

Energy Bill

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November 19, 2003

Los Angeles Times

An Energy Throwback

It's clear why Republican leaders in Congress kept their national energy policy bill locked up in a conference committee room for the last month, safe from review by the public. Taxpayers, had they been given time to digest the not-so-fine print in the pork-laden legislation, would have revolted.

This throwback bill promotes tried-and-failed coal, gas, oil and nuclear industry programs at the expense of conservation and renewable energy. A Congressional Budget Office estimate puts the cost of tax credits, loan guarantees and other giveaways at \$31.1 billion — though once all of the pork is weighed, critics say the tab could top \$100 billion.

The bill that cleared the House on Tuesday continued the welcome prohibition against oil and natural gas drilling in the Alaskan wilderness. But the rest of the bill has a frustrating business-as-usual feel. Automakers won't be required to increase the fuel efficiency of new vehicles, and the alternative power industry won't get a needed boost from a rejected requirement that electric utilities generate 10% of their electricity from renewable energy sources. Attempts to prevent another massive blackout by giving federal regulators the muscle to police the electric generation and distribution industries were stymied by power-rich states in the Southeast and Northwest.

And it gets worse: Producers of methyl tertiary-butyl ether, or MTBE, the gasoline

additive that is fouling groundwater in California and other states, get protection from environmental lawsuits aimed at forcing them to clean up their mess. Cash-strapped cities and states would have to pick up the MTBE cleanup costs, estimated at \$29 billion. Not coincidentally, MTBE manufacturing plants are clustered in the backyards of Republican representatives who rode herd on the bill.

Democrats didn't want to be left out of the feeding frenzy; in a bipartisan effort, two farm-state senators, Tom Daschle (D-S.D.) and Charles Grassley (R-Iowa), won a costly ethanol subsidy that has the National Corn Growers Assn. grinning.

How this goody-laden bill came into being is just as ugly. Republicans wrote the 1,100-page document behind closed doors and dropped it on the desks of Democrats just 48 hours before the conference committee's final meeting Monday, in which Democrats attempting damage control lost every significant vote 7-6 along party lines.

The Bush administration, which earlier ordered Congress to hold the giveaways to \$8 billion, says it will accept the bill regardless of the cost. The full House rubber-stamped the bill Tuesday, and Senate leaders are confident they've stuffed enough pork into it to secure needed votes from Republicans and Democrats alike. Now it's up to senators with a conscience to reject this legislative monument to waste or to muster and sustain a filibuster.

November 19, 2003

The New York Times

China's Message on Energy

Pete Domenici, an architect of one of the most depressing legislative initiatives in recent Congressional history — the energy bill approved by the House yesterday and headed for a Senate vote — acknowledged recently that it could not withstand close inspection. "We know that as soon as you start reading the language, we're duck soup," he said, referring to the bill's embarrassingly long list of special favors for legislators and their contributors.

What should really mortify Mr. Domenici and his Congressional co-conspirators, however, is a report by The Times's Keith Bradsher that the Chinese, hardly paragons of virtue on matters relating to energy and the environment, are about to impose fuel economy standards on new cars and S.U.V.'s that will be significantly stronger than those in the United States. Like President Bush and Congress, the Chinese are worried about their increasing reliance on foreign oil. China now imports one-third of its oil, compared with 55 percent for the United States. The difference is that the Chinese are ready to do something about it, whereas

Congress is not; indeed, loopholes in the energy bill could make American cars less efficient than they are. And while the Chinese say their main concern is oil dependency, not global warming, more efficient cars should help on that score, too.

And where are America's leaders? Feathering nests, rather than imposing discipline on the nation's fuel use, or trying in any serious way to develop alternatives to fossil fuels. Each freshly turned page of this monstrous bill brings new evidence of Congressional cupidity: a taxpayer-financed "environmentally friendly" shopping mall for Syracuse, an office complex for Atlanta, a riverfront development for Shreveport, La. And every senator who wants a coal plant seems to get one. Norm Coleman got one for Minnesota a few weeks ago, and at the very last minute, Byron Dorgan got one for North Dakota to go with his ethanol subsidies for corn farmers.

With a price tag that could double the advertised cost of \$30 billion, this energy bill is not only programmatically flawed but also fiscally irresponsible. The Chinese have provided yet another reason for killing it and starting over.



Energy at all costs

A bill by GOP congressional leaders would hurt the environment and conservation

No, there'll be no drilling for oil in the Arctic National Wildlife Refuge. Not under an energy bill put together by Republican congressional leaders, at least. The Atlantic and Pacific coasts are similarly spared from further exploration for oil and natural gas.

Otherwise, environmental protection is among the great casualties of energy legislation designed to implement President Bush's strategy to increase production at all costs. So, too, is conservation.

Unless Democrats and a few bold Republicans, like Sen. John McCain of Arizona, can force some concessions, this bill is mostly about tax breaks for the energy industry. The perks for the oil, gas and coal companies come to about \$20 billion. That's even higher than the \$8 billion in tax breaks in Mr. Bush's budget.

Other concessions, though, are there already. Fuel efficiency, for example. This would have been a perfect opportunity to raise the legal standard for gas mileage for new cars. Only the bill in its present form leaves that unaddressed, critical as it is to energy policy. Same for any hope of significantly increasing the amount of renewable fuels that electricity producers must use. Another wasted chance.

