

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 9/29/2017 9:43:32 AM
Subject: Morning Energy, presented by the U.S. Chamber's Global Energy Institute: Zinke took non-commercial flights too — Pruitt doesn't plan to pay back his non-commercial flights — How U.S.-Mexico got to yes on water deal

By Anthony Adragna | 09/29/2017 05:41 AM EDT

With help from Esther Whieldon

ZINKE JOINS FLIGHT CLUB: Turns out Interior Secretary Ryan Zinke has also used military and charter airplanes while in office, including a charter plane he took to events in his hometown in Montana and private flights between two Caribbean islands, Pro's Ben Lefebvre [reports](#), citing documents and a department spokeswoman. That makes him at least the fourth member of President Donald Trump's Cabinet to bill the costs of non-commercial flights to U.S. taxpayers while in office. Interior spokeswoman Heather Swift said the agency selected those options because they couldn't find commercial flights that would work with Zinke's schedule and that ethics officials had given them the all-clear.

Among the most notable trips is a June 26 charter flight Zinke and several staffers took from Las Vegas to an airport about 20 minutes from his residence in Whitefish, Mont., at a cost of \$12,375. Commercial flights between Vegas and Glacier Park International Airport in Kalispell, Mont., are available for several hundred dollars, according to travel planning websites. During his time in Vegas, Zinke gave a motivational speech at an event for the city's new NHL team hosted by Bill Foley, chairman of Fidelity National Financial, a company whose employees were among Zinke's largest donors during his two congressional campaigns, according to [The Washington Post](#), which also reports the plane Zinke flew on was owned by oil and gas executives.

Zinke and staff also took two chartered flights on March 31 from St. Croix to St. Thomas in the U.S. Virgin Islands to attend the centennial of the Danish government turning the islands over to the United States. No other arrangements were available, according to Swift, though websites show commercial flights between the two islands generally run a few hundred dollars.

As for your next question: Swift said she had not spoken to Zinke about whether he would reimburse the government for the cost of the flights, as HHS Secretary Tom Price [said he would](#) late Thursday. But Zinke will be at the Heritage Foundation today for what's billed as "a major policy address" entitled "A Vision for American Energy Dominance" and slated to take questions. More information [here](#).

CAN YOU PUT A PRICE ON PRUITT'S NON-COMMERCIAL FLIGHTS? Amid growing criticism from members of both parties on Capitol Hill, EPA said late Thursday that Administrator Scott Pruitt wouldn't pay out of pocket for the \$58,000 worth of non-commercial flights he and his staff have taken on four occasions, Pro's Emily Holden [reports](#). "If a reimbursement was necessary, we would have been told during the approval process and acted accordingly," agency spokeswoman Liz Bowman said. EPA's general counsel provided [ethics](#)

approvals for at least three of the four trips.

Concern from some Republicans: Lisa Murkowski expressed openness to adding language to a spending bill that would prevent Pruitt from taking private flights but hoped it wouldn't come to that, your ME host reports. "I don't think it's appropriate," Murkowski said regarding Pruitt's and Price's use of private aircraft. (We spoke to her before the Zinke news broke.) Meanwhile, Sen. Chuck Grassley asked Trump in a letter Thursday for information on what steps Cabinet secretaries are taking to ensure the "most fiscally responsible travel."

But not everyone was so concerned. EPW Chairman John Barrasso wanted more information before he could judge appropriateness of Pruitt's flights and would only commit to having him testify "this year." Barrasso and Majority Whip John Cornyn were among the Republicans who wouldn't answer the broad question of whether Cabinet officials should take private transportation. And others like Sen. Jim Inhofe defended the flights. "If there is a problem with it, then there would be a rule against it and there isn't one," Inhofe, a friend of Pruitt's, said. "That's why he checked first to make sure there wouldn't be a problem."

Meanwhile, Sen. Tom Udall, top Democrat on the Appropriations subpanel responsible for EPA spending, asked Pruitt in a letter for details on his flying habits and further information on his "privacy booth" that cost taxpayers \$25,000. "I do think we can both agree that a fundamental part of any federal agency's 'core mission' must be the proper and responsible stewardship of taxpayer dollars," he wrote. And three House Democrats introduced a bill — the SWAMP FLYERS Act (points for creativity) — barring the U.S. of taxpayer funds on non-commercial travel.

WE MADE IT TO FRIDAY! I'm your host Anthony Adragna, and Growth Energy's Chris Bliley was first up to identify Wilt Chamberlain as the NBA Hall-of-Famer who endorsed Richard Nixon in 1968. For today: Which congressman worked as speechwriter for President Ronald Reagan for seven years? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter [@AnthonyAdragna](https://twitter.com/AnthonyAdragna), [@Morning_Energy](https://twitter.com/Morning_Energy) and [@POLITICOPro](https://twitter.com/POLITICOPro).

PUERTO RICO STILL REELING: More than a week after Hurricane Maria stuck, most of Puerto Rico remains without electricity, phone services and potable water as fuel shortages persist and supplies remain trapped at the port. Trump's Homeland Security Adviser Tom Bossert said the administration was providing "as much federal relief into Puerto Rico and the U.S. Virgin Islands as we can muster," but the government sent a three-star general, Lt. Gen. Jeff Buchanan to help coordinate the response.

