

What will the Republicans do if they take control of the Senate? Will this be Armageddon for Obama's environmental policies, as both Democrats and Republicans insist? The truth is likely to be less dramatic, though still bad from an environmental perspective.

[Greenwire](#) had a very interesting piece about that on Friday. Both Republican and Democratic politicians have reasons to exaggerate this in order to motivate their bases. But the *Greenwire* article has some very interesting statements from Mike McKenna, who is described as a GOP strategist and energy lobbyist. McKenna makes some points that seem quite sensible to me.

McKenna suggests that environmental riders will be less common than some people have been expecting. McConnell will have to keep some relatively moderate members of his caucus on board, and Republicans also have to worry about Senate contests in Democratic-leaning states in 2016. He suggests that the most likely targets will be the proposed regulations dealing with Clean Water Act jurisdiction, regulations of coal ash, and proposed greenhouse gas regulations. McKenna suggests that the Republicans may punish Democrats by confirming no nominees at all for any positions outside of DOD. Finally, McKenna suggests that Republicans will push a lot of energy bills to floor votes, in the hope of putting Democratic Senators on the spot. But the odds of legislation passing are slim, since gridlock is likely to continue.

Of course, EPA will face other forms of congressional hostility. With Senator Inhofe slated to head the Senate Environment and Public Works Committee, EPA would undoubtedly come in for a lot of harassing investigations. Those investigation can divert time and resources from other activities, besides making the lives of agency officials miserable. I suspect that we will also see efforts at budget cutting.

McKenna doesn't discuss this, but it's also easy to imagine Republicans making more frequent use of the [Congressional Review Act](#) to block EPA regulations. Because it provides a streamlined way of getting the issue to a vote in the Senate, this would be harder for Democrats to block. But Republicans would still need to hold their caucus together to get a majority vote, and of course they would have nowhere near enough votes to override a Presidential veto. It's hard to see why Obama would ever sign a bill to override a regulation that he had previously approved.

It's possible that McKenna is being too optimistic about how Republicans will respond to gaining control of the Senate. Republican success in this election could encourage a belief that the government shutdown didn't really hurt the Party after all. That could lead to much more aggressive use of riders. Even McConnell doesn't share that belief, we know how

much trouble Boehner has had in keeping his caucus under control, and McConnell might have similar problems with Ted Cruz and others. The debt ceiling deal expires on March 15, and it's possible that this will also lead to anti-environmental riders. Even apart from what happens in the Senate itself, Republican success this November may make House Republicans feel that they can take more extreme positions.

Looking further down the road, whatever seats the GOP picks up this time will make a difference after 2016. Even if the Senate flips back to the Democrats, the additional GOP seats will help ensure that the Republicans can still filibuster major initiatives. If the Senate stays Republican, then we'll have united government with a largely anti-regulatory agenda. On the other hand, if a Democrat is elected, the extra seats the GOP acquires this year will make it that much more difficult for the Democrat to getting anything done.

The 2014 Senate races do matter. The effects are limited by the difficulty of getting anything done in Congress today, leaving the President with more of the initiative than congressional leaders. But it's unlikely that Obama's environmental agenda will emerge completely unscathed.