Message

From: POLITICO Pro Energy [politicoemail@politicopro.com]
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Subject: Morning Energy: Did Pruitt skate by? — EPA prepping Oversight docs — McConnell tries for West Virginia redemption

By Kelsey Tamborrino | 04/27/2018 06:01 AM EDT

With help from Anthony Adragna

DID PRUITT SKATE BY? EPA Administrator Scott Pruitt had a simple task Thursday: Keep his conservative backers happy — and in turn, keep the president happy. And he may have managed to do just that. While Democrats and environmentalists panned Pruitt's performance, the EPA chief, who is facing a heavy stack of ethical and spending quandaries, left most Republicans pleased enough with his performance that he's probably salvaged his job for now.

But of course, President Donald Trump has yet to weigh in on Pruitt's performance. And on a day that saw Trump's nominee for Veterans Affiars withdraw, triggering a long Trump rant on "Fox & Friends," that could be good news for the EPA chief, POLITICO's Nancy Cook reports. "As long as [Pruitt's] explanations hold and there are no crazy discrepancies or smoking gun or anything like that, I don't think that creates any red flags for Pruitt," said one Republican close to the White House, who predicted Pruitt would survive the scrutiny.

Still, Pruitt's shifting answers about what he knew about controversial raises for two close aides raised a lot of concerns that he hadn't been completely forthright during his interview with Fox News earlier this month. Under lawmakers' questioning, he acknowledged that he had authorized his chief of staff to award pay increases to his aides — but said he did not know how high they would be or that they would circumvent the White House's disapproval. That's different than what he told Fox's Ed Henry when he said he hadn't known about the raises until after the fact and that he did not know who authorized them.

Pruitt used the two hearings to blame his torrent of scandals on career staff, as POLITICO's Anthony Adragna, Annie Snider and Alex Guillén reported, while maintaining the headlines surrounding him aren't painting an accurate picture. "Let me be very clear: I have nothing to hide as its relates to how I've run the agency for the past 16 months," Pruitt said. (In case you missed it, POLITICO's Energy team has the full recap of the key moments here.)

But all in all, his critical audience of House Republicans exited two separate hearings Thursday believing that Pruitt fared well. "I found his responses credible," said Rep. Mike Simpson, a House appropriator. Meanwhile, Rep. Ken Calvert, the chairman of the House Appropriations Interior-Environment subcommittee, said Pruitt did "fine." "He answered our questions," he said. "... He's doing well, he's very professional, he's doing his job." And Illinois' John Shimkus, who chaired Pruitt's first hearing, said he thought Pruitt handled himself well and that Republican members were tough in their questions, Anthony recaps. "Some of it was accountability for policy, so I don't know what more [critics] want," Shimkus said. "I think that he answered the questions in the best way that he could answer them."

Of course, Pruitt's performance did not please everyone. "I think the opprobrium that you've generated on some of these spending decisions is actually warranted," GOP Rep. Ryan Costello, who is retiring from Congress, told Pruitt. Ana Unruh Cohen, managing director of government affairs at the Natural Resources Defense Council said the EPA administrator "demonstrated beyond any doubt that he is unqualified" to lead his

agency. "He should be fired before sundown," she said. And Rep. Marcy Kaptur , ranking member of the Appropriations subcommittee that questioned Pruitt, used the term "evasive" to describe the performance. "For someone who has been in the job a year and a half, he didn't seem to command a lot of the details," she said. "... I don't think we know the full extent of what he's done yet."

WHAT COMES NEXT? Keep in mind: Pruitt's under multiple investigations that have yet to fully play out. "We have a committee that's looking into these charges and we'll have a resolution," Calvert said of Pruitt's ongoing scandals. "We'll see what comes of it." Today, for one, marks the deadline set by House Oversight Chairman Trey Gowdy in his expanded probe into the embattled EPA chief's activities. He's called for a host of documents to be delivered and interviews to be scheduled by today. An EPA official said the agency is currently in the process of providing the documents, Anthony reports. The official said the documents will respond to the allegations of lavish spending and unethical conduct and may negate the need for several aides to appear for interviews.

WELCOME TO FRIDAY! I'm your host Kelsey Tamborrino, and no one guessed Alabama — the home state of the first officially designated Democratic floor leader, Oscar Underwood. For today: Name the only senator to be preceded by both of his or her parents. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

POLITICO's Ben White is bringing Morning Money to the Milken Institute Global Conference to provide coverage of the day's events and evening happenings. The newsletter will run April 29 - May 2. **Sign up to keep up with your daily conference coverage.**

PRUITT RAISES UNDONE AFTER FOX INTERVIEW: Amid the deluge of news coming out of the hearings, Pro's Emily Holden and Nick Juliano reported via documents released by EPA that the agency reversed raises for the two top aides to Pruitt the day after his interview with Fox News. Pruitt told Fox he had "corrected them" after finding out about them. A day later, on April 5, Pruitt's chief of staff Ryan Jackson signed personnel forms reverting the aides to their previous pay grades, according to copies of the forms reviewed by POLITICO. Read more here.

McCONNELL'S WEST VIRGINIA REDEMPTION: Amid an increasingly tense GOP primary battle for Democratic Sen. Joe Manchin's seat, coal baron Don Blankenship has focused his efforts into a relentless slash-and-burn campaign targeting Majority Leader Mitch McConnell . Blankenship — who spent a year in prison following the deadly 2010 Upper Big Branch mine disaster — compared his current battle against the McConnell-led Republican establishment to his past legal fight against the federal government, POLITICO's Alex Isenstadt writes. But as the May 8 primary inches closer, McConnell is fighting back with an avalanche of attacks from a super PAC aligned with the Senate leader, among other efforts.

Blankenship's attacks have grown intensely personal. During an interview with POLITICO, Blankenship said that McConnell "has a lot of connections in China," adding that the GOP leader's wife is Transportation Secretary Elaine Chao. And during an appearance on a local radio show, Blankenship described Chao's father as a "wealthy Chinaperson," who was "well-connected in China." Read more.

DOE TO ANNOUNCE FUNDS FOR ADVANCED NUCLEAR: Energy Secretary Rick Perry will announce today the selection of 13 projects that will receive about $60 million in funding to support cost-shared research and development in advanced nuclear technologies. The selections — broken down into categories pertaining to nuclear demonstration readiness, advanced reactor development, and regulatory assistance grants — are the first under the Office of Nuclear Energy's "U.S. Industry Opportunities for Advanced Nuclear Technology Development" funding opportunity announcement. "Making these new investments is an important step to reviving and revitalizing nuclear energy, and ensuring that our nation continues to benefit from this clean, reliable, resilient source of electricity," Perry said in a statement.

ALL IN THE TIMING: The Office of Management and Budget completed its review of EPA's proposed "secret science" rule Wednesday, E&E News' Sean Reilly reports , even though Pruitt had already signed it by then. The policy that bars the agency from relying on studies that don't publicly disclose all their data got Pruitt's signature on Tuesday, but the Reginfo.gov site showed the review completion date as Wednesday. "While OMB is sometimes slow to update the site, it was unclear why Pruitt would have signed a rule before the review was completed," Reilly writes. EPA spokeswoman Liz Bowman suggested to E&E the fault lay with OMB. "Interagency review concluded before this proposal was signed," she said in a statement. Reilly later tweeted : "@OMBPress has now changed the date on the http://Reginfo.gov site to show that the review of this proposed #EPA rule was completed on April 23, not April 25. A #OMB spokesman won't discuss the reason for the change on the record."

TESTER TESTS TRUMP: The president is coming after Democratic Sen. Jon Tester, in what could be a problematic move for the Montanan as he fights to win reelection. Trump was enraged over Tester's work documenting allegations of malfeasance by Rear Adm. Ronny Jackson, provoking a series of inquiries that ultimately led to Jackson withdrawing his nomination to be VA secretary. POLITICO's Burgess Everett reports Tester is now at a turning point in his relationship with Trump, who railed against him on Thursday morning. "The incident and its fallout underscores how the burly, plain-spoken Tester hasn't exactly tacked to the center in an election year," Burgess writes. "Perhaps he feels emboldened after dodging a big-name opponent; after Ryan Zinke was drafted into the Trump administration and the state attorney general passed on the race, Tester's opposition is made up of lesser known opponents that will compete in a June primary." Read more.

SENATE MAKES POMPEO OFFICIAL: The Senate narrowly confirmed Mike Pompeo on Thursday, shifting him from CIA director to secretary of State. Pompeo was confirmed 57-42, ultimately winning support from Democrats Heidi Heitkamp, Manchin, Joe Donnelly, Bill Nelson, Claire McCaskill and Doug Jones. Supreme Court Justice Samuel Alito swore in Pompeo shortly after the vote Thursday, formally installing Pompeo, who has previously doubted climate science — a point greens jumped onto ahead of the vote. "There's some who think we're warming, there's some who think we're cooling," Pompeo said in 2013.

