

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Wed 8/16/2017 2:04:37 PM
Subject: POLITICO's Morning Transportation: Infrastructure déjà vu — More execs quit manufacturing board — NTSB, safety group analyze highway crashes

By Brianna Gurciullo and Stephanie Beasley | 08/16/2017 10:00 AM EDT

INFRASTRUCTURE DÉJÀ VU: President Donald Trump signed an executive order Tuesday intended to cut the federal environmental permitting process down to two years and make sure one agency is in charge of a project's forms. As our Lauren Gardner reports for Pros, the order "is another drip in the trickle of actions Trump has taken to highlight his interest in bolstering the nation's infrastructure," but the president's plan for \$1 trillion in private and public investment remains elusive. (Here's the text of the executive order, and a fact sheet on the Trump administration's infrastructure-related executive orders and budget proposal.)

Toot your own horn: Transportation Secretary Elaine Chao said in a statement Tuesday that DOT has pinpointed "more than two dozen policies and rules" to make the permitting process quicker. She also highlighted INFRA, the grant program that DOT overhauled so its criteria better lined up with the Trump administration's focus on drawing in funding from sources other than the federal government.

Gut check: Tuesday's announcement, during a maelstrom of otherwise bad press for the president, seemed tailor-made to try to shift the dialogue back to one of his signature issues. But the real prize - the \$1 trillion plan Trump pledged on the campaign trail - is little more than a few ideas on paper. The administration continues to promise more details this fall.

Speaking of timetables: Gary Cohn, the director of the National Economic Council, told reporters Tuesday that an infrastructure package will "come on the heels" of a tax overhaul. "We hope it's this year," Cohn said. "We need to get taxes done between now and Thanksgiving. We need to get infrastructure going. As soon tax comes out of the House and goes to the Senate, we'll put infrastructure in the House."

IT'S WEDNESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Don't forget to send tips, feedback, and lyrics to sbeasley@politico.com or [@Steph_Beasley](https://twitter.com/Steph_Beasley) and bgurciullo@politico.com or [@brigurciullo](https://twitter.com/brigurciullo).

"We count only blue cars, skip the cracks in the street / And ask many questions, like children often do." (h/t Kristina Webb at The Palm Beach Post)

GET LISTENING: Follow MT's playlist on Spotify. What better way to start your day than with songs (picked by us and readers) that are all about flying, driving, commuting and sailing?

'HERE COMES THE WATER': The executive order that Trump issued Tuesday also rescinds the Federal Flood Risk Management Standard. The standard, instituted by President Barack Obama, "requires that new federally funded projects ... be built to withstand the stronger storms

and additional flooding projected to occur as the climate changes," Pro Energy's Annie Snider [reports](#), noting that it "has not actually taken effect yet; each federal agency is tasked with developing its own regulation for implementing the standard, and none have yet been finalized."

TWEET DU JOUR: Anyone who watched the [video](#) of Trump's comments about his executive order knows that he spent much more time talking about what happened in Charlottesville, Virginia, than about infrastructure. NBC News' Kristin Donnelly tweeted this [pic](#) of new White House Chief of Staff John Kelly listening as Trump spoke at Trump Tower.

'STUCK IN THE MIDDLE WITH YOU': When asked Tuesday about Trump's [attacks](#) on her husband, Senate Majority Leader Mitch McConnell (R-Ky.), Chao had this to say: "I stand by my man. Both of them."

HOW TIMELY: As the Trump administration continues to refine its infrastructure policy, the Association of Equipment Manufacturers has released a [new poll](#) that it says shows the majority of people across the country support the idea of investing in infrastructure as an economy booster. Out of 3,481 people surveyed in urban, rural and suburban areas, about 89 percent believed that infrastructure investments would strengthen the economy, AEM said. Eighty-two percent believed investments in infrastructure would also create more jobs.

THE NUMBERS ARE PILING UP: Scott Paul, the president of the American Alliance for Manufacturing, and AFL-CIO President Richard Trumka are among the latest batch of executives to resign from Trump's manufacturing council over the president's response to violence in Charlottesville. "I'm resigning from the Manufacturing Jobs Initiative because it's the right thing for me to do," Paul [tweeted](#) Tuesday morning. Trumka quit after Trump made additional comments about the topic during his Tuesday infrastructure presser.

DHS PERSONNEL UPDATE: After having been floated as a potential successor to FAA Administrator Michael Huerta, Miami-Dade Aviation Department Director and CEO Emilio Gonzalez is now rumored to be in the running for a senior position at DHS, sources say. CyberScoop's Shaun Waterman [writes](#) that Gonzalez is on a short list of candidates for the department's top spot, along with Acting Secretary Elaine Duke and former Deputy DHS Secretary James Loy, among others. But sources tell MT that if Gonzalez is being considered for an agency position, it would more likely be for something like TSA deputy administrator or - again - at FAA. The White House did not respond to a request for comment.

NOT QUITE OUT OF THE WOODS: Motor vehicle deaths decreased slightly during the first six months of this year, but the numbers are still higher than they were two years ago, according to [preliminary data](#) from the National Safety Council. The group estimates that 18,680 people have been killed in vehicle crashes since January, while 2.1 million were seriously injured. The data indicates a 1 percent dip, or 250 fewer deaths, from the same period in 2016. However, the estimated death toll is still 8 percent higher than it was in 2015, NSC notes. The numbers are "leveling off," but addressing prevention of future deaths will require "improvements in technology, engaging drivers and investing in our infrastructure," said NSC President and CEO Debbie Hersman. The group said motor vehicle fatality trends could be affected by recent improvements in the U.S. economy and lower gas prices.

