

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Mon 9/18/2017 9:45:44 AM
Subject: Morning Energy, presented by the Nuclear Energy Institute: Decoding Team Trump's murky signals on Paris deal — Climate VIPs gather on side of U.N. General Assembly — Seven monuments targeted in Zinke's review

By Anthony Adragna | 09/18/2017 05:43 AM EDT

With help from Eric Wolff and Emily Holden

PARIS POSITION AS CLEAR AS MUD: A weekend full of conflicting signals and mixed messages culminated with President Donald Trump's administration reiterating its intention to withdraw from the Paris climate agreement "unless we can re-enter on terms that are more favorable to our country." Confusion first emerged Saturday when Everett Eissenstat, the No. 2 official on the National Economic Council, made comments at a Montreal meeting that some diplomats interpreted as signaling the U.S. might remain in the international deal while revising Obama's climate pledge. But White House and international officials told POLITICO's Nancy Cook, Andrew Restuccia and Kalina Oroschakoff those comments were misconstrued. "This is being misreported. Unhelpfully so I think," a non-U.S. attendee of the meeting said of the comments.

Administration officials stressed that view Sunday. National Security Adviser H.R. McMaster called The Wall Street Journal's original report on Saturday that the U.S. was considering remaining in the Paris agreement a "false report" on "Fox News Sunday," POLITICO's Theodoric Meyer reports. But Secretary of State Rex Tillerson was less adamant on CBS' "Face the Nation," saying there was a possibility the Trump administration could stick with it if they can negotiate what they deem a better deal: "The president said he is open to finding those conditions where we can remain engaged with others on what we all agree is still a challenging issue," he said. "The plan is for [National Economic Council] Director [Gary] Cohn to consider other ways in which we can work with partners in the Paris climate accord. We want to be productive, we want to be helpful."

It's worth noting: Italy, France and Germany have said the underlying framework of the Paris agreement won't be renegotiated, but multiple experts have said the U.S. could weaken its voluntary emissions reduction pledge — nationally determined contribution in diplomatic parlance — whenever it wants. Or in the words of Democratic Connecticut Sen. Chris Murphy: "Dear White House, READ THE AGREEMENT. It already allows each country to set their own terms of compliance. So we good? Back in?"

Reminder: The U.S. cannot fully withdraw from the Paris agreement until Nov. 4, 2020, though the State Department announced last month it would continue participating in international climate change negotiations.

COHN TALKS CLIMATE TODAY: As world leaders and diplomats descend on New York this week for the United Nations General Assembly, Cohn meets today with international officials on a host of issues, including U.S. engagement on climate change. A readout from the

ministerial meeting on climate action held over the weekend in Montreal is available [here](#).

Environmental delegation cut: Tillerson won't send the State Department's bureau on oceans and the environment to participate in traditional meetings during the United Nations General Assembly, the New York Times [reports](#). That comes as he's reduced the overall number of officials participating in the sessions by about half from last year.

CLIMATE BIG SHOTS MEET ON THE SIDELINES: Former Secretary of State John Kerry convenes a [two-day climate change summit](#) at Yale beginning today with a host of VIPs. A session at 11 a.m. features former Energy Secretary Ernest Moniz, Obama climate czar Heather Zichal and chief climate negotiator Jonathan Pershing discussing the future of energy. Then, former George W. Bush Treasury Secretary Hank Paulson and GE's Jeff Immelt are among the panelists discussing the role of the private sector in addressing the problem at 2:30 p.m.

California Gov. Jerry Brown plans to spend the week highlighting opportunities for cities and states to curb emissions, regardless of the administration's stance. Today he'll speak alongside Tom Steyer and then with France's Minister of Ecology Nicholas Hulot and World Economic Forum head of industries Cheryl Martin. The 15 states that comprise the Climate Alliance, which was formed after Trump's decision to withdraw from the Paris deal, are expected announce the greenhouse gas levels they hope to achieve by 2025.

Brown also launched the America's Pledge initiative along with former New York mayor Michael Bloomberg. "We're not where we need to be, we're not moving as fast as we need to move, not changing as fast as we need to change," Bloomberg senior adviser Carl Pope said of overall U.S. action. "But we think we are accelerating at a rate that we can get there." He added America's Pledge has seen a doubling of participants in the past three months.