More aid sought now: House Democrats are banging the drums for another relief package now, according to Pro's Budget & Appropriations Brief. "This has to happen soon, not weeks from now, not in late October," Nydia Velazquez said at a press conference. "We need to see action as early as next week." But Speaker Paul Ryan said those aggressive timelines aren't what first-responders on the ground actually need and vowed to act on a disaster request once received from the White House. Meanwhile, 19 House Democrats asked the Natural Resources Committee to hold an oversight hearing on the government's response.

Three tweets from POTUS: "FEMA & First Responders are doing a GREAT job in Puerto Rico. Massive food & water delivered. Docks & electric grid dead. Locals trying.....really hard to help but many have lost their homes. Military is now on site and I will be there Tuesday. Wish press would treat fairly!...Puerto Rico is devastated. Phone system, electric grid many roads, gone. FEMA and First Responders are amazing. Governor said "great job!"

THEY MADE A DEAL! U.S. and Mexican negotiators overcame tensions between the two nations because of Trump's immigration and trade stances to address issues caused by shrinking supplies from the Colorado River, Pro's Esther Whieldon [reports](#). "Water is the lifeblood of this region," Jennifer Pitt, Colorado River Project director for the National Audubon Society, said. "It's just too important for the two countries not to have good relations over (it) and not have a plan in place about how to manage supplies reliably for that enormous population." Failing to reach a deal risked years of litigation in a crisis that would force choices between cutting off water supplies to either farms and sensitive wildlife habitats or to major population centers.

COMPANIES TWEAK SOUGHT SOLAR RELIEF: Suniva and SolarWorld USA submitted a joint brief to the International Trade Commission recommending different remedies to imported solar equipment but said that either option could be selected, Pro's Eric Wolff [reports](#). Suniva recommends a price floor for all solar modules that starts at 74 cents per watt and declines over the four years of the tariff, as well as tariffs for both modules and the solar cells. SolarWorld said it was seeking a quota of 220 MW on imported cells and 5,700 MW on imported modules. Trump has the final call on what to select.

Group: Use caution: The Advanced Energy Buyers Group released [a letter](#) Thursday asking the ITC not to set "excessive remedies" on imported solar products as it considers a response to the initial ruling last week that imports harmed U.S. manufacturers of solar panels. "We recommend a balanced approach with respect to remedies that avoids unduly increasing the cost of solar energy," they wrote. "This case has already had a damaging effect on solar projects, raising costs as solar providers prepare for shortages."

FAMED WOTUS JUDGE GETS A PROMOTION: The Senate confirmed Judge Ralph Erickson, 95-1, Thursday to a seat on 8th U.S. Circuit Court of Appeals. Massachusetts Sen. [Elizabeth Warren](#) was the lone vote against. Among energy watchers, Erickson gained national attention when he issued a nationwide stay on the Obama-era Waters of the U.S. regulation back in 2015.

A LITTLE HELP FROM MY FRIENDS: Zinke's loaded up his advisory board on staffing and personnel issues with just political appointees, including several former industry lobbyists, Pro's Ben Lefebvre [reports](#). The move contradicts federal guidelines that recommend giving career employees an equal voice in such discussions with the Executive Resources Board.

EPA CONFIRMS DAMAGE TO HOUSTON-AREA SUPERFUND SITE: After confirming the protective cap on the San Jacinto River Waste Pits Superfund site sustained damage during Superfund Harvey, EPA directed International Paper and Industrial Maintenance Corporation, the potentially responsible parties at the site, to take "immediate action" to repair the damage.

Sampling from one of the areas showed dioxins present at 70,000 nanograms per kilogram, far above the recommended clean up levels of 30 ng/kg.

EPW DEMOCRATS WANT SUPERFUND ANSWERS: All the EPW Democrats sent a [letter](#) to Pruitt Thursday asking him to affirm his agency would continue to reimburse Superfund litigation costs assumed by the DOJ Environment and Natural Resources Division, after the New York Times [reported](#) those payments may be on the chopping block. "If these cuts are adopted, neither EPA nor State regulators will be able to adequately fund site clean-ups or enforce clean-up agreements, and DOJ will be unable to prosecute polluters in order to compel clean-ups to be paid for by those who caused the contamination in the first place," they wrote.

FLOOD INSURANCE-LESS FAA BILL CLEARS CONGRESS: Senators stripped out controversial private flood insurance language and the House then approved a stopgap FAA measure [H.R. 3823 \(115\)](#) on Thursday, Pro Transportation's Lauren Gardner [reports](#). A bipartisan group of senators objected to language in the original package encouraging private insurance companies to enter the flood arena. "We can't have a situation happen where people can't sell or buy property because you can't get a mortgage unless you get flood insurance, and you can't get flood insurance because there's none available that's cost-effective," Sen. [Marco Rubio](#) said.

**** A message from the U.S. Chamber's Global Energy Institute:** Coming soon, our team of policy experts will be providing timely reactions and analysis of energy news as it happens at *Fuel for Thought*, the Global Energy Institute's new blogging hub. Sign up now to receive these updates in your inbox: <http://bit.ly/2yJpM29> **

MAIL CALL! BISHOP SEEKS REVIEW OF MINERAL WITHDRAWALS: House Natural Resources Chairman [Rob Bishop](#) sent a [letter](#) to Zinke and USDA Secretary Sonny Perdue asking for them to review mineral withdrawals done over the past eight years of the Obama administration. "Millions of acres of federal lands were inappropriately withdrawn from mineral access due to false premises of environmental protectionism and the intentional misuse of statutory authority," he wrote.

