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**Subject:** Morning Energy, presented by the U.S. Chamber's Global Energy Institute: Climate skeptics find new favorite talking point — Solar world fears gloomy 2018 amid potential tariffs — Cuomo's pipeline rejection raises eyebrows nationally  
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By Anthony Adragna | 09/25/2017 05:53 AM EDT

*With help from Alex Guillén*

**NEW FUEL FOR THE CLIMATE SKEPTIC FIRES:** The small group of climate change skeptics, led by the Heartland Institute, has seized upon a recent peer-reviewed study to vindicate their calls for a debate on the fundamentals of climate change, Pro's Emily Holden [reports](#). The paper concluded the planet can tolerate more greenhouse gas emissions in the near future than previously thought, a finding its authors said does not undercut the basic consensus that human activity is causing temperatures to rise faster than normal. But Heartland Institute President Tim Huelskamp, whose group has submitted nominees for EPA Administrator Scott Pruitt's red team, blue team exercise and EPA's Science Advisory Board, says the report raises more questions. "This is exactly the type of debate discussion scientists need to be having," said Huelskamp, a former Republican congressman from Kansas. "If they were wrong 10 years ago, what makes their new modeling correct?"

**Scientists bash mischaracterizations:** Authors of the study said their work has been willfully misinterpreted for political purposes. While they expected their conclusions to be mischaracterized, they said they hadn't expected such an intense reaction. "We are not trained in PR.... Our job is to do solid science and communicate that. It's not really our job to guard against every possible critique, especially when they're not real critiques," said Damon Matthews, a study author and Concordia University Research Chair in Climate Science and Sustainability. "[T]here is no scientific result in our story that questions the basics of climate change and the imperatives for mitigation action."

**What did the report find?** The study found Earth has 20 years at the current rate of carbon dioxide emissions — 10 years more than the Intergovernmental Panel on Climate Change had estimated in its 2013 report — before average global temperatures grow 1.5 degrees Celsius. While previous research suggested countries had a "carbon budget" between 200 billion to 400 billion metric ton of carbon emissions before temperature increases exceeded 1.5 C, their paper pegged the figure above 700 billion metric tons. Some respected scientists have disagreed with the methodology the authors used to come to their conclusions.

**WELCOME TO MONDAY!** I'm your host Anthony Adragna, and the Glover Park Group's Hayley Moller was first to identify Tip O'Neil as the famous politician appearing in a 1983 episode of *Cheers* (clip [here](#)). For today: Which senator made a brief cameo in *Wedding Crashers*? Send your tips, energy gossip and comments to [aadragna@politico.com](mailto:aadragna@politico.com), or follow us on Twitter [@AnthonyAdragna](#), [@Morning Energy](#), and [@POLITICOPro](#).

**FEARS OF A SOLAR SUNSET IN 2018:** Experts point to the last time the U.S. slapped steep tariffs on imported goods as a cautionary tale for President Donald Trump as he ponders whether to erect harsh trade barriers sought by Suniva and SolarWorld USA on imported solar panels, Pro's Eric Wolff [reports](#). Back in 2002, President George W. Bush put a 30 percent tariff on several types of steel imports, but the move led directly to a supply shortfall in the U.S., causing wild fluctuations in prices, according to Tom Werner, CEO of SunPower Corp and a tariff opponent. "There's a very good chance it could end up the same way," said Tori Whiting, a research associate at the Center for International Trade and Economics at the conservative Heritage Foundation. A reminder that we're at this point due to Friday's International Trade Commission ruling that [opens the door](#) for Trump to penalize cheap Chinese solar imports through tariffs.

**Suniva and SolarWorld USA have both promised** to restart production at shuttered factories if they get trade protections, and they reject the notion that tariffs would cost jobs. But getting factories back into operation will take years and attracting capital may prove difficult since tariffs are limited to four years under the law.

**RAISING EYEBROWS, NOT PIPELINES, IN THE EMPIRE STATE:** Amid speculation he's positioning himself for a possible 2020 presidential bid, New York Gov. Andrew Cuomo has blocked three pipelines in the last 16 months, drawing national attention as his environmental policy has grown decidedly more progressive, POLITICO New York's Marie J. French [reports](#). Cuomo most [recently denied](#) a permit for Millennium Pipeline's 7.8 mile project — including a novel legal argument involving concerns about the greenhouse gas emissions from the power plant it would serve — after previously denying two other major pipelines permits over fears of how they'd affect water quality. "I think environmentalists have no choice but to pay some respect to Gov. Cuomo's moves — banning fracking was a big step, and he's followed it up with some other courageous decisions," 350.org co-founder Bill McKibben said. "We hope very much that he'll support the call for 100% renewable energy that's becoming the basic test for politicians going forward."

**\*\* A message from the U.S. Chamber's Global Energy Institute:** American energy is changing our economy. And now, it is changing the world. The U.S. Chamber of Commerce's Global Energy Institute is at the forefront of the policy discussions in Washington and around the nation that will help fuel the global energy revolution. Learn more at [www.globalenergyinstitute.org](http://www.globalenergyinstitute.org) \*\*

**GUESSING GAMES:** Trump's penchant for leaving himself wiggle room on contentious policy decisions like trade, taxes, immigration, health care and climate change is inducing whiplash in many of the political insiders, business leaders and even foreign governments with a stake in the outcomes, POLITICO's Emily Holden, Andrew Restuccia, Aaron Lorenzo and Ted Hesson [report](#). On the international climate front, diplomats have been left in the dark about what precisely the United States wants since June, when Trump announced his intention to exit the Paris agreement but "begin negotiations" to either reenter the nearly 200-nation accord or join an entirely new deal.

**White House spokeswoman Kelly Love said:** "President Trump was put into office precisely because he isn't beholden to lobbyists and special interests. If they're upset that they can't stroll

into the White House and drive administration policy anymore, that's a badge of honor for a president who was elected to drain the swamp."

**BONN BONN BONNNNN:** Trump's decision to leave the Paris climate accord have raised the stakes for international climate negotiations in Bonn, Germany for nations around the world to reiterate their commitment to the accord, Pro's Eric Wolff [reports](#), citing an interview with the top climate negotiator for Fiji who's leading the meeting. "Our aim was changed by President Trump's announcement," Ambassador Nazhat Khan said. "Now we must deliver a visionary [conference]. Every work item for COP 23 is measured for the enhancing and restating of the overall vision."

**RELIEF FINALLY BEGINS TO FLOW IN PUERTO RICO:** A ship carrying 1.6 million gallons of water, 23,000 cots, dozens of generators and food arrived Sunday in Puerto Rico — the first of many expected in the coming days — as millions of Americans brace themselves for potentially months without electricity and damaged drinking water infrastructure, the Associated Press [reports](#). Rep. [Nydia Velazquez](#) plans to request a one-year waiver from the Jones Act, a federal law requiring domestic cargo shipments to move only on U.S. vessels. "We will use all our resources," Velazquez said. "We need to make Puerto Rico whole again. These are American citizens."

**Dam worries linger:** There were [mixed reports](#) on the status of the Guajataca Dam in Northwest Puerto Rico. Some suggested the structure remained in danger of collapse Sunday after authorities previously evacuated 70,000 residents in that area, while others quoted local officials saying the risks were overblown.

**Congress plots relief efforts:** Lawmakers are beginning to plot potential relief options for the island, which may include tax breaks and more Medicaid funding, POLITICO Financial Services' Colin Wilhelm [reports](#). "This is a natural disaster in Puerto Rico like we haven't seen ever," said Carlos Mercader, executive director of the commonwealth's Federal Affairs Administration. "Think about Katrina but even worse because this is the whole island." In [an interview](#) with Colin on Sunday, Puerto Rico Gov. Ricardo Rossello called for Congress to treat Puerto Rico like a state in any comprehensive emergency aid package. Remember Puerto Rico was already dealing with a massive government debt crisis, crumbling infrastructure and a bankrupt electric utility before the storm.

**Relief not fast enough for many:** Cuomo, who visited Puerto Rico on Friday, jabbed Trump for his focus on the NFL instead of the emerging humanitarian crisis over the weekend: "Instead of arguing with football players, instead of obsessing about how to take health care from the poor, why don't we put the politics aside and focus on helping Americans in desperate need?" he said, according to [the Albany Times-Union](#). Hillary Clinton [tweeted](#): "President Trump, Sec. Mattis, and DOD should send the Navy, including the USNS Comfort, to Puerto Rico now. These are American citizens."

**Toxic waste removed in Texas:** Tucked away in a Friday press release was the disclosure EPA recovered 517 containers of "unidentified, potentially hazardous material" from Superfund sites in Texas affected by Hurricane Harvey but the agency isn't providing any additional information about the waste, the Associated Press [reports](#). EPA won't say what sites the material came from,

whether they've been identified or if there's a human health threat.

**QUID PRO QUO?** EPA staff directed staff to take the first toward reversing the proposed veto of Alaska's Pebble Mine in July shortly after Pruitt met with Tom Collier, CEO of Pebble Limited Partnership, CNN [reports](#), citing interviews and government emails. "This is a process issue," Collier told CNN in an interview. "[Pruitt] is not saying he's not going to veto this project. He's just saying that the rule of law says that you do an environmental impact statement first, right? That's Mr. Pruitt's position." Collier said Pebble plans to file mining permit applications in December. Pruitt's move allows the company to submit a permit application but does not guarantee it would be approved.

**NATIONAL CLEAN ENERGY WEEK KICKS OFF:** A veritable who's who and VIPs of the clean energy world are in town this week to tout the benefits of clean energy technologies and try to rally support in Congress and the administration for the sector's continued growth. Interior Secretary Ryan Zinke and Energy Secretary Rick Perry launch the festivities in earnest on Tuesday at 8 a.m. A full schedule is available [here](#).

**LET'S MAKE A DEAL?:** California may go along with some changes the Trump administration and automakers would like to see to vehicle emissions rules in the near future, as long as the White House and industry agree to tougher rules that would kick in later. Mary Nichols, chair of the California Air Resources Board, told [Bloomberg](#) that she has spoken with White House energy adviser Mike Catanzaro about the administration's review of EPA emissions standards through model year 2025.

**If EPA weakens those rules,** California would still be able to enforce its own, more stringent standards, which [13 other states](#) also have adopted. That would create a complex regulatory patchwork — or a protracted court fight over California's authority — that all parties would prefer to avoid, if possible. "The price of getting us to the table is talking about post-2025," Nichols told Bloomberg. California would be "willing to talk about specific areas if there were legitimate concerns the companies raised" as part of a larger discussion.

**MAIL CALL! REMEMBER THAT TALK WE HAD?** Six senators, led by [Sheldon Whitehouse](#), sent a [letter](#) to FERC Chairman Neil Chatterjee on Friday requesting the commission move "as quickly as possible" to complete a rule on better integrating energy storage and small renewable energy installation, which Whitehouse and Sen. [Ed Markey](#) discussed with Chatterjee prior to his confirmation. At the time of meeting, Whitehouse said he received a commitment the rule would not be "unduly delayed."

**CHINA MOVES TO CUT OFF OIL FOR NORTH KOREA:** Moving to implement the latest round of U.N. sanctions, China announced Saturday it would ban exports of condensates and liquefied natural gas immediately, Reuters [reports](#). The country also said it would limit exports of refined petroleum products from Oct. 1.

**GREENS APPEAL HFC DECISION:** ME readers previously [learned it was coming](#), but the Natural Resources Defense Council on Friday formally [asked](#) a federal appeals court for an en banc rehearing of last month's decision striking down an EPA rule limiting use of hydrofluorocarbons, potent greenhouse gases, Pro's Alex Guillén [reports](#) in Energy Regulation

Watch. The group feels the D.C. Circuit erred in its 2-1 decision and are likely to be joined in their appeal by Honeywell, a U.S. manufacturer.

**GREENS OPPOSE FOUR EPA NOMINEES:** Ten environmental organizations, including the Sierra Club, League of Conservation Voters and Waterkeeper Alliance, sent [a letter](#) to senators Friday urging them to oppose the four nominees expected to shortly come before the Environment and Public Works Committee for confirmation hearings. "Each of these individuals have demonstrated a willingness to advance the agenda of polluters and industry before health protections and safeguards for clean air and clean water," they wrote of the nominations of Matthew Leopold to be general counsel, William Wehrum to run the air office, Michael Dourson to run the Office of Chemical Safety and Pollution Prevention and David Ross to run the water office

**MORE CONCERN OVER CADIZ PROJECT:** California Sen. [Dianne Feinstein](#) released [a letter](#) Friday from the Metropolitan Water District questioning of safety and viability of the controversial California water project. David Bernhardt, Interior's number two, previously did legal work on behalf of the Cadiz project while in the private sector and the issue [came up repeatedly](#) during his confirmation process. Feinstein, a vocal opponent of the project, [accused the Trump administration](#) of trying to "muscle the Cadiz water project through" back in April.

**BILL NYE THE BACHELORETTE GUY:** A bunch of women dancing in an elevator ahead of a night out and in walks... Bill Nye. Watch [here](#).

## QUICK HITS

- Environmental advocates sue the EPA to implement stormwater plan. [Boston Globe](#).
- Tioga oil pipeline spill cleanup nearing milestone after 4 years, but work continues. [Bismarck Tribune](#).
- Interior Secretary Ryan Zinke says Hurricane Harvey recovery at 20%. [Austin American-Statesman](#).
- Failed pressure test may have caused the Valdez oil spill. [KTUU](#).
- Duke Changes Mind; Will Post Coal Ash Disaster Maps. [AP](#).
- Democratic Megadonor Tom Steyer Still Isn't Ruling Out a 2020 Run. [The Atlantic](#).

## HAPPENING THIS WEEK

### MONDAY

12:00 p.m. — "[The National Flood Insurance Program, Zoning Regulations, and Hurricanes: Lessons for Lawmakers](#)," The Cato Institute, 122 Cannon

### TUESDAY

7:30 a.m. — National Clean Energy Week symposium kicks off with remarks from Secretaries Zinke and Perry, Reserve Officers Association, 1 Constitution Avenue NE

9:30 a.m. — Institute for Policy Integrity green states conference, New York University School of Law, 40 Washington Square South, Vanderbilt Hall, New York, N.Y.

10:00 a.m. — "Powering America: Technology's Role in Empowering Consumers," House Energy and Commerce Energy Subcommittee, Rayburn 2123

10:00 a.m. — "Legislative Hearing on 4 Fishery Bills," House Natural Resources Water, Power and Oceans Subcommittee, Longworth 1334

10:00 a.m. — Senate Energy and Natural Resources holds hearing on DOE nominations, Dirksen 366

10:00 a.m. — "Building a 21st Century Infrastructure for America: Water Stakeholders' Perspectives," House Transportation and Infrastructure Water Resources and Environment Subcommittee, Rayburn 2167

12:00 p.m. — "Maryland's Offshore Wind and Energy Efficiency Policies," Women's Council on Energy and the Environment, Dentons, 1900 K Street NW

12:00 p.m. — "The Future of Nuclear Power: Technology, Security and Geopolitics," Global American Business Institute, 1001 Connecticut Avenue NW, Suite 230

12:00 p.m. — "Energy Transition and the Future of Hydrokinetic Energy in the United States," Environmental Law Institute, 1730 M Street, NW, Suite 700

12:30 p.m. — Natural Gas Roundtable hosts David Carroll, president of the International Gas Union, for monthly luncheon, University Club, 1135 16th Street NW

2:00 p.m. — House Natural Resources Indian, Insular, and Alaska Native Affairs Subcommittee hearing on various bills, Longworth 1334

2:00 p.m. — "Examining America's nuclear waste management and storage," House Oversight and Government Reform Interior-Environment Subcommittee, Rayburn 2154

### **WEDNESDAY**

9:00 a.m. — "North America Energy Forum 2017," Wilson Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — Senate Commerce Committee hearing on nominations, Russell 253

10:00 a.m. — "Forest Management to Mitigate Wildfires: Legislative Solutions," Senate Environment and Public Works Committee, Dirksen 406

2:00 p.m. — "Encouraging the Next Generation to Visit National Parks," Senate Energy and Natural Resources National Parks Subcommittee, Dirksen 366

3:00 p.m. — "Global Lessons from the Thawing Arctic," The Study of Environmental Arctic Change, 1200 New York Ave NW

#### **THURSDAY**

9:30 a.m. — "The Great American Eclipse: To Totality and Beyond," House Science Space and Research and Technology subcommittees, Rayburn 2318

4:00 p.m. — International Trade Administration holds a meeting by teleconference of the Renewable Energy and Energy Efficiency Advisory Committee, RSVP: Victoria.Gunderson@trade.gov

#### **FRIDAY**

9:00 a.m. — "Global Hotspots and Security Challenges: A Conversation with Senator Joni Ernst," Center for Strategic and International Studies, 1616 Rhode Island Avenue NW

#### **THAT'S ALL FOR ME!**

**\*\* A message from the U.S. Chamber's Global Energy Institute:** Ten years ago, gasoline prices were at an all-time high, American dependence on foreign oil and natural gas was growing, and our energy future and security was at risk. The U.S. Chamber of Commerce and leaders in American business came together to form an institute to tackle these challenges head on. Now, 10 years later, we're excited to begin our second decade by transitioning to the U.S. Chamber's Global Energy Institute, reflecting America's new role as a global energy superpower. We'll still provide insight and analysis on the big energy issues of our day, along with our unique ability to bring together the entire energy industry and reach thousands in our local and state Chamber network. Learn more about our Institute and the last decade of progress in this video: <http://bit.ly/2yeil2S> \*\*

*To view online:*

<https://www.politicopro.com/tipsheets/morning-energy/2017/09/climate-skeptics-find-new-favorite-talking-point-024740>

#### **Stories from POLITICO Pro**

##### **Energized by Trump, climate critics seize on new study [Back](#)**

By Emily Holden | 09/25/2017 05:04 AM EDT

A small, vocal community of climate change skeptics is using the Trump administration's climate policy rollback and its doubts about humans' role in boosting temperature to dig into unsettled issues — including a new report that indicated countries may have more latitude in curbing emissions.

While the vast majority of the world's scientists agree that human activity like burning fossil fuels is raising temperatures at a pace far faster than would naturally occur, studies are still staking out the specifics about the levels of greenhouse gas the atmosphere can absorb before the

Earth reaches dangerous temperature benchmarks and how climate change influences extreme weather events.

A new [study](#) published in the peer-reviewed journal Nature Geoscience last week suggests the planet can tolerate more greenhouse gas emissions than previously forecast before reaching a critical point of 1.5 degrees Celsius of warming. Earth's temperatures are already up about 1 degree C above pre-industrial levels. Some respected scientists have disagreed with the methodology the authors used to come to their conclusions, but the study drew wide attention.

The conservative Heartland Institute, one of the biggest voices for U.S. climate skeptics, has seized on the research as proof that scientific models used to forecast temperature changes are wrong and overestimate the rate of global warming.

But the authors behind the study say their work has been willfully misinterpreted for political purposes. Damon Matthews, a study author and Concordia University research chair in climate science and sustainability, said the group had been prepared for its research to be mischaracterized, but hadn't expected the reaction to be so intense.

"We are not trained in PR. We don't have the resources to hire PR firms," Matthews said. "We're trying to balance teaching, research, media outreach. Our job is to do solid science and communicate that. It's not really our job to guard against every possible critique, especially when they're not real critiques."

Climate science of any kind is under increasing scrutiny, and EPA Administrator Scott Pruitt has called for public debates about whether humans are causing temperatures to rise. Trump administration officials [gathered](#) at the White House last week to hone their messaging on the issue.

Heartland Institute President Tim Huelskamp, a former Republican congressman from Kansas, told POLITICO the new study supports the need for Pruitt's debates.

"This is exactly the type of debate discussion scientists need to be having," he said. "This article proved that there can be a lot of debate about the fundamental issues."

Huelskamp said the study raises the question that "[i]f they were wrong 10 years ago, what makes their new modeling correct?"

Several scientists associated with the Heartland Institute have been nominated to EPA's Science Advisory Board that reviews environmental regulations, according to [E&E News](#). Heartland has also suggested researchers to take part in Pruitt's red-team, blue-team exercise, but Huelskamp declined to release any of their names.

Huelskamp said he saw no scientific consensus supporting man-made climate change, and argued his side has "dozens, hundreds, perhaps thousands that say that is not the case." The mainstream research community has said the climate skeptics overstate their numbers and are amplifying their message through the White House.

Climate scientists fear critics at advocacy groups like Heartland cherry-pick details from



research to try to fuel doubt that climate change is real and poses dire threats to the environment and human health.

"[T]here is no scientific result in our story that questions the basics of climate change and the imperatives for mitigation action," Matthews said.

Pierre Friedlingstein, another co-author of the study and chair of mathematical modeling of climate systems at University of Exeter, said the new research showed the Earth has 20 years at the current rate of carbon dioxide emissions before lifting global average temperatures 1.5 C. That's more than the 10 years the Intergovernmental Panel on Climate Change had estimated in its 2013 report, but "certainly not a reason to encourage inaction. The emission mitigation challenge in front of us is still herculean and unprecedented," he said.

Previous research had estimated that countries had a total "carbon budget" between 200 billion to 400 billion metric tons of carbon emissions before temperatures climbed 1.5 C. But the new paper put the figure above 700 billion metric tons. That carbon budget is often used by policymakers to determine what actions they should take to curb climate change, and that's why the authors decided to take a second look.

Stefan Rahmstorf, the head of Earth System Analysis at the Potsdam Institute for Climate Impact Research, who outlined some doubts about the paper's findings in a [blog post](#) on RealClimate.org, said the paper didn't alter the science showing action to reduce emissions needed to be taken.

"At this point, debating whether we have 0.2 [degrees] C more or less to go until we reach 1.5 [degrees] C is an academic discussion at best, a distraction at worst. The big issue is that we need to see falling emissions globally very, very soon if we even want to stay well below 2 [degrees] C," he said.

The 2015 Paris climate agreement states the goal of keeping greenhouse gas emissions below the level that would cause 2 degrees C of warming, and the nearly 200 countries that signed on backed a more ambitious goal of keeping a temperature increase at no more than 1.5 degrees C.

Many island nations say that any warming over that level would be catastrophic for them. Fiji will chair the next United Nations meeting on climate change in November in Bonn, Germany, giving those countries a bigger spotlight.

Asked about the study last week, Fiji's COP23 Chief Negotiator Ambassador Nazhat Khan said she wanted to wait for the IPCC report to "see exactly how we're doing."

"It would be great news," she said. "We are committed to 1.5 degree target, and it is the 1.5 degree target that is going to give hope. ... On the question of whether things are better, we don't know. We hear on a daily basis of more intense cyclones, and in the Pacific Rim itself we have disappearing shoreline."

Richard Millar, the lead author of the new study and a research fellow at the University of Oxford, said the team tried to be clear that the paper does not argue for fundamentally revising ranges of uncertainty about how strongly the environment responds to carbon dioxide. Instead,

the paper reinterpreted data that IPCC used to re-evaluate the world's carbon budget.

"It's because we're so close that we're thinking about how best to use the modeling tools we have available ... to really answer the direct question that's required by policymakers," Millar said.

Rahmstorf's blog suggested the researchers found a bigger carbon budget because they had used a different baseline year when counting rising emissions, and incorporated recent temperature data that may not account fully for Arctic warming.

Millar explained that the research took into account a slowing growth in emissions by developing countries that have begun to back away from coal, and said he was disappointed that the paper's conclusions have been "willfully manipulated."

"We tried our hardest to conduct a press briefing and put out there a clearly written, nontechnical blog trying to explain our finding," he said. "There certainly seemed to be a sort of snowball effect."

A first set of news articles covered the study well, he said, but then opinion writers followed and "facts got lost along the journey."

Matthews said he expects that to continue.

"It's fairly obvious that having people in the Trump administration who are openly questioning the science of climate change is going to give fuel to the people who were already doing that more quietly," he said.

*Eric Wolff contributed to this report.*

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**Tariff threat could foreshadow grim 2018 for solar industry** [Back](#)

By Eric Wolff | 09/25/2017 05:04 AM EDT

The U.S. solar industry could face a grim 2018 if President Donald Trump slaps stiff tariffs on imported solar panels, according to solar industry and trade experts.

The U.S. International Trade Commission [ruling Friday](#) that domestic manufacturing had suffered injury because of solar equipment imports will give Trump the opportunity to hit the Chinese companies that own the lion's share of the global production of photovoltaic cells and modules. Proponents of steep trade barriers sought by Suniva and SolarWorld USA argue the U.S. capacity to build panels will disappear under the wave of imports from Asian countries.

But others, including the solar industry lobby group, warn that instituting tariffs or a floor price as Suniva has recommended would cost 88,000 jobs, double the price of solar installations and set the industry's growth back by years. And the last time the U.S. used the same trade tactic —

under former President George W. Bush — could serve as a warning to the Trump administration.

The U.S. installed 14.8 gigawatts of solar capacity last year, fed by imports of 12.8 gigawatts of solar panels in 2016, according to the Energy Information Administration. U.S. production capacity of solar modules is less than 3.0 GW, leaving a gap that will require solar installers to rely on imports to meet the demand, even if companies that may be considering building U.S. manufacturing plants decide to shift operations to the U.S.

"U.S. manufacturing is extremely unlikely to fill in the gap between supply and demand in 2018. A near-zero chance," said Tom Werner, CEO of solar manufacturer and project developer SunPower Corp., who opposes the tariffs.

If Trump institutes tariffs — as administration officials say he is likely to do — he would be the first president since 2002 to use the safeguard provisions of the Trade Act. That year, Bush put a 30 percent tariff on several types of steel imports, a move Werner said led directly to a supply shortfall in the U.S., causing wild fluctuations in prices. One paper showed prices for some steel products jumped 80 percent, and steel-consuming industries shed 200,000 jobs, causing a loss of \$4 billion in wages.

"There's a very good chance it could end up the same way," said Tori Whiting, a research associate at the Center for International Trade and Economics at the conservative Heritage Foundation. "That's part of how the market works, and it's the same the case for solar when domestic production doesn't meet domestic demand."

The two petitioners in the case, Suniva and SolarWorld USA, are both in bankruptcy proceedings, but both have promised to restart production at shuttered factories if import measures are put in place. But revving up machinery, buying new equipment, or starting a factory from scratch takes months or even years, and getting investment may be difficult when tariffs are limited to four years under the law.

Recent reports indicate that some companies may consider shifting production to the U.S. if Trump puts trade barriers in place, though there are few firm plans. The most ambitious project underway now is the Tesla and Panasonic panel plant in Buffalo, N.Y., a project that has been delayed because of financial struggles of Tesla's SolarCity arm. It's slated to eventually employ 500 people and reach 1 GW of module and cell production capacity by 2019.

"The idea that Suniva's tariff is going cost jobs is simply not true," a Suniva spokesman said in a statement. "The only thing at question here is how much we're going to grow as an industry, something even our critics acknowledge."

Building new factories takes time. SunPower's Werner said it could take at least a year to get a factory up and running at full capacity, leaving even a diminished U.S. solar market searching for supply, and potentially willing to pay tariff-inflated prices from importers.

That has happened in the lumber industry after Trump imposed tariffs of up to 31 percent on Canadian softwood imports. Strong U.S. demand for construction materials, spurred on by devastation from hurricanes Harvey and Irma, has drawn a steady flow of Canadian lumber —

and pushed up material costs for house builders in the U.S. by 20 percent, according to Jerry Howard, chief executive officer of the National Association of Home Builders. That has benefited the Canadian companies, which supply more than a quarter of the lumber to the U.S. market, more than their U.S. counterparts.

But the solar sector is much more price sensitive. Residential rooftop systems already have high upfront costs, and utility-scale projects, which make up the bulk of the U.S. market, can be killed by small changes in panel costs. Solar Energy Industries Association CEO Abigail Ross Hopper said a crash in demand caused by higher prices will diminish the appetite for new factories.

"We have 36,000 workers in the solar manufacturing," she told reporters on a conference call last week. "If prohibitive tariffs are put in place, that number will decrease, not increase."

In 2003, the Bush administration withdrew its steel tariff after the World Trade Organization found that the U.S. had violated the international rules. But since then, the division of the WTO that adjudicates trade disputes has become understaffed, and petitioners now face a six-month backlog. If the Trump administration were to implement tariffs around the end of the year, it would likely be at least another year before WTO would weigh in.

"I would be surprised if the WTO made its decision before December 2018, more likely middle of 2019," said Gary Hufbauer, a senior fellow with the Peterson Institute for International Economics. "The other important point about these cases [is] no retroactive relief, so during the next year, at least, and maybe longer, whatever remedy Trump decides, there will be no restitution for the importer."

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**Trade panel puts solar tariff decision in Trump's hands** [Back](#)

By Eric Wolff | 09/22/2017 11:18 AM EDT

A federal trade panel declared Friday that surging imports of solar panels have hurt U.S. manufacturers — a decision that will allow President Donald Trump to penalize Chinese companies but could also choke off the fast-growing green energy industry in the U.S.

The U.S. International Trade Commission voted to uphold a complaint brought by two domestic solar manufacturers that complained that the low-cost imports had damaged their businesses. The decision was opposed by the much larger U.S. solar installation industry, which has seen the influx of the cheap panels spark a boom in construction of giant solar farms and rooftop systems around the country.

The issue will give Trump the opportunity to erect trade barriers he has hailed as key to his strategy to revive domestic manufacturing, and at the same time hit the Chinese companies that have largely evaded previous U.S. import penalties to become the leading suppliers of solar cells and panels. Administration officials say the trade case hasn't been a central one for the president, but they are increasingly confident Trump will favor tariffs when the commission sends the

White House its recommendations in the next couple of months.

In a statement, the White House said Trump would make a decision that "reflects the best interests of the United States," and it praised the solar-makers, saying the domestic "solar manufacturing sector contributes to our energy security and economic prosperity."

The case could also give Trump a platform to advance his "America First" agenda and tout his effort to revive the ailing coal sector. Coal companies have complained that the Obama administration waged a regulation-heavy "war on coal" while tilting federal tax incentives and loans to renewable energy sources in order to advance climate change policies.

"[Trump] could easily reward his buddies in the coal industry who would really like to see high-priced solar panels competing with coal for space on the grid," said Clark Packard, a policy analyst and trade lawyer with the conservative think tank R Street Institute, which opposes tariffs. He added: "He may just want to stick it to people — your coastal elites who never would have voted for him who are more likely to use solar panels. He's looking for any circumstance to impose tariffs, it doesn't seem he cares what they are."

Trump has not weighed in on the case so far, though his administration has re-opened the landmark NAFTA agreement with Mexico and China, and he has regularly blasted China and other countries for what he calls unfair trade with the U.S.

"He's a protectionist, there's no doubt about it, and he's not very sympathetic to the renewable energy," Gary Hufbauer, senior fellow for the Peterson Institute of International Economics. "As much as you can predict any president, I think his conclusion is foregone."

The complaint brought by Georgia-based Suniva and Oregon-based SolarWorld USA has brought sharp opposition from most of the U.S. solar industry, which has seen its growth skyrocket as costs for the technology fell to a fraction of what they were a decade ago. Aided by federal tax incentives and state-level programs, large solar power installations have sprung up across the country, driving down costs for those plants to levels that are now competitive with coal and natural gas power power stations. That's lifted employment in the sector to 260,000 even as the number of U.S. companies that make solar cells and panels sinks.

The solar industry has warned that high tariffs would eliminate 88,000 U.S. jobs by boosting costs and making many projects uneconomic just as the industry, which generates \$29 billion in revenues, was starting to stand on its own.

"If companies are going to be injured, we're going to be bringing in employees who will lose their jobs, mayors and governors and senators and representatives," said Abigail Ross Hopper, head of the Solar Energy Industries Association. "We're going to be making sure folks understand the impact, and putting a human face to it."

The four members of the ITC will now begin to formulate a remedy to address the injury suffered by the U.S. manufacturers, and they will take recommendations from solar companies. Any remedies taken by the U.S. will not apply to imports from Canada.

Suniva brought the case under Section 201 of the Trade Act, a rarely used but powerful tool that

gives the president the ultimate authority to take or discard the recommendations of the commission. Most trade complaints — including two solar cases acted upon by the Obama administration — are limited to imports from specific countries, but Section 201 allows the president to impose tariffs on all imports of a product. The authority was last used by President George W. Bush in 2002 to implement a tariff on imported steel, but it was withdrawn 15 months later.

The commission will hold hearings on potential remedies on Oct. 3 and send its recommendations to the White House by Nov. 13.

Unlike trade complaints that allege foreign companies had unfair advantages because of subsidies in their home countries or that companies were "dumping" products at below-market prices to squeeze out competitors, a case brought under Section 201 needs only to show that imports were harming the domestic industry. That lower standard appears to have been met by data showing imports from Asian countries surging as some 30 companies in the U.S. shuttered their manufacturing plants.

While solar manufacturers in China ship about 20 percent of the equipment that is imported in the U.S., many Chinese companies have moved production to countries like Malaysia or Vietnam to avoid trade penalties imposed during the Obama administration.

Suniva, which lodged the original complaint and filed for bankruptcy protection earlier this year, has said that putting tariffs or setting a floor price for imported solar equipment would generate new manufacturing jobs in the U.S.

"President Trump can remedy the industry's injury with relief that ensures U.S. energy dominance that includes a healthy U.S. solar ecosystem and prevents China and its proxies from owning the sun," Suniva, which is itself majority owned by a Chinese company, Shunfeng International, said ahead of Friday's decision.

The company has recommended a remedy that would set a price floor of 78 cents per watt, as well as a tariff that starts at 40 cents per watt and declines over four years — proposals that would more than double the current panel costs. Analysts have said that could erase five years of cost declines made by the industry.

"We are confident there is a way to strengthen and save U.S. solar manufacturing without harming the strong growth that has made America such a powerful market for solar products," said Timothy Brightbill, an attorney at Wiley Rein who is representing SolarWorld. That company is a unit of Germany's SolarWorld Industries GMBH, which has also filed for bankruptcy in its home country.

Several lawmakers and governors had urged the commission to reject the trade complaint, including in a letter sent Thursday by Govs. Brian Sandoval, of Nevada; John Hickenlooper, of Colorado; Charles Baker, of Massachusetts; and Roy Cooper, of North Carolina.

"At a time when our citizens are demanding more clean energy, the tariff could cause America to lose out on 47 gigawatts of solar installations, representing billions of dollars of infrastructure investment in our states," they wrote to ITC Chairman Rhonda Schmidlein.

A bipartisan group of 16 senators sent a letter last month to the ITC asking it to "carefully consider the negative impact" of an injury finding. Those lawmakers included Georgia Sen. [Johnny Isakson](#) and Kansas Sen. [Jerry Moran](#), both Republicans, along with coastal Democrats like Massachusetts Sen. [Ed Markey](#).

Conservative groups that support free trade have also opposed erecting the trade barriers. Earlier this month, a group of six conservative organizations, including the R Street Institute, the American Legislative Exchange Council and the National Taxpayers Union, published an open letter arguing against tariffs. The conservative Heritage Foundation, which was not on the letter, also opposes a policy of tariffs and has been tracking the Suniva case closely.

"We believe that policies that pick winners and losers by imposing tariffs are bad, pretty much no matter what they are," said Tori Whiting, a research associate at the Center for International Trade and Economics at Heritage.

Suniva and SolarWorld are not without their own defenders: Sen. [Ron Wyden](#) (D-Ore.) and two members of the Washington House delegation sent a letter of their own in favor of the tariffs, and House members from Georgia and Michigan have both backed the petition. The groups have also been backed by steel manufacturers.

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### **Businesses struggle with Trump's indecision [Back](#)**

By Emily Holden, Andrew Restuccia, Aaron Lorenzo and Ted Hesson | 09/24/2017 05:04 PM EDT

President Donald Trump has threatened to pull out of NAFTA, the Paris climate agreement and the Iranian nuclear deal — unless he opts to stay. He decided to revoke legal protections for the DREAMers, then urged Congress hours later to enact new ones. And he has repeatedly demanded that lawmakers enact major legislation on health care, tax reform and a \$1 trillion infrastructure plan — without making it clear what he wants the final product to look like.

Of all the factors that have made the president's first year so turbulent, one of the most important has been Trump himself: Combining quick mood shifts, a rancorous White House staff and his own fuzziness on the details, the self-proclaimed dealmaker has left his options way open on a range of contentious decisions — while inducing whiplash in many of the political insiders, business leaders and even foreign governments with a stake in the outcomes.

Some business groups are making long-range decisions based on their best guesses of where the administration will land, while others try to outflank the White House by talking to key lawmakers before Trump does.

"It's exhausting because there are so many places that you have to touch, so many different bases, because you never know who he's listening to," said Brian Wild, a Republican adviser to businesses on energy, tax, labor, transportation and health care at the law firm Brownstein Hyatt

Farber Schreck. "You never know who's going to get the final 'yes.'"

One longtime GOP lobbyist added: "You would've never seen a situation with Bush or Obama when a position in the administration got flipped overnight. Sometimes you win, sometimes you lose, sometimes you get half a loaf, but rarely do you ever just change sides."

"I think he thinks of everything as a trial balloon," the lobbyist said of Trump.

The flux is especially vexing for conservatives who were invigorated after Trump won but now worry that their years of pushing to lower tax rates and repeal former President Barack Obama's health care law might have been in vain.

"Nobody is happy," said another Republican lobbyist. "It's very likely that at the end of the year, we'll be left with Obamacare and the same tax code."

White House spokespeople rejected the idea that the president has waffled on policy issues, saying he's been "abundantly clear" that he'll leave the Paris agreement if he doesn't get a better deal and has been "very clear" he wants Congress to act on immigration.

"President Trump was put into office precisely because he isn't beholden to lobbyists and special interests," White House spokeswoman Kelly Love said. "If they're upset that they can't stroll into the White House and drive administration policy anymore, that's a badge of honor for a president who was elected to drain the swamp. This president makes his decisions based on what's best for Main Street, not K Street."

But the frustration has repercussions far beyond the Beltway. As tax talks between the White House and lawmakers stall, more than half of CEOs surveyed by Business Roundtable said they would have to shelve plans to hire and invest more if an already long-delayed overhaul doesn't move through Congress.

The outcome of the tax debate will determine whether Guy Chemical Co. in Somerset, Pa., can buy extra equipment, hire 10 new employees and give raises to existing staff, company President Guy Berkebile said. But Berkebile, who was recently in Washington to urge lawmakers to lower business tax rates, said he's not getting his hopes up.

"I am already thinking what I will do with the extra money at Guy Chemical if business taxes are lowered," he said. "If tax reform does not get done, I will continue to grind away with the same typical investment I have put back into my company over the past 10 years."

The details of what Trump wants in a tax overhaul are still in flux, complicating his sales pitch to conservative Republicans. The uncertainty includes whether the White House will insist on his oft-stated desire to cut the corporate tax rate to 15 percent, down from 35 percent.

On health care, Trump has spent the entire year pushing Congress to repeal Obamacare but has offered vague, often contradictory clues about what he wants to see take its place. At times he's promised "insurance for everybody," supported a House Republican bill that guaranteed nothing of the sort, or mused about letting Obama's system "explode" on its own or moving on to other issues like taxes.



Trump's tough talk on trade has also left industries he's vowed to support hanging.

The United Steelworkers Union complains that foreign steel imports have "skyrocketed" since April, when the White House suggested the U.S. might limit them for national security reasons. Data from the American Iron and Steel Institute show that steel imports jumped more than 21 percent in the three months following the announcement versus the first three months of the year.

The Commerce Department was supposed to issue recommendations at the beginning of June but has delayed them indefinitely.

Vagueness and wishy-washiness might seem unlikely problems for Trump, who's shown no reluctance to speak his mind and often expresses his thoughts in the most caustic terms — including using the epithet "Rocket Man" last week for North Korean leader Kim Jong Un. He's spent years espousing certain consistently held policy beliefs, such as his charge that "stupid" trade deals are letting other countries rip off the U.S.

But that doesn't make it any easier to predict the details of what Trump will decide as president, especially on the myriad issues where he's offered no well-formed opinion. And he's changed his mind on a host of issues — such as endorsing an influx of new U.S. troops to Afghanistan after previously calling for a pullout. Or holding a Rose Garden celebration in May after the House passed a bill to repeal Obamacare, only to describe the same bill as "mean" a month later in a meeting with Republican senators. Or deciding in early September to end the Obama-era program that prevented deportations for thousands of young undocumented immigrants who were brought to the United States as children — only to say hours later that he has "love for these people" and wants Congress to "help them."

"Does anybody really want to throw out good, educated and accomplished young people who have jobs, some serving in the military?" he tweeted about the so-called DREAMers a week later. "Really!"

Despite those kind words, 29-year-old Dallas systems engineer Erik Burgos said Trump's decision threatens to turn his world upside-down.

"A lot of uncertainty and fear starts to creep in," said Burgos, who was brought to the U.S. from Mexico at age 2 and later enrolled for protection under the Obama program. After Trump's announcement, Burgos postponed his plans to purchase a house and wonders if Congress will find a fix before his permit expires.

Still, he said, Trump's unpredictability gives him "a glimmer of hope" that his ability to work legally will continue.

Trump is different from most politicians, said Wild, who previously served as an adviser to top Republicans such as then-House Majority Whip Kevin McCarthy and former Speaker John Boehner.

"Typically, all these candidates build out a pretty profound policy notebook throughout the campaign, and then when they get elected they're implementing that," Wild said. But with Trump and his aides, "they're kind of building this policy notebook in real time."

The second Republican lobbyist also blamed congressional leaders for the uncertainty on many policy fronts, noting that House Speaker Paul Ryan and Senate Majority Leader Mitch McConnell have had trouble controlling their divided Republican caucuses on issues like health care.

White House aides insist that the lack of policy detail is sometimes strategic — though they acknowledge that Trump sees himself as a dealmaker, not an ideologue, and is apt to change his mind. A detailed set of legislative principles on issues like tax reform and infrastructure could draw attacks not just from Democrats but from conservatives who are essential to the passage of any bill. And having learned from the earlier collapse of Obamacare repeal efforts, the White House is eager to let Congress take the lead so Trump won't have the sole blame if a bill fails.

Wiggle room exists even in some of Trump's most starkly ideological decisions, on issues he alone controls.

In June, for example, he announced that the U.S. would withdraw from the 2015 Paris climate agreement, a decision championed by his most staunchly nationalist advisers. But he also said his administration would "begin negotiations" to either re-enter the nearly 200-nation accord or join an entirely new deal.

"So we're getting out," Trump said at the time. "But we will start to negotiate, and we will see if we can make a deal that's fair. And if we can, that's great. And if we can't, that's fine."

Since then, international diplomats have been left in the dark about what precisely the United States wants. (Some have even grouched privately that Trump should just pull the trigger and leave.) Many people missed the nuance in June about possibly remaining in the deal, until that detail provoked a welter of confusing news headlines last weekend following an international meeting of energy ministers in Montreal.

Despite all the back-and-forth, high-ranking officials only this week had a meeting on aligning their messaging on climate change.

Similar ambiguity reigns about Obama's 2015 nuclear deal with Iran, which Trump denounced at the United Nations this week as "one of the worst and most one-sided transactions the United States has ever entered into." He later said he had decided whether to exit the agreement — but refused to tell anybody, including British Prime Minister Theresa May, what his verdict was.

Trump has also threatened to withdraw from NAFTA unless Mexico and Canada agree to new terms and has raised the idea of a "sunset" provision, in which the agreement would terminate after five years unless the countries agreed to renew the terms.

Such a withdrawal "could endanger literally hundreds of thousands of jobs" and damage security cooperation among the countries, argued John Murphy, senior vice president for international policy at the U.S. Chamber of Commerce. Republican leaders in Congress have expressed alarm about the idea too. But a month after formal talks among the three nations began, it's unclear where the discussions are headed.

"In our trading relationships, we need certainty and security about what the terms of trade are

going to be going forward, over multiple years," Murphy said. "Investments are made on the basis of that kind of certainty, and economic growth and job creation flow from it."

U.S. Trade Representative Robert Lighthizer said the countries were "moving at warp speed" to try to strike a deal by the end of the year, but he couldn't guarantee it would happen.

"We don't know whether we're going to get to a conclusion," Lighthizer said. "That's the problem. We're running very quickly somewhere."

In one key domestic policy, Trump has repeatedly pledged a big-ticket plan to rebuild the nation's roads and bridges — and demanded last month that Republican leaders "get back to work" and put "a great Infrastructure Bill on my desk for signing." But his administration hasn't offered much detail on what such a package would entail, aside from a six-page outline it issued last spring. Nor has it been clear how Trump would dole out his proposed \$200 billion in new federal infrastructure spending, although Transportation Secretary Elaine Chao said in May that some of the money would go to projects meant to "lift the American spirit."

Marcia Hale, the president of the advocacy group Building America's Future, said the administration has done more behind the scenes on infrastructure than may be apparent — though she acknowledged that it has "been a little more, shall we say, hectic than even some of the most recent administrations, and a little less predictable."

"You always know with this administration that things could change quickly, or policies could change quickly, or allegiances could change quickly," Hale said. "So you just go with the flow."

Despite the confusion, some people trying to persuade the administration have found at least one common theme they can use for making their arguments.

"We're telling our clients that ... any argument that has a jobs impact has to be framed as a jobs argument," said Stewart Verdery, CEO of the Republican lobbying firm Monument Policy Group, who has represented tech companies including Amazon and Microsoft. "An intellectual argument, a fairness argument, even a federal spending argument is not nearly as powerful as a jobs argument."

*Megan Cassella, Tanya Snyder and Doug Palmer contributed to this report.*

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**Fiji ambassador: Trump's Paris move raises stakes for Bonn conference** [Back](#)

By Eric Wolff | 09/22/2017 02:06 PM EDT

The U.S. plan to withdraw from the Paris climate pact has raised the stakes for the upcoming international climate negotiations in Bonn, Germany, to reaffirm the international commitment to the agreement, according to the top climate negotiator for Fiji, which is leading the upcoming meeting.

"Our aim was changed by President Trump's announcement," said Ambassador Nazhat Khan told POLITICO. "Now we must deliver a visionary [conference]. Every work item for COP 23 is measured for the enhancing and restating of the overall vision."

The meeting, like the one in Marrakech, Morocco, last year, was intended to focus on implementing the 2015 Paris agreement. Most observers had expected next year's meeting in Katowice, Poland, to hold more drama as final decisions are made on funding and transparency around the international agreement.

But, according to Khan, the U.S. intention to withdraw from the agreement changed that.

"After the announcement of President Trump, what states were looking for ... is a very clear direction," she said. "We must act to maintain the direction of Paris together, and we aren't going to have other countries that express reservations. It's very important that we maintain this overall vision. ... The U.S. role has really shaped the way Fiji is approaching COP."

Khan said the U.S. had made clear its at previous international meetings it would remain engaged in the Paris process, despite its intention to leave. She said U.S. willingness to engage is "very encouraging."

**WHAT'S NEXT:** Fiji will host COP23 in Bonn, Germany, from Nov. 6 through Nov. 17.

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**Aid begins to flow to hurricane-hit Puerto Rico** [Back](#)

By Associated Press | 09/23/2017 11:01 PM EDT

Large amounts of federal aid began moving into Puerto Rico on Saturday, welcomed by local officials who praised the Trump administration's response but called for the emergency loosening of rules long blamed for condemning the U.S. territory to second-class status.

In northwest Puerto Rico, people began returning to their homes after a spillway eased pressure on a dam that cracked after more than a foot of rain fell in the wake of the hurricane.

The opening of the island's main port in the capital allowed 11 ships to bring in 1.6 million gallons of water, 23,000 cots, dozens of generators and food. Dozens more shipments are expected in upcoming days.

The federal aid effort is racing to stem a growing humanitarian crisis in towns left without fresh water, fuel, electricity or phone service. Officials with the Federal Emergency Management Agency, which is in charge of the relief effort, said they would take satellite phones to all of Puerto Rico's towns and cities, more than half of which were cut off following Maria's devastating crossing of Puerto Rico on Wednesday.

The island's infrastructure was in sorry shape long before Maria struck. A \$73 billion debt crisis

has left agencies like the state power company broke. As a result the power company abandoned most basic maintenance in recent years, leaving the island subject to regular blackouts.

A federal control board overseeing Puerto Rico's finances authorized up to \$1 billion in local funds to be used for hurricane response, but Gov. Ricardo Rossello said he would ask for more.

"We're going to request waivers and other mechanisms so Puerto Rico can respond to this crisis," he said. "Puerto Rico will practically collect no taxes in the next month."

U.S. Rep. Nydia Velazquez of New York said she will request a one-year waiver from the Jones Act, a federal law blamed for driving up prices on Puerto Rico by requiring cargo shipments there to move only on U.S. vessels as a means of supporting the U.S. maritime industry.

"We will use all our resources," Velazquez said. "We need to make Puerto Rico whole again. These are American citizens."

A group of anxious mayors arrived in the capital to meet with Rossello to present a long list of items they urgently need. The north coastal town of Manati had run out of fuel and fresh water, Mayor Jose Sanchez Gonzalez said.

"Hysteria is starting to spread. The hospital is about to collapse. It's at capacity," he said, crying. "We need someone to help us immediately."

The death toll from Maria in Puerto Rico was at least 10, including two police officers who drowned in floodwaters in the western town of Aguada. That number was expected to climb as officials from remote towns continued to check in with officials in San Juan.

Authorities in the town of Vega Alta on the north coast said they had been unable to reach an entire neighborhood called Fatima, and were particularly worried about residents of a nursing home.

"I need to get there today," Mayor Oscar Santiago told The Associated Press. "Not tomorrow, today."

Rossello said Maria would clearly cost more than the last major storm to wallop the island, Hurricane George in September 1998. "This is without a doubt the biggest catastrophe in modern history for Puerto Rico," he said.

Rossello and other officials praised the federal government for planning its response in detail before the storm hit, a contrast with what Puerto Rico has long seen as the neglect of 3.4 million Americans living in a territory without a vote in Congress or the electoral college.

"This is the first time we get this type of federal coordination," said Resident Commission Jenniffer Gonzalez, Puerto Rico's non-voting representative in Washington.

A dam upstream of the towns of Quebradillas and Isabela in northwest Puerto Rico was cracked but had not burst by Saturday night as water continued to pour out of rain-swollen Lake Guajataca. Federal officials said Friday that 70,000 people, the number who live in the

surrounding area, would have to be evacuated. But Javier Jimenez, mayor of the nearby town of San Sebastian, said he believed the number was far smaller.

Secretary of Public Affairs Ramon Rosario said about 300 families were in harm's way.

The governor said there is "significant damage" to the dam and authorities believe it could give way at any moment. "We don't know how long it's going to hold. The integrity of the structure has been compromised in a significant way," Rossello said.

Some residents nonetheless returned to their homes Saturday as the water levels in the reservoir began to sink.

"There were a lot of people worried and crying, but that's natural, because the reservoir was about to break through," said Maria Nieves, 43. "They couldn't open the spillway until later in the night."

The 345-yard dam, which was built around 1928, holds back a man-made lake covering about 2 square miles. More than 15 inches of rain from Maria fell on the surrounding mountains.

Officials said 1,360 of the island's 1,600 cellphone towers were downed, and 85 percent of above-ground and underground phone and internet cables were knocked out. With roads blocked and phones dead, officials said, the situation may worsen.

At least 31 lives in all have been lost around the Caribbean due to Maria, including at least 15 on hard-hit Dominica. Haiti reported three deaths; Guadeloupe, two; and the Dominican Republic, one.

Across Puerto Rico, more than 15,000 people are in shelters, including some 2,000 rescued from the north coastal town of Toa Baja. Many Puerto Ricans planned to head to the mainland to temporarily escape the devastation.

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**Storm-battered Puerto Rico looks to Washington for help [Back](#)**

By Colin Wilhelm | 09/22/2017 01:52 PM EDT

As Puerto Rico reels from the devastation of Hurricane Maria, the Trump administration and Congress are pledging to provide more aid to the commonwealth, which is already suffering from a historic debt crisis.

Tax breaks and more Medicaid funding could be a part of a recovery package, and activists would like to see debt relief for the U.S. Virgin Islands attached as well. Though damage assessments have only begun, the post-Katrina and Sandy relief bills likely will serve as guideposts for Congress.

"This is a natural disaster in Puerto Rico like we haven't seen ever," said Carlos Mercader, executive director of the commonwealth's Federal Affairs Administration. "Think about Katrina but even worse because this is the whole island."

President Donald Trump vowed Thursday to visit Puerto Rico, which lost 100 percent of its electrical power in the Category 4 storm, and House Speaker Paul Ryan promised a second recovery bill in Congress after the House and Senate passed a disaster relief package after Hurricane Harvey.

Maria's crippling impact will also force Puerto Rico and the federal board that Congress created last year to oversee its finances to reassess how to bring the territory out of its debt crunch and decade-long recession.

Hurricanes Maria and Irma greatly complicate the [tangled debt web](#) that has ensnared Puerto Rico and the Virgin Islands. The storms come just months after Puerto Rico entered a court-supervised restructuring process for its \$70 billion debt — in what amounted to the largest municipal bankruptcy in U.S. history. And with a population of 100,000, the U.S. Virgin Islands owes even more money per resident on the \$6.5 billion held by creditors than does Puerto Rico.

Before Maria hit, Puerto Rico Gov. Ricardo Rosselló and the federal oversight board were locked in a battle over furloughs and pension cuts that the board said were necessary to balance the budget. The seven-member, bipartisan board had also approved a fiscal plan submitted by Rosselló that could face significant revisions after the storms.

"There's no way they'll make budget. There's just no way," said Luis Fortuño, who was governor of Puerto Rico from 2009 to 2013, and now a partner at the law firm Steptoe & Johnson. "Both the government and the oversight board had certain assumptions that are out the window now."

That fiscal plan affects every decision made by Puerto Rico's government and charts a course for the commonwealth for the next 10 years. The oversight board has final say over revenue and spending decisions, so it must approve any changes.

Late Thursday, the board essentially gave Rosselló a pass on that budget, allowing him to re-allocate up to \$1 billion at his discretion for emergency response efforts. The board also said it would help lobby federal agencies for further assistance.

"Furthermore, if the Government determines increases to the Territory Budget are needed to respond to Hurricane Maria, we stand ready to expeditiously approve such requests, in anticipation of much needed federal funding," the board wrote to Rosselló. "To that end, we will join the Government of Puerto Rico in actively seeking FEMA and any other potential sources of federal funds for the recovery and reconstruction of Puerto Rico."

This month's storms may also temporarily align groups of creditors that have fought the board, the commonwealth government and each other for years over the billions owed to them by Puerto Rico. Though lobbyists for creditors contacted by POLITICO had not yet made specific plans, they may be willing to cooperate because Puerto Rico will be able to pay its debts quicker if there's a robust recovery.

Ryan also offered words of sympathy and support.

"To our fellow citizens in Puerto Rico, they are front and center in our thoughts and we want them to know the federal response will be there," the House speaker said during a visit to sections of Florida damaged by Hurricane Irma.

Rep. José E. Serrano (D-N.Y.), a member of the House Appropriations Committee, which is likely to write the aid package, said he would reach out to its chair and ranking member over the weekend to urge funding to the territories affected by the storms. He also wants to see a panel set up for Puerto Rico similar to the one established for New York after Superstorm Sandy to guide reconstruction.

"I'm asking President Trump to do the same thing for Puerto Rico [as after Sandy], that looks at the needs they have now and the needs they have in the future," Serrano said.

Trump said yesterday that the U.S. is starting the process of helping Puerto Rico and will work with Rosselló. Mercader, the point person for Puerto Rico with the federal government, said the level of commitment and response from the Trump administration pleasantly surprised him.

"It's been more than what I expected," he said. The commonwealth and federal responders also hoped to bring online a joint operations center in San Juan's convention center by the end of the day Friday.

So far the government has confirmed six storm-related deaths, though the tally could climb much higher. Mercader's office in Washington was deputized to field emergency calls from Puerto Rico as most of the commonwealth's communications went offline.

Entire sections of the island have yet to be heard from, and even local government agencies were having a hard time reaching one another to coordinate, creating a "cloud of uncertainty," Mercader said. Mudslides and flooding continued in areas, and FEMA will send helicopters to try to reach towns that have become inaccessible by road.

In the longer term, the fallout from the recent hurricanes could also bring more attention to the debt crisis in the Virgin Islands.

Eric LeCompte, executive director of Jubilee USA, a religious-affiliated organization that lobbied on behalf of debt restructuring for Puerto Rico last year, said his group would push for the Virgin Islands to be treated as Puerto Rico was in disaster relief legislation.

"Congress is going to have to step in in some new ways," said LeCompte. "At this point, no one's going to get paid anyways."

Jubilee, which has ties to about 650 faith-based groups and organizations, would also push for the U.S. to lead the charge on a temporary debt moratorium on money owed to the International Monetary Fund by non-U.S. Caribbean islands affected by the storms. The U.S. holds more votes than any other country in the IMF.

"We're just looking at delaying payments for six months to a year," during the disaster recovery,



LeCompte said.

Puerto Rico's government praised Trump and the Department of Homeland Security for their response efforts. But the territories, used to receiving less attention than states despite their own U.S. citizenship, remain concerned that Congress and the White House will forget them after floodwaters recede and the winds die down.

"There ought not to be a difference" between the response to Harvey's flooding of Texas and Irma and Maria's buffeting of the U.S. Caribbean, Fortuno said.

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### **Puerto Rico's governor calls for greater federal response to Maria** [Back](#)

By Colin Wilhelm | 09/24/2017 10:44 PM EDT

Puerto Rico Gov. Ricardo Rossello called on the Pentagon to provide more search-and-rescue help and humanitarian resources to help the beleaguered island recover from "complete devastation" from Hurricane Maria.

"We need more resources from the Department of Defense so we can get helicopters and resources," Rossello told POLITICO in a phone interview Sunday night.

"We know that there are capabilities in the surrounding areas, helicopters, planes and so forth," he said. "And our petition is for us to be able to use them."

A Defense Department spokesperson said in an e-mail that six Navy helicopters and three Marine Osprey planes capable of vertical takeoff and landing had begun search-and-rescue operations and damage assessments.

Days after the category 4 hurricane battered the island, only a handful of municipalities have been able to make contact with San Juan or the outside world. That has prompted the commonwealth government to dispatch runners to make contact, since roads throughout much of Puerto Rico have been made impassable.

Rossello said that in addition to more military resources, he would petition the Trump administration to lower the threshold for disaster expenditures that the island would need to refund.

He did not criticize President Donald Trump personally and praised promises of help the president made before the hurricane, as well as the response of the Federal Emergency Management Agency. Still, the island awaits a federal disaster declaration for 24 out of its 78 municipalities.

Rossello also called on Congress to treat Puerto Rico like a state in any comprehensive emergency aid package.

"Whatever relief package we have, whatever impact we have, we are U.S. citizens," Rossello said. "We shouldn't be the lesser for it."

He called on the federal government to recognize Puerto Rico's dire fiscal situation and consider the possibility that residents could leave in droves if the commonwealth doesn't recover quickly, compounding the island's troubles.

If Congress doesn't step up, he said, "my fear is we're going to have some side effects that are devastating both for Puerto Rico and the United States. Mainly massive migration that would deteriorate our [economic] base here in Puerto Rico and would provoke significant demographic shifting in other areas of the United States."

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### **Cantwell slams DOI nominee for water lobbying ties, nondisclosure agreement** [Back](#)

By Annie Snider | 05/18/2017 01:09 PM EDT

President Donald Trump's nominee for the No. 2 spot at the Interior Department on Thursday argued that the administration may be able to withhold information related to the transition from Congress, including about a Trump administration policy reversal that removed a major roadblock for a controversial water project he had a vested interest in.

During a hearing on David Bernhardt's nomination for deputy Interior secretary, [Maria Cantwell](#), the top Democrat on the Senate Energy and Natural Resources Committee, asked whether nondisclosure agreements signed by members of Trump's transition team could allow administration officials to withhold information from Congress, or whether the federal Whistleblower Protection Act would apply. Bernhardt, a lobbyist for Brownstein Hyatt Farber Schreck, led the Trump transition team for the Interior Department for a period of time.

"I hate to give you a lawyer's answer to a legal question in a hearing, but I think the first question would be whether or not the Whistleblower Act would even apply to the transition because it's my understanding that Trump for America is a nonprofit entity, so I'm not sure that the legal rubric that falls for government would even apply for that," Bernhardt said.

Cantwell particularly focused on Bernhardt's activities related to Cadiz Inc., a company seeking to build a 43-mile pipeline to pump water from the Mojave Desert to southern California communities. Cadiz has paid \$2.75 million in fees to Brownstein Hyatt since 2010, and one of the lobby firm's shareholders is chief executive of the company.

Bernhardt did legal work for the project, and his firm receives part of its compensation in stock shares. So far it has received 200,000 shares in Cadiz and is in line for another 200,000 if the project is built, according to filings with the Securities and Exchange Commission.

The Cadiz project is fiercely opposed by environmentalists and California Democratic Sen. [Dianne Feinstein](#), who say it would deplete a fragile aquifer feeding protected federal land.

The Trump administration last month reversed two Obama administration legal guidances that prevented the Cadiz project from skirting federal environmental review by building the pipeline in a railroad right-of-way. Bernhardt said he had "no involvement" with the issue during the Trump transition, and that neither he nor his firm had benefited financially from the policy shift as far as he knew.

Bernhardt, who has also lobbied for Westlands Water District, a group of powerful Central Valley agricultural growers, has said he will recuse himself from issues related to former clients for one year.

But Cantwell argued that isn't long enough, and that he should recuse himself for the entirety of his tenure.

"I personally think that Westlands and Cadiz represent such large public policy issues with financial interests that it would be better if you recused yourself for the entire time that you were at the department, not just one or two years," she said.

Berhardt said he would clear any issues related to his former lobbying interests with Interior's ethics office.

"If I get a whiff of something coming my way that involves a client or former client or my firm, I'm going to make that item run straight to the ethics office," he testified Thursday.

*To view online [click here](#).*

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**Feinstein says Trump trying to push through controversial water project [Back](#)**

By Annie Snider | 04/04/2017 05:31 PM EDT

Opponents of a controversial California water project are accusing the Trump administration of reopening a loophole to allow infrastructure projects crossing federal land to avoid environmental review.

Last Wednesday, the Bureau of Land Management rescinded a pair of Obama administration memos laying out how any infrastructure project that uses a railroad right-of-way must be related to the railroad itself. These guidelines largely blocked proponents of oil, gas and water pipelines like the contentious Cadiz groundwater pipeline proposed in California's Mojave Desert from avoiding federal environmental review by building their projects along the many existing railroad rights-of-way.

In a statement today, Sen. [Dianne Feinstein](#) (D-Calif.) called the Trump administration's move "a blatant attempt to muscle the Cadiz water project through."

"This is clearly just an effort to circumvent an environmental review that any project of this magnitude on federal land would normally undergo," she said.

The proposed Cadiz pipeline would pump groundwater from a fragile desert aquifer across 43 miles of land, much of it federally owned. Project opponents have argued it would draw more water from the aquifer than can be recharged naturally, potentially drying up springs that are critical to wildlife at nearby nature preserve and a newly created national monument.

The project stalled after the BLM told Cadiz in October 2015 it could not use an existing railroad right-of-way and would need to apply for its own. The project has appeared on several recent lists of infrastructure projects being touted to the Trump administration.

**WHAT'S NEXT:** Cadiz could try again to use the existing railroad right-of-way for its project. However, an Interior Department legal interpretation saying that railroad rights-of-way must be used for purposes related to the railroad remains on the books. The Trump administration could decide to write its own implementing guidelines.

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Yes, very	Somewhat	Neutral	Not really	Not at all

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**This email was sent to heather\_swift@ios.doi.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA**

---

**To:** Todd Willens[todd\_willens@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Foster, Maureen  
**Sent:** 2017-09-25T08:59:28-04:00  
**Importance:** Normal  
**Subject:** Fwd: USO Honoree Monument Tour Request  
**Received:** 2017-09-25T08:59:35-04:00

USO is all set. Jerry Hawn is the one of the best.

Maureen D. Foster  
Chief of Staff  
Office of the Assistant Secretary  
for Fish and Wildlife and Parks  
1849 C Street, NW, Room 3161  
Washington, DC 20240

202.208.5970 (desk)  
202.208.4416 (main)

[Maureen\\_Foster@ios.doi.gov](mailto:Maureen_Foster@ios.doi.gov)

----- Forwarded message -----

**From:** Wyse, Jennifer <[jennifer\\_wyse@nps.gov](mailto:jennifer_wyse@nps.gov)>  
**Date:** Mon, Sep 25, 2017 at 8:50 AM  
**Subject:** Fwd: USO Honoree Monument Tour Request  
**To:** Maureen Foster <[maureen\\_foster@ios.doi.gov](mailto:maureen_foster@ios.doi.gov)>

FYI

\*\*\*\*\*

Jennifer Wyse  
Chief of Staff (Acting)  
National Park Service  
202-513-7205

----- Forwarded message -----

**From:** Hawn, Jerold <[jerold\\_hawn@nps.gov](mailto:jerold_hawn@nps.gov)>  
**Date:** Mon, Sep 25, 2017 at 8:43 AM  
**Subject:** Re: USO Honoree Monument Tour Request  
**To:** [aweller@uso.org](mailto:aweller@uso.org)  
**Cc:** "Kennealy, Sean" <[sean\\_kennealy@nps.gov](mailto:sean_kennealy@nps.gov)>, Cassius Cash <[cassius\\_cash@nps.gov](mailto:cassius_cash@nps.gov)>, Paul Ollig <[paul\\_ollig@nps.gov](mailto:paul_ollig@nps.gov)>, "Romero, Alex" <[alexcy\\_romero@nps.gov](mailto:alexcy_romero@nps.gov)>, Blanca Stransky <[blanca\\_stransky@nps.gov](mailto:blanca_stransky@nps.gov)>, "Wyse, Jennifer" <[jennifer\\_wyse@nps.gov](mailto:jennifer_wyse@nps.gov)>, Michael Reynolds <[Michael\\_Reynolds@nps.gov](mailto:Michael_Reynolds@nps.gov)>, Brian Joyner <[brian\\_joyner@nps.gov](mailto:brian_joyner@nps.gov)>, Rick Obernesser <[rick\\_obernesser@nps.gov](mailto:rick_obernesser@nps.gov)>

Ann I wanted to get this response back to you about a tour on October 19 on the National Mall...

Hello to Everyone

I am Jerry Hawn, and I coordinate special tour requests for the National Mall and Memorial Parks. I would be glad to lead the tour for the USO honorees on October 19. It sounds like the group will have their own vehicle to travel around on during the tour. I would be glad to step onto to the vehicle and go around to the Memorials with them. Do you have times in mind for the tour for October 19.

Let me know how I may assist

Park Ranger Jerry Hawn  
NAMA  
202 359 6982

On Fri, Sep 22, 2017 at 8:22 AM, Jerold Hawn <[jerold\\_hawn@nps.gov](mailto:jerold_hawn@nps.gov)> wrote:

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NAMA  
202-359-6982

Sent from my iPhone

On Sep 22, 2017, at 8:02 AM, Obernesser, Rick <[rick\\_obernesser@nps.gov](mailto:rick_obernesser@nps.gov)> wrote:

Thank you everybody.

On Fri, Sep 22, 2017 at 7:49 AM, Kennealy, Sean <[sean\\_kennealy@nps.gov](mailto:sean_kennealy@nps.gov)> wrote:

**Paul/Jerry:** Please see below about and plan to provide our premier "VIP Tour" to this group (United Service Organizations) on October 19, 2017. NAMA areas include:

World War II Memorial, the Korean War Veterans Memorial, the Vietnam Veterans Memorial, the Lincoln Memorial and the Jefferson Memorial. Please provide Jennifer Wyse the Point of Contact who will provide the tour for the NAMA locations. She will also be able to help you work out the details of the tour (time, meeting place, etc.).

**Alex/Blanca:** I am copying you since the group mentioned possibly going to the Arlington House (GWMP).

Thank  
you everyone for making this happen.

-  
Sean

\*\*\*\*\*

Sean Kennealy  
Acting Deputy Superintendent  
National Mall and Memorial Parks  
202-245-4685 (office)  
202-359-1551 (cell)

On Thu, Sep 21, 2017 at 4:36 PM, Cassius Cash <[cassius\\_cash@nps.gov](mailto:cassius_cash@nps.gov)> wrote:

Copy that. Will get back with them in the mrrng.

Cassius M. Cash  
Acting, Superintendent  
National Mall and Memorial Parks  
900 Ohio Dr. Southwest  
Washington DC 20024

On Sep 21, 2017, at 16:33, Rick Obernesser <[rick\\_obernesser@nps.gov](mailto:rick_obernesser@nps.gov)> wrote:

Jen

Am forwarding this request to NAMA who will in turn give you the name of the  
POC for a tour for the USO folks on OCT 19.

Cash/Sean - pls go direct with Jennifer on this.

Thank you.

Sent from my iPhone

On Sep 20, 2017, at 4:53 PM, Wyse, Jennifer <[jennifer\\_wyse@nps.gov](mailto:jennifer_wyse@nps.gov)> wrote:

Hi Rick,  
Please see the email string below. Can we assist with  
the tour as requested? If so, would you please provide  
a POC that we can share with the Department and the  
USO?

Thanks!

Have a great day, Jen

\*\*\*\*\*

Jennifer Wyse  
Chief of Staff (Acting)  
National Park Service  
202-513-7205

----- Forwarded message -----

From: **Foster, Maureen** <[maureen\\_foster@ios.doi.gov](mailto:maureen_foster@ios.doi.gov)>  
Date: Mon, Sep 18, 2017 at 2:02 PM  
Subject: Fwd: USO Honoree Monument Tour Request  
To: Jennifer Wyse <[jennifer\\_wyse@nps.gov](mailto:jennifer_wyse@nps.gov)>, Michael Reynolds  
<[Michael\\_Reynolds@nps.gov](mailto:Michael_Reynolds@nps.gov)>

For your consideration.

Maureen D. Foster  
Chief of Staff  
Office of the Assistant Secretary  
for Fish and Wildlife and Parks  
1849 C Street, NW, Room 3161  
Washington, DC 20240

202.208.5970 (desk)  
202.208.4416 (main)

[Maureen\\_Foster@ios.doi.gov](mailto:Maureen_Foster@ios.doi.gov)

----- Forwarded message -----

From: **Ann Weller** <[aweller@uso.org](mailto:aweller@uso.org)>  
Date: Mon, Sep 18, 2017 at 1:57 PM  
Subject: USO Honoree Monument Tour Request  
To: "[Todd Willens@ios.doi.gov](mailto:Todd_Willens@ios.doi.gov)" <[Todd Willens@ios.doi.gov](mailto:Todd_Willens@ios.doi.gov)>,  
"[Maureen Foster@ios.doi.gov](mailto:Maureen_Foster@ios.doi.gov)"  
<[Maureen Foster@ios.doi.gov](mailto:Maureen_Foster@ios.doi.gov)>  
Cc: "[Heather Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov)" <[Heather Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov)>

Dear Todd and Maureen,

The USO will be hosting its annual Gala next month on October 19. As part of the evening program, we honor 8 service members (one from each branch of the military and two



volunteers both overseas and in the US) who have shown exceptional bravery and heroism. Each of those service members will be invited to join us in DC for exclusive tours prior to the Gala.

I wanted to touch base to see whether your office might be able to help coordinate a special tour of some of the national monuments around the Mall and possibly Arlington House. This will be the first time these honorees have visited Washington.

We would like to have the tour for 18 people (the service members and their families who will be traveling with them.) The USO will have its own small shuttle to transport the honorees. We wanted to explore the possibility of having someone from the NPS accompany the group or meet them at the identified monuments based on a schedule we'd coordinate with you in advance to

include the World War II Memorial, the Korean War Veterans Memorial, the Vietnam Veterans Memorial, the Lincoln Memorial and the Jefferson Memorial.

In addition, we wanted to explore the possibility of having Secretary Zinke meet with the group briefly and give them a tour of his office at the Department of the Interior if his schedule permits.

Please let me know if you have any questions or need further information. I am happy to provide additional detail and scheduling parameters if necessary.

Thank you for the consideration!

Ann

Ann Weller, CMP

Director, Special Events

<image003.jpg>

2111 Wilson Blvd., Suite 1200

Arlington, Virginia 22201

Phone: 571-385-1362

Cell: 202-276-3534

Fax: 1-888-261-9310

Email: [aweller@uso.org](mailto:aweller@uso.org)

Web: [www.uso.org](http://www.uso.org)

The USO strengthens America's military service members by keeping them connected to family, home and country, throughout their service to the nation.

--

**Rick Obernesser**  
**Acting - National Capital Regional Director**  
**National Park Service**  
**1100 Ohio Drive SW**  
**Washington, DC 20242**  
**o - 202.619.7023**  
**m - 202.641.1497**

--

Jerry Hawn - Park Ranger  
National Mall and Memorial Parks  
202-359-6982(cell)

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

EXPERIENCE YOUR AMERICA

**To:** Strassel, Kim[kim.strassel@wsj.com]; alex\_hinson@ios.doi.gov[alex\_hinson@ios.doi.gov]  
**From:** Heather Swift  
**Sent:** 2017-09-25T09:06:25-04:00  
**Importance:** Normal  
**Subject:** Re: few things  
**Received:** 2017-09-25T09:06:32-04:00

Good morning Kim. Looking forward to meeting you today. Please arrive at 1849 C St NW at 9:50 and my deputy, Alex, will meet you at the door.

Deputy Secretary David Bernhardt would also like to meet for 15 minutes today if you're available.

Heather Swift  
Press Secretary  
Department of the Interior

On Sep 18, 2017, at 3:18 PM, Strassel, Kim <[kim.strassel@wsj.com](mailto:kim.strassel@wsj.com)> wrote:

Hi heather,  
thanks for the help again on the wildfire question. i'm working on it.  
also, just confirming this next Monday for a meeting with the Secretary, from 10 am to 11 am. I need to plane tickets back out of Washington, so want to make sure i have everything locked down and the times correct.

Thanks! Kim

**To:** Foster, Maureen[maureen\_foster@ios.doi.gov]  
**Cc:** Todd Willens[todd\_willens@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T09:32:49-04:00  
**Importance:** Normal  
**Subject:** Re: USO Honoree Monument Tour Request  
**Received:** 2017-09-25T09:33:36-04:00

Fantastic. Thank you!

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 8:59 AM, Foster, Maureen <[maureen\\_foster@ios.doi.gov](mailto:maureen_foster@ios.doi.gov)> wrote:

USO is all set. Jerry Hawn is the one of the best.

