

To: Nancy Guiden[nancy_guiden@ios.doi.gov]

From: Megan Bloomgren

Sent: 2017-01-25T12:32:04-05:00

Importance: Normal

Subject: Fwd:

Received: 2017-01-25T12:41:56-05:00

Senate Energy and Natural Resources Committee Holds Hearing on the Nomination of Rep. Zinke to be Interior Secretary.docx
ATT00001.txt

Transcript of Zinke hearing

Begin forwarded message:

>

>

>

To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-02-02T13:30:31-05:00
Importance: Normal
Subject: BLM Methane Venting and Flaring Rule
Received: 2017-02-02T13:30:49-05:00

Press Office
February 2, 2017

Mike Long, Matt Sparks
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BLM Methane Venting and Flaring Rule

Summary

The House will use the Congressional Review Act to overturn the **Bureau of Land Management (BLM) venting and flaring rule** on Friday, which would further cap methane emissions in the oil and gas industry. However, this rule is costly, redundant, and illegitimate. The industry is already subject to Clean Air Act standards through the Environmental Protection Agency (EPA) and has leveraged technological advances to dramatically reduce methane emissions.

Not to mention, Congress has never granted BLM the authority to regulate air quality—power that is far outside of the agency's jurisdiction.

The Effect

Methane emissions have already decline 21% from 1990 to 2014, even as natural gas production has increased by nearly 47%. Yet the bureaucracy is ignoring this progress by adding on another rule that could **cost an estimated \$1 billion by 2025**.

As federal lands become less cost-effective to produce energy on, this unnecessary rule adds to that burden and could wipe out marginal wells run by family-owned businesses who can't pack up and move their operations. Beyond the losses of jobs, state and federal governments would lose up to \$114,112,000 in tax receipts.

Who It Hurts

Former Army Captain, Operation Desert Storm Veteran, recipient of the Silver Star, Bronze Star, and Purple Hart, and Vets4Energy National

Program Director James McCormick said this rule hurts Americans and forces us to rely on foreign energy. “It feels as though our government is saying they’d prefer other less-caring countries to supply us with energy rather than allow us to do it ourselves,” he said. “The pile-on of additional regulations, especially unneeded ones that are already being addressed by the industry, makes it seem like they are **intentionally trying to put Americans out of work** and decrease our energy independence.”

Local governments are particularly nervous. **Carla Sonntag**, President of the New Mexico Business Coalition, said that one-third of New Mexico’s state budget is derived from oil and natural gas, and that this revenue is the number one source of funding for public schools. Destroy the industry, and **America’s public school students suffer**.

Why We’re Doing This

The bureaucracy is a threat to our

- Economy
- Constitution
- and People

The House has already passed legislation to change the structure in Washington so the federal bureaucracy is subject to the people and so we stop getting the same bad results year after year. Now, we’re targeting specific harmful regulations and stripping them off the books.

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To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: Kevin McCarthy
Sent: 2017-02-02T17:29:11-05:00
Importance: Normal
Subject: The Leader's Daily Schedule - 2/3/17
Received: 2017-02-02T17:29:18-05:00

LEADER'S DAILY SCHEDULE

FRIDAY, FEBRUARY 3RD

On Friday, the House will meet at 9:00 a.m. for legislative business. First and last votes: 10:00 a.m. - 11:00 a.m.

One Minute Speeches

H.J.Res. 36 - Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation" (Closed Rule, One Hour of Debate) (*Sponsored by Rep. Rob Bishop / Natural Resources Committee*)

Special Order Speeches

[Printable PDF](#)

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To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: Rules Communications
Sent: 2017-02-03T11:15:55-05:00
Importance: Normal
Subject: Sessions: Enough is Enough
Received: 2017-02-03T11:16:02-05:00

FOR IMMEDIATE RELEASE:

February 3, 2017

Press Contact: [Caroline Boothe](#)

(202) 225-9191

Sessions: Enough is Enough

WASHINGTON, D.C. U.S. Congressman Pete Sessions, Chairman of the House Committee on Rules, released the following statement applauding the passage of five measures to block implementation of specific Obama-era regulations that will devastate our economy:

"This week the House used an important legislative tool, the Congressional Review Act, to disapprove five unnecessary, harmful rules that were enforced in the waning days of the Obama Administration. These rules saddled employers with ill-conceived and costly requirements drowning them in paperwork and crippling their ability to grow and create jobs, decimated jobs in the coal industry, and restricted the constitutional rights of individuals with disabilities. Republicans have fought against these harmful rules for the past eight years and now we can finally exercise our Article I authority and use the Congressional Review Act to send these disapproval resolutions to the Senate in a filibuster-proof fashion. I proudly voted for each of these measures and will continue to fight to restore sanity and transparency to our regulatory system. Washington bureaucrats operating independently of Congressional direction have plagued the American people for far too long and passage of these measures today sends a clear message that enough is enough."

To learn more about H.J. Res. 36, Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to “Waste Prevention, Production Subject to Royalties, and Resource Conservation”, click [here](#).

To learn more about H.J. Res. 37, Disapproving the final rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation, click [here](#).

To learn more about H.J. Res. 38, Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule, click [here](#).

To learn more about H.J. Res. 40, Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007, click [here](#).

To learn more about H.J. Res. 41, Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to “Disclosure of Payments by Resource Extraction Issuers”, click [here](#).

###

Our mailing address is:

U.S. House Committee on Rules

H-312, the Capitol

Washington, DC 20515

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To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-02-03T11:39:50-05:00
Importance: Normal
Subject: House Votes to Strengthen Energy Production
Received: 2017-02-03T11:39:57-05:00

Press Office
February 3, 2017

Mike Long, Matt Sparks
[View Online](#)

House Votes to Strengthen Energy Production

Washington, D.C. – House Majority Leader Kevin McCarthy (CA-23) released the following statement on House passage of a resolution to overturn the Bureau of Land Management’s Methane Emissions rule:

"Perhaps no industry in America has been more overregulated in recent years than energy. The Venting and Flaring rule is extremely costly, threatens thousands of energy jobs, and adds hundreds of millions of dollars in costs to America's energy industry. There are less costly and more efficient ways to achieve environmental protection without devastating American jobs and energy production. Small, family-owned businesses operating marginal wells out west would suffer in particular, and many could be forced to close. Overturning this rule is yet another way Republicans are making Washington work for the people again."

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To: Jim Cason[James_Cason@ios.doi.gov]
From: Holly Hopkins
Sent: 2017-02-03T11:44:48-05:00
Importance: Normal
Subject: Meeting Request
Received: 2017-02-03T11:45:07-05:00
[Energy Regulatory Priorities.pdf](#)

Jim,

In December, API made a request to meet with the DOI Transition/Landing team to talk about issues and opportunities for the Trump Administration. This request was never fulfilled. We would like to again make the request to meet with you and other appropriate DOI political staff to discuss these issues. Attached outlines our top priorities. Please let me know what works for you and do not hesitate to call if you have questions. Have a great weekend.

Thanks,

Holly A. Hopkins
Sr. Policy Advisor, Upstream
American Petroleum Institute
1220 L Street, NW
Washington, DC 20005
202-682-8439 Tel
hopkinsh@api.org



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To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Thacker, Darin (Daines)
Sent: 2017-02-06T10:23:49-05:00
Importance: Normal
Subject: Re: BLM 2.0 & Flaring
Received: 2017-02-06T10:24:12-05:00

Hi Micah - I suspect senate Will vote on that one next week. If not then, we will likely do last week of Feb.

Sent from my iPhone

On Feb 6, 2017, at 10:05 AM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Any idea on the prospects of those two CRA votes? Particularly Venting and Flaring since House passed Friday.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-02-06T11:28:50-05:00
Importance: Normal
Subject: BLM Planning 2.0 Rule
Received: 2017-02-06T11:29:10-05:00

Press Office
February 6, 2017

Mike Long, Matt Sparks
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BLM Planning 2.0 Rule

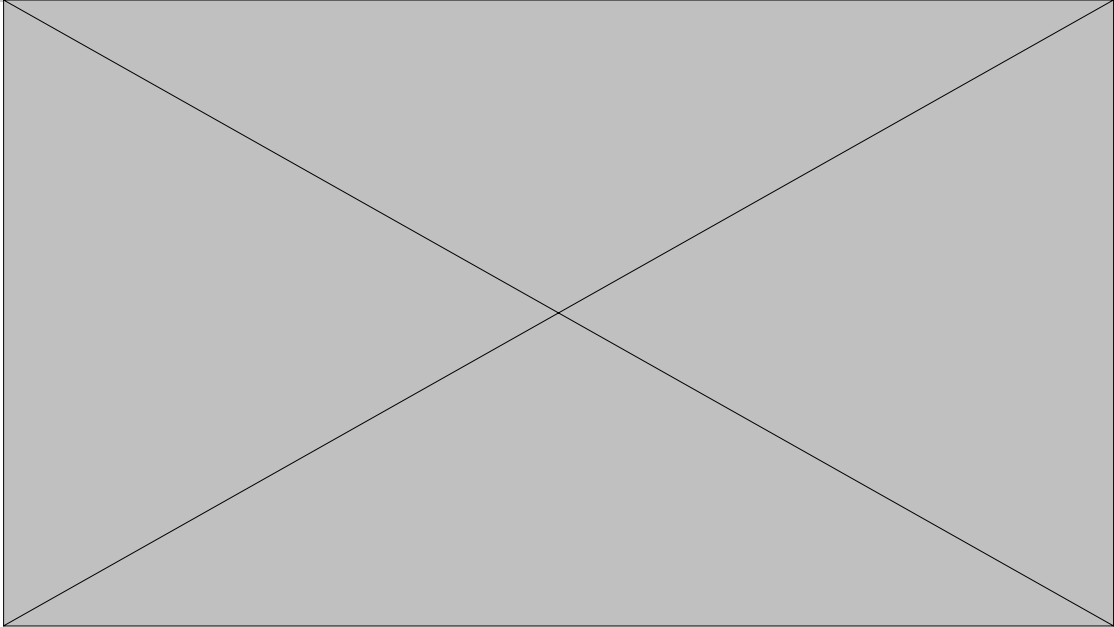
Summary

The House will use the Congressional Review Act to overturn the **Bureau of Land Management Planning 2.0 rule** on Tuesday, which was intended to improve BLM's ability to administer public lands. In reality, this power grab centralizes control in the federal government over large swaths of land, especially out west.

The rule reduces the authority of county commissioners and of state and field officers who know their land best, giving that power to Washington bureaucrats to centrally manage resources in places they don't even live.

The Effect

This rule isn't small-ball. It will consolidate BLM's authority to prepare and implement resource management plans for more than **175 million acres of lands in 11 western states**, [according](#) to the American Stewards of Liberty. That's **over 4,000 times the size of Washington, D.C.**



According to the National Association of Counties, the BLM manages land in 477 of the nation's 3,069 counties, sometimes controlling over 90% of a county's land.

Who It Hurts

In Garfield Count, Colorado, over 60% of their land is owned by the federal government. When Washington applied the same type of approach as BLM's Planning 2.0 rule for sage-grouse conservation, County Commissioner Tom Jankovsky said, it blocked **\$33 billion in natural gas reserves in the county from being accessed.**

Why We're Doing This

The bureaucracy is a threat to our

- Economy
- Constitution
- and People

The House has already passed legislation to change the structure in Washington so the federal bureaucracy is subject to the people and so we stop getting the same bad results year after year. Now, we're targeting specific harmful regulations and stripping them off the books.

What We've Already Done

The House has already voted to overturn five harmful regulations using the Congressional Review Act:

- [The Stream Buffer Rule](#)
- [The SEC Disclosure Rule for Resource Extraction](#)
- [The SSA's Second Amendment Restrictions](#)
- [The Federal Contracts Blacklisting Rule](#)
- [The BLM Venting and Flaring Rule](#)

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To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-02-07T08:36:53-05:00
Importance: Normal
Subject: Teacher Preparation and Accountability Rules
Received: 2017-02-07T08:37:10-05:00

Press Office
February 7, 2017

Mike Long, Matt Sparks
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Teacher Preparation and Accountability Rules

Summary

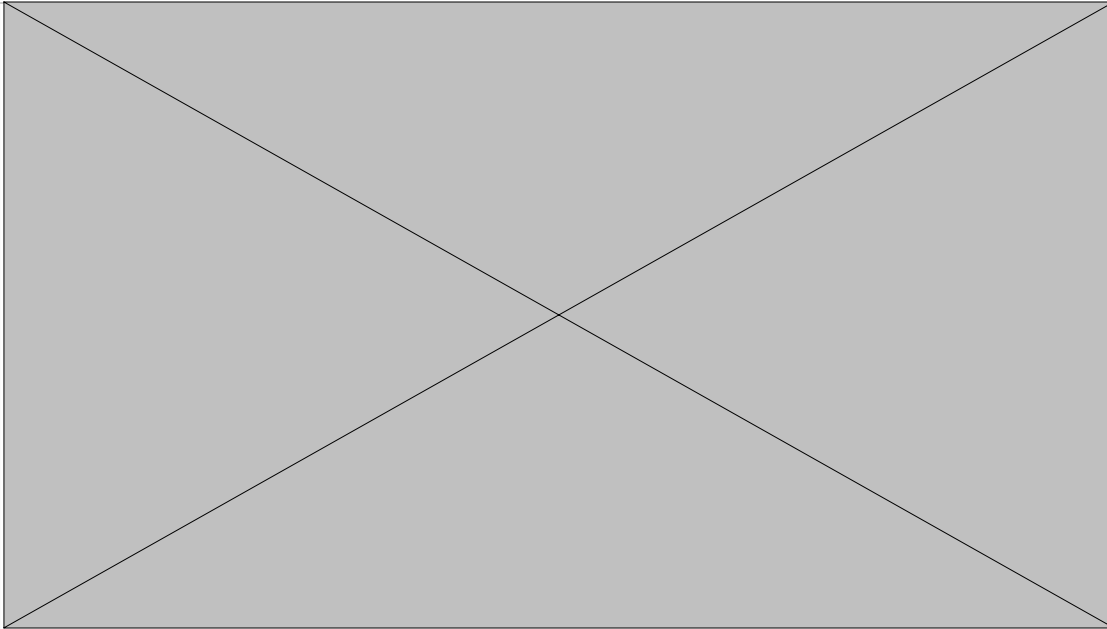
The House will use the Congressional Review Act to overturn the Department of Education's teacher preparation and accountability rules today. The **teacher preparation rule** ties the availability of some student aid funding to whether or not a teacher program is "effective." However, it forces states to use criteria dictated by Washington's Department of Education—such as an over-reliance on student outcomes—determine what counts as "effective."

The **accountability rule** constitutes an unfunded mandate and is an unprecedented move by the federal government to take state power. Though the original law (The Every Student Succeeds Act, or ESSA) allows for states to decide how to assess schools, this rule dictates a Washington standard that undermines state and local control over education and further strains state and local budgets.

Congress supports properly assessing teacher preparation programs and the quality of schools, but these regulations are a prime example of the federal bureaucracy taking something good and doing it the wrong way.

The Effect

Though the Department of Education requires states to fund the accountability rule, it drastically underestimates the costs. California—generally friendly to Obama-era mandates—estimated it would cost **\$230 million to set up the rating system** plus \$485 million per year to maintain, while the Department of Education claims it would cost the entire nation only \$27 million per year.



Who It Hurts

The American Association of Colleges for Teacher Education believes that the preparation rule could also exacerbate the nation's "**critical shortage of special education teachers.**" By linking funding to student-outcomes, the rule potentially provides a disincentive for teachers to help traditionally under-performing students, including those with disabilities.

Ironically enough, a rule intended to help education could do the exact opposite. Requiring states to spend millions on new rating systems could draw funds away from other programs or force states to raise taxes. Not only would this directly hurt residents throughout the states, it could decrease state funding for education or **even increase the cost of higher education.**

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- [The Federal Contracts Blacklisting Rule](#)
- [The BLM Venting and Flaring Rule](#)

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To: Douglas_domenech@ios.doi.gov[Douglas_domenech@ios.doi.gov]
From: Byers, Dan
Sent: 2017-02-09T16:17:55-05:00
Importance: Normal
Subject: Congrats and CRA-palooza
Received: 2017-02-09T16:18:04-05:00

Greetings Mr. Domenech! I know you have been swamped so I've tried to avoid bothering you but wanted to send a note of congrats and extend our offer to be as helpful as we can as you get up and running.

Of immediate note, in case you didn't see, we helped to gather support from 30-ish state and local chambers that sent letters to Congress calling for repeal of the Stream Rule and the Venting and Flaring Rule (letters [here](#) and [here](#)). To the extent that the administration is planning to do a signing ceremony or looking for other means of public support on these or similar energy issues, I think we can be pretty helpful in delivering, all the way from Karen or Tom Donohue on down to "real people" from our state and local business network.

So don't hesitate to contact me if we can help on that front, and while I know things are crazy I'd love to stop by for 20 minutes sometime after you get settled in.
Take care and good luck!

Dan

Dan Byers
Vice President, Policy
Institute for 21st Century Energy
U.S. Chamber of Commerce
1615 H Street NW
Washington, DC 20062

Office: 202-463-5996
Mobile: 202-255-8780
dbyers@uschamber.com
www.energyxxi.org

To: Magallanes, Downey[downey_magallanes@ios.doi.gov]
From: Thompson, Ryan
Sent: 2017-02-10T09:04:04-05:00
Importance: Normal
Subject: RE: Congrats again!
Received: 2017-02-10T09:09:14-05:00

Thanks Downey - I think a little of both. I would think there are three areas we would like to discuss:
1) How should we proceed if we are not successful with some of our CRA efforts (Venting and Flaring, ONRR valuation, and ONRR civil penalties)... what should our "plan B", be?

2) Discuss AXPC's other policy priorities we will be pushing in 2017.

3) Meet the other folks on your team and discuss how AXPC and our technical committees can assist with lending our expertise and data.

Thanks! -Ryan

Ryan Day Thompson | Senior Policy Advisor

AKIN GUMP STRAUSS HAUER & FELD LLP

Mobile: +1 202.236.7885 | thompsonr@akingump.com | akingump.com | [Bio](#)

From: Magallanes, Downey [downey_magallanes@ios.doi.gov]
Sent: Thursday, February 09, 2017 2:09 PM
To: Thompson, Ryan
Subject: Re: Congrats again!

I am familiar with AXPC. Is this more a meet and greet to go over various issues?

On Thu, Feb 9, 2017 at 1:59 PM, Thompson, Ryan <thompsonr@akingump.com> wrote:

Downey,

Thank you! The group is the American Exploration & Production Council (AXPC) - I think you may have gone on one of their field trips(?). They are the 32 largest independent E&Ps in the country (list below). I will send you a fact sheet on AXPC tomorrow along with their priority issues list and we can try to set something up that works for your calendar. Thank you again and hope all is well! - Ryan

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<http://www.anadarko.com>

Apache Corporation
<http://www.apachecorp.com>

Cabot Oil & Gas Corporation
<http://www.cabotog.com>

Chesapeake Energy Corporation

<http://www.chk.com>

Cimarex Energy Co.

<http://www.cimarex.com>

Concho Resources, Inc.

<http://www.conchoresources.com>

Devon Energy Corporation

<http://www.devonenergy.com>

Diamondback Energy, Inc.

<http://www.diamondbackenergy.com>

EnCana Corporation

<http://www.encana.com>

Energen Resources Corporation

<http://www.energen.com>

EnerVest, Ltd.

<http://www.enervest.net>

EOG Resources, Inc.

<http://www.eogresources.com>

EP Energy, Corp.

<http://www.epenergy.com>

Jonah Energy LLC

<http://www.jonahenergy.com>

Linn Energy LLC

<http://www.linnenergy.com>

Marathon Oil Corporation

<http://www.marathonoil.com>

Newfield Exploration Company

<http://www.newfield.com>

Noble Energy, Inc.

<http://www.nobleenergyinc.com>

Occidental Oil & Gas Corporation

<http://www.oxy.com>

PDC Energy, Inc.
<http://www.pdce.com>

Pioneer Natural Resources Company
<http://www.pioneernrc.com>

QEP Resources, Inc.
<http://www.qepres.com>

Range Resources Corporation
<http://www.rangeresources.com>

Rice Energy Inc.
<http://www.riceenergy.com>

Seneca Resources Corporation
<http://www.natfuel.com/seneca>

SM Energy Company
<http://www.sm-energy.com>

Southwestern Energy Company
<http://www.swn.com>

Synergy Resources Corporation
<http://www.syrinfo.com>

Ultra Petroleum Corp.
<http://www.ultrapetroleum.com>

Whiting Petroleum Corporation
<http://www.whiting.com>

WPX Energy, Inc.
<http://www.wpxenergy.com>

XTO Energy, Inc.
<http://www.xtoenergy.com>

Ryan Day Thompson

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Mobile: +1 202.236.7885 | thompsonr@akingump.com | akingump.com | [Bio](#)

On Feb 6, 2017, at 6:27 PM, Magallanes, Downey <downey_magallanes@ios.doi.gov> wrote:

Hi,

We can accommodate meetings. Who are they are what are there issues? I can get the right people included.

Downey

On Mon, Feb 6, 2017 at 4:16 PM, Thompson, Ryan <thompsonr@akingump.com> wrote:

Downey,

Congrats again on the post at DOI - they are lucky to have you!! I would love to bring some oil and gas folks by to meet with you when you are able - I am sure you are buried right now! That said, will you let me know when you are able to start taking meetings?

Thanks!- Ryan

Ryan Day Thompson

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--

Downey Magallanes

Office of the Secretary

downey_magallanes@ios.doi.gov

202-501-0654 (desk)

202-706-9199 (cell)

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To: Kaster, Amanda[amanda_kaster@ios.doi.gov]
From: LeBlond, Lee (Burr)
Sent: 2017-02-10T10:40:45-05:00
Importance: Normal
Subject: Lumbee Solicitor Opinion
Received: 2017-02-10T10:40:58-05:00
[M-37040.pdf](#)

Thanks for the time today! Let me know if you need any more information.

-Lee

Lee Riley Bobbitt
Legislative Assistant
Senator Richard Burr

To: Downey Magallanes[downey_magallanes@ios.doi.gov]
From: Thompson, Ryan
Sent: 2017-02-10T11:19:21-05:00
Importance: Normal
Subject: RE: Congrats again!
Received: 2017-02-10T11:22:05-05:00

Thanks Downey - how about some time on Tuesday (2/14)? We are open between 9:30 and noon and anytime after 2:30. Anything there work? I know it is short notice. Happy to look further out on the calendar if needed. Thanks! - Ryan

Ryan Day Thompson | Senior Policy Advisor

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From: Downey Magallanes [downey_magallanes@ios.doi.gov]
Sent: Friday, February 10, 2017 9:23 AM
To: Thompson, Ryan
Subject: Re: Congrats again!

Great I will invite the relevant people. Please send some preferred times next week and I will coordinate.

Sent from my iPhone

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Cabot Oil & Gas Corporation

<http://www.cabotog.com>

Chesapeake Energy Corporation

<http://www.chk.com>

Cimarex Energy Co.

<http://www.cimarex.com>

Concho Resources, Inc.

<http://www.conchoresources.com>

Devon Energy Corporation

<http://www.devonenergy.com>

Diamondback Energy, Inc.

<http://www.diamondbackenergy.com>

EnCana Corporation

<http://www.encana.com>

Energen Resources Corporation

<http://www.energen.com>

EnerVest, Ltd.

<http://www.enervest.net>

EOG Resources, Inc.
<http://www.eogresources.com>

EP Energy, Corp.
<http://www.epenergy.com>

Jonah Energy LLC
<http://www.jonahenergy.com>

Linn Energy LLC
<http://www.linnenergy.com>

Marathon Oil Corporation
<http://www.marathonoil.com>

Newfield Exploration Company
<http://www.newfield.com>

Noble Energy, Inc.
<http://www.nobleenergyinc.com>

Occidental Oil & Gas Corporation
<http://www.oxy.com>

PDC Energy, Inc.
<http://www.pdce.com>

Pioneer Natural Resources Company
<http://www.pioneernrc.com>

QEP Resources, Inc.
<http://www.qepres.com>

Range Resources Corporation
<http://www.rangeresources.com>

Rice Energy Inc.
<http://www.riceenergy.com>

Seneca Resources Corporation
<http://www.natfuel.com/seneca>

SM Energy Company
<http://www.sm-energy.com>

Southwestern Energy Company
<http://www.swn.com>

Synergy Resources Corporation
<http://www.syrinfo.com>

Ultra Petroleum Corp.
<http://www.ultrapetroleum.com>

Whiting Petroleum Corporation
<http://www.whiting.com>

WPX Energy, Inc.
<http://www.wpxenergy.com>

XTO Energy, Inc.
<http://www.xtoenergy.com>

Ryan Day Thompson
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Ryan Day Thompson
AKIN GUMP STRAUSS HAUER & FELD LLP

Mobile: +1

202.236.7885 | thompsonr@akingump.com | akingump.com | [Bio](#)

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--

Downey Magallanes
Office of the Secretary
downey_magallanes@ios.doi.gov
202-501-0654 (desk)
202-706-9199 (cell)

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To: Domenech, Douglas[douglas_domenech@ios.doi.gov]
From: Byers, Dan
Sent: 2017-02-12T09:19:44-05:00
Importance: Normal
Subject: Re: Congrats and CRA-palooza
Received: 2017-02-12T09:19:53-05:00

Ok thanks much. Just saw they announced a Thursday signing in Youngstown. We have yet to identify any good POCs at the WH but to the extent they need help we have very deep ties in Northeastern Ohio and could easily help get trusted small biz and small town chamber reps if they want them.

Similar on venting and flaring when that happens. We have Chambers all through Colorado, New Mexico and Montana that are fired up on the CRA (just did event in Grand Junction last week).

Again good luck and we're eager to help any way we can!

Dan

On Feb 11, 2017, at 10:17 AM, Domenech, Douglas <douglas_domenech@ios.doi.gov> wrote:

Thanks Dan. The White House is not yet sharing its plan to sign the Stream Protection CRA. We have offered to help get miners.
D

Doug Domenech
Senior Advisor
US Department of the Interior

On Thu, Feb 9, 2017 at 4:17 PM, Byers, Dan <DByers@uschamber.com> wrote:

Greetings Mr. Domenech! I know you have been swamped so I've tried to avoid bothering you but wanted to send a note of congrats and extend our offer to be as helpful as we can as you get up and running.

Of immediate note, in case you didn't see, we helped to gather support from 30-ish state and local chambers that sent letters to Congress calling for repeal of the Stream Rule and the Venting and Flaring Rule (letters [here](#) and [here](#)). To the

extent that the administration is planning to do a signing ceremony or looking for other means of public support on these or similar energy issues, I think we can be pretty helpful in delivering, all the way from Karen or Tom Donohue on down to “real people” from our state and local business network.

So don't hesitate to contact me if we can help on that front, and while I know things are crazy I'd love to stop by for 20 minutes sometime after you get settled in.

Take care and good luck!

Dan

Dan Byers

Vice President, Policy

Institute for 21st Century Energy

U.S. Chamber of Commerce

1615 H Street NW

Washington, DC 20062

Office: 202-463-5996

Mobile: 202-255-8780

dbyers@uschamber.com

www.energyxxi.org

To: Downey Magallanes[downey_magallanes@ios.doi.gov]
From: Thompson, Ryan
Sent: 2017-02-12T21:51:36-05:00
Importance: Normal
Subject: Re: Congrats again!
Received: 2017-02-12T21:51:54-05:00

Downey, no worries at all and thank you! Yes, we will plan for 3 on Tuesday and wait to hear a final confirmation from you. Thank you!!

Ryan Day Thompson

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Synergy Resources Corporation
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From: Thompson, Ryan
Sent: 2017-02-12T23:59:14-05:00
Importance: Normal
Subject: Re: Congrats again!
Received: 2017-02-13T00:02:15-05:00

Sounds good - will check with AXPC- Thanks!

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To: Jim Cason[James_Cason@ios.doi.gov]
From: Holly Hopkins
Sent: 2017-02-13T08:26:47-05:00
Importance: Normal
Subject: Fwd: Meeting Request
Received: 2017-02-13T08:27:05-05:00
[Energy Regulatory Priorities.pdf](#)

Good morning Jim. Any luck with this request?

Thanks,
Holly

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Holly Hopkins <hopkinsh@api.org>
Date: 2/3/17 11:44 AM (GMT-05:00)
To: Jim Cason <James_Cason@ios.doi.gov>
Subject: Meeting Request

Jim,

In December, API made a request to meet with the DOI Transition/Landing team to talk about issues and opportunities for the Trump Administration. This request was never fulfilled. We would like to again make the request to meet with you and other appropriate DOI political staff to discuss these issues. Attached outlines our top priorities. Please let me know what works for you and do not hesitate to call if you have questions. Have a great weekend.

Thanks,

Holly A. Hopkins

Sr. Policy Advisor, Upstream

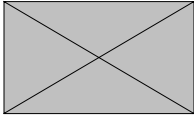
American Petroleum Institute

1220 L Street, NW

Washington, DC 20005

202-682-8439 Tel

hopkinsh@api.org



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From: Thompson, Ryan
Sent: 2017-02-13T08:46:51-05:00
Importance: Normal
Subject: RE: Congrats again!
Received: 2017-02-13T08:47:08-05:00

Awesome - thanks Downey - 10 works. Will just be Bruce Thompson (AXPC) and myself.

Ryan Day Thompson | Senior Policy Advisor

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Mobile: +1 202.236.7885 | thompsonr@akingump.com | akingump.com | [Bio](#)

From: Downey Magallanes [downey_magallanes@ios.doi.gov]
Sent: Monday, February 13, 2017 8:12 AM
To: Thompson, Ryan
Subject: Re: Congrats again!

Trying for 10

Sent from my iPhone

On Feb 13, 2017, at 12:02 AM, Thompson, Ryan <thompsonr@akingump.com> wrote:

Sounds good - will check with AXPC- Thanks!

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Thanks!- Ryan

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downey_magallanes@ios.doi.gov
202-501-0654 (desk)
202-706-9199 (cell)

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To: Douglas Domenech[douglas_domenech@ios.doi.gov]
From: Byers, Dan
Sent: 2017-02-13T09:02:38-05:00
Importance: Normal
Subject: RE: Congrats and CRA-palooza
Received: 2017-02-13T09:02:50-05:00

Ok thanks again!

From: Douglas Domenech [mailto:douglas_domenech@ios.doi.gov]
Sent: Sunday, February 12, 2017 1:59 PM
To: Byers, Dan
Subject: Re: Congrats and CRA-palooza

I will connect you tomorrow.

Sent from my iPhone

On Feb 12, 2017, at 9:19 AM, Byers, Dan <DByers@uschamber.com> wrote:

Ok thanks much. Just saw they announced a Thursday signing in Youngstown. We have yet to identify any good POCs at the WH but to the extent they need help we have very deep ties in Northeastern Ohio and could easily help get trusted small biz and small town chamber reps if they want them.

Similar on venting and flaring when that happens. We have Chambers all through Colorado, New Mexico and Montana that are fired up on the CRA (just did event in Grand Junction last week).

Again good luck and we're eager to help any way we can!

Dan

On Feb 11, 2017, at 10:17 AM, Domenech, Douglas
<douglas_domenech@ios.doi.gov> wrote:

Thanks Dan. The White House is not yet sharing its plan to sign the Stream Protection CRA. We have offered to help get miners.

D

Doug Domenech
Senior Advisor
US Department of the Interior

On Thu, Feb 9, 2017 at 4:17 PM, Byers, Dan

<DByers@uschamber.com> wrote:

Greetings Mr. Domenech! I know you have been swamped so I've tried to avoid bothering you but wanted to send a note of congrats and extend our offer to be as helpful as we can as you get up and running.

Of immediate note, in case you didn't see, we helped to gather support from 30-ish state and local chambers that sent letters to Congress calling for repeal of the Stream Rule and the Venting and Flaring Rule (letters [here](#) and [here](#)). To the extent that the administration is planning to do a signing ceremony or looking for other means of public support on these or similar energy issues, I think we can be pretty helpful in delivering, all the way from Karen or Tom Donohue on down to "real people" from our state and local business network.

So don't hesitate to contact me if we can help on that front, and while I know things are crazy I'd love to stop by for 20 minutes sometime after you get settled in.

Take care and good luck!

Dan

Dan Byers
Vice President, Policy
Institute for 21st Century Energy
U.S. Chamber of Commerce
1615 H Street NW
Washington, DC 20062

Office: 202-463-5996
Mobile: 202-255-8780
dbyers@uschamber.com
www.energyxxi.org

To: Magallanes, Downey[downey_magallanes@ios.doi.gov]
From: Thompson, Ryan
Sent: 2017-02-14T09:56:01-05:00
Importance: Normal
Subject: Re: Congrats again!
Received: 2017-02-14T09:58:35-05:00

Checking in now. Thanks!