"Democrats that jumped ship to support this dangerous climate denier must and will be held accountable by the people," Food & Water Watch Executive Director Wenonah Hauter said in a statement. But others cheered the move: Competitive Enterprise Institute director of the Center for Energy and Environment, Myron Ebell, said in a statement he was "pleased." Pompeo, he said, "understands the importance of affordable, reliable energy to Americans' health and ability to provide for our families." Pompeo will be a "forceful advocate" of Trump's decision to remove the U.S. from the Paris climate agreement, Ebell said.

MANCHIN TRIES AGAIN: Manchin sent another letter this week urging Perry and Defense Secretary Jim Mattis to examine use of the Defense Production Act to protect coal-fired power plants. "The ability to produce reliable electricity and to recover from disruptions to our grid are critical to ensuring our nation's security against the various threats facing our nation today — whether those threats be extreme weather events or adversarial foreign actors," he writes. Earlier this month, Manchin similarly wrote to the president on the issue, although, as Pro's Eric Wolff reported , it faces an uphill battle on many fronts. Read the letter.

WATCH: House Speaker Paul Ryan was asked about climate change Thursday — by the 7-year-old daughter of E&E News' Scott Walden. See it here.

PRUITT FOCUS OF NEW AD: The opposition research firm American Bridge is scheduled to air an ad this morning on "Fox and Friends" focusing on Pruitt's swirling scandals and his previous criticism of the president. Watch it here.

DEMOCRATS COME OUT IN FULL FORCE FOR CPP: Ahead of the comment deadline, eight Democratic senators signed onto a letter led by EPW ranking member Tom Carper opposing EPA's proposal to repeal the Clean Power Plan. The senators write that the law is instrumental in fighting climate change and say

that rescinding it "ignores scientific evidence on the risks of climate change and puts generations of Americans at grave health and economic risk."

— **A coalition of 16 attorneys general and municipalities** submitted a supplemental comment letter to EPA with evidence of what they say are due process violations and ethical issues due to Pruitt's involvement. The group previously wrote to EPA, claiming Pruitt had not had an open mind on CPP. "Since then, the evidence continues to grow that Administrator Pruitt should have been disqualified from participating in this rulemaking before it began," they write. "His involvement has irreparably tainted the current administrative process, and as a result, EPA must withdraw the proposed CPP repeal." Read it here.

MAIL CALL! WE NEED AN EXTENSION: Sens. Ron Wyden and Jeff Merkley and Reps. Peter DeFazio and Jared Huffman wrote to Interior Secretary Ryan Zinke and Agriculture Secretary Sonny Perdue on Thursday, urging an extension on interim mineral withdrawal protections for the Chetco River in southwest Oregon. Read it here.

— **Sixteen senators, led by Democratic Sen. Tom Udall**, sent this letter to Zinke asking him to pause any plans for the management of Bears Ears and Grand Staircase-Escalante national monuments until legal challenges related to the president are resolved.

— **The House Biofuel Caucus sent a letter** to Pruitt objecting to Renewable Fuel Standard waivers issued by EPA, demanding Pruitt "immediately cease all waiver activity" and provide lawmakers a "full list" with further details. Read it here.

CSB TO INVESTIGATE HUSKY EXPLOSION: The Chemical Safety Board said Thursday it is sending a four-person investigative team to Superior, Wis., to the scene of the Husky Energy explosion that injured several Thursday morning. The refinery was shutting down in preparation for a five-week turnaround, CSB said, when the explosion occurred. The Superior Police Department evacuated areas within miles of the explosion, including a small hospital nearby as a precaution. As of the latest count, at least 11 people were injured in the explosion, the Associated Press reports.

CHA-CHING: Following a House Natural Resources hearing Thursday on offshore energy revenue sharing for Gulf-producing states, Interior announced it would disburse nearly $188 million to four states: Alabama, Louisiana, Mississippi and Texas, as well as their coastal political subdivisions. It is the first disbursement of funds under Phase II of the Gulf of Mexico Energy Security Act of 2006, which comes from oil and gas leasing revenues on the Outer Continental Shelf, according to DOI. See the *massive* check here.

QUICK HITS

— As climate change zaps their snow, winter sports fans seek to change Washington, McClatchy.

— Skinny and sweet: U.S. refiner earnings depend on the oil diet, Reuters.

— India nears power success, but millions are still in the dark, Bloomberg.

— Coal producer Peabody Energy doubles down on share buyback program, S&P Global.

— How Oman's rocks could help save the planet, The New York Times.

HAPPENING TODAY

8:30 a.m. — Administrative Law and Regulatory Practice Institute hosts Daniel Cohen, assistant general counsel for legislation, regulation and energy efficiency at the Energy Department, 1201 24th Street NW

11:15 a.m. — Agriculture Secretary Sonny Perdue discussion with former Agriculture Secretary Tom Vilsack on agriculture and water conservation, Denver, Colo.

12:00 p.m. — Women's Council on Energy and the Environment discussion on wholesale electricity pricing, 888 First Street NE

12:00 p.m. — The Nuclear Information and Resource Service, and U.S. Climate Action Network discussion on "Climate Justice and Nuclear Power in South Africa," 1200 G Street NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/did-pruitt-skate-by-187652

Stories from POLITICO Pro

Ronny Jackson drama overshadows Pompeo success for White House Back

By Nancy Cook | 04/26/2018 06:05 PM EDT

White House aides were reveling in the pomp of French President Emmanuel Macron's state visit, viewing it as a welcome reprieve from the chaos of Cabinet confirmations, an intensifying Russia probe and a boss with a short fuse. Then reality hit.

President Donald Trump's pick for Veterans Affairs Secretary Ronny Jackson finally withdrew from the confirmation process amid escalating allegations of misconduct, and Trump called into the TV show *Fox and Friends* to deliver an unscripted interview touching on everything from the Russia probe and the investigation of his personal attorney Michael Cohen to fan-tweets from Kanye West—all before 10 a.m.

The day also included the confirmation of Mike Pompeo, previously Trump's CIA director, as secretary of state—an unexpectedly hard-fought victory that was overshadowed by routine House hearings featuring testimony from EPA Administrator Scott Pruitt, who has been accused of a string of ethics violations.

"The state visit was cool for folks in the White House and fun distraction for one hour from stories about Scott Pruitt or Michael Cohen before everyone got back to the shitshow," said one former White House official.

The president often publicly frames these hectic junctures as a White House unduly under siege from the press or other opponents. About Jackson's nomination, Trump said on Thursday: "He's a great man, and he got treated very, very unfairly. He got treated really unfairly. And he's a hell of a man."

The lack of vetting and Trump's tendency to name top-level nominees with little scrutiny dates back to the presidential transition in the fall of 2016. It's a pattern that surprises few insiders, even as it creates headaches for the White House and the nominees.

"Generally, White House aides are blaming the president from shooting from the hip and without giving it any thought, but this is how every decision he has made has gone," said the former White House official.

On Wednesday, the night before Jackson dropped out of consideration, a number of administration aides and Republicans close to the White House gathered at the Trump International Hotel for after-work drinks—and a few aides kept hoping aloud that Jackson would announce he was dropping out on TV, so no one would have to run back to the White House and everyone could keep drinking, according to one attendee.

The biggest beneficiary of this week's chaos was Pruitt, who started out the week under great scrutiny and disdain from several disparate circles of White House staffers and then ultimately skated through his two Capitol Hill hearings with little incident. Earlier in the week, those hearings were seen as a make-or-break moment for the EPA Administrator and ones that the president would pay attention to.

"As long as his explanations hold and there are no crazy discrepancies or smoking gun or anything like that, I don't think that creates any red flags for Pruitt," said one Republican close to the White House, who predicted Pruitt would survive the scrutiny.

What helps Pruitt and other Cabinet nominees who frustrate the White House or Trump is the math in the Senate. The Republicans do not have a large or cohesive enough majority to easily confirm new Cabinet secretaries , and the drama surrounding Jackson's departure puts a damper on creating any new vacancies to fill.

"In the ideal situation, the only headlines coming out of the agencies are the policy decisions advancing the president's agenda," said one senior administration aide, speaking about the spate of bad headlines surrounding Pruitt's leadership at the EPA. "That is the clear direction from the top, and we've communicated that."

But many White House officials—and the president himself—have adopted the view that the administration is unfairly maligned, no matter what it does.

Many aides were surprised that Pompeo's confirmation process seemed so shaky at certain points, given the White House's huge, upcoming foreign policy decisions on meeting with North Korea, keeping troops in Syria, and deciding the fate of the U.S.'s role in the Iran deal. The White House's Director of Legislative Affairs Marc Short devoted most of his time over the past few weeks to ensuring Pompeo got confirmed.

"We can only pick so many battles, and Pompeo has got to get done as quickly as possible," said one White House official.