Maureen D. Foster  
Chief of Staff  
Office of the Assistant Secretary  
for Fish and Wildlife and Parks  
[1849 C Street, NW, Room 3161](mailto:1849_C_Street_NW_Room_3161@ios.doi.gov)  
[Washington, DC 20240](mailto:Washington_DC_20240@ios.doi.gov)

202.208.5970 (desk)  
202.208.4416 (main)

[Maureen\\_Foster@ios.doi.gov](mailto:Maureen_Foster@ios.doi.gov)

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**From:** Wyse, Jennifer <[jennifer\\_wyse@nps.gov](mailto:jennifer_wyse@nps.gov)>  
**Date:** Mon, Sep 25, 2017 at 8:50 AM  
**Subject:** Fwd: USO Honoree Monument Tour Request  
**To:** Maureen Foster <[maureen\\_foster@ios.doi.gov](mailto:maureen_foster@ios.doi.gov)>

FYI

\*\*\*\*\*

Jennifer Wyse  
Chief of Staff (Acting)  
National Park Service  
202-513-7205

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Date: Mon, Sep 25, 2017 at 8:43 AM  
Subject: Re: USO Honoree Monument Tour Request  
To: [aweller@uso.org](mailto:aweller@uso.org)  
Cc: "Kennealy, Sean" <[sean\\_kennealy@nps.gov](mailto:sean_kennealy@nps.gov)>, Cassius Cash <[cassius\\_cash@nps.gov](mailto:cassius_cash@nps.gov)>, Paul Ollig <[paul\\_ollig@nps.gov](mailto:paul_ollig@nps.gov)>, "Romero, Alex" <[alexcy\\_romero@nps.gov](mailto:alexcy_romero@nps.gov)>, Blanca Stransky <[blanca\\_stransky@nps.gov](mailto:blanca_stransky@nps.gov)>, "Wyse, Jennifer" <[jennifer\\_wyse@nps.gov](mailto:jennifer_wyse@nps.gov)>, Michael Reynolds <[Michael\\_Reynolds@nps.gov](mailto:Michael_Reynolds@nps.gov)>, Brian Joyner <[brian\\_joyner@nps.gov](mailto:brian_joyner@nps.gov)>, Rick Obernesser <[rick\\_obernesser@nps.gov](mailto:rick_obernesser@nps.gov)>

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NAMA  
202 359 6982

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Sean Kennealy  
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Washington DC 20024

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Jennifer Wyse  
Chief of Staff (Acting)  
National Park Service  
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For your consideration.

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Chief of Staff  
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[1849 C Street, NW, Room 3161](http://1849CStreetNW.com)  
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"[Maureen Foster@ios.doi.gov](mailto:Maureen_Foster@ios.doi.gov)"  
<[Maureen Foster@ios.doi.gov](mailto:Maureen_Foster@ios.doi.gov)>  
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Ann

Ann Weller, CMP

Director, Special Events

<image003.jpg>

2111 Wilson Blvd., Suite 1200

Arlington, Virginia 22201

Phone: 571-385-1362

Cell: 202-276-3534

Fax: 1-888-261-9310

Email: [aweller@uso.org](mailto:aweller@uso.org)

Web: [www.uso.org](http://www.uso.org)

The USO strengthens America's military service members by keeping them connected to family, home and country, throughout their service to the nation.

--

**Rick Obernesser**  
**Acting - National Capital Regional Director**  
**National Park Service**  
**1100 Ohio Drive SW**  
**Washington, DC 20242**  
**o - 202.619.7023**  
**m - 202.641.1497**

--

Jerry Hawn - Park Ranger  
National Mall and Memorial Parks  
202-359-6982(cell)

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

EXPERIENCE YOUR AMERICA

**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Kim Strassel  
**Sent:** 2017-09-25T09:42:37-04:00  
**Importance:** Normal  
**Subject:** Re: few things  
**Received:** 2017-09-25T09:42:58-04:00

Good morning!

On my way. And I'd be delighted to also meet mr Bernhardt. See you soon.

On Sep 25, 2017, at 9:06 AM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

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Heather Swift  
Press Secretary  
Department of the Interior

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Thanks! Kim

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Rees, Gareth  
**Sent:** 2017-09-25T09:44:43-04:00  
**Importance:** Normal  
**Subject:** Re: 1100  
**Received:** 2017-09-25T09:44:50-04:00

Yes, after political meeting

On Mon, Sep 25, 2017 at 9:32 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Does David have a few minutes at 1100?  
He wants to meet with the WSJ editor who will be in for the Secretary.

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

--

Gareth C. Rees

Office to the Deputy Secretary

U.S. Department of the Interior

Tel: 202 208 6291

Fax: 202 208 1873

Cell: 202 957 8299

**To:** Rees, Gareth[gareth\_rees@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T09:45:30-04:00  
**Importance:** Normal  
**Subject:** Re: 1100  
**Received:** 2017-09-25T09:46:17-04:00

Great. Please pop us in there. I'll bring Kim down after she meets with the Secretary.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 9:44 AM, Rees, Gareth <[gareth\\_rees@ios.doi.gov](mailto:gareth_rees@ios.doi.gov)> wrote:

Yes, after politicals meeting

On Mon, Sep 25, 2017 at 9:32 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Does David have a few minutes at 1100?  
He wants to meet with the WSJ editor who will be in for the Secretary.

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Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

--

Gareth C. Rees

Office to the Deputy Secretary

U.S. Department of the Interior

Tel: 202 208 6291

Fax: 202 208 1873

Cell: 202 957 8299



**From:** (b) (6) ios.doi.gov  
**Location:** Room 6114  
**Importance:** Normal  
**Subject:** Invitation: Meeting with WSJ Editor @ Mon Sep 25, 2017 11am - 11:15am  
(heather\_swift@ios.doi.gov)  
**Start Date/Time:** 2017-09-25T11:00:00-04:00  
**End Date/Time:** 2017-09-25T11:15:00-04:00  
[invite.ics](#)

[more details »](#)

**Meeting with WSJ Editor**

When Mon Sep 25, 2017 11am 11:15am Eastern Time  
Where Room 6114 ([map](#))  
Video call [https://plus.google.com/hangouts/\\_/doi.gov/\(b\)\(6\)](https://plus.google.com/hangouts/_/doi.gov/(b)(6))  
Calendar heather\_swift@ios.doi.gov  
Who

- 
- 
- 

(b) (6) ios.doi.  
gareth\_rees@ios.doi.  
heather\_swift@ios.do

Going? [Yes](#) [Maybe](#) [No](#) [more options »](#)  
Invitation from [Google Calendar](#)

You are receiving this email at the account heather\_swift@ios.doi.gov because you are subscribed for invitations on calendar heather\_swift@ios.doi.gov.

To stop receiving these emails, please log in to <https://www.google.com/calendar/> and change your notification settings for this calendar.

Forwarding this invitation could allow any recipient to modify your RSVP response. [Learn More](#)



**To:** Scott Hommel[scott\_hommel@ios.doi.gov]  
**Cc:** David Bernhardt[(b) (6) ios.doi.gov]; Vincent Devito[vincent\_devito@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]; Scott Angelle[scott.angelle@bsee.gov]; Katharine MacGregor[kate\_macgregor@ios.doi.gov]; Downey Magallanes[downey\_magallanes@ios.doi.gov]; Todd Willens[todd\_willens@ios.doi.gov]; Mashburn, Lori[lori\_mashburn@ios.doi.gov]; Stephen Wackowski[stephen\_wackowski@ios.doi.gov]; Andrea Travnicek[andrea\_travnicek@ios.doi.gov]; Timothy Williams[timothy\_williams@ios.doi.gov]; Micah Chambers[micah\_chambers@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Newell, Russell[russell\_newell@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Nachmany, Eli  
**Sent:** 2017-09-25T09:57:47-04:00  
**Importance:** Normal  
**Subject:** SECOND DRAFT: 09/29 Secretary Zinke Energy Policy Address at Heritage  
**Received:** 2017-09-25T09:57:57-04:00  
[0929 Energy Address.docx](#)

Hey all,

Attached, please find the second draft of Secretary Zinke's energy policy speech at the Heritage Foundation on 09/29, after some over the weekend edits/feedback. I formatted the speech into six sections so you can navigate it more easily. Edits welcome. The sections are as follows:

**INTRODUCTION: A VISION  
BETTER BUSINESS PARTNER  
THREE REASONS (TO PRODUCE ENERGY HERE)  
"ALL OF THE ABOVE"  
LAND MANAGEMENT AND CONSERVATION  
CONCLUSION**

I have included accomplishments of the Secretary's in the speech, and they are:

Focus on the "Joint Model" in permitting (*Better Business Partner*)  
Cut the annual regulatory agenda over 50 percent (*Better Business Partner*)  
Berwind Coal Mine (*All of the Above*)  
Q1: West Virginia second in the nation in GDP Growth (*All of the Above*)  
Q1: Mining was up over 20 percent nationally, contributing to growth in 48/50 states (*All of the Above*)  
Successful lease sales in the Gulf of Mexico and Cook Inlet (*All of the Above*)  
Five year plan to open up areas for oil and gas expl./development (*All of the Above*)  
Offered more onshore oil and gas leases in the first six months of 2017 than all of 2016 (*All of the Above*)  
Secretarial Orders to review policies in NPR A and ANWR (*All of the Above*)  
On pace to be a net exporter of natural gas for the first time in 60 years (*All of the Above*)  
Onshore revenue up from \$11.5 million to \$146 million, first six months of 2016 to 2017 (*Land Management and Conservation*)

Many of the lines in the speech incorporate the Secretary's speech patterns for ease of delivery. The format of the speech will be 20 minutes for remarks, three moderated questions from the Heritage moderator, and then an open Q&A.

--

Sincerely,  
Eli Nachmany  
Writer, U.S. Department of the Interior  
Office of Communications

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Cable Smith  
**Sent:** 2017-09-25T11:13:54-04:00  
**Importance:** Normal  
**Subject:** Re: Interview Request Secretary Zinke  
**Received:** 2017-09-25T11:14:04-04:00

Perfect~ I appreciate it. I am wide open that day. You might get an out of office reply when you send the interview time due to a backcountry trip this week. But just know that whatever time you send is confirmed on my end. I'll be back Saturday and ready to roll for Monday.

Sincerely,

## Cable Smith

Owner/Host Lone Star Outdoors Show  
Cell: 214-289-7807 | Studio: 214-842-4506  
[www.lonestaroutdoorshow.com](http://www.lonestaroutdoorshow.com)  
[Instagram](#) [Facebook](#) [Twitter](#)

On Mon, Sep 25, 2017 at 7:44 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

lets plan on Monday October 2. I'll get you a time when I talk with the Secretary's scheduler. Thanks so much for reaching out!

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](#)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Fri, Sep 22, 2017 at 5:35 PM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Hey Heather,

Sorry, I didn't mean to be rude. Just thought this might be generic account. Glad to know it isn't. What is his avail on Monday? Sadly, I will be out of the office the rest of the week. I could do the following week though. Oct 2-4 dates are wide open. Thanks so much for getting back with me! I want to let our outdoorsmen and women know that they have someone in Secretary Zinke that is in their corner.

Sincerely,

## Cable Smith

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[www.lonestaroutdoorshow.com](http://www.lonestaroutdoorshow.com)  
[Instagram](#) [Facebook](#) [Twitter](#)

On Fri, Sep 22, 2017 at 4:30 PM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Hey there Cable. I was flying yesterday when your email came in. My apologies. Would love to set something up. What is your availability next week?

Heather Swift  
Press Secretary  
Department of the Interior

On Sep 22, 2017, at 4:25 PM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Hello,

Does anyone check this email?

Thanks,

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[www.lonestaroutdoorshow.com](http://www.lonestaroutdoorshow.com)  
[Instagram](#) [Facebook](#) [Twitter](#)

On Thu, Sep 21, 2017 at 2:22 PM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Good Afternoon,

Who do I need to contact in regards to an interview with Secretary Zinke? I host Texas most widespread outdoor talk show with over 30 radio affiliates including the markets of Dallas, Houston, Austin and San Antonio. I have been a big fan of the actions taken by his office in the past week and want to discuss with him on our show.

It's pre-taped and would take 10-12 minutes max.

Thanks,

## Cable Smith

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[www.lonestaroutdoorshow.com](http://www.lonestaroutdoorshow.com)  
[Instagram](#) [Facebook](#) [Twitter](#)



**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**Cc:** Hinson, Alex[alex\_hinson@ios.doi.gov]  
**From:** Pamela King  
**Sent:** 2017-09-25T11:43:02-04:00  
**Importance:** Normal  
**Subject:** RE: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting  
**Received:** 2017-09-25T11:43:18-04:00

Circling back on the possible interview with Vincent. Would today before 2 p.m. be a possibility? This is the last day I'll be in the office before my deadline. I'm on work travel for the rest of the week. I could talk at some point later this week, but my availability is much more limited.

---

**From:** Pamela King  
**Sent:** Thursday, September 21, 2017 9:35 AM  
**To:** 'Swift, Heather' <heather\_swift@ios.doi.gov>  
**Cc:** Hinson, Alex <alex\_hinson@ios.doi.gov>  
**Subject:** RE: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Sounds good, thank you. Alex – Is it possible to set something up with Vincent before the meeting?

**From:** Swift, Heather [[mailto:heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)]  
**Sent:** Thursday, September 21, 2017 9:31 AM  
**To:** Pamela King <[pking@eenews.net](mailto:pking@eenews.net)>  
**Cc:** Hinson, Alex <[alex\\_hinson@ios.doi.gov](mailto:alex_hinson@ios.doi.gov)>  
**Subject:** Re: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

1. Alex can set you up with an interview with Vincent.
2. ON BACKGROUND Regarding disclosures, all of that will be discussed in the first meeting, which will be an orientation of sorts. Ethics briefings, rules of FACA committees, paperwork, etc.
3. Because of the nature of the first meeting being an orientation to the committee we are holding off on interviews before hand but please feel free to talk with anyone after the meeting adjourns on October 4th. Alex will be there so if anyone runs out while you're talking to somebody else just connect with him and he can try to get you in touch.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Thu, Sep 21, 2017 at 9:25 AM, Pamela King <[pking@eenews.net](mailto:pking@eenews.net)> wrote:  
Hi all,

Also circling back on this today. Again, I'm in the office today and Monday, Sept. 25 but can certainly field emails on this through Friday, Sept. 22. Any/all of the following would be great:

1. A statement from Vincent on Interior's goals for the Royalty Policy Committee.

2. Information on any steps being taken to require disclosure of potential conflicts of interest for committee members who also pay royalties.
3. Connections to any of the committee members available for interview, especially those who can speak to goals for the oil and gas and renewables industries.

Thank you!  
Pamela

---

**From:** Pamela King  
**Sent:** Wednesday, September 20, 2017 1:45 PM  
**To:** 'Swift, Heather' <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>  
**Cc:** RPC, DOI <[rpc@ios.doi.gov](mailto:rpc@ios.doi.gov)>; [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)  
**Subject:** RE: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Hey Heather,

I had reached out to members I have an existing relationship with: Daniel Ruzs at Wood Mackenzie and alternate members Kathleen Sgamma at Western Energy Alliance and Lynn Helms in North Dakota. I'd also be interested in chatting with Marissa Mitchell at Intersect Power and any other members who are representing renewables.

Yes, a comment from Vincent would work as well. If I can tack on one more request: In addition to comment on where the department sees this committee going, I'd be interested to know what, if any, steps are being taken to disclose potential conflicts of interest for members of the committee who pay the royalties this committee will be studying.

I'll be planning to run this preview Monday, Oct. 2. Between now and then, I'll be in the office today, tomorrow and Monday, Sept. 25 (I'm off this Friday and on a work trip next week Tuesday-Friday). I can still take comment/information through Friday, Sept. 29, but email will be the best avenue after the 25<sup>th</sup>.

And hello, Alex. I look forward to seeing you Oct. 4!

Pamela

**From:** Swift, Heather [[mailto:heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)]  
**Sent:** Wednesday, September 20, 2017 10:38 AM  
**To:** Pamela King <[pking@eenews.net](mailto:pking@eenews.net)>  
**Cc:** RPC, DOI <[rpc@ios.doi.gov](mailto:rpc@ios.doi.gov)>; [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)  
**Subject:** Re: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Roger dodger.

Which members are you hoping to talk to? I can give them a ring and see if they are willing to be interviewed.

The Secretary is traveling this week but I can see if Vincent DeVito is available?

And on the RPC, yes previous administrations have had it however the Obama Administration disbanded it. Zinke introduced a bill in the House (which had wide ranging support from Congress, local governments, and Tribes) to restart it because it gives local stakeholders and energy developers a say. Now what's really landmark about this new RPC is that 1. it includes renewables for the first time ever, and 2. it also has folks from private investment who can add a new level of experience and knowledge to the conversation.

Lastly, meet Alex. He's my Deputy. He will be running point on this on October 4th as I will be traveling.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 20, 2017 at 10:24 AM, Pamela King <[pking@eenews.net](mailto:pking@eenews.net)> wrote:  
:D

We write a lot of previews at E&E, and I was hoping to write one of the upcoming Royalty Policy Committee meeting. I had reached out to some of the members on the committee to talk about goals/expectations for the Oct. 4 meeting. At least one of those people mentioned that Interior press was handling media inquiries about the committee, so I wanted to check in with you all to see about interviews.

I'll add this as well: I was wondering if it is possible to get a comment from the secretary on what he is expecting from the committee and where he'd like to see them go. I'm also aware that previous administrations have gathered royalty committees. I'm wondering if there's a different outcome or set of recommendations you'd like to see from this iteration of the panel.

**From:** Swift, Heather [mailto:[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)]  
**Sent:** Wednesday, September 20, 2017 10:17 AM  
**To:** Pamela King <[pking@eenews.net](mailto:pking@eenews.net)>  
**Cc:** RPC, DOI <[rpc@ios.doi.gov](mailto:rpc@ios.doi.gov)>; [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)  
**Subject:** Re: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Sorry, Pam. I'm totally brain farting right now (please don't put that on the record, lol).  
What's the question?

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 20, 2017 at 10:14 AM, Pamela King <[pking@eenews.net](mailto:pking@eenews.net)> wrote:  
Hi everyone – Just circling back on this question about the upcoming Royalty Policy Committee meeting.

---

**From:** Pamela King  
**Sent:** Thursday, September 14, 2017 12:57 PM  
**To:** 'RPC, DOI' <[rpc@ios.doi.gov](mailto:rpc@ios.doi.gov)>  
**Cc:** '[Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)' <[Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)>; '[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)' <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>  
**Subject:** RE: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Hi all,

I wanted to give a heads up that I'm planning to write a preview of this hearing (earliest possible publication date: Monday, Oct. 2). I've reached out to a couple committee members with whom I have relationships. A couple mentioned that Interior press is handling media inquiries, so I wanted to check in here to see if it's possible to chat with some of these folks ahead of the Oct. 4 hearing.

Thanks!  
Pamela

**From:** [kimiko.oliver@onrr.gov](mailto:kimiko.oliver@onrr.gov) [<mailto:kimiko.oliver@onrr.gov>] **On Behalf Of** RPC, DOI  
**Sent:** Wednesday, September 06, 2017 3:08 PM  
**To:** Pamela King <[pking@eenews.net](mailto:pking@eenews.net)>  
**Subject:** Re: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Hello Ms. King I have attached the Federal Register Notice and News Release announcing both Committee selection and the details for the first meeting on October 4th. If you have any additional questions please contact me and I would be happy to help.

Thanks,  
Kim Oliver

On Wed, Sep 6, 2017 at 10:41 AM, Pamela King <[pking@eenews.net](mailto:pking@eenews.net)> wrote:  
Hello,

I'm interested in attending or viewing the Oct. 4 meeting of the Royalty Policy Committee. I have travel plans later that day and was wondering if any information is currently available as to what time the meeting will be, so I can plan accordingly?

Thank you,

Pamela King  
E&E News

(202) 446 0458





**To:** David Bernhardt [(b) (6)] [redacted]@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]; Scott Cameron[scott\_cameron@ios.doi.gov]  
**Cc:** Hinson, Alex[alex\_hinson@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T11:45:51-04:00  
**Importance:** Normal  
**Subject:** Fwd: Interior early out/buyout authority  
**Received:** 2017-09-25T11:46:39-04:00

Gentlemen - if either of you are handling the reorg and employee buyouts can you please let me know how I should respond to the inquiry below from EE.

thanks.

-

Last week, Interior's Chief Human Capital Officer Ray Limon mentioned during an event that the department has requested early out/buyout authority (aka VERA/VSIP) from OPM as part of the overall reorganization, but hasn't heard back yet from the agency. I wanted to confirm that (I am also checking with OPM) and wanted to see what the department's time frame is for offering the incentives and how many people might be eligible.

Thanks for any information. I am trying to write something for our noon deadline, but if not, then our PM edition (deadline for that is 3 pm).

Kellie Lunney

Capitol Hill/Public Lands Reporter

E&E News

[klunney@eenews.net](mailto:klunney@eenews.net)

202-297-6389 (mobile)

202-446-0455 (office)

[@klunney](#) (twitter)

Energy & Environment News

E&E Daily/Climatewire/Energywire/Greenwire/E&E News PM



**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** David Bernhardt  
**Sent:** 2017-09-25T11:49:21-04:00  
**Importance:** Normal  
**Subject:** Re: Interior early out/buyout authority  
**Received:** 2017-09-25T11:49:29-04:00

This is a Scott and Jim question. However, we are not offering them anytime soon. The reorg is still a work in progress. Thanks for bringing Kim over.

Sent from my iPhone

On Sep 25, 2017, at 11:46 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Gentlemen - if either of you are handling the reorg and employee buyouts can you please let me know how I should respond to the inquiry below from EE.

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[@klunney](#) (twitter)

Energy & Environment News

E&E Daily/Climatewire/Energywire/Greenwire/E&E News PM

**To:** Cable Smith[lonestaroutdoorshow@gmail.com]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T11:51:54-04:00  
**Importance:** Normal  
**Subject:** Re: Interview Request Secretary Zinke  
**Received:** 2017-09-25T11:52:41-04:00

I know it's a bit early for you but can you do 8:45AM CT on Monday, October 2nd?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](#)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 11:13 AM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

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avail on Monday? Sadly, I will be out of the office the rest of the week. I could do the following week though. Oct 2-4 dates are wide open. Thanks so much for getting back with me! I want to let our outdoorsmen and women know that they have someone in Secretary Zinke that is in their corner.

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Heather Swift  
Press Secretary  
Department of the Interior

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[Instagram](#) [Facebook](#) [Twitter](#)

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It's pre-taped and would take 10-12 minutes max.

Thanks,

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[www.lonestaroutdoorshow.com](http://www.lonestaroutdoorshow.com)  
[Instagram](#) [Facebook](#) [Twitter](#)



**To:** Scott Cameron[scott\_cameron@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T11:55:07-04:00  
**Importance:** Normal  
**Subject:** Fwd: Interior early out/buyout authority  
**Received:** 2017-09-25T11:55:54-04:00

Gentlemen - if either of you are handling the reorg and employee buyouts can you please let me know how I should respond to the inquiry below from EE.

thanks.

-

Last week, Interior's Chief Human Capital Officer Ray Limon mentioned during an event that the department has requested early out/buyout authority (aka VERA/VSIP) from OPM as part of the overall reorganization, but hasn't heard back yet from the agency. I wanted to confirm that (I am also checking with OPM) and wanted to see what the department's time frame is for offering the incentives and how many people might be eligible.

Thanks for any information. I am trying to write something for our noon deadline, but if not, then our PM edition (deadline for that is 3 pm).

Kellie Lunney

Capitol Hill/Public Lands Reporter

E&E News

[klunney@eenews.net](mailto:klunney@eenews.net)

202-297-6389 (mobile)

202-446-0455 (office)

[@klunney](#) (twitter)

Energy & Environment News

E&E Daily/Climatewire/Energywire/Greenwire/E&E News PM



**To:** Pamela King[pking@eenews.net]  
**Cc:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Hinson, Alex  
**Sent:** 2017-09-25T11:55:30-04:00  
**Importance:** Normal  
**Subject:** Re: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting  
**Received:** 2017-09-25T11:55:38-04:00

Hey Pam!

Mr. DeVito is available on October 2nd between 11-12PM or 1:30PM. Please let me know if this works!

On Mon, Sep 25, 2017 at 11:43 AM, Pamela King <pking@eenews.net> wrote:

Circling back on the possible interview with Vincent. Would today before 2 p.m. be a possibility? This is the last day I'll be in the office before my deadline. I'm on work travel for the rest of the week. I could talk at some point later this week, but my availability is much more limited.

---

**From:** Pamela King  
**Sent:** Thursday, September 21, 2017 9:35 AM  
**To:** 'Swift, Heather' <heather\_swift@ios.doi.gov>  
**Cc:** Hinson, Alex <alex\_hinson@ios.doi.gov>  
**Subject:** RE: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Sounds good, thank you. Alex – Is it possible to set something up with Vincent before the meeting?

**From:** Swift, Heather [mailto:heather\_swift@ios.doi.gov]  
**Sent:** Thursday, September 21, 2017 9:31 AM  
**To:** Pamela King <pking@eenews.net>  
**Cc:** Hinson, Alex <alex\_hinson@ios.doi.gov>  
**Subject:** Re: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

1. Alex can set you up with an interview with Vincent.
2. ON BACKGROUND Regarding disclosures, all of that will be discussed in the first meeting, which will be an orientation of sorts. Ethics briefings, rules of FACA

committees, paperwork, etc.

3. Because of the nature of the first meeting being an orientation to the committee we are holding off on interviews before hand but please feel free to talk with anyone after the meeting adjourns on October 4th. Alex will be there so if anyone runs out while you're talking to somebody else just connect with him and he can try to get you in touch.

-

Heather Swift

Department of the Interior

@DOIPressSec

[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Thu, Sep 21, 2017 at 9:25 AM, Pamela King <[pking@eenews.net](mailto:pking@eenews.net)> wrote:

Hi all,

Also circling back on this today. Again, I'm in the office today and Monday, Sept. 25 but can certainly field emails on this through Friday, Sept. 22. Any/all of the following would be great:

1. A statement from Vincent on Interior's goals for the Royalty Policy Committee.
2. Information on any steps being taken to require disclosure of potential conflicts of interest for committee members who also pay royalties.
3. Connections to any of the committee members available for interview, especially those who can speak to goals for the oil and gas and renewables industries.

Thank you!

Pamela

---

**From:** Pamela King  
**Sent:** Wednesday, September 20, 2017 1:45 PM  
**To:** 'Swift, Heather' <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>  
**Cc:** RPC, DOI <[rpc@ios.doi.gov](mailto:rpc@ios.doi.gov)>; [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

**Subject:** RE: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Hey Heather,

I had reached out to members I have an existing relationship with: Daniel Rusz at Wood Mackenzie and alternate members Kathleen Sgamma at Western Energy Alliance and Lynn Helms in North Dakota. I'd also be interested in chatting with Marissa Mitchell at Intersect Power and any other members who are representing renewables.

Yes, a comment from Vincent would work as well. If I can tack on one more request: In addition to comment on where the department sees this committee going, I'd be interested to know what, if any, steps are being taken to disclose potential conflicts of interest for members of the committee who pay the royalties this committee will be studying.

I'll be planning to run this preview Monday, Oct. 2. Between now and then, I'll be in the office today, tomorrow and Monday, Sept. 25 (I'm off this Friday and on a work trip next week Tuesday-Friday). I can still take comment/information through Friday, Sept. 29, but email will be the best avenue after the 25<sup>th</sup>.

And hello, Alex. I look forward to seeing you Oct. 4!

Pamela

**From:** Swift, Heather [[mailto:heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)]  
**Sent:** Wednesday, September 20, 2017 10:38 AM  
**To:** Pamela King <[pking@eenews.net](mailto:pking@eenews.net)>  
**Cc:** RPC, DOI <[rpc@ios.doi.gov](mailto:rpc@ios.doi.gov)>; [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)  
**Subject:** Re: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Roger dodger.

Which members are you hoping to talk to? I can give them a ring and see if they are willing to be interviewed.

The Secretary is traveling this week but I can see if Vincent DeVito is available?

And on the RPC, yes previous administrations have had it however the Obama Administration disbanded it. Zinke introduced a bill in the House (which had wide ranging support from Congress, local governments, and Tribes) to restart it because it gives local stakeholders and energy developers a say. Now what's really landmark about this new RPC is that 1. it includes renewables for the first time ever, and 2. it also has folks from private investment who can add a new level of experience and knowledge to the conversation.

Lastly, meet Alex. He's my Deputy. He will be running point on this on October 4th as I will be traveling.

-

Heather Swift

Department of the Interior

@DOIPressSec

[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 20, 2017 at 10:24 AM, Pamela King <[pking@eenews.net](mailto:pking@eenews.net)> wrote:

:D

We write a lot of previews at E&E, and I was hoping to write one of the upcoming Royalty Policy Committee meeting. I had reached out to some of the members on the committee to talk about goals/expectations for the Oct. 4 meeting. At least one of those people mentioned that Interior press was handling media inquiries about the committee, so I wanted to check in with you all to see about interviews.

I'll add this as well: I was wondering if it is possible to get a comment from the secretary on what he is expecting from the committee and where he'd like to see them go. I'm also aware that previous administrations have gathered royalty committees. I'm wondering if there's a different outcome or set of recommendations you'd like to see from this iteration of the panel.

**From:** Swift, Heather [[mailto:heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)]  
**Sent:** Wednesday, September 20, 2017 10:17 AM  
**To:** Pamela King <[pking@eenews.net](mailto:pking@eenews.net)>  
**Cc:** RPC, DOI <[rpc@ios.doi.gov](mailto:rpc@ios.doi.gov)>; [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)  
**Subject:** Re: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Sorry, Pam. I'm totally brain farting right now (please don't put that on the record, lol).  
What's the question?

-

Heather Swift

Department of the Interior

[@DOIPressSec](#)

[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 20, 2017 at 10:14 AM, Pamela King <[pking@eenews.net](mailto:pking@eenews.net)> wrote:

Hi everyone – Just circling back on this question about the upcoming Royalty Policy Committee meeting.

---

**From:** Pamela King  
**Sent:** Thursday, September 14, 2017 12:57 PM  
**To:** 'RPC, DOI' <[rpc@ios.doi.gov](mailto:rpc@ios.doi.gov)>  
**Cc:** '[Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)' <[Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)>; '[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)' <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>  
**Subject:** RE: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Hi all,

I wanted to give a heads up that I'm planning to write a preview of this hearing (earliest possible publication date: Monday, Oct. 2). I've reached out to a couple committee members with whom I have relationships. A couple mentioned that Interior press is handling media inquiries, so I wanted to check in here to see if it's possible to chat with some of these folks ahead of the Oct. 4 hearing.

Thanks!

Pamela

**From:** [kimiko.oliver@onrr.gov](mailto:kimiko.oliver@onrr.gov) [<mailto:kimiko.oliver@onrr.gov>] **On Behalf Of** RPC, DOI  
**Sent:** Wednesday, September 06, 2017 3:08 PM  
**To:** Pamela King <[pking@eenews.net](mailto:pking@eenews.net)>  
**Subject:** Re: Media Inquiry -- Royalty Policy Committee Oct. 4 meeting

Hello Ms. King I have attached the Federal Register Notice and News Release announcing both Committee selection and the details for the first meeting on October 4th. If you have any additional questions please contact me and I would be happy to help.

Thanks,

Kim Oliver

On Wed, Sep 6, 2017 at 10:41 AM, Pamela King <[pking@eenews.net](mailto:pking@eenews.net)> wrote:

Hello,



I'm interested in attending or viewing the Oct. 4 meeting of the Royalty Policy Committee. I have travel plans later that day and was wondering if any information is currently available as to what time the meeting will be, so I can plan accordingly?

Thank you,

Pamela King  
E&E News

(202) 446 0458

--  
Alex Hinson

Deputy Press Secretary  
Department of the Interior

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**Cc:** James Cason[james\_cason@ios.doi.gov]  
**From:** Cameron, Scott  
**Sent:** 2017-09-25T11:57:11-04:00  
**Importance:** Normal  
**Subject:** Re: Interior early out/buyout authority  
**Received:** 2017-09-25T11:57:48-04:00

Heather,  
I will have some thoughts for you well before 3pm, but not before noon.

Thanks,  
Scott  
Scott J. Cameron  
Principal Deputy Assistant Secretary for Policy, Management and Budget  
Office of the Secretary of the Interior  
Desk 202 208 4242  
Cell 202 706 9031

On Mon, Sep 25, 2017 at 11:55 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Gentlemen - if either of you are handling the reorg and employee buyouts can you please let me know how I should respond to the inquiry below from EE.

thanks.

-

Last week, Interior's Chief Human Capital Officer Ray Limon mentioned during an event that the department has requested early out/buyout authority (aka VERA/VSIP) from OPM as part of the overall reorganization, but hasn't heard back yet from the agency. I wanted to confirm that (I am also checking with OPM) and wanted to see what the department's time frame is for offering the incentives and how many people might be eligible.

Thanks for any information. I am trying to write something for our noon deadline, but if not, then our PM edition (deadline for that is 3 pm).

Kellie Lunney

Capitol Hill/Public Lands Reporter

E&E News

[klunney@eenews.net](mailto:klunney@eenews.net)

202-297-6389 (mobile)

202-446-0455 (office)

[@klunney](#) (twitter)

Energy & Environment News

E&E Daily/Climatewire/Energywire/Greenwire/E&E News PM

**To:** Cameron, Scott[scott\_cameron@ios.doi.gov]  
**Cc:** James Cason[james\_cason@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T11:58:30-04:00  
**Importance:** Normal  
**Subject:** Re: Interior early out/buyout authority  
**Received:** 2017-09-25T11:59:12-04:00

Appreciate it!

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 11:57 AM, Cameron, Scott <[scott\\_cameron@ios.doi.gov](mailto:scott_cameron@ios.doi.gov)> wrote:

Heather,  
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Energy & Environment News

E&E Daily/Climatewire/Energywire/Greenwire/E&E News PM

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Cable Smith  
**Sent:** 2017-09-25T11:59:47-04:00  
**Importance:** Normal  
**Subject:** Re: Interview Request Secretary Zinke  
**Received:** 2017-09-25T11:59:58-04:00

I certainly can. Thanks so much! I have it on the Calendar.

## Cable Smith

Owner/Host Lone Star Outdoors Show  
Cell: 214-289-7807 | Studio: 214-842-4506  
[www.lonestaroutdoorshow.com](http://www.lonestaroutdoorshow.com)  
[Instagram](#) [Facebook](#) [Twitter](#)

On Mon, Sep 25, 2017 at 10:51 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

I know it's a bit early for you but can you do 8:45AM CT on Monday, October 2nd?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](#)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 11:13 AM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Perfect~ I appreciate it. I am wide open that day. You might get an out of office reply when you send the interview time due to a backcountry trip this week. But just know that whatever time you send is confirmed on my end. I'll be back Saturday and ready to roll for Monday.

Sincerely,

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[Instagram](#) [Facebook](#) [Twitter](#)

On Mon, Sep 25, 2017 at 7:44 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

lets plan on Monday October 2. I'll get you a time when I talk with the Secretary's scheduler. Thanks so much for reaching out!

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Fri, Sep 22, 2017 at 5:35 PM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Hey Heather,

Sorry, I didn't mean to be rude. Just thought this might be generic account. Glad to know it isn't. What is his avail on Monday? Sadly, I will be out of the office the rest of the week. I could do the following week though. Oct 2-4 dates are wide open. Thanks so much for getting back with me! I want to let our outdoorsmen and women know that they have someone in Secretary Zinke that is in their corner.

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[Instagram](#) [Facebook](#) [Twitter](#)

On Fri, Sep 22, 2017 at 4:30 PM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Hey there Cable. I was flying yesterday when your email came in. My apologies. Would love to set something up. What is your availability next week?

Heather Swift  
Press Secretary  
Department of the Interior

On Sep 22, 2017, at 4:25 PM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Hello,

Does anyone check this email?

Thanks,

## Cable Smith

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Good Afternoon,

Who do I need to contact in regards to an interview with Secretary Zinke? I host Texas most widespread outdoor talk show with over 30 radio affiliates including the markets of Dallas, Houston, Austin and San Antonio. I have been a big fan of the actions taken by his office in the past week and want to discuss with him on our show.

It's pre-taped and would take 10-12 minutes max.

Thanks,

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[Instagram](#) [Facebook](#) [Twitter](#)



**To:** Cable Smith[lonestaroutdoorshow@gmail.com]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T12:01:19-04:00  
**Importance:** Normal  
**Subject:** Re: Interview Request Secretary Zinke  
**Received:** 2017-09-25T12:02:12-04:00

Great - what number should he call?

Also, what's the destination? Backcountry hunting?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](#)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 11:59 AM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

I certainly can. Thanks so much! I have it on the Calendar.

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-

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**Cc:** Hinson, Alex[alex\_hinson@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]  
**From:** Cameron, Scott  
**Sent:** 2017-09-25T12:02:14-04:00  
**Importance:** Normal  
**Subject:** Re: Interior early out/buyout authority  
**Received:** 2017-09-25T12:02:57-04:00

Heather,  
Got my ideas together faster than I anticipated.

Here is my two cents.

I'd point out that it has been routine practice for many years for agencies to seek authority for early outs and buyouts to accomplish workforce re-shaping goals in ways that minimize disruption to the overall workforce. Interior is looking for ways to better serve the public by becoming more effective and efficient, and early outs and buyouts can be one useful tool to accomplish that.

Thanks,  
Scott  
Scott J. Cameron  
Principal Deputy Assistant Secretary for Policy, Management and Budget  
Office of the Secretary of the Interior  
Desk 202 208 4242  
Cell 202 706 9031

On Mon, Sep 25, 2017 at 11:45 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

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Capitol Hill/Public Lands Reporter

E&E News

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**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Cable Smith  
**Sent:** 2017-09-25T12:04:57-04:00  
**Importance:** Normal  
**Subject:** Re: Interview Request Secretary Zinke  
**Received:** 2017-09-25T12:05:16-04:00

Please have Secretary Zinke call my studio line.

Studio: 214-842-4506

## Cable Smith

Owner/Host Lone Star Outdoors Show  
Cell: 214-289-7807 | Studio: 214-842-4506  
[www.lonestaroutdoorshow.com](http://www.lonestaroutdoorshow.com)  
[Instagram](#) [Facebook](#) [Twitter](#)

On Mon, Sep 25, 2017 at 10:59 AM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

I certainly can. Thanks so much! I have it on the Calendar.

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On Mon, Sep 25, 2017 at 10:51 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

I know it's a bit early for you but can you do 8:45AM CT on Monday, October 2nd?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](#)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 11:13 AM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Perfect~ I appreciate it. I am wide open that day. You might get an out of office reply when you send the interview time due to a backcountry trip this week. But just know that whatever time you send is confirmed on my end. I'll be back Saturday and ready to roll for Monday.

Sincerely,

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On Mon, Sep 25, 2017 at 7:44 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

lets plan on Monday October 2. I'll get you a time when I talk with the Secretary's scheduler. Thanks so much for reaching out!

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](#)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Fri, Sep 22, 2017 at 5:35 PM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Hey Heather,

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On Fri, Sep 22, 2017 at 4:30 PM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Hey there Cable. I was flying yesterday when your email came in. My apologies. Would love to set something up. What is your availability next week?

Heather Swift  
Press Secretary  
Department of the Interior

On Sep 22, 2017, at 4:25 PM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Hello,

Does anyone check this email?

Thanks,

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[Instagram](#) [Facebook](#) [Twitter](#)

On Thu, Sep 21, 2017 at 2:22 PM, Cable Smith <[lonestaroutdoorshow@gmail.com](mailto:lonestaroutdoorshow@gmail.com)> wrote:

Good Afternoon,

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It's pre-taped and would take 10-12 minutes max.

Thanks,

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**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Cable Smith  
**Sent:** 2017-09-25T12:06:01-04:00  
**Importance:** Normal  
**Subject:** Re: Interview Request Secretary Zinke  
**Received:** 2017-09-25T12:07:10-04:00

Heather,

Yes we will discuss Backcountry hunting and the Press Release I received regarding more public land access for hunters/anglers.

Thanks,

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Department of the Interior  
[@DOIPressSec](#)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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[Instagram](#) [Facebook](#) [Twitter](#)

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Cason, James  
**Sent:** 2017-09-25T12:07:52-04:00  
**Importance:** Normal  
**Subject:** Re: Interior early out/buyout authority  
**Received:** 2017-09-25T12:08:28-04:00

Heather,  
We did ask for delegated authority from OPM. No answer yet.

The numbers to be affected are unclear. It will depend our FY '18 appropriations bill and the level of agreement we achieve with OMB & the Hill regarding organizational changes.

On Mon, Sep 25, 2017 at 11:55 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Gentlemen - if either of you are handling the reorg and employee buyouts can you please let me know how I should respond to the inquiry below from EE.

thanks.

-

Last week, Interior's Chief Human Capital Officer Ray Limon mentioned during an event that the department has requested early out/buyout authority (aka VERA/VSIP) from OPM as part of the overall reorganization, but hasn't heard back yet from the agency. I wanted to confirm that (I am also checking with OPM) and wanted to see what the department's time frame is for offering the incentives and how many people might be eligible.

Thanks for any information. I am trying to write something for our noon deadline, but if not, then our PM edition (deadline for that is 3 pm).

Kellie Lunney

Capitol Hill/Public Lands Reporter

E&E News

[klunney@eenews.net](mailto:klunney@eenews.net)

202-297-6389 (mobile)

202-446-0455 (office)

[@klunney](#) (twitter)

Energy & Environment News

E&E Daily/Climatewire/Energywire/Greenwire/E&E News PM

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**Cc:** Hinson, Alex[alex\_hinson@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]  
**From:** Cameron, Scott  
**Sent:** 2017-09-25T12:09:31-04:00  
**Importance:** Normal  
**Subject:** Re: Interior early out/buyout authority  
**Received:** 2017-09-25T12:10:18-04:00

... and I'd steer clear from saying how many people might be eligible, although you could say that typically agencies ask for more authority than they actually plan on using, to give managers more flexibility. You could also say that ideally early outs and buyouts are most cost-effectively addressed near the beginning of the fiscal year, so that agencies can more easily recapture the cost of the buyout from salary savings of the person who has retired. We do not yet have OPM approval.

Thanks,  
Scott  
Scott J. Cameron  
Principal Deputy Assistant Secretary for Policy, Management and Budget  
Office of the Secretary of the Interior  
Desk 202 208 4242  
Cell 202 706 9031

On Mon, Sep 25, 2017 at 12:02 PM, Cameron, Scott <[scott\\_cameron@ios.doi.gov](mailto:scott_cameron@ios.doi.gov)> wrote:

Heather,  
Got my ideas together faster than I anticipated.

Here is my two cents.

I'd point out that it has been routine practice for many years for agencies to seek authority for early outs and buyouts to accomplish workforce re-shaping goals in ways that minimize disruption to the overall workforce. Interior is looking for ways to better serve the public by becoming more effective and efficient, and early outs and buyouts can be one useful tool to accomplish that.

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Principal Deputy Assistant Secretary for Policy, Management and Budget  
Office of the Secretary of the Interior  
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Energy & Environment News

E&E Daily/Climatewire/Energywire/Greenwire/E&E News PM



**To:** Cameron, Scott[scott\_cameron@ios.doi.gov]  
**Cc:** Hinson, Alex[alex\_hinson@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T12:20:45-04:00  
**Importance:** Normal  
**Subject:** Re: Interior early out/buyout authority  
**Received:** 2017-09-25T12:21:31-04:00

Thank you, Scott. As always, very helpful.

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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[@klunney](https://twitter.com/klunney) (twitter)

Energy & Environment News

E&E Daily/Climatewire/Energywire/Greenwire/E&E News PM

**To:** Nachmany, Eli[eli\_nachmany@ios.doi.gov]  
**Cc:** Scott Hommel[scott\_hommel@ios.doi.gov]; David Bernhardt (b) (6) [REDACTED]@ios.doi.gov; Vincent Devito[vincent\_devito@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]; Scott Angelle[scott.angelle@bsee.gov]; Katharine MacGregor[kate\_macgregor@ios.doi.gov]; Downey Magallanes[downey\_magallanes@ios.doi.gov]; Todd Willens[todd\_willens@ios.doi.gov]; Mashburn, Lori[lori\_mashburn@ios.doi.gov]; Stephen Wackowski[stephen\_wackowski@ios.doi.gov]; Andrea Travnicek[andrea\_travnicek@ios.doi.gov]; Timothy Williams[timothy\_williams@ios.doi.gov]; Micah Chambers[micah\_chambers@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Newell, Russell[russell\_newell@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Katharine MacGregor  
**Sent:** 2017-09-25T12:21:34-04:00  
**Importance:** Normal  
**Subject:** Re: SECOND DRAFT: 09/29 Secretary Zinke Energy Policy Address at Heritage  
**Received:** 2017-09-25T12:21:46-04:00

Hey folks - This audience is also keyed in on Arctic issues (offshore for 5 year plan and onshore NPR-A). He should be prepared for that since NPC last did the Arctic Energy Potential report and we own that space.

Also might want to remind him that we held the second highest lease sale for BLM in the Permian Basin this month.

- Kate

Sent from my iPhone

On Sep 25, 2017, at 9:57 AM, Nachmany, Eli <eli\_nachmany@ios.doi.gov> wrote:

Hey all,  
Attached, please find the second draft of Secretary Zinke's energy policy speech at the Heritage Foundation on 09/29, after some over the weekend edits/feedback. I formatted the speech into six sections so you can navigate it more easily. Edits welcome. The sections are as follows:

**INTRODUCTION: A VISION  
BETTER BUSINESS PARTNER  
THREE REASONS (TO PRODUCE ENERGY HERE)  
"ALL OF THE ABOVE"  
LAND MANAGEMENT AND CONSERVATION  
CONCLUSION**

I have included accomplishments of the Secretary's in the speech, and they are:

Focus on the "Joint Model" in permitting (*Better Business Partner*)  
Cut the annual regulatory agenda over 50 percent (*Better Business Partner*)  
Berwind Coal Mine (*All of the Above*)  
Q1: West Virginia second in the nation in GDP Growth (*All of the Above*)  
Q1: Mining was up over 20 percent nationally, contributing to growth in 48/50 states (*All of the Above*)  
Successful lease sales in the Gulf of Mexico and Cook Inlet (*All of the Above*)  
Five year plan to open up areas for oil and gas expl./development (*All of the Above*)  
Offered more onshore oil and gas leases in the first six months of 2017 than all of 2016 (*All of the Above*)  
Secretarial Orders to review policies in NPR A and ANWR (*All of the Above*)  
On pace to be a net exporter of natural gas for the first time in 60 years (*All of the Above*)  
Onshore revenue up from \$11.5 million to \$146 million, first six months of 2016 to 2017 (*Land Management and Conservation*)

Many of the lines in the speech incorporate the Secretary's speech patterns for ease of delivery. The format of the speech will be 20 minutes for remarks, three moderated questions from the Heritage moderator, and then an open Q&A.

--

Sincerely,  
Eli Nachmany  
Writer, U.S. Department of the Interior  
Office of Communications

<0929 Energy Address.docx>

**To:** Newell, Russell[russell\_newell@ios.doi.gov]  
**Cc:** Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Rees, Gareth  
**Sent:** 2017-09-25T13:11:02-04:00  
**Importance:** Normal  
**Subject:** Bio  
**Received:** 2017-09-25T13:11:08-04:00

Hi

Do you know if we have a bio for David? I don;t have anything.

Thanks

--

Gareth C. Rees

Office to the Deputy Secretary

U.S. Department of the Interior

Tel: 202 208 6291

Fax: 202 208 1873

Cell: 202 957 8299

**To:** Caroline Boulton[caroline\_boulton@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]; David Bernhardt[(b) (6) ██████████@ios.doi.gov]; Douglas Domenech[douglas\_domenech@ios.doi.gov]; Getto, Leila[leila\_getto@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Mashburn, Lori[lori\_mashburn@ios.doi.gov]; Micah Chambers[micah\_chambers@ios.doi.gov]; Scott Hommel[scott\_hommel@ios.doi.gov]; Swift, Heather[heather\_swift@ios.doi.gov]; Thiele, Aaron[aaron\_thiele@ios.doi.gov]; Willens, Todd[todd\_willens@ios.doi.gov]  
**Cc:** Natalie Davis[natalie\_davis@ios.doi.gov]  
**From:** Mashburn, Lori  
**Sent:** 2017-09-25T13:48:15-04:00  
**Importance:** Normal  
**Subject:** Fwd: DOI Report 9/25  
**Received:** 2017-09-25T13:49:09-04:00  
[DAILY UPDATE FOR CABINET AFFAIRS 09-25-17.docx](#)

**DEPARTMENT OF THE INTERIOR DAILY UPDATE FOR CABINET AFFAIRS – 9/25/17**

Lori Mashburn, White House Liaison

**STATUS OF THE SECRETARY**

9/25 DC Interview with Kim Strassel, WSJ

Meeting with Federated States of Micronesia President Peter Christian

Remarks at National Petroleum Council Meeting, Hay Adams

Remarks at National Stone, Sand, and Gravel Association Legislative and Policy Forum

9/26 DC Remarks at National Clean Energy Week Symposium, Reserve Officers Association

Wild Horse Roundtable

Meeting with House Speaker Paul Ryan

Meeting with John Faracci and National Fish and Wildlife Foundation

Remarks and Receipt of Jefferson Island Club Citizen of the Year Award, Siemens Corporation

9/27-9/28 Travel to Gateway National Recreation Area in New Jersey, various National Park Assets in Philadelphia (including Valley Forge), meeting with County Commissioners.

9/29 DC Remarks at Heritage Foundation on “A Vision for Energy Dominance”

Meeting regarding Shawnee Trust

**STATUS OF THE DEPUTY SECRETARY**

TODAY: The Deputy Secretary is in Washington, DC.

9/27-9/28 Santa Fe, NM Deliver Remarks and Sign the Minute 323 Agreement with Mexico

**OF NOTE**

To: All Department of the Interior Employees  
From: David L. Bernhardt, Deputy Secretary  
Subject: Month Two Message

A little over a month ago, I wrote to all of you on my first day as Deputy Secretary. Shortly thereafter we established an electronic "ideas" box, and the comments, ideas, and suggestions came rolling in. I want to thank you for your willingness to be thoughtful and candid with your input. Some of the ideas have already served to trigger action.

Many of your comments have educated me on particular issues that I might not have fully appreciated without them. For example, I was a couple steps behind the Secretary in recognizing that it is time for the uniforms to be updated. Your comments have reinforced the very real need of doing so. In addition, I am working to find a realistic means to raise the purchase card limits. I am undeterred, but I expect that we will need to rely on help from Congress. Consequently, that will require more steps to accomplish than I initially hoped.

In my first message to you, I reiterated the basic principle that public service is a public trust and to remind everyone of the basic premise of our Federal service and to confirm my expectation that employees abide by it.

After my first month as Deputy Secretary, and after reading certain comments I am troubled that there is not a universal sense in the Department of the Interior (Department) that those few employees who have failed to uphold these standards are appropriately being held accountable. Please be assured, that I am committed to ensuring that leaders at all levels of the Department are, themselves, ensuring that legally sound, measured, and decisive action is being taken. I want this message to be clear: it is the duty of managers to promptly and effectively take the necessary steps to resolve such issues when they arise.

I also want to convey that we can only take action when we are aware of misconduct. Such awareness often ultimately depends on an employee's willingness to come forward. Despite the official duty articulated in the principles of ethical conduct that "[e]mployees shall disclose waste, fraud, abuse, and corruption to appropriate authorities," many might find it difficult to report misconduct because of a belief that nothing will be done or perhaps due to a fear of retaliation.

Therefore, it is important for you to know that reports of misconduct are taken seriously and that action is taken in a timely manner when appropriate. To that end, I will share the results of two Inspector General investigations that began with a report of employee misconduct and which resulted in accountability. In one case, the



allegations concerned former Bureau of Land Management Office of Law Enforcement Supervisory Agent Dan Love's misuse of his position for personal gain, securing privileges for both himself and family members, and misuse of Government equipment for personal purposes. The Department recently removed Mr. Love from Federal service. In the other, the allegations involved reports that former National Park Service Chief Ranger at Canaveral National Seashore, Edwin Correa, made unwanted sexual advances and inappropriate comments towards subordinates. The Department removed Mr. Correa as well.

I share these examples because you need to know that your leadership is listening. We will hold people accountable when we are informed that they have failed in their duties and obligations.

Although the law in large part prevents dissemination of the details of actions taken, I am sharing these examples because you need to know that the Department has taken concrete disciplinary action in cases of serious misconduct, including those involving senior officials. This message is part of our commitment to be vigilant and tireless in its pursuit of an environment in which employees treat each other in a manner that is consistent with the law and in which there are consequences for failing to do so.

Finally, as it is vitally important for the health of the Department that employees disclose misconduct they witness or experience, the Department is committed to protecting those who step forward from retaliation. Therefore, I will also make this clear: the Department must be free from any retaliation or reprisal for reports of misconduct and I expect every leader to ensure this.

Moreover, it goes without saying that we must remember to treat each other, as well as members of the public, with dignity and fairness. Supervisors should recognize the contributions of deserving employees and have the courage to address the failings of those that fall short of meeting expectations.

I look forward to continuing to work with all of you to further improve the Department and fulfill its important missions. Please keep sending me "ideas;" I will continue to review them.

Sincerely,

Deputy Secretary David Bernhardt

**WH COMMS REPORT** (new report filed Thursday)

**Press Inquiries:**

- Many small inquiries and logistical inquiries.
- **\*\*All inquiries on Monument Review are being directed to the White House.**
- **\*\*Multiple Inquiries\*\*** (CNN, CBS, Washington Post) **–REQUEST–** Has

Interior put out a statement about the Secretary's travel? Has he flown private planes, charters or government planes to get to events?—**RESPONSE— Statement** - Consistent with federal government travel rules, charter flights are used when either commercial flights are unavailable (the Interior Department has thousands of staff and assets and the most remote areas of the country spanning 12 time zones) or when the cost analysis makes it clear that a charter is the more responsible option.

· **\*\*Multiple Inquiries\*\*** (Reuters, Law 360, E&E News ) **—REQUEST--** I am writing a story for Westlaw about the 10<sup>th</sup> Circuit's decision today dismissing the case challenging the Interior Department's fracking regulations. Do you have a comment?—**RESPONSE—** In accordance with President Trump's Executive Order on "*Promoting Energy Independence and Economic Growth*" (March 18, 2017) and Secretary Zinke's Secretary's Order on "*American Energy Independence*," (March 29, 2017), we are expeditiously working on a new rule that will fulfill the President's and Secretary's vision of good jobs for hardworking American families and are continuing to take comments on the proposed rescission of the 2015 hydraulic fracturing rule.

### **Top Stories**

- **CNN:** Hunting is down in the US. The Trump administration wants to change that
- **Reuters:** Maryland proposes \$9 billion plan to relieve traffic congestion
- **Los Alamos Daily Post:** Udall, Heinrich Urge President Trump To Reject Secretary Zinke's Recommended Changes To National Monuments
- **Springfield News-Leader:** Secretary Zinke rides horses, announces grant money for Missouri parks
- **KTUU (AK):** Department Interior to give \$850,000 to Alaska for outdoor recreation
- **Seattle times-Opinion:** Congress must challenge Ryan Zinke's attack on national monuments

### **Top Issues and Accomplishments**

- Interior continues to support all Hurricane Harvey, Hurricane Irma, and Hurricane Maria efforts. All bureaus are executing their emergency plans and assisting in Hurricane relief.
- Today, Secretary Zinke is in Dallas speaking at an NRA Convention for women members.
- Saturday, Secretary Zinke will be in Austin, Texas, to tour the FEMA Control Center and meet part of the USGS team assisting in Hurricane Harvey relief.
- September 25-26: the Secretary will be in Washington, D.C., meeting with the President of the Federated States of Micronesia, speaking at the National Petroleum Council meeting, as well as meeting with various advocates and

outside groups about the Horse and Burro issues. We don't expect any pro-active news at these.

- September 27-29: the Secretary is traveling to Gateway National Recreation Area in New Jersey and various National Park Assets in the Philadelphia area, including Valley Forge and meeting with County Commissioners.

## **AGENCY MEDIA**

### **WEEK AHEAD September 20 thru September 28, 2017 (Report from Wednesday, September 20)**

#### **U.S. Department of the Interior**

##### *Secretarial-level Announcements/Events/Interviews*

- **September 25-26:** the Secretary will be in Washington, D.C., meeting with the President of the Federated States of Micronesia, speaking at the National Petroleum Council meeting, as well as meeting with various advocates and outside groups about the Horse and Burro issues. We don't expect any pro-active news at these.
- **September 27-29:** the Secretary is traveling to Gateway National Recreation Area in New Jersey and various National Park Assets in the Philadelphia area, including Valley Forge and meeting with County Commissions.
- **September 22: Department-level Release:** DOI and BLM will announce the totals from all September oil and gas lease sales.

#### **National Park Service**

- **September 25 (tent.): Local NPS Release:** The National Park Service will notify the public of the availability of Glacier National Park's Lake McDonald Properties Management Plan Environmental Assessment (EA). The EA will be available for a 30-day public review period. Following the public review, the park will prepare a formal decision document. The EA analyzes alternatives to manage NPS-owned properties surrounding Lake McDonald, which includes buildings listed on the National Register of Historic Places. The proposed alternative includes management options for each property, including historic leasing, park or concessioner use, stabilization of properties or removal of buildings. Throughout the planning process, the park received local media and public interest with little to no controversy. Public comments were very supportive of historic leasing options.
- **September 25 (tent.): National BLM Release:** BLM will announce that it is seeking public nominations for open positions on 18 of its 36 Resource Advisory Councils (RACs). As published in a notice in the *Federal Register*, the BLM will consider nominations for 30 days.
- **September 27: Local NPS Release:** NPS will issue a news release regarding the independent review panel findings that Golden Gate National

Recreation Area dog rule process was unaffected by inappropriate personal email use.

- **September 27:** The NPS National Capital Region's National Historic Landmark Program will host a stakeholder meeting as part of a joint research project underway by the NPS and the Organization of American Historians to identify potential National Historic Landmarks (NHLs) associated with Lesbian, Gay, Bisexual, Transgender & Queer (LGBTQ) history in the region. Invited stakeholders include state historic preservation offices, staff from selected NCR parks, local LGBTQ history representatives, and local governments' historic preservation staff.

### **U.S. Fish and Wildlife Service**

- **September TBD: National FWS Release:** FWS will announce National Wildlife Refuge Week, which will take place October 8-14. Refuge Week is an annual celebration of the nation's wildlife conservation heritage and the national wildlife refuges that protect it. The timing provides notice for print and online media to announce the annual celebration and regional events for the public to plan ahead, as well as for the regions and refuges to begin preparing additional promotional information.

### **Bureau of Land Management**

- **September 25:** The 60-day public comment period for the proposed rule to rescind the BLM's 2015 Hydraulic Fracturing Rule will end. The BLM's proposal rule aligns with Administration priorities to seek ways to reduce regulatory burdens and compliance costs. The BLM will review the comments received and take appropriate actions to address those that are substantive. Publication of a final rule in the Federal Register is anticipated in December 2017 or January 2018.
- **September 25 (tent.): National BLM Release:** BLM will issue a release regarding their announcement to seek nominations for 18 of their 36 Resource Advisory Councils.
- **September 26:** BLM-MT Butte Field Manager Scott Haight and Geologist David Williams will meet with Jefferson County and Montana Department of Environmental Quality in Boulder, MT, to discuss the future of the Montana Tunnels mine site. Montana Tunnels is an open pit mine in Jefferson County that has been inactive since 2008. It is behind on the state's bond request and owes Jefferson Co. \$5 million in back taxes, and the site is deteriorating. The meeting is the first to discuss the future of the mine site, including topics of bonding and scope of what's needed for eventual reclamation and site stabilization. The mine is located on a mix of private and BLM lands.

### **Bureau of Reclamation**

- **September 26:** U.S./Mexico Cooperative Process Colorado River ("Minute

323"): Minute 323 of the Water Treaty with Mexico will be signed by the United States and Mexico commissioners of the International Boundary and Water Commission. On June 12, the Governor's representatives from the seven Colorado River Basin States communicated to Secretary of the Interior Zinke their goal of finishing the drafting of the necessary U.S. (domestic) agreements needed to allow the U.S. and Mexico to finalize a cooperative agreement by mid-July (completion of these draft agreements would put the U.S. and Mexico in position to finalize a successor agreement to the current plan - known as Minute 319 - later this fall). The domestic agreements will also be signed on September 26. The State Department finalized consultations with the Senate Foreign Relations Committee in early August and is prepared to proceed when the Basin States clearances are complete. The State Department/IBWC will handle press.

- **September 27:** A ceremony celebrating the signing of Minute 323 to the 1944 Water Treaty with Mexico will occur on the opening day of biennial Colorado River Symposium in Santa Fe, New Mexico. Deputy Secretary of the Interior David Bernhardt will attend and offer brief remarks.

#### **Office of Insular Affairs**

- **September 25: National OIA Release:** OIA will issue a media read-out regarding the Federated States of Micronesia President Peter Christian Visit with the Secretary
- **September TBD:** OIA Release American Samoa Authorization to Proceed Insular ABCs Repairs in the Public Schools
- **September TBD:** FSM Compact Infrastructure and Technical Assistance ~ \$1.5 million
- **September TBD:** RMI Press Release Compact Infrastructure \$149,436; Ebeye Special Needs \$300,000; Health Care Program for 4 Atolls (Section 177) \$697,387
- **September TBD:** FY 2017 CIP Infrastructure funding for Guam and CNMI ~ \$10 million

#### **CONGRESSIONAL** (no change)

DOI TO TESTIFY BEFORE HOUSE HOMELAND SECURITY COMMITTEE: Michele Singer (Interior Business Center, Director) will testify at hearing titled "DHS Financial Systems:

Will Modernization Ever Be Achieved?" The IBC has been involved with the financial system overhaul at DHS; however, the recommendations have not been adopted. HS Committee is doing an oversight hearing to determine what went wrong and the path forward. DOI will be testifying on their recommendations to DHS and their role throughout the process.

Timing: 10 AM, September 26, 2017

Contact: Micah Chambers, Deputy Director, Congressional Affairs

UPCOMING SENR HEARING: The Senate Energy and Natural Resources Subcommittee on

National Parks will hold a hearing on Encouraging the Next Generation to Visit National Parks.

The hearing has been officially noticed, and Lena McDowall, Deputy Director for Management and Administration, will be testifying.

Timing: September 27, 2017

Contact: Micah Chambers, Deputy Director, Congressional Affairs

**UPCOMING SCIA HEARING:** The Senate Committee on Indian Affairs is set to hold a hearing on the GAO's reports on human trafficking of American Indian and Alaska Natives in the United States. BIA is invited to discuss its law enforcement agencies' involvement in human trafficking investigations and partnerships with federal, state, local, and tribal law enforcement. This hearing was postponed from its initial date, July 26, 2017. Jason Thompson, the Acting Director of Justice Services, is tentatively set to testify.

Timing: September 27, 2017

Contact: Amanda Kaster, Policy Adviser, Congressional Affairs

#### **POLITICAL APPOINTEE UPDATE** (no change)

DOI politicals on board = 56

3 confirmed as of 9/18.

4 nominated awaiting confirmation:

Pending Senate floor vote: Susan Combs, Assistant Secretary Policy Management and Budget.

Pending Senate floor vote: Brenda Berman, Commissioner, Bureau of Reclamation.

Pending Senate floor vote: Joe Balash, Assistant Secretary, Land and Minerals (Voted out of Committee 9/19)

Pending Senate floor vote: Ryan Douglas Nelson, Solicitor (Voted out of Committee 9/19)

Overall:

Schedule C: 32 of 68 onboard; 3 starting; 6 in process

NC-SES: 22 of 44 onboard; 2 starting; 4 in process

PAS: 3 Confirmed; 4 Announced; 15 of 17 Submitted to PPO

#### **SECRETARY SPEAKING INVITATIONS**

##### Accepted

9/25 - Remarks at National Stone Sand and Gravel Association Legislative and Policy Forum (DC)

9/25 National Petroleum Council

9/26 National Clean Energy Week Symposium (DC)

9/26 - Jefferson's Islands Club Citizen of the Year Award (DC)

9/27-28 - Cohen Veterans Care Summit (DC)

9/29 Heritage Public Event (DC)

Oct (TBC date) - Weyrich Lunch (DC)

Open (date TBC)- Americans for Tax Reform (DC)

Open (date TBC)- Detroit Economic Club

Outstanding Invitations in Process

10/11 - Remarks at 2nd National Wildlife Refuge System Expo co-hosted by the Congressional Wildlife Refuge Caucus and the Cooperative Alliance for Refuge Enhancement (CARE) (DC)

10/15 - National Congress of American Indians 74 Annual Convention (Milwaukee, WI)

10/15-17 Heritage Annual President's Club Meeting (DC)

10/16 - Carlsbad Mayor's Energy Summit (Carlsbad, NM)

10/20 - TXOGA Lone Star Energy Forum (Woodlands, TX)

10/26 - Montana Chamber Annual Meeting (Great Falls, MT)

Declining

9/26 - Billings Chamber Annual Mtg (Billings, MT)

9/26 - S&P Annual Asia Pacific Petroleum Conference (Singapore)

9/26 - GAO for international conference on extractive industries (DC)

9/28-30 - Council for National Policy

10/1-3 - New Mexico Oil and Gas Association (Santa Fe)

10/2 - IOGCC Annual Meeting (Pittsburgh PA)

10/3 ShaleTech Permian (Odessa, Texas)

10/4 - NOIA Fall Meeting (Cody, WY)

10/13 - Public Land & Resources Law Review's Public Land Law Conference (Missoula, MT)

11/14 George Rogers Clark National Historical Park Quarter Launch (Vincennes, Indiana)

10-16-17 Americans For Tax Reform Coalition Leaders Summit (Miami Beach, FL)

10/17 - National Association of Sporting Goods Wholesalers (San Antonio, TX)

10/31 - George B. Hartzog, Jr. Awards and Speaker Program Clemson University (SC)

11/9 - America First Energy Conference hosted by Heartland Institute (Houston, TX)

**EMERGENCY MANAGEMENT** (new)

**NOTE:** SBA Administrator has reached out directly to the Secretary requesting volunteers to help SBA meet emergency response demands (i.e. call center operators). The Secretary promised up to 200 people. SBA has expressed a need for 50 by the end of the week. Another 50-100 could go in the coming weeks.

As of 5:00 a.m. EDT, the center of Hurricane Maria was located approximately 350 miles to the south-southeast of Cape Hatteras, North Carolina, and moving to the north at 7 miles per hour (mph). This general motion, with some decrease in forward speed, is expected through Tuesday. On the forecast track, the core of Maria will move well east of the southeastern coast of the United States during the next day or so. Maria is a Category 1 hurricane with maximum sustained winds near 80 mph. Additional weakening is forecast during the next 48 hours, and Maria will likely become a tropical storm by Tuesday night. Hurricane-force winds extend outward up to 70 miles from the storm's center, and tropical storm-force winds extend outward up to 230 miles.

A Tropical Storm Warning is in effect from Cape Lookout, North Carolina, to Duck, North Carolina. A Tropical Storm Watch is in effect from north of Duck to the Virginia and North Carolina border, and from north of Surf City, North Carolina, to south of Cape Lookout. A Storm Surge Watch is in effect from Cape Lookout to Duck. Tropical storm conditions are possible within the warning area beginning Tuesday, and the combination of a dangerous storm surge and tide will cause normally dry areas near the coast to be flooded by rising waters moving inland from the shoreline. A storm surge of 2 to 4 feet is possible from Cape Lookout to Duck. Maria is expected to produce total rainfall accumulations of 1 to 2 inches over the Outer Banks of North Carolina through Wednesday.

Swells generated by Maria are increasing along portions of the southeastern United States coast and Bermuda, as well as along the mid-Atlantic coast today. Swells also continue to affect Puerto Rico, the Virgin Islands, the northern coast of Hispaniola, the Turks and Caicos Islands, and the Bahamas. These swells are likely to cause life-threatening surf and rip current conditions.

As of 5:00 a.m. EDT this morning, FEMA reports that following critical infrastructure updates:

**Airports:** Two failed generators, serving the San Juan Combined Center/Radar Approach Control, continue to cause a decline in San Juan arrival and departure flights. The Transportation Command has established airfield opening capabilities at St. Croix and St. Thomas, and a Mobile Air Traffic Control Tower is operational in St. Thomas.

**Roads:** In Puerto Rico, eight bridges have been reported as damaged, three of which are along major routes. There are no working traffic signals, and numerous road



closures are being reported throughout the island. On the U.S. Virgin Islands, numerous routes have been identified as partially closed, with single lane alternating traffic due to debris.

**Communication Systems:** In Puerto Rico, one telecom carrier cellular phone coverage around San Juan airport has been restored and is providing unrestricted roaming capabilities to other telecom carriers to increase service to users in the area. Public Safety Answering Points (PSAPs) in Puerto Rico are operating on generator power. PSAPs on the U.S. Virgin Islands are non-operational, and repairs are being delayed due to the lack of repair equipment. Mobile Emergency Response Support (MERS) teams are being deployed in Puerto Rico and the U.S. Virgin Islands.

**Water:** In St. Croix, an EPA Critical Water Assessment Team arrived yesterday to assess water potability. In St. Thomas, potable water service has been restored to the eastern side of the island. There is a two-day emergency water supply on hand.

**Commodities:** A total of 346,000 meals were scheduled to arrive in Puerto Rico yesterday, and 168,000 meals and 100,000 liters of water arrived in St. Croix. The SS Wright has docked in St. Thomas with 1,100,000 meals, 27 General Services Administration (GSA) vehicles, and 9,496 hygiene kits.

**Power:** Estimates indicate that nearly 100-percent of the customers in Puerto Rico are without power. The Puerto Rico Electric Power Authority (PREPA) will resume normal work operations today, but only 20-percent of its workforce will be available to work. In the U.S. Virgin Islands, 99-percent of the customers in St. Thomas are without power, 100-percent of the customers in St. John are without power, and 90-percent of the customers in St. Croix are without power.

**Hospitals:** As of yesterday, 23 out of the 69 hospitals in Puerto Rico are in need of fuel. Power has been restored to the Centro Medico Hospital (Disaster Medical Assistance Team [DMAT] Base of Operations for critical and acute care services) in San Juan and to the San Pablo Hospital in Bayamón. In the U.S. Virgin Islands, the mobile hospital at Schneider Regional Medical Center has been re-established. St. Croix dialysis patients and their caregivers prioritized for medical evacuation departed on two flights September 24 for Atlanta supported by FEMA and the American Red Cross. A full assessment of Juan Luis is on-going and they are determining the need for a mobile hospital.

**Fuel:** There are no issues with amount of fuel in Puerto Rico; however, there are issues with the distribution of the fuel due to debris and road access and lack of power in gas stations. The Department of Energy, FEMA, the Defense Logistics Agency, and other Federal partners are working to facilitate fuel deliveries across the U.S. Virgin Islands and Puerto Rico for generators at critical facilities and to assist with response efforts.

**Guajataca Dam:** Assessments of the dam have been completed by two USACE Safety Dam engineers. They have determined the dam to be at risk of failure and are

coordinating to determine corrective actions. Evacuation orders remain in effect for approximately 70,000 residents.

There are 139 personnel supporting interagency efforts in response to Hurricane's Irma and Maria.

NPS reports that debris remains an issue at the Caribbean parks, preventing effective travel in those areas. Utilities remain out, and the NPS has implemented fuel rationing in order to extend generator capacity to power facilities for critical systems. Fuel siphoning will take place as needed to support critical systems. Approximately 48 hours of resources remain on the islands, to include food, water, and fuel. Parks are rationing supplies until boats can transport resupply goods. Communications have been a challenge for the last 48 hours, and satellite phones are being utilized. The NPS Incident Management Team (IMT) in Florida has finished loading critical supplies from the NPS and the U.S. Fish and Wildlife Service (FWS) to transport to the Caribbean. The team is confirming final plans for the M/V Fort Jefferson, including port availability and coordination with FEMA via the National Response Coordination Center (NRCC). The trip is estimated to take 78 hours.

NPS personnel from Virgin Islands National Park worked to prepare a marine vessel to transport personnel and supplies. The mission goal was transport of a 25-person San Juan National Historic Site maintenance crew at St. John back to San Juan in order to acquire to provide food and water to St. John. The boat did not get released from the harbor due to fuel availability, and personnel are working to reschedule the mission for today.

San Juan National Historic Site is reporting that 76 out of 96 employees are accounted for. (Virgin Islands National Park and Christiansted National Historic Site report 100-percent accountability.) An analysis was conducted of those staff who have yet to check in, and the majority of those personnel are located on the eastern side of Puerto Rico. There is a targeted effort to relay this information to local authorities. There is a large amount of debris in the area surrounding San Juan, and the park is working to secure an Incident Command Post (ICP) location at the Discovery Center for incoming IMT staff. Local park personnel are being integrated into the IMT structure. The park is reporting that two law enforcement personnel arrived in Puerto Rico yesterday, and 16 additional personnel are expected. A radio repeater in San Juan has been repaired.

NPS reporting on facilities within the contiguous United States are provided within the attached Emergency Management Daily Situation Report.

FWS has accounted for 47 of the 61 personnel in Puerto Rico and the U.S. Virgin Islands. Power outages and degraded communications continue to cause delays in contacting FWS personnel in the Caribbean. FWS Team 1, having arrived in Puerto Rico on September 22, has been working in the Aguadilla. They are working southward towards Cabo Rojo. The team has advised that communications are extremely difficult and require multiple relays between team members to maintain

status checks. They continue to emphasize the need for additional food and water in areas where they have conducted operations. Yesterday, a single Type-3 IMT consisting of 11 team members continued coordination with FEMA in order to secure a flight. Coordination efforts are under way to consider other options for deployment of the team to Puerto Rico.

As of September 24, a total of 23 out of 30 USGS personnel have been accounted for, and USGS Emergency Management has elevated one employee to a search and rescue (SAR) priority through the FEMA NRCC. Employee accountability, the acquisition of fuel for generators, and water and food for staff are the USGS's current priorities. USGS employees have been able to obtain meals ready to eat (MREs) and bottled water. Additionally, USGS personnel were able to obtain fuel for a government truck. The USGS is working through local Puerto Rico contacts with the NPS and FEMA to meet the fuel, water, and food needs of the Caribbean-Florida Water Science Center (CFWSC).

USGS is providing streamgauge information to the U.S. Army Corps of Engineers (USACE) in support of a potential uncontrolled release of water from the Lago Toa Vaca and the Lago Guayabil in south-central Puerto Rico, northeast of the city of Ponce. At this time, the USACE is monitoring and coordinating with the USGS and the National Weather Service. There does not appear to be an imminent threat to the dams at this time.

#### **Wildland Fire Reporting:**

On September 23, the National Multi-Agency Coordination Group (NMAC) lowered the Fire Preparedness Level (PL) to 3. Under PL3, significant wildland fire activity is still occurring in multiple geographic areas, with Incident Management Teams (IMTs) actively engaged. Mobilization of resources through the National Interagency Coordination Center (NICC) is moderate to heavy, and the potential for emerging significant wildland fires is normal for the time of year.

The Winter Valley Fire (Initial Report) in Moffat, Colorado, (BLM) has burned 7,785 acres and is 75-percent contained. The fire is managed by a Type-3 IMT with 25 personnel assigned, including 5 DOI personnel. There are 12 residential structures threatened. The fire is threatening twelve residences, a Federal Aviation Administration (FAA) radio tower, Sage Grouse habitat, and a major transportation route through northwestern Colorado. Containment is expected on September 30.