Ryan Day Thompson

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On Thu, Feb 9, 2017 at 1:59 PM, Thompson, Ryan
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Downey,

Thank you! The group is the American Exploration & Production Council (AXPC) - I think you may have gone on one of their field trips(?). They are the 32 largest independent E&Ps in the country (list below). I will send you a fact

sheet on AXPC tomorrow along with their priority issues list and we can try to set something up that works for your calendar. Thank you again and hope all is well! - Ryan

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<http://www.anadarko.com>

Apache Corporation
<http://www.apachecorp.com>

Cabot Oil & Gas Corporation
<http://www.cabotog.com>

Chesapeake Energy Corporation
<http://www.chk.com>

Cimarex Energy Co.
<http://www.cimarex.com>

Concho Resources, Inc.
<http://www.conchoresources.com>

Devon Energy Corporation
<http://www.devonenergy.com>

Diamondback Energy, Inc.
<http://www.diamondbackenergy.com>

EnCana Corporation
<http://www.encana.com>

Energen Resources Corporation
<http://www.energen.com>

EnerVest, Ltd.
<http://www.enervest.net>

EOG Resources, Inc.
<http://www.eogresources.com>

EP Energy, Corp.
<http://www.epenergy.com>

Jonah Energy LLC
<http://www.jonahenergy.com>

Linn Energy LLC
<http://www.linnenergy.com>

Marathon Oil Corporation
<http://www.marathonoil.com>

Newfield Exploration Company
<http://www.newfield.com>

Noble Energy, Inc.
<http://www.nobleenergyinc.com>

Occidental Oil & Gas Corporation
<http://www.oxy.com>

PDC Energy, Inc.
<http://www.pdce.com>

Pioneer Natural Resources Company
<http://www.pioneernrc.com>

QEP Resources, Inc.
<http://www.qepres.com>

Range Resources Corporation
<http://www.rangeresources.com>

Rice Energy Inc.
<http://www.riceenergy.com>

Seneca Resources Corporation
<http://www.natfuel.com/seneca>

SM Energy Company
<http://www.sm-energy.com>

Southwestern Energy Company
<http://www.swn.com>

Synergy Resources Corporation
<http://www.syrinfo.com>

Ultra Petroleum Corp.
<http://www.ultrapetroleum.com>

Whiting Petroleum Corporation
<http://www.whiting.com>

WPX Energy, Inc.
<http://www.wpxenergy.com>

XTO Energy, Inc.
<http://www.xtoenergy.com>

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Sent: 2017-02-14T10:00:17-05:00
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Subject: Re: Congrats again!
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On our way up now

Ryan Day Thompson | Senior Policy Advisor
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Chesapeake Energy Corporation
<http://www.chk.com>

Cimarex Energy Co.
<http://www.cimarex.com>

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Devon Energy Corporation
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Diamondback Energy, Inc.
<http://www.diamondbackenergy.com>

EnCana Corporation
<http://www.encana.com>

Energen Resources Corporation
<http://www.energen.com>

EnerVest, Ltd.
<http://www.enervest.net>

EOG Resources, Inc.
<http://www.eogresources.com>

EP Energy, Corp.
<http://www.epenergy.com>

Jonah Energy LLC
<http://www.jonahenergy.com>

Linn Energy LLC
<http://www.linnenergy.com>

Marathon Oil Corporation
<http://www.marathonoil.com>

Newfield Exploration Company
<http://www.newfield.com>

Noble Energy, Inc.
<http://www.nobleenergyinc.com>

Occidental Oil & Gas Corporation
<http://www.oxy.com>

PDC Energy, Inc.
<http://www.pdce.com>

Pioneer Natural Resources Company
<http://www.pioneernrc.com>

QEP Resources, Inc.
<http://www.qepres.com>

Range Resources Corporation
<http://www.rangeresources.com>

Rice Energy Inc.
<http://www.riceenergy.com>

Seneca Resources Corporation
<http://www.natfuel.com/seneca>

SM Energy Company
<http://www.sm-energy.com>

Southwestern Energy Company
<http://www.swn.com>

Synergy Resources Corporation
<http://www.syrinfo.com>

Ultra Petroleum Corp.
<http://www.ultrapetroleum.com>

Whiting Petroleum Corporation
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To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-02-14T10:01:28-05:00
Importance: Normal
Subject: Unemployment Insurance Drug Testing Rule
Received: 2017-02-14T10:01:52-05:00

Press Office
February 14, 2017

Mike Long, Matt Sparks
[View Online](#)

Unemployment Insurance Drug Testing Rule

Summary

The House will use the Congressional Review Act to overturn the **unemployment insurance drug testing rule**, which severely restricts the states' ability to limit drug abusers from receiving benefits payments. Federal law requires that applicants for unemployment insurance be able and available for employment. It also allows—but does not require—states to drug test applicants for unemployment insurance. People who are abusing drugs may fail job-related drug tests, meaning they are not truly available for employment. And when drug addicts continue to abuse drugs and fail to seek help to end their addiction, states should have the option of disallowing them for unemployment benefits and ending public support for their self-destructive habits.

This is a moral, economic, and constitutional issue. Allowing states to determine how best to administer the unemployment insurance program not only allows for problems to be solved at the most local level—as common sense and our Constitution call for—but it could also shore up struggling social insurance programs and help people overcome drug abuse.

The Effect

Giving states flexibility by overturning this rule has immediate economic benefits. After implementing drug testing, **Utah saved more than \$350,000 in the first year alone** as drug users were barred from receive benefit payments from the taxpayers.

Previous studies have found that drug abuse costs employers \$81 billion annually, which means reducing drug use among employees and those looking for a job should be a priority of any employment program.

Who It Hurts

Limiting benefits for drug users helps the drug user the most. While states and welfare programs can't make people's decisions for them, **giving unemployment insurance only to those who stay clean provides a great incentive for people to stop using drugs.**

Not only that, but most employers require drug tests for worker anyway. More than half of employers drug test all candidate. Those on unemployment insurance who must, by law, be available for work must be verifiably drug free to get many jobs across the country.

Why We're Doing This

The bureaucracy is a threat to our

- Economy
- Constitution
- and People

The House has already passed legislation to change the structure in Washington so the federal bureaucracy is subject to the people and so we stop getting the same bad results year after year. Now, we're targeting specific harmful regulations and stripping them off the books.

What We've Already Done

The House has already voted to overturn many harmful regulations using the Congressional Review Act:

- The Stream Buffer Rule
- The SEC Disclosure Rule for Resource Extraction
- The SSA's Second Amendment Restrictions
- The Federal Contracts Blacklisting Rule
- The BLM Venting and Flaring Rule
- The BLM Planning 2.0 Rule
- Teacher Preparation and Accountability Rules

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To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-02-14T15:34:51-05:00
Importance: Normal
Subject: State and Local Retirement Plans Rules
Received: 2017-02-14T15:35:16-05:00

Press Office
February 14, 2017

Mike Long, Matt Sparks
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State and Local Retirement Plans Rules

Summary

The House will use the Congressional Review Act to overturn the **state and local retirement plans rules**, which allow for government-run auto-IRAs managed by states and certain municipalities to be exempt from longstanding accountability measures contained in the federal ERISA law to protect Americans' money. People should have access to safe and reliable retirement savings programs, and states will still be allowed to run auto-IRA funds after these rules are repealed, but these rules have many negative consequences because **it doesn't hold state-run programs to the same rules that are applied to the private sector.**

Workers wouldn't have the same protections in these retirement accounts as they do in private accounts, people would have less control over their savings, and small businesses would be discouraged from continuing their 401(k) plans and encouraged to push their employees onto the state-run, second-tier accounts where they are legally barred from providing employer contributions.

Not to mention, states have shown themselves to be very bad managers of people's retirement savings, which as much a danger to American workers as it is to state budgets.

The Effect

Some states are, admittedly, rather terrible money managers, and **trusting those states to manage even more people's retirement accounts could hurt those workers and put their hard-earned retirement savings at risks.** California, for example, has "managed" its public pension system to a \$281.5 billion hole. Illinois's \$130 billion pension debt amounts to \$4,000 per person in the state. Across the United States, state pensions are underfunded by \$5 trillion, according to some estimates.

Who It Hurts

Though these new retirement funds would be separate from the currently underfunded state pension systems, it's not hard to imagine that **these state-run retirement accounts will also underperform** and that retirement savers or taxpayers will need to fill the gaps.

Instead, there are many other solutions to expand access to retirement plans and encourage savings. One important solution is to allow multiple small businesses to join together to form a single plan for employees. These Multiple Employer Plans which would expand access to retirement accounts have bipartisan support and even passed the Senate Finance Committee last year unanimously.

Why We're Doing This

The bureaucracy is a threat to our

- Economy
- Constitution
- and People

The House has already passed legislation to change the structure in Washington so the federal bureaucracy is subject to the people and so we stop getting the same bad results year after year. Now, we're targeting specific harmful regulations and stripping them off the books.

What We've Already Done

The House has already voted to overturn many harmful regulations using the Congressional Review Act:

- The Stream Buffer Rule
- The SEC Disclosure Rule for Resource Extraction
- The SSA's Second Amendment Restrictions
- The Federal Contracts Blacklisting Rule
- The BLM Venting and Flaring Rule
- The BLM Planning 2.0 Rule
- Teacher Preparation and Accountability Rules

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To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-02-15T11:17:01-05:00
Importance: Normal
Subject: National Wild Refuge Hunting and Fishing Rule
Received: 2017-02-15T11:17:09-05:00

Press Office
February 15, 2017

Mike Long, Matt Sparks
[View Online](#)

National Wild Refuge Hunting and Fishing Rule

Summary

The House will use the Congressional Review Act to overturn the **National Wild Refuge hunting and fishing rule**, which infringes on Alaska's right to sustainably manage fish and wildlife. By overly regulating hunting seasons on wildlife refuge land — an issue generally left to state control — the federal government threatens to undermine local control on a national level.

This rule could massively restrict the rights of hunters on public lands, harming the state's economy and people.

The Effect

Hunting is part of the culture in Alaska, and this federal overreach would be felt across the board. **Over 125,000 people hunt in Alaska each year, generating \$439 million in economic activity while supporting 5,950 jobs, according** to the Congressional Sportsmen's Foundation.

Though this rule only affects Alaska, if we don't nip this abuse of power in the bud, the federal bureaucracy could eventually **extend its authority to severely limit hunting on public lands to even more states.**

Who It Hurts

Perhaps the most severely affected by this rule are Alaska's subsistence hunters — or those who hunt in order to survive. By limiting hunters' abilities to control the population of predators, the population of prey that people depend on to survive could be depleted.

Why We're Doing This

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- The BLM Planning 2.0 Rule
- Teacher Preparation and Accountability Rules
- Unemployment Insurance Drug Testing Rule
- State and Local Retirement Plans Rules

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To: Magallanes, Downey[downey_magallanes@ios.doi.gov]
From: Bolen, Brittany (RPC)
Sent: 2017-02-15T13:26:58-05:00
Importance: Normal
Subject: FW: H.J. Res. 36, Resolution of disapproval regarding BLM's methane rule
Received: 2017-02-15T13:27:07-05:00

From: Bolen, Brittany (RPC)
Sent: Monday, February 13, 2017 9:34 AM
Subject: H.J. Res. 36, Resolution of disapproval regarding BLM's methane rule

The Senate is expected to consider H.J. Res. 36, a resolution of disapproval under the Congressional Review Act regarding the Bureau of Land Management's final "Waste Prevention, Production Subject to Royalties, and Resource Conservation" rule.

H.J. Res. 36, Resolution of disapproval regarding BLM's methane rule

Summary

The resolution provides for congressional disapproval under the CRA of the BLM's final "Waste Prevention, Production Subject to Royalties, and Resource Conservation" rule.

On February 3, the House passed H.J. Res. 36 by a bipartisan vote of 221 to 191. Senate consideration is expected to follow.

Background

On November 18, 2016, the BLM rule was published in the Federal Register, and it went into effect on January 17. BLM is an office in the Department of the Interior. The rule regulates methane emissions from and establishes new royalty rates for oil and natural gas production on federal and Indian lands. BLM estimated the rule would cost up to \$279 million each year over a 10-year period (2017-2026) and impose an annual burden of 82,170 paperwork hours.

On January 30, Sen. John Barrasso, introduced S.J. Res. 11, and Rep. Rob Bishop introduced H.J. Res. 36, which provide for congressional disapproval of the rule under the Congressional Review Act. Currently, S.J. Res. 11 has 14 co-sponsors.

Congress and the new administration can repeal midnight rules finalized after June 13, 2016, through a resolution of disapproval under the 1996 Congressional Review Act. H. J. Res. 36 deems that BLM's final rule shall have no force or effect and prohibits the agency from issuing any future rule that is "substantially the same" form.

On February 1, the Trump administration issued a Statement of Administration Policy that "strongly supports" H.J. Res. 36 and indicated the president would sign it into law.

Considerations

Methane is the primary component of natural gas. During the course of oil and natural gas production, methane may be emitted. Because it is a valuable commodity, oil and natural gas producers have an incentive to capture and process methane to provide energy to American consumers. In its proposed rule, BLM itself acknowledged that “operators do not want to waste gas.” However, in the interest of worker safety, producers and operators will at times find it necessary to let methane escape (i.e. vent) or combust it (i.e. flare). Flaring also occurs in areas that lack gas-gathering infrastructure, which consists of small pipelines that ship natural gas from oil and gas wells to processing plants. BLM’s proposed rule admitted that flaring takes place in areas: (1) “where capture and processing infrastructure has not yet been built out”; and (2) “with existing capture infrastructure, but where the rate of new-well construction is outpacing the infrastructure capacity.”

Last year, BLM issued a proposed methane rule, which was published in the Federal Register on February 8, 2016. Days after the election, on November 15, 2016, BLM released a 337-page prepublication version of the final rule, which unusually specified an effective date of January 17, 2017. The final rule has already been affecting oil and natural gas operations. Since January 17, the venting prohibition and new royalty rates have been in effect, and operators have been required to submit a plan to comply with BLM’s waste-prevention controls with any new application for a permit to develop a well.

Exceeds BLM’s authority

BLM promulgated the rule under Mineral Leasing Act of 1920, which provides BLM authority to address undue waste on federal and Indian lands. Rather than abide by this authority, BLM designed the rule to address air quality by imposing specific requirements to curb methane emissions. Under the Clean Air Act, Congress vested the authority to regulate air quality with the Environmental Protection Agency in partnership with the states. Concerns over BLM’s lack of authority have been expressed by several state and tribal officials, including:

- New Mexico’s Energy, Minerals, and Natural Resources Department commented: “It appears as though BLM is attempting to promulgate Clean Air Act rules under the guide of a waste rule. Certainly, [the EPA] and its state counterpart, the Environment Department, have the statutory authority to regulate air quality matters.”
- The Wyoming Department of Environmental Quality, Air Quality Division, commented: “Congress knew that the complicated nature of air emissions would be best understood and managed by the states and the ... EPA, not the BLM.”

- The Attorney General of the state of Montana, stated: “the Rule, as written, impermissibly intrudes upon the sovereign authority of state oil and gas conservation commissions to define and control oil and gas waste, and it unnecessarily creates jurisdictional confusion over the specific regulatory standards that Operators of wells must meet.”
- The chairman of the Southern Ute Indian tribe, located in southwest Colorado, stated: “the BLM lacks legal authority under the Clean Air Act to impose air quality control aspects of the rule and, even if it had authority, the rule creates a regulatory conflict between the BLM and the U.S. EPA.”

A federal district court judge also expressed significant concerns with the rule’s overlap with EPA and state regulation. In a January 16 order, Judge Scott Skavdahl wrote: “It appears the asserted cost benefits of the Rule are predominantly based upon emission reductions, which is outside of BLM’s expertise, and not attributed to the purported waste prevention purpose of the Rule.”

Duplicative of state and EPA regulation

The rule is duplicative of existing state and EPA regulation of oil and natural gas facilities. The BLM’s rule is based on Wyoming and Colorado regulations. Nearly all energy-producing states have issued similar emission control requirements. BLM’s fact sheet on the final rule even stated, “[s]everal states, including North Dakota, Colorado, Wyoming, Utah and most recently Pennsylvania, as well as the U.S. Environmental Protection Agency (EPA), have also taken steps to limit venting, flaring and/or leaks.” Since 2012, EPA has issued two regulations addressing emissions from oil and gas facilities nationwide, including one last May that specifically targets methane from new and modified existing oil and natural gas facilities. Many sources of methane emissions within oil and natural gas facilities are covered by both BLM and EPA’s rules. Moreover, days after the election and before BLM issued its final rule, the EPA submitted an immense information collection request to the oil and natural gas industry in order to develop a rule to regulate unmodified existing oil and gas sources.

While BLM’s final rule said it “seeks to minimize regulatory overlap,” the rule creates greater confusion for and burden on producers as well as state and federal regulators. For instance, the North Dakota Industrial Commission, which includes the governor, attorney general, and agriculture commissioner of the state, commented: “The highly detailed leak detection and repair requirements in the [BLM’s] proposed rule may be consistent with EPA [regulation] initially, but will likely result in conflicting requirements when either agency makes changes or issues guidance.”

Ignores commonsense solutions

BLM claims the rule is necessary to capture more methane in order to garner increased royalty revenue; yet the rule may actually decrease production and royalties. The rule’s costly and burdensome requirements could result in the shut-in of a number of

producing wells on federal and Indian lands. This would not only reduce the royalty revenue assumed in the rule but would reduce American consumers' access to affordable energy. While BLM estimates the rule would provide \$23 million more in annual royalties, additional [economic analyses](#) have reported that based on current market prices of natural gas the rule would create no more than \$3.68 million in additional royalties and would reduce federal and state tax revenue by an annual \$114 million.

The oil and gas industry has already taken voluntary steps to capture methane that has generated revenue for the U.S. Treasury absent federal regulation. In 2012 alone, voluntary measures to reduce methane emission by the oil and gas industry generated \$264 million in revenue. In a state such as [Wyoming](#), which already regulates methane emissions, Gov. Matt Mead reported last year that only 0.26 percent of produced gas is flared. In June 2016, the U.S. Energy Information Administration [reported](#) that flaring in North Dakota declined more than 20 percent in the two years following state regulation of methane emissions.

Nationwide, as natural gas production rose 47 percent from 1990 to 2014, EPA's greenhouse gas [inventory reported](#) natural gas systems have reduced methane emissions by roughly 15 percent during the same period of time. This figure almost certainly underestimates the reduction, as EPA dramatically altered its methodology for estimating methane emissions from oil and gas production last year. The agency started applying emission levels from larger facilities to small facilities that are not included in EPA's greenhouse gas reporting program.

Rather than impede this progress, BLM should embrace a common-sense solution to capture more methane and increase production royalties on federal lands by providing increased access to pipelines and gathering lines to process and transport methane to market. By fixing permitting and pipeline delays, natural gas can reach consumers more quickly. In a [letter](#) to House Speaker Paul Ryan supporting congressional repeal of BLM's rule, New Mexico Gov. Susana Martinez further explained: "Insufficient pipeline capacity and gas processing capacity make it difficult for producers to capture and sell as much of their product as possible. The Department of Interior can correct the root causes of venting and flaring events by approving pipeline right-of-ways more efficiently, which will increase pipeline capacity."

Even BLM has admitted that unnecessary venting and flaring takes place in areas with a lack of pipelines or pipeline capacity. A bipartisan majority of senators voted last year in favor of expediting permitting process for natural gas gathering lines on federal and Indian lands. At his nomination hearing to be secretary of the interior, Rep. Ryan Zinke also [expressed](#) support for repealing BLM's rule and agreed that a better network of pipelines and gathering lines would provide greater capture and transport of natural gas for sale.

Provides no meaningful environmental benefits

BLM also asserts the rule is needed to fulfill President Obama's climate action plan and

strategy to reduce methane. However, BLM's rule produces no meaningful climate benefits. As a practical matter, by causing producers to shut-in wells, BLM's rule could have the effect of increasing energy production in other countries with weaker environmental standards and greater global methane emissions.

Moreover, absent the flawed royalty assumptions, BLM's only other asserted monetized benefits of the rule are attributed to the novel, so-called social cost of methane metric. This metric has nothing to do with BLM's authority to capture undue waste and has been widely challenged for failing to follow information quality and peer review guidelines. Had BLM conducted a proper cost-benefit analysis, the costs of the rule would overwhelmingly exceed the benefits.

Methane emissions addressed by BLM's rule also pose no significant contribution to global climate change. EPA reported the most recent estimates of global methane emissions at 8,375 million metric tons of carbon dioxide equivalents per year. EPA's 2016 GHG Inventory reported that U.S. methane emissions are estimated at 730.8 million metric tons of CO2 equivalents per year. BLM estimates its final rule would reduce roughly 4.4-4.5 million metric tons of CO2 equivalents per year. In other words, BLM's rule would address 0.61 percent of domestic methane emissions and 0.053 percent of global methane emissions.

Brittany Bolen
Policy Counsel
Energy, Environment, and Agriculture
(202) 224-2393

--

U.S. Senate Republican Policy Committee
Chairman John Barrasso



To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-02-15T14:45:18-05:00
Importance: Normal
Subject: The Title X Abortion Funding Rule
Received: 2017-02-15T14:45:26-05:00

Press Office
February 15, 2017

Mike Long, Matt Sparks
[View Online](#)

The Title X Abortion Funding Rule

Summary

The House will use the Congressional Review Act to overturn **Title X abortion funding rule**, which forces states to administer Title X health care funding to abortion providers, like Planned Parenthood. The federal government should not use taxpayer money to support abortion providers, and it shouldn't force the states to do so either. **Overturing this rule does not reduce funds for the Title X program, but only allows states to redirect those funds to community health centers and hospitals that offer more comprehensive coverage.**

The Effect

States should have every right to direct health care funding to those organizations that best provide health care. In 2014 alone, Planned Parenthood performed 323,999 abortions. Meanwhile, **a large number of the abortion-clinics don't even offer basic services like prenatal care**, and former employees revealed that their clinics had abortion quotas and they would be rewarded for reaching them. Women need more. They deserve honest and comprehensive healthcare.

Planned Parenthood comprises only 13% of the approximately 4,100 Title X service sites

Who It Hurts

With the interests of Tennesseans in mind, the state of Tennessee decided to administer Title X funding only to servicers that didn't provide abortions. Every single one of Tennessee's 95 counties have health providers outside of

Planned Parenthood that are eligible for Title X funding. **This Obama-Administration regulation would force Tennessee to divert funding from these perfectly qualified health centers** and give it to an organization whose main business is abortion.

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- The BLM Planning 2.0 Rule
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To: Magallanes, Downey[downey_magallanes@ios.doi.gov]
From: Bolen, Brittany (RPC)
Sent: 2017-02-15T15:43:17-05:00
Importance: Normal
Subject: RE: Stream Protection
Received: 2017-02-15T15:43:25-05:00

Sure! Let me know your availability next Wed or Thurs.

From: Magallanes, Downey [mailto:downey_magallanes@ios.doi.gov]
Sent: Wednesday, February 15, 2017 1:54 PM
To: Bolen, Brittany (RPC) <Brittany_Bolen@rpc.senate.gov>
Subject: Re: Stream Protection

sorry no just SPR. Whenever BLM venting and flaring goes out that would also be great.

Can we get together next week??

On Wed, Feb 15, 2017 at 1:23 PM, Bolen, Brittany (RPC) <Brittany_Bolen@rpc.senate.gov> wrote:

Hey, sure I'll send you SPR right now. what other leg notices? For CRAs?

From: Magallanes, Downey [mailto:downey_magallanes@ios.doi.gov]
Sent: Wednesday, February 15, 2017 1:08 PM
To: Bolen, Brittany (RPC) <Brittany_Bolen@rpc.senate.gov>
Subject: Stream Protection

Hey do you mind forwarding the legislative notice for stream protection rule ASAP- or any other RPC notice THANK YOU

--

Downey Magallanes
Office of the Secretary
downey_magallanes@ios.doi.gov
202-501-0654 (desk)
202-706-9199 (cell)

--

Downey Magallanes
Office of the Secretary
downey_magallanes@ios.doi.gov
202-501-0654 (desk)
202-706-9199 (cell)

To: lori_mashburn@ios.doi.gov[lori_mashburn@ios.doi.gov]
Cc: Doug Domenech (b) (6)
From: (b) (6)
Sent: 2017-02-16T09:48:37-05:00
Importance: Normal
Subject: Interest in DOI Position
Received: 2017-02-16T09:58:39-05:00
[Trump DOI Team cover letter \(b\) \(6\).docx](#)
[\(b\) \(6\) Resume 2017 Trump DOI Transition.docx](#)

Good morning Lori,

A number of people have suggested that I share my resume with you directly since you joined DOI. First, congratulations on being part of the Trump Team helping stand up the Department's politicos who will get us back on track to make America Great Again. Much is riding on the decisions made as you and others choose the team that will bring sanity back to decision-making at DOI.

(b) (6)
[Redacted]

[Redacted] I left government service in 2010.

(b) (6)
[Redacted] (b) (6)
[Redacted]

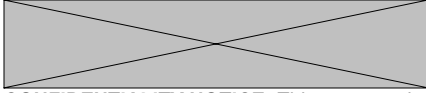
I'm interested in rejoining DOI if there is a place for me. I'd like to be in a position that (b) (6)
[Redacted]

(b) (6)
[Redacted]

Thank you in advance for your consideration. I'm in DC this week and next and would be happy to meet with you if you'd like.

(b) (6)
(b) (6)
Holland & Hart LLP
1029 West Third Avenue, Suite 550
Anchorage, AK 99501
Phone (907) 865-2600

975 F Street, NW, Suite 900
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To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-02-17T11:01:38-05:00
Importance: Normal
Subject: The CRA Wrap-Up To-Date
Received: 2017-02-17T11:01:46-05:00

Press Office
February 17, 2017

Mike Long, Matt Sparks
[View Online](#)

The CRA Wrap-Up To-Date

For weeks, the House has worked on a large-scale regulatory reform project to **protect our people from the abuses of the bureaucracy, rebalance our constitutional system of government, and improve our economy.**

We're doing this through a [two-part plan](#). First, in order to return power to the people we passed the REINS Act and Regulatory Accountability Act to restructure how the bureaucracy makes and the courts litigate regulations. Second, we used the Congressional Review Act to overturn particular harmful Obama-era regulations and send them to the dustbin of history.

We began with regulatory reform first, because we know that if we don't change the structure of Washington and drain the bureaucratic swamp, we'll only get the same results. Not only that, but the Congressional Review Act gives us a limited time to overturn these Obama-regulations. We have a small window of opportunity, and we're taking it.

Here's What We've Done

Overall, the House has passed 13 CRAs to overturn 13 terrible regulations:

1) [The Stream Buffer Rule](#) (H.J. Res. 38) would have saddled mines with unnecessary regulations, putting up to 64% of America's coal reserves off limits and threatening between 40,000 to 70,000 mining jobs.
Signed by President Trump

2) [The SEC Disclosure Rule for Resource Extraction](#) (H.J. Res. 41) would have put an unreasonable compliance burden on publicly traded American energy companies, putting them at a disadvantage to foreign-owned businesses. ***Signed by President Trump***

3) [The Social Security Service's Second Amendment Restrictions](#) (H.J. Res. 40) would increase scrutiny on up to 4.2 million law-abiding

disabled Americans attempting to purchase firearms, potentially depriving people of their constitutional rights without proper due process protections. ***Passed by the Senate***

4) **The Federal Contracts Blacklisting Rule** (H.J. Res. 37) would unjustly block many businesses accused of violating labor laws from federal contracts before they've even had a chance to defend themselves in court.

5) **The Bureau of Land Management Venting and Flaring Rule** (H.J. Res. 36) would further cap methane emissions in the oil and gas industry at a time when the industry is already dramatically reducing emissions, potentially wiping out family-owned marginal wells and costing an estimated \$1 billion.

6) **The Bureau of Land Management Planning 2.0 Rule** (H.J. Res. 44) would reduce local authority over large swaths of land out west, massively expanding the federal government's control over more than 175 million acres of land about 4,000 times the size of Washington, D.C. in 11 western states.

7) **The Teacher Preparation Rule** (H.J. Res. 58) would force states to use Washington's standards to determine whether a teacher preparation program is effective, undermining local control over education and potentially exacerbating the shortage of special education teachers.

8) **The Education Accountability Rule** (H.J. Res. 57) would be an unfunded mandate imposing Washington's standard for how to assess schools on state and local governments.

9) **The Unemployment Insurance Drug Testing Rule** (H.J. Res. 42) would severely restrict states' ability to limit drug abusers from receiving unemployment benefits even if the drug users are not able and available for work, as the law requires.

10) **The State Retirement Plan Rule** (H.J. Res. 66) would treat employees unequally by allowing states to force some workers into second-tier government-run retirement accounts that lack the same protections as private-sector accounts.

11) **The Local Retirement Plan Rule** (H.J. Res. 67) would treat employees unequally by allowing certain localities to force some workers into second-tier government-run retirement accounts that lack the same protections as private-sector accounts.

12) **The National Wildlife Hunting and Fishing Rule** (H.J. Res. 69) would infringe on Alaska's right to sustainably manage fish and wildlife by

overregulating hunting a move that could set the stage for the federal government to undermine local control across the entire U.S.

13) **The Title X Abortion Funding Rule** (H.J. Res. 43) would force states to administer Title X health funding to abortion providers, even if states want to redirect those funds to community health centers and hospitals that offer more comprehensive coverage.

Hard at Work

From defending American workers to protecting our rights to savings children's lives, the House has been extremely productive the beginning of this year. But this is just the beginning. Regulatory reform part of our 200-day agenda will continue, and together with our efforts to repeal and replace Obamacare and reform the tax code, Republicans are just getting started.

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To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: McCarthy Press Shop
Sent: 2017-03-01T11:10:29-05:00
Importance: Normal
Subject: The OSHA Power Grab Rule
Received: 2017-03-01T11:10:49-05:00

Press Office

March 1, 2017

Mike Long, Matt Sparks

[View Online](#)

The OSHA Power Grab Rule

Summary

The House will use the Congressional Review Act to overturn **an unlawful power grab by the Occupational Safety and Health Administration (OSHA)**, which would directly contradict law by unilaterally increasing the time OSHA can target employers for record-keeping violations. The law states explicitly that employers can only be targeted for failing to keep proper health and safety records within a six-month time period, but this rule would extend that to a full five years.

The House has always valued worker safety, but this regulation is a completely illegitimate power grab that would do nothing to help workers while doing a lot to undermine the rule of law.

The Effect

This rule is unlawful. Two federal appeals courts have rejected the very policies reflected in the rule. As the U.S. Court of Appeals for the D.C. Circuit [stated](#):

“We do not believe Congress expressly established a statute of limitations only to implicitly encourage the Secretary to ignore it.... Nothing in the statute suggests Congress sought to endow this bureaucracy with the power to hold a discrete record-making violation over employers for years, and then cite the employer long after the opportunity to actually improve the workplace has passed.”

Who It Hurts

Flawed and burdensome regulations—particularly by OSHA—are destroying

businesses and jobs As **Lisa Sprick**, owner of a small roofing company in Oregon testified in 2016, “OSHA seems stuck in a ‘Washington, D.C. knows best’ mode of regulating our industry, and it is not helping to make workplaces safer.”

As the **Coalition for Workplace Safety** said, this rule “an extreme abuse of authority by a federal agency that will subject millions of American businesses to citations for paperwork violations, while doing nothing to improve worker health and safety.”

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- and People

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- The Unemployment Insurance Drug Testing Rule
- The State Retirement Plan Rule
- The Local Retirement Plan Rule
- The National Wild Refuge Hunting and Fishing Rule
- The Title X Abortion Funding Rule

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To: Amanda Kaster (amanda_kaster@ios.doi.gov)[amanda_kaster@ios.doi.gov]
From: Marino Thacker, Meghan (Daines)
Sent: 2017-03-01T11:32:43-05:00
Importance: Normal
Subject: FW: RELEASE: Daines: Zinke Confirmed as Interior Secretary
Received: 2017-03-01T11:33:06-05:00

And this.

From: Press (Daines)
Sent: Wednesday, March 1, 2017 11:29 AM
To:
Subject: RELEASE: Daines: Zinke Confirmed as Interior Secretary

FOR IMMEDIATE RELEASE
March 1, 2017

Daines: Zinke Confirmed as Interior Secretary

U.S. SENATE U.S. Senator Steve Daines today released the following statement after the U.S. Senate voted to confirm President Donald J. Trump's nominee for Secretary of the U.S. Department of the Interior, Montana's U.S. Representative Ryan Zinke.

“This is a historic moment for Montana as Congressman Zinke is the first Montanan to ever serve in a President’s cabinet,” Daines stated. **“Ryan is a Montanan who grew up in America’s public lands. He knows that we must strike the right balance between conservation and responsible energy development, and he understands more than most that one-size fits all policies from Washington, D.C., never work for real America.”**

On the Senate floor, Daines called for the vote to confirm Zinke. Following Zinke's confirmation Daines spoke on the Senate floor to congratulate the first Montanan to serve in a President's cabinet. Click [HERE](#) to download.

Matt Rosendale, Montana State Auditor: “Big congratulations to Ryan Zinke on being confirmed as our new Secretary of Interior. It's great to have a fellow Montanan serving in the cabinet who understands the importance of improving access to our public lands.”

Elsie Arntzen, State Superintendent: “Congratulations to Ryan Zinke on becoming our nation's next Interior Secretary. As Vice-Chair of the Montana Land Board, I look forward working with Secretary Zinke in his new capacity to put Montana students first. The Land Board is crucial to school funding and it will be very beneficial to have Montana leadership managing our public lands at the U.S. Department of the Interior.”

Senate President Scott Sales, R - Bozeman: “I congratulate Congressman Zinke and look forward to the leadership he will bring as Secretary to the Department of the Interior concerning the management of our lands here in the west. It is also good that the clock will start regarding the selection of his replacement in Congress. It is imperative that Montana's voice is heard in the U.S. House of Representatives.”

Senate Majority Leader Fred Thomas, R - Stevensville: “This is truly one of the highlights of my political tenure. To see a Montana Congressman become the Secretary of the Interior is absolutely a tribute to Montana and its citizens!”

Daines first met Zinke at Boys State in Dillon, Montana in 1979.

On January 17, Daines introduced Zinke at his confirmation before the U.S. Senate Committee on Energy and Natural Resources.

On January 5, Daines met with Zinke in his Washington, D.C. office to discuss Zinke’s confirmation and his commitment to Montana’s public lands.

Immediately following Zinke’s confirmation, Daines sent a letter to Zinke outlining Montana priorities for the Department of Interior.

Daines’ letter is available to download [HERE](#) and below:

Dear Secretary Zinke:

What an historic day for Montana! Congratulations on your appointment as Secretary of the Department of the Interior (Department). As a fellow Montanan, a member of the Senate Committee on Energy and Natural Resources and the Senate Appropriations Subcommittee on Interior, Environment, and Related Agencies, I look forward to working with you in your new role. Serving at the helm of the Department of the Interior, you will be a strong advocate for our public lands, help uphold the federal trust responsibility to Indian tribes, will help unleash American energy and will strengthen our water infrastructure. As you begin to set priorities and goals for the Department, including informing the President’s budget request for Fiscal Year 2018 and the important work of addressing our nation’s infrastructure challenges, I would like to highlight several specific policies that demand your immediate and personal attention.

Unleash American Energy

Terminate Secretarial Order 3338. This order imposed a moratorium on federal coal leasing, paused ongoing lease applications and modification reviews, and launched a programmatic review of the federal coal leasing program, including overhauling the leasing process and changing royalty rates. This moratorium and Programmatic Environmental Impact Statement will put nearly 65,000 direct and indirect mining jobs at risk, as well as impact the billions of dollars in revenues to states like Montana, as well as to Indian tribes, used to pay for schools, reclamation, and other infrastructure projects. I urge you to rescind this damaging order.

Utilize coal export terminals. As you are well aware, Powder River Basin coal is lower in sulfur content than Indonesian coal. Currently, Montana coal producers must rely on Canadian ports to bring our coal to market. I urge you to assist other departments in ensuring coal export

terminal permits are issued in a timely manner. Doing so will help Montana coal reach international demand, thereby creating more American jobs here at home instead of across our border while keeping global emissions down.