Enforcement of existing environmental laws would be scaled back, too. The Clean Air Act would be undermined, environmentalists say, by delaying the clean-up of heavy smog areas. The manufacturers of the gas additive MTBE that taints water supplies would be protected from lawsuits.

For all the attention that sparing the Arctic naturally received, other measures in the bill

would be almost as devastating. Among them would be an \$18 billion subsidy for the construction of a natural gas pipeline from Alaska to Chicago. More drilling for oil and natural gas would be allowed on public lands in the West.

New ground is broken as well on the regulatory front. Repeal of the 1935 Public Utility Holding Company Act would allow corporations and investment banks to buy utilities. Hasn't Congress learned from its recent dismantling of New Deal-era laws intended to keep certain sectors of the economy separate? Not for nothing do critics predict "Enron-style scandals."

None of this, of course, is yet written into law. Sen. Charles Schumer, among others, is determined to remove the worst aspects of the bill. But that will be a difficult, perhaps even unwinnable, fight. That such an approach to energy policy is so close to passage offers quite a lesson in how far the political balance has shifted in just a few years. Conservation ought to mean much more than keeping oil wells out of the Arctic.

Is there anything actually written into the bill, as opposed to what it spares, that's encouraging?

Yes. A temporary ban on oil and gas drilling in the Finger Lakes National Forest would become permanent. That's a victory well worth celebrating for those who care about an often overlooked natural treasure. But it's scant reason to embrace legislation that otherwise fails to meet any reasonable standards for either energy needs or environmental protection.

November 19, 2003

Austin American-Statesman

Congress' energy bill is high on tax cuts, low on solutions

House and Senate Republicans in Congress have produced an energy bill that could soon get a final vote and go to President Bush for his signature. The United States certainly has energy problems, but this bill won't solve them.

Actually, this is not so much an energy bill as it is another tax-cut bill, with most of the \$23 billion in tax breaks going to various producers of energy sources: fossil fuels (oil, gas and coal), nuclear and renewables, such as wind and solar. Two-thirds of the \$23 billion would go to the oil, gas and coal industries over the next 10 years.

But the sum of the tax breaks and other features of this bill do not add up to anything like a grand compromise or even a coherent plan for moving the United States toward energy independence from foreign oil sources, especially in the Middle East. It is, instead, a mishmash of compromises here and small victories and defeats there that will keep the nation stumbling backward into the future.

For environmentalists, there are some small victories. The bill does not open the Arctic National Wildlife Refuge to drilling for oil and natural gas. There are tax subsidies of \$1.5 billion over the next 10 years for energy efficiency and conservation measures, such as promoting more efficient homes, appliances and hybrid gas-electric cars. There's another \$5.2 billion in tax breaks for development of renewable energy sources.

But the really big bucks go to the domestic oil, natural gas and coal industries: about \$14.5 billion in tax breaks, plus a \$1.8 billion research project to develop clean coal

technology, and tax breaks for development of new, advanced nuclear power plants. And there are loan guarantees of \$18 billion to build a pipeline for pumping natural gas from the North Slope of Alaska to the Midwest, although even some industry experts say it's not enough to draw private investors into the project.

The renewed push for nuclear power comes although no new nuclear plant has been started since 1978 -- not coincidentally just a year before the Three Mile Island nuclear plant accident in 1979 terrified the East Coast.

And there are other problems with the bill. One of the worst would let a number of companies that made MTBE, a gasoline additive that contaminates drinking water, escape liability for damage they caused. It would double the requirement for using ethanol in gasoline, which will primarily benefit corn farmers. And the bill, unlike a Texas law passed under former Gov. George W. Bush, does not require the electric utility industry to boost its use of renewable energy sources.

Finally, the bill would repeal the 1935 Public Utility Holding Company Act, which would open the way for mega-mergers among electric utilities at the same time they supposedly are moving toward competition.

Except for a few tweaks, this bill smacks of business-as-usual. The president, though, eager to have energy legislation, probably will tout it as a breakthrough. But then, the country and Congress may well be too evenly divided right now to take truly bold steps toward energy independence.

THE SUN

Pork to the 435th power

CHINESE LEADERS are worried about their nation's growing dependence on imported oil. What's more, pollution from such fossil fuels threatens to become a parallel concern as China's booming economy matures.

So they've hit upon an obvious energy strategy that has somehow eluded U.S. lawmakers: conservation.

In what should be an embarrassing juxtaposition for leaders here, China is moving to impose tighter fuel-efficiency rules on cars and SUVs than the U.S. requires, while Congress is adopting an opposite approach - boosting domestic production of fossil fuels to meet all-but-unchecked demand.

And yet, with payoffs of \$23 billion in tax subsidies to most lawmakers' pet portions of the energy industry, there aren't nearly enough willing to stand up to this folly.

The impressive display of power fueling the long-stalled energy bill suddenly roaring through Congress is coming from pork - and the co-opting principle that everybody gets a slice.

As expected, the deal-breaker provisions on opening Alaska's wildlife refuge and coastal areas along the lower 48 to oil and gas drilling have been dropped from the final version of the bill approved by the House yesterday. But what's left is nearly as bad.

It eases environmental restrictions to promote drilling and mining on public lands, provides tax help to already profitable producers of oil, gas, coal and nuclear power, requires no progress on tightening emissions from vehicles or smokestacks, and adds insult to injury by subsidizing the purchase of

monster gas-guzzlers, such as the Humvee.