PELOSI CRITICIZES TIMING OF BILL WITH GUN MEASURE: House Minority Leader [Nancy Pelosi](#) criticized the House GOP for pushing a sportsmen's package with a provision that relaxes rules on purchasing gun silencers — expected to come up for a vote shortly — so soon after welcoming back House Majority Whip [Steve Scalise](#), POLITICO's Heather Caygle [reports](#). "This is not a sportsmen's package. This is an NRA wish list," a spokesman for Pelosi said. No date for a vote has yet been announced.

PERRY'S IN OHIO: He had to cancel a planned July trip to DOE's Portsmouth Gaseous Diffusion plant due to a Cabinet meeting, but Energy Secretary Rick Perry will be in Piketon, Ohio today to tour the Cold War nuclear site that has been undergoing decommissioning since 2011. Joining Perry are Ohio Sens. [Rob Portman](#) and [Sherrod Brown](#) as well as Reps. [Bill Johnson](#) and [Brad Wenstrup](#).

The secretary tweeted out a bunch of pictures from his Thursday visit to a Pennsylvania coal

mine (sample [here](#)), as well a shot of him enjoying a local delicacy, "[cold pizza](#)."

NO FLY ZONE: The FAA and Interior announced Thursday they had restricted the operation of drones within 400 feet of the boundaries of ten Interior sites, including the Folsom, Glen Canyon, Grand Coulee, Hoover and Shasta dams. The restrictions, which also include the Statue of Liberty and Mount Rushmore, take effect Oct. 5. More information [here](#).

N.Y. POL PICKED FOR EPA REGION 2: Pruitt announced Thursday his selection of New York assemblyman Pete Lopez to run EPA's Region 2 office, which covers New York, New Jersey, Puerto Rico and U.S. Virgin Islands, Pro's Alex Guillén [reports](#). Lopez, a Republican, has been in the state assembly since 2007 and currently represents a district southwest of Albany.

PAGING LOLA ZINKE! Troy Downing, a Big Sky businessman challenging incumbent Montana Sen. Jon Tester in 2018, faces seven misdemeanor charges accusing him of trying to buy Montana resident hunting or fishing licenses as an out-of-state resident, the Bozeman Daily Chronicle [reports](#). Lola Zinke, wife of the Interior secretary, chairs his campaign.

PEER BLASTS ZINKE'S STAFF LOYALTY COMMENTS: Public Employees for Environmental Responsibility is slated today to send a letter to its subscribers blasting Zinke for earlier this week questioning the loyalty of staff and not following through on his promise to give the front-line staff more say over decisions. "Public employees work for the public, not for politicians," PEER will say. The very idea of a civil service "was to replace a spoils system where employment was based on political allegiance."

NOT MINCING WORDS: Former FWS biologist Felix Smith, who in the 1980s [blew the whistle](#) on the mass poisoning of migratory birds in California's Kesterson National Wildlife Refuge, sent an angry email to Zinke Wednesday blaming him for any pushback he is getting from staff. "You and President Trump have chilled or killed the moral of a large portion of the rank and file of DOI. I hope they hunker down until this experiment with democracy passes," Smith said in an email obtained by ME.

TAKE A GLANCE! The Institute for Policy Integrity New York University School of Law is out with [a report](#) Thursday arguing the Trump administration's cost-benefit analysis for its Waters of the U.S. rule repeal selectively ignores data on the benefits of the rule based on the age of supporting research studies. It says similar tactics likely appear throughout various regulatory proposals.

BIG BENEFITS FROM REDUCING AIR POLLUTION: Reductions in nitrogen oxides and ozone pollution saved \$800 million a year in reduced medication use and benefits of \$1.3 billion a year in 1,975 fewer deaths each summer, according to a [new report](#) from the Energy Policy Institute at the University of Chicago

QUICK HITS

— Global carbon emissions stood still in 2016, offering climate hope. [The Guardian](#).

- China Sets Tough Electric-Car Production Target. [Wall Street Journal](#).
- Majority of Americans now say climate change makes hurricanes more intense. [Washington Post](#).
- Standing Rock tribal head who led Dakota Access pipeline fight voted out. [Argus Leader](#).
- Spicer Says Rolling Back Regulations Helping Economy. [The Allegheny Front](#).
- Fighting the Toxic Nightmare Next Door. [Bloomberg Businessweek](#).

HAPPENING TODAY

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

11:30 a.m. — Secretary Ryan Zinke delivers remarks and takes questions at the Heritage Foundation, 214 Massachusetts Avenue, NE

THAT'S ALL FOR ME!

**** A message from the U.S. Chamber's Global Energy Institute:** For the last decade, we've been at the forefront of energy discussions in Washington and around the nation. Now, as the Global Energy Institute, we're ready for an even larger role, reflecting America's growing influence as an energy superpower. Without our vast grassroots network, we're positioned to help the lead the charge for common sense energy solutions that will grow our economy and improve our security. Visit our website to learn more. www.globalenergyinstitute.org **

To view online:

<https://www.politicopro.com/tipsheets/morning-energy/2017/09/zinke-took-non-commercial-pricey-flights-too-024828>

Stories from POLITICO Pro

Interior Secretary Zinke traveled on charter, military planes [Back](#)

By Ben Lefebvre | 09/28/2017 07:54 PM EDT

Interior Secretary Ryan Zinke and his aides have taken several flights on private or military aircraft, including a \$12,000 charter plane to take him to events in his hometown in Montana and private flights between two Caribbean islands, according to documents and a department spokeswoman.