Help approve the Keystone XL pipeline. The Keystone XL pipeline will be a much-needed lifeline to many rural Montana communities, entering the United States through Phillips County, traveling about 284 miles across eastern Montana to South Dakota. After nearly a decade of environmental review and then ultimate denial by the Obama Administration, thanks to President Trump, Montana and builders across the country stand on the cusp of finally building this pipeline. In Montana, the pipeline would create about 800 jobs, help keep electricity prices affordable for families, and generate more than \$80 million in Montana property taxes, more than \$16 million of which would be distributed to Montana's schools and university system. While the Keystone XL pipeline project proceeds through the Presidential permitting process, there are several rights-of-way permits under review by the Bureau of Land Management (BLM) in Montana and throughout the proposed route. I urge your attention to those permits to ensure the Keystone XL project can become a reality.

Empower states and tribes to take the lead in natural resource development and protecting the environment. Rules such as the BLM's Methane and Waste Reduction Rule and hydraulic fracturing rule are duplicative and unnecessary, conflict with current state laws, such as those put in place in Montana, and would discourage state-driven solutions to managing emissions. The BLM hydraulic fracturing rule, in particular, would make it harder to do business with Native nations and make them less competitive in energy markets. Furthermore, the BLM Sage-Grouse Conservation Plans are yet another example of federal requirements' dissonance with work states have already done. Whether through regulation of our nation's vast energy resources, or approaches to wildlife management, I believe state and tribal governments are best suited to lead in addressing these issues, not an overreaching and out-of-touch federal bureaucracy.

Strengthen our nation's critical mineral supply. Our foreign mineral dependence is a mounting threat to our economy, national security, and international competitiveness. Despite our nation's abundant resources, including Montana's supply of palladium, platinum, molybdenum, and other minerals, our nation's permitting process for mineral development remains one of the longest in the world. I believe there are ways to streamline our critical mineral production while protecting our environment and urge you to work with Congress toward that end by prioritizing formulating a robust domestic critical mineral strategy.

Consolidated Federal Oil and Gas and Federal and Indian Coal Valuation Reform Rule (81 Fed. Reg. 43338). While we must be committed to protecting the federal taxpayer and our states' fair share of mineral royalties, this rule as finalized will have a detrimental effect to American energy production, could decrease shared revenues and royalties in our states, and place our nation's energy and infrastructure security and good-paying energy jobs at risk. The rule's complexity has caused much uncertainty and has the potential to risk financial ruin to energy operators and mine-mouth electricity generators who are critical to meeting our nation's energy needs and important to our state economies. Although the Department postponed implementation of the rule, I urge you to rescind the rule and implement a common-

sense royalty policy that would protect the economic use of our nation's vast energy resources while ensuring our states and the federal taxpayer continue to receive revenue they deserve.

Protect our Sportsmen's Heritage and Increase Access to Public Lands

Address the National Park Service maintenance backlog. As two Montana kids who grew up neighboring two crown jewels of the National Park System, I know we share high regard for the importance of strengthening and sustaining our National Park System for future generations. The Park Service currently has an over \$11.9 billion backlog in deferred maintenance projects. As the Chair of the Senate Energy and Natural Resources Subcommittee on National Parks and a member of the Senate Appropriations Committee, I ask for your cooperation to reexamine prioritization of these projects and work with Congress to address these challenges.

Endangered Species Act and Federal Forest Management. As you know well, federal forest management reform continues to be a major priority in Montana. Too often a handful of fringe groups are able to exploit the flawed Endangered Species Act to obstruct projects through obstructionist litigation. Many of these stymied projects would have widespread benefits, such as creating forest jobs, reducing the threat of wildfire, enhancing wildlife habitat, and increasing outdoor recreation. The Ninth Circuit Court of Appeal's *Cottonwood* decision is a prime example of where smart forest management projects are held hostage to fringe groups litigating on ESA. I urge you to ensure that the U.S. Fish and Wildlife Service stands shoulder-to-shoulder with the U.S. Forest Service and the Department of Justice in support of statutorily reversing the disastrous *Cottonwood* ruling. I also ask that you work with Congress to modernize and strengthen the ESA so that it protects our diverse wildlife without having severe impacts on livelihoods and local communities.

Land and Water Conservation Fund. The Land and Water Conservation Fund is an important tool for protecting, conserving and expanding access to our public lands. Full funding and permanent reauthorization of this program is a critical step toward ensuring that Montanans can continue to enjoy the beauty of our state for generations to come.

Facilitating more local and state input in management of federal lands. Too many land-use decisions, such as Antiquities Act designations and their land-use plans or land planning more broadly, like the BLM's Planning 2.0 Rule, have occurred with the Department's disregard for impacts of these decisions to those who live closest to the land. Farmers, ranchers and other land users have spent generations working and protecting the land they use every day. I ask that you work with them and states to increase their voice when making land management decisions.

Director's Order 219. The Obama Administration's midnight directive ban on the use of lead ammunition and fishing tackle on federal lands is an example of a misguided and rushed directive from the top. I am concerned this directive was motivated by politics, not sound science, and would jeopardize the revenues hunters and anglers generate for conservation purposes. I ask that you rescind the directive and work with the states and Congress to address the use of lead in ammunition and fishing tackle.

Securing Water Infrastructure

Stop the spread of aquatic invasive species. As you know, last year invasive mussel larvae were detected in Montana waters managed by the Bureau of Reclamation (BOR). Should these larvae propagate, it will have detrimental impacts on Montana's ecosystem, obstruct irrigation and hydropower infrastructure, and negatively impact our economy. In your new role, I urge you to work with the Corps of Engineers and other federal, tribal and state agencies to ensure these mussels do not proliferate.

Complete and Fund Rural Water Projects. The Dry-Redwater Regional Water Authority and Musselshell-Judith Rural Water System have spent seven and 11 years, respectfully, in deliberation with BOR, as well as \$7 million in combined state, local, and federal funding to date without authorization. Authorizing these projects would help provide access to a dependable and clean water supply to the nearly 25,000 residents in central and eastern Montana who currently lack access to reliable water supply systems that meet the basic drinking water requirements. Montana is also home to two rural water projects authorized that are in dire need of dedicated funding. We worked together in Congress to advance their authorizations and fund our authorized projects in Montana. I ask for your continued cooperation to reexamine prioritization of these projects and work with Congress to secure authorization and address resource challenges, including consistent and robust funding.

Promoting Prosperity in Indian Country

Fund Implementation of the Blackfeet Water Rights Settlement Act. Together with your leadership in the House of Representatives, we were able to enact an historic water settlement for the Blackfeet people. In order for the settlement to become effective, however, the funding authorized in the settlement, approximately \$422 million, must be appropriated no later January 21, 2026. Fully funding this settlement is a crucial step to upholding the commitment made by Congress, the Administration, and the State of Montana to the Blackfeet people and neighboring communities. I urge your assistance in requesting robust funding for this settlement each year, beginning with at least \$100 million in the President's Budget request for 2018.

Recognize the Little Shell Tribe. The Little Shell Tribe has been fighting for federal recognition for nearly four decades. While I remain committed to seeing the Little Shell Tribe of Chippewa Indians Restoration Act--which would legislatively grant federal acknowledgement to the tribe--into law, the Department of the Interior is uniquely positioned to grant that recognition unilaterally in a way that has the potential to be more expeditious than the legislative process. I urge you to do so and give them the dignity they deserve.

Facilitate development of tribal energy resources. A good-paying job is the key to a brighter future for Indian tribal communities and for many tribes, development of their natural resources would stimulate economic growth. Unfortunately, Indian tribes face obstacles in tapping into their rich natural resources potential, almost all of which has gone undeveloped. Furthermore, according to a 2014 Department document, Indian energy resources are underdeveloped relative to surrounding non-Indian resources. I ask that you work with me to remedy these troubling statistics by facilitating easier all-of-the-above energy development on Indian lands and helping tribes cut through existing red tape that stands in the way.

Keep Indian Country safer. Over three thousand Native American veterans transition out of the military each year. This pipeline of talent offers a potential pool of highly qualified and civic-minded personnel to fill challenging vacancies in law enforcement positions across Indian Country. I hope that the Department can work constructively with the Office of Personnel Management to reduce the bureaucratic maze that confronts applicants who are willing to fill critical law enforcement vacancies. The talent pool exists to fill these positions, but if the time required to complete the hiring process and finalize background checks remains excessive, prospects may lose interest and look for opportunities elsewhere.

While not an exhaustive list, I believe the above policies reflect important areas to begin your important work leading the Department of the Interior. I look forward to working with you on these issues; and, I extend an invitation for you to join me in Montana to meet face-to-face with our constituents directly impacted by the Department.

###

Contact:

To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: RinconKurt@everyactioncustom.com
Sent: 2017-03-01T12:30:49-05:00
Importance: Normal
Subject: Priorities for public lands
Received: 2017-03-01T12:31:05-05:00

Dear Secretary Ryan Zinke,

Congratulations on your appointment as Secretary of the Interior. As an outdoor enthusiast who relies on public lands to recreate, I'm writing to share my three biggest concerns about the future of our public lands and the role I hope you will play in protecting them.

1. Please keep public lands in public hands.
2. Support the Bears Ears National Monument, which protects outstanding recreation in the region--as well as native American cultural values.
3. Protect important conservation tools like the Antiquities Act, which has been used by nearly every president since its passage to protect recreation and now the recreation economy.
4. Those who the U.S. government allows to exploit our public lands for profit must be suitably regulated: Fees must be commiserate with the value being gained from public lands. Public lands must not suffer extreme degradation from grazing and mining as has been so often the case in the past because of poor government oversight (particularly from the BLM). Those who don't pay their fees or don't treat the land as they agreed (e.g., by over-grazing or not reclaiming mining sites) must be evicted since their use of the public lands is a privilege, not a right. Methane from oil and gas wells must be controlled to prevent further global warming and health consequences.

Thank you for your attention to my concerns. I appreciate your commitment to protecting wild places, and the tools that are used to protect them, for future generations.

Sincerely,
Kurt Aronow

Eldorado Springs, CO 80025

To: Dan Jorjani[daniel_jorjani@ios.doi.gov]
From: John Fowler
Sent: 2017-03-03T08:10:18-05:00
Importance: Normal
Subject: SOI and tribes
Received: 2017-03-03T08:10:27-05:00

This is an analysis from Law360, an online subscription service we get on environmental law issues. Thought you might find it of interest, as I think it's a pretty good read of what we hear from Indian Country (and the preservation community). We are developing a set of recommendations on tribal consultation that are intended to address some of the issues that arose in DAPL and other energy projects with federal involvement. I will share with you when they crystallize. While they aim to satisfy the concerns raised by tribes in last fall's DOI-DOJ-Corps national consultation with tribes and propose an ideal, I think there will be a number of practical and achievable steps that could be taken to improve both tribal engagement and procedural efficiency.

BTW, Bears Ears is a big issue to the Trust, as they pushed hard for the designation. We don't have a dog in that fight.

John

4 Top Tribal Concerns As Zinke Takes Charge Of DOI

Share us on: By [Andrew Westney](#)

Law360, New York (March 2, 2017, 4:32 PM EST) -- Former Montana Rep. Ryan Zinke brings a short yet solid record working with Indian Country to his role as the newly confirmed secretary of the interior, but attorneys for Native American tribes will be watching how the Republican tackles federal land management, budget restrictions, energy projects and other issues as the Trump administration moves forward. Here are four key areas to keep an eye on as Zinke takes the reins at the DOI.

Energy Development

The Trump administration's push for rapid energy infrastructure development may test Zinke's stated commitment to respecting tribal sovereignty and consulting with tribes over such projects, attorneys say.

At his **Jan. 17 confirmation hearing** before the Senate Energy and Natural Resources Committee, Zinke called for the federal government to listen to tribes' concerns over infrastructure like the Dakota Access pipeline. That project has prompted sharp conflict

and ongoing litigation between those seeking to protect the Standing Rock Sioux Tribe's water near its reservation and the Energy Transfer Partners LP unit looking to complete the pipeline.

While the Dakota Access pipeline turned into a political football between the Obama administration and the Trump administration, with President Donald Trump issuing a presidential memorandum in his first days in office meant to speed up review of the project, "it would be unfair for anyone to try to hold [Zinke] to the task of unscrambling that egg," according to Holland & Knight LLP partner Philip Baker-Shenk.

"Going forward, I think it's fair to ask about the next pipeline, the next proposal that implicates tribal rights and responsibilities: How will the Zinke Interior Department to the extent it's involved in that provide meaningful consultation?" he said.

The DOI has a divided role with respect to energy, as it's charged with both protecting natural resources and encouraging their development, Dorsey & Whitney LLP partner Thaddeus Lightfoot said. That may put Zinke in a squeeze between listening to tribes on the one hand, and dealing with pressure from the administration on the other, he said.

"If the protection of tribal lands conflicts with the federal desire to conduct energy development, it's unclear where the Department of the Interior is going to land on that issue," Lightfoot said.

During his hearing, Zinke broke from earlier comments of Trump's by saying that he didn't believe climate change is a hoax, but he suggested that there is still a place for fossil fuel extraction on federal lands.

Leading up to his confirmation Wednesday, Zinke received strong support from tribal leaders in his home state of Montana, where he supported the Crow Tribe's coal production efforts, and said during his hearing that he would support coal mining as part of Trump's effort to end the Obama administration's so-called war on coal.

But nationwide, Zinke's support for an "all of the above" approach to energy development could benefit the diverse array of tribes who may be able to profit from not just oil, coal or gas, but from solar, wind, nuclear or water projects as well, Baker-Shenk said.

Environmental Regulation

Zinke will also have a role in implementing Trump's plans to roll back environmental regulations, but could prove to be a less extreme figure than others in the administration, attorneys say.

In nominating Zinke as interior secretary in December, Trump said the ex-U.S. Navy SEAL would help "repeal bad regulations and use our natural resources to create jobs and wealth for the American people."

Zinke has opposed Obama administration regulations and backed construction of the Keystone XL pipeline, saying during his confirmation hearing that he would support reversing the Bureau of Land Management's rules for venting and flaring methane on public and tribal lands.

But Lightfoot said that Zinke's attitude toward the DOI appears "very different and more positive" than that of new U.S. Environmental Protection Agency head Scott Pruitt toward his agency, which Pruitt consistently attacked during his six-year tenure as attorney general of Oklahoma.

Zinke could help shape specific environmental regulation through the DOI's advisory role to the EPA on tribal issues affected by the agency's environmental programs, such as whether a tribe can claim treatment-as-state status under the Clean Air Act, and he could influence the administration's overall policy as a Cabinet member, according to Brian Gunn, a principal in the Indian tribal governments group at Powers Pyles Sutter & Verville PC.

Zinke is "generally seen as a moderate within Indian Country, and the fact that he has at least some record with tribes, I think, makes folks hopeful he can have a kind of moderating role [within the administration]," Gunn said.

Land Management

During his single full term as Montana's sole congressman, Zinke backed a strong role for the federal government in handling public lands, which could quickly put him at odds with Republican leaders in Congress over a controversial national monument that protects

sacred tribal lands in Utah.

An avowed conservationist, Zinke said in an email to DOI staff Thursday that his first priority as DOI secretary is to address an estimated \$12.5 billion backlog of maintenance and repair work in the National Park System. Also on Thursday, in one of his first acts as secretary, Zinke issued two secretarial orders to expand access to public lands for hunting, fishing, camping and other recreational activities.

In the email, Zinke reaffirmed his commitment not to sell, transfer or privatize public land. At his confirmation hearing, Zinke had said that he was "absolutely against transfer or sale of public land." And while in Congress, he voted against legislation that would allow the selling off of public lands.

But congressional Republicans led by Natural Resources Committee Chairman Rob Bishop, R-Utah, have pushed for Trump to rescind former President Barack Obama's Dec. 28 designation of the 1.35-million-acre Bears Ears National Monument in southeastern Utah, saying the move was "alien to the desires of the overwhelming majority of Utahns" and Native Americans in the area.

In a statement Wednesday following Zinke's confirmation as interior secretary, Rep. Raul Grijalva, D-Ariz., called for Zinke to stick by his prior opposition to "state-level efforts to seize millions of acres of federally owned public land" as Zinke is expected to visit Utah to discuss the Bears Ears monument soon.

If Bishop's bid to have Trump rescind the Bears Ears designation under the Antiquities Act fails, Zinke is likely to be publicly drawn into the fray, according to professor Alexander T. Skibine of the University of Utah College of Law.

"If Trump does not go for revoking this [designation] through an executive order, which it's not a given he can do, legally speaking, the Utah delegation will try to push hard to get this through Congress, and Zinke would have to testify," Skibine said.

Still, his new job could position Zinke to broker an agreement over the Bears Ears monument and other land disputes in a way that respects tribal interests and property rights while lessening federal control, according to Baker-Shenk.

Stricter Budget

Anticipated budget cuts by the Trump administration could force Zinke to figure out how to sustain tribal programs at the DOI's Bureau of Indian Affairs while keeping the BLM, the National Park Service and the department's many other agencies running smoothly.

Trump announced his intention to slash federal staffing on Jan. 23, prompting fears from tribal advocates that Indian programs on which many tribes rely, including those at the BIA, could take a heavy hit.

Now, the White House may cut 10 percent from the DOI's proposed 2018 budget, according to a report cited by Grijalva in Wednesday's statement, as part of an overall paring down of federal agencies.

The Trump administration's focus on trimming the government puts Zinke in the position of having to protect tribal programs from being trimmed or cut altogether, after such programs generally received solid support from the Obama administration, according to Gunn.

"In the last eight years, tribes haven't really had to play defense on the budget so much and have been able to advocate for gains on certain programs," he said. "Zinke in his role [at the DOI] is in a good position to be able to protect or insulate Indian Country from some of those cuts and hopefully find those cuts elsewhere outside of Indian Affairs."

In his letter to the DOI on Thursday, Zinke stressed his commitment to Indian Country, saying "sovereignty needs to mean something."

"My commitment to the [Indian] territories and nations is not lip service," Zinke said in the letter

To: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
Cc: Orth, Patrick (Portman)[patrick_orth@portman.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-05T16:08:33-05:00
Importance: Normal
Subject: BLM methane rule
Received: 2017-03-05T16:08:45-05:00

Hi Micah,

Thanks for sitting down with Pat and me a few weeks ago. It was great to meet you.

Wanted to see if you or someone on your team would have time to talk tomorrow about the BLM methane rule. Do you guys have a plan if the CRA fails?

My boss also wants to schedule a call with Secretary Zinke on this. Could you point me in the right direction to get this set up?

Thanks for your help.

Sarah

Sent from my iPhone

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
Cc: Orth, Patrick (Portman)[patrick_orth@portman.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-06T10:33:11-05:00
Importance: Normal
Subject: RE: BLM methane rule
Received: 2017-03-06T10:33:56-05:00

Hi Micah,

Thanks for the quick reply. We are available from now until 1:30 and again from 2-3 today. Please let me know what works best for you.

Sarah

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 06, 2017 10:30 AM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Cc: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Subject: Re: BLM methane rule

Sarah. Thanks for reaching out. Be glad to chat today at some point. What's your schedule look like this afternoon?

Micah

On Sun, Mar 5, 2017 at 4:08 PM, Pearce, Sarah (Portman)
<Sarah_Pearce@portman.senate.gov> wrote:
Hi Micah,

Thanks for sitting down with Pat and me a few weeks ago. It was great to meet you.

Wanted to see if you or someone on your team would have time to talk tomorrow about the BLM methane rule. Do you guys have a plan if the CRA fails?

My boss also wants to schedule a call with Secretary Zinke on this. Could you point me in the right direction to get this set up?

Thanks for your help.

Sarah

Sent from my iPhone

--

Micah Chambers

Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Timothy_williams@ios.doi.gov[Timothy_williams@ios.doi.gov]
Cc: Danielle.Chesky@international.gc.ca[Danielle.Chesky@international.gc.ca];
Rachel.McCormick@international.gc.ca[Rachel.McCormick@international.gc.ca]
From: Rachel.McCormick@international.gc.ca
Sent: 2017-03-06T10:38:38-05:00
Importance: Normal
Subject: Canadian info
Received: 2017-03-06T10:38:49-05:00

Hi Tim

Here is a high level overview of the overlap between DoI and Canadian government departments.

I have included links to bios and further information in case helpful.

- Minister of the Environment and Climate Change Canada, Catherine McKenna
 - national parks (Parks Canada counterpart is the National Parks Service)
 - wildlife (birds, land-based mammals the Canadian Wildlife Service counterpart is Fish and Wildlife Service);
 - methane emissions (from development on public lands).
 - oversight of public lands

- Minister of Natural Resources, James Carr
 - oil, gas and mining on federal lands;
 - offshore leasing

- Minister of Indigenous and Northern Affairs, Minister Catherine Bennett:
 - Overall responsibility in Canadian Government for relationships with indigenous people, including public trust responsibilities; programs and funding for indigenous communities' economic development, health care, and education; ongoing discussions on violence against indigenous women and girls (trilateral discussions) and self-governance

Rachel

Rachel McCormick

Counsellor and Program Manager (Energy and Environment) | Conseillère et Gestionnaire de programme (énergie et environnement)
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E: rachel.mccormick@international.gc.ca

To: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Ryan Ullman
Sent: 2017-03-06T11:40:50-05:00
Importance: Normal
Subject: V/F CRA
Received: 2017-03-06T11:45:25-05:00
[Royalty Revenue Charts.pptx](#)
[BLM Venting Flaring Rule Myth vs Fact.pdf](#)

Micah,

Below is a generic text body I've been using to craft messages to the Hill on this CRA. It links to all of the data and studies I've mention in the body. I've also attached the charts we put together along with a "Myth vs. Fact" document.

We don't have a meeting scheduled with Portman for our fly-in as the schedules did not work out and Portman's LD is out of the office tomorrow. What I will do is see that IPAA schedules a meeting with Portman's office following the fly-in, perhaps early next week.

Thanks Micah.
Ryan

Additionally, we did a point by point rebuttal to the justification of the v/f rule <https://energyindepth.org/mtn-states/debunking-obama-administrations-justification-midnight-methane-rules-on-fracking-on-federal-lands/> with citations. This hits on all the points from cost/benefit to emissions and addresses each of them. Again, with citations.

This link is to our Energy In Depth brief breakdown on the methane rule and what it would mean to small producers. It's not nearly as technical as the attached analysis.

<https://energyindepth.org/national/obama-administration-sides-with-activists-on-methane-rule-moves-to-put-small-producers-out-of-business/>

The short of it is that my guys, particularly in ND, have been playing catch up for years to build the infrastructure (gathering lines) to capture nat gas at the well site and then move that product to larger pipes for transportation to market. In terms of emissions reductions, we have made significant progress on this front. To that end I've included some data below for your review.

1. Data from EIA shows a dramatic decrease in the use of flaring in ND over the past 2 years while natural gas production went to a record level in March of 2016. From EIA
 - a. "The volume of North Dakota's natural gas production that is flared has fallen sharply in both absolute and percentage terms since 2014. In March 2016, 10% of North Dakota's total natural gas production was flared, less than one-third of the January 2014 flaring rate, which was at 36%. Flaring rates and volumes have significantly decreased as North Dakota's total natural gas production has continued to grow, setting a monthly total natural gas production record of 1.71 billion cubic feet per day in March 2016. The North Dakota Industrial Commission established targets in September 2015 to reduce natural gas flaring."
2. Studies continue to find very low emissions well below the threshold (2.7 percent) which scientists say must be maintained for natural gas to have climate advantages. Most studies have found leakage rates ranging from 1.2% to 1.6%, well below the threshold mentioned above.

3. With respect to emissions reductions, a recent [NOAA study](#) found that microbial sources such as rice paddies and wetlands are the cause of global methane emissions increases. And while that study found that methane emissions from fossil fuels have been underestimated, global increases in methane since 2007 are “not responsible for the increase in total methane emissions observed since 2007” according to leader author Stefan Schwietzke of NOAA.
4. Another [study](#) by researchers at the University of London corroborated this point stating that the global increase had been largely driven by tropical wetlands and agriculture.
5. Another NOAA study, in conjunction with the National Institute of Water and Atmospheric Research in New Zealand, identified wetlands and ag as the driver for increased global emissions. [Climatewire reported](#), “Greenhouse gas inventories from U.S. EPA show that emissions from fossil fuel extraction have increased in recent years. But this has apparently not registered on the global scale. This is possibly because the U.S. energy industry contributes little to the overall burden of global fossil fuel emissions, Schaeffer said.”



Ryan Ullman
Director of Government Relations & Political Affairs
Independent Petroleum Association of America
Office: 202-857-4722
rullman@ipaa.org

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
Cc: Orth, Patrick (Portman)[patrick_orth@portman.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-06T11:47:05-05:00
Importance: Normal
Subject: RE: BLM methane rule
Received: 2017-03-06T11:48:08-05:00

Thanks Micah. 2:15 works well. Do you prefer to call us or is there a number you'd like us to call you?

If the former, my direct is (b) (6) .

Sarah

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 06, 2017 11:33 AM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Cc: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Subject: Re: BLM methane rule

I have a 130, so lets say 215? That work?

On Mon, Mar 6, 2017 at 10:33 AM, Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov> wrote:
Hi Micah,

Thanks for the quick reply. We are available from now until 1:30 and again from 2-3 today. Please let me know what works best for you.

Sarah

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 06, 2017 10:30 AM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Cc: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Subject: Re: BLM methane rule

Sarah. Thanks for reaching out. Be glad to chat today at some point. What's your schedule look like this afternoon?

Micah

On Sun, Mar 5, 2017 at 4:08 PM, Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov> wrote:
Hi Micah,

Thanks for sitting down with Pat and me a few weeks ago. It was great to meet you.

Wanted to see if you or someone on your team would have time to talk tomorrow about the BLM methane rule. Do you guys have a plan if the CRA fails?

My boss also wants to schedule a call with Secretary Zinke on this. Could you point me in the right direction to get this set up?

Thanks for your help.

Sarah

Sent from my iPhone

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Ryan Ullman
Sent: 2017-03-06T12:02:51-05:00
Importance: Normal
Subject: RE: V/F CRA
Received: 2017-03-06T12:04:12-05:00

Yes we do have a request in.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 6, 2017 12:00 PM
To: Ryan Ullman <rullman@ipaa.org>
Subject: Re: V/F CRA

Do you have a request to Portman's office though? Cause I can mention that and kindly remind them to make a meeting happen.

On Mon, Mar 6, 2017 at 11:40 AM, Ryan Ullman <rullman@ipaa.org> wrote:
Micah,

Below is a generic text body I've been using to craft messages to the Hill on this CRA. It links to all of the data and studies I've mention in the body. I've also attached the charts we put together along with a "Myth vs. Fact" document.

We don't have a meeting scheduled with Portman for our fly-in as the schedules did not work out and Portman's LD is out of the office tomorrow. What I will do is see that IPAA schedules a meeting with Portman's office following the fly-in, perhaps early next week.

Thanks Micah.
Ryan

Additionally, we did a point by point rebuttal to the justification of the v/f rule <https://energyindepth.org/mtn-states/debunking-obama-administrations-justification-midnight-methane-rules-on-fracking-on-federal-lands/> with citations. This hits on all the points from cost/benefit to emissions and addresses each of them. Again, with citations.

This link is to our Energy In Depth brief breakdown on the methane rule and what it would mean to small producers. It's not nearly as technical as the attached analysis. <https://energyindepth.org/national/obama-administration-sides-with-activists-on-methane-rule-moves-to-put-small-producers-out-of-business/>

The short of it is that my guys, particularly in ND, have been playing catch up for years to build the infrastructure (gathering lines) to capture nat gas at the well site and then move that product to larger pipes for transportation to market. In terms of emissions reductions, we have made significant progress on this front. To that end I've included some data below for your review.

1. Data from EIA shows a dramatic decrease in the use of flaring in ND over the past 2 years while natural gas production went to a record level in March of 2016. From EIA

a. “The volume of North Dakota’s natural gas production that is flared has fallen sharply in both absolute and percentage terms since 2014. In March 2016, 10% of North Dakota’s total natural gas production was flared, less than one-third of the January 2014 flaring rate, which was at 36%. Flaring rates and volumes have significantly decreased as North Dakota’s total natural gas production has continued to grow, setting a monthly total natural gas production record of 1.71 billion cubic feet per day in March 2016. The North Dakota Industrial Commission established targets in September 2015 to reduce natural gas flaring.”

2. Studies continue to find very low emissions well below the threshold (2.7 percent) which scientists say must be maintained for natural gas to have climate advantages. Most studies have found leakage rates ranging from 1.2% to 1.6%, well below the threshold mentioned above.

3. With respect to emissions reductions, a recent NOAA study found that microbial sources such as rice paddies and wetlands are the cause of global methane emissions increases. And while that study found that methane emissions from fossil fuels have been underestimated, global increases in methane since 2007 are “not responsible for the increase in total methane emissions observed since 2007” according to leader author Stefan Schwietzke of NOAA.

4. Another study by researchers at the University of London corroborated this point stating that the global increase had been largely driven by tropical wetlands and agriculture.

5. Another NOAA study, in conjunction with the National Institute of Water and Atmospheric Research in New Zealand, identified wetlands and ag as the driver for increased global emissions. Climatewire reported, “Greenhouse gas inventories from U.S. EPA show that emissions from fossil fuel extraction have increased in recent years. But this has apparently not registered on the global scale. This is possibly because the U.S. energy industry contributes little to the overall burden of global fossil fuel emissions, Schaeffer said.”



Ryan Ullman
Director of Government Relations & Political Affairs
Independent Petroleum Association of America
Office: 202-857-4722
rullman@ipaa.org

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: lori_mashburn@ios.doi.gov[lori_mashburn@ios.doi.gov]
From: (b) (6)
Sent: 2017-03-06T12:32:30-05:00
Importance: Normal
Subject: Sending information again
Received: 2017-03-06T12:36:44-05:00
Trump DOI Team cover letter (b) (6).docx
(b) (6) e Resume 2017 Trump DOI Transition.docx

Hello, Lori,

Both David Bernhardt and Doug Domenech suggested I send you my resume and the cover letter I sent to the Transition website. I sent it earlier but thought I should send it again now that the Secretary is confirmed.

I very much enjoyed the time I spent working (b) (6) and I'm interested in coming back.

(b) (6)

Unfortunately, during the Obama Administration, much was done to lock up the State and to push people out of Refuges, Parks and even BLM's lands.

I'm interested in coming back and I've heard that the Secretary may be considering something like an "Alaska Desk" to bring a team together to deal with the unique issues created by ANILCA (Alaska National Interest Lands Conservation Act), ANCSA (Alaska Native Claims Settlement Act), and our Statehood Act. (b) (6)

(b) (6)

(b) (6)

(b) (6)

Now that the Secretary is in place, I'd like to come meet with you to discuss my interests. I'd also like to meet Secretary Zinke. (b) (6)

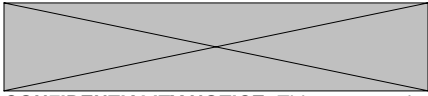
(b) (6); I'm in DC this week and next. FYI, I'm not a registered lobbyist. (b) (6)

(b) (6)
Thank you.

(b) (6)
(b) (6)
Holland & Hart LLP
1029 West Third Avenue, Suite 550
Anchorage, AK 99501
Phone (907) 865-2600

975 F Street, NW, Suite 900
Washington, DC 20004
Phone (202) 393-6500 (main)
(202) 654-6911 (direct)

E-mail: (b) (6)
Cell: (b) (6)



CONFIDENTIALITY NOTICE: This message is confidential and may be privileged. If you believe that this email has been sent to you in error, please reply to the sender that you received the message in error; then please delete this e mail. Thank you.

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
Cc: Orth, Patrick (Portman)[patrick_orth@portman.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-06T12:46:37-05:00
Importance: Normal
Subject: RE: BLM methane rule
Received: 2017-03-06T12:46:56-05:00

Our conference line is below. May be easiest since we're all in different places. Thanks again.

(b) (6)

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 06, 2017 11:58 AM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Cc: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Subject: Re: BLM methane rule

Either works for me. My work cell is (b) (6). If you have a conf call number that your office uses, I can call into that as well.

On Mon, Mar 6, 2017 at 11:47 AM, Pearce, Sarah (Portman)

<Sarah_Pearce@portman.senate.gov> wrote:

Thanks Micah. 2:15 works well. Do you prefer to call us or is there a number you'd like us to call you?

If the former, my direct is (b) (6).

Sarah

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Thanks for your help.

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Sent from my iPhone

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

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Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Ryan Ullman
Sent: 2017-03-06T16:42:38-05:00
Importance: Normal
Subject: Re: V/F CRA
Received: 2017-03-06T16:43:00-05:00

The head of the Ohio oil and gas association is meeting with Portman's energy la tomorrow.

Sent from my iPhone

On Mar 6, 2017, at 12:02 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Do you have a request to Portman's office though? Cause I can mention that and kindly remind them to make a meeting happen.

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<image003.jpg>

Ryan Ullman

Director of Government Relations & Political Affairs

Independent Petroleum Association of America

Office: 202-857-4722

rullman@ipaa.org

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: 'micah_chambers@ios.doi.gov'[micah_chambers@ios.doi.gov]
Cc: Hayes, Colin (Energy)[Colin_Hayes@energy.senate.gov]
From: Hayes, Colin (Energy)
Sent: 2017-03-07T16:15:17-05:00
Importance: Normal
Subject: paper for meeting
Received: 2017-03-07T16:15:28-05:00
[The State of the State of Alaska.pdf](#)

Micah

For tomorrow's 4pm, it's possible that Chairman Murkowski will talk off of the attached document.

Colin

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]; Amanda Kaster[amanda_kaster@ios.doi.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-08T12:09:06-05:00
Importance: Normal
Subject: RE: BLM methane rule
Received: 2017-03-08T12:09:29-05:00

Thank you very much for your time on such short notice. The Senator was very interested in our conservation.

Appreciate you passing along the article, and will keep you updated.

Sarah

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 06, 2017 2:52 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Amanda Kaster <amanda_kaster@ios.doi.gov>
Cc: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Subject: Re: BLM methane rule

Thanks for chatting Sarah. As mentioned earlier, here is the MT piece for your review. Hope the IPAA meeting goes well too. Thank you

http://billingsgazette.com/news/opinion/guest/guest-opinion-new-blm-methane-rule-needs-to-go/article_27f92c87-1b03-577f-a8f4-b848c4fa6f9c.html

On Mon, Mar 6, 2017 at 12:50 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:
Sounds good. We'll call in there. I'm going to have Amanda on the call as well. She currently handles the BLM portfolio, so just a way to introduce you to her as well.

