

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Tue 8/22/2017 9:43:17 AM
Subject: Morning Energy: Electric grid weathers total eclipse of the sun — Big biodiesel ruling expected today — Taking stock of California's climate situation

By Anthony Adragna | 08/22/2017 05:41 AM EDT

With help from Eric Wolff, Lauren Gardner, Alex Guillén and Esther Whieldon

PASSED WITH FLYING COLORS: Solar panels across a swath of the U.S. went dark Monday as the first domestic total solar eclipse since 1979 transfixed the country, but the electric grid appeared to weather the disruption easily. Applying lessons Europe learned during its own 2015 eclipse, utilities leaned more heavily on alternate supplies to fill in gaps in solar generation. As Pro's Esther Whieldon [reports](#), Eric Schmitt, California ISO's vice president of operations, told reporters about 3,000 megawatts to 3,500 megawatts of solar generation stopped during the eclipse, but hydropower and natural gas power supplies filled in that gap. "We didn't have any major challenges on the system, even minor challenges," he said. "We're very pleased with how smooth it went. All the resources performed the way they were supposed to perform."

How'd others do? The PJM Interconnection, the grid operator for more than a dozen Mid-Atlantic and Midwestern states saw a decrease of about 520 megawatts utility scale solar during the eclipse, which is not even a drop in the bucket for the system that has 185,000 megawatts of power on call. Duke Energy estimates it saw a drop of 1,700 megawatts-worth of output from utility-scale solar generation in North Carolina. (The grid's success did not extend to [traffic](#) where [numerous apocalypses](#) were reported after the eclipse passed).

Cabinet secretaries took a break. Interior Secretary Ryan Zinke tweeted it was a "[pretty cool view](#)" from his agency's rooftop, while EPA Administrator Scott Pruitt said his staff enjoyed a "[great view](#)" from headquarters. Energy Secretary Rick Perry said the total eclipse "[rocks](#)" and [linked](#) to National Renewable Energy Laboratory staff enjoying the view.

Away from Washington, senior lawmakers did as well. Senate EPW Chairman [John Barrasso](#) "[really enjoyed watching the eclipse](#)" from Casper, Wyo. (where the totality lasted more than two-and-a-half minutes). Senate Energy Chairman [Lisa Murkowski](#) was underground in a "[permafrost tunnel](#)" near Fairbanks, Alaska, at peak eclipse, but later [caught a glimpse](#) from visiting Deputy Energy Secretary Dan Brouillette.

WELCOME TO TUESDAY! I'm your host Anthony Adragna, and SEIA's Christopher Mansour was first to name Italy as the spot with two other independent countries within its borders (San Marino and Vatican City). For today (in honor of Monday's incredible eclipse): What is the only major U.S. city (more than 500,000 people) that enjoyed more than two minutes of totality? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter [@AnthonyAdragna](#), [@Morning_Energy](#) and [@POLITICOPro](#).

THE MITCH MCCONNELL CONNECTION: Anthony Pugliese exited the Department of Transportation to join FERC as its chief of staff, Transportation Pro's Lauren Gardner [scooped](#)

for Pros. He was DOT's senior White House adviser — a role that was intended to help 1600 Pennsylvania Ave. keep tabs on their goings-on. In this case he served next to Cabinet Secretary Elaine Chao, wife of Senate Majority Leader [Mitch McConnell](#), and the two didn't appear to have gotten along. POLITICO reported in May how Pugliese informed Chao that he expected her to check in with him on all policy moves, a declaration that got a chilly reception.

Now Pugliese has a job as the top staffer for newly anointed FERC chairman Neil Chatterjee — for years McConnell's top energy policy aide — despite limited energy experience. The FERC [announcement](#) says Pugliese learned energy matters from his time working for Pennsylvania Gov. Tom Corbett, where he spent a year working for the department of Community and Economic Development, and as a consultant for Pugliese Associates, a Pennsylvania lobbying shop founded by Pugliese's father, Rocco. The company's [website](#) shows that it's energy clients included Tesla Motors, a filling station chain, and an energy efficiency non-profit. Pugliese's lobbying disclosure form for the state of Pennsylvania show his only energy client was Tesla.