NO, SPEED RACER, NO: NTSB released the full version of its most recent study on speeding-related crashes. The agency first released findings from the study at a press event late last month. The data connects speeding to at least 112,580 highway crash fatalities between 2005 and 2014. NTSB has said that although the risks of speeding are on par with driving under the influence of alcohol, the former issue does not receive nearly as much attention nor does it carry the same "social consequences." The NTSB recommends increased use of automated speed enforcement technologies and more consistent state and local reporting of speeding-related crashes, among other items.

A4A's CRYSTAL BALL: Airlines for America predicts that 16.1 million people will take flights with U.S. carriers from Aug. 30 to Sept. 5. (Programming note: Labor Day is Sept. 4.) That would be a 5 percent increase from the same stretch in 2016, when approximately 15.4 million travelers flew with U.S. airlines. A4A anticipates that Hartsfield-Jackson Atlanta International Airport, Los Angeles International Airport and Chicago O'Hare International Airport will be the "busiest" hubs in the country from that Wednesday to Tuesday.

'HERE COMES THE OIL TRAIN': New Jersey Senate Democrats, who hold a majority in the state's upper house, are looking to vote to override Republican Gov. Chris Christie's veto of a bill to increase oversight of oil trains. The measure "would require the operators of trains carrying hazardous materials to have emergency response plans on file with the state Department of Environmental Protection," Ryan Hutchins reports for POLITICO New Jersey Pro. "Christie conditionally vetoed the measure in July over concerns it could make information about the locations of the trains available to terrorists." (To override Christie's veto, two-thirds of both houses would have to vote "yes.")

KNIVES OUT: House Transportation Committee member Todd Rokita and Rep. Luke Messer, both Republicans from Indiana, are engaged in what POLITICO's Maggie Severns and Kevin Robillard have dubbed "the GOP's nastiest primary."

FOR YOUR RADAR: Chao will visit Alaska next week and meet with Republican Sen. Lisa Murkowski, who told the Ketchikan Daily News that she plans to talk to Chao about replacing an Alaska Marine Highway System ferry.

QUOTE DU JOUR: "We've gotten some deals done on the train ... I mean, you're looking for somebody, and you know you have a captured audience for about a minute. For the Senate, that's a long time." -Sen. Ben Cardin (D-Md.), who spoke to The Washington Post's Martine Powers for a story about the Senate's subway.

MT MAILBAG: A group of mostly shippers sent a letter this week to the leaders of two congressional panels with jurisdiction over the Surface Transportation Board, asking them to "urge" the board to launch a formal investigation into CSX's service issues. The Rail Customer Coalition - a group that includes the Auto Alliance, Global Automakers, the Farmers Union and others - also asked the chairmen and ranking members of the Senate Commerce and House Transportation committees to "examine the ramifications of the CSX service breakdown, and whether there are adequate means available to the STB to mitigate the adverse impacts to the rail

network."

ICYMI: The STB sent a [letter](#) to Hunter Harrison, the president and CEO of CSX, this week asking that the company give the board's staffers certain performance metrics ahead of the calls they are holding every week with CSX officials. The board will publish the information to its website.

SHIFTING GEARS: Andrea Waldock Niethold, formerly Rep. [Lou Barletta's](#) (R-Pa.) chief of staff, is Canadian National Railway Company's new director of government affairs in D.C. ... David Quinalty is leaving the Senate Commerce Committee, where he's been policy director for communications and technology, to work for Waymo as its leader of federal policy and government affairs, Pro Technology's Steven Overly [reports](#).

THE AUTOBAHN:

- "Companies linked to Mike Pence seek an upper hand in infrastructure policy." [International Business Times](#).
- "New Boston transit chief Ramirez has no transit experience." [The Associated Press](#).
- "Uber's former self-driving chief urged calling out Musk." [Bloomberg](#).
- "Helicopter involved in Charlottesville crash was involved in previous incident." [The Washington Post](#).
- "German government steps in to keep Air Berlin flying." [POLITICO Europe](#).
- "NTSB documents offer insight but no cause for Silver Spring building explosion that killed 7." [The Washington Post](#).
- "Alarming airport security holes: Are we vulnerable to another 9/11-type attack?" [Forbes](#).
- "Uber settles with FTC over data-privacy protections." [The Wall Street Journal](#).
- "Metro adds cell service between Metro Center and Stadium-Armory stations." [DCist](#).
- "The world's shipping companies are going super-sized." [Bloomberg](#).

THE COUNTDOWN: DOT appropriations run out in 45 days. The FAA reauthorization expires in 45 days. Highway and transit policy is up for renewal in 1,141 days.