On Mon, Mar 6, 2017 at 12:46 PM, Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov> wrote:

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(b) (6)

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Subject: Re: BLM methane rule

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Sent from my iPhone

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Micah Chambers
Special Assistant / Acting Director
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Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]; Austad, Stacy (Heitkamp)[Stacy_Austad@heitkamp.senate.gov]
From: Forsythe, Liam (Heitkamp)
Sent: 2017-03-08T12:20:31-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T12:20:56-05:00

Hey Micah –

Looping in the Senator's scheduler – Stacy Austad.

Liam

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Forsythe, Liam (Heitkamp)
Cc: Caroline Boulton
Subject: Sec. Zinke Call

Hi Liam. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]; Abbott, Steve (Collins)[Steve_Abbott@collins.senate.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]; Greenacre, Darci (Collins)[Darci_Greenacre@collins.senate.gov]
From: McDonnell, Elizabeth (Collins)
Sent: 2017-03-08T12:20:48-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T12:21:01-05:00

Hi Micah,

Looping in Darci Greenacre, Senator Collins' scheduler.

B-

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>; McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Steve and Elizabeth. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]; Podolak, Chuck (Flake)[Chuck_Podolak@flake.senate.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]; Shepherd, Meagan (Flake)[Meagan_Shepherd@flake.senate.gov]
From: Morse, Chandler (Flake)
Sent: 2017-03-08T12:21:04-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T12:21:29-05:00

Absolutely Micah, I've cc'd our scheduler to help facilitate.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:18 PM
To: Morse, Chandler (Flake) <Chandler_Morse@flake.senate.gov>; Podolak, Chuck (Flake) <Chuck_Podolak@flake.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Chandler and Chuck. Hope you're both doing well. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

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Office of Congressional & Legislative Affairs
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To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]; Orth, Patrick (Portman)[patrick_orth@portman.senate.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-08T12:25:41-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T12:25:49-05:00

Thanks Micah. I've sent this to our scheduling team to work out a time. They will be back in touch shortly.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Sarah and Pat. Hope you're both doing well and Sarah your response was quite timely. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

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To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Perry, Richard (L. Graham)[Richard_Perry@lgraham.senate.gov]; Caroline Boulton[caroline_boulton@ios.doi.gov]; James, Alice (L. Graham)[Alice_James@lgraham.senate.gov]
From: Rimkunas, Matt (L. Graham)
Sent: 2017-03-08T12:26:35-05:00
Importance: Normal
Subject: Re: Sec. Zinke Call
Received: 2017-03-08T12:26:43-05:00

Thanks. We will work to see what is possible.

Matt Rimkunas
Legislative Director
Office of Senator Lindsey Graham

On Mar 8, 2017, at 12:25 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Hi Richard and Matt. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.
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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Caroline Boulton[caroline_boulton@ios.doi.gov]
From: James, Alice (L. Graham)
Sent: 2017-03-08T12:29:45-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T12:31:00-05:00

Caroline,

Any flexibility to make this work at 9:45 AM on Friday.... The other times frames will be tough for us.

Let me know and thanks,

Alice

Alice James
U.S. Senator Lindsey Graham

From: Rimkunas, Matt (L. Graham)
Sent: Wednesday, March 8, 2017 12:27 PM
To: Chambers, Micah <micah_chambers@ios.doi.gov>
Cc: Perry, Richard (L. Graham) <Richard_Perry@lgraham.senate.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>; James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>
Subject: Re: Sec. Zinke Call

Thanks. We will work to see what is possible.

Matt Rimkunas

Legislative Director

Office of Senator Lindsey Graham

On Mar 8, 2017, at 12:25 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Hi Richard and Matt. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director

Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]; Caroline Boulton[caroline_boulton@ios.doi.gov]
Cc: Fairchild, Sarah (Alexander)[Sarah_Fairchild@alexander.senate.gov]
From: Garcia, Lindsay (Alexander)
Sent: 2017-03-08T12:42:56-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T12:43:14-05:00

Thanks, Micah. I'm looping in Sarah Fairchild, Senator Alexander's scheduler.

Thanks again!

Lindsay

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:25 PM
To: Garcia, Lindsay (Alexander); Caroline Boulton
Subject: Sec. Zinke Call

Hi Lindsay. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you and feel free to reach out to me for anything DOI related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
Cc: Micah Chambers[micah_chambers@ios.doi.gov]
From: James, Alice (L. Graham)
Sent: 2017-03-08T12:45:04-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T12:45:15-05:00

(b) (6)

Can I get a contact number for you as well?

Thanks!

Alice James
U.S. Senator Lindsey Graham

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:43 PM
To: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>
Cc: Micah Chambers <micah_chambers@ios.doi.gov>
Subject: Re: Sec. Zinke Call

Hi Alice,

We can do 9:45AM EST.

What would be the best number for the Secretary to call the Senator on?

Best,
Caroline

On Wed, Mar 8, 2017 at 12:29 PM, James, Alice (L. Graham)
<Alice_James@lgraham.senate.gov> wrote:
Caroline,

Any flexibility to make this work at 9:45 AM on Friday.... The other times frames will be tough for us.

Let me know and thanks,

Alice

Alice James
U.S. Senator Lindsey Graham

From: Rimkunas, Matt (L. Graham)
Sent: Wednesday, March 8, 2017 12:27 PM
To: Chambers, Micah <micah_chambers@ios.doi.gov>
Cc: Perry, Richard (L. Graham) <Richard_Perry@lgraham.senate.gov>; Caroline Boulton

<caroline_boulton@ios.doi.gov>; James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>
Subject: Re: Sec. Zinke Call

Thanks. We will work to see what is possible.

Matt Rimkunas

Legislative Director

Office of Senator Lindsey Graham

On Mar 8, 2017, at 12:25 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Hi Richard and Matt. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

--

Caroline Boulton

Department of the Interior

Scheduling & Advance

Caroline_Boulton@ios.doi.gov | Scheduling@ios.doi.gov

To: Caroline Boulton[caroline_boulton@ios.doi.gov]
From: Shepherd, Meagan (Flake)
Sent: 2017-03-08T13:24:51-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T13:24:59-05:00

Hi Caroline,

Does tomorrow at 12:30 still work?

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:29 PM
To: Morse, Chandler (Flake) <Chandler_Morse@flake.senate.gov>
Cc: Podolak, Chuck (Flake) <Chuck_Podolak@flake.senate.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>; Shepherd, Meagan (Flake) <Meagan_Shepherd@flake.senate.gov>
Subject: Re: Sec. Zinke Call

Thanks Chandler. Meagan if you and Caroline can sort out a time, it'd be appreciated.

Micah

On Wed, Mar 8, 2017 at 12:21 PM, Morse, Chandler (Flake) <Chandler_Morse@flake.senate.gov> wrote:
Absolutely Micah, I've cc'd our scheduler to help facilitate.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:18 PM
To: Morse, Chandler (Flake) <Chandler_Morse@flake.senate.gov>; Podolak, Chuck (Flake) <Chuck_Podolak@flake.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Chandler and Chuck. Hope you're both doing well. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]; Rimkunas, Matt (L. Graham)[Matt_Rimkunas@lgraham.senate.gov]; James, Alice (L. Graham)[Alice_James@lgraham.senate.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]
From: Perry, Richard (L. Graham)
Sent: 2017-03-08T13:29:23-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T13:29:51-05:00

Thanks. will pass to the scheduler.

Richard S. Perry
Chief of Staff
Office of Senator Lindsey Graham
202-224-5972
202-224-3808 (fax)



From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:24 PM
To: Perry, Richard (L. Graham) <Richard_Perry@lgraham.senate.gov>; Rimkunas, Matt (L. Graham) <Matt_Rimkunas@lgraham.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Richard and Matt. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
From: Shepherd, Meagan (Flake)
Sent: 2017-03-08T14:42:37-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T14:42:40-05:00

Great, thank you! He can call him at (b) (6)

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 8, 2017 2:35 PM
To: Shepherd, Meagan (Flake) <Meagan_Shepherd@flake.senate.gov>
Subject: Re: Sec. Zinke Call

Indeed it does!

What is the best number for the Secretary to call the Senator at?

If you need to reach me, you can do so at (b) (6).

On Wed, Mar 8, 2017 at 1:24 PM, Shepherd, Meagan (Flake)
<Meagan_Shepherd@flake.senate.gov> wrote:
Hi Caroline,

Does tomorrow at 12:30 still work?

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:29 PM
To: Morse, Chandler (Flake) <Chandler_Morse@flake.senate.gov>
Cc: Podolak, Chuck (Flake) <Chuck_Podolak@flake.senate.gov>; Caroline Boulton
<caroline_boulton@ios.doi.gov>; Shepherd, Meagan (Flake) <Meagan_Shepherd@flake.senate.gov>
Subject: Re: Sec. Zinke Call

Thanks Chandler. Meagan if you and Caroline can sort out a time, it'd be appreciated.

Micah

On Wed, Mar 8, 2017 at 12:21 PM, Morse, Chandler (Flake)
<Chandler_Morse@flake.senate.gov> wrote:
Absolutely Micah, I've cc'd our scheduler to help facilitate.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:18 PM
To: Morse, Chandler (Flake) <Chandler_Morse@flake.senate.gov>; Podolak, Chuck (Flake)
<Chuck_Podolak@flake.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Chandler and Chuck. Hope you're both doing well. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Caroline Boulton
Department of the Interior
Scheduling & Advance
[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]; Barrera, Amy (Gardner)[Amy_Barrera@gardner.senate.gov]; Loraine, Jennifer (Gardner)[Jennifer_Loraine@gardner.senate.gov]
From: Rogers, Natalie (Gardner)
Sent: 2017-03-08T15:17:51-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T15:18:07-05:00

Hi Micah,

I'm adding Amy here who can help coordinate a call with the Senator. Look forward to meeting you in person sometime very soon.

Natalie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:18 PM
To: Rogers, Natalie (Gardner) <Natalie_Rogers@gardner.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Natalie. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: McDonnell, Elizabeth (Collins)[Elizabeth_McDonnell@collins.senate.gov]; 'Chambers, Micah'[micah_chambers@ios.doi.gov]; Abbott, Steve (Collins)[Steve_Abbott@collins.senate.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]
From: Greenacre, Darci (Collins)
Sent: 2017-03-08T16:15:16-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T16:15:45-05:00

Micah,

Thanks for reaching out. Senator Collins would be available for the call at 12:35PM tomorrow, Thursday, March 9. Please let me know if we can confirm this time.

Thanks, and best,
Darci

Darci Greenacre
Director of Scheduling
Office of Senator Susan Collins
202.224.1941

From: McDonnell, Elizabeth (Collins)
Sent: Wednesday, March 08, 2017 12:21 PM
To: 'Chambers, Micah' <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>; Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Subject: RE: Sec. Zinke Call

Hi Micah,

Looping in Darci Greenacre, Senator Collins' scheduler.

B-

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>; McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Steve and Elizabeth. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear,

we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: 'Boulton, Caroline'[caroline_boulton@ios.doi.gov]
Cc: McDonnell, Elizabeth (Collins)[Elizabeth_McDonnell@collins.senate.gov]; Chambers, Micah[micah_chambers@ios.doi.gov]; Abbott, Steve (Collins)[Steve_Abbott@collins.senate.gov]
From: Greenacre, Darci (Collins)
Sent: 2017-03-08T16:42:36-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T16:42:44-05:00

Caroline-

I think I can move something to make that work. Do you mind holding the time and I will confirm ASAP today?

Best,
Darci

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 4:33 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Darci,

Unfortunately the Secretary is now no longer available until 12:45pm tomorrow--would a quick call at that time still work?

Best,
Caroline

On Wed, Mar 8, 2017 at 4:15 PM, Greenacre, Darci (Collins)
<Darci_Greenacre@collins.senate.gov> wrote:
Micah,

Thanks for reaching out. Senator Collins would be available for the call at 12:35PM tomorrow, Thursday, March 9. Please let me know if we can confirm this time.

Thanks, and best,
Darci

Darci Greenacre
Director of Scheduling
Office of Senator Susan Collins
202.224.1941

From: McDonnell, Elizabeth (Collins)

Sent: Wednesday, March 08, 2017 12:21 PM

To: 'Chambers, Micah' <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>

Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>; Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>

Subject: RE: Sec. Zinke Call

Hi Micah,

Looping in Darci Greenacre, Senator Collins' scheduler.

B-

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]

Sent: Wednesday, March 08, 2017 12:18 PM

To: Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>; McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>

Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>

Subject: Sec. Zinke Call

Hi Steve and Elizabeth. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Caroline Boulton
Department of the Interior
Scheduling & Advance
Caroline_Boulton@ios.doi.gov | Scheduling@ios.doi.gov

To: caroline_boulton@ios.doi.gov[caroline_boulton@ios.doi.gov]
Cc: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]; Youngen, Angie (Portman)[Angie_Youngen@portman.senate.gov]
From: Youngen, Angie (Portman)
Sent: 2017-03-08T17:00:28-05:00
Importance: Normal
Subject: FW: Sec. Zinke Call
Received: 2017-03-08T17:01:03-05:00

Caroline/Micah- Good afternoon. I wanted to follow up on the below to see if 12:45 tomorrow may still be available for the call with Senator Portman?

Angie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Sarah and Pat. Hope you're both doing well and Sarah your response was quite timely. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
Cc: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Youngen, Angie (Portman)
Sent: 2017-03-08T17:09:39-05:00
Importance: Normal
Subject: RE: FW: Sec. Zinke Call
Received: 2017-03-08T17:10:00-05:00

Thanks Caroline. Unfortunately those times are not currently open but will let you know if that should change. Would we like to try for Monday?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:05 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

Unfortunately, he is no longer available at that time. He is still free for a call in the 1-2PM hour as well as Friday morning if any of those times work!

On Wed, Mar 8, 2017 at 5:00 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Caroline/Micah- Good afternoon. I wanted to follow up on the below to see if 12:45 tomorrow may still be available for the call with Senator Portman?

Angie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Sarah and Pat. Hope you're both doing well and Sarah your response was quite timely. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

--

Caroline Boulton

Department of the Interior

Scheduling & Advance

[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

To: 'Boulton, Caroline'[caroline_boulton@ios.doi.gov]
Cc: McDonnell, Elizabeth (Collins)[Elizabeth_McDonnell@collins.senate.gov]; Chambers, Micah[micah_chambers@ios.doi.gov]; Abbott, Steve (Collins)[Steve_Abbott@collins.senate.gov]
From: Greenacre, Darci (Collins)
Sent: 2017-03-08T17:47:38-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T17:48:05-05:00

Caroline,

I can confirm 12:45PM tomorrow. Would you like to initiate the call, or do you prefer I do? Thanks!

Darci

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 4:44 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>
Subject: Re: Sec. Zinke Call

Not a problem!

On Wed, Mar 8, 2017 at 4:42 PM, Greenacre, Darci (Collins)

<Darci_Greenacre@collins.senate.gov> wrote:

Caroline-

I think I can move something to make that work. Do you mind holding the time and I will confirm ASAP today?

Best,

Darci

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 4:33 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Darci,

Unfortunately the Secretary is now no longer available until 12:45pm tomorrow--would a quick call at that time still work?

Best,

Caroline

On Wed, Mar 8, 2017 at 4:15 PM, Greenacre, Darci (Collins)

<Darci_Greenacre@collins.senate.gov> wrote:

Micah,

Thanks for reaching out. Senator Collins would be available for the call at 12:35PM tomorrow, Thursday, March 9. Please let me know if we can confirm this time.

Thanks, and best,
Darci

Darci Greenacre
Director of Scheduling
Office of Senator Susan Collins
202.224.1941

From: McDonnell, Elizabeth (Collins)
Sent: Wednesday, March 08, 2017 12:21 PM
To: 'Chambers, Micah' <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>; Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Subject: RE: Sec. Zinke Call

Hi Micah,

Looping in Darci Greenacre, Senator Collins' scheduler.

B-

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>; McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Steve and Elizabeth. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Caroline Boulton
Department of the Interior
Scheduling & Advance
[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

--

Caroline Boulton
Department of the Interior
Scheduling & Advance
[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

To: 'Boulton, Caroline'[caroline_boulton@ios.doi.gov]
Cc: McDonnell, Elizabeth (Collins)[Elizabeth_McDonnell@collins.senate.gov]; Chambers, Micah[micah_chambers@ios.doi.gov]; Abbott, Steve (Collins)[Steve_Abbott@collins.senate.gov]
From: Greenacre, Darci (Collins)
Sent: 2017-03-08T17:51:51-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T17:52:05-05:00

Caroline,

Thanks! You can call 202.224.1941 and I will connect to the Senator at 12:45PM tomorrow.

Best,
Darci

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:49 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>
Subject: Re: Sec. Zinke Call

Probably best if we do on our end--he'll be coming off a call so he may call himself. What's the best number on your end?

If you need to reach me, you can do so at (b) (6).

Caroline

On Wed, Mar 8, 2017 at 5:47 PM, Greenacre, Darci (Collins)

<Darci_Greenacre@collins.senate.gov> wrote:

Caroline,

I can confirm 12:45PM tomorrow. Would you like to initiate the call, or do you prefer I do? Thanks!

Darci

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 4:44 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>
Subject: Re: Sec. Zinke Call

Not a problem!

On Wed, Mar 8, 2017 at 4:42 PM, Greenacre, Darci (Collins)

<Darci_Greenacre@collins.senate.gov> wrote:

Caroline-

I think I can move something to make that work. Do you mind holding the time and I will confirm ASAP today?

Best,
Darci

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]

Sent: Wednesday, March 08, 2017 4:33 PM

To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>

Cc: McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>

Subject: Re: Sec. Zinke Call

Hi Darci,

Unfortunately the Secretary is now no longer available until 12:45pm tomorrow--would a quick call at that time still work?

Best,
Caroline

On Wed, Mar 8, 2017 at 4:15 PM, Greenacre, Darci (Collins)

<Darci_Greenacre@collins.senate.gov> wrote:

Micah,

Thanks for reaching out. Senator Collins would be available for the call at 12:35PM tomorrow, Thursday, March 9. Please let me know if we can confirm this time.

Thanks, and best,
Darci

*Darci Greenacre
Director of Scheduling
Office of Senator Susan Collins
202.224.1941*

From: McDonnell, Elizabeth (Collins)

Sent: Wednesday, March 08, 2017 12:21 PM

To: 'Chambers, Micah' <micah_chambers@ios.doi.gov>; Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>

Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>; Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>

Subject: RE: Sec. Zinke Call

Hi Micah,

Looping in Darci Greenacre, Senator Collins' scheduler.

B-

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>; McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Steve and Elizabeth. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

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Micah Chambers
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--

Caroline Boulton

Department of the Interior

Scheduling & Advance

Caroline_Boulton@ios.doi.gov | Scheduling@ios.doi.gov

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
From: Youngen, Angie (Portman)
Sent: 2017-03-08T18:11:34-05:00
Importance: Normal
Subject: RE: FW: Sec. Zinke Call
Received: 2017-03-08T18:11:43-05:00

Thanks Caroline. Let's plan to have him call (b) (6) at 1:45 pm

What number can I best reach you if anything should change or if he is running late tomorrow?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:25 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

Hi Angie,

1:45 works great for us.

Please let me know what the best number is for the Secretary to call the Senator at!

Best,
Caroline

On Wed, Mar 8, 2017 at 5:20 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Caroline- Senator Portman is willing to leave his lunch early to accommodate a call at 1:45. Can we confirm for 1:45 tomorrow?

Angie

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:15 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

Hi Angie--let me get back to you about Monday. The Secretary is traveling that day, and the schedule is still a little in flux.

On Wed, Mar 8, 2017 at 5:09 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Thanks Caroline. Unfortunately those times are not currently open but will let you know if that should change. Would we like to try for Monday?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:05 PM
To: Youngen, Angie (Portman)

Cc: micah_chambers@ios.doi.gov

Subject: Re: FW: Sec. Zinke Call

Unfortunately, he is no longer available at that time. He is still free for a call in the 1-2PM hour as well as Friday morning if any of those times work!

On Wed, Mar 8, 2017 at 5:00 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Caroline/Micah- Good afternoon. I wanted to follow up on the below to see if 12:45 tomorrow may still be available for the call with Senator Portman?

Angie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]

Sent: Wednesday, March 08, 2017 12:18 PM

To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>

Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>

Subject: Sec. Zinke Call

Hi Sarah and Pat. Hope you're both doing well and Sarah your response was quite timely. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround.

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
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Caroline Boulton

Department of the Interior

Scheduling & Advance

Caroline_Boulton@ios.doi.gov | Scheduling@ios.doi.gov

To: Chambers, Micah[micah_chambers@ios.doi.gov]; Forsythe, Liam (Heitkamp)[Liam_Forsythe@heitkamp.senate.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]
From: Austad, Stacy (Heitkamp)
Sent: 2017-03-08T18:50:08-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-08T18:50:16-05:00

I am so sorry, I thought I had emailed. Unfortunately Senator Heitkamp's schedule tomorrow is crazy, and I am not able to squeeze anything else into the day. I am sorry, could we have you talk to Liam about it?

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Chambers, Micah" <micah_chambers@ios.doi.gov>
Date: 3/8/17 6:46 PM (GMT-05:00)
To: "Forsythe, Liam (Heitkamp)" <Liam_Forsythe@heitkamp.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>, "Austad, Stacy (Heitkamp)" <Stacy_Austad@heitkamp.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Stacy. I'm sorry if I missed it, but were you and Caroline able to nail down a time?
Thank you

On Wed, Mar 8, 2017 at 12:20 PM, Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov> wrote:

Hey Micah –

Looping in the Senator's scheduler – Stacy Austad.

Liam

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]

Sent: Wednesday, March 08, 2017 12:18 PM
To: Forsythe, Liam (Heitkamp)
Cc: Caroline Boulton
Subject: Sec. Zinke Call

Hi Liam. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

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Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

--

Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

To: Kate Sinclair MacGregor[katharine_macgregor@ios.doi.gov]
From: Holly Hopkins
Sent: 2017-03-09T08:15:51-05:00
Importance: Normal
Subject: Fwd: [OESI] Initial BSEE BAST Technology Solutions Public Forum
Received: 2017-03-09T08:16:05-05:00

Obviously they are rolling out the BAST Determination Process

Sent from my Verizon, Samsung Galaxy smartphone

Original message

From: James Pettigrew <jim.pettigrew@MAIL.CHE.TAMU.EDU>
Date: 3/9/17 7:56 AM (GMT 05:00)
To: OESI@LISTSERV.TAMU.EDU
Subject: [OESI] Initial BSEE BAST Technology Solutions Public Forum

Public Forum on Initial BSEE BAST EKD & MGD Technology Solutions

Forum Date: April 17, 2017

Cost: No Cost!

Registration 7-8AM, Forum 8AM-1230PM

Location: Doubletree at IAH

15747 John F Kennedy Blvd

Houston, TX 77032

OESI will support the Bureau of Safety and Environmental Enforcement (BSEE), as they announce their assessment and early findings for technology solutions related to 'Early Kick Detection (EKD)' and 'Methane Gas Detection (MGD)' to help safeguard against Outer Continental Shelf (OCS) safety issues. Use of cost effective BAST is required by the Outer Continental Shelf Lands Act (OCSLA) to address significant safety issues on the OCS. This public forum provides an opportunity to review the BAST Determination Process (DP) and allow OCS stakeholders to hold discussions with the agency on this program.

[Early Kick Detection \(EKD\) TIO announcement](#)

[Methane Gas Detection \(MGD\) TIO announcement](#)

Agenda will be available soon.

Register

at: https://secure.touchnet.com/C21490_ustores/web/product_detail.jsp?PRODUCTID=8439

With Great Respect,

Jim

James Pettigrew

Director of Operations

Ocean Energy Safety Institute (OESI)

3122 TAMU

College Station, TX 77843-3122

jim.pettigrew@tamu.edu

phone 979 458 2759 or 979 458 1863

...enabling safe and environmentally responsible ocean energy operations

<http://oesi.tamu.edu/>

This message is intended solely for the persons to whom it is addressed and may contain confidential and/or privileged information. Any review, retransmission, or dissemination by other than the intended recipients is prohibited. If you receive this message in error, please contact the sender and delete the message from your computer.

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
Cc: Forsythe, Liam (Heitkamp)[Liam_Forsythe@heitkamp.senate.gov]; Caroline Boulton[caroline_boulton@ios.doi.gov]
From: Austad, Stacy (Heitkamp)
Sent: 2017-03-09T10:54:39-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-09T10:54:59-05:00

Unfortunately She is travelling all day tomorrow, I am sorry March is just a crazy time for her.

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
516 Hart Senate Office Building
www.heitkamp.senate.gov



From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 6:52 PM
To: Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov>
Cc: Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Re: Sec. Zinke Call

No problem. I can but would prefer the Senator and Secretary speak at some point since they haven't met yet. Any chance we can get something Friday? I'll let you and Caroline handle that.

On Wed, Mar 8, 2017 at 6:50 PM, Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov> wrote:

I am so sorry, I thought I had emailed. Unfortunately Senator Heitkamp's schedule tomorrow is crazy, and I am not able to squeeze anything else into the day. I am sorry, could we have you talk to Liam about it?

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Chambers, Micah" <micah_chambers@ios.doi.gov>
Date: 3/8/17 6:46 PM (GMT-05:00)
To: "Forsythe, Liam (Heitkamp)" <Liam_Forsythe@heitkamp.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>, "Austad, Stacy (Heitkamp)" <Stacy_Austad@heitkamp.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Stacy. I'm sorry if I missed it, but were you and Caroline able to nail down a time?

Thank you

On Wed, Mar 8, 2017 at 12:20 PM, Forsythe, Liam (Heitkamp)

<Liam_Forsythe@heitkamp.senate.gov> wrote:

Hey Micah –

Looping in the Senator's scheduler – Stacy Austad.

Liam

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Forsythe, Liam (Heitkamp)
Cc: Caroline Boulton
Subject: Sec. Zinke Call

Hi Liam. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
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Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

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Office of the Secretary of the Interior

--

Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: Cassandra Carmichael
Sent: 2017-03-09T12:29:03-05:00
Importance: Normal
Subject: Welcome letter and meeting request for Secretary Zinke
Received: 2017-03-09T12:29:14-05:00
[Zinke March letter.pdf](#)

Dear Amanda:

Attached please find a welcome letter to Secretary Zinke along with a meeting request with senior religious leaders. Can you forward it to the appropriate person or let me know who I should send it to?

Thank you!
Cassandra

Cassandra Carmichael
Executive Director
National Religious Partnership for the Environment
110 Maryland Avenue, NE, Suite 203
Washington, DC 20002
443-822-3720
Cassandra@nrpe.org

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
Cc: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Youngen, Angie (Portman)
Sent: 2017-03-09T12:39:03-05:00
Importance: Normal
Subject: RE: FW: Sec. Zinke Call
Received: 2017-03-09T12:39:12-05:00

Caroline- Good afternoon. A vote has been called for 1:45. Senator Portman would like to vote and then place the call to you for the 1:45 with Sec Zinke.

What number would be best for him to call to connect at 1:45?

Angie

From: Youngen, Angie (Portman)
Sent: Wednesday, March 08, 2017 6:12 PM
To: 'Boulton, Caroline'
Subject: RE: FW: Sec. Zinke Call

Thanks Caroline. Let's plan to have him call (b) (6) at 1:45 pm

What number can I best reach you if anything should change or if he is running late tomorrow?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:25 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

Hi Angie,

1:45 works great for us.

Please let me know what the best number is for the Secretary to call the Senator at!

Best,
Caroline

On Wed, Mar 8, 2017 at 5:20 PM, Youngen, Angie (Portman)
<Angie_Youngen@portman.senate.gov> wrote:

Caroline- Senator Portman is willing to leave his lunch early to accommodate a call at 1:45. Can we confirm for 1:45 tomorrow?

Angie

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:15 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

Hi Angie--let me get back to you about Monday. The Secretary is traveling that day, and the schedule is still a little in flux.

On Wed, Mar 8, 2017 at 5:09 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Thanks Caroline. Unfortunately those times are not currently open but will let you know if that should change. Would we like to try for Monday?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:05 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

Unfortunately, he is no longer available at that time. He is still free for a call in the 1-2PM hour as well as Friday morning if any of those times work!

On Wed, Mar 8, 2017 at 5:00 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Caroline/Micah- Good afternoon. I wanted to follow up on the below to see if 12:45 tomorrow may still be available for the call with Senator Portman?

Angie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Sarah and Pat. Hope you're both doing well and Sarah your response was quite timely. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround.

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

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Caroline Boulton

Department of the Interior

Scheduling & Advance

[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

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Caroline Boulton

Department of the Interior

Scheduling & Advance

[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

--

Caroline Boulton

Department of the Interior

Scheduling & Advance

[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
From: Youngen, Angie (Portman)
Sent: 2017-03-09T13:36:52-05:00
Importance: Normal
Subject: RE: FW: Sec. Zinke Call
Received: 2017-03-09T13:37:00-05:00

Thanks Caroline. I will let you know once they connect.

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Thursday, March 09, 2017 1:35 PM
To: Youngen, Angie (Portman)
Subject: Re: FW: Sec. Zinke Call

Sorry for the delay--wanted to confirm which number he wanted.

(b) (6). If there's an issue, he can call (b) (6) and Nancy Guiden will transfer over.

On Thu, Mar 9, 2017 at 12:39 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Caroline- Good afternoon. A vote has been called for 1:45. Senator Portman would like to vote and then place the call to you for the 1:45 with Sec Zinke.

What number would be best for him to call to connect at 1:45?

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Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

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<Angie_Youngen@portman.senate.gov> wrote:

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From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:05 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

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Caroline/Micah- Good afternoon. I wanted to follow up on the below to see if 12:45 tomorrow may still be available for the call with Senator Portman?

Angie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Sarah and Pat. Hope you're both doing well and Sarah your response was quite timely. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow

we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Caroline Boulton
Department of the Interior
Scheduling & Advance
[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

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Caroline Boulton
Department of the Interior
Scheduling & Advance
[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
From: Youngen, Angie (Portman)
Sent: 2017-03-09T14:03:28-05:00
Importance: Normal
Subject: RE: FW: Sec. Zinke Call
Received: 2017-03-09T14:04:20-05:00

Thanks again. They have connected for the call.

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Thursday, March 09, 2017 1:35 PM
To: Youngen, Angie (Portman)
Subject: Re: FW: Sec. Zinke Call

Sorry for the delay--wanted to confirm which number he wanted.

(b) (6). If there's an issue, he can call (b) (6) and Nancy Guiden will transfer over.

On Thu, Mar 9, 2017 at 12:39 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Caroline- Good afternoon. A vote has been called for 1:45. Senator Portman would like to vote and then place the call to you for the 1:45 with Sec Zinke.

What number would be best for him to call to connect at 1:45?

Angie

From: Youngen, Angie (Portman)
Sent: Wednesday, March 08, 2017 6:12 PM
To: 'Boulton, Caroline'
Subject: RE: FW: Sec. Zinke Call

Thanks Caroline. Let's plan to have him call (b) (6) at 1:45 pm

What number can I best reach you if anything should change or if he is running late tomorrow?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:25 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

Hi Angie,

1:45 works great for us.

Please let me know what the best number is for the Secretary to call the Senator at!

Best,

Caroline

On Wed, Mar 8, 2017 at 5:20 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Caroline- Senator Portman is willing to leave his lunch early to accommodate a call at 1:45. Can we confirm for 1:45 tomorrow?

Angie

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:15 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

Hi Angie--let me get back to you about Monday. The Secretary is traveling that day, and the schedule is still a little in flux.

On Wed, Mar 8, 2017 at 5:09 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Thanks Caroline. Unfortunately those times are not currently open but will let you know if that should change. Would we like to try for Monday?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, March 08, 2017 5:05 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Sec. Zinke Call

Unfortunately, he is no longer available at that time. He is still free for a call in the 1-2PM hour as well as Friday morning if any of those times work!

On Wed, Mar 8, 2017 at 5:00 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Caroline/Micah- Good afternoon. I wanted to follow up on the below to see if 12:45 tomorrow may still be available for the call with Senator Portman?

Angie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Sarah and Pat. Hope you're both doing well and Sarah your response was quite timely. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow

we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround.

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

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Caroline Boulton
Department of the Interior
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Department of the Interior
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[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
Cc: Forsythe, Liam (Heitkamp)[Liam_Forsythe@heitkamp.senate.gov]; 'Caroline Boulton'[caroline_boulton@ios.doi.gov]
From: Austad, Stacy (Heitkamp)
Sent: 2017-03-09T14:20:09-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-09T14:20:17-05:00

Could we set something up on Monday afternoon?

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
516 Hart Senate Office Building
www.heitkamp.senate.gov



From: Austad, Stacy (Heitkamp)
Sent: Thursday, March 09, 2017 10:55 AM
To: 'Chambers, Micah' <micah_chambers@ios.doi.gov>
Cc: Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: RE: Sec. Zinke Call

Unfortunately She is travelling all day tomorrow, I am sorry March is just a crazy time for her.

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
516 Hart Senate Office Building
www.heitkamp.senate.gov



From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 6:52 PM
To: Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov>
Cc: Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Re: Sec. Zinke Call

No problem. I can but would prefer the Senator and Secretary speak at some point since they haven't met yet. Any chance we can get something Friday? I'll let you and Caroline handle that.

On Wed, Mar 8, 2017 at 6:50 PM, Austad, Stacy (Heitkamp)

<Stacy_Austad@heitkamp.senate.gov> wrote:

I am so sorry, I thought I had emailed. Unfortunately Senator Heitkamp's schedule tomorrow is crazy, and I am not able to squeeze anything else into the day. I am sorry, could we have you talk to Liam about it?

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Chambers, Micah" <micah_chambers@ios.doi.gov>

Date: 3/8/17 6:46 PM (GMT-05:00)

To: "Forsythe, Liam (Heitkamp)" <Liam_Forsythe@heitkamp.senate.gov>

Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>, "Austad, Stacy (Heitkamp)" <Stacy_Austad@heitkamp.senate.gov>

Subject: Re: Sec. Zinke Call

Hi Stacy. I'm sorry if I missed it, but were you and Caroline able to nail down a time?

Thank you

On Wed, Mar 8, 2017 at 12:20 PM, Forsythe, Liam (Heitkamp)

<Liam_Forsythe@heitkamp.senate.gov> wrote:

Hey Micah –

Looping in the Senator's scheduler – Stacy Austad.