BIODIESEL PRODUCERS CROSSING FINGERS FOR COMMERCE TRADE RULING TODAY: The Commerce Department is expected to issue a preliminary ruling today on whether to impose a tax on Argentine and Indonesian imports of biodiesel to counter those two countries' subsidies. Biodiesel exporters have been arguing for months that biodiesel feedstocks in Argentina and Indonesia are underwritten by their governments so they can sell into the U.S. market.

RFS credits in discord: Today's decision could drive up the biofuel credits that oil refiners use to comply with the Renewable Fuel Standard, because it would potentially shrink supplies and increase the price of biodiesel. Those biodiesel credits can be used for compliance with the ethanol part of the program, too. But Tom Kloza, a founder of the oil tracking service OPIS, says RIN prices have been buffeted by "cross winds" since a [court ruling](#) last week that let some small refiners out of the program. "There's a little uneasiness about this small refinery exemption," he said. Today's "ruling isn't as big as the anti-dumping. It would probably provide an upward lift, but right now you have this downdraft related to small refinery exemption."

Just the first step in the trade dispute tango: A victory today for domestic producers would signal what may be a larger victory in October, when Commerce will rule on whether the two countries dumped biodiesel on the U.S. market in an effort to undermine U.S. production. Kloza said that one could potentially rattle biofuel markets. Neither decision will likely be finalized until next year.

A PRIZE PODCAST: This week's episode of [Global POLITICO](#) podcast features Dan Yergin, the Pulitzer-winning historian and expert on the geopolitics of energy, as well as Angela Stent, a former U.S. national intelligence officer for Russia, discussing the current "frigid, antagonistic, confrontational" relationship between U.S. and Russia. Yergin also discusses the dissolution of Trump's advisory council of business leaders last week, which he called very much "a comment about what's happening to our politics."

CALIFORNIA'S CLIMATE PUSH FUELS ECONOMIC GROWTH: Since the adoption of landmark climate legislation in 2006, California's gross domestic product growth has nearly

doubled what's been seen at the U.S. more broadly, but the rate of the state's emissions reductions have slowed recently due to a spike in transportation-related emissions, according to a [new report](#) out from the nonpartisan group Next 10. "Transportation sector emissions vastly outweigh other carbon-producing areas of California's economy, and the recent spike should alert policy-makers that despite our best efforts, more must be done," Adam Fowler, an economist at Beacon Economics, which prepared the report, said in a statement. Among the other findings: Energy-related carbon dioxide emissions in California were down 12.5 percent in 2016 from their 2006 levels and renewable energy made up 21.9 percent of total electricity generation in the state.

CHECK OUT THAT HASHTAG: Zinke's wife Lola raised a few eyebrows around Washington with a [tweet](#) of her and the secretary on a run to the Capitol that included the hashtag #senaterun. ME readers likely remember the Montana congressman was considered a [likely Senate candidate](#) against Democrat [Jon Tester](#) — who's up for reelection next year — prior to being tapped by the Trump administration for the Interior slot.

MAIL CALL! SCHATZ CRIES FOUL OVER EPA GRANT POLICY: Hawaii Democratic Sen. [Brian Schatz](#) sent a [letter](#) Monday to EPA's Pruitt urging him to reverse course on a new directive in which a political appointee — John Konkus within the Office of Public Affairs — now will evaluate grant solicitations. "I fail to understand the beneficial role a political appointee, without any meaningful scientific background, could have in the grant review process," Schatz wrote. He added the new policy appeared to be in "direct conflict" with the agency's scientific integrity policy.

THERE'S A HEARING! It may be August recess, but the Senate EPW Subcommittee on Superfund, Waste Management and Regulatory Oversight, chaired by [Mike Rounds](#), today holds a field oversight hearing at his former office — the South Dakota state capitol. It'll examine efforts from the Army Corps of Engineers to manage the Missouri River to "make certain the agency is working in an appropriate and responsible manner." More information [here](#).

