



## 1. **CLIMATE: From co-sponsor to EPA critic, Murkowski's motives draw scrutiny**

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**Darren Samuelsohn, E&E senior reporter**

Sen. Lisa Murkowski has built a reputation in her eight years in Washington as a moderate Republican willing to engage with Democrats and environmentalists in the climate change debate.

But Murkowski, who last year took on a much higher profile in the GOP leadership, is now at the center of a storm by pushing to strip U.S. EPA of its ability to regulate for greenhouse gas emissions.

Murkowski insists that her efforts -- which could come to a head on the Senate floor as early as Wednesday -- are a check on unwieldy and costly rules that could hamstring the recovering economy. And while she is concerned about the effects that climate change is having back home in Alaska, she criticizes the Obama administration and Democrats for using the threat of EPA regulations to bully lawmakers into voting for a much broader global warming bill.

"Personally, I believe that's a terrible way to pursue climate policy, and beyond that, a terrible way to govern this country," Murkowski said on the Senate floor last month. "We're being presented with a false choice that should be rejected outright. The majority and the administration are saying, 'Don't make us do this.' My answer is, simply, 'You don't have to.'"

Senate Majority Leader Harry Reid (D-Nev.) yesterday warned that a vote on Murkowski's amendment could end up hamstringing his own attempt to pass a comprehensive energy and climate bill in the spring. For that, experts say Reid will need help from moderate Republicans like Murkowski.

"It's a highly political move, and a highly hazardous one to our health and the environment," Reid said during an event in New York sponsored by the Geothermal Energy Association. "If this senator succeeds, it could keep Congress from working constructively in a bipartisan manner to pass clean energy legislation this year. That's why I will work hard to defeat this misguided amendment."

Murkowski has not decided exactly what the language in her amendment will say on the EPA issue, and she is also not sure if she will even push for a vote next week. Still, the prospect of a Senate floor vote so early in 2010 has observers wondering what Murkowski's motivations are given her past experience on the climate policy front.

Some see Murkowski taking a stand on the EPA issue as a signal she wants to be courted by Democratic leaders as they search for the 60 votes needed to pass a sweeping energy bill. But environmentalists who once praised her efforts question whether she is being used by Republican leaders as a pawn to muddy the waters on the issue.

"She's obviously made a deal with the devil to get her leadership position," said an Alaska-based environmentalist. "That's exemplified by her change in position on global warming."

In an interview earlier this week, Murkowski insisted that GOP leaders are not behind her EPA amendment effort, noting for example that she traveled during the winter recess to Afghanistan with Minority Leader Mitch McConnell (R-Ky.), "and we weren't talking EPA."

### **Representing 'ground zero'**

Murkowski's climate record is filled with nuance.

She voted against cap-and-trade bills on the Senate floor in 2003 and 2005. And in 2007, she skipped a roll call vote when lawmakers debated a global warming proposal from Sens. Joe Lieberman (I-Conn.) and John Warner (R-Va.).

But that same year, Murkowski co-sponsored legislation with Sens. Jeff Bingaman (D-N.M.), Arlen Specter (R-Pa.) and then-Sen. Ted Stevens (R-Alaska) that would have capped U.S. emissions with a controversial provision that did not allow carbon dioxide allowances prices to rise above \$12 per ton.

Murkowski cited the "safety valve" as a must for her support. She also liked the billions of dollars that the legislation would make available for Alaska to deal with the effects of climate change.

With Obama in the White House, Murkowski landed a promotion from rank-and-file lawmaker to vice chairwoman of the GOP conference and ranking member of the Energy and Natural Resources

#### **Murkowski's climate time line**

**December 2002:** Appointed to Senate by her father, Gov. Frank Murkowski (R), who held the seat before winning election to statehouse.

**October 2003:** One of 55 senators to vote against the

Committee, taking over that position from retiring Sen. Pete Domenici (R-N.M.).

It is an upgrade that gives her an added megaphone to challenge Democrats on their energy and climate policies -- all the while demonstrating that she is representing a state that is seeing the effects first hand.

"Her voice has grown dramatically over the past year," said Murkowski spokeswoman Anne Johnson. "Everyone should have expected it to. ... More than that, Alaska is ground zero for climate change. If anyone is going to be able to talk this much about it, it's someone from Alaska."

