



## ABC's Weekly Federal Legislative Update January 21, 2020

### Introduction

The Senate begins the impeachment trial of President Trump today with scheduled debate of the rules which will govern the trial. The House is in recess this week.

### Administration

#### DOE: Five Staffers Influencing Policy in 2020

***The Department of Energy witnessed a change in leadership last year with the departure of former Secretary of Energy, Rick Perry, and the confirmation of Secretary of Energy, Dan Brouillette. With the change in leadership comes a change in key staff positions. The following story discusses the biographies of five staff members who could be influential in renewable energy.***

Jeremy Dillion of [Greenwire](#) wrote on January 17, "As the Department of Energy heads into its first year under Energy Secretary Dan Brouillette, the agency's hope of accomplishing a host of energy priorities will largely fall on key staffers who keep the agency running.

"Those goals include bolstering nuclear energy, cybersecurity and grid resilience.

"Much of that direction will come from the top of the department and Brouillette's brain trust.

"But an equal amount will come from his advisers and career DOE staff tasked with carrying out Brouillette's vision.

"Here is a list of five staffers shaping the direction of the department in 2020:

#### **Ben Reinke**

"A former Senate Energy and Natural Resources Committee staffer has become a key adviser to Brouillette on all things nuclear.

“Ben Reinke, who had been on loan from the committee to DOE but now works full time, has emerged as an influential voice at the top levels of the agency, especially as it relates to nuclear power, according to sources.

“With a Ph.D. in nuclear science, Reinke has helped focus DOE's renewed push and focus under Brouillette to help advance the next generation of nuclear reactors through the commercialization process.

“During his time at ENR, Reinke helped author legislation, then introduced by ENR Chairwoman Lisa Murkowski (R-Alaska), that would enable and direct federal agencies to enter into power purchase agreements with advanced reactors to help give a financial landing pad for the new technology.

“Thank you for allowing us to borrow Dr. Ben Reinke, who is very intimate with your piece of legislation,” Brouillette told Murkowski during his Nov. 14 confirmation hearing.

### **Sophia Varnasidis**

“The lead staffer for Undersecretary for Energy Mark Menezes, Sophia Varnasidis has become a central figure on the department's energy mission.

“Varnasidis serves as chief of staff for the undersecretary's office, which oversees important energy research and development across the Office of Energy Efficiency and Renewable Energy, Office of Fossil Energy, and Office of Nuclear Energy, among other areas.

“Her connection to Menezes also puts her in the orbit of DOE leadership decisions. Menezes is widely expected to take over as the new second in command at the department, as well as duties tied to Brouillette's old position as deputy secretary.

“Before her position at DOE, Varnasidis spent 13 years as a staffer for Republicans on the House Natural Resources Committee, which has oversight of energy development on public lands and offshore. That time overlapped with DOE General Counsel Bill Cooper, who worked as a subcommittee staff director.

### **Gil Bindewald**

“A career DOE staffer, Gil Bindewald has been with DOE in various capacities since 2004. He now serves as a director of grid communications and control in the Office of Electricity.

“That role has him heavily involved in the formation of the first-of-its-kind model of grid vulnerabilities across the entire North American continent.

“The North American Energy Resilience Model aims to map out the resilience risks and interdependencies of the grid that have evolved over the past decade as the generation mix has flipped toward more natural gas and renewable energy.

“One source described him as the "brains" behind the project. Brouillette has directly endorsed the project as a critical foundation for DOE’s resilience efforts.

"NAERM will serve as a critical 'what-if' machine to help the nation answer vexing questions to best protect our energy infrastructure," DOE said in a report directed by Congress.

### **Becca Jones-Albertus**

“Congress has had a hard time finding an overarching climate action strategy, but members do agree on one way to help alleviate the problem: throwing money at DOE research to make it easier to deploy more renewables.

“As the newly placed director of DOE's solar office, Becca Jones-Albertus will be overseeing a large chunk of that spending allocation in fiscal 2020.

“A DOE staffer in the solar office since 2013, Jones-Albertus rose all the way to the deputy director position before taking over as the new head of the program. She previously spent five years in the solar industry.

“Those responsibilities atop the program will include the deployment of \$280 million set aside for solar energy research and development, a 12.5% boost compared with fiscal 2019.

"Becca has been an outstanding performer in her role as deputy director," Daniel Simmons, the assistant secretary of the agency's Office of Energy Efficiency and Renewable Energy, wrote in the email announcing her promotion last year.

### **Sean Plankey**

“An onslaught of cyberthreats to the electric grid and energy infrastructure has raised the profiles of all DOE staff working in the Office of Cybersecurity, Energy Security and Emergency Response, including its new second in command, Sean Plankey.

“Another new addition to DOE upper ranks, Plankey joined DOE's CESER office in November as its principal deputy assistant secretary.

“Plankey previously spent time as a cyber intelligence adviser for BP and its energy assets around the world.

“His cyber training also includes 13 years in the Coast Guard, where he helped complete in 2013 and 2014 the first joint mission to Afghanistan to conduct cyber operations and protections.