Alternative energy sources were not ignored. Handouts also went to promote development of hydrogen, wind, solar and biomass sources. But one of the biggest snouts at the trough belongs to ethanol producers, who make a cleaner-burning gasoline additive but require more energy to do it.

The Midwest corn growers pack such a political wallop they can probably deliver enough votes in the Senate - including that of Democratic leader Tom Daschle - to prevent a filibuster.

Much of the impetus driving the measure after years of impasse was prompted by last summer's power failure in the Northeast. But the bill addresses the problem only halfway, setting mandatory reliability standards but allowing large Southeast utilities to stall the regional cooperation required to prevent future blackouts.

Rep. Billy Tauzin, a Louisiana Republican who helped write the legislation and took home a major share of the booty, dismisses all complaints by labeling it a "jobs bill." He predicted it would put between 800,000 and a million people to work.

How long are we going to keep falling for that old line?

We are selling out the environment, our pocketbooks, our health, our safety and our security on the flimsy prospect of gains that would inevitably be short-term.

The Senate still has a chance to stop this monstrosity. It should take a cue from China and prepare for the future, instead of squandering precious resources trying to maintain an unsustainable past.

November 19, 2003

The Dallas Morning News

Senate should talk energy bill to death

Senate Democrats should take the filibuster that they are wrongly employing against some of President Bush's federal judicial nominees and use it against the atrocious energy bill that the House passed yesterday.

The filibuster enjoys a rightful, if limited, place in U.S. politics. Senators should use it against the energy bill, which would undermine the laws that protect Americans from dirty air and water and provide huge tax breaks to polluters while doing virtually nothing to make the country less dependent on foreign petroleum. But senators misuse the filibuster when they employ it to block votes on presidential appointments, stopping senators from fulfilling their constitutional duty to advise and consent on judicial nominees.

The energy bill would allow the federal government to extend the deadlines by which Dallas-Fort Worth and other polluted metropolises must clean their air, consigning thousands of Americans to respiratory illnesses and premature death. It would exempt manufacturers of MTBE from lawsuits while giving them another 12 years to sell the carcinogenic gasoline additive. It contains no requirement that utilities produce some electricity from renewable sources and that automobiles be more fuel-efficient. It wouldn't do enough to protect the country against power outages.

No energy bill would be better than this inferior one. The Senate should reject it and reconsider its good parts through separate legislation.

November 19, 2003

The Des Moines Register

Call that an energy policy?

It's got giveaways for everyone, but little for conservation or alternative fuels

The energy bill passed by the U.S. House on Tuesday has something for just about everyone.

It's what's missing that is troubling.

Coal, oil and natural-gas industries come out ahead.

So do ethanol interests.

As do manufacturers of MTBE, which won protection from lawsuits, despite the gasoline additive contaminating water supplies in 28 states.

Consumers get a few breaks, too, including a tax credit of up to \$4,000 for buying hybrid gas-electric cars.

But the legislation, more than 1,100 pages, does too little to move the United States away from dependence on foreign oil.

It was crafted by Republican conferees behind closed doors. It doesn't require electric utilities to produce 10 percent of power from renewable fuels, as had been proposed. It doesn't require more stringent fuel economy standards.

The cost? An estimated \$32 billion over a decade, according to the Congressional Budget Office and the Senate Finance Committee

staff. More than \$22 billion is in the form of tax incentives, some for good programs, such as encouraging use of renewable wind, biodiesel and solar power.

Harder to estimate is the larger cost of serving special interests so generously at the expense of the national interest in relying less on oil imports.

It's telling that congressional leaders have virtually stopped describing the legislation as an energy bill. Instead, they're selling it as a jobs package.

Jobs are good, but passage of the legislation still would leave the nation without a coherent energy strategy.

Many of this nation's problems, both foreign and domestic, are tied directly or indirectly to overdependence on foreign oil. America needs an energy policy that addresses that vulnerability. Congress must do better. The Senate should reject this bill. Then lawmakers should focus on a true energy strategy - one that will make the United States the leader in the technology of the coming age when the world will move beyond petroleum.

November 19, 2003

Detroit Free Press

ENERGY BILL

House-passed version is a disaster for environment

If the federal energy bill were an animal, it would be an oinking mastodon. Estimates of its tax breaks range from \$23 billion over 10 years to \$100 billion with loan guarantees included.

But the environmental damage is worse. The bill, which passed the House Tuesday, amounts to escorting the mastodon into a china shop. Deficits may change with the economy; harm to land, water and air lasts for lifetimes. A few examples:

Gasoline refiners get shielded from lawsuits requiring them to clean up MTBE, an additive that moves quickly into groundwater whenever tanks leak. That leaves local taxpayers with the bill, which adds up to \$29 billion nationwide. Meanwhile, refiners get \$2 billion for the transition to a new additive.

Clean-air exemptions abound. Chief among them, ozone enforcement could be delayed nationwide, a gross expansion of relief from regulation initially intended for

Dallas-Ft. Worth and western Michigan.

Rules to prevent dirt and construction gunk from running into rivers would be waived for drilling and related buildings and pipelines. Drillers also could ignore rules designed to prevent the chemicals they inject from reaching groundwater.

Hurdles to drilling on federal land get lowered. Cabinet secretaries get new power to site utility corridors on federal land without public input.

Incentives worth \$550 million are set for no-holds-barred logging in national forests and burning the trees, big or small, for energy.