Zinke is at least the fourth senior member of the Trump administration to have used non-commercial planes at taxpayer expense, along with EPA Administrator Scott Pruitt, Treasury Secretary Steven Mnuchin and HHS Secretary Tom Price. President Donald Trump has [fumed](#) at

Price's pricey travel, and Democrats say the revelations demonstrate a cavalier attitude by Cabinet members toward excessive spending.

Interior Department spokeswoman Heather Swift said Zinke's charter or military plane trips were booked only after officials were unable to find commercial flights that would accommodate Zinke's schedule, and that all were "pre-cleared by career officials in the ethics office." Swift said she had not spoken to Zinke about whether he would reimburse the government for the cost of the flights, as Price plans to do for some of the \$400,000 tab he racked up on charter flights.

On June 26, a Beechcraft King Air 200 carried Zinke and several staffers from Las Vegas to Glacier Park International Airport in Kalispell, Mont., about a 20-minute drive from Zinke's home in Whitefish, according to his official schedule. The flight cost \$12,375, Swift said.

Zinke left after speaking at an event for the city's new professional hockey team, the "Vegas Golden Knights Development Camp Dinner," according to his schedule. Earlier in the day, he had been in Pahrump, Nev., for an announcement related to public lands.

Zinke's flight left Las Vegas at 8:30 p.m. PST and landed around 1:30 a.m. MST in Kalispell. The secretary stayed overnight at his residence, Interior documents show.

Las Vegas is one of the main connecting airports for commercial flights to Glacier International. Commercial flights between the two cities are available for several hundred dollars a ticket, according to travel planning websites.

In Whitefish, Zinke attended the Western Governors' Association's annual meeting, where he spoke for about 20 minutes without taking questions. He then had a private lunch with association members. In the afternoon Zinke was the subject of a photo shoot with GQ magazine at Lake McDonald and fished while being interviewed by Outside Magazine, the records show.

Zinke and staffers flew commercial back to Washington, D.C., the next day, according to the records.

The trip was not the first in which Interior booked a private jet for Zinke. On March 31, Interior chartered two flights to take Zinke and staff from St. Croix to St. Thomas in the U.S. Virgin Islands to attend the centennial of the Danish government turning the islands over to the United States. Another two flights were chartered to return to St. Croix later that night.

Swift said she did not know how much the flights cost but that no other arrangements were available.

Commercial flights between the two islands generally run a few hundred dollars, according to travel booking websites.

In May, Zinke and his wife, Lolita, used a military aircraft to travel to Norway. From there, they flew on a military plane to Alaska for events organized by the Senate Energy and Natural Resources Committee. The trip included charter planes to travel within Alaska, a common

occurrence in the large, remote state. The Zinkes paid for Lolita's share of the trip, the full cost of which was not immediately available, Swift said.

Zinke also took a military helicopter from Fort Bliss to review the Organ Mountains monument in New Mexico in June, and he used a Bureau of Land Management helicopter to review the Basin and Range National Monument on July 30. "It is difficult to survey a half-million-acre piece of land with few roads by foot or car in an hour and a half," Swift said.

Along with Agriculture Secretary Sonny Perdue, Zinke took a military plane to Ravalli County, Mont., to check on wildfires in the area in August. "The military plane was used because of a very tight travel window, with no viable commercial airline options to transport two secretaries, security details, and associated USDA, Forest Service and Interior staff to Missoula in the time required," said USDA spokesman Tim Murtaugh. The cost of the flight was not immediately available, but the two agencies plan to reimburse the Air Force, Murtaugh said.

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Price says he'll repay taxpayers for his private jet travel [Back](#)

By Rachana Pradhan | 09/28/2017 04:23 PM EDT

Health and Human Services Secretary Tom Price said he will write a personal check to the federal government for his costs of traveling on private jets and will permanently halt his use of charter flights.

"The taxpayers won't pay a dime for my seat on those planes," Price said in a statement Thursday afternoon.

The announcement follows a POLITICO investigation that found Price has taken at least 26 charter flights costing taxpayers more than \$400,000 since May to conduct official business within the country. Price's travel, which was first reported over a week ago, has increasingly come under fire from President Donald Trump and former colleagues in Congress.

HHS confirmed to several media outlets that Price will write a check to the U.S. Treasury worth \$51,887.31 — just a fraction of the total travel costs. The department did not confirm those details to POLITICO, which broke the story of his chartered flights. HHS did not address the costs of the staff and security officials who accompanied Price on those flights.

Price, whose use of private jets is being investigated by the HHS inspector general and Congress, said he will no longer charter flights for official business. "No exceptions," he said.

President Donald Trump on Wednesday wouldn't commit to keeping Price in his administration, saying only "we'll see" when asked whether Price would be fired. Trump has privately fumed

over Price's use of expensive charter jets, and some aides have called for firing Price. Hours before Price's announcement, the White House on Thursday said it had ordered HHS to halt all private flights.

"As the president said yesterday, he's not thrilled — certainly not happy with the actions," White House press Secretary Sarah Huckabee Sanders said.

Many of Price's flights were between major cities that offered inexpensive alternatives on commercial airlines, including Nashville, Philadelphia and San Diego. On some of those trips, Price mixed official business with personal affairs.

Price's statement came after increasing scrutiny from the Hill. The House Oversight Committee on Wednesday launched a bipartisan investigation into the use of private planes by all Cabinet secretaries. Sen. Chuck Grassley on Thursday sent a letter asking the White House to rein in officials' travel costs.

