

Mad Pork Disease: The Energy Bill

By Kelpie Wilson

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It all began in 2001 when Dick Cheney called a secret congress of oil, gas and nuclear interests to overhaul US energy policy. The Sierra Club demanded to see the proceedings of the meetings and was denied. Their brief to see the documents is now before the Supreme Court and Cheney's good duck-hunting buddy Justice Scalia. Meanwhile, the Cheney juggernaut rolls on as the energy bill is scheduled for consideration in the Senate sometime before the Easter recess.

Supposedly downsized from the version that failed to pass the Senate last fall, the bill still ladles out the pork to the biggest and fattest industries while doing little to shift the nation to renewable energy. Here are some of the worst provisions:

The bill provides billions in subsidies to the nuclear industry. It promotes a uranium mining technology that pollutes groundwater -- a disaster for Native American communities in the southwest. It arbitrarily reclassifies nuclear waste so it can be disposed of in facilities not equipped to handle it. It compromises national security by allowing the export of bomb-grade uranium for the first time in ten years.

The fossil fuels industry gets billions in tax breaks for developing supposed new "clean" technologies that are no less polluting than the old ones. Cover is provided for industry by waiving the Clean Water Act and Safe Drinking Water Act protections for coal-bed methane drilling and oil and gas drilling. The Clean Air Act is another casualty as the bill would amend it to extend deadlines for metropolitan areas to meet ozone pollution standards.

The energy bill fails to ban the toxic MTBE fuel additive until 2014. Furthermore, states that have already banned it could be forced to rescind their bans and keep on choking down the Texas trash. The bill gives MTBE manufacturers \$2 billion in cash to compensate them for phasing out production of the substance which is a byproduct of gasoline refining and was a big waste disposal problem until the petrochemical industry figured out that it could be used to oxygenate gasoline.

Under the energy bill, public lands and seashores would be stripped of protections and opened to the ungentle probes and drills of the fossil fuel extractors. To make it even easier, money is provided to reimburse oil and gas companies their costs for environmental analysis and cleanup. The bill also allows one hundred percent of the Alaska National Petroleum Reserve to be leased to oil companies, striking any requirement to make royalty payments to taxpayers or set aside areas for caribou and migratory birds.

This bill is incredibly thorough. Just to make sure there isn't a single natural resource that gets overlooked, there is even money for a program to log ancient forests for fuel to run wood-fired electric plants.

And then there is the PUHCA repeal. It seems that no one in Congress remembers a thing about Enron and the California electricity crisis that crippled the world's fifth largest economy. Senator Domenici, the bill's sponsor, calls the Public Utility Holding Company Act an "antiquated law" and yet it was partial PUHCA repeals in the nineties that opened the door to these scandals. When I asked Anna Aurilio of US PIRG why there is not more outrage about this piece of the bill she said: "It appears to be too complicated for lawmakers to understand. You'd think all you would have to do is say Enron, but Congress has not learned that lesson yet."

The International Brotherhood of Electrical Workers understands the implications of PUHCA repeal. They oppose it because it would plunge the utility industry into chaos and threaten their job security. Without PUHCA, expect to see sky-high power bills as speculators seize formerly protected utility assets and use them to back high risk ventures and scams. "One can only imagine the impact of full PUHCA repeal," said Public Citizen's Wenonah Hauter. "Enron and California will look like appetizers."

The only significant difference between last fall's version of the energy bill and the current one is the deletion of the MTBE liability waiver. That has made the bill more palatable to some and now both Domenici and Daschle say they have the votes to pass it. Ethanol subsidies in the bill make it mighty attractive fodder for corn growing states like Daschle's South Dakota.

This election season we will hear a lot about higher oil prices and the need for the energy bill to reduce our dependence on foreign oil, but the federal Energy Information Administration has found that the bill would reduce neither energy consumption nor reliance on imported oil. EIA concludes that under the energy bill's policies US oil imports would increase 82.9 percent by 2025. If Congress were really serious about energy independence, it would look at the ten point plan put out by the Apollo Alliance which calls for investment in hybrid cars, renewable energy, hydrogen infrastructure and efficiency. These are the measures that will bring health and sanity to our energy policy.

This energy bill is more than just an egregious example of political pork. By its total neglect of the problem of global warming it qualifies as mad pork. It subsidizes the very industries that dump carbon into the atmosphere; it greases the oil men, feeds pork to pork and creates catastrophe.

How nutty does it have to get before lawmakers see what they are doing? Last week Alaska senator Ted Stevens voted in favor of a \$60 million program to research sudden climate change. He cited his concern for Alaska that climate warming is melting permafrost and causing forests to recede. But Stevens supports the energy bill and its huge subsidies to Alaskan oil and gas development. Does he think he can have it both ways?

Environmentalists and public interest advocates and even western cowboy-hatted hunters and fishermen have lobbied against the bill and all the damage it will cause to fish and wildlife, the climate, and the economy, but still the bill rolls on. Ironically, the best hope for its defeat may lie with Tom DeLay who swears to kill the bill if it comes

back to the house without the MTBE liability waiver reinserted. Hopefully that bit of madness will stick this pig, but if Bush comes to shove, and the Administration feels threatened enough, they may rein in DeLay and Cheney's dream will come true.

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