

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Mon 11/13/2017 10:48:13 AM
Subject: Morning Energy, presented by Chevron: Trump team not pitching Paris renegotiation in Bonn — NERC head on leave after arrest — Perry raises eyebrows with roundtable for big donors

By Anthony Adragna | 11/13/2017 05:45 AM EDT

With help from Emily Holden

LAISSEZ LES BONN TEMPS ROULER? Government officials and industry executives will urge developing countries to pursue "cleaner" fossil fuel and nuclear power in a presentation today in Bonn, Germany, Pro's Emily Holden [reports](#). At tonight's event George David Banks, special assistant to President Donald Trump on energy and environment, will make introductory remarks, while Francis Brooke, an aide to Vice President Mike Pence, moderates a discussion with executives from the liquefied natural gas company Tellurian, the coal company Peabody Energy and the nuclear power company NuScale. Barry Worthington, director of the U.S. Energy Association who will participate in the discussion alongside industry executives, told [Climate Home News](#) that striking fossil fuel trade deals was a major goal of the presentation.

Not on the agenda? Paris. Diplomats entering the second week of the COP23 climate negotiations won't be getting any hints from the U.S. delegation about how to convince Trump to stay in an international deal to slash greenhouse gas emissions. A White House official briefing reporters last week said climate mitigation is a "lesser priority" than energy security and economic development, "but it's still a priority" for the White House. "The president has left the door open, the president has said multiple times that he's willing to reconsider our engagement in the Paris agreement if we can find a fairer deal that works for American businesses, taxpayers, consumers, so yeah it's up to the president," the official told reporters.

Out of the shadows: A host of prominent Democratic officials, including five senators, stressed over the weekend that the U.S. remained committed to action on climate change despite Trump's stance on issue, POLITICO California's David Siders and Emily [report](#). "I want to make it clear: The federal government is not just the president of the United States," Sen. [Ben Cardin](#), ranking member on the Foreign Relations Committee, [told activists](#) on Saturday. The senators met with delegations from India, Japan, the European Union, Mexico, Indonesia and Canada to assuage concerns about U.S. inaction. They also participated in side events including one decrying efforts to [weaken](#) automobile CAFE standards.

Governors tout actions too: Four Democratic governors — Virginia's Terry McAuliffe, California's Jerry Brown, Washington's Jay Inslee and Oregon's Kate Brown — plan to highlight their climate ambitions in a panel this morning with Christiana Figueres, former executive secretary of the UNFCCC. And that comes after Jerry Brown and former New York mayor Michael Bloomberg, released [a report](#) touting the role of U.S. states and cities in addressing climate change that nonetheless acknowledged non-federal efforts won't be sufficient to meet the 26 to 28 percent emissions reductions below 2005 levels that the U.S. promised by 2030.

Steyer stays focused (on impeachment): Tom Steyer, the billionaire Democratic donor, on

Sunday morning made his case for impeaching Trump to Democrats in Bonn, asking them to "confront the liars and deniers," David also [reports](#). The governors seemed unimpressed, and Steyer acknowledged himself that congressional Republicans, not voters, would have to back his impeachment campaign for it to work.

IT'S ANOTHER MONDAY! I'm your host Anthony Adragna, and NRDC's Ed Chen was first up to identify the L.A. County board of supervisors as the body with two former congresswomen (Janice Hahn and Hilda Solis). For today: Rahm Emanuel is the most famous former congressman-turned-mayor but there's another former member that now runs the largest city in their state. Who is it? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter [@AnthonyAdragna](#), [@Morning_Energy](#) and [@POLITICOPro](#).

NERC CHIEF ON LEAVE AFTER ARREST: Gerry Cauley is on a leave of absence from the North American Electric Reliability Corporation "[until further notice](#)" following his arrest on a domestic violence charge. The Atlanta Journal-Constitution [reports](#) Cauley has been charged with a misdemeanor, battery/family violence. Charles Berardesco has been named interim CEO.

EYEBROWS RAISED BY PERRY ROUNDTABLE: Energy Secretary Rick Perry headlines an intimate gathering today on behalf of the pro-Trump outside group America First Policies in a growing trend of giving donors access to Cabinet officials that many worry is an ethical gray area, POLITICO's Maggie Severns [reports](#). Perry won't solicit donations but America First officials plan to ask for contributions after he departs. He's allowed to take part in events for the group's nonprofit policy arm, which is legally separate from the super PAC even though the same officers run both groups.

But campaign finance reform advocates say the arrangement takes advantage of a loophole. "This is all part of the very close coordination we're seeing between the campaign itself and what's supposedly an outside group," said Craig Holman, the government affairs lobbyist at the good-government group Public Citizen.

INSIDE LOOK AT PRESSURE ON PERRY'S GRID STUDY: Alison Silverstein, the veteran energy consultant who authored Perry's electric grid study, resisted pressure from the agency to blame regulations for the struggles of coal and nuclear plants, Forbes [reports](#). After being hit for not faulting regulations in the first draft, Silverstein said she asked officials to provide data to back up their assertion: "I said, 'Bring me the data. I've been in the building three or four weeks now, you guys are the ones who own the issue. Prove to me, bring me all of your research on how regulation has killed these.' 'Well, we don't have any.' 'Then how am I supposed to do this?'"

ACTIVISTS WILL BE PROSECUTED: The Justice Department said Friday it would aggressively prosecute activists who damage pipelines or "critical energy infrastructure in violation of federal law," Reuters [reports](#). That comes after more than 80 House members [sought information](#) on what DOJ planned to do about an increase in protest activities around pipelines in a late October letter.

ON TAP IN CONGRESS — DISASTER AID REQUEST EXPECTED: The latest disaster

relief request is expected to arrive on Capitol Hill sometime this week and is likely to top \$50 billion, Pro Budget and Appropriations Brief [reports](#). Like the two previous requests, it won't be broken down state-by-state. But the governors of Puerto Rico and the U.S. Virgin Islands will be town to push for recovery funds and the Texas congressional delegation hopes to meet with OMB Director Mick Mulvaney to make their case for their full \$61 billion request.

Speaking of which, Puerto Rico Gov. Ricardo Rosselló and Del. [Jenniffer González](#) hold a press conference at 11 a.m. today at the Hall of States to make their case.

And you're out: Abner Gómez resigned his post as head of Puerto Rico's emergency management department on Friday and Lt. Gen. Jeffrey Buchanan, who led the Trump administration's military response to the hurricanes, will be reassigned off the island this week, CNN [reports](#).

And remember Whitefish? While senior linemen from Florida working on grid restoration work on behalf of Whitefish Energy earned \$63 an hour working in Puerto Rico, the tiny Montana-based company billed the island's utility \$319 an hour for linemen, the New York Times [reports](#). Experts said those charges were well above normal, even for emergency work, though a spokesman for the company defended the charges, saying "simply looking at the rate differential does not take into account Whitefish's overhead costs," included in the rate.

Status check: More than 7 weeks after Hurricane Maria hit, more than 52 percent of the island remains in the dark and more than 10 percent of residents still lack drinking water, according to [government figures](#).

MINE SAFETY PICK COULD GET VOTE: Senate Majority Leader [Mitch McConnell](#) filed cloture last week on David Zatezalo's selection to be the administration's mine safety chief, teeing up a final confirmation vote as soon as this week. He chaired the coal company Rhino Resources when it received pattern of violation notices in 2010 and 2011, but [said during his confirmation hearing](#) he wouldn't have a problem working with career staff at MSHA that issued those notices.

FLOOD INSURANCE READY TO ROLL! House Republicans are ready to try again with a revised version [H.R. 2874 \(115\)](#) of their flood insurance reauthorization and the Rules Committee [meets today](#) at 5 p.m. That comes even as coastal lawmakers [continued to raise](#) concerns with the proposal. Pro Financial Services' Zachary Warmbrodt with more [here](#).