Price's decision to reimburse just the costs of just his airfare is unlikely to satisfy Democratic lawmakers, who've ripped him for lavishly spending taxpayer dollars while advocating for major cuts to health insurance programs covering low-income Americans.

"Until @SecPriceMD has paid back the full amount of his private jet flights he is still ripping off taxpayers," tweeted Sen. Ron Wyden, the top Democrat on the Finance Committee.

Price, who appeared at a White House event on opioid abuse with First Lady Melania Trump on Thursday, gave no indication that he planned to step down amid the outcry over his private travel. Earlier in the day, Price told reporters he believed the president still supported him, but he later refused to say whether he was worried about losing his job.

"I work at the pleasure of the president," Price said on Fox News, adding that he hopes to "regain the trust" of the American people and those working in the administration. Price said he's complying with the inspector general's review and contended that all his trips passed legal review.

Other Cabinet officials' travel has also come under recent scrutiny. Department auditors are reviewing private and military flights taken Treasury Secretary Steve Mnuchin and EPA Administrator Scott Pruitt

Price, who represented Georgia for more than a decade in the House, has a longstanding reputation as a fiscal hawk and a staunch opponent of Obamacare. As a former chair of the House Budget Committee, he proposed federal spending plans that would have repealed the 2010 health law and culled hundreds of billions from health care entitlement programs. During his time as secretary, Price backed the White House's proposal to cut \$6 billion from the National Institutes of Health and slash overall HHS spending by 18 percent. Congress has opposed those cuts.

On Thursday, Price said he regretted the concerns that his travel practices has raised.

"All of my political career I've fought for the taxpayers," Price said. "It is clear to me that in this case, I was not sensitive enough to my concern for the taxpayer."

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Pruitt won't cover costs for private flights [Back](#)

By Emily Holden | 09/28/2017 06:48 PM EDT

EPA Administrator Scott Pruitt doesn't plan to pay out of pocket for the \$58,000 worth of non-commercial flights he and his staff have taken on four occasions, according to an agency spokeswoman.

Pruitt has taken three private government flights and one chartered plane. EPA has said those flights represented the only travel options for reaching scheduled events in time, including taking an Air Force plane to New York at a cost of \$36,068.50 to travel to events ahead of an international energy ministers' meeting in Italy. The agency received [ethics approvals](#) from EPA's acting general counsel for three of the four trips.

"If a reimbursement was necessary, we would have been told during the approval process and acted accordingly," agency spokeswoman Liz Bowman said.

HHS Secretary Tom Price today said he would [write a personal check](#) to the federal government to cover the cost of his seat on private jet flights that cost more than \$400,000 since May.

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Senate Republicans offer mixed reviews on Pruitt's pricey plane trips [Back](#)

By Anthony Adragna | 09/28/2017 05:14 PM EDT

Senate Republicans were split Thursday over whether to condemn, defend or sidestep questions about EPA Administrator Scott Pruitt's expensive use of charter and military planes.

[Lisa Murkowski](#), who oversees the Appropriations subpanel responsible for EPA funding, said she was open to adding language to a spending bill that would prevent Pruitt from taking private flights, after reports this week revealed EPA spent more than \$58,000 for charter flights on private or government-owned planes. But the Alaska Republican said she hopes it doesn't come to that.

"I don't think it's appropriate," Murkowski said regarding Pruitt's and HHS Secretary Tom Price's use of private aircraft. "That is clearly something that the executive reins in. You tell your people, 'Look, there's no charter flights.' You set the standard. You set what is acceptable. And I think that should be done."

Pruitt used non-commercial flights during trips to Oklahoma, North Dakota and Colorado, as well as to ensure he made a connecting flight to an energy ministers meeting in Italy. The agency's general counsel signed off on the trips, though their high cost has drawn criticism as the Trump administration seeks to slash the agency's budget by one-third.

But not everyone was ready to criticize the trips.

Jim Inhofe (R-Okla.), the former Environment and Public Works chairman and a friend of Pruitt, defended the administrator's flights.

"If there is a problem with it, then there would be a rule against it and there isn't one," Inhofe told POLITICO in an interview. "That's why he checked first to make sure there wouldn't be a problem."

Current EPW Chairman John Barrasso (R-Wyo.) said he was "going to wait and see what comes out" before weighing in on the appropriateness of Pruitt's flights. He did not commit to holding a hearing on the issue, saying only that Pruitt would testify before the committee sometime this year.

Asked if it was generally appropriate for Cabinet officials to take private aircraft, or if he would have similarly held off criticism if it were an Obama administration official involved, Barrasso said, "I want to see what the information is." He added, "With Cabinet members, sometimes it's the only way to get from place to place."

Other Republicans declined to answer the broad question of whether Cabinet officials should take private transportation or said they were unaware of the details of Price and Pruitt's travel. "Good to talk with all of you," Majority Whip John Cornyn (R-Texas) told reporters when asked if Cabinet officials should fly in private jets.

Chuck Grassley (R-Iowa), meanwhile, said he has more questions about Pruitt's and Price's plane tabs. Grassley sent [a letter](#) to President Donald Trump requesting information on what steps Cabinet secretaries are taking to ensure the "most fiscally responsible travel."

Democrats demanded a full accounting of the trips and wanted to know if Trump officials are getting different treatment than Obama Cabinet members.