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Pruitt dodges blame Back

By Anthony Adragna, Annie Snider and Alex Guillén | 04/26/2018 10:46 AM EDT

Scott Pruitt may have handled his daylong congressional grilling well enough to salvage his job for now — but only after he blamed his torrent of scandals on staff, disavowed one of his top advisers and raised new questions about what he knew about massive raises awarded to some of his closest aides.

The Environmental Protection Agency administrator shrugged off responsibility Thursday for a $43,000 privacy booth and more than $100,000 in first-class flights, and even said he has no idea whether his chief policy adviser showed up for work at all during a three-month stretch.

But the former Oklahoma attorney general stayed calm throughout the nearly six hours of questioning. And his televised performance brought no immediate complaints from the one person whose opinion matters — the media-obsessed president who has so far stuck with Pruitt despite a multitude of investigations and the exasperation of key White House staff.

"Let me be very clear: I have nothing to hide as its relates to how I've run the agency for the past 16 months," Pruitt told a House Energy and Commerce subcommittee, the first of two panels to subject him to hours of questioning Thursday.

But he also didn't offer enough specifics to satisfy Democratic lawmakers — and a few Republicans — who criticized the lavish spending, cozy relations with lobbyists and other controversies that have taken root on his watch. He pointedly refused to apologize, instead accusing his critics of trying to "derail" President Donald Trump's policies.

Several Republican lawmakers who defended him during the hearings said he'd held his own against a barrage of Democratic complaints.

"I think he did well," said Rep. Tom Cole (R-Okla.), adding, "I know him well enough to not believe that he's deliberately done anything wrong or that he's made decisions in an inappropriate or unethical manner."

Still, Cole admitted any decision on Pruitt's fate is in Trump's hands.

Rep. Betty McCollum (D-Minn.) said Pruitt merely tried to dodge accountability for actions such as a massive expansion of his personal security team, while sidestepping accusations that he had punished staffers who questioned whether he faces serious threats to his safety.

"He could have taken personal responsibility and really meant it," McCollum told reporters after an afternoon hearing by a House Appropriations subcommittee, where she had told Pruitt he should resign. "Instead he messed up in that he got caught up in thinking he needed more security than he needed, and that when employees pushed back on him, he did retaliate."

One aspect of Thursday's testimony drew a notable amount of attention — Pruitt's shifting explanations for what he knew, and when, about raises as high as 72 percent that went to some of his key aides.

Weeks ago, Pruitt told Fox News that he hadn't known about the raises until after the fact, that he did not know who authorized them and that the aides should not have received them. But under lawmakers' questioning Thursday, he acknowledged that he had authorized his chief of staff to award pay increases to the aides — but said he did not know how high they would be or that they would circumvent the White House's disapproval.

"I was not aware of the amount, nor was I aware of the bypassing or the [Presidential Personnel Office] process not being respected," Pruitt said, responding to a question from Rep. Paul Tonko of New York, the top Democrat on the Energy and Commerce Environment Subcommittee.

An EPA spokesman later said Pruitt had given his chief of staff, Ryan Jackson, blanket authorization to handle hiring and raises using the EPA's power under a water law that didn't require the White House's sign-off.

Lawmakers didn't ask — and Pruitt didn't say — whether he would discipline Jackson for his handling of the raises.

A preliminary report from EPA's inspector general has found that Jackson signed off on the pay hikes to Sarah Greenwalt, a Pruitt adviser who previously worked as his general counsel in the Oklahoma attorney general's

office, and Millan Hupp, a former "Team Pruitt Operations Director" who is now his director of scheduling and advance.

Pruitt also said he didn't know whether one of his top aides, Samantha Dravis, had failed to show up for work for much or all of November through January, as Sen. Tom Carper (D-Del.) has alleged. His answer essentially abandoned a past statement by an EPA spokesman, who called the accusations "baseless and absurd."

"I'm not aware that she did or did not appear for work. So that's something that is being reviewed at this point," Pruitt told lawmakers Thursday, referring to an inspector general decision to review her attendance.

Dravis, EPA's associate administrator in charge of EPA's Office of Policy until last week, was such a senior aide that she had traveled with Pruitt on official business in Morocco as recently as December. She also appears with him in a meeting photo that Pruitt's EPA Twitter account tweeted Dec. 6.

Pruitt also blamed his staff for the controversial purchase and installation of the privacy booth in his office, and said he would have stopped it if he knew the cost. He said the installation came after he'd received a phone call "of a sensitive nature" and requested "access to secure communication."

"I gave direction to my staff to address that, and out of that came a $43,000 expenditure that I did not approve," he said. "If I'd known about it, I would have refused it."

Pruitt did not single out the staff members he was blaming for the phone booth installation, but agency staffers have told POLITICO that those and other pricey expenditures were overseen by Pasquale "Nino" Perrotta, the career employee who heads his security detail.

Even after surviving Thursday's gauntlet, Pruitt is still facing numerous investigations from Congress, the White House and government watchdogs into his taxpayer-funded first-class travel; unprecedented, 24-hour security detail; and sweetheart rental deal with the wife of a lobbyist who sought to influence his agency. A senior EPA official said Thursday that high-level staffers including Jackson, Greenwalt and Perrotta are willing to sit for interviews with staff of the House Oversight Committee, which is carrying out one of the probes of Pruitt's actions.

Ahead of Thursday's hearing, EPA distributed a 23-page document responding to various allegations.

Democrats ripped into him from the start, charging that Pruitt had put his own interests and political ambitions over the job of protecting the environment and human health, and he had shown he didn't deserve the public trust.

"I think your actions are an embarrassment to President Trump and distract from the EPA's ability to effectively carry out the president's mission, and if I were the president I wouldn't want your help," said Frank Pallone (D-N.J.). "I'd get rid of you."

Sitting in front of protesters wearing "Impeach Pruitt" T-shirts and a sign calling him "Mr. Corruption" on Thursday morning, Pruitt dismissed the wave of criticism as an attempt to undercut "transformational change" happening at the agency.

"Let's have no illusions about what's really going on here: Those who have attacked the EPA and attacked me are doing so because they want to attack and derail the president's agenda and undermine this administration's priorities," he said. "I'm simply not going to let that happen."

Rep. John Shimkus (R-Ill.), who chaired the morning hearing, said afterward that he thought Pruitt had acquitted himself well.

"I think that he answered the questions in the best way that he could answer them," Shimkus said.

Shimkus wouldn't speculate about potential next steps by the Energy and Commerce panel, saying the decision was up to full committee Chairman Greg Walden (R-Ore.). He also declined say whether he thought questions remain unanswered.

"I'm just glad he showed up," Shimkus said.

Pruitt's defenders, like Rep. David McKinley (R-W.Va.), who has praised Pruitt's rollback of climate change and water regulations, dismissed the Democrats' complaints as political posturing.

"To the public, I think this has been a lot of classic display of innuendo and McCarthyism that we're seeing too often here in Washington that I think unfortunately works against civility and respect for people in public office," he said. "Some can't resist the limelight, the opportunity to grandstand."

Rep. Joe Barton (R-Texas) said the focus on the controversies was an attempt to undermine Pruitt's, and Trump's, policies.

"If you can't debate the policies in Washington, you attack the personality, and that's what's happening to you," Barton told Pruitt. "Republicans do it when it's a Democratic president. Democrats do it when it's a Republican president. And in my opinion, it's just my opinion, that's what's happening to you."

Not every Republican came to Pruitt's defense, though. Rep. Ryan Costello of Pennsylvania offered the harshest criticism from the GOP, saying his activities deserved the anger they had provoked.

"I think the opprobrium that you've generated on some of these spending decisions is actually warranted," Costello, who is retiring from Congress, told Pruitt. "I've reviewed your answers, and I find some of them lacking or insufficient. And I believe you've not demonstrated the requisite good judgment required of an appointed executive branch official on some of these spending items."

Trump has so far stood by Pruitt, praising his work to pare back environmental rules and remaining wary of upsetting conservatives who strongly support the administrator.

The administration's desire to avoid another tough confirmation fight also appears to be weighing in Pruitt's favor. While new Secretary of State Mike Pompeo narrowly won Senate confirmation and was sworn in Thursday, Rear Adm. Ronny Jackson's nomination to head the Department of Veterans Affairs crashed and burned, and Trump also needs to win approval for a controversial pick to head the CIA.

Democrats suggested that Pruitt's controversies were the result of his penchant for abusing the perks of his position and rewarding his political backers.

"Only in recent weeks have we come to understand the extent of your political ambitions, your tendency to abuse your position for personal gain and to advance the agendas of your political benefactors in what appears to be a propensity for grift," Tonko said.

Under questioning from Rep. Anna Eshoo (D-Calif.), Pruitt declined multiple times to answer whether he felt any remorse for wasteful spending at the agency,

"I think there are changes I've made already," he said. But he deflected several questions about his first-class flights, saying his security detail decides where he sits on airplanes, and that he now plans to fly coach.