Liam

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]

Sent: Wednesday, March 08, 2017 12:18 PM

To: Forsythe, Liam (Heitkamp)

Cc: Caroline Boulton

Subject: Sec. Zinke Call

Hi Liam. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Royster, Kristyn (Alexander)
Sent: 2017-03-09T15:20:36-05:00
Importance: Normal
Subject: RE: Call with Secretary Zinke's Chief of Staff
Received: 2017-03-09T15:20:54-05:00

Thanks Micah! It's re: Senator Alexander's call with Secretary Zinke and the BLM methane rule.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Thursday, March 09, 2017 3:17 PM
To: Royster, Kristyn (Alexander) <Kristyn_Royster@alexander.senate.gov>
Subject: Re: Call with Secretary Zinke's Chief of Staff

Hi Kristyn. Thank you for reaching out. I'll check on his schedule for this afternoon. What's the issue, so we can be prepared.

Micah

On Thu, Mar 9, 2017 at 3:04 PM, Royster, Kristyn (Alexander)
<Kristyn_Royster@alexander.senate.gov> wrote:
Good Afternoon Micah,

I was given your contact information to see about setting up a time where Senator Alexander's Chief of Staff, David Cleary, and Legislative Director, Allison Martin, could connect with Secretary Zinke's Chief of Staff. Would you be able to help me set that up? Or is there someone else I need to speak with to arrange?

David and Allison mentioned that this call needs to happen as soon as possible. So would this afternoon at 4:00 p.m. work? Or tomorrow can we look at 11:30 a.m., noon or 1:00 p.m.? If none of those times work, please let me know the best times for Secretary Zinke's Chief. Thanks so much,

Kristyn A. Royster
Assistant to the Chief of Staff
Office of U.S. Senator Lamar Alexander
455 Dirksen Senate Office Building
Washington, D.C. 20510
(202) 224.8797

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Royster, Kristyn (Alexander)
Sent: 2017-03-09T15:29:29-05:00
Importance: Normal
Subject: RE: Call with Secretary Zinke's Chief of Staff
Received: 2017-03-09T15:29:49-05:00

Just asked Allison, and she said she'll just give you a call herself and chat. What's the best number to reach you at?

Thanks!

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Thursday, March 09, 2017 3:25 PM
To: Royster, Kristyn (Alexander) <Kristyn_Royster@alexander.senate.gov>
Subject: Re: Call with Secretary Zinke's Chief of Staff

Ok. Would they like to call me? I'm the one who requested the call and have been coordinating this for the Secretary so I know the issue. If not, I understand and I'll try and coordinate with the COS. I'll be on the call either way. I'll make myself available if they'd like though.

Micah

On Thu, Mar 9, 2017 at 3:20 PM, Royster, Kristyn (Alexander) <Kristyn_Royster@alexander.senate.gov> wrote:
Thanks Micah! It's re: Senator Alexander's call with Secretary Zinke and the BLM methane rule.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Thursday, March 09, 2017 3:17 PM
To: Royster, Kristyn (Alexander) <Kristyn_Royster@alexander.senate.gov>
Subject: Re: Call with Secretary Zinke's Chief of Staff

Hi Kristyn. Thank you for reaching out. I'll check on his schedule for this afternoon. What's the issue, so we can be prepared.

Micah

On Thu, Mar 9, 2017 at 3:04 PM, Royster, Kristyn (Alexander) <Kristyn_Royster@alexander.senate.gov> wrote:
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David and Allison mentioned that this call needs to happen as soon as possible. So would

this afternoon at 4:00 p.m. work? Or tomorrow can we look at 11:30 a.m., noon or 1:00 p.m.? If none of those times work, please let me know the best times for Secretary Zinke's Chief.

Thanks so much,

Kristyn A. Royster

Assistant to the Chief of Staff
Office of U.S. Senator Lamar Alexander
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--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Royster, Kristyn (Alexander)
Sent: 2017-03-09T15:32:03-05:00
Importance: Normal
Subject: RE: Call with Secretary Zinke's Chief of Staff
Received: 2017-03-09T15:32:11-05:00

Wonderful, thank you!

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Thursday, March 09, 2017 3:30 PM
To: Royster, Kristyn (Alexander) <Kristyn_Royster@alexander.senate.gov>
Subject: Re: Call with Secretary Zinke's Chief of Staff

Sounds good. (b) (6) That is my work cell.

Micah

On Thu, Mar 9, 2017 at 3:29 PM, Royster, Kristyn (Alexander)
<Kristyn_Royster@alexander.senate.gov> wrote:

Just asked Allison, and she said she'll just give you a call herself and chat. What's the best number to reach you at?

Thanks!

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Thursday, March 09, 2017 3:25 PM
To: Royster, Kristyn (Alexander) <Kristyn_Royster@alexander.senate.gov>
Subject: Re: Call with Secretary Zinke's Chief of Staff

Ok. Would they like to call me? I'm the one who requested the call and have been coordinating this for the Secretary so I know the issue. If not, I understand and I'll try and coordinate with the COS. I'll be on the call either way. I'll make myself available if they'd like though.

Micah

On Thu, Mar 9, 2017 at 3:20 PM, Royster, Kristyn (Alexander)
<Kristyn_Royster@alexander.senate.gov> wrote:

Thanks Micah! It's re: Senator Alexander's call with Secretary Zinke and the BLM methane rule.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Thursday, March 09, 2017 3:17 PM
To: Royster, Kristyn (Alexander) <Kristyn_Royster@alexander.senate.gov>
Subject: Re: Call with Secretary Zinke's Chief of Staff

Hi Kristyn. Thank you for reaching out. I'll check on his schedule for this afternoon. What's the issue, so we can be prepared.

Micah

On Thu, Mar 9, 2017 at 3:04 PM, Royster, Kristyn (Alexander)

<Kristyn_Royster@alexander.senate.gov> wrote:

Good Afternoon Micah,

I was given your contact information to see about setting up a time where Senator Alexander's Chief of Staff, David Cleary, and Legislative Director, Allison Martin, could connect with Secretary Zinke's Chief of Staff. Would you be able to help me set that up? Or is there someone else I need to speak with to arrange?

David and Allison mentioned that this call needs to happen as soon as possible. So would this afternoon at 4:00 p.m. work? Or tomorrow can we look at 11:30 a.m., noon or 1:00 p.m.? If none of those times work, please let me know the best times for Secretary Zinke's Chief.

Thanks so much,

Kristyn A. Royster

Assistant to the Chief of Staff
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Washington, D.C. 20510
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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

To: Rogers, Natalie (Gardner)[Natalie_Rogers@gardner.senate.gov]; Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]; Loraine, Jennifer (Gardner)[Jennifer_Lorraine@gardner.senate.gov]
From: Barrera, Amy (Gardner)
Sent: 2017-03-09T17:32:22-05:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-09T17:32:30-05:00

Hi Micah apologies for my delay. Our schedule today got very off track so I'm just catching up. Does tomorrow at 10:30am work?

Thanks,
Amy

From: Rogers, Natalie (Gardner)
Sent: Wednesday, March 8, 2017 3:18 PM
To: Chambers, Micah <micah_chambers@ios.doi.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>; Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov>; Loraine, Jennifer (Gardner) <Jennifer_Lorraine@gardner.senate.gov>
Subject: RE: Sec. Zinke Call

Hi Micah,

I'm adding Amy here who can help coordinate a call with the Senator. Look forward to meeting you in person sometime very soon.

Natalie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:18 PM
To: Rogers, Natalie (Gardner) <Natalie_Rogers@gardner.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Natalie. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
From: Rimkunas, Matt (L. Graham)
Sent: 2017-03-09T17:33:52-05:00
Importance: Normal
Subject: RE: Graham opposes CRA to block methane rule
Received: 2017-03-09T17:34:08-05:00

How's that for some hill outreach? This isn't a new position for him. Had you called us to ask where he was maybe you wouldn't be so shocked.

Matt Rimkunas
Legislative Director
Office of Senator Lindsey O. Graham
From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]

Sent: Thursday, March 09, 2017 5:30 PM
To: Rimkunas, Matt (L. Graham) <Matt_Rimkunas@lgraham.senate.gov>
Subject: Fwd: Graham opposes CRA to block methane rule

Really, the night before the Secretary is calling the Senator in the morning? For what it's worth, there's definitely a different legal opinion than your boss's since there's zero precedent for defining what "substantially the same" means. Either way, more to follow I'm sure. Have a good one.

Micah

Begin forwarded message:

From: POLITICO Pro Energy Whiteboard
<politicoemail@politicopro.com>
Date: March 9, 2017 at 3:47:09 PM EST
Subject: **Graham opposes CRA to block methane rule**
Reply-To: POLITICO subscriptions <reply-fe92127375650d7e72-553241_HTML-637931341-1376319-40785@politicoemail.com>

By Nick Juliano

03/09/2017 03:43 PM EDT

Sen. [Lindsey Graham](#) says he will not vote to kill an Obama-era rule aimed at reducing methane emissions from oil and gas drilling, putting Republicans another vote short of the majority they need to pass the Congressional Review Act resolution.

"I think the CRA approach to this particular issue is heavy-handed because if you do away with this regulation, you can't have a similar one," the South Carolina Republican told POLITICO today.

The law, which had been used only once before this year, allows

lawmakers to overturn regulations without having to overcome a Senate filibuster, and it prevents federal agencies from enacting new rules that are “substantially the same” in the future. So far, Congress has used the CRA to block seven Obama-era rules.

The Bureau of Land Management’s rule to reduce the venting and flaring of methane has proved to be a more difficult target.

At least five GOP senators are on the fence or outright against the resolution to block it. With a 52-seat majority, Republicans can afford to lose just three of their members, if no Democrats cross the aisle.

In addition to Graham, Sen. [Susan Collins](#) (R-Maine) told Bloomberg earlier this week that she does not support the resolution.

Graham said today that he would be open to narrower changes to BLM’s methane rule but would not vote for the CRA resolution.

“I believe you can do a better regulation,” he said. “This area of methane gas emissions I think can be dealt with without driving up major costs to business, but from a CO2 point of view is pretty toxic.”

To view online:

<https://www.politicopro.com/energy/whiteboard/2017/03/graham-opposes-using-cra-to-block-methane-rule-084728>

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Yes, very

Somewhat

Neutral

Not really

Not at all

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1000 Wilson Blvd. Arlington, VA, 22209, USA

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Micah Chambers

Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Ryan Ullman
Sent: 2017-03-09T18:19:33-05:00
Importance: Normal
Subject: Re: Graham opposes CRA to block methane rule
Received: 2017-03-09T18:19:46-05:00

I'm disappointed to put it very politely

Sent from my iPhone

On Mar 9, 2017, at 5:31 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

really?

Begin forwarded message:

From: POLITICO Pro Energy Whiteboard
<politicoemail@politicopro.com>
Date: March 9, 2017 at 3:47:09 PM EST
Subject: **Graham opposes CRA to block methane rule**
Reply-To: POLITICO subscriptions <reply-fe92127375650d7e72-553241_HTML-637931341-1376319-40785@politicoemail.com>

By Nick Juliano

03/09/2017 03:43 PM EDT

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“I believe you can do a better regulation,” he said. “This area of methane gas emissions I think can be dealt with without driving up major costs to business, but from a CO2 point of view is pretty toxic.”

To view online:

<https://www.politicopro.com/energy/whiteboard/2017/03/graham-opposes-using-cra-to-block-methane-rule-084728>

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<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes, very	Somewhat	Neutral	Not really	Not at all

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1000 Wilson Blvd. Arlington, VA, 22209, USA

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Memmott, Justin (EPW)
Sent: 2017-03-09T18:26:29-05:00
Importance: Normal
Subject: Re: Follow Up - DOI
Received: 2017-03-09T18:26:37-05:00

Ok. Can we do so tomorrow?

On Mar 9, 2017, at 6:22 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Justin. Hope you're doing well. I just left you a voicemail where I recited your own number back to you as if it were my contact. haha sorry, my brain is dead after today. My work cell is (b) (6) [REDACTED]. Wanted to catch up on BLM Venting/Flaring CRA.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Ryan Ullman
Sent: 2017-03-09T18:45:36-05:00
Importance: Normal
Subject: Re: Graham opposes CRA to block methane rule
Received: 2017-03-09T18:45:48-05:00

Did the boss get a chance to talk to him today? Like I said, he was a pretty hard no but the secretary brings a little more to the table than I do.

Sent from my iPhone

On Mar 9, 2017, at 5:31 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

really?

Begin forwarded message:

From: POLITICO Pro Energy Whiteboard
<politicoemail@politicopro.com>
Date: March 9, 2017 at 3:47:09 PM EST
Subject: **Graham opposes CRA to block methane rule**
Reply-To: POLITICO subscriptions <reply-fe92127375650d7e72-553241_HTML-637931341-1376319-40785@politicoemail.com>

By Nick Juliano

03/09/2017 03:43 PM EDT

Sen. [Lindsey Graham](#) says he will not vote to kill an Obama-era rule aimed at reducing methane emissions from oil and gas drilling, putting Republicans another vote short of the majority they need to pass the Congressional Review Act resolution.

“I think the CRA approach to this particular issue is heavy-handed because if you do away with this regulation, you can’t have a similar one,” the South Carolina Republican told POLITICO today.

The law, which had been used only once before this year, allows lawmakers

to overturn regulations without having to overcome a Senate filibuster, and it prevents federal agencies from enacting new rules that are “substantially the same” in the future. So far, Congress has used the CRA to block seven Obama-era rules.

The Bureau of Land Management’s rule to reduce the venting and flaring of methane has proved to be a more difficult target.

At least five GOP senators are on the fence or outright against the resolution to block it. With a 52-seat majority, Republicans can afford to lose just three of their members, if no Democrats cross the aisle.

In addition to Graham, Sen. Susan Collins (R-Maine) told Bloomberg earlier this week that she does not support the resolution.

Graham said today that he would be open to narrower changes to BLM’s methane rule but would not vote for the CRA resolution.

“I believe you can do a better regulation,” he said. “This area of methane gas emissions I think can be dealt with without driving up major costs to business, but from a CO2 point of view is pretty toxic.”

To view online:

<https://www.politicopro.com/energy/whiteboard/2017/03/graham-opposes-using-cra-to-block-methane-rule-084728>

Was this Pro content helpful? Tell us what you think in one click.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes, very	Somewhat	Neutral	Not really	Not at all

. You received this POLITICO Pro content because your customized settings include: Energy: all tags. To change your alert settings, please go to <https://www.politicopro.com/settings>

This email was sent by: **POLITICO, LLC**
1000 Wilson Blvd. Arlington, VA, 22209, USA

--

Micah Chambers
Special Assistant / Acting Director

Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Ryan Ullman
Sent: 2017-03-09T18:58:27-05:00
Importance: Normal
Subject: Re: Graham opposes CRA to block methane rule
Received: 2017-03-09T18:58:36-05:00

Yeah. It's bush league stuff. Industry is going to have to come to terms with either pushing this to the floor with 50 and risking the loss or not having a vote at all. At least the vote smokes Heitkamp out on the issue.

Sent from my iPhone

On Mar 9, 2017, at 6:54 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

No, they are scheduled to talk tomorrow morning. I wasn't too happy to see them publicly say this right before a call with the secretary.

On Thu, Mar 9, 2017 at 6:45 PM, Ryan Ullman <rullman@ipaa.org> wrote:

Did the boss get a chance to talk to him today? Like I said, he was a pretty hard no but the secretary brings a little more to the table than I do.

Sent from my iPhone

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really?

Begin forwarded message:

From: POLITICO Pro Energy Whiteboard
<politicoemail@politicopro.com>
Date: March 9, 2017 at 3:47:09 PM EST
Subject: Graham opposes CRA to block methane rule
Reply-To: POLITICO subscriptions <reply-fe92127375650d7e72-553241_HTML-637931341-1376319-40785@politicoemail.com>

By Nick Juliano

03/09/2017 03:43 PM EDT

Sen. Lindsey Graham says he will not vote to kill an Obama-era rule aimed at reducing methane emissions from oil and gas drilling, putting Republicans another vote short of the majority they need to pass the Congressional Review Act resolution.

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The law, which had been used only once before this year, allows lawmakers to overturn regulations without having to overcome a Senate filibuster, and it prevents federal agencies from enacting new rules that are “substantially the same” in the future. So far, Congress has used the CRA to block seven Obama-era rules.

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In addition to Graham, Sen. Susan Collins (R-Maine) told Bloomberg earlier this week that she does not support the resolution.

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“I believe you can do a better regulation,” he said. “This area of methane gas emissions I think can be dealt with without driving up major costs to business, but from a CO2 point of view is pretty toxic.”

To view online:

<https://www.politicopro.com/energy/whiteboard/2017/03/graham-opposes-using-cra-to-block-methane-rule-084728>

Was this Pro content helpful? Tell us what you think in one click.

Yes, very Somewhat Neutral Not really Not at all

. You received this POLITICO Pro content because your customized settings include: Energy: all tags. To change your alert settings, please go to <https://www.politicopro.com/settings>

This email was sent by: **POLITICO, LLC**
1000 Wilson Blvd. Arlington, VA, 22209, USA

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Micah Chambers[micah_chambers@ios.doi.gov]
From: Memmott, Justin (EPW)
Sent: 2017-03-10T09:29:55-05:00
Importance: Normal
Subject: Re: Follow Up - DOI
Received: 2017-03-10T09:30:03-05:00

Yes

On Mar 10, 2017, at 9:26 AM, Micah Chambers <micah_chambers@ios.doi.gov> wrote:

You free at 1030?

Sent from my iPhone

On Mar 9, 2017, at 6:26 PM, Memmott, Justin (EPW)
<Justin_Memmott@epw.senate.gov> wrote:

Ok. Can we do so tomorrow?

On Mar 9, 2017, at 6:22 PM, Chambers, Micah <micah_chambers@ios.doi.gov>
wrote:

Justin. Hope you're doing well. I just left you a voicemail where I recited your own number back to you as if it were my contact. haha sorry, my brain is dead after today. My work cell is (b) (6). Wanted to catch up on BLM Venting/Flaring CRA.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]; Amanda Kaster[amanda_kaster@ios.doi.gov]
Cc: Owen, Matt (HSGAC)[Matt_Owen@hsgac.senate.gov]; Neely, Amanda (HSGAC)[Amanda_Neely@hsgac.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-10T12:23:52-05:00
Importance: Normal
Subject: Follow up from the call
Received: 2017-03-10T12:24:09-05:00

Hi Micah and Amanda,

Happy Friday! I am following up on Senator Portman's call with Secretary Zinke yesterday on the BLM methane rule. I understand that our bosses discussed Secretary Zinke's ability to address methane venting and flaring.

At Senator Portman's request, I'd like to connect the Senator's staff on the HSGAC committee - Matt Owen and Amanda Neely with DOI's Solicitor Office. If possible, could a call be arranged between them as soon as this afternoon, or at your earliest convenience?

Thanks for your help. Please let me know if you have any questions. My direct line is (b) (6)

Best,
Sarah

Sarah Pearce
Office of Senator Rob Portman
(202) 224-3353
448 Russell Senate Office Building
Washington, DC 20510
Sarah_Pearce@portman.senate.gov

To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Sterne, Kate (Cornyn)[Kate_Sterne@cornyn.senate.gov]
From: Popp, Monica (Cornyn)
Sent: 2017-03-10T15:22:52-05:00
Importance: Normal
Subject: Re: DOI - BLM Methane CRA
Received: 2017-03-10T15:23:59-05:00

Hi Micah Thank you for your note. Happy to meet and have also copied Kate Sterne in our office who leads on this issue. I have a 3:30 and 4 pm, but otherwise around. Kate may be able to give you an update sooner than I can get to you.

Monica H.Popp
Chief of Staff
Office of the Senate Majority Whip John Cornyn
Direct: 202/224-0725

From: "Chambers, Micah" <micah_chambers@ios.doi.gov>
Date: Friday, March 10, 2017 at 3:02 PM
To: Monica Popp <Monica_Popp@cornyn.senate.gov>
Subject: DOI BLM Methane CRA

Hi Monica.

I hope you're doing well and nice to "meet" you. I was wondering if you'd have a minute to chat about the BLM Methane CRA. This is an issue the Secretary cares a lot about, both personally (MT) and professionally (DOI). He's been making calls to Senators on the issue, but I wanted to catch up with you to get your sense of where things stand. If there's a time that works better for you, just let me know. Otherwise, my work cell number is (b) (6) but I have a 4 pm meeting.

Thank you

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Sterne, Kate (Cornyn)[Kate_Sterne@cornyn.senate.gov]
From: Popp, Monica (Cornyn)
Sent: 2017-03-10T15:28:23-05:00
Importance: Normal
Subject: Re: DOI - BLM Methane CRA
Received: 2017-03-10T15:35:31-05:00

Ok I can call you at 4:30 because I just remembered Kate has a prior engagement this afternoon. My apologies

From: "Chambers, Micah" <micah_chambers@ios.doi.gov>
Date: Friday, March 10, 2017 at 3:26 PM
To: Monica Popp <Monica_Popp@cornyn.senate.gov>
Cc: "Sterne, Kate (Cornyn)" <Kate_Sterne@cornyn.senate.gov>
Subject: Re: DOI BLM Methane CRA

Thanks Monica. I'm free at 430 if either of you are. Just let me know. Appreciate the time.

Micah

On Fri, Mar 10, 2017 at 3:22 PM, Popp, Monica (Cornyn)
<Monica_Popp@cornyn.senate.gov> wrote:

Hi Micah Thank you for your note. Happy to meet and have also copied Kate Sterne in our office who leads on this issue. I have a 3:30 and 4 pm, but otherwise around. Kate may be able to give you an update sooner than I can get to you.

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that works better for you, just let me know. Otherwise, my work cell number is (b) (6) but I have a 4 pm meeting.

Thank you

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Sterne, Kate (Cornyn)
Sent: 2017-03-10T16:03:55-05:00
Importance: Normal
Subject: Re: DOI - BLM Methane CRA
Received: 2017-03-10T16:04:54-05:00

Hi Micah-- Let me know a good number to call you at - 4:30? Thanks!

Kate

Sent from my iPhone

On Mar 10, 2017, at 3:27 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Thanks Monica. I'm free at 430 if either of you are. Just let me know. Appreciate the time.

Micah

On Fri, Mar 10, 2017 at 3:22 PM, Popp, Monica (Cornyn) <Monica_Popp@cornyn.senate.gov> wrote:

Hi Micah Thank you for your note. Happy to meet and have also copied Kate Sterne in our office who leads on this issue. I have a 3:30 and 4 pm, but otherwise around. Kate may be able to give you an update sooner than I can get to you.

Monica H.Popp

Chief of Staff

Office of the Senate Majority Whip John Cornyn

Direct: 202/224-0725

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Date: Friday, March 10, 2017 at 3:02 PM
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Thank you

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Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

--

Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

To: Micah Chambers[micah_chambers@ios.doi.gov]
From: Sterne, Kate (Cornyn)
Sent: 2017-03-10T16:23:39-05:00
Importance: Normal
Subject: Re: DOI - BLM Methane CRA
Received: 2017-03-10T16:52:06-05:00

No problem. Will call at 4:45.

Sent from my iPhone

On Mar 10, 2017, at 4:22 PM, Micah Chambers <micah_chambers@ios.doi.gov> wrote:

(b) (6) if there's any way you're free closer to 445 it'd be appreciated. If not I can do 430 still.

Sent from my iPhone

On Mar 10, 2017, at 4:04 PM, Sterne, Kate (Cornyn) <Kate_Sterne@cornyn.senate.gov> wrote:

Hi Micah-- Let me know a good number to call you at - 4:30?
Thanks!

Kate

Sent from my iPhone

On Mar 10, 2017, at 3:27 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Thanks Monica. I'm free at 430 if either of you are. Just let me know. Appreciate the time.
Micah

On Fri, Mar 10, 2017 at 3:22 PM, Popp, Monica (Cornyn) <Monica_Popp@cornyn.senate.gov> wrote:

Hi Micah Thank you for your note. Happy to meet and have also copied Kate Sterne in our office who leads on this issue. I have a 3:30 and 4 pm, but otherwise around. Kate may be able to give you an update sooner than I can get to you.

Monica H.Popp

Chief of Staff

Office of the Senate Majority Whip John Cornyn

Direct: 202/224-0725

From: "Chambers, Micah"
<micah_chambers@ios.doi.gov>

Date: Friday, March 10, 2017 at 3:02 PM

To: Monica Popp <Monica_Popp@cornyn.senate.gov>

Subject: DOI BLM Methane CRA

Hi Monica.

I hope you're doing well and nice to "meet" you. I was wondering if you'd have a minute to chat about the BLM Methane CRA. This is an issue the Secretary cares a lot about, both personally (MT) and professionally (DOI). He's been making calls to Senators on the issue, but I wanted to catch up with you to get your sense of where things stand. If there's a time that works better for you, just let me know. Otherwise, my work cell number is (b) (6) but I have a 4 pm meeting.

Thank you

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Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

--

Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Amanda Kaster[amanda_kaster@ios.doi.gov]; Owen, Matt (HSGAC)[Matt_Owen@hsgac.senate.gov]; Neely, Amanda (HSGAC)[Amanda_Neely@hsgac.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-10T18:50:57-05:00
Importance: Normal
Subject: Re: Follow up from the call
Received: 2017-03-10T18:52:09-05:00

Certainly, thanks Micah. I'm free at 12:30, 1 or 1:30 on Wednesday. Do these times work for anyone else?

Sent from my iPhone

On Mar 10, 2017, at 6:28 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Sarah. Can we coordinate a time to sit down next Wednesday?
Micah

On Fri, Mar 10, 2017 at 12:53 PM, Micah Chambers <micah_chambers@ios.doi.gov> wrote:

Sarah. If you're free, give me a call (b) (6)

Sent from my iPhone

On Mar 10, 2017, at 12:32 PM, Amanda Kaster <amanda_kaster@ios.doi.gov> wrote:

Thanks, Sarah. I'll be in touch ASAP with more information about availability.

Sent from my iPhone

On Mar 10, 2017, at 12:24 PM, Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov> wrote:

Hi Micah and Amanda,

Happy Friday! I am following up on Senator Portman's call with Secretary Zinke yesterday on the BLM methane rule. I understand that our bosses discussed Secretary Zinke's ability to address methane venting

and flaring.

At Senator Portman's request, I'd like to connect the Senator's staff on the HSGAC committee - Matt Owen and Amanda Neely with DOI's Solicitor Office. If possible, could a call be arranged between them as soon as this afternoon, or at your earliest convenience?

Thanks for your help. Please let me know if you have any questions. My direct line is (b) (6).

Best,

Sarah

Sarah Pearce

Office of Senator Rob Portman

(202) 224-3353

448 Russell Senate Office Building

Washington, DC 20510

Sarah_Pearce@portman.senate.gov

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Amanda Kaster[amanda_kaster@ios.doi.gov]
From: Carrie Domnitch
Sent: 2017-03-11T11:33:55-05:00
Importance: Normal
Subject: Re: Time to Chat
Received: 2017-03-11T11:34:06-05:00

Yes.

Sent from my iPhone

On Mar 11, 2017, at 11:27 AM, Amanda Kaster <amanda_kaster@ios.doi.gov> wrote:

Does 10am Monday work for you?

Sent from my iPhone

On Mar 10, 2017, at 4:07 PM, Kaster, Amanda <amanda_kaster@ios.doi.gov> wrote:

Hi Carrie, I have a time sensitive question about the venting and flaring CRA. Can you give me a call? My cell is (b) (6) - thanks.

--

Amanda Kaster Averill
Special Assistant
Office of Congressional and Legislative Affairs
U.S. Department of the Interior
(202) 208 3337
amanda_kaster@ios.doi.gov

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
Cc: Chambers, Micah[micah_chambers@ios.doi.gov]; Forsythe, Liam (Heitkamp)[Liam_Forsythe@heitkamp.senate.gov]
From: Austad, Stacy (Heitkamp)
Sent: 2017-03-12T17:33:03-04:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-12T17:33:08-04:00

I am very sorry for the delay on getting back to you on this, yes 12:45pm works for Senator Heitkamp. Could you send me the best number to call?

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
110 Hart Senate Office Building
www.heitkamp.senate.gov



From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Friday, March 10, 2017 4:30 PM
To: Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov>
Cc: Chambers, Micah <micah_chambers@ios.doi.gov>; Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>
Subject: Re: Sec. Zinke Call

How does 12:45pm on Monday work for the Senator?

On Thu, Mar 9, 2017 at 2:20 PM, Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov> wrote:
Could we set something up on Monday afternoon?

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
516 Hart Senate Office Building
www.heitkamp.senate.gov



From: Austad, Stacy (Heitkamp)
Sent: Thursday, March 09, 2017 10:55 AM
To: 'Chambers, Micah' <micah_chambers@ios.doi.gov>
Cc: Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: RE: Sec. Zinke Call

Unfortunately She is travelling all day tomorrow, I am sorry March is just a crazy time for her.

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
516 Hart Senate Office Building
www.heitkamp.senate.gov



From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 6:52 PM
To: Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov>
Cc: Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Re: Sec. Zinke Call

No problem. I can but would prefer the Senator and Secretary speak at some point since they haven't met yet. Any chance we can get something Friday? I'll let you and Caroline handle that.

On Wed, Mar 8, 2017 at 6:50 PM, Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov> wrote:

I am so sorry, I thought I had emailed. Unfortunately Senator Heitkamp's schedule tomorrow is crazy, and I am not able to squeeze anything else into the day. I am sorry, could we have you talk to Liam about it?

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Chambers, Micah" <micah_chambers@ios.doi.gov>
Date: 3/8/17 6:46 PM (GMT-05:00)
To: "Forsythe, Liam (Heitkamp)" <Liam_Forsythe@heitkamp.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>, "Austad, Stacy (Heitkamp)" <Stacy_Austad@heitkamp.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Stacy. I'm sorry if I missed it, but were you and Caroline able to nail down a time?

Thank you

On Wed, Mar 8, 2017 at 12:20 PM, Forsythe, Liam (Heitkamp)

<Liam_Forsythe@heitkamp.senate.gov> wrote:
Hey Micah –

Looping in the Senator's scheduler – Stacy Austad.

Liam

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 12:18 PM
To: Forsythe, Liam (Heitkamp)
Cc: Caroline Boulton
Subject: Sec. Zinke Call

Hi Liam. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director

Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Caroline Boulton

Department of the Interior

Scheduling & Advance

[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

To: Amanda Kaster[amanda_kaster@ios.doi.gov]
From: Carrie Domnitch
Sent: 2017-03-13T09:09:18-04:00
Importance: Normal
Subject: Re: Time to Chat
Received: 2017-03-13T09:09:49-04:00

Thank you

Sent from my iPhone

On Mar 13, 2017, at 9:06 AM, Amanda Kaster <amanda_kaster@ios.doi.gov> wrote:

You'll need my office number ((b) (6)) and phone number ((b) (6)) for security. See you soon.

Sent from my iPhone

On Mar 11, 2017, at 11:34 AM, Carrie Domnitch <domnitchc@api.org> wrote:

Yes.

Sent from my iPhone

On Mar 11, 2017, at 11:27 AM, Amanda Kaster <amanda_kaster@ios.doi.gov> wrote:

Does 10am Monday work for you?

Sent from my iPhone

On Mar 10, 2017, at 4:07 PM, Kaster, Amanda
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Amanda Kaster Averill
Special Assistant
Office of Congressional and Legislative Affairs
U.S. Department of the Interior
(202) 208 3337

amanda_kaster@ios.doi.gov

To: 'Boulton, Caroline'[caroline_boulton@ios.doi.gov]
From: Barrera, Amy (Gardner)
Sent: 2017-03-13T10:04:10-04:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-13T10:04:31-04:00

Sen. Gardner is flying back from CO would tomorrow morning work? We could do 7:45am? Or this evening at 6:30pm?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Friday, March 10, 2017 4:28 PM
To: Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov>
Cc: Rogers, Natalie (Gardner) <Natalie_Rogers@gardner.senate.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>; Loraine, Jennifer (Gardner) <Jennifer_Loraine@gardner.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Amy,

I apologize for the delay--do you have availability Monday morning by chance?

Best,
Caroline

On Thu, Mar 9, 2017 at 5:32 PM, Barrera, Amy (Gardner)
<Amy_Barrera@gardner.senate.gov> wrote:

Hi Micah apologies for my delay. Our schedule today got very off track so I'm just catching up.
Does tomorrow at 10:30am work?

Thanks,
Amy

From: Rogers, Natalie (Gardner)
Sent: Wednesday, March 8, 2017 3:18 PM
To: Chambers, Micah <micah_chambers@ios.doi.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>; Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov>; Loraine, Jennifer (Gardner) <Jennifer_Loraine@gardner.senate.gov>
Subject: RE: Sec. Zinke Call

Hi Micah,

I'm adding Amy here who can help coordinate a call with the Senator. Look forward to meeting you in person sometime very soon.

Natalie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:18 PM

To: Rogers, Natalie (Gardner) <Natalie_Rogers@gardner.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Natalie. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Caroline Boulton
Department of the Interior
Scheduling & Advance
Caroline_Boulton@ios.doi.gov | Scheduling@ios.doi.gov

To: 'Boulton, Caroline'[caroline_boulton@ios.doi.gov]
Cc: Chambers, Micah[micah_chambers@ios.doi.gov]; Forsythe, Liam (Heitkamp)[Liam_Forsythe@heitkamp.senate.gov]
From: Austad, Stacy (Heitkamp)
Sent: 2017-03-13T10:40:23-04:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-13T10:40:32-04:00

Sure, please call (b) (6). Thanks!

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
516 Hart Senate Office Building
www.heitkamp.senate.gov



From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Monday, March 13, 2017 10:02 AM
To: Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov>
Cc: Chambers, Micah <micah_chambers@ios.doi.gov>; Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Stacy,

Great! The Secretary's phone has been having some issues receiving calls--it's usually safer if he is the one to dial. Would it work for him to call the Senator instead? If so, please let me know the best number.

Best,
Caroline

On Sun, Mar 12, 2017 at 5:33 PM, Austad, Stacy (Heitkamp)
<Stacy_Austad@heitkamp.senate.gov> wrote:

I am very sorry for the delay on getting back to you on this, yes 12:45pm works for Senator Heitkamp. Could you send me the best number to call?

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
110 Hart Senate Office Building
www.heitkamp.senate.gov



From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Friday, March 10, 2017 4:30 PM
To: Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov>
Cc: Chambers, Micah <micah_chambers@ios.doi.gov>; Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>
Subject: Re: Sec. Zinke Call

How does 12:45pm on Monday work for the Senator?

On Thu, Mar 9, 2017 at 2:20 PM, Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov> wrote:
Could we set something up on Monday afternoon?