“The expectation, according to those in the cyber industry, is that Plankey will play a pivotal role in CESER efforts in 2020 to better secure supply chain protections for parts and equipment that make up the bulk power grid.

*Reporter Blake Sobczak contributed.*

## Congress

### Other

#### [Campaign 2020: Mike Bloomberg Pledges to Mandate Electric Cars by 2035](#)

On January 17, Timothy Cama of [Greenwire](#) submitted, “Former New York City Mayor Michael Bloomberg wants to require all newly sold cars to be electric by 2035 while significantly reducing greenhouse gas emissions in other transportation sectors.

“The Democratic presidential candidate's pledge to stop sales of new petroleum-fired cars is part of a wide-ranging plan he unveiled today to fight climate change-causing pollution in transportation, the sector that recently became the largest contributor of greenhouse gas emissions.

“Under the plan, consumers could get new incentives to buy electric cars or put incentives toward transit or other transportation forms.

“Bloomberg also said he would open at least one new high-speed rail corridor by 2025, electrify larger vehicles like trucks and buses on a slower time scale, and take new measures to reduce pollution from freight transportation. He'd also undo President Trump's actions to roll back emissions standards for vehicles.

"Vehicles haven't always been the biggest carbon polluters in America — coal used to hold that title. But in the last decade, we've closed hundreds of coal plants and moved to cleaner, renewable sources of energy. And I know we can transition to clean, pollution-free vehicles, too," Bloomberg said in a statement.

"My plan will ensure that electric vehicles and charging infrastructure are affordable and accessible to all Americans," he said.

“Bloomberg's plan is, by some key measures, not as aggressive as those of other leaders in the 2020 Democratic field.

“Senator Bernie Sanders of Vermont, Senator Elizabeth Warren of Massachusetts and billionaire Tom Steyer target 2030 for all new light vehicles to have zero

emissions, while former South Bend, Ind., Mayor Pete Buttigieg matches Bloomberg's 2035 timeline.

“Former Vice President Joe Biden and Senator Amy Klobuchar of Minnesota do not set specific timeline targets for eliminating emissions from vehicles.

“It's just the latest piece of a multipronged climate platform from Bloomberg, which has included plans focused on electricity, climate resilience and wildfires.

“He has promised to make climate change a top priority, reasoning that through his work like funding the Sierra Club's Beyond Coal campaign, he has an extensive record of significant accomplishments on the issue.

“Bloomberg today announced the endorsement of "Law & Order" actor Sam Waterston, who counts himself as a climate activist and cited the media executive's commitment to fighting climate change as his main reason for backing him.

"For a long time, [climate change] has been central to Mayor Bloomberg's work in the world, from what he focuses on himself to what he did as mayor of New York, to where he directs the efforts of his very effective foundation. It's central to his campaign for president," Waterston told reporters yesterday.

"What the world needs now is an able, level-headed president for the climate," he said. "That's who Mike Bloomberg is."

“Bloomberg, whose nontraditional campaign has focused on spending large amounts of money in states set for primaries on Super Tuesday, has been rising in recent primary polls. Two polls this week on the national primary found him in fifth place.

“He also racked up three endorsements from House Democrats this week: Representatives Harley Rouda of California, Stephanie Murphy of Florida and Max Rose of New York.

#### [WA State Senate Approves Plastic Bag Ban and Bill to Adopt CA Car Emission Rules](#)

***The following story is included as the ABC is following state policies that could affect the digester industry. Washington recently adopted California policies affecting vehicle emission rules.***

Greenwire published on January 16, “The Washington Senate has once again approved a measure to ban single-use plastic bags.

“The chamber voted 30-19 yesterday to repass the measure, which it first passed during last year's legislative session. The bill now heads to the House, where it stalled last year.

“The bill would ban stores from giving out single-use plastic carryout bags and require an 8-cent charge for other bags handed out.

“Beyond banning single-use plastic bags, the bill would require recycled paper bags to have at least 40% recycled material.

“Some disposable plastic bags used inside stores would be exempt from the ban, including bags for fruits, vegetables, bulk foods and meats, as well as loose bulk items like screws.

“The Senate yesterday also passed a bill it first approved last year that would adopt California's emission rules for vehicles in Washington.

“Lawmakers voted 26-23 in favor of the measure, sending it to the state House.

“Under the bill, the state would adopt a system where car manufacturers are assigned credits based on the kind and fuel efficiency of cars they bring into the state.

“Those credits would then be used to set a quota for how many zero-emissions vehicles the company would be required to import into the state, and to have the quota automatically adjust based on whether the majority of the cars they imported were more-efficient small hybrids or larger, more gas-hungry vehicles. — *Associated Press*”

### [OR Cap and Trade Plan Would Rural Communities to Opt Out](#)

***The following story discusses recent proposals regarding Cap and Trade in the state of Oregon.***

Benjamin Storrow of [Climatewire](#) wrote on January 15, “Cap-and-trade advocates in Oregon have settled on a novel approach for advancing the controversial policy — if you can't beat 'em, leave 'em alone.

“A new proposal for a cap-and-trade system in the state would allow rural communities to opt out of the state's carbon price on transportation fuels.