FORMER EPA ATTORNEYS BASH PRUITT ORDER: Fifty-seven former EPA career attorneys today sent [a letter](#) to Administrator Scott Pruitt "to correct the many mistakes of law and fact" concerning his [October directive](#) boosting the role of industry in settlement negotiations. "It is EPA's failure to comply with legal requirements that is the problem, not the people who sue EPA, the courts that hear the suits, or the EPA and DOJ staff who faithfully negotiate settlements that provide EPA longer and more flexible schedules than it would receive if there were no settlement," they wrote. The former agency attorneys urge Pruitt to revise the directive to promote "fair, transparent, and efficient settlement of well-founded suits against the agency."

NORTH CAROLINA OFFICIAL ALSO ON LEAVE: Donald van der Vaart, a recent appointee to EPA's Scientific Advisory Board and top North Carolina environmental regulator during the prior Republican governor's term, has been placed on "investigatory leave," The News & Observer reports. Van der Vaart's selection to the advisory board generated significant controversy and prompted the new head of the state's Department of Environmental Quality to say he didn't represent North Carolina on the EPA board. His deputy John Evans was also placed on "investigatory leave" for unspecified reasons. Both men demoted themselves to be shielded from termination under the new incoming Democratic administration.

WHY BROWN'S A CLIMATE WARRIOR: David Siders' entire profile of Brown is worth your time but of particular interest to ME readers is why termed-out governor has devoted so much energy to climate change. "I find a lot of what is included in politics doesn't count that much, at least for my salvation or my peace of mind or my interest in life," Brown said. The climate, he went on, "is fundamental. It's not like dietary requirements. It's not like a tax measure, or a school curriculum, or many of the issues, even a crime bill. It goes to the essence of being alive, living things. Whether it's humans or fauna, flora, the basis of life is embedded in this chemical structure, biological structure. And it's threatened."

But not good enough for some: Environmental activists interrupted Brown's speech in Bonn Saturday, shouting his refusal to ban fracking in California was a major blemish on his record. But the long-time governor shot back, according to The Sacramento Bee, "I agree with you, 'in the ground. Let's put you in the ground so we can get on with the show here."

**** A message from Chevron:** When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat—buckwheat. Watch the video: <http://politi.co/2yQ8q7z> **

MAIL CALL! SAVE TANGIER! Virginia Sens. Tim Kaine and Mark Warner asked Trump in a letter to follow through on his pledge to protect Tangier Island, thought likely to become uninhabitable within 50 years due to rising seas. "We can debate the causes for why this is happening, but regardless, the effects are clear. It is urgent that we address those effects," they wrote.

FOR YOUR RADAR: Delaware Gov. John Carney and Rep. Donald Norcross headline a rally today at the Delaware City Refining Company at 10 a.m. urging Trump to fix the Renewable Fuel Standard to protect East Coast refining jobs.

HIGH PRICE TO PAY? Food and Water Watch and Greenaction for Health and Environmental Justice are out with a report arguing pollution trading programs are "undermining successful environmental laws like the Clean Air Act and the Clean Water Act" by allowing industries to pay to pollute and that they inflict the brunt of the damage on low-income and minority communities. Read it here.

QUICK HITS

— \$300 Billion War Beneath the Street: Fighting to Replace America's Water Pipes. [New York Times](#).

— California Westlands water settlement in limbo. [High Country News](#).

— Can Carbon-Dioxide Removal Save the World? [New Yorker](#).

— Schwarzenegger calls on climate activists to change methods. [AP](#).

— Lessons From Hurricane Harvey: Houston's Struggle Is America's Tale. [New York Times](#).

— Canada, U.K. team up in push to end coal-power use. [The Globe and Mail](#).

HAPPENING THIS WEEK

MONDAY

2:00 p.m. — The Environmental and Energy Study Institute hosts [briefing](#) to examine how high-octane, low-carbon fuel can enable CAFE compliance, Dirksen 106

2:00 p.m. — "[Approaches for International Collaboration and Financing for CCUS Pilot Projects](#)," U.S. Energy Association, 1300 Pennsylvania Ave NW, Suite 550

5:00 p.m. — The House Rules Committee holds hearing on [H.R. 2874 \(115\)](#), the National Flood Insurance Program reauthorization bill, H-313

TUESDAY

9:30 a.m. — "[Hurricane Recovery Efforts in Puerto Rico and the U.S. Virgin Islands](#)," Senate Energy and Natural Resources Committee, Dirksen 366

9:30 a.m. — The NAACP, Clean Air Task Force and National Medical Association hold briefing to unveil report on impacts of oil and gas development on African-American communities, National Press Club, 529 14th St NW

10:00 a.m. — "[Response and Recovery to Environmental Concerns from the 2017 Hurricane Season](#)," House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "[Legislative Hearing on S. 1857, S. 203, S. 839 and S. 1934](#)," Senate Environment and Public Works Clean Air and Nuclear Safety Subcommittee, Dirksen 406

11:30 a.m. — SEEC, Center for American Progress, the League of Conservation Voters, and more hold press conference touting commitment to Paris accord, Senate swamp

2:00 p.m. — "[The Need for Transparent Financial Accountability in Territories' Disaster Recovery Efforts](#)," House Natural Resources Committee, Longworth 1324

2:00 p.m. — "Sustaining U.S. Leadership Against Nuclear Terrorism and Proliferation," Hudson Institute, 1201 Pennsylvania Avenue NW, Suite 400

4:00 p.m. — "Status and Prospects for U.S. Nuclear Power," John Hopkins SAIS, Room 806, 1619 Massachusetts Avenue NW

WEDNESDAY

8:00 a.m. — Roll Call Live's "Energy Decoded," Newseum, 555 Pennsylvania Ave NW, 8th Floor Knight Conference Center

9:00 a.m. — Business Meeting to consider Reconciliation Legislation, Senate Energy and Natural Resources Committee, Dirksen 366

10:00 a.m. — "Legislative Hearing on Bills to Empower Indian Tribes, Promote Self-Determination," House Natural Resources Indian, Insular and Alaska Native Affairs Subcommittee, Longworth 1324

10:00 a.m. — House Science Committee markup of several bills, Rayburn 2318

10:00 a.m. — "Promoting American Leadership in Reducing Air Emissions Through Innovation," Senate Environment and Public Works Committee, Dirksen 406

10:00 a.m. — The Information Technology and Innovation Foundation holds a panel discussion on "ARPA-E: A Catalyst of Clean Energy Innovation," 1101 K Street NW, Suite 610A

10:30 a.m. — "Legislative Hearing on National Park, Fish and Wildlife Service Bills," House Natural Resources Federal Lands Subcommittee, Longworth 1334

12:30 p.m. — "Coming Clean: Improving Transparency and Accountability to End Pollution's Chokehold on Development," World Resources Institute, 10 G Street NE, Suite 800

2:00 p.m. — "Nord Stream and European Energy Security," Jamestown Foundation, Choate Conference Room, Carnegie Endowment for International Peace, 1779 Massachusetts Avenue, NW

6:00 p.m. — Press briefing on Marine Mammal Protection Act featuring Actress Miranda Cosgrove, Rayburn 2045

THURSDAY

8:30 a.m. — Progressive Policy Institute and Common Good host a Capitol Hill forum on "Rebuilding America: What Are We Waiting For?" The Reserve Officers Association Building, Symposium Center, 4th Floor, 1 Constitution Ave NE

10:00 a.m. — "[Successful Pre-Salt Auctions put Brazil's Oil & Gas Sector on Promising Path.](#)"
Wilson Center, One Woodrow Wilson Plaza, 1300 Pennsylvania Ave. NW

12:00 p.m. — "Beyond Batteries: Grid-interactive Efficient Buildings," Alliance to Save Energy,
Rayburn 2045

FRIDAY

11:15 a.m. — EPA Administrator Scott Pruitt addresses The Federalist Society's National
Lawyer Convention, 1127 Connecticut Avenue, NW

THAT'S ALL FOR ME!

**** A message from Chevron:** This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat—buckwheat. We're still planting and keeping an eye on our littlest neighbor. Watch the video: <http://politi.co/2yQ8q7z> **

To view online:

<https://www.politicopro.com/newsletters/morning-energy/2017/11/trump-team-not-pitching-paris-renegotiation-in-bonn-025509>

Stories from POLITICO Pro

U.S. climate delegation won't outline conditions to stick with Paris deal [Back](#)

By Emily Holden and David Siders | 11/12/2017 03:33 PM EDT

BONN, Germany—The Trump administration does not plan to give international diplomats any clues about how they could convince the U.S. to stay in a global agreement to fight climate change but will use meetings this week as an opportunity to promote U.S. coal, gas and nuclear companies, according to a White House official.