DEMOCRATS TOUT ECONOMIC BENEFITS OF MONUMENTS: Ahead of Interior's Zinke's Thursday deadline to issue recommendations on the fate of nearly two dozen national monuments, the Joint Economic Committee Democrats released a [series of fact sheets](#) highlighting what they say are the substantial economic benefits the sites provide to local communities. "Removing designation in whole or in part from national monuments, as the Trump administration has proposed, would eliminate this economic engine," Sen. [Martin Heinrich](#), the committee's ranking Democrat, said in a statement.

PUT UP YOUR DUKES: The nomination of one of their own, former New Jersey Rep. Scott Garrett, to run the Export-Import Bank has emerged as the latest battle in the Republican Party's civil war, POLITICO's Zachary Warmbrodt [reports](#). Business groups are expected to ramp up efforts to block his appointment, while opponents of the bank are warning the Senate Banking Committee about the consequences of failing to advance Garrett's nomination. "The divides among congressional Republicans appear to be deepening, and I am left with the sense that for some issues, the GOP is closer to a coalition government than a unified party," Compass Point analyst Isaac Boltansky said.

TAKE A GLANCE! DISSECTING NEW YORK'S ENERGY GOALS: The Manhattan Institute is out with a [report](#) today arguing, among other findings, New York's goal of reducing greenhouse gas emissions 80 percent from 1990 levels by 2050 is "unrealistic, unobtainable, and unaffordable." In addition, meeting renewable energy and GHG goals will mean shifting to electric-powered equipment across most sectors of the state's economy "adding many billions of dollars in costs in both the private and public sectors," the report argues. Lower-income New Yorkers would bear more of the brunt of those policies to hit the interim reduction goals, it says.

NOT A FAN: German Chancellor Angela Merkel slammed her predecessor Gerhard Schroeder for taking a high-paying post at Russian oil company Rosneft, POLITICO Europe's Victor Brechenmacher [reports](#). "I do not find what Mr. Schroeder is doing appropriate," Merkel told German daily [BILD](#). Schroeder has drawn criticism in Germany for his involvement in the Russian energy sector and [his friendship](#) with Russian President Vladimir Putin. He already holds a leadership role at Nord Stream AG, a gas-pipeline consortium set up by Gazprom, to transport Russian gas across the Baltic Sea and into Germany.

LET THERE BE REGIONAL ADMINISTRATOR! A former Alabama environmental regulator will serve as EPA's Region 4 Administrator, Pro's Alex Guillén [reports](#). Trey Glenn was director of the Alabama Department of Environmental Management from 2005 through 2009 and has owned an engineering consulting firm in Birmingham for the last eight years. Alabama's ethics commission found "probable cause" back in 2007 that Glenn may have violated ethics laws but a grand jury in 2009 concluded there were no "provable violations." Regional administrators do not require Senate confirmation.

COURT REVIVES DUGONG SUIT: The 9th Circuit Court of Appeals has [revived](#) an environmentalist lawsuit dating back to 2003 alleging a plan to place a U.S. Marine Corps air base in Okinawa, Japan, threatens a local population of dugongs, which are similar to manatees. A lower court previously said the green groups did not have standing to bring the case, and the suit raised "political questions" the court could not answer. But the 9th Circuit reversed that Monday, saying the case must be heard. The green groups will now get to present their case that the new military base will threaten the Okinawa dugong, which is listed as endangered in the U.S. and Japan. However, they may still fail to change anything about the base; the 9th Circuit said the green groups "may face challenges in securing relief on the merits." The base construction has been controversial for reasons beyond dugongs, with the prefecture government [taking](#) Japan's central government to court this summer to halt work on seawalls and new land.

LOTS OF FREE TIME? Sebastian Gorka, Trump's deputy assistant, posted the personal phone number and other contact information of a blogger after he put up a [post](#) detailing how Gorka's son made an environmental documentary, Death and Taxes [reports](#). The video at issue, made by 18-year-old Paul Gorka, looks at how plastic pollution contributes to water quality issues.

