Message

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Subject: Morning Energy: Pruitt steps up to the plate — Tester's 'great equalizer' — Bishop still talking NEPA

By Kelsey Tamborrino | 04/26/2018 05:42 AM EDT

With help from Anthony Adragna

PRUITT STEPS UP TO THE PLATE: Scott Pruitt makes his eagerly anticipated trip to the Hill this morning, and the stakes couldn't be higher for the embattled EPA administrator. His appearances before the House E&C Committee in the morning and Appropriations panel in the afternoon — ostensibly to defend the Trump administration's proposed cuts to EPA's budget — will give lawmakers their first opportunity to directly question Pruitt since the news broke about his heavy spending, sweetheart condo rental, VIP security and first-class flights. And while both Democrats and Republicans are expected to pull no punches as they weigh Pruitt's behavior, the real audience will be sitting in 1600 Pennsylvania Ave.

Check out this graphic breakdown of Pruitt's problems by POLITICO's Emily Holden, Alex Guillén and your ME host.

— **The administrator has kept a low profile** in the lead-up to today's events — even leaving press out of a Tuesday announcement on his plan to ban secret science — but expect the cameras to be out in force this morning. ME breaks down what to expect today as Pruitt heads for the batter's box. (ME is also taking suggestions for an appropriate walk-up song. One option here.)

THE GAME PLAN: Pruitt will point out he now flies coach when he travels, and shift the blame to staffers for the raises given to two of his close aides, according to a talking points document — dubbed "hot topics" — obtained by The New York Times. He will likely also say officials who were reassigned or demoted after challenging his spending all had performance issues.

— **EPA did not dispute the authenticity** of the Times document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels." You can read Pruitt's full opening statement for the E&C hearing here.

DEMOCRATS WILL SEARCH FOR ANSWERS: The afternoon session is expected to dive into Pruitt's proposed deep cuts to the agency's budget and his deregulatory actions, but that doesn't mean Democrats will ignore the ethics woes dogging the embattled chief. "Administrator Pruitt, you are letting the American people and your agency down," Rep. Betty McCollum, ranking member of the Appropriations subpanel, plans to say. Democrat Nita Lowey , the ranking House appropriator, will question Pruitt on the Antideficiency Act after the Government Accountability Office found EPA illegally failed to notify Congress about the cost of his secure phone booth. Meanwhile, E&C's top Democrat Frank Pallone wouldn't tip his hand: "I just hope he shows up," he said when ME asked for his plan of attack.

— **House Energy and Commerce Democrats** will hold a news conference at 9 a.m. to once again call for Pruitt's ouster. Kathy Castor and Paul Tonko will attend, alongside representatives from numerous green groups.

REPUBLICANS OFFER SOME ADVICE: "Answer the questions and stay calm," John Shimkus said. "And the time will eventually end." The Illinois Republican didn't let on about his line of questions to Pruitt, but added: "It's not going to all be addressing stewardship issues. There are going to be policy questions."

— **Fellow Oklahoman and member of the Approps committee** Tom Cole expects the "highly charged" hearing to contain some "pretty much straight budget questions" — at least from the Republican side. Cole said he recently spoke to Pruitt on the upcoming hearing and warned him it would be "rugged."

Keep in mind: None of the committee Republicans said they'd been in contact with the White House ahead of the session. Shimkus said the Republicans hadn't huddled ahead of time to develop a game plan as they sometimes do with high-profile hearings. And Democrats are expected to turn out in force — E&C members not on the Environment subpanel will "waive in" to the hearing. They don't need GOP permission to do so, but will have to wait until all subcommittee members participate before asking questions. ME would look here for especially fiery questions or any surprises.

STRIKE 3? Pruitt's critical audience, of course, will be President Donald Trump, who has so far stuck by him, but is expected to judge how Pruitt fares in front of the cameras, POLITICO's Anthony Adragna and Nancy Cook report . So far, Pruitt's support among Trump's conservative backers has kept him on solid ground, despite the growing resentment of a "high maintenance" EPA chief among White House officials. "The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

IN THE OUTFIELD: Environmental group Defend Our Future will hand out first-class boarding passes today at the Pruitt hearing, while Moms Clean Air Force will deliver these report cards. And the League of Conservation Voters and its state parners will launch television ads today urging Sens. Dean Heller and Cory Gardner to hold Pruitt accountable. Watch them here and here.