WELCOME TO MONDAY! I'm your host Anthony Adragna, and the Citizens' Climate Lobby's Brett Cease identified Oklahoma as the state with two senators with the same first name (James Inhofe and James Lankford). For today: What former EPA administrator ran for U.S. Senate back in 1994 but lost in a Democratic primary (and which state)? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter [@AnthonyAdragna](#), [@Morning_Energy](#), and [@POLITICOPro](#).

#CONCORDIA17: POLITICO is the official media partner of the 2017 Concordia Annual Summit taking place in conjunction with the UN General Assembly in NYC on Sept 18 and 19. Join us in the Big Apple as we host conversations with world leaders, industry experts, current and former heads of states, C-suite executives, and senior Congressional and Administration officials. Don't miss POLITICO reporters: **Bryan Bender**, Defense Editor, **Jack Blanchard**, Editor, Playbook London, **Helena Bottemiller Evich**, Senior Food and Agriculture Reporter, **Michael Crowley**, National Security Editor, **Susan Glasser**, Chief Foreign Affairs Correspondent & Global POLITICO Host, **Nick Juliano**, Deputy Energy Editor, **Matt Kaminski**, Executive Editor, POLITICO Europe, **Anna Palmer**, Senior Washington Correspondent and co-author of Playbook and **Ben White**, Chief Economic Correspondent. Register [here](#).

REPORT: SEVEN MONUMENTS IN CROSSHAIRS: Interior Secretary Ryan Zinke's unreleased report to Trump on national monuments recommends shrinking or changing the boundaries of seven national monuments, The Wall Street Journal [reports](#). Among the national monuments targeted are the Utah's Bears Ears and Grand Staircase-Escalante; Oregon's Cascade-Siskiyou; Nevada's Gold Butte; Maine's Katahdin; and New Mexico's Organ Mountains-Desert Peaks and Rio Grande Del Norte. Zinke's recommendations would also reopen Northeast Canyons and Seamounts off the Massachusetts coast and both Rose Atoll and the Pacific Remote Islands to commercial fishing.

Utah pushed drastic Bears Ears rollback: Utah Gov. Gary Herbert's office suggested to Zinke shrinking Bears Ears National Monument to one-tenth of its current 1.35 million acres, down to about 120,000 acres, The Salt Lake Tribune [reports](#), citing an open records request. Native American leaders bashed the state's proposal and said it disregards the wishes of the tribes who pushed for the monument designation in the first place.

REPORT: ADMINISTRATION INCHING TOWARD ANWR DRILLING: Interior has proposed in [an internal memo](#) to lift a ban on exploratory seismic studies in the Arctic National Wildlife Refuge, taking a first step toward opening up the wilderness to drilling, the Washington Post [reports](#). It's unclear how much interest energy companies would have in pouring significant investments into the region with oil prices remaining low, and Congress would ultimately have to authorize oil and gas drilling in the area. But U.S. Fish and Wildlife Service Acting Director James W. Kurth requested in a memo that the agency update a 1980s regulation that allowed exploratory drilling as the agency pushes to remove legal obstacles to energy exploration in ANWR.

TRUMP MOCKS LONG GAS LINES IN NORTH KOREA: Trump [tweeted](#) Sunday (in addition to calling its leader Kim Jong Un "Rocket Man") that "Long gas lines forming in North Korea. Too bad!" It's unclear where Trump got his reports of long lines, but he appeared to be touting the effectiveness of new sanctions [cleared](#) by the U.N. Security Council last week. Though not as strong as the administration hoped, the sanctions capped North Korea's crude oil imports and barred the secluded nation from importing all natural gas liquids and condensates.

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PRUITT VISITS TEXAS SUPERFUND SITES: EPA Administrator Scott Pruitt on Friday visited the San Jacinto River waste pits, a Superfund site encompassing a group of impoundments holding 1960s-era paper mill waste that were affected by Hurricane Harvey. Following his visit, Pruitt promised the agency would make a final call on how to remediate the site before Oct. 14, The Baytown Sun [reports](#). "So as we look to answers here, they need to be permanent, they need to provide confidence with the people of this area that it's going to be for the long haul and we fix this situation, so that anxiety goes away," the administrator said in a local TV [interview](#).

