

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Bloomberg BNA  
**Sent:** Fri 9/1/2017 12:28:35 PM  
**Subject:** Sep. 01 -- EHS State Regulatory Alert



## **EHS State Regulatory Alert**

September 01, 2017 - Number 169

You can create a report customized by topic, jurisdiction, and date range by using the [Regulatory Summaries Report Tool](#). The report can be generated in Excel, Word, or PDF.

### Florida

#### *RADIATION*

#### Radiologic Technology/Specialty Technologists

#### Florida RADIATION

Proposed rule of the Department of Health, Division of Environmental Health, amends regulations under FAC 64E-3.0034 regarding specialty technologists for radiologic technology. The rule removes references to outdated American Society of Radiologic Technologists magnetic resonance practice standards. Comments are due Sept. 20, 2017. Contact: Brenda Andrews; DOH, Division of Environmental Health; 850-901-6568; [brenda.andrews@flhealth.gov](mailto:brenda.andrews@flhealth.gov)

—Florida Administrative Weekly (08/30/2017)

#### Regulatory Update

#### *WATER*

#### Total Maximum Daily Load Water Quality Restoration Grants

#### Florida WATER

Proposed rule of the Department of Environmental Protection repeals regulations under FAC 62-305.100, .200, .300, and .400 to delete obsolete provisions regarding total maximum daily load water quality restoration grants. Comments are due Sept. 20, 2017. Contact: Kate Merchant; DEP; 850-245-2952; [Kathryn.Merchant@dep.state.fl.us](mailto:Kathryn.Merchant@dep.state.fl.us)

—Florida Administrative Weekly (08/30/2017)

#### Regulatory Update

### Iowa

**HAZARDOUS WASTE MANAGEMENT**  
Petroleum Underground Storage Tank Fund  
**Iowa HAZARDOUS WASTE MANAGEMENT**

Proposed rule of the Comprehensive Petroleum Underground Storage Tank Fund Board rescinds regulations under 591 IAC 5, 6, 10, 12, and 14 to reflect 2016 legislation that removed the authority of the board to collect or administer the environmental protection charge (EPC). The rule deletes provisions concerning determination or adjustment of the cost factor, administration of the EPC on petroleum diminution, and the guaranteed loan program. The rule also deletes provisions concerning restructuring of insurance board and transfer of assets and liabilities of insurance fund and the aboveground petroleum storage tank fund. Comments are due Sept. 29, 2017. Contact: Dale Cira; CPUSTFB; 515-225-9263; dale.cira@aon.com

—Iowa Administrative Bulletin (08/30/2017)

Regulatory Update

**Maine**

**OIL AND GAS INDUSTRY**  
Compliance Assistance Loan Program  
**Maine OIL AND GAS INDUSTRY**

Proposed rule of the Finance Authority adopts regulations under MAC Chapter 326 to establish the Compliance Assistance Loan Program. The rule establishes eligibility requirements for borrowers and projects seeking financing for certain oil storage tank and related projects and specifies the terms and conditions of a loan. The program is similar to the Oil Storage Facility or Tank Replacement Program for which funding is no longer available. Comments are due Sept. 29, 2017. Contact: Katryn Gabrielson; Finance Authority; 207-620-3515; kgabrielson@famemaine.com

—Maine Regulations (08/30/2017)

Regulatory Update

**Mississippi**

**AIR**  
Petroleum Products Inspection/Temporary Waiver of RVP Standards  
**Mississippi AIR**

Temporary rule of the Department of Agriculture and Commerce amends regulations under Title 2, Part 1, Subpart 4, Chapter 8, Section 108.01, to provide a waiver for American Society for Testing and Materials Reid vapor pressure (RVP) specifications related to gasoline and gasoline blended with 1 percent or more ethanol. The rule is in response to the EPA's waiver of RVP requirements due to Hurricane Harvey. The rule is effective Aug. 30, 2017, and expires Sept. 15,

2017. Contact: Jennifer Thompson; DAC; 601-359-1144; jennifer@mdac.ms.gov

—Mississippi Regulations (08/30/2017)

Regulatory Update

**Nevada**

**AIR**

Local Agency Motor Vehicle Pollution Control Grants

**Nevada AIR**

Notice of the Department of Motor Vehicles announces the withdrawal of an Aug. 23, 2017, notice of intent to repeal regulations under NAC 445B.859 through .873 to delete provisions concerning local air pollution control grants. A concurrent proposal incorporates the action into a consolidated action. Contact: DMV; 775-684-4549

—Nevada Register (08/29/2017)

Regulatory Update

**AIR**

Pollution Control, Inspections of Vehicles

**Nevada AIR**

Notice announces the intention of the Department of Motor Vehicles to amend regulations under NAC 445B.580 and .589 and rescind regulations under NAC 445B.859 through .873 concerning air pollution control and inspections of certain vehicles. The rule requires reinspection of certain motor vehicles of model year 1995 or older, certain heavy-duty vehicles of model year 1996 or newer, and certain motor vehicles powered by diesel engines that have failed an inspection for an improper gas or fuel cap. The rule also deletes provisions concerning local air pollution control grants. The current action consolidates three Aug. 23, 2017, notices of intent, two of which are withdrawn concurrently. Contact: DMV; 775-684-4549

—Nevada Register (08/29/2017)

Regulatory Update

**AIR**

Testing of Certain Motor Vehicles Powered by Diesel Engines

**Nevada AIR**

Notice of the Department of Motor Vehicles announces the withdrawal of an Aug. 23, 2017, notice of intent to amend regulations under NAC 445B.589 concerning testing of certain motor vehicles powered by diesel engines. The rule would have required reinspection of vehicles that have failed an inspection for an improper gas or fuel cap. A concurrent proposal incorporates the action into a consolidated action. Contact: DMV; 775-684-4549