Michigan has national forests. Michigan has disputes over drilling. Michigan has smog. Michigan has MTBE-laced groundwater.

The bill is a disaster. It pushes mastodon-era fuels, costs too much, and bruises every landscape it touches. It deserves extinction in the Senate.

November 19, 2003

The Fresno Bee

Running on empty

New energy "policy" fails utterly to address nation's real needs

Congress looks like it has found the recipe for passing an energy bill, but somehow the nation's energy needs got lost in the vote gathering.

The recipe entails dropping the most objectionable of the Bush administration's supply-side solutions (drilling in a pristine section of arctic Alaska) while propping up the subsidies for Midwest ethanol and mandating that the nation burn twice as much of it. Throw in another \$10 billion in tax breaks for the fossil fuels crowd and exempt them from cleaning up their water pollution, and the bill looks filibuster-proof.

Problem is, it's not worth passing. This is not an investment in a more balanced, sustainable energy future. This is a backward-looking giveaway of about \$30 billion that the Treasury doesn't have.

Congress seems to have forgotten entirely about one of the two sides of the energy challenge -- demand. There simply isn't enough corn in Iowa or crude underneath the

continent to distill and drill our way out of this. The nation's appetite for fossil fuels will ultimately have to decrease while demand increases for more sustainable forms of energy, particularly the energy that runs cars.

Oddly enough, the Chinese government understands this. Like the United States, China once produced all the oil that it needed; now it is a net importer and staring at a future of dependency. So China, in the same week that Congress is debating this energy bill, has unveiled new fuel economy standards for cars that are more stringent than those in the United States.

This is low-hanging fruit in terms of an energy-saver. It also is something that Detroit automakers can't stomach. But their future is in peril if they fight for the status quo in Congress while other countries begin producing more and more efficient cars that tomorrow's market will crave. Energy subsidies should be about subsidizing the transition to a different future. Congress remains stuck in yesteryear.



The energy payoff

It may help public credibility somewhat if we stop referring to the so-called energy bill now zipping through Congress as a so-called energy bill.

If there were such a thing as a Truth in Politics law, sponsors of that overstuffed, misguided, horrendously expensive grab-bag of favors for the fossil fuel industry would be obliged to call the legislation what it is.

To wit: Payback for all of the generous support that the coal, oil and gas lobbies have poured into the president's campaign and into the coffers of the ruling party.

The energy bill is, essentially, a return on investment — the investment being a lot of upfront campaign cash.

Will this bill make America more energy secure? No. Will it squander billions of dollars on tax breaks to the coal, oil and gas industries? Yes. Will it usher in a new era of energy conservation? No. Will it sacrifice environmental protections in order to fatten the bottom lines of fossil fuel producers? Yes.

While the package does make token investments in alternative fuel development, it provides \$14.5 billion for the oil, gas and coal industries. And much of the \$5.2 billion earmarked for renewable resources will go to the ethanol industry — a corn-based fuel source that is rich in political influence but less viable as an economically feasible alternative to fossil fuels.

Worst still are provisions to relax environmental regulations in order to make it easier to drill new oil and gas wells on federal lands and excuse manufacturers of the gasoline additive MTBE from liability for the water pollution their product has caused.

Just how bad is this so-called energy bill? Well, recall that it was born in secret — when Vice President Dick Cheney convened a conference of special interest lobbyists to help the administration shape a new energy policy for America.

And then consider that the final conference product was also wrapped up in secret — during weeks of closed-door negotiations in which no Democrats, and only a select few Republicans, participated.

And then consider that the final package had no sooner seen the light of day this week than it was being rushed to the House for a quick vote, with the Senate scheduled to pass final judgment by week's end.

Why all the secrecy? Why all the undue haste? Perhaps

because architects of the package are embarrassed by the sheer audacity of the giveaways and are anxious to rush it into law before voters catch on to the fact that this is less an energy policy bill than a lobbyist's relief package.

Here's a fine bit of irony. While Congress and the Bush administration are engineering a political bailout of the fossil fuel industry in the name of "energy independence," China is moving to set minimum fuel economy standards on its blossoming automobile industry — standards more stringent than America imposes.

"China has become an important importer of oil, so it has to have regulations to save energy," Zhang Jianwei, who heads the agency that is writing the standards, told *The New York Times* this week.

China has ambitions of being a major player in the world automobile market. It intends one day to compete with the U.S. and other auto-manufacturing nations.

And one motivation for imposing fuel-efficiency standards that exceed those set here in the U.S. is to encourage the development of hybrid engines and other fuel-efficient technologies in China. Presumably, that will give Chinese autos a competitive edge over gas-guzzling American vehicles.

But forget about foreign competition. This relief package is all about shoring up politically well-connected industries while giving the impression that America intends to lessen its dependence on foreign oil. In that regard, it is a package of campaign IOUs wrapped up in a glittering lie.

Reportedly, the only hope of stopping this ugly, secretive piece of work is if there are enough Democrats, and Republicans, in the Senate who see through the hypocrisy and who are willing to filibuster the bill.

Otherwise, it will sail through Congress and Bush will sign it — just in time for the Republican National Party to collect millions more from the energy lobbies in order to help finance next year's elections.

Please, senators, do the right thing. Turn this rotten bill back and insist on a new energy package — one that emphasizes conservation, development of appropriate and viable alternative fuel sources, and increased domestic fuel production in an environmentally responsible manner.

America's future energy security is too important to sacrifice on the altar of campaign-finance excesses.