EPA said Pruitt also received an aerial tour of other Superfund sites caught up in the storm, including Patrick Bayou, U.S. Oil Recovery, Highlands Acid Pits, French Unlimited, Brio Refining and Dixie Oil Processors.

More waivers granted: EPA announced it would extend waivers from certain Clean Air Act requirements through Sept. 22 for petroleum distribution facilities, gasoline storage facilities and bulk fuel terminals in Texas affected by Hurricane Harvey.

LET ME BE NU-CLEAR! Energy Secretary Rick Perry is in Vienna, Austria for the International Atomic Energy Agency's general conference. He posted pictures from a "wonderful dinner" with the group's Director General Yukiya Amano, a meeting with Chinese officials, discussions with Japanese representatives and a chance encounter with Austrian President Alexander Van der Bellen.

BIG WEEK FOR TRUMP NOMINEES! The House is out this week, so all eyes from congressional watchers will be on the Senate and the fate of ten energy and environmental nominees in committees. After a couple of false starts, the Energy and Natural Resources Committee is expected to clear five DOE, Interior and FERC nominees during a Tuesday business meeting at 9:30 a.m. without much drama.

It'll be a much different story the next day when the Environment and Public Works Committee holds a confirmation hearing for four EPA nominees. Expect vehement opposition from panel Democrats to the nominations of Michael Dourson to be the agency's chemical chief and William Wehrum to be the top air official. More on both sessions as we get closer.

MAIL CALL! ACTION SOUGHT ON BRAZILIAN TARIFF: A bipartisan group of 10 senators want U.S. Trade Representative Robert Lighthizer to talk Brazil out of its ethanol tariffs. "We are writing to ask that you directly engage the Brazilian government and quickly work to resolve this issue," the letter says. It doesn't call for any specific remedies other than asking Lighthizer to get Brazil to back down from its 20 percent tariff on ethanol imports above 600 million liters (158 million gallons). "We are writing to ask that you directly engage the Brazilian government and quickly work to resolve this issue," the senators say. The letter is signed by six Democrats and four Republicans, and includes Sens. Chuck Grassley and Debbie Stabenow, both of whom are on the Finance committee, which has oversight of the Trade Representative.

TAKE A GLANCE! WHAT WORKS IN OFFSHORE WIND: The Center for American Progress is out with a report today examining state policies that helped offshore wind projects in Rhode Island, Massachusetts and New York get off the ground. Among the items they recommend states consider for the policy toolkits: Strong renewable energy requirements, legislation guaranteeing demand for offshore wind power, comprehensive ocean planning, competitive and reasonable long-term power purchase agreements and infrastructure investments in areas like ports. CAP argues the lessons could be applied to states like New Jersey, North and South Carolina, Ohio, Maryland, Virginia and California.

THIS SEEMS LIKE A BIG DEAL: The House on Friday argued in legal filings federal

agencies should not release congressional records through Freedom of Information Act requests, POLITICO's Josh Gerstein [reports](#). In a federal district court [filing](#), House General Counsel Thomas Hungar said a House body known as the Bipartisan Legal Advisory Group voted unanimously in favor of the intervention to "protect the institutional interests of the House."

ME FIRST — CLEAN ENERGY WEEK KICKOFF IN STYLE: Perry and Zinke are teaming up to kick off National Clean Energy Week on Sept. 26 at the Reserve Officers Association on Capitol Hill in a discussion moderated by former New Hampshire Sen. Kelly Ayotte. Also expected to speak throughout the day are Rep. [Cathy McMorris Rodgers](#) and Sen. [Lindsey Graham](#).

WEEKEND PAPAL THOUGHT: "Global action is needed in order to reduce pollution and at the same time promote development in poorer countries," Pope Francis [tweeted](#) Saturday.

QUICK HITS

- Capitol Insider: Ohio coal officials join Trump administration. [Columbus Dispatch](#).
- British Press Watchdog Says Climate Change Article Was Faulty. [New York Times](#).
- \$10M coming to Colstrip in coal plant settlement, but future of facility darkens. [KPAX](#).
- IEA Sees Risk of Volatile Oil Prices on Weak Upstream Investment. [Bloomberg](#).
- Protesters set to rally against Australia's biggest coal project. [Reuters](#).
- Refinery, jobs threatened by EPA regulation. [Toledo Blade](#).