To view online:

<http://www.politico.com/tipsheets/morning-transportation/2017/08/16/infrastructure-deja-vu-221907>

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Subject: POLITICO Playbook, presented by Morgan Stanley: HICKENLOOPER on White House run with Kasich: You never know -- ANNIE KARNI: WEST WING women are the 'survivors' in Trump WH -- WHAT TRUMP tells people on his golf courses -- SASSE rebuffs Heritage

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Today's POLITICO Playbook presented by Morgan Stanley
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By ANNA PALMER (anna@politico.com; [@apalmerdc](https://twitter.com/apalmerdc)), JAKE SHERMAN (sherman@politico.com; [@JakeSherman](https://twitter.com/JakeSherman)) and DANIEL LIPPMAN (daniel@politico.com; [@dlippman](https://twitter.com/dlippman))

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Driving the Day

Happy hump day from Denver. **SOME NEWS** -- We asked **COLORADO GOV. JOHN HICKENLOOPER** during a Playbook Exchange event here if he would run for the White House on a ticket with **OHIO REPUBLICAN GOV. JOHN KASICH**. He said: "I don't think Kasich would ever do that ... You never know. You never say. He's an easy person to work with. He's strongly opinionated. And quick to his opinion. But he also knows as much about the federal budget, and understands health care at a deeper level than almost any other governor I know. ... I don't think it's in the cards. But I do like the idea of working with him in some context at some point." The governor told us Trump has told him he's taken notice of his appearances on TV.

-- **WILL HICKENLOOPER RUN AGAINST SEN. CORY GARDNER (R-COLO.)?** He said he was "disappointed" with Gardner's stance on health care. "That's not the Cory Gardner I thought I knew." Hickenlooper said he is "not ruling anything out." When asked what he thinks about when he considers running for a seat in Washington, Hickenlooper joked, "I think why me? What did I do to hurt you?" **Video of the event at S&P Global's Denver office** <http://bit.ly/2ujrpA8>

SPOTTED : Reince Priebus and Anthony Scaramucci both dining Tuesday afternoon at the Lafayette restaurant at the Hay Adams. Reince was with one other person, Scaramucci was with four. They were at separate tables.

READ THIS STORY, about how Treasury Secretary Steven Mnuchin is pushing for a clean debt ceiling increase and, in part, is banking on Democrats to carry it. <http://politi.co/2vs7LXJ>. It's very hard to see how this is not going to be a huge legislative fight in the fall. Conservatives are going to want to notch a legislative

achievement alongside lifting the debt limit. Democrats are out of power in every sense, and will want a clean increase but won't want to be seen as carrying it. The ceiling needs to be lifted by the end of September. Government funding also runs out then. And the White House has said they want to finish tax reform by the end of October.

TOP TALKER -- BEHIND THE CURTAIN -- "Full transcript: Trump's Wall Street Journal interview," by Josh Dawsey and Hadas Gold: "President Donald Trump called his son-in-law a 'good boy' while thanking Wall Street Journal editor-in-chief Gerard Baker for a positive editorial about Jared Kushner and said the leader of the Boy Scouts told him his jamboree speech was 'the greatest speech ever made to them.' The comments, made to The Wall Street Journal and obtained in a transcript by POLITICO, show Trump holding forth at length with Baker and engaging in a familiar back and forth. Baker, according to the transcript, asked many of the questions and took the lead byline on the main piece about the interview as well, an unusual step for the editor in chief of a paper with a large White House reporting staff. The Journal has not published a full transcript of the interview. ...

"Matt Murray, the Journal's deputy editor-in-chief, warned staffers in a conference call in recent days about leaking the transcript, saying it would be a breach of trust, according to several sources familiar with the call. 'Damn right I told them that. It's true,' Murray said on Tuesday via a Journal spokesperson. According to the transcript, Ivanka Trump stopped by the Oval Office during the interview, telling Baker she heard he was there and wanted to say hello. ... Baker told Ivanka Trump, 'It was nice to see you out in Southampton a couple weeks ago,' an apparent reference to a party thrown last month attended by many politicians, business titans and media elites thrown by Washington Post heiress Lally Weymouth ... Ivanka Trump and Baker also chatted about their daughters, both named Arabella." ***With the full transcript*** <http://politi.co/2vhPWKC>

BREAKING -- EARLY LEAD FOR DEMOCRATS -- NEW POLITICO/MORNING CONSULT POLL -- "Poll: Democrats surge ahead on generic ballot," by Steven Shepard: "Republicans trail Democrats by 7 percentage points on the generic congressional ballot, according to a new POLITICO/Morning Consult poll, the Democratic Party's greatest advantage on the generic ballot since the poll began asking the question this past spring.

"The survey, conducted last Thursday through Saturday, shows a generic Democrat leading a generic Republican, 44 percent to 37 percent, with 19 percent of registered voters undecided. The two parties were tied, 40 percent apiece, in the previous week's poll." <http://politi.co/2uiOgMm>

TRUMP'S WEDNESDAY -- THE PRESIDENT will announce a legal immigration overhaul with Sens. Tom Cotton (R-Ark.) and David Perdue (R-Ga.). He'll also meet with Sen. Rob Portman (R-Ohio) in the afternoon.

VICE PRESIDENT MIKE PENCE in Montenegro made brief remarks to the pool. Per WaPo's Ashley Parker, Pence said: "As you mentioned, NATO is made up of large

countries and small countries, but the United States of America has no small ally."

NEXT UP -- "U.S. Plans Trade Measures Against China," by WSJ's Jake Schlesinger and Bob Davis: "The Trump administration is planning trade measures to force Beijing to crack down on intellectual-property theft and ease requirements that American companies share advanced technologies to gain entry to the Chinese market. The administration is considering invoking a little-used provision of U.S. trade law to investigate whether China's intellectual-property policies constitute 'unfair trade practices,' according to people familiar with the matter. That would pave the way for the U.S. to impose sanctions on Chinese exporters or to further restrict the transfer of advanced technology to Chinese firms or to U.S.-China joint ventures. ...