The centerpiece of the White House presence at the climate talks in Bonn, Germany, will be a Monday evening presentation where government officials and industry executives will urge developing countries to pursue "cleaner" fossil fuel and nuclear power — a pitch that could be meant to widen the market for American energy exports.

The White House source said State Department diplomats and Trump aides would not engage on remaining in the 2015 Paris agreement, which Trump has said he would exit unless he got terms more favorable to U.S. businesses.

"We're not going to address that issue," the official said on an embargoed call with reporters on Thursday. "The president has left the door open, the president has said multiple times that he's willing to reconsider our engagement in the Paris agreement if we can find a fairer deal that works for American businesses, taxpayers, consumers, so yeah it's up to the president."

Trump has never repudiated his view that man-made climate change is a hoax, although the White House has since said he "believes the climate is changing" without elaborating on the cause. But the lack of engagement from his negotiating team suggests he has little interest in reaching a better deal to limit global greenhouse gas emissions.

The U.S. panel is not expected to discuss ways to reach the Paris agreement goals of reducing greenhouse gas emissions enough to avoid a 2 degrees Celsius rise above pre-industrial levels, which scientists say would be a dangerous tipping point.

"The president believes that we can reduce our emissions while growing our economy," the White House official said.

Climate activists were mulling protest actions ahead of the Monday night forum, while fearing the event would only further cast a shadow over the United States' role in the conference.

"It's what you expect when we have fossil fuel billionaires running our government," said Garrett Blad, executive director of the SustainUS, a youth advocacy group. "I think it's irresponsible and dangerous, and I think the American people know that and are on our side."

Former Vice President Al Gore said he expected the forum would do little to alter dynamics of the conference.

"I think that people will see it for what it is," he said in an interview. "The president has surrounded himself with some of the most notorious climate deniers, and people who come to these meeting know who these characters are, and I think they see it for what it is."

The White House official said he didn't expect other countries to ask what kind of deal the president is looking for, adding that the United Nations conference "is really not the place for that to happen," and that the conversation would be more likely to occur between world leaders. Trump returns Tuesday from a 12-day trip to Asia, which included meetings with Chinese President Xi Jinping and other heads of state. He did not mention climate change once while abroad.

The Trump administration is rolling back President Barack Obama's climate efforts and also trying to boost coal-fired power--a major driver of rising temperatures that are making seas swell and extreme weather intensify.

Despite Trump's stance, a delegation of career officials from the State Department is on site at the United Nations conference to represent U.S. interests as countries negotiate how they will achieve and verify their commitments to curb emissions.

In the discussion Monday, George David Banks, special assistant to President Trump on energy and environment, will make introductory remarks. Francis Brooke, an aide to Vice President Mike Pence, will moderate the talk among executives from the liquefied natural gas company Tellurian, the coal company Peabody Energy and the nuclear power company NuScale, as well

as Barry Worthington, director of the U.S. Energy Association.

The panel will outline ways U.S. could encourage developing countries to build "cleaner, more efficient," fossil fuel plants to mitigate climate change, the White House source told reporters last week.

Worthington told [Climate Home News](#) that striking fossil fuel trade deals was a major objective of the discussion.

"The flavor du jour is LNG but we're also exporting crude oil and derivative products and continue to export a sizeable volume of coal," he told the outlet.

The White House source said climate mitigation is a "lesser priority" than energy security and economic development, "but it's still a priority."

Without U.S. involvement, "the Chinese will build the coal plants and use inefficient technology," the official said.

"Quite frankly, if we don't bring it up and want to engage people on it, it's just not going to happen," he said. "It's burying your head in the sand if you don't have a conversation, just simply because of the facts, again because of the role coal is going to play in the energy mix...because of the role that natural gas is going to play."

The official cited International Energy Agency [projections](#) that natural gas demand will grow 50 percent and coal demand will increase by 2040, especially in South and Southeast Asia. And he pointed to [reports](#) that at least 1,600 coal plants are planned or under construction in 62 countries, according to the environmental group Urgewald. Chinese companies are reportedly planning many of them, but the Chinese government in January canceled plans for 103 plants.

As part of the Paris agreement, China pledged to begin shrinking total emissions by 2030. Trump has said it's unfair that China would be able to keep increasing its carbon output in the meantime, although the U.S. over time has contributed more greenhouse gases to the atmosphere than any other nation and China's economy was slower to begin growing.

The White House official did not explain how the U.S. would seek to push of more efficient coal plants abroad, but he said the conversation in Bonn Monday would cover "high efficiency, low emissions coal, but then also the more advanced technologies that either improve efficiency, or the carbon capture and utilization pieces."

Trump on his trip to Asia last week unveiled a slate of deals with China, but none were to promote more efficient coal-fired power plants. One is for sales and rentals of Caterpillar mining equipment to China's largest coal mining company and another is a joint venture between a U.S. industrial gases company and state-owned Chinese firm to build a coal-to-syngas facility, according to [Bloomberg](#). Trump's travels focused far more on promoting the export of U.S. liquefied natural gas.

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Top Democrats stage anti-Trump revolt at Bonn climate summit [Back](#)

By David Siders and Emily Holden | 11/12/2017 10:56 AM EDT

BONN, Germany — A handful of Democratic governors and scores of other lawmakers and mayors are mounting an insurgency at the United Nations climate conference here, orchestrating a highly choreographed campaign to persuade world leaders that President Donald Trump doesn't speak for the United States on climate change.

Several Democratic U.S. senators began meeting last week with officials from other countries, seeking to minimize Trump's withdrawal from the Paris climate agreement. Meanwhile, the governors of California, Virginia, Oregon and Washington — along with mayors from throughout the nation — were expected to touch off a blitz of public appearances at the conference as the meeting enters its final week.

"We are still in!" Sen. Ben Cardin of Maryland told cheering activists Saturday at a pavilion set up just outside the official meeting zone, a de facto headquarters for the opposition. "I want to make it clear: The federal government is not just the president of the United States."

The Democrats' diplomacy — part lobbying, part public relations — comes amid widespread international concern about Trump's decision to pull the United States out of the Paris accord. War-torn Syria announced last week that it would join the agreement, leaving the United States — if it goes through with its withdrawal — as the only country in the world outside of the pact.

On Saturday, Democratic politicians, climate activists and like-minded business interests sought to present the United States as a country divorced from its president. Speakers repeated the slogan, "We are still in," a message splayed across an electronic ticker and on buttons at the unofficial U.S. pavilion. The pavilion's estimated \$235,000 cost was being covered by a coalition including former New York Mayor Michael Bloomberg and the billionaire environmentalist Tom Steyer.

Steyer, who is spending millions of dollars on a national television ad campaign calling for Trump's impeachment, was expected to outline his case for Trump's ouster in a speech here Sunday.

While pavilion organizers plied guests with big-name speakers and free beer and wine, a subtler campaign was unfolding inside the conference halls. Starting late last week, a small delegation of U.S. senators, including Cardin, Brian Schatz (D-Hawaii), Ed Markey (D-Mass.) and Sheldon Whitehouse (D-R.I.) — began meeting with officials from other countries in an effort to assuage nerves about Trump. Schatz said he and other lawmakers met with delegations from India and Japan and were planning to meet with representatives of the European Union, Mexico, Indonesia

and Canada.

The senators argued Trump could not quickly undo eight years of Obama-era climate policies or significantly affect state-level efforts to reduce greenhouse gas emissions.

"I think that there's an understanding of the American system of government, which is sometimes cumbersome and slow, and frustratingly so, but in this instance it works in favor of climate action," said Schatz. "Whatever the president's rhetoric, he can't prevent us from moving forward on clean energy."

Following a meeting with Mexican officials, Markey said Saturday, "Obviously, I think it's important for them to understand that there are 30 states that have renewable electricity standards, that the fuel economy standards are still the federal law, that the appliance efficiency standards are still federal law."