HAPPENING THIS WEEK

MONDAY

9:00 a.m. — Concordia Annual Summit at Grand Hyatt New York ft. energy panel with Nick Juliano, 109 E 42nd St

TUESDAY

9:30 a.m. — Senate Energy and Natural Resources Committee [markup](#) on various nominations, 366 Dirksen

10:00 a.m. — "[Full Committee hearing to examine the vegetation management requirements for electricity assets located on federal lands](#)," Senate Energy and Natural Resources Committee, 366 Dirksen

10:00 a.m. — "[IEA's World Energy Investment 2017](#)," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

WEDNESDAY

10:00 a.m. — Senate Environment and Public Works Committee holds hearing on various nominations, 406 Dirksen

4:00 p.m. — "Energy Security: New Market Realities," The Institute of World Politics, 1521 16th Street NW

FRIDAY

10:00 a.m. — "Statoil's Climate Roadmap," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

11:00 a.m. — International Trade Commission holds vote on solar trade petition seeking to impose steep tariffs, Main Hearing Room, 500 E Street SW

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To view online:

<https://www.politicopro.com/tipsheets/morning-energy/2017/09/decoding-team-trumps-murky-signals-on-paris-deal-024631>

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White House denies backtracking on Paris pact withdrawal [Back](#)

By Nancy Cook, Andrew Restuccia and Kalina Oroschakoff | 09/16/2017 06:09 PM EDT

The White House denied Saturday that the administration was backtracking on its long-held plans to withdraw from the Paris climate deal.

"There has been no change in the United States' position on the Paris agreement. As the President has made abundantly clear, the United States is withdrawing unless we can re-enter on terms that are more favorable to our country," said White House Press Secretary Sarah Sanders, in a statement.

The denial came after the Wall Street Journal reported that a White House senior official, Everett

Eissenstat, had told people at a meeting of energy ministers in Montreal that the administration may revise or craft a new climate deal and emissions standards rather than pull out altogether, according to a top European energy official cited by the Journal.

As recently as early August, the White House signaled its intent to continue the process of withdrawal by delivering an official notice to the United Nations vis-à-vis the State Department.

President Donald Trump announced his intentions to withdraw the U.S. from the agreement in June during a speech in the Rose Garden — though under the terms of the original deal, the U.S. cannot fully withdraw until Nov. 4, 2020.

The president also indicated at that time that he would be open to re-entering the climate pact if he believed the United States could get out of it what Trump deemed a better deal.

The State Department announced last month that the U.S. would continue participating in international climate change negotiations, including talks aimed at implementing the Paris pact, "to protect U.S. interests and ensure all future policy options remain open to the administration."

Since then, the international community has largely been left in the dark about the United States' plans. Foreign diplomats have long suspected that the U.S. will ultimately remain in the agreement, while weakening former President Barack Obama's pledge to cut domestic emissions 26 percent to 28 percent below 2005 levels by 2025.

Diplomats have been buzzing about this weekend's climate meeting in Montreal, where energy ministers were set to discuss the climate deal.

An international official familiar with the meeting told POLITICO earlier Saturday that Eissenstat, the No. 2 official on the National Economic Council, told diplomats during a closed-door meeting that the U.S. was mulling plans to remain in the Paris deal and to rethink Obama's climate pledge.

But White House officials strongly denied that.

Another White House official said Saturday diplomats were mischaracterizing Eissenstat's comments.

A second, non-U.S. attendee at this weekend's meeting also said Eissenstat's comments were being misconstrued. The attendee, who witnessed his comments in person, said Eissenstat simply reiterated the administration's existing position, which is that the U.S. will continue to engage in climate talks with an eye toward reaching a better deal.

"He basically repeated exactly the State Department press release from August," the person said, referring to a recent statement from the department outlining its intention to eventually withdraw, but continue participating in Paris discussions. "This is being misreported. Unhelpfully so I think."

The news comes as National Economic Council Director Gary Cohn is set to meet with foreign officials in New York City on Monday to discuss climate and energy issues ahead of the United Nations General Assembly.