If you go: The E&C hearing will begin at 10 a.m. in 2323 Rayburn, and the Appropriations hearing at 2 p.m. in 2007 Rayburn. Watch the livestreams here and here.

IT'S THURSDAY! I'm your host Kelsey Tamborrino, and the American Petroleum Institute's Jeff Stein was the first to name Khartoum, Sudan — the capital city where the Blue and White Niles meet to form the Nile. For today: Name the state where the first officially designated Democratic floor leader hailed. 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.**

PUBLIC LANDS CRUCIAL FOR TESTER: Democratic Sen. Jon Tester 's bid for reelection could come down to how he handles public lands issues, Pro's Kevin Robillard reports. Close to one-third of the land in Tester's home state of Montana is under federal government ownership, and the Democratic senator hopes to use it to keep on board those who voted Trump — including hunters, hikers, snowmobilers and ranchers. "Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock told Kevin. "It doesn't matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize lands. Bullock emphasized it in his reelection bid in 2016 and New Mexico Sen. Martin Heinrich, who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior west. "There a lot of people here who are

single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation. Read more.

DEMOCRATS CALL FOR SPECIAL COUNSEL: In a letter Wednesday to the U.S. Office of Special Counsel, Pallone and Oversight ranking member Elijah Cummings requested an investigation into whether there is a pattern of problematic personnel practices at EPA. The Democrats point to recent reports of agency officials being reassigned, demoted or requesting new roles, after voicing concerns on Pruitt. "The reassignment or dismissal of employees who questioned Administrator Pruitt's wasteful and potentially unlawful expenditures suggests a troubling pattern of retaliation against EPA employees that may be illegal," they write. Read the letter here.

BISHOP STILL TALKING NEPA: House Natural Resources Chairman Rob Bishop told ME he's been in contact with administration officials "over the last few weeks" about a series of modifications to NEPA that he says "run the gamut." His two overarching goals are to speed the permitting process and to enact categorical exclusions that will limit litigation to allow projects to advance more quickly. "It's one of the consistent problems they recognize," he said of the administration's engagement on NEPA.

Apples to oranges: Controversy over $139,000 spent on doors at Interior is not comparable to spending woes engulfing Pruitt, according to Bishop. "There are some real issues and there are some issues that we play around with," he said. "This is one I think people are playing with." Interior officials said previously that career facilities and security officials recommended the work and that Secretary Ryan Zinke was not aware of it.

THAT DAM BILL: The House passed a heavily watched measure, H.R. 3144 (115), Wednesday that would override a court decision requiring changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon. The measure, from Washington Rep. Cathy McMorris Rodgers, passed by a nearly party-line vote of 225-189, and now heads to the Senate, where some of the region's Democratic senators have made known their opposition. Pro's Annie Snider breaks down more here.

REFINERY WORKERS HIT THE HILL: Close to 100 workers from refineries Monroe Energy, Philadelphia Energy Solutions and PBF Energy will rally for their jobs and Renewable Fuel Standard reform on the Hill today, the United Steelworkers said. The rally begins at 1 p.m. in the "Senate Swamp" — the grass across the drive from the east Senate steps. Texas Sen. Ted Cruz will participate in a press conference with the workers at the same time. Watch the livestream here.

OFF-SHORE UP SUPPORT: While it didn't have quite the same build-up as Pruitt's hearings this morning, the House Natural Resources energy and mineral resources subcommittee will hold a hearing today on offshore energy revenue sharing for Gulf-producing states, with a focus on the Gulf of Mexico Energy Security Act. Democrats intend to call out the oil and gas industry and demand they take responsibility for their role in causing the destruction of Louisiana wetlands, according to a release. Former Sen. Mary Landrieu (D-La.), now a senior policy adviser at Van Ness Feldman, and John Barry, former board member of the Southeast Louisiana Flood Protection Authority — East, will testify, among others. **If you go:** The hearing begins at 10 a.m. in 1324 Longworth.

