



ABC's Weekly Federal Legislative Update January 18, 2022

Introduction

The Senate will begin debate today on voting rights legislation. The following is news from Washington.

Administration

[DOE Launches Hiring Blitz, Clean Energy Corps](#)

The Department of Energy is beginning to implement the infrastructure package passed by Congress late last year. The following story discusses some of those activities including the creation of an Clean Energy Corps.

Jeremy Dillion of [Greenwire](#) wrote on January 13, "The Department of Energy officially this morning kicked off a hiring blitz that seeks to add approximately 1,000 new employees to the agency's ranks.

"Dubbed the Clean Energy Corps, the new hiring effort aims to help the department spend some \$62 billion from last year's bipartisan infrastructure law.

"DOE officials previewed the hiring blitz after President Biden signed the law in November. Today's announcement includes a new application portal and list of positions the administration is looking to fill.

"This is an open call for all Americans who are passionate about taking a proactive role in tackling the climate crisis and want to join the team that is best positioned to lead this transformative work," Energy Secretary Jennifer Granholm said in a statement.

"Agencies around the government are looking to expand. For DOE, the infusion of 1,000 workers would mark the largest staff expansion since the department's founding in 1977, according to a news release.

"DOE currently has 13,000 workers and tens of thousands of contractors at the national labs and radioactive waste legacy cleanup sites. The department now has a mandate for

the creation or expansion of 72 programs, according to DOE chief of staff Tarak Shah, who briefed reporters in November.

“Even without the massive infusion of funding from the infrastructure bill, DOE has been on a significant growth path over the past five years. That has not come without growing pains.

“DOE's operating budget has grown more than 25 percent since 2017, but the department has received congressional scolding for the slow pace of hiring new employees for programs like those in the Office of Energy Efficiency and Renewable Energy, particularly during the Trump years.

[EPA - Staffers Key to Biden's Goals](#)

The following story highlights a number of important EPA staff that are instrumental in implementing the administrations priorities.

On January 11, Kevin Bogardus of [Greenwire](#) reported, “EPA Administrator Michael Regan has a team in place ready to deliver on the Biden administration's goals this year.

“One priority is implementing the recently enacted bipartisan infrastructure law, which gives \$60 billion to EPA alone. The agency has already announced plans to use those funds to replace lead pipes and clean up Superfund toxic waste sites. Money will also go to providing electric school buses and mitigating water contamination from “forever chemicals,” also known as per-and polyfluoroalkyl substances, or PFAS.

“On the regulatory front, EPA will be busy. It will be proposing and finalizing rules to protect air, water and climate this year — as well as defending them in court. Also part of this effort is rebuilding the agency, which involves retaining but also hiring new talent to boost its workforce.

“Regan has already been on the road selling President Biden's environmental agenda. He has sought to spotlight communities overburdened with pollution and will have new tools at his disposal to bring them government assistance, thanks to the infrastructure law.

“At his ready are a group of senior political appointees who are leading the agency and turning its focus toward climate change and environmental justice. Many come from progressive policy and political circles, environmental groups and state government, with several having prior EPA experience.

“Meet some of the top officials who help make up Regan's team at the agency:

[Vicki Arroyo, associate administrator for policy](#)

"Vicki Arroyo is leading EPA's charge on drafting rules to guard human health and the environment.

"As head of EPA's policy shop, she has several roles at the agency, including overseeing "the meat and potatoes regulatory work," Arroyo told E&E News, but also coordinating reviews under the National Environmental Policy Act and spearheading climate adaptation.

"It is a lot of different hats, so they are very cool because they speak to different aspects of my background," she said. "It feels the job fits me well."

"EPA under the Biden administration has proposed or finalized more than 60 rules already. Arroyo said the agency's policy office takes the best available science as well as input from the public and interested parties to help write those rules. The shop is also working on rebuilding climate change work at EPA and expanding it even more.

"Arroyo, 58, has had prior stints at EPA as a career employee as well as at the Louisiana Department of Environmental Quality. She also led the Georgetown Climate Center and worked at the Pew Center on Global Climate Change.

