

From: POLITICO Pro Energy
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Subject: Afternoon Energy, presented by Utah Diné Bikéyah: Zinke confirmed — AGs ask EPA to drop methane information request — Shimkus eyes summer for RFS reform
Date: Wednesday, March 01, 2017 2:53:27 PM

By Kelsey Tamborrino | 03/01/2017 02:57 PM EDT

With help from Esther Whieldon

ZINKE CONFIRMED: The Senate today voted to confirm former Rep. Ryan Zinke as Interior secretary in the Trump White House. Zinke, a former Navy Seal, will enter a Cabinet role that will require him to try to balance President Donald Trump's goal of boosting fossil fuel production, while protecting vast amounts of federal land in the West. Unlike many others in the Cabinet, Zinke had a smooth confirmation, which was capped off with today's bipartisan 68-31 vote. He drew the backing of 17 Democrats, including [Michael Bennet](#), [Heidi Heitkamp](#), [Tim Kaine](#) and [Jon Tester](#). Vice President Mike Pence will swear-in Zinke at 6 p.m. tonight.

The new position will require Zinke to perform "an endless balancing act between the conservation purposes of the agency, the recreation access purposes [and] the resource extraction requirements," said Lynn Scarlett, global managing director for public policy at The Nature Conservancy, and a former Interior deputy secretary under the George W. Bush administration.

Zinke drew ire from environmental groups ahead of the vote for his pro-fossil fuel stance and record voting against endangered species protections. Esther Whieldon and Annie Snider write, however, greens focused most of their opposition campaigns on nominees like EPA Administrator Scott Pruitt, who they fear would do far greater damage to their climate change, clean energy and conservation efforts. During his confirmation hearing, Zinke said he believes the [climate is changing](#), but said he there was still debate over the role that human activity played in it.

He will take over a department tasked with implementing the Endangered Species Act, which some Republican lawmakers are hoping to overhaul in this Congress. The department is also home to the U.S. Geological Survey, an agency that, among other things, conducts scientific research on climate and land use changes. Read more from Esther and Annie on Zinke [here](#).

FINDING A REPLACEMENT: Zinke's confirmation leaves a hole in Congress for a Montana lawmaker, and the state has already set a special election date: May 25. The Republican and Democratic parties will hold nominating conventions at which point party delegates will select their candidates for the special election, Campaign Pro's Elena Schneider explains.

Moments after Montana Gov. Steve Bullock set the date, the state Democratic Party set its nominating convention for this Sunday. Local officials say three Democrats are leading the pack for the nomination: state Rep. Amanda Curtis, who previously ran for Senate in 2014 after appointed Sen. John Walsh dropped out of the race; state Sen. Kelly McCarthy; and Rob Quist, a singer-songwriter who has picked up support from former Gov. Brian Schweitzer. More [here](#).

Welcome to Afternoon Energy. I'm your host Kelsey Tamborrino. Send your thoughts, news and tips to ktamborrino@politico.com, mdaily@politico.com and njuliano@politico.com, and keep up with us on Twitter at [@kelseytam](https://twitter.com/kelseytam), [@dailym1](https://twitter.com/dailym1), [@nickjuliano](https://twitter.com/nickjuliano), [@Morning_Energy](https://twitter.com/Morning_Energy) and [@POLITICOPro](https://twitter.com/POLITICOPro).

**** A message from Utah Diné Bikéyah:** The protection of the Bears Ears National Monument reflected the will of Utahns and Native Americans. Now, President Trump and Interior Secretary-nominee Ryan Zinke are considering undermining this designation and threatening this sacred public land. Join us as we ask them to honor Tribes and stand with Bears Ears: <http://bit.ly/2luGehY> **

MAIL CALL — DROP METHANE INFO REQUEST: Eleven state attorneys general today [asked](#) EPA to pause its ongoing request for oil and gas companies to answer questions related to the Obama-era plans for methane emission regulations, Alex Guillén [reports](#). EPA [finalized](#) its Information Collection Request just days after the election as the first step toward regulating methane emissions from existing oil and gas operations. The AGs note the agency predicted it would cost companies more than \$42 million and 284,000 hours to comply with the request. "We believe the EPA's requests to be an unnecessary and onerous burden on oil and gas producers that is more harassment than a genuine search for pertinent and appropriate information," the letter says.

APS REACHES NET METERING DEAL: Solar advocates and utility Arizona Public Service today filed a [rate settlement](#) with the Arizona Corporation Commission that would allow existing rooftop solar customers to be grandfathered into existing net metering rates for 20 years and would allow new customers to switch to time-of-use rates without expensive demand-based charges. The deal is the first to be proposed after the commission in December decided it would be best to phase out net metering, but backed the idea of allowing existing customers to keep existing rates. The deal would also allow APS to start a special rate pilot program for customers with solar, battery storage and/or electric vehicle charging stations.

SIERRA CLUB TARGETS ON PRUITT AND STREAM RULE: The Sierra Club today launched the latest in its digital ad campaign targeting senators for their votes on Pruitt's confirmation as EPA administrator, as well as the Stream Protection Rule. The ads are launching today on digital news outlets and are geo-targeted for each senator's state. Anyone who sees the ad can then text the number to find out how their specific senator voted.

SHIMKUS EYES SUMMER: Illinois Rep. [John Shimkus](#) hopes to move legislation reforming the Renewable Fuel Standard through the chamber by this August, though he said reaching compromise will be "tremendously difficult." Shimkus, who is chairman of the Energy and Commerce subcommittee on environment, [told reporters](#) today any reform package would not "push a legislative mandate on what fuel type and mix to make" but instead "offer an opportunity to those who want to compete in this market." He noted bipartisan support was a must.