GET YOUR COMMENTS IN: Comments are due today on EPA's proposed repeal of the Clean Power Plan. The Competitive Enterprise Institute, for one, will file a comment today in support of the proposed repeal, calling the CPP "unlawful." Close to 20 other individuals from free-market groups signed onto the joint comment. Google, meanwhile, submitted its own comment Wednesday "respectfully" urging EPA to forgo the repeal. "Google continues to believe that the Clean Power Plan aligns with overall electricity sector trends and the specific goals of our company," it says. The Natural Resources Defense Council and NRDC Action Fund said it generated 208,000 comments in support of keeping the CPP.

MAIL CALL! IN THE AIR TONIGHT: California Sen. Dianne Feinstein wrote to Transportation Secretary Elaine Chao Wednesday, calling on her to maintain national fuel economy standards set by California under the Clean Air Act. "I ask for your commitment to maintain the Corporate Average Fuel Economy standards at the maximum feasible level, as required by law, and to seek consensus with California so that we can continue to enjoy the success of a coordinated national program to improve fuel economy," Feinstein wrote. Read the letter here.

— **Eighty-seven lawmakers signed onto a letter Wednesday** that calls on Pruitt to reinstate the "once in, always in" policy to "safeguard" from harmful air pollutants. "This is a matter of critical human health and safety," the lawmakers write. Read it here.

GoT RENEWABLES? Rapper Kanye West tweeted about his connection to Trump and their "dragon energy" on Wednesday. "We are both dragon energy. He is my brother. I love everyone. I don't agree with everything anyone does." Spoiler: It's not an energy company we forgot to tell you about. Bloomberg breaks it down here, but earlier in the day, West described dragon energy as, "Natural born leaders Very instinctive Great foresight." The House Natural Resources account tweeted the exchange telling West to "have your people call our people."

QUICK HITS

— Behind the scenes of Pruitt's Nevada trip, E&E News.

— U.S. mine safety agency website 'hacked,' remains down, S&P Global.

— Exxon Mobil boosts quarterly dividend to 82 cents, Reuters.

— Climate change could make thousands of tropical islands "uninhabitable" in coming decades, new study says, The Washington Post.

— Memo: Park Police officers were forbidden from wearing body cameras, The Hill.

— Perry's son owns an energy investment company. Is that a problem? McClatchy.

HAPPENING TODAY

8:00 a.m. — Water Leaders summit on "Building an Innovative Future for Water Policy and Technology in America," 215 Capitol Visitors Center

8:30 a.m. — George Mason University's Center for Energy Science and Policy symposium on "Energy-Water Nexus," Fairfax, Va.

9:00 a.m. — Colorado State University hosts symposium on "Water in the West," Denver

10:00 a.m. — The U.S. Energy Association forum on "fostering the deployment of CCUS technologies," 1300 Pennsylvania Ave NW

10:00 a.m. — The House Energy and Commerce Committee hearing on EPA's budget request, 2323 Rayburn

10:00 a.m. — House Science Environment and Space subcommittees hearing on "Surveying the Space Weather Landscape," 2318 Rayburn

10:00 a.m. — House Natural Resources Oversight Subcommittee hearing on "Examining the Critical Importance of Offshore Energy Revenue Sharing for Gulf Producing States," 1324 Longworth

10:00 a.m. — The Center for Strategic and International Studies' Energy and National Security Program discussion on "Challenges to Ukrainian Energy Reform and European Energy Security," 1616 Rhode Island Avenue NW

11:30 a.m. — The Atlantic Council discussion on "From an Oil Company to an Energy Company," 1030 15th Street NW

1:00 p.m. — Monroe Energy, Philadelphia Energy Solutions and PBF Energy news conference on RINs prices under the Renewable Fuel Standard, Capitol.

