Message

From: POLITICO Pro Energy [politicoemail@politicopro.com]
Sent: 5/31/2018 9:45:17 AM
To: Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]
Subject: Morning Energy, presented by America's Pledge: First SAB meeting to eye EPA reg rollbacks — Cramer hits Trump's legislative director — DOE: U.S. generally 'well prepared' for grid hacks

By Kelsey Tamborrino | 05/31/2018 05:43 AM EDT

With help from Eric Wolff

PRUITT'S SAB STORY: EPA's independent Science Advisory Board will meet today and Friday for the first time since Administrator Scott Pruitt barred scientists on the committee from receiving EPA grants and boosted its ranks with industry representatives — and the group's agenda is packed. The SAB will look at Pruitt's "secret science" proposal to bar EPA from using studies that don't make public all their data, as well as the Clean Power Plan repeal, Pruitt's decision to relax 2022-25 auto emissions standards, changes to the 2016 methane rule for new oil and gas wells and effort to repeal a rule regulating emissions from "glider" trucks — and that's not all.

A lot to dive into: The heavy slate of issues is unusual for the advisory board, Pro's Alex Guillén reports. Several current and former SAB members say it's unprecedented for the board to consider reviewing so many regulatory actions. But like green groups and critics of Pruitt, the SAB scientists say EPA has declined to share information about its regulatory rollbacks. "The agency has not been forthcoming about how they're developing the relevant science work products," said Chris Frey, a professor of environmental engineering at North Carolina State University and a SAB member since 2012.

EPA keeps quiet: SAB has been conducting twice-yearly reviews of EPA's planned regulatory actions since 2012, members said. It's an effort designed to enable the advisory board to help guide EPA before its rules are finalized. But this time around, the SAB's working groups say EPA wasn't being forthcoming with information. "Basically they just didn't provide us with any answers," said Frey. "That kind of put us in a position where all we can really do is say EPA has not identified the science or any plan to review it, and clearly there are science issues that are in the proposed rule."

What to expect: It's not immediately clear whether the full SAB will vote today to advance the reviews. But Frey noted that some of the members appointed by Pruitt had been on the working groups, giving him hope that the full board will back the recommendations to look deeper into the regulatory rollbacks. Should SAB adopt them, Alex reports, it likely would mean setting up special subcommittees that include current members plus outside experts to question EPA further. Read more here.

IT'S THURSDAY! I'm your host Kelsey Tamborrino, and Entergy's Rob Hall correctly identified former President William Howard Taft as the first to see a Major League Baseball game in his hometown of Cincinnati. For today: Name all the presidents who were married while in office. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam,@Morning_Energy and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Learn more.

THE LONG AND SHORT OF IT: In an unusual attack on the White House's legislative affairs director, North Dakota Rep. Kevin Cramer blamed Marc Short explicitly for the party's legislative failures in the Senate, including ending the Obama rule on flaring and venting from oil and gas wells. After POLITICO published a story outlining the awkward dynamic between Heidi Heitkamp, Cramer and the White House, Cramer told North Dakota radio host Rob Port that he had done some digging and believes that there "are some people in the White House that think, you know, the president's too friendly too her," Burgess Everett recaps.

Moreover, Cramer laid specific blame at Short's feet for failed GOP efforts in the Senate to roll back an Obama-era regulation limiting flaring and venting, as well as repealing Obamacare. Heitkamp voted against gutting that flaring rule, something Cramer has criticized her for, in particular. "If Marc Short was very good at his job, you know, we'd have a repeal and replacement of Obamacare, we'd have a replacement of the venting and flaring rule," Cramer said. Read that story here.