"A New Orleans native, she has seen the effects of toxic chemicals and climate change with Hurricane Katrina sweeping through her home state. Arroyo said many places still need help dealing with pollution, citing Regan's travel last year to Mississippi, Louisiana and Texas to champion environmental justice.

"As we saw on the 'Journey to Justice' tour, there is still much work that needs to be done on reducing those chemical exposures," she said.

"Arroyo has a love of acting, having grown up in a community theater family. Her mother performed as Mother Goose on television and at children's birthday parties.

"You can imagine a community theater family in New Orleans," Arroyo said. "It was magical in a lot of ways."

"Married with a son, she also has three pets: a dog named Stella and two cats, Madeleine Albright and Tiny, a rescue kitten she adopted during the Covid-19 pandemic.

"She's not so tiny anymore, but that name stuck," Arroyo said."

Dorien Paul Blythers, deputy chief of staff for operations

"Dorien Paul Blythers has a meaty answer for what he does at EPA.

"My primary role at the agency is developing strategies and plans on where the administrator is going, why the administrator is going there, who is he is engaging with, what he hopes to achieve and what outcomes he wants to see on the ground," Blythers told E&E News.

"It's all in support of Regan boosting the president's agenda. Blythers is working to incorporate environmental justice in all of the EPA administrator's events, including those with staff as well as travel throughout the United States and overseas, and highlight the work of the agency.

"Top of mind for me this year is how we continue to support and uplift our career employees who have been doing this work for so long," said Blythers, 32.

"At Howard University, he helped lead student efforts to create a recycling program. He had plans to be a wildlife veterinarian, but politics captured his attention, leading him to volunteer on President Obama's 2008 campaign and later work on his 2012 reelection race.

"I have worked on political and environmental issue campaigns ever since," Blythers said, including for End Citizens United and Climate Action Campaign.

"Born in Atlanta, Blythers spent summers and holidays as a child on the family farm in Chulahoma, Miss., where his great-grandparents ran a sharecropping operation and were subsistence farmers.

"Chulahoma is a small town where everyone knows everyone," Blythers said. "It is the birthplace of my appreciation for community and the importance of having a strong community."

"He grew up a tennis fan: "I'm Team Venus and Serena Williams." He also enjoys travel, fishing and horseback riding. Blythers makes sure to ride the family farm's horse, named Black Mamba after the late basketball legend Kobe Bryant, when he is home.

"My twin brother is a big Kobe fan," he said.

Rosemary Enobakhare, associate administrator for public engagement and environmental education

"Rosemary Enobakhare's job at EPA is to keep the conversation flowing between the agency and the outside world.

"She works to create what she calls "a two-way dialogue" between the agency and communities across the country. As head of EPA's public engagement office, it's up to her to maintain those close relationships.

"My job is to make sure those communities have a seat at the table," Enobakhare told E&E News. "We talk to moms. We talk to faith communities. We talk to civil rights groups. We talk to small businesses."

"There is plenty work ahead this year at EPA, from protecting wetlands to promoting clean power. Also, environmental justice has come to the fore, with Enobakhare's team leading coordination of Regan's "Journey to Justice" tour across the South last year.

"Environmental justice has never been elevated to this level," she said.

"Enobakhare, 35, is an EPA veteran, having served as deputy associate administrator in the public engagement office during the Obama administration. She has had several jobs in politics and environmentalism, including the Democratic National Committee, the Clean Water for All Campaign and the Hub Project.

"My whole goal is to make sure Black Americans across the country have a voice in Washington, D.C.," Enobakhare said. "That is the reason I came to D.C."

"A Spelman College graduate, Enobakhare grew up in Jackson, Miss., where she said "hometown pride is the big thing." She is also the daughter of an immigrant, her father being Nigerian.

"Enobakhare likes to volunteer, taking on environmental work such as helping to clean up the Anacostia River.

Lindsay Hamilton, associate administrator for public affairs

"Lindsay Hamilton leads EPA's public affairs office.