Murkowski's challenge to the EPA rulemaking process got started last fall during debate on the agency's annual spending bill. There, the senator tried to add an amendment that would have put a one-year halt to the agency's climate rules for any major stationary sources.

On the floor, Murkowski insisted she was not trying to kill Democrats' chances of passing a broader climate bill. Just the opposite, actually.

"As an elected representative of the state that has been hit hardest by climate change, I will work in good faith with all who want to address climate change in an effective way while protecting our fragile economy from further harm," Murkowski said in September.

But that amendment never came up for a vote. And come December, Murkowski threatened to launch the process toward a congressional veto after Obama's EPA signed off on an "endangerment finding" that classified carbon dioxide as a pollutant subject to regulation.

In particular, Murkowski questioned the timing of the move at the start of the U.N.-led climate negotiations in Copenhagen.

"I am not interested in trying to embarrass the president, either here at home or on the international stage," she said, adding, "I think it's safe to acknowledge that I didn't choose to release the endangerment finding on the opening day of the Copenhagen climate conference. That was the EPA's decision."

Murkowski has also shown she can be a home-state loyalist, lashing out at Obama when he announced before the Copenhagen talks that the United States would contribute to a \$10 billion short-term funding pool to help developing countries deal with global warming.

"My home state of Alaska literally has villages falling into the ocean," she said last month. "Where's the support for the people in our own country being affected by climate change?"

As for the broader climate debate, Murkowski has taken a wait-and-see approach. She has praised alternatives to the House-passed bill, including a carbon tax and cap-and-dividend approach that auctions off all of the allowances. But she has also angered environmentalists by linking her position to the stolen e-mails from a U.K.-based research station that many climate skeptics say undermine the credibility of global warming science.

"We need to dispense with the blind loyalty to cap and trade, or at least not be afraid to question whether it's warranted," she said in a Dec. 9 speech to the Business Roundtable. "We should objectively review the strengths and weaknesses of our policy options and develop a measure that protects both our economy and the environment. The importance of both of these factors is made clear not only by the recession, but also the renewed uncertainty raised by e-mails, documents and faulty data that have been released to the public."

It is unclear if Murkowski will get any political boost back home from her challenge to the EPA rules.

So far, Murkowski has not drawn any challengers from either Democrats (former Gov. Tony Knowles told E&E he is not running) or Republicans (former Gov. Sarah Palin started raising money for Murkowski last spring) as she gears up for a campaign for a second full term (she was first appointed by her father, former Republican Alaska senator and governor, Frank Murkowski, in 2002) this November. Alaskan political analysts say the next few months will determine whether Murkowski even draws an opponent.

On climate change, Murkowski is being lobbied to support tough emission curbs by native villagers who are being forced to relocate because of melting permafrost and the state's leading Catholic bishops and archbishops, who penned a **letter** to the three-person congressional delegation last November urging them to support "meaningful legislation" that would reduce greenhouse gas emissions as quickly as possible.

"By doing so we put prudent stewardship into practice while living up to our responsibility to tend to God's creation," the Catholic leaders wrote.

McCain-Lieberman cap-and-trade bill.

**November 2004:** Won election to first full term, defeating former Gov. Tony Knowles (D).

**June 2005:** One of 60 senators to vote against the new version of the McCain-Lieberman bill, with more nuclear power provisions. Joined 43 other senators against a nonbinding resolution favoring action on a climate change bill.

**February 2006:** Said her home state is seeing significant effects from global climate change, including coastal erosion, diminished snowpack and an unusual infestation of spruce bark beetles that has killed 3 million acres of forestland.

**July 2007:** Co-sponsored a cap-and-trade bill with Sens. Jeff Bingaman (D-N.M.), Arlen Specter (R-Pa.) and Ted Stevens (R-Alaska). Cites the economic "safety valve" and billions of dollars in adaptation funding for Alaska as the reasons for sponsoring the bill.

**January 2009:** Named ranking member of the Senate Energy and Natural Resources Committee.

**June 2009:** Elected vice chairwoman of the Senate GOP Conference.

**September 2009:** Offered an amendment to halt for one year EPA's climate rules for power plants.

**December 2009:** Secured an agreement to force a vote to stop the EPA climate rules. Vote is possible as soon as Wednesday. Also she announced a plan to seek a congressional override of EPA's "endangerment finding."