—Nevada Register (08/29/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**  
Cleanup of Discharged Petroleum/Grant Program  
Nevada HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Conservation and Natural Resources, Board to Review Petroleum Claims, amends regulations under NAC 590.700 and adopts regulations under NAC 590 to establish a grant program to assist petroleum storage tank owners and operators with compliance with state and federal requirements for prevention of discharges. The rule provides for funding of the purchase and installation of release prevention equipment and establishes requirements for eligibility, applications, monitoring, records maintenance, and records inspection. The rule also authorizes the department to enter into agreements with third parties to provide technical assistance to owners and operators of storage tanks. A comment due date is not specified. Contact: DCNR, Board to Review Claims; 775-684-2700

—Nevada Register (08/29/2017)

Regulatory Update

## North Carolina

**WATER**  
Well Contractor Certification  
North Carolina WATER

Proposed rule of the Department of Environmental Quality, Well Contractors Certification Commission, readopts regulations under 15A NCAC 27.0110, .0301, .0410, .0420, and .0420 without substantive changes regarding types of certification, applications, examinations, and issuance of certificates. A hearing is scheduled for Oct. 10, 2017, in Raleigh. Comments are due Oct. 31, 2017. Contact: Joanne Rutkofske; DEQ, Well Contractors Certification Commission; 919-707-5881; Joanne.Rutkofske@dhhs.nc.gov

—North Carolina Register (09/01/2017)

Regulatory Update

## Texas

**OIL AND GAS INDUSTRY**  
Pipeline Safety Regulations  
Texas OIL AND GAS INDUSTRY

Proposed rule of the Railroad Commission amends regulations under 16 TAC 8.1 regarding pipeline safety standards. The rule incorporates by reference federal pipeline safety standards under 49 CFR 40, 191, 192, 193, 195, and 199 regarding annual, incident, and safety-related condition reports; minimum safety standards for natural and other gas pipelines; liquefied natural gas facilities; transporting hazardous liquids; and drug and alcohol testing, as of Oct. 30, 2017. Comments are due Sept. 27, 2017. Contact: Kari French; RRC, Oversight and Safety Division; 512-463-8559

—Texas Register (09/01/2017)

Regulatory Update

## Virginia

### ***WATER***

#### Buchanan County/State Water Control Law Consent Order

#### Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with the Cumberland Plateau Regional Housing Authority for alleged State Water Control Law violations associated with the unauthorized discharge of untreated sewage and domestic waters from the Hurley Heights 1 (Lots A, 1 and 2) Sewage Treatment Plant in Buchanan County and for failure to comply with conditions of its VPDES general permit for domestic sewage discharges. The order requires the settling party to pay a civil penalty of \$3,828 and to comply with an incorporated schedule of compliance. Comments are due Oct. 4, 2017. Contact: Ralph Hilt; DEQ, Southwest Regional Office; 276-676-4800; ralph.hilt@deq.virginia.gov

—Virginia Register (09/04/2017)

Regulatory Update

## Wyoming

### ***OCCUPATIONAL SAFETY AND HEALTH***

#### OSHA Commission/Information Practices

#### Wyoming OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Workforce Services, OSHA Commission, amends regulations under Chapter 1 to consolidate the information practices provisions into the practice and procedures introductory chapter. The rule moves information practices definitions and provisions regarding the collection, storage, and dissemination of personal information. Comments and hearing requests are due Oct. 26, 2017. Contact: Marcia Price; DWS; 307-777-6746; marcia.price@wyo.gov

—Wyoming Regulations (08/30/2017)

Regulatory Update

**OCCUPATIONAL SAFETY AND HEALTH**  
Practice and Procedure/Enforcement  
**Wyoming OCCUPATIONAL SAFETY AND HEALTH**

Proposed rule of the Department of Workforce Services, OSHA Commission, amends regulations under Chapter 3 regarding practice and procedure and enforcement. The rule increases penalty fees and incorporates by reference federal penalties. Comments and hearing requests are due Oct. 26, 2017. Contact: Marcia Price; DWS; 307-777-6746; marcia.price@wyo.gov

—Wyoming Regulations (08/29/2017)

Regulatory Update

**OIL AND GAS INDUSTRY**  
Petroleum and Antifreeze Products Standards  
**Wyoming OIL AND GAS INDUSTRY**

Proposed rule of the Department of Agriculture amends regulations under Chapter 52 regarding petroleum and antifreeze product standards. The rule updates applicable fuel types and requirements, adds an exemption to allow the sale of 85 octane fuel, and incorporates federal fuel labeling requirements. The rule also updates antifreeze registration standards to conform with current practice, updates definitions, and removes duplicative provisions. Comments and hearing requests are due Oct. 20, 2017. Contact: Scott McDonald; Department of Agriculture; 307-777-3502; scott.mcdonald@wyo.gov

—Wyoming Regulations (08/29/2017)

Regulatory Update

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EHS State Regulatory Alert

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Anna Palmer Jake Sherman Daniel Lippman  
**Sent:** Sat 10/21/2017 2:42:47 PM  
**Subject:** DAVID SHULKIN for HHS? -- TRUMP to open JFK files -- FREEDOM CAUCUS' MEADOWS says group is OK with Senate budget, wants TAX REFORM by mid November -- CAPUTO on Frederica Wilson -- B'DAY: HOPE HICKS

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Today's POLITICO Playbook presented by JPMorgan Chase & Co.