REPORT: NUCLEAR NEEDS CONGRESSIONAL HELP: Kirk Lippold, an energy policy expert who served as commanding officer of USS Cole, is out with a [new report](#) arguing Congress must extend a nuclear production tax credit for the U.S. to remain a worldwide leader in that energy sector. "It is incumbent for that leadership to continue through public support of

this clean energy source in order for it to remain a reliable power backbone for decades into the future," he writes in the paper for the Electric Reliability Coordinating Council.

QUICK HITS

— Most new Permian oil likely to be exported from Houston, Corpus Christi. [Houston Chronicle](#).

— Coal country is ready for tech jobs — if techies will just give them a chance. [Recode](#).

— Saudis Could Get \$21 Billion Non-Oil Boost in 2018, BofA Says. [Bloomberg](#).

— OPEC to discuss ending or extending production cut in November: Kuwait minister. [Reuters](#).

— Support for climate change bill is haunting a California Republican leader. [The Mercury News](#).

— UT System oil money is a gusher for its administration — and a trickle for students. [Texas Tribune](#).

HAPPENING TODAY

10:00 a.m. — [Nuclear Threat Initiative](#) hosts a teleconference highlighting the impending launch of a new [low-enriched uranium bank](#) in Kazakhstan, contact: tsmith@mrss.com

THAT'S ALL FOR ME!

To view online:

<https://www.politicopro.com/tipsheets/morning-energy/2017/08/electric-grid-weathers-total-eclipse-of-the-sun-024338>

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California grid emerges from solar eclipse unscathed [Back](#)

By Esther Whieldon | 08/21/2017 03:53 PM EDT

The California grid survived today's total solar eclipse without a hitch, California Independent System Operator officials said.

About 3,000 megawatts to 3,500 megawatts of solar generation stopped producing power during the eclipse, and the grid operator was able to cover that loss largely with hydropower and natural gas power supplies, Eric Schmitt, ISO vice president of operations, told reporters.

The grid operator had expected to lose up to 4,600 megawatts of utility scale solar during the eclipse and about 1,300 megawatts of residential rooftop solar.

Schmitt said months of planning had enabled the grid operator to accommodate the solar event.

"We didn't have any major challenges on the system, even minor challenges," he said. "We're very pleased with how smooth it went. All the resources performed the way they were supposed to perform."

Electricity prices were normal, peaking in the low \$20s per megawatt-hour. But as the eclipse abated, they then went negative — meaning generators would need to pay to ship their power — as the solar power plants began to come online, Schmitt said.

WHAT'S NEXT: The ISO expects to release more details about how the grid performed during the solar eclipse, such as how much battery storage was used and how much rooftop solar went offline, at a later time.

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DOT adviser jumps to FERC [Back](#)

By Lauren Gardner | 08/21/2017 12:33 PM EDT

Anthony Pugliese has left DOT to become the Federal Energy Regulatory Commission's chief of staff, POLITICO has learned.

Brigham McCown, a former Republican DOT official who worked on the Trump administration's transition team with Pugliese, confirmed the move.

Pugliese was the department's senior White House adviser, a role that Cabinet secretaries across the administration have [chafed](#) against.

A FERC spokesman confirmed the move. DOT didn't respond to a request for comment.

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Court says EPA overstepped in denying small refiners RFS exemption [Back](#)

By Alex Guillén | 08/15/2017 02:09 PM EDT

The Obama administration in 2016 wrongly forced two small refineries in Wyoming to comply with the Renewable Fuel Standard, a federal court [ruled](#) today.

The Sinclair Oil-owned facilities had requested exemptions from the RFS, citing language in the law that allows EPA to spare small refiners from the program's biofuel blending requirements if they would experience "disproportionate economic hardship." While DOE recommended granting them a 50 percent waiver, EPA in October 2016 said both facilities were profitable enough to bear the RFS's costs and thus would have to comply fully with the program.

However, a split panel from the 10th Circuit Court of Appeals today said EPA overstepped its authority by concluding that the exemption could only be granted if complying with the RFS presented a long-term, "existential threat" to the refineries' survival.

