

Politics

# Climate Experts Game Out Biden's 2035 Goal in a Split Senate

A national clean power standard wouldn't be the simplest move in the world but nobody said climate change was easy.

By [Eric Roston](#)

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McConnell and Schumer at the joint session of Congress certifying the electoral college votes of the 2020 presidential election on January 7. *Photographer: Tom Williams/CQ-Roll Call/Getty Images*

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The election of Democrat Jon Ossoff to the U.S. Senate from Georgia conjures a scenario absent from the U.S. for more than a decade: Senate control by a party motivated to enact climate policy.

President-elect Joe Biden campaigned aggressively on climate change and racial justice. In mid-July he announced his intention to make the U.S. power sector carbon-free by 2035

and invest \$2 trillion over four years to help achieve it. Forty percent of that sum would be directed to areas historically neglected by energy and infrastructure programs.

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The Senate has long been the bottleneck of climate policy, and it still is. Now the neck of the bottle is slightly wider, since it’s hard to keep 50 like-minded senators moving in lock-step on anything.

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“The prospects for climate action just got very real, but they aren’t boundless,” said Jeremy Symons, a former deputy staff director for the Senate Environment and Public Works Committee and now principal at Symons Public Affairs, an environmental consulting firm. “It opens the door for Democrats to advance job-creating climate investments in electric vehicles and clean energy as part of a budget reconciliation package that can bypass the Senate filibuster.”

Budget reconciliation is one of those inside-the-beltway phrases that emerges every now and then, when circumstances elevate it to what seems like the most practical legislative tool. Congress can use this mechanism to pass budget laws that require only a 50-vote majority — a difficult proposition with a Senate split 50/50. Reconciliation bills are constrained by a rule first put in place in 1985, at the behest of the late Sen. Robert Byrd, mandating that any budget bill primarily concern the budget. This requirement prohibits

“extraneous” measures that don’t affect government spending or income.

The Byrd rule gives lawmakers incentive to develop revenue-generating elements for policies that might otherwise be ambiguous. A nationwide clean electricity standard—one that could help satisfy Biden’s 2035 ambition—falls squarely into that category.

Seventeen states, plus Washington, DC and Puerto Rico, have policies that should guide them to all-renewable or zero-CO<sub>2</sub> electricity systems. There are also at least 200 cities and counties that have committed to 100% clean power. That’s enough to launch a debate over a national framework, said Leah Stokes, an assistant professor of political science at the University of California at Santa Barbara.

Stokes and several colleagues have spent the last several months researching ways to shape a clean-power standard that would satisfy the Byrd rule and qualify for inclusion in a budget reconciliation bill. “There have been bipartisan proposals for years now for a clean energy standard. There really is potential to find supporters on the Republican side,” she said. “There’s going to be a lot of pressure from the public to act.”

A clean-power bill proposed in July by Rep. Diana DeGette, a Democrat from Colorado, drew support and encouragement from some utilities and utility groups, a sign, Stokes said, the power sector is ready to at least talk about a national commitment to carbon-free power.

Stokes and co-authors from groups that include Evergreen Action and Data for Progress are writing a policy paper that identifies what they say are multiple strategies for a plan that’s consistent with the congressional budget-writing process. She said they’re not advocating for all five, but these demonstrate that there may be multiple ways to pass a clean-electricity standard:

**Clean Electricity Credits:** This policy might assign each utility a target for an 80% or so emissions drop by 2030 and 100% by 2035. Companies could sell credits through a federal program if they’re ahead of pace and buy them if they’re behind. The program could be structured based on previous bills that have already been analyzed by the Congressional Budget Office.

**Managing Emissions Intensity:** This approach, which Stokes said is under development by another team of researchers, would charge utilities a fee when the emissions intensity of every megawatt-hour generated is above a threshold.

**Block Grants:** States would qualify for federal funding by enacting 100% clean-energy standards.

**Tax-Based Standard:** The tax code would reward carbon-free power generation and punish polluters. “I don't think that's necessarily the best idea,” Stokes said.

**Clean Air Act Authority:** Congress could fund a new U.S. Environmental Protection Agency program to eliminate greenhouse gases under the landmark air-pollution law.

Climate policy experts are far from unanimous on the possibility of designing a clean-energy program that satisfies budget rules. Stokes's argument is that it's theoretically possible, and that the urgency of climate change enforces ambitious thinking. “History is a moving target, as we see here,” she said, “and there's lots of potential for climate action.”

*Eric Roston writes the Climate Report newsletter about the impact of global warming.*

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