

*Climate Change Update**Editors: Gabrielle Sigel and Allison A. Sapsford*

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**Government Action on
Climate Change*****Congress Starts New Term with
Climate Change Action***

Throughout the month of January, members of Congress have passed resolutions, created new committees, and introduced new legislation in the House and Senate, all addressing climate change. The following are some of the noteworthy legislative actions taken in the first month of the year:

SENATE:

- Senators John McCain (R-AZ) and Joseph Lieberman (I-CT) introduced climate change legislation on January 12, 2007. The McCain-Lieberman bill proposes cutting greenhouse gas emissions to 2004 levels by 2012. The bill also would create a cap-and-trade emissions program, starting in 2012, to allow greenhouse gas emission reductions by an additional two percent per year, through 2050, until levels are brought down to one-third below current levels in 2050.
- Senator Bernie Sanders (I-VT) introduced a climate change bill that is co-sponsored by Barbara Boxer (D-CA), on January 16, 2007. The bill calls for reducing greenhouse gas emissions to 1990 levels by 2020 and then to eighty percent below 1990 levels over the following three decades. The bill also would provide EPA with the authority to take greater action to reduce greenhouse gas emissions if worldwide greenhouse gas emissions continue to increase.
- Senators Dianne Feinstein (D-CA) and Tom Carper (D-DE) introduced a climate change bill on January 17, 2007, that would cap emissions from

electric power plants at 2006 levels by 2011 and reduce the cap to 2001 levels by 2015.

- Senators Jeff Bingaman (D-NM) and Arlen Specter (R-PA) circulated their draft proposal for a climate change bill on January 22, 2007. This proposed legislation would launch a cap-and-trade emissions trading program aimed at stabilizing greenhouse gas emissions at 2013 levels by 2020.
- On January 16, 2007, Senators Joseph Biden (D-DE) and Richard Lugar (R-IN) reintroduced a Senate resolution that asks the Bush administration to re-engage in international climate change negotiations. If passed, although not binding, it would encourage the President to work with other nations under the Kyoto Protocol Framework.

HOUSE OF REPRESENTATIVES:

- House Speaker Nancy Pelosi (D-CA) announced on January 18, 2007, that she is creating the Select Committee on Energy Independence and Global Warming. This House committee, which does not have authority to create legislation, will focus on gathering information and increasing public awareness of global warming and energy-related issues. Speaker Pelosi asked members of other House committees to consider and approve climate change and energy independence bills immediately, so that they can be considered by the full House before the July 4th recess.
- Representatives John Olver (D-MA) and Wayne Gilchrest (R-MD) introduced the first House climate change legislation of the current Congress on January 22, 2007. The

Olver-Gilchrest bill is a companion measure to the McCain-Lieberman bill discussed above, containing similar provisions.

- Senate Majority Leader Harry Reid (D-NV) is preparing a bill that will encourage the production of ethanol and promote the development of plug-in hybrid vehicles in an attempt to cut U.S. reliance on foreign oil and reduce greenhouse gas emissions.
- Representative Harry Waxman (D-CA) has stated that he is drafting climate change legislation and expects to introduce a bill in the near future.

***Schwarzenegger Proposes World's
First Low Carbon Standard for
Transportation Fuel***

On January 9, 2007, California Governor Arnold Schwarzenegger announced that he will issue an Executive Order establishing a Low Carbon Fuel Standard ("LCFS") for transportation fuels sold in California. California's LCFS will be the first such fuel standard in the world. Schwarzenegger predicts that by 2020, the LCFS will reduce the carbon intensity of California's passenger vehicle fuels by at least 10 percent.