By JAKE SHERMAN ([sherman@politico.com](mailto:sherman@politico.com); [@JakeSherman](https://twitter.com/JakeSherman)) with ANNA PALMER ([anna@politico.com](mailto:anna@politico.com); [@apalmerdc](https://twitter.com/apalmerdc)) with DANIEL LIPPMAN ([daniel@politico.com](mailto:daniel@politico.com); [@dlippman](https://twitter.com/dlippman))

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## Driving the Day

**HOW ABOUT THAT! -- @realDonaldTrump at 8:35 a.m.:** "Subject to the receipt of further information, I will be allowing, as President, the long blocked and classified JFK FILES to be opened."

**Good Saturday morning. WEST WING BUZZ --** Don't be surprised if you begin hearing **VETERANS AFFAIRS SECRETARY DAVID SHULKIN** is in the mix for Health and Human Services secretary. Shulkin is a doctor.

**IMPORTANT RE TAX REFORM -- UPDATE ON FREEDOM CAUCUS:** The House Freedom Caucus had a conference call yesterday about supporting the Senate budget. Here's what **FREEDOM CAUCUS CHAIRMAN MARK MEADOWS (R-N.C.)** told us after the call: "No official positions but the general consensus would be to support the Senate budget without going to conference, provided we can get an accelerated timetable to pass tax reform out of the House by the middle of November."

-- **AMBITIOUS TIMELINE**, but it's possible.

**WSJ'S RICH RUBIN:** "In the frenzied days ahead, the GOP will seesaw between the political necessity of obtaining a legislative win to tout in the 2018 elections and the immense difficulty of the task they've set for themselves." <http://on.wsj.com/2xaA0Hs>

-- **"Republicans Consider Sharp Cut in 401(k) Contribution Limits,"** by NYT's Jim Tankersley: <http://nyti.ms/2l52r8j>

**SNEAK PEEK -- PRESIDENT DONALD TRUMP to MARIA BARTIROMO** on tomorrow morning's "Sunday Morning Futures":

-- **ON THE TIMING FOR TAX REFORM:** "[I] will say this, I want to get it by the end of the year but I'd be very disappointed if it took that long."

-- **ON THE FED: BARTIROMO:** "Isn't there a way that you can get Taylor and Powell in there? Because you've got a vice chairman opening as well, you can actually put them both in there. Is that in your thinking?" **TRUMP:** "It is in my thinking. And I have a couple of other things in my thinking. But I like talent. And they are both very talented people. And it's a hard decision. It's actually a very important decision. People have no -- most people have no idea how important that position is."

**BANNON ON BUSH -- "Bannon faults George W. Bush for 'destructive' presidency,"** by AP's Michael Blood in Anaheim, California: "Former White House adviser Steve Bannon depicted former President George W. Bush as bumbling and inept, faulting him for presiding over a 'destructive' presidency during his time in the White House. Bannon's scathing remarks on Friday night amounted to a retort to a Bush speech in New York earlier this week, in which the 43rd president denounced bigotry in Trump-era American politics and warned that the rise of 'nativism,' isolationism and conspiracy theories have clouded the nation's true identity." <http://bit.ly/2xcLDOd>

-- **CARLA MARINUCCI and DAVID SIDERS:** "Issuing a defiant call to arms to grassroots Republicans, former White House chief strategist Steve Bannon railed Friday against dangerous 'global elites' and the Silicon Valley 'lords of technology' whom he said are robbing U.S. citizens of jobs, wealth and opportunity. 'They want all the benefits of a free society ... all the benefits of this rules based international order,' including lucrative trade deals and capital markets, he said, while 'we the citizens of the United States...underwrite the whole thing.'" <http://politi.co/2yz6wXY>

**ON THE WORLD STAGE -- "Trump administration considers pausing U.S. refugee family reunification program,"** by Reuters' Yeganeh Torbati and Mica Rosenberg: "President Trump's administration has drafted a plan to pause a program that allows family members join refugees already settled in the United States until they can undergo increased security checks, two sources with knowledge of the situation told Reuters. The measure is one of several being considered for refugees ... The administration also may expand the use of intensive security checks by multiple federal agencies, called 'security advisory opinions' (SAO) to apply to women from countries designated as high-risk by the U.S. government. Currently there are usually only mandatory SAOs, as they are called, for men from those countries." <http://reut.rs/2yDP6qv>

**COMING ATTRACTIONS -- "Niger attack fuels new push for war vote,"** by Connor O'Brien: "Some lawmakers, citing the deaths of four U.S. soldiers ambushed by terrorists in Niger, called on Congress on Friday to reconsider the broad war authority it granted in 2001 - as the Pentagon telegraphed that more such missions in more places are likely in the offing. The Senate Foreign Relations Committee announced it will hear testimony next week from Secretary of Defense Jim Mattis and Secretary of State Rex Tillerson on the 16-year-old Authorization for Use of Military Force that is now being

used to justify military operations in numerous countries.

