

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Tue 8/8/2017 2:09:00 PM
Subject: POLITICO's Morning Transportation: All eyes on Duke — Pilots to airlines: Sharing is caring — Settling the (CBO) score

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

With help from Tanya Snyder

ALL EYES ON DUKE: Riddle me this, MT readers: Who is Elaine Duke? "Duke, the acting DHS secretary since John Kelly became White House chief of staff a week ago, is probably the least recognized of President Donald Trump's Cabinet," your MT co-host as well as POLITICO's Ted Hesson and Andrew Hanna [write](#). Duke has worked at a slew of agencies, including DHS, TSA and the Department of Defense, over a three-decade long career. But her relatively low profile has generated questions about how she might approach some of Trump's most controversial agenda items, like curbing illegal immigration and the construction of a southern border wall, as well as how she will handle transportation security. Here's what we know:

You are appreciated: POLITICO interviewed more than a half dozen former DHS officials, and all had high praise for Duke, who was TSA's first deputy assistant administrator for acquisition. "She's a Day One plank holder at DHS," said James Norton, who worked with Duke at the department from 2003 to 2007. Duke is viewed as having a wealth of institutional knowledge, particularly when it comes to management and operations. A DHS spokesman said last week that department employees feel like they are in "good hands" with Duke. And Sen. [Claire McCaskill](#) (D-Mo.) said she is hopeful Duke gets the nod to fill the position permanently.

Keep ya head up: But it hasn't been all good cheer for Duke, who served as the point person between DHS and European transportation officials earlier this year when the department was considering expanding electronics restrictions to flights from Europe and elsewhere. As MT readers know, some European officials were frustrated when Kelly began publicly discussing the idea before meeting with them. And though many breathed a sigh of relief after Kelly decided to require "enhanced" security measures to avoid expanding the ban, some groups like the International Air Transport Association have continued to complain about the timeline and the nature of the requirements. However, a senior DHS official interviewed by POLITICO refuted the idea that there were tensions, and said the Europeans "were very comfortable with the rationale."

IT'S TUESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. We at MT are laughing, probably a little bit too hard, at this [pupper tweet](#). Don't forget to send tips, feedback and lyrics: sbeasley@politico.com or [@Steph_Beasley](https://twitter.com/Steph_Beasley) and [bgurciullo@politico.com](https://twitter.com/bgurciullo) or [@brigurciullo](https://twitter.com/brigurciullo).

"Just a small town girl / Livin' in a lonely world / She took the midnight train / Goin' anywhere."

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

SPEAKING OF AVIATION SECURITY: The Coalition of Airline Pilots Associations wants airlines to share sensitive security information about aviation threats with flight crews. "At present, DHS leaves it up to airlines as to whether or not to share security risk assessed information as passed by DHS to the airlines," Captain Lee Collins, CAPA's president, told POLITICO. "We believe that airline captains, who are designated under federal regulation as in-flight security coordinators ... should have access to all sensitive security information that may have an impact on that flight." Collins said the group has spoken with House Homeland Security Committee ranking member Bennie Thompson (D-Miss.), and that he has agreed to help them with their quest.

It's all about timing: Collins said the preference is to enlist Thompson's help to get DHS to see the wisdom of its position. But should that not work, he said a House-passed DHS reauthorization bill (H.R. 2825 (115)) could be a potential vehicle. The Senate has yet to release its own version, though Senate Homeland Security Chairman Ron Johnson (R-Wis.) recently said he might introduce a bill when the chamber returns from recess in September.

SETTLING THE SCORE: Four key Democrats asked the CBO on Monday to take a fresh look at the latest version of the House FAA reauthorization bill, which they say probably adds more to the deficit than the CBO's initial score reflects. The lawmakers - Reps. Peter DeFazio (D-Ore.) of the Transportation Committee; John Yarmuth (D-Ky.) of the Budget Committee; Eddie Bernice Johnson (D-Texas) of the Committee on Science, Space, and Technology; and Richard Neal (D-Mass.) of the Ways and Means Committee - said that the Rules Committee's version of the bill, (H.R. 2997 (115)) would cut airport construction grants by \$1 billion, authorize an additional \$945 million for research and development and reduce excise tax revenues by \$15 billion without offsetting the loss.