PRUITT'S MEDIA BLITZ: The EPA administrator visited Rosslyn, Va., on Wednesday to sit for interviews with two conservative media outlets. One was conducted by Boris Epshteyn for his Sinclair Broadcasting segment, "Bottom Line with Boris." (Watch that here .) The other was with the Washington Free Beacon, where Pruitt repeated familiar talking points in defense of the ongoing scandals and investigations that have surrounded him over the past few months. Pruitt said he still has President Donald Trump's backing, noting that Trump has "spoken very strongly and consistently" about their working relationship. "It's been intense the last couple of months, but he's been very encouraging, very empathetic and very supportive rather consistently," Pruitt said. The administrator also discusses the Paris climate agreement, "The Bachelorette" and, of course, baseball in the 13-minute segment, which you can listen to here.

GRID AND BEAR IT: In response to an executive order signed last year, the Energy Department released a new report Wednesday that said senior government officials and electric sector executives don't know enough about how energy companies could recover from a disruptive cyberattack, and those companies aren't thinking about cyber threats enough when building out their supply chains. While the report mainly hammered home some long-known problems with the grid, DOE highlighted how grid resilience efforts suffer because of "gaps in incorporating cybersecurity concerns, including planning for long-term disruption events, into state emergency response and energy assurance planning." Generally, however, the report said the U.S. is "well prepared to manage most electricity disruptions." Read more from Pro's Eric Geller here.

WHERE'S PERRY? Energy Secretary Rick Perry delivers remarks this morning on critical infrastructure at DOE's Texas-Israel Cyber Security Conference in Dallas. The department also announced that Perry would address the DOE's annual Cyber Conference in Austin on Monday. During both events Perry is expected to discuss DOE's new Cybersecurity, Energy Security and Emergency Response office, as well as efforts at DOE to address cyber vulnerabilities in the energy sector.

ABOUT THAT GLIDER RULE: The New York Times' Eric Lipton tweeted out new documents late Wednesday that give new details into the controversial Tennessee Technological University study on truck emissions that Pruitt used to consider rewriting part of the Phase 2 truck rules. "The letters obtained via open records request show that the principal investigator at Tenn Tech who conducted study funded by Fitzgerald, the company that makes the so-called glider trucks, disavowed the work, saying that it had been distorted in a fraudulent way," Lipton tweeted.

BY THE NUMBERS: The federal government spent $13.2 billion across 19 agencies during fiscal 2017 on programs related to climate change, a report from the Government Accountability Office says. That's an overall $1.5 billion increase across the federal government over fiscal 2016, Pro's Anthony Adragna reports. And it's an increase of $4.4 billion since fiscal 2010, according to the report, which was request by House Science Chairman Lamar Smith. Read more .

CALIFORNIA GETS CHARGED UP FOR EVs: The California Public Utilities Commission is expected to approve a $589 million program for its four investor-owned utilities to build out their electric vehicle charging infrastructure. The plan is part of the implementation of California's aggressive greenhouse gas law passed in 2015. Most of the money — which will ultimately come from ratepayers — will go toward setting up electric vehicle charging stations and related infrastructure. California leads the nation by far in electric vehicle sales and adoption.

NO MAJOR FLAWS IN FERC PROCESS: Auditors in the DOE inspector general's office said they found no major flaws in FERC's process for reviewing interstate natural gas pipelines, according to a new report . But they also flagged concerns about FERC's transparency and how it handles public comments. The auditors said that "nothing came to our attention to indicate that FERC had not performed its due diligence" in how it balanced public benefits of a proposed project with its adverse impacts. But the report also said regulators' "had not fully ensured" that the certification process was transparent to those who want to participate, and it hit the agency's eLibrary documentation system as difficult to use, Pro's Darius Dixon reports.

** **A message from America's Pledge:** America's Pledge is flipping the script on climate action. One year after the federal government announced it would pull out of the Paris Agreement, 2,700+ U.S. cities, states, and businesses are saying, "We Are Still In." See how far we've come: https://politi.co/2koAHZb **

FERC DENIES PENNEAST REHEARING: FERC on Wednesday denied a rehearing sought by the Delaware Riverkeeper Network and Sourland Conservancy on the controversial PennEast pipeline. Commissioner Richard Glick issued a separate statement on the agency's use of tolling orders. "This proceeding, in particular, illustrates the need for prompt action on rehearing requests," Glick wrote . " ... I also have serious concerns regarding the Commission's practice of issuing conditional certificates — which, notwithstanding their name, vest the pipeline developer with full eminent domain authority — in cases where the record does not contain adequate evidence to conclude definitively that the pipeline is in the public interest."