Democrats trying to thwart attacks on climate action have on their side bureaucracy, the courts and a narrowly divided Congress that often gets stuck in legislative stalemates. Although Republicans control Congress and the White House, they need 60 votes to proceed to most legislation.

The Trump administration is moving to undo President Barack Obama's climate standards — including carbon limits for the roughly one-third of emissions that come from the power sector. Those regulatory rollbacks could take years and will have to stand up to legal review, but in the meantime, the federal government will not move forward to curb greenhouse gases.

Markey promised that Democrats will fight to maintain fuel economy standards and will block any effort to cut back wind and solar tax credits. He told a crowd on Saturday that Trump has "assembled a Cabinet of Big Oil all-stars" but that, "On our side, we have 100 years of science and nearly 100 percent of the scientists in the planet. And inside the United States, we have city after city, state after state, standing up to take action."

Diplomats are paying close attention to American representatives pledging to keep fighting climate change, said Jens Mattias Clausen, a Copenhagen-based climate change adviser for Greenpeace who is attending the talks.

The most important thing those representatives can do is "show the rest of the world that even if the Trump administration refuses to face reality here and continues with this very isolationist style that the rest of the U.S. is actually ready to step up and help with the commitments that they have," Clausen said. In terms of specific numbers they can offer, "the more concrete it gets ... the better," he added.

California Democratic Gov. Jerry Brown and Bloomberg are leading a group called America's Pledge, which aims to release more specific reduction commitments from states and localities next year. On Saturday, they released a report asserting the combined economic power of every state and city that has committed to the Paris agreement would outmatch every country except for China and the U.S.

Yet even their own report acknowledged, as previous studies have, that non-federal efforts to reduce greenhouse gas emissions are not sufficient to meet the United States' commitments under the Paris agreement given Trump's stated policies. And local and state climate efforts are fraught with their own, internal disagreements about how aggressively subnational governments should pursue climate policies on their own. On Saturday, Brown had a speech interrupted for an extended period by activists protesting California's cap-and-trade program and its permissiveness on hydraulic fracturing.

"You have a positive message insofar as what individual states and individuals are doing" about climate change, Mairead McGuinness, a member of the European Parliament, told Brown at a forum last week.

However, she said, "Sometimes when we make a step forward, there are forces that ask us to step back by half."

McGuinness added, "One of the comments we hear from EU citizens is that, why should we act when others are not?"

For all of the Democrats' efforts, Trump looms large over the conference, and the power of the White House is not lost on the international community. Trump, who has called climate change a hoax, is publicly promoting coal production. He has said he is withdrawing from the Paris agreement because it puts the United States at a "big economic disadvantage."

Last week's elections in the United States provided a rare, positive talking point for Democrats trying to combat Trump's message in Bonn. The Democrats' sweep in the off-year contests, they said, presaged a return to Democratic power in Washington and re-engagement in climate talks abroad.

"Tuesday's election marked that Trump is alone and isolated," said Garrett Blad, executive director of SustainUS, a youth advocacy group. "It's going to be our job back home — 2018 is going to be a huge year with the elections — to make sure that states ... are moving forward with the most aggressive action that we can."

When Bloomberg mentioned Saturday that the official U.S. delegation to the conference under Trump was preparing to host a controversial panel on Monday on the use of fossil fuels, the crowd booed.

"The Trump administration did send a delegation here to Bonn, and it might be the first climate conference where — this is not a joke, folks — coal is being promoted as an example of sustainability," Bloomberg said.

He added, "It will also likely be the last. The world is moving on, and so is the United States."

Former Vice President Al Gore, a major draw for climate activists at the conference, told POLITICO in an interview Saturday that commitments made by states, cities and businesses all

"adds up to a very impressive reduction in U.S. emissions."

He added, "I mean, [Trump] can prohibit EPA employees from talking to the public, and he can remove the word 'climate' from all the government websites. But he can't stop the technological and business revolution that's gaining speed around the world and especially in the U.S."

Sara Stefanini contributed to this report.

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While pavilion organizers plied guests with big-name speakers and free beer and wine, a subtler campaign was unfolding inside the conference halls. Starting late last week, a small delegation of U.S. senators, including Cardin, Brian Schatz (D-Hawaii), Ed Markey (D-Mass.) and Sheldon Whitehouse (D-R.I.) — began meeting with officials from other countries in an effort to assuage nerves about Trump. Schatz said he and other lawmakers met with delegations from India and Japan and were planning to meet with representatives of the European Union, Mexico, Indonesia and Canada.

The senators argued Trump could not quickly undo eight years of Obama-era climate policies or significantly affect state-level efforts to reduce greenhouse gas emissions.

"I think that there's an understanding of the American system of government, which is sometimes cumbersome and slow, and frustratingly so, but in this instance it works in favor of climate action," said Schatz. "Whatever the president's rhetoric, he can't prevent us from moving forward on clean energy."

Following a meeting with Mexican officials, Markey said Saturday, "Obviously, I think it's important for them to understand that there are 30 states that have renewable electricity standards, that the fuel economy standards are still the federal law, that the appliance efficiency standards are still federal law."

Democrats trying to thwart attacks on climate action have on their side bureaucracy, the courts and a narrowly divided Congress that often gets stuck in legislative stalemates. Although Republicans control Congress and the White House, they need 60 votes to proceed to most legislation.

The Trump administration is moving to undo President Barack Obama's climate standards — including carbon limits for the roughly one-third of emissions that come from the power sector. Those regulatory rollbacks could take years and will have to stand up to legal review, but in the meantime, the federal government will not move forward to curb greenhouse gases.

Markey promised that Democrats will fight to maintain fuel economy standards and will block any effort to cut back wind and solar tax credits. He told a crowd on Saturday that Trump has "assembled a Cabinet of Big Oil all-stars" but that, "On our side, we have 100 years of science and nearly 100 percent of the scientists in the planet. And inside the United States, we have city after city, state after state, standing up to take action."

Diplomats are paying close attention to American representatives pledging to keep fighting climate change, said Jens Mattias Clausen, a Copenhagen-based climate change adviser for Greenpeace who is attending the talks.

The most important thing those representatives can do is "show the rest of the world that even if the Trump administration refuses to face reality here and continues with this very isolationist style that the rest of the U.S. is actually ready to step up and help with the commitments that they

have," Clausen said. In terms of specific numbers they can offer, "the more concrete it gets ... the better," he added.

California Democratic Gov. Jerry Brown and Bloomberg are leading a group called America's Pledge, which aims to release more specific reduction commitments from states and localities next year. On Saturday, they released a report asserting the combined economic power of every state and city that has committed to the Paris agreement would outmatch every country except for China and the U.S.

Yet even their own report acknowledged, as previous studies have, that non-federal efforts to reduce greenhouse gas emissions are not sufficient to meet the United States' commitments under the Paris agreement given Trump's stated policies. And local and state climate efforts are fraught with their own, internal disagreements about how aggressively subnational governments should pursue climate policies on their own. On Saturday, Brown had a speech interrupted for an extended period by activists protesting California's cap-and-trade program and its permissiveness on hydraulic fracturing.

"You have a positive message insofar as what individual states and individuals are doing" about climate change, Mairead McGuinness, a member of the European Parliament, told Brown at a forum last week.

However, she said, "Sometimes when we make a step forward, there are forces that ask us to step back by half."

McGuinness added, "One of the comments we hear from EU citizens is that, why should we act when others are not?"

For all of the Democrats' efforts, Trump looms large over the conference, and the power of the White House is not lost on the international community. Trump, who has called climate change a hoax, is publicly promoting coal production. He has said he is withdrawing from the Paris agreement because it puts the United States at a "big economic disadvantage."

Last week's elections in the United States provided a rare, positive talking point for Democrats trying to combat Trump's message in Bonn. The Democrats' sweep in the off-year contests, they said, presaged a return to Democratic power in Washington and re-engagement in climate talks abroad.

"Tuesday's election marked that Trump is alone and isolated," said Garrett Blad, executive director of SustainUS, a youth advocacy group. "It's going to be our job back home — 2018 is going to be a huge year with the elections — to make sure that states ... are moving forward with the most aggressive action that we can."