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McMaster rejects report U.S. will remain in Paris deal as 'false' [Back](#)

By Theodoric Meyer | 09/17/2017 12:19 PM EDT

National security adviser H.R. McMaster on Sunday shot down a Wall Street Journal story reporting that the U.S. would remain in the Paris climate accord despite President Donald Trump's announcement in June that he would pull the country out.

"That's a false report," McMaster told Chris Wallace on "Fox News Sunday." "The president decided to pull out of the Paris accord because it was a bad deal for the American people and a bad deal for the environment."

[The Journal](#) reported Saturday that Trump administration officials at a climate summit in Montreal had said the U.S. wouldn't leave the accord after all, citing multiple officials there. "U.S. officials in Montreal, led by White House senior adviser Everett Eissenstat, broached revising U.S. climate-change goals, two participants said, signaling a compromise that would keep the U.S. at the table even if it meant weakening the international effort," The Journal's Emre Peker reported.

But McMaster bashed the Paris deal after denying The Journal's story.

"It gave the worst polluters the ability to continue polluting and emitting carbon without significantly reducing those levels," McMaster said on "Fox News Sunday." "The president is committed to the cleanest water on Earth, the cleanest air on Earth, to an energy policy that reduces carbon emissions but then also provides clean fossil fuels to generate growth in this country and globally."

McMaster was more equivocal in an interview with George Stephanopoulos on ABC's "This Week." Asked whether the U.S. would remain in the accord if the administration can negotiate better terms before 2020 — the earliest the U.S. can quit the accord under the terms of the deal — McMaster said it was a possibility.

"If there's an agreement that benefits the American people, certainly," he said.

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Cohn to participate in energy, climate discussion at United Nations [Back](#)

By Andrew Restuccia | 09/12/2017 03:37 PM EDT

National Economic Council director Gary Cohn will host an energy and climate change discussion with international officials in New York next week, an administration official confirmed.

The Monday meeting comes the day before the opening of the United Nations General Assembly, where President Donald Trump and dozens of other world leaders will speak.

Cohn invited officials from more than a dozen countries to the breakfast meeting to discuss "international energy and climate issues," according to a copy of the invitation obtained by POLITICO.

The invitation, which Cohn sent on Sept. 7, says the huddle is an "opportunity for key ministers with responsibility for these issues to engage in an informal exchange of views and discuss how we can move forward most productively."

The administration official stressed that the meeting, first reported by the New York Times, will not focus solely on climate change.

Trump infuriated foreign diplomats when he [announced](#) in June that he would withdraw from the Paris climate change agreement, which has won the support of nearly 200 nations. Cohn was among White House officials pushing Trump not to exit the Paris agreement at the time.

But so far, the United States has not formally withdrawn, and Trump administration officials have sent mixed signals about whether it is willing to reach a deal to remain in the pact.

The State Department [announced](#) last month that the U.S. would continue participating in international climate change negotiations, including talks aimed at implementing the Paris pact, "to protect U.S. interests and ensure all future policy options remain open to the administration."

Trump, who has called climate change a "hoax" perpetrated by the Chinese, has said the United States is getting an unfair deal in the Paris agreement.

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U.N. Security Council approves new North Korea sanctions [Back](#)

By Associated Press | 09/11/2017 06:36 PM EDT

UNITED NATIONS — The U.N. Security Council on Monday unanimously approved new sanctions on North Korea but not the toughest-ever measures sought by the Trump administration to ban all oil imports and freeze international assets of the government and its leader, Kim Jong Un.

The resolution, responding to Pyongyang's sixth and strongest nuclear test explosion on Sept. 3, does ban North Korea from importing all natural gas liquids and condensates. It also bans all textile exports and prohibits any country from authorizing new work permits for North Korean workers - two key sources of hard currency for the northeast Asian nation.

As for energy, it caps Pyongyang's imports of crude oil at the level of the last 12 months, and it limits the import of refined petroleum products to 2 million barrels a year.

The watered-down resolution does not include sanctions that the U.S. wanted on North Korea's national airline and the army.

Nonetheless, U.S. Ambassador Nikki Haley told the council after the vote that "these are by far the strongest measures ever imposed on North Korea." But she stressed that "these steps only work if all nations implement them completely and aggressively."

Haley noted that the council was meeting on the 16th anniversary of the 9/11 terrorist attack. In a clear message to North Korean threats to attack the U.S., she said: "We will never forget the lesson that those who have evil intentions must be confronted."

