



# **2011 Clean Energy & Climate Action Scorecard**

**112<sup>th</sup> Congress, first session**

Southern Alliance for Clean Energy Action Fund is the political arm of the Southern Alliance for Clean Energy. SACE Action Fund is a non-partisan, non-profit (c4) organization striving to make global warming solutions a top priority for our region's elected leaders to ensure clean, safe, and healthy communities throughout the Southeast.

As a legislative watchdog, SACE Action Fund works within our region's conservation community to identify and highlight important energy and climate-related legislation and votes in Congress with significant policy implications that will impact our energy choices, clean air and water, and public health. SACE Action Fund holds our federal delegation members accountable for their votes in an semi-annual Clean Energy & Climate Action Scorecard.

SACE Action Fund also educates conservation-minded citizens to encourage their involvement in the political process by providing the tools and information they need to make informed choices about clean-energy candidates at election time.

## **2011 Clean Energy & Climate Action Scorecard**

Spiraling energy costs coupled with the real and growing threats of climate change require energy policies that raise fuel-economy standards, incentivize renewable energy production, establish standards for energy efficiency, expand renewable energy production and reduce climate pollution. Our region and this country cannot afford policies that rollback basic human and environmental health protections provided by the Clean Air Act or that undermine the clean energy economy by promoting a continued dependence on fossil fuels. This scorecard helps to illustrate ways in which Congress either moved towards a clean energy economy or attempted to shift backwards towards fossil fuel dependence through a series of energy and climate-related votes during the first session of the 112<sup>th</sup> Congress.

### **How to Votes are Scored**

Each vote was selected for its importance in supporting or opposing clean energy and climate policies. For each vote, a U.S. Representative or U.S. Senator had four possible actions: **support** (represented by a ✓), **opposition** (represented by an ✕), **no recorded vote** due to an absence (represented by 'no vote') or because the vote occurred before or after a member's tenure (represented by '----').

## 5 Key House Votes

### **Climate Change**

#### **Vote #1**

For 40 years, the Clean Air Act (CAA) has been a cornerstone of our environmental laws, protecting human and ecosystem health. In an early show of political might, the U.S. House of Representatives debated legislation to roll back CAA protections by halting the Environmental Protection Agency's (EPA) new standards for sources of air pollution that cause or contribute to an endangerment of public health. With H.R. 910, introduced by Energy and Commerce Committee Chairman Fred Upton (R-MI) and his deputy on energy issues Rep. Ed Whitfield (R-KY), House leadership attempted to [nullify EPA's authority to regulate greenhouse gases under the Clean Air Act](#) as directed by a 2007 Supreme Court decision, *Mass. vs. EPA*. On April 8, the chamber voted to pass the measure by a vote of 255-172 [*House Roll Call vote #249*]. **NO** was the pro-climate and clean energy vote.

#### **Vote #2**

As the House debated H.R. 910 (see above), Rep. Waxman (D-CA) offered an amendment (H.A. 245) which stated "Congress accepts the scientific findings of EPA that climate changes is occurring, is caused largely by human activities, and poses significant risks for public health and welfare." Although passage of this amendment would not have endowed EPA with any new regulatory authority, the House rejected H.A. 245 and its acceptance of climate science on April 6 largely along party lines by a vote of 184-240 [*House Roll Call vote #236*]. **YES** was the pro-climate and clean energy vote.

### **Energy Efficiency**

#### **Vote #3:**

Just a day after the 112th Congress was sworn in, Rep. Joe Barton (R-TX), introduced the Better Use of Light Bulbs (BULB) Act in an effort to halt lighting efficiency efforts that began under President George W. Bush. That bill (originally introduced as H.R. 91 and later reintroduced as H.R. 2417) was a re-debate and re-vote on [bipartisan legislation designed to conserve energy and save consumers money](#). Fortunately, the House rejected H.R. 2417 on July 12, 2011 by a vote of 233-193 because the vote was held under a suspension of the rules to cut debate short and a two-thirds majority was needed for passage [*House Roll Call vote #563*]. **NO** was the clean energy vote.