EPA "chose a definition of economic hardship plainly at odds with Congress's statutory command," concluded the two majority judges, Timothy Tymkovich, a George W. Bush appointee, and Nancy Moritz, an Obama appointee. They sent the matter back to EPA for further action.

In a dissent, Carlos Lucero, a Clinton appointee, said he believed EPA had relied on "a more nuanced analysis" than the majority said which may have been permissible.

The decision comes just weeks after the D.C. Circuit ruled in a separate case that the Obama EPA had misappropriated a broader waiver authority under the RFS to require using less corn ethanol in 2016 than Congress required.

WHAT'S NEXT: EPA must review the refineries' petitions in light of the ruling. The agency could find further reasons for denying the petitions or it may grant Sinclair the sought-after exemptions.

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2018 showdown looms: House Republicans vs. Democratic senators [Back](#)

By Elana Schor and Burgess Everett | 11/18/2016 05:22 AM EDT

As Democratic senators weigh when to fight and when to compromise with Donald Trump, Republicans on the other side of the Capitol are watching — with 2018 in mind.

Several of the 10 Democrats up for reelection in states that Trump won are likely to face off against members of the House Republican Conference. And on Thursday, one of those potential Senate hopefuls, Montana Rep. Ryan Zinke, fired a warning shot at his possible rival, Democratic Sen. Jon Tester.

"What I'm hoping, quite frankly, is that Sen. Tester moves rapidly to the middle," Zinke said of the two-term incumbent he is considering taking on. "His votes have not been consistent with

Montana."

Zinke said he's preparing "to get a lot of pressure" to run against Tester, who chaired the Democratic Senatorial Campaign Committee during a disappointing 2016 election cycle for his party. The two-term congressman has met with Senate Majority Leader Mitch McConnell (R-Ky.) and Sen. Tom Cotton (R-Ark.) about a possible bid.

Tester would be "a formidable opponent, should I run," Zinke added. "I'm in no hurry to make a decision."

Democrats had hoped to defeat Zinke this year to kill off the Senate prospects of the affable former Navy SEAL. But despite Tester's personal attention to the campaign of Democrat Denise Juneau, who challenged Zinke for Montana's at-large House seat, the Republican coasted to an 18-point victory.

Tester said Thursday he'd bet a steak dinner that Zinke will run against him. No matter what, the Democrat is girding for a fight.

"They're going to get someone tough," Tester said Thursday.

Sen. Steve Daines (R-Mont.), who was elected in 2014 in the increasingly red state, said it was "too soon" to say definitively how much trouble Tester might be in.

"Every election has a different dynamic," Daines said. "You saw what happened last cycle. It was assumed we were going to lose the majority."

Beyond Montana, Sen. Heidi Heitkamp (D-N.D.) could face a strong challenger in Rep. Kevin Cramer (R-N.D.). Like Zinke, Cramer was an early backer of Trump's presidential bid even as the Republican establishment chafed at the New York developer.

Cramer often appears on short lists to lead Trump's Department of Energy, though one source working on the president-elect's transition said the two-term Republican is expected to take on Heitkamp rather than join the administration.

Sen. Cory Gardner (R-Colo.), the former House member chairing the National Republican Senatorial Committee for 2018, praised Cramer as a "tireless advocate."

"He puts the people of North Dakota before everything else, and that's what people want in their elected member of the Senate," Gardner said. "And obviously, in the 2018 election cycle, we just have to plan on winning every race. And of course, he'd be very good at it."

Heitkamp has long made clear that she expects a bruising reelection battle and plans to remind voters of her work with the GOP.

"My whole purpose in being here is trying to bridge some of these partisan divides and try and get things done," Heitkamp said. "I don't care what their label is. When I agree with them, we're

going to do business. When I disagree with them, we're going to have a conversation."

Democrats are expecting a challenge to Sen. Joe Manchin (D-W.Va.) from either Rep. Evan Jenkins (R-W.Va.) or state Attorney General Patrick Morrisey. Manchin is hoping for a repeat performance of this year's election, when his state installed a Democratic governor at the same time it overwhelmingly voted for Trump.