The Sprague Fire in Glacier National Park, Montana, (NPS) has burned 16,790 (no change) acres and is 75 (no change)-percent contained. The fire is managed by a Type-3 IMT with 90 (-56) personnel assigned, including 14 (-38) DOI personnel. There are 252 (no change) residential and 48 (no change) commercial structures threatened. There are 4 (no change) personnel sheltering in place. The fire still poses a significant threat to hundreds of structures in the area, of which, 149 structures are listed on the National Register of Historic Places. On September 22, the evacuation order was lifted and replaced with an evacuation warning and area closures from the

southern end of Lake McDonald to Logan Pass, including the North McDonald Road. Full containment is expected on November 1.

### **OUTSIDE MEDIA OF INTEREST** (new)

#### **Secretary Of Interior Ryan Zinke Visits Austin To Talk Harvey.**

The [Austin \(TX\) American Statesman](#) (9/23, Goldenstein) reports that “about 16,000 Texans are still displaced and living in hotels and other temporary housing because of Hurricane Harvey, federal officials said Saturday.” Interior Secretary Ryan Zinke on Saturday came to Austin to “visit the Federal Emergency Management Agency’s Joint Information Center and receive a department update on relief efforts at a local U.S. Geological Survey office.” Zinke said “that recovery will be a ‘marathon, not a sprint,’ that lasts for years.” He said, “This is going to take a long time for recovery. I would say we’re probably at 20 percent.”

#### **All-out Effort To Save Forests, Reduce Fuels Urged.**

The [Payson \(AZ\) Roundup](#) (9/22, Aleshire) reports that “nearly 50,000 wildfires have burned 8 million acres across the country so far this year, prompting Secretary of the Interior Ryan Zinke to order the Forest Service and the Bureau of Land Management to give thinning, fuel reduction and forest restoration projects top priority.” Zinke said, “This administration will take a serious turn from the past and will proactively work to prevent forest fires through aggressive and scientific fuels reduction management to save lives, homes and wildlife habitat. It is well settled that the steady accumulation and thickening of vegetation in areas that have historically burned at frequent intervals exacerbates fuel conditions and often leads to larger and higher-intensity fires. These fires are more damaging, more costly, and threaten the safety and security of both the public and firefighters.”

#### **New BLM Pilot Approach Uses Outcome-based Grazing.**

The [Ruidoso \(NM\) News](#) (9/22) reports that “officials with the Bureau of Land Management announced a new initiative this week to provide grazing permit holders an unprecedented level of flexibility in the management of livestock while also protecting the public lands.” Interior Secretary Ryan Zinke said in the release announcing the program, “Farmers and ranchers know the wildlife and the land they work better than anyone, it only makes sense that we would enlist them in conservation efforts. One of my top goals is for the government to be a better neighbor, land manager, and partner. I think it’s a great step in that direction. I applaud the team at BLM for coming up with this innovative program.”

#### **Agencies Begin White House-Mandated Training For Every Fed On Consequences Of Leaks.**

[Government Executive](#) (9/21, Katz) reports that federal employees are starting training on the consequences of leaks. The campaign against “the unauthorized disclosure of unauthorized information,” as well as “controlled unclassified information,” came at the direction of the White House. National Security Adviser H.R. McMaster “last week sent a directive—subsequently obtained by several media

outlets—to all federal agencies demanding they train their employees on the ‘serious consequences’ of improper leaks of such information by Sept. 22.”

### **Time Is Running Out To Save The Eisenhower Memorial.**

In a piece for the [Washington Free Beacon](#) (9/24, Meadowcroft) reports, Micah Meadowcroft writes that “a final, superficial design change” to the proposed Dwight D. Eisenhower Memorial was approved by the U.S. Commission of Fine Arts Wednesday morning. Meadowcroft says that “if the Gehry design is to be scrapped and something more like a monument and less like a disappointing sculpture garden is to be built, it will be up to Secretary of the Interior Ryan Zinke to decline to sign off on the project, on his own judgment or by direction of President Trump.”

### **Fracking Rule May See Jumbled Comeback As Court Tosses Case.**

[E&E Publishing](#) (9/22, Gilmer) reported that the 10th US Circuit Court of Appeals dismissed a case Thursday over a Department of the Interior fracking rule, which emanated from the Obama Administration. Although the lower court struck down the regulation with a 2016 ruling, the 10th Circuit overturned the lower court’s decision allowing the rule to take effect. However, the Trump Administration is working to rescind the regulation. The court dismissed the case without ruling on the main “legal question of whether the federal government has authority over the oil and gas extraction process.” The regulation faced opposition after passage wherein “Wyoming and other states argued that it was beyond BLM’s authority because the Safe Drinking Water Act put EPA in charge of fracking, and the Energy Policy Act of 2005 subsequently assigned that power to state overseers.”

### **BLM Sale In Wyoming Nets \$38.7 Million In Bonus Bids.**

The [AP](#) (9/23) reported that the Bureau of Land Management’s oil and gas lease sales in Wyoming brought \$38.7 million in bonus bids. Bids were made on 106,000 acres out of 113,000 Thursday. The bonus bid funds will be split between the federal government and Wyoming. Parcels were offered in Niobrara, Big Horn, Goshen, Sheridan, Washakie, and other counties.

The [Casper \(WY\) Star-Tribune](#) (9/24, Richards) reports that “the news comes on the heels of a push from conservation advocates to rehash the federal leasing program, holding leasees to a higher standard so that oil and gas firms aren’t gathering up parcels of land that they don’t intend to drill in a timely manner.” The petitioners would “also like royalty rates for production to be in-line with revenue made on state and private land, leasing to cease on lands that do not have a strong potential for oil or gas production, and the minimum leasing bid to be increased.”

### **The Myths Used To Needlessly Delay The Cadiz Water Project, Debunked.**

In a piece published by the [Los Angeles Times](#) (9/22, Hernandez, Rodriguez), Tracy Rafter Hernandez, chief executive of the Los Angeles County Business Federation,

and Carlos Rodriguez, chief executive of the Baldy View chapter of the Building Industry Assn. of Southern California, writes that “for nearly a decade, the Cadiz Valley Water Conservation, Recovery and Storage Project, which will create a new water supply for 400,000 people and thousands of jobs, has followed the entire California Environmental Quality Act (CEQA) review and approval process from start to finish — public comment periods, public hearings, board approvals and litigation, all of which concluded last year, when the 4th District Court of Appeal sustained every approval of the project and concluded that it could be operated safely and sustainably.” The authors say “it’s disappointing that Sen. Dianne Feinstein (D-Calif.) and her allies, including state Assemblywoman Laura Friedman (D-Glendale), continue to perpetuate a series of myths about the Cadiz project as part of a campaign to derail it, including in a recent op-ed article for the Los Angeles Times.” The two provide “a few examples of the most common myths.” They “urge California’s leaders to continue to stand up for jobs, for citizens who need water, and for our state’s strong environmental review laws by rejecting sustained efforts to change the rules of the game for Cadiz or any other CEQA-approved project.”

### **Scientists: Desert Turtle Endangered, 100 Left In Arizona.**

The AP (9/24, Windes) reports that the U.S. Fish and Wildlife Service announced the designation of the Sonoyta mud turtle as endangered last Wednesday, “citing threats from climate change to loss of habitat for the southern Arizona animal, whose numbers are believed to have dwindled to as low as 100 turtles.” Steve Spangle, a field supervisor with Fish and Wildlife’s Arizona Ecological Services, said in a release announcing the listing, “The Sonoyta mud turtle is clearly in danger of extinction.” He added, “Protecting it under the Endangered Species Act will marshal increased attention and the resources needed by our U.S. and Mexican conservation partners to improve and expand its dwindling habitat and populations.”

### **More Grizzly Bears Roaming Outside National Parks In Wyoming.**

The AP (9/22, Moen) reports that “a growing number of grizzly bears are moving outside their established habitat in and around Yellowstone National Park in Wyoming, causing more conflicts with humans, according to wildlife managers.” The article says that “the conflicts in Wyoming resulted in 39 grizzly bears being captured by state game managers in 2016,” and “twenty-two were killed for various reasons, such as a history of problems.”

### **Big Cypress, Everglades, State Parks Face Long Recovery.**

The Naples (FL) Daily News (9/24, Staats) reports that Hurricane Irma “mangled Florida’s national and state parks, turning places meant to be enjoyed into disaster zones that could take weeks or longer to reopen.” The National Park Service has “sent some 380 workers from 95 national parks in 35 states to 15 parks in Irma’s path in Georgia, South Carolina, Florida and the Caribbean.” At Big Cypress National Preserve, “crews have been clearing downed trees along Turner River Road, which had water too high to access for more than a week after the storm,” according to Park

Service Ranger Brett Everitt. He “couldn’t provide a timeframe for reopening Big Cypress, but the Park Service reported a big step in that direction Friday with the restoration of power in Ochopee and the water plant coming back online.” Additional coverage was provided by the AP (9/25).

**FEDERAL REGISTER LISTINGS:**

No Items were cleared for the FR on Friday.

Lori K. Mashburn  
White House Liaison  
Department of the Interior  
202.208.1694

**From:** Hinson, Alex  
**Sent:** 2017-09-25T14:04:53-04:00  
**Importance:** Normal  
**Subject:** \*News Alert\* Leaders invite suggestions and get an earful  
**Received:** 2017-09-25T14:05:02-04:00

**E&E News: Leaders invite suggestions and get an earful**

**Michael Doyle**

**September 25, 2017**

The Interior Department's career employees are schooling their new political leaders on everything from purchase cards to uniforms, under a confidential suggestion system that's yielded some surprising results.

Set up about a month ago, the department's electronic "ideas box" has attracted a good number of responses so far, spokeswoman Heather Swift said today.

"Some of the ideas have already served to trigger action," Interior Deputy Secretary David Bernhardt advised employees in a departmentwide message Friday, adding that "many of your comments have educated me on particular issues that I might not have fully appreciated without them."

Uniforms, for instance.

Some Interior employees, as well as outside groups, have voiced dissatisfaction with current uniform designs. Interior Secretary Ryan Zinke, a retired Navy commander, can apparently relate, and the department's "ideas box" has helped focus attention on the topic.

"I was a couple steps behind the secretary in recognizing that it is time for the uniforms to be updated," Bernhardt acknowledged, adding that "your comments have reinforced the very real need of doing so."

While the specific nature of the potential uniform updates remains unclear, past suggestions cited by the National Parks Traveler journal have ranged from softening the law-enforcement look to more partnerships with commercial sportswear manufacturers.

Interior is evaluating potential vendors for work on uniforms for nine different public lands management agencies.

"An effective uniform program is vital," agency officials stated in the request for proposals, noting the duty station climate conditions can range from freezing cold to sizzling heat.

The electronic "ideas box" represents one partial solution to a perennial challenge facing the political appointees who come in every several years to manage a federal agency dominated by career staff. While those leaders may know where they want to steer the ship, career staff know how to keep the engines running and the vessel watertight.



Some incoming leaders adopt a go-it-alone, palace guard approach. The Trump administration's State Department, for instance, has spurred numerous critical accounts of foreign policy professionals being alienated from Secretary of State Rex Tillerson's small inner circle (Climatewire, Aug. 23).

**'Great success'**

At Interior, Zinke and Bernhardt are two of only three Senate-confirmed leaders currently in place overseeing some 70,000 full- and part-time employees.

Zinke only knew the department indirectly, as a member of Congress serving on the House Natural Resources Committee, prior to his appointment as Interior secretary. Earlier this year, he made a point of reaching out by inviting employees to bring their dogs to work.

Bernhardt, whose job entails overseeing day-to-day operations, previously worked at the department as a George W. Bush administration political appointee. The "ideas box" was established shortly after he took office on Aug. 1 (E&E Daily, July 25).

"The idea box has been a great success," Swift said.

In his 11-paragraph, departmentwide message Friday, Bernhardt also cited suggestions to raise spending limits on the purchase cards assigned to Interior staffers. This will require revisiting a potentially touchy subject.

A study last year by Interior's Office of Inspector General found there were 26,518 purchase card accounts across the department, used to make almost 1.2 million transactions that totaled approximately \$394 million.

Holders use the cards to pay for small purchases, with the 2014 limits set at \$2,000 for construction, \$2,500 for services and \$3,000 for supplies.

"We found areas of concern associated with internal controls and documentation, leaving the bureaus vulnerable to financial mismanagement and an increased potential for fraud, waste, and abuse," the OIG study noted.

Unlike potential uniform changes, Bernhardt cautioned, some "help from Congress" might be required to increase the card limits.

Pointedly, Bernhardt added that "leadership is listening" to employees' concerns about management accountability and handling of misconduct allegations, calling out by name two former department staffers who were fired over alleged misbehavior.

"I also want to convey that we can only take action when we are aware of misconduct," Bernhardt wrote. "Such awareness often ultimately depends on an employee's willingness to come forward."

###

--

Alex Hinson

Deputy Press Secretary  
Department of the Interior

**To:** Michael Doyle[mdoyle@eenews.net]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T14:05:17-04:00  
**Importance:** Normal  
**Subject:** Re: follow up  
**Received:** 2017-09-25T14:06:04-04:00

About 250 emails have come in to the ideas box. By in large, the sender's information is kept between themselves and the Deputy Secretary, but the issues they bring up are often handled by other people across the department. (For example: Many employees have provided critique of the uniforms. The Deputy Secretary uses that input and passes it along to the team in charge of the new uniform contract.) Many times when a question, complaint, or idea comes in, the Deputy Secretary will call the employee directly or email them.

On the uniform review - Getting new uniforms for field personnel is actually a topic that is frequently brought up in the ideas box. The Secretary and Deputy Secretary are both motivated to get this done for the DOI team. The RFP went out in the spring. Bids have come back in and are being reviewed, but a contract has not been awarded. Factors the review team is looking at to prioritize is modern fabrics that provide UV protection and are climate-appropriate since our team works outside. Another important factor will be fit - the current uniforms do not fit women well at all.

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 9:34 AM, Michael Doyle <[mdoyle@eenews.net](mailto:mdoyle@eenews.net)> wrote:

Good morning again:

I'll be writing a GW piece today about ideas box, so would like to ask:

How many suggestions have come in?

Are the senders kept confidential?

What's status of uniform review?

What's the issue with payment cards?

Thanks!

Mike

Michael Doyle

Reporter

[mdoyle@eenews.net](mailto:mdoyle@eenews.net)

202-446-0467 x467

@MichaelDoyle10

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

**To:** Daniel Jorjani[daniel.jorjani@sol.doi.gov]; David Bernhardt (b) (6) [redacted]@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T14:15:59-04:00  
**Importance:** Normal  
**Subject:** Reporter inquiry: NYT, enviro grp wants to declare the Colorado River a person  
**Received:** 2017-09-25T14:16:46-04:00

You are not going to belief this one.....

Please let me know if I should weigh in or if you'd be interested in talking to the nyt reporter on background.

-

Heather, reaching out to see if I you have suggestions. I writing about a lawsuit in which enviros are calling on a federal judge to declare the Colorado River as person with the right to live and flourish.

The suit, which will be filed by a group called Deep Green Resistance tomorrow, names the river as the plaintiff and the state of Colorado as the defendant and seeks to hold the state accountable for damage to the river. It could set a precedent that would allow forests and plants to sue to block all kinds of projects.

The secretary has spoken out about the problems caused by environmental lawsuits, in terms of slowing projects and hurting economies.

Is there anyone your office suggests I call to provide that perspective?

Is there anyone at Interior who could comment on this suit? I'm looking for analysis (does this suit have a shot?) and opinion.

I'll file the story at 2 pm MT/4 pm ET.

Anyone can call (including the secretary!): 301 928 5072.

As always, thanks.

JT

--

Julie Turkewitz  
Denver Bureau  
301 928 5072  
@julieturkewitz

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Michael Doyle  
**Sent:** 2017-09-25T14:19:48-04:00  
**Importance:** Normal  
**Subject:** RE: follow up  
**Received:** 2017-09-25T14:19:58-04:00

Great, thanks.

**From:** Swift, Heather [mailto:heather\_swift@ios.doi.gov]  
**Sent:** Monday, September 25, 2017 2:05 PM  
**To:** Michael Doyle <mdoyle@eenews.net>  
**Subject:** Re: follow up

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Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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Mike

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Reporter  
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202-446-0467 x467  
[@MichaelDoyle10](#)

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Brown, Matthew  
**Sent:** 2017-09-25T15:41:19-04:00  
**Importance:** Normal  
**Subject:** Badger-Two Medicine, Breaks  
**Received:** 2017-09-25T15:43:36-04:00

Hi Heather-  
Following up re-Badger Two Medicine.

We're going to put out a story likely tomorrow looking at that recommendation for Badger-Two Medicine monument designation, and quoting critics including company that wants to drill in same area (Solenex) saying essentially that the secretary is showing favor for Montana while calling for reducing monuments elsewhere.

We're also noting decision to leave intact Upper Missouri River Breaks despite local opposition and the secretary's support for mineral withdrawals north of Yellowstone.

Any response you can offer? (Realizing report to WH still not public. And we can talk by phone, too, but wanted to let you know what we're looking for):

A few more specific questions

- how did the secretary come to recommend that the Breaks be left intact while saying that other areas \_ Bears Ears for example \_ need boundaries revised? In both instances, there was public opposition to the monuments. Was it a matter of the degree of opposition? (for example, Bullock supported keeping Breaks intact)
- these decisions in Montana collectively (or at least the Breaks and Yellowstone mining decisions) appear to counter to the administration's advocacy for allowing more uses on federal lands including natural resource development and grazing. Please explain how the decisions in Montana were made in light of that advocacy.
- is Montana getting special treatment?

I'll be out much of the afternoon (b) (6) but will be checking email and can call later in the day.

Matt Brown

**Matthew Brown**

Associated Press Correspondent

[mbrown@ap.org](mailto:mbrown@ap.org)

phone-406 896 1528

mobile-406 696 4213

fax-406 896 8117

---

**From:** Brown, Matthew  
**Sent:** Thursday, September 21, 2017 4:14 PM  
**To:** 'Swift, Heather'  
**Subject:**



Hi Heather-

We're following up on the leaked monuments memo with a story on some people criticizing the Secretary for appearing to show favoritism with his home state with recommendation for new monument at Badger-Two Medicine even as he recommends shrinking monuments elsewhere.

-Can you please tell me how the Badger-Two Medicine recommendation came about?

-What's the rationale for establish a new monument in Montana even as others are being reduced?

-A representative of Solenex, which is seeking to drill for gas in the Badger-Two Medicine, said he was disappointed in the recommendation and equated the secretary's actions to moves by Clinton and Obama administrations that limited mining around Yellowstone. How would the establishment of a monument in the Badger-Two Medicine differ from past moves to limit development of natural resources on federal lands? Was there any attempt to get community input prior to making the recommendation?

Thanks, Heather.

Matt Brown

The logo for the Associated Press, consisting of the letters 'AP' in a bold, sans-serif font.

**Matthew Brown**

Associated Press Correspondent

PO Box 36300

Billings, MT 59107

[mbrown@ap.org](mailto:mbrown@ap.org)

phone-406 896 1528

mobile-406 696 4213

fax-406 896 8117

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**To:** Laura Rigas[laura\_rigas@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T15:47:18-04:00  
**Importance:** Normal  
**Subject:** Need final OK  
**Received:** 2017-09-25T15:48:38-04:00

Just need final OK before Amanda House @ Breitbart books travel. The only "exclusives" would be python hunting in Big Cypruss and Lionfish Spearfishing in Biscayne, but I'm thinking a local reporter could cover the python hunting too.

Thrust of the story is Sec. Zinke shows us that hunting and fishing is key to wildlife conservation.

**Overall FL schedule - Orange indicates Breitbart**

**Thursday** -- Lake Okeechobee -- briefing and tour of the levees. Governor may be there. This will be a huge media event as it's such a major issue in the state and touches 4/5 media markets -- **OPEN PRESS**

**Friday** -- Big Cypruss -- All hands meeting, tour hurricane damage, then python hunt -- **OPEN PRESS** Local media will tour hurricane damage -- **Breitbart and maybe one local for the python hunt**

**Saturday** -- Everglades -- About 7 members of the congressional delegation will be there. All hands meeting (without congressional), some kind of tour. Another HUGE media spectacle -- **OPEN PRESS**

**Sunday** -- Biscayne -- All hands meeting & Lionfish spear fishing -- **Breitbart only for lion fish**

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

**To:** Scott Hommel[downey\_magallanes@ios.doi.gov]; April Slayton[april\_slayton@nps.gov]; Aurelia Skipwith[[aurelia\\_skipwith@ios.doi.gov](mailto:aurelia_skipwith@ios.doi.gov)]; Casey Hammond[[casey\\_hammond@ios.doi.gov](mailto:casey_hammond@ios.doi.gov)]; David Bernhardt[(b) (6)@ios.doi.gov]; Douglas Domenech[[douglas\\_domenech@ios.doi.gov](mailto:douglas_domenech@ios.doi.gov)]; Edward Keable[[edward.keable@sol.doi.gov](mailto:edward.keable@sol.doi.gov)]; Heather Swift[[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)]; Jeremy Barnum[[jeremy\\_barnum@nps.gov](mailto:jeremy_barnum@nps.gov)]; Laura Keehner Rigas[[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)]; Micah Chambers[[micah\\_chambers@ios.doi.gov](mailto:micah_chambers@ios.doi.gov)]; Pamela Barkin[[pamela\\_barkin@ios.doi.gov](mailto:pamela_barkin@ios.doi.gov)]; Paul Ross[[paul\\_ross@ios.doi.gov](mailto:paul_ross@ios.doi.gov)]; Rich Myers[[Richard.Myers@sol.doi.gov](mailto:Richard.Myers@sol.doi.gov)]  
**From:** gillian\_carroll@doioig.gov  
**Sent:** 2017-09-25T16:04:30-04:00  
**Importance:** Normal  
**Subject:** 5 DOI OIG reports  
**Received:** 2017-09-25T16:05:40-04:00  
[FinalEvaluation\\_Land AppraisalsReissue\\_Public.pdf](#)  
[FinalAudit\\_FWSCT-DEEP\\_Public.pdf](#)  
[FinalAudit\\_FWSAlaska\\_Public.pdf](#)  
[MA\\_LandEvaluations\\_Public.pdf](#)  
[FinalAudit\\_FWSND-GFD\\_Public.pdf](#)

Good afternoon,

Attached you will find 3 audits, 1 evaluation, and 1 management advisory that have been sent to Congress and will be posted on [doioig.gov](http://doioig.gov) on Wednesday, September 27.

Nancy K. DiPaolo  
Director, External Affairs  
Office of the Inspector General  
Department of the Interior  
202.208.4357  
(c) 202.805.4701

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** David Bernhardt  
**Sent:** 2017-09-25T16:09:05-04:00  
**Importance:** Normal  
**Subject:** Re: Reporter inquiry: NYT, enviro grp wants to declare the Colorado River a person  
**Received:** 2017-09-25T16:10:08-04:00

That's buzzard.

Sent from my iPhone

On Sep 25, 2017, at 2:16 PM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

You are not going to belief this one.....

Please let me know if I should weigh in or if you'd be interested in talking to the nyt reporter on background.

-

Heather, reaching out to see if I you have suggestions. I writing about a lawsuit in which enviros are calling on a federal judge to declare the Colorado River as person with the right to live and flourish.

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Is there anyone your office suggests I call to provide that perspective?

Is there anyone at Interior who could comment on this suit? I'm looking for analysis (does this suit have a shot?) and opinion.

I'll file the story at 2 pm MT/4 pm ET.

Anyone can call (including the secretary!): 301 928 5072.

As always, thanks.

JT

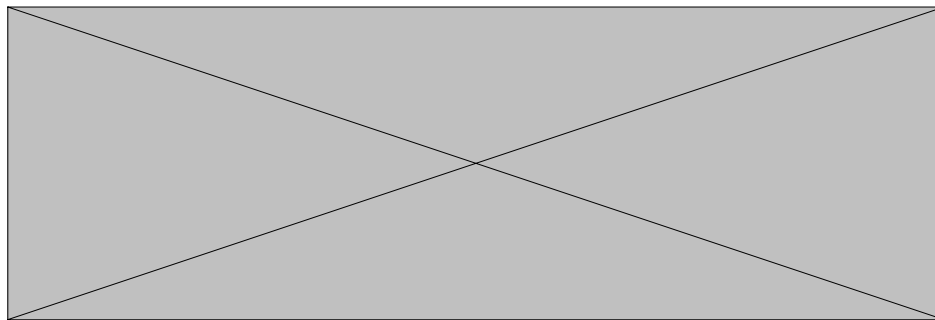
--

Julie Turkewitz

Denver Bureau  
301 928 5072  
@julieturkewitz

**To:** Domenech, Douglas[douglas\_domenech@ios.doi.gov]; David Bernhardt[(b) (6) ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Russell Newell[russell\_newell@ios.doi.gov]; Willens, Todd[todd\_willens@ios.doi.gov]; Scott Hommel[scott\_hommel@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Daniel Jorjani[daniel\_jorjani@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T16:57:45-04:00  
**Importance:** Normal  
**Subject:** GOING SOON : Readout of Meeting between U.S. Interior Secretary Ryan Zinke and Federated States of Micronesia President Peter Christian: TEST  
**Received:** 2017-09-25T16:59:27-04:00

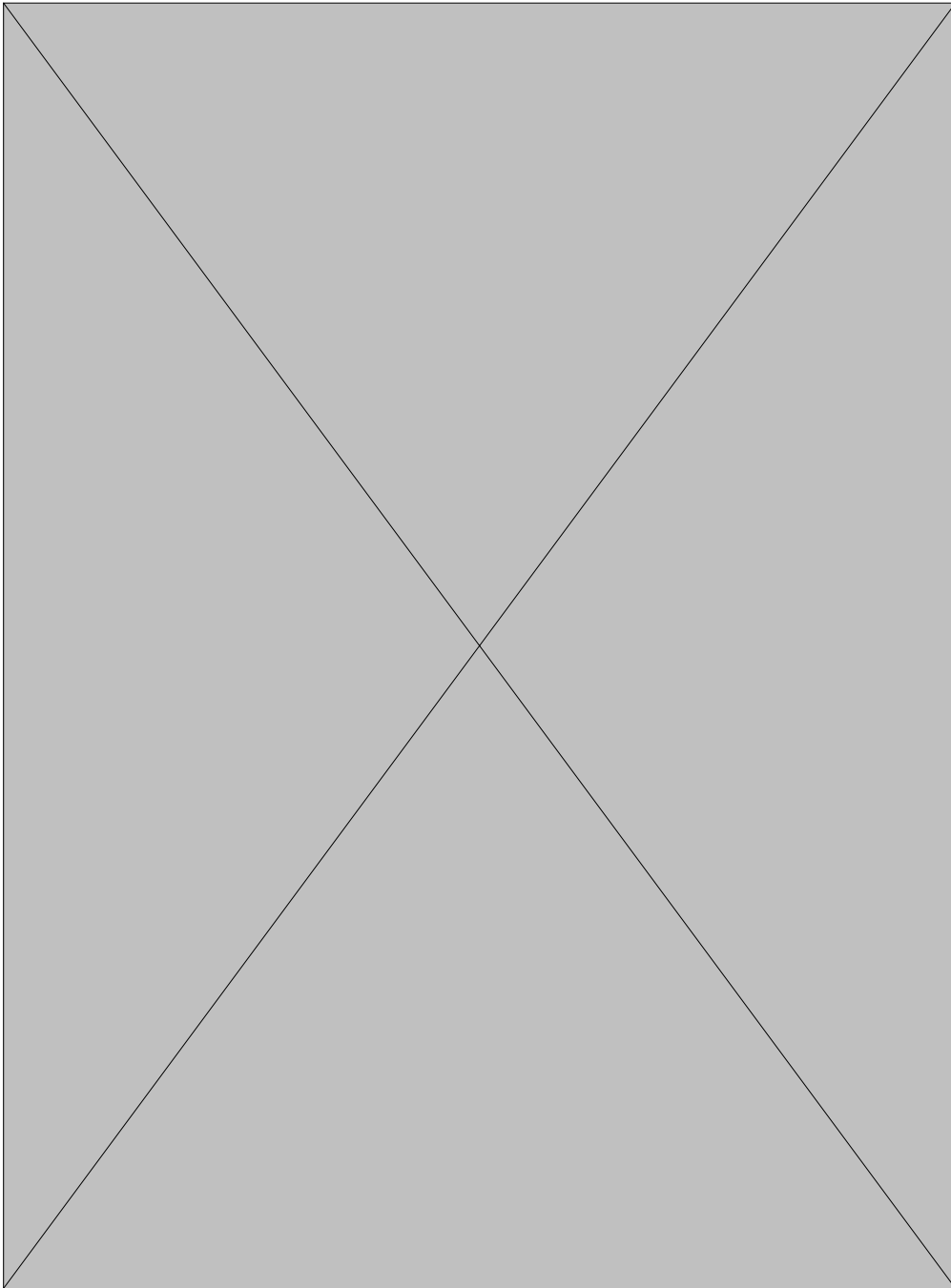
**GOING SOON**



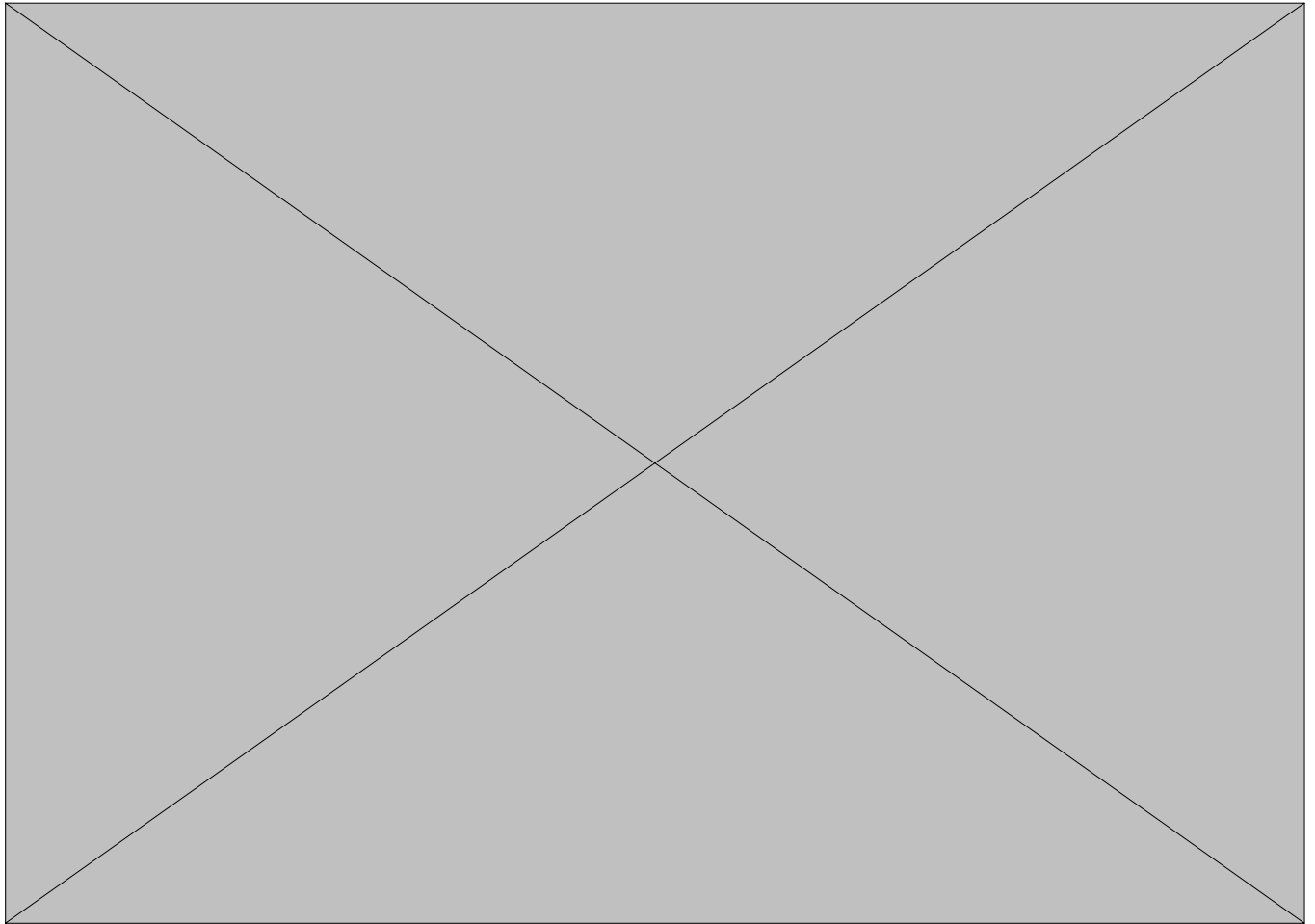
Date: September 25, 2017  
Contact: [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

## **Readout of Meeting between U.S. Interior Secretary Ryan Zinke and Federated States of Micronesia President Peter Christian**

**WASHINGTON** – Today, U.S. Secretary of the Interior Ryan Zinke received President of the Federated States of Micronesia Peter Christian, in a courtesy visit at the U.S. Department of the Interior.

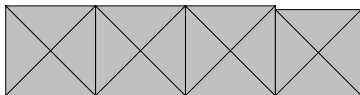


The Secretary and the President discussed a variety of topics focusing on the importance of the close and mutually beneficial relationship between the United States and the Federated States of Micronesia. The discussion touched on Compact funding procedures, security in the Western Pacific, and financial and economic aspects of the relationship and implications for the next 6 years and into the future. The U.S. Department of the Interior administers funding to the Federated States of Micronesia under the Compact of Free Association, a bi-lateral agreement which defines the close relationship between the U.S. and the FSM.



President Christian was accompanied by FSM Foreign Minister Lorin Robert, FSM Ambassador to the United States Akillino Susaia, and attorney Sam Witten. Secretary Zinke was staffed by Chief of Staff Scott Hommel, Assistant Secretary for Insular Areas Doug Domenech, Director of the Office of Insular Affairs (OIA) Nik Pula and OIA policy division staff Tanya Harris Joshua.

###





**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**Cc:** David Bernhardt[(b) (6) ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Russell Newell[russell\_newell@ios.doi.gov]; Willens, Todd[todd\_willens@ios.doi.gov]; Scott Hommel[scott\_hommel@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Daniel Jorjani[daniel\_jorjani@ios.doi.gov]  
**From:** Domenech, Douglas  
**Sent:** 2017-09-25T17:05:47-04:00  
**Importance:** Normal  
**Subject:** Re: GOING SOON : Readout of Meeting between U.S. Interior Secretary Ryan Zinke and Federated States of Micronesia President Peter Christian: TEST  
**Received:** 2017-09-25T17:07:35-04:00

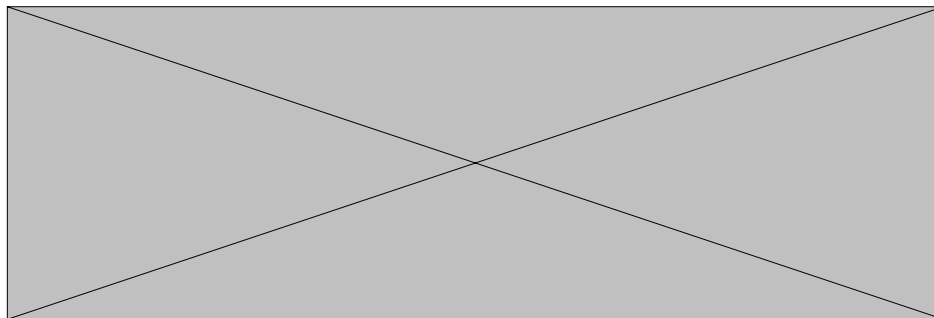
You might enjoy knowing that the President challenged the Secretary to a fishing contest. :)

Doug Domenech  
Assistant Secretary Insular Areas  
US Department of the Interior

NOTE: *Every email I send or receive is subject to release under the Freedom of Information Act.*

On Mon, Sep 25, 2017 at 4:57 PM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

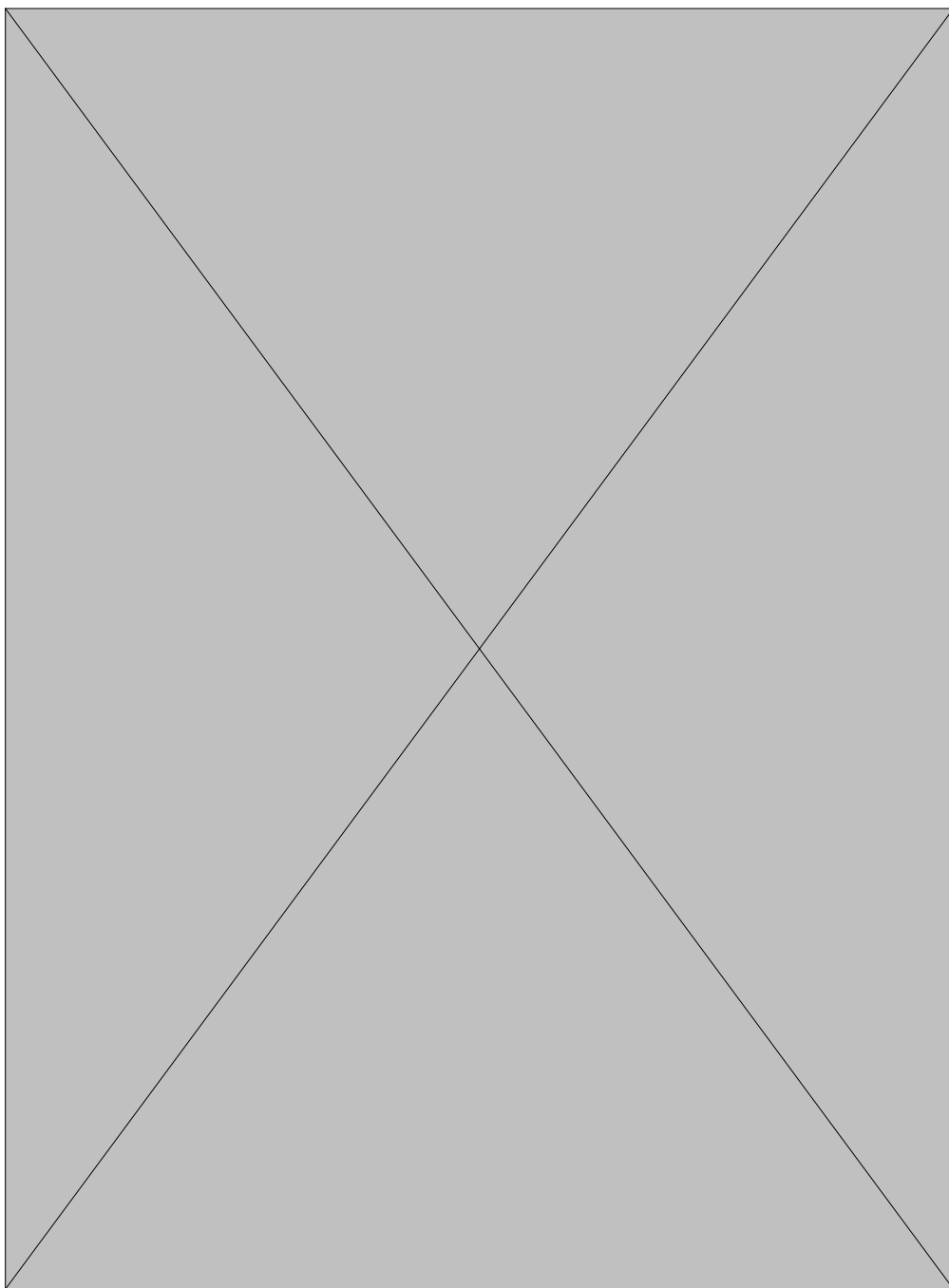
**GOING SOON**



Date: September 25, 2017  
Contact: [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

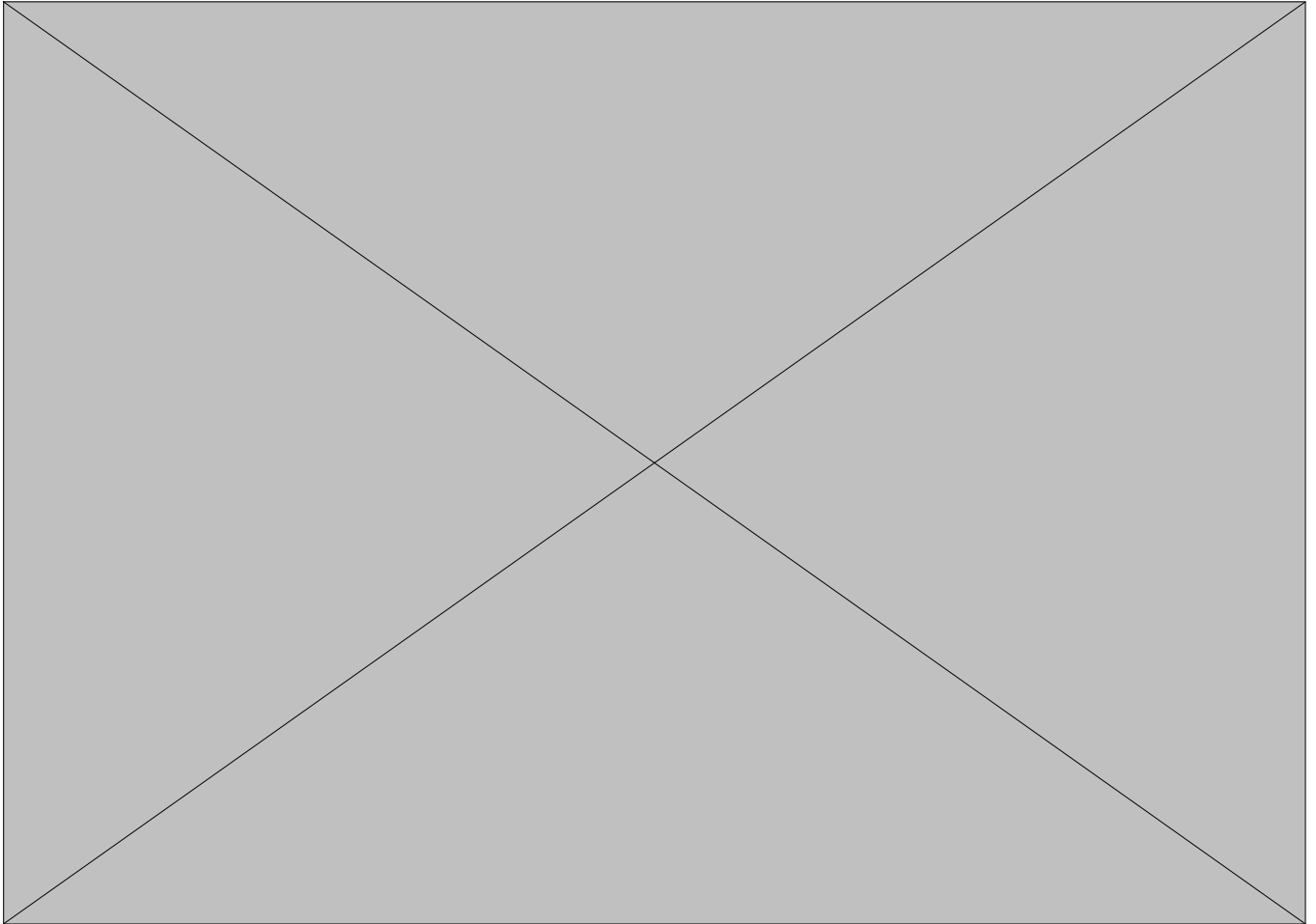
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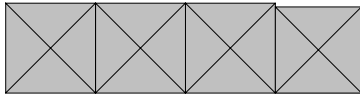
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###



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This email was sent to Email Address by: U.S. Department of the Interior · 1849 C Street, N.W. · Washington DC 20240 · 202 208 3100

**To:** Heather Swift[heather\_swift@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]  
**Cc:** Paul Ross[paul\_ross@ios.doi.gov]; Z M Barret[MBarret@blm.gov]; Megan Crandall[mcrandal@blm.gov]; Michael Nedd[mike\_nedd@blm.gov]; John Ruhs[jruhs@blm.gov]; Kathleen Benedetto[kbenedetto@blm.gov]; Cally Younger[cyounger@blm.gov]; Peter Mali[pmali@blm.gov]  
**From:** Krauss, Jeff  
**Sent:** 2017-09-25T17:21:43-04:00  
**Importance:** Normal  
**Subject:** LA Times Media Inquiry - Paleontology in Grand Staircase-Escalante National Monument  
**Received:** 2017-09-25T17:22:49-04:00

Heather,

Just FYI re: media inquiry from the ***Los Angeles Times*** – **Paleontology work at Grand Staircase Escalante National Monument (UT)**: On Sept. 22, reporter Michael Finnegan contacted BLM Utah Public Affairs requesting to visit a dinosaur excavation site at GESNM Sept 27. Finnegan requested to interview the Monument’s paleontologist and manager to discuss the paleontology program, partnerships and latest discoveries – this will be part of a larger story that he will be writing regarding DOI’s National Monument review. While in Utah, Finnegan will be interviewing state government representatives, county commissioners, business owners and recreationists for their perspectives on the review. BLM Utah Public Affairs relayed that any specific questions related to the review would need to be addressed by DOI; Finnegan agreed to those parameters.

**To:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T17:22:55-04:00  
**Importance:** Normal  
**Subject:** Fwd: LA Times Media Inquiry - Paleontology in Grand Staircase-Escalante National Monument  
**Received:** 2017-09-25T17:48:09-04:00

FYI

Just FYI re: media inquiry from the ***Los Angeles Times*** – **Paleontology work at Grand Staircase Escalante National Monument (UT)**: On Sept. 22, reporter Michael Finnegan contacted BLM Utah Public Affairs requesting to visit a dinosaur excavation site at GESNM Sept 27. Finnegan requested to interview the Monument's paleontologist and manager to discuss the paleontology program, partnerships and latest discoveries – this will be part of a larger story that he will be writing regarding DOI's National Monument review. While in Utah, Finnegan will be interviewing state government representatives, county commissioners, business owners and recreationists for their perspectives on the review. BLM Utah Public Affairs relayed that any specific questions related to the review would need to be addressed by DOI; Finnegan agreed to those parameters.

**To:** Brown, Matthew[MBrown@ap.org]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T17:26:36-04:00  
**Importance:** Normal  
**Subject:** Re: Badger-Two Medicine, Breaks  
**Received:** 2017-09-25T17:28:07-04:00

The final report has not been released. I will have more information on the Secretary's recommendations at that time.

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 3:41 PM, Brown, Matthew <[MBrown@ap.org](mailto:MBrown@ap.org)> wrote:

Hi Heather-

Following up re-Badger Two Medicine.

We're going to put out a story likely tomorrow looking at that recommendation for Badger-Two Medicine monument designation, and quoting critics including company that wants to drill in same area (Solenex) saying essentially that the secretary is showing favor for Montana while calling for reducing monuments elsewhere.

We're also noting decision to leave intact Upper Missouri River Breaks despite local opposition and the secretary's support for mineral withdrawals north of Yellowstone.

Any response you can offer? (Realizing report to WH still not public. And we can talk by phone, too, but wanted to let you know what we're looking for):

A few more specific questions

-how did the secretary come to recommend that the Breaks be left intact while saying that other areas Bears Ears for example need boundaries revised? In both instances, there was public opposition to the monuments. Was it a matter of the degree of opposition? (for example, Bullock supported keeping Breaks intact)

-these decisions in Montana collectively (or at least the Breaks and Yellowstone mining decisions) appear to counter to the administration's advocacy for allowing more uses on federal lands including natural resource development and grazing. Please explain how the decisions in Montana were made in light of that advocacy.

-is Montana getting special treatment?

I'll be out much of the afternoon (b) (6) but will be checking email and can call later in the day.

Matt Brown

**Matthew Brown**

Associated Press Correspondent

[mbrown@ap.org](mailto:mbrown@ap.org)

phone-406 896 1528

mobile-406 696 4213

fax-406 896 8117

---

**From:** Brown, Matthew  
**Sent:** Thursday, September 21, 2017 4:14 PM  
**To:** 'Swift, Heather'  
**Subject:**

Hi Heather-

We're following up on the leaked monuments memo with a story on some people criticizing the Secretary for appearing to show favoritism with his home state with recommendation for new monument at Badger-Two Medicine even as he recommends shrinking monuments elsewhere.

-Can you please tell me how the Badger-Two Medicine recommendation came about?



-What's the rationale for establish a new monument in Montana even as others are being reduced?

-A representative of Solenex, which is seeking to drill for gas in the Badger-Two Medicine, said he was disappointed in the recommendation and equated the secretary's actions to moves by Clinton and Obama administrations that limited mining around Yellowstone. How would the establishment of a monument in the Badger-Two Medicine differ from past moves to limit development of natural resources on federal lands? Was there any attempt to get community input prior to making the recommendation?

Thanks, Heather.

Matt Brown

The logo for the Associated Press, consisting of the letters 'AP' in a bold, sans-serif font.

---

**Matthew Brown**

Associated Press Correspondent

PO Box 36300

Billings, MT 59107

[mbrown@ap.org](mailto:mbrown@ap.org)

phone-406 896 1528

mobile-406 696 4213

fax-406 896 8117

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**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Newell, Russell  
**Sent:** 2017-09-25T17:49:20-04:00  
**Importance:** Normal  
**Subject:** DOI Plan  
**Received:** 2017-09-25T17:50:02-04:00  
[Cut The Red tape DOI Plan.docx](#)

This feels thin. but a basic plan. As far as adding tribal - this is a WH-approved list. We'll have to talk to them about adding.

Press Plan portion here -

**Oct. 2 –**

- Op-ed by Secretary Zinke for Cleveland Plain Dealer
- Secretary Zinke available for interviews after POTUS Remarks
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- Op-ed by Jack Gerard, API TBD
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**Oct 3 –**

- Secretary Zinke will be available for phone interviews from Florida.
- Kate McGregor, Acting A/S for Lands & Minerals Management, DOI will participate in "radio Row.

**To:** heather\_swift@ios.doi.gov[heather\_swift@ios.doi.gov]  
**Cc:** (b) (6)@ios.doi.gov (b) (6)@ios.doi.gov  
**From:** Daniel Jorjani  
**Sent:** 2017-09-25T17:51:48-04:00  
**Importance:** Normal  
**Subject:** Fwd: Reporter inquiry: NYT, enviro grp wants to declare the Colorado River a person  
**Received:** 2017-09-25T17:52:00-04:00

Heather - Good summary from DGL below. CC'ing David.

Sent from my iPhone

Begin forwarded message:

**From:** "Keable, Edward" <edward.keable@sol.doi.gov>  
**Date:** September 25, 2017 at 5:49:36 PM EDT  
**To:** "Jorjani, Daniel" <daniel.jorjani@sol.doi.gov>  
**Cc:** Timothy Murphy <timothy\_murphy@sol.doi.gov>, Kaprice Harris  
<kaprice.harris@sol.doi.gov>  
**Subject:** **Re: Reporter inquiry: NYT, enviro grp wants to declare the Colorado River a person**

Dan,

Here is a link to the web site of the organization behind this litigation explaining the novel thinking behind it.

<https://eugene.deepgreenresistance.org/resistance/first-nation-lawsuit-seeks-recognition-rights-colorado-river/>

The quick summary is that other jurisdictions have recognized the legal rights of ecosystems including Ecuador's constitution, courts in India and Columbia, and three dozen municipal statutes in the US including Pittsburgh. The "theory" is that ecosystems should have the status of a person because corporations have that status.

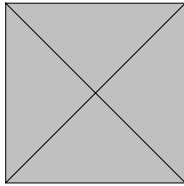
The litigation does not appear to name Interior and we do not yet have a record of it, but then it will not be filed until tomorrow.

I would not bother commenting at this point. It does not seem worth the energy (no pun intended).

Ed

On Mon, Sep 25, 2017 at 5:03 PM, Jorjani, Daniel <daniel.jorjani@sol.doi.gov> wrote:

Do one of you want to take a quick look at this press matter?



**Daniel H. Jorjani**  
U.S. Department of the Interior  
Acting Solicitor & Principal Deputy Solicitor  
Main Interior Building, Suite 6356  
☎ •202 219 3861 (Voice)  
☎ •202 706 9018 (Cell)  
✉ [daniel.jorjani@sol.doi.gov](mailto:daniel.jorjani@sol.doi.gov)

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From: **Swift, Heather** <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>  
Date: Mon, Sep 25, 2017 at 2:15 PM  
Subject: Reporter inquiry: NYT, enviro grp wants to declare the Colorado River a person  
To: Daniel Jorjani <[daniel.jorjani@sol.doi.gov](mailto:daniel.jorjani@sol.doi.gov)>, David Bernhardt <(b) (6)@ios.doi.gov>

You are not going to belief this one.....

Please let me know if I should weigh in or if you'd be interested in talking to the nyt reporter on background.

-

Heather, reaching out to see if I you have suggestions. I writing about a lawsuit in which enviros are calling on a federal judge to declare the Colorado River as person with the right to live and flourish.

The suit, which will be filed by a group called Deep Green Resistance tomorrow, names the river as the plaintiff and the state of Colorado as the defendant and seeks to hold the state accountable for damage to the river. It could set a precedent that would allow forests and plants to sue to block all kinds of projects.

The secretary has spoken out about the problems caused by environmental lawsuits, in terms of slowing projects and hurting economies.

Is there anyone your office suggests I call to provide that perspective?

Is there anyone at Interior who could comment on this suit? I'm looking for analysis (does this suit have a shot?) and opinion.

I'll file the story at 2 pm MT/4 pm ET.

Anyone can call (including the secretary!): 301 928 5072.

As always, thanks.

JT

--

Julie Turkewitz  
Denver Bureau  
301 928 5072  
@julieturkewitz

--

Edward T. Keable  
Deputy Solicitor-General Law  
Office of the Solicitor  
U.S. Department of the Interior  
Phone: 202-208-4423  
Fax: 202-208-5584  
[edward.keable@sol.doi.gov](mailto:edward.keable@sol.doi.gov)

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**To:** Newell, Russell[russell\_newell@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T17:52:04-04:00  
**Importance:** Normal  
**Subject:** Re: DOI Plan  
**Received:** 2017-09-25T17:52:50-04:00

I actually think this is more than sufficient.

Can you talk to them about IDing a market out west for us to drop an op-ed?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](#)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 5:49 PM, Newell, Russell <[russell\\_newell@ios.doi.gov](mailto:russell_newell@ios.doi.gov)> wrote:

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**To:** Daniel Jorjani[daniel.jorjani@sol.doi.gov]  
**Cc:** David Bernhardt[(b) (6) ] ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-25T17:53:03-04:00  
**Importance:** Normal  
**Subject:** Re: Reporter inquiry: NYT, enviro grp wants to declare the Colorado River a person  
**Received:** 2017-09-25T17:53:53-04:00

Thank you.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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**From:** "Keable, Edward" <[edward.keable@sol.doi.gov](mailto:edward.keable@sol.doi.gov)>  
**Date:** September 25, 2017 at 5:49:36 PM EDT  
**To:** "Jorjani, Daniel" <[daniel.jorjani@sol.doi.gov](mailto:daniel.jorjani@sol.doi.gov)>  
**Cc:** Timothy Murphy <[timothy\\_murphy@sol.doi.gov](mailto:timothy_murphy@sol.doi.gov)>, Kaprice Harris <[kaprice.harris@sol.doi.gov](mailto:kaprice.harris@sol.doi.gov)>  
**Subject:** **Re: Reporter inquiry: NYT, enviro grp wants to declare the Colorado River a person**

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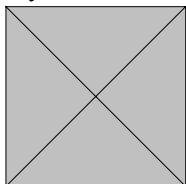


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**Daniel H. Jorjani**  
U.S. Department of the Interior  
Acting Solicitor & Principal Deputy Solicitor  
Main Interior Building, Suite 6356  
☎•202 219 3861 (Voice)  
•202 706 9018 (Cell)  
✉•[daniel.jorjani@sol.doi.gov](mailto:daniel.jorjani@sol.doi.gov)

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Date: Mon, Sep 25, 2017 at 2:15 PM

Subject: Reporter inquiry: NYT, enviro grp wants to declare the Colorado River a person

To: Daniel Jorjani <[daniel.jorjani@sol.doi.gov](mailto:daniel.jorjani@sol.doi.gov)>, David Bernhardt <(b) (6)@ios.doi.gov>

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Please let me know if I should weigh in or if you'd be interested in talking to the nyt reporter on background.

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Julie Turkewitz  
Denver Bureau  
301 928 5072  
[@julieturkewitz](mailto:@julieturkewitz)

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Fax: 202-208-5584  
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**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Newell, Russell  
**Sent:** 2017-09-25T17:53:18-04:00  
**Importance:** Normal  
**Subject:** Re: DOI Plan  
**Received:** 2017-09-25T17:53:24-04:00

great, thanks for taking a look. will do.

Russell Newell  
Deputy Director of Communications  
U.S. Department of the Interior  
(202) 208 6232  
@Interior

On Mon, Sep 25, 2017 at 5:52 PM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

I actually think this is more than sufficient.

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**To:** Scott Hommel[scott\_hommel@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Newell, Russell  
**Sent:** 2017-09-25T17:59:32-04:00  
**Importance:** Normal  
**Subject:** DOI Deregulation Comms Plan  
**Received:** 2017-09-25T17:59:40-04:00  
[Cut The Red tape DOI Plan.docx](#)

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Russell Newell  
Deputy Director of Communications  
U.S. Department of the Interior  
(202) 208 6232  
@Interior

**To:** Newell, Russell[russell\_newell@ios.doi.gov]  
**Cc:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Scott Hommel  
**Sent:** 2017-09-25T18:19:06-04:00  
**Importance:** Normal  
**Subject:** Re: DOI Deregulation Comms Plan  
**Received:** 2017-09-25T18:19:14-04:00

Good stuff. Thanks.

Scott C. Hommel  
Chief of Staff  
Department of the Interior

On Sep 25, 2017, at 5:59 PM, Newell, Russell <[russell\\_newell@ios.doi.gov](mailto:russell_newell@ios.doi.gov)> wrote:

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Deputy Director of Communications  
U.S. Department of the Interior  
(202) 208 6232  
@Interior

<Cut The Red tape DOI Plan.docx>

**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**Cc:** Russell Newell[russell\_newell@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Paul Ross[paul\_ross@ios.doi.gov]; Krauss, Jeff[JKrauss@blm.gov]  
**From:** Crandall, Megan  
**Sent:** 2017-09-25T18:22:28-04:00  
**Importance:** Normal  
**Subject:** Heads up re: BLM Media Inquiry  
**Received:** 2017-09-25T18:22:35-04:00

Hi, Heather. I received word about a media inquiry our BLM-Utah office fielded from the LA Times. I have pasted their entry in below. The staff stated specifically that they would only speak to paleontology on the Monument and not speak to the review in any way. I wanted you to be aware of the scheduled interview.

Megan

**Los Angeles Times – Paleontology work at Grand Staircase Escalante National Monument (UT):** On Sept. 22, reporter Michael Finnegan contacted BLM-Utah Public Affairs requesting to visit a dinosaur excavation site at GESNM on Sept. 27. Finnegan requested to interview the Monument's paleontologist and manager to discuss the paleontology program, partnerships and latest discoveries; this will be part of a larger story he is writing about DOI's National Monument review. While in Utah, Finnegan will be interviewing state government representatives, county commissioners, business owners and recreationists for their perspectives on the review. BLM-Utah Public Affairs relayed that any specific questions related to the review would need to be addressed by DOI; Finnegan agreed to those parameters.

--

**Megan M. Crandall**  
Bureau of Land Management  
Communications

Ph: 801-539-4018

Cell: 385-315-5271

Fax: 801-539-4013

**Join the Conversation!**



**To:** Swift, Heather[[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)]  
**From:** Todd Willens  
**Sent:** 2017-09-25T20:38:45-04:00  
**Importance:** Normal  
**Subject:** Re: Bottled water sales  
**Received:** 2017-09-25T20:38:52-04:00

First I am learning about this. What did NPS say?

Todd Willens  
Assistant Deputy Secretary  
Acting Assistant Secretary for Fish and Wildlife and Parks  
U.S. Department of the Interior  
1849 C Street, NW - MIB Room 6116  
Washington, DC 20240

On Sep 25, 2017, at 1:59 PM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

----- Forwarded message -----

**From:** **Fears, Darryl** <[Darryl.Fears@washpost.com](mailto:Darryl.Fears@washpost.com)>  
**Date:** Mon, Sep 25, 2017 at 1:29 PM  
**Subject:** Bottled water sales  
**To:** "Swift, Heather ([heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov))" <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>

Hi Heather,

I'm preparing a story that says Interior withheld an NPS report showing the benefits of its ban on sales of water bottles in parks while lifting the ban. It was released late Friday and is on the NPS web site. The story will run later this afternoon. My deadline is 3 p.m. if the agency wants to comment on why it took a freedom of information request to release the report and why it was essentially ignored.

Thanks.

Darryl

Darryl Fears  
Staff Writer  
The Washington Post  
202.334.7511  
[darryl.fears@washpost.com](mailto:darryl.fears@washpost.com)

<winmail.dat>

**To:** heather\_swift@ios.doi.gov[heather\_swift@ios.doi.gov]  
**From:** POLITICO Pro Energy  
**Sent:** 2017-09-26T05:45:24-04:00  
**Importance:** Normal  
**Subject:** Morning Energy, presented by the U.S. Chamber's Global Energy Institute: Republicans eye budget process for ANWR opening — Highlights from Zinke, Perry's joint appearance — Democrats want faster action for Puerto Rico  
**Received:** 2017-09-26T05:45:48-04:00

By Anthony Adragna | 09/26/2017 05:42 AM EDT

*With help from Esther Whieldon and Ben Lefebvre*

**AN OPENING FOR ANWR?** Senate Republicans intend to use their fiscal 2018 budget blueprint to lay the groundwork for new energy production in the Arctic National Wildlife Refuge by using special rules that would allow them to avoid a Democratic filibuster, Pro's Ben Lefebvre and Sarah Ferris [report](#), citing sources familiar with the process. While the budget document couldn't mandate specific policies, it would enable Senate Energy Chairman [Lisa Murkowski](#) to write legislation that would remove restrictions on drilling in ANWR that could be bundled into a massive tax reconciliation package that needs just 50 votes in the Senate.

**Doing so would realize a long-standing** goal of Republicans and oil companies, while attracting vehement opposition from environmental groups and virtually all Democrats. The U.S. Geological Survey [estimates that part of ANWR](#), a wide swath of tundra on the northern Alaska coast, home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years, could hold up to 12 billion barrels of oil. But Senate Republicans have little margin for error since two members of their caucus — Sens. [Susan Collins](#) and [John McCain](#) — have opposed similar bills in the past, though they'd be forced to consider that provision as part of the broader tax effort. A McCain spokeswoman says he's open to a "full debate" on the subject despite his past opposition. Collins told ME Monday night that ANWR has been far from her mind recently. "I've been focused on health care," she said, just after coming out against the latest Obamacare repeal effort.

**There are a number of key questions.** Some wonder if Murkowski's prior breaks with GOP leadership and the White House will hamper her pursuit of other priorities. Current low oil prices might make opening ANWR less urgent than in the past and there's some question whether oil and gas companies would flock to the area at today's crude price of \$50 a barrel (though that answer would likely depend on the company). Infrastructure is not likely to be a major barrier, though, with the biggest requirement a short pipeline to connect drilling wells in ANWR to the main Trans-Alaska Pipeline System pipeline. "A pipeline is not a big lift," said one oil and gas company representative who asked to speak on background to discuss the matter. "If the oil is there like they think it is, it's not prohibitive."

**WELCOME TO TUESDAY!** I'm your host Anthony Adragna, and API's Carrie Domnitch was the first (of many) to identify Sen. [John McCain](#)'s cameo in "Wedding Crashers." For today: Way back on Season 2 of "Saturday Night Live," this future presidential candidate hosted an episode. Who was it? Send your tips, energy gossip and comments to [aadragna@politico.com](mailto:aadragna@politico.com), or

follow us on Twitter [@AnthonyAdragna](#), [@Morning\\_Energy](#) and [@POLITICOPro](#).

**Pro Policy Summit Highlights:** Don't miss the highlights from the 2017 Pro Policy Summit. The Pro newsroom has assembled must-read stories, scoops and video content from a day packed with breaking news and insightful policy discussion. [Summit Highlights](#).

**LOTS OF GROUND COVERED:** Energy Secretary Rick Perry and Interior Secretary Ryan Zinke covered a wide array of topics during a Monday appearance at the National Petroleum Council. Highlights from that event via Pro's Ben Lefebvre:

—**New infrastructure study coming:** DOE Deputy Secretary Dan Brouillette, in coordination with the National Petroleum Council, will lead a study on how to improve the permitting process for pipelines and other energy infrastructure, Perry announced. The former Texas governor also called on the group to study how to make carbon capture, utilization and storage infrastructure economically viable. More [here](#).

—**Interior reorganization still under consideration:** Zinke expects to complete an evaluation of whether to combine the Bureau of Safety and Environmental Enforcement and Bureau of Ocean Energy Management within the next couple months. He's also mulling the possibility of establishing Interior offices according to 13 watershed areas and moving BLM and Bureau of Land Reclamation headquarters out West. More [here](#).

—**Zinke's report on national monuments remains** under review by the White House. "We're working on it. Most people will find it to be a very reasoned approach," he said.

—**Perry touts benefits of energy industry:** After being interrupted several times by protesters, Perry launched an extended diatribe against environmentalists criticizing the industry's record on climate change. "If you want to talk to something that saves lives, it's energy across the globe. You're involved in an industry that saves lives, lots of them, every year, around the globe," he said.

—**On loyalty to the administration:** Zinke said about a third of his workforce remained loyal to the previous administration. "I know that when I assumed Interior that I have 30 percent of the crew that's not loyal to the flag," he said. "I had a Fish & Wildlife Service that hated people to a degree."

**\*\* A message from the U.S. Chamber's Global Energy Institute:** Insightful analysis is an important part of our mission. From economic modeling of proposed policies to our groundbreaking energy security index, the Global Energy Institute's reports and analysis are helping to shape the discussion on energy policy. Click here to learn more: <http://bit.ly/2huaJ4F>  
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**DEMOCRATS CALL FOR FOCUS ON PUERTO RICO:** FEMA Director Brock Long and Homeland Security adviser Tom Bossert arrived Monday on the devastated island, but congressional Democrats expressed concern the administration wasn't doing enough. "Puerto Rico has taken a serious punch to the gut and they need our help. They need it now," Senate Minority Leader [Chuck Schumer](#) said. "The administration must quickly prepare an appropriate aid package for Florida, Puerto Rico, the U.S. Virgin Islands and the Western States for

Congress to act on in the near future," he added. Speaker [Paul Ryan](#) said: "Our fellow citizens in Puerto Rico remain in our prayers as we make sure they have what they need."

**Jones Act waiver sought:** Seven House Democrats requested a one-year waiver from the Jones Act to expedite hurricane relief aid to Puerto Rico, Pro Transportation's Tanya Snyder [reports](#). An Energy Department status [report](#) Monday found nearly all of the island remained without power.

**POLITICO's Jacqueline Klimas [reports from San Juan](#)** that political leaders on the island are once again afraid their needs are an afterthought in Washington. "The important part is to make sure it's not forgotten," Sen. [Marco Rubio](#) said. "We have a fundamental obligation to a U.S. territory and American citizens to respond to a hurricane there the way we would anywhere in the country."

**Governor assumes dam will collapse:** Puerto Rico Gov. Ricardo Rosselló said he's operating under the assumption the Guajataca Dam will collapse, a fear that led to the evacuation of tens of thousands of area residents. "Some of the dam has fallen apart," he [told CNN](#) Monday. "I'd rather be wrong on that front than do nothing and having it fail and costing people their lives."

**The president tweets:** "Texas & Florida are doing great but Puerto Rico, which was already suffering from broken infrastructure & massive debt, is in deep trouble," President Donald Trump said in a [statement released via his Twitter account](#) Monday night. "It's (sic) old electrical grid, which was in terrible shape, was devastated. Much of the Island was destroyed, with billions of dollars...owed to Wall Street and the banks which, sadly, must be dealt with. Food, water and medical are top priorities - and doing well." he [added in](#) a pair of follow-up tweets.

Trump's first words on Puerto Rico since Sept. 20 came after the White House forcefully [defended](#) his fixation with NFL players' protests, which generated more than a dozen tweets since Friday.

**U-TURN ON CLIMATE RULE:** Reversing course, DOT told a federal judge in New York in [a letter](#) it will publish [a regulation](#) requiring states to track emissions from highways and craft reduction goals, Pro's Alex Guillén [reports](#). Once published, the regulation takes effect immediately. Environmental groups and Democratic attorneys general had sued Federal Highway Administration for placing the rule on hold indefinitely. "Our lawsuit held the Trump administration accountable for illegally halting a common-sense tool to curb carbon pollution from transportation," said the NRDC's Amanda Eaken in a statement. The regulation is expected to run in the Federal Register Sept. 28.

**ZINKE, PERRY SPEAK AT NATIONAL CLEAN ENERGY WEEK:** It's a day of events as National Clean Energy Week kicks off in earnest today with a breakfast discussion at 8 a.m. featuring Perry and Zinke (hosted by former GOP Sen. Kelly Ayotte). Also expected to speak throughout the day are Sen. [Lindsey Graham](#), House Republican Conference Chair [Cathy McMorris Rodgers](#) and Reps. [Derek Kilmer](#) and [Ryan Costello](#). Full details [here](#).

**But greens cry foul:** Twelve environmental organizations sent [a letter](#) to Congress arguing that technologies like biomass, carbon capture or nuclear energy should not be considered clean. "The sponsors of 'National Clean Energy Week' include some of the dirtiest actors in the energy

industry," the groups, which include 350.org, Food & Water Watch and Oil Change International, wrote.

**HEARING ROUNDUP — TWO DOE NOMINEES IN SPOTLIGHT:** Murkowski's push to quickly advance agency nominees continues today as her committee examines Steven Winberg's nomination to be assistant Energy secretary for fossil energy and Bruce Walker's selection to be assistant Energy secretary for electricity, delivery and energy reliability. Winberg previously headed up research and development for CONSOL Energy and also was a member of DOE's National Coal Council, while Walker's resume includes stints at National Grid and Consolidated Edison. Things get going at 10 a.m. in Dirksen 366.

**E&C LOOKS AT ADVANCED ENERGY TECHNOLOGIES:** The House Energy and Commerce Energy Subcommittee holds the latest in its "Powering America" series of hearings today with an examination of "the role advanced energy technologies play in empowering the nation's electricity consumers." Witnesses include representatives from Advanced Energy Economy, Holy Cross Energy, ComEd and LO3 Energy, among others. The hearing is set for 10 a.m. in Rayburn 2123.

**GATHERING INPUT ON WATER INFRASTRUCTURE NEEDS:** The House Transportation and Infrastructure Subcommittee on Water Resources and Environment hosts a hearing at 10 a.m. today with a panel of public and private sector witnesses on what they'd like to see for water infrastructure in a forthcoming legislative package. The full list of witnesses for the hearing in Rayburn 2167 is available here.

**MAIL CALL! CEQ VETERANS CALL OUT NEPA SHORTCUTS:** Trump's efforts to streamline environmental reviews leave his administration's decisions more vulnerable to being overturned in court because they don't allow for enough input from the public, four veterans of the Council on Environmental Quality warned in a letter to the White House Monday. "Emphasizing speed over quality sends the wrong message to agencies and creates significant legal risk that future environmental reviews of federal actions will be rejected by the courts and need to be redone," wrote Katie McGinty, Nancy Sutley, Christy Goldfuss and Brenda Mallory, all of whom served in Democratic administrations.

**STATE AGs DISCUSS TRUMP-ERA ENVIRONMENTAL LITIGATION:** A session at 2:45 p.m. with three attorneys general — Maryland's Brian Frosh, Illinois' Lisa Madigan and New York's Eric Schneiderman — discussing ongoing environmental litigation fighting White House efforts to weaken environmental protections is among the highlights of the Institute for Policy Integrity's state climate action conference today. Follow along here.

**DEMOCRATS SEEK INFORMATION ON MINE SAFETY PICK:** Sens. Sheldon Whitehouse and Bob Casey released a letter Monday seeking information on Mine Safety and Health Administration's investigations into Rhino Resource Partners, which mine safety nominee David Zatezalo worked at in a variety of senior roles between 2007 and 2014. They asked for the records no later than Sept. 29.

**FAA, FLOOD INSURANCE FLOPS:** Democrats blocked a Republican push to fast-track an FAA extension that also included additional provisions on flood insurance and tax credits for

victims of recent hurricanes, POLITICO's Heather Caygle and Lauren Gardner [report](#). The chamber is expected to consider the measure again later this week under a rule, which requires a simple majority, unlike Monday's fast-track procedure that required a two-thirds vote.

**STUDY: RAIL DAMPENING PIPELINE INVESTMENTS:** New [research](#) out from the National Bureau of Economic Research finds the flexibility associated with crude-by-rail shipping has led to decreased investments in long-term pipeline projects given the high upfront costs of such infrastructure. "The ability to ramp rail shipments up and down is valuable to crude oil shippers, and it reduces incentives to make long-run investments in pipeline capacity," Ryan Kellogg, a professor at the Harris School of Public Policy who co-authored the study, said in a statement.

**CHAMBER URGES REJECTION OF GARRETT:** Count the U.S. Chamber of Commerce as the latest group urging senators to reject former Rep. Scott Garrett's nomination to head the Export-Import Bank, Pro Financial Services' Zachary Warmbrodt [reports](#). In a Monday [letter](#), senior executive vice president Suzanne Clark expressed concern Garrett could use his position to prevent the agency from properly functioning while voicing strong support for four other nominees: Kimberly Reed, Claudia Slacik, Judith Pryor and Spencer Bachus.

**ZINKE SPENT \$2.5K ON TRAVEL IN MARCH:** Zinke spent \$2,508 in flights, lodging and meals meet with members of the Blackfeet Nation, agency staff and toured national parks in Wyoming and his home state of Montana in his first month in office in March, according to [public records](#) the agency released Monday. Zinke stayed at his home in Whitefish for most of his first trip, according to the secretary's [trip itinerary](#) for March through July the agency released earlier this month. Unlike Health and Human Services Secretary Tom Price who POLITICO earlier [reported](#) took private jets, Zinke's flights were commercial.

#### **GRID-CONNECTED BATTERIES TAKING OVER RESIDENTIAL STORAGE**

**MARKET:** Homeowners are increasingly installing electricity batteries that connect to the grid instead of closed systems that feed power only to the residence, GTM Research says in a [report](#) out today. The report does not cite a specific reason for the change but notes customers are looking for back-up power in case of electric outages and to save money, while utilities are encouraging adoption to mitigate the impacts of growing solar power. Grid-connected projects will make up 57 percent of annual deployments by the end of this year, the report says.

