



ABC's Weekly Federal Legislative Update July 6, 2020

Introduction

The House and Senate are out of session and will return to Washington, July 20. The House appropriations committees are beginning to mark up their FY 2021 Appropriations bills. The following is news from Washington, D.C.

Administration

Congress

[House Passes H.R. 2, The Moving Forward Act – Massive Infrastructure Bill](#)

Last week, the House passed H.R. 2, the Moving Forward Act. This substantial infrastructure package contains a number of ABC's policy priorities. The following two stories report on the package.

Maxine Joselow of [E&E Daily](#) wrote on July 2, "The House yesterday passed a massive \$1.5 trillion infrastructure bill that would help the nation rebuild its crumbling roads and bridges, combat climate change, and promote clean energy and clean drinking water.

"But the measure has virtually no chance of becoming law in its current form, with Republicans bashing its resemblance to the Green New Deal and President Trump promising to veto it.

"Lawmakers voted nearly along party lines — 233-188 — to approve the "Moving Forward Act," H.R. 2.

"Only two Democrats — Representatives Ben McAdams of Utah and Collin Peterson of Minnesota — voted against the measure. Three Republicans broke ranks to vote in favor of the bill: Representative Brian Fitzpatrick of Pennsylvania and Representatives Chris Smith and Jeff Van Drew of New Jersey.

"New Jersey is home to the embattled Gateway Program, which would replace the two aging rail tunnels under the Hudson River.

“The Transportation and Infrastructure Committee approved an amendment from Representative Tom Malinowski (D-NJ) to direct the Department of Transportation to promptly issue a record of decision for an environmental impact statement for the project.

“The measure is essentially a grab bag of Democratic ideas for modernizing the country's aging infrastructure while combating climate change and creating good-paying jobs.

“Lawmakers spent several hours on the House floor yesterday debating the remaining 170 amendments filed to the bill. Each vote took around an hour, given social distancing and cleaning protocols in place to protect members from transmission of the novel coronavirus.

“In a win for clean water advocates, lawmakers voted 240-181 to adopt an amendment from Representative Rashida Tlaib (D-MI) to authorize \$4.5 billion per fiscal year over five years for lead service line replacement projects.

"Contaminated water has been a fact of life for too many communities, especially Black and brown communities," Tlaib said. "The time for environmental justice is now, and this amendment is a crucial step toward finally achieving that."

“Representative John Shimkus (R-IL), ranking member on the Energy and Commerce Subcommittee on Environment and Climate Change, voiced opposition to the proposal. He said it could end up subsidizing wealthy households and duplicating existing EPA programs.

“But Representative Dan Kildee (D-MI), who co-sponsored the amendment, said it would help prevent future tragedies such as the Flint water crisis, which affected his district.

“The water utility sector broadly celebrated the bill for its inclusion of \$40 billion in funding for the Clean Water State Revolving Fund.

"The current level of federal investment in clean water infrastructure is below five percent nationwide, a number that falls far short of what communities need from their federal partner," Nathan Gardner-Andrews, chief advocacy officer for the National Association of Clean Water Agencies, said in a statement.

Wildlife, other amendments

“In another win for environmentalists, lawmakers adopted by voice vote a bipartisan proposal to add a wildlife conservation bill.

“The amendment from Representatives Debbie Dingell (D-MI), Jeff Fortenberry (R-NE) and Jamie Raskin (D-MD) would add the "Recovering America's Wildlife Act," H.R. 3742,

which would help states and tribes pursue habitat restoration and natural infrastructure projects.

"We are in the midst of an unprecedented biodiversity crisis. RAWA is a strong commitment to using innovative, state-based management to safeguard our nation's environmental heritage for current and future generations," Dingell said in a statement after the proposal's passage.

"Collin O'Mara, president and CEO of the National Wildlife Federation, commended the lawmakers for working together to safeguard biodiversity.

"America's wildlife is in crisis — with more than one-third of all fish, wildlife, and plant species at heightened risk of extinction in the decades ahead — and in desperate need of on-the-ground restoration efforts," O'Mara said in a statement.

"Thankfully, the House of Representatives is showing the country how strategic investments in natural infrastructure can recover wildlife, boost community resilience, and put Americans back to work."