TELL ME MORE, TELL ME MORE: Trump's many advisory councils, consisting of company executives, are facing allegations of flouting government transparency requirements, McClatchy reports. The Trump administration is being sued over the alleged lack of public details released about the groups, including the president's infrastructure council. "Critics worry the advisory groups' secrecy is leaving Americans in the dark about what the federal government is doing and if the people crafting policy will benefit from the proposals," McClatchy's Anita Kumar writes. The infrastructure group is co-chaired by Steven Roth and Richard LeFrak, who both work in real estate in New York.

AND SPEAKING OF TRANSPARENCY: The units inside agencies in charge of helping cull regulations are mostly comprised of political appointees - "some of whom may be reviewing rules their former employers sought to weaken or kill," The New York Times and ProPublica report. A number of agencies won't make the names of task force members public.

At DOT: Daniel Elwell served on the agency's task force before he was named deputy FAA administrator. Elwell used to lobby for American Airlines and worked for the Aerospace Industries Association as well as Airlines for America. Marianne McInerney, also a task force member and DOT's director of public affairs, was once president of the American International Automobile Dealers Association and an exec at electric and hybrid auto companies. And another

member, Jonathan Moss, formerly was United Airlines' managing director of international and regulatory affairs. "An agency spokeswoman said all deregulation team members had signed agreements requiring them to recuse themselves from issues that narrowly affect recent employers," NYT's Danielle Ivory and ProPublica's Robert Faturechi write.

OPEN SKIES DEBATE AS HOT AS EVER: Nearly 30 groups signed onto a [letter](#) to Trump administration leaders and lawmakers Monday asserting that U.S. jobs "are potentially jeopardized by demands from three U.S. passenger airlines to restrict access to the U.S. market for two Open Skies partners, in breach of our obligations." The groups - including ACI-North America, Alaska Air, Atlas Air, the Business Travel Coalition, FedEx, Hawaiian Airlines, JetBlue and the U.S. Travel Association - wrote that American Airlines, Delta and United "complain of unfair subsidies" provided by Qatar and the United Arab Emirates, but they "have chosen not to use the Department of Transportation procedures that Congress established to hear such claims."

'Sad': The Partnership for Open and Fair Skies - a group that counts American, Delta and United as members - fired back on Monday. "It's pretty sad that some people are willing to risk the economic well-being of the American aviation industry and the 1.2 million jobs it supports, just to defend the Gulf carriers' ability to keep on taking billions of dollars in foreign government subsidies," spokeswoman Jill Zuckman said. "The truth is that Open Skies agreements already provide a way to deal with rule-breakers, and anything else is just an attempt to delay and derail American jobs."

Slice of PI: Want to read more about Open Skies appeals? Head over to [POLITICO Influence](#).

ON TO THE NEXT ONE, PLEASE? Trump's unwillingness to give up on Obamacare is irking Senate tax writers who want to get going on a tax code overhaul, POLITICO tax whizzes Bernie Becker and Aaron Lorenzo [report](#). "We're not going back to health care. We're in tax now. As far as I'm concerned, they shot their wad on health care and that's the way it is. I'm sick of it," said Senate Finance Chairman [Orrin Hatch](#) (R-Utah). A host of must-pass items will also be on Congress' plate in September, including an FAA reauthorization or extension.

MT MAILBAG: A coalition of groups including The Club for Growth, Heritage Action for America and Freedom Works sent a [letter](#) to Sen. [Mike Crapo](#) (R-Idaho) urging him to "denounce special interests who seek to strongarm President Trump into dropping the appointment of Scott Garrett as the next president of the Export-Import Bank."