GREENS ENDORSE DE LEON OVER FEINSTEIN: 350.org co-founder Bill McKibben and 350 Action said Wednesday it is backing Kevin de León in his bid to challenge California Sen. Dianne Feinstein. McKibben said de León, a current California state senator, "has been a strong champion of clean energy — and an effective one, using his power in Sacramento to make change happen against the strong opposition of the fossil fuel industry." Read De León's candidate questionnaire answers here.

SELC SUES OMB OVER REORG: The Southern Environmental Law Center sued the Office of Management and Budget Wednesday for its failure to release information under FOIA on the reorganization at federal agencies that manage public lands. SELC says OMB has not provided requested information under a November 2017 FOIA request , nor has it made a determination or otherwise responded to the request, and has subsequently stopped communicating with SELC. The center is seeking "all records in the custody or control of OMB submitted in connection with Executive Order 13781 by any agency responsible for the management of federal public lands," including the Forest Service, National Park Service, BLM and the Fish and Wildlife Service. The EO in question directed each agency head to submit a report to OMB outlining proposed changes to their agency. Read the lawsuit.

CRES BACKS McMASTER IN SOUTH CAROLINA: Citizens for Responsible Energy Solutions will announce a $175,000 television and digital ad buy today highlighting South Carolina Gov. Henry McMaster's record on clean energy. "First as lieutenant governor and now as governor, his commitment to the development of advanced energy technologies like natural gas and solar power is helping the state's economy and job market thrive," CRES Chairman and Executive Director James Dozier said.

McCARTHY NAMED DIRECTOR OF HARVARD CENTER: Harvard T.H. Chan School of Public Health announced former EPA Administrator Gina McCarthy will lead its newly launched Center for Climate, Health,

and the Global Environment. Under McCarthy, C-CHANGE announced a collaboration between Harvard University and Google to reduce the use of harmful chemicals in construction and renovation projects. "C-CHANGE will ensure that cutting-edge science produced by Harvard Chan School is actionable — that the public understands it, and that it gets into the hands of decision-makers so that science drives decisions," McCarthy said in a statement.

MOVER, SHAKER: Mitch Schwartz started this week as communications director for Jason Crow's campaign in Colorado's 6th Congressional District. Schwartz previously worked for SKDKnickerbocker.

— **PUSH Buffalo, a sustainable housing group,** announced Rahwa Ghirmatzion as its new executive director as of August 2018. Ghirmatzion has served as the organization's deputy director since 2017.

QUICK HITS

— Exxon aims to boost production even with any climate rules, Associated Press.

— Buffett utility to be first in U.S. to reach 100 percent renewables, Reuters.

— Chevron shareholders reject climate change resolutions, Washington Examiner.

— It's not every day you see a tropical depression over Indiana — but here it is, The Washington Post.

— U.S. solar manufacturing poised to boom in wake of Trump tariffs, Bloomberg.

— Oil prices steady after big drop on OPEC talks, The Wall Street Journal.

HAPPENING TODAY

10:00 a.m. — The U.S. Energy Association forum on coal mine drainage as a domestic source of rare earth elements, 1300 Pennsylvania Ave NW

10:00 a.m. — The World Resources Institute webinar on "Guidance for Apparel and Footwear Sector Companies to Set Science-Based Targets," focusing on greenhouse gas emissions

12:00 p.m. — Women's Council on Energy and the Environment event on "Solar Jobs and Community Impact," 1350 I Street NW

12:00 p.m. — The Property Casualty Insurers Association of America briefing on "Hurricane Season: Preparedness, Response, and Recovery," 2044 Rayburn

5:00 p.m. — House Science Committee field hearing on "Earthquake Mitigation: Reauthorizing the National Earthquake Hazards Reduction Program," Huntington Beach, Calif.

