

## ACTION ALERT

### ON CLIMATE CHANGE LEGISLATION - CONTACT U.S. SENATORS

Dear Friends,

We are committed environmentalists writing about the climate change legislation that the U.S. Senate will write this Fall. In June, the House of Representatives passed its version of a global warming bill, called the American Clean Energy and Security Act (ACES). This 1,300 page proposed law is filled with corporate giveaways and loopholes and will make climate change worse: it causes more harm than good.

The very close House of Representatives vote for ACES in June 2009 highlights the bill's controversial giveaways and defects. ***One major defect is the glaring biomass loophole that treats incinerators as clean and green.*** Now, the U.S. Senate will write its own bill, based on the House version. The Senate bill is very likely, almost guaranteed, to include the same biomass loophole and giveaways to these toxic renewables.

We need to let the Senate know NOW that incineration should NOT be allowed as a way to generate renewable electricity and that incinerators make global warming worse. We need you to help us spread the word out the U.S. Senate's climate change bill should not have biomass burning in it.

We need to tell our Senators that voting against a climate change bill that allows biomass burning is a sign of commitment to *real carbon reductions and we can do better!* We need to give Senators who are swing voters on the climate change bill "green reasons" to vote against it. Biomass burning is a pivotal reason to vote for the climate and against this "brown" bill.

#### ***KEY SENATORS TO TARGET ARE:***

***Indiana (Evan Byah!!), Nebraska (Ben Nelson), Missouri (McCaskill), Delaware (Carper), Florida (Nelson), Wisconsin (Kohl), Connecticut (Lieberman), Virginia (Warner), NC (Hagan), Arkansas (Lincoln and Pryor) Colorado (Bennett), Louisiana (Landriueu), Colorado (Udall), NH (Shaheen), Michigan (Levin), Michigan (Stabenow), Washington (Cantwell), Montana (Baucus, Tester), North Dakota (Dorgan, Conrad), South Dakota (Johnson), West Virginia (Byrd, Rockefeller), Pennsylvania (Specter), Minnesota (Franken), Wisconsin (Feingold), Alaska (Begich), Oregon (Merkley) is a key swing state on the climate change bill. Senators are back in their districts this month to meet with constituents. Senator Bayh needs very real, green reasons to vote against the bill. Biomass burning is a very real issue. If you are in these states, or know anyone there, please take action and pass the word!***

Cap and trade legislation will be very much on the political agenda this summer while the Senators are in their districts, as the Senate version of the U.S. House bill will be formally introduced to Congress by the end of September. The next few weeks will be instrumental in shaping the final outcome of the debate around the Senate climate change bill.

Some background information is provided below, but the **bottom line is that we need your help in reaching out to your Senator NOW.**

- **Our Strategy: Target the Filibuster Vote in the Senate**

Once the Senate writes its bill, scheduled to be publicly unveiled on September 8, it will be introduced to the Senate. Before the bill goes to the Senate floor to be debated and voted into law opponents will make maneuvers to prevent the vote that would make the bill into law. Generally speaking, this is maneuver is known as a filibuster. It takes only 41 votes to stop the bill at this phase: if there is a filibuster vote cannot be overcome, the bill will die.

To overcome the filibuster, the proponents of the bill need 60 votes (called a cloture vote). We need to target the filibuster— if we lose on the filibuster, and the bill goes to a vote by all 100 Senators, we have to get a majority -- 51 votes – a much more difficult task than getting the 41 votes on filibuster.

- **The Numbers**

Thirty eight Senators will likely vote for the filibuster now-- to get 41 votes, we need at least 3 more. There are swing Senators who need to know that the filibuster vote is a **green vote and a vote for responsible climate change policy and real energy reform**. The forty-one filibuster votes will kill this harmful climate change bill and open a discussion for a climate change bill that will not lock in harmful programs like those in ACES and that will allow the U.S. to make real climate progress.

It is CRUCIAL that you make an appointment now to meet with your Senator before the Senate resumes its business after Labor Day. Senators need to hear from you NOW that you are absolutely opposed to the model for climate change legislation that passed the House in the form of the ACES bill, H.R. 2454.

*Senators need to hear from you that you want them to vote “NO” both on “cloture” (i.e. they should sustain the filibuster and they should vote no on final passage of the bill if the filibuster fails).*

- **Components of the Senate Bill**

There are a few things we already know about what’s likely to be in the Senate climate change bill that will be publicly unveiled in early September. **Unless our voice is heard during this August recess period, the following will be in the Senate bill and voted on later this year:**

- 1) The bill will likely center around a **cap and trade model** for reducing carbon emissions;
- 2) The bill will likely contain an allowable **offsets** structure;
- 3) The bill will most certainly contain a provision labeling **biomass burning** as carbon neutral, and treating incinerators as if they were clean and green: they are not

It is crucial for environmental and conservation groups and educated individuals concerned about the biomass burning provisions and other harmful aspects of the bill to reach out to members of Congress and local media outlets. We need you to point out that Congress is treating burning biomass as “carbon neutral” and a renewable energy resource and that these are toxic incinerators in disguise

In order to ensure our message is heard, we need to educate Congress and the media on ***what biomass is and why burning biomass is harmful to the environment and public health.***

### **KEY POINTS ON BIOMASS TO TELL YOUR SENATORS**

\* Although it is widely acknowledged that burning biomass energy emits greenhouse gases that make climate change worse – such as nitrogen oxide (NOx), carbon monoxide (CO) and carbon dioxide (CO2) -- it is wrongly asserted in the ACES bill that generating electricity by burning various forms of biomass like lumber and agricultural waste is “carbon neutral” and helps stop global warming. According to EPA projections, biomass burning will emit 700,000,000 million tons of CO2 per year.

\*Burning biomass emits as much particulate matter as burning coal, 1.5 times as much CO, and 1.5 times as much CO2 as coal.

\*Section 101 of the Renewable Electricity Standards of ACES H.R. 2454 (Title I) defines “renewable electricity” as electricity generated by various means, including burning wood, landfill gas, municipal solid waste and construction and demolition debris. By wrongly classifying the burning of these materials as “renewable electricity”, CO2 emissions are exempt from regulation. This definition of “renewable electricity” is a loophole which will allow significant polluting sources of CO2 to escape the cap provisions of the ACES cap and trade bill.

\*Because the bill defines biomass burning as a renewable electricity source, industry will be eligible for billions in taxpayer subsidies – taking those subsidies away from real green solutions like wind, solar, and geothermal. Hundreds of biomass burners are in the pipeline hoping that this bill will pass.

\*Demand that Senators remove the burning biomass loophole by ensuring that incinerators are not in the bill and if necessary they should introduce an amendment striking this provision from the bill

Thank you!

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