What's going on here? Ex-Im advocates like the National Association of Manufacturers have opposed former New Jersey Rep. Scott Garrett's nomination to head up the Ex-Im Bank because he has repeatedly called for the bank to be shut down, and they fear he could attempt to undermine it as president. Crapo, who is chairman of the Senate Banking Committee, has yet to hold a hearing to review Garrett's nomination. The coalition said it would "vocally oppose" any nominations to Ex-Im's board if Garrett's nomination was not considered.

THE AUTOBAHN:

- "Your plane could fly itself by 2025 ... if you're cool with that." [Quartz](#).
- "The UK government has issued new cybersecurity guidelines for smart cars." [The Verge](#).
- "Summer flight delayed? Don't assume it's a storm." [The New York Times](#).
- "'Driverless' van in Virginia is driven by man dressed like a car seat." [NBC Washington](#).
- "Cyber threats prompt return of radio for ship navigation." [Reuters](#).
- "Canada's infrastructure projects take off while Trump's plans sputter." [The Washington Post](#).
- "An arcane American law protected by powerful interests is causing insane traffic jams." [Quartz](#).
- "Trump's trade pullout roils rural America." [POLITICO Magazine](#).
- "BuzzFeed news trained a computer to search for hidden spy planes. This is what we found." [BuzzFeed News](#).
- "Uber's search for a female CEO has been narrowed down to 3 men." [The Washington Post](#).

THE COUNTDOWN: DOT appropriations run out in 53 days. The FAA reauthorization expires in 53 days. Highway and transit policy is up for renewal in 1,149 days.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Mon 11/6/2017 3:10:13 PM
Subject: POLITICO's Morning Energy, presented by ExxonMobil: What to watch for as Bonn climate talks kick off — Next step toward WOTUS unwind arrives — Trump pushes Aramco for U.S. listing

By Anthony Adragna | 11/06/2017 10:00 AM EDT

With help from Eric Wolff and Kalina Oroschakoff

BONN JOUR! Starting today, international negotiators gather in Bonn for the COP23 - the first U.N. climate summit to be chaired by a small island nation, Fiji. It's also the first meeting after President Donald Trump announced his intention to pull the U.S. out of the landmark Paris accord in June. Let's take a quick look at what to expect between now and the conference's end on Nov. 17:

-The U.S. question: An open question remains how much the U.S. decision to withdraw from the Paris accord will be a distraction to the nitty gritty work of filling out the details of the 2015 pact. The Trump administration opted to send longtime diplomat Thomas Shannon as the delegation's lead in Bonn rather than a cabinet member, suggesting a low-key role on the sidelines. But U.S. officials are expected to tout the benefits of nuclear energy and fossil fuels in combating emissions, according to the New York Times. Meanwhile, a high-profile delegation of U.S. governors, mayors, private sector leaders and others are traveling the conference as a signal that much of the country remains committed to aggressive climate action.

-Loss and damage: Fiji, backed by other vulnerable island countries, is keen to focus attention on the loss and damage already linked to climate change (think, hurricanes, floods and rising sea levels). Many island nations are raising pressure on negotiators, especially from wealthy nations, to tackle loss and damage issues such as funding, risk preparedness, weather forecasting and new insurance proposals. This, compounded by a number of high-profile weather events this year, will make it one of the more challenging discussions at the summit, according to Camilla Born from the environmental think tank E3G.

-Working out the rules: Another challenge will be to advance work on rules to make sure countries meet the Paris agreement's goals ahead of next year's COP24 - when parties said they would sign off on the rulebook underpinning the deal. A thorny discussion here will be around setting a common and transparent monitoring and reporting system that ensures emissions reductions can be compared across countries. It's a sensitive issue with emerging economies such as China, long wary of letting outsiders glance their domestic books, but a priority for the EU, which wants to make sure everyone pulls their weight. The battle could therefore be over whether it will be a bifurcated system, setting different guidelines for developed and developing countries, or universal.