THAT'S ALL FOR ME!

** **A message from America's Pledge:** One year after President Trump announced plans to withdraw from the Paris Agreement, America's Pledge is showing the world that U.S. cities, states, and businesses can lead us towards our goals - with or without Washington. https://politi.co/2koAHZb **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/first-sab-meeting-set-to-begin-237617

Stories from POLITICO Pro

EPA boosts industry membership on key advisory boards Back

By Alex Guillén | 11/03/2017 01:41 PM EDT

EPA officially announced the new line ups for several key advisory boards today, bolstering their membership with employees of energy companies and state agencies just days after Administrator Scott Pruitt ordered scientists who have received agency grant money to give up their EPA funding or their seat.

As POLITICO reported on Tuesday, the Science Advisory Board's new additions include representatives from Phillips 66, Total, Southern Co., the American Chemistry Council and NERA Economic Consulting, a firm frequently hired by industry interests. Their additions boost the industry membership of SAB, although the panel had previously included members from Dow Chemical and other industries or companies.

The Clean Air Scientific Advisory Committee, which provides health advice for air quality standards, also has three new members. Aside from new Chairman Tony Cox, an independent consultant, the new members are Larry Wolk of the Colorado Department of Public Health and Environment and James Boylan of the Georgia Department of Natural Resources.

EPA also announced a slate of new additions to the Board of Scientific Counselors, which advises on research issues. The former chairwoman, Deborah Swackhamer of the University of Minnesota, is now listed as member, while Paul Gilman of waste-to-energy company Covanta has taken over as chair.

Other new BOSC members include representatives from the North Dakota Petroleum Council, Eli Lilly and Co., the Defense Threat Reduction Agency, the Arkansas Department of Environmental Quality, the California Energy Commission and the consulting firm Ramboll Environ.

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EPA's science advisers turn eyes on Pruitt's rollbacks Back

By Alex Guillén | 05/31/2018 05:00 AM EDT

EPA's influential Science Advisory Board will meet on Thursday for its first time since Administrator Scott Pruitt filled it with a slate of industry representatives — and it's got a long list of controversial rule rollbacks to review.

The SAB plans to pore over the science EPA is using to justify rollbacks on emissions regulators for cars, trucks, power plants and oil and gas wells — as well as Pruitt's proposed "transparency" rule for scientific studies.

Several current and former SAB members told POLITICO that it was unprecedented for the board to consider diving into so many regulatory actions, but the heightened scrutiny from the outside experts came about because the agency stonewalled the scientists' questions about Pruitt's deregulatory decisions. That echoes the complaints from environmentalists and public advocacy groups who say EPA has declined to share information about how it was justifying easing the regulations put in place during the Obama administration.

"The agency has not been forthcoming about how they're developing the relevant science work products," said Chris Frey, a professor of environmental engineering at North Carolina State University and a SAB member since 2012.

In a move critics derided as an attempt to stack the 44-member board with industry-friendly voices, Pruitt last year broke with the tradition of reappointing first-term SAB members for second three-year stints by removing several advisers who received grants from the agency. In their places, he installed scientists from the fossil fuel and chemicals sectors and several Republican environmental officials. Among the new members are representatives from Phillips 66, Total, Southern Co., the American Chemistry Council and NERA Economic Consulting.

In addition to studying Pruitt's proposal to bar EPA from using studies that don't make public all their data, the SAB's working groups suggested the full group take a closer look at the repeal of the Clean Power Plan and EPA's reconsideration of its related rule limiting carbon emissions from future power plants. Also up for review are Pruitt's decision to relax 2022-2025 auto emissions standards, changes to the 2016 methane rule for new oil and gas wells, and EPA's effort to repeal a rule regulating emissions from "glider" trucks.

The working groups also deferred decisions on two other rulemakings: the Waters of the U.S. rewrite and rules on a special class of "persistent, bioaccumulative and toxic chemicals" under the Toxic Substances Control Act. SAB can decide whether to conduct a deeper review into those once EPA has reviewable regulatory language available, the groups said.

