

FEDERAL LEGISLATION RELATED TO CLIMATE CHANGE PENDING IN THE 110TH CONGRESS

— In the Senate —

S. 280 Climate Stewardship and Innovation Act of 2007 (McCain-Lieberman)

- Covers electric power, industrial, and commercial sectors of U.S. economy.
- Establishes a program for reduction of greenhouse gases (GHGs) in covered entities through a market system of tradable allowances. One tradable allowance is necessary for each metric ton of emissions.
- Declining cap for GHG emissions beginning in 2012:
 - 2012: cap at 2004 levels
 - 2020: cap at 1990 levels
 - 2030: cap at 20% below 1990 levels
 - 2050: cap at 60% below 1990 levels
- Allowances can be sold, exchanged, purchased, banked (saved for future years), borrowed (against emissions reductions of up to 5 years), or offset (up to 30%).
- EPA distributes allowances to companies directly or to Climate Change Credit Corporation, which publicly auctions allowances. Funds generated from CCCC used for first generation technology implementation, assistance for low income communities, and adaptation strategies.
- Supported by Sens. McCain, Lieberman, Collins, Obama, Snowe and Lincoln.

S. 485 Global Warming Reduction Act of 2007 (Kerry)

- Creates a market-based emissions cap on global warming emissions, with a progressive declining cap beginning in 2012.
- Requires the EPA to reset passenger vehicle emission levels every 5 years.
- Requires the Secretary of Agriculture to set standards for carbon sequestration and biological offsets.
- Sets benchmarks for increasing percentages of renewable fuel in gasoline, and creates tax incentives for use of hybrid and electric vehicles.

S. 6 National Energy and Environmental Security Act of 2007 (Reid)

- Expresses the sense of Congress that the President should (a) require reduction in GHG emissions; (b) expand the use of clean energy; (c) reduce the burden on consumers of rising energy costs; (d) eliminate tax giveaways to oil industries; (e) prevent price manipulation of oil.

S. 309 Global Warming Pollution Reduction Act (Sanders)

- Directs EPA to set aggressive milestones in aggregate net levels of emissions & authorizes the EPA to create a market-based program to achieve reduction in emissions.
- Requires each fleet of automobiles by every manufacturer to meet emissions standards by 2016.
- Requires electric generating units to meet standards comparable to new natural gas generation units and requires such units to devote a percentage of electricity produced for sale from low-carbon generation.
- Establishes low-carbon generation trading program.
- Increases research into low carbon technology by 100% every year for 10 years.
- Requires raising the percentage of renewable fuel in commercial gasoline.

S. 317 Electric Utility Cap and Trade Act of 2007 (Feinstein)

- Covers all Electric Generation Units (EGUs) that (a) have a nameplate capacity greater than 25 megawatts; (b) emit GHG; (c) generate electricity for sale.
- Creates a cap for all such emissions for 2011-2020, and creates a market-system to distribute emission allowances under the Climate Action Trust Fund.
- Funds generated by the CATF are used for: (a) adaptation assistance for communities adversely affected by the act; (b) mitigating the impacts of climate change on fish and wildlife.
- Requires EPA to create regulations concerning early reduction credits for GHG reduction or sequestration from 2000 to 2010.

S. 357 Ten-in-Ten Fuel Economy Act (Feinstein) (*see also* H.R. 349)

- Requires fuel economy labeling standards to include greenhouse gas emissions information.
- Revises Corporate Average Fuel Economy (CAFE) standards for passenger cars and light trucks to gradually increase to 35 mpg by 2019.

S. Res. 30 Sense of the Senate of the need to address global warming through international agreements (Biden)

- Expresses the sense of the Senate that the U.S. should participate in negotiations under the U.N. Framework Convention on Climate Change that will establish commitments from all countries that are major contributors of greenhouse gas emissions.

— In the House of Representatives —

H.R. 6 Renewable Fuels, Consumer Protection and Energy Efficiency Act of 2007 (to be submitted to conference committee)

- This energy legislation, versions of which have passed both Houses of Congress, would establish a wide variety of requirements and incentives to increase use of renewable fuels, decrease use of fossil fuels, and promote energy conservation.

H.R. 182 Team up for Energy Independence Act (Lofgren)

- Creates a national sales tax for automobiles, rising to 80% in 2011. Automobiles that use alternative fuels are exempted from the tax.

H.R. 550 Securing America's Energy Independence Act of 2007 (McNulty)

- Extends tax credits for fuel cell technology, solar technology and residential energy efficient property expenditures.

H.R. 791 Increase Renewable Fuel Content of Gas Sold in the United States (Weller)

- Increases the percentage of renewable fuels in commercial gasoline beginning in 2013.

H.R. 620 Climate Stewardship Act of 2007 (Olver-Gilchrist)

- Requires companies in electric power, industrial, and commercial sectors of U.S. economy to participate in allowance scheme with a declining cap beginning in 2012. Companies are required to purchase 1 allowance per metric ton of GHG emitted.
- Allowances can be sold, traded, retired, borrowed, or offset.
- Companies may offset emissions reductions in verifiable international reductions.
- Funds generated by the sale of allowances are used for: (1) development of clean technology; (2) incentives for carbon sequestration; (3) restoration of habitat for fish and wildlife.
- Requires states to develop climate change impact mitigation plans.

H.R. 670 DRIVE Act (*see also* S. 339 – DRIVE Act)

- Directs the White House Office of Management and Budget to set an oil savings target and action plan to reduce dependence on foreign oil.
- Directs Secretary of Transportation to create a fuel efficiency program for passenger car and light trucks.
- Requires an increasing percentage of vehicles to be alternative fuel vehicles, redirects IRS policy to encourage alternative fuel vehicles.
- Requires Secretary of Energy to reduce federal fleet consumption of petroleum by 20%, encourage the development of plug in hybrid vehicles.

H.R. 969 Public Utility Regulatory Policies Act Amendments of 2007 (Udall, Tom)

- Requires electric utilities to increase power generated from renewable sources from 1% in 2010 to 20% in 2020.

H.R. 1300 Program for Real Energy Security Act (Hoyer)

- Creates National Commission on Energy Security and Transition to New Fuels.
- Requires increasing use of biofuels and alternative fuel vehicles.

Other Resources

Energy & Env'tl. Sec. Initiative, Climate Action Database: A Database of Major U.S. Climate Change Policy Proposals, <http://lawweb.colorado.edu/eesi/dms/>.

Pew Ctr.on Global Climate Change, Policy Analyses,
http://www.pewclimate.org/policy_center/analyses.