Eshoo didn't buy it.

"With all due respect, I may be elected, but I'm not a fool," she said. "That's really a lousy answer from someone that has a high position in the federal government."

Emily Holden contributed to this report.

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'Embarrassment' or 'McCarthyism': Key moments as Pruitt faces lawmakers Back

By Quint Forgey, Anthony Adragna, Alex Guillén and Annie Snider | 04/26/2018 01:40 PM EDT

Scott Pruitt, the scandal-ridden administrator of the Environmental Protection Agency, appeared on Capitol Hill on Thursday for back-to-back House committee hearings on his agency's budget request.

But the only spending most lawmakers wanted to discuss were reports of Pruitt's taxpayer-funded air travel, the sweetheart condo lease he secured from a lobbyist, and the numerous other allegations of misappropriating funds and unethical management that have tarred his tenure at the EPA.

Here are key moments from the contentious hearings, held by subcommittees of the House Energy and Commerce and House Appropriations committees:

A defiant Pruitt says he has nothing to hide. The former Oklahoma attorney general argued his critics were simply attempting to undercut the "transformational change" he's making at the agency on behalf of President Donald Trump. "Let's have no illusions about what's really going on here: Those who have attacked the EPA and attacked me are doing so because they want to attack and derail the president's agenda and undermine this administration's priorities," he said at the outside of the day's first hearing, in front of a House Energy and Commerce subcommittee. "I'm simply not going to let that happen." Pruitt maintained had "nothing to hide," and and suggested some of the reports regarding his behavior were inaccurate. "Facts are facts and fiction are fiction," he said. "And a lie doesn't become truth just because it appears on the front page of a newspaper."

Pruitt acknowledged he authorized pay raises for his key aides. But he said he didn't know how much they were, or that his chief of staff — who took the blame for signing off on the salary hikes — circumvented the White House to award them. "I was not aware of the amount, nor was I aware of the bypassing or the [Presidential Personnel Office] process not being respected," Pruitt told lawmakers. Pruitt had earlier said on Fox News that he hadn't known about the raises and that the aides should not have received them. A preliminary report from EPA's inspector general found that chief of staff Ryan Jackson signed off on multiple large raises using Safe Drinking Water Act authority, which allows the agency to move forward without White House sign-off. The raises totaled as much as 72.3 percent.

But he blamed EPA's career staff for his $43,000 privacy booth. He said career employees signed off on the expensive soundproof phone booth installed his office — and maintained he would have refused it if he'd known about the cost. "I did have a phone call that came in of a sensitive nature and I did not have access to

secure communication," he said. "I gave direction to my staff to address that and out of that came a $43,000 expenditure that I did not approve." The Government Accountability Office has said the agency violated spending laws by not informing Congress about the booth beforehand. To Pruitt's critics, the booth has come a prominent symbol of his reputation for high-spending and extreme secrecy. Pruitt later said he uses the booth only "rarely," and that "it depends on the nature of the call and how urgent the call is."

Pruitt also had trouble explaining the expensive biometric locks recently installed in his office. They require a code for him to enter, but he wouldn't say whether the locks feature fingerprint scanners or some other type of identification system. When Pruitt said career staffers made the decision to install the locks, Rep. Peter Welch (D-Vt.) wasn't impressed. "It's really starting to seem like there's something on the desk with a motto, 'The buck stops nowhere,'" he quipped.

It's still not clear whether one of Pruitt's top aides came to work for three months. "I'm not aware that she did or did not appear for work. So that's something that is being reviewed at this point," Pruitt said of Samantha Dravis, the associate administrator in charge of EPA's Office of Policy. Sen. Tom Carper (D-Del.) has alleged that Dravis largely did not work the months of November through January, and EPA's inspector general has agreed to review her attendance. Dravis said several weeks ago that she planned to resign, and her last day was reportedly April 20. Pruitt's comments Thursday were a shift from EPA's past statements that the no-show accusation is "completely baseless and absurd."

Democrats pounded him early and often. Those included top Energy and Commerce Democrat Frank Pallone of New Jersey, who said the scandals enveloping Pruitt are "an embarrassment to President Trump and distract from the EPA's ability to effectively carry out the president's mission. And if I were the president, I wouldn't want your help. I'd get rid of you."

Some Republicans also warned Pruitt he needs to answer questions. Environment subcommittee Chairman John Shimkus (R-Ill.) said he considered much of the media narrative surrounding the EPA chief's scandals to be "a distraction," but the committee "cannot ignore" reports of Pruitt's impropriety. "As public servants, our jobs are not based solely on the things we do, or the things we have done, but also on the way we conduct our business," Shimkus said in his opening statement. "It is no secret that there have been many stories in the press about the management and operations of the agency and your dealings with potentially regulated sectors." And full Energy and Commerce Chairman Greg Walden (R-Ore.) expressed concerns that Pruitt's progress on policy is being "undercut" by the allegations. "These issues are too persistent to ignore," said Walden, a member of House Republican leadership.

But other GOP lawmakers came to his rescue, and one likened the criticism to "McCarthyism." Rep. Joe Barton, a former Energy and Commerce chairman, and Rep. David McKinley (R-W.Va.), a staunch Pruitt ally, blamed Democrats and toxic partisanship for Pruitt's precarious professional standing. "If you can't debate the policies in Washington, you attack the personality, and that's what's happening to you," Barton lamented. McKinley accused Democrats on the panel of not being able to "resist the limelight" and said Pruitt's detractors were simply grandstanding. "I think this has been a lot of classic display of innuendo and McCarthyism that we're seeing too often here in Washington, that I think unfortunately works against civility and respect for people in public office," McKinley said.

Rep. Bill Johnson (R-Ohio) also jumped to shield Pruit. "I think it's shameful today that this hearing has turned into a personal attack hearing and a shameful attempt to denigrate the work that's being done at the EPA and with this administration," he said. Public officials should have ethical standards "beyond reproach," Johnson said, "but so should members of Congress."

Staffers moved or dismissed under Pruitt weren't being punished, he said. "There's no truth to the assertion that decisions have been made about reassignments or otherwise as far as employment status based upon the things you reference. I'm not aware of that ever happening, and it's something I want to make very, very clear,"

Pruitt said, vowing he would not retaliate against civil servants who flag wrongdoing. The New York Times reported this month that several top staffers were reassigned or demoted after questioning Pruitt, and POLITICO reported that the agency's deputy homeland security chief was dismissed after signing off on a report questioning Pruitt's security spending.

One Republican ripped into Pruitt with particular gusto. "I think the opprobrium that you've generated on some of these spending decisions is actually warranted," Ryan Costello (R-Pa.), who is retiring from Congress, told the EPA chief. "I've reviewed your answers and I find some of them lacking or insufficient. And I believe you've not demonstrated the requisite good judgment required of an appointed executive branch official on some of these spending items." He went on to ask specifically about reports of retaliation against employees who questioned Pruitt, as well as whether security threats against him were "warranted or credible."

Pruitt: I only took that controversial trip to Morocco because the country's ambassador invited me. "There was a free trade agreement that is in existence with Morocco and the ambassador of Morocco invited me to Morocco to negotiate the environmental chapter on that free trade agreement," Pruitt told lawmakers. The EPA administrator's December jaunt to the North African nation came under intense scrutiny when the agency, in a news release after the fact, described the trip as dual-purpose: to discuss updates to a U.S.-Morocco Free Trade Agreement "and the potential benefit of liquified [sic] natural gas (LNG) imports on Morocco's economy." Later on Thursday, Pruitt attempted to downplay his role in promoting American natural gas exports. "There was a lot of reference made to LNG only because the ambassador [of Morocco] asked me to share that with individuals when I was in country," he said.

Pruitt the leaker? After facing questions about the severity of the threats the EPA chief has faced in office — which the agency has cited to justify his pricey security budget — Pruitt read part of a report from the inspector general's office that documented threats directed at him and his family. Asked whether EPA Inspector General Arthur Elkins Jr. had written the report he cited, Pruitt replied, "I'm looking at the document that says inspector general." But a spokeswoman for the IG's office said Thursday that it came from another official, not Elkins himself. "It was an internal memo from Assistant IG for Investigations Patrick Sullivan," OIG spokeswoman Tia Elbaum said in an email. "It was leaked without authorization. It will be released in the near future as part of an OIG FOIA response."

By the time Pruitt was finished, Shimkus was "just glad he showed up." The Illinois Republican, who chaired Pruitt's first hearing, said he thought the administrator handled himself well and that GOP members were suitably tough in their questioning. "Some of it was accountability for policy, so I don't know what more [critics] want," Shimkus told POLITICO of Pruitt's performance. "I think that he answered the questions in the best way that he could answer them." Shimkus declined to speculate about potential next steps the House Energy and Commerce Committee or the Environment subcommittee would take, and didn't specifically state whether he thought questions remain unanswered after today's grilling. "I knew it would be painful," he said.