"Today we are saying the world will never accept a nuclear armed North Korea," she said. "We are done trying to prod the regime to do the right thing" and instead are taking steps to prevent it "from doing the wrong thing."

Haley said the U.S. doesn't take pleasure in strengthening sanctions and reiterated that the U.S. does not want war.

"The North Korean regime has not yet passed the point of no return," she said. "If it agrees to stop its nuclear program it can reclaim its future. If it proves it can live in peace, the world will live in peace with it. ... If North Korea continues its dangerous path, we will continue with further pressure."

The final agreement was reached after negotiations between the U.S. and China, the North's ally and major trading partner. Haley said the resolution never would have happened without the "strong relationship" between President Donald Trump and Chinese President Xi Jinping.

But its provisions are a significant climb-down from the very tough sanctions the Trump administration proposed last Tuesday, especially on oil, where a complete ban could have crippled North Korea's economy.

The cap on the import of petroleum products could have an impact, but North Korea will still be

able to import the same amount of crude oil that it has this year.

According to the U.S. Energy Information Administration, China supplies most of North Korea's crude oil imports, which a U.S. official put at 4 million barrels a year. The agency cited U.N. customs data showing that China reported sending 6,000 barrels a day of oil products to North Korea, which it said is mostly gasoline and diesel fuel vital to the country's agriculture, transportation and military sectors.

That would mean North Korea imports nearly 2.2 million barrels a year in petroleum products, so the 2 million barrel cap in the resolution would represent a 10 percent cut. But the U.S. official, who was not authorized to speak publicly, said North Korea now receives about 4.5 million barrels of refined petroleum products, which would mean a more than 50 percent cut.

The textile ban is significant. Textiles are North Korea's main source of export revenue after coal, iron, seafood and other minerals that have already been severely restricted by previous U.N. resolutions. North Korean textile exports in 2016 totaled \$752.5 million, accounting for about one-fourth of its total \$3 billion in merchandise exports, according to South Korean government figures.

Haley said the Trump administration believes the new sanctions combined with previous measures would ban over 90 percent of North Korea's exports reported in 2016.

As for North Koreans working overseas, the U.S. Mission said a cutoff on new work permits will eventually cost North Korea about \$500 million a year once current work permits expire. The U.S. estimates about 93,000 North Koreans are currently working abroad, the U.S. official said.

The original U.S. draft would have ordered all countries to impose an asset freeze and travel ban on Kim Jong Un and four other top party and government officials. The resolution adopted Monday adds only one person to the sanctions list - Pak Yong Sik, a member of the Workers' Party of Korea Central Military Commission, which controls the country's military and helps direct its military industries.

The original U.S. draft would also have frozen the assets of North Korea's state-owned airline Air Koryo, the Korean People's Army and five other powerful military and party entities. The resolution adds only the Central Military Commission of the Workers' Party of Korea and the party's powerful Organization and Guidance Department and its Propaganda and Agitation Department to the sanctions blacklist.

North Korea's Foreign Ministry issued a statement early Monday saying it was watching the United States' moves closely and warned that it was "ready and willing" to respond with measures of its own. It said the U.S. would pay a heavy price if the sanctions proposed by Washington are adopted.

Britain's U.N. ambassador, Matthew Rycroft, told reporters who questioned the watering down of the initial U.S. text that "there is a significant prize in keeping the whole of the Security Council united."

Rycroft called the resolution "a very significant set of additional sanctions," declaring that "we are tightening the screw, and we stand prepared to tighten it further."

French Ambassador Francois Delattre said, "We are facing not a regional but a global threat, not a virtual but an immediate threat, not a serious but an existential threat."

"Make no mistake about it," he said, "our firmness today is our best antidote to the risk of war, to the risk of confrontation, and our firmness today is our best tool for a political solution tomorrow."

China and Russia had called for a resolution focused on a political solution to the escalating crisis over North Korea's nuclear program. They have proposed a freeze-for-freeze that would halt North Korean nuclear and missile tests in exchange for the U.S. and South Korea stopping their joint military exercises - but the Trump administration has rejected that.

China's U.N. ambassador, Liu Jieyi, said Beijing has been making "unremitting efforts" to denuclearize and maintain peace and stability on the Korean Peninsula.