"I wonder why Scott Pruitt is different from [former EPA Administrator] Gina McCarthy in terms of his needs," Brian Schatz (D-Hawaii) said. "Whatever they need [in terms of security], I think we ought to give it to them, but they shouldn't get anything more than they need."

Tom Carper (D-Del.), top Democrat on EPW, called for Pruitt to testify in the near future.

"This is one of those situations where the best disinfectant is sunshine," Carper said.

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House Democrats want White House briefing on Puerto Rico Back

By Heather Caygle | 09/28/2017 02:02 PM EDT

House Democrats want top Trump administration officials to brief the caucus as soon as possible on what lawmakers say has been the White House's anemic response to the devastation in Puerto Rico and the U.S. Virgin Islands.

House Democratic Caucus Chairman Joe Crowley (D-N.Y.) on Thursday invited White House Chief of Staff John Kelly and acting Homeland Security Secretary Elaine Duke to come speak to the caucus, according to a letter obtained by POLITICO.

"We are deeply concerned by the unfolding humanitarian crisis in Puerto Rico and the U.S. Virgin Islands as a result of the recent devastating hurricanes, and what has seemed to be an inadequate response by the federal government to date," wrote Crowley and several other Democrats with close ties to Puerto Rico.

"Natural disasters know no political bounds and have no party affiliations. That is why a meeting between the both of you and the House Democratic Caucus is needed," they added.

Democrats also say they're concerned by reports that the White House might not send Congress a formal request for disaster aid until several weeks from now, something lawmakers say is unacceptable given the state of the two U.S. territories.

Puerto Rico remains without power and many of its 3.5 million U.S. citizens have limited access to basic human necessities including food and clean water. The U.S. Virgin Islands and its more than 100,000 inhabitants were also devastated by the storm.

Lawmakers on both sides of the aisle have chided the Trump administration for what they say is an indefensibly slow response to help the territories after they were devastated by Hurricanes Irma and Maria.

The White House said Thursday it would temporarily grant Puerto Rico a reprieve from the Jones Act, a decades-old law that blocks non-U.S. ships from transporting goods to the island.

The Trump administration denied a similar request two days ago, with the president telling reporters Wednesday that the shipping industry had objected to granting the waiver.

But some Democrats criticized the move saying the waiver — which will last for 10 days — doesn't provide nearly enough time for supplies to get to the island to start the rebuilding process. DHS has said the waiver can be extended if necessary.

Democrats, in the letter, inviting Kelly and Duke, say the administration should also be sending telecommunication supplies to Puerto Rico to restore phone service and refrigeration units for food and medicine.

"We also cannot forget that residents of Puerto Rico and the U.S. Virgin Islands are citizens of the United States, and they are deserving of our federal government's full attention and resources," the lawmakers wrote.

Other members who signed the letter include House Democratic Caucus Vice Chair Linda Sanchez (D-Calif.), Reps. Bennie Thompson (D-Miss.), Nydia Velázquez (D-N.Y.), José Serrano (D-N.Y.), Luis Gutiérrez (D-Ill.), Darren Soto (D-Fla.) and U.S. Virgin Island Delegate Stacey Plaskett.

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Democrats also say they're concerned by reports that the White House might not send Congress a formal request for disaster aid until several weeks from now, something lawmakers say is unacceptable given the state of the two U.S. territories.

Puerto Rico remains without power and many of its 3.5 million U.S. citizens have limited access to basic human necessities including food and clean water. The U.S. Virgin Islands and its more than 100,000 inhabitants were also devastated by the storm.

Lawmakers on both sides of the aisle have chided the Trump administration for what they say is an indefensibly slow response to help the territories after they were devastated by Hurricanes Irma and Maria.

The White House [said Thursday](#) it would temporarily grant Puerto Rico a reprieve from the Jones Act, a decades-old law that blocks non-U.S. ships from transporting goods to the island.

The Trump administration denied a similar request two days ago, with the president telling reporters Wednesday that the shipping industry had objected to granting the waiver.

But some Democrats criticized the move saying the waiver — which will last for 10 days — doesn't provide nearly enough time for supplies to get to the island to start the rebuilding process. DHS has said the waiver can be extended if necessary.

Democrats, in the letter, inviting Kelly and Duke, say the administration should also be sending telecommunication supplies to Puerto Rico to restore phone service and refrigeration units for food and medicine.

"We also cannot forget that residents of Puerto Rico and the U.S. Virgin Islands are citizens of the United States, and they are deserving of our federal government's full attention and resources," the lawmakers wrote.

Other members who signed the letter include House Democratic Caucus Vice Chair Linda Sanchez (D-Calif.), Reps. Bennie Thompson (D-Miss.), Nydia Velázquez (D-N.Y.), José Serrano (D-N.Y.), Luis Gutiérrez (D-Ill.), Darren Soto (D-Fla.) and U.S. Virgin Island Delegate Stacey Plaskett.

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U.S., Mexico set aside Trump tensions for Colorado River deal [Back](#)

By Esther Whieldon | 09/29/2017 05:02 AM EDT

The water-sharing pact signed this week by the U.S. and Mexico emerged despite tensions caused by President Donald Trump's policies on immigration and trade, showing the negotiators' willingness to take on problems caused by shrinking supplies from the Colorado River, according to western water experts.

That deal signed Wednesday was supported by state water agencies and major users in both countries, and sets out procedures to reduce off-take during times of drought that are expected to persist for the foreseeable future.