-Assessing progress: Negotiators will also have to work out how the first stock-take of national progress toward achieving climate pledges will play out next year. The idea behind the 2018 meeting is to pave the way for countries to increase their emissions reduction targets in 2020, when parties are for the first time required to communicate renewed (and ideally strengthened)

commitments, as set out under the Paris deal. The outgoing Moroccan COP22 presidency and the incoming Fijian presidency have published a [joint document](#) outlining their vision for the meeting.

-Who's coming? According to [the UNFCCC](#), close to 20 world leaders, including French President Emmanuel Macron and German Chancellor Angela Merkel, are slated to attend. Also expected to participate: Arnold Schwarzenegger, UN Secretary-General António Guterres, Paris Mayor Anne Hidalgo, California Governor Jerry Brown, UN Special Envoy Michael Bloomberg and several U.S. lawmakers, including Sens. [Sheldon Whitehouse](#) and [Brian Schatz](#). EPA Administrator Scott Pruitt [won't attend](#), though other agency staff will.

ICYMI: POLITICO Europe's Kalina Oroschakoff and Pro's Emily Holden's seven people to watch during the summit [here](#).

WELCOME TO MONDAY! I'm your host Anthony Adragna, and Hunton & Williams' Joe Stanko was first to identify Laika as the first dog in space 60 years ago. For today: Which current senator is a former shoe store owner? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter [@AnthonyAdragna](#), [@Morning_Energy](#) and [@POLITICOPro](#).

NEXT STEP IN WOTUS UNWIND: EPA and the Army Corps of Engineers sent a proposed rule delaying the effective date of the Waters of the U.S. Rule to the White House for review, a move designed to give the administration more time to design its own version, Pro's Eric Wolff [reports](#). An agency spokeswoman said the action would "amend the effective date associated with the 2015 Clean Water Rule to give the agencies time to consider the two-step process proposing to rescind and revise the 2015 rule." The new proposed rule is separate from any rule intended to replace WOTUS. The agency declined to say when the new effective date would be or if it would make any other tweaks to the regulation.

DEMOCRATS TALK DISASTER RELIEF PRIORITIES: Thirty members of the Senate Democratic caucus sent [a letter](#) Friday to OMB Director Mick Mulvaney outlining their priorities for a third disaster supplemental spending package expected to be requested by the administration later this month. "We can invest in technology, conservation and infrastructure that will mitigate further damage and make our communities more resilient," they wrote. Particular requests include "specific legislative language" concerning electric grid reconstruction in Puerto Rico and the U.S. Virgin Islands, as well as "further investments" in NOAA's weather infrastructure and forecasting capabilities.

High-profile visitors: House Transportation Chairman [Bill Shuster](#) and Ranking Member [Peter DeFazio](#), Senate Energy Chairman [Lisa Murkowski](#) and Senate EPW Ranking Member [Tom Carper](#) were among those lawmakers visiting Puerto Rico this weekend, according to [local media](#). Also along: Sen. [Kamala Harris](#), Sen. [Bill Cassidy](#), Sen. [Al Franken](#) and Rep. [Garret Graves](#).

Let's reschedule: House Homeland Security ranking member [Bennie Thompson](#) wrote to Chairman [Michael McCaul](#) asking for the panel to reschedule a hearing on hurricane response

and recovery that was suddenly shelved last week. Link to letter [here](#).

QUITE THE PUBLIC PITCH: Tweeting at 2:49 a.m. in Hawaii, Trump [asked](#) Saudi Arabia to list shares of its biggest oil company on the New York Stock Exchange. "Would very much appreciate Saudi Arabia doing their IPO of Aramco with the New York Stock Exchange. Important to the United States!" he [wrote](#). That comes as Saudi Arabia moves toward an offering of shares of its state-run oil company - the world's largest energy company - on international markets. He later told reporters aboard Air Force One: "They're not looking at it, but I want them to strongly consider the New York Stock Exchange or NASDAQ, or frankly anybody else located in this country, but those are the big two... I just spoke to the king a little while ago, and they will consider it."