## **High-Risk Energy**

### **Vote #4:**

With a decision on the Canadian Keystone XL oil pipeline expected from the Obama Administration before January 2012, those for and against this project became increasingly vocal during the summer of 2011. Although [tar sand oil production requires significant water and energy for processing](#) and exacts a heavy toll on environmental and human health, some in Congress supported H.R. 1938, the North American Made Energy Security Act, urging the President to approve the pipeline based on claims of long-term job creation potential. Although the House passed the bill on July 26 by a vote of 279-147 [*House Roll Call vote #650*], on November 10 the State Department announced [a delay in issuing permits for the project](#) pending new studies on its environmental and health impacts. **NO** was the clean energy vote.

### **Vote #5:**

Three years have passed since one billion gallons of coal-ash sludge - containing mercury, arsenic, and hexavalent chromium - poured into Kingston, TN's river. Although nearby residents still wait for clean-up to conclude, some in Congress are trying to weaken human health protections specific to coal ash. In June 2011, Representative McKinley (R-WV) introduced the [Coal Residuals Reuse and Management Act \(H.R. 2273\)](#) which would endanger the health and safety of hundreds of communities by allowing dangerous ash ponds to operate indefinitely and by preventing EPA from enforcing disposal standards, even at contaminated coal ash sites. Before [the House voted to pass this health-threatening bill](#), Rep. Waxman (D-CA) offered an amendment (H.A. 838) that would require state programs to meet a legal standard of protection to ensure that human health and the environment are protected. The House rejected H.A. 838 on October 14 by a vote of 171-236 [*House Roll Call vote #794*]. **YES** was the clean energy vote.

## **4 Key Senate Votes**

## **Climate Change**

### **Vote #1:**

The day before the U.S. House of Representatives voted to [block EPA's ability to regulate carbon pollution under the Clean Air Act](#), the U.S. Senate considered a companion measure introduced by Sen. Majority Leader Mitch McConnell (R-KY) proposing to do the same thing. The Senate rejected the measure on April 6 largely along party lines by a vote of 50 - 50. A tie-breaking vote was unnecessary since a two-thirds majority would have been needed to overcome a Senate filibuster per Senate Rules [*Senate Roll Call vote #54*]. **NO** was the pro-climate and clean energy vote.

## **Clean Energy**

### **Vote #2:**

Sustainably-produced biofuels in our region face stiff market competition based on long-term government subsidies provided to corn-based ethanol - environmentally questionable investments as corn-based ethanol requires vast amounts of water, fertilizers and pesticides to produce. Senator Diane Feinstein (D-CA) introduced S. Amendment 476 to end the 45-cent-per-gallon subsidy ethanol refiners and mixers currently receive from the government, amounting to \$7.7 billion per year according to industry estimates. On June 16, 2011, the Senate voted 73-27 to end the Volumetric Ethanol Excise Tax Credit [*Senate Roll Call vote #90*]. **YES** was the clean energy vote.

## **High Risk Energy**

### **Vote #3:**

Even as the House was passing bills to [expand destructive offshore oil and gas drilling](#), the Senate considered legislation to end \$4 billion in special tax breaks granted annually to big oil companies looking to drill off our coasts. The Close Big Oil Tax Loophole Act (S. 940), offered by Sen. Robert Menendez (D-NJ), was rejected by the Senate by a vote of 52 - 48 as a two-thirds majority of 60 votes was needed [*Senate Roll Call vote #72*]. Sen. Bill Nelson (D-FL) was one of the original co-sponsors of this legislation. **YES** was the clean energy vote.

### **Vote #4:**

After more than a year of study and analysis, the Environmental Protection Agency (EPA) released the [Cross-State Air Pollution Rule](#) in the summer of 2011 with the aim of reducing soot and other forms of air pollution from coal-fired power plants that blows across state lines. Using the Congressional Review Act, Sen. Rand Paul (R-KY) introduced a joint resolution to block this new rule from taking effect, which would recklessly endanger public health. The resolution (S.J.Res. #27) was rejected by the Senate by a vote of 41 - 56 [*Senate Roll Call vote #201*]. **NO** was the clean energy vote.