1:30 p.m. — Information Technology and Innovation Foundation release on "Closing the Innovation Gap in Grid-Scale Energy Storage," 1101 K Street NW

2:00 p.m. — House Appropriations Interior, Environment, and Related Agencies Subcommittee hearing on EPA's fiscal 2019 budget, 2007 Rayburn

2:00 p.m. — House Natural Resources Committee hearing on H.R. 5317 (115) and H.R. 211 (115), 1324 Longworth

2:00 p.m. — Senate Appropriations Energy and Water Development Subcommittee hearing on the Nuclear Regulatory Commission's proposed budget for FY 2019, 430 Dirksen

2:30 p.m. — The Center for a New American Security discussion on "Geopolitical Risks and Opportunities of the Lower Oil Price Era," 1152 15th Street NW

3:00 p.m. — Rep. Nydia Velázquez discussion on "21st Century Energy Solutions for Puerto Rico," S-115

5:00 p.m. — The Atlantic Council discussion on "Investing in Iraq: Reconstruction and the Role of the Energy Sector," 1030 15th Street NW

6:30 p.m. — Wild & Scenic Film Festival with screenings of feature films that cover topics from climate change to environmental justice, and a panel discussion on women in the outdoors, 1307 L Street NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitt-steps-up-to-the-plate-183688

Stories from POLITICO Pro

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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Report: Pruitt plans to shift blame for scandals Back

By Emily Holden | 04/25/2018 01:55 PM EDT

EPA chief Scott Pruitt will seek to shift the blame for some of his ethics controversies by blaming his staff when he testifies at two House hearings Thursday, according to an internal EPA document reviewed by The New York Times.

Pruitt is prepared to say that he now flies coach rather than first-class, that staffers were responsible for large raises given to close aides without White House sign-off and that officials who were reportedly sidelined for questioning his behavior had performance issues, according to the Times.

The defenses are in line with what Pruitt and EPA spokespeople have said in recent months.

EPA did not dispute the authenticity of the document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President [Donald] Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels."

Pruitt is expected to face questions about his bargain condo rental from the wife of a lobbyist who has since resigned from his firm, his spending on a round-the-clock security detail and his previous refusal to fly coach. He is under investigation by three congressional committees, the EPA's inspector general and the GAO, among other oversight bodies. White House deputy press secretary Hogan Gidley told NPR today that Pruitt will have to answer questions about the potential ethics violations "in short order."

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'It could be pretty painful' when Pruitt faces Congress Back

By Anthony Adragna and Nancy Cook | 04/25/2018 06:00 PM EDT

When Scott Pruitt returns to Capitol Hill on Thursday, he will find few friends ready to greet him — and an audience of one waiting to determine his fate.

Republicans say they aren't going to give the Environmental Protection Agency chief a free pass on accusations of lavish spending, a sweetheart condo lease and luxe air travel during a pair of high-stakes hearings. Since Pruitt's previous appearance on Capitol Hill in January, he has faced an avalanche of damaging headlines and investigations that have alienated much of the White House and raised questions about his future leading the agency.

President Donald Trump has so far stuck by Pruitt. But the biggest test for the media-obsessed president may be how Pruitt fares in front of the cameras — only three weeks after he drew poor reviews for a combative interview with Fox News' Ed Henry.

House Energy and Commerce Chairman Greg Walden (R-Ore.) said Pruitt will receive a "cordial reception, but he's got some tough questions to answer."

Rep. John Shimkus (R-Ill.), whose subcommittee will be Pruitt's first stop Thursday, said the administrator should expect a "cool" reception from Republicans — who still strongly support his work to pare back EPA rules.

"It could be pretty painful, but when you accept the position of a senior administrator in a federal agency you've got to expect [that]," Shimkus, who chairs the Energy and Commerce Environment Subcommittee, told Politico. "You've just to grin and bear it and get through it."

Pruitt has few allies left in the White House, apart from the president himself. Senior administration aides characterized the hearings as potential make-or-break moments for Pruitt but said it's ultimately up to the president as to whether the White House wants to tolerate Pruitt's bad press.

Trump is largely keeping Pruitt around because he appreciates Pruitt's hard-charging agenda and because the White House does not want to go through another bruising confirmation battle over another Republican to lead EPA, according to senior administration officials and Republicans close to the White House. Already the White House expended great political energy this week on its pick for secretary of state, Mike Pompeo, a former congressman whom the White House views as eminently qualified but who is barely expected to squeak through the Senate confirmation process.

Most important, the president fears that dumping Pruitt would anger conservatives.

"The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

When asked at the White House briefing on Wednesday about Pruitt's spending and potential ethical violations, press secretary Sarah Huckabee Sanders would only say: "We are evaluating these concerns, and we expect the EPA administrator to answer for them."