Frey, who has been a SAB member for six years, said having multiple rules up for review was very unusual for the board.

"It's very rare that we've recommended to the full Science Advisory Board that there should be an SAB action," he said.

SAB has been conducting twice-yearly reviews of EPA's planned regulatory actions since 2012, members said, an effort designed to enable the advisory board to help guide EPA before its rules are finalized.

In the early days, getting information from EPA was "like pulling teeth," said Kimberly Jones, a SAB member from 2011 through 2017 and the chair of environmental engineering at Howard University. But that quickly improved once EPA knew the scope of SAB inquiries, she added.

The SAB's working groups review how EPA uses scientific studies in its rulemakings, including whether and how a study was peer-reviewed and if EPA has properly accounted for uncertainties in the scientific findings. The groups typically find that further reviews aren't needed.

But this time around, the working groups said EPA didn't respond to their questions about many of Pruitt's highest-profile rollbacks.

"Basically, they just didn't provide us with any answers," Frey said. "That kind of put us in a position where all we can really do is say EPA has not identified the science or any plan to review it, and clearly there are science issues that are in the proposed rule."

Frey pointed to lengthy memos from the working groups that included multiple pages of questions that had been posed to EPA for each rulemaking. EPA responded with short statements promising to keep the issues in mind as it develops the final rules.

"The response from the agency was basically a non-response," Frey said.

An agency spokesman said in a statement that SAB "plays an important role" advising EPA.

"We value the Board's expertise, and we welcome feedback from the chartered panel on areas in which they are interested in getting additional scientific information that is relevant to the rulemaking process," the spokesman said.

It was not clear whether the full SAB will vote on Thursday to advance the reviews.

Frey noted that some of the members appointed by Pruitt had been on the working groups, giving him hope that the full board will back the recommendations to look deeper into the regulatory rollbacks.

Should SAB adopt them, it likely would mean setting up special subcommittees that include current members plus outside experts to question EPA further.

The board can advise EPA only on scientific matters, not policy or legal issues. In several cases, like with the repeals of the Clean Power Plan and the glider rule, EPA says it has a legal argument about statutory authority that does not rely on scientific issues.

But even then, Frey said, EPA must keep the science in mind.

"It's in the best interest of the agency to make sure that it's using appropriately developed and reviewed science in its rules," Frey said. "And the flip side of that is if the agency's not doing that, it could open itself up to legal challenges for not following appropriate procedures to develop the science."

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GOP sweats Trump's Heitkamp flirtation Back

By Alex Isenstadt and Burgess Everett | 05/30/2018 05:08 AM EDT

When a small group of alarmed White House aides caught wind that Sen. Heidi Heitkamp — one of the most endangered Democrats up for reelection in 2018 — would be attending President Donald Trump's bill signing last week, they raced to stop it.

Word eventually reached Senate Majority Leader Mitch McConnell, who has made unseating Heitkamp a top priority. He opted not to intervene, and the invitation stood: As the president signed a banking deregulation bill into law before a national audience, Heitkamp was right next to him, the only Democrat in the room.

As the election year kicks into high gear, Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator. At a time when many in the GOP fear that the president's unpredictable style will undercut their best-laid midterm plans, the relationship has given Heitkamp — who is seeking reelection in a state where Trump won nearly two-thirds of the vote — fodder to portray herself as a presidential ally.

Her office keeps a running list of the dozen-plus meetings Heitkamp has had with Trump and his top advisers since the 2016 election. And the senator is fond of noting that she forged close ties with Trump's former top economist, Gary Cohn. The president met with Heitkamp in Trump Tower after the 2016 election to discuss a

possible Cabinet position, asked her to join him on Air Force One, and invited her onstage to join him and her Republican opponent, Rep. Kevin Cramer, during an appearance in North Dakota.

"Everyone is saying, 'What's she doing up here?'" the president said at the September event to sell his tax reform plan, which Heitkamp eventually opposed. "But I'll tell you what. Good woman, and I think we'll have your support, I hope we'll have your support. And thank you very much, senator, thank you for coming up."