**"Committee Chairman Bob Corker (R-Tenn.)** said in a statement that current threats make it 'perhaps more important than ever that we have a sober national conversation about Congress' constitutional role in authorizing the use of military force.' For some on Capitol Hill, the attack in Niger highlights the need for updated legislation that takes into account the myriad operations against the Islamic State in Iraq and Syria, Al Qaeda and other terrorist groups on several continents." <http://politi.co/2gypuXJ>

-- **"Conflicting Accounts in Niger Ambush Are Subject of Pentagon Investigation,"** by NYT's Dionne Searcey, Helene Cooper and Eric Schmitt: "The Pentagon is trying to determine whether American forces involved in a deadly ambush in Niger this month diverted from their routine patrol to embark on an unapproved mission, military officials said on Friday. The questions have come up because the American and Nigerien soldiers on the patrol have given conflicting accounts about whether they were simply ambushed or were attacked after trying to chase Islamic insurgents, according to military officials from both countries. The episode has engulfed the White House in crisis and prompted demands from members of Congress for answers about what the soldiers were doing before the attack on Oct. 4." <http://nyti.ms/2zqtgpD>

-- **@realDonaldTrump at 8:07 a.m.:** "I hope the Fake News Media keeps talking about Wacky Congresswoman Wilson in that she, as a representative, is killing the Democrat Party!" ... **@philiprucker:** "Trump fuels this story into its sixth straight day".

\*\*\*\*\* **A message from JPMorgan Chase & Co.: 30 Years in the Waiting** It's been more than three decades since America reformed its tax system. As the world became more competitive, our tax code remained the same, putting America at a disadvantage when it comes to creating new jobs. Learn how tax reform can jump-start our economy: <http://politi.co/2gBVNBD> \*\*\*\*\*

**MARC CAPUTO: "Trump is messing with the wrong woman":** "Of President Trump's many opponents in Congress, none looks or sounds remotely like Rep. Frederica Wilson, the Miami Democrat known for her bedazzled, sequined-blinged hats, her vibrant matching outfits and her reputation in Florida for never backing down from a fight. But Wilson has never had an foe like Trump or a fight this personal, which began with the president's condolence call to the widow of a young soldier the congresswoman helped steer away from Miami's mean streets - only to see him die in a mysterious ambush in sub-Saharan Niger.

**"Despite tough criticism and insults** from the president and his allies - a top African-American Trump surrogate, former Milwaukee County Sheriff David A. Clarke, characterized Wilson as 'a buffoon' while White House Chief of Staff John Kelly teed off on her from a White House lectern - the 74-year-old Democrat hasn't flinched, firing back with caustic responses honed by years of full-contact Miami politics.

**"The president is a 'jerk' and a 'liar'** who 'doesn't know how to be a president,' Wilson

said. She then mocked him for raising her profile. 'You mean to tell me that I have become so important that the White House is following me and my words? Wilson laughed. 'This is amazing. That's amazing. That is absolutely phenomenal. I'll have to tell my kids that I'm a rock star now.'" <http://politi.co/2yFPNzJ>

-- **"Video shows Kelly made inaccurate claims about lawmaker in feud over Trump's condolence call,"** by WaPo's David Nakamura: <http://wapo.st/2yXDcLc>

-- **NYT:** "Ms. Wilson, in an interview on Friday, called Mr. Kelly a liar and hinted strongly that the altercation, prompted by a call from President Trump to the widow of a fallen black soldier, was racially charged. 'The White House itself is full of white supremacists,' she said. 'I feel very sorry for him because he feels such a need to lie on me and I'm not even his enemy,' Ms. Wilson said of Mr. Kelly. 'I just can't even imagine why he would fabricate something like that. That is absolutely insane. I'm just flabbergasted because it's very easy to trace.'" <http://nyti.ms/2iphSam>

-- **@ABCPolitics:** "Press Sec. Sanders: 'If you want to get into a debate with a 4-star Marine general, I think that that's something highly inappropriate.'" <http://bit.ly/2zrCq5v>

**REALITY CHECK -- "Trump stokes hopes of Obamacare repeal - setting up Senate for another failure,"** by Jen Haberkorn: "President Donald Trump says the Senate has the votes to repeal Obamacare. That's news to the Senate. 'I think that's aspirational,' said Majority Whip John Cornyn, who counts votes for the GOP. 'If there were 50 votes, we'd be voting,' added John Thune (R-S.D.), another member of Republican leadership.

**"Repeatedly claiming that Republicans** have the votes to repeal major parts of Obamacare early next year, Trump is stoking expectations that the GOP can fulfill its seven-year pledge before the 2018 midterm elections - a promise that Republicans once again might not be able to keep. The Senate, Trump says, will have the 50 votes needed to enact the bill known as Graham-Cassidy, the last of a series of repeal bids that went down in flames this summer and fall.

**"The reality is that no matter** what the president says at the White House or how often he says it, nothing has changed at the other end of Pennsylvania Avenue. Not a single 'no' vote has flipped to a 'yes.' When senators talk about repeal after months of failure, they are talking about hopes and dreams - not about 50 votes to pass it. 'I think eventually, I may be speaking aspirationally, eventually we'll have 50 votes for Graham-Cassidy or something like that,' Thune said." <http://politi.co/2yZ2SXR>

-- **"ACA enrollment schedule may lock millions into unwanted health plans,"** by WaPo's Amy Goldstein: "Millions of Americans with insurance through the Affordable Care Act could find themselves locked into health plans they do not want for the coming year because of the Trump administration's schedule for the enrollment season that starts in less than two weeks. The complication arises when people who already have health plans under the law are automatically re-enrolled in the same plan. In the past, a few million consumers each year have been auto-enrolled and then were sent

government notices encouraging them to check whether they could find better or more affordable coverage.