Separately, Energy subcommittee Chairman [Fred Upton](#) said he would include an energy title in broader infrastructure legislation with "a number of things we reached consensus on" during negotiations over an energy bill last year. "Have a title within the infrastructure bill, which will help us avoid the steel trap of the 60 votes to get a separate vote through the Senate," he said, noting it would include FERC process reforms and pipeline provisions.

CHRISTIE REDIRECTS MILLIONS FROM CLEAN ENERGY FUND: New Jersey Gov. and former presidential contender Chris Christie is out with his [proposed budget](#) today, and it in, Christie siphons \$157 million from the state Clean Energy Fund and redirects the money to other agencies. POLITICO New Jersey's David Giambusso writes: "The \$360 million annual fund comes from a charge on residential and business utility bills and is meant to go to renewable energy and energy efficiency programs. Instead, it has served as essentially a hidden tax, the majority of which goes to shore up holes in the governor's annual budget proposal." More [here](#).

MOVERS, SHAKERS: Tri-County Electric Cooperative director Phil Carson starts his two-year term today as president of the National Rural Electric Cooperative Association, the group announced. Carson took replaces North Arkansas Electric Cooperative CEO Mel Coleman, who closed out his term as president today.

QUICK HITS:

- White House: No immediate change to biofuel compliance structure, [Bloomberg](#).
- For Interior, Montanan with deep roots and inconsistent record, [The New York Times](#).
- White House proposes cutting EPA staff by one-fifth, eliminating key programs, [The Washington Post](#).
- Private investor divests \$34.8m from firms tied to Dakota Access pipeline, [The Guardian](#).
- Exxon CEO says still sees potential in Canadian oil sands, [Reuters](#).

WIDE WORLD OF POLITICS:

- Was this [the Trump](#) that could win in 2020?
- Republicans near [make-or-break moment](#) on Obamacare repeal
- How the ultimate D.C. insider penetrated [Trump's White House](#)

**** A message from Utah Diné Bikéyah:** The designation of the Bears Ears National Monument reflected the will of a majority of Utahns and Native American Tribes. This monument permanently protected public lands threatened by vandalism and looting in southeast Utah that we consider sacred. Yet already, politicians are pushing President Trump and Interior Secretary-nominee Ryan Zinke to reduce or undo its protections. We call on President Trump to resist efforts to seize or sell off Bears Ears and other parks and monuments. Stand with Bears Ears. Let's protect our national public lands for future generations of all people. Learn more at: <http://bit.ly/2luGehY> **

To view online:

<https://www.politicopro.com/tipsheets/afternoon-energy/2017/03/zinke-confirmed-021625>

Stories from POLITICO Pro

Interior pick Zinke on climate change: 'I don't believe it's a hoax' [Back](#)

By Eric Wolff and Esther Whieldon | 01/17/2017 03:36 PM EDT

Declaring himself a "Teddy Roosevelt Republican," Donald Trump's choice for interior secretary sought the middle ground on a host of issues at his confirmation hearing Tuesday — including declaring that climate change is real while insisting that the science on humans' role may not be settled.

"I do not believe it's a hoax," Montana Rep. Ryan Zinke said when asked about climate change — offering at least a tacit contrast to Trump, who has [said it is](#).

Zinke, a Republican former Navy SEAL, said the federal government should keep ownership of its vast land holdings, but should heed Western residents' anger about Washington's sway over their lives. He defended the need for expanded oil, gas and coal production, saying that "we're going to need an economy that grows," but wouldn't pledge to head off big increases in the royalties that miners must pay. And he talked about natural gas exports as a potential tool to weaken Vladimir Putin, without explicitly opposing Trump's hopes for warm relations with Russia.

Zinke got genteel treatment from Democrats on the Senate Energy and Natural Resources Committee, along with warm words from Republican Chairwoman Lisa Murkowski, a scathing critic of the Interior Department's actions in her state of Alaska.

"I think he's doing a good job handling himself," Murkowski said during a break in the hearing. "I think he's been very direct and I've appreciated that."

Zinke had earlier won favor with Donald Trump Jr., the president-elect's son and an avid trophy hunter, in part because he opposed efforts by some congressional Republicans to sell off federal land.

During Tuesday's hearing, Zinke gave shout-outs to leading conservationists from the late 1800s and early 1900s, including Sierra Club founder John Muir and Forest Service chief Gifford Pinchot — and, of course, Roosevelt. "Teddy Roosevelt had the courage to look 100 years forward," Zinke said. "I think we need to have the courage today to look 100 years forward and look back and say we did it right."

These are key moments from the hearing:

Zinke: Climate change is no 'hoax'

Breaking with one bit of Trump rhetoric, Zinke said he believes that climate change is real and that humans play a role. "I do not believe it's a hoax," he said in response to a question from Sen. Bernie Sanders (I-Vt.).

Trump has notably disagreed, [tweeting](#) in late 2012 that "the concept of global warming was created by and for the Chinese in order to make U.S. manufacturing non-competitive."

But Zinke stopped short of full-throated acceptance of climate science. He agreed that the climate was changing, and that humans have had an influence, but he said "there's debate" over the extent of that influence.

When pressed on whether he'd allow fossil fuel development on public lands, Zinke said, "we have to have an economy."

Sanders cut in: "I'll take that as a yes, there will be fossil development on public lands."

Later, Sen. Al Franken (D-Minn.) pointed to a 2010 letter in which Zinke called climate change a threat needing immediate attention and asked if Zinke's position had changed.

"I want to be honest with you," Zinke said. "We both agree that the climate's changing. We both agree that man is an influence."

"A major influence," Franken injected.

"I'm not an expert in this field," Zinke responded.

"To me that's a cop-out," Franken said, adding, "I'm not a doctor but I have to make healthcare decisions."