When Bloomberg mentioned Saturday that the official U.S. delegation to the conference under Trump was preparing to host a controversial panel on Monday on the use of fossil fuels, the crowd booed.

"The Trump administration did send a delegation here to Bonn, and it might be the first climate conference where — this is not a joke, folks — coal is being promoted as an example of sustainability," Bloomberg said.

He added, "It will also likely be the last. The world is moving on, and so is the United States."

Former Vice President Al Gore, a major draw for climate activists at the conference, told POLITICO in an interview Saturday that commitments made by states, cities and businesses all "adds up to a very impressive reduction in U.S. emissions."

He added, "I mean, [Trump] can prohibit EPA employees from talking to the public, and he can remove the word 'climate' from all the government websites. But he can't stop the technological and business revolution that's gaining speed around the world and especially in the U.S."

Sara Stefanini contributed to this report.

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McAuliffe, top Democrats dismiss impeachment talk [Back](#)

By David Siders | 11/12/2017 11:19 AM EDT

BONN, Germany — Virginia Gov. Terry McAuliffe said Sunday he does not support impeaching President Donald Trump, after Democratic billionaire Tom Steyer pressed the case for impeachment at the United Nations climate conference here.

"Let [special counsel Robert] Mueller, and let the people who are doing the process, go through and do what they're doing," McAuliffe said after a breakfast speech by Steyer, a supporter of the Virginia Democrat. "You don't prejudge investigations."

Steyer, who is spending millions of dollars running television ads in the United States calling for Trump's impeachment, told a small crowd Sunday that "lack of action is a choice."

But Steyer's message did not appear to resonate with top Democratic politicians in Germany for the climate talks. Oregon Gov. Kate Brown, who also attended the breakfast, said she has no position on impeachment, which she said is "something that Congress is going to deal with." California Gov. Jerry Brown was also dismissive.

"Do you want me to start an impeachment movement by saying, 'Yes, I agree with Steyer. Let's go.' What will that do?" Jerry Brown told reporters on Saturday night. "That would be counterproductive. It would undermine all that we're trying to do."

Former California GOP Gov. Arnold Schwarzenegger, a vocal critic of Trump, declined to

answer questions about impeachment Sunday.

Steyer, who is considering running for U.S. Senate in California, spoke in a pavilion set up by United States climate advocates and financed by a coalition including Steyer and former New York Mayor Michael Bloomberg.

McAuliffe, a potential presidential contender who described Steyer as a friend, said, "He paid for the breakfast. He's entitled to clearly say what he wants."

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Pro-Trump group courts donors with Cabinet access [Back](#)

By Maggie Severns | 11/10/2017 03:22 PM EDT

Energy Secretary Rick Perry will headline an intimate gathering of high-powered business executives in Texas next week for the pro-Trump outside group America First Policies, the first in a series of "roundtable discussions" giving donors face time with top Trump officials.

The Houston event featuring Perry, detailed in an invitation sent to a Republican donor and obtained by POLITICO, will include roughly 30 people and cover topics from energy policy to the Trump administration's broader agenda, America First spokeswoman Erin Montgomery said. Perry will not solicit donations from the attendees at the Monday event, which would be a violation of federal law — but America First officials plan to ask for contributions after Perry leaves the room.

The event highlights the cozy and growing ties between officials in President Donald Trump's administration and outside allies spending millions of dollars pushing administration policies this year. America First is brandishing its relationships with government officials to establish itself as the White House's preferred outside ally, among a mass of pro-Trump groups that have popped up this year.

In addition to holding more roundtable events, America First Policies recently held conference calls featuring White House Legislative Affairs Director Marc Short, House Majority Leader Kevin McCarthy and Rep. Erik Paulsen, all key players on tax reform. America First leaders also huddled with White House officials recently.

America First Policies and its affiliated super PAC, America First Action, plan to raise and spend \$100 million supporting Trump's agenda in the next year. Super PACs are not permitted to coordinate with candidates and there are strict rules governing Cabinet officials' political activities. But there is a loophole: Perry and others can participate in events put on by America First's nonprofit policy arm, which is legally separate from the super PAC even though the same officers run both groups.

"As long as the super PAC and the 501(c)(4) each stays in its own lane they can both operate under the same umbrella," said Brett Kappel, a campaign finance lawyer and partner at Akerman LLP.

But campaign finance reform advocates said the arrangement crosses an ethical line.

"This is all part of the very close coordination we're seeing between the campaign itself and what's supposedly an outside group," said Craig Holman, the government affairs lobbyist at the good-government group Public Citizen. The activities constitute "coordination in anyone's definition except for the Federal Election Commission's," he said.

Perry is an ideal ambassador for America First Policies in Texas, where the former governor has deep ties to the energy industry and donors who fueled his state campaigns as well as two presidential bids.

An Energy Department spokesperson did not return a request for comment. Perry was in France this week meeting with energy leaders from other countries. He is slated to attend a similar meeting in Texas on Monday, prior to the America First event, with leaders from Canada and Mexico.

America First was silent for much of this year and went through multiple staff shakeups, but has recently been working to restore its original position as the central group backing Trump's agenda.

But it has competition. Future45, which supported Trump during the 2016 elections with funding from casino billionaire Sheldon Adelson and the Ricketts family, announced a project that will spend in the tens of millions of dollars promoting tax reform earlier this month. Great America PAC, which is affiliated with former White House strategist Steve Bannon, began endorsing 2018 candidates in recent days.

Great America PAC's support for Roy Moore broke from Trump's support for Sen. Luther Strange in Alabama. America First plans to stay closely aligned with Trump and Trump's agenda, which Texas businessman Roy Bailey said could be a differentiator.

"We're not second-guessing anything; we're totally confident in [Trump's] ability to lead this nation and we're supporting him and the vice president," said Bailey, who is involved with America First.

That message has intrigued Texas-based energy executive Dan Eberhart, who said he hasn't yet made a donation to America First but is "interested in what they have to say."

"A lot of people who supported Republicans in 2016 are frustrated with the way things have turned out," Eberhart said. "If the Republican establishment won't support the president's agenda, we need alternatives who will."

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Perry's grid study: 4 things that may have legs [Back](#)

By Darius Dixon | 08/24/2017 06:56 PM EDT

The Energy Department's study of the electric grid arrived late Wednesday, but it's not yet clear whether Secretary Rick Perry's efforts to help support nuclear and coal-fired power plants will have legs.

The 187-page [report](#) called for DOE to focus mostly on R&D and coordinating efforts to prepare for disasters, and left the heavy lifting for other agencies, such as FERC, EPA, the National Science Foundation and the Nuclear Regulatory Commission.

Among the recommendations are for FERC to "expedite" its work to reformulate how electricity markets pay power generators, and for EPA to revisit its New Source Review permitting program that requires plants to tighten emissions controls when they upgrade their plants — both issues that have proven difficult for the two agencies.

"If these recommendations, as a suite, are something that the administration really wants to do, someone in the White House is going to have to quarterback that," said Greg Gershuny, who served as chief of staff in DOE's Energy Policy and Systems Analysis office during the Obama administration and worked on the Quadrennial Energy Review.

"In the next four or five weeks, as Congress gets back, we'll see if these things are going to move," he said. "How engaged Perry is and how many times a week he's going to the Hill and talking to other agency heads is going to tell us a lot about how serious they are about this."

DOE, which did not submit the report for OMB review before its release, is now taking [public comments](#) on the study. Here's a breakdown of the issues.

Wholesale electricity markets: The new report calls on FERC to speed its work with states, grid operators and market players to "improve" how power producers are paid in the wholesale markets under the agency's jurisdiction. FERC had been grappling with the issue under its "price formation" initiative over the past three years, rolling out proposals and new rules to try to adapt to the increasing complexity of the electric grid — and to make sure power generators are fairly compensated.

However, grid operator PJM has [argued](#) regulators were thinking too small, and it released a trio of working papers earlier this year highlighting FERC's initiative while quickly noting that "fundamental" price formation issues hadn't been addressed. DOE suggested that FERC consider "fuel-neutral" markets to pay for essential grid reliability services.

So far, FERC seems sympathetic.