"Water is the lifeblood of this region," Jennifer Pitt, Colorado River Project director for the National Audubon Society, said in an interview. "It is fundamentally important to the economies of southwestern U.S. and northwestern Mexico. ... It's just too important for the two countries not to have good relations over [it] and not have a plan in place about how to manage supplies reliably for that enormous population."

Representatives from the International Boundary and Water Commission of the United States and Mexico signed the pact, called [Minute 323](#), that largely carries forward for another nine years a prior agreement that was due to expire this year. Water levels at the Colorado River's most important reservoir, Lake Mead, have been plummeting, and both the U.S. and Mexico could have faced the threat of mandatory supply cuts starting as early as next year.

The river supplies drinking water to tens of millions of people in both countries and irrigation for millions of acres of agriculture, both of which would suffer unless the countries reached a deal.

Federal officials failed to sign a deal before the end of the Obama administration, [raising fears](#) that Trump's calls to build a wall along the Mexican border and the reopening of NAFTA would undo years of progress in the negotiations. But the officials, supported by state water agencies and Mexico water license holders, knew they had to reach a deal or risk years of litigation in a crisis that would force them to choose between cutting off water supplies to farms and sensitive wildlife habitats or to major population centers.

"In a crisis, you would have winners and losers, and some of the biggest losers would be agriculture and the environment," said Ted Kowalski, director of the Colorado River initiative at the Walton Family Foundation. "I think it's highly unlikely the Bureau of Reclamation is going to turn off the city of Las Vegas or the city of Phoenix."

So the officials continued plodding away at negotiations, hoping the Trump administration would in the end agree to a deal.

The water agency officials were "largely insulated from the political conversation between Washington, D.C., and Mexico," said Chuck Cullom, Colorado River programs manager for the Central Arizona Project. The water managers "focused on providing the greatest benefits for the country and the communities ... rather than the political winds that might be blowing in a number of directions," he said in an interview.

The basin states made reaching a deal a top priority this year, according to Pitt.

"There's a long-standing balance of power between the states and the federal government on the Colorado River where the federal government tries to as much as possible defer to the states, who are really the owners of the water. So as the states made it clear to the incoming administration this was a priority, the administration said, 'We will support you on this,'" she

said.

A key sticking point in the negotiations had been Mexico's insistence that the lower basin states of California, Arizona and Nevada first agree to a drought contingency plan under which they would voluntarily conserve additional water beyond mandatory cuts in order to increase reservoir levels.

Mexico officials were worried they would be left holding the bag if a water crisis occurred before the states reached a deal. But Mexico eventually agreed to make additional cuts once the states pass a contingency plan.

Mexico is very dependent on the upstream dams in the U.S. for its water delivery, since a 2010 earthquake damaged its dams. But Mexico also took the position that the original 1944 treaty between the countries only required it to cut supplies if the U.S. suffered extreme drought, a vague term that left too much open to interpretation.

"That was a big concession for Mexico to follow our lead," said Tom Buschatzke, director of the Arizona Department of Water Resources. But the U.S. also agreed to fund \$31.5 million in water efficiency projects in Mexico through 2026 and to explore the possibility of investing in a desalinization plant that could help address future water supply challenges.

What made the deal possible is "the hard work that long preceded Trump," said Stephen Mumme, a political science professor at Colorado State University. "This is a classic example of ... a situation where not doing it could be really costly, and the sheer complexity of the number of players and the importance of the U.S. stake in this policy arena really overrode the Trump administration," he said.

"It's a good example in my mind of the limits of rhetorical breast beating and name calling and wall building."

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Suniva, SolarWorld modify remedy proposal in trade case [Back](#)

By Eric Wolff | 09/28/2017 07:20 PM EDT

Suniva and SolarWorld USA are pressing a U.S. trade panel to recommend that President Donald Trump institute either a floor price for imported solar equipment or tariffs plus a quota that caps the amount of solar panels and cells that can enter the country.

The two solar panel manufacturers filed a joint brief to the U.S. International Trade Commission, and each recommended different remedies, though they said that either option could be selected.

Suniva recommends a price floor for all solar modules that starts at 74 cents per watt and declines over the four years of the tariff, as well as tariffs for both modules and the solar cells. SolarWorld said it was seeking a quota of 220 MW on imported cells and 5,700 MW on imported modules.

"Both co-petitioners agree that an effective remedy must include either the co-petitioners' requested tariff plus Suniva's requested module floor price or the co-petitioners' requested tariff plus SolarWorld's requested quota," the companies said in a joint statement.

Briefs were due on Wednesday to the ITC, and the companies publicly released their proposals to today, excluding proprietary company information.

The ITC voted unanimously last week that low-cost imports had harmed the domestic solar manufacturing industry. Under the "safeguard" provisions of the Trade Act, Trump will have the final say in what tariffs to impose.

WHAT'S NEXT: The commission will have a hearing on remedies on Oct. 3.

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Zinke stacks staffing board with political aides, former lobbyists [Back](#)

By Ben Lefebvre | 09/28/2017 03:41 PM EDT

Interior Secretary Ryan Zinke has assigned only political appointees, including several former industry lobbyists, as members of an advisory board on staffing and personnel issues, a move critics say sidelines members of the government workforce who are supposed to get a seat at the table.

The makeup of the Executive Resources Board contradicts federal guidelines that recommend giving career employees an equal voice in such discussions, and it is fueling criticism Zinke is crowding out independent experts and giving too much voice to the industries his department oversees.