"Other energy and environment amendments that passed yesterday include:

- An amendment from Representative Glenn Grothman (R-WI) to allow the secretary of Commerce or secretary of Interior to consider the threat of invasive species before ordering a fish ladder to be constructed into a dam.
 - An amendment led by Representative David McKinley (R-WV) to authorize \$500 million for a Department of Energy carbon capture and sequestration research program. In addition, it would authorize a direct air capture prize program at \$200 million through fiscal 2025 and \$400 million after that through fiscal 2030.
 - An amendment from Representative Bobby Scott (D-VA) to authorize the Fish and Wildlife Service to establish a program to restore and protect the Chesapeake Bay watershed by investing in green infrastructure and habitat preservation.
 - An amendment from Representative Julia Brownley (D-CA) to require that medium- and heavy-duty vehicles purchased by the federal government are zero-emissions vehicles to the maximum extent feasible.
 - An amendment from Representative Bobby Rush (D-IL) to establish a clean energy workforce training program within DOE to promote minority workers in the energy sphere, with an authorization of \$70 million through fiscal 2025.
- House lawmakers also approved a host of energy and environment amendments during debate earlier this week.

"Democrats yesterday successfully defeated an amendment en bloc from Representative Sam Graves (R-MO), ranking member of the Transportation and Infrastructure Committee, that included eight GOP proposals. The vote was 179-241.

“The League of Conservation Voters praised House Democrats for advancing several proposals that could address environmental justice at a time of national reckoning over racism.

"We commend the pro-environment-led House for the pieces of this package and some of its amendments that directly confront environmental racism that exposes Black, Indigenous, and people of color to higher levels of toxic pollution," LCV Legislative Director Matthew Davis said in a statement.

“The American Council on Renewable Energy thanked Democrats for including the "Growing Renewable Energy and Efficiency Now Act" from the Ways and Means Committee, which would extend and expand a host of clean energy tax breaks.

“ACORE President Gregory Wetstone said the measure would "go a long way toward providing a stable and effective policy platform" for boosting the clean energy sector, which has shed more than 620,000 jobs during the COVID-19 pandemic.

'Cousin of the Green New Deal'

“Senate Republicans, however, wasted no time in bashing the House's infrastructure bill as a liberal wish list that echoes the Green New Deal, the progressive proposal to wean the country off fossil fuels.

"The Speaker has chosen to spend the House's time this week on a multi-thousand-page cousin of the Green New Deal, masquerading as a highway bill," Senate Majority Leader Mitch McConnell (R-KY) said in a bombastic floor speech yesterday morning.

"Here are the four pillars of the Green New Deal," he continued. "No. 1, spend an insane amount of money. No. 2, check every far-left ideological box. No. 3, propose bad policies. And four, forget about making law from the very beginning so you can legislate in a world of pure fantasy.

"Well, check, check, check, check," he said. "This so-called infrastructure bill would siphon billions in funding from actual infrastructure to follow into climate change policies."

“Senate Environment and Public Works Chairman John Barrasso (R-Wyo.) piled onto this criticism.

"House Democrats are more committed to the Green New Deal than dealing with crumbling roads and bridges," Barrasso said in a statement after the bill's passage.

"Instead of working with House Republicans on an infrastructure bill, Nancy Pelosi and House Democrats rammed through a laundry list of liberal priorities," he said. "The House Democrats' infrastructure bill is a dead end and has no chance of becoming law. It's a road to nowhere."

“President Trump, for his part, has threatened to veto the measure. The White House released a statement of administration policy this week saying the president would likely reject the bill if it reached his desk.

“A litany of conservative and industry groups have also joined the chorus of opposition, including the U.S. Chamber of Commerce, the Competitive Enterprise Institute and Americans for Prosperity.

"With historic unemployment and tremendous unmet infrastructure needs, now is clearly a time for bold and ambitious action. There is nothing bold, however, about voting on a bill that does not and will not have the bipartisan support needed to become law," the U.S. Chamber said in a statement.

Senate highway bill

“The Senate EPW Committee held a hearing yesterday on the role of infrastructure legislation in the nation's economic recovery from the COVID-19 pandemic.

“The hearing came nearly a year after the committee unanimously approved "America's Transportation Infrastructure Act," S. 2302, which would reauthorize expiring highway programs.

“In contrast to the partisan tensions in the House, both Democrats and Republicans on the EPW panel have voiced strong support for the highway bill, which contains the first-ever climate title.

“The Senate committee also approved water projects and drinking water legislation, and the chamber may bundle it all together.

“Senator Sheldon Whitehouse (D-RI) expressed hope that the House and Senate could iron out their differences during conference negotiations.

"I think that the chairman's concern for bipartisanship in infrastructure could well be met by a conference of the Republican-controlled Senate and the Democrat-controlled House, if we can get it through the Senate floor," he said. "So I'm all for getting our bill through the floor and moving to conference."

“Another possibility is that Congress will punt consideration of the infrastructure bill until after the November election.