**DOESN'T LOOK STRESSED:** Murkowski doesn't look like the heated health care debate is getting to her in this picture with a pink polar bear she [tweeted out](#) Monday from her visit over the weekend to the Anchorage Museum.

**ALL-TIME HIGH:** Bolstered by more than 500,000 people who've joined since last November, the Natural Resources Defense Council tells ME it now has three million-plus members and online activists.

**MOVER, SHAKER:** Ann Bartuska has joined Resources for the Future as vice president in its newly formed land, water, and nature program. She comes after serving as deputy undersecretary for research, education and economics as well as chief scientist at USDA.

#### **QUICK HITS**

- In World's Hottest Oil Patch, Jitters Mount That a Bust Is Near. [Bloomberg](#).
- After Hurricane Maria, what will it take to turn Puerto Rico's power back on? [The Verge](#).
- OPEC's Efforts Pay Off: Oil is Back in Bull Market. [Wall Street Journal](#).
- Companies building failed nuclear project 'were looking to cut corners' as state's top cop asked to investigate. [The Post and Courier](#).
- FPL, JEA to shut down Jacksonville coal electric plant. [Palm Beach Post](#).

### **HAPPENING TODAY**

7:30 a.m. — National Clean Energy Week symposium kicks off with remarks from Secretaries Zinke and Perry, Reserve Officers Association, 1 Constitution Avenue NE

9:30 a.m. — Institute for Policy Integrity green states [conference](#), New York University School of Law, 40 Washington Square South, Vanderbilt Hall, New York, N.Y.

10:00 a.m. — "[Powering America: Technology's Role in Empowering Consumers](#)," House Energy and Commerce Energy Subcommittee, Rayburn 2123

10:00 a.m. — "[Legislative Hearing on 4 Fishery Bills](#)," House Natural Resources Water, Power and Oceans Subcommittee, Longworth 1334

10:00 a.m. — Senate Energy and Natural Resources holds [hearing](#) on DOE nominations, Dirksen 366

10:00 a.m. — "[Building a 21st Century Infrastructure for America: Water Stakeholders' Perspectives](#)," House Transportation and Infrastructure Water Resources and Environment Subcommittee, Rayburn 2167

12:00 p.m. — "[Maryland's Offshore Wind and Energy Efficiency Policies](#)," Women's Council on Energy and the Environment, Dentons, 1900 K Street NW

12:00 p.m. — "The Future of Nuclear Power: Technology, Security and Geopolitics," Global American Business Institute, 1001 Connecticut Avenue NW, Suite 230

12:00 p.m. — "[Energy Transition and the Future of Hydrokinetic Energy in the United States](#)," Environmental Law Institute, 1730 M Street, NW, Suite 700

12:30 p.m. — Natural Gas Roundtable [hosts](#) David Carroll, president of the International Gas Union, for monthly luncheon, University Club, 1135 16th Street NW

2:00 p.m. — House Natural Resources Indian, Insular, and Alaska Native Affairs Subcommittee [hearing](#) on various bills, Longworth 1334

2:00 p.m. — "[Examining America's nuclear waste management and storage](#)," House Oversight and Government Reform Interior-Environment Subcommittee, Rayburn 2154



## THAT'S ALL FOR ME!

**\*\*A message from the U.S. Chamber's Global Energy Institute:** Today, America's diverse energy resources are providing abundant, reliable and affordable electricity that is critical to our economy. Unfortunately, that mix is at risk. A new report by IHS Markit cosponsored by the Global Energy Institute explains just how important a diverse set of resources really is. Our current energy mix, including nuclear and coal, is saving us \$114 billion per year in electricity costs—lowering the average price by 27%. Without all of our resources, America could lose 1 million jobs within 3 years and \$158 billion in GDP, and each American household could see a loss of up to \$845 in income each year. To read the report and learn more about how a balanced set of electricity resources is key to our economy and security, click here: <http://bit.ly/2huaJ4F>  
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*To view online:*

<https://www.politicopro.com/tipsheets/morning-energy/2017/09/republicans-eye-budget-process-for-anwr-opening-024761>

## Stories from POLITICO Pro

### Reconciliation may provide opening for ANWR [Back](#)

By Ben Lefebvre and Sarah Ferris | 09/25/2017 06:07 PM EDT

Senate Republicans plan to open the door to oil drilling in an Alaskan wildlife refuge using special rules that would allow them to avoid a Democratic filibuster, according to sources tracking the budget process.

The Senate Budget Committee is still drawing up its fiscal 2018 blueprint, which is expected to lay the groundwork for tax reform using special budget reconciliation rules. Two sources familiar with the ongoing negotiations say the document also is expected to lay the groundwork for new energy production in the Arctic National Wildlife Refuge — a longtime goal of Republicans and oil companies.

It's a potentially risky strategy, with two Republican senators on record opposing similar bills in the past: Sens. [John McCain](#) of Arizona and [Susan Collins](#) of Maine. If those two remain in opposition, Senate leadership couldn't lose a single other GOP vote without jeopardizing their entire reconciliation package, centered on tax reform.

Congress last tried to open ANWR more than a decade ago, and any legislation to do so would run into fierce opposition from environmental groups and virtually all Democrats. But proponents of the idea say their chances have improved since the election of President Donald Trump, who has sought to increase U.S. oil, gas and coal production.

"Energy dominance requires ANWR," said Matt Shuckerow, a spokesman for Alaska Rep. [Don Young](#), invoking a favorite Trump administration catch-phrase. "We are working with leadership and looking at reconciliation."

The Senate budget resolution is expected to give special deficit-reducing instructions to the

Energy and Natural Resources Committee in the upcoming fiscal year, totaling about \$1 billion over a decade.

While budget writers can't mandate specific policies, sources say it would enable ENR Chairman [Lisa Murkowski](#) to write legislation that would remove restrictions on drilling in ANWR or other currently off-limits areas.

Opening up drilling in the arctic could raise as much as \$5 billion over a decade, the CBO [estimated](#) in 2012, when oil was selling for about twice as much as it is now.

That measure could then be bundled into a massive tax reconciliation package, which will need just 50 votes in the Senate.

The House's budget, which has been stalled for months amid GOP infighting, goes even further. That version calls for \$5 billion in extra energy revenues, and a House GOP aide says ANWR is "definitely on the table in terms of reconciliation."

The White House also "will continue to push for more domestic production," an administration official said. Trump's budget request sought \$1.8 billion from opening new areas to energy production.

ANWR is a wide swath of tundra on the northern Alaska coast, home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19-million-acre area a wildlife refuge in 1980, but set aside a 1.5-million-acre parcel known as "10-02" for possible future drilling if future lawmakers approved such a plan.

The U.S. Geological Survey [estimates that part of ANWR](#) could hold up to 12 billion barrels of oil.

In the past, drilling in the refuge only became a hot issue when gasoline prices were high, said Athan Manuel, director of lands protection program for the Sierra Club, which has been lobbying heavily against its development.

"Now it's completely become an ideological and political fight," Manuel added. "There are fewer moderate Republicans than we need. The vote numbers for us are difficult on the Senate side if they go to budget reconciliation."

Young, the Alaska Republican who has spent much of his career advocating for expanded Arctic drilling, has raised ANWR with Interior Secretary Ryan Zinke, Shuckerow said.

Zinke is quietly working to allow oil companies to conduct seismic exploration in the region, The Washington Post [reported](#) this month. But actually letting them extract oil and gas from ANWR would require action by Congress.

The GOP has tried twice in the past to open ANWR for energy development through budget reconciliations. An attempt in 1995 failed after President Bill Clinton vetoed the overall budget package, while a second attempt in 2005 could not overcome a Democratic filibuster in the Senate.

Even using reconciliation, Republicans have little margin for error with only 52 seats in the Senate. And two of their caucus have voted against ANWR provisions in the past.

A spokeswoman for McCain, Julie Tarallo, said despite his past opposition the senator "is open to having a full debate in Congress about the United States' energy policy." Collins' office did not respond to requests for comment.

At least one Democrat, West Virginia Sen. Joe Manchin, may join Republicans if they try to use reconciliation to open ANWR.

"The energy we receive from Alaska is much needed for American energy independence," Manchin told POLITICO. "If it can be done in a safe way, and I think we've proven it can, we should look at every option we have."

Murkowski, who joined McCain and Collins to kill the Senate's Obamacare repeal bill in August, has introduced legislation that would direct the Interior Department to offer oil-and-gas production leases for at least 300,000 acres in ANWR, S. 49 (115). But she told POLITICO last week that Interior had not yet reached out to her about its push to open ANWR for seismic exploration or to form strategy on how to possibly open the area to drilling.

Some question whether her earlier breaks with GOP leadership and the White House will hamper her pursuit of other priorities.

"Murkowski is on the outside looking in" when it comes to GOP energy policy, said one energy lobbyist who requested anonymity to discuss political matters.

Another problem is current low oil prices. More than a decade of into the shale oil boom, the country looks cushioned from a possible oil supply shock, something that could make opening ANWR less urgent than in the past.

"Now that we're in this age of oil supply adequacy, the negotiating power of energy has diminished," said Kevin Book, managing director of energy consultancy ClearView Energy Partners. "What adequacy has done has increased the political cost of opening up ANWR for production."

Another question is whether oil and gas companies would flock to ANWR at today's crude price of \$50 a barrel.

Chevron and BP drilled one exploratory well in the area in the early 1980s at the behest of a local native tribe, according to Alaska Oil and Gas Association President Kara Moriarty. The drilling was done with the permission of the Interior Department, with which Chevron shared the data, but a strict confidentiality agreement keeps the results a closely held secret.

The answer would depend on the company. Prices are expected to rise eventually, and the refuge's onshore topology would make ANWR a more tempting target than the choppy waters and extreme winds off of Alaska's coastline, Moriarty said.

The steady spread of oil and gas pipeline networks immediately outside ANWR also means that

bringing any oil from the refuge to market would be easier than it was in decades past, Moriarty added.

The biggest infrastructure requirement would be a short pipeline to connect drilling wells in ANWR to the main Trans-Alaska Pipeline System pipeline taking the crude south.

"A pipeline is not a big lift,' said one oil and gas company representative who asked to speak on background to discuss the matter. "If the oil is there like they think it is, it's not prohibitive."

Chevron put itself in the group of companies that would welcome the chance to set rigs there permanently.

"Chevron supports increased access to federal and private land for the responsible exploration and development of oil and natural gas resources, including the ANWR coastal plain," Chevron spokeswoman Veronica Flores-Paniagua said.

Environmental groups and other Democrats are already alarmed about how far the talk of opening ANWR has come this year. Interior's move to allow seismic exploration, if approved, could harm the polar bears, caribou, wolves and other wildlife already feeling the effects of climate change in the region, and the oil brought from under the tundra would add to greenhouse gas emissions, environmental and Alaskan native groups said.

"Protecting the Arctic Refuge has broad public and bipartisan support and deserves a full debate in regular order, not rushed through as part of the budget process," said Alaska Wilderness spokesman Corey Himrod.

Sens. [Ed Markey](#) (D-Mass.) and [Michael Bennet](#) (D-Colo.) in April offered legislation to enshrine the entire region as a wilderness area protected from drilling. The bill, [S. 820 \(115\)](#), was introduced with 37 Democrats and Independent [Bernie Sanders](#) (Vt.) as original co-sponsors.

"We're going to battle this," Markey told POLITICO, arguing that expanded shale oil production has made ANWR moot. "With efficiency gains and growth of fracking in the lower 48 states, there's no need to open ANWR."

*Nick Juliano contributed to this report.*

*To view online [click here](#).*

[Back](#)

**Perry calls for study on expanding energy infrastructure** [Back](#)

By Ben Lefebvre | 09/25/2017 04:14 PM EDT

Energy Secretary Rick Perry called for a study on how to improve the permitting process for pipelines and other energy infrastructure, saying protests against those plans were slowing economic growth.

Perry asked the National Petroleum Council, whose membership includes various heads of the energy industry, to conduct the study with help from the Energy Department.

While domestic oil production has steadily increased since the mid-2000s, pipelines, railways, oil storage "and related system components" needed to move fossil fuel from well to market have to be "expanded, upgraded and maintained," Perry said.

With the rise of oil and natural gas fields in North Dakota, environmentalists have objected to major oil pipeline projects, including Keystone XL and the Dakota Access Pipeline.

"We have to ensure we have an uninterrupted flow of energy product," Perry said. "In recent years, objections to and restrictions on the construction of needed transportation infrastructure have increased, slowing the development of new infrastructure and hindering economic growth."

Perry also called on the NPC to study how to make carbon capture, utilization and storage infrastructure economically viable.

The event also attracted protesters, two of whom were escorted from the room after demanding Perry and Interior Secretary Ryan Zinke address climate change.

**WHAT'S NEXT:** Perry designated DOE Deputy Secretary Dan Brouillette to coordinate on the study with the NPC.

*To view online [click here](#).*

[Back](#)

**Zinke: BOEM-BSSE study expected in two months** [Back](#)

By Ben Lefebvre | 09/25/2017 05:48 PM EDT

The Interior Department expects within two months to complete a study on the feasibility of combining its bureau that regulate offshore drilling safety with one that sells leases, Secretary Ryan Zinke said today.

Zinke said he hasn't yet decided whether to combine the Bureau of Safety and Environmental Enforcement and Bureau of Ocean Energy Management, which were carved out of the former Minerals Management Service in 2010.

Rejoining BOEM and BSEE is one of several ideas Zinke is considering to reorganize the department around the Trump administration's goal of increasing domestic energy production. Zinke also floated the possibility of establishing Interior offices according to 13 watershed areas and moving BLM and Bureau of Land Reclamation headquarters out West.

"There's no reason for BLM to be where they don't have holding. Push your generals out to where the fight is," Zinke told members of the National Petroleum Council today.

Zinke blamed a lag in oil and gas project permitting on the abundance of choke points in the existing process.

"There's too many ways in the present process for someone who doesn't want to get it done to put it in a holding pattern," he said.

He also estimated that a third of Interior's workforce remained loyal to the previous administration.

"I know that when I assumed Interior that I have 30 percent of the crew that's not loyal to the flag," Zinke said, comparing his tenure to "capturing a prize ship at sea and only the captain and first mate row over."

**WHAT'S NEXT:** Zinke said he expected the report on BOEM and BSEE to be ready within 60 days.

*To view online [click here](#).*

[Back](#)

**Lawmakers ask for Jones Act waiver for Puerto Rico** [Back](#)

By Tanya Snyder | 09/25/2017 06:35 PM EDT

Rep. [Nydia Velázquez](#) (D-N.Y.) and six other Democrats are asking the Trump administration for a one-year Jones Act waiver to expedite hurricane relief aid to Puerto Rico.

In a [letter](#) to Homeland Security Secretary Elaine Duke, the lawmakers, most of them members of the Congressional Hispanic Caucus, asked for a "one-year comprehensive waiver of the Jones Act requirements for Puerto Rico." The Jones Act, which requires that all goods shipped between U.S. ports be carried on U.S.-built, -owned and -operated vessels, is often blamed for driving up prices in Puerto Rico.

"The island is now facing an unprecedented uphill battle to rebuild its homes, businesses and communities," the lawmakers wrote in the letter. "Temporarily loosening these requirements — for the express purpose of disaster recovery — will allow Puerto Rico to have more access to the oil needed for its power plants, food, medicines, clothing, and building supplies."

In a separate statement, Velázquez noted that the storm has brought about a sustained and complete shutdown of Puerto Rico's power grid, which "already faced serious infrastructure problems." Local officials predict it could take six months to get the power fully restored.

"Even before Maria made landfall, the Island was already suffering from economic and financial crisis," she said. "Now, at the worst time possible, the Island has endured a natural disaster of historic proportions ... We cannot and will not turn our backs on them."

*To view online [click here](#).*

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**In Puerto Rico, another desperate plea for help** [Back](#)

By Jacqueline Klimas | 09/25/2017 09:39 PM EDT

SAN JUAN, Puerto Rico — Days after Hurricane Maria barreled through here virtually no people are on the streets and the usually bustling tourist area is littered with curled sheets of metal. Lines of cars waiting to fill up on gas are backed up along the highway off-ramps.

"We haven't forgotten about you," Adm. Paul Zukunft, the commandant of the U.S. Coast Guard, told a gathering on Monday after what the governor has called the "biggest catastrophe" in the U.S. territory's history.

But the political leadership of Puerto Rico worries that the suffering of its 3.5 million U.S. citizens is once again an afterthought in Washington.

"We don't have a voice in the Senate unless it's Marco Rubio," Jenniffer Gonzalez-Colon, Puerto Rico's single nonvoting member of the House of Representatives, said at an emergency operations center here, where POLITICO accompanied visiting dignitaries before touring the Coast Guard's main base in the region, which suffered extensive damage.

"We don't have two senators," added Rep. Stacey Plaskett (D-Virgin Islands), whose constituents have been similarly hard hit by the season's historic storms and similarly lack a vote in Congress.

President Donald Trump has come under fire for failing to focus more attention on the plight of Puerto Rico and the nearby Virgin Islands over the weekend, while tweeting over a dozen times about the National Football League. The crisis was also largely absent from the 24-hour news networks, where Hurricanes Harvey in Texas and Irma in Florida received wall-to-wall coverage.

Trump on Monday tweeted about the island's plight but seemed to blame Puerto Rico itself for its woes.

"Texas & Florida are doing great but Puerto Rico, which was already suffering from broken infrastructure & massive debt, is in deep trouble," he tweeted. "It's old electrical grid, which was in terrible shape, was devastated. Much of the Island was destroyed, with billions of dollars owed to Wall Street and the banks which, sadly, must be dealt with. Food, water and medical are top priorities — and doing well."

It's an all-too-familiar predicament for disenfranchised residents of Puerto Rico, which is poorer than all 50 states, has an unemployment rate of nearly 12 percent, and is still reeling from a financial crisis of historic proportions in which it declared a form of bankruptcy earlier this year.

After Maria, the territory's leaders are hoping their strongest leverage to get long-term aid from Washington will be the sizable populations of Puerto Ricans who reside on the mainland and constitute a powerful voting bloc, especially in places like New York and Florida.

They are focused on building a coalition of lawmakers to gain support for a new federal aid bill. Congress has already passed a \$15 billion package to assist those affected by Hurricane Harvey in Texas, but House Speaker Paul Ryan has signaled that more aid is on the way.

While Puerto Rico does not have a vote in Congress, large populations of Puerto Ricans on the U.S. mainland do have a voice in the midterm and presidential elections, and some experts predict how the White House and Congress respond could have an impact at the ballot box.

About 20 percent of Puerto Ricans live on the U.S. mainland, said Robert Stein, who teaches urban politics at Rice University's Baker Institute for Public Policy. The two states with the largest Puerto Rican populations, Florida and New York, control 54 House seats and 58 votes for president in the Electoral College.

"This may be a big issue in upcoming elections," Stein predicted.

Rubio of Florida said on Monday that helping Puerto Rico is personal for him.

"The important part is to make sure it's not forgotten," the former GOP presidential hopeful said. "We have a fundamental obligation to a U.S. territory and American citizens to respond to a hurricane there the way we would anywhere in the country."

Rubio said it will be a challenge to get more hurricane aid through the Senate, but said lawmakers knew the first aid bill "would not be enough."

"There's an acknowledgment that we have to go back and do more, and now maybe sooner than anticipated," he said, noting that he expects Congress to address a funding bill for Maria and Irma later this month or early next.

Florida's other senator, Democrat Bill Nelson, who is up for reelection in 2018, tweeted Monday that he is "calling on U.S. military to send additional search & rescue, medical and construction teams to Puerto Rico."

Even before Maria, Nelson and Rubio sent a letter to Trump last week urging a greater role for the federal government in assisting U.S. territories after recent storms emanating from the Caribbean, including Puerto Rico and the U.S. Virgin Islands.

Other Puerto Rican officials also argued it is time for lawmakers to make the territory's needs a greater priority.

"Let them know that we are committed U.S. citizens, that we are proud U.S. citizens, that we helped others when they were going through difficult times not more than 10 days ago and that now it's the time to help Puerto Rico back," Gov. Ricardo Rossello told reporters Monday.

The situation in Puerto Rico, where downed trees and power lines and roofs and siding ripped off of buildings are now commonplace, could become more dire before it improves.

Residents lack basic necessities, including food and clean drinking water, and the island could have no electricity for many months. Many residents have no safe place to live. And a lack of temporary housing means residents are at greater risk of disease, such as dengue fever or other mosquito-borne ailments.

Early reports from the island's rich farmland also suggest its agricultural sector, which along



with tourism is a major element of its already shaky economy, could be set back for a year or more.

Over the weekend, reports of hysteria started to spread from areas outside the capital, including a [warning](#) that a hospital full to capacity was at risk of collapsing, along with a major dam. Rossello, calling Maria the "biggest catastrophe" in the island's history, appealed for far more assistance, especially from the Pentagon.

"We still need some more help. This is clearly a critical disaster in Puerto Rico. It can't be minimized and we can't start overlooking us now that the storm passed, because the danger lurks," he told the [The Washington Post](#).

Plaskett, who was elected to the at-large Congress seat in 2014, also said she expects Rep. Nydia Velazquez (D-N.Y.), the first Puerto Rican woman elected to Congress, and Rep. Carlos Curbelo (R-Fla.), who has previously worked on legislation to address Puerto Rico's problems, to take the lead for Puerto Rico on a recovery bill in the House.

But Plaskett said she is also aware that her fellow lawmakers from the mainland can easily get distracted once Puerto Rico's plight drops from the headlines.

"They have their own interests to look out for as well," she said.

Compounding the island's dire situation is the fact that Hurricane Maria itself followed two other major storms in the 2017 season: Harvey in Texas and Irma in Florida.

"We're tired," Zukunft told POLITICO en route to Puerto Rico on Monday to assess the damage. "Hopefully we get a chance to take a knee at some point in time."

At Coast Guard Sector San Juan, the power is still off but sunlight streams in through gaping holes in the roof. There is the overwhelming smell of mold.

A Coast Guard cutter is anchored just off shore to ensure those helping with the storm response have some communications. (Zukunft related that tons of cocaine are aboard because the ship had to be quickly diverted from its drug interdiction mission to aid in storm relief).

But the bigger challenge may be ahead as the government tries to manage the rebuilding of economies from Texas to Florida to Puerto Rico.

"There's no doubt that agencies are being stretched to their limits. As much as they've been challenged up until this point, the real challenge lies ahead," said Gary Webb, the chair of emergency management and disaster science at the University of North Texas. "It's a totally different ballgame managing the recovery from three disasters."

Rubio assured Puerto Rican leaders Monday that he would be a solid voice for them among his colleagues on Capitol Hill.

"I will do everything I can when I get back to Washington tonight to be sure you have the resources and support not just to be able to respond now, but to get ready for the next one,"

Rubio told a room full of first responders in San Juan.

But experts predict it will have to be a multiyear investment by Congress to truly rebuild the island. The territory was already suffering from a debt crisis before the storm, and now the hurricane has wiped out its other major industry: tourism.

When asked if he thought there was an appetite in Congress to provide funding over the longer term to support rebuilding Puerto Rico, Rubio, responded, "I don't know, I hope so."

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### **White House defends Trump's NFL fixation as Puerto Rico seeks help [Back](#)**

By Matthew Nussbaum and Colin Wilhelm | 09/25/2017 06:56 PM EDT

The White House on Monday defended President Donald Trump's muted response to the devastation Hurricane Maria left behind in Puerto Rico, brushing off criticism that he's been more interested in kneeling NFL players than a U.S. territory suffering from a humanitarian crisis.

Before Monday night, Trump last tweeted about the storm on Sept. 20, writing, "Governor @RicardoRossello- We are with you and the people of Puerto Rico. Stay safe! #PRStrong."

For five days after that, as the scale of the devastation became apparent, Trump did not address the catastrophe from his Twitter account. Over the same period, he tweeted twice about Hillary Clinton, three times about Sen. Luther Strange (R-Ala.), once about NBA star Steph Curry and 12 times about the NFL, along with numerous additional posts about the national anthem that did not explicitly mention the NFL.

"It really doesn't take that long to type out 140 characters and this president is very capable of doing more than one thing at a time and more than one thing in a day," White House press secretary Sarah Huckabee Sanders said Monday, arguing that Trump's Twitter feed should not be taken as an indication of his priorities.

Several hours after Sanders spoke, and after four days of back and forth with the NFL, Trump wrote a series of tweets about the dire situation Puerto Rico, contrasting it with Texas and Florida, which he said were "doing great" after Hurricanes Harvey and Irma. Puerto Rico, he said, was in "big trouble" and had already been suffering from "broken infrastructure & massive debt."

"It's old electrical grid, which was in terrible shape, was devastated. Much of the Island was destroyed, with billions of dollars.... owed to Wall Street and the banks which, sadly, must be dealt with. Food, water and medical are top priorities — and doing well. #FEMA," the president tweeted.

Earlier Monday, Sanders called the Trump administration's response to the storm

"unprecedented," even as it has been far less public than the responses to Irma and Harvey. Maria has left much of Puerto Rico — a U.S. territory of 3.4 million citizens — without power and with limited access to food and water.

"We've done unprecedented movement in terms of federal funding to provide for the people of Puerto Rico and others that have been impacted [by] these storms, we'll continue to do so," Sanders said, noting that FEMA Administrator Brock Long and Homeland Security Adviser Tom Bossert had traveled to the island to assess the damage and the response efforts.

She also pushed back against the idea that Trump is sending a message by tweeting attacks against NFL players for kneeling during the national anthem and not tweeting about Puerto Rico or the U.S. Virgin Islands, which also took a big hit.

"He's not emphasizing sports. You're missing the entire purpose of the message," Sanders said.

Trump, however, has been noticeably less engaged with Maria's devastation.

After Harvey and Irma ripped through Texas and Florida, Trump told several advisers he was very pleased with the administration's handling of the storms, and senior administration officials were buoyed by the idea that the response caused his poll numbers to climb.

But Trump has not seemed as focused on Maria, administration officials say, though they note he has called Puerto Rico's governor, Ricardo Rossello, to ask about the damage.

Rossello has so far praised FEMA's response and other parts of the Trump administration, but has had to petition the government for more military resources, mainly aircraft, for searches and air drops of essential goods to towns cut off by the natural disaster.

"We know that there are capabilities in the surrounding areas, helicopters, planes and so forth. And our petition is for us to be able to use them and be flexible in using them with making sure that resources arrive to those areas of that are more vulnerable in Puerto Rico," Rossello told POLITICO on Sunday night.

Rossello stopped short of criticizing Trump's level of engagement.

"I think he's paid attention," Rossello said. "He's called me three times and he offered two pre-landfall emergency declarations before both storms hit Puerto Rico," though Rossello said Trump had overlooked the "granular detail" of declaring a federal disaster for every section of the island.

But criticism against Trump has mounted from other corners. And reports that a White House disaster-aid request might not reach Congress until October further fanned the flames.

"Hey @realDonaldTrump you can't wait that long," Lin-Manuel Miranda, the "Hamilton" playwright of Puerto Rican descent, wrote on Twitter. "There will be a lot of American deaths on your watch if you wait that long."

"Just spoke w/ fmr Gov [@luisfortuno51](#): 'PR on brink of humanitarian disaster.' USVI too. DC must put aside controversies, prioritize rescue," former GOP presidential candidate Mitt Romney tweeted.

Trump's election rival Hillary Clinton also called on Trump's administration to do more, and to recognize Puerto Ricans as U.S. citizens.

"President Trump, Sec. Mattis, and DOD should send the Navy, including the USNS Comfort, to Puerto Rico now. These are American citizens," Clinton tweeted on Sunday, referring to Defense Secretary Jim Mattis.

Puerto Rico's government, which is effectively bankrupt and in over \$70 billion of debt, has asked the federal government to waive the costs the commonwealth might have to pay out of pocket. A majority Republican federal oversight board put in place last year to oversee the island's economic recovery already loosened its budgetary requirements on the local government to allow Rossello to spend more in the immediate response, though Puerto Rico had limited resources to begin with.

Though implicit, Rossello's fears about being forgotten came across. During his interview, Rossello underscored the uniquely precarious situation Puerto Rico faces because of its long-term economic struggles, while maintaining that Americans in Puerto Rico and U.S. Virgin Islands should receive no less aid than the residents of any state.

"Whatever relief package we have, whatever impact we have, we are U.S. citizens. We shouldn't be the lesser for it," the governor said. If a response proves lackluster, Rossello predicted "massive migration that would deteriorate our [economic] base here in Puerto Rico and would provoke significant demographic shifting in other areas of the United States."

On Monday the governor, who like Trump is highly active on Twitter, retweeted a statement from Puerto Rico's last Republican governor, Luis Fortuno.

"The Federal Gov needs to act immediately to assist PR," it said. "Congress should support the 3.5 m US citizens residing in PR in same way as TX and FL."

*Josh Dawsey contributed to this report.*

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**DOT reverses course, will publish highway emissions rule [Back](#)**

By Alex Guillén | 09/25/2017 04:55 PM EDT

The Transportation Department will allow an Obama-era rule aimed at reducing greenhouse gas emissions from big highways to take effect following lawsuits from environmental groups and Democratic attorneys general.

The Federal Highway Administration delayed the rule from taking effect several times earlier this year before placing it on hold indefinitely.

But DOT today reversed course. In a [letter](#) to a federal judge in New York, the Justice Department said the rule has been submitted to the Federal Register and is expected to run on Sept. 28. The rule will take immediate effect upon publication, DOJ wrote.

The [rule](#) will require states to track emissions from highways and craft reduction goals.

"Our lawsuit held the Trump administration accountable for illegally halting a common-sense tool to curb carbon pollution from transportation," said the NRDC's Amanda Eaken in a statement. "Now the Federal Highway Administration should get busy working with planners nationwide to clean up the air, protect our health and provide smarter transportation options for Americans such as more public transit, bikeways and pedestrian walkways."

**WHAT'S NEXT:** DOT says the rule is expected to be published in Thursday's Federal Register.

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### **House Democrats block FAA extension [Back](#)**

By Heather Caygle and Lauren Gardner | 09/25/2017 12:25 PM EDT

House Democrats on Monday blocked a Republican push to fast-track an FAA extension , with just days to go until current law expires Sept. 30.

Top Democrats announced plans to vote against the six-month extension earlier in the day, citing opposition to unrelated Republican add-ons dealing with flood insurance, tax credits for victims of recent hurricanes and expiring health care programs.

The bill failed 245-171. The fast-track process used to consider the bill requires two-thirds support of members for passage.

House Republicans are expected to bring up the bill again under a rule — which requires only a simple majority for passage — later this week. But Senate Democrats are also uneasy with the extension, and it's unclear whether they would block the bill in the upper chamber.

Speaker Paul Ryan blasted Democrats for their opposition, accusing them of playing politics while federal aviation programs hang in the balance.

"It is a sad day when House Democrats will — in the name of politics — vote against disaster relief and air traffic safety measures," Ryan (R-Wis.) said in a statement Monday afternoon.

House Minority Leader Nancy Pelosi said in a statement that the "sprawling" bill goes far beyond just extending federal aviation programs and includes many provisions that don't have Democratic backing, including language dealing with the federal flood insurance program and tax credits for hurricane victims.

The Democratic leader also cited Republican inaction on the Dream Act — the bipartisan bill that would provide a path to citizenship for some young, undocumented immigrants known as Dreamers — as reason for her opposition.

Ryan said Republicans are committed to addressing Deferred Action for Childhood Arrivals (DACA), the program that shields Dreamers from deportation, before it ends in March. But, Ryan said, that issue should remain separate from the six-month FAA extension.

"These are two unrelated and bipartisan initiatives with broad support from both sides of the aisle," he said. "It's shameful that politics will trump meaningful relief for families suffering from these devastating hurricanes. House Democrats are willing to shut down air traffic control to make a political point."

Some Republicans who oppose House Transportation Committee Chairman Bill Shuster's separate effort to divorce air traffic control functions from the FAA have said they also oppose the extension. These lawmakers think the Transportation chairman should accept that the Senate has no interest in such an overhaul and don't want the agency to operate in fits and starts under stopgap measures.

Rep. Peter DeFazio (D-Ore.), the top Democrat on the Transportation Committee, called Republicans "a bunch of losers" for continuing to push breaking up the FAA.

"We're here today because the chairman of the committee has stubbornly persisted in trying to privatize air traffic control," DeFazio said, blasting Shuster on the House floor.

Senate Democrats are reviewing the legislation, but, like House Democrats, believe the flood insurance provisions are problematic and noted that the tax breaks included in the FAA bill weren't offered to Hurricane Sandy victims in 2012, according to a senior aide.

Pelosi panned the bill's tax relief provisions for citizens affected by hurricanes Harvey, Irma and Maria for not "treat[ing] all families recovering from natural disasters the same."

The California Democrat also criticized Republicans for not quickly acting on other programs that need reauthorization — such as the children's health insurance program — and reiterated her call for a vote on the Dream Act.

"Instead of acting on these priorities, House Republicans are advancing a sprawling FAA extension package laden with completely unrelated and inadequate items," she said.

House Minority Whip Steny Hoyer, top Transportation Committee Democrat Peter DeFazio of Oregon and other Democrats also signed onto a Dear Colleague [letter](#) opposing the bill.

*Brianna Gurciullo and Seung Min Kim contributed to this report.*

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## **Chamber urges Senate to reject Garrett for Ex-Im, confirm other nominees** [Back](#)

By Zachary Warmbrodt | 09/25/2017 02:58 PM EDT

The U.S. Chamber of Commerce is joining the chorus of business groups calling on lawmakers to block the confirmation of former Rep. Scott Garrett to head the Export-Import Bank.

In a [letter](#) sent today to Senate Banking Committee leaders, U.S. Chamber senior executive vice president Suzanne Clark said the group was "extremely concerned" about reports that the bank's critics might try to derail the confirmations of other appointees to the export agency if Garrett's nomination were rejected.

"Each nominee deserves to stand or fall on his or her own merits," Clark said. "We trust that senators from both parties will reject any attempt to hold qualified nominees who enjoy the support of the majority of the Senate hostage in an attempt to gain leverage for the approval of a nominee who does not enjoy the support of a majority of the Senate."

Business groups have been lobbying to stop Garrett's appointment after he worked to kill the Export-Import Bank while in Congress.

The Chamber strongly supports the nominations of Kimberly Reed, Claudia Slacik, Judith Pryor and Spencer Bachus to serve on the Export-Import Bank's board, Clark said. But Garrett could use his position to prevent the agency from properly functioning, she added.

"As Chairman of the Ex-Im Bank, Mr. Garrett would have extraordinary powers to stop transactions from being voted on by the board, even when they have the support of a majority of Board members," she said. "While the temporary lapse in Ex-Im's charter and the lack of a quorum for the Ex-Im board have hobbled the bank's activities from the outside, confirming an opponent of Ex-Im as its chair would have the same impact regardless of a quorum."

**WHAT'S NEXT:** The Senate Banking Committee has not scheduled a vote on the nominees.

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## **Price's private-jet travel breaks precedent** [Back](#)

By Dan Diamond and Rachana Pradhan | 09/19/2017 10:30 PM EDT

In a sharp departure from his predecessors, Health and Human Services Secretary Tom Price last week took private jets on five separate flights for official business, at a cost of tens of thousands of dollars more than commercial travel.

The secretary's five flights, which were scheduled between Sept. 13 and Sept. 15, took him to a resort in Maine where he participated in a Q&A discussion with a health care industry CEO, and to community health centers in New Hampshire and Pennsylvania, according to internal HHS documents.

The travel by corporate-style jet comes at a time when other members of the Trump administration are under fire for travel expenditures, and breaks with the practices of Obama-era secretaries Sylvia Mathews Burwell and Kathleen Sebelius, who flew commercially while in the continental United States.

Price, a frequent critic of federal spending who has been developing a plan for departmentwide cost savings, declined to comment.

HHS spokespeople declined to confirm details of the flights or respond to questions about who paid for them, with a spokesperson saying only that Price sometimes charters planes when commercial flights aren't feasible. All three organizations that hosted Price last week — the Massachusetts-based health IT firm athenahealth, Goodwin Community Health Center in New Hampshire and the Mirmont Treatment Center in Pennsylvania — told POLITICO they did not pay for his flights or other travel costs.

"As part of the HHS mission to enhance and protect the health and well-being of the American people, Secretary Price travels on occasion outside Washington to meet face to face with the American people to hear their thoughts and concerns firsthand," an HHS spokesperson said, adding, "When commercial aircraft cannot reasonably accommodate travel requirements, charter aircraft can be used for official travel."

Price's spokespeople declined to comment on why he considered commercial travel to be unfeasible. On one leg of the trip — a sprint from Dulles International Airport to Philadelphia International Airport, a distance of 135 miles — there was a commercial flight that departed at roughly the same time: Price's charter left Dulles at 8:27 a.m., and a United Airlines flight departed for Philadelphia at 8:22 a.m., according to airport records.

Sample round-trip fares for the United flight ranged from \$447 to \$725 per person on [United.com](https://www.united.com), though the price would have been lower if booked in advance or if Price's party received government discounts. Similarly priced commercial flights also left from Reagan National Airport and Baltimore Washington International. By contrast, the cost of chartering the plane was roughly \$25,000, according to Ultimate Jet Charters, which owns the Embraer 135LR twin jet that ferried Price and about 10 other people to the clinic event.

In addition, Amtrak ran four trains starting at 7 a.m. that left Washington's Union Station and arrived at Philadelphia's 30th Street Station no later than 9:58 a.m. The least-expensive ticket, on the 7:25 a.m. train, costs \$72 when booked in advance. It is just a 125-mile drive from HHS headquarters in downtown Washington to the Mirmont Treatment Center outside of Philadelphia, where Price spoke. Google Maps estimates the drive as about 2½ hours. A one-way trip was estimated by travel planners to be about \$30 in gasoline per SUV plus no more than \$16 in tolls.

An HHS spokesperson declined to answer questions on how many private charter flights Price has taken since being confirmed as secretary on Feb. 10, but wrote in an emailed response, "Official travel by the secretary is done in complete accordance with Federal Travel Regulations."

Current and former staffers, speaking on the condition of anonymity, say Price has been taking



private jets to travel domestically for months.

Ethics experts say the use of private charters by government officials, while legal, is highly dubious and in most cases a misuse of taxpayer funding.

"I can understand why the secretary might have to use a charter flight to get to a hurricane-devastated region, but Philadelphia is not one of those regions this year," said Walter Shaub, who was director of the United States Office of Government Ethics until July. "I find it hard to believe he couldn't find a suitable commercial flight to Philadelphia."

"This wasteful conduct reflects disdain for the ethical principle of treating public service as a public trust," said Shaub, who was appointed by former President Barack Obama. "Public office isn't supposed to come with frivolous perks at taxpayer expense."

Shaub said that the trips violate the "spirit" of the Federal Travel Regulations, citing the express guidance contained in the regulations that "taxpayers should pay no more than necessary for your transportation."

Members of the Trump administration have come under scrutiny for excessive use of government travel resources. The president and his family have rung up travel expenses at a faster rate than previous presidential families. The inspector general of the Environmental Protection Agency recently announced a probe into Administrator Scott Pruitt's frequent travel to his home state of Oklahoma. The Treasury Department's inspector general is looking into Secretary Steve Mnuchin's use of a government jet on a trip to Fort Knox, Kentucky, that involved viewing the solar eclipse. Most recently, ABC News reported that Mnuchin had requested a government plane to take him on his overseas honeymoon. The request was withdrawn on the grounds that it was unnecessary.

Price is an orthopedic surgeon who served in the U.S. House for 12 years representing a district in suburban Atlanta. After President Donald Trump nominated him to be HHS secretary in January, Price came under fire from Democrats and ethics watchdogs for having made stock trades in health-care companies while serving on a House panel overseeing Obamacare and other health issues.

He has also positioned himself as a champion of fiscal efficiency, backing major spending reductions to agencies he oversees and legislation that would cull hundreds of billions of dollars from health entitlement programs. This month, Price had been scheduled to submit a department reform plan to the White House that is expected to propose new spending and staffing cuts. He also backed a nearly \$6 billion proposed cut to the National Institutes of Health in March, and an overall 18 percent spending cut to HHS included in Trump's first budget proposal.

"Tough choices had to be made to identify and reduce spending within the department," Price said in a statement to Congress about his budget request. "Our goal is to ... [try] to decrease the areas where there are either duplications, redundancies or waste ... and get a larger return for the investment of the American taxpayer."

Price's travel itinerary last week included five charter flights that charter operators estimated would cost at least \$60,000. The itinerary, according to airport records and sources with

knowledge of Price's travels, began on Wednesday, Sept. 13 (arrows do not represent actual flight paths):

- Price and staff took a private charter that left Dulles that Wednesday at 2:26 p.m. and arrived in Waterville, Maine, at 3:37 p.m., where he then traveled to the Point Lookout resort and spent the night.
- On Thursday, Sept. 14, Price held a fireside chat with the CEO of athenahealth at the Point Lookout resort. He then took a private jet that departed Waterville, Maine, at 11:41 a.m. and arrived in Portsmouth, New Hampshire, at 12:09 p.m. for a scheduled visit to nearby Goodwin Community Health Center.
- Later on Thursday, Price made an announcement about grants for fighting the opioid epidemic, after which he took a private jet that left Portsmouth at 2:34 p.m. and arrived at Washington Dulles at 3:45 p.m.
- On Sept. 15, Price, accompanied by White House counselor Kellyanne Conway, left Dulles aboard a charter at 8:27 a.m. and touched down at Philadelphia International Airport at 9:01 a.m. for a scheduled visit to Mirmont Treatment Center, a local addiction treatment facility.
- Also on Sept. 15, Price, Conway and other staff departed Philadelphia aboard a charter plane at 12:39 p.m. and touched down at Dulles at 1:19 p.m., where the plane was met on the tarmac by two SUVs and a police escort.

The round trip to the Philadelphia airport, which is about 15 miles from Mirmont Treatment Center, where Price and Conway met with staff and patients — cost about \$25,000, an official with the charter agency told POLITICO.

Eddie Money Penny of Ultimate Jet Charters, who confirmed that his company's 30-seat jet was used for a Dulles-Philadelphia roundtrip last week, said he wasn't aware that the trip was for a government official and the charter had been booked through a third party.

Other charter services confirmed that charter flights between Washington and Philadelphia run tens of thousands of dollars when retaining the same plane.

"I've been doing this for seven years," said Jake Sheeley of EvoJets, another charter service. "I've never seen a flight like this for less than \$20,000." Sheeley also estimated that an itinerary modeled on Price's three-flight trip between Washington, Maine and New Hampshire would cost about \$40,000.

Several former HHS staffers who had close knowledge of the travel plans of former HHS secretaries Burwell and Sebelius could not recall booking a charter flight for short-haul travel.

Staff for Burwell and Sebelius said booking even a single charter flight was, in the words of one, a "non-starter" within the department. For example, for last year's Obamacare enrollment kick-off, HHS staff had planned a multi-city tour for Burwell to urge Americans to sign up for coverage. The effort, which would have required charter aircraft, was ultimately scrapped.

because of its estimated \$60,000 cost.

"We were worried about the optics and the cost to taxpayers," said one former staffer involved in the planning.

In her more than five years as a Cabinet secretary, Sebelius says she took a charter flight only to get to remote areas in Alaska, which she and staff said were otherwise inaccessible.

"The basic rules that our scheduling team worked under were, you flew commercial and you flew economy," she said in an interview. "That's just what they did."

Tracking Price's travel and meetings has been much more difficult than tracking those of his predecessors. His office only recently began informing reporters of trips ahead of time, and have declined to post most of his remarks and speeches to the HHS website despite his frequent speaking engagements.

Nonetheless, he's spent much of his tenure on the road. POLITICO identified at least 24 separate flights that Price has taken to conduct HHS business in the past four months alone. Those flights don't include Price's weekend trips home to Georgia. An HHS spokesperson said, "Secretary Price pays for personal travel out of his own pocket."

One of those unannounced trips was to last week's conference hosted by athenahealth, the health information company, at the Point Lookout resort in Maine. Price held a wideranging fireside chat with athenahealth CEO Jonathan Bush, the nephew of former President George H.W. Bush and first cousin of former President George W. Bush.

The HHS secretary apparently used his remarks to tweak the government's role as would-be reformers.

"Don't assume the federal government is gonna do the right thing in health care," Price said, according to one account of his talk.

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Heather Swift  
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[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Mon, Sep 25, 2017 at 8:38 PM, Todd Willens <[todd\\_willens@ios.doi.gov](mailto:todd_willens@ios.doi.gov)> wrote:

First I am learning about this. What did NPS say?

Todd Willens  
Assistant Deputy Secretary  
Acting Assistant Secretary for Fish and Wildlife and Parks  
U.S. Department of the Interior  
[1849 C Street, NW](#) - MIB Room 6116  
Washington, DC 20240

On Sep 25, 2017, at 1:59 PM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

----- Forwarded message -----

**From:** **Fears, Darryl** <[Darryl.Fears@washpost.com](mailto:Darryl.Fears@washpost.com)>  
**Date:** Mon, Sep 25, 2017 at 1:29 PM  
**Subject:** Bottled water sales  
**To:** "Swift, Heather ([heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov))" <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>

Hi Heather,  
I'm preparing a story that says Interior withheld an NPS report showing the benefits of its

ban on sales of water bottles in parks while lifting the ban. It was released late Friday and is on the NPS web site. The story will run later this afternoon. My deadline is 3 p.m. if the agency wants to comment on why it took a freedom of information request to release the report and why it was essentially ignored.  
Thanks.

Darryl

Darryl Fears  
Staff Writer  
The Washington Post  
202.334.7511  
[darryl.fears@washpost.com](mailto:darryl.fears@washpost.com)

<winmail.dat>

**To:** David Bernhardt [(b) (6)] [redacted]@ios.doi.gov]; Todd Willens[todd\_willens@ios.doi.gov]  
**Cc:** Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]; Rees, Gareth[gareth\_rees@ios.doi.gov]  
**From:** Newell, Russell  
**Sent:** 2017-09-26T09:07:19-04:00  
**Importance:** Normal  
**Received:** 2017-09-26T09:07:26-04:00

David - fysa

<http://www.slttrib.com/news/environment/2017/09/25/interior-boss-blasts-fired-utah-blm-law-enforcement-agent/>

Russell Newell  
Deputy Director of Communications  
U.S. Department of the Interior  
(202) 208 6232  
@Interior

**To:** Moody, Joan[joan\_moody@ios.doi.gov]  
**Cc:** Quimby, Frank[frank\_quimby@ios.doi.gov]; Paul Ross[paul\_ross@ios.doi.gov]; Newell, Russell[russell\_newell@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**From:** DuBray, Daniel  
**Sent:** 2017-09-26T09:15:39-04:00  
**Importance:** Normal  
**Subject:** Re: Dan--Minute 323 today?--please keep us in the loop  
**Received:** 2017-09-26T09:15:46-04:00

Joan:

IBWC is handling media on the 323 rollout today. Bob Snow has been working along with Bernhardt on his remarks...and a followup statement...with support from Laura, et al over there. I think we're good. But thanks.

d

Dan DuBray  
Chief, Public Affairs  
Commissioner's Office  
Bureau of Reclamation  
1849 C Street, NW MS-7069  
Washington, DC 20240  
Direct: (202) 513-0574  
Cell: (571) 277-1197  
[ddubray@usbr.gov](mailto:ddubray@usbr.gov)  
Twitter: @DuBray

On Tue, Sep 26, 2017 at 9:06 AM, Moody, Joan <[joan\\_moody@ios.doi.gov](mailto:joan_moody@ios.doi.gov)> wrote:

FROM BNA--The Minute 323 agreement would amend a longstanding treaty between the U.S. and Mexico on management of the Colorado River. ItD will continue the practice of water shortage sharing, but also fund new conservation and environmental programs, and aim to reduce the risk of ruinous drought.

The two nations are tentatively scheduled to execute the agreement Minute 323, an amendment to a 1944 water treaty on Sept. 26 in Mexico's Ciudad Juarez. Minute 323 will govern water flows in the Colorado River and other water management issues by extending an existing binational agreement, Minute 319, which was set to expire at the end of 2017.

*Joan Moody  
Senior Public Affairs Specialist  
Office of the Secretary MIB 6226  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240  
202-208-3280  
Joan\_Moody@ios.doi.gov*



**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Willens, Todd  
**Sent:** 2017-09-26T09:24:23-04:00  
**Importance:** Normal  
**Subject:** Re: Bottled water sales  
**Received:** 2017-09-26T09:24:59-04:00

that is stretch of what that report said.

Todd Willens  
Assistant Deputy Secretary  
Acting Assistant Secretary for Fish and Wildlife and Parks  
U.S. Department of the Interior  
1849 C Street, NW -- MIB Room 6116  
Washington, DC 20240  
office: 202-208-6291

NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

On Tue, Sep 26, 2017 at 8:38 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

[https://www.washingtonpost.com/news/energy-environment/wp/2017/09/26/the-national-park-service-showed-that-its-bottled-water-ban-worked-then-lifted-it/?utm\\_term=.705dee5a21a6](https://www.washingtonpost.com/news/energy-environment/wp/2017/09/26/the-national-park-service-showed-that-its-bottled-water-ban-worked-then-lifted-it/?utm_term=.705dee5a21a6)

-

Heather Swift  
Department of the Interior  
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Assistant Deputy Secretary  
Acting Assistant Secretary for Fish and Wildlife and Parks  
U.S. Department of the Interior  
[1849 C Street, NW](https://www.doi.gov) - MIB Room 6116  
Washington, DC 20240

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-

Heather Swift  
Department of the Interior

@DOIPressSec

Heather Swift@ios.doi.gov | Interior Press@ios.doi.gov

----- Forwarded message -----

From: **Fears, Darryl** <Darryl.Fears@washpost.com>

Date: Mon, Sep 25, 2017 at 1:29 PM

Subject: Bottled water sales

To: "Swift, Heather (heather\_swift@ios.doi.gov)" <heather\_swift@ios.doi.gov>

Hi Heather,

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Thanks.

Darryl

Darryl Fears

Staff Writer

The Washington Post

202.334.7511

darryl.fears@washpost.com

<winmail.dat>

**To:** Willens, Todd[todd\_willens@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-26T09:26:14-04:00  
**Importance:** Normal  
**Subject:** Re: Bottled water sales  
**Received:** 2017-09-26T09:27:01-04:00

they also don't have any proof or claims that we killed it.... really shoddy

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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[@DOIPressSec](mailto:@DOIPressSec)  
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To: "Swift, Heather ([heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov))" <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>

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The Washington Post  
202.334.7511  
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<winmail.dat>

**To:** Quimby, Frank[frank\_quimby@ios.doi.gov]  
**Cc:** Newell, Russell[russell\_newell@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-26T11:29:19-04:00  
**Importance:** Normal  
**Subject:** Re: New York Times Interview  
**Received:** 2017-09-26T11:58:58-04:00

Edited.

**Background on interview request:** Eric Lipton, New York Times, is working an article focused on BSEE (mostly focused on Well Control Rule), but he wanted help from BOEM in getting all of the different rules straight that he is researching. Article to publish next week. DOI Comms okay with BOEM submitting written answers, subject to their review/approval.

**Questions:**

**(1) Explain in layman's terms what review of the Financial Assurance NTL means.**

**Background:** Under BOEM regulations, once production ends, lessees are required to decommission their facilities on the Outer Continental Shelf (OCS). Supplemental bonding can be required to ensure decommissioning is properly conducted. NTL No. 2016-N01 was originally put into place under the last Administration to update BOEM's financial assurance program.

- **July 2016.** BOEM issued NTL 2016-N01, which detailed improved procedures to determine a lessee's ability to carry out its lease obligations primarily the decommissioning of OCS facilities and to make informed decisions about whether lessees should furnish additional security.
- **December 2016.** BOEM issued Orders to Provide Additional Security for sole liability properties. Sole liability properties are leases, rights-of-way, or rights of use and easements for which the holder is the only liable party (i.e., there are no co-lessees, operating rights owners and/or other grant holders, and no prior interest holders liable to meet the lease and/or grant obligations).
- **February 2017.** BOEM announced it will withdraw sole liability orders issued to OCS oil and gas lease and grant holders from the previous December to allow time for the new Administration to review the complex financial assurance program.
  - The Administration's goal is that the taxpayer should never have to shoulder any liability for decommissioning existing or future facilities on the OCS, and places a high priority on ensuring an effective financial assurance program is in place that does not detrimentally reduce

offshore investment or place American offshore production at a competitive disadvantage. It also acknowledges that financial assurance is a complex issue and welcomes continued industry engagement on this important issue.

- **May 2017.** Secretary's Order 3350 directed BOEM to promptly complete a review of Notice to Lessees (NTL) No. 2016-N01, and provide a recommendation on whether to implement this NTL to the Assistant Secretary Land and Minerals Management (ASLM), Deputy Secretary, and the Counselor to the Secretary for Energy Policy.
- **Current status.** BOEM is in the final stages of our review, and has obtained significant industry feedback. We have determined that more time is necessary to work with industry. Our goal is to ensure industry's continued engagement in developing and implementing a risk management program that:
  - Enables industry to meet its legal obligations and protects the American taxpayers from shouldering any liability for decommissioning existing or future facilities on the OCS,
  - Minimizes adverse effects on American offshore energy exploration and production in order to maintain the Nation's position as a global energy leader and foster energy security and resilience for the benefit of the American people.

**(2) Confirm status of the Air Quality Rule and whether a review is underway?**

- The proposed rule on Air Quality Control, Reporting, and Compliance is being reviewed by BOEM and Department of Interior.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Tue, Sep 26, 2017 at 11:19 AM, Quimby, Frank <[frank\\_quimby@ios.doi.gov](mailto:frank_quimby@ios.doi.gov)> wrote:

sent this to you on Friday standard background responses to NYT questions...I don't see any problems...these are written questions NYT submitted after we declined the interview

----- Forwarded message -----

From: **Moriarty, Tracey** <[tracey.moriarty@boem.gov](mailto:tracey.moriarty@boem.gov)>  
Date: Tue, Sep 26, 2017 at 11:03 AM  
Subject: Fwd: New York Times Interview  
To: "Quimby, Frank J" <[Frank\\_Quimby@ios.doi.gov](mailto:Frank_Quimby@ios.doi.gov)>  
Cc: Connie Gillette <[Connie.Gillette@boem.gov](mailto:Connie.Gillette@boem.gov)>

Hey Frank - Just wanted to follow up on this. Okay to send?

----- Forwarded message -----

From: **Moriarty, Tracey** <[tracey.moriarty@boem.gov](mailto:tracey.moriarty@boem.gov)>  
Date: Fri, Sep 22, 2017 at 4:00 PM  
Subject: Re: New York Times Interview  
To: "Quimby, Frank" <[frank\\_quimby@ios.doi.gov](mailto:frank_quimby@ios.doi.gov)>  
Cc: Gregory Julian <[Gregory.Julian@bsee.gov](mailto:Gregory.Julian@bsee.gov)>, Connie Gillette <[Connie.Gillette@boem.gov](mailto:Connie.Gillette@boem.gov)>

Hi Frank -

For OCO approval, attached please find proposed answers to the reporter's questions. Let us know if we can send.

Thanks for your help!! t

**Tracey Blythe Moriarty**

Acting Deputy Chief, Office of Public Affairs  
Bureau of Ocean Energy Management

Tel: (703) 787-1571

Cell: (202) 304-6476

[Tracey.Moriarty@boem.gov](mailto:Tracey.Moriarty@boem.gov)

[http://twitter.com/boem\\_doi](http://twitter.com/boem_doi)

<https://www.facebook.com/BureauOfOceanEnergyManagement>

On Wed, Sep 20, 2017 at 12:19 PM, Quimby, Frank <[frank\\_quimby@ios.doi.gov](mailto:frank_quimby@ios.doi.gov)> wrote:

Heather says decline requests for interview but can ask for questions in writing and your draft background

responses will be reviewed by OCO

----- Forwarded message -----

From: **Swift, Heather** <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>  
Date: Wed, Sep 20, 2017 at 12:17 PM  
Subject: Re: New York Times Interview  
To: "Quimby, Frank" <[frank\\_quimby@ios.doi.gov](mailto:frank_quimby@ios.doi.gov)>  
Cc: Laura Rigas <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)>, "Newell, Russell" <[russell\\_newell@ios.doi.gov](mailto:russell_newell@ios.doi.gov)>

We are declining these requests. Perhaps offer to take questions over email and provide background information.

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](https://twitter.com/DOIPressSec)

Heather Swift@ios.doi.gov | Interior Press@ios.doi.gov

On Wed, Sep 20, 2017 at 12:16 PM, Quimby, Frank <[frank\\_quimby@ios.doi.gov](mailto:frank_quimby@ios.doi.gov)> wrote:

NY Times also wants to interview BOEM about "financial assurance" review and air quality rule  
does BSEE have a green light on NY Times interview and if so how about BOEM??

----- Forwarded message -----

From: **Moriarty, Tracey** <[tracey.moriarty@boem.gov](mailto:tracey.moriarty@boem.gov)>  
Date: Wed, Sep 20, 2017 at 12:08 PM  
Subject: New York Times Interview  
To: "Quimby, Frank J" <[Frank\\_Quimby@ios.doi.gov](mailto:Frank_Quimby@ios.doi.gov)>  
Cc: Connie Gillette <[Connie.Gillette@boem.gov](mailto:Connie.Gillette@boem.gov)>

Hi Frank -

Eric Lipton, New York Times, wanted to speak with someone from BOEM on the financial assurance review and air quality rule. It was intended for background in support of a story he is doing on BSEE.

I spoke with Greg Julian, who explained that Heather gave him guidance that BSEE should not do the interview. I just wanted to confirm that BOEM her guidance applies to BOEM as well.

Should we be given the green light, we would have Walter do the interview, who would easily be able provide appropriate responses and stay within scope.

Please advise. Thanks!

**Tracey Blythe Moriarty**

Acting Deputy Chief, Office of Public Affairs

Bureau of Ocean Energy Management

Tel: (703) 787-1571

Cell: (202) 304-6476

[Tracey.Moriarty@boem.gov](mailto:Tracey.Moriarty@boem.gov)

[http://twitter.com/boem\\_doi](http://twitter.com/boem_doi)

<https://www.facebook.com/BureauOfOceanEnergyManagement>



**To:** Russell Newell[russell\_newell@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]  
**Cc:** Swift, Heather[heather\_swift@ios.doi.gov]; Rebecca Matulka[rebecca\_matulka@ios.doi.gov]; Frank Quimby[Frank\_Quimby@ios.doi.gov]; Moody, Joan[joan\_moody@ios.doi.gov]; Nachmany, Eli[eli\_nachmany@ios.doi.gov]; Alex Hinson[alex\_hinson@ios.doi.gov]  
**From:** Ross, Paul  
**Sent:** 2017-09-26T12:46:31-04:00  
**Importance:** Normal  
**Subject:** Week Ahead Sept 27-Oct 5  
**Received:** 2017-09-26T12:52:56-04:00  
[WEEKAHEADSeptember27thruOctober5-2017.docx](#)

Russell-

Attached and below is the week-ahead for September 27-October 5. Thanks.

-Paul

## **WEEK AHEAD September 27 thru October 5, 2017**

Announcements/Releases/Events

### **U.S. Department of the Interior**

*Secretarial-level Announcements/Events/Interviews*

- *This week the Secretary is ...*
- **September TBD: Department-level Release:** DOI and BLM will announce the totals from all September oil and gas lease sales.
- **October 5: Department-level Release:** DOI and BOEM press release on Proposed Notice of Sale for Gulf of Mexico Lease Sale 250.

### **National Park Service**

- **September 27 (tent.): Local NPS Release:** NPS will issue a news release regarding the independent review panel findings that Golden Gate National Recreation Area dog rule process was unaffected by inappropriate personal email use.
- **September 27:** The NPS National Capital Region's National Historic Landmark Program will host a stakeholder meeting as part of a joint research project underway by

the NPS and the Organization of American Historians to identify potential National Historic Landmarks (NHLs) associated with Lesbian, Gay, Bisexual, Transgender & Queer (LGBTQ) history in the region. Invited stakeholders include state historic preservation offices, staff from selected NCR parks, local LGBTQ history representatives, and local governments' historic preservation staff.

- **September 29: National NPS Release:** NPS will issue a release regarding National Public Lands Day that will highlight the upcoming entrance fee-free day and volunteer service projects.
- **October 2 (tent.): National NPS Release:** NPS will announce the Director's Partnership Awards, which recognizes 17 NPS partners who supported six different complex, multi-year projects, including historic building rehab and trail construction projects.
- **September/October TBD: National NPS Release:** Historic Preservation Tax Credits: NPS and/or DOI announcement of annual Rutgers report on NPS Federal Historic Preservation Tax Incentives Program economic impact. Tax credits 2016 contributed \$12.3 billion in output to the U.S. economy, added \$6.2 billion in GDP. Historic preservation tax incentives encourage investments in historic preservation and revitalization of communities small and large across the country.

### U.S. Fish and Wildlife Service

- **September TBD: Local FWS Release:** By September 29, FWS plans to send to the Federal Register a final listing determination for the Kenk's amphipod, a crustacean from Maryland, Virginia and the District of Columbia. This action is not controversial. Stakeholders are the Center for Biological Diversity, Friends of the Capital Crescent Trail, Fort A.P. Hill, and the NPS.
- **September TBD: Local FWS Release:** FWS will announce a six-month extension of the final determination of list the Louisiana pine snake, found in Louisiana and Texas. While the Louisiana pine snake listing is controversial, the six-month extension is not expected to be controversial.
- **September TBD: Local FWS Release:** FWS will announce the Candy darter, a fish found in Virginia and West Virginia, proposed ESA listing. This action is not expected to be controversial.
- **September TBD: Local FWS Release:** FWS will announce the proposed listings of three Southeast darters. FWS plans to propose ESA listing determinations for the bridled darter, holiday darter and trispot darter, three fish found in Alabama, Georgia and Tennessee. This action is not controversial.

- **September TBD: Local FWS Release:** FWS will announce the final listing of four Everglades plants—the Everglades bully, Florida pineland crabgrass, pineland sandmat and Florida prairie-clover, plants that occur in south Florida. This action is not controversial.
- **September TBD: Local FWS Release(s):** FWS will send 12-month findings on 25 species, finding that none warrant ESA protections. These findings are for 14 Nevada springsnail species, Barbour's map turtle, Big Blue Springs cave crayfish, Bicknell's thrush, black-backed woodpecker, boreal toad, fisher, Florida Keys mole skink, Great Sand Dunes tiger beetle, Kirtland's snake, Pacific walrus and San Felipe gambusia. Outreach will be conducted on a region-by-region basis, including news releases with supporting FAQs where appropriate, to be sent to stakeholders and members of Congress. Some findings may be controversial. The Bicknell's thrush, fisher and Pacific walrus will likely attract significant media attention.
- **October 2: National FWS Release:** FWS will announce National Wildlife Refuge Week, which will take place October 8-14. Refuge Week is an annual celebration of the nation's wildlife conservation heritage and the national wildlife refuges that protect it. The timing provides notice for print and online media to announce the annual celebration and regional events for the public to plan ahead, as well as for the regions and refuges to begin preparing additional promotional information.

### **Bureau of Land Management**

- **September 27 (tent.): National BLM Release:** BLM will issue a release regarding their announcement to seek nominations for 18 of their 36 Resource Advisory Councils.
- **October 2:** The 30-day comment period for the public to submit suggestions for priorities not yet considered for Round 11 of the Lincoln County Archaeological Initiative concludes. Existing priorities include use of innovative technology for preserving and interpreting archaeological resources; public outreach and education on archaeology; development and application of archaeological contexts; and archaeological identification and evaluation research.
- **October 2:** BLM-NM Acting State Director Aden Seidlitz and Acting Assistant Secretary for Land and Minerals Management Kate MacGregor will speak at the annual New Mexico Oil and Gas Association conference.

### **Bureau of Reclamation**

- **September 26:** U.S./Mexico Cooperative Process – Colorado River (“Minute

323”): Minute 323 of the Water Treaty with Mexico will be signed by the United States and Mexico commissioners of the International Boundary and Water Commission. On June 12, the Governor’s representatives from the seven Colorado River Basin States communicated to Secretary of the Interior Zinke their goal of finishing the drafting of the necessary U.S. (domestic) agreements needed to allow the U.S. and Mexico to finalize a cooperative agreement by mid-July (completion of these draft agreements would put the U.S. and Mexico in position to finalize a successor agreement to the current plan - known as Minute 319 - later this fall). The domestic agreements will also be signed on September 26. The State Department finalized consultations with the Senate Foreign Relations Committee in early August and is prepared to proceed when the Basin States clearances are complete. The State Department/IBWC will handle press.

- **September 27:** A ceremony celebrating the signing of Minute 323 to the 1944 Water Treaty with Mexico will occur on the opening day of biennial Colorado River Symposium in Santa Fe, New Mexico. Deputy Secretary of the Interior David Bernhardt will attend and offer brief remarks.
- **September 27:** BOR will participate in the Klamath Project Reinitiation of Consultation Agency Coordination Team and Stakeholder Engagement Meeting. The Agency Coordination Team including Reclamation, U.S. Fish and Wildlife Service and National Marine Fisheries Service will meet to continue collaborative discussions regarding the reinitiated consultation for the Klamath Project. As part of the Endangered Species Act Section 7 reinitiated consultation on Klamath Project operations, Reclamation has incorporated a robust stakeholder engagement process that includes quarterly workshops with key stakeholders and Klamath Basin Tribes.
- **September 27-29:** Reclamation will join the Colorado River Basin States and other stakeholders in Santa Fe, New Mexico, for collaborative discussions of Colorado River issues, challenges and solutions, at the biennial Colorado River Symposium.

### **Bureau of Safety and Environmental Enforcement**

- **October 3 (tent.): National BSEE Release:** BSEE will put out a read-out highlighting BSEE Director Angelle's activities and meetings in Anchorage, Alaska. Social media platforms will be used to amplify News Brief.

### **Bureau of Indian Affairs**

- **October 2:** Gavin Clarkson, Deputy Assistant Secretary for Indian Energy and Economic Development will lead a consultation on revisions of the “Licensed Indian Traders” regulations at the Native American Finance Officers Association (NAFOA) 2017 Fall Finance & Tribal Economies Conference, River Spirit Casino Resort, 8330 Riverside Pkwy, Tulsa, OK.

**Paul R. Ross**

Senior Public Affairs Specialist  
Office of Communications  
U.S. Department of the Interior  
Office: (202) 501 4633 | Cell: (202) 507 1689

**To:** suntimes[suntimes@3rivers.net]  
**Cc:** Interior Press[Interior\_Press@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-26T14:01:00-04:00  
**Importance:** Normal  
**Subject:** Re: Co-Management of National Monuments  
**Received:** 2017-09-26T14:02:47-04:00

Hello Darryl!!!! Your old friend, Heather Swift here :)

Any co-management of federal lands with a non-federal partner has to be done by Congress. previous administration promised co-management to Tribes at Bears Ears but never followed through on it to codify it.

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Tue, Sep 26, 2017 at 11:47 AM, suntimes <[suntimes@3rivers.net](mailto:suntimes@3rivers.net)> wrote:

Good afternoon,  
I hope you can help with a story I'm working on.

Regarding National Monuments, are you aware of any that exists under "co-management" with a non-federal agency, group, corporation or other entity?

I have been unable to find any such management arrangements for a National Monument, only that the U.S. Park Service, U.S. Forest Service, U.S. Fish and Wildlife Service and U.S. Bureau of Land Management are in charge of National Monuments.

Thank you,  
Darryl

Darryl Flowers  
Publisher  
Fairfield Sun Times  
(406 ) 467-2334  
(406) 750-5605 (Mobile)  
[suntimes@3rivers.net](mailto:suntimes@3rivers.net)  
P.O. Box 578  
Fairfield, MT 59436  
*Visit us on the web at [www.fairfieldsuntimes.com](http://www.fairfieldsuntimes.com)*

**To:** Caroline Boulton[caroline\_boulton@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]; David Bernhardt[(b) (6) ios.doi.gov]; Douglas Domenech[douglas\_domenech@ios.doi.gov]; Getto, Leila[leila\_getto@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Mashburn, Lori[lori\_mashburn@ios.doi.gov]; Micah Chambers[micah\_chambers@ios.doi.gov]; Scott Hommel[scott\_hommel@ios.doi.gov]; Swift, Heather[heather\_swift@ios.doi.gov]; Thiele, Aaron[aaron\_thiele@ios.doi.gov]; Willens, Todd[todd\_willens@ios.doi.gov]  
**From:** Mashburn, Lori  
**Sent:** 2017-09-26T14:01:34-04:00  
**Importance:** Normal  
**Subject:** DOI Cabinet Affairs Report for 9/26/2017  
**Received:** 2017-09-26T14:11:20-04:00  
[DAILY UPDATE FOR CABINET AFFAIRS 09-26-17.docx](#)

**DEPARTMENT OF THE INTERIOR DAILY UPDATE FOR CABINET AFFAIRS –  
9/26/17**

Lori Mashburn, White House Liaison

**STATUS OF THE SECRETARY**

9/26 DC – Remarks at National Clean Energy Week Symposium, Reserve Officers Association

Wild Horse Roundtable

Phone Call with House Speaker Paul Ryan

Cabinet Meeting at White House

Meeting with Harold Hamm

Meeting with John Faracci and National Fish and Wildlife Foundation

Remarks and Receipt of Jefferson Island Club Citizen of the Year Award, Siemens Corporation

9/27-9/28 – Travel to Gateway National Recreation Area in New Jersey, various National Park Assets in Philadelphia (including Valley Forge), meeting with County Commissioners.

9/29 DC – Remarks at Heritage Foundation on “A Vision for Energy Dominance”

Meeting regarding Shawnee Trust

**STATUS OF THE DEPUTY SECRETARY**

TODAY: The Deputy Secretary is in Washington, DC.

9/26 DC – Remarks at U.S. Chamber of Commerce

Meeting with Senior Executives, Exxon Mobile

Meeting Indiana Lt. Governor Suzanne Crouch

9/27-9/28 Santa Fe, NM – Deliver Remarks and Sign the Minute 323 Agreement with Mexico

**MEDIA TODAY**

N/A

**WH COMMS REPORT**

N/A

**AGENCY MEDIA**

**WEEK AHEAD September 27 thru October 5, 2017**

**U.S. Department of the Interior**

*Secretarial-level Announcements/Events/Interviews*

- **September TBD: Department-level Release:** DOI and BLM will announce the totals from all September oil and gas lease sales.
- **October 5: Department-level Release:** DOI and BOEM press release on Proposed Notice of Sale for Gulf of Mexico Lease Sale 250.

**National Park Service**

- **September 27 (tent.): Local NPS Release:** NPS will issue a news release regarding the independent review panel findings that Golden Gate National Recreation Area dog rule process was unaffected by inappropriate personal email use.
- **September 27:** The NPS National Capital Region's National Historic Landmark Program will host a stakeholder meeting as part of a joint research project underway by the NPS and the Organization of American Historians to identify potential National Historic Landmarks (NHLs) associated with Lesbian, Gay, Bisexual, Transgender & Queer (LGBTQ) history in the region. Invited stakeholders include state historic preservation offices, staff from selected NCR parks, local LGBTQ history representatives, and local governments' historic preservation staff.
- **September 29: National NPS Release:** NPS will issue a release regarding National Public Lands Day that will highlight the upcoming entrance fee-free day and volunteer service projects.
- **October 2 (tent.): National NPS Release:** NPS will announce the Director's Partnership Awards, which recognizes 17 NPS partners who supported six different complex, multi-year projects, including historic building rehab and trail construction projects.
- **September/October TBD: National NPS Release:** Historic Preservation Tax Credits: NPS and/or DOI announcement of annual Rutgers report on NPS Federal Historic Preservation Tax Incentives Program economic impact. Tax credits 2016 contributed \$12.3 billion in output to the U.S. economy, added \$6.2 billion in GDP. Historic preservation tax incentives encourage investments in historic preservation and revitalization of communities small and large across the country.



### U.S. Fish and Wildlife Service

- **September TBD: Local FWS Release:** By September 29, FWS plans to send to the Federal Register a final listing determination for the Kenk's amphipod, a crustacean from Maryland, Virginia and the District of Columbia. This action is not controversial. Stakeholders are the Center for Biological Diversity, Friends of the Capital Crescent Trail, Fort A.P. Hill, and the NPS.
- **September TBD: Local FWS Release:** FWS will announce a six-month extension of the final determination of list the Louisiana pine snake, found in Louisiana and Texas. While the Louisiana pine snake listing is controversial, the six-month extension is not expected to be controversial.
- **September TBD: Local FWS Release:** FWS will announce the Candy darter, a fish found in Virginia and West Virginia, proposed ESA listing. This action is not expected to be controversial.
- **September TBD: Local FWS Release:** FWS will announce the proposed listings of three Southeast darters. FWS plans to propose ESA listing determinations for the bridled darter, holiday darter and trispot darter, three fish found in Alabama, Georgia and Tennessee. This action is not controversial.
- **September TBD: Local FWS Release:** FWS will announce the final listing of four Everglades plants the Everglades bully, Florida pineland crabgrass, pineland sandmat and Florida prairie-clover, plants that occur in south Florida. This action is not controversial.
- **September TBD: Local FWS Release(s):** FWS will send 12-month findings on 25 species, finding that none warrant ESA protections. These findings are for 14 Nevada springsnail species, Barbour's map turtle, Big Blue Springs cave crayfish, Bicknell's thrush, black-backed woodpecker, boreal toad, fisher, Florida Keys mole skink, Great Sand Dunes tiger beetle, Kirtland's snake, Pacific walrus and San Felipe gambusia. Outreach will be conducted on a region-by-region basis, including news releases with supporting FAQs where appropriate, to be sent to stakeholders and members of Congress. Some findings may be controversial. The Bicknell's thrush, fisher and Pacific walrus will likely attract significant media attention.
- **October 2: National FWS Release:** FWS will announce National Wildlife Refuge Week, which will take place October 8-14. Refuge Week is an annual celebration of the nation's wildlife conservation heritage and the national wildlife refuges that protect it. The timing provides notice for print and online media to announce the annual celebration and regional events for the public to plan ahead, as well as for the regions and refuges to begin preparing additional promotional information.

### Bureau of Land Management

- **September 27 (tent.): National BLM Release:** BLM will issue a release regarding their announcement to seek nominations for 18 of their 36 Resource Advisory Councils.

- **October 2:** The 30-day comment period for the public to submit suggestions for priorities not yet considered for Round 11 of the Lincoln County Archaeological Initiative concludes. Existing priorities include use of innovative technology for preserving and interpreting archaeological resources; public outreach and education on archaeology; development and application of archaeological contexts; and archaeological identification and evaluation research.
- **October 2:** BLM-NM Acting State Director Aden Seidlitz and Acting Assistant Secretary for Land and Minerals Management Kate MacGregor will speak at the annual New Mexico Oil and Gas Association conference.