"That office has a variety of tasks, focusing on web communications, multimedia work, media relations, internal communications and risk communications, according to Hamilton. It will be directed over the coming year to support fighting climate change, advancing environmental justice and highlighting the infrastructure law.

"We have a lot of different functions, but our work is all about communicating to people what EPA does," Hamilton told E&E News.

"The Trump EPA had an aggressive approach with the media, issuing press releases critical of news organizations and specific reporters. The agency has taken a different tack during the Biden administration.

"It was important to reset our relationship with the media," Hamilton said. "I want to continue to improve on that in 2022."

"She brings Capitol Hill experience to the job, having been a scheduler and personal assistant for former Senator Chuck Hagel (R-NE) and later communications director for former Representative Steve Israel (D-NY). Hamilton, 39, also was campaign manager for Israel's 2010 reelection bid in Long Island and recalls the campaign office as a former Hollywood Tans outlet.

"There were cardboard cutouts of tanned people still in the office," Hamilton said. "Just a couple, toward the entrance."

"She has had other stops in her career, including at Climate Nexus, George Washington University and the Center for American Progress. Born in Des Moines, Iowa, she moved with her family to Omaha, Neb., when she was a child.

"One of my earliest jobs was selling Omaha Steaks over the phone," Hamilton said.

"Married, she enjoys watching figure skating and has two pets, a betta fish named Starbuck and Darth Vader, an all-black cat adopted from a Washington, D.C., shelter.

"He lives up to the name," Hamilton said."

John Lucey, special assistant to the administrator

"John Lucey is a top aide to Regan.

"He sees himself as having "a strong coordinating role" between regional administrators and assistant administrators. One aspect of his job will be to ensure EPA's funds from the infrastructure law get out the door and go to places where they are most needed.

"That includes making sure Regan shows up to see those investments, "getting him back out there and these dollars in these communities as well," Lucey told E&E News.

"Lucey has known Regan since the latter was secretary of the North Carolina Department of Environmental Quality. Lucey was serving at the state agency, including as its chief strategy officer, where he worked on the Duke Energy Corp. coal ash settlement and the consent order for Chemours on GenX contamination.

"He has always been about family," Lucey said about Regan. "We had some long hallways down there that he and his son would race down during the holidays."

"Lucey, 29, was born in Salem, Mass., but later moved with his family to Wake Forest, N.C. He misses eastern North Carolina barbecue.

"The smaller mom and pop shops can't be beat," Lucey said.

“With a bachelor's degree in political science from North Carolina State University and an Associate of Arts degree from Central Piedmont Community College, Lucey is now going to law school part time at Catholic University.

“His parents, who own a bookstore in Wake Forest, like to send him books, which he pores through when he gets a chance. Lucey also has a mutt named Josie, who just celebrated her 1-year birthday, that he adopted during the pandemic.

"I'm a walking stereotype. I got a Covid puppy," Lucey said.”

[USDA: Vilsack Pledges More Assistance for Climate-Smart Farming](#)

Last week, USDA Secretary Tom Vilsack attended the American Farm Bureau Federation convention where he laid out new assistance to help farmers implement climate smart agricultural practices.

Greenwire reporter Marc Heller published on January 10, “The Department of Agriculture will aim to double the number of acres farmers plant with cover crops in the next eight years, Agriculture Secretary Tom Vilsack said today, as the Biden administration continues a push toward climate-smart food production.

“In a speech at the annual convention of the American Farm Bureau Federation, Vilsack announced a partnership with farm groups to put as much as 30 million acres of U.S. cropland under the conservation practice by 2030, relying on a range of USDA programs.

“Farmers use cover crops such as clover or grasses to hold the soil in place between planting seasons. The practice improves soil quality, prevents runoff and conserves carbon if used together with reduced plowing. Some types of cover crops also add nitrogen to the soil, cutting the need for chemical fertilizers.

“The first step, Vilsack said, will be about \$38 million in USDA conservation funds being made available in 11 states.