After last week's bill signing, Heitkamp's allies raced to capitalize. The North Dakota Democratic Party sent out a tweet with an image of Cramer looking on uncomfortably as the president stood next to Heitkamp.

"At a bill signing today, @HeidiHeitkamp got a shout out and all @kevincramer got was a photo op next to a chair," the state party boasted.

"We will see footage of this on every platform," said Doug Heye, a former top Republican National Committee official. "It's a huge gift for her campaign."

Trump aggressively recruited Cramer to give up his House seat to take on Heitkamp, and his actions since have left some of Cramer's closest allies feeling snubbed. They note that while Trump has savaged Democratic incumbents Joe Donnelly of Indiana and Jon Tester of Montana and visited a growing list of states to pump up Republican Senate hopefuls — most recently Tennessee, where he appeared Tuesday on behalf of Rep. Marsha Blackburn — he has yet to make a campaign appearance with Cramer. Nor has the attack dog-in-chief attacked Heitkamp.

After Cramer learned last year that Heitkamp would be accompanying the president on Air Force One to North Dakota, he complained bitterly to the White House, according to two people with direct knowledge of the discussions. Heitkamp, Cramer predicted at the time, would try to use it to her political advantage. (A Cramer adviser, Pat Finken, denied that the congressman had complained about the senator riding on Air Force One.)

The administration has taken steps to assure Cramer that he has the president's full support. The congressman has been regularly in touch with White House political director Bill Stepien, and the two met earlier this month. Trump has agreed to hold a rally for Cramer later this year.

In an interview, Cramer shrugged off Heitkamp's attendance at the bill signing and said there would soon be "clarity" on who Trump supports in the race.

Yet the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator. Trump has asked Cramer whether he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said.

"Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

Heitkamp said she's proud of her ability to work with the president.

"I have a friendly relationship. I have a very important working relationship," she said in an interview, "not just with him but other members of the administration."

Trump's reluctance to go after Heitkamp stems in part from the simple fact that he needs her vote. With Republicans clinging to a narrow Senate majority, the White House has pushed for her support on several

contentious votes, including the recent confirmations of CIA Director Gina Haspel and Secretary of State Mike Pompeo. She also backed Trump's nominations of Supreme Court Justice Neil Gorsuch and Environmental Protection Agency Administrator Scott Pruitt.

Last week's signing ceremony was organized by White House Office of Legislative Affairs Director Marc Short. He said he extended an invitation to Heitkamp because she played a central role in passing the banking deregulation law.

"She was an original cosponsor of the bill," Short said. "But she's also someone who opposed tax relief, who opposed repeal of Obamacare, and someone who will always support Chuck Schumer. So you can be sure the president will be actively campaigning in North Dakota this cycle."

Cramer's February entry into the race followed an intense pursuit from Trump and top White House officials. After Cramer initially said in January that he wouldn't run for Senate, he received overtures from Trump, White House counselor Kellyanne Conway, and energy executive and Trump donor Harold Hamm within a three-day period. Trump also met with Cramer's wife, Kris.

Cramer said Trump told him at the time that he'll "be out there campaigning more than you are." Trump's entreaties, Republicans contend, helped to push Cramer into the contest. Cramer won his statewide, at-large House seat in 2012, the same year Heitkamp entered the Senate.

"The president leaned on him very hard. The president wanted the best candidate, and everyone in the state thought Kevin was the best candidate to beat Heidi," said Gary Emineth, a former North Dakota GOP chairman who is close with the congressman. "You know how the president is. He just doesn't quit."

Heitkamp predicted that Trump would attack her eventually. While she has maintained a positive working relationship with the president, she said it pales in comparison to Cramer's staunch loyalty.

"I don't think anyone can match his Trump credentials," Heitkamp said. "He is somebody who will always do what the president asks him to do, regardless of whether it's good for North Dakota."