***European Commission Postpones
Vehicle Emissions Proposals***

On January 23, 2007, the European Commission postponed publication of three linked proposals designed to reduce vehicle carbon dioxide emissions. These proposals had been scheduled to be released on January 24, 2007. The Commission announced that its members could not reach agreement on key aspects of the vehicle emissions proposals. The Commission previously had agreed to limit carbon dioxide emissions from cars to 120 grams per kilometer by 2012, and

the current controversy surrounds how to achieve that target. The main disagreement is whether a mandatory legislative approach should be taken or whether a more flexible integrated approach, such as taxation aimed at influencing demand for fuel-efficient vehicles, would be more appropriate. Other vehicle emissions proposals were also postponed, including measures to ensure the sustainability of the European automotive industry and a proposal to reduce the carbon intensity of vehicle fuel, which is similar to the proposal made in January by California Governor Schwarzenegger.

Business Leaders Seek Climate Change Action

U.S. Climate Action Partnership Calls for Mandatory Greenhouse Gas Emissions Cuts

On January 22, 2007, ten U.S. energy and manufacturing firms announced that they were creating the U.S. Climate Action Partnership ("USCAP") and releasing a "Call to Action." The corporate USCAP members include Alcoa, BP America, Inc., Caterpillar, Inc., Duke Energy, DuPont, Florida Power & Light, General Electric, Lehman Brothers, PG&E Corporation, and PNM Resources. USCAP also includes the non-governmental organizations Environmental Defense, Natural Resources Defense Council, Pew Center on Global Climate Change, and World Resources Institute. USCAP's Call to Action urges Congress to pass legislation that will require mandatory GHG emissions reductions and will result in lowering U.S. emissions to between 60 percent and 80 percent of current levels by 2050. The Call to Action recommends that the

reductions program include specified limits on GHG emissions and a cap-and-trade system that allows purchases of emission reduction credits to meet reduction targets.

Multinational Corporations Call on International Community to Adopt Market-Based Solution to Climate Change

Twenty multinational corporations, including Bayer, Duke Energy, GE, PG&E Corporation, and Siemens, have joined together to create an initiative known as "3C – Combat Climate Change." The 3C initiative was created to develop a global road map to tackle climate change when the Kyoto Protocol targets expire in 2012. The 3C initiative believes that there should be greenhouse gas emissions targets and a global emissions trading market. The 3C initiative is based on nine overall principles, including the need to switch to a low-emission economy, a global price for greenhouse gas emissions, and establishment of a global carbon emissions trading scheme. On January 11, 2007, 3C asked the European Commission to consider its proposals and its nine principles. The initiative plans to launch the 3C program in the United States in February.

Climate Change Pronouncement From The Scientific Community

2006 Was Warmest Year on Record in the United States

On January 9, 2007, the National Oceanic and Atmospheric Administration ("NOAA") released preliminary data showing that 2006 was the warmest year on record in the United States. The data shows that the average temperature in the 48

contiguous states in 2006 was 55 degrees Fahrenheit, 2.2 degrees above the overall average temperature. NOAA stated that the warm temperatures in the United States can be attributed to an unquantifiable extent to the El Niño warming effect in the Pacific Ocean and a long-term warming trend linked to greenhouse gases.

IPCC Report Says Warming is Real and Very Likely Caused by Human Activity

On February 2, 2007, the Intergovernmental Panel on Climate Change ("IPCC") released the first volume in a four-volume report titled, *Climate Change 2007*. The first volume, *The Physical Scientific Basis*, describes the current understanding of the human and natural drivers of climate change. This report was written by more than 600 scientists and reviewed by another 600 experts. The report states that the increase in greenhouse gas emissions is primarily due to fossil fuel use, land-use change, and agricultural activity. The report states that evidence of warming of the climate is unequivocal, evidenced by increases in global air and ocean temperatures, widespread melting of snow and ice, and rising global sea level. The report then links the increase in greenhouse gas emissions with the increase in global temperature, stating that increases in global temperature are to a 90% degree of certainty due to increases in human-generated greenhouse gas emissions. Finally, the report predicts that for the next two decades, the earth will continue to warm approximately 0.2 degrees Celsius (0.36 degrees Fahrenheit) per decade.

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