Zinke finds a way to ding Russia

Zinke also separated himself a bit from Trump's talk about warmer relations with Russia.

"If we want to check Russia, let's do it with natural gas," he said, alluding to Moscow's leverage over the rest of Europe as a major gas supplier. Republicans in Congress have pressed for expanding U.S. natural gas exports as a way to weaken Putin's influence in the continent, especially after Russia's 2014 invasion of Ukraine and seizure of Crimea.

The topic came up as Sen. John Barrasso (R-Wyo.) pressed him on the limits the Interior Department is imposing on methane pollution from natural gas drilling. Zinke responded by waxing poetic on the lost opportunity created by the leaking of methane during the extraction process.

"We're venting a lot, and we're wasting energy, and that is troubling me," Zinke said. "The amount of venting in North Dakota alone almost exceeds what we get out of the fields. Let us build a system that recaptures what is being wasted. And that's an enormous opportunity geopolitically as well."

'Zero tolerance' for sexual harassment

Zinke pledged to have "zero tolerance" for sexual harassment in his department, in response to questions from Sens. Debbie Stabenow (D-Mich.) and Tammy Duckworth (D-Ill.) that touched on Trump's comments on the issue.

Duckworth said Zinke had not rebuked past statements by Trump that critics said blamed women for sexual harassment in the military. "How can we be sure that you just won't look the other way in dealing with this issue of sexual assault at the National Park Service like you did with your own potential boss, the president-elect?" she asked.

"I take issues of sexual assault harassment absolutely seriously," Zinke responded, promising to "go out to the front line" and talk with staff about such issues. He added that "on the sexual harassment issue, they have to know leadership at the top and the bottom, that we have zero tolerance."

Trump has taken criticism for comments he has made on the issue, including a [May 2013 tweet](#) in which he wrote: "26,000 unreported sexual [assaults] in the military-only 238 convictions. What did these geniuses expect when they put men & women together?"

Zinke defends vote to ease federal land sales

Despite his opposition to wholesale sell-offs of federal land, Zinke defended the vote he took early this month for a House rule that would make it easier to transfer government land to other parties.

He portrayed the rule as a sign of the anger and mistrust that constituents feel over federal land management.

"It was an indicator of how upset people are about our land policy at that moment, particularly if you are in Utah, Nevada, Wyoming, Idaho, Montana," he said. But he added that the rule "has no weight unless it's executed. I think it's a shot across the bow that we have to do something."

"My No. 1 is trust," he said. "I have to go out there and restore trust."

The rule would eliminate the need to calculate the budget impact of a transfer of federal land, making it easier to pass such legislation. The vote has drawn criticism from green groups and concern from sportsmen's groups that back Zinke for the post.

Calls on feds to 'defer' to states on managing monuments

Shooting down one idea that has taken hold among some Republicans, Zinke said he sees no legal way to rescind the protections that President Barack Obama has offered to vast amounts of Western lands under the Antiquities Act of 1906.

But he also left open the door to offering concessions on management decisions to states whose leaders object to the federal government declaring national monuments within their borders.

"States that like their monuments, the state's comfortable with monument, I would be an advocate," Zinke said. "If the state is upset with a monument, and has a plan different from what we've done, I think we should defer a lot of that to the state."

Obama has used the 1906 law to create 550 million acres of new monuments on existing public lands and waters, enraging many Republican members of Congress who characterize the moves as a "land grab." In December, he designated 1.35 million acres in southeastern Utah over the opposition of local government and state officials.

Utah Rep. Rob Bishop, the chairman of the House Natural Resources Committee, has openly wondered whether a new president could rescind a predecessor's monument declarations.

Review of coal-leasing prices may continue

Zinke backed efforts to ensure coal companies pay appropriate royalties and clean up the land they mine, but stopped short of specifically backing Obama administration programs on those

fronts.

The administration's ongoing review of its coal program included a moratorium on new leases, and Interior this month released a road map for its review to determine whether to update its regulations and the royalty rates it charges.

"I think the review is good," Zinke said when the committee's top Democrat, Maria Cantwell of Washington, asked if he would stop it. "I don't know the specifics of that review but I think we should always look at our energy portfolio with an objectiveness."

She also asked him: "You don't have an objection to taxpayers getting a fair value...?"

"I think taxpayers should always get a fair value," Zinke said.

Cantwell asked whether that includes coal.

Zinke: "Including our coal, wind and all the above."

Zinke promises to do right by Alaska

Zinke committed to Murkowski that he would review every regulation that "takes lands and waters off Alaska" out of oil and gas development, responding to a litany of criticisms she offered at the outset of the hearing.

"Yes," Zinke said. "We have to understand, we need an economy. If we don't have an economy as a country, then the rest of it doesn't matter. Alaska is different."

Murkowski, a fierce critic of outgoing Secretary Sally Jewell, told Zinke that "to state that Alaska has had a difficult or a tenuous relationship with the outgoing administration is probably more than an understatement."

Murkowski noted that the administration has blocked new offshore drilling in the Arctic's Chukchi and Beaufort seas, converted coastal plains into de-facto wilderness as part of the Arctic National Wildlife Refuge, and refused to allow the construction of a one-lane gravel emergency access road from an isolated fishing village through the Izembek National Wildlife Refuge.

"We've lost access to lands and to waters that even President [Jimmy] Carter had promised us would be open to us," she said. "We've had our longstanding right to manage wildlife within our borders ripped away. We've seen projects halted through the delay or the denial of vital permits."

America's only hope: Growth

Much like Trump, who has promised to solve many budgetary problems by spurring a huge surge of economic growth, Zinke said the U.S. can pay for its infrastructure needs as long as the economy keeps expanding.