As of late, the senator has been airing commercials that highlight her balancing act. "When I agree with the president I vote with him — and that's over half my votes," she says in a spot that began airing this month. "And if his policies hurt North Dakota, he knows I'll speak up."

Cramer accused Heitkamp of acting like a "Republican wannabe" with her occasional support for key Trump nominees.

"Her trying to cozy up to Donald Trump has resulted in good votes," Cramer said. "But every time she tries to become more like me, it's more flattering to me than it is to her."

Democrats, however, couldn't be happier to portray Cramer as a jilted lover.

Last week, the North Dakota Democratic Party released a video featuring a montage of clips of the president praising Heitkamp and shaking her hand as Cramer looks on — set to the sad sounds of R.E.M.'s "Everybody Hurts."

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GOP Senate candidate lashes out at Trump's legislative director Back

By Burgess Everett | 05/30/2018 06:27 PM EDT

Rep. Kevin Cramer, one of the GOP's top Senate recruits, launched an unusual attack on the White House's legislative director Wednesday, blaming him explicitly for the party's legislative failures in the Senate.

The comments from Cramer (R-N.D.) come amid rising GOP angst over President Donald Trump's close relationship with his opponent in the North Dakota Senate race, Democratic Sen. Heidi Heitkamp.

Heitkamp was the only Democrat invited to the White House last week for a bank deregulation bill signing, alarming some White House aides and Republicans. After POLITICO published a story on Wednesday outlining the awkward dynamic between Heitkamp, Cramer and the White House, Cramer told North Dakota radio host Rob Port that he had done some digging and believes that there "are some people in the White House that think, you know, the president's too friendly too her."

Then Cramer laid into White House legislative affairs director Marc Short for two prominent failed GOP efforts in the Senate: Repeal of Obamacare and the rollback of an Obama-era regulation that would limit flaring and venting from oil and gas wells. Heitkamp voted against both and Cramer has criticized her in particular over the flaring vote.

"If Marc Short was very good at his job, you know, we'd have a repeal and replacement of Obamacare, we'd have a replacement of the venting and flaring rule," Cramer said.

In an interview last week with POLITICO, Cramer insisted he is not angry over Trump's political flirtations with Heitkamp: "Not the case at all. I've been fine with it. I just don't think it hurts me." And on Wednesday on Port's show, Cramer said the spat over Heitkamp's attendance at the banking bill signing "just seems to be an argument between Marc Short and other people in the White House."

Short extended an invitation to Heitkamp to the bill signing, but also has knocked Heitkamp for opposing the GOP's tax law. He did not respond to a request for comment for this story.

Heitkamp has tried to stay out of the back and forth, though she is playing up her collaborations with a president that won her state in 2016 by more than 35 points.

"The president has got bigger fish to fry and bigger problems to solve than whether Kevin likes him more than I do," Heitkamp said.

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DOE report: U.S. generally 'well prepared' for grid hacking, but gaps remain Back

By Eric Geller | 05/30/2018 06:05 PM EDT

Senior government officials and electric sector executives don't know enough about how energy companies could recover from a disruptive cyberattack, and those companies don't consider cyber threats enough when building out their supply chains, according to a new Energy Department report.

Grid resilience efforts also suffer because of "gaps in incorporating cybersecurity concerns, including planning for long-term disruption events, into state emergency response and energy assurance planning," said the report.

"The United States is, in general, well prepared to manage most electricity disruptions," the Energy Department said in its report. But gaps still exist in areas like situational awareness, workforce development, separation of roles and responsibilities and the coordinated use of resources like digital defense tools.

DOE completed the report last August as part of President Donald Trump's May 2017 cyber executive order but did not publish it until today.

The report mostly hammered home long-understood problems with protecting the power grid from hackers, including the challenges of sharing cyber threat data between partners

"The variation in infrastructure ownership and operation and the jurisdictional overlap add complexity to sharing actionable information in a timely manner," the report said. "These complexities are compounded when information is classified or sensitive due to the limited options and access to facilitate sharing."