“In that case, lawmakers would need to pass a series of short-term extensions of the 2015 Fixing America's Surface Transportation Act, which expires on Sept. 30.

“Senator Shelley Moore Capito (R-WV) warned, however, that short-term extensions would foster a great deal of uncertainty for contractors and project developers.

"We've had a lot of stops and starts over the years, where we've had three-month extensions, six-month extensions. ... I'm sure your company has been held hostage by the stops and starts," Capito told Robert Lanham Jr., president of the Associated General Contractors of America.

Other Senate panels

"While the EPW Committee was quick to complete the highway portion of the surface transportation reauthorization, other Senate panels have been slower to act.

"The Senate Banking, Housing and Urban Development Committee is responsible for drafting the mass transit provisions in the bill, given its jurisdiction over urban areas where most subway and bus systems are located.

"At a hearing in February, Democrats on that panel said they hoped to include climate-friendly provisions in the transit title.

"More than four months later, however, the committee has yet to produce a draft of the transit title. A spokeswoman for the Banking, Housing and Urban Development Committee didn't respond to a request for comment.

"The Senate Commerce, Science and Transportation Committee has historically drafted provisions related to passenger rail and safety. A spokesman for that panel also didn't respond to a request for comment.

"The Senate Finance Committee has arguably the hardest job of all: figuring out how to pay for the legislation.

"That will be a daunting task, to say the least, given widespread GOP opposition to raising the federal gas and diesel tax.

"In the House, the Ways and Means Committee has similarly struggled to come up with a viable pay-for.

[House Passes H.R. 2, The Moving Forward Act – Massive Infrastructure Bill](#)

On July 2, Nick Sobczyk of E&E Daily submitted, "The House may have passed a sweeping green infrastructure bill, but for environmentalists and the clean energy industry, the fight is far from over.

"The "Moving Forward Act," H.R. 2, passed largely along partisan lines yesterday, 233-188.

"The measure, which has been in the works for months, is exactly the kind of green wish list that environmental groups have been pitching as Congress worked on the COVID-19 recovery.

“With more than 600,000 people out of work in the clean energy industry during the pandemic, the bill would extend tax breaks for several forms of renewable energy and offer investment tax credit eligibility to storage projects.

“It also includes billions of dollars in support for energy efficiency and drinking water programs, as well as an expansion of the electric vehicle tax credit and various other initiatives to green transportation.

“The reality, of course, is that the legislation is dead on arrival in the Senate, with Senate Majority Leader Mitch McConnell (R-KY) referring to the bill yesterday as “the Green New Deal masquerading as a highway bill.”

"This so-called infrastructure bill would siphon billions in funding from actual infrastructure to funnel into climate change policies," McConnell said on the floor yesterday.

“Clean energy backers, however, are hoping there's a chance for some of the bill's provisions to become law down the road, if COVID-19 cases keep ramping up and the economy, and state coffers, need another congressional jolt.

“The House infrastructure bill was a positive step, but the industry is still ailing and looking for more concrete steps from Congress, said Bill Parsons, COO of the American Council on Renewable Energy (ACORE).

"At the same time, the renewable sector has been hit hard by COVID-19 and continues to be in need of commonsense emergency relief to mitigate ongoing pandemic-related impacts in the next round of COVID legislation," he said.

“It's not entirely clear how congressional negotiations will proceed and which green policies will be palatable to Senate Republicans.

“But with H.R. 2 and the “Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act” — the last big COVID-19 relief bill passed through the House in May — Democrats have put nearly \$5 trillion in relief funds on the table, and greens are hoping that puts some pressure on the Senate.

"States are on the front lines of the response, and they're running out of money, or have already run out of money," said Matthew Davis, legislative director for the League of Conservation Voters.

"So I think the pressure is going to continue to build on Senate Republicans to come to the negotiating table and pick up some of the aspects of the 'HEROES Act,' and probably especially funding for states," Davis said.

'Not a partisan issue'

“There's also plenty of bipartisan support for the clean energy industry, even if Republicans aren't willing to take up anything they've labeled the Green New Deal.

“A trio of Republicans — Senators Lisa Murkowski (R-AK), Susan Collins (R-ME) and Thom Tillis (R-NC) — led a successful lobbying campaign earlier this year to get the Treasury Department to extend safe harbor deadlines for renewable tax credits.

“That was a major ask for the industry because it will allow projects delayed by the pandemic to qualify for benefits, even as the credits expire.

“Lawmakers from both parties have taken up the industry's cause again in recent weeks.

