

## **CONGRESS FAILS TO PASS A CLEAN ENERGY BILL AND DISMISSES THE RIGHTS OF WESTERN LANDOWNERS**

President Bush signed the energy bill into law on August 8. The bill fails to protect landowners affected by booming energy development in the West, endangers scarce water resources, and misses a golden opportunity to set the country on a clean energy path through the use of renewable energy.

The bill harms Western landowners and communities by:

- letting oil and gas companies continue to endanger drinking water supplies by injecting benzene and other cancer causing chemicals underground to force oil and gas out,
- allowing erosion and sedimentation that occurs from oil and gas drilling and construction activities to pollute water supplies,
- speeding up oil and gas permitting by the Bureau of Land Management (BLM), even though the Government Accountability Office recently concluded that the BLM is already so focused on issuing permits that it's neglecting its environmental protection responsibilities,
- establishing a federal right of eminent domain for electric transmission lines, which could force landowners to make even more economic sacrifices for energy development,
- increasing the acreage limitation to 960 acres or acreage larger than that in the original lease and allowing a waiver of the requirement for financial assurance, a loosening of royalty payments and other provisions in the coal leasing program, and
- authorizing \$1.8 billion over nine years to subsidize a Clean Coal Power Initiative; mandates that 70% of the funds be used for the development of coal-based gasification technologies; establishes series of tax credits costing \$1.612 billion.

The bill fails to include a federal renewable energy standard, even though 20 states have the foresight to adopt similar standards. Further, it extends the wind production tax credit for only two years (down from three years in the Senate energy bill), which will keep the wind industry from reaching its potential.

On the positive side, the bill included

- Authorization of \$50 million over 10 years for programs to clean up abandoned wells on public and private lands
- A mandate to examine the effects of coalbed methane on surface and groundwater resources, including groundwater aquifers in Montana, Wyoming, Colorado, New Mexico, North Dakota, and Utah. The report is due within 12 months.
- Directing the Secretaries of Interior and Agriculture to improve inspection and enforcement of oil and gas activities with an authorization of \$20 million per year for five years.

For more detailed information, see "The Comparison of the House, Senate and Conference Committee Energy Bills." The complete bill can be found on the Senate Energy Committee's

website: <http://energy.senate.gov/public>. Note that the bill is 1,725 pages long. There is a Table of Contents, but, unfortunately, it lacks page numbers! Please call us if you have questions.

**The votes were as follows:**

**Senate:** 74 Yeas; 26 Nays

Democratic yes votes: 25; Republican yes votes: 49

Democratic no votes: 19; Republican no votes: 6

**House:** 275 Yeas; 156 Nays

Democratic yes votes: 75; Republican yes votes: 200

Democratic no votes: 126; Republican no votes: 31; Independent no vote: 1

**WORC Delegation Senate Votes**

**Yeas:** Allard (CO), Salazar (CO), Craig (ID), Crapo (ID), Baucus (MT), Burns (MT), Conrad (ND), Dorgan (ND), Johnson (SD), Thune (SD), Thomas (WY), Enzi (WY), Smith (OR).

**Nays:** Wyden (OR)

**WORC Delegation House Votes**

**Yeas:** Beauprez (CO), Hefley (CO), Musgrave (CO), Salazar (CO), Otter (ID), Simpson (ID), Rehberg (MT), Pomeroy (ND), Herseth (SD), Walden (OR), Cubin (WY).

**Nays:** Blumenauer (OR), DeFazio (OR), DeGette (CO), Hooley (OR), Udall (CO).