“Vilsack used the address at the Farm Bureau — a group often but not exclusively aligned with Republicans — to reassure attendees that the administration isn't looking to put new mandates on farmers. He touted a previously announced pilot program to test conservation measures for their climate benefits and said the department is working with the Farm Bureau and other groups to make sure it fits with farmers' priorities.

"This is really a bottom-up effort," Vilsack said, adding that the programs must remain voluntary to work. And he pushed back against criticisms, or fears, that the agency intends to become enmeshed in carbon markets or to shift its Commodity Credit Corporation away from the traditional farm safety net.

"The projects, he said, "are not going to be used at all, in any way, shape or form, for the establishment of carbon markets. We're going to let the private sector do that."

Congress

[House Agriculture Committee: EVs Face Uphill Climb in Rural America](#)

The following story reports on a House Agriculture hearing held last week on the role of electric vehicles in rural America.

Marc Heller of [Energywire](#) wrote on January 13, "Electric vehicles still have a long road ahead before they become a fixture in rural America, witnesses told a House panel yesterday.

"At a hearing of the House Agriculture Committee, lawmakers pressed carmakers on how EVs might fare on the farm and on country roads. They asked witnesses about battery power, the lack of charging stations and the future of biofuels.

"I can see where electric vehicles would be very valuable for people who just need a daily vehicle to commute, they start and stop at the same place every time," said Representative Austin Scott (R-GA). "For some of us who are on the road significantly more, I think that we will probably be sticking with the internal combustibile engine for the foreseeable future."

"A vice president at General Motors Co., David Strickland, acknowledged that big challenges remained, but told lawmakers that his company is committed to making more powerful batteries and promoting its new pickups and work vehicles. The new Chevrolet Silverado EV, made by GM, has a range of around 400 miles, according to the company.

"Scott's reality check was just one of several cold-water moments for EVs that emerged in the nearly four-hour hearing.

"Yesterday's hearing displayed both speed bumps and promise that lawmakers see in the EV transition. Some, like Scott, focused on the heavy-duty needs of people who work the land. Others, like Representative Chellie Pingree (D-ME), said their rural constituents are itching to buy EVs but worry about where to charge them.

"Others expressed worry about moving away from ethanol and other biofuels before the electrification trend can take hold. Representative Rick Allen (R-GA) lamented "this new religion of climate change" and suggested it's audacious for people to believe mankind can alter the course of the climate through reducing carbon emissions.

“The discussion comes amid continued uncertainty for federal action on EVs. While President Biden set a goal in August of reaching 50 percent sales for electric or plug-in hybrids by 2030, the bill that would help achieve that goal the most, the "Build Back Better Act," remains stalled in the Senate. Moreover, some EV tax credits in that bill remain imperiled.

“The hearing provided a platform for lawmakers to either embrace or attack the Biden administration's moves to encourage the EV trend through tax credits and expanding the number of charging stations.

Biofuel and batteries

“Representative Cheri Bustos (D-IL) touted bipartisan legislation she's introduced to set a higher-octane standard for gasoline, which would reduce emissions and help support ethanol.

“Representative Abigail Spanberger (D-VA) announced a bill to expand the Rural Energy for America program to include EV charging infrastructure, joining with Representative Tom Rice (R-SC).

“Scott pressed Strickland on the new vehicles' abilities, asking how heavy loads like trailers would affect their range.

"You can't defy the laws of physics," Strickland said. But he said GM is working on improved batteries, which "are going to get better."

"We are going to have to recognize the fact that these are working vehicles," Strickland said. "We're very bullish on the opportunity to be able to provide a vehicle that's a true working vehicle for farmers and everybody else."

“Scott acknowledged he's less than fully convinced.

"For most of us in rural America, we don't just use our vehicles to move from place to place. They're tools for us," said Scott, who represents a largely agricultural district south of Atlanta.

“Committee Chair David Scott (D-GA) said he sees opportunity for EVs in rural areas but worries that those areas may be overlooked as they were in the early days of electrification and, more recently, in deployment of high-speed internet.