### **Bureau of Reclamation**

- **September 26:** U.S./Mexico Cooperative Process – Colorado River (“Minute 323”): Minute 323 of the Water Treaty with Mexico will be signed by the United States and Mexico commissioners of the International Boundary and Water Commission. On June 12, the Governor’s representatives from the seven Colorado River Basin States communicated to Secretary of the Interior Zinke their goal of finishing the drafting of the necessary U.S. (domestic) agreements needed to allow the U.S. and Mexico to finalize a cooperative agreement by mid-July (completion of these draft agreements would put the U.S. and Mexico in position to finalize a successor agreement to the current plan - known as Minute 319 - later this fall). The domestic agreements will also be signed on September 26. The State Department finalized consultations with the Senate Foreign Relations Committee in early August and is prepared to proceed when the Basin States clearances are complete. The State Department/IBWC will handle press.
- **September 27:** A ceremony celebrating the signing of Minute 323 to the 1944 Water Treaty with Mexico will occur on the opening day of biennial Colorado River Symposium in Santa Fe, New Mexico. Deputy Secretary of the Interior David Bernhardt will attend and offer brief remarks.
- **September 27:** BOR will participate in the Klamath Project Reinitiation of Consultation Agency Coordination Team and Stakeholder Engagement Meeting. The Agency Coordination Team including Reclamation, U.S. Fish and Wildlife Service and National Marine Fisheries Service will meet to continue collaborative discussions regarding the reinitiated consultation for the Klamath Project. As part of the Endangered Species Act Section 7 reinitiated consultation on Klamath Project operations, Reclamation has incorporated a robust stakeholder engagement process that includes quarterly workshops with key stakeholders and Klamath Basin Tribes.
- **September 27-29:** Reclamation will join the Colorado River Basin States and other stakeholders in Santa Fe, New Mexico, for collaborative discussions of Colorado River issues, challenges and solutions, at the biennial Colorado River Symposium.

### **Bureau of Safety and Environmental Enforcement**

- **October 3 (tent.): National BSEE Release:** BSEE will put out a read-out

highlighting BSEE Director Angelle's activities and meetings in Anchorage, Alaska. Social media platforms will be used to amplify News Brief.

### **Bureau of Indian Affairs**

- **October 2:** Gavin Clarkson, Deputy Assistant Secretary for Indian Energy and Economic Development will lead a consultation on revisions of the "Licensed Indian Traders" regulations at the Native American Finance Officers Association (NAFOA) 2017 Fall Finance & Tribal Economies Conference, River Spirit Casino Resort, 8330 Riverside Pkwy, Tulsa, OK.

### **CONGRESSIONAL** (Updated)

**DOI TO TESTIFY BEFORE HOUSE HOMELAND SECURITY COMMITTEE:** Michele Singer (Interior Business Center, Director) will testify at hearing titled "DHS Financial Systems: Will Modernization Ever Be Achieved?" The IBC has been involved with the financial system overhaul at DHS; however, the recommendations have not been adopted. HS Committee is doing an oversight hearing to determine what went wrong and the path forward. DOI will be testifying on their recommendations to DHS and their role throughout the process.

**Timing:** 10 AM, September 26, 2017

**Contact:** Micah Chambers, Deputy Director, Congressional Affairs

**UPCOMING HNRC HEARING:** The House Natural Resources Indian, Insular, and Alaska Native Affairs Subcommittee is set to host a hearing on three legislative proposals pertaining to the Department of the Interior's federal tribal recognition authorities. The bills include H.R. 3744 (Rob Bishop), Tribal Recognition Act of 2017; H.R. 3535 (Doug LaMalfa), the Ruffey Rancheria Restoration Act of 2017; and H.R. 3650 (Robert Pittenger), Lumbee Recognition Act. The Department will be testifying in support of the bills; however, all of them are somewhat controversial in Indian country. Witness is John Tahsuda, Principal Deputy Assistant Secretary for Indian Affairs.

**Timing:** 2 pm, September 26, 2017

**Contact:** Amanda Kaster, Policy Adviser, Congressional Affairs

**UPCOMING SENR HEARING:** The Senate Energy and Natural Resources Subcommittee on National Parks will hold a hearing on Encouraging the Next Generation to Visit National Parks. The hearing has been officially noticed, and Lena McDowall, Deputy Director for Management and Administration, will be testifying.

**Timing:** 2 pm, September 27, 2017

**Contact:** Micah Chambers, Deputy Director, Congressional Affairs

**UPCOMING SCIA HEARING:** The Senate Committee on Indian Affairs is holding a hearing on the GAO's reports on human trafficking of American Indian and Alaska

Natives in the United States. BIA is invited to discuss its law enforcement agencies' involvement in human trafficking investigations and partnerships with federal, state, local, and tribal law enforcement. This hearing was postponed from its initial date, July 26, 2017. Jason Thompson, the Acting Director of Justice Services, is set to testify.

**Timing:** 2:30 pm, September 27, 2017

**Contact:** Amanda Kaster, Policy Adviser, Congressional Affairs

**UPCOMING SCIA ROUNDTABLE:** The Senate Committee on Indian Affairs is hosting a roundtable on "Best Practices in Tribal Consultation and Stakeholder Engagement: Federal Permitting and Infrastructure Project Review in Indian Country." The federal panel is set to include USACE, FCC, and DOT. A DOI participant is pending but will likely discuss permitting and ROWs.

**Timing:** 2:30 pm, September 28, 2017

**Contact:** Amanda Kaster, Policy Adviser, Congressional Affairs

**UPCOMING SCIA HEARING:** The Senate Committee on Indian Affairs is holding an oversight hearing on "Doubling Down on Indian Gaming: Examining New Issues and Opportunities for Success in the Next 30 Years." The Department has been asked to speak to the challenges of off reservation gaming and any new policies on the overall issue. Witness is set to be John Tahsuda, Principal Deputy Assistant Secretary for Indian Affairs. Chairman of the NIGC, Jonodev Osceola Chaudhuri, has also been asked to testify on the federal panel.

**Timing:** 2:30 pm, October 4, 2017

**Contact:** Amanda Kaster, Policy Adviser, Congressional Affairs

**POLITICAL APPOINTEE UPDATE** (Updated)

DOI politicals on board = 56

3 confirmed as of 9/18.

4 nominated awaiting confirmation:

Pending Senate floor vote: Susan Combs, Assistant Secretary Policy Management and Budget.

Pending Senate floor vote: Brenda Berman, Commissioner, Bureau of Reclamation.

Pending Senate floor vote: Joe Balash, Assistant Secretary, Land and Minerals (Voted out of Committee 9/19)

Pending Senate floor vote: Ryan Douglas Nelson, Solicitor (Voted out of Committee 9/19)

Overall:

Schedule C: 32 of 68 onboard; 4 starting; 7 in process

NC-SES: 21 of 44 onboard; 4 starting; 3 in process

PAS: 3 Confirmed; 4 Announced; 15 of 17 Submitted to PPO

**SECRETARY SPEAKING INVITATIONS** (Updates in Bold)

Accepted

9/25 - Remarks at National Stone Sand and Gravel Association Legislative and Policy Forum (DC)

9/25 – National Petroleum Council

9/26 – National Clean Energy Week Symposium (DC)

9/26 - Jefferson's Islands Club Citizen of the Year Award (DC)

9/27-28 - Cohen Veterans Care Summit (DC)

9/29 – Heritage Public Event (DC)

**11/9 - America First Energy Conference hosted by Heartland Institute (Houston, TX)**

Oct (TBC date) - Weyrich Lunch (DC)

Open (date TBC)- Americans for Tax Reform (DC)

Open (date TBC)- Detroit Economic Club

Outstanding Invitations in Process

10/11 - Remarks at 2nd National Wildlife Refuge System Expo co-hosted by the Congressional Wildlife Refuge Caucus and the Cooperative Alliance for Refuge Enhancement (CARE) (DC)

10/15 - National Congress of American Indians 74 Annual Convention (Milwaukee, WI)

**10/26 - Montana Chamber Annual Meeting (Great Falls, MT)**

Declining

9/26 - Billings Chamber Annual Mtg (Billings, MT)

9/26 - S&P Annual Asia Pacific Petroleum Conference (Singapore)

9/26 - GAO for international conference on extractive industries (DC)

9/28-30 - Council for National Policy

10/1-3 - New Mexico Oil and Gas Association (Santa Fe)

10/2 - IOGCC Annual Meeting (Pittsburgh PA)

10 /3 12th Annual Government to Government Violence Against Women Tribal Consultation (DC)

10/3 – ShaleTech Permian (Odessa, Texas)

10/4 - NOIA Fall Meeting (Cody, WY)

**10/5 – Alamocita Creek Land Protection and Access Project Celebration and Tour (Pie Town, NM)**

10/13 - Public Land & Resources Law Review's Public Land Law Conference (Missoula, MT)

**10/15-17 – Heritage Annual President's Club Meeting (DC)**

**10/16 - Carlsbad Mayor's Energy Summit (Carlsbad, NM)**

**10/20 - TXOGA Lone Star Energy Forum (Woodlands, TX)**

11/14 – George Rogers Clark National Historical Park Quarter Launch (Vincennes, Indiana)

10-16-17 Americans For Tax Reform Coalition Leaders Summit (Miami Beach, FL)  
10/17 – Folsom Dam Joint Federal Project Completion Ceremony (Folsom, CA)  
10/17 - National Association of Sporting Goods Wholesalers (San Antonio, TX)  
10/31 - George B. Hartzog, Jr. Awards and Speaker Program Clemson University (SC)

**11/4 Governor Reynolds Annual Pheasant Hunt**

**EMERGENCY MANAGEMENT** (new)

As of 5:00 a.m. EDT, the center of Hurricane Maria was located approximately 210 miles to the southeast of Cape Hatteras, North Carolina, and moving to the north at 7 miles per hour (mph). This general motion, with some decrease in forward speed, is expected through tonight. A turn toward the north-northeast is expected tomorrow. The center of Maria will pass the east coast of North Carolina during the next 48 hours. Maximum sustained winds are near 75 mph, with higher gusts. Gradual weakening is forecast during the next 48 hours, and Maria will likely become a tropical storm tonight or Wednesday. Hurricane-force winds extend outward up to 105 miles from the storm's center, and tropical storm-force winds extend outward up to 240 miles.

A Tropical Storm Warning is in effect for the Bogue Inlet to the North Carolina and Virginia borders, and the Albemarle and Pamlico sounds. A Storm Surge Watch is in effect from Cape Lookout to Duck, North Carolina. Tropical storm conditions are possible within the warning area beginning later today, and the combination of a dangerous storm surge and the tide will cause normally dry areas near the coast to be flooded by rising waters moving inland from the shoreline. A storm surge of 2 to 4 feet is possible from Cape Lookout to Duck. Maria is expected to produce total rainfall accumulations of 1 to 2 inches over the Outer Banks of North Carolina through Wednesday.

Swells generated by Maria are affecting much of the east coast of the United States from Florida through southern New England. These swells are also affecting Bermuda, Puerto Rico, the northern coast of Hispaniola, the Turks and Caicos Islands, and the Bahamas. These swells are likely to cause life-threatening surf and rip current conditions.

As of 5:00 a.m. EDT this morning, FEMA reports that following critical infrastructure updates:

**Airports:** San Juan is open for military air and hurricane relief efforts, with flow management procedures in place. Seven additional airports are open, two supporting military air and hurricane relief efforts. Airports in St. Thomas and St. Croix are operating with a contingency ramp established and allowing military air and hurricane relief flights.

**Roads:** Three major routes were cleared in Puerto Rico, and initial reports indicate at least 8 bridges damaged, two of which are on major routes. Sections of an additional 15 roads are closed as of September 25. In the U.S. Virgin Islands, numerous routes are have been identified as partially closed, with single lane alternating traffic due to debris.

Communication Systems: In Puerto Rico, over 92% of cell sites are out of service. An additional 389 sites are operating on backup power. In the U.S. Virgin Islands, approximately 60% of cell sites are out of service.

Water: In St. Croix, Seven Seas water production plant is operational and there are three days' worth of emergency water supply available. In St. Thomas, potable water service is available throughout the island, and there are four days' emergency water supply available. Approximately 44% of the population in Puerto Rico is without drinking water service, and a Boil Water Notice is in effect.

Commodities: A total of 410,000 meals and 180,000 liters of water are scheduled to arrive in St. Croix today. Additionally, the AS Fiorela delivered 473,472 meals and 604,756 liters water earlier today to U.S. Virgin Islands.

Power: Estimates indicate that nearly 100-percent of the customers in Puerto Rico are without power. Approximately 80 percent of PR Electric Power Authority (PREPA) total transmission on the island is damaged, and, while some generation facilities received damage, most are expected to resume operations. In the U.S. Virgin Islands, 99-percent of the customers in St. Thomas are without power, 100-percent of the customers in St. John are without power, and 90-percent of the customers in St. Croix are without power. Western Area Power Administration's eight-person advance team continues to safely make progress on St. Thomas' overhead transmission lines.

Hospitals: As of yesterday, 11 out of the 69 hospitals in Puerto Rico have power or fuel. In the U.S. Virgin Islands, the Schneider Regional Medical Center has been re-energized, and the Governor Juan F. Luis Hospital has been reported condemned by the U.S. Army Corps of Engineers.

Fuel: The Department of Energy, FEMA, the Defense Logistics Agency, and other Federal partners are working to facilitate fuel deliveries across the U.S. Virgin Islands and Puerto Rico for generators at critical facilities and to assist with response efforts.

Guajataca Dam: USACE engineers assessed the dam's condition and confirmed that the lower part of the concrete spillway has collapsed, and the section remaining appears undercut by approximately 15 feet. The portion of the dam that's still intact will require reinforcement to ensure stability. The water level behind the dam needs to recede before a comprehensive assessment may be completed.

There are 135 personnel supporting interagency efforts in response to Hurricane's Irma and Maria.

NPS continues to support response activities following Hurricane Maria. Priorities remain employee accountability, supporting life-saving operations, and supporting life-sustaining operations on Puerto Rico, St. John, and St. Croix. San Juan National Historic Site reports 94 of 96 employees accounted for as of September 25, with Virgin Islands National Park and Christiansted National Historic Site remaining at 100-percent accountability. Fuel and power remain limiting factors. San Juan is working on a single generator with an estimated 72 hours of fuel remaining. The generator at St. John remains down, and security at all sites is becoming increasingly challenging. The fort in San Juan has seen several looting attempts.

The M/V Fort Jefferson departed the Florida Keys yesterday embarking on a 76-hour

trip towards the Port of San Juan. The NPS has received hailing instructions from the U.S. Coast Guard (USCG) concerning arrival on September 29. The ship will be tracked via satellite from the Everglades Dispatch Center.

The NPS Incident Management Team (IMT) in Florida will be supplemented by the Intermountain Region beginning today with a transition of command scheduled for September 28. The team will remain active supporting Irma stabilization operations and continue to provide logistical, planning, and administrative support to the Caribbean team.

NPS reporting on facilities is provided within the attached Emergency Management Daily Situation Report.

As of September 25, FWS has accounted for 57 of the 61 FWS personnel in Puerto Rico and the U.S. Virgin Islands. FWS continues to coordinate with the DOI FEMA Desk for teams to be flown to Puerto Rico on FEMA flights. FWS Office of Law Enforcement plans to mobilize and deploy two additional agents to Puerto Rico via a U.S. Custom and Border Protection (CBP) aircraft to Aguadilla, to assist with employee accountability and distribution of needed supplies. FWS Team 1 continues to provide welfare checks and conduct accountability assistance.

As of September 25, all 31 USGS personnel in Puerto Rico have been accounted for (30 duty stationed in Puerto Rico, one on travel). In Puerto Rico, 50 gages remain inoperable, and USGS continues to coordinate with the U.S. Army Corps of Engineers (USACE) on prioritization of gage repair. In Florida, USGS has repaired 81 gages that were destroyed by Hurricane Irma, and an additional three in Georgia.

The Office of Emergency Management continues coordination efforts with FEMA to deploy an additional 27 DOI FEMA Surge Capacity Force volunteers by the end of the week and is working to also deploy volunteers to support the Small Business Administration.

**With respect to Hurricane Harvey recovery:**

In Texas, there were 12 USGS personnel in the field yesterday flagging and surveying HWMs.

Two OEPC Field Coordinators are deployed to the Joint Field Office (JFO) in Austin, Texas. The Field Coordinators are working with other federal agencies (USDA Natural Resources Conservation Service, EPA, NOAA, and FEMA Environmental Planning and Historical Preservation); the Texas Department of Parks and Wildlife, the Texas General Land Office, and the Texas Historical Commission in developing the Mission Scoping Assessment to identify impacts that will need to be addressed under long term recovery efforts.

**Wildland Fire Reporting:**

The Sprague Fire in Glacier National Park, Montana, (NPS) has burned 16,790 (no change) acres and is 75 (no change)-percent contained. The fire is managed by a Type-3 IMT with 52 (-38) personnel assigned, including 14 (no change) DOI personnel. There are 252 (no change) residential and 48 (no change) commercial structures threatened. There are 4 (no change) personnel sheltering in place. The fire



still poses a significant threat to hundreds of structures in the area, of which, 149 structures are listed on the National Register of Historic Places. On September 22, the evacuation order was lifted and replaced with an evacuation warning and area closures from the southern end of Lake McDonald to Logan Pass, including the North McDonald Road. Full containment is expected on November 1.

### **OUTSIDE MEDIA OF INTEREST** (new)

**AN OPENING FOR ANWR?** Senate Republicans intend to use their fiscal 2018 budget blueprint to lay the groundwork for new energy production in the Arctic National Wildlife Refuge by using special rules that would allow them to avoid a Democratic filibuster, Pro's Ben Lefebvre and Sarah Ferris [report](#), citing sources familiar with the process. While the budget document couldn't mandate specific policies, it would enable Senate Energy Chairman [Lisa Murkowski](#) to write legislation that would remove restrictions on drilling in ANWR that could be bundled into a massive tax reconciliation package that needs just 50 votes in the Senate.

- **Doing so would realize a long-standing** goal of Republicans and oil companies, while attracting vehement opposition from environmental groups and virtually all Democrats. The U.S. Geological Survey [estimates that part of ANWR](#), a wide swath of tundra on the northern Alaska coast, home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years, could hold up to 12 billion barrels of oil. But Senate Republicans have little margin for error since two members of their caucus Sens. [Susan Collins](#) and [John McCain](#) have opposed similar bills in the past, though they'd be forced to consider that provision as part of the broader tax effort. A McCain spokeswoman says he's open to a "full debate" on the subject despite his past opposition. Collins told ME Monday night that ANWR has been far from her mind recently. "I've been focused on health care," she said, just after coming out against the latest Obamacare repeal effort.

### **Trump Says Puerto Rico "In Deep Trouble" As Administration Officials Assess Hurricane Damage.**

President Trump wrote in a [tweet](#) Monday evening, "Texas & Florida are doing great but Puerto Rico, which was already suffering from broken infrastructure & massive debt, is in deep trouble." In a subsequent [pair of tweets](#), Trump wrote, "It's old electrical grid, which was in terrible shape, was devastated. Much of the Island was destroyed, with billions of dollars....owed to Wall Street and the banks which, sadly, must be dealt with. Food, water and medical are top priorities – and doing well. #FEMA." The tweets came as the Administration is seeking to "blunt criticism that its response to Hurricane Maria has fallen short of its efforts in Texas and Florida after the recent hurricanes there," the [AP](#) (9/26, Biesecker, Taylor) reports.

- **Jones Act waiver sought:** Seven House Democrats requested a one-year waiver from the Jones Act to expedite hurricane relief aid to Puerto Rico, Pro Transportation's Tanya Snyder [reports](#). An Energy Department status [report](#) Monday found nearly all of the island remained without power.

· **Governor assumes dam will collapse:** Puerto Rico Gov. Ricardo Rosselló said he's operating under the assumption the Guajataca Dam will collapse, a fear that led to the evacuation of tens of thousands of area residents. "Some of the dam has fallen apart," he told CNN Monday. "I'd rather be wrong on that front than do nothing and having it fail and costing people their lives."

### **Zinke: One-Third Of Interior Employees Not Loyal To Trump.**

The AP (9/25, Daly) reports that Interior Secretary Ryan Zinke said Monday in a speech to the National Petroleum Council "that nearly one-third of employees at his department are not loyal to him and President Donald Trump, adding that he is working to change the department's regulatory culture to be more business friendly." To address this, Zinke "said he is pursuing a major reorganization that would push much of the agency's decision-making outside Washington and move several agencies, including the Bureau of Reclamation and Bureau of Land Management, to undetermined Western states." In addition to "moving employees, Zinke said he wants to speed up permits for oil drilling, logging and other energy development that now can take years."

### **Interior Boss Blasts Fired Utah BLM Law Enforcement Agent.**

The Salt Lake (UT) Tribune (9/25, Maffly) reports that Deputy Secretary of the Interior David Bernhardt has "singled out the recent firing of a controversial Bureau of Land Management agent over Utah to illustrate a renewed commitment to hold accountable senior employees who misuse their official positions and to protect those who report such abuse." In a memo circulated Friday, Bernhardt "also mentioned another supervisory lawman recently fired in the wake of another OIG probe:" Edwin Correa, who "engaged in sexual harassment while serving as chief ranger at Canaveral National Seashore." Bernhardt wrote, "We will hold people accountable when we are informed that they have failed in their duties and obligations. Although the law in large part prevents dissemination of the details of actions taken, I am sharing these examples because you need to know that the Department has taken concrete disciplinary action in cases of serious misconduct, including those involving senior officials."

### **Federal Wildlife Regulations – Greater Sage Grouse Is Not Helped By Them.**

In an op-ed for the National Review (9/26, Seasholes, Gaziano), Brian Seasholes of the Property and Environment Research Center and Todd Gaziano of the Pacific Legal Foundation write that "even with the best of intentions, federal, one-size-fits-all regulation that interferes with more-effective state and private wildlife conservation efforts can cause real harm." They claim that "federal sage-grouse plans issued in 2015 both hurt the sage grouse and threaten thousands of productive jobs tied to almost 73 million acres of federal land in the West." The authors assert that "killing those federal rules will help the grouse."

### **Feds Move Ahead With Oil And Gas Leases On Southern Utah Lands Rich In Ancient Puebloan Ruins.**

The Salt Lake (UT) Tribune (9/25, Maffly) reports that the Bureau of Land

Management is planning to continue with a proposed oil and gas lease of 43 parcels in the Ancestral Puebloan habitation area of southeastern Utah. Wilderness Society Senior Counsel said, "BLM is rushing to give Utah's wild public lands to the oil and gas industry, over the objections of the American public who value these lands for recreation and our shared history." The public can submit comments on the environmental assessment until Oct. 23.

### **County To BLM: Get Rid Of Obama's Fracking Regs.**

The Grand Junction (CO) Daily Sentinel (9/26, Harmon) reports that on Monday, the Mesa County Commission voted to send a letter to the Bureau of Land Management urging it to drop its Obama-era rule regulating hydraulic fracturing on federal lands. The commission wrote that the rule "unnecessarily burdens industry with compliance costs and information requirements that are duplicative of regulatory programs of many states and some tribes" and that the state rules are "sufficient to deal with the development of oil and gas" on federal lands.

### **U.S., Mexico On Verge Of New Colorado River Water Pact.**

Bloomberg BNA (9/25, Baltz) reports that "an agreement amending the longstanding treaty between the U.S. and Mexico on management of the Colorado River will continue the practice of water shortage sharing, but also fund new conservation and environmental programs, and aim to reduce the risk of ruinous drought." The two countries are "tentatively scheduled to execute the agreement Minute 323, an amendment to a 1944 water treaty on Sept. 26 in Mexico's Ciudad Juarez." Minute 323 will "govern water flows in the Colorado River and other water management issues by extending an existing binational agreement, Minute 319, which was set to expire at the end of 2017."

### **Park Service Report: Obama Water Bottle Sales Ban Had 'Significant' Benefits.**

The Hill (9/25, Cama) reports that "an internal National Park Service (NPS) staff report concluded that an Obama administration effort to ban sales of bottled water at some parks had 'significant environmental benefits.'" The report was "released publicly in response to a Freedom of Information Act request, more than a month after the NPS rescinded the policy, which had been opposed by the bottled water industry and some Republicans." In the report prepared in May, park service "staff estimated that on an annual basis, at least 1.32 million disposable plastic water bottles, and up to 2.01 million, were not purchased due to the 2011 policy. That saved up to 111,743 pounds of plastic, 141 million tons of carbon dioxide-equivalent greenhouse gases and 3.4 billion British thermal units of energy, the NPS report estimated, based on the 23 Park Service units that submitted data." The results demonstrate "the program has significant positive environmental benefits that encompass the entire life cycle" of disposable bottles, and that officials at the parks themselves support the program, the report said.

### **OBX Beachgoers Discover 2 Unexploded Ordnance Along NC Coastline Monday.**

The Raleigh (NC) News & Observer (9/25, Petiford) reports that “two possible mines were discovered in separate areas along the North Carolina coast on Monday.” One was discovered on Whale Head Beach in Corolla, and “a second washed up on a beach near Cape Hatteras National Seashore.” According to the article, “explosive ordnance disposal units are investigating both devices.” Also reporting is WXII-TV Winston-Salem (NC) Winston-Salem, NC (9/25).

### **Sandy Hook Lighthouse Closes For Restoration Work.**

The Red Bank-Shrewsbury (NJ) Patch (9/25, Wall) reports that “the historic Sandy Hook Lighthouse, the oldest lighthouse in the nation, is closing to tours for repairs and restoration work, the National Park Service announced.” The NPS “announced the closure on the Sandy Hook Gateway National Park website late last week.” According to the NPS, “the closure began Monday and is expected to last until May 2018.”

### **Earthquake Early-Warning System Is Coming To The West Coast.**

NBC News (9/25, Lant) reports that “early-warning systems for earthquakes like the one that saved lives recently in Mexico City are highly effective, but the USGS ShakeAlert program is in jeopardy thanks to disputes over funding.” According to the article, “the ShakeAlert system and everyone relying on it are at risk, as the USGS has been targeted for funding reductions by the current administration.” the article says that “the proposed \$137.8 million reduction would have ended the program.” But “for now, the USGS budget was set at \$1 billion for 2018 by Congress, a cut of only \$46 million, which will keep ShakeAlert alive for at least another year.”

### **FEDERAL REGISTER LISTINGS:**

REG0007244 BLM Notice of Availability of the Record of Decision for the Bull Mountain Unit Master Development Plan, Gunnison County, Colorado -- The BLM is announcing the Record of Decision (ROD) for the Bull Mountain Unit Master Development Plan (MDP), providing direction for the development of approximately 19,670 acres of federal and private mineral estate near Paonia, Colorado. Adversely affected parties may seek BLM Colorado State Director administrative review of the decision within 20 business days. Notice 09/25/2017

REG0007411 BLM Notice of Intent to Prepare an Environmental Impact Statement for the Leavitt Reservoir Expansion Project, Big Horn County, Wyoming -- The BLM announces its intent to prepare an Environmental Impact Statement (EIS) for the proposed Leavitt Reservoir Expansion Project in Big Horn County, Wyoming. The BLM announces a 45-day public scoping period and requests comments. Notice 09/25/2017

REG0007423 BLM Notice of Public Meeting: Wild Horse and Burro Advisory Board -- Meeting will be held October 17, 18, and 19, 2017, in Grand Junction, CO. Meeting notice must be published in the Federal Register no later than October 3, 2017. Therefore, this notice must be at the Federal Register no later than September 28, 2017 to meet the 15 calendar day advance notice requirement of FACA. Notice 09/25/2017

REG0007439 BLM Notice of Availability of the Final Environmental Impact Statement for the Gold Bar Mine Project, Eureka County, Nevada -- The BLM announces the availability of a Final Environmental Impact Statement (FEIS) for the proposed Gold Bar Mine Project in Eureka County, Nevada. The BLM will issue a decision on the Project no sooner than 30 days after the Environmental Protection Agency publishes its Notice of Availability of the FEIS in the Federal Register. Notice 09/25/2017

REG0007265 BOE Negotiated Noncompetitive Agreements for the Use of Sand, Gravel, and/or Shell Resources on the Outer Continental Shelf -- BOEM is promulgating new regulations at 30 CFR part 583 (Part 583) to address the use of Outer Continental Shelf (OCS) sand, gravel and shell resources for its marine minerals program. Part 583 describes and codifies the negotiated noncompetitive agreement process, including procedures for applicants to use when requesting an agreement and procedures for BOEM to use when evaluating a qualifying project and negotiating, enforcing, and modifying an agreement. Final Rule 09/25/2017

REG0007419 BOE Record of Decision for the Cape Wind Energy Project -- BOEM announces the availability of a Record of Decision (ROD) for the Cape Wind Energy Project, which is located in Federal waters between Cape Cod, Martha's Vineyard, and Nantucket Island. Notice 09/25/2017

REG0007380 BOR Notice of Public Meeting: Colorado River Basin Salinity Control Advisory Council -- The Colorado River Basin Salinity Control Advisory Council is scheduled to meet on October 25, 2017. Notice 09/25/2017

REG0007402 BOR Notice of Public Meeting: Yakima River Basin Conservation Advisory Group -- The Yakima River Basin Conservation Advisory Group is scheduled to meet on October 19, 2017. Notice 09/25/2017

REG0007404 FWS Receipt of Application for Incidental Take Permit; Draft Low-Effect Habitat Conservation Plan for the California Tiger Salamander; Betteravia Farming Project, Santa Barbara County, CA -- The U.S. Fish and Wildlife Service received an application from Betteravia Ranches, LLC for an incidental take permit under the Endangered Species Act. Notice 09/25/2017

REG0007405 FWS Receipt of Application for Incidental Take Permit; Draft Low-Effect Habitat Conservation Plan for the California Tiger Salamander and the California Red-Legged Frog; Campbell Home Ranch, Santa Barbara -- The U.S. Fish and Wildlife Service received an application from Mr. Robert Campbell for an incidental take permit under the Endangered Species Act. The permit would authorize take of the federally endangered California tiger salamander (Santa Barbara distinct population segment) and the federally threatened California red-legged frog. Notice 09/25/2017

REG0007446 NPS National Register of Historic Places, September 9, 2017 -- The NPS is soliciting comments on the significance of properties nominated before September 9, 2017, for listing in the National Register of Historic Places or related actions. Notice 09/25/2017

REG0007360 ONRR Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; OCS Net Profit Share Payment Reporting -- This Notice, under the Paperwork Reduction Act of 1995 (PRA), announces that the Office of Natural Resources Revenue (ONRR) will ask the Office of Management and Budget (OMB) to renew its approval of the collection of information pertaining to Outer Continental Shelf (OCS) Net Profit Share Payment Reporting under 30 CFR part 1220. ONRR is requesting public comments on the renewal for 30 days. Notice 09/25/2017

Lori K. Mashburn  
White House Liaison  
Department of the Interior  
202.208.1694

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** suntimes  
**Sent:** 2017-09-26T14:14:59-04:00  
**Importance:** Normal  
**Subject:** Re: Co-Management of National Monuments  
**Received:** 2017-09-26T14:15:47-04:00

Hello, Heather!  
Good to hear from you again!

A lot of my readers are proud of the job you and Sec. Zinke are doing.

On the co-management matter, I may do a story next week about the lack of due diligence on the part of the some media in recent days.

Give my regards to the Secretary.

Cheers,  
Darryl

Darryl Flowers  
Publisher  
Fairfield Sun Times  
(406 ) 467-2334  
(406) 750-5605 (Mobile)  
[suntimes@3rivers.net](mailto:suntimes@3rivers.net)  
P.O. Box 578  
Fairfield, MT 59436  
*Visit us on the web at [www.fairfieldsuntimes.com](http://www.fairfieldsuntimes.com)*

On Sep 26, 2017, at 12:01 PM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>  
wrote:

Hello Darryl!!!!!! Your old friend, Heather Swift here :)

Any co-management of federal lands with a non-federal partner has to be done  
by Congress. previous administration promised co-management to Tribes  
at Bears Ears but never followed through on it to codify it.

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Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Tue, Sep 26, 2017 at 11:47 AM, suntimes <[suntimes@3rivers.net](mailto:suntimes@3rivers.net)> wrote:

Good afternoon,  
I hope you can help with a story I'm working on.

Regarding National Monuments, are you aware of any that exists under "co-management" with a non-federal agency, group, corporation or other entity?

I have been unable to find any such management arrangements for a National Monument, only that the U.S. Park Service, U.S. Forest Service, U.S. Fish and Wildlife Service and U.S. Bureau of Land Management are in charge of National Monuments.

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**To:** suntimes[suntimes@3rivers.net]  
**From:** Swift, Heather  
**Sent:** 2017-09-26T14:16:37-04:00  
**Importance:** Normal  
**Subject:** Re: Co-Management of National Monuments  
**Received:** 2017-09-26T14:18:05-04:00

I will share your best wishes.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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**To:** Heather Swift[heather\_swift@ios.doi.gov]; Russell Newell[russell\_newell@ios.doi.gov]  
**From:** Hinson, Alex  
**Sent:** 2017-09-26T15:39:42-04:00  
**Importance:** Normal  
**Subject:** \*DRAFT DOI Daily Comms  
**Received:** 2017-09-26T15:46:46-04:00  
WH Daily comms update 9-26.docx

**INTERIOR**  
**WASHINGTON**  
9/26/2017

DAILY COMMUNICATIONS REPORT

TO: White House Cabinet Affairs Communications

FROM: Heather Swift & Laura Rigas

SUBJECT: Communications Update

**Press Inquiries:**

- Many small inquiries and logistical inquiries.
- Fairfield Sun Times: (Darryl Flowers) –**REQUEST**-- I hope you can help with a story I'm working on. Regarding National Monuments, are you aware of any that exists under "co-management" with a non-federal agency, group, corporation or other entity? I have been unable to find any such management arrangements for a National Monument, only that the U.S. Park Service, U.S. Forest Service, U.S. Fish and Wildlife Service and U.S. Bureau of Land Management are in charge of National Monuments. **RESPONSE**— Any co-management of federal lands with a non-federal partner has to be done by Congress. The previous administration promised co-management to Tribes at Bears Ears but never followed through on it to codify it.

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- **Fox News:** [Zinke: One third of Interior employees 'not loyal' to Trump team](#)
- **Washington Examiner:** [Ryan Zinke plans overhaul because Interior Department employees 'not loyal'](#)
- **Associated Press:** [Zinke: One-Third of Interior Employees Not Loyal to Trump](#)
- **E&E News:** [Perry, Zinke hint at expanded federal permitting roles](#)

**Top Issues and Accomplishments**

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Alex Hinson

Deputy Press Secretary  
Department of the Interior

**To:** Hinson, Alex[alex\_hinson@ios.doi.gov]  
**Cc:** Russell Newell[russell\_newell@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-26T15:42:25-04:00  
**Importance:** Normal  
**Subject:** Re: \*DRAFT DOI Daily Comms  
**Received:** 2017-09-26T15:44:07-04:00

Add

- Multiple inquiries into Zinke's speech to the National Petroleum Council regarding the 30% assessment. Solicitor has advised (b) (5) - ACP [REDACTED].

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Tue, Sep 26, 2017 at 3:39 PM, Hinson, Alex <[alex\\_hinson@ios.doi.gov](mailto:alex_hinson@ios.doi.gov)> wrote:

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Deputy Press Secretary  
Department of the Interior

**To:** Heather Swift[heather\_swift@ios.doi.gov]; Russell Newell[russell\_newell@ios.doi.gov]  
**From:** Hinson, Alex  
**Sent:** 2017-09-26T15:46:18-04:00  
**Importance:** Normal  
**Subject:** DRAFT DOI Daily updated with latest inquiry  
**Received:** 2017-09-26T15:46:56-04:00  
[WH Daily comms update 9-26.docx](#)

**INTERIOR**  
WASHINGTON  
9/26/2017

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- Law 360: (Juan Carlos Rodrigues) **REQUEST** I am writing a feature story on Thursday regarding the 10th Circuit's ruling on the BLM's fracking rule. I would like to get a comment from the BLM or DOI about whether or not the government is interpreting the rule as meaning that the 2015 rule is now in effect? And if so, how will implementation of the rule proceed? **RESPONSE** In accordance with President Trump's Executive Order on "*Promoting Energy Independence and Economic Growth*" (March 18, 2017) and Secretary Zinke's Secretary's Order on "*American Energy Independence*," (March 29, 2017), we are expeditiously working on a new rule that will fulfill the President's and Secretary's vision of good jobs for hardworking American families and are continuing to take comments on the proposed rescission of the 2015 hydraulic fracturing rule.

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Deputy Press Secretary  
Department of the Interior



**To:** heather\_swift@ios.doi.gov[heather\_swift@ios.doi.gov]  
**From:** POLITICO Pro Energy  
**Sent:** 2017-09-26T16:08:25-04:00  
**Importance:** Normal  
**Subject:** Afternoon Energy, presented by the U.S. Chamber's Global Energy Institute: EPA mulls biofuels cuts — Macron floats carbon tax on EU imports — Trump administration won't waive Jones Act for Puerto Rico  
**Received:** 2017-09-26T16:09:48-04:00

By Kelsey Tamborrino | 09/26/2017 04:06 PM EDT

*With help from Anthony Adragna*

**EPA WEIGHTS TARGET REDUCTION:** EPA is considering cutting by up to 15 percent the amount of biodiesel required to be produced from biomass next year, Eric Wolff [reports](#). "In a notice published today, EPA asks for public input on whether to reduce the 2018 biomass-based biodiesel requirement by up to 315 million gallons, the most allowed under the Renewable Fuel Standard. The volume mandates are set two years in advance, so it would be unusual for EPA to lower the 2018 level nearly a year after it was finalized." Read the notice [here](#).

**Grassley furious:** Iowa Sen. [Chuck Grassley](#) focused his ire on EPA's suggestion that it could reduce of the overall RFS volume requirement (a consequence of reducing biomass-biodiesel volumes). "It's outrageous that the EPA would change course and propose a reduction in renewable fuel volumes. This seems like a bait-and-switch from the EPA's prior proposal and from assurances from the president himself and Cabinet secretaries in my office prior to confirmation for their strong support of renewable fuels," he said in a statement. "This all gives me a strong suspicion that Big Oil and refineries are prevailing, despite assurances to the contrary. I plan to press the administration to drop this terrible plan."

**Producers none too pleased, either:** "EPA's proposal earlier this summer was inadequate, underestimating the power of domestic biodiesel production and ignoring the intent of the law. This request for comment is even more disappointing. NBB will be working with EPA to demonstrate the industry's proven success record, continued growth and impacts to American workers who were promised that this administration had their back," Doug Whitehead, chief operating officer at the National Biodiesel Board, said in a statement.

**Welcome to Afternoon Energy.** I'm your host Kelsey Tamborrino. Send your thoughts, news and tips to [ktamborrino@politico.com](mailto:ktamborrino@politico.com), [mdaily@politico.com](mailto:mdaily@politico.com) and [njuliano@politico.com](mailto: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 the U.S. Chamber's Global Energy Institute:** Insightful analysis is an important part of our mission. From economic modeling of proposed policies to our groundbreaking energy security index, the Global Energy Institute's reports and analysis are helping to shape the discussion on energy policy. Click here to learn more: <http://bit.ly/2huaJ4F>  
\*\*

**MACRON CALLS FOR CARBON TAX:** French President Emmanuel Macron today called for "a carbon tax at [EU] borders" to ensure a level playing field for the EU's industry, POLITICO Europe's Marion Sollety [reports](#). "I think Europe must be at the forefront of an environmental transition that is both efficient and fair," he said in a speech at the Sorbonne university in Paris. Fostering such a transition should include "a significant minimum price" for carbon emitted in the bloc, as well as a carbon tax to cover goods from outside the bloc, he said.

**YOUR EYES DIDN'T DECEIVE YOU:** That was EPA Administrator Scott Pruitt seated across from Trump (picture [here](#)) during a Monday evening dinner with "grassroots leaders," the White House confirmed. Attendees included representatives from the Americans for Prosperity, the Federalist Society, American Conservative Union, Faith & Freedom Coalition, Susan B. Anthony List, The Heritage Foundation, Focus on the Family and Council for National Policy. Pruitt was not on the list of attendees originally distributed by the White House.

**MORE OUTREACH ON OFFSHORE WIND:** Interior Secretary Ryan Zinke said today his agency is looking into including fisheries when picking future offshore wind lease sites, Esther Whieldon [reports](#). The secretary spoke at National Clean Energy Week, where he said the department has "got to look at ... things like fishing fleets and movement of offshore whales and wildlife out there" when planning offshore wind. The remarks come as several cities, fisheries and fishery associations in New England, New York and New Jersey are [challenging](#) the legality of BOEM's leasing process.

**OIL RIGS NOT SOLAR PANELS:** Zinke also said public lands should be primarily used for fossil fuel production, and he questioned the value of large solar projects, Esther [reports](#). "If you are operating on public land, extraction is going to be in the best public interest," he said in his speech. He said utility-scale solar takes up too much land and that the industry should focus on smaller projects deployed on homes or commercial buildings. "I think the biggest opportunity in solar is the roof," Zinke said. "Because when I see solar cells out on land, that land is no longer useful for anything else but energy. But there's a lot of roofs. And I think the greatest opportunity for the solar industry is look at where the roofs are."

**CANTWELL DEFENDS INTERIOR EMPLOYEES:** Democratic Sen. [Maria Cantwell](#) responded today to recent comments from Zinke that one-third of his workforce remained loyal to the previous administration. Cantwell, ranking member of the Energy and Natural Resources Committee, released a [statement](#) that said Zinke's comments "betray a fundamental misunderstanding of the role of federal civil service." Interior employees "deserve respect from the man charged with leading them — not cheap shots in the press," Cantwell said.

**NO JONES WAIVER THIS TIME:** The White House will not waive the Jones Act for Puerto Rico, like it had when hurricanes ripped through Texas and Florida in recent weeks, DHS said today. Waiving the Jones Act would not address the lack of port space needed for vessels to deliver the fuel to the island, DHS spokesman David Lapan said. Lapan told POLITICO the agency consulted with other federal agencies and found that "there is sufficient numbers of U.S.-flagged vessels to move commodities to Puerto Rico." He added, "The fuel supply challenges facing Puerto Rico are not a function of the lack of fuel being shipped to the island, but caused by the devastation to Puerto Rico's transportation networks that have prevented fuel from being transported on the island to all of the places that need it." More [here](#) from Ben Lefebvre.

**PRESIDENT TO VISIT PUERTO RICO:** President Donald Trump said today he'd visit Puerto Rico next Tuesday, explaining that it's the earliest he can visit the island "literally destroyed" by Hurricane Maria without distracting from first responders, POLITICO's Louis Nelson [reports](#). "Puerto Rico is very important to me. The people are fantastic people," Trump said via a pool report. "I grew up in New York, so I know many people from Puerto Rico. I know many Puerto Ricans. And these are great people and we have to help them."

**SENATE COMMITTEE TO HOLD HEARING ON DAMAGE:** The Senate Energy and Natural Resources Committee hopes to hold a hearing soon on the damage done to Puerto Rico and the U.S. Virgin Islands, Chairman [Lisa Murkowski](#) said today. "I do hope that we'll have an opportunity to visit the islands in the next several weeks to get a better assessment [to] determine how we here in Congress can help with their recoveries," Murkowski said at a hearing. The Alaskan Republican said she wants to hold a hearing but doesn't want to be a distraction for recovery efforts on the islands, Darius Dixon [reports](#).

**JUST KIDDING:** DOT will repeal a highway greenhouse gas rule that it previously said would take effect. Alex Guillén [reports](#) a [Federal Register notice](#) set for Thursday says the Federal Highway Administration has already begun the rulemaking process needed to repeal the rule. The rule, completed in the final days of the Obama administration, requires states to curb emissions from big highway projects. [On Monday](#), however, DOT had said the rule would be allowed to take effect.

**JUDGES SKEPTICAL OF EPA NOMINEE'S ARGUMENT:** Federal judges appeared skeptical today of arguments made by Trump's pick to head EPA's air office against the Occupational Safety and Health Administration's silica rule. William Wehrum, an attorney at Hunton & Williams, argued on behalf of various industry groups that OSHA had not proven that lowering the silica standard would provide any significant health benefits, Alex reports.

**Wehrum told a panel at the D.C. Circuit Court of Appeals** that "OSHA had a thumb on the scale" because it had already decided to lower the standard. Alex reports that Judge David S. Tatel called Wehrum's comment "curious" and pointed to reams of data and studies OSHA used to justify the new standard. More [here](#).

**LONGVIEW COAL PROJECT DENIED PERMIT:** The Washington Department of Ecology [denied a water quality permit](#) from Millennium Bulk Terminals for the largest coal export terminal in North America, the department said today. It said it denied the permit "because the coal export terminal near Longview would have caused significant and unavoidable harm to nine environmental areas: air quality, vehicle traffic, vessel traffic, rail capacity, rail safety, noise pollution, social and community resources, cultural resources, and tribal resources."

#### **QUICK HITS:**

- Dyson plans 2020 launch for electric car, [Financial Times](#).
- Cabot Oil & Gas settles fracking lawsuit with Pennsylvania families, [Reuters](#).
- JPMorgan facing a new environmental fight over tar sands funding, [Huffington Post](#).

— Does the Colorado River have rights? A lawsuit seeks to declare it a person, [The New York Times](#).

— Crude by rail could hamper future U.S. pipeline investments, study says, [Chron](#).

#### **WIDE WORLD OF POLITICS:**

— [Bannon to Alabama](#): "They think you're a pack of morons."

— Senate GOP weighs how [to fail on Obamacare](#).

— Priebus made attempt to halt personal [email use in West Wing](#).

**\*\*A message from the U.S. Chamber's Global Energy Institute:** Today, America's diverse energy resources are providing abundant, reliable and affordable electricity that is critical to our economy. Unfortunately, that mix is at risk. A new report by IHS Markit cosponsored by the Global Energy Institute explains just how important a diverse set of resources really is. Our current energy mix, including nuclear and coal, is saving us \$114 billion per year in electricity costs—lowering the average price by 27%. Without all of our resources, America could lose 1 million jobs within 3 years and \$158 billion in GDP, and each American household could see a loss of up to \$845 in income each year. To read the report and learn more about how a balanced set of electricity resources is key to our economy and security, click here: <http://bit.ly/2huaJ4F>  
\*\*

*To view online:*

<https://www.politicopro.com/tipsheets/afternoon-energy/2017/09/epa-mulls-biofuels-cuts-024779>

#### **Stories from POLITICO Pro**

##### **EPA exploring reducing biofuel targets** [Back](#)

By Eric Wolff | 09/26/2017 02:04 PM EDT

EPA is considering cutting by up to 15 percent the amount of biodiesel required to be produced from biomass next year.

In a [notice](#) published today, EPA asks for public input on whether to reduce the 2018 biomass-based biodiesel requirement by up to 315 million gallons, the most allowed under the renewable fuel standard. The volume mandates are set two years in advance, so it would be unusual for EPA to lower the 2018 level nearly a year after it was finalized.

EPA also says it is considering dropping the 2019 volume requirement to possibly as low as 1 billion gallons, the floor set by the law, when it finalizes its next RFS volume rule in November. EPA earlier this year proposed leaving the biomass-based biodiesel target at 2.1 billion gallons for 2019, the same level as the 2018 rule.

The agency says that prices for the fuel will rise with the expiration of the blenders tax credit at

the end of last year, and thanks to tariffs expected to be imposed on imports from Argentina and Brazil. Biomass-based biodiesel is produced from feedstocks like restaurant waste, as opposed to other types of biodiesel made from soybeans.

Biodiesel advocates have said the industry could provide 2.75 billion gallons, and the National Biodiesel Board called on the agency to increase, not decrease, the requirement.

The notice does not request any additional comment on the conventional ethanol requirement, which EPA proposed setting at 15 million gallons, the maximum allowed under the law.

**WHAT'S NEXT:** EPA will take comment on the proposal for 15 days from the day it is published in the Federal Register. It is expected to finalize the volumes rule by a Nov. 30 deadline.

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**Zinke says Interior looking to include fisheries when picking offshore wind lease sites** [Back](#)

By Esther Whieldon | 09/26/2017 11:53 AM EDT

The Interior Department is looking to include more input from fisheries when deciding where to offer future offshore wind leases, Interior Secretary Ryan Zinke said today.

When planning offshore wind, "we've got to look at ... things like fishing fleets and movement of offshore whales and wildlife out there," Zinke said in a speech at National Clean Energy Week. "We have smart people we just have to get them all together and coordinate from the very beginning a little better" he said, adding that "offshore wind has enormous potential."

Zinke's remarks come as several cities, fisheries and fishery associations in New England, New York and New Jersey are [challenging](#) the legality of the Bureau of Ocean Energy Management's process for awarding offshore wind leases. The parties argue the agency violated the National Environmental Policy Act by failing to adequately consider the effects of the lease on their businesses or to consider alternative sites.

Fisheries "haven't been included," Zinke told reporters on the sidelines of the event, which was organized by renewable, natural gas and nuclear groups. "And so I think when you're going to operate offshore, at least be a collaborative effort on how we fish and get the biologists in on spacing," Zinke said.

Since 2009, BOEM has issued 12 commercial wind energy leases along the East Coast and the agency is eyeing additional new leases offshore of New York, Massachusetts, South Carolina, California and Hawaii.

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## **New York lawsuits stir up new squall for offshore wind power** [Back](#)

By Esther Whieldon | 05/15/2017 05:02 AM EDT

A legal fight in New York over the Bureau of Ocean Energy Management's leases for offshore wind power is threatening to delay development of the nascent industry in the U.S.

Several cities, fisheries and fishery associations in New England, New York and New Jersey are challenging the legality of BOEM's process for awarding leases for offshore wind farms, arguing that the agency violated the National Environmental Policy Act by failing to adequately consider the effects of the lease on their businesses or to consider alternative sites.

In a December auction, BOEM awarded more than 79,000 acres off the New York coast to Statoil Wind U.S. LLC for \$42.5 million, but the plaintiffs argue that BOEM's policy of sticking with the leasing area companies ask for without looking at other location options, as well as its refusal to change the footprint to avoid hurting the squid and scallop fishing industries, violates the law.

"They have offered no off-ramp, no way to avoid litigation in this matter because they never offered a process to discuss location," said Drew Minkiewicz, a partner at the firm Kelley Drye & Warren LLP who is representing the coalition of fisheries and cities.

Despite President Donald Trump's [own battles](#) with offshore wind power and his early moves to roll back former President Barack [Obama's clean energy initiatives](#), his administration has so far supported the nascent industry. Environmental groups worry that a blow to BOEM's process could seriously set back state governments in New England, California and New York from reaching their clean energy targets.

"It's a question of the overall process, not just the narrow New York process," said Collin O'Mara, president and CEO of the National Wildlife Federation, which supports the wind industry growth. "Should [BOEM] lose, the time to build a new stakeholder process and ... conduct it would likely delay the new American energy revolution by a couple years."

The U.S. District Court for the District of Columbia in February [rejected](#) the fisheries' request to put Statoil's lease on hold, and [BOEM](#) and [Statoil](#) last week filed a second set of responses to the case, but the court has yet to schedule a hearing on the matter.

Globally, the industry has built more than 14,000 megawatts of offshore wind power in more than a dozen countries, but only one project has so far started operation in the U.S. — Deepwater Wind's 30-megawatt Block Island project off the coast of Rhode Island.

BOEM has issued about a dozen offshore wind leases for new projects along the Atlantic coast, and growing interest from international wind developers has prompted the agency to consider additional lease sales in Massachusetts, New York, California, South Carolina and Hawaii.

Minkiewicz said he believes the fisheries and the offshore wind industry can find common ground, but Bonnie Brady, executive director of the Long Island Commercial Fishing Association, said it will be "very difficult if not impossible to coexist."

"I think the president and his administration [need] to put a pause on the process completely and find out what's happening to the traditional historic stakeholders that are having their own grounds being basically sold out from under them to foreign interests," she said.

BOEM has lost a court fight over its environmental reviews before. The U.S. Court of Appeals for the District of Columbia Circuit in July ruled that BOEM violated NEPA by failing to get accurate enough data about the sea floor conditions when it granted a lease to the now Cape Wind project in Massachusetts' Nantucket Sound. But BOEM argues the circumstances of that case were completely different than in New York.

Even after the startup of the Block Island wind farm, wind developers say it's important to get the New York project underway to help the industry mature.

"Right now, the offshore wind industry in the United States is really in its infancy, and so it needs this sort of high-profile, high-economic viability project to develop the infrastructure that will make future projects cheaper," said Edward Roggenkamp, a lawyer at Sive, Paget & Riesel, a New York-based law firm that has represented offshore wind clients.

"A setback for the New York project ... would be a huge setback for the development of the offshore wind infrastructure," he said.

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**Zinke: Solar takes up too much land, fossil fuels in 'best public interest' [Back](#)**

By Esther Whieldon | 09/26/2017 11:22 AM EDT

Public lands should be used for fossil fuel production, and solar energy companies should focus on rooftop development, Interior Secretary Ryan Zinke told an audience of renewable energy boosters today.

"If you are operating on public land, extraction is going to be in the best public interest," he said in a speech at National Clean Energy Week.

Zinke had suggested that utility-scale solar takes up too much land and that the industry should focus on smaller projects deployed on homes or commercial buildings.

"I think the biggest opportunity in solar is the roof," Zinke said at the event, which was organized by renewable, natural gas and nuclear groups. "Because when I see solar cells out on land, that land is no longer useful for anything else but energy. But there's a lot of roofs. And I think the greatest opportunity for the solar industry is look at where the roofs are."

Still, Zinke insisted he was not trying to pick winners and losers. "People ask me, am I a fossil fuel guy," he said. "I'm like no, I'm all the above."

But he suggested electric battery technology is "a few years away" from being ready and that the nation will remain dependent on fossil fuels for about two decades.

Zinke did not mention BLM's solar leasing program, which is conducting environmental studies but does not expect to offer any leases until at least next year.

Asked if he believes there is opportunity for clean energy on public land, Zinke said, "I think so, particularly offshore."

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### **White House denies Jones Act waiver for Puerto Rico [Back](#)**

By Ben Lefebvre | 09/26/2017 02:07 PM EDT

The Trump administration will not waive a rule banning foreign vessels from delivering fuel to hurricane-ravaged Puerto Rico, the Department of Homeland Security said today.

Waiving the Jones Act would not address the lack of port space needed for vessels to deliver the fuel to the island, DHS spokesman David Lapan said. DHS consulted with other federal agencies and found that "there is sufficient numbers of U.S.-flagged vessels to move commodities to Puerto Rico," Lapan told POLITICO in an email.

"The limitation is going to be port capacity to offload and transfer cargo, not vessel availability," Lapan said. "The fuel supply challenges facing Puerto Rico are not a function of the lack of fuel being shipped to the island, but caused by the devastation to Puerto Rico's transportation networks that have prevented fuel from being transported on the island to all of the places that need it."

The Jones Act stipulates that only U.S.-flagged ships can deliver fuel to domestic ports, keeping the number of vessels available to deliver fuel. Puerto Rico is running out of fuel and other necessities after taking a direct hit from Hurricane Maria last week.

DHS waived the rule when hurricanes ripped through Texas and Florida in recent weeks, but in those cases, the ships were necessary to replace lost fuel production after refineries were shut down during the storms, Lapan said.

**WHAT'S NEXT:** President Trump is scheduled to visit Puerto Rico next week.

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### **Trump: I think we're getting 'really good marks' for Puerto Rico response [Back](#)**

By Louis Nelson | 09/26/2017 09:42 AM EDT

President Donald Trump said he plans to travel to Puerto Rico next Tuesday to survey the wreckage left behind by Hurricane Maria, and boasted that his administration is getting "really good marks" for its response to the devastating storm.



"I mean I think we're really getting really good marks for the work we're doing," Trump told reporters at the White House, also saying, "I grew up in New York so I know many people from Puerto Rico. I know many Puerto Ricans, and these are great people. And we have to help them."

He added, "We've gotten A-pluses on Texas and on Florida. And we will also on Puerto Rico."

Trump has come under fire for his relatively muted response to what some officials have called a "humanitarian crisis" in Puerto Rico, which is home to roughly 3.5 million U.S. citizens suffering from a lack of food, water and power. While Trump rushed to visit Texas and Florida in the wake of hurricanes Harvey and Irma, the president went days without tweeting about Puerto Rico and the U.S. Virgin Islands, instead focusing on his feud with NFL players who kneel during the national anthem.

He turned his attention to the devastation on Monday night, but appeared to place some blame on Puerto Rico for its poor infrastructure and financial crisis, while heaping praise on his administration's response.

"Texas & Florida are doing great but Puerto Rico, which was already suffering from broken infrastructure & massive debt, is in deep trouble," Trump tweeted. "It's old electrical grid, which was in terrible shape, was devastated. Much of the Island was destroyed, with billions of dollars owed to Wall Street and the banks which, sadly, must be dealt with. Food, water and medical are top priorities - and doing well. [#FEMA](#)."

Senate Minority Leader [Chuck Schumer](#) hit back at Trump on Tuesday morning. "Now is not the time, Mr. President. Puerto Rico needs help from aid workers, not debt collectors from Wall Street," Schumer said, according to his spokesman Matt House.

Trump, speaking to reporters on Tuesday, said a "tremendous" amount of supplies are flowing from the mainland United States to the "literally destroyed" island. He added that he didn't want to interfere with the relief effort by visiting too soon.

"Tuesday seems to be the first time we can do without really disrupting first responders and the efforts that are being made to help people," Trump said. "We have shipped massive amounts of food and water and supplies to Puerto Rico, and we are continuing to do it on an hourly basis."

Recovery from Hurricane Maria's landfall has been slow thus far in Puerto Rico, where many are still without power and could be for months. Other infrastructure is still severely damaged as well, and clean drinking water and temporary housing for those displaced by the storm remains an urgent issue.

In an interview with CBS news on Tuesday, Carmen Yulin Cruz, the mayor of San Juan, thanked the president and praised the FEMA workers on the ground in Puerto Rico, but also indicated that aid is not flowing to those who need it most and that bureaucracy and logistics are hampering relief efforts.

"First of all, yes, thank you to FEMA. All the people that are here are working very hard. But you know, you've got to work hard and you've got to put this aid in the hands of the people," Cruz said. "FEMA is great, but if they're not allowed to do their job, if the chain of command is

hindering them, if they need memos in order to process what they are seeing on the TV, on electronic networks and so forth, then you are tying their hands to their back."

In a separate video interview posted online by the Los Angeles Times, Cruz said that Maria's "aftermath is almost more horrific than the actual passing of the hurricane itself."

Puerto Rico, whose 3.5 million inhabitants are U.S. citizens, is without a voting representative in Congress. The island's leaders are hopeful that leverage on Capitol Hill may come from lawmakers who represent states and districts with large Puerto Rican populations.

Del. [Jenniffer Gonzalez](#), Puerto Rico's nonvoting member in the House of Representatives, said her island is without a voice in the Senate "unless it's [Marco Rubio](#)."

Rubio (R-Fla.) told reporters Monday of Puerto Rico that "the important part is to make sure it's not forgotten."

"We have a fundamental obligation to a U.S. territory and American citizens to respond to a hurricane there the way we would anywhere in the country," the Florida senator added.

House Speaker [Paul Ryan](#) (R-Wis.) pledged support to Puerto Rico, too, telling reporters on Tuesday that "we are in this with them" and that those on the island are in "our thoughts and prayers."

Meanwhile, Senate Majority Leader [Mitch McConnell](#) (R-Ky.) said he hopes there will be movement "soon" on aid for Puerto Rico and other U.S. regions impacted by recent storms.

"We want the people of Puerto Rico and the islands to know that we are thinking of them and — more importantly — we want them to know that we will continue to work with FEMA, the Department of Defense, and the rest of the administration to help in the recovery," McConnell said in a statement. "And I expect we'll hear more soon on what additional resources will be necessary in Puerto Rico and elsewhere in the paths of the storms."

While Trump has shifted his social media focus to include Puerto Rico at the start of this week, he spent much of the weekend engaged in an online tirade against the NFL. That Trump's attention was so centered on football players protesting and not on an ongoing humanitarian crisis in a U.S. territory prompted criticism that the White House pushed back against at Monday's press briefing.

"It really doesn't take that long to type out 140 characters and this president is very capable of doing more than one thing at a time and more than one thing in a day," White House press secretary Sarah Huckabee Sanders said. "We've done unprecedented movement in terms of federal funding to provide for the people of Puerto Rico and others that have been impacted [by] these storms, we'll continue to do so."

*Nolan D. McCaskill contributed to this report.*

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## **Senate Energy Committee to hold a hearing on Puerto Rico, Virgin Islands** [Back](#)

By Darius Dixon | 09/26/2017 12:25 PM EDT

The Senate Energy and Natural Resources Committee plans to hold a hearing soon on the damage done to the territories of Puerto Rico and the U.S. Virgin Islands, which were badly damaged by Hurricanes Irma and Maria, Sen. [Lisa Murkowski](#) said today.

"I do hope that we'll have an opportunity to visit the islands in the next several weeks to get a better assessment [to] determine how we here in Congress can help with their recoveries," the Alaska Republican, who chairs the energy panel, said at a hearing to vet two Energy Department nominees.

Murkowski said she wants to hold a hearing but doesn't want to be a distraction for recovery efforts on the islands, which have been almost completely without electricity and other basic services for several days. The timing of the hearing is still up in the air.

"We're all very cognizant of the fact that we don't need to be pulling FEMA out or governors out right now to come to Washington, D.C., for a hearing," Murkowski said. She later told reporters that members of the committee "haven't set a date yet but hopefully it's going to be soon."

Several other members of the committee voiced their concerns about the territories and suggested there may be an opportunity to consider lessons learned from the hurricane damage.

**WHAT'S NEXT:** A hearing date could be announced within the next several weeks but it's unclear when the recovery might ease enough for government officials to make a visit.

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## **DOT to repeal greenhouse gas rule it just allowed to take effect** [Back](#)

By Alex Guillén | 09/26/2017 02:29 PM EDT

DOT plans to repeal a highway greenhouse gas rule that it had said Monday it would allow to take effect.

A [Federal Register notice](#) set to run Thursday says the Federal Highway Administration has already begun the rulemaking process needed to repeal the rule. The rule, completed in the final days of the Obama administration, requires states to curb emissions from big highway projects.

DOT had indefinitely delayed the rule, but [said on Monday](#) that it would be allowed to take effect following lawsuits from environmental groups and Democratic attorneys general.

That concession ultimately may have little practical effect. The first reporting deadline is Oct. 1, 2018, but the Federal Register notice says the department plans to complete the repeal by spring.

DOT writes in the notice that "the burden to comply with the upcoming reporting deadline will be minimal, consisting mostly of preliminary target-setting activities using existing data sources."

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### **DOT reverses course, will publish highway emissions rule [Back](#)**

By Alex Guillén | 09/25/2017 04:55 PM EDT

The Transportation Department will allow an Obama-era rule aimed at reducing greenhouse gas emissions from big highways to take effect following lawsuits from environmental groups and Democratic attorneys general.

The Federal Highway Administration delayed the rule from taking effect several times earlier this year before placing it on hold indefinitely.

But DOT today reversed course. In a [letter](#) to a federal judge in New York, the Justice Department said the rule has been submitted to the Federal Register and is expected to run on Sept. 28. The rule will take immediate effect upon publication, DOJ wrote.

The [rule](#) will require states to track emissions from highways and craft reduction goals.

"Our lawsuit held the Trump administration accountable for illegally halting a common-sense tool to curb carbon pollution from transportation," said the NRDC's Amanda Eaken in a statement. "Now the Federal Highway Administration should get busy working with planners nationwide to clean up the air, protect our health and provide smarter transportation options for Americans such as more public transit, bikeways and pedestrian walkways."

**WHAT'S NEXT:** DOT says the rule is expected to be published in Thursday's Federal Register.

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### **EPA nominee's case against OSHA rule draws skepticism from judges [Back](#)**

By Alex Guillén | 09/26/2017 12:24 PM EDT

Federal judges seemed skeptical today of arguments made by William Wehrum, President Donald Trump's pick to head EPA's air office, against the Occupational Safety and Health Administration's silica rule.

Wehrum, an attorney at Hunton & Williams, argued on behalf of various industry groups that OSHA had not proven that lowering the silica standard would provide any significant health benefits.

"OSHA had a thumb on the scale" because it had already decided to lower the standard and had "lost objectivity," Wehrum told a three-judge panel at the D.C. Circuit Court of Appeals.

Judge David S. Tatel called Wehrum's comment "curious" and pointed to reams of data and studies OSHA used to justify the new standard.

Chief Judge Merrick Garland noted that there are some legitimate disagreements among scientists about silica's health effects — but he said the law says the regulation in such situations should lean in favor of caution. "There's supposed to be a thumb on the scale in terms of safety," Garland said.

"We believe that skepticism is well warranted," Wehrum replied.

A Justice Department attorney defending the rule faced light questioning from the judges about OSHA's methodologies and called Wehrum's arguments about uncertainty in epidemiology "flimsy."

As air administrator, Wehrum would be charged with implementing or writing new versions of a number of health-based standards, including the 2015 ozone rule. EPA officials last week noted that Wehrum can argue against the OSHA rule since it is not an EPA regulation and is unrelated to his nomination.

**WHAT'S NEXT:** The D.C. Circuit will weigh Wehrum's argument along with arguments made by other attorneys on technological, economic and union issues with the silica rule. Wehrum's nomination hearing was postponed last week and has not yet been rescheduled.

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**Bannon to Alabama: 'They think you're a pack of morons'** [Back](#)

By Alex Isenstadt | 09/25/2017 11:16 PM EDT

FAIRHOPE, Ala. — Steve Bannon barreled onstage at a raucous rally inside a barn here to deliver a warning to the national Republican establishment ahead of Tuesday's special Senate election: I'm just getting started.

In a thundering 20-minute speech Monday night that was partly a rally for insurgent Senate candidate Roy Moore but equally a declaration of war on the Republican Party hierarchy, Bannon made clear that this next act of his political career could make the Republican civil war of recent years look tame.

"For Mitch McConnell and Ward Baker and Karl Rove and Steven Law — all the instruments that tried to destroy Judge Moore and his family — your day of reckoning is coming," Bannon said, referring to the Republican Senate leader and a trio of prominent GOP strategists backing incumbent Sen. Luther Strange. "But more important, for the donors who put up the [campaign] money and the corporatists that put up the money, your day of reckoning is coming, too."

With polls showing Moore leading comfortably, the event was an early victory lap of sorts for the nationalist ex-Trump adviser. Since departing the White House last month, he's made electing Moore — a like-minded, pugilistic outsider — the first of what he hopes will be many pet projects to oust "globalist" Republican incumbents. Bannon broke with his ex-boss, President Donald Trump — who traveled to the state last week to campaign for Strange — and suggested Monday that the president was duped into supporting the incumbent.

Bannon said mainstream Republicans behind Strange's campaign regard Alabama voters as "a pack of morons. They think you're nothing but rubes. They have no interest at all in what you have to say, what you have to think or what you want to do. And tomorrow, you're gonna get an opportunity to tell them what you think of the elites who run this country!"

Bannon headlined the get-out-the-vote rally inside a hay-lined barn alongside Moore — who at one point pulled a gun out of his pocket to highlight his Second Amendment bona fides — Brexit leader Nigel Farage and "Duck Dynasty" star Phil Robertson.

But Bannon stole the proverbial show. In his fiery us vs. them rhetoric, Bannon name-checked his enemies, repeatedly going after McConnell.

"Mitch McConnell and his permanent political class is the most corrupt, incompetent group of individuals in this country!" Bannon said to loud applause.

Perhaps sensitive to the perception that he was rebuking the president, the former White House chief strategist insisted that it was Moore, not Strange, would do the most to back the Trump agenda. "We did not come here to defy Donald Trump, we came here to praise and honor him," he said.

A Moore win, Bannon has argued, would open the floodgates for anti-incumbent primary challengers across the map. He has also zeroed in on looming Senate primaries in states where GOP incumbents are up for reelection, including Arizona, Nevada, Tennessee and Mississippi. Among those present at the were Chris McDaniel, a tea party figure who is weighing a primary challenge to Mississippi Sen. Roger Wicker, and Mark Green, a state senator from Tennessee who has flirted with running against GOP Sen. Bob Corker. Bannon met with both McDaniel and Green Monday night.

Back at his old perch as chief executive of Breitbart News, Bannon played a key role corralling conservative support for Moore, a 70-year-old staunch social conservative who rose to national fame after defying a federal order to remove a monument of the Ten Commandments from a state judicial building.

Bannon met with dozens of influential right-of-center groups, including the Conservative Action Project, the Council for National Policy, Judicial Watch and Groundswell, a group overseen by Ginni Thomas, the spouse of Supreme Court Justice Clarence Thomas. Bannon also met with key movement leaders from the Capitol Hill townhouse that serves as Breitbart's nerve center.

Bannon made the same pitch in nearly all the meetings. Alabama, he said, was a monumental battle — the kind of fight that crystallized what he saw as a collision with the mainstream GOP wing that he was convinced was threatening the Trump presidency he and other grass-roots

conservatives had worked so hard for.

It was a perfect opportunity to undermine McConnell, Bannon argued. With the heart of the Senate primary season still months away, the special election was the moment to strike.

He also came to relish the idea of the bellicose Moore making McConnell's life difficult in the Senate.

Not everyone whom Bannon met with had the stomach to take on McConnell, particularly with such a jam-packed fall legislative calendar on the horizon. But the Breitbart chief wanted to make clear that Alabama was his priority.

Bannon got behind the candidate who was being massively outspent and had few campaign resources. The former Trump adviser didn't work to raise money for Moore, but rather used his prominence to help get people behind him. He helped to persuade Alabama Rep. Mo Brooks, a conservative who fell short in the first round of voting, to endorse the former judge.

Bannon met with Moore and offered him advice. And he also turned Breitbart against Strange, dispatching staffers including Matt Boyle to the state to write critical articles about the senator.

A Bannon-affiliated outside group, Great America Alliance, aired anti-Strange ads and hosted a pro-Moore rally that was attended by former Alaska Gov. Sarah Palin.

Yet delving into the race wasn't without risk for Bannon, who found himself going up against the president. On Friday, Trump flew to Huntsville to hold a rally for Strange.

Trump and Bannon recently spoke about the race over the phone, with each laying out their reasons for their endorsements.

When he took the stage a little later in the evening, Moore almost immediately turned his attention to Bannon. "He gave more encouragement," Moore said, "than almost anybody this whole time."

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**Senate won't vote on last-ditch Obamacare repeal bill [Back](#)**

By Seung Min Kim, Jennifer Haberkorn and Burgess Everett | 09/26/2017 10:20 AM EDT

The Senate will not vote on Republicans' latest bill to repeal Obamacare this week, putting an end, for now, to the GOP's seven-year campaign promise to dismantle the health care law.

The decision was reached at a party lunch Tuesday after it became clear the plan would fail, GOP senators said. Three Senate Republicans had already said they would vote against the measure, and the GOP could only afford two defections.

"Why have a vote if you know what the outcome is and it's not what you want," said GOP Sen.

Richard Shelby of Alabama. "I don't know what you gain from that. But I do believe that the health care issue is not dead, and that's what counts."

Senate Majority Leader Mitch McConnell said Republicans are not giving up on a health care bill but made clear he wants a quick pivot to another issue where Republicans hope to notch a legislative victory: taxes.

"We haven't given up on changing the American health-care system ... We're not going to do it this week, but it still lies ahead of us. We haven't given up on that," McConnell said Tuesday afternoon. "Where we go from here is tax reform."

Vice President Mike Pence also told Republicans they should keep working on health care and not give up just because a key procedural deadline to pass the bill with a simple majority expires after Sept. 30.

"The vice president said that we need to resolve to do this now before this current Congress leaves office," at the end of 2018, according to a Republican senator in the room.

"He does" want us to keep working, said Sen. Jim Inhofe (R-Okla.). "He's conveyed it outside of that meeting [too]. The votes aren't there so let's keep massaging."

How Republicans would do so was not decided, according to several Republican senators. A fast-track procedural tool to allow the GOP to repeal the health law is due to expire on Saturday. Without it, Republicans would need to gather 60 votes in the Senate, an impossibility with Democrats firmly behind Obamacare.

Some Republicans have floated the idea of renewing the fast-track powers for health care in the fiscal 2018 budget to allow for another shot at repeal.

But many others on Tuesday downplayed that possibility in favor of concentrating on tax reform.

It's better to "focus on taxes right now," said Sen. Pat Toomey (R-Pa.).

Sen. Lindsey Graham (R-S.C.), who authored the latest effort with Sen. Bill Cassidy (R-La.), said that Republicans will revisit the Obamacare repeal issue in mid-2018, using the budget resolution for fiscal 2019 to allow them to evade a Democratic filibuster.

Cassidy told reporters Republicans merely ran up against the clock.

"Time was the enemy," he said. "Some people didn't like the process so we needed hearings to have them feel better about the process and we didn't have time for those hearings."

It was unclear before the lunch whether McConnell and his divided conference would hold the vote.

Senate Republicans considered voting on a bill they knew was doomed to fail to show the conservative grass roots and the broader party that they did all they could to dismantle Obamacare. But there was also concern about the optics of going ahead with a failed vote.



Republicans were also privately worried that President Donald Trump could continue to attack them if they give up on the effort publicly.

The Graham-Cassidy bill gained surprising steam earlier this month, yet struggled to pick up the final handful of votes needed for Senate Republicans to pass Obamacare repeal with a simple majority. Republicans opposed to the bill included GOP Sens. Rand Paul of Kentucky, John McCain of Arizona and Susan Collins of Maine, who formally announced her position Monday evening.

The bill would transform Obamacare funding into block grants for the states, make deep cuts to Medicaid and allow states to roll back insurance regulations, drawing opposition from moderate Republicans like Collins. McCain bemoaned the rushed process for moving a partisan bill. The conservative Paul, meanwhile, said the plan maintained too much of Obamacare. A number of other wary Republicans had yet to endorse the bill, and a flurry of last-ditch changes did nothing to win over skeptics.

Sen. Lisa Murkowski, who voted against Obamacare repeal in July, said Tuesday that she liked the concept of Graham-Cassidy, a move that many in the GOP viewed as a sign of progress. But she harshly criticized a "hard deadline and a lousy process" in a statement that didn't say how exactly she would have voted.

"The U.S. Senate cannot get the text of a bill on a Sunday night, then proceed to a vote just days later, with only one hearing — and especially not on an issue that is intensely personal to all of us," she said.

Democrats urged Republicans to drop their push to gut Obamacare and instead work with them to improve the law.

"To Sen. Collins and to the rest of my Republican colleagues, I want to say this: Once repeal is off the table, we want to work with you to improve the existing system," Senate Minority Leader Chuck Schumer (D-N.Y.) said on the Senate floor Monday night. "Once this bill goes down, we're ready to work with you to find a compromise that stabilizes markets, that lowers premiums."

Even though Graham-Cassidy is dead for now, few Republicans expect a sudden shift to bipartisanship.

Senate Health, Education, Labor and Pensions Committee Chairman Lamar Alexander (R-Tenn.), who led bipartisan negotiations earlier this month with Sen. Patty Murray (D-Wash.), said the environment simply isn't conducive to it.