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Shimkus praises Pruitt performance in first hearing Back

By Anthony Adragna | 04/26/2018 02:39 PM EDT

Rep. John Shimkus (R-Ill.), who chaired EPA Administrator Scott Pruitt's first hearing today, said he thought Pruitt handled himself well and that Republican members were tough in their questions.

Shimkus pointed to questions from Reps. Ryan Costello (R-Pa.), Leonard Lance (R-N.J.) and Billy Long (R-Mo.) at the Energy and Commerce environment subcommittee hearing this morning.

"Some of it was accountability for policy, so I don't know what more [critics] want," Shimkus told POLITICO of Pruitt's performance. "I think that he answered the questions in the best way that he could answer them."

Shimkus declined to speculate about potential next steps, saying that decision was up to full committee Chairman Greg Walden (R-Ore.). And he declined to specifically state whether he thought questions remain unanswered.

"I'm just glad he showed up," he said. "I knew it would be painful. There would be policy and politics."

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Gowdy expands probe into EPA's Pruitt Back

By Anthony Adragna and Alex Guillén | 04/13/2018 05:45 PM EDT

House Oversight Chairman Trey Gowdy (R-S.C.) said Friday he's expanding his probe into the alleged ethical and spending abuses by EPA Administrator Scott Pruitt one day after his staff met for several hours with a former EPA aide who was pushed out of the agency.

Gowdy's latest letter is a further sign of the deepening bipartisan scrutiny facing President Donald Trump's environmental chief, whose critics accuse him of excessive spending on travel, vehicles, staff raises and luxe security features such as a $43,000 soundproof phone booth.

The committee's new request focuses on the decision to increase Pruitt's security to round-the-clock protection, contracts to sweep Pruitt's office for electronic surveillance, his trips to Italy and Morocco, the hiring of an Italian security firm, and travel by Pruitt's security chief, Pasquale "Nino" Perrotta.

The letter comes after the committee interviewed ousted EPA employee and former Trump campaign aide Kevin Chmielewski, who is being treated as a whistleblower. A committee spokeswoman said the information he provided is consistent with allegations laid out in a letter released Thursday by House and Senate Democrats who had also spoken to him.

The committee also asked for sit-down interviews with four senior EPA officials: Perrotta; Ryan Jackson, Pruitt's chief of staff; Millan Hupp, a scheduling and advance aide; and Sarah Greenwalt, a senior counsel to Pruitt. Gowdy requested the agency schedule those interviews and provide a litany of documents by April 27. Gowdy also requested an on-the-record interview with Chmielewski, who spoke more informally with lawmakers this week.

Hupp and Greenwalt, both of whom have worked for Pruitt since he was Oklahoma's attorney general, are the two staffers who received raises via a special authority granted Pruitt under the Safe Drinking Water Act. Pruitt told Fox News last week he was not aware of the raises, although Chmielewski told Democrats this week that the raises were "100 percent Pruitt himself."

EPA spokesman Jahan Wilcox said the agency had "responded to Chairman Gowdy's inquiries and we will continue to work with him."

EPA's inspector general is also investigating complaints about Pruitt's travel spending and other practices. The inspector general's office said it will release an interim report Monday afternoon on one of its probes, which involves whether Pruitt misused special hiring authority provided by the Safe Drinking Water Act to bring some key aides into the agency.

It's unclear whether the IG has expanded that probe to include a recent controversy around EPA's use of the same water law to grant raises to the two Pruitt aides despite the White House's disapproval.

Chmielewski told Democrats this week that EPA fired him after he refused to sign off retroactively on first-class travel for one of Pruitt's closest aides, Samantha Dravis. Gowdy's letter does not request an interview with Dravis, who has announced her intent to leave the agency.

During congressional interviews earlier this week, Chmielewski outlined a detailed litany of seemingly unethical behavior against Pruitt. He said the EPA chief insisted on staying at expensive hotels while traveling even if they exceeded permissible federal spending limits, directed staff to book him on Delta Air Lines so he could accrue frequent flier miles, made a close aide "act as a personal real estate representative" and then retaliated against staff who questioned his behavior, among other allegations.

EPA has previously dismissed Chmielewski as one of a "group of disgruntled employees who have either been dismissed or reassigned." The agency did not immediately comment on the latest letter.

Gowdy's probe into Pruitt's activities has been in contrast to his GOP colleagues, who have adopted a "wait and see" approach toward the EPA chief's ethical woes. Lawmakers this week expressed discomfort with Pruitt's spending when asked and vowed to press him about it at future hearings. But they've stopped short of demanding documents or issuing subpoenas to investigate the alleged ethics lapses.

Pruitt last appeared before Congress in late January before the Senate Environment and Public Works Committee. Unlike his fellow Cabinet members, he has yet to appear before any congressional committees to defend his fiscal 2019 budget request. And he's not scheduled to return to Capitol Hill for another two weeks, when he is scheduled to attend an April 26 session with the House Energy and Commerce Committee.

"The Republicans are absolving themselves of all oversight responsibility even in the face of the most egregious conduct. They may as well stop calling committees oversight," Melanie Sloan, senior adviser at American Oversight, told POLITICO. "What would it take? Would he literally have to kill somebody before they say it's a problem?"

GOP lawmakers were less patient with Obama EPA officials. Senate and House lawmakers questioned former Administrators Lisa Jackson and Gina McCarthy, as well as other senior brass, on issues ranging from the use of nonofficial email accounts, whether they used texting to avoid record-keeping requirements, whether they allowed a senior staffer to commit time fraud and why they hadn't fired employees who spent hours watching pornography at work more quickly.

EPW Chairman John Barrasso (R-Wyo.) has said he planned to await the results of a White House review of Pruitt's conduct and would not comment on multiple occasions this week on when the administrator would return to his committee.

"He was just here earlier this year and answered questions for 2½ hours, but I expect him to come back again," Barrasso told reporters.

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EPA prepping documents in response to Oversight probe Back

By Anthony Adragna | 04/26/2018 08:11 PM EDT

EPA staff is in the process of providing documents to the House Oversight Committee that it believes will respond to allegations of lavish spending and unethical conduct by Administrator Scott Pruitt and may negate the need for several aides to appear for interviews, according to a senior EPA official.

The agency staffers believe the documents will show former Trump campaign aide Kevin Chmielewski, who served as a senior aide to Pruitt, made a number of "exaggerations" when he spoke with Democratic and Republican lawmakers, according to the official.

Senior staffers at the agency are also willing to sit for interviews with Oversight staff if desired, the official said. Those officials include: Pasquale "Nino" Perrotta, Pruitt's security chief; Ryan Jackson, Pruitt's chief of staff; Millan Hupp, a scheduling and advance aide; and Sarah Greenwalt, a senior counsel to Pruitt.

House Oversight Chairman Trey Gowdy (R-S.C.) expanded his probe into the embattled EPA chief's activities one day after his staff sat down with Chmielewski. In an April 13 letter, Gowdy requested a host of documents and that the interviews be scheduled by April 27.

In addition, an Oversight Committee aide said earlier this week the committee had informally requested on April 16 that Samantha Dravis, formerly one of Pruitt's closest aides, appear for a transcribed interview with committee staff. Dravis had not been included in Gowdy's original letter because it was thought she left the agency, but her resignation was actually effective April 20, according to the aide.

A spokeswoman for the Oversight Committee did not respond to request for comment today.

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Documents: EPA reversed raises one day after Pruitt's Fox interview Back

By Emily Holden and Nick Juliano | 04/26/2018 06:45 PM EDT

EPA reversed raises for two top aides to Administrator Scott Pruitt the day after his interview with Fox News, according to documents shared by the agency today.

Pruitt told Fox his staff had authorized the raises and he had "corrected them." A day later, on April 5, Pruitt's chief of staff, Ryan Jackson, signed personnel forms reverting the aides to their previous pay grades, according to copies of the forms reviewed by POLITICO. Jackson signed the documents "for Scott Pruitt," as he had on forms authorizing the initial pay bumps a few days earlier, according to documents previously released by EPA's inspector general.

Sarah Greenwalt, senior counsel to Pruitt, received a $56,765 increase in her annual salary on April 1, and Millan Hupp, director of scheduling and advance, saw a $28,130 increase that same day, according to the earlier IG documents.

Jackson reversed those moves on April 5, bumping Greenwalt's salary back to $109,900 per year, and Hupp's to $88,450, according to the new documents.

Pruitt signed a memo in March 2017 delegating to Jackson the ability to make hiring and salary decisions using a special section of the Safe Drinking Water Act.

"Administrator Pruitt has consistently said he was not aware of the amount of the raises or the process that was used, as he said both today and in prior interviews," EPA spokesman Jahan Wilcox said in a statement. "He was aware one of the individuals was receiving changes to job responsibilities and might be asking for a raise, but had no further involvement in the discussions, negotiations or approvals, because he had authorized his Chief of Staff and other EPA officials to handle all personnel matters."