It also warned of compounding problems in the event of a major power outage. For example, "as cyber incidents may impact disparate systems across the country, the impacted owner-operators may not be familiar with each other's systems and procedures."

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DOE working to stand up new cyber unit in fiscal 2018 Back

By Darius Dixon | 03/01/2018 01:11 PM EDT

The Energy Department is aiming to have its new cybersecurity office fired up before the end of the fiscal year, Bruce Walker, the agency's top electricity official, said today.

"We're working with Congress because we put it into the FY 2019 budget proposal ... and we're looking to stand it up earlier because of the importance and our sector-specific agency authority [for cyber incidents]," he told reporters after testifying before the Senate Energy and Natural Resources Committee.

Walker has previously noted that DOE wouldn't need additional congressional authority to create the office or a new assistant secretary job to lead it. Today, he also said that the design change is meant to elevate cyber issues as well as to divide up the agency's infrastructure work into short-term and long-term operations.

Creating the Office of Cybersecurity, Energy Security and Emergency Response is a reaction to a range of issues, including Congress giving DOE more emergency authorities in the 2015 FAST Act (H.R. 22 (114)), the relentless need to improve cyber defenses, and the deepening marriage between the natural gas and electric sectors.

Walker would still lead the electricity office, which would focus on long-term infrastructure plans and set research-and-development goals, including for cybersecurity. Meanwhile, the new CESER office would be "actionable, near-term and highly responsive" recovery work like the devastation in Puerto Rico or the immediate response to a cyberattack, he said.

"One basically feeds the other," Walker said. "[CESER] responds to the incidents, OE will design them out of the system on a going-forward basis."

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GAO: Government spent $13.2B on climate change last year Back

By Anthony Adragna | 05/30/2018 04:34 PM EDT

The federal government spent $13.2 billion across 19 agencies during fiscal 2017 for various programs related to climate change, according to a report from the Government Accountability Office released today.

Overall, climate change-related spending across the federal government rose $1.5 billion between fiscal 2016 and 2017 and grew $4.4 billion since fiscal 2010, according to the report.

GAO examined the budget justifications for six agencies accounting for 89 percent of all climate change spending and found just 18 of 533 programs within those agencies whose primary purpose is to address climate change. It further concluded that those programs primarily dedicated to addressing the problem "serve different purposes, target different audiences, or operate at different time periods and scales, which minimizes potential overlap or duplication." The other programs had multiple purposes beyond addressing climate change.

The White House Office of Management and Budget reports the government has spent over $154 billion since 1993 to understand and address climate change.

House Science Chairman Lamar Smith (R-Texas) requested the report.

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DOE IG: No big flaws in FERC pipeline review process, but transparency should improve Back

By Darius Dixon | 05/30/2018 03:21 PM EDT

Federal watchdogs said they found no major flaws in FERC's process for reviewing interstate natural gas pipelines, but they flagged concerns about its transparency and how it handles public comments, according to new report.

Auditors in the Energy Department inspector general's office who reviewed FERC's pipeline certification process said that "nothing came to our attention to indicate that FERC had not performed its due diligence" in how it balanced public benefits of a proposed project with its adverse impacts.

But the report said regulators' "had not fully ensured" that the certification process was transparent to those who want to participate and that its eLibrary documentation system was difficult to use. And it said FERC lacked a consistent method for tracking and addressing comments submitted on a proposed project.

"FERC had not specifically designed its public-facing systems for use by the general public," the IG report said, noting that "although available to the general public, eLibrary had been designed for use by practitioners, the legal community, and other stakeholders."

The report also said parts of the eLibrary website "did not contain a sufficient explanation of the entire process" and that a document for landowners who could be affected by a project was not clear about key aspects of the certification process.

"While nothing came to our attention to indicate that natural gas certification applications had been inappropriately approved or disapproved," watchdogs wrote, "FERC can take steps to improve aspects of the natural gas certification process."

WHAT'S NEXT: FERC is in the process of a broad review of its natural gas pipeline certification process but there's no established deadline.

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