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
516 Hart Senate Office Building
www.heitkamp.senate.gov



From: Austad, Stacy (Heitkamp)
Sent: Thursday, March 09, 2017 10:55 AM
To: 'Chambers, Micah' <micah_chambers@ios.doi.gov>
Cc: Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: RE: Sec. Zinke Call

Unfortunately She is travelling all day tomorrow, I am sorry March is just a crazy time for her.

Stacy Austad
Scheduling Director and Executive Assistant
Senator Heidi Heitkamp
202-224-2043
516 Hart Senate Office Building
www.heitkamp.senate.gov



From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 08, 2017 6:52 PM
To: Austad, Stacy (Heitkamp) <Stacy_Austad@heitkamp.senate.gov>
Cc: Forsythe, Liam (Heitkamp) <Liam_Forsythe@heitkamp.senate.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Re: Sec. Zinke Call

No problem. I can but would prefer the Senator and Secretary speak at some point since they haven't met yet. Any chance we can get something Friday? I'll let you and Caroline handle that.

On Wed, Mar 8, 2017 at 6:50 PM, Austad, Stacy (Heitkamp)

<Stacy_Austad@heitkamp.senate.gov> wrote:

I am so sorry, I thought I had emailed. Unfortunately Senator Heitkamp's schedule tomorrow is crazy, and I am not able to squeeze anything else into the day. I am sorry, could we have you talk to Liam about it?

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Chambers, Micah" <micah_chambers@ios.doi.gov>

Date: 3/8/17 6:46 PM (GMT-05:00)

To: "Forsythe, Liam (Heitkamp)" <Liam_Forsythe@heitkamp.senate.gov>

Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>, "Austad, Stacy (Heitkamp)" <Stacy_Austad@heitkamp.senate.gov>

Subject: Re: Sec. Zinke Call

Hi Stacy. I'm sorry if I missed it, but were you and Caroline able to nail down a time?

Thank you

On Wed, Mar 8, 2017 at 12:20 PM, Forsythe, Liam (Heitkamp)

<Liam_Forsythe@heitkamp.senate.gov> wrote:

Hey Micah –

Looping in the Senator's scheduler – Stacy Austad.

Liam

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]

Sent: Wednesday, March 08, 2017 12:18 PM

To: Forsythe, Liam (Heitkamp)

Cc: Caroline Boulton

Subject: Sec. Zinke Call

Hi Liam. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

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Caroline Boulton
Department of the Interior
Scheduling & Advance
Caroline_Boulton@ios.doi.gov | Scheduling@ios.doi.gov

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]; Amanda Kaster[amanda_kaster@ios.doi.gov]
Cc: Owen, Matt (HSGAC)[Matt_Owen@hsgac.senate.gov]; Neely, Amanda (HSGAC)[Amanda_Neely@hsgac.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-13T17:17:12-04:00
Importance: Normal
Subject: RE: Follow up from the call
Received: 2017-03-13T17:17:20-04:00

Hi Micah,

12:30PM on Wednesday works for Matt, Amanda, and me. Would this work on your end?

Thanks,
Sarah

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Friday, March 10, 2017 5:16 PM
To: Amanda Kaster <amanda_kaster@ios.doi.gov>
Cc: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Owen, Matt (HSGAC) <Matt_Owen@hsgac.senate.gov>; Neely, Amanda (HSGAC) <Amanda_Neely@hsgac.senate.gov>
Subject: Re: Follow up from the call

Sarah. Can we coordinate a time to sit down next Wednesday?

Micah

On Fri, Mar 10, 2017 at 12:53 PM, Micah Chambers <micah_chambers@ios.doi.gov> wrote:
Sarah. If you're free, give me a call (b) (6)

Sent from my iPhone

On Mar 10, 2017, at 12:32 PM, Amanda Kaster <amanda_kaster@ios.doi.gov> wrote:

Thanks, Sarah. I'll be in touch ASAP with more information about availability.

Sent from my iPhone

On Mar 10, 2017, at 12:24 PM, Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov> wrote:

Hi Micah and Amanda,

Happy Friday! I am following up on Senator Portman's call with Secretary Zinke yesterday on the BLM methane rule. I understand that our bosses discussed Secretary Zinke's ability to address methane venting and flaring.

At Senator Portman's request, I'd like to connect the Senator's staff on the HSGAC committee - Matt Owen and Amanda Neely with

DOI's Solicitor Office. If possible, could a call be arranged between them as soon as this afternoon, or at your earliest convenience?

Thanks for your help. Please let me know if you have any questions. My direct line is (b) (6).

Best,
Sarah

Sarah Pearce
Office of Senator Rob Portman
(202) 224-3353
448 Russell Senate Office Building
Washington, DC 20510
Sarah_Pearce@portman.senate.gov

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: 'Boulton, Caroline'[caroline_boulton@ios.doi.gov]
From: Barrera, Amy (Gardner)
Sent: 2017-03-13T18:45:18-04:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-13T18:45:26-04:00

How about 10:15am tomorrow?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Monday, March 13, 2017 6:18 PM
To: Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov>
Subject: Re: Sec. Zinke Call

Sorry for the delay, Amy. Unfortunately he can't do either time. He IS currently free the following:

Tomorrow 10:00-10:30

Wednesday 10:15-10:30, 12:00-1:00, 3:30-4:00

Let me know if you have any availability in those windows!

On Mon, Mar 13, 2017 at 10:04 AM, Barrera, Amy (Gardner)

<Amy_Barrera@gardner.senate.gov> wrote:

Sen. Gardner is flying back from CO would tomorrow morning work? We could do 7:45am? Or this evening at 6:30pm?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Friday, March 10, 2017 4:28 PM
To: Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov>
Cc: Rogers, Natalie (Gardner) <Natalie_Rogers@gardner.senate.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>; Loraine, Jennifer (Gardner) <Jennifer_Loraine@gardner.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Amy,

I apologize for the delay--do you have availability Monday morning by chance?

Best,
Caroline

On Thu, Mar 9, 2017 at 5:32 PM, Barrera, Amy (Gardner)

<Amy_Barrera@gardner.senate.gov> wrote:

Hi Micah apologies for my delay. Our schedule today got very off track so I'm just catching up. Does tomorrow at 10:30am work?

Thanks,

Amy

From: Rogers, Natalie (Gardner)
Sent: Wednesday, March 8, 2017 3:18 PM
To: Chambers, Micah <micah_chambers@ios.doi.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>; Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov>; Loraine, Jennifer (Gardner) <Jennifer_Loraine@gardner.senate.gov>
Subject: RE: Sec. Zinke Call

Hi Micah,

I'm adding Amy here who can help coordinate a call with the Senator. Look forward to meeting you in person sometime very soon.

Natalie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 8, 2017 12:18 PM
To: Rogers, Natalie (Gardner) <Natalie_Rogers@gardner.senate.gov>
Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Sec. Zinke Call

Hi Natalie. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

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Micah Chambers
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Office of the Secretary of the Interior

--

Caroline Boulton
Department of the Interior

Scheduling & Advance

[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

--

Caroline Boulton

Department of the Interior

Scheduling & Advance

[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

To: 'Boulton, Caroline'[caroline_boulton@ios.doi.gov]
From: Barrera, Amy (Gardner)
Sent: 2017-03-14T09:31:25-04:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-14T09:31:33-04:00

Great call his cell (b) (6).

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Tuesday, March 14, 2017 9:29 AM
To: Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov>
Subject: Re: Sec. Zinke Call

10:15 today should work!

Let me know what the best number for the Secretary to call is.

On Mon, Mar 13, 2017 at 6:45 PM, Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov> wrote:
How about 10:15am tomorrow?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Monday, March 13, 2017 6:18 PM
To: Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov>
Subject: Re: Sec. Zinke Call

Sorry for the delay, Amy. Unfortunately he can't do either time. He IS currently free the following:

Tomorrow 10:00-10:30

Wednesday 10:15-10:30, 12:00-1:00, 3:30-4:00

Let me know if you have any availability in those windows!

On Mon, Mar 13, 2017 at 10:04 AM, Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov> wrote:

Sen. Gardner is flying back from CO would tomorrow morning work? We could do 7:45am? Or this evening at 6:30pm?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Friday, March 10, 2017 4:28 PM
To: Barrera, Amy (Gardner) <Amy_Barrera@gardner.senate.gov>
Cc: Rogers, Natalie (Gardner) <Natalie_Rogers@gardner.senate.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>; Loraine, Jennifer (Gardner) <Jennifer_Loraine@gardner.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Amy,

I apologize for the delay--do you have availability Monday morning by chance?

Best,
Caroline

On Thu, Mar 9, 2017 at 5:32 PM, Barrera, Amy (Gardner)

<Amy_Barrera@gardner.senate.gov> wrote:

Hi Micah apologies for my delay. Our schedule today got very off track so I'm just catching up. Does tomorrow at 10:30am work?

Thanks,
Amy

From: Rogers, Natalie (Gardner)

Sent: Wednesday, March 8, 2017 3:18 PM

To: Chambers, Micah <micah_chambers@ios.doi.gov>

Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>; Barrera, Amy (Gardner)

<Amy_Barrera@gardner.senate.gov>; Loraine, Jennifer (Gardner)

<Jennifer_Loraine@gardner.senate.gov>

Subject: RE: Sec. Zinke Call

Hi Micah,

I'm adding Amy here who can help coordinate a call with the Senator. Look forward to meeting you in person sometime very soon.

Natalie

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]

Sent: Wednesday, March 8, 2017 12:18 PM

To: Rogers, Natalie (Gardner) <Natalie_Rogers@gardner.senate.gov>

Cc: Caroline Boulton <caroline_boulton@ios.doi.gov>

Subject: Sec. Zinke Call

Hi Natalie. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

Re: BLM Venting Flaring CRA

Thank you in advance for the quick turnaround and feel free to reach out to me on anything Interior related moving forward.

--

Micah Chambers
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[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Kurtz, Olivia (Collins)[Olivia_Kurtz@collins.senate.gov]; Schley, Mary Grace (Collins)[MaryGrace_Schley@collins.senate.gov]
From: Kurtz, Olivia (Aging)
Sent: 2017-03-14T18:28:01-04:00
Importance: Normal
Subject: Re: Sec. Zinke Call
Received: 2017-03-14T18:28:11-04:00

Thanks very much, Micah- appreciate your reaching out. I'm actually out on maternity leave but CC'ing Mary Grace who would be happy to attend the briefing.

Thanks again and best,
Olivia

On Mar 14, 2017, at 6:00 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Olivia. I just left you a voicemail. You can see the emails below that I sent to Steve and Elizabeth. We understand your boss' position and we appreciate her time to talk with the Secretary. We wanted to make sure someone from your office was invited and Michelle from SENR said you were the one to talk to. My work cell is (b) (6). Please let me know your thoughts. Thank you
Micah

On Mon, Mar 13, 2017 at 7:15 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Steve and Elizabeth. I hope you're both doing well. Thanks to your boss for taking the time to talk with the Secretary. I understand it went well and he appreciated her time and the conversation. I wanted to follow up on it with whoever is most appropriate. We are doing a follow up briefing on it with Sen. Portman's staff and wanted to see if anyone from your office would like to attend. It will be with the HSGAC attorneys as well. My understanding is that your boss had some of the same concerns as Sen. Portman, so we wanted to reach out to you as well. My work cell is (b) (6). If there's any interest, please give me a call. Thank you
Micah

On Wed, Mar 8, 2017 at 12:18 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Hi Steve and Elizabeth. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

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Office of the Secretary of the Interior

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]; Abbott, Steve (Collins)[Steve_Abbott@collins.senate.gov]
Cc: Schley, Mary Grace (Collins)[MaryGrace_Schley@collins.senate.gov]
From: McDonnell, Elizabeth (Collins)
Sent: 2017-03-14T18:40:57-04:00
Importance: Normal
Subject: RE: Sec. Zinke Call
Received: 2017-03-14T18:41:09-04:00

Hi Micah,

Sorry for the delay in getting back to you. I understand that Mary Grace from our staff will attend.

Best,

Betsy

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 14, 2017 5:10 PM
To: Abbott, Steve (Collins) <Steve_Abbott@collins.senate.gov>; McDonnell, Elizabeth (Collins) <Elizabeth_McDonnell@collins.senate.gov>
Subject: Re: Sec. Zinke Call

Hi Steve and Elizabeth. Anything on this? Briefing tomorrow. Would like to know if there's any interest from your office.

Thank you

Micah

On Mon, Mar 13, 2017 at 7:15 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote: Steve and Elizabeth. I hope you're both doing well. Thanks to your boss for taking the time to talk with the Secretary. I understand it went well and he appreciated her time and the conversation. I wanted to follow up on it with whoever is most appropriate. We are doing a follow up briefing on it with Sen. Portman's staff and wanted to see if anyone from your office would like to attend. It will be with the HSGAC attorneys as well. My understanding is that your boss had some of the same concerns as Sen. Portman, so we wanted to reach out to you as well. My work cell is (b) (6). If there's any interest, please give me a call. Thank you

Micah

On Wed, Mar 8, 2017 at 12:18 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Hi Steve and Elizabeth. Hope you're doing well and nice to "meet" you. The Secretary would like to set up a call with the Senator either tomorrow or Friday. Tomorrow we have from 1230-2 and Friday 10-11 am. I'm sorry this is last minute, but the Secretary requested it this morning. Caroline (cc'd) is the Secretary's scheduler and she'll coordinate times. To be clear, we are only expecting this to be 5-15 minutes tops.

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To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
Cc: Amanda Kaster[amanda_kaster@ios.doi.gov]; Owen, Matt (HSGAC)[Matt_Owen@hsgac.senate.gov]; Neely, Amanda (HSGAC)[Amanda_Neely@hsgac.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-14T18:56:26-04:00
Importance: Normal
Subject: RE: Follow up from the call
Received: 2017-03-14T18:56:43-04:00

Hi All,

I'm writing to confirm our meeting tomorrow, Wednesday March 15th at 12:30 in Russell 199.

Looking forward to seeing everyone then.

Thanks,
Sarah

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 13, 2017 6:52 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Cc: Amanda Kaster <amanda_kaster@ios.doi.gov>; Owen, Matt (HSGAC) <Matt_Owen@hsgac.senate.gov>; Neely, Amanda (HSGAC) <Amanda_Neely@hsgac.senate.gov>
Subject: Re: Follow up from the call

We will plan on 1230 Wednesday. Just give the location and we'll plan on seeing you there.
Thank you

Micah

On Mon, Mar 13, 2017 at 5:17 PM, Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov> wrote:
Hi Micah,

12:30PM on Wednesday works for Matt, Amanda, and me. Would this work on your end?

Thanks,
Sarah

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Friday, March 10, 2017 5:16 PM
To: Amanda Kaster <amanda_kaster@ios.doi.gov>
Cc: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Owen, Matt (HSGAC) <Matt_Owen@hsgac.senate.gov>; Neely, Amanda (HSGAC) <Amanda_Neely@hsgac.senate.gov>
Subject: Re: Follow up from the call

Sarah. Can we coordinate a time to sit down next Wednesday?

Micah

On Fri, Mar 10, 2017 at 12:53 PM, Micah Chambers <micah_chambers@ios.doi.gov> wrote:
Sarah. If you're free, give me a call (b) (6)

Sent from my iPhone

On Mar 10, 2017, at 12:32 PM, Amanda Kaster <amanda_kaster@ios.doi.gov> wrote:

Thanks, Sarah. I'll be in touch ASAP with more information about availability.

Sent from my iPhone

On Mar 10, 2017, at 12:24 PM, Pearce, Sarah (Portman)
<Sarah_Pearce@portman.senate.gov> wrote:

Hi Micah and Amanda,

Happy Friday! I am following up on Senator Portman's call with Secretary Zinke yesterday on the BLM methane rule. I understand that our bosses discussed Secretary Zinke's ability to address methane venting and flaring.

At Senator Portman's request, I'd like to connect the Senator's staff on the HSGAC committee - Matt Owen and Amanda Neely with DOI's Solicitor Office. If possible, could a call be arranged between them as soon as this afternoon, or at your earliest convenience?

Thanks for your help. Please let me know if you have any questions. My direct line is (b) (6).

Best,
Sarah

Sarah Pearce
Office of Senator Rob Portman
(202) 224-3353
448 Russell Senate Office Building
Washington, DC 20510
Sarah_Pearce@portman.senate.gov

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: Carrie Domnitch
Sent: 2017-03-16T11:31:32-04:00
Importance: Normal
Subject: BLM methane rule
Received: 2017-03-16T11:32:39-04:00

The revisions to Subpart 3103 inappropriately change BLM's approach to royalties by creating uncertainty in the leasing process and disincentivizing investments.

The new requirements in Subpart 3162 create unnecessary paperwork requirements that are overly burdensome, request confidential business information, and overlap with state requirements.

Subpart 3179 includes arbitrary limits on venting and flaring that ignore operational realities, including delays in obtaining rights-of-way approvals, which could require premature shut-in of production.

Subpart 3179 further includes extensive emissions control requirements that exceed BLM's authority and encroach upon EPA and state air quality authority under the Clean Air Act.

The rule disregards long-standing principles of law and BLM practice as well as settled expectations established by lease contracts.

Repeal of the rule by the CRA would leave BLM with the authority to continue regulating waste and conservation of the resource under the MLA, because any subsequent actions within BLM's authority would be substantially different than the current rule. The industry is committed to prevention of waste and conservation of resources, and we are committed to paying our lawful royalty on production.

If the goal is to prevent emissions, not impede U.S. energy production, then the BLM should focus on fixing permitting, infrastructure and pipeline delays that slow our nation's ability to capture more natural gas and deliver affordable energy to consumers and should work with the states, which are already effectively managing this activity.

Carrie M. Domnitch
Director, Federal Relations
American Petroleum Institute
202-682-8424

To: 'Micah Chambers'[micah_chambers@ios.doi.gov]; Pearce, Sarah (Portman)[Sarah_Pearce@portman.senate.gov]
Cc: Amanda Kaster[amanda_kaster@ios.doi.gov]; Owen, Matt (HSGAC)[Matt_Owen@hsgac.senate.gov]
From: Neely, Amanda (HSGAC)
Sent: 2017-03-17T10:56:53-04:00
Importance: Normal
Subject: RE: Follow up from the call
Received: 2017-03-17T10:57:10-04:00

Micah and Amanda,

Per our discussion on Wednesday, would you please send me the cases regarding the CRA's judicial review clause and the law review article that argues that a "substantially the same as" analysis should be based on economic impact? I've found the joint statement, so no need to send that. Given the timeliness of this issue, it would be great if you would send those on today.

Thanks,
Amanda

Amanda H. Neely
Deputy Chief Counsel
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS (PSI)
U.S. SENATE
(202) 224-9877

From: Micah Chambers [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 14, 2017 7:07 PM
To: Pearce, Sarah (Portman)
Cc: Amanda Kaster; Owen, Matt (HSGAC); Neely, Amanda (HSGAC)
Subject: Re: Follow up from the call

We will be there. I just got confirmation from Sen. Collins staff Mary Grace and I believe one SENR staffer will be attending as well. Thanks again for taking the time.

Micah

Sent from my iPhone

On Mar 14, 2017, at 6:56 PM, Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov> wrote:

Hi All,

I'm writing to confirm our meeting tomorrow, Wednesday March 15th at 12:30 in Russell 199.

Looking forward to seeing everyone then.

Thanks,

Sarah

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 13, 2017 6:52 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Cc: Amanda Kaster <amanda_kaster@ios.doi.gov>; Owen, Matt (HSGAC) <Matt_Owen@hsgac.senate.gov>; Neely, Amanda (HSGAC) <Amanda_Neely@hsgac.senate.gov>
Subject: Re: Follow up from the call

We will plan on 1230 Wednesday. Just give the location and we'll plan on seeing you there. Thank you

Micah

On Mon, Mar 13, 2017 at 5:17 PM, Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov> wrote:
Hi Micah,

12:30PM on Wednesday works for Matt, Amanda, and me. Would this work on your end?

Thanks,
Sarah

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Friday, March 10, 2017 5:16 PM
To: Amanda Kaster <amanda_kaster@ios.doi.gov>
Cc: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>; Owen, Matt (HSGAC) <Matt_Owen@hsgac.senate.gov>; Neely, Amanda (HSGAC) <Amanda_Neely@hsgac.senate.gov>
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Best,
Sarah

Sarah Pearce
Office of Senator Rob Portman
(202) 224-3353
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Sarah_Pearce@portman.senate.gov

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director

Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Gruman, Mark
Sent: 2017-03-17T17:16:56-04:00
Importance: Normal
Subject: BLM Flaring Rule
Received: 2017-03-17T17:17:08-04:00
[3-17-16 HELMS HEITKAMP.mp3](#)

Mark Gruman

Chief of Staff/Legislative Director

Rep. Kevin Cramer | North Dakota

1717 Longworth HOB | 202-225-2611



[Email](#) [Website](#) [vCard](#)

To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Orth, Patrick (Portman)[patrick_orth@portman.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-17T20:23:13-04:00
Importance: Normal
Subject: Re: Venting Flaring
Received: 2017-03-17T20:23:21-04:00

Hi Micah,

Thanks so much, this is extremely helpful.

Would you be available for a call Monday afternoon? 2:30, 4, 4:30, 5, or 5:30?

Sent from my iPhone

On Mar 17, 2017, at 1:42 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Sarah. As promised, but still late. Hope this helps and glad to clarify anything needed.

Key Concerns with BLM's Venting and Flaring Regulations

- Subpart 3103* revises BLM's approach to royalties, inviting uncertainty both in the leasing process and existing and pending investments;
- Subpart 3162* creates new paperwork requirements that are burdensome, require the disclosure of confidential information, and are duplicative of existing state requirements.
- Subpart 3179* creates additional limits on venting and flaring that ignore operational realities. This includes delays in obtaining rights-of-way approvals, which are an ongoing issue that threaten all current and future production. This would likely be the portion we would focus on at Interior with expedited procedures for methane capture infrastructure so less is vented or flared.
- Subpart 3179* includes extensive emissions control requirements that exceed BLM's authority and encroach upon EPA and state air quality authority under the Clean Air Act.

Collectively, the rule disregards BLM's long standing practices and authorities. We believe repealing the rule with the Congressional Review Act tool would continue to maintain BLM's authority to regulate waste and conservation of the resource under the Mineral Leasing Act. This is due to the fact that any subsequent actions within BLM's authority would be substantially different when compared to the current rule which we believe has substantial overlap with EPA and is out of our jurisdiction.

--

Micah Chambers
Special Assistant / Acting Director

Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Kate MacGregor (katharine_macgregor@ios.doi.gov)[katharine_macgregor@ios.doi.gov]
From: Avery, Kevin J
Sent: 2017-03-18T11:14:43-04:00
Importance: Normal
Subject: Hope All is Well
Received: 2017-03-18T11:14:54-04:00

Kate

How are things over at Interior. I know you have met with Kjersten Drager a couple of times. I was wondering if you might have some time during the week to talk about the BLM Venting and Flaring Rule. It is my understanding that the Department is taking a look at options it can take to address waste issues in the event that the CRA disapproval resolution passes. I have one of my experts in town, by any chance do you have some time this week? I have availability on Tuesday; limited availability on Wednesday afternoon; and most of the day on Thursday; up to about 2:00.

Thank you very much for your consideration of this request. I look forward to hearing from you.

KJA

Kevin J. Avery
Manager, Federal Government Affairs
ConocoPhillips
325 7th Street, N.W., 12th Floor
Washington, D.C. 20004
202-833-0914 (Direct)
202-304-0467 (Mobile)

To: Micah Chambers[micah_chambers@ios.doi.gov]
From: Orth, Patrick (Portman)
Sent: 2017-03-19T19:24:39-04:00
Importance: Normal
Subject: Automatic reply: Venting Flaring
Received: 2017-03-19T19:24:47-04:00

Hi -

I am currently out of the office. If you need immediate assistance please contact Sarah Pearce at Sarah.Pearce@portman.senate.gov or at (b) (6).

Thanks,
Pat

To: 'Micah Chambers'[micah_chambers@ios.doi.gov]
Cc: Orth, Patrick (Portman)[patrick_orth@portman.senate.gov]
From: Pearce, Sarah (Portman)
Sent: 2017-03-20T10:18:57-04:00
Importance: Normal
Subject: RE: Venting Flaring
Received: 2017-03-20T10:19:27-04:00

Thanks Micah. Feel free to call my desk line at (b) (6). I will be conferencing Pat in.

From: Micah Chambers [mailto:micah_chambers@ios.doi.gov]
Sent: Sunday, March 19, 2017 7:24 PM
To: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Cc: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Subject: Re: Venting Flaring

Be glad to chat. Let's do 230. My cell phone isn't working so I can call you or I can give you my office number.

Sent from my iPhone

On Mar 17, 2017, at 8:23 PM, Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov> wrote:

Hi Micah,

Thanks so much, this is extremely helpful.

Would you be available for a call Monday afternoon? 2:30, 4, 4:30, 5, or 5:30?

Sent from my iPhone

On Mar 17, 2017, at 1:42 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

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--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Domenech, Douglas[douglas_domenech@ios.doi.gov]
From: Chuck Cunningham
Sent: 2017-03-20T15:49:56-04:00
Importance: Normal
Subject: RE: SAFE Criticizes Move to Block Offshore Drilling
Received: 2017-03-20T16:16:28-04:00

Trump's energy executive order delayed again

By ANDREW RESTUCCIA and ANTHONY ADRAGNA

The White House has again delayed the release of a wide-ranging executive order that would start the process of rolling back former President Barack Obama's climate regulations, two sources familiar with the issue told POLITICO.

President Donald Trump is expected to sign the order by the end of the month, and possibly as soon as later this week.

People close to the White House were told that the order would be signed today, but that timing slipped. The order's release has been repeatedly delayed over the last few weeks, but the precise reasons for the delay are unclear.

A draft version of the order obtained by POLITICO calls on EPA to rewrite Obama's climate regulations for power plants, and mandates the withdrawal or review of rules on fracking and methane, among other things.

A White House spokeswoman declined to comment, saying she had no announcements on scheduling.

WHAT'S NEXT: The D.C. Circuit Court of Appeals could rule any day on a wide-ranging lawsuit from states and industry groups seeking to overturn the Clean Power Plan. And Trump is expected to sign the order directing EPA to undo it as soon as this week.

From: Domenech, Douglas [mailto:douglas_domenech@ios.doi.gov]
Sent: Monday, March 20, 2017 1:26 PM
To: Chuck Cunningham
Subject: Re: SAFE Criticizes Move to Block Offshore Drilling

Nothing I can share on the first one.

If you know Scott, send it to him. Either way it goes to the scheduler.

Doug Domenech
Senior Advisor
US Department of the Interior

On Mon, Mar 20, 2017 at 1:18 PM, Chuck Cunningham <chuckc@visi.net> wrote:
Send it through you or Scott Hommel?

Any news on the first question?

From: Domenech, Douglas [mailto:douglas_domenech@ios.doi.gov]
Sent: Monday, March 20, 2017 1:17 PM
To: Chuck Cunningham
Subject: Re: SAFE Criticizes Move to Block Offshore Drilling

Second one is easy. Just write a letter and ask to meet.

Doug Domenech
Senior Advisor
US Department of the Interior

On Mon, Mar 20, 2017 at 1:15 PM, Chuck Cunningham <chuckc@visi.net> wrote:
Any news on something happening on public lands this week?

What is the best way to get our top leadership at SAFE (including me) to meet with Secretary Zinke?

From: Domenech, Douglas [mailto:douglas_domenech@ios.doi.gov]
Sent: Thursday, March 16, 2017 4:27 PM
To: Chuck Cunningham
Subject: Re: SAFE Criticizes Move to Block Offshore Drilling

Ha well I hope he will do this.

I would say, confidentially, there could be a signing ceremony at DOI to respond to a Presidential EO. Will keep you in the loop.

Doug Domenech
Senior Advisor
US Department of the Interior

On Thu, Mar 16, 2017 at 4:24 PM, Chuck Cunningham <chuckc@visi.net> wrote:
Rumor is that Trump will be signing executive orders to reverse this Obama action (SAFE news release below criticizing it). What can we at SAFE do to help show our support for these actions other than a news release of praise? Attend the signing event?

<http://secureenergy.org/press/safe-ceo-condemns-obama-administration-move-block-offshore-drilling>

[Spam](#)
[Phish/Fraud](#)
[Not spam](#)
[Forget previous vote](#)

To: Micah Chambers[micah_chambers@ios.doi.gov]; Pearce, Sarah (Portman)[Sarah_Pearce@portman.senate.gov]
From: Orth, Patrick (Portman)
Sent: 2017-03-20T17:32:57-04:00
Importance: Normal
Subject: Fwd: Venting and Flaring ideas
Received: 2017-03-20T17:35:30-04:00
[BLM Venting +Flaring Outreach Presentation - May 15 2004.pdf](#)

Micah - see below for the ideas I mentioned. Let us know if you have any questions.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Patrick Orth <(b) (6)>
Date: 3/20/17 5:29 PM (GMT-05:00)
To: "Orth, Patrick (Portman)" <patrick_orth@portman.senate.gov>
Subject: Venting and Flaring ideas

Micah - thanks for taking the time today.

Below is a matrix of some of the ideas I offered this afternoon. I've been told that these changes could be made quickly by means of a "Notice to Lessees" that supersedes the 1974 era NTL 4A.

Here is a link to the EIA blog post on how North Dakota's flaring rules using flaring targets. EIA describes how flaring rules have helped to sharply curtail the practice of flaring gas in North Dakota: <https://www.eia.gov/todayinenergy/detail.php?id=26632>

Here's an article about Colorado that has EDF praising their regulations as a standard for the country: <https://www.scientificamerican.com/article/colorado-first-state-to-limit-methane-pollution-from-oil-and-gas-wells/>

Here's a factsheet about the regulation: https://www.colorado.gov/pacific/sites/default/files/AP_Regulation-3-6-7-FactSheet.pdf Page 3 has a table that shows the tiered inspection schedules for existing marginal wells that I was talking about. As you'll see LDAR surveys are only required for the first inspection and then depending on the leakage they are not required to do LDAR surveys again. If BLM is willing to keep any of the rule on existing wells I think this would be a change that industry and EDF could support.

Finally, attached is slide deck that the BLM used in their initial public outreach on Venting & Flaring back in May 2014. As you will see, their initial proposals are basically what I suggested as 'rational middle ground' solutions.

Let me know if you have any questions and thanks again.

Pat

<p>Well Development Phase</p>	<p>Current Practice under NTL-4a</p>	<p>Practice Under November 2016 BLM Rule</p>	<p>Middle Ground</p>
<p>Venting & Flaring during Well Completion (Casing & Cementing, Perforation, Fracturing usually 7-10 days)</p>	<p>Venting & Flaring is royalty-free with BLM approval.</p>	<p>If there is no pipeline in place, flared volumes are subject caps stated below.</p>	<p>Royalty could be charged in order to incentivize waste-reduction.</p>
<p>Venting & Flaring during Initial Production Test (1st 30 days or 1st 50,000 mcf of production)</p>	<p>Vented/flared gas is royalty-free for 1st 30 days or 1st 50 MMCF of production whichever comes first.</p>	<p>If there is no pipeline in place, flared volumes are subject caps stated below.</p>	<p>Require operator to be on site during all tests; limit performance tests to the time needed to validate performance. Charge royalty to incentivize waste-reduction.</p>
<p>Flaring with Gas Conservation Plan (BLM allowed operators to flare gas for up to 1 year if they had a Gas Conservation Plan typically a plan to build a</p>	<p>BLM required permit applications to explain the specific economic and technical reasons for the flaring,</p>	<p>Total “flaring allowable” volumes are imposed. These phase down from 2018-2025 from 5,400 Mcf/per well to 750 Mcf/per well, on average across</p>	<p>Flaring is authorized only during the time it takes to construct a pipeline. Restrict number of extensions</p>

<p>gas pipeline that would be active after 1 year.</p>	<p>including estimates of total flared volumes and ultimate production expected from wells</p>	<p>operations in a state.</p>	<p>allowed for approval of flaring.</p>
<p>Flaring during “Force Majeure” Events (Pipeline maintenance, pressure relief, safety)</p>	<p>Royalty is not charged for vented/flared volumes during Force Majeure events.</p>	<p>Royalty is charged during Force Majeure events BLM deems should have been predictable. Also certain flared volumes contribute to the cap above.</p>	<p>Royalty may be charged for flared volumes associated with maintenance events, but these events would not contribute to a ‘cap’ on flared volumes.</p>

To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov];
'katharine_macgregor@ios.doi.gov'[katharine_macgregor@ios.doi.gov]; Ronk,
Joshua[Joshua.Ronk@mail.house.gov]
From: Small, Jeff
Sent: 2017-03-20T19:03:28-04:00
Importance: Normal
Subject: OGR Hearing Tomorrow
Received: 2017-03-20T19:26:30-04:00

Amanda, Kate and Josh,

Wanted to connect you all.

Kate and Amanda are former House staffers who now work for DOI. They are wonderful.

Josh Ronk is our Legislative Assistant who is handling the OGR hearing tomorrow and handles OGR Committee work. He is great too. We have had a lot going on but he is finishing up questions now.

Josh, Amanda and Kate both reached out. Please send them our draft questions for Richard Cardinale when you have them.

Josh, here are some possible questions for Frank Rusco:

1. Director Rusco, how does your agency determine what it studies?
 - 1a. In [GAO report 16-607](#), entitled "Interior Could Do More to Account for and Manage Natural Gas Emissions, you state "GAO was asked to review Interior's management of natural gas emissions onshore?"
 - 2a. Who specifically asked you to review Interior's management of natural gas emissions onshore?
 - 3a. Are you at all concerned that this report led to a very political rule that was rejected by the House with bipartisan support?
 - 4a. I am normally a big fan of GAO, but this report had some conclusions that encouraged the terrible BLM Venting and Flaring rule implemented by the Obama Administration. This new mandate seeks to allow BLM the ability to exceed its statutory authority and regulate air quality. Given that methane emissions from oil and natural gas have significantly declined in recent decades and that the final rule would destroy responsible energy production, I am still trying to understand your contribution here and why you all decided to spend taxpayer money commissioning this report that contributed to this extremely political rule?
2. Director Rusco. Here's another example. [GAO report 15-39](#) from April of 2015 entitled "Interior's Production Verification Efforts and Royalty Data Have Improved, but Further Actions Needed." Again this reported contributed to another very political rule from the Obama Administration in the form of ONRR's Valuation Rule. This flawed rule is essentially a new tax that will stifle oil, gas, and coal production on federal and Indian lands.