“Cities wouldn't have that choice. A carbon price would be phased in across the state's urban areas: first with the Portland-area in 2022 and in smaller cities beginning in 2025.

“The plan, unveiled in a legislative hearing this week, represents an attempt to solve Oregon's climate riddle.

“Transportation emissions represent the largest source of greenhouse gas pollution in the state. But a proposal last year to implement an economywide cap-and-trade program prompted a political revolt in Salem, the state capital.

“Republicans, who largely represent rural Oregon, feared it would cause a spike in gas prices. They fled the state and went into hiding in an attempt to deny a vote on the bill. Democrats hold a supermajority in both chambers but later pulled the legislation after acknowledging they did not have the votes to pass it in the state Senate.

“Proponents of this year's plan note it would cover more than 80% of diesel and gasoline sales in the state. And they point out it contains a carrot to get rural communities on board. While participation in the cap-and-trade scheme would be voluntary for small municipalities, most of the revenue generated by the program would be directed to participating communities.

"The goal was to get a bill that can pass this session," state Senator Michael Dembrow, a Portland Democrat and leading climate hawk, told Oregon Public Broadcasting. "That's the priority."

“The measure faces a steep climb.

“Environmentalists said it gives away too much to industry but noted they could support the bill with some changes. Industry opponents, meanwhile, were largely unmoved by the compromise. Fuel distributors worried it would create a patchwork of regulation. The state's pulp and paper mills, another powerful political constituency, said it failed to address their underlying concerns.

“All the political maneuvering poses another risk. Oregon has premised its cap-and-trade proposals on the idea it would join California's program. But that may not be possible if the state bifurcates its emissions rules on transportation fuels.

“The Golden State requires that states participating in its program employ standards at least as rigorous as its own. It also expects participating states to be able to enforce the system's rules. Whether Oregon would meet those thresholds under the most recent plan is unclear, said Alex Jackson, an attorney for the Natural Resources Defense Council's climate and clean energy program.

"There are no bright lines, but it is difficult to make that argument given that there would be differential treatment within the Oregon transportation market," he said.

“Greens said they could support the bill if the cap could be expanded to include nearly all of the state's transportation emissions. They also expressed concern about restricting funding to rural communities — saying it would exacerbate their reliance on fossil fuels.

"You are perpetuating that problem rather than solutions," said Meredith Connolly, Oregon director for Climate Solutions.

“California's experience shows its investments in clean transportation alternatives ultimately had the greatest impact, she said, adding, “Our preference would be for everyone to come under the cap as quickly as possible.”

“Legislative consideration 19, as the plan is officially known, envisions a 45% reduction in greenhouse gas levels from 1990 levels by 2035 and an 80% reduction by 2050. The state already has targeted a 10% reduction in emissions from 1990 levels by this year and a 75% reduction by 2050.

“Meeting those goals has proven a challenge, due largely to a steady increase in emissions from the transportation sector. In 2017, the most recent year of state data, transportation accounted for 40% of Oregon's greenhouse gas emissions.

“A coalition of transportation interests argued the legislation does too little to provide incentives for cleaner alternatives while subjecting motorists to higher costs.

“LC 19 is an extremely significant piece of legislation which, if passed into law, would have a major impact to Oregon's transportation system that would ripple through the economy as a result of dramatically increased fuel prices,” AAA Oregon, the Oregon Trucking Associations Inc. and three other organizations wrote in a joint filing to legislators.

“Pulp and paper interests, for their part, were unmoved by a compromise offered to the industry. The proposal would grant rebates to large natural gas users like paper mills to cover the cost of carbon allowances on their gas consumption through 2030.

“Greens argued that the approach discourages innovation and energy efficiency, defeating the wider purpose of cap and trade.

“The pulp and paper sector doesn't like it either. The lead trade association said those rebates could begin declining as soon as 2024, when the plan would require large gas consumers to conduct an energy audit in exchange for the rebate.

“Paying a carbon price would leave paper mills in Oregon at a disadvantage to their competitors in the southeastern United States and in Asia, said Chris McCabe, a lobbyist for the Northwest Pulp & Paper Association.

“Cap and trade would push production elsewhere while increasing emissions, he said, noting that Oregon's large supply of hydropower means its paper mills emit less than their counterparts elsewhere.

“It's safe to say we've got some very serious and significant concerns with the bill that was introduced in committee yesterday,” he said.

“The key test will be whether the plan passes muster with a handful of moderate Senate Democrats. The political negotiations are complicated by the legislative



calendar. Oregon lawmakers will only meet for 35 days this year. Even if Democrats succeed in reaching agreement among themselves, Republicans could walk out again, denying the Senate a quorum to vote on the bill.

“Environmentalists nevertheless expressed hope the bill could be strengthened and passed. A pair of ballot measures aimed at greening the state's economy may push critics to the negotiating table. Governor Kate Brown (D) has also said she would take executive action if legislation breaks down, they noted.

"Oregon has this reputation for being progressive and being environmental, but our Legislature hasn't passed a major climate protection bill in four years," said Brad Reed, a spokesman for Renew Oregon, a coalition of businesses and environmental groups that back the legislation. "There is tremendous demand from people to see it happen. So we'll continue to fight for it."