-- Darren Samuelsohn

But Randy Ruedrich, chairman of the Alaskan Republican Party, said Murkowski's latest efforts can only help her back home.

"I think it's totally consistent that she take the action to keep this type of huge change on impacting our economy within the realm of the legislative branch of government and not allow it to be buried in the executive branch," Ruedrich said.

In light of the stolen e-mails, Ruedrich added, "I believe she's looking at some of the real science that's out there, the misrepresentations by Al Gore Inc. I'm very proud of the positions she's taking."

### Deducing the motive(s)

Environmentalists in Washington and Alaska are not amused with Murkowski's efforts to strip EPA of its authority.

Several question whether she ever was an advocate for climate policy, pointing to her lifetime League of Conservation Voters' record - 15 percent -- as well as recent campaign contributions.

According to OpenSecrets.org, the electric utility industry has given Murkowski more than \$231,000 since 2005, followed by oil and gas interests at more than \$157,000. Her five biggest campaign contributors since 2005 are also from the energy industry: Edison Chouest Offshore, Constellation Energy, Van Ness Feldman, Southern Co. and Exxon Mobil Corp.

"What this whole effort is doing, it's going to show the variance between her smooth words and her rough tactics," said David Doniger, policy director of the Natural Resources Defense Council's Climate Center. "And actions always speak louder than words."

Pat Lavin, an attorney at the National Wildlife Federation in Anchorage, credited Murkowski's work in 2007 on the Bingaman bill. But he is baffled by the latest shift to attack the EPA regulations.

"It's puzzling what the end game is," Lavin said. "It makes perfect sense if you want to sew a sense there's not quite as much appetite for action in the Congress for climate change as maybe there was before. But that doesn't square with her stated aim of getting a bill done."

Other climate advocates see Murkowski's move in a much different light.

Juneau attorney Joe Geldhof said the challenge to the EPA rules have "all the hallmarks of being a potential trial balloon."

Geldhof doubts Republican leaders are pulling the strings, especially given her statements about climate change in Alaska at the same time she addresses conservative constituents who question the scientific evidence of global warming.

"You've got to give her all the credit in the world to be able to step up to this at least two years ago and say it's a political problem," he said.

More likely, Geldhof, who works with the group Republicans for Environmental Protection, sees Murkowski standing up for Alaska's oil and gas interests, especially after the House-passed climate bill included many big deals for coal interests.

"It's a very convenient story to align her in a partisan way and blame this on her role as a leader in the minority party," Geldhof said. "That's a story you can tell. But I think it's equally compelling that, coming from an oil state, look at her statements over the last three years, this is a reflection of a legislator whose principal economic driver here got thrown under the bus in our haste to accommodate coal states."

Geldhof thinks Murkowski's "fence sitter" status will be useful if she holds out as long as possible, just not too long that sponsors bypass her for other votes. "Lisa Murkowski is a good politician and has observed what people like Robert Byrd and Ted Stevens among others have done over the years to leverage their seats in what are small population states, to extract tariffs for legislation and their constituents," he said.

Knowles, now the executive director of the nonprofit National Energy Policy Institute, also came to his former opponent's defense.

"I think she's tried to position herself in a nonpartisan way as a moderate on the issue," Knowles said. "I wouldn't read a lot into the skirmishes going on between partial regulatory policy as opposed to facing up to the fact it has to be a bipartisan approach to a national energy policy."

Murkowski has said she wants to see a climate and energy bill written that is not "window dressing" when it comes to the expansion of domestic oil and gas production, and provisions to promote more nuclear power. Those are all issues that Sen. Lindsey Graham (R-S.C.) is working on as part of a comprehensive bill with Sens. John Kerry (D-Mass.) and Joe Lieberman (I-Conn.).

Last month, Graham appeared with Murkowski at a GOP-leadership sponsored press conference to question the Obama administration's EPA move. Graham suggested that Murkowski and other Republicans could soon have a soft landing if he can find consensus with Democrats on the energy issues and what to do about the threat of EPA regulations.

"You will find a bipartisan congressional reaction to this problem created by the EPA," Graham said. "I predict that the Senate will pass legislation taking this authority away from the EPA and giving it to the elected leaders of this country, the Congress."

Reporter Robin Bravender contributed.

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