"We stopped the bipartisan talks last week because my goal wasn't just to get a bipartisan agreement — it was to get a bipartisan result. I didn't see any way to get one in the current political environment," he said, shortly before Collins announced her opposition. "That environment hasn't changed, maybe it does change — but it hasn't."

*John Bresnahan contributed to this report.*

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**At least 5 Trump aides used personal email for public business** [Back](#)

By Josh Dawsey | 09/25/2017 08:04 PM EDT

Frustrated with West Wing aides' rampant use of personal communications devices for official business, former chief of staff Reince Priebus tried over the summer to stop — or at least limit — the practice.

During a July senior staff meeting, Priebus asked aides to either store their personal phones in secure lockers in the White House or leave them at home during the workday, according to people who attended. The administration subsequently installed additional lockers, typically found only outside secure rooms, in the West Wing, as part of an effort to force aides to use their White House accounts for communications.

But the request was largely ignored, according to six current and former administration officials, advisers and others who correspond with the White House. Aides shrugged off Priebus' request, and senior officials — occasionally including Priebus — continued to use their personal phones for phone calls, text messages and emails for White House matters.

Now, as congressional committees launch investigations into Jared Kushner's use of a private email [account](#) to sometimes conduct government business, more information is emerging about the widespread nature of West Wing aides' reliance on private devices — a controversial practice that raises record-keeping, cybersecurity and political concerns.

A number of top aides, including Ivanka Trump, President Donald Trump's daughter, and Gary Cohn, Trump's top economic adviser, have also maintained private email accounts from which they have occasionally corresponded with other White House officials and Cabinet members.

Ivanka Trump's account was set up with her husband, Kushner, last December on a family email account, according to public records, while Cohn created a private account in December before joining the White House.

Former chief strategist Steve Bannon and Priebus also used personal email accounts to occasionally email about government matters, particularly in the early months of the administration, according to people familiar with their correspondence.

Kushner and Ivanka Trump used a domain called [IJKFamily.com](#), and Cohn used a domain named [CohnOffice.com](#). Bannon was said to have used a private domain from a previous job, while Priebus used a Gmail account.

People close to Kushner said Monday that he never used a transition or campaign email account, instead relying on his real estate company's account for political and business emails as he helped manage his father-in-law's campaign.

Kushner decided to create the personal account and domain last December, shortly before he was named to a formal White House role, according to these people. He mainly uses the account to message family members including his father, a real estate tycoon in New York, his lawyer and some friends and acquaintances, these people said.

White House press secretary Sarah Huckabee Sanders said Monday that aides were frequently warned about using private email accounts.

"To my knowledge, it's very limited," Sanders said during a news briefing.

In a later statement to POLITICO, Sanders said: "All White House personnel have been instructed to use official email to conduct all government related work. They are further instructed that if they receive work-related communication on personal accounts, they should be forwarded to official email accounts."

No one in the White House has been accused of sharing classified or sensitive material on personal email accounts. And no officials have exclusively used a private email account for government work, as Hillary Clinton did as secretary of state, according to White House officials and others with knowledge of the correspondence.

Trump has been a harsh critic of Clinton's email practices, leading chants of "Lock her up" during campaign rallies as recently as last weekend in Alabama.

A top House Republican investigator on Monday demanded details on any senior aides to Trump who have used private email addresses or encrypted software for government business. Rep. Trey Gowdy (R-S.C.), chairman of the House Oversight Committee, along with his Democratic counterpart, Rep. Elijah Cummings of Maryland, called for the White House to disclose by Oct. 9 the names of any top administration officials who use a private email address for government work and to identify any accounts or cellphone numbers that may have been used to transmit encrypted messages.

POLITICO reported in February that administration lawyers and then-press secretary Sean Spicer admonished staff members that using encrypted messaging apps like Confide or Signal would be a violation of the Presidential Records Act.

House Democratic investigators said earlier on Monday they intend to probe Kushner's use of a private email address, a development that threatens to compound the Russia-related controversies already surrounding Trump's son-in-law.

Cummings sent a separate letter to Kushner, a White House senior adviser, requesting that he preserve all his personal emails. The Maryland Democrat also suggested he eventually will request copies of all work correspondence that passed through Kushner's personal account.

Alex Conant, a Republican strategist and former campaign manager for Sen. Marco Rubio, said criticism from the right may have been muted because Kushner's defense seemed plausible. And, he said, in 2017, many people understand that communications happen via text, apps or other ways.

"The optics of this aren't great, and I assume you'll see these accounts shut down and people transition over to their official accounts," he said.

*Kyle Cheney and Rachael Bade contributed to this report.*

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## **Urban Waters Team Wins "People's Choice" Public Service Award**

The Urban Waters Federal Partnership, an interagency group in which the Department of the Interior is one of the leaders, has won the "People's Choice" award in the Service to America Medals. The nonprofit, nonpartisan Partnership for Public Service announced the award on September 27 at its annual gala popularly dubbed the "Oscars of Government Service."

Out of 430 nominees, the Urban Waters Team was chosen by popular vote for making "the most admirable contribution to the American people." The team works through public private partnerships to clean up and revitalize urban waterways and surrounding lands.

"Congratulations to the Urban Waters Team," said David Bernhardt, Deputy Secretary of the Department of the Interior. "Their work spurred economic development and reversed decades of neglect in American communities along important urban waterways."

The team was created and led by Surabhi Shah of the U.S. Environmental Protection Agency, and includes the departments of Agriculture, Interior, Housing and Urban Development and 10 other federal agencies. The Urban Waters Federal Partnership aims to help heavily polluted American urban waterways, as well as the lands surrounding them that suffer from environmental degradation.

Four Interior bureaus—the U.S. Geological Survey, National Park Service, U.S. Fish and Wildlife Service, and Bureau of Reclamation—have more than 50 staff working in 19 Urban Waters locations. Projects in these cities have included restoring urban wetlands; building trails, parks, and green space; reducing storm water flow into rivers and streams; and increasing urban habitat.

Employees from Interior and other federal agencies are teaming up with local and state agencies, businesses, nonprofits and philanthropies to clean up pollution; spur redevelopment of abandoned properties; promote new businesses; and provide parks and access for boating, swimming, fishing and community gatherings.

One example of a place in which Interior has served as a leader is the Los Angeles River Urban Waters Partnership. The National Park Service and its partners are raising the profile of river restoration in the densely populated downtown Los Angeles. Last summer NPS worked with American Forests and CBS/Ecomedia to host a volunteer tree and shrub planting at a park next to the river, working toward the goal of a greener LA river. Los Angeles Urban Waters is helping raise the profile of river restoration and serving as a much needed portal for federal and non federal institutions to coordinate public and private sector restoration efforts.

"The Urban Waters Federal Partnership has provided a foundation for all 14 federal agencies to work across silos, and leverage resources and expertise," says Lisa Pelstring, leader of the Interior team and urban policy advisor at the department. "We recognize that by working together, we can accomplish so much more—restoration, recreation, and economic development—in cities where it's already expensive to operate and difficult to make things happen."

This leveraging of resources has enabled the Urban Waters Partnership to be active nationwide through grants coordinated by the National Fish and Wildlife Foundation. It has improved more than 22,000 acres of land, planted more than 80,000 trees and engaged an estimated 100,000 community members.

For more information, please see [the Partnership for Public Service website](#).

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By Sarah Ferris and Jennifer Scholtes | 09/26/2017 05:10 PM EDT

**RALLY THE TROOPS — LITERALLY:** Despacito — that's the pace of recovery down in Puerto Rico. And still, Trump administration and Hill sources tell us the official aid request probably won't make it to appropriators for several weeks.

As we [report](#) this afternoon, those familiar with the devastation on the Caribbean island say the government is far more focused on delivering resources right now than getting more cash from Congress.

**On the ground:** Trump administration officials say the feds are already going full bore with recovery from Hurricane Maria — deploying thousands of emergency responders, delivering food and water to survivors, conducting round-the-clock search and rescue operations, and restoring power at critical facilities with generators. But Democrats say President Donald Trump better do more, or risk the kind of backlash that haunted former President George W. Bush after Hurricane Katrina.

**Military brawn:** "We have the greatest military the world has ever seen," House Democratic Caucus Chairman [Joe Crowley](#) (D-N.Y.) told reporters today. "We know how to invade other nations. We know how to bring that equipment in. We have paratroopers. We have sailors. We have Marines. We have men and women who would want to help their fellow countrymen in their time of need. It's time for the president to invoke that and to bring that type of response."

**Optics issue:** Besides hundreds of FEMA responders, staff from several other agencies have been deployed, including those from the Coast Guard, the Defense Department, the Army Corps of Engineers, the FAA, the National Guard, the FCC and HHS. Trump says his administration is getting "really good marks" for its response, [Louis Nelson reports](#). But POTUS is getting criticized for delaying his trip to the devastated islands until early next week — almost two weeks after the storm hit — and for [tweeting](#) about Puerto Rico's debt crisis as its residents suffer.

**Out of mind?** Reporting from San Juan, our Jacqueline Klimas [explains](#) that concerns are deepening that the U.S. territory is an afterthought for mainland officials. And the Trump administration said today that it will not waive the rule banning foreign vessels from delivering fuel to the islands, [Ben Lefebvre reports](#).

**GOOD TUESDAY AFTERNOON!** Reach out: [jscholtes@politico.com](mailto:jscholtes@politico.com) (@jascholtes) and [sferris@politico.com](mailto:sferris@politico.com) (@sarahnferris).

**Doc of the day** — A new CBO [report](#) estimates that the federal government could save \$80 million over a decade by making it easier for Medicare Advantage plans to offer telemedicine as a benefit. More from [David Pittman](#).

**#DailyBudgetFact** — Roughly 500 federal workers are now on the ground in Puerto Rico and the U.S. Virgin Islands, according to FEMA documents obtained by Colin Wilhelm today. Millions of meals and water bottles are en route by barge. But distribution of essential supplies — like generator fuel — remains an issue.

## BUDGET

**HORSE, THEN CART:** The sneak peek on tax reform may be coming Wednesday, but that doesn't mean lawmakers are going to get the whole bill before they're forced to vote on a budget resolution, Brian Faler [reports](#). "Without a budget, there's no tax reform — once that's completed, Ways and Means will bring out the comprehensive bill," House Ways and Means Chairman [Kevin Brady](#) (R-Texas) said Monday evening. "We will not be introducing a bill until the budget is passed."

**FULL PIVOT:** Majority Leader [Mitch McConnell](#) announced today that the Senate Budget Committee will hold its long-awaited markup next week, as [Sarah reported](#) today. That would mean we could get our hands on the Senate budget resolution this week, thanks to the five-day notice rule.

**Tooting their horn:** "We've reached significant agreements inside the Budget Committee to go forward, and I'm optimistic that we'll achieve that," McConnell said, giving props to Sens. [Bob Corker](#) (R-Tenn.) and [Pat Toomey](#) (R-Pa.) after they agreed to move ahead with the current draft last week.

**JUST IN:** Corker shocked Capitol Hill this afternoon by announcing he plans to retire when his term ends in 2018, Burgess Everett [reports](#).

**WILL THEY OR WON'T THEY?** Republican senators may have found a way to alleviate their PR problem on the looming deadline to repeal Obamacare. Some frustrated Republicans are now suggesting that GOP leaders could simply add a health care component to their upcoming budget resolution on tax reform, as Seung Min Kim, Jennifer Haberkorn and Burgess Everett [report](#). Or, they could just kick-start the fiscal 2019 budget process a bit earlier next year.

**It's catching on ... slowly:** Corker hadn't heard of the idea until we explained it Monday evening. "Yeesh," Corker said with a laugh. "Boy, let's make it real simple." Then he addressed the gaggle of reporters around him: "The only person I've heard talk about that is you guys."

## ENERGY

**DRILL, BABY, DRILL:** Senate Republicans are considering a big gamble over oil drilling in their soon-to-be unveiled budget resolution. Several sources say the Senate GOP budget will open the door for new energy production in the Arctic National Wildlife Refuge, as Sarah and Ben Lefebvre [report](#) for Pros.



**Down to McCain ... again?** It's a risky move since two Republican senators ([John McCain](#) and [Susan Collins](#)) are already on record against similar bills in the past. If those two remain opposed, that would give GOP leaders no room for error on their massive tax package.

**The buzz:** Besides the Senate Energy and Natural Resources Committee, we're hearing that Senate HELP could also get \$1 billion in deficit-reducing instructions in the fiscal 2018 budget resolution. The Senate Banking Committee was also under consideration, but it seems like that's now off the table.

## OBAMACARE

**THE BEGINNING OF THE END?:** The partial CBO score released Monday night — which found that "[millions](#)" would lose insurance under the Graham-Cassidy plan — was the final straw for Collins. Within minutes of CBO's release, Republicans tallied their third "no" vote, effectively dooming the latest Obamacare repeal effort, as Burgess, Jennifer and Josh Dawsey [report](#). By lunchtime today, GOP leadership officially [conceded defeat](#).

**Like it or not:** Facing another Obamacare repeal failure, Sens. [Lindsey Graham](#) (R-S.C.) and [Bill Cassidy](#) (R-La.) vowed to press on, but they're ruling out any more tweaks to win over the holdouts, as Adam Cancryn [reports](#).

**More:** [Trump slams 'so-called' Republicans](#) | [To vote or not to vote?](#) | ['A recipe for chaos'](#) | [Looming collapse in California](#) | [Protesters define raucous hearing](#)

## TAX

**KICKOFF:** The GOP's big tax reveal will get started bright and early Wednesday at the National Defense University, with Vice President Mike Pence attending as guest of honor, Rachael Bade [reports](#).

**BIPARTISAN AFTER ALL?** Trump told tax-writers today he's "prepared to negotiate" with Democrats, according to Ways and Means ranking member [Richard Neal](#) (D-Mass.). After leaving the White House meeting, Neal said Trump and Democrats are on the same page when it comes to middle-class benefits and not adding to the deficit, Aaron Lorenzo [reports](#). One thing Trump was reportedly less committal about: no tax relief for top earners.

**Number we've been waiting for:** Neal said the "Big Six" is expected to call for reducing the top rate to 35 percent from 39.6 percent, per Aaron.

**TEMPORARY RELIEF:** Brady wants his fellow Republicans to prepare for the non-permanency of tax breaks, hinting to reporters today that the GOP plan would likely have to consider temporary provisions to follow the Senate's budget rules, Aaron [reports](#). "We continue to focus on permanency or as much of it as we can achieve," Brady said.

## PLANNED PARENTHOOD

**STATES ASK TRUMP FOR HELP:** Anti-abortion activists want the Trump administration to make it easier for states to eliminate Planned Parenthood from their Medicaid programs, Jennifer

Haberkorn [reports](#). A group of 132 state lawmakers [wrote](#) to the Trump administration this week, asking officials to formally reverse an Obama-era rule that said states don't have a legal right to defund Planned Parenthood if the group has not committed fraud or abuse.

## EDUCATION

**STEM STIMULUS:** The Trump administration has committed to funneling at least \$200 million a year to technology education grants for women and minorities, Ian Kullgren and Caitlin Emma [report](#). Trump signed the memo ordering Education Secretary Betsy DeVos to make that a priority, and a senior administration official says the specifics — such as who will receive the federal funds — will be up to DeVos.

## TRANSPORTATION

**SECOND TIME'S A CHARM?** GOP leaders plan to go the regular route with their FAA patch this week, after the bill [crashed and burned](#) in a fast-tracked House vote Monday night. The legislation, [H.R. 3823 \(115\)](#), needed the support of two-thirds of those voting to pass under the speedier process but will only need a simple majority when lawmakers bring it to the floor under a rule later this week. Brianna Gurciullo and Zachary Warmbrodt [explain](#), though, that the measure isn't a guaranteed slam dunk in the Senate, where Banking Chairman [Mike Crapo](#) (R-Idaho) predicts opposition if the House jams the upper chamber with an FAA extension that also has private flood insurance language.

## EARMARKS

- USAID chief says 'America will continue to play its role in the world.' [DevEx](#).
- Half of Americans think President Trump's tax plan will favor the wealthy. [Washington Post](#).
- Power blackout leaves darkened Puerto Rico isolated and paralyzed. [Reuters](#).
- Business groups to Mulvaney: Let's stop building in dangerous flood zones. [Buzzfeed](#).
- Democratic appropriators probe Price's private jet use. [POLITICO Pro](#).

**WE'RE COUNTING:** 73 days until federal funding runs out and the National Flood Insurance Program expires (Dec. 8, 2017). Four days until the Children's Health Insurance Program is up for renewal.

*To view online:*

<https://www.politicopro.com/tipsheets/budget-appropriations-brief/2017/09/puerto-rico-disaster-request-could-take-weeks-024782>

## Stories from POLITICO Pro

**White House weeks away from formal funding request for Puerto Rico aid, sources say**  
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By Sarah Ferris and Jennifer Scholtes | 09/26/2017 03:01 PM EDT

The White House is likely weeks away from a formal funding request for Puerto Rico, as the storm-ravaged island enters its sixth day without power, according to Trump administration and congressional sources.

Senate Minority Leader [Chuck Schumer](#) is demanding that lawmakers approve a disaster aid package by week's end to help Puerto Rico and the U.S. Virgin Islands recover from Hurricane Maria. But aides familiar with the devastation on the Caribbean islands say the government is far more focused on delivering resources right now than getting more cash from Congress.

"The thing is, funding doesn't help them. Getting people and supplies there is what needs to happen," one administration aide said Tuesday. "There's no crunch in the short term for cash."

Still handling three simultaneous hurricane relief efforts, FEMA's staff is stretched thin. But the agency's disaster relief fund is still flush after Congress provided \$15 billion in disaster aid, [H.R. 601 \(115\)](#), earlier this month, as well as another \$6.7 billion that will kick in at the start of the fiscal year Oct. 1.

Advocates argue that funding for FEMA doesn't mean Puerto Rico's government can pay its own bills, however, including its already depleted Medicaid program.

While the federal government continues to calculate a damage estimate, responders deployed to the region are focused on logistics like getting food and water to millions of people who remain without power as temperatures hit 90 degrees and humidity hovers above 70 percent.

The administration contends that much of Puerto Rico and the Virgin Islands is so damaged that officials can't even begin damage assessment, meaning the federal government may not know for weeks how many roads, buildings or power lines will need to be rebuilt.

"The issue is not paying for any of this," the administration source said. "It's like: Paying for what?"

But Democrats say the administration's response is already wholly anemic, accusing President Donald Trump of taking potshots at the ailing islanders while neglecting to deploy the full force of federal resources.

"We have the greatest military the world has ever seen," Rep. [Joe Crowley](#) (D-N.Y.), chairman of the Democratic Caucus, told reporters on Tuesday. "We know how to invade other nations. We know how to bring that equipment in. We have paratroopers. We have sailors. We have Marines. We have men and women who would want to help their fellow countrymen in their time of need. It's time for the president to invoke that and to bring that type of response."

Trump said Tuesday that he plans to travel to Puerto Rico early next week to survey damage, more than a dozen days after Maria compounded devastation wrought by Hurricane Irma earlier this month.

The president has fielded criticism for neglecting to visit the islands as quickly as he arrived in Texas and Florida following Hurricanes Harvey and Irma. But he told reporters at the White House on Tuesday that his administration is "getting really good marks for the work we're doing"

in Puerto Rico and the Virgin Islands.

Congressional Democrats have derided Trump for focusing on the NFL's national anthem controversy in the wake of the disaster and noting Puerto Rico's financial issues. "Texas & Florida are doing great but Puerto Rico, which was already suffering from broken infrastructure & massive debt, is in deep trouble," Trump [tweeted](#) late Monday.

Rep. [Nydia M. Velázquez](#) (D-N.Y.), who is the first Puerto Rican woman to be elected to Congress, said she is "offended and insulted" by the president's tweet.

"If you don't take this crisis seriously, this is going to be your Katrina," Velázquez told reporters Tuesday about Trump, suggesting the president appoint a military general to organize comprehensive emergency response.

Rep. [José E. Serrano](#) (D-N.Y.) said Tuesday that he has gotten commitments from House Appropriations Chairman [Rodney Frelinghuysen](#) (R-N.J.) and House Speaker [Paul Ryan](#) that Puerto Rico and the Virgin Islands will be "treated equally in any funding package to come.

"You can't look at this funding and say, 'Whatever is left over can go to the Virgin Islands and Puerto Rico.' No — it has to be equal to Texas, to Florida, to Louisiana, to Georgia. ..." Serrano said. "Now it's incumbent on us to stay on top of the leadership to make sure that a certain segment of the other party doesn't break this promise that the speaker and the chairman of Appropriations have put out."

Congress approved its massive hurricane relief package on Sept. 8 — six days after Harvey made landfall in Texas — yet appropriators appear weeks away from an aid request devoted to Puerto Rico.

The White House believes there is "plenty of money" for the hurricane response in the short term, an administration aide said, acknowledging that much more will be needed in the months to come.

While White House officials plan to discuss that longer-term funding strategy this week, even a back-of-the-envelope estimate will be incredibly difficult, according to one person familiar with the damage assessment efforts.

The government officials charged with surveying the damage — including those from FEMA, the Defense Department and the Centers for Disease Control and Prevention — each have to come up with their own funding estimates. But many of the damage assessment teams are still working on recovery in states like Texas and Florida.

*Heather Caygle contributed to this report.*

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**Trump: We're getting 'really good marks' for Puerto Rico response** [Back](#)

By Louis Nelson | 09/26/2017 11:47 AM EDT

President Donald Trump said he plans to travel to Puerto Rico next Tuesday to survey the wreckage left behind by Hurricane Maria, and boasted that his administration is getting "really good marks" for its response to the devastating storm.

"I mean I think we're really getting really good marks for the work we're doing," Trump told reporters at the White House, also saying, "I grew up in New York so I know many people from Puerto Rico. I know many Puerto Ricans, and these are great people. And we have to help them."

He added, "We've gotten A-pluses on Texas and on Florida. And we will also on Puerto Rico."

Trump has come under fire for his relatively muted response to what some officials have called a "humanitarian crisis" in Puerto Rico, which is home to roughly 3.5 million U.S. citizens suffering from a lack of food, water and power. While Trump rushed to visit Texas and Florida in the wake of hurricanes Harvey and Irma, the president went days without tweeting about Puerto Rico and the U.S. Virgin Islands, instead focusing on his feud with NFL players who kneel during the national anthem.

He turned his attention to the devastation on Monday night, but appeared to place some blame on Puerto Rico for its poor infrastructure and financial crisis, while heaping praise on his administration's response.

"Texas & Florida are doing great but Puerto Rico, which was already suffering from broken infrastructure & massive debt, is in deep trouble," Trump tweeted. "It's old electrical grid, which was in terrible shape, was devastated. Much of the Island was destroyed, with billions of dollars owed to Wall Street and the banks which, sadly, must be dealt with. Food, water and medical are top priorities - and doing well. [#FEMA](#)."

Senate Minority Leader Chuck Schumer hit back at Trump on Tuesday morning. "Now is not the time, Mr. President. Puerto Rico needs help from aid workers, not debt collectors from Wall Street," Schumer said, according to his spokesman Matt House.

Trump, speaking to reporters on Tuesday, said a "tremendous" amount of supplies are flowing from the mainland United States to the "literally destroyed" island. He added that he didn't want to interfere with the relief effort by visiting too soon.

"Tuesday seems to be the first time we can do without really disrupting first responders and the efforts that are being made to help people," Trump said. "We have shipped massive amounts of food and water and supplies to Puerto Rico, and we are continuing to do it on an hourly basis."

The president also took time Tuesday at the top of a bilateral press conference with the president of Spain to talk again about Puerto Rico, repeating many of the same sentiments he had expressed earlier and announcing plans to visit not just Puerto Rico next Tuesday but also the U.S. Virgin Islands.

He told the American and Spanish press corps that "we have had tremendous reviews from government officials" on hurricane response, noting that recovery efforts had been complicated

by the fact that Puerto Rico is an island and thus supplies cannot be readily trucked in as they were for storm relief in the continental U.S.

"This is, you know, a thing called the Atlantic Ocean. This is tough stuff," Trump said.

The president also dismissed the notion that his complaints about the NFL had distracted him from storm recovery efforts, insisting that national anthem protests are a "very important situation" for him.

"I wasn't preoccupied with the NFL. I was ashamed of what was taking place. Because to me that was a very important moment. I don't think you can disrespect our country, our flag, our national anthem," the president said. "I've heard that before, about, was I preoccupied? Not at all. Not at all. I have plenty of time on my hands. All I do is work."

Recovery from Hurricane Maria's landfall has been slow thus far in Puerto Rico, where many are still without power and could be for months. Other infrastructure is still severely damaged as well, and clean drinking water and temporary housing for those displaced by the storm remains an urgent issue.

In an interview with CBS news on Tuesday, Carmen Yulin Cruz, the mayor of San Juan, thanked the president and praised the FEMA workers on the ground in Puerto Rico, but also indicated that aid is not flowing to those who need it most and that bureaucracy and logistics are hampering relief efforts.

"First of all, yes, thank you to FEMA. All the people that are here are working very hard. But you know, you've got to work hard and you've got to put this aid in the hands of the people," Cruz said. "FEMA is great, but if they're not allowed to do their job, if the chain of command is hindering them, if they need memos in order to process what they are seeing on the TV, on electronic networks and so forth, then you are tying their hands to their back."

In a separate video interview posted online by the Los Angeles Times, Cruz said that Maria's "aftermath is almost more horrific than the actual passing of the hurricane itself."

Puerto Rico, whose 3.5 million inhabitants are U.S. citizens, is without a voting representative in Congress. The island's leaders are hopeful that leverage on Capitol Hill may come from lawmakers who represent states and districts with large Puerto Rican populations.

Del. Jenniffer Gonzalez-Colon, Puerto Rico's nonvoting member in the House of Representatives, said her island is without a voice in the Senate "unless it's Marco Rubio."

Rubio (R-Fla.) told reporters Monday of Puerto Rico that "the important part is to make sure it's not forgotten."

"We have a fundamental obligation to a U.S. territory and American citizens to respond to a hurricane there the way we would anywhere in the country," the Florida senator added.

House Speaker Paul Ryan (R-Wis.) pledged support to Puerto Rico, too, telling reporters on Tuesday that "we are in this with them" and that those on the island are in "our thoughts and

prayers."

Meanwhile, Senate Majority Leader Mitch McConnell (R-Ky.) said he hopes there will be movement "soon" on aid for Puerto Rico and other U.S. regions impacted by recent storms.

"We want the people of Puerto Rico and the islands to know that we are thinking of them and — more importantly — we want them to know that we will continue to work with FEMA, the Department of Defense, and the rest of the administration to help in the recovery," McConnell said in a statement. "And I expect we'll hear more soon on what additional resources will be necessary in Puerto Rico and elsewhere in the paths of the storms."

While Trump has shifted his social media focus to include Puerto Rico at the start of this week, he spent much of the weekend engaged in an online tirade against the NFL. That Trump's attention was so centered on football players protesting and not on an ongoing humanitarian crisis in a U.S. territory prompted criticism that the White House pushed back against at Monday's press briefing.

"It really doesn't take that long to type out 140 characters and this president is very capable of doing more than one thing at a time and more than one thing in a day," White House press secretary Sarah Huckabee Sanders said. "We've done unprecedented movement in terms of federal funding to provide for the people of Puerto Rico and others that have been impacted [by] these storms, we'll continue to do so."

*Nolan D. McCaskill contributed to this report.*

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**In Puerto Rico, another desperate plea for help** [Back](#)

By Jacqueline Klimas | 09/25/2017 09:39 PM EDT

SAN JUAN, Puerto Rico — Days after Hurricane Maria barreled through here, virtually no people are on the streets and the usually bustling tourist area is littered with curled sheets of metal. Lines of cars waiting to fill up on gas are backed up along the highway off-ramps.

"We haven't forgotten about you," Adm. Paul Zukunft, the commandant of the U.S. Coast Guard, told a gathering on Monday after what the governor has called the "biggest catastrophe" in the U.S. territory's history.

But the political leadership of Puerto Rico worries that the suffering of its 3.5 million U.S. citizens is once again an afterthought in Washington.

"We don't have a voice in the Senate, unless it's Marco Rubio," Jenniffer Gonzalez, Puerto Rico's sole, nonvoting member of the House of Representatives, said at an emergency operations center here, where POLITICO accompanied visiting dignitaries before touring the Coast Guard's main base in the region, which suffered extensive damage.

"We don't have two senators," added Del. Stacey Plaskett (D-U.S. Virgin Islands), whose constituents have been similarly hard hit by the season's historic storms and similarly lack a vote in Congress.

President Donald Trump has come under fire for failing to focus more attention on the plight of Puerto Rico and the nearby Virgin Islands over the weekend, while tweeting over a dozen times about the National Football League. The crisis was also largely absent from the 24-hour news networks, where Hurricanes Harvey in Texas and Irma in Florida received wall-to-wall coverage.

Trump on Monday tweeted about the island's plight but seemed to blame Puerto Rico itself for its woes.

"Texas & Florida are doing great but Puerto Rico, which was already suffering from broken infrastructure & massive debt, is in deep trouble," he tweeted. "It's old electrical grid, which was in terrible shape, was devastated. Much of the Island was destroyed, with billions of dollars owed to Wall Street and the banks which, sadly, must be dealt with. Food, water and medical are top priorities — and doing well." (Trump said Tuesday he plans to travel to Puerto Rico on Oct. 3 to survey the wreckage left behind by Hurricane Maria.)

It's an all-too-familiar predicament for disenfranchised residents of Puerto Rico, which is poorer than all 50 states, has an unemployment rate of nearly 12 percent, and is still reeling from a financial crisis of historic proportions in which it declared a form of bankruptcy earlier this year.

After Maria, the territory's leaders are hoping their strongest leverage to get long-term aid from Washington will be the sizable populations of Puerto Ricans who reside on the mainland and constitute a powerful voting bloc, especially in places like New York and Florida.

They are focused on building a coalition of lawmakers to gain support for a new federal aid bill. Congress has already passed a \$15 billion package to assist those affected by Hurricane Harvey in Texas, but House Speaker Paul Ryan has signaled that more aid is on the way.

Although Puerto Rico does not have a vote in Congress, large populations of Puerto Ricans on the U.S. mainland do have a voice in the midterm and presidential elections, and some experts predict that how the White House and Congress respond could have an impact at the ballot box.

About 20 percent of Puerto Ricans live on the U.S. mainland, said Robert Stein, who teaches urban politics at Rice University's Baker Institute for Public Policy. The two states with the largest Puerto Rican populations, Florida and New York, control 54 House seats and 58 votes for president in the Electoral College.

"This may be a big issue in upcoming elections," Stein predicted.

Rubio (R-Fla.) said Monday that helping Puerto Rico is personal for him.

"The important part is to make sure it's not forgotten," the former GOP presidential hopeful said. "We have a fundamental obligation to a U.S. territory and American citizens to respond to a hurricane there the way we would anywhere in the country."



Rubio said it will be a challenge to get more hurricane aid through the Senate, but he said lawmakers knew the first hurricane-aid bill "would not be enough."

"There's an acknowledgment that we have to go back and do more, and now maybe sooner than anticipated," he said, noting that he expects Congress to address a funding bill for Maria and Irma later this month or early next.

Florida's other senator, Democrat Bill Nelson, who is up for reelection in 2018, tweeted Monday that he is "calling on U.S. military to send additional search & rescue, medical and construction teams to Puerto Rico."

Even before Maria, Nelson and Rubio sent a letter to Trump last week urging a greater role for the federal government in assisting U.S. territories after recent storms emanating from the Caribbean, including Puerto Rico and the U.S. Virgin Islands.

Other Puerto Rican officials also argued it is time for lawmakers to make the territory's needs a greater priority.

"Let them know that we are committed U.S. citizens, that we are proud U.S. citizens, that we helped others when they were going through difficult times not more than 10 days ago and that now it's the time to help Puerto Rico back," Gov. Ricardo Rossello told reporters Monday.

The situation in Puerto Rico, where downed trees and power lines and roofs and siding ripped off of buildings are now commonplace, could become more dire before it improves.

Residents lack basic necessities, including food and clean drinking water, and the island could have no electricity for many months. Many residents have no safe place to live. And a lack of temporary housing means residents are at greater risk of disease, such as dengue fever or other mosquito-borne ailments.

Early reports from the island's rich farmland also suggest its agricultural sector, which along with tourism is a major element of its already shaky economy, could be set back for a year or more.

Over the weekend, reports of hysteria started to spread from areas outside the capital, including a warning that a hospital full to capacity was at risk of collapsing, along with a major dam. Rossello, calling Maria the "biggest catastrophe" in the island's history, appealed for far more assistance, especially from the Pentagon.

"We still need some more help. This is clearly a critical disaster in Puerto Rico. It can't be minimized and we can't start overlooking us now that the storm passed, because the danger lurks," he told The Washington Post.

Plaskett, who was elected to her at-large congressional seat in 2014, also said she expects Rep. Nydia Velázquez (D-N.Y.), the first Puerto Rican woman elected to Congress, and Rep. Carlos Curbelo (R-Fla.), who has previously worked on legislation to address Puerto Rico's problems, to take the lead for Puerto Rico on a recovery bill in the House.

But Plaskett said her congressional colleagues from the mainland could easily get distracted once Puerto Rico's plight drops from the headlines.

"They have their own interests to look out for as well," she said.

Compounding the island's dire situation is the fact that Hurricane Maria itself followed two other major storms in the 2017 season: Harvey in Texas and Irma in Florida.

"We're tired," Zukunft told POLITICO en route to Puerto Rico on Monday to assess the damage. "Hopefully we get a chance to take a knee at some point in time."

At Coast Guard Sector San Juan, the power is still off, but sunlight streams in through gaping holes in the roof. There is the overwhelming smell of mold.

A Coast Guard cutter is anchored just off shore to ensure that those helping with the storm response have some communications. (Zukunft related that tons of cocaine are aboard because the ship had to be quickly diverted from its drug interdiction mission to aid in storm relief.)

But the bigger challenge may be ahead as the government tries to manage the rebuilding of economies from Texas to Florida to Puerto Rico.

"There's no doubt that agencies are being stretched to their limits. As much as they've been challenged up until this point, the real challenge lies ahead," said Gary Webb, chair of emergency management and disaster science at the University of North Texas. "It's a totally different ballgame managing the recovery from three disasters."

Rubio assured Puerto Rican leaders Monday that he would be a solid voice for them among his colleagues on Capitol Hill.

"I will do everything I can when I get back to Washington tonight to be sure you have the resources and support not just to be able to respond now, but to get ready for the next one," Rubio told a room full of first responders in San Juan.

But experts predict it will have to be a multiyear investment by Congress to truly rebuild the island. The territory was already suffering from a debt crisis before the storm, and now the hurricane has wiped out its other major industry: tourism.

When asked whether he thinks there is an appetite in Congress to provide funding over the longer term to support rebuilding Puerto Rico, Rubio, responded, "I don't know. I hope so."

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**White House denies Jones Act waiver for Puerto Rico** [Back](#)

By Ben Lefebvre | 09/26/2017 02:07 PM EDT

The Trump administration will not waive a rule banning foreign vessels from delivering fuel to hurricane-ravaged Puerto Rico, the Department of Homeland Security said today.

Waiving the Jones Act would not address the lack of port space needed for vessels to deliver the fuel to the island, DHS spokesman David Lapan said. DHS consulted with other federal agencies and found that "there is sufficient numbers of U.S.-flagged vessels to move commodities to Puerto Rico," Lapan told POLITICO in an email.

"The limitation is going to be port capacity to offload and transfer cargo, not vessel availability," Lapan said. "The fuel supply challenges facing Puerto Rico are not a function of the lack of fuel being shipped to the island, but caused by the devastation to Puerto Rico's transportation networks that have prevented fuel from being transported on the island to all of the places that need it."

The Jones Act stipulates that only U.S.-flagged ships can deliver fuel to domestic ports, keeping the number of vessels available to deliver fuel. Puerto Rico is running out of fuel and other necessities after taking a direct hit from Hurricane Maria last week.

DHS waived the rule when hurricanes ripped through Texas and Florida in recent weeks, but in those cases, the ships were necessary to replace lost fuel production after refineries were shut down during the storms, Lapan said.

**WHAT'S NEXT:** President Trump is scheduled to visit Puerto Rico next week.

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**Telemedicine bill to save \$80M, CBO predicts** [Back](#)

By David Pittman | 09/26/2017 11:14 AM EDT

Efforts to make it easier for Medicare Advantage plans to offer telemedicine as a benefit would save the program \$80 million over a decade, the Congressional Budget Office [said](#) this morning.

The CBO — a long-time nemesis of telemedicine for its predictions the technology would swell Medicare spending — scored a bill ([H.R. 3727 \(115\)](#)) that the House Ways and Means Committee cleared by voice vote earlier this month.

The legislation would allow private Medicare plans to include the additional costs of telemedicine in their bids for contracts that start in 2020. Currently, if Medicare Advantage plans want to offer virtual doctor visits to their members, they must either bill the service as a "supplemental benefit" or pay for the care out of plans' rebates.

The \$80 million savings for the change is the same that CBO [predicted](#) for the Senate Finance Committee's CHRONIC Care Act ([S. 870 \(115\)](#)).

Telemedicine lobbyists are hopeful the legislation will be attached to an end-of-year, "must-pass" bill like that reauthorizing certain Medicare extender programs.

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**Brady says no tax text until budget in place** [Back](#)

By Brian Faler | 09/25/2017 09:19 PM EDT

House Ways and Means Chairman [Kevin Brady](#) said he won't release the legislative text of a tax reform plan until Republicans have a budget in place.

"Without a budget, there's no tax reform — once that's completed, Ways and Means will bring out the comprehensive bill," Brady said Monday evening. "We will not be introducing a bill until the budget is passed."

The Texas Republican said he was pleased with the "very positive" reception the long-awaited tax proposal received at a closed-door meeting of fellow GOP tax writers, but he didn't divulge details.

After the so-called Big Six releases its outline of a plan, due Wednesday, Republicans will then turn to passing a budget.

"Not only are we discussing the framework but our constitutional role in writing the overall tax plan, based on what we've agreed to with the White House and Senate," Brady said.

Republicans need a budget in order to tap the reconciliation maneuver they're relying on to move a plan through the Senate, over the objections of Democrats. Some House conservatives have balked at agreeing to a budget until they know more details about party leaders' tax plans.

Brady's comments come after fellow Ways and Means Republicans met behind closed doors Sunday and Monday to confer on the plan.

Asked if he could support the proposal, Rep. [Jim Renacci](#) (R-Ohio), a fellow tax writer, said: "We have to do something — I think anything that we can do to cut rates and be more competitive in this country, we need to do.

"The good thing about our meetings yesterday and today is that we're all in agreement we've got to get there somehow, some way," he said.

Said Rep. [Mike Kelly](#) (R-Pa.), another tax writer: "I thought it was fine.

"We're heading in the right direction, I think, to get this done."

"It's not as fundamental reform as many of us would like it to be," said Rep. [Devin Nunes](#) (R-Calif.), a Ways and Means member who supported the controversial border adjustment provision that Republicans tabled earlier this year, "but we can get real reform."

Asked whether pay-fors will be included in Wednesday's announcement, Nunes said: "No, I doubt it. That won't come out until there's a budget."

*Colin Wilhelm contributed to this report.*

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## **Senate budget writers plan markup next week as GOP turns to taxes [Back](#)**

By Sarah Ferris | 09/26/2017 03:50 PM EDT

Majority Leader [Mitch McConnell](#) announced today that the Senate Budget Committee will hold its long-awaited markup next week, marking the GOP's full pivot from health care to tax reform.

Senate budget writers could release the text of their fiscal 2018 budget resolution as early as this week, because lawmakers must give five days' notice before a markup.

"We've reached significant agreements inside the Budget Committee to go forward, and I'm optimistic that we'll achieve that," McConnell said. He pointed to a deal last week between two members of that committee, Sens. [Bob Corker](#) (R-Tenn.) and [Pat Toomey](#) (R-Pa.).

The Senate GOP budget has been under wraps for months as Republican lawmakers debated the scope of their tax plan, including how much it should add to the federal deficit. Republicans are planning to use a tool in the budget process known as reconciliation to get their tax reform package through the Senate with just 51 votes.

One of the biggest remaining standoffs over spending was resolved last week, after Corker and Toomey [agreed](#) to restrict the cost of GOP tax cuts to roughly \$1.5 trillion over a decade, according to multiple sources.

Corker had sought an entirely deficit-neutral bill, while Toomey had originally called for up to \$3 trillion in lost revenue in an effort to jump-start the economy.

The Senate budget resolution is expected to veer dramatically from the House version, which advanced out of committee but has yet to receive a floor vote.

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## **GOP already eyeing next chance to revive Obamacare repeal [Back](#)**

By Seung Min Kim, Jennifer Haberkorn and Burgess Everett | 09/25/2017 07:31 PM EDT

The supposedly hard deadline at the end of the month to repeal Obamacare might not be so hard after all.

With their latest attempt to dismantle the health law [on track to fail](#) this week, GOP senators are already raising the prospect of going after it again with the same powerful tools that currently let them pass legislation with just 50 votes.

There is nothing to suggest Obamacare repeal would get any easier in the coming months and doing so may significantly hobble the Republican majority's other chief legislative priority: tax reform. But facing a floundering repeal push, wrath from the base and a frustrated President Donald Trump, Republicans may have no other choice but to keep pushing to uproot the law.

"We've got to do both," Senate Finance Committee Chairman Orrin Hatch (R-Utah) said of tackling both Obamacare repeal and tax reform next year. "They're complicated by necessity. So I don't think that takes away the complications. But I think we're supposed to be able to handle complications."

Hatch added, however: "If it's used to screw everything up, I'm not for that."

Here's how it could be done: While the Senate parliamentarian has ruled that the repeal push under fiscal 2017 must die after Sept. 30, Republicans could provide reconciliation instructions for both health care and tax reform in the fiscal 2018 budget resolution that Congress must pass to again unlock the fast-track procedural powers. That might entail some procedural hurdles, but one GOP aide said Monday that because the Finance Committee has jurisdiction over about 95 percent of health care policy, "it's not like we couldn't slip it in anyway."

Alternatively, Republicans could reserve the fiscal 2018 budget for tax reform as planned, but then take up a budget for fiscal 2019 early next year and write reconciliation instructions that address Obamacare repeal in that resolution, according to GOP sources. Doing so would put the contentious issue of health care back in the spotlight during the 2018 midterm elections.

Republicans are expected to pass their next budget in the coming weeks. Even so, no decision needs to be made immediately. The reconciliation instructions will require the Senate Finance Committee to come up with savings. The committee, because it oversees both tax and health, will be able tap into policy from both areas, according to GOP sources.

"The issue's not going away. We'll be revisiting this issue at some point," said South Dakota Sen. John Thune, the third-ranking Senate Republican. "If we can't do it in a reconciliation vehicle this year, then maybe it's the 2019 [budget]. I don't know. We'll see."

Sen. Lindsey Graham (R-S.C.), the namesake of the GOP's latest repeal effort which is now opposed by at least three Republican senators, has already vowed to vote against a budget resolution that doesn't allow for the health care battle to go on. So has Sen. Ron Johnson (R-Wis.), another lead backer of the Graham-Cassidy bill. With just 52 GOP senators, Senate Majority Leader Mitch McConnell (R-Ky.) can only afford two defections on a budget measure.

The more acute problem for Senate GOP leadership is that both Graham and Johnson sit on the Senate Budget Committee, where Republicans hold just a one-seat majority. If Graham and Johnson both follow through on their threat, they would tank next year's budget measure — and tax reform — even before it hits the Senate floor.

"My preference obviously would be to pass [Obamacare repeal] this week," Johnson said. "But if that's not the case, I agree with Sen. Graham. We're both on the Budget Committee and we'll insist on passing a budget that would have reconciliation instructions for both tax reform and health care reform."

However, Republicans are far from certain to try this maneuver.

McConnell is skeptical of the plan to combine Obamacare repeal and tax reform in next year's budget, according to two GOP senators and another senior Republican source.

Senate Majority Whip John Cornyn said it was premature to discuss a combo package while the Senate is still working on repeal, but said "no decision's been made yet" on whether Republicans will try it.

The Senate GOP has already proven unable to find the votes to repeal Obamacare, at least for now. Adding health care into the mix could end up sinking the Republicans' tax bill.

The Senate Budget Committee's chairman, Mike Enzi of Wyoming, declined to say whether he's considering the idea.

Other Senate Republicans won't go as far as Graham and Johnson by threatening opposition to the budget resolution, but say they are definitely open to taking another stab at Obamacare repeal in future reconciliation attempts.

"I think you can't not have the health care debate go on because we have to get a resolution on this," said Sen. James Lankford (R-Okla.). "Whatever we can use to be able to help resolve this for the people of my state, I want to be able to do that."

"Absolutely. We need to get the job done. We need to keep working at it until we accomplish the task," said Sen. Ted Cruz (R-Texas). "We need to use whatever procedural tools are necessary to honor the promise we made to the American people to repeal Obamacare."

Sen. Rand Paul (R-Ky.) also indicated Monday that he was open to the idea, saying "there's no reason why" the Senate couldn't tackle both policy issues in a budget measure.

But the rising demand from some GOP senators to keep pressing on health care is throwing yet another roadblock into the leadership's plan to tackle tax reform. That effort is set for a major week, with the so-called "Big Six" tax negotiators releasing a blueprint Wednesday, the same day Trump travels to Indiana to sell the plan.

Senate Republicans had already been making progress toward next year's budget to lay the groundwork for tax reform. GOP Sens. Bob Corker of Tennessee and Pat Toomey of Pennsylvania struck a deal last week on the scope of tax breaks in the budget measure which had been one of the final sticking points of a fiscal 2018 resolution.

Sen. David Perdue (R-Ga.), another member of the Budget Committee, said if the GOP's health care push fails on party lines this week and that Democrats won't make major concessions to the GOP in bipartisan talks, it's not clear how combining Obamacare repeal and tax cuts would help.

"I don't want to jeopardize tax. We've done this for eight months, it's got to get fixed, let the committee keep working on it," Perdue said. "So I really believe we've got to get to tax, that's my top priority right now before we run out of time," he said.

Other Republicans were more blunt.

"I think we need to move onto tax reform," Sen. John Kennedy (R-La.) said. "I think this bill's dead."

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### **Reconciliation may provide opening for ANWR [Back](#)**

By Ben Lefebvre and Sarah Ferris | 09/25/2017 06:07 PM EDT

Senate Republicans plan to open the door to oil drilling in an Alaskan wildlife refuge using special rules that would allow them to avoid a Democratic filibuster, according to sources tracking the budget process.

The Senate Budget Committee is still drawing up its fiscal 2018 blueprint, which is expected to lay the groundwork for tax reform using special budget reconciliation rules. Two sources familiar with the ongoing negotiations say the document also is expected to lay the groundwork for new energy production in the Arctic National Wildlife Refuge — a longtime goal of Republicans and oil companies.

It's a potentially risky strategy, with two Republican senators on record opposing similar bills in the past: Sens. [John McCain](#) of Arizona and [Susan Collins](#) of Maine. If those two remain in opposition, Senate leadership couldn't lose a single other GOP vote without jeopardizing their entire reconciliation package, centered on tax reform.

Congress last tried to open ANWR more than a decade ago, and any legislation to do so would run into fierce opposition from environmental groups and virtually all Democrats. But proponents of the idea say their chances have improved since the election of President Donald Trump, who has sought to increase U.S. oil, gas and coal production.

"Energy dominance requires ANWR," said Matt Shuckerow, a spokesman for Alaska Rep. [Don Young](#), invoking a favorite Trump administration catch-phrase. "We are working with leadership and looking at reconciliation."

The Senate budget resolution is expected to give special deficit-reducing instructions to the Energy and Natural Resources Committee in the upcoming fiscal year, totaling about \$1 billion over a decade.

While budget writers can't mandate specific policies, sources say it would enable ENR Chairman [Lisa Murkowski](#) to write legislation that would remove restrictions on drilling in ANWR or other currently off-limits areas.

Opening up drilling in the arctic could raise as much as \$5 billion over a decade, the CBO [estimated](#) in 2012, when oil was selling for about twice as much as it is now.



That measure could then be bundled into a massive tax reconciliation package, which will need just 50 votes in the Senate.

The House's budget, which has been stalled for months amid GOP infighting, goes even further. That version calls for \$5 billion in extra energy revenues, and a House GOP aide says ANWR is "definitely on the table in terms of reconciliation."

The White House also "will continue to push for more domestic production," an administration official said. Trump's budget request sought \$1.8 billion from opening new areas to energy production.

ANWR is a wide swath of tundra on the northern Alaska coast, home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19-million-acre area a wildlife refuge in 1980, but set aside a 1.5-million-acre parcel known as "10-02" for possible future drilling if future lawmakers approved such a plan.

The U.S. Geological Survey estimates that part of ANWR could hold up to 12 billion barrels of oil.

In the past, drilling in the refuge only became a hot issue when gasoline prices were high, said Athan Manuel, director of lands protection program for the Sierra Club, which has been lobbying heavily against its development.

"Now it's completely become an ideological and political fight," Manuel added. "There are fewer moderate Republicans than we need. The vote numbers for us are difficult on the Senate side if they go to budget reconciliation."

Young, the Alaska Republican who has spent much of his career advocating for expanded Arctic drilling, has raised ANWR with Interior Secretary Ryan Zinke, Shuckerow said.

Zinke is quietly working to allow oil companies to conduct seismic exploration in the region, The Washington Post reported this month. But actually letting them extract oil and gas from ANWR would require action by Congress.

The GOP has tried twice in the past to open ANWR for energy development through budget reconciliations. An attempt in 1995 failed after President Bill Clinton vetoed the overall budget package, while a second attempt in 2005 could not overcome a Democratic filibuster in the Senate.

Even using reconciliation, Republicans have little margin for error with only 52 seats in the Senate. And two of their caucus have voted against ANWR provisions in the past.

A spokeswoman for McCain, Julie Tarallo, said despite his past opposition the senator "is open to having a full debate in Congress about the United States' energy policy." Collins' office did not respond to requests for comment.

At least one Democrat, West Virginia Sen. Joe Manchin, may join Republicans if they try to use reconciliation to open ANWR.

"The energy we receive from Alaska is much needed for American energy independence," Manchin told POLITICO. "If it can be done in a safe way, and I think we've proven it can, we should look at every option we have."

Murkowski, who joined McCain and Collins to kill the Senate's Obamacare repeal bill in August, has introduced legislation that would direct the Interior Department to offer oil-and-gas production leases for at least 300,000 acres in ANWR, [S. 49 \(115\)](#). But she told POLITICO last week that Interior had not yet reached out to her about its push to open ANWR for seismic exploration or to form strategy on how to possibly open the area to drilling.

Some question whether her earlier breaks with GOP leadership and the White House will hamper her pursuit of other priorities.

"Murkowski is on the outside looking in" when it comes to GOP energy policy, said one energy lobbyist who requested anonymity to discuss political matters.

Another problem is current low oil prices. More than a decade of into the shale oil boom, the country looks cushioned from a possible oil supply shock, something that could make opening ANWR less urgent than in the past.

"Now that we're in this age of oil supply adequacy, the negotiating power of energy has diminished," said Kevin Book, managing director of energy consultancy ClearView Energy Partners. "What adequacy has done has increased the political cost of opening up ANWR for production."

Another question is whether oil and gas companies would flock to ANWR at today's crude price of \$50 a barrel.

Chevron and BP drilled one exploratory well in the area in the early 1980s at the behest of a local native tribe, according to Alaska Oil and Gas Association President Kara Moriarty. The drilling was done with the permission of the Interior Department, with which Chevron shared the data, but a strict confidentiality agreement keeps the results a closely held secret.

The answer would depend on the company. Prices are expected to rise eventually, and the refuge's onshore topology would make ANWR a more tempting target than the choppy waters and extreme winds off of Alaska's coastline, Moriarty said.

The steady spread of oil and gas pipeline networks immediately outside ANWR also means that bringing any oil from the refuge to market would be easier than it was in decades past, Moriarty added.

The biggest infrastructure requirement would be a short pipeline to connect drilling wells in ANWR to the main Trans-Alaska Pipeline System pipeline taking the crude south.

"A pipeline is not a big lift," said one oil and gas company representative who asked to speak on background to discuss the matter. "If the oil is there like they think it is, it's not prohibitive."

Chevron put itself in the group of companies that would welcome the chance to set rigs there

permanently.

"Chevron supports increased access to federal and private land for the responsible exploration and development of oil and natural gas resources, including the ANWR coastal plain," Chevron spokeswoman Veronica Flores-Paniagua said.

Environmental groups and other Democrats are already alarmed about how far the talk of opening ANWR has come this year. Interior's move to allow seismic exploration, if approved, could harm the polar bears, caribou, wolves and other wildlife already feeling the effects of climate change in the region, and the oil brought from under the tundra would add to greenhouse gas emissions, environmental and Alaskan native groups said.

"Protecting the Arctic Refuge has broad public and bipartisan support and deserves a full debate in regular order, not rushed through as part of the budget process," said Alaska Wilderness spokesman Corey Himrod.

Sens. [Ed Markey](#) (D-Mass.) and [Michael Bennet](#) (D-Colo.) in April offered legislation to enshrine the entire region as a wilderness area protected from drilling. The bill, [S. 820 \(115\)](#), was introduced with 37 Democrats and Independent [Bernie Sanders](#) (Vt.) as original co-sponsors.

"We're going to battle this," Markey told POLITICO, arguing that expanded shale oil production has made ANWR moot. "With efficiency gains and growth of fracking in the lower 48 states, there's no need to open ANWR."

*Nick Juliano contributed to this report.*

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**Graham-Cassidy repeal plan would leave 'millions more' uninsured [Back](#)**

By Adriel Bettelheim | 09/25/2017 06:29 PM EDT

The Senate's last-ditch Obamacare repeal bill would reduce the deficit by at least \$133 billion through 2026 and leave millions more people without coverage, the Congressional Budget Office [said](#) today.

The nonpartisan scorekeeping agency said the legislation's effect on the uninsured rate could vary widely, depending on how states run their health care systems under the plan, which shifts federal Obamacare payments to a system of block grants to states. The plan would hit savings targets required under the expedited rules GOP leaders are using to try to pass repeal with a simple majority.

The CBO said it would need at least several weeks to accurately estimate the plan's effects on the deficit, health insurance coverage and premiums. Analysts at the Brookings Institution estimated last week that the plan by Sens. Lindsey Graham (R-S.C.) and Bill Cassidy (R-La.) would result in [21 million more uninsured Americans](#) through 2026.

The expedited budget expires at the end of September, giving Republicans five days to pass the legislation. House Minority Leader Nancy Pelosi and Senate Minority Leader Chuck Schumer have [demanded a detailed analysis](#) before any vote is taken.

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### **Collins' opposition dooms latest Obamacare repeal effort** [Back](#)

By Burgess Everett, Jennifer Haberkorn and Josh Dawsey | 09/25/2017 11:32 AM EDT

Sen. Susan Collins on Monday became the third Republican senator to publicly oppose the Graham-Cassidy bill, enough opposition to thwart any last-second revisions to try to get 50 votes to dismantle Obamacare.

Collins's opposition was expected, but she is now the third hard 'no' against the bill, joining GOP Sens. Rand Paul of Kentucky and John McCain of Arizona. Republicans can only afford to lose two votes and pass the bill.

Collins told reporters she hopes to pivot back to stalled bipartisan discussions to stabilize Obamacare. She added that President Donald Trump and Vice President Mike Pence had both tried to convince her to change her mind.

"I told [Trump] that I would go back and look at the numbers one more time. But I was straightforward with him that I was not likely to be a 'yes' vote," Collins told reporters.

Senate Republicans are set to meet Tuesday on whether to try to open debate on health care again on the floor to show the GOP's base that they are still trying to repeal Obamacare. The caucus is internally debating whether to hold a vote certain to fail later this week.

"We're going to need to have a meeting of our conference tomorrow at noon to see where we can see where everybody is," said Senate Majority Whip John Cornyn (R-Texas).

Republicans in the Senate and White House are now resigned to defeat in their final bid to repeal Obamacare this week, despite a flurry of last-second revisions by the bill's authors, Sens. Lindsey Graham (R-S.C.) and Bill Cassidy (R-La.), meant to win over skeptical senators.

GOP leaders have yet to pull the plug on the effort, but a massive change in dynamics must occur in the sharply divided Senate for the Graham-Cassidy measure to pass. Some senators are warning against holding another failed vote, but are wary of getting criticism from conservatives.

"I think it would be a mistake to have another failed vote," said one Republican senator. "But we have to show the base we're trying."

Trump seemed far more pessimistic on Monday morning than he had been last week, telling the "Rick & Bubba" radio show that he expected crippling opposition, calling it "disgusting" that party leaders can't pass a bill to repeal and replace the 2010 health law. Trump wants to continue

the health care fight even though he is said to be resigned it will fail this time, a White House official said.

"Well, I wish 'em luck. But I'm not convinced they have much of a chance," Senate Finance Chairman Orrin Hatch said with a chuckle earlier in the day.

Changes made to the bill over the weekend did little to improve the bill's whip count.

Paul is still opposed to the bill, the senator said Monday. McCain also has not changed his position, which hardened on Friday into a "no" vote against his close friend Graham's legislation.

And though the latest changes to the bill are intended to woo Collins, McCain and Sens. Lisa Murkowski of Alaska, Murkowski also has yet to get on board.

Sen. Dean Heller (R-Nev.), one of the bill's co-sponsors, said a few minutes before Collins' announcement in an interview that he still thought the bill could be salvaged and predicted "there will be" a vote.

"It will succeed and I'm voting for it," Heller said. "It's called optimism."

The White House has actively negotiated with Murkowski, Paul and Collins. The White House official said they could get Paul, but it would cost other votes. "Collins doesn't want to vote 'yes' on this," this person said before Collins' announcement. "I'm not sure what we could do for her."

The president has told advisers that he is convinced that there will be political damage for the White House if they don't pass health care legislation.

"We're going to lose two or three votes, and that's the end of that," Trump said on the Alabama-based radio show, in which he dinged McCain as "the only reason" the law is still around. He also referred to McConnell as unpopular.

Utah Sen. Mike Lee is still reviewing the bill, his office said. Texas Sen. Ted Cruz said he is not yet supportive of the legislation. Some of the latest tweaks to Graham-Cassidy would further loosen Obamacare regulations in a bid to win over the two conservative Republicans.

Cruz aides said there had been an agreement last week that the bill's sponsors had backed away from to roll back more regulations to offer cheaper plans. "We thought we were there," said one aide. "It is our intent to get to yes."

Graham and Cassidy's bill would block grant federal Obamacare funding to states and make deep cuts to Medicaid. Changes circulated on Capitol Hill on Sunday night would allow states more flexibility to eliminate federal insurance regulations and pump more resources toward Alaska, though critics argue the state would still receive less money than under Obamacare.

The bill would reduce the deficit by at least \$133 billion through a decade and leave millions more people without insurance coverage, the Congressional Budget Office said Monday in a brief analysis of an earlier version of the bill.

Murkowski opposed even debating previous iterations of repeal in the summer, but she is still engaging with Graham, Cassidy and other bill supporters this time around. Her sparsely populated and remote state faces high health care costs and unique challenges compared to other states.

Paul said Sunday he could support the bill with fewer regulations and far skimpier block grants to the states, though that position would likely turn off more centrist GOP senators.

Graham insisted on Sunday that Republicans will find the votes to repeal Obamacare.

But Capitol Hill Republicans are privately pessimistic about their chances of reversing the momentum against the bill ahead of a key Sept. 30 deadline to repeal the law by a party-line vote. The White House official said it was a "very uphill battle right now."

McConnell has not said whether he will force a failed vote on the floor, though in the past he has been reluctant to do so. Republicans also lack the votes to reopen debate on the bill, with many senators' offices noncommittal.

In a move perhaps intended to appeal to McCain, who has repeatedly called for consideration of the bill under "regular order, Republicans held a Finance Committee hearing on the bill Monday.

Critics of the bill were not mollified by the hearing, which was quickly disrupted by protests. Capitol Police dragged out nearly 20 protesters, most of whom were disabled and in wheelchairs.

The protest forced Hatch to temporarily suspend the hearing for roughly 15 minutes as the disability rights activists chanted, "No cuts to Medicaid, save our liberty."

*Elana Schor, Adam Cancryn and Nolan McCaskill contributed to this report.*

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**Senate won't vote on last-ditch Obamacare repeal bill** [Back](#)

By Seung Min Kim, Jennifer Haberkorn and Burgess Everett | 09/26/2017 10:20 AM EDT

The Senate will not vote on Republicans' latest bill to repeal Obamacare this week, putting an end, for now, to the GOP's seven-year campaign promise to dismantle the health care law.

The decision was reached at a party lunch Tuesday after it became clear the plan would fail, GOP senators said. Three Senate Republicans had already said they would vote against the measure, and the GOP could only afford two defections.

"Why have a vote if you know what the outcome is and it's not what you want," said GOP Sen. Richard Shelby of Alabama. "I don't know what you gain from that. But I do believe that the health care issue is not dead, and that's what counts."

Senate Majority Leader Mitch McConnell said Republicans are not giving up on a health care

bill but made clear he wants a quick pivot to another issue where Republicans hope to notch a legislative victory: taxes.

"We haven't given up on changing the American health-care system ... We're not going to do it this week, but it still lies ahead of us. We haven't given up on that," McConnell said Tuesday afternoon. "Where we go from here is tax reform."

Vice President Mike Pence also told Republicans they should keep working on health care and not give up just because a key procedural deadline to pass the bill with a simple majority expires after Sept. 30.

"The vice president said that we need to resolve to do this now before this current Congress leaves office," at the end of 2018, according to a Republican senator in the room.

"He does" want us to keep working, said Sen. Jim Inhofe (R-Okla.). "He's conveyed it outside of that meeting [too]. The votes aren't there so let's keep massaging."

How Republicans would do so was not decided, according to several Republican senators. A fast-track procedural tool to allow the GOP to repeal the health law is due to expire on Saturday. Without it, Republicans would need to gather 60 votes in the Senate, an impossibility with Democrats firmly behind Obamacare.

Some Republicans have floated the idea of renewing the fast-track powers for health care in the fiscal 2018 budget to allow for another shot at repeal.

But many others on Tuesday downplayed that possibility in favor of concentrating on tax reform.

It's better to "focus on taxes right now," said Sen. Pat Toomey (R-Pa.).

Sen. Lindsey Graham (R-S.C.), who authored the latest effort with Sen. Bill Cassidy (R-La.), said that Republicans will revisit the Obamacare repeal issue in mid-2018, using the budget resolution for fiscal 2019 to allow them to evade a Democratic filibuster.

Cassidy told reporters Republicans merely ran up against the clock.

"Time was the enemy," he said. "Some people didn't like the process so we needed hearings to have them feel better about the process and we didn't have time for those hearings."

It was unclear before the lunch whether McConnell and his divided conference would hold the vote.

Senate Republicans considered voting on a bill they knew was doomed to fail to show the conservative grass roots and the broader party that they did all they could to dismantle Obamacare. But there was also concern about the optics of going ahead with a failed vote.

Republicans were also privately worried that President Donald Trump could continue to attack them if they give up on the effort publicly.

The Graham-Cassidy bill gained surprising steam earlier this month, yet struggled to pick up the final handful of votes needed for Senate Republicans to pass Obamacare repeal with a simple majority. Republicans opposed to the bill included GOP Sens. Rand Paul of Kentucky, John McCain of Arizona and Susan Collins of Maine, who formally announced her position Monday evening.

The bill would transform Obamacare funding into block grants for the states, make deep cuts to Medicaid and allow states to roll back insurance regulations, drawing opposition from moderate Republicans like Collins. McCain bemoaned the rushed process for moving a partisan bill. The conservative Paul, meanwhile, said the plan maintained too much of Obamacare. A number of other wary Republicans had yet to endorse the bill, and a flurry of last-ditch changes did nothing to win over skeptics.

Sen. Lisa Murkowski, who voted against Obamacare repeal in July, said Tuesday that she liked the concept of Graham-Cassidy, a move that many in the GOP viewed as a sign of progress. But she harshly criticized a "hard deadline and a lousy process" in a statement that didn't say how exactly she would have voted.

"The U.S. Senate cannot get the text of a bill on a Sunday night, then proceed to a vote just days later, with only one hearing — and especially not on an issue that is intensely personal to all of us," she said.

Democrats urged Republicans to drop their push to gut Obamacare and instead work with them to improve the law.

"To Sen. Collins and to the rest of my Republican colleagues, I want to say this: Once repeal is off the table, we want to work with you to improve the existing system," Senate Minority Leader Chuck Schumer (D-N.Y.) said on the Senate floor Monday night. "Once this bill goes down, we're ready to work with you to find a compromise that stabilizes markets, that lowers premiums."

Even though Graham-Cassidy is dead for now, few Republicans expect a sudden shift to bipartisanship.

Senate Health, Education, Labor and Pensions Committee Chairman Lamar Alexander (R-Tenn.), who led bipartisan negotiations earlier this month with Sen. Patty Murray (D-Wash.), said the environment simply isn't conducive to it.

"We stopped the bipartisan talks last week because my goal wasn't just to get a bipartisan agreement — it was to get a bipartisan result. I didn't see any way to get one in the current political environment," he said, shortly before Collins announced her opposition. "That environment hasn't changed, maybe it does change — but it hasn't."

*John Bresnahan contributed to this report.*

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## **Cassidy rules out further revisions even as he pushes Obamacare repeal bill** [Back](#)

By Adam Cancryn | 09/25/2017 07:59 PM EDT

Sen. [Bill Cassidy](#) today pledged not to give up on his Obamacare repeal plan despite lacking GOP support to win its passage by a Saturday deadline.

The Louisiana Republican told reporters he'll "keep plugging away" to find the 50 votes needed to pass the bill using a budgetary procedure requiring only majority support. But he added that he's done making tweaks aimed at winning over holdout senators.

"I think we've got a pretty good policy right now," Cassidy said following a Senate Finance hearing on the legislation.

A new version of the repeal bill unveiled earlier today shoveled more federal funding toward states like Alaska and Kentucky in hopes of converting lawmakers unsure of the impact the Graham-Cassidy plan would have on their states' health care systems.

But the gambit failed to garner additional support. Maine Sen. [Susan Collins](#) later announced that she officially opposes the bill, seemingly dooming the GOP's latest bid to repeal Obamacare.

[Rand Paul](#) and [John McCain](#) have also committed to voting against the measure. Republicans can afford to lose only two votes and still pass the bill.

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## **Trump disappointed in 'so-called Republicans' over Obamacare repeal** [Back](#)

By Nolan D. McCaskill | 09/26/2017 12:04 PM EDT

President Donald Trump on Tuesday said he is "disappointed in certain so-called Republicans."

Trump expressed displeasure at what will likely be another failed attempt by Senate Republicans to pass a repeal of former President Barack Obama's health care law.

"We'll see what happens," Trump told reporters.

Republicans face a Saturday deadline to drag their repeal plan across the finish line on a party-line vote, but passage by then appears unlikely. At least three Republicans in the 52-member caucus have said they won't vote for the bill, including Sens. Rand Paul of Kentucky, John McCain of Arizona, and Susan Collins of Maine, who announced her opposition on Monday after leaning toward "no" over the last few days.

"We were very disappointed by a couple of senators," Trump said Tuesday. "Republican senators I must say. We were very disappointed that they would take the attitude that they did. We don't know why they did it — you can sort of figure that — but we'll see what happens."

Sens. Lindsey Graham of South Carolina and Bill Cassidy of Louisiana, the lead authors on the GOP's last-ditch effort to repeal Obamacare, have vowed to "press on."

"We're going to press on," Graham said late Monday in a nationally televised debate with Cassidy against Sens. Bernie Sanders (I-Vt.) and Amy Klobuchar (D-Minn.). "It's OK to vote. It's OK to fall short."

The Graham-Cassidy bill would block-grant federal health care funding to the states. Senate Majority Leader Mitch McConnell was expected to bring the legislation to the floor for a vote this week, but it's unclear whether he ultimately will given that the bill currently lacks the votes to pass.

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### **Senate won't vote on last-ditch Obamacare repeal bill [Back](#)**

By Seung Min Kim, Jennifer Haberkorn and Burgess Everett | 09/26/2017 10:20 AM EDT

The Senate will not vote on Republicans' latest bill to repeal Obamacare this week, putting an end, for now, to the GOP's seven-year campaign promise to dismantle the health care law.

The decision was reached at a party lunch Tuesday after it became clear the plan would fail, GOP senators said. Three Senate Republicans had already said they would vote against the measure, and the GOP could only afford two defections.

"Why have a vote if you know what the outcome is and it's not what you want," said GOP Sen. Richard Shelby of Alabama. "I don't know what you gain from that. But I do believe that the health care issue is not dead, and that's what counts."

Senate Majority Leader Mitch McConnell said Republicans are not giving up on a health care bill but made clear he wants a quick pivot to another issue where Republicans hope to notch a legislative victory: taxes.

"We haven't given up on changing the American health-care system ... We're not going to do it this week, but it still lies ahead of us. We haven't given up on that," McConnell said Tuesday afternoon. "Where we go from here is tax reform."

Vice President Mike Pence also told Republicans they should keep working on health care and not give up just because a key procedural deadline to pass the bill with a simple majority expires after Sept. 30.

"The vice president said that we need to resolve to do this now before this current Congress leaves office," at the end of 2018, according to a Republican senator in the room.

"He does" want us to keep working, said Sen. Jim Inhofe (R-Okla.). "He's conveyed it outside of that meeting [too]. The votes aren't there so let's keep massaging."

How Republicans would do so was not decided, according to several Republican senators. A fast-track procedural tool to allow the GOP to repeal the health law is due to expire on Saturday. Without it, Republicans would need to gather 60 votes in the Senate, an impossibility with Democrats firmly behind Obamacare.

Some Republicans have floated the idea of renewing the fast-track powers for health care in the fiscal 2018 budget to allow for another shot at repeal.

But many others on Tuesday downplayed that possibility in favor of concentrating on tax reform.

It's better to "focus on taxes right now," said Sen. Pat Toomey (R-Pa.).

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*John Bresnahan contributed to this report.*

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## **California warns its health insurance market will collapse under Obamacare repeal bill**

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By Victoria Colliver | 09/25/2017 04:27 PM EDT

The Graham-Cassidy repeal plan could cause more than 7.5 million Californians to lose coverage by 2027 and trigger the collapse of the state's individual health insurance marketplace, according to [an analysis](#) from Covered California.

"The effect on California would be devastating, and lead not only to there being more uninsured people than there were before the Affordable Care Act, but would also cause huge negative impacts on the health care delivery system, the economy and on those with employer-based coverage," Peter V. Lee, executive director of the state-run exchange, said in a statement today.

The report evaluated two ways the state could respond to a federal funding cut of nearly \$139 billion between 2020 and 2027 under [the bill](#). The measure would convert federal Obamacare funding into a series of block grants; states like California that expanded coverage under the

ACA are projected to be among the hardest hit.

The first scenario looked at the effects if the state prioritized preserving its Medicaid program. The analysis projected premium increases of 70 percent in 2020 and the eventual collapse of the individual market. A second scenario concentrated on protecting individual coverage at the expense of the state's Medi-Cal program. In both cases, the consequences of the cuts would start taking effect in 2020 and quickly lead to millions of people losing their coverage.

Covered California's report follows [another analysis of the effects of Graham-Cassidy](#) by the California Department of Health Care Services.

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### **Protesters dragged out of Senate hearing on Obamacare repeal [Back](#)**

By Adam Cancryn | 09/25/2017 03:12 PM EDT

A Senate hearing on the GOP's Obamacare repeal bill was quickly disrupted by protests Monday afternoon, as Capitol Police dragged out a group of disability rights activists who interrupted the session.

The protest forced Senate Finance Chairman Orrin Hatch to temporarily suspend the hearing for roughly 15 minutes as the protesters chanted, "No cuts to Medicaid, save our liberty."

"If you want a hearing, you better shut up," Hatch said, as the chants drowned out his attempts to open the hearing — the first and only session scheduled on a repeal plan that's still a few Republican votes short of passage.

Other Republican senators on the panel, including bill co-author Sen. Bill Cassidy, sat stoically or left the room until police removed the nearly 20 protesters, most of whom were disabled and in wheelchairs.

"Just let the police take care of it," Sen. Chuck Grassley said to Hatch as the chants erupted.

Hatch later said that he understands why the activists are passionate, but he threatened to cut the hearing short if protests and disruptions continue.

"If the hearing is going to devolve into a sideshow ... there's no reason for us to be here," he said. "If we can't have that, we should all be spending our time on something more productive."

The disruption came amid a full day of planned protests against the repeal bill from patient advocacy and women's health groups and progressive activists. Hundreds waited outside the hearing room for hours, booing Republican senators as they walked in and later chanting against the repeal bill throughout the hearing.

Those groups — along with Democrats and nearly the entire health care industry — have

criticized the so-called Graham-Cassidy bill as unworkable and irresponsible, pointing to the mass coverage losses likely resulting from cutting hundreds of billions of dollars in federal health care funding.

"The process that led to this is an abomination," said Sen. Ron Wyden, the ranking Democrat on the committee. "We've just seen, colleagues, some of the frustration."

Senate Republicans are hoping to speed their repeal bill through the chamber this week, beating a budgetary deadline for passing the legislation by a simple majority.

*Brianna Ehley contributed to this report.*

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### **Pence to rally House GOP on tax reform [Back](#)**

By Rachael Bade | 09/26/2017 10:11 AM EDT

Vice President Mike Pence will rally House Republicans around a tax reform framework at a GOP retreat Wednesday morning.

The former House member will attend the gathering intended to kick off the tax overhaul effort in the House, hosted at National Defense University in Washington.

It will be the first time Speaker [Paul Ryan](#) and Ways and Means Chairman [Kevin Brady](#) (R-Texas) divulge details of a plan they've been crafting with the Senate and White House.

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### **Trump says he's prepared to work with Democrats on tax reform, Neal says [Back](#)**

By Aaron Lorenzo | 09/26/2017 01:03 PM EDT

President Donald Trump said "he's prepared to negotiate with Democrats" on tax reform, House Ways and Means ranking member [Richard Neal](#) said after a White House meeting this morning.

Trump also made it clear he's ready to negotiate with Democrats down the road on the Affordable Care Act should Republicans continue to fail to make progress on their plans to repeal and replace the law, Neal said.

Trump agreed with Democrats that tax reform needs to benefit the middle class and keep federal revenue levels the same as they are now, Neal said, but was less committal on agreeing to a third Democratic demand — no tax relief for top earners. The framework congressional and administration negotiators will unveil Wednesday is expected to call for reducing the top rate to 35 percent from 39.6 percent.

Trump didn't say anything about how the tax plan would affect various income levels, "although he said that the tax plan would not be helpful to the wealthy," Neal said of the conversation with Trump, which also included six other Democrats from the committee as well as a large number of Ways and Means Republicans. "He said, 'The rich will not benefit.'"

