



Sens. Murkowski & Boxer exchange verbal blows on Senate floor over curbing EPA

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Washington, Jan. 21 – In a Senate floor speech Thursday, Sen. Lisa Murkowski (R-AK) introduced a “resolution of disapproval” which would block U.S. EPA authority to regulate greenhouse gas emissions under the Clean Air Act. Murkowski explained that “We should continue our work to pass meaningful energy and climate legislation, but in the meantime, we cannot turn a blind eye to the EPA’s efforts to impose back-door climate regulations with no input from Congress.”

Murkowski, the ranking Republican on the Senate Energy and Natural Resources Committee, said that as long as EPA retains authority to act on its own to cut CO₂ emissions, “we are being presented with a false choice between unacceptable legislation and unacceptable regulations. . . . Allowing the EPA to proceed will endanger jobs and our economy and our global competitiveness.” She added that EPA’s “command-and-control approach is our worst option for reducing the emissions blamed for climate change.”

This latest move comes in a continuing and heated debate in which Murkowski is challenging the Obama administration and others who believe the threat of EPA greenhouse gas regulations, as ordered by the U.S. Supreme Court, will force Congress to pass climate change legislation. Others like Murkowski insist that Congress needs more time and that it would be wrong to use the threat of “bad regulation” to pass “bad legislation.” Revealingly, on Thursday three Democrats signed up as co-sponsors of the Murkowski resolution: Senate Agriculture Committee Chair Blanche Lincoln (D-AR) and Sens. Ben Nelson (D-NE) and Mary Landrieu (D-LA). Sens. Mitch McConnell (R-KY), the Senate Republican Leader; Saxby Chambliss (R-GA), Ranking Member on the Senate Agriculture Committee; former Agriculture Secretary Mike Johanns (R-NE); Chuck Grassley (R-IA); and John Thune (R-SD) are among the 35 Republicans co-sponsoring the resolution.

Murkowski said that “Congress must be given the time to develop a responsible policy that protects both the environment and the economy. We are not incapable or even unwilling to legislate on this topic. So far, this Congress has merely failed to develop a balanced measure that draws enough support to be signed into law. And we can remedy that shortcoming and I remain committed to playing a constructive role in that effort. I

believe that the looming specter of EPA regulation is actually a big part of the reason that we've had difficulty moving forward on climate legislation. Even though we know that some approaches for reducing emissions are greatly inferior to others, there's inexplicable resistance to removing even our worst option for consideration."

Charging that her critics may be acting based on political considerations, Murkowski said that "If we are serious about fulfilling our duty to our constituents and giving this issue the full debate that it deserves, we should take the EPA regulations off the table." She said that "Without a backstop that says emissions will be reduced one way or another no matter how painful, supporters of climate legislation would have to get serious about finding common ground and bipartisan co-sponsors."

Immediately after Murkowski's floor speech explaining her case for curbing the EPA, Sen. Barbara Boxer (D-CA), Chair of the Senate Environment Committee which passed a climate change bill last year, warned that passing the Murkowski resolution would seriously undermine the EPA's ability to protect human health. Boxer asked rhetorically if Murkowski would also support removing the EPA's authority to enforce regulations on other serious health risks such as mercury, lead and toxic chemicals. She called Murkowski's proposal "an unprecedented move by a United States Senator and her co-sponsors to overturn a health finding made by health experts and scientific experts in order to stand with the special interests."

Murkowski's resolution is as follows:

Disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That Congress disapproves the rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act (published at 74 Fed. Reg. 66496 (December 15, 4 2009)), and such rule shall have no force or effect.

The next step is that the resolution will be referred to the committee of jurisdiction which in this case is the Senate Committee on Environment and Public Works, chaired by Sen. Boxer. If the committee does not favorably report the resolution, it may be discharged upon petition by 30 Senators. Once a disapproval resolution is placed on the Senate calendar, it is then subject to expedited consideration on the Senate floor, and not subject to filibuster.

The proposed joint resolution's co-sponsors are: Sens. Blanche Lincoln (D-AR), John Barrasso (R-WY), Ben Nelson of Nebraska (D-NE), Saxby Chambliss (R-GA), Mary Landrieu (D-LA), John Thune (R-SD), Kay Bailey Hutchison (R-TX), Lindsey Graham (R-SC), Tom Coburn (R-OK), David Vitter (R-LA), John Cornyn (R-TX), Johnny Isakson (R-GA), Chuck Grassley (R-IA), Lamar Alexander (R-TN), Kit Bond (R-MO), James Inhofe (R-OK), Jim Bunning (R-KY), Mike Crapo (R-ID), Sam Brownback (R-KS), Pat Roberts (R-KS), Mitch McConnell (R-KY), John Enzi (R-WY), John McCain

(R-AZ), Roger Wicker (R-MS), Ricahrd Lugar (R-IN), Bob Corker (R-TN), Thad Cochran (R-MS), Jon Kyl (R-AZ), Robert Bennett (R-UT), Jim Risch (R-ID), Mike Johanns (R-NE), Jeff Sessions (R-AL), George Voinovich (R-OH), Richard Burr (R-NC), Richard Shelby (R-AL), Judd Gregg (R-NH), Orrin Hatch (R-UT), and George LeMieux (R-FL).”

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