**"This time, according to a federal document** obtained by The Washington Post, the automatic enrollment will take place after it is too late to make any changes. Auto-enrollment will occur immediately after the last day of the ACA sign-up season, which the Trump administration has shortened, leaving the vast majority of such consumers stranded without any way to switch to a plan they might prefer." <http://wapo.st/2gVgmcrc>

**PENCE WORLD -- "Financial disclosure shows unusual campaign setup for Pence chief of staff,"** by Matt Nussbaum and Maggie Severns: "Vice President Mike Pence's chief of staff had a lucrative 2016 campaign season even as his high-profile work on the Trump-Pence campaign was classified as unpaid volunteer work. Nick Ayers, a senior adviser to Pence during the presidential race and now his chief of staff, joined the 2016 team as a volunteer and never took a dime in salary from the Trump-Pence campaign even as he crisscrossed the country with Pence, then the Indiana governor. He served as one of Pence's top aides and prepared him for critical events, including his debate with Sen. Tim Kaine (D-Va.), the Democratic vice presidential nominee.

**"But Ayers' Georgia-based political consulting firm,** C5 Creative Consulting, did receive a payment of nearly \$75,000 on Aug. 25 from Pence's gubernatorial re-election campaign, 40 days after Pence had been selected as Trump's running mate and withdrawn from the governor's race. In addition to the compensation from Pence's gubernatorial campaign, Ayers received significant payments from the campaign of Eric Holcomb, Pence's lieutenant governor, who sought and won the Indiana governorship after Pence joined the national ticket. Holcomb's campaign paid Ayers' firm nearly \$40,000 between August 2016 and March 2017. Ayers also received payments of more than \$30,000 from Missouri Gov. Eric Greitens' campaign.

**"His work for multiple campaigns raises questions** whether Pence's gubernatorial re-election campaign was subsidizing, in part or in full, Ayers' work for Trump - though the arrangement may have been perfectly legal, experts told POLITICO. Any payments from different campaigns for Ayers' work on the Trump-Pence campaign would qualify as an illegal in-kind contribution, but there is no indication that this took place."

<http://politi.co/2iqDB1U>

-- **"VP Mike Pence in Brown County this weekend for wedding celebration,"** by Mary Shown in the Herald-Times of Bloomington, Indiana: "A white 757 airplane emblazoned with 'United States of America' across the side was parked on a tarmac at Columbus Municipal Airport at noon Friday. According to Columbus Municipal Airport officials, this is the second time Pence has landed at the airport in Air Force Two since becoming vice president. Officials also said Secret Service personnel arrived at the airport Monday and have been in the area ever since. ...

**"The celebration Saturday** at Brown County State Park is for Michael Pence Jr. and

his wife, Sarah. The two were married in December 2016 at the Governor's Mansion in Indianapolis just before the January inauguration of Pence and President Donald Trump." <http://bit.ly/2yyq7rk>

## Playbook Reads

PHOTO DU JOUR: Steve Bannon spoke Friday at the California Republican Convention in Anaheim, Calif. | Ringo H.W. Chiu/AP Photo

**WORTH THE CLICK - "10 Minutes. 12 Gunfire Bursts. 30 Videos. Mapping the Las Vegas Massacre,"** by NYT's Malachy Browne, Drew Jordan, Nicole Fineman and Chris Cirillo: "The shots began at 10:05. Twelve bursts of gunfire later, police broke down Stephen Paddock's door at the Mandalay Bay. Using forensic analysis, The Times mapped 30 videos that show a vivid picture of what happened that night."

<http://nyti.ms/2yErOCx>

**FOR YOUR RADAR -- "Spanish PM seeks Senate backing to take over Catalonia govt,"** by AP's Aritz Parra in Barcelona: "The Spanish government moved decisively Saturday to use a previously untapped constitutional power so it can take control of Catalonia and derail the independence movement led by separatist politicians in the prosperous industrial region. ... [T]he country ... faces its most grave institutional crisis in decades." <http://bit.ly/2xVhIJO>

**AT THE COURTS-- "Appeals court looks for compromise on abortion for undocumented minor,"** by Renuka Rayasam and Josh Gerstein: "A federal appeals court is seeking to defuse a high-profile abortion standoff by giving the Trump administration until the end of the month to find a sponsor for an undocumented pregnant minor being held in a federally-funded shelter in Texas. In the decision issued late Friday, a three-judge panel split 2-1, overturning a decision from a federal judge issued earlier this week that would have allowed the 17-year old girl to have the abortion immediately.

**"Instead the D.C. Circuit Court of Appeals ruling,** apparently devised by Judge Brett Kavanaugh, opted to find a path that would dispose of the case without making any precedent-setting decisions. The ruling stated that once federal authorities could find a suitable sponsor for the girl, the administration would have to allow her to follow state law to receive the abortion. If the administration can't find a sponsor, a federal district court judge would again have the chance to step in and re-issue the order requiring the administration to permit the teen to leave the shelter for an abortion."

<http://politi.co/2qs6beS>

**VALLEY TALK - MAUREEN DOWD** in the NYT, **"Uber's Whistle-Blower Is Developing a Movie and Having a Baby":** "In her first interview since the essay that

started a wave of sexual-harassment revelations, Susan Fowler tells her life story and looks to the future." <http://nyti.ms/2l7kkn2>

**MEDIAWATCH -- FIRST PERSON -- "I interviewed an executive in his underwear to get the job done,"** by USA Today's Joanne Lipman: "In my first job, as a 22-year-old newspaper reporter, I went to interview a businessman. He ushered me into his office. He locked the door. Then he stripped to his underwear. This was in the 1980s, at a time when women didn't call behavior like his 'sexual harassment.' We called it ... going to work. So I did what other women in my place would have done. I interviewed him in his underwear. Then I got out as fast as I could." <https://usat.ly/2zrs8Ck>

-- **"Young subscribers flock to old media,"** by Jason Schwartz: <http://politi.co/2zrxP3a>