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McConnell seeks redemption in ugly West Virginia primary Back

By Alex Isenstadt | 04/26/2018 04:48 PM EDT

HUNTINGTON, W. Va. — Don Blankenship walked into the Guyan Golf & Country Club on Tuesday afternoon and bluntly laid out his plan for the final two-week stretch of the GOP Senate primary: a relentless slash-and-burn campaign targeting Mitch McConnell.

As the assembled local GOP women's group munched on chocolate chip cookies, the coal baron who spent a year behind bars after a deadly 2010 mine explosion compared his current battle against the McConnell-led Republican establishment to his past legal fight against the federal government.

"When you've been falsely charged, when you've had seven of 10 bill of rights flagrantly violated, you tend to fight back. ... I make no apologies for that," he said, adding that when he sees people like McConnell "leading us to the left, I will speak out about it, because I know bad people join good organizations."

As the dramatic May 8 primary campaign hurtles to a close, it's taking on an all-too familiar outline. For the second time in a matter of months, an insurgent outsider is taking aim at McConnell, looking to capitalize on the broiling anti-establishment unrest that's dominating Republican politics. And just like last time, McConnell is fighting back.

In the fall, the leader's aggressive campaign to defeat Alabama Republican Roy Moore backfired spectacularly. This time, his attempt to stop the 68-year-old Blankenship seems to be faring better. Amid an avalanche of attacks from a McConnell-aligned super PAC, two new polls out this week show Blankenship, once seen as an early front-runner, plunging into third place.

Crisscrossing the state this week, Blankenship savaged the Kentucky Republican as weak-kneed, accused him of failing to stand up for the coal industry, and said he'd long ago lost touch with Republican voters.

Blankenship vowed to oppose McConnell as Senate GOP leader if he won and began airing a TV ad — which he personally composed — envisioning McConnell as a bog-enveloped "swamp captain."

At times, the attacks grew intensely personal. During an interview with POLITICO on Sunday, Blankenship said McConnell "has a lot of connections in China," adding that the GOP leader's wife, Transportation Secretary Elaine Chao, is "from China, so we have to be really concerned that we are in truth" putting America's interests first. Blankenship's girlfriend was born in China.

During an appearance on a local radio show the following day, Blankenship repeated the jab, describing Chao's father as a "wealthy Chinaperson," who was "well-connected in China."

Asked about the remarks, Josh Holmes, a longtime McConnell political adviser, charged that Blankenship is "mentally ill," noting that Blankenship had once spoken of moving to China and becoming a Chinese citizen. Holmes also said Blankenship had used a "racial blast" against the Taiwan-born Chao, whom he described as "the dictionary definition of the American dream."

"The one consistency we've seen over the last decade is that the death rattle of a primary candidate is always a tendency to attack other Republicans because they know reporters will report it," Holmes added. "At this point what's clear is that voters are writing him off and so he knows that by attacking McConnell he'll get attention."

Driving the McConnell team's offensive is a belief that Blankenship cannot defeat Democratic Sen. Joe Manchin in November.

This spring, Steven Law, president of the McConnell-aligned Senate Leadership Fund super PAC, wrote a memo to top Republican Party donors that stated Manchin was beatable — but not if Blankenship wins the primary.

"We would forfeit any chance of beating Manchin if Blankenship becomes the nominee," wrote Law, underlining the sentence for emphasis.

Republican strategists spent weeks deliberating how to take down Blankenship, concerned that an overtly Washington-led effort would only strengthen him - just as it did when Senate Leadership Fund spent millions of dollars against Moore.

Finally, a group of Republican strategists who've previously worked with Senate Leadership Fund mobilized and earlier this month launched the generically-titled Mountain Families PAC. Over the span of a little more than a week, the super PAC pummeled Blankenship with over $700,000 in TV ads accusing him of contaminating drinking water with coal slurry.

The creative force behind the commercials was a GOP consulting firm spearheaded by Larry McCarthy, a McConnell ally who is widely viewed as the master of the political attack ad. Among his credits: the 1988 Willie Horton spot that helped to sink Democrat Michael Dukakis' presidential bid.

Apparently not finished with Blankenship, Mountain Families PAC on Thursday began purchasing additional commercial airtime.

With Blankenship cratering in polls, many Republicans are convinced that Blankenship has been effectively neutralized and that the contest has emerged as a two-person race between GOP Rep. Evan Jenkins and state Attorney General Patrick Morrisey. The coal baron has derided both as pawns of the establishment.

As he hit the trail this week, Blankenship bristled over the effort to upend his candidacy. Each time, he pointed to the super PAC's connection to the GOP leader.

"As you know," he said at the GOP women's luncheon in Huntington, "I've even been beat up by the Republican Mitch McConnell."

During a news conference on Monday afternoon, Blankenship fired back at Washington Republicans who called him unelectable, saying even his dog could beat Manchin.

At one point, he was asked point-blank whether he had a message for McConnell.

"He needs to understand that if I'm there I will not vote for him for majority leader, and so the rest of the senators should understand that they should not put him up if they need my vote," Blankenship responded.

In an interview, Blankenship recounted a personal history with McConnell, a fellow coal country pol, that he said dated back nearly three decades. He said he first met McConnell during the late 1980s while visiting the home of a GOP donor in Kentucky, and that their paths occasionally crossed over the years after. The coal company that Blankenship formerly presided over, Massey Energy, has mines in Kentucky.

Massey, Blankenship said, had been helpful to McConnell early in his political career. In 1999, Blankenship, a longtime GOP donor who for years bankrolled West Virginia campaigns, contributed $1,000 to McConnell's reelection campaign, according to federal filings.

Over time, though, Blankenship said he came to see the Republican leader as insufficiently supportive of the mining industry. He said they haven't spoken in about a decade.

"I never felt that he fought very hard for coal. He seemed to be too willing to compromise on climate change legislation," said Blankenship, adding that West Virginians felt that McConnell didn't put up enough of a fight against President Barack Obama's push to regulate carbon emissions.

McConnell advisers dispute the criticism. "People have accused Mitch McConnell of a lot of things over the years, but I've never heard anyone say he's insufficiently pro-coal," said Holmes.

After being released from prison last year, Blankenship launched his campaign with an eye toward clearing his name and pushing back against the allegations the federal government leveled against him. As the race has progressed, he has come to see his war with McConnell as intertwined with the central theme of his candidacy: that the Washington establishment is out to get him.

At Blankenship campaign events, he hands out copies of "An American Political Prisoner," the manifesto he wrote while in jail.

The anti-McConnell campaign has a decidedly homemade flavor. Blankenship, who's staffed his campaign with West Virginia-based operatives rather than ones from Washington, personally wrote the "swamp captain" ad, an amateur-style spot that lacks the slick production of typical political commercials. After producing the concept and the script, his small group of advisers made some edits before releasing it to TV stations.

But as the race enters its final days, Blankenship finds himself playing catch-up against his more establishment-friendly rivals.

During his closing remarks in a Tuesday afternoon debate, he chose to go after one of his opponents with a familiar weapon.

"Will Evan Jenkins stand up when Mitch McConnell looks at him?" Blankenship asked as the congressman looked on. "That's the question."

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Pruitt scales back EPA's use of science Back

By Emily Holden and Annie Snider | 04/24/2018 03:17 PM EDT

Environmental Protection Agency chief Scott Pruitt announced Tuesday he would seek to bar the agency from relying on studies that don't publicly disclose all their data, a major policy change that has long been sought by conservatives that will sharply reduce the research the agency can rely on when crafting new regulations.

The unveiling of the proposed rule delivers a win to Republicans like House Science Chairman Lamar Smith (R-Texas), who unsuccessfully pushed legislation to impose the same type of change. The move also demonstrates Pruitt's persistence in pursuing President Donald Trump's anti-regulation agenda just two days before the embattled EPA chief is due to face fierce questioning from lawmakers about his hefty spending, expanded security detail and cheap condominium rental from the wife of an energy lobbyist.

At an invitation-only meeting at EPA headquarters with Smith, Sen. Mike Rounds (R-S.D.) and other supporters of the policy, Pruitt said the proposed rule was critical in ensuring that the agency was transparent about how it is making decisions to justify costly new regulations. It is the latest step Pruitt has taken to fundamentally shift the agency's approach to science.

"It is a codification of an approach that says as we do our business at the agency the science that we use is going to be transparent, it's going to be reproducible, it's going to be able to be analyzed by those in the marketplace. And those who watch what we do can make informed decisions about whether we've drawn the proper conclusions or not," Pruitt said.

Text of the proposed rule was not immediately available.