"I want to see that we make sure our rural America is not left behind," David Scott said, adding that he wonders how EVs may eventually help farmers overcome some of the big variations in costs of running their operations, and translate into tractors and trucks.

“On the Republican side, ranking member Glenn Thompson (R-PA) said he's encouraged by private industry's investment in EVs but is skeptical of government policies that would amount to mandates. He questioned where the money for a big national move to EVs — and the needed improvements in electric production and transmission — would eventually be found.

“Other Republicans on the committee warned that the U.S. is too reliant on minerals supplied or processed by other countries, such as China, as key components of EV batteries. And Thompson cautioned that the assumptions about greenhouse reductions from EVs are incomplete, given the need to assess them from the beginning to the end of the supply chain.

EVs and GHG

“That was a concern voiced as well by one of the witnesses, Mark Mills, a senior fellow at the conservative Manhattan Institute. While Mills said he likes EVs, their environmental benefit may be exaggerated and depend on where and how materials to power them are processed.

"We are talking about a vast global industry, thousands of businesses around the world — not in the United States," Mills said.

"The research shows that the total emissions from accessing minerals and producing material can easily equal all of the savings from not using gasoline," Mills said. "So the idea that we are dealing with zero-emissions vehicles is just flat wrong. The only question is how much are the emissions reduced?"

“The move to EVs — which comprise just 4 percent of vehicles on the road, according to the industry — has implications for biofuel, too. But the president and CEO of the Renewable Fuels Association, Geoff Cooper, said liquid fuels won't be phased out anytime soon and that the crop-based fuels offer a way to lower carbon emissions in the meantime.

“Cooper and other biofuel defenders said the renewable fuel's role depends on EPA support for the renewable fuel standard, which calls for minimum volumes to be blended into gasoline. On that issue, Representative Dusty Johnson (R-SD) cited a report from Reuters yesterday suggesting the Biden administration might roll back its recent proposal boosting ethanol volumes for 2022, and asked Cooper to comment.

"We're going to get to the bottom of those rumors," Cooper said.”

This story also appears in E&E Daily.

[Appropriations](#)

The current continuing resolution which is funding the federal government expires on February 18. Congress must pass some other funding vehicle by that time to keep the federal government open. Leadership of the House and Senate Committees met last week to continue to discussions but were unable to come to a consensus.

On January 14, George Cahlink of [E&E Daily](#) reported, "Appropriators failed to reach an agreement yesterday on the parameters for a fiscal 2022 omnibus spending package but agreed to continue talks with a Feb. 18 funding deadline less than five weeks away.

"The "Big 4" meeting featuring the top Republican and Democratic appropriators from each chamber lasted about an hour. It was the first time the two sides have met in several weeks, and a commitment to more negotiation is modest progress.

"We had a worthwhile discussion, and I told everybody I'd be willing to continue any discussions they want," Senate Appropriations Chair Patrick Leahy (D-Vt.) told reporters after the meeting. He declined to say what specific topics came up.

"A Senate Republican Appropriations Committee spokesperson called the meeting "constructive" and said GOP appropriators remain eager to find a path forward on fiscal 2022 spending.

"Leahy and House Appropriations Chair Rosa DeLauro (D-Conn.) released a joint statement afterward saying there is a "shared goal of finishing our work by the February 18 government funding deadline."

"It's not clear when the next meeting will take place, especially with the Senate likely out of session next week. Congress is nearly four months late on fiscal 2022 spending as the parties have yet to reaching an agreement on overall spending.

"Democrats have pressed for a more than 15 percent hike in domestic spending, while national security accounts would rise by no more than 5 percent. Republicans say funding must be more evenly split and have warned Democrats to drop contentious policy riders.

"With "Build Back Better" legislation stalled in the Senate, the appropriation bills could be Democrats' best hope for funding President Biden's climate agenda. Proposed legislation would call for hiring more than 1,000 new workers at EPA and the Interior Department and would make large new clean energy investments.