“Representatives Paul Cook (R-CA) and Jimmy Panetta (D-CA) last week led a bipartisan letter with 48 other lawmakers, calling on Congress to push out the phase down dates of tax incentives for renewables and efficiency. And nine members of the Arizona delegation earlier this month — including Republican Senator Martha McSally and GOP Representative Paul Gosar, a staunch climate change skeptic — penned a similar missive requesting that “any future coronavirus relief legislation considered by Congress support Arizona's solar energy industry.”

“Creating jobs is not a difficult sell on Capitol Hill, and for the solar industry right now, “our graphs are going in the wrong direction,” said Abigail Ross Hopper, president of the Solar Energy Industries Association (SEIA).

“Job creation is not a partisan issue,” Hopper said. “It's a pretty universal desire, and so I think our message has really resonated with both sides of the aisle.”

'Take this opportunity'

“There also appears to be some Senate interest in pursuing an infrastructure bill ahead of the election in November, which could offer a chance to negotiate help for clean energy.

“Environment and Public Works Chairman John Barrasso (R-Wyo.) held a hearing yesterday on developing infrastructure as part of the economic recovery, and his panel has already advanced its own surface transportation bill, S. 2302, with an entire section dedicated to climate change.

“There is at least some sense of bipartisan urgency, given that the current surface transportation authorization expires at the end of September and that the Highway Trust Fund is close to insolvency with Americans driving less often.

“The time for Congress to pass meaningful bipartisan infrastructure legislation is now,” Barrasso said yesterday, calling the House infrastructure bill “a road to nowhere.”

“While the House bill is partisan, clean energy tax incentives and other green innovation policies do have a shot in the Senate, said Shannon Heyck-Williams, director of climate and energy policy at the National Wildlife Federation.

“The Senate bill, she said, "contains a healthy dose of climate, clean water and natural infrastructure solutions, putting the first-ever \$10 billion climate title in a transportation reauthorization bill."

“She added: "The Senate should take this opportunity to move the bill forward and meet up with the House to hash out kind of a final infrastructure package that could be passed this year."

'A significant number of jobs'

“Outside of clean energy, there are some environmental priorities in the House bill that could be easier to negotiate into a bicameral infrastructure measure.

“H.R. 2, for example, includes a bill — originally introduced in the House by Representative Don Beyer (D-Va.) — that would create a "National Wildlife Corridors System" to help wildlife navigate a patchwork of land ownership around the country.

“That legislation, H.R. 2795, has two Republican co-sponsors. Both the "Moving Forward Act" and the Senate EPW Committee's surface transportation bill, S. 2302, also have language aimed at building wildlife crossings over roads and other man-made infrastructure.

“Wildlife crossings and corridors have been priorities in recent years for groups like the National Wildlife Federation.

“The congressional schedule is running out of days, however, with both chambers expected to be out for much of August and October.

“That raises the possibility Congress could pass a short-term surface transportation reauthorization and punt infrastructure to next year. In that case, H.R. 2 is something of a model for what Democrats might push if they were to take back the Senate and White House, said Brett Hartl, government affairs director at the Center for Biological Diversity.

"To me, it seems most likely that we're setting ourselves up for what a 2021 infrastructure bill would look like," Hartl said.

“Still, unemployment remains over 13%, and states may need more aid than the \$150 billion fund provided in the Coronavirus Aid, Relief and Economic Security Act in March, putting pressure on Congress to pass more relief legislation ahead of the August recess.

“And several states that are experiencing COVID-19 spikes right now — namely California, Arizona and Florida — are also major producers of solar energy.

“Advocates are hoping that all offers an opening for the ailing clean energy industry, as well as other green priorities they believe could create jobs to help the recovery.

"The problem at the state level is a really significant one, and I imagine a number of Republican governors out there are facing real hardships," NWF's Heyck-Williams said. "That's not going to remain a quiet problem."

"If Congress reaches the point of critical mass after the Fourth of July holiday, clean energy advocates are hoping lawmakers turn their attention to the economy, as well as immediate pandemic relief.

"I think that Congress will be looking both at what other steps do they need to take to address the pandemic, but also on the economy, what moves can they make to help people get back to work," said SEIA's Hopper.

"We have certainly lost a significant number of jobs over the last few months," she said, "but we think we can add them back and add even more."

[Next COVID-19 Stimulus Push](#)

Toward the end of May, the House passed the HEROS Act, the latest legislative package to address the corona virus. The Senate, however, delayed action on that measure. As a result of increased COVID 19 cases especially in economies that quickly reopened, the Senate is now prompted to begin work on the next coronavirus relief package.