Throughout his testimony, Zinke returned to the need for more infrastructure to solve America's problems, from water infrastructure to the maintenance backlog in our national parks. When Sen. Mazie Hirono (D-Hawaii) asked how he would pay for it, Zinke noted that most of the federal budget is tied up in entitlement spending, which leaves few options.

"We're not going to be able to cut our way out of the problems we have, nor are we going to be able to tax our way out," he said. "The only hope we have of America is to grow our way out. And we can. Energy is part of it, innovation is part of it. We're going to need an economy that grows, we can compete, we can dominate. God has given us so much."

Zinke backs Smokey Bear

Franken lightened the mood a little when he pressed Zinke on comments about Smokey Bear and wildfire.

"I want to get something clear," Franken asked. "Smokey the Bear isn't real, right?"

"He's real to me, sir," Zinke said.

"That might be disqualifying," the senator replied.

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Senate confirms Zinke for Interior secretary [Back](#)

By Esther Whieldon and Annie Snider | 03/01/2017 11:06 AM EDT

The Senate confirmed Rep. [Ryan Zinke](#) Wednesday as Interior secretary, installing the former Navy Seal into a Cabinet role that will require him to try to balance President Donald Trump's goal of boosting fossil fuel production while protecting vast amounts of federal land in the West.

The fifth-generation Montana native will lead an agency that manages one-fifth of the nation's land and is composed of nine massive bureaus, each with its own culture and mandates to oversee national parks, wildlife refuges, major Western hydropower dams, tribal lands and areas ripe for oil drilling and other energy development.

"The Interior has one of the most complex and varied missions of the entire federal government," said Lynn Scarlett, global managing director for public policy at The Nature Conservancy, and a former Interior deputy secretary under the George W. Bush administration. It's a position which will require Zinke to perform "an endless balancing act between the conservation purposes of the agency, the recreation access purposes (and) the resource extraction requirements," she added.

Compared to many of Donald Trump's other nominees who faced resistance from Democrats, Zinke breezed through his confirmation process and was confirmed on a bipartisan 68-31 vote, with backing from 17 Democrats, including Sens. [Michael Bennet](#) (Colo.), [Heidi Heitkamp](#) (N.D.), [Tim Kaine](#) (Va.) and [Jon Tester](#) (Mont.).

While environmental groups have been critical of Zinke's pro-fossil fuel stance and his record voting against endangered species protections, they focused most of their opposition campaigns on nominees like EPA administrator Scott Pruitt, who they fear would do far greater damage to their climate change, clean energy and conservation efforts.

"Zinke is really bad, but given the horrific standard that Trump has established so far, he's

actually a little better than the rest of them," Kierán Suckling, executive director of the Center for Biological Diversity, said when Zinke's nomination was announced.

In addition to land management, Interior is tasked with implementing the Endangered Species Act, which some Republican lawmakers are hoping to overhaul in this Congress. The department is also home to the U.S. Geological Survey, an agency that, among other things, conducts scientific research on climate and land use changes.

"Throughout the agencies, scientists are afraid that their work will be defunded, suppressed or they won't be able to communicate, and I think that's something that will be a big test of Ryan Zinke: is he willing to stand up for the scientists in his agency and listen to them and take their advice?" said Adam Markham, deputy director of the energy and climate change program at the Union of Concerned Scientists.

During his confirmation hearing, Zinke said [he believes the climate is changing](#), but said he there was still debate over the role that human activity played in it.

One of Zinke's first acts is likely to be to end Interior's freeze on new coal leases with the swipe of a pen. Trump is expected to issue an executive order in the coming days directing Zinke to do just that. Zinke has also [pledged](#) to smooth the path for more oil and gas development on federal land and offshore areas, and he's likely to seek to reverse President Barack Obama's late-term decision to ban new offshore drilling leases in parts of the Arctic and Atlantic oceans.

Zinke has [criticized](#) the Interior's minerals and drilling permitting process, but has defended the underlying environmental review law used in the process. Among other things, Zinke will need to persuade agencies under his jurisdiction to improve their cooperation, a challenge his predecessor failed to meet.

Among Zinke's earliest tests at Interior will be his response to pressure from the Utah delegation to endorse their call for Trump to revoke the Bears Ears National Monument that Obama created at the end of his term. Zinke is expected to visit Utah soon, and will likely make it his first stop of a multi-state tour.

While the fate of the monument is unclear, Zinke has been a supporter of Washington's role in overseeing federal lands — a position that may have helped him win the nomination, since he drew the backing of Donald Trump, Jr, who like Zinke is a sportsman.

Zinke, who was first elected to the House in 2014, has characterized himself as a Teddy Roosevelt Republican on public lands issues, which puts him in conflict with the GOP platform and several of his former lawmaker colleagues on Capitol Hill. Still, Zinke believes land should be tapped for multiple purposes where appropriate, and he supports efforts to increase the mineral and energy production on federal property.

Some Western Republican lawmakers want the land handed over to the states where energy resources could be developed much quicker but outdoor recreation groups fear that doing so would effectively cut them off from those areas.

"I'm particularly concerned about public access," Zinke said at his confirmation hearing. "I'm a hunter, a fisherman. But multiple use is also making sure that what you are going to do, you know and you go in with both eyes open. That means sustainability. That means that it doesn't

have to be in conflict if you have recreation over mining, you just have to make sure that you understand what the consequences of each of those uses are."

Even if Zinke can find a balanced approach to land use, he may find his hands tied on with the agency's massive infrastructure backlog, the biggest of which is at National Parks. Zinke has repeatedly indicated he plans to tackle the Park Service's multi-billion dollar infrastructure deficit, but that's likely to be a challenge given the White House effort to shrink spending across all non-defense areas of the government.

