

The Elections' Impact on Energy and the Environment

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The November midterm elections represent a major victory for the fossil fuel industry and a significant defeat for proponents of greenhouse gas reductions. Republican control of the Senate and an even larger Republican majority in the House means four key things for anyone interested in energy and the environment: the Senate Environment and Public Works Committee will now be controlled by a chairman who believes climate science is junk science; the Keystone XL Pipeline now has the necessary votes to be immediately greenlighted; legislative attacks on **Environmental Protection Agency (EPA)** fossil fuel regulations will be much stronger; and there will be no legislative caps on carbon emissions, and thus, virtually no chance of a meaningful international treaty at the 2015 United Nations Climate Change Conference in Paris.

There will be an ideological shift in key Senate committees leading to increased EPA oversight. The chairmanship of the Senate Environment and Public Works Committee is likely to pass from Senator Barbara Boxer (D-CA) to Senator James Inhofe (R-OK). This represents a major ideological shift with respect to energy and environment issues. Senator Boxer has sponsored legislation to put a price on carbon emissions and is a vocal opponent of attempts to roll back existing environmental laws. Senator Inhofe, on the other hand, rejects the idea that climate change is manmade, is a strong supporter of the fossil fuel industry, and is vehemently opposed to President Obama's EPA regulations. After grumbling for years that Chairwoman Boxer refused to investigate EPA officials involved in extensive rulemakings, Senator Inhofe is going to shine a bright light on administration officials involved in the planning and implementation of the president's climate plan.

Since 2011, the Republican-controlled House has voted seven times to allow the construction of the divisive Keystone XL Pipeline. The Senate, under the control of Majority Leader Harry Reid (D-NV), has not held a binding vote on the project since 2012. Senator Mitch McConnell (R-KY), the 114th Congress's presumed Senate majority leader, lists passing Keystone legislation as a top priority. Before the midterms, Keystone had somewhere between 56 and 58 strong Senate supporters. With the election of Republican senators-elect Cory Gardner in Colorado, Joni Ernst in Iowa, Mike Rounds in South Dakota and Shelly Moore Capito in West Virginia, enough votes flipped to the staunchly pro-Keystone camp. Expect Majority Leader McConnell to bring the measure to the floor early in the new Congress, for the Senate to pass a bill and place it on President Obama's desk. The President will then be forced to make a tough decision, with two of his traditionally trusted allies—environmentalists and unions—and two of his top priorities—cutting carbon emissions and job creation—pitted firmly against each other.

During his 2014 campaign, Senator McConnell, from the heavy coal-producing state of Kentucky, successfully turned his own reelection into a referendum on President Obama's EPA regulations. His comfortable victory will likely embolden his efforts to roll back some of the President's ambitious regulations. In 2014, the House passed H.R. 3826, sponsored by Representative Ed Whitfield (R-KY) and titled the "Electricity and Security Act," which would, among other things, remove from EPA and give to Congress the power to set dates for EPA regulations to go into effect. The Senate version of the bill never moved. Expect the Senate to bring and pass similar legislation, but unlike Keystone, President Obama will undoubtedly veto any legislation that infringes on EPA's greenhouse gas regulations, which are a critical component of his legacy.

International climate concerns will be disregarded. Last week, the UN Intergovernmental Panel on Climate Change offered its direst warning yet about the potential effects of climate change: if the world's nations do not eliminate greenhouse gas emissions, there will be severe, pervasive and irreversible impacts. Foreshadowing the 114th Congress's response to these international concerns, Senator Inhofe criticized the report as "beyond extreme" and "little more than high hopes from the environmental left." Senator Inhofe's views, shared by many Republicans in Congress, do not bode well for U.S. participation at the UN's climate change conference in 2015. As the last sixteen years since the Kyoto protocol have indicated, without U.S. support for mandatory emissions reductions, there is virtually no chance of a meaningful international treaty on climate change.

Sam Neel also contributed to this article.

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