E&E Daily reporter Geof Koss publishes on July 2, “The two sides aren't talking yet but Capitol Hill is bracing for a frenzied July as bipartisan sentiment is coalescing around enacting more COVID-19 assistance into law before the August recess.

“After weeks of political impasse over whether more pandemic relief is needed and when, the House yesterday unanimously approved a six-week extension of the popular Paycheck Protection Program (PPP).

“The speedy approval came one day after the Senate voted to extend the June 30 deadline to Aug. 8 — the day the chamber is scheduled to break until after Labor Day.

"I think the time to focus on this, as I said three months ago and as others have said today, is that period in July, which also I think dovetails nicely with the perfect time to take an assessment of the economy and the progress we're making on the health care front," Senate Majority Leader Mitch McConnell (R-KY) told reporters Tuesday, making clear he wants to see more aid enacted before the break.

“Senate Democrats, looking to pressure the GOP into acting on coronavirus issues now, have been requesting unanimous consent on several proposals. After some negotiations, the PPP extension managed to make it through.

“House Majority Leader Steny Hoyer (D-MD) told reporters yesterday he has not spoken with any Republican leaders about what comes after the "Health and Economic Recovery Omnibus Emergency Solutions Act," a multitrillion-dollar aid package House Democrats passed in May.

"We'll have to see what we can get through the Senate," he said. "But I think Senator McConnell needs to move forward because there is obviously a continuing crisis in America both from the health and economic standpoint."

“Hoyer said Democrats would call the House back into session after it leaves town at the end of the month should it be necessary to act on a Senate bill.

"It is essential for the health and economic well-being of the American people," Hoyer told reporters.

“While the parameters of the upcoming talks are unclear, they're expected to include more aid for state and local governments, possible extensions of unemployment insurance, more funds for public health response to the pandemic, and additional small business help.

“But there's also certain to be a flurry of new pressure by interest groups and their Hill allies for adding preferred policies to the mix, such as next week's virtual policy roundtable on creating conservation-oriented jobs planned by Democrats on the House Natural Resources Committee.

“Dozens of House Democrats yesterday urged leaders to include "transformational" investments in green stimulus, including environmental justice.

"While we must address the immediate pandemic, our country cannot afford inaction on the overlapping jobs and climate crises, both of which continue to exacerbate the ongoing public health crisis," wrote 55 Democrats, led by Representative Nanette Diaz Barragán (D-CA)

“That call came the same day as the House passed a \$1.5 trillion infrastructure package that would reauthorize federal transportation programs with an eye on reducing emissions, as well as tens of billions of dollars for clean energy and water programs.

“But Republicans continue to dismiss the House Democrats' sweeping plan, which McConnell called "a multi-thousand-page cousin of the Green New Deal masquerading as a highway bill."

[House Select Committee on the Climate Crisis Releases Recommendations](#)

Last week, the House Select Committee on the Climate Crisis released their majority report on recommendations for addressing and mitigating climate change.

Nick Sobczyk of [E&E Daily](#) wrote on July 1, “House Democrats unveiled their vision for climate policy yesterday, 538 pages of grand suggestions and granular policy details.

“The Select Committee on the Climate Crisis' majority staff report is arguably the most comprehensive climate policy plan in American politics, surpassing presidential candidates' proposals and previous congressional white papers in specificity and scope.

“Taken together, its policy recommendations would reduce emissions 88% below 2010 levels by 2050 and generate benefits totaling roughly \$8 trillion, according to an analysis by Energy Innovation, a nonpartisan environment and energy research firm.

“The goal is getting the nation to net-zero greenhouse gas emissions by 2050. That's the target widely agreed upon by Democrats and advocates to avoid the worst effects of climate change, based on science from the Intergovernmental Panel on Climate Change.

“The report encompasses more than 100 bills, and the table of contents alone takes four pages. So what are the report's high points and takeaways?

Ambitious standards

“The report's linchpin policies for both the power and transportation sectors reflect an ideological trend that's been building for years among environmentalists. In short, it's all about decarbonization standards.

“For the power sector, the report recommends a clean energy standard based on H.R. 2597, from Representative Ben Ray Lujan (D-NM), and various portfolio standards enacted by states, which aim to hit net-zero emissions by 2040.

“For transportation, the report suggests a technology-neutral standard that would ensure all new light-duty vehicles are zero emission by 2035.

“In the past, a carbon tax was widely seen by advocates as a catch-all policy for decarbonization, And while the report does recommend carbon pricing, it's as a complement to the standards that spell out explicit emissions and green technology deployment schedules.