## Florida Congressional Delegation – House

Dist.		House Member	Vote #1: Clean Air Act roll backs	Vote #2: Confirming scientific basis of climate science	Vote #3: Energy Efficiency repeals	Vote #4: Urging support for the Keystone Pipeline	Vote #5: Requiring coal ash stnds to protect health	5 key votes in 2011
FL01	R	Miller	x	x	x	x	x	0%
FL02	R	Southerland	x	x	x	x	x	0%
FL03	D	Brown	✓	✓	✓	✓	✓	100%
FL04	R	Crenshaw	x	x	x	x	x	0%
FL05	R	Nugent	x	x	x	x	x	0%
FL06	R	Stearns	x	x	x	x	x	0%
FL07	R	Mica	x	x	x	x	x	0%
FL08	R	Webster	x	x	x	x	x	0%
FL09	R	Bilirakis	no vote	x	x	x	x	0%
FL10	R	Young	x	x	x	x	x	0%
FL11	D	Castor	✓	✓	✓	✓	✓	100%
FL12	R	Ross	x	x	x	x	x	0%
FL13	R	Buchanan	x	x	x	x	x	0%
FL14	R	Mack	x	x	x	x	x	0%
FL15	R	Posey	x	x	x	x	x	0%
FL16	R	Rooney	x	x	x	x	x	0%
FL17	D	Wilson	✓	✓	✓	✓	no vote	80%
FL18	R	Ros-Lehtinen	x	x	x	x	x	0%
FL19	D	Deutch	✓	✓	no vote	✓	✓	80%
FL20	D	Wass.-Schultz	✓	✓	✓	✓	✓	100%
FL21	R	Diaz-Balart, M	x	x	x	x	x	0%
FL22	R	West	x	x	x	x	x	0%
FL23	D	Hastings	✓	✓	✓	✓	✓	100%
FL24	R	Adams	x	x	x	x	x	0%
FL25	R	Rivera	x	x	x	x	x	0%

**Florida Congressional Delegation – Senate**

State		Senator	Vote #1: Clean Air Act roll backs	Vote #2 End Corn Ethanol Tax Credit	Vote #2 Closing Big Oil Tax Loophole	Vote #3: Block implementation of CSAPR	4 key votes in 2011
FL	D	Nelson	✓	✓	✓	✓	100%
FL	R	Rubio	✗	✓	✗	✗	25%

### Georgia Congressional Delegation

Dist.		House Member	Vote #1: Clean Air Act roll backs	Vote #2: Confirming scientific basis of climate science	Vote #3: Energy Efficiency repeals	Vote #4: Urging support for the Keystone Pipeline	Vote #5: Requiring coal ash stnds to protect health	5 key votes in 2011
GA01	R	Kingston	x	x	x	x	x	0%
GA02	D	Bishop	x	✓	no vote	x	x	20%
GA03	R	Westmoreland	x	x	x	x	x	0%
GA04	D	Johnson	✓	✓	✓	✓	✓	100%
GA05	D	Lewis	✓	✓	✓	✓	✓	100%
GA06	R	Price	x	x	x	x	x	0%
GA07	R	Woodall	x	x	x	x	x	0%
GA08	D	Scott, A.	x	x	x	x	x	0%
GA09	R	Graves	x	x	x	x	x	0%
GA10	R	Broun	x	x	x	x	x	0%
GA11	R	Gingrey	x	x	x	x	x	0%
GA12	D	Barrow	x	✓	✓	x	✓	60%
GA13	D	Scott, D.	✓	✓	✓	✓	✓	100%

State		Senator	Vote #1: Clean Air Act roll backs	Vote #2 End Corn Ethanol Tax Credit	Vote #2 Closing Big Oil Tax Loophole	Vote #3: Block implementation of CSAPR	4 key votes in 2011
GA	R	Chambliss	x	x	x	x	0%
GA	R	Isakson	x	✓	x	x	25%