The Patriot-News

Focused On You

CHRISTMAS LIST

The \$92 billion energy bill Congress is preparing to send to President Bush for his signature might better be called "slush fund legislation."

At three times the cost of Bush's original proposal, lawmakers outdid themselves spreading around the political pork to ensure that this legislation, which will do next to nothing to advance the nation's energy independence, would win enough votes for approval.

Thus more than \$1 billion will go toward coastal restoration, the lion's share of it -- about \$775 million -- to Louisiana. Most of that money will come from oil and gas royalties, the first time states have benefited from what had been strictly federal largess.

New Orleans-based Entergy Corp. expects to see a \$5.5 billion savings in its electricity operations from just one provision in the bill. It also stands to gain from the nearly \$4 billion in subsidies for nuclear energy.

Companies that make the about-to-be-discontinued gasoline additive MTBE, located largely in Louisiana and Texas, not only will be shielded from lawsuits but also will receive upward of \$2 billion to phase out their operations.

How did Louisiana become the epicenter of America's energy future? The legislation was co-authored by Rep. Billy Tauzin, R-La., and the votes of the state's two Democratic senators were needed for passage.

The bill contains nearly \$11 billion in goodies for the oil and gas industries, two of the most consistently profitable industries in America. Another \$5.43 billion is earmarked for the coal industry, though incredibly the

1,148-page bill fails to reauthorize the Abandoned Mine Reclamation Fund to help repair the scars from past coal mining.

There's \$4.16 billion for renewable energy, but much of that amounts to a doubling of subsidies for corn-based ethanol, a sop to Midwestern farmers. Studies have suggested it takes as much energy to make ethanol as it produces.

"It reads very much like the world's largest Christmas [list]," commented Henry Lee, a Harvard University professor of energy and environment. And as with any bill as expansive and politically driven as this one, there is some good to go along with the waste. More dollars for helping low-income families pay their heating bills. Energy conservation, efficiency and research all receive funding, though it is too soon to tell whether the dollars are directed in the most productive directions.

But achieving greater conservation is hardly the centerpiece of this legislation, which fairly drips with a strange generosity for the fossil fuels that have carried us for the last 100 years but are unlikely to suffice for another 100. This bill is not a thoughtful, forward-looking plan to meet the nation's future energy needs. Rather, it is based on who has the most political clout in Washington, and who contributes the most dollars to the key players.

What good there is in this bill is swamped by the overwhelming influence of greedy special interests. Vulnerable as the country remains to oil interruptions or sudden spikes in prices, disgrace is not too strong a word to describe what has emerged from months of largely closed-door negotiations.

November 19, 2003

Hartford Courant.

A Sleazy Backdoor Deal

Tucked away in a massive piece of legislation crafted by Republican leaders and approved by a congressional conference committee on Monday is a section that essentially tells Connecticut to drop dead.

Nobody claims credit for inserting this mumbo-jumbo amendment into Page 42 of the energy bill: "Continuation of Transmission Security Order: Department of Energy No. 202-03-2, issued by the Secretary of Energy on August 28, 2003, shall remain in effect unless rescinded by Federal statute."

What it means is that if the bill, which passed the House on Tuesday, is also approved by the Senate, the Cross Sound Cable between New Haven and Long Island will remain turned on, permanently, unless an act of Congress turns it off.

Would that be so bad? Yes, in a word.

The 24-mile cable, laid in 2002, should be used, eventually, because it will help alleviate energy reliability problems on both sides of the Sound. But it should be turned on permanently after it satisfies state Department of Environmental Protection requirements to protect navigation and the bottom of the sound. The requirements were agreed upon by the state and the cable owner. Several hundred feet of the 330-megawatt line have not been buried

to the required depth.

Still, U.S. Secretary of Energy Spencer Abraham ordered the cable juiced in August, after the blackout that enveloped the Midwest and Northeast. Later, he extended the emergency order indefinitely. The indecipherable five lines in the energy bill make it permanent, regardless of Connecticut's regulatory requirements.

Another hidden provision in the bill would apparently give the green light to the installation of the proposed Islander East natural gas pipeline across the Sound, against Connecticut's wishes.

The behind-closed-doors insertion of such amendments is symptomatic of the sleazy practices that make people hate government. As Connecticut's Sen. Joseph I. Lieberman said of the Cross Sound Cable amendment, "This backroom deal sets a destructive, anti-environmental precedent that deals a crushing blow to states' rights."

The fate of the energy bill, which is a creation of the fossil-fuel industry, is uncertain. It faces a Senate filibuster, in which Mr. Lieberman and Sen. Christopher J. Dodd no doubt will participate. Although he probably doesn't need the encouragement, state Attorney General Richard Blumenthal should go to court.

November 19, 2003

THE KANSAS CITY STAR

Congress should reject wasteful energy bill

Congress has crammed an amazing number of destructive public policies into the energy bill up for debate this week in Washington.

The politicians should strip these bad ideas out of the legislation. Alas, Americans can't count on that happening.

Led by Republicans, elected officials who are raking in millions in campaign contributions from the energy industry have made it clear they will favor expensive ways to produce more energy, not logical ways to conserve it.

The bill, put together in private meetings over many months, includes:

- Sky-high tax breaks for oil, gas, coal and nuclear power companies but not enough incentives to encourage use of renewable energy.
- Billions of dollars in added spending so taxpayers will subsidize companies that are pushing questionable plans to drill for petroleum and build nuclear reactors.
- More wasteful spending to prop up the production of ethanol, a motor fuel derived

from corn, which causes too much pollution and takes too much energy to produce.