Soon after President Donald Trump gave him the gavel this month, FERC Chairman Neil Chatterjee stressed that generators, including coal and nuclear plants, "need to be properly compensated to recognize the value they provide." FERC has broad authority to alter market pricing rules, but that can be a slow process, and can have vastly different impacts in different states and regions — and draw sharp political pushback.

ClearView Energy Partners analysts warned against dismissing opposition to market rules that raise electricity prices on consumers.

"FERC-led initiatives can often create strange bedfellows, strong alliances and more opposition than state-led proposals," a ClearView report issued Thursday said. "We are reluctant to assume this all goes as quickly as the change advocates hope."

DOE's study also argued that "negative offers should be mitigated to the broadest extent possible," a reference to the fact that renewables like wind power can still make money even if power prices go negative because they can rely on a federal production tax credit.

Grid reliability R&D: The new report says that DOE should "focus R&D efforts to enhance utility, grid operator, and consumer efforts to enhance system reliability and resilience." That view stands in contrast to the Trump administration's first budget proposal, which suggested cutting DOE's electricity office by 42 percent from current levels, to \$120 million.

Nevertheless, Perry has said he wants his agency to focus on "early-stage" research, with the intention of transitioning that work to the private sector as quickly as possible.

DOE's study says more research should be done on technology that will make it easier for grid operators to integrate increasing amounts of renewable power, facilitate technical coordination with Canada and Mexico, and increase "targeted" R&D to boost the efficiency of coal-fired power plants.

Infrastructure development: The new push calls on the federal government to "accelerate and reduce costs for the licensing, relicensing, and permitting of grid infrastructure" — including power plants and transmission — which could easily involve a half-dozen federal agencies.

DOE, the study says, "should review regulatory burdens for siting and permitting for generation and gas and electricity transmission infrastructure and should take actions to accelerate the process and reduce costs."

The Obama administration sought to quicken the electric transmission permitting process in 2013 with a memo to the chiefs at the departments of Agriculture, Commerce, Defense, Energy and Interior, which resulted in a final rule last year. Several members of Congress have also pressed the issue in legislation, including in the 2015 highway bill that included directives to more than a dozen agencies to join a new permitting council tasked with speeding up the federal process for large infrastructure projects.

DOE also recommends that the NRC "ensure the safety of existing and new nuclear facilities without unnecessarily adding to the operating costs and economic uncertainty of nuclear energy" and, without much explanation, "[r]evisit nuclear safety rules under a risk-based approach."

The report doesn't target specific NRC regulations, but does discuss the agency's license renewal process and the expenses associated with equipment upgrades, which may make it a prime target for cost reductions.

Breaking down barriers for coal power: The study recommends that policymakers "encourage EPA to allow coal-fired power plants to improve efficiency and reliability without triggering new regulatory approvals and associated costs." That's a reference to the New Source Review permitting program, which was created under the 1977 Clean Air Act amendments to prevent coal plants and other major emitters from making equipment changes or upgrades that would increase their emissions.

Reforming the program has been an industry priority for decades, with companies arguing that power plants have held back on making upgrades that would increase their efficiency because of concerns that they would have to go through the NSR permitting process. A collection of unions earlier this summer, for example, [called for NSR reform](#) as part of any replacement rule for the Clean Power Plan.

But multiple Bush administration attempts to weaken permitting requirements show that NSR reform is much easier said than done. A 2002 rule was partly [struck down](#) by the D.C. Circuit Court of Appeals, which said several new exemptions were not allowed under the Clean Air Act. Another 2003 rule introducing another major exemption was completely [tossed out](#) by the D.C. Circuit. A third NSR [rulemaking](#), issued in the final days of Bush's presidency, dealt with how sources report emissions changes. Environmentalists sued, and the rule remains under reconsideration at EPA to this day.

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MSHA nominee: 'I was not proud' of violations notice [Back](#)

By Ian Kullgren | 10/04/2017 05:55 PM EDT

President Donald Trump's nominee for assistant secretary of Labor for Mine Safety & Health told a Senate committee today that his coal company ignored safety conditions at one of its mines.

David Zatezalo was chairman of Rhino Resources when it received pattern of violation notices in 2010 and 2011, the Charleston Gazette-Mail previously reported. The company was later fined when a wall collapsed, killing a worker.

When questioned by Sen. [Tim Kaine](#) (D-Va.) about the notice, Zatezalo blamed the mine manager.

"The management of that particular group and that particular site was not doing what they should have been doing," Zatezalo said. "I was not proud of the fact that we got designated as a [potential pattern of violations] mine. I did not try to lawyer up and stop anything from happening."

"I replaced that management," he added, "because I wasn't too happy with their performance and hadn't been for sometime."

Zatezalo appeared before the Senate HELP Committee for a confirmation hearing with Cheryl Stanton and Peter Robb, Trump's nominees for Wage and Hour Division administrator and NLRB general counsel, respectively. Few senators showed up to the hearing, though, and [Patty Murray](#) (D-Wash.) complained that the Senate's busy schedule didn't leave enough time to probe as deeply as she would have liked.

Zatezalo assured Kaine that he wouldn't have a problem working with career staff at MSHA who issued the notice to his company.

"They did what they were supposed to do," he said.

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Coastal lawmakers push back on House flood insurance proposals [Back](#)

By Zachary Warmbrodt | 11/08/2017 03:59 PM EDT

A bipartisan group of coastal lawmakers is pushing for major changes to the National Flood Insurance Program reauthorization bill that's awaiting a floor vote.

Republicans and Democrats representing the Atlantic and Gulf coasts have filed several amendments, which have been [released](#) by the House Rules Committee.

Some of the amendments would attempt to further shield policyholders from flood insurance premium increases, following concessions won by House Majority Whip [Steve Scalise](#) (R-La.) that reduced proposed penalties for properties that repeatedly flood.

One [amendment](#) by Reps. [Frank LoBiondo](#) (R-N.J.) and [Peter King](#) (R-N.Y.) would strike three sections of the bill, [H.R. 2874](#), including a prohibition on coverage for buildings valued above \$1 million. Their amendment would also lower the bill's proposed cap on annual premium increases to \$5,000 from \$10,000.

"While discussions continue with the committee, Congressman LoBiondo feels the flood insurance bill is not at a point it needs to be to earn his vote and those of other coastal legislators," LoBiondo chief of staff Jason Galanes said. "He drafted the amendment to address those outstanding concerns."

LoBiondo and King were two of 26 House Republicans who wrote to House leadership this summer warning that they would not support an earlier iteration of the House Financial Services Committee package in part because they said it would make flood insurance unaffordable for their constituents.

Another lawmaker who signed on to that letter, Rep. Garret Graves (R-La.), has offered four amendments, including one that would restrict FEMA from raising insurance rates if a property was at a higher risk of flooding because of actions undertaken by the federal government.

Rep. Dan Donovan (R-N.Y.), who was part of the group fighting the bill this summer, has offered an amendment that would freeze insurance premiums in areas where flood maps are being redrawn.

Other coastal Republicans who signed the July letter were trying to put their stamp on the final bill.

Rep. Leonard Lance (R-N.J.) raised concerns about the bill this week, a spokesman said. Rep. Clay Higgins (R-La.) is part of the negotiations, his spokesman said.

Rep. Steven Palazzo (R-Miss.) is pushing for changes addressing several concerns with the bill, including increasing surcharges, how premium rates will be determined for coastal versus inland locations and the lack of provisions that address the NFIP's debt, a spokeswoman said.

"He will continue to push for a program that protects South Mississippians, provides flood insurance that is affordable and available, and ensures the long term success of the program," she said.

House aides said the Financial Services Committee was preparing to rewrite a section of the bill laying out annual assessments that FEMA charges policyholders to fill a reserve fund.

The new provision would require FEMA to impose a 16 percent assessment on insurance premiums, up from the flood program's current rate of 15 percent.

Aides said the change was being made to address member confusion and issues raised by the CBO.

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House Rules reschedules hearing on flood insurance bill [Back](#)

By Zachary Warmbrodt | 11/10/2017 04:51 PM EDT

The House Rules Committee will hold a hearing Monday on the National Flood Insurance Program reauthorization bill, as Republicans try to move ahead with a floor vote.