2a. You stated in the report “GAO was asked to review Interior's efforts to improve verification of oil and gas produced from federal leases and the accuracy of royalty data.”

2b. Again, who specifically asked you to commission this report?

3b. Does it cause you any heartburn that the Obama Administration would twist your words and then put out very political, job-killing rules and claim they did so in part because GAO recommended it?

Thanks all!

Jeff Small

Executive Director | Congressional Western Caucus

Senior Advisor | Congressman Paul A. Gosar, D.D.S.

2057 Rayburn HOB | Washington, DC 20515

(202) 225-2315 main

jeff.small@mail.house.gov



To: Christine Bauserman[christine_bauserman@ios.doi.gov]
From: Summers, Christina
Sent: 2017-03-21T09:06:21-04:00
Importance: Normal
Subject: Fwd: U.S. Department of the Interior News Briefing for Tuesday, March 21, 2017
Received: 2017-03-21T09:06:50-04:00

Hi Christine,

It was nice chatting with you. Here is the daily news bulletin I receive and review each morning. You can click on the blue link at the top of the email below to subscribe.

It is a great resource, as it compiles the latest media info on Interior, as well as some of the broader political stories. FYI - The bulletin normally gets truncated in your email due to its length, so you can click on the link at the very bottom to view all of the stories.

Have a great morning!

Christina

----- Forwarded message -----

From: **Bulletin Intelligence** <Interior@bulletinintelligence.com>
Date: Tue, Mar 21, 2017 at 7:01 AM
Subject: U.S. Department of the Interior News Briefing for Tuesday, March 21, 2017
To: Interior@bulletinintelligence.com

Mobile version and searchable archives available [here](#). Please [click here](#) to subscribe.

DATE: TUESDAY, MARCH 21, 2017 7:00 AM EDT

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- The Hill: White House Delays Executive Order On Climate Policies.

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- Roll Call: Eisenhower Memorial Could Break Ground As Early As September.
- Las Vegas Review Journal: NPS Plans To Offer Wireless Internet Access At Popular Spots Around Lake Mead.
- Charleston (WV) Gazette Mail: NPS Seeks Vandals Of Historic Thurmond Boarding House.

- Los Angeles Times: Additional Coverage: Half Of DC Cherry Blossoms Survive Cold.

Fish And Wildlife Service

- Law360: Supreme Court Won't Hear FWS Worker's Whistleblower Suit.

- Lewis Clark Valley DailyFLY (WA): 600,000 Juvenile Spring Chinook Die After Mechanical Failure At Kooskia Hatchery.

- Huffington Post: Senate Urged To Protect Alaska's Wildlife Refuges.

Bureau Of Land Management

- Palm Springs (CA) Desert Sun: Controversy Erupts Proposed Housing Development Nearby Sand To Snow National Monument.

- Washington Times: BLM Proposes Accelerated Timetable For Wyoming Horse Roundup.

- Washington Times: BLM Offers Reward For Information About Black Cliffs Climbing Area Graffiti.

Securing America's Energy Future

Offshore Energy Development

- The Hill: House Committee Subpanel To Hold hearing On Shortcomings At BSEE.

- Law360: Supreme Court Won't Hear Challenge To Well Plug Order.

- Wall Street Journal: Shell Betting On Low Cost Deep Water Drilling.

Onshore Energy Development

- WDRB TV Louisville (KY): Trump Says He Is Keeping Promises To Kentucky's Miners.

- Associated Press: ETP Says Attacks, Threats On Dakota Access Will Not Stop Oil Flow.

- Canton (OH) Repository: Senate Urged To Reject Efforts To Roll Back Methane Standards.

- The Hill: Op Ed: Pro Coal Policies Could End Up Hurting Coal Workers.

Empowering Native American Communities

- Washington Post: Federal Recognition Sought For Six Virginia Tribes.

- Napa Valley (CA) Register: Appeal Courts Hears Arguments In Mishewal Wappo Court Case.

Tackling America's Water Challenges

- KBOI TV Boise (ID): Federal Agencies Plan To Increase Boise River Flows.

Top National News

- Associated Press: Media Analyses: White House On Defense After Comey's "Bombshell" Testimony.

- Lexington (KY) Herald Leader: Trump Pitches GOP Healthcare Bill In Louisville, Doesn't Mention Comey Testimony.

- ABC: Gorsuch Hearings Kick Off With Amiable Remarks And Invocation Of Garland.

Editorial Wrap-Up

- New York Times.

 - "Comey's Haunting News On Trump And Russia."

 - "Neil Gorsuch Faces The Senate."

 - UN Accepts Blame But Dodges The Bill In Haiti.

- Washington Post.

 - "Republican Arguments Against Obamacare Are In A Death Spiral."

 - "No, Republicans, The Real Story Is Not 'The Leaks.'"

 - "Don't Let The D.C. Council Handpick Development Deals."

- Wall Street Journal.

 - "Saving Private Health Insurance."

"Comey Doesn't Say Much."

"Neil Gorsuch, How Would You Vote?"

Big Picture

- Headlines From Today's Front Pages.

Washington Schedule

- Today's Events In Washington.

Last Laughs

- Late Night Political Humor.

DOI In The News

Budget Losses Could Point To Secretaries' Lack Of Influence.

E&E Publishing (3/20) reports that "despite publicly vowing to fight proposed budget cuts and to defend certain programs, the heads of U.S. EPA and the Interior and Energy departments lost their battles with the White House." Notably, Interior Secretary Ryan Zinke "promised to fight — and win — against the White House's initially floated 10 percent slash, but the budget blueprint proposed a 12 percent cut." The article says that "the secretaries' apparent lack of influence in the Trump administration is unusual, according to top former agency officials." However, Interior spokeswoman Megan Bloomgren "noted that the budget blueprint isn't the final word from the White House on the department's funding, with details set for release later this spring." The end result "will maintain [the Department of the Interior's] core functions of land access and protection and save taxpayers \$1.5 billion during tight fiscal times," she said in a statement.

Additional coverage of the budget proposal was provided by the Broomfield (CO) Enterprise (3/20, Brennan), KHQ-TV Spokane (WA) Spokane, WA (3/20), KECI-TV Missoula (MT) Missoula, MT (3/20, Salas), and KPAX-TV Missoula (MT) Missoula, MT (3/20, McKay).

Davidson: Budget Proposal, Executive Order Indicate Trump Aims To Slash Federal Workforce. In his Washington Post (3/20) "Federal Insider" column, Joe Davidson calls President Trump's budget outline "hardhearted," writing that it "brings more anxiety to federal employees who already are nervous about a president who considers so many of them expendable." He also writes that a mostly overlooked executive order on reorganizing the Executive Branch presents "a management strategy designed to jettison agencies, oust programs, slow hiring and dump employees."

White House Will Recommend Federal Pay Increase. However, the Washington Post (3/20, Rein) reports that the Trump Administration "will recommend a 1.9 percent raise for federal workers" to take effect in January 2018, according to "a senior budget official."

White House Delays Executive Order On Climate Policies.

The Hill (3/20, Henry) reports that "sources confirmed" Monday that the White House "has pushed back the release of an executive order related to federal climate change policies." President Trump "was expected to sign an order as

early as Monday beginning the process of ending several climate initiatives advanced” by the Obama Administration, but that has been pushed back “until potentially next week.”

America’s Great Outdoors

National Park Service

Birmingham Civil Rights National Monument Dedication To Be Held In April.

Alabama Live (3/20, Garrison) reports that the National Park Service and “local partners will host a celebration of the new Birmingham Civil Rights National Monument next month.” The dedication will be held Saturday, April 15 outside the Birmingham Civil Rights Institute. Stan Austin, regional director for the National Park Service, said, “We look forward to dedicating the new Birmingham Civil Rights National Monument with our partners who were central the park’s establishment. The park preserves and interprets an important chapter in America’s modern civil rights movement.”

Eisenhower Memorial Could Break Ground As Early As September.

Roll Call (3/21, Akin) reports that “construction could begin as early as September on a proposed memorial for President Dwight D. Eisenhower,” according to the Dwight D. Eisenhower Memorial Commission and the chairman of the House committee that oversees the funding for the project. Rep. Ken Calvert, the chairman of the House Appropriations Subcommittee on Interior, Environment, and Related Agencies, said, “I don’t think there are any obstacles in front of us. We need to get it done. Our World War II heroes are leaving us very quickly.” However, “completing the project would require a significant commitment from Congress at a time when it is being asked by the Trump administration to make deep and painful cuts to federal funding for domestic programs.”

NPS Plans To Offer Wireless Internet Access At Popular Spots Around Lake Mead.

The Las Vegas Review-Journal (3/20, Brean) reports that Lake Mead National Recreation Area on Monday announced plans “to provide wireless internet access to developed areas of the 1.5 million acre playground, possibly as early as this summer.” The National Park Service is “seeking public input on the proposal, which involves putting up some small antennas and dishes as part of a five-year contract with an internet service provider.” According to the article, “if the service is put in place, visitors would be able to access the Wi-Fi network — for an as-yet-undetermined fee to be paid to the service provider — at Boulder Beach, Cottonwood Cove, Echo Bay, Katherine Landing and Temple Bar.”

NPS Seeks Vandals Of Historic Thurmond Boarding House.

The Charleston (WV) Gazette-Mail (3/20, Steelhammer) reports that “rewards of up to \$1,000 are available from the National Park Service for those who provide

information leading to an arrest in the vandalism” of the John Bullock/Roger Armandtrout House in the Thurmond Historic District. Earlier this month, vandals damaged “numerous doors and windows on the structure, threw furniture from a second-floor window onto the ground, spray painted walls with graffiti and profanity, and ripped the railing off a second-story porch.”

Additional Coverage: Half Of DC Cherry Blossoms Survive Cold.

Additional coverage that half of Washington, D.C.’s cherry blossoms have survived the cold was provided by the [Los Angeles Times](#) (3/20, Forgiore).

Fish and Wildlife Service

Supreme Court Won’t Hear FWS Worker’s Whistleblower Suit.

[Law360](#) (3/20, Atkins) reports that the U.S. Supreme Court “refused Monday to consider a Ninth Circuit decision that tossed a whistleblower-reprisal claim from a former U.S. Fish and Wildlife Service employee, who alleged the service discriminated against her, told her to ‘learn to be more feminine’ and then retaliated against her when she complained.” The decision brings “an end to a Whistleblower Protection Act suit brought against the acting secretary of the interior by former Fish and Wildlife employee Leslie Kerr.”

600,000 Juvenile Spring Chinook Die After Mechanical Failure At Kooskia Hatchery.

The [Lewis-Clark Valley DailyFLY \(WA\)](#) (3/20, Carlson) reports that “approximately 600,000 juvenile spring Chinook died early Friday morning after a failed breaker box at the Kooskia National Fish Hatchery resulted in lost power to the water recirculation system.” According to officials, “an alarm system also failed to sound.” A press release from the Nez Perce Tribe said, “The lost fry were from adult Chinook that returned in 2016. The fry had just hatched from eggs and were about a month old. The failure of the breaker box and the failure of the alarm system to alert staff that live on-site of the loss of power to the pump is being investigated.”

Senate Urged To Protect Alaska’s Wildlife Refuges.

In a piece for the [Huffington Post](#) (3/20, Kangas, Contributor), Cathy Kangas, a member of the Board of Directors of the Humane Society of the United States, calls for the Senate to reject bill that would “permit cruel hunting and killing practices on National Wildlife Refuges in Alaska.” Kangas warns that the measure “sets a dangerous precedent” because “if members of Congress start to manage wildlife refuges, we can bet they’ll try to do the same with 170 million acres of National Park Service lands throughout the United States.”

Bureau of Land Management

Controversy Erupts Proposed Housing Development Nearby Sand To Snow National Monument.

The [Palm Springs \(CA\) Desert Sun](#) (3/20, Kennedy) reports that “a prospective

residential development in Desert Hot Springs, first proposed in 2007, is generating controversy, splitting the city between those who feel increasing density could threaten the natural environment surrounding the city and those who feel such projects could help promote the city and its natural features." Developer Adkan Engineers is "facing opposition from conservation groups as it has tried to secure the extension." The article notes that "the project site sits at the entrance to the Mission Creek Preserve, which serves as a gateway to the Sand to Snow National Monument, designated by former president Barack Obama near the end of his second term in office."

BLM Proposes Accelerated Timetable For Wyoming Horse Roundup.

The [AP](#) (3/20) reports that a Bureau of Land Management official "says he'd like to round up excess wild horses from an area southeast of Riverton later this year." The gather "had been planned next year but BLM Lander Field Office Manager Rick Vander Voet tells Fremont County commissioners the horse population is way above desired numbers." BLM officials "want to maintain a population on the low end of between 480 and 720 horses" and the BLM "estimates more than 1,000 wild horses currently inhabit the area."

Coverage by the AP was also picked up by [U.S. News & World Report](#) (3/20) and [WRAL-TV Raleigh \(NC\)](#) Raleigh, NC (3/20).

BLM Offers Reward For Information About Black Cliffs Climbing Area Graffiti.

The [AP](#) (3/20) reports that the Bureau of Land Management is "looking for information about the person or people who spray-painted graffiti on the Black Cliffs climbing area along Highway 21 just outside of Boise." The BLM is "offering a \$1,000 reward for information that leads to a conviction of those responsible for the vandalism." It was "first reported on March 7, and BLM officials say it will be cleaned up."

Coverage by the AP was also picked up by the [Spokane \(WA\) Spokesman-Review](#) (3/20), [U.S. News & World Report](#) (3/20), and [KHQ-TV Spokane \(WA\)](#) Spokane, WA (3/20).

Securing America's Energy Future

Offshore Energy Development

House Committee Subpanel To Hold hearing On Shortcomings At BSEE.

[The Hill](#) (3/20, Cama, Henry) reports that "a House Natural Resources Committee subpanel will hold a hearing on an imminent Government Accountability Office (GAO) report on shortcomings at the Interior Department's Bureau of Safety and Environmental Enforcement." GAO's energy director Frank Rusco will testify, as will Richard Cardinale, Interior's acting secretary for lands and minerals.

Supreme Court Won't Hear Challenge To Well-Plug Order.

[Law360](#) (3/20, Phillis) reports that the Supreme Court will "not review a decision

by the D.C. Circuit that upheld the U.S. Department of the Interior's order forcing Noble Energy Inc. to plug and abandon an oil well off the coast of California, according to an order handed down Monday."

Shell Betting On Low-Cost Deep-Water Drilling.

The Wall Street Journal (3/20, A1, Cook, Kent, Kiernan) has a front-page feature on Royal Dutch Shell's efforts to engage in low-cost deep-water drilling, wagering that if it can succeed, it can turn a profit even if oil sinks to \$15 per barrel. Shell has been working on drilling cheaper and faster as a response to an ongoing glut due to shale oil.

Onshore Energy Development

Trump Says He Is Keeping Promises To Kentucky's Miners.

In an interview with WDRB-TV Louisville, KY (3/20, 10:01 p.m. EDT), President Trump was asked why he was focusing on Kentucky. Trump said, "Well, I've been with them and they've been with me. Kentucky has been one of our great states and I love the people of Kentucky. The miners, we are putting them back to work. We've already signed legislation environmentally that allows the mines to start reopening and keep open. And I made a lot of promises to the miners, and I'm keeping those promises, so I wanted to come back here and tell them that." Reuters (3/20) briefly reported on the interview.

ETP Says Attacks, Threats On Dakota Access Will Not Stop Oil Flow.

The AP (3/20, Press) reports Energy Transfer Partners said Monday that the Dakota Access pipeline remains on track to start moving oil this week despite "coordinated physical attacks" on the line. In a court filing, the company did not detail the attacks, but said they "pose threats to life, physical safety and the environment." ETP cited the threats for redacting most of the report to the court, but ended, "These coordinated attacks will not stop line-fill operations. With that in mind, the company now believes that oil may flow sometime this week." The Hill (3/20, Henry) also provided coverage.

Senate Urged To Reject Efforts To Roll Back Methane Standards.

In an editorial, the Canton (OH) Repository (3/20) urges support for the Bureau of Land Management's Methane and Waste Prevention Rule. According to the paper, "methane poses a recognized danger to the environment and human health." It adds that "allowing this resource to continue to be wasted in the ways it has for years makes little business sense, either." It concludes that "a better approach would be to address any concerns that might exist within the rule, rather than to eliminate it in its entirety."

In an op-ed for the Arizona Republic (3/20, King), Sarah King, who chairs the Earth Care Commission of Arizona Faith Network, writes that "anyone who cares about fiscal stewardship, conserving the gifts of God's creation, health and climate change should know natural gas waste is a moral issue of national concern." King asserts that "we have an urgent moral responsibility to cut

dangerous methane greenhouse gas emissions.”

Op-Ed: Pro-Coal Policies Could End Up Hurting Coal Workers.

For the “Pundits” blog of [The Hill](#) (3/20, Cohan), Dan Cohan, associate professor of civil and environmental engineering at Rice University, warns that “Republican policies are putting the profits and pollution of corporations ahead of the jobs and well-being of coal miners.” According to Cohan, “such policies will not only fail to increase the quantity of mining jobs, but could worsen their quality as well.” Cohan dismisses claims that “protections for workers and the environment are holding back coal,” and argues that “coal struggles despite its cheapness and abundance.”

Empowering Native American Communities

Federal Recognition Sought For Six Virginia Tribes.

The [Washington Post](#) (3/20, Heim) reports that on Tuesday, Sens. Tim Kaine and Mark R. Warner will “reintroduce a bill that would grant federal recognition to six Virginia Indian tribes that were among the first to greet English settlers in 1607.” The bill’s sponsors says that it will “help right a long-standing wrong” for the Chickahominy, the Eastern Chickahominy, the Upper Mattaponi, the Rappahannock, the Monacan and the Nansemond tribes. Kaine and Warner said in a joint statement, “Four hundred years after the death of Pocahontas, our country continues to do a disservice to her descendants by failing to recognize the major role Virginia’s tribes have played in American history and the fabric of our nation. These six tribes have treaties that predated the United States, but because of this historical quirk and the systematic destruction of their records, they have been denied federal recognition and the services that come along with it. Congress can fix this injustice by passing our bill and granting these tribes the federal recognition they deserve.”

Appeal Courts Hears Arguments In Mishewal Wappo Court Case.

The [Napa Valley \(CA\) Register](#) (3/20, Eberling) reports that the United States Court of Appeal for the 9th Circuit heard arguments last Monday in a bid by the Mishewal Wappo Tribe of Alexander Valley to gain federal recognition as a tribe. Lawyers for the tribe “have said that the tribe was unlawfully terminated.” Meanwhile, “among other things, the federal government claims the tribe waited 40 years too long to sue, given the statute of limitations is usually six years.”

Tackling America’s Water Challenges

Federal Agencies Plan To Increase Boise River Flows.

[KBOI-TV](#) Boise, ID (3/20) reports that the Bureau of Reclamation and the U.S. Army Corps of Engineers “said Monday that they plan to increase Boise River flows from its current rate of 7,500 cubic feet per second to 7,750 cfs due rain this week and the above-normal winter precipitation in the Boise River drainage.” Officials are hoping “to reduce the increased risk of flooding later this spring.”

Top National News

Media Analyses: White House On Defense After Comey's "Bombshell" Testimony.

FBI Director Comey's testimony before the House Intelligence Committee generated extensive print and online reporting, led all three major network newscasts (which devoted nearly 20 minutes of combined coverage to the story) and dominated discussion on the evening cable shows. Reports indicate Comey unequivocally denied the President's wiretapping claims, and that he confirmed the FBI has been investigating potential collusion between Russian intelligence and the Trump campaign since last July. With near unanimity (Fox News and the AP took a less ominous tone), analyses cast the day's events as a dire setback for the White House, describing Comey's words with terms such as "bombshell" and "stinging rebuke." The Washington Post (3/20, Rucker, Parker) quotes presidential historian Douglas Brinkley going so far as to say, "There's a smell of treason in the air." Also given some play were comments by Chairman Devin Nunes, who urged Comey to complete his investigation quickly, because "there is a big gray cloud that you have now put over people who have very important work to do to lead this country."

USA Today (3/20, Page), for example, titles its report "FBI Bombshell Creates 'A Big Gray Cloud' Over Trump's White House," and starts off its story saying such a situation hadn't taken place "since Watergate." David Gergen said on CNN's Anderson Cooper 360 (3/20) that "when the day was over...Trump had taken two major hits below the water line." Tom Brokaw said on NBC Nightly News (3/20, story 4, 1:15, Holt) that a "lot of outstanding questions" remain after the hearing, "not just about the integrity of the election, but the integrity of the President of the United States, who continues to govern by tweet," and Gloria Borger said on CNN Wolf (3/20) that "this now hangs out there over the Administration like a soggy, wet tent over their heads and it's going to be very difficult for them to escape it."

ABC World News Tonight (3/20, lead story, 4:35, Llamas) showed Comey saying of the ongoing probe that it "includes investigating the nature of any links between individuals associated with the Trump campaign and the Russian government and whether there was any coordination between the campaign and Russia's efforts." NBC Nightly News (3/20, lead story, 4:20, Holt), meanwhile, reported that Comey "joined a growing chorus of intelligence officials and lawmakers rejecting...Trump's tweeted claims of being wiretapped by President Obama." Said Comey, "I have no information that supports those tweets. And we have looked carefully inside the FBI. The Department of Justice has asked me to share with you that the answer is the same for the Department of Justice and all its components."

NBC Nightly News (3/20, story 3, 2:20, Holt) also asked last night, "After a string of unproven claims, will this President struggle to keep the trust of the American public?" NBC's Peter Alexander added that "for a President who's often loose with the facts" it was "a moment of truth." On its website, NBC News (3/20, Murray) referred to "a political gut-punch to...Trump," Vanity Fair (3/19,

Kosoff) to a "brutal rebuke of Trump," and Katy Tur of MSNBC MTP Daily (3/20) to "a stunning rebuke." Anderson Cooper said on CNN's Anderson Cooper 360 (3/20) that "a sitting President of the United States was rebuked publicly by a sitting FBI Director and the head of the NSA." On CNN's The Lead (3/20), Jeff Zeleny said "the White House is in defense mode," and Politico (3/20, Goldmacher, Nussbaum) that "the White House was knocked on the defensive."

Likewise, Kristen Welker said on MSNBC MTP Daily (3/20), "There's no doubt the White House is in defense mode. They are trying to tamp down what we heard on Capitol Hill." Jeffrey Toobin said on CNN's Situation Room (3/20) that "it's a very big deal for the White House to be under criminal investigation and given the complexity, particularly all of the classified information here, there is no way this can be resolved in three months. This is a long time."

To Bloomberg Politics (3/20, Sink), Comey "dealt...Trump a stinging rebuke on Monday at a time of acute political vulnerability for the White House." The FBI Director, "who boosted Trump's political fortunes in the closing days of the presidential campaign by acknowledging his agency had reopened an investigation into rival Hillary Clinton's use of private email, dealt the president one of the worst political blows of his young administration." The New York Times (3/20, Apuzzo, Rosenberg, Huetteman) similarly reports Comey's testimony "created a treacherous political moment for Mr. Trump, who has insisted that 'Russia is fake news' that was cooked up by his political opponents to undermine his presidency." Comey "placed a criminal investigation at the doorstep of the White House and said agents would pursue it 'no matter how long that takes.'"

Less ominous is the tone of the AP (3/20, Tucker, Sullivan) report, which concludes that "regardless of the outcome, the investigation is unquestionably an unwelcome distraction for an administration that has struggled to move past questions about ties to Russia." Brit Hume said on Fox News' Special Report (3/20), "I think the Democrats got a talking point out of it that they will be using and having a field day with for a while, that being the fact that there is an open FBI investigation dating back to July into whether there was collusion between the Trump campaign and the Russians and their efforts to influence the election. There is still no real evidence that such collusion existed but the mere fact of an FBI investigation will keep the story in the headlines for some time to come."

James Rosen said on Fox News' The O'Reilly Factor (3/20) that "what we saw on display today...was the difficulty that lawmakers have in holding James Comey to a coherent, consistent standard in terms of what he discloses about the FBI's investigation and when."

Republican House Intelligence Committee member Peter King said on CNN's Situation Room (3/20) that he has "not seen one shred of evidence that in any way links the Trump campaign to Russian intelligence or the Russian government." He added, "Something may turn up. If it does, it does. If anyone is guilty they should be prosecuted. But I am saying, up until now, there is no evidence I am aware of. And Director Clapper says, as far as he knows, up until January 20th there is no evidence." King acknowledged there is "circumstantial" evidence, as the committee's ranking Democrat, Adam Schiff, has claimed, but

added that "in almost any campaign you'll find people involved in business in Russia."

House Speaker Ryan said on [Fox News' Hannity](#) (3/20), "I don't think we learned anything new here and it only confirmed what we have been saying all along. At the end of the day, we will get to the bottom of all of the stuff."

The [CBS Evening News](#) (3/20, story 3, 3:00, Pelley), meanwhile, reported on an interview with Schiff, who said, "I think what we saw in the hearing today was Director Comey acknowledged that there was sufficient evidence and credible information that warranted his opening up a counterintelligence investigation" into whether there was "coordination with a foreign power, has someone become an agent of a foreign power?" Scott Pelley: "But to be crystal clear, this evening, as we speak, there is no hard evidence of collusion between the Trump campaign and the Russians? You said there is circumstantial evidence?" Schiff: "You know, I would not say... I would not phrase it the way you do. Circumstantial evidence can be very powerful and it is hard evidence." Schiff was asked on [CNN's The Lead](#) (3/20) about his claim that there is circumstantial evidence of collusion between Russia and the Trump campaign. Schiff said, "Circumstantial evidence can be very, very powerful. I can't go into what the evidence is that we have seen or been presented. ... I certainly think that an investigation is warranted. I think the FBI is right to investigate this. I think we are right to investigate this."

The [New York Times](#) (3/20, Steinhauer) reports that "as attack dogs go," Schiff "is more labradoodle than Doberman, his partisanship disguised by a thick fur of intense preparation, modulated locution and gentle accusations." Yet his performance yesterday "showed how an avalanche of information can leverage the limited power of the minority party to damage a president."

Democratic House Intelligence Committee member Eric Swalwell said on [CNN's Situation Room](#) (3/20) that it may be necessary to "drag Russian witnesses" to testify about potential collusion because "the American people should know if the President or anyone on his team was working with Russia as they were interfering in our elections." When asked what he meant by "Russian witnesses," Swalwell replied, "We know, for example, Carter Page, one month after Russia was attacking us, went over to Russia as a senior policy adviser from the Trump campaign with permission from the Trump campaign." Swalwell was also asked if he would subpoena Trump to testify, and responded, "I think we need to subpoena all relevant witnesses, from the President to his family to his security team, to Manafort, Page, Stone, Flynn." Swalwell said on [MSNBC MTP Daily](#) (3/20) that "for most Americans, I think it's quite disturbing that another country would attack us. And they're wondering, do these deep political personal and financial ties that Donald Trump and his team have with Russia – do they extend to working with Russia as they were attacking us? Basically, were these coincidences or was it a convergence?"

On [CNN's Situation Room](#) (3/20), Sen. Chris Murphy, a member of the Foreign Relations Committee, said the confirmation of a probe into potential collusion "should certainly concern every single American," because if it turns out collusion did occur, it "would be terrible for American democracy." Murphy

also touched on Trump's claim Monday morning that Democrats are pushing the Russian collusion story to excuse Hillary Clinton's election loss. Murphy stated, "This is not about trying to explain the results of this election. This is about whether or not a foreign government gets away with trying to influence a presidential election." He said Republicans may not be as alarmed "like Democrats are today because it happened to us. But the Russians are not sympathizers of the Republican party. ... Two years or four years from now the Russians may be trying to manipulate elections against Republicans."

USA Today (3/20, Johnson), The Washington Times (3/20, Dinan), Roll Call (3/20, Lucas), US News & World Report (3/20, Neuhauser), TIME (3/20, Beckwith), The Hill (3/20, Williams), Business Insider (3/20, Smith) and Wall Street Journal (3/20, Harris, Viswanatha), among other news outlets, run similar accounts of the hearing. The Charlotte (NC) Observer (3/20) editorializes that the hearing "confirmed for Americans something that's real and something that's not. The difference between the two is a distinction...Trump seems incapable or unwilling to understand, but the rest of us should." USA Today (3/20) writes in an editorial that "it's time for Trump to take the advice of many, including Republican congressmen such as Tom Cole of Oklahoma and Will Hurd of Texas, and apologize for" his wiretapping claims, "explaining that he simply misinterpreted news reports."

In his "Talking Points Memo" segment on Fox News' The O'Reilly Factor (3/20), Bill O'Reilly said, "The accusation that President Obama was actively involved in harming the Trump campaign has now harmed the President himself. He needs the American people to focus on the economy, the new healthcare proposal, border security, not alleged conspiracies. In the future, the President would be wise to embrace only facts in his pronouncements."

Trump: Russia Collusion Stories Are "Fake News" Made Up By Democrats. ABC World News Tonight (3/20, story 2, 3:25, Llamas) reported, "Despite what you heard from the FBI Director, President Trump's aides are doubling down on that wiretapping claim." The Washington Times (3/20, Sherfinski) notes the President "on Monday declared the notion that he colluded with Russia during last year's election 'fake news,'" tweeting, "James Clapper and others stated that there is no evidence Potus colluded with Russia. This story is FAKE NEWS and everyone knows it!" He later wrote, "The Democrats made up and pushed the Russian story as an excuse for running a terrible campaign. Big advantage in Electoral College & lost!" Trump also said, "The real story that Congress, the FBI and all others should be looking into is the leaking of Classified information. Must find leaker now!"

The New York Post (3/20, Moore, Halper) notes that Nunes also "asked [NSA Director] Rogers if he had evidence that 'Russia cyber actors' changed vote tallies in several states, including Michigan, Pennsylvania, Wisconsin, Florida and North Carolina." Rogers replied, "I have nothing generated by the national security industry." To the same question, Comey answered, "No." Trump "crowed in his tweet: 'The NSA and FBI tell Congress that Russia did not influence electoral process.'"

The Washington Post (3/20, Kessler) said "the president's tweets

throughout the day were misleading, inaccurate or simply false." While "the gravity of the disclosures might have called for a more restrained response...the president chose another approach – which clearly backfired, tweet after tweet."

USA Today (3/20, Jackson), meanwhile, reports that White House press secretary Sean Spicer "played down confirmation Monday that...Trump's campaign is under investigation over possible contacts with Russians who sought to influence last year's election." Said Spicer, "Following this testimony, it's clear that nothing has changed. ... Investigating it and having proof of it are two different things."

The Washington Times (3/20, Miller) casts Trump and the White House as "not backing down," and Politico (3/20, Nelson) reports that "without naming names, Spicer also characterized many of the former Trump campaign officials who have been tied in media reports to Russia as 'hangers-on' who had in reality had little to do with the president's team."

To NBC Nightly News (3/20, story 2, 2:05, Holt), in fact, the White House "sought to distance itself from some former senior advisers," such as Manafort, "who had business ties to pro-Russian Ukrainians and today is denying any involvement with the Russians." Spicer was shown saying, "Paul Manafort, who played a very limited role for a very limited amount of time."

In an interview which took place before Comey's testimony, Assistant to the President and director of communications for the Office of Public Liaison Omarosa Maginault said on Fox News' Fox & Friends (3/20), "Folks at home should ask themselves if the Democrats didn't have Russia to talk about, what would their message be? They have squandered an opportunity to reach out to Democrats across the country because they have been so obsessed on a story where there is nothing there."

Media Analyses: With GOP Focused On Leaks, "Starkly Partisan Divides" Apparent Within Intel Panel. Reuters (3/20, Zengerle) reports that Comey and Rogers "spent 5-1/2 hours before the House of Representatives Intelligence Committee in testimony marked by starkly partisan divides between the panel's majority Republicans and Democrats." The Washington Post (3/20, Phillips) similarly indicates that while "there was no smoking gun from either side's perspective...we did learn more about what the FBI is investigating and what Republicans and Democrats in Congress want to investigate."

NBC Nightly News (3/20, lead story, 4:20, Holt) led its broadcast by reporting, "Comey's appearance, along with NSA Director Admiral Mike Rogers," was "a tale of two hearings. For Democrats, it was all about Russia and the possible Trump campaign connection." Andrea Mitchell added that Republicans were intent on "avoiding the topic of Russia, instead going after the leaks of classified information, allegedly from current and former intelligence officials." On Fox News' Special Report (3/20), Catherine Herridge said that while House Intelligence Committee ranking Democrat Adam Schiff "drew connections between circumstantial evidence and media reports" on Paul Manafort, Roger Stone, Carter Page, and Moscow, Chairman Devin Nunes "pressed the FBI Director to investigate if Democrats crossed the line." Nunes: "They have ties to Russian intelligence services, Russian agents."

The New York Times (3/20, Shear) reports Republicans "acknowledged the inquiry," but "they shrugged off its implications and instead offered a coordinated effort to defend...Trump by demanding a focus on leaks to news organizations." The Washington Post (3/20, Nakashima, Demirjian, Barrett) explains that "information shared with the press has resulted in a series of stories since the election about the intelligence community's conclusion about Moscow's desire to see Trump win and about contacts Trump administration officials or close associates had with Russian officials." To the Daily Intelligencer (NY) (3/20, Kilgore), meanwhile, that line of GOP inquiry is "a coping mechanism for the drip-drip-drip of information and rumors about possibly treasonous activities among intimates of a Republican president: focus on the leaks, not what they reveal."

McClatchy (3/20, Schofield) reports Rep. Trey Gowdy, "who gained national fame for his role in...leading the Benghazi Committee investigation, raised the idea of espionage charges against reporters who'd written stories revealing that Trump National Security Adviser Michael Flynn had been recorded talking to Russian Ambassador Sergey Kislyak." The New York Post (3/20, Moore) quotes Gowdy as saying, "I thought that it was against the law to disseminate classified information. Is it?" Comey replied, "Yes, it is a serious crime, and it should be. ... Be assured we are going to take it very seriously."

The CBS Evening News (3/20, lead story, 3:35, Pelley) noted that Comey "declined to answer questions dozens of times," including Nunes' question of whether Comey has "any evidence that any current Trump White House or Administration official coordinated with the Russian intelligence services."