"It's a very good sign. Basically people look at the individual," Manchin said. Voters "know who I am."

Still, Manchin acknowledged that his next campaign is "going to be more challenging." He joined an expanded Senate Democratic leadership slate on Wednesday, giving him a chance to make his case for making deals with Trump — but also potentially allowing Republicans to directly tie Manchin to any Democratic obstructionism.

Given how quickly his state has gone from blue to red, it's unclear how effective Manchin's earlier campaign strategies for governor and senator might be.

"I've been in office since 2001, the state has dramatically changed its politics," said Sen. Shelley Moore Capito (R-W.Va.), who added: "Every election's a challenge and he knows that, I think. He's up for the challenge. He's a very intuitive politician."

In Missouri, which Trump carried by 19 points, several GOP House members are seen as potential challengers to Democratic Sen. Claire McCaskill: Reps. Vicky Hartzler, Ann Wagner, or Billy Long. Incumbent GOP Sen. Roy Blunt just survived a nimble challenge in the state by Democrat Jason Kander.

In Indiana, meanwhile, Republican Rep. Luke Messer could end up squaring off against Democratic Sen. Joe Donnelly. Trump won the Hoosier State by a staggering 28 points.

Historically the party in power has lost ground during the first midterm election under a new president. In 2010, Democrats lost the House and relinquished six Senate seats as voters recoiled at some of Barack Obama's early initiatives, especially his health care law.

The 2018 Senate map gives the GOP a buffer to weather that trend. But if the country doesn't like what the next two years out of Washington brings, Republicans won't be able to shirk the blame.

Sen. Mike Rounds (R-S.D.) said he and other Republicans who were elected to the Senate in 2014 ran as outsiders vowing to shatter the status quo. Asked if Republicans will have to retool that message after they take the wheel in Washington, he said, "That depends on whether or not we actually deliver on what we said we were going to do. So the first 100 days with the new president are going to be critical."

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GOP divided over Trump's Ex-Im Bank nomination [Back](#)

By Zachary Warmbrodt | 08/21/2017 02:30 PM EDT

President Donald Trump's nomination of former Rep. Scott Garrett to lead the Export-Import Bank has opened up yet another front in the Republican Party's civil war.

Pro-business trade groups, free-market advocates and even social conservatives and gay-rights activists are targeting GOP senators with competing lobbying efforts as they clash over Garrett's past attempts to shut down the bank and his controversial views on LGBT issues.

The issue could come to a head this fall if Senate Republicans move forward with a hearing and confirmation votes for Garrett. Some of the leading groups opposed to the credit export agency are warning the Senate Banking Committee about the consequences of failing to advance the nomination. Meanwhile, business groups are expected to ratchet up efforts to block Garrett's appointment.

That has raised the political stakes around the New Jersey Republican's confirmation and underscored divisions that have contributed to the GOP's lack of success in pushing major legislation through Congress.

"The logjam over the Ex-Im Bank is just the most recent battle in the ongoing ideological war within the GOP between its pro-business wing and the free-market absolutists," Compass Point analyst Isaac Boltansky said. "The divides among congressional Republicans appear to be deepening, and I am left with the sense that for some issues, the GOP is closer to a coalition government than a unified party."

Outside groups are stepping up their efforts as the Trump administration gives Garrett a chance to sell his nomination, which has been under fire since the president announced his pick in April.

At least three Senate Republicans — the number it would take to block his confirmation if Democrats uniformly were to oppose him — have indicated they are on the fence.

Businesses that rely on the Export-Import Bank are stepping up their drive to rally opposition to Garrett because of his attempts to kill the agency when he served in Congress. In 2015, he said the bank "embodies the corruption of the free enterprise system" by promoting crony capitalism.

The bank, which offers loan guarantees to foreign buyers of U.S. exports, hasn't been able to back deals that exceed \$10 million since 2015, when its authorization temporarily lapsed and it lost a needed quorum of board members. Though its charter was renewed by Congress in December of that year, the lack of a quorum continues today.