The Rules Committee will resume consideration of the bill, [H.R. 2874 \(115\)](#), after postponing a Tuesday hearing on the legislation. At the time, the committee said it delayed the meeting after the CBO flagged a scoring issue.

In the interim, House Financial Services Chairman [Jeb Hensarling](#) (R-Texas) decided to [revise](#) a section of the bill that would impose assessments on premiums to fill a reserve fund, [drop](#) a prohibition of coverage for homes worth more than \$1 million and delay the implementation of an exemption for commercial properties subject to mandatory coverage requirements.

This week, a group of coastal lawmakers continued to raise [concerns](#) with the bill and offered several amendments.

WHAT'S NEXT: The Rules Committee hearing on the bill will be at 5 p.m. on Monday.

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SAB appointee doesn't represent North Carolina, state says [Back](#)

By Alex Guillén | 11/08/2017 10:16 AM EDT

Donald van der Vaart, the former head of North Carolina's Department of Environmental Quality, will not represent the agency or the state in his recent appointment to EPA's Science Advisory Board, the DEQ [told a local television station](#).

Van der Vaart, a Republican who was considered for a top EPA appointment, demoted himself at DEQ to a non-political position that cannot be removed at will following last fall's gubernatorial win by Democrat Roy Cooper.

But his position on SAB will not come with Cooper's blessing, according to DEQ.

"DEQ does not support his participation on the EPA's SAB," the agency told local TV station WRAL. DEQ will not participate as a representative of the DEQ or North Carolina, the agency added.

Neither van der Vaart nor EPA immediately returned requests for comment this morning.

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Jerry Brown, President of the Independent Republic of California [Back](#)

By David Siders | 11/11/2017 07:06 AM EDT

VATICAN CITY—On his way to the United Nations climate talks in Bonn, Germany, this week, Jerry Brown stopped over at the Vatican, where a doleful group of climate scientists, politicians and public health officials had convened to discuss calamities that might befall a warming world. The prospects were so dire—floods and fires, but also forced migration, famine and war—that some of the participants acknowledged difficulty staving off despair.

California's doomsayer governor did not express much optimism either. Seated between an economist and an Argentine bishop at the Pontifical Academy of Sciences, Brown leaned into his microphone and said, "It is despairing. Ending the world, ending all mammalian life. This is bad stuff."

"There's nothing that I see out there that gives me any ground for optimism," he went on. Still, he promised action: "I'm extremely excited about doing something about it."

Even though President Donald Trump has abandoned the Paris climate agreement and called climate change a "hoax," and even though he is proceeding to scrap the Obama-era Clean Power Plan and promoting the production of coal, Brown insisted to his audience at the Vatican that these policies do not reflect the true sensibilities of the United States.

"This is not just a top-down structure that we have in the United States," the governor said. The small crowd burst into applause when he added, "Over time, given the commitments that we're seeing in this room today, and what we're seeing around the world, the Trump factor is very small, very small indeed."

In the raw balance of power between a governor and a president, Brown has almost no standing abroad. What he does have is a platform, and a proposition: Crusading across Europe in his Fitbit and his dark, boxy suit, Brown advances California and its policies almost as an alternative to the United States—and his waning governorship, after a lifetime in politics, as a quixotic rejection of the provincial limits of the American governor. In the growing chasm between Trump's Washington and California—principally on climate change, but also taxes, health care, gun control and immigration—Brown is functioning as the head of something closer to a country than a state.

In his final term, Brown has lobbied other states and regions to reduce their greenhouse gas emissions, while augmenting California's already expansive suite of climate change programs. But Trump's election—and the specter of Brown's own retirement—have lately set the governor

on a tear. In a rush of climate diplomacy this year, Brown traveled to China to meet with President Xi Jinping, then to Russia to participate in an international economic forum. This past week saw him address lawmakers in Brussels and Stuttgart, Germany, and he was preparing for roundtable meetings with scientists in Oslo before arriving in Bonn for a climate conference, where Brown will serve as special adviser for states and regions. And he is preparing for California to host an international climate summit of its own next year in San Francisco.

In one sense, Brown's fixation on climate change would seem unremarkable, the predictable conclusion of a career steeped in the ecological and environmental movements of the 1960s and 1970s. The 1969 Santa Barbara oil spill, early Earth Day rallies and the Stockholm conference on the environment weighed heavily on the public consciousness when Brown was starting out in politics, and observers of a certain age will still recall him mystifying audiences with pronouncements about "planetary realism" and the "spaceship Earth." He was still talking about the need for a fundamental shift in lifestyle when he said at the Vatican that confronting climate change will require "a transformation of the relationship of human beings to all the mysterious network of things."

"It's not just a light rinse," Brown said. "We need a total, I might say, brainwashing. We need to wash our brains out and see a very different kind of world."

But in his climate diplomacy today, Brown is performing a more urgent, final act. For nearly all his public life—from secretary of state to governor, to mayor of Oakland and state attorney general before becoming governor once again, at age 72—Brown's near-constant state was to run for public office. Now, for the first time, he is not. Term limits will chase Brown from the state Capitol in January 2019, and today he calls climate change his "campaign," dismissing the idea that after running unsuccessfully for president three times, he might try again in 2020. "I've thought because people like you ask me," he said in an interview before leaving for Europe. "But no, I'm not running."

Now, Brown's future rests on a family ranch in Northern California, where he is nearly finished building a remote, off-the-grid home. These days, he talks more about rattlesnakes and wild boar than the presidential election, and he has turned his focus from electoral politics to more existential concerns.

"I find a lot of what is included in politics doesn't count that much, at least for my salvation or my peace of mind or my interest in life," Brown said. The climate, he went on, "is fundamental. It's not like dietary requirements. It's not like a tax measure, or a school curriculum, or many of the issues, even a crime bill. It goes to the essence of being alive, living things. Whether it's humans or fauna, flora, the basis of life is embedded in this chemical structure, biological structure. And it's threatened."

Sitting in the back of a Ford Crown Victoria on a tarmac at Los Angeles International Airport, Brown added, "This, to me, seems worthwhile."

Brown often borrows from the writer Carey McWilliams' description of California as "the great exception," a colossus that McWilliams said, "always occupied, in relation to other regions, much the same relation that America has occupied toward Europe: it is the great catch-all, the vortex at the continent's end into which elements of America's diverse population have been drawn, whirled around."

Trump's election nearly spun that vortex off its axis. In a state where Democrats had already battered Republicans to near-irrelevance, voters last year installed Democratic super-majorities in both houses of the state Legislature. They approved higher taxes and stricter gun controls, legalized marijuana and made certain felons eligible for early parole. They handed Trump the most lopsided loss a Republican presidential nominee has suffered in California in 80 years. Then they slumped in front of their TV sets as the rest of America went the other way.

The morning after the election, the leaders of the state Senate and assembly issued a joint statement in which they said they "woke up feeling like strangers in a foreign land." Brown had joked before the election that if Trump were to become president, "We'd have to build a wall around California to defend ourselves from the rest of this country."

Now, the state Legislature and a large share of Brown's constituents expected him to hoist it up—to assert California's sovereignty in the Trump state. As Trump started dismantling his predecessor's climate policies, Brown helped organize an alliance of 14 states and the island of Puerto Rico, pledging to meet their share of the U.S. commitment to the Paris climate accord. He redoubled his efforts outside of the United States, expanding on a joint project with the German state of Baden-Württemberg: recruiting nearly 200 mostly subnational governments to sign a nonbinding pact to limit global temperature rise to below 2 degrees Celsius, the threshold beyond which many scientists predict environmental catastrophe. On top of that, Brown negotiated legislation extending California's signature cap-and-trade program for an additional 10 years, then signed an agreement with leaders of Ontario and Quebec to integrate their cap-and-trade systems with California's.

Trump's election shook Brown and his home state in other ways, too: California relied on billions of dollars in federal health care funding that Trump threatened to undo, and the president's hard line on immigration sowed fear among California's large population of undocumented immigrants. When the Trump administration started conducting immigration sweeps in Los Angeles, protesters strung "No I.C.E" signs from freeway overpasses, and Brown—who had signed legislation granting undocumented immigrants driver's licenses and access to college financial aid—negotiated state legislation curbing local law enforcement officials' ability to cooperate with federal immigration agents.