The nine-member board is being led by Deputy Secretary of the Interior David Bernhardt, a former [lobbyist](#) whose clients included oil and gas interests; Associate Deputy Secretary James Cason, who worked energy issues for Kelly, Anderson & Associates, Inc.; and White House liaison Lori Mashburn, among other political staff with history of lobbying for the oil and gas industry.

Zinke established the board to "oversee all aspects of the management of executive resources," including senior managers, scientists and policy staff at the department, according to an Aug. 11 [memo](#).

"This is very much of a pattern," said Chris Saeger, executive director of the Western Values Project, which obtained the memo through a Freedom of Information Act request and shared it with POLITICO. "They have made a practice of shuffling career staff, marginalizing them. They're sending a very clear message, that they want to consolidate power with people who are loyal to Zinke and President. "

Interior spokeswoman Heather Swift did not answer questions about why Zinke included only political appointees as members of the ERB. She did point out that two career employees, acting Deputy Assistant Secretary for Human Capital and Diversity Mary Pletcher and Deputy Solicitor for General Law Ed Keable, will serve as advisers to the board.

Zinke came under fire earlier this week when he questioned the loyalty of many Interior staffers, and he has previously raised eyebrows for shuffling senior employees into jobs they did not seem suited for, in one instance reassigning a manager overseeing climate change issues to a job collecting oil and gas royalties. Interior's inspector general has launched an investigation into the staff moves.

The secretary's decision does not comport with recommendations from the Office of Personnel Management, which has suggested that such boards consist of a mix of career staff, senior executive staff and political staff.

"It is not advisable to have an ERB that is exclusively or predominantly career executives, nor is it recommended to have an ERB that is exclusively or predominantly political appointees; both perspectives should be well represented to ensure a balanced view, when possible," OPM said in a 2009 report.

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House clears FAA stopgap, avoiding shutdown [Back](#)

By Lauren Gardner | 09/28/2017 04:24 PM EDT

Congress Thursday voted to extend the FAA's tax authority for six months after senators jettisoned private flood insurance language that had threatened the bill's chances, with just days before portions of the FAA's authorities were set to lapse.

After wrangling between the House and Senate over the flood insurance language, Congress wrapped the measure, H.R. 3823 (115), up two days before the FAA's authority to collect and spend excise taxes was set to expire.

Allowing that authority to lapse would have led to a partial shutdown of the FAA, affecting the agency's airport funding, equipment and research and development functions and leading to the

furlough of thousands of employees. (Air traffic control and safety operations would have continued, albeit without pay for the employees.)

The House was forced to act a third time on the measure after a bipartisan group of senators objected to the original package's language encouraging private insurance companies to enter the flood arena.

While some of those members support changes to the National Flood Insurance Program, they've argued that any effort to promote a private market should be considered as part of broader legislation that addresses the existing federal program.

"We can't have a situation happen where people can't sell or buy property because you can't get a mortgage unless you get flood insurance, and you can't get flood insurance because there's none available that's cost-effective," Sen. [Marco Rubio](#) (R-Fla.) said.

Thursday wasn't the first time this week the House had to take a mulligan on the extension bill.

GOP leaders put the legislation, which also includes tax relief provisions for victims of recent hurricanes and extensions for certain health care programs, on the suspension calendar Monday, meaning they needed two-thirds of lawmakers present to vote in favor of the bill for it to pass. But Democrats revolted, and the vote came up short.

House leaders then tweaked the bill to broaden eligibility for tax breaks to U.S. citizens in Puerto Rico and the U.S. Virgin Islands — addressing a criticism lobbed by Democrats — and prepared it for a quick floor debate where only a simple majority was needed for passage; it succeeded.

But senators who are active on NFIP policy began agitating against the House bill, with Senate Commerce Chairman [John Thune](#) conceding Thursday evening that his colleagues would likely change the bill and kick it back to the House.

House leaders had left themselves some breathing room for such a scenario through the way the rule governing debate on their bill was crafted. But it wasn't clear whether the Senate would try to jam the House until Thursday afternoon, when leadership surveyed lawmakers on whether they would object to an FAA extension that dropped the flood insurance language.

While this week's drama over the FAA extension was tied to policy outside the aviation space, House Transportation Chairman [Bill Shuster](#) (R-Pa.) is still gunning for a massive overhaul of the FAA's air traffic control operations.

His broader bill, [H.R. 2997 \(115\)](#), which would strip those functions from the agency and put them under the control of a nonprofit corporation, could get a floor vote next month, provided he rounds up enough support.

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Pruitt taps New York lawmaker for EPA Region 2 job [Back](#)

By Alex Guillén | 09/28/2017 11:27 AM EDT

EPA Administrator Scott Pruitt has picked New York Assembly member Pete Lopez to run EPA's Region 2 office, which covers New York and New Jersey — as well as the hurricane-devastated Puerto Rico and U.S. Virgin Islands.

Both territories suffered significant damage to their electric and water systems, with an estimated 42 percent of Puerto Ricans without access to potable water, [according to the FEMA](#).

Lopez, a Republican, has been in the state assembly since 2007 and currently represents a district southwest of Albany. He ran to replace Rep. [Chris Collins](#) (R-N.Y.) but dropped out of the race early last year.

"His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean," Pruitt said in a statement.

Judith Enck, the Obama administration's previous Region 2 chief, [told the Times Union](#) that Lopez "cares about the environment" and is "is as good as it's going to get in this administration."

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