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House members work late in partisan clash over energy bill

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Perhaps because billions of dollars are at stake, the House Energy and Commerce Committee's 36 Democrats and 23 Republicans managed to stay awake late into Wednesday night on the third straight day of marking up the Waxman-Markey energy and climate change bill. Republicans charge that the bill, if passed, will cost the U.S. economy billions in higher energy costs and in markets and jobs lost to overseas competitors not saddled with similar environmental regulations. Democrats expressed equal concern that if their bill isn't passed, the U.S. economy will lose billions as other countries widen their current head start on replacing fossil fuels with clean renewable energy.

Members stayed awake even for Republican questions such as "How much energy is consumed in art lighting [the lights over framed paintings] in residences?" They definitely stayed awake when Rep. Marsha Blackburn (R-TN) proposed an amendment that would declare that carbon dioxide is not an air pollutant. That particular amendment triggered an immediate sharp response from the two main authors of the Democrats' energy/climate bill, Reps. Henry Waxman (D-CA) and Ed Markey (D-MA). Markey responded to the Blackburn amendment by saying that "The premise of this entire legislation is that carbon is a danger to the planet, as determined, one, by the Intergovernmental Panel on Climate Change and, two, by the Supreme Court of the United States of America." Waxman responded by saying the Blackburn amendment "would declare that carbon dioxide is not an air pollutant. . . The solution is not to pretend that carbon dioxide isn't an air pollutant. It's to do something about it."

The Blackburn amendment was defeated in a 33-23 vote. Repeated roll call votes on the what Republicans say will be over 400 amendments were foregone conclusions. Again and again, the votes came in largely along party lines, 34-22, 35-20, 36-20, 33-23. Waxman said that after many similar Republican amendments, all defeated, "It's hard not to recognize a pattern. If this happens [such as a rise in steel industry unemployment], the bill's gone. If this happens, the bill's gone. You say it's an insurance policy. Sounds to me like a political way of trying to raise people's concerns and fears that maybe it won't work. But what we've had has not worked. It hasn't worked for American jobs, it certainly hasn't worked for the steel industry."

With vote outcomes known beforehand, the apparent conclusion is that the Committee's Ranking Member Joe Barton (R-TX) is determined to obstruct the process and deny Chairman Waxman his wish to complete committee work on the bill this week. The good news is that Barton did not carry out his threats to force the committee to hear the entire 948-page Waxman-Markey bill read aloud – followed by a reading of Barton's 300-page substitute bill. Reportedly, other Republicans convinced Barton to forego the readings.

Waxman adjourned the markup for the day at 11:35 PM. He said the markup will resume Thursday morning at 10 AM – and that he plans to finish the markup on Thursday.

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