"One big question hanging over the White House review is whether the administration pursues any complaint through the World Trade Organization, or whether it chooses to impose penalties on its own without first seeking permission from the international body, which some Trump advisers have argued is incapable of dealing with China's trade practices. Trump aides have regularly vowed to pursue a more unilateral approach to trade but have so far done little along those lines. It is unclear how long the administration's internal review will take before an announcement is made. Officials at one point had signaled that an announcement could come as soon as this week."
<http://on.wsj.com/2vrtXB6>

-- **ANDREW RESTUCCIA** and **DOUG PALMER**: "Trump's aides have been deeply divided on trade, with top trade adviser Peter Navarro and chief strategist Steve Bannon calling for aggressive measures even as others like National Economic Council Director Gary Cohn have urged caution. But an administration official said the decision to launch a Section 301 investigation won broad support among the president's ideologically diverse staff." <http://politi.co/2uiKpi2>

MONEY CHASE -- AP'S JULIE BYKOWICZ: "Trump's fundraising prowess is the engine of the [RNC] and a lifeline for every Republican planning to rely on the party for financial help during next year's congressional races. Leaning heavily on Trump's appeal among small donors, the party has raised \$75 million in the first six months of the year, more than double what the [DNC] had raised by the same point in President Barack Obama's first year." <http://bit.ly/2wl5F8v>

DRAIN THE SWAMP! -- "Trump Loyalist Mixes Businesses and Access at 'Advisory' Firm," by NYT's Nick Confessore and Ken Vogel: "Mr. Lewandowski started his new business, Lewandowski Strategic Advisors, in May, according to corporate documents filed in Delaware, eight days after he announced he would part ways with the Washington lobbying firm he helped found, Avenue Strategies. Mr. Lewandowski has recently discussed expanding the new firm by adding, among others, two more Trump insiders -- the former Trump deputy campaign manager David Bossie and George Gigicos, who stepped down Monday as Mr. Trump's White House advance director -- according to two associates.

"Among the first new clients of Lewandowski Strategic Advisors is an Ohio-based company called Community Choice Financial. The company is a leader in the payday lending industry, which has faced heightened federal scrutiny in recent years. ... Mr. Lewandowski, who is known for his keen understanding of Mr. Trump's news media tastes and habits, used an appearance on NBC's 'Meet the Press' on Sunday to press his new client's interests, calling for Mr. Trump to oust the bureau's director, Richard Cordray, an Obama holdover who has led the effort to pass new payday lending requirements. ... Rejecting a question from the 'Meet the Press' host, Chuck Todd, about whether he had 'a client that wants to see' Mr. Cordray fired, Mr. Lewandowski said: 'No, no. I have no clients whatsoever.'" <http://nyti.ms/2vrrcQt>

THE LATEST ON HEALTH CARE ...

-- **"Republicans in Congress Bypass Trump to Shore Up Health Law,"** by NYT's Robert Pear and Thomas Kaplan: "Congressional Republicans moved on Tuesday to defuse President Trump's threat to cut off critical payments to health insurance companies, maneuvering around the president toward bipartisan legislation to shore up insurance markets under the Affordable Care Act. Senator Lamar Alexander of Tennessee, the influential chairman of the Senate Health, Education, Labor and Pensions Committee, announced that his panel would begin work in early September on legislation to 'stabilize and strengthen the individual health insurance market' for 2018.

...

"In the House, two Republicans, Representatives Tom Reed of New York and Charlie Dent of Pennsylvania, teamed with Democrats to promote incremental health legislation that would also fund the cost-sharing subsidies. The moves were a remarkable response to the president's repeated threats to send health insurance markets into a tailspin. They offered tangible indications of cooperation between the parties after Republican efforts to scrap the Affordable Care Act collapsed in the Senate last week, all but ending the seven-year Republican quest to overturn President Barack Obama's signature domestic achievement. Lawmakers from both parties concede that the health law needs improvement, as consumers face sharp premium increases and a shrinking number of insurance options in many states." <http://nyti.ms/2f7tMEj>

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TOP-EDS -- LANHEE CHEN and TEVI TROY in the WASHINGTON POST: "How Republicans can fix Obamacare now": "On the legislative front, there are several rifle-shot provisions that could be attached to must-pass pieces of legislation, such as continued funding for the Children's Health Insurance Program. The Congressional Budget Office estimates that medical liability reform could save almost \$50 billion over 10 years. And allowing the purchase of insurance across state lines would help expand insurance markets, consequently, improving options for consumers in states burdened by heavy insurance mandates. Republicans could also eliminate the Independent

Payment Advisory Board, a government body that has drawn bipartisan criticism for the extraordinary power it has to make significant cuts to the Medicare program."