But Trump didn't discuss specifics of the tax reform outline he's scheduled to discuss tomorrow in Indiana, Neal said. The conversation was more general.

Trump did say in public remarks before the meeting that the plan would include "nearly doubling the standard deduction that most families take on their taxes, and increasing the child tax credit."

Neal expects details from the tax legislation to indicate whether there's an opening for legitimate negotiations with Democrats.

"Once we get to the specifics, we'll have a better idea of what's going on," Neal said.

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**Not all provisions in tax reform outline will be permanent, Brady says** [Back](#)

By Aaron Lorenzo | 09/25/2017 05:40 PM EDT

Some temporary proposals look likely in the tax plan being negotiated by Republicans in the White House and Congress, House Ways and Means Chairman [Kevin Brady](#) (R-Texas) said today.

President Donald Trump is scheduled to discuss an updated framework outlining the tax package this Wednesday.

"We continue to focus on permanency or as much of it as we can achieve," Brady told reporters when asked whether he remained committed to revenue neutrality. "That certainty, both for families and businesses, is critical for growth."

But the negotiators, a group collectively called the Big Six that includes Brady, are contemplating some temporary tax changes to help the overall plan fit within congressional budget constraints.

The upcoming outline will include some specific tax rates, Brady said.

It's expected to propose cutting the corporate rate to 20 percent, down from the current rate of 35 percent but higher than Trump's 15 percent preference. The plan is also expected to proposed three individual tax brackets, down from seven at present, and lower the highest rate to 35 percent from the current 39.6 percent.

Brady, flanked by other GOP members of his committee during a break from a meeting they're having on the outline, declined to comment on specific provisions or policies the lawmakers are discussing. The Ways and Means members met last night and all day today.

"I don't want to get out ahead of it," Brady said.

House Republicans are planning to meet on taxes at a half-day retreat Wednesday away from the Capitol.

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### **Anti-abortion groups ask Trump to help states drop Planned Parenthood from Medicaid**

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By Jennifer Haberkorn | 09/26/2017 11:23 AM EDT

Anti-abortion activists are [asking](#) the Trump administration to reverse an Obama-era regulation that made it harder for states to eliminate Planned Parenthood from their Medicaid programs.

The request comes amid a brewing legal and political battle between Planned Parenthood and the states that want to block funding to the organization.

Last year, several states tried to defund Planned Parenthood in the wake of a series of sting videos alleging the group sold fetal tissue, a charge it strongly denied. In an attempt to stop defunding efforts, the Obama administration [issued guidance](#) saying states have no legal right to do so. It pointed to Medicaid law that says program beneficiaries are allowed to go to any willing provider as long as they don't have violations such as fraud or abuse.

A group of 132 state lawmakers who oppose abortion is trying to get the Trump administration to formally reverse that guidance. Earlier this year, President Donald Trump signed a bill into law that made it easier for states to cut Title X family planning funding to abortion providers.

"We seek your help to unlock this massive barrier to state discretion," the state legislators wrote in a letter to Trump, which was organized by the Susan B. Anthony List's National Pro-Life Women's Caucus.

The issue is coming to a head. GOP efforts to defund Planned Parenthood at the federal level, which Republicans have tried to attach to Obamacare repeal legislation, have failed. Instead, several states have tried to defund the group.

There is a split among appeals courts on the issue — a factor that could encourage the Supreme Court to eventually take up the issue.

The 8th Circuit Court of Appeals ruled last month that Arkansas can withhold Medicaid funding from Planned Parenthood. But the 5th, 7th and 9th Circuits, as well as several district courts, have disagreed, arguing that states cannot eliminate Planned Parenthood from Medicaid.

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## **Trump directs \$200 million to tech education for women and minorities** [Back](#)

By Ian Kullgren and Caitlin Emma | 09/25/2017 06:18 PM EDT

President Donald Trump on Monday directed at least \$200 million a year to technology education grants for women and minorities.

The president signed a memo instructing Education Secretary Betsy DeVos to prioritize STEM through existing competitive grant programs that will encourage women and minorities to participate in coding and other computer-based careers — though senior administration officials offered few specifics on how they would fulfill that goal.

"We need to create pathways for all our citizens to get jobs," Trump said at an Oval Office signing ceremony, surrounded by children. "When you get out of school, you're gonna get great jobs."

Senior administration officials said they would leave crucial specifics — such as who will receive the federal funds — up to DeVos. One official emphasized they would focus on programs that start children on this path at a young age.

The grants won't require congressional approval or new appropriations, White House officials said, because they will rely on existing Education Department funds.

The announcement comes amid a national discussion about gender equality in Silicon Valley, sparked by allegations of sexism at Uber, Google and other startups. Administration officials suggested the timing is not coincidental.

"Women are not equally participating in certain lucrative industries and fields, and we're looking to change the equation by designing these education programs to encourage gender and racial diversity," one senior official said. "It is clearly an enormous problem."

Trump seemed to say that the amount is still inadequate, telling the students that although \$200 million might seem like "big bucks," it is actually "peanuts, peanuts."

First daughter Ivanka Trump will travel to Detroit on Tuesday, where leaders of several businesses — including Quicken Loans and General Motors — are expected to announce private investments aimed at the same goal.

"It is vital that our students become fluent in coding and computer science, with early exposure to both," Ivanka Trump said in a phone call with reporters prior to the signing ceremony.

The new grant program comes after Ivanka Trump reportedly sought input from Silicon Valley this summer on STEM instruction. She talked to Apple CEO Tim Cook and Laurene Powell Jobs, the widow of Steve Jobs, who chairs the board of XQ: The Super School Project, an effort aimed at "rethinking" high school.

In July, the president announced that he was donating his salary for the second quarter of the year to the Department of Education. The \$100,000 donation from Trump will be used to help

fund a camp for students to explore science and math careers. But the announcement was met with anger by some education advocates, who found the charitable donation insulting while Trump was also seeking a \$9 billion cut to the agency in his budget request.

DeVos and Ivanka Trump also teamed up in July for a STEM-focused reading event at the National Museum of American History. They took turns reading "Rosie Revere, Engineer" by Andrea Beaty to a group of D.C.-area girls with the YMCA and the Boys & Girls Club. "You are the next generation," Trump told the girls, encouraging them to grow up to be inventors, engineers and coders.

The STEM push from the White House is nothing new. It was a key priority for the Obama administration, with former President Barack Obama pledging in 2011 to preparing 100,000 new math and science teachers by 2021 and securing more than \$1 billion in private investments to improve STEM education.

The Obama administration also focused on STEM in some of its signature competitive grant programs, like Race to the Top, which awarded states hundreds of millions of dollars for their efforts to turn around low-performing schools and improve STEM education.

Other grant programs housed under the Education Department have a STEM focus, like the Minority Science and Engineering Improvement Program, which has awarded colleges and universities hundreds of thousands of dollars to "increase the flow of underrepresented ethnic minorities, particularly minority women, into science and engineering careers."

*To view online [click here](#).*

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### **Short-term FAA bill fails in House [Back](#)**

By Lauren Gardner | 09/25/2017 07:09 PM EDT

A bill that would reauthorize the FAA through March failed in the House on Monday, after key Democrats, including House Minority Leader [Nancy Pelosi](#), voiced concerns about provisions in the bill that are unrelated to aviation.

Rep. [Richard Neal](#), who was managing the bill, [H.R. 3823 \(114\)](#), for the minority, said he supports the disaster relief in the bill, but that he is opposing the bill because it's "woefully inadequate."

"This is an anemic response to these disasters," he said.

The bill failed, 245-171, with 26 Democrats voting yes, and eight Republicans voting no.

It's unclear how Republican leaders will proceed, but most expect the bill to be brought up under a rule later this week, instead of through the expedited procedure the House tried to use today. That procedure requires a two-thirds majority of those present and voting to pass, and usually is

reserved for noncontroversial bills — which this one was, until today.

The stopgap bill, once enacted, will buy Transportation Chairman [Bill Shuster](#) until March 31 to see his overhaul effort, [H.R. 2997 \(115\)](#), get to President Donald Trump's desk, though he has said GOP leaders are planning on an early October floor vote.

During debate on the extension, Shuster said the very existence of an extension demonstrates the need for his bill.

"Progress is being made every day on this bill. I believe we will move this bipartisan bill through the House in the next few weeks. In the meantime we have to pass this extension today," Shuster said. "The very fact that we have passed this bill today is one of the many reasons why we need a fundamental comprehensive FAA reform."

But they've had to postpone consideration of the bill already this year because they didn't yet have the votes, and the Senate has shown little desire to consider splitting air traffic control away from the FAA.

Rep. [Peter DeFazio](#) (D-Ore.), called Republicans "a bunch of losers" for continuing to push breaking up the FAA.

"We're here today because the chairman of the committee has stubbornly persisted in trying to privatize air traffic control," DeFazio said. "Yeah, there are a few reforms that are needed there — most of them have to do with us. I introduced a bill to take care of those problems."

The short-term extension contains provisions to extend health care programs, provide tax breaks to victims of recent hurricanes that have pummeled U.S. states and territories, and promote a private flood insurance market.

It's unclear whether any of those riders might run into opposition in the Senate, but a senior Senate aide said the flood insurance provisions are problematic, and noted that the tax breaks included in the FAA bill weren't offered to Hurricane Sandy victims in 2012.

*Heather Caygle contributed to this report.*

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**House could vote on FAA extension on Thursday; Senate path unclear** [Back](#)

By Brianna Gurciullo and Zachary Warmbrodt | 09/26/2017 02:11 PM EDT

Senate Banking Chairman [Mike Crapo](#) predicted Senate opposition if the House goes forward with plans to jam the upper chamber with an FAA patch that also has private flood insurance language.

The House is expected to pass the bill ([H.R. 3823 \(115\)](#)) Thursday after failing to muster enough

votes last night under suspension of the rules, which has a higher threshold for passage. But that won't leave the Senate much time to clear the measure even without changes.

However, Crapo (R-Idaho) said he wasn't sure if the pushback would be enough to stop the FAA bill.

"I support that provision very strongly," he said. "So, if they sent it over here I would support it. I don't know how that will work. There is opposition to doing that."

Separately, Senate Commerce Chairman [John Thune](#) (R-S.D.) told reporters Tuesday that he hopes the Senate will clear the package that the House sends over.

"I mean I think there are some add-ons over there that there may be an issue or two with, but we'll try and work our way through that," Thune said, adding that it's "unlikely" the Senate would try to amend the legislation with only days left until the FAA's authority expires at midnight on Sept. 30.

"And I think most of those add-ons, they're trying to vet them on this side, too. They're mostly things I think our folks can support," Thune said.

Legislation intended to help grow the market for private flood insurance has been a prominent sticking point as Crapo and Senate Banking ranking member [Sherrod Brown](#) (D-Ohio) have negotiated a bill that would reauthorize the National Flood Insurance Program.

The NFIP is the dominant provider of flood insurance in the United States and there has been a limited appetite from commercial insurers to enter the market.

Brown is among those unhappy with the House maneuver.

"If you want to hasten the demise of the National Flood Insurance Program, privatizing it while not making other changes is a good way to go about it," he said. "If you want to strengthen NFIP, you need a bipartisan, comprehensive approach, which is the path I hope the Senate will follow."

*To view online [click here](#).*

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**Democratic appropriators probe Price's private jet use** [Back](#)

By Rachana Pradhan | 09/26/2017 01:55 PM EDT

Two senior Democrats on the House Appropriations Committee have asked HHS for details about Secretary Tom Price's private jet travel, which has exceeded two dozen flights since May at a cost of at least \$400,000 to taxpayers.

Appropriations ranking member [Nita Lowey](#) of New York and [Rosa DeLauro](#) of Connecticut asked in a Monday [letter](#) for dates and itineraries of all non-commercial flights Price has taken

since being confirmed to head the agency in February, as well as the cost and official justification for each flight.

The request follows one from several congressional Democrats last week requesting that the HHS inspector general officially open a probe into Price's travel for official business. A POLITICO investigation identified several trips Price has taken on private planes since May, including ones to Aspen, Colo.; Philadelphia; and different cities in Maine, New Hampshire and Tennessee.

The inspector general has since confirmed it is looking into the matter, and Price said Sept. 23 he would stop his use of charter jets until after the review.

Lowey and DeLauro criticized Price's travel practices as a "misuse of taxpayer dollars.

"It is particularly outrageous that you have wasted taxpayer dollars on lavish travel while President Trump has proposed to slash vital services for hardworking Americans and to cut HHS's budget by 18 percent," they wrote.

*To view online [click here](#).*

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**This email was sent to heather swift@ios.doi.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA**

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**To:** Swift, Heather[heather\_swift@ios.doi.gov]; Newell, Russell[russell\_newell@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]  
**From:** Quimby, Frank  
**Sent:** 2017-09-26T17:32:39-04:00  
**Importance:** Normal  
**Subject:** routine Land Buy back Program release on offers to Spirit Lake Tribe  
**Received:** 2017-09-26T17:39:19-04:00  
[LBBP Spirit Lake Offers Press Release v5.docx](#)  
[lbbp blanket approval from Jim Cason on LBBP routine offer releases.docx](#)

LBBP had sent this last week and we ask them to make sure it was cleared by Jim Cason they sent it to him and he has given them blanket approval (see attached file) on these routine buy back offer releases.

So LBBP would like to release this ASAP. OK?

here is gist of Cason clearance:

**From:** John Mcclanahan [[mailto:john\\_mcclanahan@ios.doi.gov](mailto:john_mcclanahan@ios.doi.gov)]  
**Sent:** Wednesday, May 31, 2017 7:37 PM  
**To:** Laura Rigas <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)>  
**Cc:** James Cason <[james\\_cason@ios.doi.gov](mailto:james_cason@ios.doi.gov)>; Brendan Quinn <[brendan\\_quinn@ios.doi.gov](mailto:brendan_quinn@ios.doi.gov)>  
**Subject:** Routine Buy-Back Offer Announcements

Hi Laura: Mr. Cason reviewed our next routine offer announcement (attached), which is slated for next Wednesday.

He's also okay with the Program working directly with your office on future offer announcements. Going forward we will share a draft of these routine announcements with your staff at least 72 hours before planned release to see if your shop has comments or edits. (I will share the drafts with Mr. Cason for awareness but we will not need approval to move forward.)

I will, however, make sure to clear other non-routine announcements with Mr. Cason before we move forward on those.

Happy to discuss any thoughts or question you might have with this approach.

**To:** heather\_swift@ios.doi.gov[heather\_swift@ios.doi.gov]  
**From:** POLITICO Pro Energy  
**Sent:** 2017-09-27T05:42:10-04:00  
**Importance:** Normal  
**Subject:** Morning Energy, presented by the U.S. Chamber's Global Energy Institute: Fears of humanitarian crisis in Puerto Rico as federal response ramps up — Not freaking out, yet, about Zinke's renewables comments — Pruitt's private plane rides  
**Received:** 2017-09-27T05:42:23-04:00

By Anthony Adragna | 09/27/2017 05:40 AM EDT

*With help from Ben Lefebvre, Emily Holden, Alex Guillén and Darius Dixon*

**FEARS OF HUMANITARIAN CRISIS IN PUERTO RICO:** Federal officials appeared to dramatically ramp up their response to the devastated Puerto Rico on Tuesday as the dire conditions became ever clearer. According to the [Defense Department](#), just 44 percent of the island's residents have potable drinking water while only 11 of 69 hospitals have fuel or power. In addition, 80 percent of the island's electricity transmission system and 100 percent of the distribution system are damaged. Florida Republican Sen. [Marco Rubio](#), who toured the island Monday, called for a "more aggressive" federal response and summed up the severity of the situation: "I'm concerned about human suffering and potential loss of life if aid doesn't reach the places it needs to reach quickly enough," he said.

**President Donald Trump, who one day earlier** appeared to partially blame the territory's plight on its "[broken infrastructure & massive debt](#)," touted the "amazing" response Tuesday. "We are literally unloading, on an hourly basis, water, food, supplies," he said. "And we are going to do far more than anybody else would ever be able to do. And it's being recognized as such, but it is a tough situation." Trump later convened two briefings on relief efforts, the second of which included EPA Administrator Scott Pruitt, Interior Secretary Ryan Zinke and Energy Secretary Rick Perry. EPA also approved [a waiver](#) for certain fuels on Puerto Rico on Tuesday. POLITICO's Andrew Restuccia and Louis Nelson with more [here](#).

**Both Senate Majority Leader [Mitch McConnell](#) and Speaker [Paul Ryan](#)** reiterated Congress would respond with additional hurricane aid when the administration made a formal request. "I also want the people of Puerto Rico to know that they are going to get the kind of help and aid that Texas and Florida enjoyed," Ryan said. But Pro Budget and Appropriations Brief's Sarah Ferris and Jennifer Scholtes [report](#) that formal request is likely several weeks away as officials focus right now on delivering supplies rather than requesting more funds.

**What about the Jones Act?** The Trump administration is not waiving the Jones Act for Puerto Rico, as it did for Florida and Texas after hurricanes ravaged those states earlier this year. And Sen. [John McCain](#) wants to know why. McCain, a long-time proponent of revamping the law requiring shipments between domestic ports be carried on U.S.-flagged vessels, sent [a letter](#) to DHS urging the agency to [reconsider its decision](#). "I am confident that repealing this law would lead to hastened recovery efforts where our country needs it most," he wrote.

**Separately, Tuesday, the unlikely duo of Sens. [Cory Gardner](#) and [Kamala Harris](#)** asked

Perry in a [letter](#) to "work expeditiously" with utilities around the country to help get the lights back on. But Southern CEO Tom Fanning, co-chairman of the Electricity Subsector Coordinating Council, sought to keep expectations realistic in a Tuesday statement: "Puerto Rico is facing complicated logistical challenges for life and safety that need to be stabilized before full power restoration efforts can get underway."

**WELCOME TO WEDNESDAY!** I'm your host Anthony Adragna, and the American Chemistry Council's Jon Corley was first up to name Ralph Nader as the 1977 SNL host (his opening sketch [here](#)). For today: What legendary Hollywood star was also a five-term president of the National Rifle Association? Send your tips, energy gossip and comments to [adragna@politico.com](mailto:adragna@politico.com), or follow us on Twitter [@AnthonyAdragna](#), [@Morning\\_Energy](#) and [@POLITICOPro](#).

**NOT FREAKING OUT — YET:** Utility-scale solar developers and environmentalists remain hopeful BLM's ongoing leasing program will remain on track despite Zinke's comments Tuesday that large-scale solar development is a poor use of federal lands, Pro's Esther Whieldon and Eric Wolff [report](#). "Our hope is that he was just blowing off steam, it was just a casual off the cuff conversation and that it doesn't have any material or practical implications for the permitting process for our projects," Shannon Eddy, executive director of the Large-scale Solar Association, said referring to his comments at National Clean Energy Week event in Washington.

**ICYMI:** During his speech, Zinke highlighted some negative environmental consequences of renewables and said fossil fuel development was the best use of public lands. "I think the biggest opportunity in solar is the roof," Zinke said. "Because when I see solar cells out on land, that land is no longer useful for anything else but energy. But there's a lot of roofs. And I think the greatest opportunity for the solar industry is look at where the roofs are." But he also didn't mention the Obama-era solar leasing program at BLM, an omission that some are taking as an encouraging sign.

**BISHOP DEFENDS ZINKE'S LOYALTY COMMENT:** Interior Secretary Ryan Zinke faced heated criticism Tuesday for his Monday comment that one-third of his agency's workforce is "not loyal" to the administration, but House Natural Resources Chairman [Rob Bishop](#) told reporters that guess is "probably low." Bishop added: "The assumption is, you have a whole lot of professional staff — in quotes — that stay from administration to administration. So having that [lack of loyalty] would not surprise me."

**'Deeply insulting':** In a [joint statement](#), the Coalition to Protect America's National Parks, the Public Lands Foundation and the Association of Retired Fish and Wildlife Service Employees called Zinke's comments "simply ludicrous" and "deeply insulting." And top Natural Resources Democrat [Raul Grijalva](#) expressed similar outrage: "Secretary Zinke should clarify his comments and apologize to the public servants he is supposed to be leading," he said in a statement.

**IT'S A SECRET:** EPA has hired a Virginia contractor to build a "privacy booth for the administrator" at a cost of \$24,570, according to [records](#) first uncovered by The [Washington Post](#). As Pro's Alex Guillén [reports](#), the booth — known formally in Washington speak as a Sensitive Compartmented Information Facility — is secured against physical and electronic eavesdropping and hacking. The agency already has such a facility for classified discussions, the



newspaper reports. EPA [contract records](#) also indicate the agency spent \$8,000 this month for another firm, Fairfax-based Secure Mission Solutions, to "remove CCTV equipment to accommodate a secure phone booth for the administrator's office."

**PRUITT'S PRICEY TRAVEL:** Turns out it's not just \$25,000 soundproof booths that Scott Pruitt has a taste for. On June 7, the EPA administrator flew from Cincinnati to New York on an Air Force jet with a cost to taxpayers of \$20,000, CBS News [reports](#). Then, on Aug. 4, Pruitt took a private plane from Denver to Durango, Colorado and back for a meeting with state officials, but only after declining to fly on Colorado Gov. John Hickenlooper's plane. A spokesman said Pruitt, a self-described "fiscal conservative," booked the plane "after his flight was significantly delayed in order to ensure that he did not miss a critical meeting," and ethics officials were consulted. But the spokesman did not respond to requests for why he used a military plane for the earlier trip or why he declined to fly with Hickenlooper, CBS reports.

**\*\*A message from the U.S. Chamber's Global Energy Institute:** American infrastructure needs attention, and energy infrastructure should be front and center in that discussion. Today, it is too difficult to build infrastructure, and our electricity grid and pipeline network needs investment. Without ways to move energy of all kinds, our economy will stall. Visit [www.globalenergyinstitute.org](http://www.globalenergyinstitute.org) for more. \*\*

**HAMM TO PRESS PERRY ON EIA ESTIMATES:** Oil titan Harold Hamm, a major Trump supporter, will meet today with Energy Secretary Rick Perry to argue that EIA is missing the mark with its oil production estimates, he told POLITICO's Mike Grunwald, who [tweeted](#) a few tidbits from their conversation Tuesday. The Hamm-backed Domestic Energy Producers Alliance prepared [slides](#) outlining its case that EIA is too optimistic with its forecast of U.S. oil production growing to close to 10 million barrels a day next year. The group points out oil companies reported an overall second-quarter drop in production rates, while rig counts and well completion rates also fell — that implies activity is too slow to boost production from August's 9.2 million barrels a day. "EIA's Phantom Forecast needs huge growth to catch up to projections," DEPA argues in [slides](#) it shared with POLITICO. Hamm and the association have a vested interest in downplaying production rates — less oil coming out of the ground equals higher prices — but the EIA forecasts have been known to be wrong before. "The EIA analysts do credible, independent work. Of course, no one gets everything right 100 percent of the time," Raymond James energy analyst Pavel Molchanov told ME.

**GUARDIANS OF THE ENVIRONMENT:** New York Attorney General Eric Schneiderman asserted the U.S. was entering a new era of "progressive federalism" on Tuesday with a coalition of attorneys general responsible for guarding against environmental rollbacks, POLITICO New York Marie J. French [reports](#). "With the new administration clearly in the pockets of the fossil fuel industry, the chemical industry and others, and putting people in power who deny the most basic science, it's very important to recognize the brilliance of our federal system that there is this second tier of protection at the state level," he said.

**NEXT WEEK EYED FOR EPW NOMINEE HEARINGS:** Senate EPW Chairman [John Barrasso](#) told reporters Tuesday he plans to hold two separate nomination hearings next week on "seven or eight" of Trump's agency nominees. The committee declined to provide further details, but the hearings would likely include four EPA and one NRC nominees who saw their

confirmation hearing postponed last week, as well as several Tennessee Valley Authority selections. Barrasso did say he planned to spread out the sessions between Wednesday and Thursday.

**LOOK TO FEBRUARY IN CHALLENGE TO CHEMICAL RULE FREEZE:** The legal challenge over Pruitt's decision to delay a key chemical facility safety rule until 2019 will stretch through February at least. The D.C. Circuit set a [briefing schedule](#) Tuesday beginning next month and stretching through Jan. 31, 2018.

**Don't mess with Texas (counties):** Harris County, Texas, has decided to sue Arkema, the owner of the Crosby chemical plant that burned in the wake of Hurricane Harvey's flooding. The county had to dedicate "literally dozens of first responders" to that event rather than helping other people, county attorney Rock Owens told the [Houston Chronicle](#).

**FUEL TRANSPORTATION SAFETY PICKS GETS HEARING:** Skip Elliott, Trump's selection to run the Pipeline and Hazardous Materials Safety Administration gets a [nomination hearing](#) today at 10:30 a.m. before the Senate Commerce Committee. Also in the hot seat is Timothy Gallaudet, the administration's pick for the No. 2 position at NOAA.

**CLEAN ENERGY CHAMPS NAMED:** Citizens for Responsible Energy Solutions will today announce Govs. Kim Reynolds and Brian Sandoval, Reps. [Mia Love](#) and [Cathy McMorris Rodgers](#), and Sens. [Thom Tillis](#) and [Susan Collins](#) as its 2017 clean energy champions.

**SENATE PASSES BILL TO FIGHT ALGAL BLOOMS:** Lawmakers cleared by unanimous consent legislation [S. 1057 \(115\)](#) aimed at controlling harmful algal blooms. The bill would authorize the appropriation of \$110 million to NOAA over the 2019-2023 period.

**MAIL CALL! PRUITT'S MEETING RECORDS SOUGHT:** Rep. [Frank Pallone](#), top Democrat on the Energy and Commerce Committee, sent a [letter](#) Tuesday to EPA's inspector general asking for a "factual record" of Pruitt's meetings that may have violated the Antideficiency Act and other anti-lobbying provisions. Of particular interest is an April meeting with the National Mining Association where Pruitt [reportedly encouraged](#) members of the group to criticize the Paris climate accord.

**NEW MEXICANS: TOSS OUT INACCURATE MONUMENT REPORT:** Sens. [Tom Udall](#) and [Martin Heinrich](#), as well as Reps. [Ben Ray Lujan](#) and [Michelle Lujan Grisham](#), sent a [letter](#) to White House Chief of Staff John Kelly on Tuesday calling on the White House to reject Zinke's report urging changes to a host of national monuments after they claimed to find a number of factual errors surrounding recommended changes to two in their state. "The public deserves better than predetermined political conclusions based on hearsay and claims that are easily disproven if the Department had taken the time to listen to and work with local communities," they wrote.

**HOUSTON SUPERFUND SITE RESPONSE PROBED:** Texas Democratic Rep. [Gene Green](#), whose district took a direct hit from Hurricane Harvey, asked Pruitt in a Tuesday [letter](#) to provide a host of information concerning the agency's response to the U.S. Oil Recovery Superfund site, which was potentially damaged in the storm. "The apparent slow response and lack of transparency from your agency is already causing harm, by fostering fear and distrust,"

he wrote.

**ME FIRST — LOCAL OFFICIALS: NO CUTS TO EPA'S BUDGET:** More than 300 local elected officials are out with [a letter](#) today urging Congress not to cut EPA's budget as it considers fiscal 2018 spending packages. "Deep budget cuts will suddenly impose significant new funding requirements — including some unfunded mandates — on states," they write. "To the extent that states cannot make up for the loss of EPA grant funds, public health will be put at risk."

**GROUPS: PLEASE SPEND THAT MONEY:** A group of energy efficiency organizations, companies and trade associations are asking the [House](#) and [Senate](#) to ensure funds directed to critical energy efficiency and clean energy programs are actually spent by the Trump administration while longer-term funding is negotiated. "When letters and written inquiries are not enough, we urge you to call on senior leaders to testify on the record about the status of programs and their plans to ensure their agencies are acting consistently with congressional intent," they write.

**DOE IG: AGENCY SLUGGISH TO TAKE ON ADDED IT SECURITY:** The Energy Department has been slow to setup multifactor logins across its computer systems, a new inspector general [audit says](#). "Although requirements existed for more than 10 years, none of the locations reviewed had fully implemented multifactor authentication for secure access to information systems and resources," the report says, while noting that DOE had nevertheless made progress on the issue. The IG's office studied 18 federal systems and "identified weaknesses related to ensuring adequate protections over access to network and application resources" and found that information DOE reported to OMB on a 2015 "Cybersecurity Sprint" initiative was not consistent. The lack of an agency-wide multifactor authentication process exposes DOE information to "a higher than-necessary risk of compromise," the audit says. DOE concurred with the IG's five recommendations and laid out a plan to square things up over the next year.

**READY TO FIGHT:** The environmental justice group Green for All kicked off its fly-in last night at a dinner featuring moms from Flint, Mich., and other communities hit hard by pollution. Today they'll visit Capitol Hill to protest EPA budget cuts and urge action on climate change. Rep. [Nanette Diaz Barragan](#), a California Democrat who sits on the House Natural Resources committee, said Republican members of the panel "won't even mention the words 'climate change,'" and she urged women in the group to run for public office.

**REPORT: REVAMP OF CLEAN WATER ACT NEEDED:** Today's the last day to comment on EPA's efforts to repeal the previous administration's Waters of the U.S. regulation, but the Regulatory Transparency Project, a venture of the Federalist Society, released a paper Tuesday questioning whether Congress needs to fundamentally revisit the Clean Water Act to clarify how to decide what constitutes a waters of the U.S. Read it [here](#).

**MAP ALLEGES BIG AIR POLLUTION RISKS FROM OIL, GAS PRODUCTION:** Earthworks is out this morning with an [updated analysis](#) finding 2.9 million children are at risk from toxic air pollution from active oil and gas production sites within half a mile of their schools.

## QUICK HITS

- Hawaii Lawmaker Presses SEC Chairman on Climate Change. [The Street](#).
- Failing Puerto Rico dam that endangers thousands not inspected since 2013. [Washington Post](#).
- Mnuchin Asks Judge to Toss Exxon's Suit Over Russia Drilling. [Bloomberg](#).
- Before U.N. Deadline, China Again Buys North Korean Coal. [Wall Street Journal](#).
- A small region in Iraq just became one of the oil market's biggest concerns. [CNBC](#).
- Kinder Morgan Canada ordered to stop some work on pipeline expansion. [Reuters](#).

## HAPPENING TODAY

9:00 a.m. — "North America Energy Forum 2017," Wilson Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — Senate Commerce Committee [hearing](#) on nominations, Russell 253

10:00 a.m. — "[Forest Management to Mitigate Wildfires: Legislative Solutions](#)," Senate Environment and Public Works Committee, Dirksen 406

2:00 p.m. — "[Encouraging the Next Generation to Visit National Parks](#)," Senate Energy and Natural Resources National Parks Subcommittee, Dirksen 366

3:00 p.m. — "[Global Lessons from the Thawing Arctic](#)," The Study of Environmental Arctic Change, 1200 New York Ave NW

## THAT'S ALL FOR ME!

**\*\*A message from the U.S. Chamber's Global Energy Institute:** Pipelines Power America. America has over 2.6 million miles of pipelines that safely deliver natural gas and petroleum products throughout our nation. It would take over 750 tanker trucks a day to transport the same amount of energy as a single pipeline. While our analysis shows that certain regions like the Northeast face a critical lack of pipeline infrastructure that is contributing to higher prices and negative economic impacts, pipeline projects are under attack across the nation. It's time to end delays and allow for energy that is essential for our daily lives to move around our nation. Find out more about how Pipelines Power America here: <http://bit.ly/2wG6Ij9> \*\*

*To view online:*

<https://www.politicopro.com/tipsheets/morning-energy/2017/09/fears-of-humanitarian-crisis-in-puerto-rico-as-federal-response-ramps-up-024784>

## Stories from POLITICO Pro

**White House weeks away from formal funding request for Puerto Rico aid, sources say**  
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By Sarah Ferris and Jennifer Scholtes | 09/26/2017 03:01 PM EDT

The White House is likely weeks away from a formal funding request for Puerto Rico, as the storm-ravaged island enters its sixth day without power, according to Trump administration and congressional sources.

Senate Minority Leader [Chuck Schumer](#) is demanding that lawmakers approve a disaster aid package by week's end to help Puerto Rico and the U.S. Virgin Islands recover from Hurricane Maria. But aides familiar with the devastation on the Caribbean islands say the government is far more focused on delivering resources right now than getting more cash from Congress.

"The thing is, funding doesn't help them. Getting people and supplies there is what needs to happen," one administration aide said Tuesday. "There's no crunch in the short term for cash."

Still handling three simultaneous hurricane relief efforts, FEMA's staff is stretched thin. But the agency's disaster relief fund is still flush after Congress provided \$15 billion in disaster aid, [H.R. 601 \(115\)](#), earlier this month, as well as another \$6.7 billion that will kick in at the start of the fiscal year Oct. 1.

Advocates argue that funding for FEMA doesn't mean Puerto Rico's government can pay its own bills, however, including its already depleted Medicaid program.

While the federal government continues to calculate a damage estimate, responders deployed to the region are focused on logistics like getting food and water to millions of people who remain without power as temperatures hit 90 degrees and humidity hovers above 70 percent.

The administration contends that much of Puerto Rico and the Virgin Islands is so damaged that officials can't even begin damage assessment, meaning the federal government may not know for weeks how many roads, buildings or power lines will need to be rebuilt.

"The issue is not paying for any of this," the administration source said. "It's like: Paying for what?"

But Democrats say the administration's response is already wholly anemic, accusing President Donald Trump of taking potshots at the ailing islanders while neglecting to deploy the full force of federal resources.

"We have the greatest military the world has ever seen," Rep. [Joe Crowley](#) (D-N.Y.), chairman of the Democratic Caucus, told reporters on Tuesday. "We know how to invade other nations. We know how to bring that equipment in. We have paratroopers. We have sailors. We have Marines. We have men and women who would want to help their fellow countrymen in their time of need. It's time for the president to invoke that and to bring that type of response."

Trump said Tuesday that he plans to travel to Puerto Rico early next week to survey damage, more than a dozen days after Maria compounded devastation wrought by Hurricane Irma earlier this month.

The president has fielded criticism for neglecting to visit the islands as quickly as he arrived in

Texas and Florida following Hurricanes Harvey and Irma. But he told reporters at the White House on Tuesday that his administration is "getting really good marks for the work we're doing" in Puerto Rico and the Virgin Islands.

Congressional Democrats have derided Trump for focusing on the NFL's national anthem controversy in the wake of the disaster and noting Puerto Rico's financial issues. "Texas & Florida are doing great but Puerto Rico, which was already suffering from broken infrastructure & massive debt, is in deep trouble," Trump [tweeted](#) late Monday.

Rep. [Nydia M. Velázquez](#) (D-N.Y.), who is the first Puerto Rican woman to be elected to Congress, said she is "offended and insulted" by the president's tweet.

"If you don't take this crisis seriously, this is going to be your Katrina," Velázquez told reporters Tuesday about Trump, suggesting the president appoint a military general to organize comprehensive emergency response.

Rep. [José E. Serrano](#) (D-N.Y.) said Tuesday that he has gotten commitments from House Appropriations Chairman [Rodney Frelinghuysen](#) (R-N.J.) and House Speaker [Paul Ryan](#) that Puerto Rico and the Virgin Islands will be "treated equally in any funding package to come.

"You can't look at this funding and say, 'Whatever is left over can go to the Virgin Islands and Puerto Rico.' No — it has to be equal to Texas, to Florida, to Louisiana, to Georgia. ..." Serrano said. "Now it's incumbent on us to stay on top of the leadership to make sure that a certain segment of the other party doesn't break this promise that the speaker and the chairman of Appropriations have put out."

Congress approved its massive hurricane relief package on Sept. 8 — six days after Harvey made landfall in Texas — yet appropriators appear weeks away from an aid request devoted to Puerto Rico.

The White House believes there is "plenty of money" for the hurricane response in the short term, an administration aide said, acknowledging that much more will be needed in the months to come.

While White House officials plan to discuss that longer-term funding strategy this week, even a back-of-the-envelope estimate will be incredibly difficult, according to one person familiar with the damage assessment efforts.

The government officials charged with surveying the damage — including those from FEMA, the Defense Department and the Centers for Disease Control and Prevention — each have to come up with their own funding estimates. But many of the damage assessment teams are still working on recovery in states like Texas and Florida.

*Heather Caygle contributed to this report.*

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## **White House denies Jones Act waiver for Puerto Rico** [Back](#)

By Ben Lefebvre | 09/26/2017 02:07 PM EDT

The Trump administration will not waive a rule banning foreign vessels from delivering fuel to hurricane-ravaged Puerto Rico, the Department of Homeland Security said today.

Waiving the Jones Act would not address the lack of port space needed for vessels to deliver the fuel to the island, DHS spokesman David Lapan said. DHS consulted with other federal agencies and found that "there is sufficient numbers of U.S.-flagged vessels to move commodities to Puerto Rico," Lapan told POLITICO in an email.

"The limitation is going to be port capacity to offload and transfer cargo, not vessel availability," Lapan said. "The fuel supply challenges facing Puerto Rico are not a function of the lack of fuel being shipped to the island, but caused by the devastation to Puerto Rico's transportation networks that have prevented fuel from being transported on the island to all of the places that need it."

The Jones Act stipulates that only U.S.-flagged ships can deliver fuel to domestic ports, keeping the number of vessels available to deliver fuel. Puerto Rico is running out of fuel and other necessities after taking a direct hit from Hurricane Maria last week.

DHS waived the rule when hurricanes ripped through Texas and Florida in recent weeks, but in those cases, the ships were necessary to replace lost fuel production after refineries were shut down during the storms, Lapan said.

**WHAT'S NEXT:** President Trump is scheduled to visit Puerto Rico next week.

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## **Solar industry stays calm after Zinke says it's a bad fit for public lands** [Back](#)

By Esther Whieldon and Eric Wolff | 09/26/2017 06:23 PM EDT

Renewable energy supporters are worried — but not yet panicked — after Interior Secretary Ryan Zinke slammed large-scale solar development as a poor use of federal lands.

Zinke urged solar companies to focus on smaller rooftop projects rather than sprawling installations on federal lands. But utility-scale developers and environmentalists remain hopeful that BLM's ongoing leasing program will remain on track.

"Our hope is that he was just blowing off steam, it was just a casual off the cuff conversation and that it doesn't have any material or practical implications for the permitting process for our projects," said Shannon Eddy, executive director of the Large-scale Solar Association.

Zinke's speech Tuesday at a National Clean Energy Week event in Washington offered the clearest indication to date of his preference for fossil fuel development over renewable energy.

"If you are operating on public land, extraction is going to be in the best public interest," he told the audience, which included representatives from the renewable energy, natural gas and nuclear industries.

In his speech, Zinke stressed his support for an "all of the above" approach to energy, though he focused more heavily on the negative environmental consequences of renewables than of fossil fuel development. He pointed to bird deaths or habitat loss that can be caused by wind and solar development, but said little about the air pollution or spills that can come with oil, gas or coal production. And climate change was hardly mentioned at all.

"I think the biggest opportunity in solar is the roof," Zinke said. "Because when I see solar cells out on land, that land is no longer useful for anything else but energy. But there's a lot of roofs. And I think the greatest opportunity for the solar industry is look at where the roofs are."

By the end of 2016, utility scale solar made up 70 percent of the industry's growth, according to the Solar Energy Industries Association, the largest solar trade association.

Environmentalists accused Zinke of trying to draw attention away from the harm the administration is doing to the environment by promoting fossil fuel production.

"It's a false choice to say that we can either protect our wildlife or advance renewables on public lands," said Alex Daue, assistant director for energy and climate campaign at The Wilderness Society.

Zinke did not mention the solar leasing program at BLM, which was launched during the Obama administration, an omission that some are taking as an encouraging sign. If he does not formally tell BLM field staff to slow down or turn their attention to other matters, it could lessen the immediate effect on the environmental studies and other work happening on the ground, said Nathanael Greene, director of the Natural Resources Defense Council's renewable energy policy initiative.

Still, his general disinterest in the solar industry's priorities such as improved siting and streamlined permitting could amount to "death by neglect" for the program, he said.

Solar developers also could lose valuable federal tax incentives if BLM slow rolls its approval of their projects, Eddy noted.

Furthermore, it's unlikely that rooftop solar panels would be able to replace the potential generation available on public lands without unduly straining the electric grid, said Kim Delfino, Defenders of Wildlife California program director.

California "learned the hard way that ... we do have to have a certain amount of utility scale renewable energy as we work really hard to put in place the grid and policies to have rooftops," Delfino said in an interview Tuesday.

BLM estimated in 2012 that about 24,000 megawatts of solar panels could be installed on about 214,000 acres of federal land over a 20-year period. Under the Obama administration, BLM authorized 42 projects totaling 9,540 MW. No new leases are expected to be offered until next



year at the earliest, officials have said.

Solar leasing is dwarfed by the amount of land occupied by the oil and gas industry. The oil and gas industry held 27 million acres under lease as of Sept. of last year, including 12 million acres under production, according to BLM data. And that figure is down from a peak in 1989 when the industry had 67 million acres under lease. BLM leased 62,000 acres to solar developers by October 2016.

The Interior Department and BLM did not respond to requests for comment Tuesday.

Zinke's remark may foretell yet more gloom and uncertainty for the solar industry, which already faces the prospects of tariffs on the cheap, imported solar panels that fueled its growth. Tariffs would likely jack up costs for developers and installers, leading to project slowdowns and the loss of as many as 88,000 jobs, the industry says.

The Solar Energy Industries Association, which represents both rooftop and utility-scale developers, offered an optimistic interpretation of Zinke's comments.

"The beauty of solar energy is it can be deployed in multiple ways. From rooftop panels to large scale installations owned by utilities, there is room for all solar energy and each one plays an important role in the diversification of our nation's electricity mix," SEIA CEO Abigail Ross Hopper said in a statement. "We are pleased both Sec. Zinke and [Energy Secretary Rick] Perry took part in National Clean Energy Week and we look forward to continued conversations with both of them on the ways in which solar is strengthening America."

Other proponents pointed to the wide support solar enjoys on both sides of the political aisle.

"I think there's bipartisan support for providing access to federal lands for energy development, I can't imagine it's been undermined, despite what the Secretary said today," said Todd Foley, senior vice president of policy and government affairs at the American Council on Renewable Energy. "To put it as some people do, we shouldn't be picking winners and losers."

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### **EPA building Pruitt secure communications room [Back](#)**

By Alex Guillén | 09/26/2017 03:59 PM EDT

EPA is building a special secure communications room for Administrator Scott Pruitt, according to [contract records](#) first reported today by the [Washington Post](#).

EPA hired Richmond, Va.-based Acoustical Solutions to construct a "privacy booth for the administrator" at a cost of \$24,570, according to the contract details. It is expected to be completed by Oct. 9.

The privacy booth will serve as a Sensitive Compartmented Information Facility, EPA

spokeswoman Liz Bowman told the Post. SCIFs, as they are known in Washington lingo, are rooms specially secured against physical and electronic eavesdropping and hacking that are used for discussing classified issues.

EPA already has a SCIF facility used for discussing sensitive matters, the Post reported. The agency's SCIF appears to have existed for years; an [agency guide](#) on national security issues dated 2006 includes information on accessing and maintaining the agency's CIA-accredited SCIF facilities.

EPA last week [said](#) employees will have to complete new rounds of training for handling sensitive information, including classified data on critical infrastructure.

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### **How Bannon and Pruitt boxed in Trump on climate pact [Back](#)**

By Andrew Restuccia and Josh Dawsey | 05/31/2017 08:00 PM EDT

Donald Trump's chief strategist and Environmental Protection Agency administrator maneuvered for months to get the president to exit the Paris climate accord, shrewdly playing to his populist instincts and publicly pressing the narrative that the nearly 200-nation deal was effectively dead — boxing in the president on one of his highest-profile decisions to date.

Steve Bannon and Scott Pruitt have sought to outsmart the administration's pro-Paris group of advisers, including Trump's daughter Ivanka, who were hoping the president could be swayed by a global swell of support for the deal from major corporations, U.S. allies, Al Gore and even the pope. But some of that pro-Paris sentiment wound up being surprisingly tepid, according to White House aides who had expected that European leaders would make a stronger case during Trump's trip abroad in May.

Those who want Trump to remain also faced an insurmountable hurdle: The president has long believed, rightly or wrongly, that the U.S. is getting a raw deal under the accord, and it proved nearly impossible to change his mind.

The internal reality show will culminate Thursday when Trump finally announces his decision, after a rush of [leaks](#) Wednesday from administration officials saying he was on the verge of pulling the plug on U.S. participation in history's most comprehensive global climate agreement.

"I will be announcing my decision on Paris Accord, Thursday at 3:00 P.M.," Trump [tweeted](#) Wednesday night, without revealing the outcome. "The White House Rose Garden. MAKE AMERICA GREAT AGAIN!"

Some White House aides held out the prospect that the president still might take the middle course that Ivanka Trump and others had advocated — staying in the deal while drastically scaling back the Obama administration's nonbinding carbon cleanup promises. But three White House officials said Wednesday that they expect Trump to make a clean break by withdrawing

from the agreement, though they noted it's possible the president will change his mind at the last minute.

In recent months, Pruitt and Bannon made sure Trump heard from a parade of conservative leaders and Republican lawmakers who raised concerns that the deal would hobble his pro-fossil-fuel energy agenda.

"We made very much the economic message argument," said Club for Growth President David McIntosh, whose group wrote letters to the White House and spoke to senior staff. "It was bad for the U.S. economy. It would stifle economic growth and the United States should withdraw."

As the news of the impending decision spread Wednesday, White House chief of staff Reince Priebus began calling and fielding calls from lawmakers, indicating that the U.S. was unlikely to stay in the agreement, one person familiar with the conversations said.

If Trump withdraws, Paris' foes will have Pruitt and Bannon to thank.

One Republican close to the White House called it the "classic split" and said conservative activists had flooded the White House in recent weeks, after seeing increasing chatter that Trump might stay in. This person said Bannon and Pruitt worked quietly to make sure Trump was hearing their side and touched base occasionally on political strategy to woo him.

"You had the New Yorkers against it, and all the campaign loyalists for it," this person said, referring to the push to withdraw. "When the New Yorkers get involved, it gets complicated for Trump and everyone else around him."

Pruitt and Bannon have told others repeatedly for months that Trump will pull out of the agreement, as they aggressively pushed a narrative that they hoped would prove to be true, even as White House aides continued to debate the issue.

"Some of the debate was for show to help the moderates feel like they had their say," said one person who has spoken to Pruitt. "Pruitt has believed all along that this was never in doubt."

Pruitt, who frequently attacked the EPA's regulations in court when he was Oklahoma's attorney general, used his new post as EPA administrator to orchestrate an aggressive campaign to marshal conservative opposition to the Paris agreement.

He bashed the deal during a closed-door April meeting of the National Mining Association's executive committee, telling the group that the agreement would hurt the economy. Pruitt's staff also urged lawmakers and conservative groups to publicly criticize the agreement, sources familiar with the issue told POLITICO, which had the effect of increasing public pressure on Trump.

Bannon similarly argued in meetings with Trump and his team that the president would be breaking his campaign promise to "cancel" the agreement if he decided to remain. And he argued that the accord is a bad deal for the United States because other countries aren't doing enough to curb their emissions.

Pruitt and Bannon's anti-Paris campaign was meant to counter a separate offensive by members of the administration who supported staying in the pact, including Ivanka Trump and her husband, Jared Kushner.

In recent months, Ivanka Trump set up a process in which the president would regularly hear from people who supported remaining in the agreement, according to administration officials.

The "remain" camp believed, perhaps naively, that Trump could be influenced by the support the Paris deal has received from major corporations, including Exxon Mobil, which Secretary of State Rex Tillerson led for more than a decade.

"Ivanka is doing what she can to get him to stay," one official said. "But that doesn't mean he's going to do it."

White House aides outlined a plan to remain in the agreement while weakening former President Barack Obama's pledge to cut domestic greenhouse gas emissions. They made the case that Trump could use the goodwill generated from remaining to negotiate better economic incentives for fossil fuels, and they even won the buy-in of several coal companies that detested Obama's climate policies.

They hoped European leaders could convince Trump he would risk damaging diplomatic relations if he withdrew. Ivanka Trump also brought Gore to Trump Tower to try to sway her father's mind during the presidential transition, and Pope Francis handed the president a copy of his papal encyclical on climate change when the two men met at the Vatican last week.

Trump took calls from a parade of business leaders and foreign leaders in recent weeks, most pressing him to remain, according to a senior administration official — and the calls continued on Wednesday.

"He had tremendous pressure from international leaders, from members of his own Cabinet and advisers in the international sphere not to pull out of the accord because of the perceived loss of face," said McIntosh, the Club for Growth president.

But while the leaders of G-7 nations all pressed Trump to remain in the agreement during last week's summit in Italy, Paris supporters in the White House have privately grouched that they didn't make an aggressive enough case.

European officials countered they tried not to push Trump too much during the meetings, believing that a hard sell could backfire. And they were buoyed by early signals from White House officials ahead of the summit that Trump was open to remaining.

Indeed, European officials received a series of mixed messages from Trump's team during the summit. National Economic Council Director Gary Cohn, a Paris supporter and the only U.S. official permitted to attend meetings with G-7 leaders, told reporters that Trump was "evolving" on climate change, which many interpreted to mean that he would remain.

White House officials chalked up Cohn's comments to Trump's habit of echoing the perspective of the last person he talked to. By that time, Bannon and other opponents of the agreement had

returned to the United States. But Trump's decision to delay a final verdict on the agreement gave Pruitt and Bannon a final opportunity to make their case. Pruitt met with Trump to discuss Paris on Tuesday.

Most European officials were unwilling to comment about the prospect that Trump will withdraw, as they have not yet received official word from the White House and are still holding out hope that the president will change his mind.

The officials have already begun looking to other countries for support on climate change, with the European Union set to promise deeper cooperation with China. Some officials have even adopted a new informal nickname for the major remaining countries that support action on climate change: the G-6.

Some Trump administration officials were reeling on Wednesday after the news first broke that Trump was prepared to withdraw.

Trump had not officially told his entire team of senior aides he was considering leaving the agreement Wednesday when news leaked out. "Everyone assumed that's what was going to happen, but we weren't called all in and told, 'Oh, we're putting this story out today,'" one person said.

Having learned a lesson after Trump changed his mind about pulling out of NAFTA, administration officials cautioned against definitive reporting, warning that the president is notoriously fickle. As administration officials began tamping down reports that Trump's decision was final, White House aides were swamped with calls, emails and texts from lobbyists and diplomats seeking clarification.

Officials close to Trump sometimes leak information before it is final — hoping to back him into a corner, or believing that comments during a private meeting represent his ultimate view. White House officials put out word in April that he was pulling out of NAFTA, even though Trump had not made up his mind, and news leaked during the campaign that he would pick Mike Pence as his running mate even as he weighed other candidates.

"Sometimes people close to Trump put things into the media environment to see how he'll react to it," one adviser said. "If your idea gets good coverage, it's likely to help him decide to go with what you're saying."

One of the biggest lingering questions: If he withdraws, how will Trump do it?

He could abide by the formal procedures in the underlying text of the agreement, which mandate that a formal withdrawal will not go into effect until Nov. 4, 2020, at the earliest. Or he could pull out of the United Nations Framework Convention on Climate Change, the underlying 1992 treaty that governs the negotiations, which would allow for a speedier pullout — a far more radical step that would see the U.S. abstain from the entire climate negotiating process.

He could also declare that the agreement is a treaty, which would require a two-thirds-majority ratification vote in the Senate that would certainly fail.

Whatever he does, supporters of the climate agreement expect a harsh reaction from the United States' friends if the country pulls out.

"I think the diplomatic backlash will be worse than it was when the U.S. rejected Kyoto," said Susan Biniiaz, the State Department's longtime former climate change lawyer, referring to the George W. Bush administration's decision to spurn the 1997 Kyoto climate agreement.

One former U.S. official agreed: "Will global leaders trust the U.S. to negotiate a climate treaty ever again? After Kyoto and Paris, who will trust us to keep our word as a nation? Our credibility is gone."

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---

**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**Cc:** scott\_hommel@ios.doi.gov[scott\_hommel@ios.doi.gov]  
**From:** David Bernhardt  
**Sent:** 2017-09-27T07:12:56-04:00  
**Importance:** Normal  
**Subject:** Fwd: Disloyalty at the Interior Department  
**Received:** 2017-09-27T07:13:05-04:00  
[ATT00001.htm](#)  
[Winthrop - disloyalty at Interior 9-26-2017.pdf](#)

FYI. I would expect more than a few of these.

Sent from my iPhone

Begin forwarded message:

**From:** "Winthrop, Robert" <[rwinthro@blm.gov](mailto:rwinthro@blm.gov)>  
**Date:** September 27, 2017 at 7:08:41 AM EDT  
**To:** Secretary Zinke <[secretary\\_zinke@ios.doi.gov](mailto:secretary_zinke@ios.doi.gov)>  
**Cc:** David Bernhardt <(b) (6)@ios.doi.gov>  
**Subject:** **Disloyalty at the Interior Department**

Dear Secretary Zinke:

I'm an Interior employee at BLM's Washington office. In response to your comments Monday regarding disloyalty at the Interior Department I sent the attached letter to the *Washington Post*.

Respectfully,

**Rob Winthrop**  
**Senior Social Scientist, Socioeconomics Program**  
Decision Support, Planning and NEPA (WO-210)  
USDI - Bureau of Land Management  
20 M Street SE (2134 LM), Washington, DC 20003  
office 202-912-7287; cell 202-341-4837; [rwinthro@blm.gov](mailto:rwinthro@blm.gov)

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**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**From:** David Bernhardt  
**Sent:** 2017-09-27T07:16:27-04:00  
**Importance:** Normal  
**Subject:** New Mexico Monuments  
**Received:** 2017-09-27T07:16:34-04:00

If you have a specific response to the New Mexico Senator's Monuments statement please send it to me today because I will be doing an open press event in New Mexico related to the Water Treaty.

Sent from my iPhone



**To:** David Bernhardt [(b) (6)]<[redacted]@ios.doi.gov>  
**Cc:** Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Scott Hommel  
**Sent:** 2017-09-27T07:31:57-04:00  
**Importance:** Normal  
**Subject:** Re: Disloyalty at the Interior Department  
**Received:** 2017-09-27T07:32:05-04:00

Copy.

Scott C. Hommel  
Chief of Staff  
Department of the Interior

On Sep 27, 2017, at 7:13 AM, David Bernhardt <[(b) (6)]<[redacted]@ios.doi.gov> wrote:

FYI. I would expect more than a few of these.

Sent from my iPhone

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**From:** "Winthrop, Robert" <rwinthro@blm.gov>  
**Date:** September 27, 2017 at 7:08:41 AM EDT  
**To:** Secretary Zinke <secretary\_zinke@ios.doi.gov>  
**Cc:** David Bernhardt <[(b) (6)]<[redacted]@ios.doi.gov>  
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<mime-attachment.html>

<Winthrop - disloyalty at Interior 9-26-2017.pdf>

**To:** David Bernhardt (b) (6) [redacted]@ios.doi.gov]  
**From:** Heather Swift  
**Sent:** 2017-09-27T08:25:58-04:00  
**Importance:** Normal  
**Subject:** Re: New Mexico Monuments  
**Received:** 2017-09-27T08:26:05-04:00

I have been advised to not comment on the document which makes it difficult.

There is no doubt access has been but off and at least one road has been closed (on state trust land at Rio Grande del Norte).

Zinke heard personally from ranchers who said that closing roads had a negative impact on their grazing operations because they cannot get equipment in or move cattle.

Also Heinrich went after a DC BLM staffer who was supposed to testify on vegetation management. It's asinine to say that because one BLM staffer was not involved in the review that BLM was not involved. BLM was on the ground with us in New Mexico and helped arrange the secretary's itinerary.

Heather Swift  
Press Secretary  
Department of the Interior

> On Sep 27, 2017, at 7:16 AM, David Bernhardt <(b) (6) [redacted]@ios.doi.gov> wrote:  
>  
> If you have a specific response to the New Mexico Senator's Monuments  
> statement please send it to me today because I will be doing an open  
> press event in New Mexico related to the Water Treaty.  
>  
> Sent from my iPhone

**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**From:** David Bernhardt  
**Sent:** 2017-09-27T08:43:53-04:00  
**Importance:** Normal  
**Subject:** Re: New Mexico Monuments  
**Received:** 2017-09-27T08:44:01-04:00

Roger

Sent from my iPad

> On Sep 27, 2017, at 8:26 AM, Heather Swift <heather\_swift@ios.doi.gov> wrote:

>

> I have been advised to not comment on the document which makes it difficult.

>

> There is no doubt access has been but off and at least one road has  
> been closed (on state trust land at Rio Grande del Norte).

>

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> negative impact on their grazing operations because they cannot get  
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> Press Secretary  
> Department of the Interior

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>> Sent from my iPhone

**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**From:** David Bernhardt  
**Sent:** 2017-09-27T09:04:32-04:00  
**Importance:** Normal  
**Subject:** Re: New Mexico Monuments  
**Received:** 2017-09-27T09:04:42-04:00

Ok. What are we saying about the 30% comment?

Sent from my iPad

> On Sep 27, 2017, at 8:26 AM, Heather Swift <heather\_swift@ios.doi.gov> wrote:

>

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>> Sent from my iPhone

**To:** David Bernhardt (b) (6) [redacted]@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T09:16:33-04:00  
**Importance:** Normal  
**Subject:** Re: New Mexico Monuments  
**Received:** 2017-09-27T09:17:19-04:00

Haven't had anything on the record yet. Waiting to get this cleared by SOL.

The media reports were incomplete and mischaracterized the Secretary's analogy.

The Secretary is a Navy man and used the analogy of seizing a ship in battle and changing policies and procedures.

The "flag" was not a literal comparison to the flag of the U.S. or even the Administration, rather it represented the change in policy and procedure.

The Secretary led with the fact that Interior is full of "really good people" but that a small minority are hesitant to changing policy and reforms. This includes the bad actors that fill IG reports (think Dan Love and Edwin Correra) who resist any change because they know it will lead to accountability.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 27, 2017 at 9:04 AM, David Bernhardt <(b) (6) [redacted]@ios.doi.gov> wrote:

Ok. What are we saying about the 30% comment?

Sent from my iPad

> On Sep 27, 2017, at 8:26 AM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

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> Press Secretary

> Department of the Interior

>

>

>> On Sep 27, 2017, at 7:16 AM, David Bernhardt <(b) (6) [REDACTED]ios.doi.gov> wrote:

>>

>> If you have a specific response to the New Mexico Senator's Monuments

>> statement please send it to me today because I will be doing an open

>> press event in New Mexico related to the Water Treaty.

>>

>> Sent from my iPhone

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Todd Willens  
**Sent:** 2017-09-27T09:38:47-04:00  
**Importance:** Normal  
**Subject:** Re: todd.....  
**Received:** 2017-09-27T09:38:55-04:00

Ugh.

Todd Willens  
Assistant Deputy Secretary  
Acting Assistant Secretary for Fish and Wildlife and Parks  
U.S. Department of the Interior  
1849 C Street, NW - MIB Room 6116  
Washington, DC 20240

On Sep 27, 2017, at 8:33 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

**Every Kid In A Park Was Amazing.**

In a piece for the [Fairbanks \(AK\) News-Miner](#) (9/26, Cotter), Adia Cotter, Supervisory Park Ranger, Alaska Public Lands Information Center Fairbanks., writes that "this month, the National Park Foundation made it possible for 64 fourth-graders from Joy Elementary to visit Denali National Park." Students "explored the visitor center, attended a ranger program and hiked one of Denali's entrance trails. Before boarding a bus home, students socialized with Denali's newest members of the kennel." Cotter hopes "the amazing experience will stick with them for years to come," and "planted a seed of adventure in their fertile minds."

-

Heather Swift  
Department of the Interior

@DOIPressSec

[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)



**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** David Bernhardt  
**Sent:** 2017-09-27T09:50:53-04:00  
**Importance:** Normal  
**Subject:** Re: New Mexico Monuments  
**Received:** 2017-09-27T09:51:03-04:00

Thank you.

Sent from my iPad

On Sep 27, 2017, at 8:17 AM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Haven't had anything on the record yet. Waiting to get this cleared by SOL.

The media reports were incomplete and mischaracterized the Secretary's analogy.

The Secretary is a Navy man and used the analogy of seizing a ship in battle and changing policies and procedures.

The "flag" was not a literal comparison to the flag of the U.S. or even the Administration, rather it represented the change in policy and procedure.

The Secretary led with the fact that Interior is full of "really good people" but that a small minority are hesitant to changing policy and reforms. This includes the bad actors that fill IG reports (think Dan Love and Edwin Corraera) who resist any change because they know it will lead to accountability.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 27, 2017 at 9:04 AM, David Bernhardt <[\(b\) \(6\)@ios.doi.gov](mailto:(b) (6)@ios.doi.gov)> wrote:

Ok. What are we saying about the 30% comment?

Sent from my iPad

> On Sep 27, 2017, at 8:26 AM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

>

> I have been advised to not comment on the document which makes it difficult.

>  
> There is no doubt access has been but off and at least one road has  
> been closed (on state trust land at Rio Grande del Norte).  
>  
> Zinke heard personally from ranchers who said that closing roads had a  
> negative impact on their grazing operations because they cannot get  
> equipment in or move cattle.  
>  
> Also Heinrich went after a DC BLM staffer who was supposed to testify  
> on vegetation management. It's asinine to say that because one BLM  
> staffer was not involved in the review that BLM was not involved. BLM  
> was on the ground with us in New Mexico and helped arrange the  
> secretary's itinerary.  
>  
>  
> Heather Swift  
> Press Secretary  
> Department of the Interior  
>  
>  
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>>  
>> Sent from my iPhone

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**Cc:** DOI[scott\_hommel@ios.doi.gov]  
**From:** David Bernhardt  
**Sent:** 2017-09-27T10:00:27-04:00  
**Importance:** Normal  
**Subject:** Re: New Mexico Monuments  
**Received:** 2017-09-27T10:00:41-04:00

I would like to be able to say this to employees who are sending us emails on this ASAP.

The media reports were incomplete and mischaracterized the Secretary's analogy.

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**To:** David Bernhardt (b) (6) [redacted]@ios.doi.gov]  
**Cc:** DOI[scott\_hommel@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T10:11:13-04:00  
**Importance:** Normal  
**Subject:** Re: New Mexico Monuments  
**Received:** 2017-09-27T10:11:59-04:00

sitting with sol now. will get right back

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 27, 2017 at 10:00 AM, David Bernhardt <(b) (6) [redacted]@ios.doi.gov> wrote:

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**To:** David Bernhardt (b) (6) [redacted]@ios.doi.gov]  
**Cc:** DOI[scott\_hommel@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T10:14:49-04:00  
**Importance:** Normal  
**Subject:** Re: New Mexico Monuments  
**Received:** 2017-09-27T10:15:36-04:00

APPROVED

The media reports were incomplete and mischaracterized the Secretary's analogy.

The Secretary is a Navy man and used the analogy of seizing a ship in battle and changing policies and procedures.

The "flag" was not a literal comparison to the flag of the U.S. or even the Administration. In the military structure, to which the Secretary was alluding, the flag represents the command of an organization and the policies and procedures it seeks to implement.

The Secretary led with the fact that Interior is full of "really good people" but that a small minority are hesitant to changing policy and reforms. This includes the bad actors who are frequently the subject of IG reports who resist any change because they know it will lead to accountability.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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**To:** james\_cason@ios.doi.gov[james\_cason@ios.doi.gov];  
todd\_willens@ios.doi.gov[todd\_willens@ios.doi.gov]  
**From:** Heather Swift  
**Sent:** 2017-09-27T12:16:51-04:00  
**Importance:** Normal  
**Subject:** Fwd: E&E questions  
**Received:** 2017-09-27T12:16:58-04:00

Will swing by to discuss.

Following up, here are some questions about the Financial Assistance Agreement reviews:

Is it still DoI policy, in keeping with April 12 memo, for all grants and agreements over \$100,000 to be reviewed by DoI leadership?

How many grants and agreement have been reviewed under this policy?

Have any grants or agreements been canceled or modified as a result?

I was told that agencies were advised they could select 20 for approval. Is this correct?

Have you heard concerns about a resulting bottleneck?

I appreciate the help.

Mike

Michael Doyle

Reporter

[mduoyle@eenews.net](mailto:mduoyle@eenews.net)

202-446-0467 x467

@MichaelDoyle10

**E&E NEWS**

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM



**To:** James Cason[james\_cason@ios.doi.gov]; Willens, Todd[todd\_willens@ios.doi.gov]; Casey Hammond[casey\_hammond@ios.doi.gov]; Katharine Macgregor[katharine\_macgregor@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T12:36:57-04:00  
**Importance:** Normal  
**Subject:** Fwd: All Pueblo Council - Chaco  
**Received:** 2017-09-27T12:37:45-04:00  
[2017-12 Calling for Moratorium on permitting and leasing greater Chaco Region.pdf](#)

What's going on with the Chaco region?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](#)  
[Heather Swift@ios.doi.gov](#) | [Interior Press@ios.doi.gov](#)

----- Forwarded message -----

**From:** **Rebecca Moss** <[rmoss@sfnewmexican.com](mailto:rmoss@sfnewmexican.com)>  
**Date:** Wed, Sep 27, 2017 at 11:47 AM  
**Subject:** All Pueblo Council - Chaco  
**To:** "[Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)" <[Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)>

To Whom It May Concern:

Can you provide comment from the BIA/DOI on the resolutions, signed today by the All Pueblos Council of Governors in New Mexico, composed of 20 pueblos, seeking a moratorium on oil and gas drilling in the greater Chaco region? The governors say drilling and pipelines in the area will degrade cultural landscapes and property, and state that extensive leasing on federal land in the region has already caused this harm. They seek a moratorium on further drilling and to halt all leases within a 10-mile radius of Chaco Culture Historical National Park.

My deadline is 5 pm. Let me know if you have any questions.

Thank you,  
Rebecca Moss

Rebecca Moss

Reporter

*The Santa Fe New Mexican*

[rmoss@sfnewmexican.com](mailto:rmoss@sfnewmexican.com)

office: 505-986-3011

cell: 505-577-6518

**To:** 'Swift, Heather'[heather\_swift@ios.doi.gov]  
**From:** Rein, Lisa  
**Sent:** 2017-09-27T13:10:11-04:00  
**Importance:** Normal  
**Subject:** hi Heather, from Lisa Rein re: Sec Zinke travel  
**Received:** 2017-09-27T13:25:52-04:00

Hi there. With Sec. Price in the news, we're looking into travel by other secretaries,, so apologies in advance for the detailed email. I'm working with a colleague, Drew Harwell. We've looked at Sec. Zinke's travel schedule since his confirmation in March, through July. Hoping you and your colleagues will be able to tackle these questions. Obviously an Interior secretary is going to be traveling a lot... We would just like to flesh out some questions. Many thanks, and really appreciate. Lisa

- OVERALL questions
  - How many flights has Sec. Zinke taken on government or charter jets? Can you please provide the aircraft manifest, type of plane, destinations, dates of use, purpose, cost of the trip and source of payment for the trips?
  - On what trips did Sec. Zinke's wife Lola and/or other members of Sec. Zinke's family join?
  - The calendar says that spouses attended a cultural briefing with local reindeer herders on May 26 in Norway. Was Lola Zinke one of the spouses?
  - Did Sec. Zinke take steps to limit the costs of his travel? If so, what were they?
- Virgin Islands
  - What was the official purpose of the U.S. Virgin Islands trip during Zinke's first month as Interior secretary?
  - What was the cost of the trip?
  - Did Sec. Zinke's wife Lola attend?
  - While some flights appear to be commercial, others are not shown, including multiple flights on March 31. Can you please provide the manifest, type of plane, cost of the trip and source of payment for the trips?
- Big Sky event
  - Sec. Zinke was in Big Sky in March 17-19, the same time Sen. Daines hosted a "weekend in the Montana mountains" benefiting the Daines Big Sky Committee. He attended multiple Daines receptions and stayed the night at Daines' home. A fundraiser flyer says requested contributions were \$3,000 for PACs, \$1,500 for personal.
  - What was the policy purpose of this trip?
  - Was this a political trip?
  - Who paid for Zinke's travel to the political events?
- Atlanta
  - What was the purpose of Sec. Zinke's trip to the NRA Institute for Legislative Action event in Atlanta on April 28? Was this a political event? What was the cost of flying on Air Force One, and did the DOI reimburse any other agencies for the seats of Sec. Zinke, Lola Zinke or his staff?
- April 12-20
  - During the trip, Sec. Zinke spoke at the Reagan Center in Santa Barbara and campaigned for Greg Gianforte. Was this a political trip? What was the cost for this trip, and who covered the expenses?
  - On April 15 and 16, Sec. Zinke was in Santa Barabra, including a meeting with former Congressman Bob Lagomarsino. What was the meeting about? Did these home trips entail personal or official use? The items don't say that it was "personal travel" or "paid for personally" - was it?
  - On April 17, Sec. Zinke went to the Reagan Ranch Center and met the vice

- president of the Young America's Foundation. What was the official policy purpose of this trip? What was the cost for this trip, and who covered the expenses?
- o May 5-13: Montana, Utah, California, Montana
    - What was the official policy purpose of Sec. Zinke's trip on May 5-13?
    - During the trip, Sec. Zinke gave keynote remarks to the RNC Spring Meeting Dinner and attended a rally for Greg Gianforte. Was this a political trip? What was the cost for this trip, and who covered the expenses?
    - On May 8 and May 9, Sec. Zinke traveled in a B200 Turboprop 8-passenger plane, the calendar states. Can you please provide the manifest, cost of the trip, owner of the jet and source of payment for the trips?
    - Sec. Zinke spent that weekend at home in Kalispell, Montana. He then flew to Dulles and home on Monday. Federal regulations say employees' official travel should by no means include personal use. Did these home trips entail personal use?
  - o May 25-June 2: Norway, Greenland, Alaska, Idaho
    - What was the official purpose of this trip?
    - Sec. Zinke attended a reception for Rep. Don Young at Sullivan's Steakhouse. Was this a political trip? What was the cost for this trip, and who covered the expenses?
    - Sec. Zinke flew from Boise to L.A. on June 2. The June 3 and 4 dates say "Personal travel // Paid for personally" in Santa Barbara. What did Sec. Zinke pay for? How much did he pay At what rate did he pay for the travel personally? What aircraft did he fly on? What was the total cost to government?
  - o June 25-28: Nevada, Montana
    - On June 25, Sec. Zinke attended the Rule of Law Defense Fund Reception & Dinner, where he sat at a dinner table with leaders of the casino industry, the NRA, the Chamber of Commerce and Koch Industries. What was the policy purpose of Sec. Zinke's attendance? Was this a political event?
    - On June 26, Sec. Zinke flew from Las Vegas to Kalispell on a private plane tied to a Republican donor. Can you please provide the aircraft manifest, purpose, cost of the trip and source of payment for the trips? It appears Sec. Zinke spent the night afterward at his home in Whitefish; is that correct, and wouldn't that convey personal use?
  - o July 20-22: Colorado
    - On July 20, Sec. Zinke gave remarks in Denver at the American Legislative Exchange Council. He also attended a Colorado Republican Committee roundtable and gave remarks at the Western Conservative Summit.
    - What was the official policy purpose of these trips? Were these trips political or personal? What were Sec. Zinke's remarks at these trips. What was the cost for this trip, and who covered the expenses?

Lisa Rein  
Staff Reporter  
Washington Post  
202-334-5190  
Cell 202-821-3120  
@Reinlwapo  
[Send me a confidential tip](#)

**To:** Rein, Lisa[Lisa.Rein@washpost.com]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T13:35:29-04:00  
**Importance:** Normal  
**Subject:** Re: hi Heather, from Lisa Rein re: Sec Zinke travel  
**Received:** 2017-09-27T13:36:17-04:00

What is your deadline?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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Lisa Rein

Staff Reporter

Washington Post

202-334-5190

Cell 202-821-3120

@Reinlwapo

[Send me a confidential tip](#)

**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**Cc:** Cason, Jim[james\_cason@ios.doi.gov]  
**From:** Willens, Todd  
**Sent:** 2017-09-27T13:38:16-04:00  
**Importance:** Normal  
**Subject:** Re: E&E questions  
**Received:** 2017-09-27T13:38:53-04:00

Im in my office for the next hour if you want to call or stop by.

Todd Willens  
Assistant Deputy Secretary  
Acting Assistant Secretary for Fish and Wildlife and Parks  
U.S. Department of the Interior  
1849 C Street, NW -- MIB Room 6116  
Washington, DC 20240  
office: 202-208-6291

NOTE: *Every email I send or receive is subject to release under the Freedom of Information Act.*

On Wed, Sep 27, 2017 at 12:16 PM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Will swing by to discuss.

Following up, here are some questions about the Financial Assistance Agreement reviews:

Is it still DoI policy, in keeping with April 12 memo, for all grants and agreements over \$100,000 to be reviewed by DoI leadership?

How many grants and agreement have been reviewed under this policy?

Have any grants or agreements been canceled or modified as a result?

I was told that agencies were advised they could select 20 for approval. Is this correct?

Have you heard concerns about a resulting bottleneck?

I appreciate the help.

Mike



Michael Doyle

Reporter

[mdoyle@eenews.net](mailto:mdoyle@eenews.net)

202-446-0467 x467

@MichaelDoyle10

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**To:** 'Swift, Heather'[heather\_swift@ios.doi.gov]  
**From:** Rein, Lisa  
**Sent:** 2017-09-27T13:38:35-04:00  
**Importance:** Normal  
**Subject:** RE: hi Heather, from Lisa Rein re: Sec Zinke travel  
**Received:** 2017-09-27T13:39:14-04:00

Again, sorry for the long email  
End of the day tomorrow or Friday at the latest would be great.

**From:** Swift, Heather [mailto:heather\_swift@ios.doi.gov]  
**Sent:** Wednesday, September 27, 2017 1:35 PM  
**To:** Rein, Lisa <Lisa.Rein@washpost.com>  
**Subject:** Re: hi Heather, from Lisa Rein re: Sec Zinke travel

What is your deadline?

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 27, 2017 at 1:10 PM, Rein, Lisa <[Lisa.Rein@washpost.com](mailto:Lisa.Rein@washpost.com)> wrote:

Hi there. With Sec. Price in the news, we're looking into travel by other secretaries,, so apologies in advance for the detailed email. I'm working with a colleague, Drew Harwell. We've looked at Sec. Zinke's travel schedule since his confirmation in March, through July. Hoping you and your colleagues will be able to tackle these questions. Obviously an Interior secretary is going to be traveling a lot... We would just like to flesh out some questions. Many thanks, and really appreciate. Lisa

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- What was the official policy purpose of these trips? Were these trips political or personal? What were Sec. Zinke's remarks at these trips. What was the cost for this trip, and who covered the expenses?