Pruitt's waning support among White House aides has been months in the making. And at this point, many administration officials say they are tired of the terrible headlines and consider the allegations about Pruitt a nonstop swirl of distractions. It's not just Pruitt's handling of the questions that has irked White House officials but the facts themselves about the way he's led the EPA and run his own staff.

Over the past year, Pruitt has also alienated members of the communications team, National Economic Council, and Cabinet Affairs in various fights over policy like the Paris climate deal, messaging over policy rollouts, and spending decisions at the EPA. Another Republican close to the White House said Pruitt has earned a reputation among White House aides as "high maintenance."

The White House was not involved in helping to prepare Pruitt for the two Hill hearings on Thursday.

Shimkus predicted the toughest questions would come from the other side of the aisle.

"We need to make sure that we understand and recognize the valid, valid concerns that are out there on policy and administrative activity," he said. "But I don't think we'll be gouging his eyes out either — I think we'll have other folks that'll do that."

Some Pruitt supporters say he should be judged on his overall tenure.

"It should be based on his past performance, not necessarily standing in front of a microphone," House Natural Resources Chairman Rob Bishop (R-Utah) said. Bishop's committee does not have jurisdiction over EPA, but he has been a strong supporter of Pruitt's policy goals.

In his opening statement released ahead of the hearing, Pruitt will sidestep any discussion of the latest controversies, instead focusing on policy goals like Superfund cleanups and working more closely with states. "I will focus on key objectives to improve air quality, provide for clean and safe water, revitalize land and prevent contamination, ensure the safety of chemicals in the marketplace, assure compliance with the law, and improve efficiency and effectiveness," Pruitt will say in his prepared remarks.

Democrats are expected to tie the scandals facing Pruitt to his aggressive deregulatory push and proposal to slash EPA's budget by more than a quarter — which they see as just as worrisome as his alleged ethical improprieties. Multiple aides said there's such strong interest in the session that committee Democrats not on the Environment Subcommittee plan to participate, which does not require signoff from the majority.

"There's a confluence of concerns here that I think the Democrats are going to want to get answers to," Rep. Paul Tonko of New York, top Democrat on the panel, told POLITICO. "We were concerned yesterday, we're concerned today and we'll be concerned tomorrow if he's there."

There will be no shortage of things to ask him about, including the more than $105,000 the agency has spent on his first-class flights, lavish spending on a $43,000 soundproof phone booth and round-the-clock security, a cushy $50-per-night condo lease from a Washington lobbyist who personally met with Pruitt to discuss the agency's Chesapeake Bay work, and a trip to Morocco in December on which he spent time promoting liquefied natural gas exports — a topic that isn't part of his agency's portfolio. Pruitt is also facing scrutiny over the significant pay raises the agency gave to a handful of his longtime aides from Oklahoma despite the White House's objections.

Federal watchdogs, the agency's inspector general, congressional investigators and the White House have launched more than a dozen investigations into various aspects of Pruitt's conduct.

But Rep. Joe Barton (R-Texas), the longest-serving member of Energy and Commerce, said Pruitt's ethics issues are "not the purpose of the hearing" and suggested many Republicans would come to the administrator's defense. However, he said the panel's GOP members have not met in advance to plot strategy.

"He's had a lot of death threats. I don't have a problem with his security costs," Barton said Wednesday. "I don't really have a major problem with his telecommunications setup. It's a difficult job to be the EPA administrator when you're a Republican."

Still, signs are increasing of weariness toward Pruitt among congressional Republicans. Three senior Senate Environment and Public Works Committee Republicans, including his staunch ally Sen. Jim Inhofe (R-Okla.), called for hearings into Pruitt's behavior earlier this week. Four House Republicans have called for his resignation. And EPW Chairman John Barrasso (R-Wyo.) said he has "serious questions" about Pruitt's spending and pledged to send additional oversight letters.

"He'll need to acquit himself well," Sen. John Thune, the No. 3 Republican in the Senate, said when asked about how important the sessions will be for Pruitt's future in the administration.

An aide to Rep. Betty McCollum of Minnesota, top Democrat on the House Appropriations Interior and Environment Subcommittee, where Pruitt will appear Thursday afternoon, told POLITICO their hearing would likely focus more on Pruitt's proposed cuts to nearly a quarter of the agency's budget and regulatory rollbacks.