The proposal, based on legislation pushed by Smith, is intensely controversial, and scientists and public health groups say it will prevent federal regulators from enacting health and safety protections. Nearly 1,000 scientists, including former EPA career staffers, signed a letter opposing the policy sent by the Union of Concerned Scientists to Pruitt on Monday.

Their primary concern was that many of the country's bedrock air and water quality regulations are based on research that cannot disclose raw data because it includes the personal health information.

But industry has its own version of the same problem. EPA often relies on industry studies that are considered by companies to be confidential business information when determining whether new pesticides and toxic chemicals are safe to use. Internal EPA emails obtained under the Freedom of Information Act show that EPA political officials, including Nancy Beck, who became the chief of the agency's chemical safety office last year after working for years at a chemical industry lobbying group, worried that the new policy would limit the agency's ability to consider industry data or would force companies to make this proprietary data public.

"We will need to thread this one real tight!" Richard Yamada, political official who led work on the new policy wrote to Beck after she raised the concerns.

It was not immediately clear if the new proposed rule included measures to address those concerns.

Rush Holt, CEO of the American Association for the Advancement of Science, said Pruitt's changes could keep the agency from revising public health regulations as problems arise or new data comes to light.

"On the surface it sounds so innocuous or even beneficial. What could be wrong with transparency? Well it's clear to me that this is not based on an effort to be transparent. It is rather based on an effort to be just the opposite," he said.

"EPA is particularly important because when science is misused, people die," he added.

Pruitt has been discussing the new scientific policy publicly for weeks, but it only went to the White House for interagency review last week. Such swift review is very rare for the Office of Management and Budget, which often takes months to vet a new policy. At least one group, the Environmental Defense Fund, has requested a meeting with OMB officials to discuss the rule, but OMB's website shows that no meetings have been scheduled with interested groups.

Many public health studies can't be replicated without exposing people to contaminants, and environmental disasters such as the Deepwater Horizon oil spill cannot be recreated, the group said, raising intellectual property, proprietary and privacy concerns.

Pruitt's predecessor Gina McCarthy, and her air chief Janet McCabe, in an op-ed in The New York Times in March said concerns about studies are dealt with through the existing peer-review process, which ensures scientific integrity.

"[Pruitt] and some conservative members of Congress are setting up a nonexistent problem in order to prevent the E.P.A. from using the best available science," they said.

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'Jon poked the bear': Tester braces for Trump's revenge Back

By Burgess Everett | 04/26/2018 05:47 PM EDT

Jon Tester didn't intend to play a central role in taking down President Donald Trump's pick to lead the Veterans Affairs Department. Yet that's exactly what the Montana Democrat ended up doing

And now, Trump is coming after him.

The president is enraged over Tester's work documenting allegations of malfeasance by Rear Adm. Ronny Jackson, which quickly unraveled Jackson's nomination to be VA secretary and marks a turning point in the relationship between the moderate Democrat and Trump.

As Tester's reelection campaign kicks into high gear, Trump is more motivated than ever to campaign against him in the ruby-red state — accusing the senator of irresponsibly leaking the damaging information to undermine the president's nominee.

Trump said Thursday that Tester will have a "big price to pay" for his part in working to sink Jackson's nomination. But Tester is sanguine about his decision to go public with accusations about Jackson's workplace misconduct, poor prescription practices and drinking on the job.

"If he thinks it's my job to sweep his stuff under the table and ignore our military folks, he's wrong. If he thinks I should not be sticking up for veterans, he's wrong," Tester said Thursday of the president. "I look forward to working with President Trump. I've worked with him many times in the past, but we disagree."

Tester has repeatedly tried to emphasize points of agreement with Trump in his nascent reelection campaign, including sending Trump 13 of his bills to sign. But Trump and other Republicans are taking it personally that as ranking member of the Senate Veterans Affairs Committee, Tester and his staff compiled interviews with more than two dozen current and former military members describing Jackson's alleged wrongdoing and then released them this week.

Senate Majority Whip John Cornyn (R-Texas) said Tester "painted a big target on himself" this fall in Montana, which Trump won by 20 points. And a Republican senator, granted anonymity to speak candidly about a colleague, said a "livid" Trump is now set to prioritize the campaign to knock off Tester this fall.

"Jon poked the bear. Did you see the bear today? The bear was mad," the senator said. "If there was any doubt he was coming to Montana it was removed today. He overreached."

The allegations, sourced anonymously, were the death knell of Jackson's nomination.

"That was not Jon's best time with regards to his Senate career," said Sen. Pat Roberts (R-Kan.). "Man, they aim low. They really aim low. And they brought him down."

Democrats strongly reject that argument. They say Tester did the right thing by speaking up about a crucial post and that Trump and Republican are deflecting blame for the Jackson debacle.

"Sen. Tester released profoundly serious, credible allegations from military men and women who put their careers on the line," said Sen. Richard Blumenthal (D-Conn.). "The administration bungled this nomination from the start. And then it fumbled the defense of its nominee. So the blame really lies with the administration."

Former Secretary of Defense Chuck Hagel also defended Tester from partisan attacks.

"I've always admired Jon Tester's commitment to helping veterans — not using veterans for political purposes. Veterans know who their champions are, and Jon Tester is one of them," said Hagel, who also served as a Republican senator from Nebraska.

Still, in interviews this week, Tester acknowledged it was "risky" for him to release the information about Jackson. The allegations could turn out to be false, he acknowledged, and take on a more partisan tinge by coming from the Democratic minority.

Tester felt compelled to move given the circumstances and received no criticism for doing so from Senate Veterans' Affairs Chairman Johnny Isakson (R-Ga.) on Thursday. In fact, until about a week ago, Jackson's nomination appeared to be going relatively smoothly, save for concerns about his lack of experience. But then Tester's staff started getting calls. Lots of calls.

By Wednesday, 23 people had contacted the committee about Jackson's history of misconduct, according to Democratic aides. Tester spoke to some of them, while his staff handled most of the work.

And as inquiries poured in from the press, Tester felt he had no choice but to go forward publicly. Each allegation in the two-page document, including that Jackson drunkenly crashed a government vehicle and wrote his own prescriptions, was verified by at least two sources, Democratic aides said. Two more people buttressing the claims contacted the committee after the summary was released.

"I don't want to be in this situation. But the truth is. We got the information. It's our obligation to follow up," Tester said. "We did not initiate any of this. None of it. It was news to us."

Tester gradually ramped up his role in challenging Jackson's beleaguered nomination as the week wore on. After allegations about Jackson's history dangled anonymously for two days, Tester confirmed them in an NPR interview on Tuesday night then did several cable news hits before releasing the two-page summary of Jackson's alleged misconduct on Wednesday.

Sen. Dan Sullivan (R-Alaska) said Tester's move "poisons the well" in a committee that generally operates outside partisan politics, but allies said Tester had no choice and that Republicans were disingenuously claiming they wouldn't have done the same.

"Do you think if the shoe was on the other foot it would have been released? It would be irresponsible if it wasn't. Military members came forward wanting to talk about the doctor," said Sen. Claire McCaskill (D-Mo.).

But Tester is under heavy attack from Trump, the White House and Republicans for the move. Trump said Thursday that Tester's work "is going to cause him a lot of problems in his state."

"I find it outrageous for a senator for political gain to take uncorroborated allegations that have not been investigated and to throw them out in a way to besmirch somebody's character," said Marc Short, Trump's legislative director. "Very irresponsible to go on national TV and make those allegations knowing that that would besmirch that person's character."

The incident and its fallout underscores how the burly, plain-spoken Tester hasn't exactly tacked to the center in an election year. Perhaps he feels emboldened after dodging a big-name opponent; after former Rep. Ryan Zinke was drafted into the Trump administration and the state attorney general passed on the race, Tester's opposition is made up of lesser known opponents who will compete in a June primary.

And since Trump became president, Tester often votes in a different manner than his fellow red state incumbents, seemingly unworried about his state's GOP lean. He was the lone red state Democrat to oppose Mike Pompeo to be secretary of state on Thursday and voted twice against a government funding bill in January.

But Tester has also positioned himself as someone who sends Trump bills to sign, including eight on veterans issues, and is open to working with the president. And he seems to genuinely believe that if he sticks to his guns and does not try to pander to conservative voters, the politics will work out this fall.

"It was going to be difficult anyway," Tester said of his campaign. "Look, if I made decisions around here based on the election, I wouldn't be a very good senator."

Tester's decision to aggressively take on Trump is rare among at-risk senators. Now, Tester is credited with helping bring down the confirmation prospects of a man whom Trump counts as a confidant, friend and personal doctor.

And Trump is plainly angry about it, to almost no one's surprise.

"I can understand that, if [Trump] thinks it's a personal attack. If you have a friend and someone personally attacks your friend, you're going to have to fight back," said Sen. Joe Manchin (D-W.Va.). "But Jon is also going to have to do his job, too."

