

# Shifting Priorities: Events Alter Outlook for Senate and its Environment & Public Works Committee



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Chairman, Environment and Public Works Committee

**O**n August 10, nearly two years after the expiration of TEA 21, President Bush signed the Safe, Affordable, Flexible, Efficient Transportation Equity Act (SAFETEA) into law. I was pleased to work closely with the aggregates industry in the effort to pass this critical legislation. In the months ahead, the Senate Environment and Public Works Committee (EPW) will monitor and consult on implementation of the reauthorization bill, which will become all the more important in the face of the massive rebuilding required in the wake of Hurricane Katrina.

The tragedy of Hurricane Katrina and the passing of Chief Justice William Rehnquist have resulted in an extremely fluid Senate schedule so that it may expeditiously move relief and reconstruction legislation forward. In the midst of addressing Katrina's aftermath, there are a number of priorities for the EPW Committee, many related to Katrina, and many that have been longstanding issues of great interest.

The Senate defeated a purely political attempt led by Senate Democrats to overturn the Bush Administration's Clean Air Mercury Rule, which relies on a proven market-based approach to yield a significant 70 percent reduction in mercury pollution from the nation's power plants. With the

Senate's endorsement of a cap-and-trade system to reduce pollution, attention will return to moving our Clear Skies legislation forward. Democrat opponents to this comprehensive legislation must return to the table to help craft a workable solution to cleaner air given the Senate's previous rejection of mandatory caps on carbon dioxide emissions and the continuing failure of air-related litigation in our courts. The success—or lack of success—rate for air litiga-

(WRDA). The WRDA package contains a number of provisions that would help mitigate erosion along the Louisiana coastline and also help ensure that other U.S. regions will not experience the same type of flooding that inundated New Orleans. The committee is working with the Army Corps of Engineers on several legislative remedies.

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tion lingers at roughly 50 percent. Fifty percent is a failing grade in any school.

The Senate will likely consider several health-related bills and tax provisions to facilitate reconstruction and restoration efforts in New Orleans and along the Mississippi and Alabama coastlines in the wake of Hurricane Katrina. As part of the efforts, the EPW Committee is working with the Senate leadership to schedule debate time for the Water Resources Development Act

will review these deficiencies and consider their solutions or alternatives. The committee will look at how our refineries are regulated and examine closely the existing energy infrastructure to ensure that we will not be vulnerable to future catastrophes like Katrina. Refineries are among the most complex and heavily regulated businesses in the world. Regulations can be better integrated to meet consumer and environmental requirements. During its May 2004 hearing, the

committee learned that historic economic factors mixed with regulatory uncertainty have impeded new refinery construction. The committee has been reviewing those issues since, and the hurricane underscores the need to diversify the nation's refining industry.

In response to Katrina, the Environmental Protection Agency (EPA) promptly issued, at our urging, significant and broad waivers under the Clean Air Act to ensure a sufficient supply of transportation fuels for motorists, businesses and consumers across the nation. The EPW Committee is reviewing the way in which states develop and the federal government approves special or "boutique fuels" to address air issues facing particular regions and whether these boutique blends affect the high gasoline prices facing Americans.

Among several remaining energy-related issues, the committee is also considering projects to develop new forms of non-polluting and domestic energy, including transportation fuels. The development of such new alternative forms of energy must be afforded expedited review and EPA certification to assist American families, and national security, in general.

Beyond the scope of Katrina, the EPW Committee will also continue reviewing the state of the Endangered Species Act. Subcommittee Chairman Lincoln Chafee (R-R.I.) has conducted several hearings and the committee expects to act on legislation before the end of year. After 30 years of implementation, science and mitigation capabilities have improved dramatically. There also should be a renewed focus on local partnerships and personal incentives for conservation. In 2004, President Bush signed an executive order calling for all federal agencies engaged in conservation and environmental protection to implement "cooperative conservation," the implementation of working relationships between federal, state and local authorities and the private sector.

The committee also will continue its investigations into eco-terror and the management of grants from federal agencies to non-governmental organizations. The New York Stock Exchange recently postponed the listing of a pharmaceutical and chemical testing company under threat of a known eco-terror organization. The committee will conduct a hearing that will focus specifically on this particular extremist group and its threats not just to one company, but the very symbol of our financial markets' integrity. ■