- A provision to retroactively protect makers of the harmful gasoline additive MTBE from liability lawsuits filed by states and cities. Fortunately, some Republican senators may try to yank out this outrageous provision.

So what's not in the bill? It fails to require automakers to produce more fuel-efficient vehicles. That would be the single best way to reduce this country's dependence on foreign oil, the supposed goal of so many in Congress.

Democrats and environmental groups did manage one victory. It appears Congress won't support Bush's call to open the Arctic National Wildlife Reserve in Alaska to destructive oil drilling.

While that's a cause for some celebration, it's unfortunate that so many excessive tax breaks and subsidies for the fossil-fuel crowd remain in the energy bill.

Congress ought to reject it. The members need to craft a far better approach to the nation's energy demands, one that emphasizes conservation.

November 19, 2003

Pittsburgh Post-Gazette

Power failure

America deserves a better energy bill

The \$100 billion energy bill, in gestation since the start of the Bush administration, could end up on the president's desk soon unless congressional opponents -- primarily Democrats -- mount a fatal assault.

Work on U.S. energy policy is certainly needed, like a strengthening of the electrical power grid and reduced dependence on foreign oil. Events like the August blackout in the Northeast and the country's bloody involvement in Iraq and other oil-producing countries are costly and ghastly reminders of how the nation's energy policy is lacking.

The Bush administration forfeited a good part of the bill's credibility at the start when Vice President Dick Cheney refused to disclose who helped him develop the policy upon which it is based. Attorney General John Ashcroft's Justice Department has continued to fight the disclosure of that information in the courts.

The Republicans in the Congress then harmed the process further by in general excluding Democratic members, even those on the relevant committees, from work on the bill. They can get away with it, given their majority in both Houses, but that majority is slim in the Senate and the use of the filibuster remains an important part of potential opposition tactics.

To no one's surprise, the bill passed the House of Representatives yesterday by a vote of 246-180. We can only hope that the Senate, with the aid of Pennsylvania's Arlen Specter, will give it the thumping rejection, perhaps later this week, that it deserves.

The substance of the bill raises serious questions and reflects the work of hundreds of lobbyists providing campaign contributions to members of Congress.

For example, while China has just enacted tough minimum fuel economy standards on new cars to try to reduce its dependence on imported oil, America's

own gutless legislators put nothing whatsoever on that subject in the new energy bill. Instead the public got subsidies for the production of ethanol, made partly from corn, bringing pleasure to corn-producing states such as Iowa -- where a presidential caucus will be held -- and companies such as Archer Daniels Midland.

The bill is also unresponsive to various environmental concerns. That started when Mr. Cheney carried out only token consultation with conservation and environmental organizations. For example, meeting ozone standards is postponed. The estimated \$2 billion bill for cleaning up leakage from companies' underground toxic chemical storage tanks is shifted from the offending companies to local governments. Certain oil and gas construction activities are exempted from meeting Clean Water Act requirements.

The bill also contains \$23 billion in tax breaks to energy companies, including small domestic oil producers such as the one President Bush used to own. Oil and gas companies, by the way, have given \$24 million to Republicans since Mr. Bush took office.

This bill was flawed at the creation, not sufficiently aired and coordinated in development, and does not meet the needs of the country. It should not be passed until it receives bipartisan attention after the recess.

The first step should be opening it up to sunlight, starting with telling the American public which figures in the energy community Mr. Cheney met with to start the policy-making process. Then, given the importance of bipartisan support of a bill that deals with issues so central to national concerns, Democratic legislators should be fully included in the consultative process preceding a vote.

America's energy policy is far too important to be determined by legislation rammed through Congress by a slim Republican majority.

November 19, 2003



The Sacramento Bee

www.sacbee.com

Energy pork, not policy Ethanol, fossil subsidies don't make a plan

Congress looks like it has found the recipe for passing an energy bill, but somehow the nation's energy needs got lost in the vote gathering.

The recipe entails dropping the most objectionable of the Bush administration's supply-side solutions (drilling in a pristine section of arctic Alaska) while propping up the subsidies for Midwest ethanol and mandating that the nation burn twice as much of it. Throw in another \$10 billion in tax breaks for the fossil fuels crowd and exempt them from cleaning up their water pollution, and the bill looks filibuster-proof.

Problem is, it's not worth passing. This is not an investment toward a more balanced, sustainable energy future. This is a backward-looking giveaway of about \$30 billion that the Treasury doesn't have.

Congress seems to have forgotten entirely about one of the two sides of the energy challenge -- demand. There simply isn't enough corn in Iowa or crude underneath the

continent to distill and drill our way out of this. The nation's appetite for fossil fuels will ultimately have to decrease while demand increases for more sustainable forms of energy, particularly the energy that runs cars.

Oddly enough, the Chinese government understands this. Like the United States, China once produced all the oil that it needed; now it is a net importer and staring at a future of dependency. So China, in the same week that Congress is debating this energy bill, has unveiled new fuel economy standards for cars that are more stringent than those in the United States.

This is low-hanging fruit in terms of an energy-saver. It also is something that Detroit automakers can't stomach. But their future is in peril if they fight for the status quo in Congress while other countries begin producing more and more efficient cars that tomorrow's market will crave. Energy subsidies should be about subsidizing the transition to a different future. Congress remains stuck in yesteryear.