Interior will also have a key role to play in the next few years on several major Western water issues — an area Zinke has little experience with and will need to staff up quickly.

States in the lower Colorado River basin are tinkering on the brink of a first-ever shortage declaration and are poised to finalize a deal aimed at heading off the worst-case scenario in the massive river basin that is home to nearly 40 million people and a major slice of the country's agricultural output. But they need a federal partner to help finish the agreement.

Meanwhile, Interior also has a key role to play in negotiating a new water sharing deal with Mexico, ideally before the current one expires at the end of this year. Zinke will also find himself caught in the middle of California water wars, as his department implements contentious language approved by Congress in December that aims to rebalance how water is shared between endangered fish species in the sensitive Sacramento-San Joaquin Bay-Delta and farmers and cities in the central and southern portions of the state.

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Montana special election set for May 25 [Back](#)

By Elena Schneider | 03/01/2017 01:11 PM EDT

Montana Gov. Steve Bullock has set Thursday, May 25 as the date for the special election to replace GOP Rep. [Ryan Zinke](#), who was confirmed as Interior secretary Wednesday.

"Since being nominated, Ryan Zinke has not been actively participating in the deliberations of the House," Bullock said in a statement, after congratulating Zinke on his appointment. "There are a lot of important discussions being had in Washington, D.C. right now and we must do everything we can to ensure Montanans have a seat at that table as soon as possible."

The Republican and Democratic parties will hold nominating conventions at which party delegates will select their candidates for the special election. Moments after Bullock's announcement, the Montana Democratic Party set its nominating convention for this Sunday, March 5, in Helena. Local officials said three Democrats are leading the pack: state Rep. Amanda Curtis (who ran for Senate in 2014 after appointed Sen. John Walsh dropped out of the race), state Sen. Kelly McCarthy, and Rob Quist, a singer-songwriter who has picked up support from former Gov. Brian Schweitzer.

The Montana Republican Party has not yet announced the date of its convention, but it is also expected to take place in the next week. Greg Gianforte, the party's losing 2016 nominee for governor, and state Sen. Ed Buttrely — considered a leader among the establishment faction of the state GOP — are both considered leaders in the Republican field.

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AGs ask EPA to drop methane information request [Back](#)

By Alex Guillén | 03/01/2017 12:50 PM EDT

Eleven state attorneys general today [asked](#) EPA to halt its ongoing direction for oil and gas companies to answer questions related to Obama-era plans for methane emission regulations.

EPA [finalized](#) its Information Collection Request just days after the election. The ICR requires oil and gas companies to answer a litany of technical questions and is the first step toward regulating methane emissions from existing oil and gas operations.

The AGs note EPA itself predicted it would cost companies more than \$42 million and 284,000 hours to comply with the request.

"We believe the EPA's requests to be an unnecessary and onerous burden on oil and gas producers that is more harassment than a genuine search for pertinent and appropriate information," the letter says.

EPA's request "comes at a time when the oil and gas industry is recovering from its most significant economic downturn in decades," it adds. "Many of the company can ill-afford the time and expense to comply with yet another empty regulatory burden."

The signatories include EPA Administrator Scott Pruitt's successor as Oklahoma attorney general, Mike Hunter.

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Obama administration keeps oil and gas rules rolling [Back](#)

11/10/2016 01:19 PM EDT

The Obama administration today advanced two oil and gas regulations through the system even as Donald Trump prepared to take office with plans to dismantle rules his advisers deem unnecessary.

EPA finalized its Information Collection [Request](#) to the oil and gas industry on existing sources of methane emissions, the next step following new-source methane rules the agency finalized in May. In addition, the Fish and Wildlife Service released the [final version](#) of modernized rules to govern the almost 1,700 oil and gas wells currently in production on lands in the national wildlife refuge system.

EPA's ICR is likely to be the last step in the regulatory process for existing-source methane rules, given that Trump has promised to align with the oil and gas industry on dismantling some of its least favorite Obama-era regulations. Still, the American Petroleum Institute gave EPA some praise for broadening the data-collection window in its final ICR.

API senior director of regulatory affairs Howard Feldman added, however, that questions about the accuracy of EPA's operator database "could render the collected data skewed and therefore useless."

The FWS regulations on drilling operations in the refuge system, which will take effect on

Dec. 14, focus on "plugging wells, removing all above-ground structures, equipment, roads and contaminating substances, reestablishing native vegetation, and restoring disturbed areas to productive habitat," the agency said in a summary of the rules.

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Shimkus eyes House passage of RFS reform by August [Back](#)

By Anthony Adragna | 03/01/2017 01:42 PM EDT

A key House Republican lawmaker hopes to move legislation reforming the Renewable Fuel Standard through the chamber by August, though he acknowledges reaching compromise will be "tremendously difficult."

Rep. [John Shimkus](#) (R-Ill.), chairman of the Energy and Commerce subcommittee on environment, said any reform package would not "push a legislative mandate on what fuel type and mix to make" but instead "offer an opportunity to those who want to compete in this market." And he said bipartisan support was a must.

"Us moving a contentious bill that just barely passes the floor, we might as well just not even do it," Shimkus told reporters today. "You have to have a big vote, because we have to send a signal to the Senate that there's a lot of people behind this and everybody's taken their pound of flesh. Otherwise ... I think my friends from states similar to me will circle the wagons and stop any reform."

Shimkus, whose district is one of the nation's top corn producers, said he had not discussed ethanol policy with the Trump administration.

Separately, Energy subcommittee Chairman [Fred Upton](#) (R-Mich.) said he would include an energy title in broader infrastructure legislation with "a number of things we reached consensus on" during negotiations over a broad energy bill last year.