“That has some carbon tax advocates worried. Emissions targets laid down by administrative bureaucracy, they argue, are more difficult to manage and could be burdensome for a federal government that often misses deadlines, particularly alongside other wide-ranging climate policies.

"It really shows you the scale of action that's needed," said Joseph Majkut, director of climate policy at the Niskanen Center, a libertarian think tank that advocates for carbon pricing.

"And then the real question is, who do we want taking those actions? Who do we want driving the decisions behind them?"

National climate bank

"The report also includes another policy that's gaining traction with environmentalists and Capitol Hill: a national climate bank.

"It's an idea that's become popular in recent years. There are more than a dozen green banks operating around the country, funding clean energy technology and infrastructure resilience projects.

"Together, they cobbled together more than \$5 billion in investment from 2010 to 2019, according to an annual report from the American Green Bank Consortium and the Coalition for Green Capital.

"At the federal level, the select committee's recommendation is based on H.R. 5416, from Representative Debbie Dingell (D-Mich.), which would establish the national climate bank as a nonprofit and offer \$35 billion in funding over 10 years.

"It's a way to inject funding into climate projects as other policies force industries across the economy to decarbonize.

"Green banks are a proven model that could be replicated across the United States to help all communities benefit from the deployment of clean energy technologies and climate-resilient infrastructure," the report says.

Environmental justice

"The report is heavy on environmental justice considerations, which is unsurprising given that environmentalists and lawmakers have highlighted environmental justice activists more than ever over the last year.

"If all the report's recommendations were enacted, the federal government would have to vastly expand its environmental justice outreach through more aggressive enforcement at EPA and through the National Environmental Policy Act, among other policy avenues.

"Perhaps the most wide-ranging recommendation is the "Environmental Justice for All Act," from Representatives Raúl Grijalva (D-AZ) and Donald McEachin (D-VA), a bill written with heavy input from environmental justice communities.

“Among other things, the measure would amend NEPA to account for environmental justice concerns.

“The select committee also argues that Congress should amend the Civil Rights Act to protect victims of climate injustice.

National supergrid

“There's plenty of talk in the report about investing in infrastructure, but perhaps most important to the clean energy transition is its proposal to move toward a national supergrid.

“Because wind and solar power stations are usually far from population centers, the country will likely need to build new high-voltage direct-current transmission lines across state lines to reach its climate goals.

“As the report notes, the permitting process is often byzantine, involves multiple agencies and can take years.

“Among other reforms, the report recommends amending the Federal Power Act to require the Department of Energy to consider greenhouse gas emissions reductions when it considers new transmission corridors.

“The report would also set DOE and the National Laboratories to work developing a long-range electric infrastructure strategy to transmit clean energy around the country by 2040.

Nuclear with a catch

“While not a full-hearted embrace on nuclear energy, House Democrats' efforts to promote a clean energy standard and a carbon tax leave room for nuclear energy.

“And other proposals in the report to extend life spans of existing reactors and increase advanced reactor research and development open the door for the power source.

“Even so, Democrats cautioned nuclear was not without its problems.

“Nuclear power plants, however, are not pollution-free,” the report noted. “They generate radioactive waste that lasts for thousands of years and for which the United States has not developed a permanent disposal solution.”

“Pointing to issues of nuclear waste disposal and perceived rollbacks of reactor oversight programs by the Nuclear Regulatory Commission, the report warns nuclear can only go forward with enhanced reactor oversight regulations.

“The report offers a road map that would invest in advanced reactor R&D and the embrace of small modular reactors. To achieve that, it recommends offering a launching pad of the technology through federal financing, loan guarantees, other types of federal credit or a pilot program for a long-term power purchase agreement for federal agencies.

“For the Nuclear Energy Institute, that may be enough help to keep nuclear energy humming.

"We are encouraged the plan includes support to keep our existing nuclear plants churning out reliable carbon-free power for American homes and businesses and promotes development and demonstration of advanced reactors that can decarbonize sectors beyond power generation," said John Kotek, NEI's vice president of policy development and public affairs.

"The recognition of nuclear in the report demonstrates the consensus that nuclear energy is viewed as an essential partner to wind, solar and storage to achieve an affordable, reliable, decarbonized energy sector," he added.

Pulling carbon out of the air

“Even with the sweeping policies, the report acknowledges it will take some technological breakthroughs to get to net-zero emissions, including the potential for removing carbon dioxide already in the atmosphere.

“Central to that effort will be technology known as direct air capture, a facility with big fans that circulate air through a filter that can capture CO₂.

