natural Resources Comm., and other House Democrats, oppose the matching requirement, in part because fundraising to support Centennial projects might lead to commercialization at the parks. Rep. Grijalva, Chair of the Parks Subcommittee, defends his scaled-down bill, saying the Centennial is "too important to get bogged down in partisan politics."</li> </ul>
<p><b>Oceans – UN Law of the Sea (UNCLOS)</b>  For more information, see Update #13.</p>	<ul style="list-style-type: none"> <li>➤ Push to get the Senate to ratify the Law of the Sea treaty seems to have stalled out.</li> <li>➤ Even though the two-thirds Senate vote required for ratification appears attainable, opponents have promised to mount a time-consuming stalling effort on the Senate Floor and floor time is at a premium as the 110<sup>th</sup> Congress heads into the home stretch. Unless there is a strong outpouring of pro-treaty sentiment from supporters demanding ratification this year, it is doubtful that a vote will be scheduled.</li> <li>➤ Last ditch effort might be propelled by interest in offshore oil and gas that lies outside the U.S.'s 200-mile exclusive economic zone.</li> </ul>	<ul style="list-style-type: none"> <li>➤ United States signed the UN Law of the Sea implementing agreement in October 1994 and submitted it to the US Senate. Thirteen years later, it still has not been ratified.</li> <li>➤ The Administration has urged the Senate to agree to this treaty. President Bush sent letter to the Senate on May 16, 2007 urging Senate agreement to UNCLOS. Supportive reply sent on May 17 from Panetta and Watkins, co-chairs of the Joint Oceans Commission Initiative. However, the Administration has failed to wage the full campaign that would be required to quiet conservative Republican opposition in the Senate.</li> <li>➤ Conservative Republicans led by Sen. Inhofe (R-OK) oppose ratification, saying it would impinge on U.S. sovereignty.</li> </ul>
<p><b>Polar Bears</b> For more information, see Ann Coburn's February 2008 report.</p>	<ul style="list-style-type: none"> <li>➤ Administration was forced on May 14, 2008 to list the polar bear as a threatened species because of loss of sea ice.</li> <li>➤ Actual impact of the listing on bears or on anti-global warming efforts is likely to be minimal.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Interior Sec. Kempthorne stalled on listing the bears, even after several environmental groups filed a suit in 2005 to force a listing. He finally ruled only after a federal judge imposed a two-week decision deadline.</li> <li>➤ DOI is using the so-called "f(d) rule" to lighten the regulatory burden that the listing imposes on the oil and gas industry. The delayed ruling permitted a oil-and-gas lease sale in the Chukchi Sea basin in February.</li> </ul>
<p><b>Transportation Reauthorization</b></p>	<ul style="list-style-type: none"> <li>➤ SAFETEA-LU, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, expires Sept. 30, 2009.</li> <li>➤ Highway trust fund is running short of funds, bridge infrastructure is failing.</li> <li>➤ House passed H.R. 6532 by 387-37 on 7/23/08 to move \$8 billion from general fund to highway trust fund, after refusing to "borrow" the funds from mass transit.</li> <li>➤ Senate language is buried in the stalled appropriations process and thus is not moving.</li> <li>➤ Bush administration has threatened to veto the bill.</li> </ul>	<p>111<sup>th</sup> Congress will reauthorize what used to be called the "highway bill" in an era of record-high gas prices. Hearings in the 110<sup>th</sup> Congress indicate strong interest in mass transit, intra- and inter-city rail links and highway toll roads.</p>



<p><b>Wildlife Refuges – REPAIR Act, HR 767</b></p>	<ul style="list-style-type: none"> <li>➤ REPAIR Act (Refuge Ecology Protection, Assistance, and Immediate Response Act) was easily passed by the House under suspension 10/22/07.</li> <li>➤ It was sent to the Senate and referred to Environment/Public Works Committee and Energy/Natural Resources Committees. It would authorize funding of matching grants to control nonnative species in wildlife refuges.</li> <li>➤ Sen. Bill Nelson (D-FL) has been interested in the issue and should be encouraged to introduce the Senate companion bill.</li> </ul>	<p>U.S. Humane Society and some other animal-rights groups oppose the bill because they fear it would threaten horses, cats and other wild or feral animals in the refuges. They insist on a special exemption for wild horses and feral cats, which are technically non-native</p>