### North Carolina Congressional Delegation

Dist.		House Member	Vote #1: Clean Air Act roll backs	Vote #2: Confirming scientific basis of climate science	Vote #3: Energy Efficiency repeals	Vote #4: Urging support for the Keystone Pipeline	Vote #5: Requiring coal ash stnds to protect health	5 key votes in 2011
NC01	D	Butterfield	✓	✓	✓	✓	✓	100%
NC02	R	Elmiers	✗	✗	✗	✗	✗	0%
NC03	R	Jones	✗	✗	✗	✗	✗	0%
NC04	D	Price	✓	✓	✓	✓	✓	100%
NC05	R	Foxx	✗	✗	✗	✗	✗	0%
NC06	R	Coble	✗	✗	✗	✗	no vote	0%
NC07	D	McIntyre	✗	✓	✓	✗	no vote	40%
NC08	D	Kissell	✓	✓	✓	✗	✓	80%
NC09	R	Myrick	✗	✗	✗	✗	✗	0%
NC10	R	McHenry	✗	✗	✗	✗	✗	0%
NC11	D	Shuler	✓	✓	✓	✗	✓	80%
NC12	D	Watt	✓	✓	✓	✓	✓	100%
NC13	D	Miller	✓	✓	✓	✓	✓	100%

State		Senator	Vote #1: Clean Air Act roll backs	Vote #2 End Corn Ethanol Tax Credit	Vote #2 Closing Big Oil Tax Loophole	Vote #3: Block implementation of CSAPR	4 key votes in 2011
NC	R	Burr	✗	✓	✗	✗	25%
NC	D	Hagan	✓	✓	✓	✓	100%

### South Carolina Congressional Delegation

Dist.		House Member	Vote #1: Clean Air Act roll backs	Vote #2: Confirming scientific basis of climate science	Vote #3: Energy Efficiency repeals	Vote #4: Urging support for the Keystone Pipeline	Vote #5: Requiring coal ash stnds to protect health	5 key votes in 2011
SC01	R	Scott	x	x	x	x	x	0%
SC02	R	Wilson	x	x	x	x	x	0%
SC03	R	Duncan	x	x	x	x	x	0%
SC04	R	Gowdy	x	x	x	x	x	0%
SC05	R	Mulvaney	x	x	x	x	x	0%
SC06	D	Clyburn	✓	✓	✓	✓	✓	100%

State		Senator	Vote #1: Clean Air Act roll backs	Vote #2 End Corn Ethanol Tax Credit	Vote #2 Closing Big Oil Tax Loophole	Vote #3: Block implementation of CSAPR	4 key votes in 2011
SC	R	Graham	x	✓	x	x	25%
SC	R	DeMint	x	✓	x	x	25%

### Tennessee Congressional Delegation

Dist.		House Member	Vote #1: Clean Air Act roll backs	Vote #2: Confirming scientific basis of climate science	Vote #3: Energy Efficiency repeals	Vote #4: Urging support for the Keystone Pipeline	Vote #5: Requiring coal ash stnds to protect health	5 key votes in 2011
TN01	R	Roe	x	x	x	x	x	0%
TN02	R	Duncan	x	x	x	x	x	0%
TN03	R	Fleischmann	x	x	x	x	x	0%
TN04	R	DesJarlais	x	x	x	x	x	0%
TN05	D	Cooper	✓	✓	✓	x	x	80%
TN06	R	Black	x	x	x	x	x	0%
TN07	R	Blackburn	x	x	x	x	x	0%
TN08	R	Fincher	x	x	x	x	x	0%
TN09	D	Cohen	✓	✓	✓	✓	✓	100%

State		Senator	Vote #1: Clean Air Act roll backs	Vote #2 End Corn Ethanol Tax Credit	Vote #2 Closing Big Oil Tax Loophole	Vote #3: Block implementation of CSAPR	4 key votes in 2011
TN	R	Alexander	x	✓	x	✓	50%
TN	R	Corker	x	✓	x	x	25%