“The technology remains in its infancy with high deployment costs. To help make it more palatable, the report suggests the federal government launch a 10-year, multiagency direct air capture R&D program that builds off an initial \$20 million provided for the technology in DOE's fiscal 2020 budget.

“On top of that research, Congress could consider "providing financial incentives for carbon removal; preparing for large-scale subsurface storage of carbon dioxide; and creating markets for products made from carbon captured from the atmosphere" as other ways to help at the same time.

“Some environmental groups have remained hesitant embracing the technology, for fear it could give carte blanche to continue emitting CO₂. The report warns that direct air capture is not meant to serve as a single silver bullet.

"Given these uncertainties, the world cannot rely solely on carbon removal technologies as a panacea or as a substitute for cost-effective primary mitigation," the report says. "As such, Congress should approach carbon removal as one part of a portfolio of

deployable technologies to maximize the likelihood of limiting the average increase in global temperatures and restoring climate balance."

Civilian Conservation Corps redux

"The report endorses the creation of a 21st-century Civilian Conservation Corps, a job training program for young people to work in national parks and on public lands.

"The concept has been floated for years, inspired by the Civilian Conservation Corps of the 1930s and '40s that was established as part of the New Deal.

"The idea has, however, been given new life in the midst of the coronavirus pandemic. Just as the original conservation corps was conceived to help the nation recover from the Great Depression, proponents are now touting a revived conservation corps as something that can help the current economy recover from the ongoing global health crisis.

"As proponents continue to advocate for conservation corps funding in the next coronavirus relief package, the select climate committee's endorsement — and, by extension, Speaker Nancy Pelosi's (D-Calif.) — could provide a major jolt of momentum.

"The committee notes there are several bills addressing the subject. Representative Marcy Kaptur (D-Ohio) has a bill, H.R. 2358. Representative Joe Neguse (D-CO), a member of the climate committee, has introduced H.R. 7264, legislation similar to S. 3684, from Senator Ron Wyden (D-OR), that is being pitched as a coronavirus recovery measure.

"It would provide \$9 million in funding for a new conservation jobs training and placement program while bolstering existing federal restoration initiatives, providing logical landing spots for the young people who would be hired for this work.

"Representative Deb Haaland (D-NM) and Senator Cory Booker (D-NJ) also have bills — H.R. 4269 and S. 2452, respectively — that would create a job training program for reforestation and wetlands restoration work for young people from low-income or minority communities.

"In expressing support for a 21st-century Civilian Conservation Corps, the climate panel also noted there should be "a focus on recruiting and hiring individuals from environmental justice communities and other underserved populations."

[Congressional Agenda- Time Crunch for Stimulus, Appropriations and Energy Bills](#)

The following story contains updates on the timing for COVID 19 Stimulus package, FY 2021 Appropriations and energy related bills.

On June 29, Geof Koss, George Cahlink and Nick Sobczyk of [E&E News PM](#) reported, "Senators return to the Capitol today to a shrinking calendar and growing workload that includes the ongoing COVID-19 pandemic, fiscal 2021 appropriations and a possible revival of the stalled Senate energy bill.

"The Senate is slated to be in session just four of the next six weeks before adjourning for the monthlong August recess on Aug. 7. Much of this week is expected to be consumed by debate over the fiscal 2021 National Defense Authorization Act.

"Senate GOP leaders have not yet signaled plans for additional relief to address the pandemic, although top Trump administration officials have said more legislation will be needed ahead of the recess.

"In an appearance on ABC News' "This Week With George Stephanopoulos," Speaker Nancy Pelosi (D-CA) said it was only a matter of time before Senate Republicans come around on more relief.

"I have a number of the Republicans calling me and saying, 'In the next bill, can we have this? In the next bill, can we have that?' They know we have to have a bill," she said. "Even [Treasury Secretary Steven] Mnuchin knows there has to be legislation. They'll be ready."

"Debate over more COVID-19 relief will include more funds for state and local governments and extending unemployment relief, as well as more possible aid for small businesses.

"The House this week will also vote on a \$1.5 trillion infrastructure package that includes help for struggling clean energy sectors and an injection of funds for water concerns, but those issues are unlikely to be contenders for the next phase of pandemic relief.

"In May, the House passed H.R. 6800, the "Heroes Act," with a \$3 trillion price tag and a number of provisions related to the pandemic, but Republicans have spent weeks trashing it.

Stalled spending bills

"A dispute over amendments continues to delay work on Senate spending bills, while the House is gearing up for a busy July, when it expects to mark up and then pass all 12 fiscal 2021 measures.

"Senate appropriators had hoped to begin marking up spending bills in committee last week, but those sessions were delayed without an agreement to limit controversial riders. For the past two years, the parties have had an informal agreement along those lines.