Liu again urged the council to adopt the freeze-for-freeze proposal and said talks with North Korea are needed "sooner rather than later." He expressed hope that the United States will pledge not to seek regime change or North Korea's collapse.

Russian Ambassador Vassily Nebenzia went further, making clear that while Russia supported the resolution, it wasn't entirely satisfied with the council's approach.

He said the "unwillingness" of the U.S. to reaffirm pledges not to seek regime change or war in North Korea or to include the idea of having U.N. Secretary-General Antonio Guterres use his good offices to try to resolve the dispute "gives rise to very serious questions in our minds."

"We're convinced that diverting the gathering menace from the Korean Peninsula could be done not through further and further sanctions, but by political means," he said.

The resolution does add new language urging "further work to reduce tensions so as to advance the prospects for a comprehensive settlement." It retains language reaffirming support for long-stalled six-party talks with that goal involving North Korea, the U.S., Russia, China, Japan and South Korea.

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House goes to court to protect secrecy of records [Back](#)

By Josh Gerstein | 09/15/2017 08:21 PM EDT

The House of Representatives is taking legal action to make sure that federal agencies don't release congressional records to the public through the Freedom of Information Act.

The move, which came Friday evening in a lawsuit demanding access to discussions about health care reform between the Trump administration and Congress, threatens to cut off a mechanism liberal watchdog groups were using to gain insight into closed-door negotiations on a variety of policy issues.

In legal papers filed in U.S. District Court in Washington, House General Counsel Thomas Hungar said the move to protect congressional correspondence was authorized by a House body known as the Bipartisan Legal Advisory Group. While the panel of top House leaders has divided in the past on sensitive issues, Hungar wrote that they "voted unanimously to authorize this intervention ... to protect the institutional interests of the House."

Hungar complained that last week the Department of Health and Human Services and the Office of Management and Budget gave the liberal group American Oversight four documents that originated with the House Ways and Means Committee. He argued that legal precedents established that congressional documents were exempt from disclosures pursuant to FOIA.

The House's legal filing also complains that the Trump administration is failing to respect Congress's prerogatives.

"Defendants have already demonstrated their unwillingness to defend that interest by failing to treat those documents as congressional records not subject to disclosure under FOIA and instead producing portions of those documents to plaintiff," Hungar wrote. "The Committee 'should not need to rely on a doubtful friend, when it can represent itself,'" he added, quoting a prior case.

The move comes after the chairman of the House Financial Services Committee, Rep. Jeb Hensarling (R-Texas), drew attention and a backlash from pro-transparency groups after he sent letters in April to about a dozen federal agencies warning them not to release congressional correspondence or submissions. He called the materials "sensitive and confidential."

Some Democrats questioned Hensarling's move.

"It is the height of hypocrisy for him to take such extraordinary measures to shield himself from the oversight of the American public," said Rep. Maxine Waters of California, the financial panel's ranking Democrat.

A spokeswoman for House Speaker Paul Ryan referred questions about the court action to the Ways and Means Committee.

"Unfortunately, OMB and HHS decided to release Congressional records over which our Committee had expressed a clear intent to retain control," said a panel spokeswoman, who asked not to be named. "By releasing these congressional documents that were clearly not subject to FOIA, these agencies went against decades of case law. With the strong support of all members

of the Bipartisan Legal Advisory Group, the Chairman decided it is in the best interest of the Ways and Means Committee and the House of Representatives to seek to intervene in this lawsuit and protect our Congressional prerogatives."

A Democratic leadership aide said the decision to step into the case was consistent with past practice.

"Congressional records are not subject to this statute," said the aide, who spoke on the condition of anonymity. "It has long been the position of the bipartisan leadership of the House of Representatives that congressional requests to agencies are also not subject to FOIA."

The executive director of the group that sued for the records said he was troubled by the House's actions.

"In a rare moment of bipartisanship, House leaders came together late on a Friday night to try to block the American people from learning the truth about the Obamacare repeal effort," said Austin Evers of American Oversight. "From the very beginning, health care negotiations between the Trump administration and Congress have taken place in secret, and with talks reportedly starting again, it speaks volumes that Congress's first priority is to keep the public in the dark."

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