

# A recipe for inaction

Climate change legislation stalls in Congress

by Craig Silvertooth

**FOR YEARS**, proponents and detractors of climate change legislation have traded rhetorical volleys to draw the initial battle lines for the day when Congress finally would consider the issue. That day came June 2 when the Senate commenced business for the week with a motion to proceed to S. 3036, the Lieberman-Warner Climate Security Act of 2008.

The bill was ambitious—by 2050, it sought to reduce carbon dioxide emissions and other greenhouse gas emissions almost 70 percent from 2005 levels.

By June 6, the first significant congressional showdown on climate change legislation concluded abruptly when the chamber fell 12 votes short of the 60 needed to prevent a Republican filibuster and move to final consideration of the bill.

## Doomed to fail

No one thought the legislation's passage would be easy or the debate cordial, but the entire affair seemed doomed to fail. With gas prices escalating at an alarming rate and no end in sight, timing couldn't have been worse. Add a presidential election to the mix, and you've got a recipe for inaction.

Deliberations proved unusually contentious as debate turned to finger-pointing regarding judicial nominations and which party cared more about "hard-working Americans" struggling with rising fuel costs.

The process then became monotonous

on June 4 when Sen. Barbara Boxer (D-Calif.) offered a substitute amendment to the underlying bill. Earlier in the week, Senate Majority Leader Harry Reid (D-Nev.) had expressed a willingness to allow an open debate during which GOP senators could offer amendments. But after Boxer's amendment was introduced, Reid used a procedural tactic to prevent Republicans from filing amendments. Reid also filed a cloture motion on Boxer's amendment, guaranteeing the Senate would vote June 6 as to whether to move to final consideration of the bill.

With few parliamentary maneuvers at his disposal and the looming prospect of a canned outcome, Senate Minority Leader Mitch McConnell (R-Ky.) opted to slow the process by requesting a complete reading of Boxer's 491-page amendment before debate could resume. The Senate GOP gambled they could buy enough time until the bill crumbled under its own weight.

Two days later, S. 3036 was dead, and the 2008 "dress rehearsal" left more questions than answers.

## Looking ahead

Some die-hard proponents are discounting the defeat's significance, but most advocates acknowledge its magnitude as well as the need to refine their approach next time. And there will be a next time. Regardless of who wins the White House in November, climate change action is assured to be a top priority in 2009.


If Sen. Barack Obama (D-Ill.) claims the presidency and the Democrats make major gains in Congress, congressional action will be swift and heavily focused on mandates to reduce emissions. But if Obama takes the election and Democrats fail to increase their congressional ranks significantly, he will be forced to negotiate with the GOP.

And if Sen. John McCain (R-Ariz.) prevails, he'll be compelled to consider the concerns of his Republican colleagues in Congress, a scenario more likely to emphasize technological solutions and energy independence than mandates.

## Points of convergence

Although the parties agreed on little else, two points of convergence in the June debate are worth mentioning.

First, neither side shied away from the process. This marks a substantial turnaround for the GOP, who as recently as 2007 might have preferred to play defense and debate the merits of the science behind global warming. The debate no longer is about *whether* to address climate change but *how* to tackle the challenge.

And second, a bipartisan consensus appears to be emerging that promotion of clean energy technologies must be a central component of any path forward. 

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