ANOTHER INVESTIGATION ARRIVES: GAO agreed last week to probe whether Pruitt's appearance in an August [video](#) from National Cattlemen's Beef Association violated laws "on the use of appropriated funds for lobbying and publicity or propaganda purposes and the Antideficiency Act," Pro's Alex Guillén [reports](#). House Democrats asked GAO to begin the investigation.

TEAM ETHANOL FIRES BACK: If Trump watches the ads on Fox & Friends, then he's getting an earful on the Renewable Fuels Standard these days. Starting today and through the Nov. 20, Fuels America, an umbrella group of ethanol producers and trade associations, will be running an [ad](#) reminding Trump of his promises to farmers and accusing oil refiners of demanding a taxpayer funded bailout. The refiners had the inverse ad up during Fox & Friends last week.

Ticking clock: EPA's final RFS rule went to the White House for review last week, and Pruitt has promised to release it by the statutory Nov. 30 deadline.

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HIT THE FLOOR! House lawmakers this week are expected to vote on the Hydropower Policy Modernization Act [H.R. 3043 \(115\)](#), which aims to speed the regulatory approval process for hydropower projects. And they're also expected to consider compromise legislation [H.R. 2874 \(115\)](#) overhauling the National Flood Insurance Program to impose new penalties on homeowners with repeat flooding, though with softer consequences than originally floated.

MEGA HOUSE ENERGY PACKAGE GETS MARKUP: The House Natural Resources Committee is expected Wednesday to [mark up](#) a broad new energy package [H.R. 4239 \(115\)](#) on Wednesday after its introduction on Friday, Pro's Ben Lefebvre [reports](#). Among other provisions, the SECURE American Energy Act would roll back Obama-era offshore drilling rules, create an offshore oil and gas revenue program for East Coast drilling and give more oil and gas permitting power to the states.

CLIMATE REPORT AT ODDS WITH TRUMP STANCE: Even as the White House stuck with its line the climate "has changed and is always changing," scientists from the 13 agencies who worked on the [National Climate Assessment](#) that concluded human activity is driving climate change said they saw no effort from the administration to meddle in their work, Pro's Emily Holden [reports](#).

In response, Paul Bledsoe, who helped release the first national climate assessment while at the Clinton White House in 2000, emails his take: "The White House clearly judged that the firestorm over delaying or suppressing the report release, especially ahead of the Bonn climate talks, would be greater than from the findings themselves."

NEW TACTIC IN CLIMATE FIGHT: Speaking at the Vatican over the weekend, California Gov. Jerry Brown asked the Catholic Church to throw its weight behind his efforts to undermine Trump's climate rollbacks abroad, POLITICO California's David Siders [reports](#). Brown urged religious establishments to help "awaken the world" to efforts to reduce greenhouse gas emissions and described the president's rejection of mainstream climate science as a "lie within a lie."

PRINCE OF WYOMING? Blackwater founder Erik Prince tells [NBC News](#) he's still "mulling" a challenge to Wyoming Sen. [John Barrasso](#). "They have been in the wilderness for eight years, saying oh, if only we had a Republican president and now they have one," he said. "[They're] kind of out of excuses." One fact of note: Barrasso has received just 5.5 percent of his total \$2.4 million haul of itemized individual contributions since the start of 2013 from Wyoming. There's no public polling on how the theoretical Barrasso v. Prince matchup would go.

MAIL CALL! TIME OUT! Two top Energy and Commerce Committee Democrats - [Frank Pallone](#) and [Bobby Rush](#) - sent a [letter](#) asking that a [hearing](#) slated for Tuesday on two bills making significant changes to the Energy Star programs and efficiency standards for ceiling fans be postponed until witnesses from EPA and DOE are available. "These bills would make substantial changes to the popular Energy Star Program and efficiency standards for ceiling fans, and should not be rushed through the Committee process without adequate input from the agencies tasked with executing these potential changes," they wrote to Chairman [Greg Walden](#) and Energy Subcommittee Chairman [Fred Upton](#).