November 19, 2003



Energy-Bill Excesses: GOP Second Thoughts?

For the past few months, Pete Domenici has been the most influential person on Capitol Hill during the crafting of our nation's newest energy bill. Now, on the verge of his greatest success, is it possible he's been too crafty for his own good?

A slightly Republican Senate, anxious for recess and ready for mischief, this summer approved a Democratic energy bill. A more solidly GOP House of Representatives had passed a bill to the liking of a fellow Republican, President Bush.

That meant the two competing measures would be resolved in House-Senate conference. There, and in caucus, the leading House elephants would romp with fellow pachyderm Pete Domenici before parading back to their respective chambers, laden with the kind of legislation our country has come to expect from the party presently in power.

The energy bill on the brink of passage has something for everyone — that is, everyone in slick suits and briefcases representing Corporate America.

It carries a price tag of at nearly \$100 billion, and it abounds in handouts to Big Oil, Big Gas, Big Coal, Big Nuke, even Big Corn — yes, we must buy twice as much ethanol, made from corn squeezings, as we've been buying as a gasoline additive. For it, we'll pay an added cost of \$8.5 billion a year at the pumps.

Utility monopolies will be encouraged and allowed to play faster and looser with their finances. That bodes ill not only for electricity consumers, but also for the environment. The bill spares the Alaska National Wildlife Reserve from drilling; same for some stretches of the California coast, but for much of the West, it's Katy bar the door: The feds would have more say in siting power lines, and are likely to open our state's Otero Mesa and Valle Vidal, as well as other states' wildlands, to wildcatters — not to be confused with the four-footed animal.

Highway and pipeline construction will be in for multi-billion-dollar infusions, loan guarantees and

other goodies. Meanwhile, automotive fuel-efficiency standards will remain ridiculously low for a nation whose foreign policy pivots on wobbly overseas sources of petroleum.

It took ready-with-a-quip Republican John McCain to show some shame over his party's behavior: The Arizona senator calls it the "Leave No Lobbyist Behind Act." It's so larded with pork that even Senate Democratic leader Tom Daschle, famed for his crocodile tears over tax breaks for the rich, loves it; so do a couple of other Farm Belt burros.

This bill is an embarrassment of riches for the already-rich. It should be an embarrassment to those whom Americans elected to look after the well-being of the entire country. But how often do we see a senator or representative looking embarrassed about anything?

Fortunately, a few Republicans appear to be heeding McCain's call to conscience. Sen. Arlen Specter of Pennsylvania is having pangs over the bill's failure to advance the cause of conservation and renewable energy. Is it possible that the often-credible Specter could rally fellow GOP moderates for a filibuster?

Domenici makes much of the jobs to be generated in mining and energy — but those industries are becoming less and less labor-intensive. No doubt a few executive jobs will be created, and New Mexico Tech comes in for some research contracts, but between robotics and other modern marvels, fewer and fewer folks are to be found in the strip mines and oil fields.

Domenici, re-elected just last year, has no fear of voters' wrath — but with a third of the Senate up for election next year, some of his colleagues aren't so comfortable. Will it occur to enough of them that they've overdone it; that maybe they should go back and reduce the most glaring abuses of this bill?

ST. LOUIS POST-DISPATCH

ENERGY POLICY

The other white meat

LIKE PROUD 4-H CLUB MEMBERS at a county fair, congressional Republicans trotted out their much-touted energy bill last week. If their 1,400-page porker could walk, it would do so on cloven hooves. The bill, which passed in the House on Tuesday, includes a staggering \$31.8 billion in tax cuts and direct spending over 10 years, including \$23.5 billion for oil, coal and gas companies, nuclear power generators and ethanol producers.

But that's just part of the price tag. The final tab - including indirect costs, such as the more than \$31 billion in pollution clean-up expenses that will be shifted onto taxpayers' backs - is estimated at as much as \$140 billion.

There are other hard-to-quantify costs built into this porcine package. St. Louis and a number of large metropolitan areas will be given more time to comply with federal smog-reduction rules. In the current climate of less-regulation-is-more, that's a dangerous road to go down. That means coal-fired power plants, including those in Missouri and Illinois, will avoid some expenses now. But thousands of people will pay a price in asthma attacks, breathing disorders and in some cases, shortened lives.

Another part of the bill would repeal Depression-era protections for electric customers. That would allow big companies to buy electric utilities, then use them to secure financing for high-risk ventures that banks otherwise wouldn't underwrite. Customers could be stuck with the bill.

Of course, all that might be an acceptable tradeoff if the bill helped reduce the nation's reliance on foreign energy, or paid for long-overdue improvements to the electrical grid, or addressed global warming. The bill does contain a pittance for renewable energy, as well as strengthened reliability rules for the electric grid.

But beyond those small victories it's a pork-o-rama. The measure does so little to achieve energy objectives that some backers have described it as a jobs bill. It better be. In tax breaks and direct spending, the bill will cost taxpayers \$3.1 billion during each of the next 10 years. At the average Missouri wage of \$33,115, that's

enough to hire nearly 100,000 people and keep them on the payroll for a decade.

Congress can - and should - do better. It can focus on developing alternative energy sources, and extend the concept of individual and corporate responsibility to include well-heeled campaign contributors.