<http://wapo.st/2vhxotW>

-- **SEN. JAMES LANKFORD (R-Okla.)** in the **WSJ**, "**How To Make The Senate Work Again: Keep The Filibuster But Change Other Rules That Promote Delay**": "How do we get the Senate working again? First, we should reduce floor debate time for executive nominees from 30 hours to eight or less. The Senate could debate and vote on five or more nominees a week, instead of just one or two. Interestingly, this rule change was adopted for a short time by the Senate in 2013, under Harry Reid, as part of a temporary agreement to fill nominations. It worked then, and it would work now. Second, we should lower the vote threshold on the 'motion to proceed,' which begins legislative debate and amendment consideration, from 60 votes to 51." <http://on.wsj.com/2w4oxZT>

IF YOU READ ONE THING -- ANNIE KARNI: "In Trump's White House, the women are the survivors": "Kellyanne Conway's office has a different vibe than other corners of the West Wing. Unlike some of the drab work spaces belonging to her male counterparts, whose offices look as impersonal as the day they moved in, Conway's office is decorated with colorfully framed, oversized family photos mounted on the walls and a copy of Ivanka Trump's book 'Women Who Work' prominently on display. The comfy digs are a sign that Conway, the White House counselor who recently has been keeping a lower profile, is planning on being here for the long haul - even though some of her colleagues, including chief strategist Steve Bannon and recently departed chief of staff Reince Priebus, have at times tried to cut her out of the information loop.

"Meanwhile, former colleagues like Priebus, Anthony Scaramucci, Sean Spicer, Michael Flynn, Michael Dubke, Michael Short and Boris Epshteyn have been fired, or simply resigned to save themselves. Even Bannon, according to multiple people close to President Donald Trump, has been the target of the president's recent frustrations and anger, and he has been trying to lower his genius-behind-the-throne profile in order to avoid sharing Priebus' unhappy fate. Conway, however, is not alone in surviving the snakepit. The quiet endurers of Trump's tumultuous White House, by and large, are the women who serve in his administration. That fact that may seem ironic in an administration run by a man who has launched sexist attacks on everyone from morning show host Mika Brzezinski to his former campaign opponent Hillary Clinton - and who in the past has been accused by more than a dozen women of groping or kissing them against their will.

"But the women of the West Wing, at least so far, have had the more stable ride. is not alone. Former Goldman Sachs partner Dina Powell has risen in the ranks to become deputy national security adviser. She was also on the final shortlist of people Trump was considering for the chief of staff job given to retired Gen. John Kelly, according to two White House officials. It was Powell, alongside U.N. Ambassador Nikki Haley, who was invited to ride in Trump's car, known as 'The Beast,' from the White House to Andrews Air Force Base last Friday, hours before the president unceremoniously fired Priebus in the rain. Communications adviser Hope Hicks maintains an unassailable position as a

surrogate family member and loyal aide by the president's side, where she has stood since before there was even a campaign. Sarah Huckabee Sanders has risen to the position of press secretary, after Spicer resigned because he was not given the full control of the communications department that he demanded." <http://politi.co/2wkSaFV>

TRIAL BALLOON - "Kelly eyes DHS spokesman for communications director, sources say," by CNN's Dylan Byers: "[Dave] Lapan, who has worked with Kelly for over a decade, is at the top of a short list to serve as the White House's top official on messaging and communications. He would take the position formerly held by Anthony Scaramucci. Kelly's interest in Lapan suggests that he is as eager to impose discipline on the White House messaging strategy as he is to impose order on the chaotic and fractious West Wing. Lapan has a background that, like Kelly's, is steeped in years of military experience. Before DHS, he led press operations at the Defense Department and the Marine Corps. Reached for comment, Lapan told CNNMoney he had not spoken to Kelly or anyone else at the White House about the position." <http://cnnmon.ie/2tYnp8R>

-- **REPORTERS WE SPOKE TO** said this would be a good hire for the White House. He respects the media and the job that journalists do.

THANKS, BUT NO THANKS -- "Sasse rebuffs Heritage for top job," by Eliana Johnson: "The Heritage Foundation has approached one of the Senate's leading anti-Trump Republicans, Ben Sasse, to gauge his interest in serving as president - an indication the influential conservative think tank may turn away from its supportive posture toward the president. Sasse, who was elected to his first term in the Senate in 2014, has swatted down the overtures from Heritage's board of trustees, according to two sources familiar with the recruitment effort. The Nebraska senator rose to national prominence when he announced early in the primary calendar that he would support neither Donald Trump nor Hillary Clinton, and he has been a persistent critic of Trump ever since." <http://politi.co/2vmrIDU>

-- **"Senior [EPA] official quits, decrying 'triumph of myth over truth,'"** by E&E's Ariel Wittenberg: "Elizabeth 'Betsy' Southerland worked at EPA for 30 years, most recently directing the Office of Water's Office of Science and Technology. Southerland slammed Pruitt's EPA for launching a 'repeal, replace, modify initiative' for regulations. ... She also described President Trump's executive order requiring that agencies repeal two regulations for every new one as 'a real Sophie's choice for public health agencies like EPA.' She said, 'Should EPA repeal two existing rules protecting infants from neurotoxins in order to promulgate a new rule protecting adults from a newly discovered liver toxin?'" <http://bit.ly/2uUBCGP> ... **Her exit memo** <http://bit.ly/2vi4k5h>

M.I.A. -- "Trump's CEO Brain Trust Comes Up Short on Big Ideas for Policies," by Bloomberg's Matt Townsend, Shannon Pettypiece and Joe Deaux: "Elon Musk of Tesla and Walt Disney's Bob Iger have quit. Jeffrey Immelt of General Electric and JPMorgan Chase's Jamie Dimon have dissented. President Donald Trump's business brain trust -- originally these executives, plus some 50 other chief executive officers chosen to help

shape White House policy -- has so far come up short on big ideas. In fact, there's been little activity for the strategic and policy forum and the manufacturing group, according to people familiar with the matter who asked not to be identified. After initial meetings early in Trump's presidency -- which the White House promoted with great fanfare -- his administration hasn't convened the groups for months or set firm dates for future meetings." <https://bloom.bg/2u2MRhw>

DOJ WATCH -- "Sessions offers rare warning on dangers of police misconduct," by Josh Gerstein: "As Attorney General Jeff Sessions delivered his usual recitation of the ills of violence and drugs plaguing America Tuesday, he added in a problem he rarely brings up unprompted: police misconduct. Sessions often chastises others for badmouthing police and, indeed, his remarks to an African-American law enforcement group in Atlanta, included just such a passage. But what was more notable was his public acknowledgment that 'bad' officers were contributing to a lack of community trust.