"I expect the E&C hearing will have a greater focus on the ethical concerns surrounding Pruitt," the aide said.

Some Democrats on Energy and Commerce acknowledge Pruitt has in the past performed well in congressional hearings, which they said could allow him to respond to some of the charges.

"If Mr. Trump is going to look for a good performance, I bet he'll put up a great performance," said Rep. Scott Peters (D-Calif.), another member of the subpanel. "But if he doesn't address the substance of the ethical and environmental challenges, I hope that they would think about finding someone else."

Other Democrats think Pruitt's main goal will be to avoid a major gaffe but they don't see any way he will emerge from the hearing in a significantly strengthened position.

"One or two of these transgressions would be survivable but there are so many scandals that it's really hard for me to imagine that Republicans want to lower the bar this much," said Sen. Brian Schatz (D-Hawaii), an outspoken Pruitt critic. "It is actually beyond me why they're sticking by him."

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Tester leans on public lands as key reelection issue Back

By Kevin Robillard | 04/26/2018 05:05 AM EDT

HELENA, Mont. — The issue that could prove key to Democratic Sen. Jon Tester's reelection bid is under the radar in Washington politics but practically ever-present in Montana life.

Nearly a third of the land in Montana is under federal government ownership, and Tester wants to keep it that way. It's a way the Democratic senator, who is running for a third term, hopes to keep voters who pulled the lever for President Donald Trump — including hunters, hikers, snowmobilers and ranchers — on his side in 2018.

"Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock said in a phone interview. "It doesn't what matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize the issue. Bullock emphasized it in his reelection bid in 2016 as he defeated Republican Greg Gianforte (now Montana's congressman) by 4 percentage points after hammering the Republican billionaire over stream access. New Mexico Sen. Martin Heinrich , who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior West.

"There are a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation.

Outdoor recreation is now Montana's largest industry, surpassing agriculture, and contributes $7 billion and 71,000 jobs to the state's economy.

"They like to go hunting, they like to go fishing, they like to go hiking, they just like to get in the mountains where their cellphone doesn't work," Tester said in an interview. "I want to make sure there's not a mine put at the head of the Yellowstone River, or at the borders of Glacier Park."

A Montana Republican on the national stage is also raising the profile of the issue in-state. Conservationists had high hopes for Interior Secretary Ryan Zinke when he was first named to the job, but his decision to shrink the size of two national monuments has left them dismayed and disappointed.

"We were hopeful that, being a Montanan, he was going to live Montana values and be the Teddy Roosevelt conservationist he said he was," Gevock said, but noting Zinke's Interior Department was "putting the oil and gas industry above every other use."

Tester introduced Zinke at his confirmation hearing and had similar hopes, but is heavily critical of him today.

"It was because I thought he understood conversation. I haven't seen that over the last 14 months," Tester said, adding: "He has time to redeem himself."

The strategy is a proven vote-winner in Montana. Throughout the 2016 gubernatorial campaign, and in his earlier bids for governor and attorney general, Bullock emphasized stream access laws for fishermen. And he hammered Gianforte for fighting stream access laws in multiple television ads last cycle.

The state and national GOP platforms both support selling federal public lands to the states, where many environmentalists feel they would be exposed to oil and gas interests. Tester's opponents don't endorse those views.

"The people of Montana do not want the public lands transferred," state Auditor Matt Rosendale said in an interview, echoing the views of businessman Troy Downing and former judge Russ Fagg. (Rosendale supported selling the land during a 2014 bid for Congress but has changed his position.)

All three said they would like localities to have more say in how lands are managed and how federal authorities balance multiple uses. Rosendale, for instance, criticized the Forest Service for shutting down too many roads in the state.

But while Democrats in Montana have aggressively used the issue, public lands haven't become a top-tier issue in Colorado, Arizona or elsewhere in the interior West, which some Democratic strategists believe is a missed opportunity.

The Western Values Project, a Colorado-based nonprofit, ran ads late last year pressuring three potentially vulnerable Republicans — Arizona Rep. Martha McSally, who is now running for Senate, along with Oregon Rep. Greg Walden and Washington Rep. Jaime Herrera Beutler — over their support for Zinke's decision to shrink the national monuments.