Backers of the bill insist they have the votes needed to pass it, but some Senate moderates are hoping for a filibuster. That would give cooler heads in both parties a chance to regroup and get to work on legislation that addresses our real energy needs: becoming less dependent on foreign oil, making more efficient gasoline engines, improving power plant technology, improving the electrical grid, developing realistic alternatives to fossil fuels and addressing the threat of global warming.

At the top of the list of objectionable provisions in the bill is one that would absolve makers of the gasoline additive MTBE from liability in suits over contaminated water supplies. That one section of the bill will cost cities, water companies, well-owners - and ultimately taxpayers - \$29 billion. That's the estimated cost of cleaning drinking water supplies tainted by MTBE from leaking underground gas tanks. Not only do the big oil refiners that make MTBE escape the cost of cleaning up the mess they've made, they get a \$2 billion gift to help with the expense of transitioning to the production of other gasoline additives.

Then there's the nearly \$1 billion for shoreline restoration, mostly in Louisiana. What does that have to do with energy policy? Nothing. But chief Republican House negotiator Rep. Billy Tauzin is from Louisiana. House Majority Leader Tom DeLay, R-Tex., scored \$2 billion to fund research by colleges and energy companies on ultra-deep water oil exploration and natural gas extraction. Most of it is likely to go to Texas schools.

It may be called an energy bill, but this measure contains too little rational energy policy and too much wasteful spending. Unless some of it is removed, taxpayers will be choking on this pork for years to come.

THE BLADE

One Of America's Great Newspapers

Congress' sleazy riders

In Washington parlance, a "rider" is legislation that can't make it through Congress on its own and so is attached to a bill that's assured of passage.

This stealth practice of lawmaking on behalf of special interests is often described as sneaky, but sleazy is more apt.

In 1995, the process backfired on Republicans, who grafted at least 15 riders onto spending bills. When then-President Clinton refused to sign them, the government partially shut down and the sponsors eventually relented.

Now, a slew of such measures is popping up around Capitol Hill with bipartisan fervor as Congress rushes toward its Thanksgiving recess.

One Republican rider, attached to President Bush's omnibus energy bill, would permit the federal Environmental Protection Agency to relax state deadlines for meeting clean air standards.

Another would negate California's law to toughen pollution standards for small engines, such as those used on lawnmowers. The measure is sponsored by Sen. Kit Bond, Republican of Missouri, home to two plants

owned by engine-maker Briggs & Stratton Corp.

Yet another, pushed by Sen. Ted Stevens, Republican of Alaska, would require that a portion of certain types of crabs taken from the northern Pacific Ocean be sold to an enterprise that includes the senator's son, an Alaskan state legislator.

A fourth rider, attributed to Sen. Edward M. Kennedy, Democrat of Massachusetts, reportedly was initiated by the hospital industry to gain retroactive immunity from federal anti-trust laws for the system under which medical residents are assigned to work long hours in hospitals.

None of these measures have the backing in Congress to succeed on their own. Most of them haven't even gotten hearings, nor, as in the case of the crab-harvest scheme, "pass the smell test," as one observer put it.

The common goal of the sponsors is to slip these provisions past their fellow lawmakers and into federal law.

It's the underhanded kind of legislating that only enhances Congress' reputation for sleaze yet, sadly, has become endemic to the Capitol scene.

November 19, 2003

WINSTON-SALEM JOURNAL

Energy Bill

The massive energy bill moving through Congress is a mess. The best thing that Congress could do now is to send this bill to the scrap heap and make a New Year's resolution to come up with a national energy strategy that will do some long-term good.

Congressional Republican leaders have produced a 1,148-page behemoth that is long on tax breaks, subsidies and pork-barrel projects and short on measures that would help wean the United States from heavy dependence on polluting fossil fuels, including too much imported oil and gas. It provides so little in the way of a real energy plan that GOP leaders have begun touting it instead as a job-creation bill.

The more the conference committee tinkered, the more it loaded the bill with bad provisions. It gives producers of the gasoline additive MBTE, which is believed to pollute drinking water, retroactive exemptions from product liability and \$2 billion to pay for "transition" expenses as MBTE is phased out. Senate opposition kept out provisions for oil drilling in the Arctic National Wildlife Refuge and exploration off the U.S. coasts, but the bill places new emphasis on drilling for oil and gas on public lands, with weakened environmental review. Clean water, clean air and local governments that are battling pollution are among the losers.

The bill is so massive that analysts and members of Congress are having a hard time

figuring its cost, which some estimates put as high as \$100 billion. The Associated Press said that a preliminary analysis showed that two-thirds of the bill's \$23.5 billion in tax breaks would go to the oil, gas and coal industries. Measures that would promote energy conservation and fuel efficiency get short shrift.

Despite its high cost, the bill fails to give the nation what it needs. Even its efforts aimed at preventing another blackout like the one last summer are of questionable merit: The bill does create mandatory reliability rules for electricity transmission networks, but it would impede regional coordination.

Other than a few modest initiatives, the bill does little to tackle the essential challenge for the nation's future: the need for energy independence that can be sustained without degrading the environment. This bill does not attempt to reduce the emissions that cause global warming. It does not impose fuel-efficiency standards for private vehicles to reduce oil consumption. It does not commit serious resources to alternative fuels or new efficiencies. Rather than providing a vision for the future, it is largely a blueprint for keeping things as they are until the country runs out of places to dig and drill.

This bill grew in conference committee like a monster. The bigger it grew, the worse it became. Congress should admit failure and start over.