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**Energy and Global Warming Issues**

<p><b>SENATE Climate Security Act, S. 3036.</b></p> <p>For more information, see Updates # 13, 14, 16 and June report by Diane Stoner</p>	<ul style="list-style-type: none"> <li>➤ Senate debate on Boxer-Lieberman-Warner manager's amendment ignominiously fizzled when Republican leaders required a 9-hr. reading of the 492-page bill and used other parliamentary delaying tactics to prevent and snarl substantive debate.</li> <li>➤ 10 moderate Democrats made clear their concerns about the economic costs of the bill.</li> <li>➤ Cloture vote failed in Senate on 6/6/08 by 48-36. Seven Republicans and 39 Democrats and Independents voted yes. Adding absentees who stated they backed cloture brought the total to 54. Four Democrats voted against cloture (Brown, OH; Dorgan, ND; Johnson, SD; and Landrieu, LA).</li> </ul>	<ul style="list-style-type: none"> <li>➤ Premature ending of Senate debate cut short the amendment process that had been expected to explore policy proposals aimed at making the bill palatable to a wide variety of interests, including nuclear power, drilling for offshore oil/gas, tightening the caps, reducing the giveaways, increasing help for consumers, protecting forestry, farming and endangered species, imposing tariffs on goods imported for nations that do not curb emissions, and Administration authority to suspend cap-and-trade if gasoline prices rose too high. Bill had not been expected to pass, however.</li> </ul>
<p><b>HOUSE – GHG emission limits</b></p>	<ul style="list-style-type: none"> <li>➤ Outcome of Senate vote on Lieberman-Warner bill effectively doomed chances of House action in 2008.</li> <li>➤ Rep. Dingell has planned hearings later in June on three bills:             <ul style="list-style-type: none"> <li>--Senate-debated bill, S. 3036 (approx 2/3s emission cut by 2050),</li> <li>--Rep. Markey's H.R. 6186 (80% reduction by 2050), and</li> <li>--Rep. Waxman's HR 1590 (85% reduction by 2050). Bill instructs EPA to set up a cap-and-trade system.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>➤ Rep. Boucher (D-VA), Subcom. Chair and Dingell's lieutenant on climate issue, has abandoned his effort to draft a bipartisan bill because top GOP Rep. Barton (R-TX) doubts human activities contribute to global warming.</li> <li>➤ Sacramento Rep. Doris Matsui (D-CA) appointed to Energy &amp; Commerce Committee to replace the more conservative Rep. Wynn (D-MD) who resigned.</li> <li>➤ 17 Democrats introduced HR 6316, which was referred to Ways &amp; Means and 8 other committees – signaling a multi-committee approach next year.</li> </ul>
<p><b>California vehicle standards – S.2555</b></p>	<ul style="list-style-type: none"> <li>➤ Bill was reported from EPW Committee on 5/21/08.</li> <li>➤ Bill would allow California to establish motor vehicle emission standards that are stricter than those of the federal government for emissions from motor vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Federal Clean Air Act permits California to establish motor vehicle emissions standards that are stricter than the federal government's if granted a waiver by EPA. This bill would overturn a recent decision by EPA not to grant such a waiver.</li> </ul>
<p><b>Tax credits for renewable energy – H.R. 6049, S.3335</b></p>	<ul style="list-style-type: none"> <li>➤ Senate bill has become a partisan football. It now is snarled in a debate over offshore drilling (see Appropriations above and Update #17) Possible bipartisan deal: Democrats allow votes on OCS drilling if Republicans allow debate on tax credit extensions.</li> <li>➤ Democrats led by Sen. Baucus (D-MT) added sweeteners to get to 60-vote cloture strength (including daycare, mental health parity, highway funding, Midwest flood relief, AMT. ) Sen. Coburn (R-OK) had a "hold" on many of these sweeteners because of budget costs; otherwise they were non-controversial.