**MARK PRESTON** interviews **ADMIRAL KIRBY** -- Retired Rear Admiral John Kirby discussed military and political issues on Mark Preston's SiriusXM show "Full Stop with Mark Preston." The show airs Saturday at noon and Sunday at 5 p.m. on SiriusXM channel 124. **Clips for Playbookers: Gen. John Kelly's WH briefing room appearance** <http://bit.ly/2zErPVx> ... **Trump's performance so far as commander-in-chief** <http://bit.ly/2gyfEF3>... **Morale in the military** <http://bit.ly/2yY4kKd> ... **Concern about the growing gap between the military and American society** <http://bit.ly/2gVDKGN>

\*\*\*\*\* **A message from JPMorgan Chase & Co.: Keeping Jobs at Home** America is falling behind when it comes to a tax system that helps spur job growth and expand economic opportunity. A 2017 EY report found that the existing tax structure has put job creators here at home at a disadvantage: updating the outdated tax system could have kept nearly 4,700 companies in the United States. That could mean more products made here in America, more parts sourced from American companies and billions of dollars spent here at home. As JPMorgan Chase Chairman and CEO Jamie Dimon put it, "Reforming the tax code is the single most important thing that Congress could do to jump-start our economy, create jobs, and raise wages for American workers." Learn more: <http://politi.co/2wSCuu0> \*\*\*\*\*

**CLICKER - "The nation's cartoonists on the week in politics,"** edited by Matt Wuerker -- **14 keepers** <http://politi.co/2gV8RCj>

**GREAT WEEKEND READS,** curated by Daniel Lippman:

-- **"Rigged: How Voter Suppression Threw Wisconsin to Trump,"** by Ari Berman in the Nov./Dec. issue of Mother Jones - per Longreads.com's description: "Berman investigates how increasingly restrictive voting laws in states like Wisconsin had an impact on the 2016 presidential election - and most likely tipped it in favor of Donald Trump." <http://bit.ly/2zGSUaO>

-- **"The Dirty Secret of War: It Can be As Compelling As it is Ugly,"** by Philip Caputo (Marc Caputo's father) on Lit Hub: "Everyone accepts that war is ugly and horrible.

Civilized people, however, don't accept that it is also alarmingly attractive. This is another truth as old as war itself, and one that Homer was aware of. The phrase, 'the joy of battle' occurs frequently in his verses." <http://bit.ly/2I4hOhb>

-- **"The Boomtown That Shouldn't Exist,"** by Mike Grunwald in the Friday cover of POLITICO Magazine: "Cape Coral, Florida, was built on total lies. One big storm could wipe it off the map. Oh, and it's also the fastest-growing city in the United States." <http://politi.co/2yXDEJo>

-- **"The science of spying: how the CIA secretly recruits academics,"** by Daniel Golden in The Guardian: "In order to tempt nuclear scientists from countries such as Iran or North Korea to defect, U.S. spy agencies routinely send agents to academic conferences - or even host their own fake ones." <http://bit.ly/2gW29w7>

-- **"A Fire's First, Fatal Hours"** - San Francisco Chronicle: "A monster firestorm became unstoppable almost as soon as it started." <http://bit.ly/2irYtpb> (h/t Longform.org)

-- **"What Facebook Did to American Democracy,"** by Alexis C. Madrigal in The Atlantic: "The very roots of the electoral system - the news people see, the events they think happened, the information they digest - has been destabilized." <http://theatl.in.tc/2I5SMyc>

-- **"Going 'Instagram official' is the new way to declare your relationship status,"** by Taylor Lorenz, whose birthday is today, in Medium: "[I]n 2017, the Facebook relationship status is dead and if you really want the world to know someone has stolen your heart there's only one way to go: make it Instagram official. [That] means posting a photo of you and your significant other, generally looking casual yet cute, to your Instagram page accompanied by a somewhat ambiguous caption or series of emoji." <http://bit.ly/2yxUJJm>

-- **"We Need to Develop Political Heroism,"** by Klaus Brinkbäumer, Julia Amalia Heyer and Britta Sandberg in Der Spiegel -- French president Emmanuel Macron tells the publication in an interview: "France is a country of regicidal monarchists. It is a paradox: The French want to elect a king, but they would like to be able to overthrow him whenever they want. The office of president is not a normal office." <http://bit.ly/2zrDXIz>

-- **"A Catfishing With a Happy Ending,"** by Jeff Maysh in The Atlantic - per Longform.org's description: "Emma Perrier was deceived by an older man on the internet-and then she found love with the model whose photographs he had stolen." <http://theatl.in.tc/2zFwNlc>

-- **"Welcoming Our New Robot Overlords,"** by Sheelah Kolhatkar in The New Yorker: "Once, robots assisted human workers. Now it's the other way around." <http://bit.ly/2yY38pV>

-- "**The scientists persuading terrorists to spill their secrets,**" by Ian Leslie in The Guardian: "Expert interrogators know torture doesn't work - but until now, nobody could prove it. By analysing hundreds of top-secret interviews with terror suspects, two British scientists have revolutionised the art of extracting the truth." <http://bit.ly/2xd2rF2>

-- "**Everest at the Bottom of the Sea,**" by Bucky McMahon in Esquire: "When the ocean liner Andrea Doria sank south of Cape Cod, she took fifty-one with her. Since then she's taken twelve more, five in the last two summers alone. On this very day, a man is strapping on two hundred pounds of scuba gear to make the descent, to bring back a little souvenir from the boat's gift shop, to possibly never return." <http://bit.ly/2l5SwiO>

-- "**Thinking Like a Mountain: On Nature Writing,**" by Jedediah Purdy in n+1 magazine: "Every inhabited continent has been denuded of ecosystems and species. Most North American places have shed wolves, elk, moose, brown bears, panthers, bison, and a variety of fish and wild plants, which were all abundant four hundred years ago. Before those species were driven out, there was the slaughter of the mammoth, the ground sloth, the wild horse." <http://bit.ly/2xbUPCv> (h/t TheBrowser.com)

## Playbookers

**SPOTTED:** David Letterman at Commissary yesterday at lunch. He's is in town for the Mark Twain Prize for American Humor on Sunday night at the Kennedy Center and bought our tipster lunch.