And the attacks had an impact: In Arizona, McSally held a 3-point lead against a generic Democrat in her congressional district in a poll conducted by Global Strategy Group. But when "asked to consider a scenario where she votes to reduce the size of the Bears Ears and Grand Staircase-Escalante national monuments," her support dropped to 38 percent, with a generic Democrat winning 50 percent of the vote.

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Interior spent $139K on Zinke office doors Back

By Anthony Adragna | 03/08/2018 05:58 PM EDT

The Interior Department is spending $139,000 for new doors for Secretary Ryan Zinke's office suite, according to records posted online.

The work was recommended by Interior career facilities and security officials, an agency spokeswoman said, not by Zinke.

"The secretary was not aware of this contract but agrees that this is a lot of money for demo, install, materials, and labor," Heather Swift, the spokeswoman, said in a statement.

The award to Maryland-based Conquest Solutions LLC was first reported by the Associated Press. The work involves replacing three sets of double doors, including two that open onto a balcony and leak during rain storms, the AP reported. An existing set of doors to Zinke's office from a hallway do not have a lock, so the security will be upgraded with the new doors.

Swift said the work is part of a "decade-long modernization of the historic FDR-era building."

"Between regulations that require historic preservation and outdated government procurement rules, the costs for everything from pencils to printing to doors is astronomical. This is a perfect example of why the Secretary believes we need to reform procurement processes."

Housing and Urban Development Secretary Ben Carson drew criticism recently over news that HUD would spend $31,000 on a dining set. That order was subsequently canceled.

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House passes controversial dam bill Back

By Annie Snider | 04/25/2018 04:45 PM EDT

The House passed a controversial measure to override a court decision that required changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon.

The measure, H.R. 3144 (115), from Rep. Cathy McMorris Rodgers (R-Wash.), was passed by a nearly party-line vote of 225-189.

The 9th Circuit Court of Appeals earlier this month upheld a lower court decision requiring that water be spilled over the tops of dams along the Columbia and Snake rivers, including the powerhouse Grand Coulee Dam, the largest power station in the U.S., during periods when young salmon and steelhead migrate to the ocean. The suit was brought by the state of Washington, tribes and conservation groups.

McMorris Rodgers and other Republicans in the region have fought the decision because it would reduce the dams' hydropower output. Their legislation would override the courts and require that dam operations continue as they have historically to maximize power production until an environmental review of the system can be completed.

The legislation is the latest front in a yearslong battle over the nearly 100-year-old hydropower system on the rivers. Conservation groups and tribes with treaty fishing rights want it altered and operated to benefit wildlife, including calling for the removal of four dams along the Snake River.

WHAT'S NEXT: The legislation moves to the Senate, where some of the region's Democratic senators have registered their opposition.

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EPA drops 'once in, always in' policy from key Clean Air Act requirements Back

By Alex Guillén | 01/25/2018 06:11 PM EDT

EPA today withdrew a Clinton-era policy that was designed to prevent major emitters like power plants and factories from getting out of tough requirements to limit their toxic air emissions.

In a new memo, EPA air chief Bill Wehrum wrote that the "once in, always in" policy "is contrary to the plain language" of the Clean Air Act. Wehrum revoked a 1995 guidance memo outlining the policy and said EPA would consider new regulations to clarify its interpretation of the law.

Under the now-revoked guidance, any emitter that qualified as a "major" source of hazardous air pollutants would forever be subject to that tougher standard to comply with MACT rules, even if its emissions dropped low enough to be considered an "area" source subject to fewer or no requirements. Wehrum's memo said the law does not specify that such classifications are permanent.

"EPA has now determined that a major source which takes an enforceable limit on its [potential emissions] and takes measures to bring its HAP emissions below the applicable threshold becomes an area source, no matter when the source may choose to take measures to limit its" potential pollution emissions, Wehrum wrote.

Wehrum argued that the policy shift will actually encourage sources that hesitated to install emission reduction projects to move forward. Environmentalists, however, quickly blasted the change on social media.

The Bush administration twice attempted to change the OIAI policy but never succeeded.

WHAT'S NEXT: Wehrum's memo says EPA will "soon publish a Federal Register notice to take comment on adding regulatory text that will reflect EPA's plain language reading of the statute."

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