"Have a title within the infrastructure bill, which will help us avoid the steel trap of the 60 votes to get a separate vote through the Senate," he said, noting it would include FERC process reforms and pipeline provisions.

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Christie budget redirects \$157 million from Clean Energy Fund [Back](#)

By David Giambusso | 03/01/2017 01:08 PM EDT

Gov. Chris Christie's proposed budget siphons \$157 million from the state Clean Energy Fund and redirects the money to other agencies.

The \$360 million annual fund comes from a charge on residential and business utility bills and is meant to go to renewable energy and energy efficiency programs. Instead, it has served as essentially a hidden tax, the majority of which goes to shore up holes in the governor's annual budget proposal.

The re-allocated funds are as follows:

— \$19.9 million for park maintenance and salaries at the Department of Environmental Protection

— \$82 million for NJ Transit utility bills

— \$52.5 million for state utility bills

— \$2.7 million for the Treasury department.

Democratic legislators and environmentalists have long decried Christie's use of the funds and this year will likely generate another battle.

Treasury's budget summary can be viewed [here](#).

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Was this the Trump that could win in 2020? [Back](#)

By Edward-Isaac Dove | 03/01/2017 05:04 AM EDT

President Donald Trump cleared a low bar: He read proficiently off a teleprompter, he looked human as he spurred long applause for the widow of the Navy SEAL killed in the raid he ordered, he didn't get into a shouting match with any Democrats or slip off into a rant about reporters as the enemy of the people.

Or, in the words of House Speaker Paul Ryan (R-Wis.), who was excited Trump threw him a bone on some details of health care reform: "That was a home run."

The only Trump who's proven he can win is the Trump who ran in 2016, defiantly never conforming to the political norms every pundit and experienced strategist insisted he had to. He was raucous and baiting and insulting and aggressive, and the voters put him in the Oval Office for it.

But for all the ways conventional wisdom was proved wrong last year, most still assume the 2020 race that Trump's already announced and held his first campaign rally for would have to be different. He'd be without the foil of a Hillary Clinton that so many voters either hated or couldn't get inspired by, with clear benchmarks Trump declared over the course of his campaign for Democrats to hold him to, running as a person who'd have to answer for his record rather than just attack from the peanut gallery.

And yet as much as Democrats want to believe they can beat Trump, want to be bucked up by a Republican Congress that's so far been unable to pass a single significant bill and the grass-roots energy bursting in their own base, the tentacles of doubt started creeping in as many watched the speech: What if now he's this guy? What if they're underestimating him like they did all through the campaign? What if they have to change up the strategy again?

Trump's solid but substance-light speech came after six weeks of a struggling, sputtering presidency captured in a NBC/Wall Street Journal poll out earlier in the day showing Trump doing decently on being decisive and direct, but underwater on changing Washington, getting things done, dealing with the economy, honesty, knowledge, handling an international crisis and temperament.

And yet, Tuesday night was for the first time actually different from anything Trump's done before. It was the kind of upbeat outreach speech that many Republicans had hoped he'd deliver at the convention last summer or at his inauguration in January, and that Republicans in Congress will need more of if they're going to pass his agenda rather than duck and cover every time he opens his mouth or takes out his phone.

"I think he'll continue to grow at this and do this more often," said House Majority Leader Kevin McCarthy (R-Calif.). "I think people looking at home, some may have a different impression watching him tonight and seeing that he's a president for all Americans."

It was enough of a success that Senate Majority Leader Mitch McConnell (R-Ky.) seemed to suggest that he hadn't before the speech been convinced Trump should have the job but that it had pulled him over the edge.

"Donald Trump did indeed become presidential tonight. And I think we'll see that reflected in a higher approval rating," McConnell said.

Now the question is whether the speech breaks through. Or whether he'll be able to hold to it before some riled-up tweetstorm in the next few days or hours. Or if the sense of him is so set in most Americans' minds already. Or if any memory of this version of Trump will seem like another one of those mass hallucinations that seem to have overtaken American politics these days when he does finally release the revised travel ban executive order and order the deportation forces he said were already at work as he stood there in the House chamber.

"Even when he has good moments, he gets in his own way," one-time Obama strategist David Axelrod said on CNN.

The holes in the speech were gaping, like who exactly is going to pay for that "great, great wall" Trump again promised would run along the Mexican border, and how, or what kind of guidance he might give on that infrastructure plan that was supposed to be his big revolutionary success right out of the gate and instead remains a mystery stuck on a shelf somewhere in the West Wing. Repeal and replace Obamacare, and somehow in Trump's telling American health care would end up cheaper, better and more widely available under a completely different plan.

That's not to mention the budget abracadabra Trump promised by implementing those infrastructure and health care plans, massively raising the military budget, creating paid family leave, cutting taxes and managing not to increase the deficit along the way.

But politics is a lot of theater, and there's nothing more theatrical than a presidential address to a joint session of Congress.

"The thing is, he's behaved so badly that if he doesn't behave badly, people think he's getting better," said Rep. Keith Ellison (D-Minn.), now the deputy chairman of the Democratic National Committee. "He's not getting better. This was a theatrical performance. That's all that it was, and nobody should be fooled by it."

The Democratic talking points were apparent: Nice speech, sure, but focus on the actions, not the words.

"This is another one of his speeches where he talks like a populist, but the way he's been

governing is totally the opposite. He has been governing from the hard right," Senate Minority Leader Chuck Schumer (D-N.Y.) said on CNN after the speech. "Until his reality catches up with his speeches, he's got big trouble."

"One speech cannot make the man," said House Democratic Caucus Chairman Joe Crowley (D-N.Y.). "And he only had up to go at that point, given how he acted at his last press conference and the inaugural address."