DEMOCRATS TO PRUITT: WITHDRAW SCIENCE ADVISER POLICY: Six senior House Democrats on the Science and Energy and Commerce committees [asked](#) Pruitt to withdraw his "biased, harmful" policy barring scientists who receive agency grants from serving on scientific advisory panels. "We advise you to follow [Federal Advisory Committee Act] regulations and policy in selecting qualified individuals to serve on EPA's science advisory committees just as previous administrations led by both parties have done. Anything less is a great disservice to the public interest," they wrote.

CALIFORNIA TALLIES WILDFIRE NEEDS: Golden State bigwigs, including Brown, Sens. [Dianne Feinstein](#) and [Kamala Harris](#) and 39 California House members, sent a letter to Trump Friday asking for \$7.4 billion in federal funds to help the state recover from devastating wildfires. Letter link [here](#).

MORE TIME NEEDED: A bicameral group of 81 Democrats, led by Sens. [Maria Cantwell](#) and [Tom Udall](#) and Reps. [Jared Polis](#) and [Raúl Grijalva](#), asked Interior Secretary Ryan Zinke in a [letter](#) released Friday to extend the public comment period on its proposed repeal of BLM's methane waste rule from 30 to 90 days and to offer public hearings in the Western U.S. "The American people deserve to get a proper return on this natural gas resource, and any attempt to roll back this rule would represent a giveaway to industry polluters," they wrote.

THIS TIME IT'S PERSONAL: In light of U.S. Forest Service recommendations to potentially allow new uranium mining near the Grand Canyon, House Natural Resources Ranking Member [Raúl Grijalva](#) wrote Chairman [Rob Bishop](#) a [letter](#) to ask for a hearing on his bill [H.R. 360 \(115\)](#) to create a national monument in the area. Grijalva separately [asked](#) Agriculture Secretary Sonny Perdue for his rationale behind the recommendation and whether the public would have the opportunity to comment.

NEW PHASE OF KEYSTONE FIGHT: Volunteers with Bold Nebraska went door-to-door in the five Nebraska Public Service Commissioners home districts to raise concerns about the use of eminent domain and environmental concerns surrounding the Keystone XL pipeline. The Nebraska regulators expect to make a final decision on the pipeline permit by the end of the year.

ADS URGE NO DRILLING IN ANWR: The League of Conservation voters is targeting Republican Reps. [Bruce Poliquin](#) and [Darrell Issa](#) with ads ([sample here](#)) urging them not to support opening ANWR to drilling. It's part of an ongoing \$200,000 campaign.

NO REAL RUSH ON METHANE: EPA is now all-but-certain not to take any final action on the Obama-era 2016 methane regulation targeting emissions rule for new oil and gas wells until the next year, Pro's Alex Guillén reports in [Energy Regulation Watch](#). That comes as the agency issued a [notice](#) last week floated the idea (offered by the American Petroleum Institute) to implement longer phase-in periods for key requirements of the rule rather than seeking an outright stay.

MOVER, SHAKER: Katie Waldman leaves her post as press secretary for Montana Sen. [Steve Daines](#) this Thursday for a "new opportunity."

QUICK HITS

- Donald Trump accused of obstructing satellite research into climate change. [The Guardian](#).
- To make coal plants in southern Illinois competitive, Dynegy seeks lawmakers' help. [St. Louis Post-Dispatch](#).
- In the Country Where Coal Is King, a Battle With the EU Looms. [Bloomberg](#).
- Contractor wasted millions on unnecessary supplies for S.C.'s failed nuclear reactors. [Post and Courier](#).

- Ohio city refuses to give up fight against gas pipeline. [AP](#).

- Wyoming's quiet governor faces a brash Interior Secretary, with a bird in the balance. [Casper Star-Tribune](#).

THAT'S ALL FOR ME!

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