"We all know the cases of the last several years when in confrontations with police, lives have been cut short,' Sessions told the National Organization of Black Law Enforcement Executives conference. 'Just as I'm committed to defending law enforcement who lawfully have to use deadly force to defend themselves while engaged in their work, I will also use the power of the office I'm entrusted with to hold any officer responsible who violates the law.' 'You know all it takes is for one bad officer to destroy the reputations of so many who work every day to build good relationships in these communities and who serve with honor and distinction,' Sessions added."

<http://politi.co/2u2saCl>

COMING ATTRACTIONS -- "Justice Dept. to Take On Affirmative Action in College Admissions ," by NYT's Charlie Savage: "The Trump administration is preparing to redirect resources of the Justice Department's civil rights division toward investigating and suing universities over affirmative action admissions policies deemed to discriminate against white applicants, according to a document obtained by The New York Times. The document, an internal announcement to the civil rights division, seeks current lawyers interested in working for a new project on 'investigations and possible litigation related to intentional race-based discrimination in college and university admissions.'" <http://nyti.ms/2w4WRUH>

THE JUICE ...

-- **CALIFORNIA REP. BARBARA LEE** is being reappointed by House Minority Leader Nancy Pelosi to the post of House Democratic Representative to the United Nations, POLITICO California Playbook author Carla Marinucci writes in. The dedicated anti-war activist has made news recently with her effort to repeal the 2001 Authorization for Use of Military Force.

FUN READ - "'The moment when it really started to feel insane': An oral history of the Scaramucci era," by WaPo's Monica Hesse, Ben Terris and Dan Zak: ***With cameos from Matt Schlapp, Max Boot, Sens. Tim Kaine (D-Va.), Tim Scott (R-S.C.), and***

Chris Murphy (D-Conn.), Tommy Vietor, Eli Stokols, Sarah McBride, Henry Gomez, Olivia Nuzzi, Evan McMorris-Santoro, Yashar Ali, Ben Wikler, Kat Timpf.

<http://wapo.st/2vmPCcO>

Playbook Reads

TRUMP'S COST CUTTING -- "Boeing Jets Once Destined for Russian Carrier to Be Next Air Force One: Planes will be converted as part of an effort to cut the cost of replacement program," by WSJ's Doug Cameron: "The U.S. will buy two 747 jumbo jets from Boeing Co. for use as the next Air Force One fleet, converting planes previously ordered by a bankrupt Russian airline. Boeing suggested selling the planes as part of an effort to cut the cost of an Air Force One replacement program that President Donald Trump criticized as too expensive before taking office. 'We're working through the final stages of coordination to purchase two commercial 747-8 aircraft and expect to award a contract soon,' Air Force spokeswoman Ann Stefanek said on Tuesday."

<http://on.wsj.com/2vnC1C3>

REMEMBER HIM? -- "Prosecutors inappropriately inquired about ex-congressman Aaron Schock's sex life, defense attorneys say," by WaPo's Matt Zapotsky:

"Defense attorneys for former congressman Aaron Schock (R-Ill.) have asked a federal judge to dismiss the criminal charges against him, arguing in a court filing Tuesday that investigators acted inappropriately in the case, including by exploring Schock's sex life and whether he was gay.

"Schock's defense attorneys asserted that prosecutors made 'repeated inquiries to witnesses into who he has slept with and whether he is gay,' questioning at least a dozen witnesses on the topic of Schock's sexuality, his relationships and his sleeping arrangements. The attorneys argued the inquiries were so inappropriate that they could have affected witnesses who testified before the grand jury, and thus the indictment against Schock should be thrown out. 'The government's inquiries into Mr. Schock's sexuality and romantic relationships were not just distasteful and offensive,' Schock's attorneys wrote. 'They were prejudicial.' A spokeswoman for the U.S. Attorney's Office in the Central District of Illinois, which is prosecuting the case, declined to comment. ...

"The government has investigated nearly every facet of Mr. Schock's professional, political, and personal life,' defense attorneys wrote. 'This even includes his sex life. It is no secret that there has long been speculative gossip in the media about Mr. Schock's sexual orientation. For no apparent reason, the government has felt itself compelled to investigate this too.'" <http://wapo.st/2hmeYCr>

OUT GOLFING -- "First Golfer: Donald Trump's relationship with golf has never been more complicated," by Alan Shipnuck in Sports Illustrated: "At most other golf courses in America the TV is tuned to Golf Channel, on mute, but throughout last

summer and fall, the television in Trump Bedminster's shop was on Fox News, with the sound blaring. As President, Trump has already made four visits to the club. He has his own cottage adjacent to the pool; it was recently given a secure perimeter by the Secret Service, leading to the inevitable joke that it's the only wall Trump has successfully built. Chatting with some members before a recent round of golf, he explained his frequent appearances: 'That White House is a real dump.' (A White House spokesperson denies this occurred.) ...