Lisa Rein  
Staff Reporter  
Washington Post  
202-334-5190  
Cell 202-821-3120  
@Reinlwapo  
[Send me a confidential tip](#)

**To:** Swift, Heather[heather\_swift@ios.doi.gov]  
**Cc:** James Cason[james\_cason@ios.doi.gov]; Casey Hammond[casey\_hammond@ios.doi.gov]; Katharine Macgregor[katharine\_macgregor@ios.doi.gov]  
**From:** Willens, Todd  
**Sent:** 2017-09-27T13:43:12-04:00  
**Importance:** Normal  
**Subject:** Re: All Pueblo Council - Chaco  
**Received:** 2017-09-27T13:43:48-04:00

Casey, you want to take first swing in response?

Todd Willens  
Assistant Deputy Secretary  
Acting Assistant Secretary for Fish and Wildlife and Parks  
U.S. Department of the Interior  
1849 C Street, NW -- MIB Room 6116  
Washington, DC 20240  
office: 202-208-6291

NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

On Wed, Sep 27, 2017 at 12:36 PM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

What's going on with the Chaco region?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

----- Forwarded message -----

**From:** Rebecca Moss <[rmooss@sfnewmexican.com](mailto:rmooss@sfnewmexican.com)>  
**Date:** Wed, Sep 27, 2017 at 11:47 AM  
**Subject:** All Pueblo Council - Chaco  
**To:** "[Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)" <[Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)>

To Whom It May Concern:

Can you provide comment from the BIA/DOI on the resolutions, signed today by the All Pueblos Council of Governors in New Mexico, composed of 20 pueblos, seeking a moratorium on oil and gas drilling in the greater Chaco region? The governors say drilling and pipelines in the area will degrade cultural landscapes and property, and state that extensive leasing on federal land in the region has already caused this harm. They seek a moratorium on further drilling and to halt all leases within a 10-mile radius of Chaco Culture Historical National Park.

My deadline is 5 pm. Let me know if you have any questions.

Thank you,  
Rebecca Moss

Rebecca Moss

Reporter

*The Santa Fe New Mexican*

[rmos@sfnewmexican.com](mailto:rmos@sfnewmexican.com)

office: 505-986-3011

cell: 505-577-6518

**To:** Rein, Lisa[Lisa.Rein@washpost.com]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T14:24:32-04:00  
**Importance:** Normal  
**Subject:** Re: hi Heather, from Lisa Rein re: Sec Zinke travel  
**Received:** 2017-09-27T14:25:20-04:00

roger dodger!

Also - I didn't see if you wrote on the firings. Did you?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 27, 2017 at 1:38 PM, Rein, Lisa <[Lisa.Rein@washpost.com](mailto:Lisa.Rein@washpost.com)> wrote:

Again, sorry for the long email

End of the day tomorrow or Friday at the latest would be great.

**From:** Swift, Heather [mailto:[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)]  
**Sent:** Wednesday, September 27, 2017 1:35 PM  
**To:** Rein, Lisa <[Lisa.Rein@washpost.com](mailto:Lisa.Rein@washpost.com)>  
**Subject:** Re: hi Heather, from Lisa Rein re: Sec Zinke travel

What is your deadline?

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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Lisa Rein

Staff Reporter

Washington Post

202-334-5190

Cell 202-821-3120

@Reinlwapo

[Send me a confidential tip](#)

**To:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Amanda Kaster[amanda\_kaster@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T14:42:53-04:00  
**Importance:** Normal  
**Subject:** Fwd: Fw: Members Of NM Delegation Outline Widespread Inaccuracies In DOI Monuments Report; Urge White House To Reject Recommendations  
**Received:** 2017-09-27T14:43:40-04:00

Are you comfortable with this statement: While Senator Heinrich may not listen to the concerns of ranchers in his state, the Secretary does. There have been numerous accounts of roads that have fallen into disrepair and are impassable for the vehicles needed to maintain a cattle operation. Furthermore, the state of New Mexico even admitted that a road on trust lands had been closed as a result of the monument designation. The Senator has the Secretary's personal phone number and is advised to use it if he has questions for the secretary, rather than badger a Washington-based BLM staffer who was testifying on vegetation management.

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](mailto:@DOIPressSec)  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

----- Forwarded message -----

**From:** **Alba-Soular, Diana** <[dalba@lcsun-news.com](mailto:dalba@lcsun-news.com)>  
**Date:** Wed, Sep 27, 2017 at 2:28 PM  
**Subject:** Fw: Members Of NM Delegation Outline Widespread Inaccuracies In DOI Monuments Report; Urge White House To Reject Recommendations  
**To:** "[interior\\_press@ios.doi.gov](mailto:interior_press@ios.doi.gov)" <[interior\\_press@ios.doi.gov](mailto:interior_press@ios.doi.gov)>

Hello,

I was wondering if the Interior Department would want to respond to the Senators letter and allegations of inaccuracies in the report on Organ Mountains-Desert Peaks National Monument.

Thanks,

Diana Alba Soular

Las Cruces Sun-News Reporter

575-541-5443

---

**From:** Martin Heinrich Press Office <[press@heinrich.senate.gov](mailto:press@heinrich.senate.gov)>  
**Sent:** Tuesday, September 26, 2017 4:37 PM  
**To:** Alba-Soular, Diana  
**Subject:** Members Of NM Delegation Outline Widespread Inaccuracies In DOI Monuments Report; Urge White House To Reject Recommendations

**NEWS FROM U.S. SENATOR TOM UDALL  
U.S. SENATOR MARTIN HEINRICH  
U.S. REPRESENTATIVE BEN RAY LUJÁN  
U.S. REPRESENTATIVE MICHELLE LUJAN GRISHAM**

**FOR IMMEDIATE RELEASE:** September 26, 2017

## **Members Of NM Delegation Outline Widespread Inaccuracies In DOI Monuments Report; Urge White House To Reject Recommendations**

WASHINGTON, D.C. (Sept. 26, 2017) Following questions raised with the Department of Interior's (DOI) report on national monuments, U.S. Senators Tom Udall (D N.M.) and Martin Heinrich (D N.M.), and U.S. Representatives Ben Ray Luján (D N.M.) and Michelle Lujan Grisham (D N.M.) urged the White House to review the accuracy of the claims in the report and reject the recommended changes to national monuments proposed by Interior Secretary Ryan Zinke.

In a letter to White House Chief of Staff John Kelly, the lawmakers expressed their concern in finding a number of factual errors in the rationale for recommended changes to Rio Grande del Norte and Organ Mountains Desert Peaks in New Mexico.

“New Mexicans know that a review based on facts would find that these two monuments have contributed to our state’s economy and protected the traditional way of life in these communities,” **the lawmakers wrote.**

The members outlined a number of inaccuracies with the report including claims that roads have been closed in Rio Grande del Norte and claims that Organ Mountains Desert Peaks causes problems for border security enforcement. They also highlighted that DOI recommends revisions to the monument management plans for both monuments, when in fact management plans do not yet exist.

“We urge you to review the accuracy of these and other claims in the report. We

hope that the White House will not move forward with any recommendations based on false information,” **the lawmakers wrote**. “The public deserves better than predetermined political conclusions based on hearsay and claims that are easily disproven if the Department had taken the time to listen to and work with local communities.”

Communities in New Mexico, including Taos, Albuquerque, and Las Cruces, held rallies last week rejecting the proposed changes, demonstrating the strong widespread support both monuments enjoy.

The lawmakers have made the case to Secretary Zinke numerous times in person, during congressional hearings and in writing to respect the wishes of thousands of New Mexicans who cherish the monuments and to honor the local communities who worked for decades to establish permanent protections for Rio Grande del Norte and Organ Mountains Desert Peaks national monuments.

Full text of the letter is [here](#) and below.

*September 26, 2017*

*The Honorable John Kelly  
Chief of Staff  
The White House  
Washington, D.C. 20500*

*Dear General Kelly:*

*We were disheartened by the recent news of the Department of the Interior’s recommendations to the President regarding modifications to national monuments, including Rio Grande del Norte and Organ Mountains Desert Peaks in New Mexico. We were concerned that there are several factual errors included in the report’s summaries of these two monuments which were used to justify recommended changes. These factual errors relate to several overarching topics:*

***Border Security and Organ Mountains-Desert Peaks National Monument***

- The Department claims that Organ Mountains Desert Peaks National Monument causes problems for border security enforcement because the monument shares a border with Mexico, but in fact the monument boundary was established five miles north of the border at the recommendation of the U.S. Customs and Border Patrol. In addition, the sheriffs from Doña Ana and Luna Counties, where the monument is located, wrote in July 2017 that “the monument’s designation in 2014 has not created new challenges for us, nor have local trends changed due to the monument.”*
- The Department states that the monument restricts motorized access on the border, but U.S. Customs and Border Patrol stated that legislation to create the monument would “significantly enhance the flexibility of U.S.*

*Customs and Border Patrol to operate in this border area.”*

- *The Department states that the monument presents a drug smuggling risk, but in fact New Mexico State Road 9, located south of the monument and less than a mile north of the international border, sees the vast majority of border crossing traffic because the volcanic terrain and inhospitable conditions of the Potrillo Mountains make travel north through the monument extremely challenging.*

### ***Grazing and Organ Mountains – Desert Peaks National Monument***

- *The Department claims the monument could degrade the ability of ranchers to run cattle, but the Bureau of Land Management, who manages the area, has confirmed there has been no reduction in grazing allotments or access. In addition, the proclamation establishing the monument specifically states that the same laws, regulations, and policies that govern grazing on all BLM lands continue to govern grazing within the monument.*

### ***National Security and Organ Mountains-Desert Peaks National Monument***

- *The report suggests the monument might interfere with nearby military installations, but in fact leaders of these installations supported the designation of the monument because it provides a buffer against encroachment by incompatible development. In addition, the proclamation specifically provides that “Nothing in this proclamation shall preclude low level overflights of military aircraft, the designation of new units of special use airspace, or the use or establishment of military flight training routes over the lands reserved by this proclamation.”*

### ***Water Resources and Organ Mountains-Desert Peaks National Monument***

- *The Department claims that development of groundwater resources in the Mesilla Bolson Aquifer could be hindered by the monument, but the portion of the Mesilla Bolson within the monument boundaries is limited to the volcanic fields of the Potrillo Mountains, where the aquifer is thin and poorly suited to water well drilling. Including this area in the monument will only help wells downstream by protecting a proven natural recharge zone that replenishes the main basin aquifer.*

### ***Motorized Access and Rio Grande del Norte National Monument***

- *The Department claims that roads have been closed as a result of the monument, but land managers in the area have confirmed that no roads have been closed in the monument.*

### ***Grazing and Rio Grande del Norte National Monument***

- *The Department claims that many grazing permittees have chosen not to renew permits because of monument related restrictions, but the rate of non renewal and transfers of grazing permits has remained consistent before and after the designation of the monument. No permittees have cited the establishment of the monument or its management as a factor in a decision not to renew a grazing permit.*

### **Monument Management Plans**

- *The Department recommends that the monument management plans for both monuments should be revised; however, neither management plan exists yet and are actually delayed due to this process, so there are no plans to revise. The Bureau of Land Management, an agency of the Department, is currently working with the local communities to draft the first management plan for each monument.*

*New Mexicans know that a review based on facts would find that these two monuments have contributed to our state's economy and protected the traditional way of life in these communities. These monuments were created via a decades long public process with robust public input, which established the current boundaries and provided for clear management language in the proclamations to continue important cultural, economic and natural security actions within these areas. We urge you to review the accuracy of these and other claims in the report. We hope that the White House will not move forward with any recommendations based on false information. The public deserves better than predetermined political conclusions based on hearsay and claims that are easily disproven if the Department had taken the time to listen to and work with local communities.*

*We have heard from our constituents in the past few months who fear the future of their monuments might be determined by people sitting in Washington who have never seen these places and who are unfamiliar with the local communities and their values. The value of these monuments to New Mexico and the nation has been well documented. To make changes to them now with such muddled justification is an insult to the Americans who have dedicated their time, energy, and expertise to see that these resources are protected for future generations.*

*Sincerely,*

###

**Contacts:** Whitney Potter (Heinrich) 202.228.1578 / Jennifer Talhelm (Udall) 202.228.6870 / Joe Shoemaker (Luján) 202.225.6190 / Gilbert Gallegos (Lujan Grisham) 505 967 5612

Follow Martin Heinrich on Facebook, Twitter, and Instagram:



**To unsubscribe from this mailing list, [click here](#).**



**To:** Rein, Lisa[Lisa.Rein@washpost.com]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T14:52:31-04:00  
**Importance:** Normal  
**Subject:** Re: hi Heather, from Lisa Rein re: Sec Zinke travel  
**Received:** 2017-09-27T14:53:18-04:00

Is this a cabinet wide inquiry? Was there a reason these specific trips were IDed?

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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- May 25-June 2: Norway, Greenland, Alaska, Idaho
  - What was the official purpose of this trip?
  - Sec. Zinke attended a reception for Rep. Don Young at Sullivan's Steakhouse. Was this a political trip? What was the cost for this trip, and who covered the expenses?
  - Sec. Zinke flew from Boise to L.A. on June 2. The June 3 and 4 dates say "Personal travel // Paid for personally" in Santa Barbara. What did Sec. Zinke pay for? How much did he pay At what rate did he pay for the travel personally? What aircraft did he fly on? What was the total cost to government?
- June 25-28: Nevada, Montana
  - On June 25, Sec. Zinke attended the Rule of Law Defense Fund Reception & Dinner, where he sat at a dinner table with leaders of the casino industry, the NRA, the Chamber of Commerce and Koch Industries. What was the policy purpose of Sec. Zinke's attendance? Was this a political event?
  - On June 26, Sec. Zinke flew from Las Vegas to Kalispell on a private plane tied to a Republican donor. Can you please provide the aircraft manifest, purpose, cost of the trip and source of payment for the trips? It appears Sec. Zinke spent the night afterward at his home in Whitefish; is that correct, and wouldn't that convey personal use?
- July 20-22: Colorado
  - On July 20, Sec. Zinke gave remarks in Denver at the American Legislative Exchange Council. He also attended a Colorado Republican Committee roundtable and gave remarks at the Western Conservative Summit.
  - What was the official policy purpose of these trips? Were these trips political or

personal? What were Sec. Zinke's remarks at these trips. What was the cost for this trip, and who covered the expenses?

Lisa Rein

Staff Reporter

Washington Post

202-334-5190

Cell 202-821-3120

@Reinlwapo

[Send me a confidential tip](#)

**To:** 'Swift, Heather'[heather\_swift@ios.doi.gov]  
**From:** Rein, Lisa  
**Sent:** 2017-09-27T15:18:49-04:00  
**Importance:** Normal  
**Subject:** hi Heather  
**Received:** 2017-09-27T15:20:11-04:00

Sorry for the delay. I was going to do the firing story, which I found really interesting, but Darryl put it into the piece yesterday on the secretary's comments at the event Monday. I might have framed it differently, as in here's an agency that is really taking misconduct seriously.. but so be it. I am definitely interested in this misconduct stuff.

So-It's a legitimate question and yes we are trying to learn more about all Cabinet secretaries' travel priorities and patterns in the wake of the Price stuff. In the meantime, though, we are considering a separate story on Sec Zinke, in part because we have more information about his travel given that Interior secretaries do a fair amount of travel.

Lisa Rein  
Staff Reporter  
Washington Post  
202-334-5190  
Cell 202-821-3120  
@Reinlwapo  
[Send me a confidential tip](#)

**To:** Strassel, Kim[kim.strassel@wsj.com]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T15:26:09-04:00  
**Importance:** Normal  
**Subject:** Re: Zinke travels  
**Received:** 2017-09-27T15:26:56-04:00

Here's a blog (that is a work in progress) with videos featuring some of the places Zinke has gone: <https://www.doi.gov/travels>

Since being sworn in on March 2, 2017, Secretary Zinke has visited dozens of Interior locations and met with thousands of members of staff. Every time he goes to a park, refuge, etc, he hosts an all employees meeting where he talks about internal issues like the reorganization, his philosophy, and then takes Q/A. The following is a brief rundown of just his DOI-site visits:

## **MARCH**

Montana - Glacier National Park, National Bison Range, Yellowstone National Park, Blackfeet Tribe

US Virgin Islands - the 100th Anniversary of the Transfer of the Virgin Islands to the U.S. from Denmark. Interior oversees the territories.

## **APRIL**

California - Sacramento Regional Office (Directors meeting, all hands meeting and employee QA) Yosemite National Park, Sequoia Kings Canyon National Park, Channel Islands National Park, Golden Gate National Recreation Area, USPP San Francisco

## **MAY**

Houston - Attended the Offshore Technology Conference where he signed a secretarial order and met with BOEM/BSEE teams

Utah - Bears Ears National Monument, BENM Intertribal Coalition, Grand Staircase Escalante National Monument

Montana - Crow Tribe w/ VP Pence

Arctic Circle - Norway/Greenland/Alaska on a CODEL with Senate Energy Committee

## **JUNE**

Alaska - Denali National Park, Anchorage Regional Office, Alaska Federation of Natives

Idaho - National Interagency Fire Center in Boise with Sec. Purdue

New England - Meeting with state wildlife agencies (NH), Katahdin Woods and Waters National Monument (ME), Penobscot Tribe (ME), Northeast Canyons and Seamounts National Marine Monument, Boston Harbor National Heritage Area (NPS, MA)

## **JULY**

Maryland - Antietam National Battlefield

Virginia - Yorktown National Historic Park and Battlefield

Oregon - Cascade Siskyou National Monument

Denver - Regional Office (Directors meeting, all hands meeting and employee QA), Rocky Mountain National Park

New Mexico - Organ Mountains Desert Peaks National Monument, Sabinoso Wilderness Area

Nevada - (cut short due to cabinet meeting with COS Kelly) Basin and Range National Monument, Red Rocks Canyon National Recreation Area BLM

## **AUGUST**

Montana - Visited firefighters on the line with Sec Perdue

Tennessee/North Carolina - Great Smoky Mountains National Park, Blue Ridge Parkway (founders day)

## **SEPTEMBER**

Pennsylvania - Shanksville's 9/11 National Memorial monument

NYC - Statue of Liberty & Teddy Roosevelt Birthplace (NPS), Gateway National Recreation Area

Missouri - Wilson Creek National Battlefield

Texas - FEMA Joint Command Center in Austin w/ USGS and USFWS

NJ - Gateway/Sandyhook National Recreation Area

Pennsylvania - Independence National Park, Valley Forge National Battlefield

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 27, 2017 at 1:06 PM, Strassel, Kim <[kim.strassel@wsj.com](mailto:kim.strassel@wsj.com)> wrote:

Hi,

Would you be able to give me some sort of a summary of how much time Zinke has been out on the road, visits, etc.  
(No. of places visited? Or days on the road? or miles traveled? or something?)

I want to make the point that he's been spending real time in the places that he's working to change, connecting with front line, etc.

**To:** Rein, Lisa[Lisa.Rein@washpost.com]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T15:26:58-04:00  
**Importance:** Normal  
**Subject:** Re: hi Heather  
**Received:** 2017-09-27T15:27:45-04:00

And we send out pretty extensive readouts when possible and when there's national interest. You can see them on our website.

-

Heather Swift  
Department of the Interior  
[@DOIPressSec](#)  
[Heather\\_Swift@ios.doi.gov](#) | [Interior\\_Press@ios.doi.gov](#)

On Wed, Sep 27, 2017 at 3:18 PM, Rein, Lisa <[Lisa.Rein@washpost.com](mailto:Lisa.Rein@washpost.com)> wrote:

Sorry for the delay. I was going to do the firing story, which I found really interesting, but Darryl put it into the piece yesterday on the secretary's comments at the event Monday. I might have framed it differently, as in here's an agency that is really taking misconduct seriously.. but so be it. I am definitely interested in this misconduct stuff.

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Lisa Rein

Staff Reporter

Washington Post

202-334-5190

Cell 202-821-3120

[@Reinlwapo](#)

[Send me a confidential tip](#)





**To:** Alba-Soular, Diana[dalba@lcsun-news.com]  
**Cc:** interior\_press@ios.doi.gov[interior\_press@ios.doi.gov]  
**From:** Swift, Heather  
**Sent:** 2017-09-27T15:28:48-04:00  
**Importance:** Normal  
**Subject:** Re: Fw: Members Of NM Delegation Outline Widespread Inaccuracies In DOI Monuments Report; Urge White House To Reject Recommendations  
**Received:** 2017-09-27T15:29:42-04:00

While Senator Heinrich may not listen to the concerns of ranchers in his state, the Secretary does.

The Department has heard

accounts of roads that have fallen into disrepair and are impassable for the vehicles needed to maintain a cattle operation. Furthermore, the state of New Mexico even stated

that a road on trust lands had been closed as a result of the monument designation. The Senator has the Secretary's personal phone number and is advised to use it if he has questions for the secretary, rather than badger a Washington-based BLM staffer who was testifying on vegetation management.

I'd also recommend you speak with the Northern New Mexico Stockman's Association on the subject.

-

Heather Swift  
Department of the Interior  
@DOIPressSec  
[Heather\\_Swift@ios.doi.gov](mailto:Heather_Swift@ios.doi.gov) | [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

On Wed, Sep 27, 2017 at 2:28 PM, Alba-Soular, Diana <[dalba@lcsun-news.com](mailto:dalba@lcsun-news.com)> wrote:

Hello,

I was wondering if the Interior Department would want to respond to the Senators letter and allegations of inaccuracies in the report on Organ Mountains-Desert Peaks National Monument.

Thanks,

Diana Alba Soular

Las Cruces Sun-News Reporter

575-541-5443

---

**From:** Martin Heinrich Press Office <[press@heinrich.senate.gov](mailto:press@heinrich.senate.gov)>  
**Sent:** Tuesday, September 26, 2017 4:37 PM  
**To:** Alba-Soular, Diana  
**Subject:** Members Of NM Delegation Outline Widespread Inaccuracies In DOI Monuments Report; Urge White House To Reject Recommendations

**NEWS FROM U.S. SENATOR TOM UDALL  
U.S. SENATOR MARTIN HEINRICH  
U.S. REPRESENTATIVE BEN RAY LUJÁN  
U.S. REPRESENTATIVE MICHELLE LUJAN GRISHAM**

**FOR IMMEDIATE RELEASE:** September 26, 2017

## **Members Of NM Delegation Outline Widespread Inaccuracies In DOI Monuments Report; Urge White House To Reject Recommendations**

WASHINGTON, D.C. (Sept. 26, 2017) Following questions raised with the Department of Interior's (DOI) report on national monuments, U.S. Senators Tom Udall (D N.M.) and Martin Heinrich (D N.M.), and U.S. Representatives Ben Ray Luján (D N.M.) and Michelle Lujan Grisham (D N.M.) urged the White House to review the accuracy of the claims in the report and reject the recommended changes to national monuments proposed by Interior Secretary Ryan Zinke.

In a letter to White House Chief of Staff John Kelly, the lawmakers expressed their concern in finding a number of factual errors in the rationale for recommended changes to Rio Grande del Norte and Organ Mountains Desert Peaks in New Mexico.

"New Mexicans know that a review based on facts would find that these two monuments have contributed to our state's economy and protected the traditional way of life in these communities," **the lawmakers wrote.**

The members outlined a number of inaccuracies with the report including claims that roads have been closed in Rio Grande del Norte and claims that Organ Mountains Desert Peaks causes problems for border security enforcement. They also highlighted that DOI recommends revisions to the monument management plans for both monuments, when in fact management plans do not yet exist.

“We urge you to review the accuracy of these and other claims in the report. We hope that the White House will not move forward with any recommendations based on false information,” **the lawmakers wrote**. “The public deserves better than predetermined political conclusions based on hearsay and claims that are easily disproven if the Department had taken the time to listen to and work with local communities.”

Communities in New Mexico, including Taos, Albuquerque, and Las Cruces, held rallies last week rejecting the proposed changes, demonstrating the strong widespread support both monuments enjoy.

The lawmakers have made the case to Secretary Zinke numerous times in person, during congressional hearings and in writing to respect the wishes of thousands of New Mexicans who cherish the monuments and to honor the local communities who worked for decades to establish permanent protections for Rio Grande del Norte and Organ Mountains Desert Peaks national monuments.

Full text of the letter is [here](#) and below.

*September 26, 2017*

*The Honorable John Kelly  
Chief of Staff  
The White House  
Washington, D.C. 20500*

*Dear General Kelly:*

*We were disheartened by the recent news of the Department of the Interior’s recommendations to the President regarding modifications to national monuments, including Rio Grande del Norte and Organ Mountains Desert Peaks in New Mexico. We were concerned that there are several factual errors included in the report’s summaries of these two monuments which were used to justify recommended changes. These factual errors relate to several overarching topics:*

***Border Security and Organ Mountains-Desert Peaks National Monument***

- The Department claims that Organ Mountains Desert Peaks National Monument causes problems for border security enforcement because the monument shares a border with Mexico, but in fact the monument boundary was established five miles north of the border at the recommendation of the U.S. Customs and Border Patrol. In addition, the sheriffs from Doña Ana and Luna Counties, where the monument is located, wrote in July 2017 that “the monument’s designation in 2014 has not created new challenges for us, nor have local trends changed due to the monument.”*
- The Department states that the monument restricts motorized access on*

*the border, but U.S. Customs and Border Patrol stated that legislation to create the monument would “significantly enhance the flexibility of U.S. Customs and Border Patrol to operate in this border area.”*

- The Department states that the monument presents a drug smuggling risk, but in fact New Mexico State Road 9, located south of the monument and less than a mile north of the international border, sees the vast majority of border crossing traffic because the volcanic terrain and inhospitable conditions of the Potrillo Mountains make travel north through the monument extremely challenging.*

### ***Grazing and Organ Mountains – Desert Peaks National Monument***

- The Department claims the monument could degrade the ability of ranchers to run cattle, but the Bureau of Land Management, who manages the area, has confirmed there has been no reduction in grazing allotments or access. In addition, the proclamation establishing the monument specifically states that the same laws, regulations, and policies that govern grazing on all BLM lands continue to govern grazing within the monument.*

### ***National Security and Organ Mountains-Desert Peaks National Monument***

- The report suggests the monument might interfere with nearby military installations, but in fact leaders of these installations supported the designation of the monument because it provides a buffer against encroachment by incompatible development. In addition, the proclamation specifically provides that “Nothing in this proclamation shall preclude low level overflights of military aircraft, the designation of new units of special use airspace, or the use or establishment of military flight training routes over the lands reserved by this proclamation.”*

### ***Water Resources and Organ Mountains-Desert Peaks National Monument***

- The Department claims that development of groundwater resources in the Mesilla Bolson Aquifer could be hindered by the monument, but the portion of the Mesilla Bolson within the monument boundaries is limited to the volcanic fields of the Potrillo Mountains, where the aquifer is thin and poorly suited to water well drilling. Including this area in the monument will only help wells downstream by protecting a proven natural recharge zone that replenishes the main basin aquifer.*

### ***Motorized Access and Rio Grande del Norte National Monument***

- The Department claims that roads have been closed as a result of the monument, but land managers in the area have confirmed that no roads have been closed in the monument.*

### ***Grazing and Rio Grande del Norte National Monument***

- *The Department claims that many grazing permittees have chosen not to renew permits because of monument related restrictions, but the rate of non renewal and transfers of grazing permits has remained consistent before and after the designation of the monument. No permittees have cited the establishment of the monument or its management as a factor in a decision not to renew a grazing permit.*

### ***Monument Management Plans***

- *The Department recommends that the monument management plans for both monuments should be revised; however, neither management plan exists yet and are actually delayed due to this process, so there are no plans to revise. The Bureau of Land Management, an agency of the Department, is currently working with the local communities to draft the first management plan for each monument.*

*New Mexicans know that a review based on facts would find that these two monuments have contributed to our state's economy and protected the traditional way of life in these communities. These monuments were created via a decades long public process with robust public input, which established the current boundaries and provided for clear management language in the proclamations to continue important cultural, economic and natural security actions within these areas. We urge you to review the accuracy of these and other claims in the report. We hope that the White House will not move forward with any recommendations based on false information. The public deserves better than predetermined political conclusions based on hearsay and claims that are easily disproven if the Department had taken the time to listen to and work with local communities.*

*We have heard from our constituents in the past few months who fear the future of their monuments might be determined by people sitting in Washington who have never seen these places and who are unfamiliar with the local communities and their values. The value of these monuments to New Mexico and the nation has been well documented. To make changes to them now with such muddled justification is an insult to the Americans who have dedicated their time, energy, and expertise to see that these resources are protected for future generations.*

*Sincerely,*

###

**Contacts:** Whitney Potter (Heinrich) 202.228.1578 / Jennifer Talhelm (Udall) 202.228.6870 / Joe Shoemaker (Luján) 202.225.6190 / Gilbert Gallegos (Lujan Grisham) 505 967 5612

Follow Martin Heinrich on Facebook, Twitter, and Instagram:



**To unsubscribe from this mailing list, [click here](#).**

**To:** heather\_swift@ios.doi.gov[heather\_swift@ios.doi.gov]  
**From:** POLITICO Pro Energy  
**Sent:** 2017-09-27T15:32:13-04:00  
**Importance:** Normal  
**Subject:** Afternoon Energy, presented by the U.S. Chamber's Global Energy Institute: EPA explains Pruitt's flights — Puerto Rico bondholders offer emergency loan — DHS: Jones Act waiver 'unlikely'  
**Received:** 2017-09-27T15:32:30-04:00

By Kelsey Tamborrino | 09/27/2017 03:29 PM EDT

*With help from Alex Guillén, Esther Whieldon and Ben Lefebvre*

**PRUITT'S PLANE RIDES:** EPA Administrator Scott Pruitt, who took an expensive military flight in June so that he could catch a connecting flight to the G-7 meeting in Italy, did so only because no commercial flights would work, an EPA official has clarified. The response comes as [reports](#) have surfaced saying Pruitt took an Air Force jet following an [event](#) with President Donald Trump in Cincinnati to New York back in June at a cost of \$20,000. But the official said logistics and Pruitt's busy schedule of meetings at the Vatican before the summit meant "we needed to take this flight, which was cleared by the EPA's ethics counsel."

**Pruitt also took a private plane in Colorado** in August, while attending a tour of the Gold King Mine, CBS reported on Tuesday. That's because his commercial flight from Denver to Durango, Colo., was delayed by more than five hours, which would have kept Pruitt from attending a tour of the mine with Colorado Gov. John Hickenlooper and others, the official said. Alex Guillén reports more [here](#).

**Welcome to Afternoon Energy.** I'm your host Kelsey Tamborrino. Send your thoughts, news and tips to [ktamborrino@politico.com](mailto:ktamborrino@politico.com), [mdaily@politico.com](mailto:mdaily@politico.com) and [njuliano@politico.com](mailto: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).

**PUERTO RICO BONDHOLDERS OFFER EMERGENCY LOAN:** Investors in Puerto Rico's electric utility will offer an emergency loan including \$1 billion in new funding to the hard-hit Puerto Rico Electric Power Authority. "The loan would also cancel \$150 million of existing debt, as the bondholders propose to exchange \$1 billion of existing bonds for \$850 million in new debt," Pro Financial Services' Colin Wilhelm reports. The utility investors plan to pitch the loan as a way to finance repairs to the territory's electrical grid, which was knocked out by Hurricane Maria, "and matching funds for the utility to qualify for matching grants from FEMA." The bondholders say they would ask for no principal or interest to be paid for two years, Colin reports. More [here](#).

**DHS: JONES ACT WAIVER 'UNLIKELY:'** Homeland Security officials have not yet decided how to act on a Jones Act waiver [request](#) sent from eight members of Congress on Monday, they said today. Senior DHS officials made clear, however, that a waiver is unlikely, [reports](#) Pro Transportation's Tanya Snyder. An official determination could take days or weeks, the officials said, as it requires coordination with other federal agencies.



**Trump pointed to industry objections** as part of the reason to not offer a waiver. "Well, we're thinking about that, but we have a lot of shippers and a lot of people and a lot of people who work in the shipping industry that don't want the Jones Act lifted. And we have a lot of ships out there right now," he told reporters today.

**FAVORABILITY RATINGS:** One-third of Americans have never heard of Interior Secretary Ryan Zinke, a POLITICO/Morning Consult [poll](#) out today found. The poll — which surveyed 1,987 registered voters — listed Cabinet-level officials in the Trump administration and asked respondents for their impression of each one. Of the respondents, 8 percent had a "very favorable" opinion of Zinke and 14 percent had a "very unfavorable" one. Most notably, 34 percent said they had never heard of the Interior chief.

— **Asked the same about Energy Secretary Rick Perry**, 18 percent of respondents had never heard of Perry, 10 percent had a "very favorable" opinion and 20 percent a "very unfavorable" one.

**\*\*A message from the U.S. Chamber's Global Energy Institute:** American infrastructure needs attention, and energy infrastructure should be front and center in that discussion. Today, it is too difficult to build infrastructure, and our electricity grid and pipeline network needs investment. Without ways to move energy of all kinds, our economy will stall. Visit [www.globalenergyinstitute.org](http://www.globalenergyinstitute.org) for more. \*\*

**MANCHIN A 'NO' ON MSHA NOMINEE:** West Virginia Sen. [Joe Manchin](#) says he will oppose Trump's nominee to run the Mine Safety and Health Administration, the Charleston Gazette-Mail [reports](#). Manchin said in a statement that he had reviewed David Zatezalo's qualifications "and record of safety" during his time in the coal industry and was "not convinced" that Zatezalo "is suited to oversee the federal agency that implements and enforces mine safety laws and standards." Manchin said that "in West Virginia, we are painfully familiar with the human toll that accompanies a mine accident. ... Strong leadership at the Mine Safety & Health Administration is non-negotiable." Read [more](#).

**WATCHDOG: LACK OF BACKGROUND CHECKS LEAVES EPA AT RISK:** EPA has not started background investigations into any of the nine contractor jobs reviewed by the agency's inspector general, even though those personnel have access to EPA networks and potentially sensitive information, according to [management alert](#) issued this morning. The nine contractors reviewed by investigators began work between 2010 and 2016, but have yet to have the required background check completed. "Systemic problems in how the EPA implements its processes for initiating the required background investigations for contractor personnel expose the EPA to risks," the IG wrote. "Contractor personnel with potentially questionable backgrounds are accessing sensitive agency data and could cause harm." EPA has agreed to take "immediate attention," the IG wrote.

**Plus:** If you're into accounting snafus, the IG also [flagged](#) a fairly large overpayment to one of the agents who protects the administrator for work done in 2016. The overpayment was reported by the agent. EPA needs new controls to prevent such unauthorized payments, and has not yet proposed any ways to fix it, the report says.

**SMITH SURVEYS SOCIAL NETWORKS:** House Science Chairman [Lamar Smith](#) (R-Texas) wants to know whether the Russian government used social media to turn Americans against the oil industry. In [letters](#) today to the CEOs of Twitter, Facebook and Alphabet (Google's parent company), Smith asks for "any and all information" the companies have "regarding Russian entities purchases anti-fracking or any anti-fossil fuel advertisements or promotion" on their networks. Smith has banged on this drum before, [alleging](#) that the Kremlin actively funneled money to green groups earlier, citing tenuous information. So far, that investigation has not yielded results that the committee has made public.

**AWEA SAYS FISHERIES AND OFFSHORE WIND CAN COEXIST:** The American Wind Energy Association says it will work with the administration to ensure offshore wind and fisheries can "thrive together" following Zinke's Tuesday [comments](#) that the agency is looking to include more input from the fishing industry when deciding where to offer future offshore wind leases. "Generally, we do not expect offshore wind to disrupt fishing activities, and the industry is committed to ensuring wind farms and commercial fisheries can thrive together," Nancy Sopko, AWEA's director of offshore wind and federal legislative affairs, said in an emailed statement. She added that the turbine foundations for offshore wind projects can also become a "thriving habitat" for fish, crustaceans and other marine life.

**TAX POETIC:** Today's the day for the reveal of the "Big Six" plan to rewrite the tax code. Pro Tax's Brian Faler breaks down what you need to know about the plan negotiated by the top Republican lawmakers and administration officials, which the GOP hopes to get to the president's desk by the end of the year. Read it [here](#).

**MAIL CALL:** House Oversight Chairman [Trey Gowdy](#) (R-S.C.) and ranking member [Elijah Cummings](#) (D-Md.) sent letters to the White House and 24 federal agencies, including EPA, the Energy Department, Interior Department and the Nuclear Regulatory Commission, requesting information on senior officials' use of government-owned aircraft or private noncommercial aircraft for official and personal travel. Read the agency letter [here](#).

**DUKE IT OUT:** The acting Homeland Security secretary told senators today that of all the industry sectors, she's most worried about cyber vulnerabilities in the energy grid, Pro Cyber's Tim Starks [reports](#). "Right now we are focused on energy and critical infrastructure and the attacks on that," Elaine Duke told the Senate Homeland Security and Governmental Affairs Committee during a hearing. "That is probably our highest threat right now. Because of its importance and focus on that I would give that our lowest grade."

**WORTH ONE'S SALT:** The Energy Department's SunShot Initiative announced funding today for new solar desalination technologies. The Solar Energy Technologies Office expects to make \$15 million available for seven to 10 projects that "explore early-stage technologies with the prospect of significantly reducing the cost of desalination through solar thermal energy," it said in the [announcement](#).

**MOVERS AND SHAKERS:** Staff director of the Senate Energy and Natural Resources Committee, Colin Hayes, will depart at the end of the month, Sen. [Lisa Murkowski](#) (R-Alaska) announced today. Murkowski, the chairman of the committee, also announced that Brian Hughes, the committee's current deputy staff director, will take on the staff director role.

## QUICK HITS:

- Report: Illinois EPA to loosen pollution limits to keep Dynegy coal plants afloat, [Utility Dive](#).
- Trump's hiring freeze shrunk National Weather Service staff before hurricanes hit, [The Washington Post](#).
- Oil, gas groups back BLM's plan to rescind 2015 fracking rule, [Oil & Gas Journal](#).
- U.S. crude oil exports surge to record levels, [Financial Times](#).
- U.S. climate change policy: Made in California, [The New York Times](#).
- The most effective clean energy policy gets the least love, [Vox](#).

## WIDE WORLD OF POLITICS:

- Mitch McConnell's [dreadful day](#)
- Russian-funded Facebook ads backed [Stein, Sanders and Trump](#)
- National Democrats eye shot at [Alabama upset](#)

**\*\*A message from the U.S. Chamber's Global Energy Institute:** Pipelines Power America. America has over 2.6 million miles of pipelines that safely deliver natural gas and petroleum products throughout our nation. It would take over 750 tanker trucks a day to transport the same amount of energy as a single pipeline. While our analysis shows that certain regions like the Northeast face a critical lack of pipeline infrastructure that is contributing to higher prices and negative economic impacts, pipeline projects are under attack across the nation. It's time to end delays and allow for energy that is essential for our daily lives to move around our nation. Find out more about how Pipelines Power America here: <http://bit.ly/2wG6Ij9> \*\*

*To view online:*

<https://www.politicopro.com/tipsheets/afternoon-energy/2017/09/epa-explains-pruitts-flights-024800>

## Stories from POLITICO Pro

### EPA says Pruitt's military flight needed to make Italy meeting [Back](#)

By Alex Guillén | 09/27/2017 01:52 PM EDT

EPA Administrator Scott Pruitt needed to take a military flight in June in order to catch a connecting flight to a G-7 meeting in Italy, and no commercial flights would work, according to an EPA official.

CBS [reported](#) on Tuesday that Pruitt took an Air Force jet following an [event](#) with President Donald Trump in Cincinnati to New York in June at a cost of \$20,000.

Logistics and previously scheduled meetings at the Vatican ahead of the G-7 meeting meant "we needed to take this flight which was cleared by the EPA's ethics counsel," the official said. It was not immediately clear whether anyone traveled with Pruitt on the military jet to New York.

Pruitt subsequently left the G-7 ministerial early to attend a Cabinet meeting, as POLITICO [reported](#) at the time.

CBS also reported that Pruitt took a private plane in Colorado in August while attending a tour of the Gold King mine.

Pruitt's commercial flight from Denver to Durango was delayed by more than five hours, which would have kept Pruitt from attending a tour of the Gold King mine with Colorado Gov. John Hickenlooper and others, the official said.

"Due to the short amount of time we had to make a decision and while the governor's office was working on logistics, we were able to find a charter plane which was cleared by the EPA's ethics counsel," the official said.

*To view online [click here](#).*

[Back](#)

### **Puerto Rico electric utility bondholders offer emergency loan [Back](#)**

By Colin Wilhelm | 09/27/2017 09:00 AM EDT

Investors holding billions in total debt owed by the Puerto Rico Electric Power Authority will offer a loan including \$1 billion in new funding to the beleaguered government-backed utility.

The loan would also cancel \$150 million of existing debt, as the bondholders propose to exchange \$1 billion of existing bonds for \$850 million in new debt. The investors plan to pitch the proposed cash infusion as a way to finance repairs to Puerto Rico's electrical grid, which Hurricane Maria knocked out, and matching funds for the utility to qualify for matching grants from FEMA.

Bondholders making the offer say they would ask for no principal or interest to be paid for two years.

On top of the obvious humanitarian aspects of Puerto Rico's post-Maria recovery, the devastation of the natural disaster has thrown into even greater doubt the possibility that bondholders will see money owed to them by the commonwealth's government.

"The PREPA Bondholders have consistently attempted to work constructively with PREPA, the Government of Puerto Rico, and the Oversight Board [put in place by Congress] to forge a path towards rehabilitating PREPA's operations and finances — and today's commitment reflects this," said Stephen Spencer of Houlihan Lokey, the financial advisory firm advising PREPA bondholders, in a release. "Our thoughts are with the people of Puerto Rico ... during this difficult time and we hope that this capital commitment will provide bridge financing and

matching funds as required by FEMA legislation while supporting the Commonwealth's recovery."

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### **Lawmakers ask for Jones Act waiver for Puerto Rico [Back](#)**

By Tanya Snyder | 09/25/2017 06:35 PM EDT

Rep. [Nydia Velázquez](#) (D-N.Y.) and seven other Democrats are asking the Trump administration for a one-year Jones Act waiver to expedite hurricane relief aid to Puerto Rico.

In a [letter](#) to Homeland Security Secretary Elaine Duke, the lawmakers, most of the members of the Congressional Hispanic Caucus, asked for a "one-year comprehensive waiver of the Jones Act requirements for Puerto Rico." The Jones Act, which requires that all goods shipped between U.S. ports be carried on U.S.-built, -owned and -operated vessels, is often blamed for driving up prices in Puerto Rico.

"The island is now facing an unprecedented uphill battle to rebuild its homes, businesses and communities," the lawmakers wrote in the letter. "Temporarily loosening these requirements — for the express purpose of disaster recovery — will allow Puerto Rico to have more access to the oil needed for its power plants, food, medicines, clothing, and building supplies."

In a separate statement, Velázquez noted that the storm has brought about a sustained and complete shutdown of Puerto Rico's power grid, which "already faced serious infrastructure problems." Local officials predict it could take six months to get the power fully restored.

"Even before Maria made landfall, the Island was already suffering from economic and financial crisis," she said. "Now, at the worst time possible, the Island has endured a natural disaster of historic proportions ... We cannot and will not turn our backs on them."

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### **DHS says it hasn't denied Jones Act waiver for Puerto Rico — yet [Back](#)**

By Tanya Snyder | 09/27/2017 11:35 AM EDT

DHS officials said today that they have not yet decided how to act on the Jones Act waiver [request](#) sent Monday from eight members of Congress.

However, senior DHS officials made it clear that a waiver is unlikely and that an official determination could take days or weeks, as it requires coordination with other federal agencies.

Under statute, the Jones Act, which requires that goods moved between U.S. ports must be carried on U.S.-owned and -operated vessels, can only be waived for reasons of "national

defense" or if there aren't enough U.S.-flag vessels to meet demand. In the wake of Hurricanes Harvey and Irma, the Department of Defense requested a Jones Act waiver for Texas and Florida, which was issued quickly. In the absence of a Pentagon request, DHS needs to make those determinations itself, consulting with MARAD on vessel availability.

DHS officials also told reporters that the department had "not received a formal waiver request," since Congress is not a traditional pathway for these kinds of requests. Still, the officials said they are evaluating the request and working as quickly as possible to make a determination.

The officials also reiterated that a Jones Act waiver would not help move goods within the island, which is the real problem Puerto Rico is facing right now.

The U.S. Virgin Islands are statutorily exempt from the Jones Act.

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### **Republicans brewing Russian scandal to target greens [Back](#)**

By Ben Lefebvre | 07/23/2017 12:12 PM EDT

Republicans are trying to conjure up a Russian scandal they can get behind.

GOP House members and at least one Trump Cabinet member are pushing years-old allegations from conservative activists that Russia has funneled money to U.S. environmental groups to oppose fracking. The story has reappeared in conservative circles in recent weeks — a respite, perhaps, from the steady drip-drip of news reports about dealings between Russians and President Donald Trump's inner circle.

Allegations have circulated for years that Moscow has sought to discourage European countries from developing their own natural gas supplies as an alternative to Russian fuel. And conservatives have sought to extend those concerns to the U.S. — though there's little but innuendo to base them on.

But the rumors gained new life in late June, when House Science Committee Chairman Lamar Smith and fellow Texas Republican Rep. Randy Weber [asked](#) Treasury Secretary Steven Mnuchin to investigate whether the Kremlin is bankrolling green campaigns against the fracking technology that helped the U.S. overtake Russia in gas production.

Among other material, Smith and Weber cited articles in conservative news publications and an alleged Hillary Clinton speech published by WikiLeaks — part of a trove of stolen Clinton campaign documents that U.S. intelligence agencies have linked to Russia's election-meddling efforts.

The reports, the Republican lawmakers wrote in the letter to Mnuchin, suggest "that Russia is also behind the radical statements and vitriol directed at the U.S. fossil fuel sector."

Green groups dismissed Smith's allegations as an attempt to divert attention from all the news surrounding Trump and Russia.

"If congressional Republicans are so concerned about Russian influence, they should start seriously investigating that country's interference in our election, not attacking long-standing environmental organizations," said Melinda Pierce, legislative director for the Sierra Club, one of the groups Smith and conservatives have accused of potentially taking Russian money.

The League of Conservation Voters, another group named in Smith's letter, also blasted the Science Committee's allegations.

"This is false," LCV spokesman David Willett said. "We have no connections to Russia and have been an effective advocate for environmental protection for over 45 years. This seems like nothing more than an attempt at distraction away from the Trump campaign's well-publicized interactions with Russian interests to influence the election."

Still, Fox News and The Wall Street Journal op-ed page have both run items about the committee's letter, and Energy Secretary Rick Perry lent his voice to the effort when a Fox Business anchor asked whether he supported an investigation.

"Absolutely," Perry said in the July 11 [broadcast](#). "Steve is a very capable and very focused business individual who knows that this type of activity has to be investigated, has to be halted."

Spokespeople for the Energy Department and Treasury Department did not respond to questions. A White House spokesperson did not reply to questions about whether the allegations had made their way to Trump.

Anti-fracking sentiment in the U.S. started bubbling up among U.S. environmental groups as soon as the oil and gas production method started surging in the late 2000s, with the documentary "[Gasland](#)" appearing in theaters in 2010 after a year and a half in production. Much of that opposition was driven by local activists in new gas hot spots like Pennsylvania who complained about threats to their drinking water, while major national environmental groups like the Sierra Club were slower to take up the cry.

Russian President Vladimir Putin, who oversees an economy almost totally dependent on oil and gas exports, has also slagged fracking technology. He once said that fracking makes "black stuff" come out of people's water faucets, according to a [New Yorker report](#).

Still, there is no evidence that Russian money has gone to U.S. green groups, at least on the national level, said Brenda Shaffer, an adjunct professor at Georgetown University's Center for Eurasian, Russian and Eastern European Studies. And there is even less evidence that any money would have been well spent, given how hard it would be to push widespread fracking bans through the myriad of local, state and federal governments involved in permitting, she added.

"It would be almost impossible to prevent fracking in the United States," Shaffer told POLITICO.

The [evidence](#) the committee cites includes comments that former NATO Secretary General

Anders Fogh Rasmussen made at a London-based think tank in 2014, when he said he believed Russia was working with environmental groups in Europe to oppose shale gas development.

"Other officials have indicated the same scheme is unfolding in the U.S.," Smith's letter goes on to say — though from there the trail becomes murkier.

The letter also cites a speech that Clinton allegedly delivered in Canada in 2014, according to Clinton campaign emails published by WikiLeaks, in which the former secretary of state supposedly said she had encountered "phony environmental groups" that opposed pipelines and fracking. The emails were part of a cache of Democratic documents that U.S. intelligence officials believe were originally pilfered by Kremlin-linked hackers.

"I'm a big environmentalist, but these were funded by Russians," Clinton says in the alleged transcript.

But the text does not indicate whether Clinton — who promoted shale gas drilling in Europe — was referring to environmental groups in Europe or the United States. A Clinton campaign aide did not answer questions about the veracity and the context of the speech. The campaign has refused to confirm or deny the content of any of the leaked materials.

Still, the alleged Clinton quotes have taken off in conservative news outlets, with The Daily Caller and Washington Times including them in articles published in the past year. Smith, in turn, cited those articles in the footnotes of his letter to Treasury.

"It's a theory, but the reasoning behind it makes sense," said a committee aide, who requested anonymity. "The chairman is saying there's data points pointing to this theory, and he's saying the Treasury secretary can shine some light on this. This isn't out of left field and crazy."

Science Committee aides also argued that last year's national intelligence report on Russian meddling in the 2016 election supports the concerns raised in Smith's letter. However, the intelligence report doesn't allege any Kremlin outreach to U.S. environmental groups.

The intelligence report's non-classified, 14-page version makes reference to anti-fracking programming broadcast by Kremlin-controlled news channel RT. "This is likely reflective of the Russian Government's concern about the impact of fracking and U.S. natural gas production on the global energy market and the potential challenges to Gazprom's profitability," the report says. Gazprom is a Russian natural gas giant.

Much of the rest of the case that Russia funneled money to U.S. green groups comes from a 2014 report created by the Environmental Policy Alliance, which describes itself as "devoted to uncovering the funding and hidden agendas behind environmental activist groups."

The group shares a Washington, D.C., address and a phone number with a public relations firm run by Richard Berman, a lawyer and former lobbyist who has also created issue groups such as the Center for Union Facts and Center for Consumer Freedom — prompting liberal critics to nickname him "the astroturf kingpin." CBS News once called him "Dr. Evil" in a 2011 piece focusing on his lobbying efforts on unpopular issues, including a campaign against Mothers Against Drunk Driving.



A representative of the Environmental Policy Alliance confirmed that Berman's firm manages the group.

The group's report and Smith's letter focus on \$23 million that a Bermuda-based philanthropic firm, Klein Ltd., donated in 2010 and 2011 to the San Francisco-based Sea Change Foundation, according to information disclosed in Sea Change's [IRS tax forms](#). Sea Change then awarded around \$55 million in each of those years to the Sierra Club Foundation, U.S. Climate Action Network, Natural Resources Defense Council and other environmental groups to promote energy efficiency and climate change-related operations, according to its IRS tax filings.

"Although the source of Klein's capital has not been documented," the Science Committee's letter says, the panel alleged that various corporate and personal connections "strongly suggest" that the money originated with "the Russian government and energy sector."

But a lawyer representing Klein told POLITICO that none of the money came from sources connected to Russia. And a Sea Change spokesperson said none of its donations to environmental groups were earmarked for opposition to fracking.

"The Klein Foundation grants were given as general support and no requirement was made that the funds be used for specific projects, programs, or activities of the Sea Change Foundation," the spokesperson said.

Berman's report draws on a court case filed in the British Virgin Islands in the mid-2000s that resulted in a money-laundering conviction against IPOC Group, an entity owned by Leonid Reiman, Russia's former telecommunications minister and adviser to Putin, according to an [outline](#) of the case maintained by the World Bank. Roderick Forrest, a lawyer for Wakefield Quin, a law firm representing Klein Ltd., was one of IPOC's directors, according to [case documents](#).

The House committee did not contact Klein as part of its fact-finding, a committee aide said. But Forrest railed against the accusations and said the company was considering legal action following the committee's letter.

"The allegations are completely false and irresponsible," Forrest told POLITICO. "We can state categorically that at no point did this philanthropic organization receive or expend funds from Russian sources or Russian-connected sources, and Klein has no Russian connection whatsoever."

The Sierra Club's Pierce also denied that any of the money it received from Sea Change ultimately came from Moscow.

"We have confirmed that the origin of these funds is a private U.S. donor who cares about climate change and has invested in the work the Sierra Club does to tackle the climate crisis and advance the clean energy economy — not from Russia," she said.

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## **Zinke says Interior looking to include fisheries when picking offshore wind lease sites** [Back](#)

By Esther Whieldon | 09/26/2017 11:53 AM EDT

The Interior Department is looking to include more input from fisheries when deciding where to offer future offshore wind leases, Interior Secretary Ryan Zinke said today.

When planning offshore wind, "we've got to look at ... things like fishing fleets and movement of offshore whales and wildlife out there," Zinke said in a speech at National Clean Energy Week. "We have smart people we just have to get them all together and coordinate from the very beginning a little better" he said, adding that "offshore wind has enormous potential."

Zinke's remarks come as several cities, fisheries and fishery associations in New England, New York and New Jersey are [challenging](#) the legality of the Bureau of Ocean Energy Management's process for awarding offshore wind leases. The parties argue the agency violated the National Environmental Policy Act by failing to adequately consider the effects of the lease on their businesses or to consider alternative sites.

Fisheries "haven't been included," Zinke told reporters on the sidelines of the event, which was organized by renewable, natural gas and nuclear groups. "And so I think when you're going to operate offshore, at least be a collaborative effort on how we fish and get the biologists in on spacing," Zinke said.

Since 2009, BOEM has issued 12 commercial wind energy leases along the East Coast and the agency is eyeing additional new leases offshore of New York, Massachusetts, South Carolina, California and Hawaii.

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## **Everything you need to know about the Big 6 tax plan** [Back](#)

By Brian Faler | 09/27/2017 11:01 AM EDT

After months of closed-door negotiations, the "Big Six" on Wednesday unveiled its long-awaited plan to rewrite the tax code. The task now is selling the sweeping proposal to rank-and-file lawmakers. Republicans hope to get a bill to President Donald Trump's desk by the end of the year. Here's what you need to know about the plan negotiated by the top Republican lawmakers and administration officials:

**For individuals:** The big surprise here is that Republicans are backing away from plans to slash taxes on the rich. They are floating the idea of some sort of surtax on the well-to-do, though details are scant. That's a major shift from what Republicans campaigned on in last year's elections, when they proposed steep tax cuts for the wealthy. But they are trying to head off the inevitable attacks from Democrats, and maybe even win some of their support.

"We are committed to making sure the tax code is at least as progressive as the exiting tax code,

that it does not shift the tax burden from high-income to low- and middle-income taxpayers," a senior administration official told reporters.

Their plan would make a number of other changes to the individual side of the code, including collapsing the number of tax brackets to three from seven, with the top rate set at 35 percent but leaving open the possibility that it could be set higher for some. They would nearly double the standard deduction to \$24,000 for couples while getting rid of the personal exemption.

Though many supply-side Republicans are skeptical of the child tax credit, the Big Six is calling for a major expansion of the popular break, while offering no details on how it might be increased. They're also proposing a new \$500 credit for non-child dependents like seniors.

They want to repeal the estate tax along with the alternative minimum tax, which was originally meant to ensure that the wealthy don't avoid taxes altogether.

The plan calls for keeping education-, retirement- and work-related breaks, without getting into specifics.

The Big Six — which includes the top House and Senate leaders, the chairmen of the two chambers' tax-writing committees, Treasury Secretary Steven Mnuchin and National Economic Council Director Gary Cohn — didn't provide specifics about how the individual provisions would work, such as when the different tax brackets would kick in. So it's hard to know if the aggregate effect of the various changes would really leave the relative tax burden among different groups untouched.

But an administration official says: "When all the pieces add up, that's what you'll see."

**For businesses:** As expected, the plan calls for cutting the corporate rate to 20 percent, from the current 35 percent. Small businesses would pay 25 percent. Companies would be allowed to immediately write off investment expenses, though only for five years.

On the international front, the U.S. would adopt a "territorial system" where the government would no longer attempt to tax companies' overseas earnings. At the same time, though, the plan proposes a foreign minimum tax to prevent businesses from moving abroad to avoid U.S. taxes altogether.

"For companies that are operating in tax haven countries, we do want to make sure there is at least a certain level of tax," the official said.

It would offer a so-called repatriation holiday, allowing multinationals to bring home offshore profits at a reduced tax rate, though the plan offers few details. The corporate alternative minimum tax would be eliminated. The Republican plan would keep a popular research and development tax credit, and also an incentive to invest in low-income housing.

**So who are the losers?** Not a lot of detail here, though in some ways this is the most important question with Republicans' tax plans.

It calls for killing a long-standing deduction for state and local taxes. It would also partially

reduce a break for business interest expenses, though details are few. Republicans say they will get rid of "most" itemized expenses, though they're hanging onto some of the largest, including deductions for mortgage interest and charitable contributions.

Republicans will need a lot more than that though to live within the budgets they're developing. While their plans call for trillions in tax cuts, Senate Republicans are writing a budget calling for a \$1.5 trillion tax cut while House Republicans want the plan to be deficit neutral.

**How much is this going to cost?** No word here, with Republicans saying that will be determined by whatever lawmakers agree to as part of their budget — though the assumption appears to be their plan will ultimately increase the budget deficit. "We are going to have a budget resolution from the House and Senate, which is going to tell us how much we can add to the deficit."

**Other surprises:** Republicans aren't proposing to cut the capital gains rate, though that's been part of the party's tax orthodoxy for decades. They also aren't calling for any changes in the Earned Income Tax Credit, though there has been a lot of bipartisan agreement on expanding this wage supplement for the working poor for childless adults. Currently, the program — the government's biggest assistance program to the poor — heavily favors those with children.

**Sorry Paul Ryan:** Though House Speaker [Paul Ryan](#) and House Ways and Means Chairman [Kevin Brady](#) (R-Texas) have spent an enormous amount of time working on tax reform, the agreement released Wednesday rejected or scales back many of their ideas. Border adjustments — which generally would have taxed imports but not exports — are nowhere to be found, of course. Their other top priority, those business investment provisions — known in the tax world as "expensing" — are only temporary.

The Big Six only agreed to partially reduce the business interest deduction, which House Republicans wanted to eliminate. The plan is committed to maintaining the current progressivity of the tax code, something Ryan has previously rejected.

**Unanswered questions:** Aside from missing details on how exactly the various provisions would work, there are other TBDs such as how Republicans will prevent rich people from disguising themselves as small businesses in order to tap the lower 25 percent rate. The plan also calls for allowing both expensing and interest deductions, which tax experts across the political spectrum call a bad idea because the combination of the two can allow people to create tax shelters.

**What's next:** The next major step for Republicans is passing a budget. They need it to tap the so-called reconciliation maneuver they're relying upon to muscle their tax plans through the Senate over Democrats' objections. Without it, their tax plans — at least as currently written — are dead.

Said Brady: "Without a budget, there's no tax reform."

The Republican leaders will start selling the plan to rank-and-file members immediately, with a meeting Wednesday at the National Defense University to discuss it.

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### **DHS chief ranks energy sector most vulnerable to cyberattack [Back](#)**

By Tim Starks | 09/27/2017 11:48 AM EDT

Acting Homeland Security Secretary Elaine Duke told senators today that among industry sectors, she's most worried about cyber vulnerabilities in the energy grid.

"Right now we are focused on energy and critical infrastructure and the attacks on that," she told the Senate Homeland Security Committee during a hearing. "That is probably our highest threat right now. Because of its importance and focus on that I would give that our lowest grade."

Sen. [Heidi Heitkamp](#) asked Duke and FBI Director Christopher Wray to grade the vulnerability of the private sector, as well as the caliber of collaboration within the federal government on cybersecurity.

"Coordination across federal agencies has gotten very high," Duke said. "I would probably give it a 'B,'" she said, noting that she never thinks the work is fully done.

Wray gave it a "B-," saying that last year's presidential policy directive on coordination — which laid out the chain of command during a cyber incident — has made a difference.

Heitkamp said cyberattack victims who have worked with the federal government tell her that "the right hand doesn't know what the left hand is doing. I'd be careful to give too high of marks to coordination."

She also criticized federal leadership on promoting good cyber hygiene practices.

"I think we're woefully short," said Heitkamp.

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### **Mitch McConnell's dreadful day [Back](#)**

By John Bresnahan, Burgess Everett and Josh Dawsey | 09/27/2017 05:07 AM EDT

For Mitch McConnell, Tuesday was about as bad as it could get.

A vulnerable incumbent senator, Luther Strange of Alabama, lost handily to Roy Moore, who used the Senate leader as his campaign punching bag. McConnell pulled the plug — again — on repealing Obamacare. One of his close allies, Sen. Bob Corker (R-Tenn.), announced his retirement.

And President Donald Trump is back on McConnell's case, dubbing him "weak" at a private

dinner with conservative activists on Monday evening.

McConnell's job is in no immediate danger, and he hopes to pivot quickly to tax reform. Yet months of woes are now taking their toll on the GOP leader's agenda, and his caucus.

"It's been a hard summer for all of us," admitted Sen. John Thune of South Dakota, the No. 3 GOP senator.

Asked Tuesday whether he was having a "tough day," McConnell ignored the question. And that was before Corker announced his retirement and Moore won.

"We haven't given up on changing the American health care system," McConnell said. "We're not going to be able to do that this week, but it still lies ahead of us, and we haven't given up on that."

McConnell's long-shot bid to save Strange, who had Trump's backing as well, failed spectacularly as the former Alabama attorney general was trounced by Moore in the deep red state. And that soon could be a daily problem for McConnell. Moore, twice ousted as a judge on the Alabama Supreme Court for defying federal edicts, has openly said he wants to dump McConnell as the top Senate Republican.

"Judge Roy Moore in the U.S. Senate means the END of Mitch McConnell's reign as Majority Leader," Moore vowed in one fundraising pitch. Moore now faces Democrat Doug Jones in the Dec. 12 general election.

Moore's win came just hours after McConnell, faced with unwavering opposition from a trio of his GOP colleagues, was forced to ditch the latest GOP proposal to repeal and replace Obamacare. McConnell's choices were grim: Hold another failed vote, or concede another defeat.

McConnell chose to call it quits and perhaps try again next year. Yet it was another embarrassing setback in McConnell's failed months-long effort to overturn the 2010 Affordable Care Act, and it came at an even heavier price this time — more problems for McConnell from the occupant of the Oval Office.

Trump spent much of August publicly bashing McConnell but stopped after the two held a private meeting several weeks ago. But now the president is bad-mouthing the Senate leader again.

During a dinner with conservative activists on Monday night at the White House, Trump laid into McConnell, according to two attendees. Trump told the activists that McConnell was "weak" because he couldn't pass the GOP health care plan, and the president complained at length about how Republicans had failed him on the issue, while asking the activists what they should do next.

Trump added that he was disappointed in McConnell for not changing the Senate filibuster rule so that only 51 votes are needed to pass legislation, also dubbing McConnell's resistance to the idea as "weak." That criticism does not ring true to Senate Republicans, given that Democrats

have barely been able to use the filibuster due to McConnell mostly holding party-line votes.

A McConnell spokesman declined to comment.

A person briefed on the meeting noted Trump took aim at far more than McConnell during the meeting, distancing himself from Strange and whacking Sen. John McCain (R-Ariz.) as well. Trump called McCain "disgraceful" on health care and mocked his thumbs-down gesture on the Senate floor against a GOP proposal in July, complete with a facial expression, attendees said.

After the race was called Tuesday, McConnell vowed to support Moore in the general election despite the candidate's opposition to him personally.

"He ran a spirited campaign centered around a dissatisfaction with the progress made in Washington. I share that frustration," McConnell said of Moore in a statement. "Senate Republicans will be as committed to keeping Alabama's Senate seat in Republican hands with Roy Moore as we were with Luther Strange."

McConnell's support in the Republican Conference remains solid despite what Trump, Moore and former Trump aide Steve Bannon say about him. Bannon has launched a crusade against the Senate leader and Speaker Paul Ryan (R-Ohio) since leaving the White House.

"It's not even a close question there," Senate Majority Whip John Cornyn said of McConnell's position. "It's not easy being majority leader, which is why many people choose not to run for it."

The way to put an end to anti-McConnell challengers, Cornyn said, is "you win. Really, it's about that simple."

After ushering through the confirmation of Supreme Court Justice Neil Gorsuch, McConnell has found himself in a box. Trump will receive the lion's share of credit for legislative victories that McConnell or Ryan engineer, but the president has made clear he'll blame the GOP leaders when bills falter.

Trump might turn to Democrats again in search of victories — as he did earlier this month to put off a fight over the budget and debt ceiling — which would again test McConnell and Ryan's loyalty to the president.

Some Republicans said that at least in the case of Obamacare, McConnell was not to blame for the failure of the proposal pushed by Sens. Lindsey Graham (R-S.C.) and Bill Cassidy (R-La.).

"The whole health care thing right now was sort of inspired by Graham and Cassidy, and the president, who kept it alive. I don't think Mitch has much ownership other than to try to see if there's a path forward," Thune said.

Thune added that Strange's situation in Alabama was a "unique set of circumstances. I think everybody in a lot of these places, particularly primary voters, want to send a message to Washington."

Strange was appointed to the seat by former Republican Gov. Robert Bentley, who later resigned

in a sex scandal. Strange's appointment didn't sit well with Alabama voters. The Senate Leadership Fund, a pro-McConnell super PAC, dumped \$9 million into the race in a bid to derail Moore, but he proved far too strong. And Trump's endorsement of Strange proved to be too little, too late.

"What happens today in Alabama with Luther Strange has nothing to do with Mitch McConnell. It has everything to do with Alabama," Sen. Cory Gardner of Colorado, chairman of the National Republican Senatorial Committee, said before the results were tallied.

Personal loyalty to McConnell remains high among his colleagues. They remember him as a two-term chairman of the NRSC. He led the fight against former President Barack Obama for eight years. And he got Gorsuch onto the Supreme Court, which is Trump's only real win in Congress so far.

When it comes to who to blame for a difficult year with just a 52-seat majority, McConnell's colleagues refuse to point to the majority leader as the source of the problem. They criticize each other, not McConnell.

"You can only fight with the troops that you've got," Sen. Roy Blunt (R-Mo.) said of McConnell's predicament.

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**Russian-funded Facebook ads backed Stein, Sanders and Trump** [Back](#)

By Josh Dawsey | 09/26/2017 09:03 PM EDT

Green Party presidential candidate Jill Stein was the beneficiary of at least one of the Russian-bought political ads on Facebook that federal government officials suspect were intended to influence the 2016 election.

Other advertisements paid for by shadowy Russian buyers criticized Hillary Clinton and promoted Donald Trump. Some backed Bernie Sanders and his platform even after his presidential campaign had ended, according to a person with knowledge of the ads.

The pro-Stein ad came late in the political campaign and pushed her candidacy for president, this person said.

"Choose peace and vote for Jill Stein," the ad reads. "Trust me. It's not a wasted vote. ... The only way to take our country back is to stop voting for the corporations and banks that own us. #GrowaSpineVoteJillStein."

The ads show a complicated effort that didn't necessarily hew to promoting Trump and bashing Clinton. Instead, they show a desire to create divisions while sometimes praising Trump, Sanders and Stein. A number of the ads seemed to question Clinton's authenticity and tout some of the liberal criticisms of her candidacy.



There is no indication Stein, Sanders or Trump was aware of the advertisements, which were described to POLITICO by people with knowledge of them.

Facebook declined to comment on the specifics of the advertisements but noted a previous statement: "The vast majority of ads run by these accounts didn't specifically reference the U.S. presidential election or voting for a particular candidate. Rather, the ads and accounts appeared to focus on amplifying divisive social and political messages across the ideological spectrum — touching on topics from LGBT matters to race issues to immigration to gun rights."

U.S. officials are investigating whether about 3,000 ads purchased on Facebook by the Kremlin-linked Internet Research Agency might have been part of a larger Russian government scheme to meddle in the 2016 election.

The number of ads bought by Russians on the site is far less than 1 percent of all election spending, and it is unclear how many people even saw the advertisements. The social network has estimated the total cost of the ads at \$150,000.

But in her recently published book about her election defeat, "What Happened," Clinton writes that Stein's modest vote totals in several swing states "may well have thrown the election to Trump."

Clinton pointedly notes that Stein joined Michael Flynn at Russian President Vladimir Putin's table at a December 2014 dinner in Moscow, and that the leftist candidate "praised [Trump's] pro-Russia stance," though she does not accuse Stein of collaborating with the Kremlin. Flynn would go on to become Trump's national security adviser but lasted less than a month in the job.

Capitol Hill aides are receiving reams of the advertisements this week, and special counsel Robert Mueller's team has also received the ads and corresponding information.

Some ads described to POLITICO echoed Trump campaign themes, including ones that advocated tough laws on illegal immigration. Others seem to indicate support for Black Lives Matter, an activist group Trump has strongly condemned, or for Muslim women who supported Clinton. But the ad got the name for Black Lives Matter wrong, one of these people said.

Many of the 3,000 Russian-bought advertisements Facebook has identified were riddled with poor grammar and spelling and contained outlandish assertions, according to a person with knowledge of them.

Investigators are likely to probe whether Facebook or any government authority could or should have stopped the ads — and whether the Russian officials were in contact with any Americans.

Earlier this month, Sen. Mark Warner of Virginia, the Democratic vice chairman of the Intelligence Committee, said the 3,000 ads that Facebook has determined to have Russian links may be "the tip of the iceberg" and part of a far larger Kremlin plot to influence the 2016 election through Facebook and other social media platforms.

*Nancy Scola and Ali Watkins contributed to this report.*

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## **National Democrats eye shot at Alabama upset** [Back](#)

By Gabriel Debenedetti | 09/27/2017 12:03 PM EDT

If Democrats are ever going to have a shot — however remote — at a Senate seat in Alabama, this is it.

At least that's the immediate reaction within the local party and among some excited national Democrats on Tuesday night and Wednesday morning, in the wake of conservative firebrand Roy Moore's primary victory over Sen. Luther Strange.

Republicans say Democrats are deluding themselves. President Donald Trump won Alabama by 28 points last year and the state hasn't elected a Democrat to the Senate in over two decades. The Democratic nominee, Doug Jones, has struggled to raise campaign cash.

But Moore provides the perfect contrast with Jones' resume as a civil rights warrior, and an upset is not out of the question, Democrats argue.

So now, these Jones-backing Democrats are asking, will the cavalry arrive in time?

National Democrats have been monitoring the race from afar, hoping for a Moore win that would energize their base.

Jones has spoken repeatedly with Democratic National Committee chairman Tom Perez — including as recently as last week, when he joined Alabama Rep. Terri Sewell in Washington for a Congressional Black Caucus Foundation conference. He has been in touch with officials from the party's Senate campaign wing. Members of the Congressional Black Caucus have been pushing party officials to send him cash and manpower before the December election.

The Democratic Senatorial Campaign Committee is poised to start polling the state as it weighs whether to invest in the race. Former Vice President Joe Biden is flying in for a Jones rally in Birmingham next week. Operatives aligned with the former U.S. Attorney are expecting a gush of campaign cash in the coming days.

"I just keep coming back to the number 51 percent. The last time Roy Moore was on the ballot against a Democrat, in 2012, he won 51 percent, on the same ballot as Mitt Romney, who carried the state with 60 percent," said Zac McCrary, a Montgomery-based Democratic pollster.

"So we see Moore as much weaker than any other Alabama Republican, [and] it's obviously a better political climate for Democrats than last time Moore was on the ballot," he added.

Still, most national-level Democrats are skeptical of pouring resources into Jones' bid, given the conservative tilt of the state. They're still feeling burned by criticism for their involvement in failed special election campaigns in Georgia and Montana this Spring. Senate and House

members remain wary of spending political capital on a race so heavily weighted to the Republican, no matter how despicable they find Moore.

To make matters harder, the local party infrastructure is in bad shape — no Democrat has won a statewide seat there in nearly a decade, and three-term senator Howell Heflin left the chamber in 1997. Plus, Jones' under-manned campaign team just underwent a shakeup, quietly replacing its campaign manager late last month.

And while Democrats expect that an unpopular Trump will be a drag on Republican candidates, a July Gallup survey revealed that his popularity rating is 15 points higher in Alabama than nationwide. That's made it hard for Jones to raise gobs of online cash by spreading anti-White House invective — something he's refused to do — like other special election candidates this year.

Polling on the general election has been sparse nearly three months out, but an Emerson College survey released Monday gives the controversial Moore a 52-to-30 percent lead over Jones. Democrats still insist that Jones can peel business-oriented GOP members and moderates away from Moore.

"After years of embarrassing headlines about the top public officials in this state, this race is about the people of Alabama and about choosing a candidate with character and integrity they can be proud of," said Jones in a statement Tuesday night. "I am running so the people of Alabama can be proud of their next senator."

At a time when the country's politics are defined in large part by a racial divide, a number of Democrats have been pushing their colleagues to jump in on behalf of Jones. The 63-year-old former U.S. attorney prosecuted a pair of Ku Klux Klan members behind the 1963 bombing of 16th Street Baptist Church bombing in Birmingham, which killed four African-American girls.

"There's a unique opportunity given how extreme ... and divisive the former Supreme Court justice has been. And I think that, to me, is exactly the opposite of what the people of the country are looking for," said Ohio Rep. Tim Ryan, who rallied with Jones in Birmingham in August.

A handful of African-American lawmakers in Washington have led the push for party leaders to get behind Jones, who was endorsed early by civil rights hero Rep. John Lewis of Georgia. House Assistant Democratic Leader Jim Clyburn of South Carolina and Congressional Black Caucus Chairman Cedric Richmond of Louisiana recorded robocalls on Jones' behalf during the primary, as did his longtime friend Biden. DNC Associate Chairman Jaime Harrison also traveled to Birmingham early this month to back him.

But no senator has rallied with him, and the DSCC has yet to send him a large check or staff. (Its chairman, Maryland Sen. Chris Van Hollen, did transfer him \$5,000 from his own leadership PAC, according to Federal Election Commission records.)

And while the DSCC and DNC have circulated a handful of fundraising emails for Jones, his campaign is still a small operation that's been sitting back the GOP runoff unfolded, counting on the bruising contest to significantly weaken his eventual opponent.

Jones had less than \$100,000 in his campaign account by the end of July, according to the last available federal filing. But as more Democrats have turned their attention to the race in recent weeks, his fortunes have improved: he brought in roughly \$100,000 more from small online donations last month alone, according to ActBlue data. Now, Jones advocates are betting on a surge of new cash coming from interested Democrats around the country after Moore's win.

Still, many admit their best-case scenario may be an under-the-radar race that takes Moore by surprise despite Trump's interest in the race. That could look similar to some other recent Democratic victories in the South, like the South Carolina special Congressional election in June that saw candidate Archie Parnell lose by just 3 points, or the 2015 Louisiana gubernatorial race in which the Democrat beat a scandal-plagued Republican Sen. David Vitter.

"In Louisiana, for Jon Bel Edwards to be elected governor, he needed several things to break the right way to be elected, and it happened. And we're starting to see that," said McCrary. "I'm optimistic that some of the national institutions will get involved if these breaks keep going the right way."

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