"Federal agencies are operating under a continuing resolution that sets funding at fiscal 2021 levels through Feb. 18. If lawmakers don't have a deal done by then, the backup option could be a yearlong stopgap spending measure.

[House Returns to Rising Covid-19 Cases, New Restrictions](#)

The House returned to session last week facing a dramatic increase in COVID cases. Most, if not all staff, are working remotely to decrease transmission.

E&E Daily reporter Manuel Quinones published on January 11, "The House returned to Washington yesterday to a rising number of Covid-19 cases among lawmakers and new restrictions to help stem the spread.

"The first order of business was a quorum call to launch the second session of the 117th Congress. "A call of the House is ordered to ascertain the presence of a quorum," Speaker Nancy Pelosi (D-CA) said.

"Many lawmakers were not there in person. Dozens of members used the Democrats' proxy voting system to participate, including more than a dozen Republicans.

"Several members of both parties reported positive tests in recent days. Republican Representatives Ben Cline of Virginia, Nancy Mace of South Carolina and John Katko of New York said yesterday they had caught the novel coronavirus.

"I am fully vaccinated and boosted, and am thankfully experiencing only mild symptoms," said Katko on Twitter. "I will be voting by proxy in Washington this week and working from home as I recover. My constituent service team remains available and ready to serve."

"Mace said on Twitter yesterday it was her "second round" with Covid-19. "Feeling ok. I will be working from home in Charleston while I quarantine and recover," she said.

"Other lawmakers isolating include Representatives Jim Cooper (D-TN), Sean Casten (D-IL), Young Kim (R-CA) and Alexandria Ocasio-Cortez (D-NY). Kim said she was "feeling fine." The other lawmakers said they were experiencing some symptoms.

"House leaders, echoing statements from the attending physician, reminded members to wear "N95 or KN95 masks by all individuals on the House Floor, regardless of vaccination status."

"Leaders also told lawmakers to exit the House chamber immediately after voting and to refrain from congregating on the floor. The House is keeping the calendar light, as well. Lawmakers took similar steps when the pandemic first became a problem in 2020.

"In another pandemic-related move, House Democrats this morning said their were postponing their planned annual retreat.

"The Senate returned to Washington last week after the holidays but only held one day of voting. Among the Covid-19 precautions, Senate Democrats went back to holding caucus meetings virtually.

“The Senate is scheduled to be in recess next week following the Martin Luther King Jr. holiday, but Senate Majority Leader Chuck Schumer (D-NY) has suggested possible debate related to election reform. The House is set to be in session.”

Other

[Agriculture Tech Firm Creates Fund to Reward Sustainable Farming](#)

Climatewire published on January 12, “Agriculture technology firm Farmers Business Network and the nonprofit Environmental Defense Fund are trying to incentivize farmers to adopt more sustainable growing methods.

“The two are starting a \$25 million pilot fund that rewards farmers who meet soil health standards and use nitrogen fertilizer efficiently. Through the fund, 30 to 40 farmers will receive one-year lines of credit of up to \$5 million with lower rates and fees.

“Farmers have been under increasing pressure to adopt more sustainable practices due to the impacts of climate change. Climate activists have been pushing for years, for example, to reduce fertilizer use or change the way it’s produced. Runoff from farms can enter rivers and streams and cause problems like coastal dead zones, and synthetic nitrogen fertilizers require huge amounts of energy to produce. But the question has always been how to make sustainable farming make sense financially for growers.

“What we’ve seen is as farmers improve the health of their soil, they’re improving organic matter, then they don’t need as much” fertilizer and other inputs, Maggie Monast, senior director of climate-smart agriculture at EDF, said in an interview. That helps farmers’ bottom lines.

“The fund is enrolling farmers growing a combination of corn, soybeans and wheat. FBN hopes to scale the fund to \$500 million over three years. Farmers will be able to use the company’s platform to help them decide what practices will work for their farm.

“I haven’t met a grower who doesn’t live and die by soil health,” Steele Lorenz, FBN’s head of sustainable business, said in an interview.”