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Pompeo confirmed as secretary of state Back

By Nolan D. McCaskill | 04/26/2018 12:35 PM EDT

The Senate confirmed Mike Pompeo to be President Donald Trump's secretary of state on Thursday, after a handful of Democrats facing difficult reelection challenges joined every Republican in backing the CIA director.

Pompeo's hawkish foreign policy views drew strong opposition from the left, but he ultimately won over Democratic Sens. Heidi Heitkamp of North Dakota, Joe Manchin of West Virginia, Joe Donnelly of Indiana, Bill Nelson of Florida, Claire McCaskill of Missouri and Doug Jones of Alabama.

Pompeo, who was confirmed on a 57-42 vote, was sworn in early Thursday afternoon by Supreme Court Justice Samuel Alito, according to State Department spokesperson Heather Nauert.

He's wasting little time. Almost immediately after being sworn in, Pompeo was to fly to Brussels for a meeting of foreign ministers, followed by stops in Riyadh, Jerusalem and Amman over the next four days. The newly minted secretary of state is expected to discuss a range of hot issues with counterparts in Europe and the Middle East, including the fate of the Iran nuclear deal.

Pompeo ultimately received more Democratic votes for secretary of state than Rex Tillerson. And unlike Tillerson, who repeatedly clashed with and was undercut by Trump, Pompeo enjoys a positive relationship with the president. Trump applauded Pompeo's confirmation, hailing him as a "patriot" with "immense talent, energy and intellect" who will be an asset for the United States.

"He will always put the interests of America first," Trump said in a statement. "He has my trust. He has my support."

Pompeo is also expected to play a major role in talks with North Korea. He met with dictator Kim Jong Un over Easter weekend in a private trip to Pyongyang. The secret summit came ahead of an expected meeting between Trump and Kim.

The Trump administration had little margin for error in confirming Pompeo. With Sen. John McCain (R-Ariz.) out recovering from cancer treatment, Republicans' majority had slimmed to 50-49. Libertarian-leaning Sen. Rand Paul (R-Ky.), a member of the Senate Foreign Relations Committee, had also initially announced his opposition to Pompeo.

The former Kansas congressman was poised just days ago to get an unfavorable recommendation from the Senate Foreign Relations Committee until Paul flipped, citing assurances from the president and incoming secretary that the war in Iraq was a "mistake" and that the U.S. should wind down its presence in Afghanistan.

Republican leaders were determined to bring Pompeo's nomination to the floor regardless of the committee vote. But had Paul remained opposed, he and Democrats could have killed the nomination outright.

Paul's shifting position, however, all but assured Pompeo would breeze though Thursday's confirmation. Republicans maintained that he is well-qualified to be America's top diplomat and criticized Democrats for playing politics with his nomination. Fourteen Senate Democrats had voted to confirm him as CIA director in January 2017.

"From the founding of the republic until 2017, the Senate has never required a cloture vote to confirm a secretary of state nominee. Now we're at two," Senate Majority Leader Mitch McConnell complained earlier Thursday. "I guess Senate Democrats are in a history-making mood. Because over the past 15 months, they've embarked on a partisan campaign to block, obstruct and delay President Trump's nominees that is quite simply without precedent in American history."

Senate Minority Leader Chuck Schumer (D-N.Y.) said Wednesday he was troubled by Pompeo's past rhetoric and argued that he was too hawkish to be secretary of state. He also indicated that Pompeo's confirmation hearing did nothing to convince him that he would serve as a check on the president.

"This is not about denying the president his team just for the sake of it," Schumer said. "This is about the role of the Congress and, frankly, the Cabinet to provide a check on the president, who might go off the rails and undo the respect for rule of law, the tradition of rule of law that we have had in this country for so long."

Aside from concerns about his foreign policy views, many Democrats also opposed Pompeo because of past comments he's made denigrating Muslims and members of the LGBT community.

Pompeo was among a trio of controversial Cabinet and Cabinet-level nominees the president named in recent weeks, and he is expected to have the easiest time getting confirmed.

Pompeo's deputy at the CIA, Gina Haspel, is expected to have her confirmation hearing to succeed him as CIA director next month. Department of Veterans Affairs secretary nominee Ronny Jackson withdrew from consideration Thursday morning following allegations that he drank on the job and loosely dispensed pills on foreign trips.

The Senate also confirmed Richard Grenell to be the ambassador to Germany on Thursday on a 56-42 vote.

Nahal Toosi contributed to this report.

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Perry's latest bid to help coal faces uphill battle Back

By Eric Wolff | 04/25/2018 05:08 AM EDT

Energy Secretary Rick Perry's latest idea to protect coal-fired and nuclear power plants may not fare much better than his previous efforts, according to energy experts.

Perry is considering invoking the 1950 Defense Production Act to keep money-losing power plants running by designating them as crucial for national security. But that would stretch the definition of the law and almost certainly draw legal challenges — and it would hit a big hurdle in Congress, which would need to approve perhaps billions of dollars in funding to keep the plants afloat, the experts said.

At the urging of President Donald Trump, Perry has sought to keep open coal and nuclear power plants that are threatened with shutdowns amid the stagnant demand for power — and even as natural gas and renewable power sources grab a growing share of the market.

So far, Perry's had no luck. FERC earlier this year rejected his proposal to give the plants financial support, and Energy Department lawyers stymied a push last year to invoke the agency's authority under the Federal Power Act to force the plants to run.

Some experts said any attempt to use the DPA is likely to meet the same fate.

"To me, it's a tough argument to make. It's a specious argument on its surface that seems like a perversion of the intended use of the Defense Production Act," said Tom Hicks, a former acting undersecretary of the Navy under former President Barack Obama and now a principal at the advisory firm The Mabus Group. "Defense Production Act is on the vanguard of the need for resources, not on the back end for an industry being challenged by economic forces."

But the effort has been a priority for Trump and Perry, who sees saving coal-fired power generation as vital to U.S. security, according to a source familiar with the conversations on the issue.

The Cold War-era law grants the federal government powerful authorities to inject cash into companies essential for national defense in order to preserve domestic supplies of key products. But DOE will have to make the case that electricity produced specifically from coal and nuclear power plants, and not other types of power, is a critical resource.

Using the act to protect the plants when there appeared to be no immediate shortage of power supplies would be a novel application that would almost certainly face legal challenge.

"If the administration uses DPA, they're going to be using it very creatively," said Ari Peskoe, director of the Electricity Law Initiative at the Harvard Law School Environmental and Energy Law Program. "They may come up with reasoning for higher rates and who's going to pay for it. Whether that will hold up, I don't know."

Perry and his staff appear to have very few viable options for bailing out coal and nuclear power, a major energy priority for Trump, who has promised to revive the coal industry. DOE has opened a comments process for interested parties to weigh in on its use of the Federal Power Act's 202(c) emergency provisions, though that would require the agency to go through FERC, which unanimously rejected a similar Perry effort in January.

The 202(c) effort has been pushed by coal magnate Bob Murray, owner of Murray Energy, and by FirstEnergy Solutions, the unit of of FirstEnergy Corp. that is in bankruptcy proceedings and which expects to shut down four coal and nuclear power plants. That company asked DOE to use the emergency authority to save not only its plants, but all 85 coal and nuclear power plants in the PJM Interconnection power market.

The DPA was last used by the Obama administration starting in 2012 to help spur the biofuels industry to develop the kind of advanced biofuels that could power ships and aircraft. The government can purchase capital equipment for the cause of national security, and it can fund advertising to support the effort.

And it allows the government to become the buyer of last resort, which could put Washington on the hook to buy excess power generated by coal and nuclear plants. Technically, this electricity could only be purchased at the "cost of production," a level that in the past has been determined by a team within the Defense Department.

While no hard estimate for the cost of a DPA subsidy exists, consultants analyzing Perry's previous bailout proposal estimated costs between $4 billion and $10.6 billion annually.

That's a far higher level than Congress typically allocates for the DPA. It provided $67.4 million in the omnibus passed in March, H.R. 1625 (115), down slightly from the $76 million it provided for all projects in 2017, according to a report submitted to Congress.

And Congress — and the Republican Party — is deeply divided on using government subsidies to save these plants. Rep. David McKinley (R-W.Va.) has some allies from other coal districts for the effort, but other free market-oriented lawmakers like Rep. Pete Olson (R-Texas) say they want to see markets function unimpeded.

McKinley's staff has been in touch with DOE and the White House, as has West Virginia Sen. Joe Manchin (D).

"I think it's an emergency national concern for the national defense of our country. I think Rick Perry agrees with it, and I think the president does also," Manchin told POLITICO.

PJM has itself said the retirement of FirstEnergy's coal plants did not pose a threat to the region's power supplies, and that it had ample generation to meet demand. It has opposed any effort to mandate to require the plants to stay online.

"We believe that a market-oriented approach consistent with the American free-enterprise system offers better results than government-mandated subsidies," said PJM spokesman Jeff Shields.

Anthony Adragna contributed to this report.

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