

ML Strategies' Energy and Environment Weekly Update - Week of May 5, 2014

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The Senate is scheduled to take up the much-anticipated Shaheen-Portman energy efficiency legislation (S. 2262) early this week, potentially coupled with another vote on the Keystone XL pipeline. It remains unclear what form a Keystone vote would take, with supporters aiming for a binding provision rather than a sense of the Senate resolution. Senate Majority Leader Harry Reid (D-NV), who filed for cloture on the efficiency package late in the day May 1, was optimistic last week that the chamber could strike a deal on a pipeline vote. Senator John Hoeven (R-ND) said yesterday that he expects the Senate to vote on the efficiency measure tomorrow morning, followed by a standalone Keystone XL vote.

Senators Jeanne Shaheen (D-NH) and Rob Portman (R-OH) remain mum about what amendments will get a vote, but two are drawing major attention. Senator David Vitter (R-LA) has indicated his intention to attach an amendment requiring members of Congress and their staffs to enroll in health exchanges created under the Affordable Care Act, which he attempted last year in a move that derailed the legislation. It is unclear whether the amendment will actually get a vote, but it still poses a threat, as the senator may block consideration of the bill until he gets a vote on his amendment. Senator Vitter hinted May 1 that he might not push his amendment if Majority Leader Reid agrees to hold a binding vote on an amendment that would authorize construction of the Keystone XL pipeline. Senator Mark Udall (D-CO) plans to offer an amendment with language mirroring a liquefied natural gas export bill the House Energy and Commerce Committee approved last week. Senator Barbara Boxer (D-CA) said last week that Senate Republicans are seeking four additional environmental riders, including language to bar the Environmental Protection Agency from regulating CO2 emissions from coal-fired power plants. Senator John Barrasso (R-WY) has suggested an amendment to require the Department of Energy to approve liquefied natural gas exports to all World Trade Organization member countries. Senator Roy Blunt (R-MO) is seeking inclusion of an amendment to impede congressional implementation of a carbon tax. Senators Shaheen and Portman said last week that they are still negotiating an agreement on the amendments.

More than 80 groups, companies, and associations led by the Alliance to Save Energy, the American Chemistry Council, and Honeywell sent a [letter](#) April 28 to Senate Majority Leader Harry Reid (D-NV) asking him to bring the legislation to the floor as soon as possible. Two days later, a coalition of 100 industry groups sent a similar letter to Majority Leader Reid and Minority Leader Mitch McConnell (R-KY).

Senate Energy and Natural Resources Committee Chair Mary Landrieu (D-LA) and Senator Hoeven introduced legislation (S. 2280) May 1 that would grant Congress the authority under the Commerce Clause to approve the Keystone XL pipeline. Every Republican and eleven Democrats co-sponsored the measure, but getting to the necessary 60 votes is unlikely. Senators Landrieu and Hoeven admitted late last week that they have 56 supporters, with a target list of six or seven more Democrats, culled from supporters of a March 2013 nonbinding resolution backing the pipeline.

The weekly *Energy & Environment Update* from ML Strategies provides an overview of what's happening on and off Capitol Hill and around the world that may impact energy and environmental policies and industry players. [Read the Update here.](#)

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