Democrats were almost daring Trump to follow through on being Mr. Conciliatory, which seems about as far off as his passing promise in the speech to have Americans soon landing on distant planets as part of new space missions.

"The tone doesn't really matter," said Sen. Chris Murphy (D-Conn.), "if he's not prepared to turn rhetoric into legislation."

Seung Min Kim, Elana Schor and Heather Caygle contributed to this report.

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Republicans near make-or-break moment on Obamacare repeal [Back](#)

By Burgess Everett and Jennifer Haberkorn | 02/28/2017 06:56 PM EDT

Republicans are having a break-the-glass moment on Obamacare.

After promising for years to upend the Democratic health care law the first chance they got — and with plans to hold a vote to repeal by early April — the party remains far from consensus. So far, in fact, that Senate Majority Leader Mitch McConnell has called a special all-members caucus meeting Wednesday to try and get his rowdy caucus in line.

Two key House committee chairmen running point on the House's Obamacare efforts will be on hand to explain why Republicans should support their proposal to roll back Obamacare's Medicaid expansion and replace insurance subsidies with tax credits, among other provisions. But a leaked blueprint of their plan is already taking heat from the GOP's right flank, jeopardizing the repeal bid.

In the Senate, Republicans can afford to lose only two of their members. But GOP leaders are facing pressure from both moderates and conservatives as they try to craft a bill. Centrists are signaling they won't back a bill that rolls back Obamacare's Medicaid expansion, which covers some 11 million Americans. But conservatives like Sens. Ted Cruz, Mike Lee and Rand Paul, as well as the House Freedom Caucus and outside conservative groups say they'll oppose any measure that provides refundable tax credits to help people buy insurance — which is what the House's emerging plan would do.

Ways and Means Chairman Kevin Brady and Energy and Commerce Chairman Greg Walden will defend that proposal in the all-members meeting of Senate Republicans on Wednesday. But GOP leaders are coming to grips with the growing possibility they'll have to just put a repeal bill on the floor — and dare GOP lawmakers to vote no.

"Are you for the status quo or are you for fixing this? That's what our members are going to be faced with," said Sen. John Thune of South Dakota, the No. 3 Senate Republican. "Are any of our members going to vote against a bill that repeals Obamacare? I think not. I hope not."

But Thune's conservative colleagues are drawing a hard line ahead of Wednesday afternoon's meeting in the Strom Thurmond Room, where the party has gathered in recent years to avert crises and plan strategy during urgent moments. Cruz, Paul and Lee say they won't vote for "Obamacare-lite" — the derisive label critics have attached to the House plan — and they're backed by groups like FreedomWorks and Club for Growth.

Cruz, for his part, bashed the idea of refundable tax credits, calling them a "massive and new entitlement program," but left the door open to potentially supporting a plan that includes them.

President Donald Trump endorsed the idea of using tax credits to help people buy insurance during his address to Congress Tuesday night. But while House GOP leaders interpreted his remarks as an endorsement of their plan, Senate Republicans and conservatives said he was only talking in broad strokes and was not backing a specific proposal.

The House Freedom Caucus is also sounding off against the Republican House proposal in what could be a major problem for Speaker Paul Ryan if that opposition cements. The hard-line group has enough votes to sink any Obamacare plan, and its members are suggesting they will do just that without a change in course.

"In political terms, you feel for leadership because they are between a rock and a hard place on this," said Rep. Mark Sanford (R-S.C.). "You can't go out there and say to the base for six to seven years ... we're going to repeal Obamacare, and then when you have the chance to do so, buckle."

Still, the speaker predicted Tuesday that, in the end, the GOP will be "unified on this." He pointed out many conservatives have supported tax credits in the past.

Moderates and Senate Republicans from states that have expanded Medicaid under Obamacare have been less vocal but are no less influential in the debate. Sen. Susan Collins (R-Maine) is concerned about defunding Planned Parenthood, which many conservatives are insisting on. And there are 20 GOP senators from Medicaid expansion states, some of whom may end up opposing plans to gut the Medicaid expansion that's helped millions of low-income Americans receive insurance.

Even Collins, whose state has not expanded Medicaid, said she was troubled by House Republicans' plans to roll back the program.

"We have some 32 states that took advantage of that part of the Affordable Care Act. And they did so with the reliance that the federal government would pick up something like 90 percent of the cost. And I don't think it's fair to say to those states: Never mind," Collins said in an interview.

Sen. Lisa Murkowski (R-Alaska) told state legislators last week that as long as they support the Medicaid expansion, she will not vote to roll it back. It would take just a couple more defectors to threaten GOP leaders' plans. Already, some Senate Republicans aren't convinced the House will cover all their constituents.

"My concern is that we want to make sure none of these folks gets dropped. And I'm not fully convinced that what the House is working on can give me that assurance," said Sen. Shelley Moore Capito (R-W.Va.), who plans to press Brady and Walden on specifics.

But moving to the center and preserving the Medicaid expansion would further anger conservatives.

Voters "didn't tell us to repeal [Obamacare] but keep the Medicaid expansion," said Rep. Jim Jordan (R-Ohio), referring to tax credits in the House plan. "We think you should actually do what you said you would do."

With public sentiment moving in favor of Obamacare, protesters swarming town halls and Republican infighting on the rise, GOP leaders nonetheless say they have no plans to slow down. In fact, senators said McConnell and Ryan are setting an ambitious, if soft, deadline to hold a vote to gut the law ahead of the Easter recess. They're betting that after all the promises to repeal Obamacare, Republican agitators will find it impossible to vote against Obamacare repeal, even if they're not crazy about all the particulars.

"We're getting down to the decision point where we need to get behind one approach," said Senate Majority Whip John Cornyn (R-Texas), the party's chief vote counter. "People are slowly coming to a recognition that they have to make a decision."