**TRANSITIONS -- Josh Walker** is joining Eurasia Group as the head of global strategic initiatives in the office of the President. He previously was VP of global programs in the office of the CEO at APCO Worldwide and is a State alum. ... **Mark Baker** has joined Warner Music Group as VP of public policy and government affairs. He previously spent 15 years at Diageo, most recently as director of global trade and regulatory affairs.

-- **BUSH ALUMNI: SCOTT STANZEL** joined Capital One as the managing VP of corporate comms at Capital One. He previously was director of worldwide marketplace PR at Amazon and was deputy press secretary in the Bush White House.

**OUT AND ABOUT -- SPOTTED** at the 49<sup>th</sup> annual Meridian Ball last night -- **Dan Swartz's Instapic of the scene** <http://bit.ly/2yGMmsz> : Commerce Secretary Wilbur Ross, Speaker Paul Ryan, Rep. Ed Royce (R-Calif.), Patrick Steel and Lee Satterfield, Matt Mowers, Lindsay Walters, Virginia Boney, Steven Law, Brian Baker, Michael Goldfarb, Susan Glasser and Peter Baker, Jeremy and Robyn Bash, Suhail Khan, Riley Brands, Howard Fineman and Amy Nathan, David Bohigian, Jamie Weinstein and Michelle Fields, Robb Watters, Dan Conston, Suzanne Kianpour, John Arundel, Chris Gindlesperger, Rebecca and Matt Haller, Ryan Williams, Ben and Ashley Chang, Stephanie Benedict, Rachel Hicks, Matt Dornic, Michelle Kosinski, Lauren Culbertson,

Michael Crowley, Lauren Pratapas, Sean Miles, Fran Holuba.

-- **David Rubenstein, Roger and Vicki Sant, Michelle Smith, David and Katherine Bradley, and Tony and Beatrice Welters** hosted a book party last night at the National Gallery of Art to celebrate the publication of "Leonardo da Vinci," by Walter Isaacson and "Madison Park: A Place of Hope," by Eric Motley, EVP at the Aspen Institute and a Bush 43 WH alum. Rubenstein called Isaacson "a 21st century version of a Renaissance man." ***Pic of Walter speaking to the crowd*** <http://politi.co/2yysevg> ... **"Leonardo" - \$20.99 on Amazon** <http://amzn.to/2xECHoa> ... **"Madison Park" -- \$17.48 on Amazon** <http://amzn.to/2yHyINp>

**SPOTTED:** Tom and Anne Friedman, David Brooks, Chris Matthews, Andrea Mitchell, Elliot Gerson, Jake and Jen Tapper, Eden Rafshoon, Sally Quinn, Steve Weisman and Elisabeth Bumiller, Steve Case, Margaret Carlson, Don Baer, Alex Isenstadt, Linda Douglas, Stephanie Benedict, Corby Kummer.

**SPOTTED IN NYC** at a birthday party last night for Jonathan Prince, thrown by his wife, Jennifer Swanson at Red Hook last night: Stephen Prince, John Heilemann and Diana Rhoten, Karen Avrich, Danny Strong, Brian Steel and Eileen Libutti, Mike Feldman, Jake Siewert and Christine Anderson, Evan Ryan and Tony Blinken, Jordan Tamagni and Michael Schlein, Giovanna Gray and Joe Lockhart, Nicole Elkton and Neal Wolin, Josh King and Amy Theobald.

**WELCOME TO THE WORLD - MATT DAVID**, senior strategist at Edelman and Huntsman, Schwarzenegger, and McCain alum, and **MAGGIE DAVID**, a public affairs consultant, email friends and family: "Magdalene (Lena) Alexandra Sue David was born [Thursday] night at 10:44 p.m. PDT. Her first name comes from her maternal grandmother; Alexandra is after her maternal great grandmother; and, Sue is after her paternal great grandmother. ... Mom and baby are healthy and resting." ***Pic*** <http://politi.co/2yJ4Ri7>

**BIRTHDAYS:** Hope Hicks is 29 (***see Sarah Sanders' birthday shout-out to Hope yesterday at the briefing:*** <http://bit.ly/2hUNHE9>) ... Megan Smith, former U.S. C.T.O. who recently got inducted into the National Academy of Engineering (hat tip: Hilary Rosen) ... Tina Andreadis ... Israeli Prime Minister Benjamin Netanyahu is 68 ... Vikram Aiyer, public policy and strategic comms at Postmates and an Obama alum ... Edith Gregson (h/ts Tim and Kiki Burger) ... NYT's Mikayla Bouchard (h/t Grant Rumley) ... Cate Martel, national political reporter at the Hill ... Brian Doory ... Ron Litman ... Axios' Kim Hart ... Lindsay Curren ... Max Goetschel ... Rep. Pat Tiberi (R-Ohio) is 55 ... former Rep. Jerry Lewis (R-Calif.) is 83 ... Politico's Ben Lefebvre, Hannah Edwards, Alyssa Fields, and Rachel Jongerius ... CTV's Will Dugan ...