"Trump favors the latest in TaylorMade equipment, owing to a long-standing friendship with Mark King, the company's former CEO. But when Prime Minister Abe gave Trump a gold-colored Honma Beres S-05 driver, it went straight into the bag. (Retail price of the club: \$3,755. The gift was made in November, and as President-elect, Trump was permitted to accept a gift that he would not have been allowed to take after the inauguration; Presidents are forbidden from accepting a present from a foreign government with a value that exceeds \$390.) ... A Wall Street banker and member of a Trump club with knowledge of the financing of the \$63 million Turnberry [Scotland] purchase expects the deal to be a subject of interest to special prosecutor Robert Mueller, given the foreign lenders he says were involved. ...

"[F]or the President, politics and golf are now inextricably linked. During the [U.S. Women's] Open, one of the few players to enjoy an audience with him was Sandra Gal, a member of the European Solheim Cup team from Germany. He quizzed her about the speed of the greens, thickness of the rough and other details about how his course was playing. 'I asked him how he was doing,' Gal says, 'and he said, "This Russia stuff is nasty business. Much nastier than trying to make a three-foot putt.'" <http://bit.ly/2f77ouA>

MUELLER'S MUSCLE -- "Former Justice Department official joins Mueller team," by Reuters' Karen Freifeld: "Greg Andres started on Tuesday, becoming the 16th lawyer on the team, said Josh Stueve, a spokesman for the special counsel. Most recently a white-collar criminal defense lawyer with New York law firm Davis Polk & Wardwell, Andres, 50, served at the Justice Department from 2010 to 2012. He was deputy assistant attorney general in the criminal division, where he oversaw the fraud unit and managed the program that targeted illegal foreign bribery." <http://reut.rs/2f7sIQc>

-- **"Wife of new Mueller prosecutor just bailed as judge in 2 Trump cases,"** by Josh Gerstein: <http://politi.co/2uXM6Uo>

***** **A message from Morgan Stanley** : Millennial investors are bringing increased attention to sustainable, responsible and impact investing-and it may be creating opportunities for investors of all ages. [Read more](#) about new sustainable investing portfolios with lower account minimums from Morgan Stanley. *****

THE MOOCH TALKS TO HUFFPO -- "Why The Mooch Lost His Cool," by HuffPost's Vicky Ward: "Scaramucci said he felt burned by the [Lizza] interview. 'The Lizzas and Scaramuccis have been friends for over 50 years. My dad knew his dad from construction, and we were building a personal relationship. Most of what I said was

humorous and joking. Legally, it may have been on the record, but the spirit of it was off. And he knew that.' Still, Scaramucci told me, he has plans to take Lizza out for a beer. When I asked Lizza for his response, he wrote back: 'I've only known Anthony in his capacity as a Trump surrogate and then White House communications director. We are not and have never been 'old family friends,' though I think our fathers knew each other, so maybe that's what he's talking about. (The Long Island Italian world in that generation is relatively small.) But again, that would not be a reason to suppress an explosive on-the-record interview.'" <http://bit.ly/2vmunrY>

FOR JARED -- "What Kushner's Leaked Speech Gets Wrong About Mideast

Peace: The president's son in law thinks he knows better than the peace processors who came before him. He's about to get a rude awakening," by Aaron David Miller in POLITICO Magazine: "While he says he always tries to 'We don't want a history lesson. We've read enough books.' I know how frustrating the past can be in Mideast peace talks: It's where the parties retreat, far too often blinded by their own claims and grievances, which seem to hold the future hostage. But for a would-be peacemaker, if you ignore history it will bury you. Israeli and Palestinian officials can overwhelm you with intricate stories about which patch of land belonged to whom when and who double-crossed whom in previous negotiating rounds. You don't need to be a historian to be a successful negotiator, but knowing which gripes matter and which ones don't is crucial." <http://politi.co/2wkjgNr>

--"**Trump's Peace Envoy Expands His Team,**" by Haaretz's Amir Tibon: "The Trump administration is working to staff up Jason Greenblatt's team to support his peace efforts. The most recent addition: Victoria Coates, a former foreign policy adviser to Senator Ted Cruz." <http://bit.ly/2uUJDvy>

VALLEY TALK - NICK BILTON in Vanity Fair, "Inside Travis Kalanick's Fight to Retake Uber": "Kalanick ... is probably the most aggressive and relentless C.E.O. that I have personally ever spent time with. And weeks after being ousted from Uber ... he is trying to stage his own comeback. ... After speaking with more than half-a-dozen people close to Kalanick and Uber's board of directors, it appears to me the jilted C.E.O. is up for the fight. ... Everyone I spoke to about Kalanick, however, told me that he is unequivocally trying to manipulate a return to the company in an operations role. (He currently sits on its board.) ... According to Kara Swisher at Recode, Kalanick prefers to liken his own potential homecoming to Jobs's epic return to Apple, with Kalanick telling people he is 'Steve Jobs-ing it.' Aaron Sorkin, get your typewriter ready!" <http://bit.ly/2tYaqEi>

MEDIAWATCH - per Alex Weprin in Morning Media: "The latest round of buyouts and layoffs at The New York Times will cost the company \$25 million, according to a Times filing with the SEC on Tuesday."