By this fall, California's feuding with Washington had grown so routine that it barely registered as news when, during the span of seven hours one day last month, state Attorney General Xavier Becerra announced four separate lawsuits against the Trump administration on issues ranging from health care and education to immigration and oil extraction on public and tribal lands.

Before Trump's election, Brown existed largely at the margins outside California. When he returned to office in 2011, a fellow Democrat held the White House, and no one had to look

West for an expression of leftist causes. In that context, Brown presented as a moderate, taking criticism from environmentalists for his permissiveness of hydraulic fracturing, while others dismissed as insignificant the nonbinding climate agreements he pursued.

But then Trump, less than a month in office, told a national TV audience, "California is in many ways out of control." Former White House chief strategist Steve Bannon, addressing California Republicans shortly after Brown signed legislation expanding protections for undocumented immigrants, said that if California kept this up, it would eventually "try to secede from the union." The governor factored so heavily in the specter of a civil war that House Majority Leader Kevin McCarthy, himself a Californian, slipped in a speech last month in which he rebuked one "President Brown."

The nation's most populous state was cleaving from Washington, and Brown was its marshaling force.

"Trump is leaving many vacuums, and I think Jerry Brown has long imagined himself as a kind of global player," says Orville Schell, who wrote a biography of Brown in 1978 and remains in contact with him. "He does see California, as the sixth-largest economy of the world, as capable of playing more of a nation-state-like role."

Brown "sort of accidentally has had the world thrust in his lap through the climate issue, which he passionately believes in," Schell adds. "The opportunity has presented itself, the inclination is there, and he's sort of ratcheting the state up to rush into that breach that Washington is leaving."

In the role of a statesman, Brown so far has been met with dotting audiences in Europe. When he arrived in Stuttgart for meetings this week, local officials sent a seven-car motorcade to the airport to deliver him to his hotel with lights flashing, an unheard-of accommodation back home. And when Brown spoke in Brussels on Tuesday, before the hemicycle of the European Parliament, the body's president, Antonio Tajani, said the governor's presence gave Europeans "some comfort" in the era of Trump. Muhterem Aras, president of the parliament of Baden-Württemberg, told Brown through an interpreter, "You and your work are needed more than ever." She cast Brown as a warrior "facing a mighty lobby as an adversary."

Yet in the polished, grip-and-grin world of diplomacy, Brown can also seem out of place. He has sprinted through his trip on a borrowed charter plane with his tiny entourage—a handful of aides, a small protective detail and his wife and adviser, Anne Gust Brown, straightening his collar. He maintains an exasperatingly loose schedule, suffers posing for photographs and sometimes wanders on stage.

Before he strode into the Vatican headquarters of the Pontifical Academy of Sciences, a 16th century summer residence for Pope Pius IV, Brown darted for a table of coffee and cookies that waiters were starting to clear away.

"You had to eat, didn't you, love?" his wife asked her husband, who has a sixth sense for free

food.

Throughout his trip, Brown has also carried copies of two articles he wrote about the threat of nuclear proliferation, his principal concern other than climate change. The first, "Nuclear Addiction: A Response," was written in 1984 for a now-defunct Jesuit publication. The second is Brown's review in the *New York Review of Books* last year of former defense secretary William Perry's *My Journey at the Nuclear Brink*. Leaving a meeting one night in Rome with Arturo Sosa, the superior general of the Jesuits, Brown squinted over his hawk-like nose and said that while "going around enlisting allies ... I bring my two little articles and I pass them around."

Depending on his audience and mood, Brown vacillates between optimism and dread for the future. Signing a government guestbook in Brussels this week, he quoted Virgil: "Ad astra per aspera"—to the stars through difficulties. Later, when the elevator taking Brown from a meeting went up instead of down, he first complained, half-joking—"Mistake!"—and then said, "That can happen with missile launches, too."

As frequently as Brown is asked about Trump, Brown has mentioned the president only sparingly on his European tour. Although he has called Trump the "null hypothesis" for climate change, a politician who by "making his case of denial so preposterous, helps the other side," he insists the problem of climate change is bigger than one leader, and has acknowledged he is trying to make "lemonade out of a lemon."

A year ago, it appeared that Brown might not be able even to do that. Two nights before the election, he was eating chips and salsa at an airport bar in Durango, Colorado, where he had spent the day campaigning for Hillary Clinton. If Trump took the White House, he said in an interview, it would be "game over" for climate change. "Game over," he said again.

Asked about it recently, on the tarmac in Los Angeles, Brown said, "I say a lot of things while waiting for a drink in bars across America."

"We're fighting," he added. "The game is over in Washington for the moment ... But not in the world."

Later, at the Vatican, he put it this way: "You should despair, but that won't help. So be optimistic, and do whatever you can."

Brown said he has met Trump once, when he was mayor of Oakland in the 2000s and considered bringing a casino to the city. The two flew together in Trump's plane to Oakland from Palm Springs. The governor recalled being impressed with a Renoir that Trump had hung on a wall in the plane. "I don't know whether it was real or not," Brown said last year. "But I thought it was. I thought it was a hell of a statement."

Brown, more than many politicians, could appreciate the populist appeal that swept Trump into the White House—and that Brown sought to capture in his own three presidential campaigns. In

1976, he called for an "era of limits," then campaigned against the North American Free Trade Agreement and the influence of corporate money in politics in his 1992 campaign. He refused campaign contributions greater than \$100 and, in rhetoric reminiscent of Trump's "drain the swamp," criticized "the basic fact of unchecked power and privilege."

Pat Caddell, the veteran pollster and political analyst who gave advice to Brown in 1992 and Trump in 2016, says, "Brown was way ahead of his time, really ... I think if Jerry had run in '16, he could have won the Democratic nomination."

Today, Brown's mind is elsewhere. He deflects questions about his legacy, arguing, "Everything we're doing can be framed as either a model for everybody else or building my legacy that I'm going to be reviewing in my dotage." Yet the issues that consume him—climate change and nuclear proliferation—are legacy concerns of humankind.

"Human civilization is on the chopping block," Brown told an auditorium full of lawmakers and students this week in Stuttgart, his voice rising almost to a yell. "We have to wake up the world. We have to wake up Europe, wake up America, wake up the whole world to realize that we have a common destiny."

While climate change has afforded Brown a degree of notoriety outside California, he believes that history is not kind to governors and a politician's relevance quickly fades. "It's just a matter of time before your irrelevance engulfs your total being," he said in Los Angeles, chuckling. "I'm pretty focused on today."

He is at least thinking a little about the near future. Dna Hoover, who is building the Browns' ranch house, said Anne Gust Brown called recently to ask about stucco samples and a generator, and the couple ran a herd of goats through the property, where the Browns have planted olive trees, to chew down grass to prevent fire. "He's ready," Hoover says. "He's really so connected with that place and is ready to get up there full-time."

Brown has even discussed the possibility of creating some kind of meeting space on the ranch. Before he was to arrive in Bonn on Saturday, he left his aides behind and swung south to Bremen, Germany, to visit with Silja Samerski, who had once helped him organize a salon he called the "Oakland Table," attracting intellectuals such as the late social critic Ivan Illich. "We're going to talk about unfinished issues from the Oakland Table," Brown said of his visit with Samerski. "The good life, and how are we supposed to lead it. What are we doing? So, that's getting ready for the Colusa Institute," he explained, laughing a bit. Colusa is the name of the county where he is building his ranch.

Brown is also contemplating writing when he leaves office, something he tried, but largely gave up, after his first two terms as governor. His work at the time, he says, "didn't rise to the quality that met my standards."

Decades later, Brown says, "I have much more to say."

At an event held alongside the Democratic National Convention last year, Brown had compared

his retirement to that of a Roman statesman, "a fellow named *Cincinnatus* who saved the Republic, and then he went back to the plow."

Reminded of that comparison recently, Brown smiled and said, "I like to be on my plow." But he added, "Maybe I'll be sending out pronouncements from the plow."

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