... **Taylor Lorenz** of The Hill ... FEMA chief of staff Eric Heighberger (h/t Ed Cash) ... Charlie Joughin ... Mark Glaze ... Jon Rawlson ... Steve Odland, CEO of the Committee for Economic Development ... Jason Czerwiec ... Edelman's Alex Abrahamson, Charlotte Stewart and Kia Seals ... Gyan Parida ... Alison Baker (h/t Jon Haber) ...

Stavros Drakoularakos ... Lauren Waldron ... Sam Hiersteiner ... Clare Pritchett Lorimer ... Linda Nguyen ... Whitey Ford ... Mike Fazzino ... Jamie Novogrod ... Jonathan Poe ... Lorraine Kuchmy ... Gyan Parida ... Mandy Fletcher Fraher ... Courtney Lukitsch, principal at Gotham PR ... Anna Schechter Zigler ... David Brunton (h/t Teresa Vilmain)

**THE SHOWS**, by @MattMackowiak, filing from Austin:

-- **CBS's "Face the Nation"**: OMB Director Mick Mulvaney ... Sen. James Lankford (R-Okla.) ... Khizr Khan. Panel: Jamelle Bouie, Michael Duffy, Susan Glasser and Rich Lowry ... former NFL player and Green Beret Nate Boyer (U.S. Army, Ret.)

-- **CNN's "State of the Union"**: Senate Majority Leader Mitch McConnell (R-Ky.) ... Sen. Sherrod Brown (D-Ohio). Panel: Jen Psaki, Rick Santorum, Bakari Sellers and Evan McMullin (substitute anchor: CNN's Dana Bash)

-- **NBC's "Meet the Press"**: Interviews with female U.S. senators about sexual harassment, including Sens. Claire McCaskill (D-Mo), Mazie Hirono (D-Hawaii), Elizabeth Warren (D-Mass.) and Heidi Heitkamp (D-N.D.) ... Senate Minority Leader Chuck Schumer (D-N.Y.) ... Sen. Lindsey Graham (R-S.C.). Panel: Bob Costa, Danielle Pletka, Helene Cooper and Tom Friedman

-- **ABC's "This Week"**: David Petraeus ... 'Long Road Home' panel with SFC Eric Bourquin (U.S. Army, Ret.), U.S. Army wife Gina Denomy and "The Long Road Home" actor Michael Kelly. Panel: Matthew Dowd, Cokie Roberts, Perry Bacon, Jr. and Eliana Johnson

-- **"Fox News Sunday"**: White House Press Secretary Sarah Huckabee Sanders ... OMB Director Mick Mulvaney ... Attorney General Xavier Becerra (D-Calif.) ... Senate Majority Leader Mitch McConnell (R-Ky.). Panel: Jason Chaffetz, Julie Pace, Matthew Continetti and Juan Williams (substitute anchor: Fox News' Dana Perino)

-- **Fox News' "Sunday Morning Futures"**: President Donald Trump ... Newt Gingrich. Panel: Brad Blakeman and Jon Hilsenrath

-- **Fox News' "MediaBuzz"**: Harris Faulkner ... Kimberly Guilfoyle ... Jessica Tarlov ... Trish Regan ... Shelby Holliday ... Carley Shimkus

-- **CNN's "Inside Politics"** with John King: Julie Hirschfield Davis, Jeff Zeleny, Kimberly Atkins and Phil Mattingly

-- **CNN's "Fareed Zakaria GPS"**: Panel: Norman Roule, David Sanger and Anne-Marie Slaughter ... Jiayang Fan ... Canadian Foreign Affairs Minister Chrystia Freeland

-- **CNN's "Reliable Sources"**: Olivia Nuzzi, Brian Karem and John Kirby ... Don Shipley and Geoff Ziezulewicz ... Eve Burton ... Gretchen Carlson ... Noah Rothman

-- **Univision's "Al Punto"**: Former U.S. Treasurer Rosario Marin Lydia Cacho ... Puerto Rico resident commissioner Jenniffer González-Colón ... Richard Spencer ... Sen. Cory Booker (D-N.J.) ... John Leguizamo ... International Commission Against Impunity in Guatemala (CICG) head Ivan Velásquez

-- **C-SPAN: "The Communicators"**: A look at how Russia used Facebook to send political ads to Americans in the 2016 election with ProPublica's Julia Angwin and Axios' David McCabe ... **"Newsmakers"**: National Counterterrorism Center director Nicholas Rasmussen, questioned by AP's Deb Reichmann and the LA Times' Brian Bennett ... **"Q&A"**: Paralyzed Veterans of America executive director Sherman Gillums, Jr.

-- **Washington Times' "Mack on Politics"** weekly politics podcast with Matt Mackowiak (download on iTunes, Google Play, or Stitcher or listen at <http://bit.ly/2omgw1D>): Former CIA analyst and radio host Buck Sexton.

\*\*\*\*\* **A message from JPMorgan Chase & Co.: Investing in America** The American economy powers the world, but our tax system is holding us back. A 2017 EY report found that reforming the tax system could have brought an additional \$195 billion of foreign direct investment into the United States, an increase of 14 percent. That investment can help companies expand, explore new strategies and grow. What does that mean for America? It can help jumpstart our economy, make our country stronger in an increasingly competitive world, and can mean more jobs and higher wages for the American workers. Learn more about what tax reform can mean for our country: <http://politi.co/2ghszvf> \*\*\*\*\*

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