U.S. manufacturers including Boeing and GE view it as a critical financial backstop.

As Garrett met with senators on Capitol Hill earlier this month, he offered a friendlier public message than he had while in Congress. He said he backed the president's desire to have a "functional" agency and that his job would be to "fulfill the administration's agenda of creating more jobs and helping manufacturing in this country."

But his pitch left a bipartisan group of senators less than satisfied.

"He lost his reelection bid last year, and he's now saying lots of things to try to get a new job," said Hamilton Place Strategies partner and former Bush administration official Tony Fratto, who represented a business coalition that supported the Export-Import Bank.

In response to the industry lobbying, outside groups that have worked for years to close the bank are jumping in to help push Garrett's nomination.

On Aug. 7, the Club for Growth and Heritage Action for America were among the conservative organizations that sent a letter to Senate Banking Chairman Mike Crapo (R-Idaho) warning that they would oppose any appointments to the agency's board if Garrett's name did not move forward.

Even after rushing to Garrett's defense, the bank's opponents would still like the agency to be shuttered. And if he ends up saying he's now in favor of reauthorizing the bank as part of his attempt to win confirmation, "it's politics, pure and simple," said Andrew Roth, Club for Growth's vice president of government affairs.

"The fact remains, if the bank is going to have a president, the only person out there that's capable of reforming the bank or reducing its size is Scott Garrett," Roth said.

Another issue dogging Garrett among Republicans is his record on gay rights.

His views attracted controversy in July 2015, when POLITICO reported that he told a group of fellow Republicans that he had refused to pay National Republican Congressional Committee dues because it recruited gay candidates.

Garrett later denied that he was against gay candidates and said his concern was with support for same-sex marriage. But the political fallout contributed to his failed 2016 reelection bid and is becoming a more prominent issue in his Senate confirmation.

American Unity Fund, a pro-LGBT conservative group founded in 2013, plans to aggressively lobby to defeat his nomination if it proceeds, said Tyler Deaton, a senior adviser for the organization.

Deaton said nominating someone with Garrett's record of "vilifying gay Americans" is like "throwing a wrench into something that's already complicated."

"We've shared our concerns with the White House," he said. "They've not even tried to defend

Mr. Garrett's anti-gay behavior."

The White House declined to comment on Garrett's LGBT record.

The Family Research Council, the conservative Christian nonprofit that describes homosexuality as "unhealthy and destructive," has come to Garrett's defense. The group has also been critical of the Export-Import Bank.

In a post last month, the group said Garrett's views on sexuality had "absolutely nothing" to do with his résumé.

"Scott Garrett's got a strong history of supporting not only free markets but fighting against government largess," said David Christensen, the Family Research Council's vice president for government affairs, in an interview. "He would be good at leading the Ex-Im bank. We also think it's unfair for some groups to try to raise his stance on social issues as a weapon against him."

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Pruitt picks ex-Alabama regulator for regional chief [Back](#)

By Alex Guillén | 08/21/2017 04:57 PM EDT

EPA Administrator Scott Pruitt has appointed a former Alabama environmental regulator as the agency's Region 4 Administrator, EPA announced today.

Trey Glenn was director of the Alabama Department of Environmental Management from 2005 through 2009. For the last eight years, Glenn has owned an engineering consulting firm in Birmingham.

Glenn "will help us carry out President Trump's vision of creating a more streamlined and efficient EPA that focuses on the Agency's core mission, while also providing more regulatory certainty to our nation's businesses," Pruitt said in a statement.

Alabama's ethics commission in 2007 found "probable cause" that Glenn, in his prior job as director of the state Office of Water Resources, may have violated ethics laws to land the ADEM position. But a grand jury in 2009 concluded there were no "provable violations," according to local [news reports](#).

EPA's 10 regional administrators are political appointees but do not require Senate confirmation. EPA's Region 4 covers Kentucky, Tennessee, Mississippi, Alabama, Florida, Georgia, South Carolina and North Carolina.

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