



LEAGUE OF CONSERVATION VOTERS

January 21, 2015

Re: OPPOSE S. 1 & LCV's Position on Fischer #18, Toomey #41, Lee #33, Schatz #58, Whitehouse #29, Durbin #69

Dear Senator,

The League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the *National Environmental Scorecard*, which details the voting records of members of Congress on environmental legislation. The *Scorecard* is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on S. 1, legislation that would automatically approve the dirty and dangerous Keystone XL tar sands pipeline. This disastrous pipeline clearly fails the President's climate test, threatens our communities and waterways, and is simply unacceptable. No amendments can change that, and we urge you to vote NO on final passage regardless of the outcome of amendments.

We also urge you to OPPOSE these damaging amendments:

- **Fischer #18:** This radical amendment would block the creation of new parks, which is wildly out of step with the American people's overwhelming support for protecting public lands. This amendment is extremely broad and would apply to designations by all federal agencies, not simply land management agencies. Additionally, it would block popular programs with strong records of bipartisan support, including the use of the Land and Water Conservation Fund (LWCF), Duck Stamp funding, and wildlife refuge designation by the bipartisan Migratory Bird Commission.
- **Toomey #41:** This harmful amendment exempts power plant units burning "coal refuse" or waste from clean air and public health protections required under the Cross State Air Pollution Rule and the Mercury and Air Toxics Standards, despite the fact that both safeguards have been upheld in courts. People who live downwind of a power plant deserve the same health protections, regardless of whether the power plant is burning refuse coal or not.
- **Lee #33:** The Endangered Species Act (ESA) is one of America's most effective and important environmental laws, serving as a safety net for plants, fish, and wildlife on the brink of extinction. This harmful amendment undermines this bedrock statute by having a chilling effect on citizen enforcement. In subjecting ESA cases to the Equal Access to Justice Act's below-market cap on legal fees, this amendment would make it more difficult for citizens from across the political spectrum to obtain counsel and challenge illegal government actions.

While no amendment could make the underlying legislation worth supporting, **we encourage you to SUPPORT the following amendments:**



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- **Schatz #58:** This amendment expresses that it is the Sense of Congress that climate change is real and that man-made pollution is a significant contributor to climate change. 2014 was the hottest year on record, and this amendment references the findings of the Intergovernmental Panel on Climate Change and other scientific institutions.
- **Whitehouse #29:** This Sense of the Senate amendment also affirms that climate change is real and is not a hoax.
- **Durbin #69:** This amendment will ensure that communities, waterways, and wildlife are protected by effectively regulating the storage and transportation of petroleum coke, a toxic byproduct of refining oil from tar sands.

Regardless of the outcome of amendments, LCV urges you to vote NO on final passage of S. 1, legislation approving the dirty and dangerous Keystone XL pipeline. We will strongly consider including votes on this bill in the 2015 *Scorecard*. If you need more information, please call Tiernan Sittenfeld, Sara Chieffo, or Alex Taurel in my office at (202) 785-8683.

Sincerely,

Gene Karpinski
President