"Our bills are ready to move," Senate Appropriations Chairman Richard Shelby (R-AL) said last week, stressing that the only thing holding them back is a deal with Democrats to limit amendments.

"He said Democrats are pushing for amendments related to pandemic funding and policing that would not be bipartisan and would doom the bills' prospects on the Senate floor.

"Shelby said that if there is an accord to avoid controversial amendments, many of the spending bills could pass the Senate with 85 votes. At least 60 are needed to overcome a filibuster in the chamber.

"Senator Patrick Leahy (D-VT), the Appropriations Committee's top Democrat, agreed he and Shelby are ready and eager to move their bills.

"But, he said, Republican leaders are putting the brakes on them because they fear Democrats will offer amendments that would highlight problems with the Trump administration's response to the pandemic.

"Leahy said the amendments could be easily dealt with in committee, noting the GOP has the majority and could simply vote them down.

"House appropriators are set to unveil and begin marking up spending bills the week of July 6. The House Energy and Water Development and Interior and Environment Appropriations subcommittees will both mark up their versions of the fiscal 2021 spending bills July 7, ahead of a full committee markup of both July 10.

"House Democratic leaders are encouraging appropriators to deal with as many amendments as possible in committee this year to avoid lengthy floor fights.

"They intend to pass all 12 by the end of July, making it likely they'll have to keep tight reins over floor amendments and move the bills in a series of packages or as a single omnibus.

"Energy and environmental amendments could come up in committee that seek to highlight stark differences between the parties over environmental regulation and endangered species.

"It's also possible proposals could come up that would seek to deny funding for displaying the Confederate flag on federal land, an issue that derailed spending bills in 2015. It may have new resonance this year amid nationwide calls for racial justice.

Energy bill, HFCs

“Talks will also continue in the Senate on untangling the knot over regulating superpolluting hydrofluorocarbons (HFCs) — an issue that sidelined the Energy and Natural Resources Committee's bipartisan energy package in March.

“ENR Chairwoman Lisa Murkowski (R-AK) took to the floor earlier this month to implore the Environment and Public Works Committee to resolve the disagreement between Chairman John Barrasso (R-WY) and ranking member Tom Carper (D-DE) over the HFCs bill, S. 2754, which would provide EPA authority to phase out the planet-warming gases found in refrigerants.

"We need to unlock this energy bill, which is a good bill that is ready to go, from the complications that have been created within another committee," said Murkowski, who is keenly aware of the looming floor time crunch, which threatens efforts to pass a comprehensive energy package in her final year as ENR chairwoman.

“Her speech followed a May phone call in which Murkowski and Carper spoke about ways to ease the standoff, and Senate aides say EPW has since indicated it is hoping to soon reach an agreement on the HFCs fight, which would allow Murkowski's energy bill to come back to the floor.

“Industry advocates following the discussions say that the "paper hearing" EPW conducted to solicit stakeholder testimony has helped bridge some of the differences between the two sides and that all sides are operating in good faith.

“In a statement, a committee spokesman said Barrasso "continues to support finding a path forward that works and believes that should be possible."

"Chairman Barrasso remains committed to working with bill supporters to improve the bill to address the concerns impacted stakeholders have raised," he said in an email, noting that many sectors that filed comments did not appear to have been consulted when the bill was written.

"The bill should be fixed to address what the Committee has learned through its transparent, robust information-gathering process."

“Industry sources said Democrats and the environmental groups working on the bill appear to be willing to make some concessions for industries seeking carve-outs, a major point during the paper hearing.

“The legislation would phase down HFC production and use by 85%, theoretically leaving some available for smaller applications without a viable alternative.

“HFCs are primarily used in air conditioning and refrigeration, but several manufacturers of bear sprays, pepper sprays and aircraft products wrote the EPW Committee during the hearing process asking for an exemption.

"If lawmakers reach a deal, industry lobbyists said they expect the modified bill would be tacked on to the energy package without a markup in EPW.

"But the chief stumbling block remains state preemption, an issue insisted on by Barrasso and the White House.

"Democrats and the environmental community remain opposed to the kind of broad preemption language that Barrasso has advocated, and it's not clear there's been much movement to resolve the issue.

"They have many calls on state resources, and they will not lightly use them here if the federal government is doing its job," David Doniger, senior strategic director of the climate and clean air program at the Natural Resources Defense Council, wrote in a blog post about the bill last month.

"The focus on preemption is only creating an unnecessary obstacle to proceeding on the practical pathway that has worked for decades."

Other