-- **JAMES CLAPPER**, former director of national intelligence, is now a CNN contributor. (h/t Hadas Gold's Morning Media)

LATE NIGHT BEST -- SEN. AL FRANKEN (D-Minn.) was on "**THE LATE SHOW**" with **STEPHEN COLBERT**. Franken talks about which senators are funny -- **video**

<http://bit.ly/2uj98mv>

Playbookers

SPOTTED: Interior Secretary Ryan Zinke and Sebastian Gorka enjoying a cold beer last night at Hawk 'n' Dove - "Zinke was ... enjoying some wings," per our tipster - **pic** <http://politi.co/2wjZLEE> ... Anthony Scaramucci last night leaving the Trump Hotel "with sunglasses on and suitcase in hand. He was picked up by a black SUV hired car," per our tipster.

ANDREA MITCHELL is celebrating her 39th year at NBC News this week.

WELCOME TO THE WORLD -- Alison Schneider, comms director of Locust Street Group and husband **Andrew Shult**, digital coordinator for Whip Scalise and an Issa/OGR alum, welcomed baby boy Cameron Burnley Schneider Shult on Tuesday. **Pic** <http://politi.co/2tXTuNZ>

TRANSITIONS - Edelman hired **Matt Bracken**, formerly of the Baltimore Sun, as the deputy editorial director of the firm's storytelling team as well as **Melanie Trotman**, a WSJ alum, as a VP and senior editor on the same team. ... **Amanda Hunter** has been hired as communications director for the Barbara Lee Family Foundation in Boston. She most recently worked as director of marketing and comms at the Phillips Collection.

OBAMA ALUMNI -- Sarah Bloom Raskin, former deputy Treasury secretary, has joined Duke University as a Rubenstein Fellow. "Raskin will collaborate across the university to improve understanding of markets, regulation and public leadership ... [and] will guest lecture in courses across the university, advise students and participate in public events." She is married to Rep. Jamie Raskin (D-Md.).

BIRTHDAY OF THE DAY: New Yorker staff writer **Lawrence Wright**, author of "Going Clear: Scientology, Hollywood, and the Prison of Belief" and "The Looming Tower" (Hugh Hewitt's favorite book). **How he's celebrating:** "My Austin-based blues band, WhoDo, is meeting me in New York, and we're playing [tonight] ... at Hill Country Brooklyn. I'll be singing an old Bob Wills song, 'Don't Be Ashamed of Your Age.'" Read his Playbook Plus Q&A: <http://politi.co/2vnzZSI>

BIRTHDAYS: AP alum Tom Raum is 73 ... former Sen. Paul Laxalt (R-Nev.) is 95 ... Stephen Cox, deputy associate attorney general, is 4-0 ... NYT's Matthew Rosenberg, also a CNN national security analyst (hat tip: Katherine Finnerty) ... Patrick Ruffini, co-founder of Echelon Insights and chairman and founder of digital agency Engage, is 39 ... Rep. Jacklyn Rosen (D-Nev.) is 60 ... Rich Edson of Fox News (h/ts Blair and Josh) ... Hearst Television's Eric Meyrowitz ... former Treasury Secretary John Snow is 78 ...

Kate Roberts ... Politico alum Benton Ives, now living in the Netherlands ... Gigi Kellett of Corporate Accountability International ... former Rep. Dan Boren (D-Okla.) is 44 ... former Rep. Nancy Boyda (D-Kans.) is 62 ... former Rep. Ron De Lugo (R-VI) is 87 ... Peter Mihalick ... Robert Oakley Seibert ... Emily Gershon ... Sarah Bittleman ... Colleen Gallagher ...

... **Caitlin Huey-Burns** of Real Clear Politics ... Jeff Ballou, president of the National Press Club ... Seng Peng of Cardno Emerging Markets, celebrating in Berlin ... Kevin Walling, who heads up the new digital operation at Hamburger Gibson Creative and was recently named a rising star by Campaigns and Elections, is 32 (h/ts John McCarthy and Anne Schroeder) ... Austin Laufersweiler, press secretary for Jason Kander and Let America Vote, is 26 (h/t Mitchell Rivard) ... Daniele Baierlein, director of development at the Mayor's Fund to Advance New York City (h/t Jon Haber) ... political consultant Dave Mills ... Paul Cheshire ... Vonda Marrow ... Michael Manganiello ... Gil Duran, SVP for media at Fenton ... Brian D. Montgomery ... Brynn Barnett, principal at HillPoint Strategies ... attorney Sim Khan, founder of custom-suit maker Brimble & Clark ... Dan Burrows ... Jennifer Streaks ... Sean Butler is 52 ... Bryce Dustman ... Melissa Leebaert ... Nehemiah Persoff is 98 (h/t Jewish Insider) ... David Hunter ... Vicki Seyfert ... Brendan O'Sullivan ... Ann Kelly (h/ts Teresa Vilmain)

***** **A message from Morgan Stanley** : According to Morgan Stanley research, 86% of Millennials-broadly defined as those born between the early 1980s and 2000-say they are interested in sustainable investing. They are also twice as likely to invest in a stock or a fund if sustainability is part of the value-creation thesis. With Millennials on track to become the largest demographic in America-by 2020, one in three U.S. adults will be a Millennial-the growing interest in sustainable, responsible and impact investing cannot be ignored. However, most sustainable investing opportunities cater to individuals with significant wealth, while the next generation is still in its early earning years. The growing demand for impact investing solutions is driving change, and opportunities created with reduced account minimums for this audience are benefiting investors of all ages. [Read more from Morgan Stanley.](#) *****

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