</li> <li>➤ Earlier, Senate action stalled because Republicans and fiscally-conservative "Blue Dog" Democrats insisted on PAYGO offset for cost of the tax bill.</li> <li>➤ House passed H.R. 6049 on 5/21/08 by 263-160.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Senate cloture vote failed 50-35 on 7/26/08. Republicans are holding out for right to offer amendments on offshore drilling.</li> <li>➤ Republicans generally support the tax credits but are using the bill to make their point about needing more energy supply from offshore and other sources.</li> <li>➤ Bill has 6-yr extension of solar energy investment tax credit; 3-yr extensions of production tax credits (PTC) for energy from biomass, geothermal, hydropower, landfill gas &amp; solid waste; 1-yr extension of PTC for wind energy; tax incentives for carbon capture/sequestration demo projects; incentives for renewable fuels such as biodiesel and renewable diesel; incentives to encourage energy efficient products such as plug-in hybrids, and tax credit bonds for State/local governments to make energy conservation investments in public infrastructure.</li> </ul>



<p><b>Renewable fuels, Renewable Portfolio Standard – H.R. 5236, S. 36</b></p>	<ul style="list-style-type: none"> <li>➤ House Agriculture Committee wants to allow forest chips, slash and other waste to be eligible for cellulosic biomass-generated fuel. Environmental restrictions in the 2007 energy bill prevent this. NRDC fears the bill would create incentives for destroying forests and habitats.</li> <li>➤ Efforts to attach these provisions to Farm Bill failed because of jurisdictional problem.</li> <li>➤ Rep. Herseth Sandlin (D-SD) is trying to get bill passed before Aug. recess.</li> <li>➤ High food and feed prices are driving effort to roll back the biofuels mandate.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Energy bill passed at the end of 2007 increased ethanol production requirement to 36 billion gallons by 2022, of which more than half must be from non-cornstarch products such as cellulose or sugar.</li> <li>➤ Energy bill failed to include renewable portfolio standard to require utilities to supply escalating amounts of electricity from renewable sources.</li> <li>➤ Sen. Bingaman (D-NM), Chair of Energy/Natural Resources Committee, vows to push renewable portfolio standard in 111<sup>th</sup> Congress. Bush Administration opposes a renewable requirement for electric utilities.</li> </ul>
<p><b>International treaty post-Kyoto</b></p>	<ul style="list-style-type: none"> <li>➤ Group of Eight summit in Hokkaido, Japan in early July, 2008 set goal of cutting GHG emission in half by 2050. But goal was not binding, did not include multi-decade interim targets, and did not include developing economies such as Brazil, China and India, Mexico and South Africa. Only Indonesia supported the 50% reduction pledge. Still, the meeting put the U.S. on record for the first time as embracing a specific long-term goal.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Kyoto agreement expires in 2012. It called for reducing GHGs to 5% below 1990 levels by 2012. Developing nations were not included.</li> <li>➤ Parties now working to get a post-Kyoto plan ready by December 2009 meeting in Copenhagen, in time to allow nations to ratify it by 2012.</li> <li>➤ In June, 2007, Pres. Bush proposed a voluntary plan for major emitters, a position that many felt undermined efforts to curb world GHG increases.</li> </ul>
<p><b>GHG issues in the Defense bill – H.R. 5658</b></p>	<p>A huge (approx. \$600 B) bill authorizing defense programs passed 384-23 in the House with several environmental amendments.</p> <p>Senate Armed Services Committee completed mark-up 5/1/08. Floor consideration delayed until September.</p> <p>Veto threat issued.</p>	<ul style="list-style-type: none"> <li>➤ Last year's energy bill said federal agencies cannot buy alternative/synthetic fuels that have higher lifecycle GHG emissions than conventional petroleum fuels. Rep. Boren (D-OK) amendment modified that for the military, which has plans to buy domestic coal-to-liquids fuels.</li> <li>➤ Inslee amendment approved. It requires Dept of Defense to study ways to consider GHG emissions in acquisitions and planning processes.</li> </ul>