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How the ultimate D.C. insider penetrated Trump's White House [Back](#)

By Burgess Everett and Josh Dawsey | 03/01/2017 05:08 AM EDT

Donald Trump railed against Establishment Washington in his presidential campaign. But now that he's in the White House, it's actually a pretty good time to be a Washington insider.

Just ask Sen. Rob Portman.

There's no more archetypal Washington operator than the Ohio Republican, a former House member, U.S. trade representative, Office of Management and Budget head and lower-level White House staffer. And now he's got a direct line to the Trump White House on national and home-state priorities, as the administration has been quietly stocked with aides and advisers with longstanding ties to Republican Party leadership.

"It's good. As you know, I've got a lot of Portman team members down there," Portman said in an interview in his Washington office after decisively winning reelection last year. "We've got a lot of friends."

He's not the only one. House Speaker Paul Ryan and Senate Majority Leader Mitch McConnell, not to mention uber-lobbyists like former Senate Majority Leader Trent Lott, all count close relationships within the Trump administration.

Indeed, even after a chaotic first month for the White House, Portman and a number of longtime Washington Republicans say they're largely at ease with Trump's West Wing operation and confident they'll be able to influence policy.

White House officials deliberately hired a number of aides with ties to influential Hill Republicans, hoping to leverage their relationships and soothe rattled nerves after the election, a White House official said. Some were picked specifically because of their ties to Republican lawmakers. Another person close to Trump said the White House realized it can do only so

much by executive order and needs Congress to do big things, leading the White House to ask prominent lobbyists and lawmakers whom they should hire.

One of Portman's best friends, fellow George W. Bush administration alum Joe Hagin, is a White House deputy chief of staff. Portman has several former staffers who have already burrowed into the nascent administration. He's tight with Trump's chief economic adviser, Gary Cohn, who visits Portman's office for private powwows. And Portman talks on a weekly basis with Vice President Mike Pence, a former colleague in the House who has become the face of the White House on Capitol Hill.

As for Trump himself, Portman said: "I know him, he knows me. I think he's got some closer friends than me, but Pence and I are very close."

For experienced Washington operators like Portman, Trump's turn toward experienced D.C. hands couldn't be more welcome. The president's Capitol Hill operation includes Hagin as well as legislative affairs leaders Rick Dearborn and Marc Short, both former congressional aides.

Rob Porter, a former counsel to Portman and Senate Finance Chairman Orrin Hatch (R-Utah), is the staff secretary. Portman also knows Cohn's deputy, Shahira Knight, who worked on the Ways and Means Committee when Portman was a House member. Portman's chief of staff, Mark Isakowitz, has deep ties with Republican operatives, having worked as both a lobbyist and a GOP staffer on Capitol Hill.

"Right now I feel pretty positive on some of the policy stuff. I don't feel positive on some of the distractions," Portman said of the White House. "But I still think we're heading generally in the right direction."

Dearborn and Short worked on Capitol Hill for Attorney General Jeff Sessions and Pence, respectively — both on the conservative end of the political spectrum but liked well enough by other Republicans.

Having faces familiar to Capitol Hill is a far more effective tactic than building a White House inherently hostile to lawmakers, Republicans say.

"It's a relationship business," said Sen. Shelley Moore Capito (R-W.Va.), a former House member who is now close to McConnell. "You've already got some trust factor built up over there."

The person close to Trump said that while the president speaks on broad strokes, perhaps suggesting he cares little about policy details, Dearborn's team is focused on talking specifics with people whose votes they need.

One senior GOP aide said the White House hires of experienced congressional aides, such as Joyce Meyer from Ryan's office, are smart because they're people who can help move legislation.

Of course, the approach may not be coming from Trump directly. "These are all Reince hires," the source said, referring to White House chief of staff Reince Priebus. "I don't think Trump has any idea who these people are. These are literally all the people he ran against."

Lott, now a senior lobbyist at the venerable law firm Squire Patton Boggs, has three former

staffers at the White House, including Dearborn, with whom he frequently speaks. Lott has been actively involved in the hiring process in the West Wing.

Both Lott and Portman frequently correspond with Short, one of Dearborn's deputies and a longtime aide to Pence. Short's name often comes up in conversations about people in the Trump administration who have juice on Capitol Hill.

Congress' plodding pace has frustrated Trump and his inner circle, who were clearly underprepared for the bruising confirmation fights over Trump's Cabinet nominees. But administration officials are also quietly hashing out big-ticket legislation with people like Portman.

Portman withdrew his endorsement of Trump after the "Access Hollywood" video surfaced. But in the days after the election, Trump showed he was still very interested in Portman's views, as the Ohio senator visited Trump Tower twice during the transition. He spoke about tax, trade and health care policy with Pence, Dearborn and Priebus.

These days Portman is using his conversations with Cohn to shape a sweeping tax code rewrite that Republicans hope to enact later this year, a sharp contrast from more narrowly focused legislation he pushed through under President Barack Obama.






"We do have a good shot of getting tax reform despite all of the differences of opinion that you hear right now," Portman said. "I think there's a general aligning of the planets."

But the Trump White House is aware that other members have to be courted, so Short and Dearborn are in the process of sitting down and meeting with senators one on one. Trump himself has invited a bevy of lawmakers to the White House to meet with him, from Senate Minority Leader Chuck Schumer (D-N.Y.) to the House members who were early Trump endorsers.

Other lawmakers without a direct line to Trump are connecting with Pence, who has offices in both the House and the Senate, and who attends weekly Senate Republican lunches.

"I've not been to the White House," said freshman Sen. John Kennedy (R-La.), who's been in Washington less than two months. But, he added, "I have a way to contact the vice president directly. I do not abuse it."

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