USA Today (3/20, Collins) reports Gowdy also asked Comey, "I'll just ask you, did you brief President Obama on any calls involving Michael Flynn?" Comey replied, "I'm not going to get [into] either that particular case, that matter, or any conversations I had involving the president. So I can't answer that question." Gowdy also "rattled down a list of people who had held high-ranking positions in the Obama administration and asked whether each would have had access to the 'unmasked' name," including "former director of national intelligence James Clapper, former CIA director John Brennan, former national security adviser Susan Rice, former White House adviser Ben Rhodes, former attorney general Loretta Lynch and former deputy attorney general Sally Yates."

Trump later tweeted (3/19), "FBI Director Comey refuses to deny he briefed President Obama on calls made by Michael Flynn to Russia."

Gowdy said on CNN's Anderson Cooper 360 (3/20) that leaks are "a moral issue at some level. The leaking of classified information or the leaking of information that was acquired through another crime is a criminal matter."

Charles Krauthammer said on Fox News' Special Report (3/20), "There's only one crime we know about. It was a crime of the unmasking and leaking of the Flynn name. Who did it, what happened, why? We don't know. That's the only crime that's been established. Democrats are pretending there are other crimes which nobody else has been able to vouch until now. If the President had not overshoot with this ridiculous charge about the wiretap, that would've been a major discussion and it might've dominated the discussion."

Democrats Furious After Learning Russia Probe Began In July. The AP (3/20, Lemire, Gurman) reports that "Comey's testimony Monday that the bureau has been quietly investigating possible links between associates of...Trump and Russian officials since the summer enraged Democrats who already blame him for rattling the 2016 campaign's closing days." Politico (3/20, DeBenedetti) notes "former top officials for...Clinton's campaign vented their frustration with both...Comey and congressional Republicans on Monday as he testified on Capitol Hill."

Rogers Dismisses British Intel Connection. The CBS Evening News (3/20, lead story, 3:35, Pelley) reported that Comey and NSA Director Rogers "testified there is no reason to believe Mr. Trump's accusation that he was wiretapped by President Obama." Scott Pelley added, "Another White House claim that British intelligence wiretapped Trump Tower on behalf of the United States was dismissed." The New York Times (3/20, Shane) quotes Rogers as saying, "I've seen nothing on the N.S.A. side that we engaged in any such activity, nor that anyone ever asked us to engage in such activity."

FBI Probing "Far-Right" News Sites' Potential Role In Russian Operation. McClatchy (3/20, Stone, Gordon) reports "federal investigators are examining whether far-right news sites played any role last year in a Russian cyber operation that dramatically widened the reach of news stories – some fictional – that favored...Trump's presidential bid, two people familiar with the inquiry say." McClatchy adds that "operatives for Russia appear to have strategically timed the computer commands, known as 'bots,' to blitz social media with links to the pro-Trump stories at times when the billionaire businessman was on the defensive in his race against Democrat Hillary Clinton, these sources said."

Burr Asks Roger Stone To Preserve Relevant Documents, Communications. Politico (3/20, Matishak) reports "pro-Trump provocateur Roger Stone repeatedly came up in Monday's opening hearing on alleged Russian interference in the 2016 election – but leading lawmakers have indicated they're still eager to hear from him directly." Stone "says he would be eager to comply." Politico adds that "Senate Intelligence Chairman Richard Burr said his panel has sent Stone a letter asking him to preserve relevant documents and communications, setting the right-wing agitator on a course to eventually come to Capitol Hill." Stone "confirmed he received the letter – which POLITICO first reported on over the weekend – in an email exchange with POLITICO on Monday."

Ukraine Legislator Says Manafort Tried To Hide Payment From Pro-Russian Party. The New York Times (3/20, Kramer) reports that former Trump campaign chairman Paul Manafort appears to have received \$750,000 "from a pro-Russian party in Ukraine...funneled through an offshore account and disguised as payment for computers," according to documents released Monday by a Ukraine parliamentarian. Manafort, "who denied the latest allegations, has asserted" that the ledger showing the fund transfer is a forgery. Politico (3/20, Vogel, Meyer, Stern) reports that both US and Ukrainian officials want to question Manafort. Rep. Jim Himes (D-CT) said Manafort "'would certainly be at the top of my list to testify' before the House Intelligence Committee's ongoing investigation into Russian meddling into the 2016 presidential election."

Fox News Pulls Napolitano Over Wiretap Claim. The Los Angeles Times (3/20, Battaglio) reports that Fox News has pulled judicial analyst Andrew Napolitano from the air "indefinitely amid the controversy over his unverified claims that British intelligence wiretapped Trump Tower at the behest of former President Obama." Napolitano, a former New Jersey Superior Court judge, argued last week that the UK's Government Communications Headquarters "'most likely' provided Obama with transcripts of Trump's recorded calls."

E.J. Montini of the Arizona Republic writes in USA Today (3/20), "So, now we know why President Donald Trump's lackeys tried to blame the British for wiretapping him. Misdirection. Diversion. ... Trump and his associates get away with stuff like this because they believe they don't have to play by the same set of rules they try to impose on others."

Experts Say Russia May Have Underestimated Fallout Of Meddling. The Los Angeles Times (3/20, Simmons, Mirovalev) reports that Russian cybersecurity expert Andrei Soldatov said Monday that Russian cyberattacks targeting the 2016 US election "were as much about wanting to keep Hillary Clinton out of the White House as about proving to the world that the Kremlin was capable of pulling off this feat." But "several leading Russia experts" said that "Moscow may have miscalculated the fallout of its intrusion," not anticipating the force of US "blowback."

NYTimes Calls For Independent Prosecutor; WSJournal Says Comey Revealed Little. The New York Times (3/20) calls Comey's testimony "a breathtaking admission" that "ought to mark a turning point in how inquiries into Russia's role in the election should be handled." The Times says the President's "brazen warning shots" via Twitter on Monday "do enormous damage to public confidence in the F.B.I.'s investigation," and that an independent prosecutor is needed. By contrast, the Wall Street Journal (3/20) says in an editorial that Comey revealed little that was new, and took a cautious, overly politic line.

The Chicago Tribune (3/20) says in an editorial that Comey "made progress in condensing the narrative," but that "won't put an end to the circus. There's too much politics and not enough facts. Comey made clear he wouldn't discuss details of an ongoing investigation – just acknowledging its existence is unusual enough."

WPost, Milbank: House GOP Putting Party Before Country. The Washington Post (3/20) says in an editorial, "You'd think that all of this would be of surpassing concern for Republican members of Congress. ... Yet to listen to Republican members of the Intelligence Committee, the most pressing problem to arise from Russia's intervention and the FBI's investigation of it is that reports of contacts between Russia's ambassador" and then-NSA Michael Flynn were leaked. The Post says the Republicans "seem to be slavishly following the cues of the president."

Dana Milbank writes in his Washington Post (3/20) column, "Comey's testimony confirmed what was widely suspected. ... But instead of being shaken from complacency and uniting to make sure this never happens again, the Republican majority on the House Intelligence Committee mounted a reflexive defense of Trump." Milbank writes that if Chairman Devin Nunes "would consider

country before party, he'd recognize that the cloud isn't over Trump's White House; it's over all of us."

Eugene Robinson writes in his Washington Post (3/20) column, "It is bad enough to have to wonder whether Trump's narrow margin of victory might have resulted from a boost provided" by Russia. It is "much worse to think that anyone connected with the Trump campaign might have known about this interference by an adversarial foreign power and failed to sound the alarm – or, perhaps, even collaborated in the dark operation."

Trump Pitches GOP Healthcare Bill In Louisville, Doesn't Mention Comey Testimony.

Media coverage of President Trump's speech in Louisville Monday night describes it as a campaign-style event during which Trump touched on a number of his signature issues before making the case for the Republican healthcare bill. Several reports highlight that Trump cast the healthcare vote as something that must be dealt with before he can address trade deals, tax cuts, and infrastructure. A number of stories focus on Sen. Rand Paul's continued opposition to the bill, and several point out that Trump did not mention FBI Director Comey's testimony Monday before the House Intelligence Committee.

The Lexington (KY) Herald-Leader (3/20, Desrochers) reports Trump "avoided" the news that "the FBI is investigating whether associates of his campaign coordinated with Russians during the election." The Herald-Leader says Trump did not mention Comey's testimony, "instead sticking to the familiar themes that the crowd of more than 18,000." LifeZette (3/20, Kirby) says that the speech, which "read like a greatest hits tape from the presidential campaign," was "notable for what it did not include – any mention of the politically charged House Intelligence Committee hearing earlier in the day."

The AP (3/20, Beam) says Kentucky has become "a battleground for the health care debate, with both sides holding it up as an example of the health law's promise and pitfalls." The Louisville (KY) Courier-Journal (3/20, Yetter) says Trump made "a campaign-style stop in Louisville Monday," during which he described the ACA as "'a catastrophe' drawing cheers in a state where it helped achieve one of the nation's sharpest drops among people without health insurance by expanding coverage to more than a half-million Kentuckians."

WKYT-TV Lexington, KY (3/20, 11:02 p.m. EDT) reported that Trump "repeated many of his campaign promises for rebuilding infrastructure, cutting taxes, and creating jobs," but "the big topic" was "healthcare and an upcoming vote in the House on the GOP plan to replace Obamacare." Trump: "Obamacare has been a complete and total catastrophe, and it's getting worse and worse by the day." WDRB-TV Louisville, KY (3/20, 10:01 p.m. EDT) reported that Trump addressed "a number of different promises he made during the campaign" and "did not mention healthcare until the end of his speech."

The New York Times (3/20, Landler) says that while Trump "promised to pass the Republican repeal of the Affordable Care Act," he "presented it largely as a necessity to finance tax cuts." The Washington Post (3/20, Wagner) similarly reports that Trump "sought Monday to bring a heightened urgency to

the task: Getting health care off the table, he told a raucous crowd here, will allow him to get on with renegotiating trade deals and cutting taxes." Earlier, "Trump made a similar pitch on trade deals, arguing that health care needs to be cleared from the agenda before he can start renegotiating deals he said have put the United States at a disadvantage."

Townhall (3/20, O'Brien) also highlights that Trump "said he fully intends to 'massively reduce' our taxes as he gets to work on tax reform. However, he can't do that until the new health care bill is done." To Politico (3/20, Goldmacher), Trump "is increasingly talking about health care like the vegetables of his agenda — the thing he must begrudgingly finish in order to get to what he really wants: tax cuts, trade deals and infrastructure." In Louisville, Trump "time and again framed the passage of a repeal and replacement plan for President Obama's namesake health care law as a necessary step to achieve the rest of his ambitious agenda."

The Lexington (KY) Herald-Leader (3/20, Desrochers) reports that Trump "pledged that the Republican replacement for the Affordable Care Act would pass the House of Representatives on Thursday, only hours after US Sen. Rand Paul told a group of Louisville businessmen that it would fail." Roll Call (3/20, Lesniewski) that while Trump is "cajoling Republicans to support the GOP health care legislation," he has yet to convince Paul, "who spent the day rallying opposition to the GOP plan, both in the Louisville area and back in Washington with his House colleagues."

WHAS-TV Louisville, KY (3/20, 11:01 p.m. EDT) reported that Paul, who has been "an outspoken opponent" of the bill, did not attend Trump's speech. Trump mentioned Paul "as he pushed an urgent call for cooperation." Trump: "Remember this – so true – I happen to like a lot a lot Senator Rand Paul. I do. ... And I look forward to working with him so we can get this bill passed in some form so that we can pass massive tax reform, which we can't do until this happens. So we've got to get this done before we can do the other. In other words we've got to know what this is before we can do the big tax cuts. We got to get it done." WAVE-TV Louisville, KY (3/20, 11:01 p.m. EDT) that Trump "spoke for an hour rallying his fans to common campaign messages. ... But his biggest sales pitch was for healthcare, which Vice President Mike Pence came to Louisville to tout, but Senator Rand Paul has heavily criticized." In an interview with WDRB-TV Louisville, KY (3/20, 10:01 p.m. EDT), Trump was asked what he is prepared to do to get Paul's support. Trump said that Paul "is speaking from the heart. But I think we have a bill that is going to be negotiated" and "in the end, we will have a fantastic bill. The alternative is Obamacare and Obamacare is killing Kentucky." On its website, WDRB-TV Louisville, KY (3/20, Smith) provides a transcript of the interview.

Trump Says He Wants Provision To Allow Competitive Bidding On Drug Prices. Reuters (3/20) reports Trump told the crowd that "he wants to add a provision to the Republican healthcare plan that would lower prescription drug costs through a 'competitive bidding process.'" Trump said, "We're going to have a great competitive bidding process. Medicine prices will be coming way down. ... We're trying to add it to this bill and if we can't, we'll have it right after."

Trump Cites Report Suggesting NFL Owners Not Signing Kaepernick Over Fear Of A Trump Tweet. [USA Today](#) (3/20, Joseph) reports that while speaking in Louisville, ex-San Francisco 49ers quarterback Colin Kaepernick's "NFL free agency surprisingly became a topic of" Trump's address. Of Kaepernick, Trump said "there was an article today that was reported that NFL owners don't want to pick him up because they don't want to get a nasty tweet from Donald Trump. You believe that? I just saw that. I said, 'If I remember that one, I'm gonna report it to the people of Kentucky because they like it when people actually stand for the American flag.' Right?" USA Today adds, "The [article](#) Trump seemed to be referencing originated from Bleacher Report on Friday," and included a quote from an unnamed "AFC general manager," who said that "some teams fear the backlash from fans after getting [Kaepernick]. They think there might be protests or [President Donald] Trump will tweet about the team."

Gorsuch Hearings Kick Off With Amiable Remarks And Invocation Of Garland.

The Senate Judiciary Committee opened hearings on the nomination of Neil Gorsuch to the Supreme Court on Monday, and while reports say the first day – consisting of a statement from the nominee and remarks from committee members – was generally amiable, there were portents of tough questions to come today. Analyses agree that Gorsuch's confirmation is all but inevitable, but that Democrats – many of whom see the vacant seat as having been President Obama's to fill – will strike hard to score points where they can.

[ABC World News](#) (3/20, story 3, 2:15, Llamas) reported that Gorsuch received "a warm welcome" but "faces tough questioning ahead." ABC's Terry Moran: "Judge Neil Gorsuch [was] in the crosshairs today. But cool under fire, even having some fun. For the most part, though, Judge Gorsuch just had to sit and smile and listen to the senators' statements, Republicans praising him..." Sen. Mike Lee: "I know from my own personal experience that you are one of the best judges in the country." Moran: "...and Democrats challenging him, demanding to know if he could rule against President Trump, if the FBI probe into links between Russia and the Trump campaign comes before the court." The [CBS Evening News](#) (3/20, story 4, 2:05, Pelley) reported that "13 months and one presidential election after the death" of Justice Antonin Scalia, "the Senate opened confirmation hearings for his successor." Gorsuch: "You sometimes hear judges cynically described as politicians in robes seeking to enforce their own politics rather than striving to apply the law impartially. If I thought that were true, I would hang up the robe."

The [AP](#) (3/20, Sherman, Werner) reports that Gorsuch "pledged to be independent" and "sought to take the edge off Democratic complaints that he has favored the wealthy and powerful in more than 10 years as a federal judge." In his opening statement, he said, "My decisions have never reflected a judgment about the people before me, only my best judgment about the law and facts at issue in each particular case." [Reuters](#) (3/20, Hurley, Chung) also says that Gorsuch "emphasized the need for judicial independence."

The [New York Times](#) (3/20, Flegenheimer) says Gorsuch "reached often for

comity during a well-practiced 16-minute speech, insisting that he favored no party above the law and appearing to brace for attacks from critics who have said his rulings tilt toward corporate interests." The Times says the Monday hearing was "light on direct confrontation, [and] heavy on senatorial windiness." But "even some criticisms seemed to hint at the likelihood of Judge Gorsuch being seated, one way or another." Senate Minority Whip Durbin said, "You're going to have your hands full with this president. He's going to keep you busy."

In fact, much of the coverage dealt with the nominee's seemingly inevitable success. Bloomberg Politics (3/20, Litvan, Stohr) says Gorsuch "is a heavy favorite for confirmation given Republicans' 52-48 Senate majority," and Senate Judiciary Chairman Charles Grassley predicted on CNN's The Lead (3/20) that Gorsuch will get at least eight Democratic votes for cloture to clear the 60-vote threshold. McClatchy (3/20, Doyle, Wise) says there is "little talk" of a filibuster "among Senate Democratic leaders...who know they need to protect vulnerable members" in conservative states who are up for re-election in 2018.

The Washington Post (3/20, O'Keefe, Barnes) says Republicans "intend to move quickly" on confirming Gorsuch "so he could be on the court for its final round of oral arguments in late April." Adam Liptak of the New York Times (3/20) writes that the GOP "will have to move with exceptional speed," since the court "is scheduled to hear arguments in the term's remaining marquee case, the one concerning the separation of church and state," four weeks from tomorrow. Questioning of the nominee begins today, but a Wall Street Journal (3/20) editorial criticizes Democrats for asking in their Monday statements about how Gorsuch would vote on certain cases as being both inappropriate and impossible to answer without the specifics of each case.

While reports cast Gorsuch as a near-lock, some reports point out that Democrats remain angry over the Senate's inaction on President Obama's choice for the vacancy, Merrick Garland. NBC Nightly News (3/20, story 5, 1:35, Holt) reported, "Democrats are still seething after the GOP refused to hold hearings" on Garland. The Wall Street Journal (3/20, Bravin) reports that Judiciary Committee ranking Democrat Sen. Dianne Feinstein mentioned Garland at the top of her remarks, stating, "It was almost a year ago today that President Obama nominated Chief Judge Merrick Garland for this seat. ... I just want to say I'm deeply disappointed that it's under these circumstances that we begin."

Roll Call (3/20, Ruger) also highlights Feinstein's mention of Garland. The New York Times (3/20), also focusing on Garland, says in an editorial, "Here's a good question for Judge Neil Gorsuch, who sat before the Senate Judiciary Committee on Monday for the first day of his confirmation hearings to be a Supreme Court justice: Why are you here? There's only one honest answer: 'I shouldn't be.'"

Sarah Ball Teslik, formerly of the Council of Institutional Investors, writes in the Wall Street Journal (3/20) that two decades ago, Gorsuch's law firm helped to protect pensions, taking a case that others would not. The Los Angeles Times (3/20, Savage) and Washington Times (3/20, Swoyer) also have brief reports on the hearing.

Editorial Wrap-Up

New York Times.

"Comey's Haunting News On Trump And Russia." The New York Times (3/20) calls FBI Director Comey's congressional testimony "a breathtaking admission" that "ought to mark a turning point in how inquiries into Russia's role in the election should be handled." The Times says the President's "brazen warning shots" via Twitter on Monday "do enormous damage to public confidence in the F.B.I.'s investigation," and that an independent prosecutor is needed.

"Neil Gorsuch Faces The Senate." The New York Times (3/20) says in an editorial, "Here's a good question for Judge Neil Gorsuch, who sat before the Senate Judiciary Committee on Monday for the first day of his confirmation hearings to be a Supreme Court justice: Why are you here? There's only one honest answer: 'I shouldn't be.'"

UN Accepts Blame But Dodges The Bill In Haiti. In an editorial, the New York Times (3/21) writes that the UN "says it is terribly concerned about the cholera epidemic in Haiti and wishes to eliminate it," but "has not figured out when and how this is going to happen, and with what money." The Times calls on Secretary-General António Guterres "to use every bit of skill and good will to compel and cajole member nations and philanthropies to make the cholera campaign succeed — and with it, to settle the United Nations' moral debt to Haiti."

Washington Post.

"Republican Arguments Against Obamacare Are In A Death Spiral." A Washington Post (3/20) editorial calls the argument that "any system would be better than the 'collapsing' status quo," the "last rhetorical refuge for defenders of a shoddy GOP replacement plan." However, the Post says "a wide swath of independent experts see no real disaster." Republicans, the Post argues, have "painted a fictional account of total policy disaster in order to make their plan look good."

"No, Republicans, The Real Story Is Not 'The Leaks.'" The Washington Post (3/20) says in an editorial that "to listen to Republican members of the Intelligence Committee, the most pressing problem to arise from Russia's intervention and the FBI's investigation of it is that reports of contacts between Russia's ambassador" and then-NSA Michael Flynn were leaked. The Post says the Republicans "seem to be slavishly following the cues of the president."

"Don't Let The D.C. Council Handpick Development Deals." In an editorial, the Washington Post (3/20) writes DC Mayor Muriel E. Bowser's "decision to seek solicitations for four houses and two vacant lots in historic Anacostia" elicited controversy because the "decision is at odds with a measure passed last year by the D.C. Council directing the city to transfer the four properties to the L'Enfant Trust, a nonprofit that specializes in historic renovations." The Post adds, however, that "L'Enfant Trust had an opportunity to put in its own bid" but declined, and the DC Council "would be setting a terrible precedent" if it granted developers property simply because they asked. The Post asserts Bowser "is right to adhere to established rules for the disposal of city real estate" through

“an open, competitive bidding process.”

Wall Street Journal.

“Saving Private Health Insurance.” A [Wall Street Journal](#) (3/20) editorial praises the GOP bill’s “stability fund,” which it says will help people who vulnerable to premium spikes under the ACA.

“Comey Doesn’t Say Much.” The [Wall Street Journal](#) (3/20) says in an editorial that in his congressional testimony, FBI Director Comey revealed little that was new, and took a cautious, overly politic line.

“Neil Gorsuch, How Would You Vote?” A [Wall Street Journal](#) (3/20) editorial criticizes Democrats for asking in their Monday statements about how Supreme Court nominee Judge Neil Gorsuch would vote on certain cases as being both inappropriate and impossible to answer without the specifics of each case.

Big Picture

Headlines From Today’s Front Pages.

Wall Street Journal:

[Comey Confirms FBI Probe Of Trump-Russia Links](#)

[SoftBank Scraps \\$100 Million Investment In iPhone Rival](#)

[Shell’s Titanic Bet: Can Deep-Water Drilling Be Done On The Cheap?](#)

[What’s Attacking The Web? A Security Camera In A Colorado Laundromat](#)

New York Times:

[FBI Is Investigating Trump’s Russia Ties, Comey Confirms](#)

[Trump’s Weary Defenders Face Fresh Worries](#)

[Using Special Forces Against Terrorism, Trump Seeks To Avoid Big Ground Wars](#)

[House Republicans Turn To Upstate New York To Lure Votes For Health Bill](#)

[What Investigation? GOP Responds To FBI Inquiry By Changing Subject](#)

[David Rockefeller, Philanthropist And Head Of Chase Manhattan, Dies At 101](#)

[In New York, Bringing Broadband To Everyone By 2018](#)

Washington Post:

[Body Cameras Fail To Illuminate Teen’s Death](#)

[FBI Is Investigating Trump-Russia Ties](#)

[Girl Flees Salvadoran Gang Violence Only To Find It In Md.](#)

[French Rightist Declares Victory National Front Gains In France](#)

[Gorsuch Faces Partisan Divide As Hearing Opens](#)

Financial Times:

[Comey Confirms FBI Probe Of Trump Links To Russia](#)

[May’s Brexit Trigger Date Yields Initiative To EU27](#)

[Google Apologises To Advertisers For Extremist Videos](#)

Washington Times:

[FBI Confirms Investigation Into Trump Campaign Ties With Russia](#)

[Gorsuch Casts Himself As Mainstream Judge, Tries To Create Distance From Trump](#)

Tourism Thriving, Economy Expanding In North Carolina Despite Bathroom Bill Desertions

Homeland Security Singles Out 118 Sanctuary Jurisdictions That Thwart ICE
Other Military Branches Now Face Scrutiny After Marines Nude Photo Scandal
Iraq's Prime Minister Sees US "More Engaged" In Terror Fight

Story Lineup From Last Night's Network News:

ABC: House Intelligence Committee; House Intelligence Committee-Wiretapping; Confirmation Hearing-Gorsuch; North Korea-Missiles; Airline Security-Phones Banned; Manhunt-Student Abduction; Louisiana Police Trial; Baltimore Arsonist Caught; Eric Trump-Baby; Tom Brady Jersey Found.

CBS: House Intelligence Committee; House Intelligence Committee-White House Reaction; House Intelligence Committee-Adam Schiff; Confirmation Hearing-Gorsuch; Airline Security-Phones Banned; South Sudan Plane Crash; Colorado Wildfire; Nazi War Criminal-US; Tom Brady Jersey Found.

NBC: House Intelligence Committee; House Intelligence Committee-Russian Interference; House Intelligence Committee-President Trump Credibility; House Intelligence Committee-Analysis; Confirmation Hearing-Gorsuch; Airline Security-Phones Banned; Tom Brady Jersey Found.

Network TV At A Glance:

House Intelligence Committee – 28 minutes, 55 seconds

Confirmation Hearing-Gorsuch – 05 minutes, 55 seconds

Airline Security-Phones Banned – 04 minutes, 00 seconds

Story Lineup From This Morning's Radio News Broadcasts:

ABC: House Intelligence Committee-Comey Testimony; Confirmation Hearing-Gorsuch; Airline Security-Electronics Limitations; Healthcare Bill-Republican Amendments.

CBS: Airline Security-Electronics Limitations; House Intelligence Committee-Comey Testimony; House Intelligence Committee-Wiretapping Claims; President Trump-Kentucky Rally; Confirmation Hearing-Gorsuch; Severe Weather-Crops.

NPR: Healthcare Bill-Republican Amendments; House Intelligence Committee-Comey Testimony; Confirmation Hearing-Gorsuch; Airline Security-Electronics Limitations; Scottish Parliament-Independence Referendum; Former South Korean President-Apology.

Washington Schedule

Today's Events In Washington.

White House:

PRESIDENT TRUMP — Gives the keynote speech at the 2017 National Republican Congressional Committee March Dinner.

VICE PRESIDENT PENCE — No public schedule announced.

US Senate: Senate Judiciary Committee continues nominations hearing for new U.S. Supreme Court justice – Nominations hearing considering Neil Gorsuch to be U.S. Supreme Court Associate Justice continues with the beginning of

questioning of the nominee * Opening statements from Committee members and from Gorsuch were made yesterday, while testimony from outside legal experts is expected to follow the questioning of the nominee * At the end of January, President Donald Trump named U.S. Court of Appeals for the Tenth Circuit Judge Gorsuch as his nominee to fill the vacancy left by last year's death of U.S. Supreme Court Associate Justice Antonin Scalia. Congressional Republicans previously refused to consider then-President Barack Obama's nominee Merrick Garland Location: U.S. Capitol, Washington, DC <http://judiciary.senate.gov/>

9:30 AM Senate Armed Services Committee hearing on U.S. policy in Europe – Hearing on 'U.S. Policy and Strategy in Europe', with testimony from Georgia Institute of Technology Sam Nunn School of International Affairs Distinguished Professor Gen. (Ret.) Philip Breedlove; Carnegie Endowment for International Peace President William Burns; and Atlantic Council Brent Scowcroft Center on International Security Distinguished Fellow Alexander Vershbow Location: Rm G50, Dirksen Senate Office Bldg, Washington, DC <http://armed-services.senate.gov/>

10:00 AM Senate HELP Committee first hearing on FDA user fee agreements – Hearing on 'FDA User Fee Agreements: Improving Medical Product Regulation and Innovation for Patients Part I', with testimony from Food and Drug Administration Center for Drug Evaluation and Research Director Janet Woodcock, Center for Biologics Evaluation and Research Director Dr Peter Marks, and Center for Devices and Radiological Health Director Jeffrey Shuren Location: Rm 430, Dirksen Senate Office Bldg, Washington, DC <http://help.senate.gov/>

10:00 AM Senate Natural Resources Committee hearing on improving and expanding infrastructure – Hearing on 'Opportunities to improve and expand infrastructure important to federal lands, recreation, water, and resources', with testimony from Pew Charitable Trusts Restore Americas Parks Campaign Director Marcia Argust; National Ski Areas Association Public Lands Committee Chairman Bob Bonar; Washington Trails Association Executive Director Jill Simmons; Virginia State Geologist David Spears; Colorado River District External Affairs Manager Chris Treese; and Novo Power President Brad Worsley Location: Rm 366, Dirksen Senate Office Bldg, Washington, DC www.energy.senate.gov

10:30 AM Senate votes on nominated U.S. Sentencing Commission members – Senate convenes and, following a period of morning business, proceeds to an executive session for the en bloc consideration of the nominations of Charles Breyer and Danny Reeves to be U.S. Sentencing Commission members, followed by a vote Location: Washington, DC <http://www.senate.gov/>

2:30 PM Frank Abagnale testifies to Senate Commerce subcommittee on fighting scams – Consumer Protection, Product Safety, Insurance, and Data Security Subcommittee hearing on 'Staying A Step Ahead: Fighting Back Against Scams Used to Defraud Americans', with testimony from Abagnale & Associates consultant Frank Abagnale, Jr.; Federal Trade Commission Acting Chairman Maureen Ohlhausen, and Commissioner Terrell McSweeney; Ohio Attorney General Mike DeWine; and KWCH-12 Eyewitness News reporter Mike Schwanke Location: Rm 253, Russell Senate Office Bldg, Washington, DC

<http://commerce.senate.gov>

2:30 PM Bipartisan, bicameral Members of Congress mark atrocities in Syria – Senate Committee on Foreign Relations Chairman Bob Corker and Ranking Member Ben Cardin and House Committee on Foreign Affairs Chairman Ed Royce and Ranking Member Eliot Engel host 'Inside Syria's Torture Machine' commemorative event, with the U.S. Holocaust Memorial Museum, to 'recognize the atrocities and crimes against humanity suffered by Syrian civilians'. Other participants include USHMM Simon-Skjodt Center for the Prevention of Genocide Director Cameron Hudson, a Syrian torture survivor, and a Holocaust survivor
Location: Rm 419, Dirksen Senate Office Bldg, Washington, DC

<http://foreign.senate.gov/>

2:30 PM Senate Aging Committee hearing on 'Raising Grandchildren in the Opioid Crisis and Beyond' – Hearing on 'Grandparents to the Rescue: Raising Grandchildren in the Opioid Crisis and Beyond', with witnesses grandparents Ann Sinsheimer and Marvin Sirbu (from Pittsburgh, by video); grandparent Linda James (from Rochester, NY, by video); and grandparent Belinda Howard (from Fort Walton, FL, by video); and in-person testimony from: Generations United Deputy Executive Director Jaia Peterson Lent; Virginia Tech University Marriage and Family Therapy Doctoral Program Director Megan Dolbin-MacNab; Adoptive & Foster Families of Maine and the Kinship Program Executive Director Bette Hoxie; and A Second Chance Founder, President and CEO Sharon McDaniel
Location: Rm 562, Dirksen Senate Office Bldg, Washington, DC

<http://aging.senate.gov/>

US House: 10:00 AM House Education subcommittee hearing on improving federal student aid – Higher Education and Workforce Development Subcommittee hearing on 'Improving Federal Student Aid to Better Meet the Needs of Students' Location: Rm 2175, Rayburn House Office Bldg, Washington, DC <http://edworkforce.house.gov/> <https://twitter.com/EdWorkforce>

10:00 AM House Natural Resources subcommittee oversight hearing on domestically sourced raw materials for infrastructure projects – Energy and Mineral Resources Subcommittee oversight hearing on 'The Importance of Domestically Sourced Raw Materials for Infrastructure Projects' Location: Rm 1324, Longworth House Office Bldg, Washington, DC

<http://naturalresources.house.gov> <https://twitter.com/NatResources>

10:00 AM House Science and Technology subcommittee latest hearing on the NSF – Research and Technology Subcommittee hearing on 'National Science Foundation Part II: Future Opportunities and Challenges for Science', with testimony from NSF Acting COO Dr Joan Ferrini-Mundy; National Science Board Chair Dr Maria Zuber; Center for Open Science co-founder and CTO Dr Jeffrey Spies; and University of California-San Francisco Vice Chancellor for Science Policy and Strategy Dr Keith Yamamoto Location: Rm 2318, Rayburn House Office Bldg, Washington, DC <http://science.house.gov>

<https://twitter.com/HouseScience>

10:00 AM Madeleine Albright testifies to House Armed Services Committee on 'America's Role in the World' – Hearing on 'America's Role in the World', with testimony from former Secretary of State Madeleine Albright; and former

National Security Advisor Stephen Hadley Location: Rm 2118, Rayburn House Office Bldg, Washington, DC www.armedservices.house.gov
<https://twitter.com/HASCRpublicans>

10:00 AM Hearing on '\$125 Billion in Savings Ignored: Review of DoD's Efficiency Study' Location: Rm 2154, Rayburn House Office Bldg, Washington, DC <http://oversight.house.gov/> <https://twitter.com/GOPoversight>

10:00 AM House Appropriations subcommittee hearing on NIH budget – Labor, Health and Human Services, Education, and Related Agencies Subcommittee 'Budget Hearing – National Institutes of Health', with testimony from NIH Director Dr Francis Collins, National Institute of Allergy and Infectious Diseases Director Dr Anthony Fauci, National Heart, Lung and Blood Institute Director Dr Gary Gibbons, National Institute of Mental Health Director Dr Joshua Gordon, National Cancer Institute Director Dr Doug Lowy, and National Institute on Drug Abuse Director Dr Nora Volkow Location: Rm 2358-C, Rayburn House Office Bldg, Washington, DC <http://appropriations.house.gov/>
<https://twitter.com/HouseAppropsGOP>

10:00 AM Nutrition Subcommittee hearing on 'The Next Farm Bill: Nutrition Distribution Programs' Location: Rm 1300, Longworth House Office Bldg, Washington, DC <http://agriculture.house.gov/>

10:00 AM House Financial Services subcommittee hearing on Bureau of Consumer Financial Protection – Oversight and Investigations Subcommittee hearing on 'The Bureau of Consumer Financial Protection's Unconstitutional Design', with testimony from Gibson, Dunn & Crutcher partner Theodore Olson; University of Virginia School of Law Distinguished Professor Saikrishna Prakash; Hoover Institution Research Fellow Adam White; and Constitutional Accountability Center Chief Counsel Brianne Gorod Location: Rm 2128, Rayburn House Office Bldg, Washington, DC <http://financialservices.house.gov>
<https://twitter.com/FinancialCmte>

10:00 AM Communications and Technology Subcommittee hearing on 'Broadband: Deploying America's 21st Century Infrastructure' Location: Rm 2322, Rayburn House Office Bldg, Washington, DC
<http://energycommerce.house.gov/> <https://twitter.com/HouseCommerce>

10:00 AM Dem Rep. Alcee Hastings host briefing on protecting dogs and cats from human consumption in the U.S. – Democratic Rep. Alcee Hastings hosts Congressional briefing on protecting dogs and cats from human consumption in the U.S., with Animal Hope & Wellness Foundation Founder and CEO Marc Ching and Executive Director Valarie Ianniello, actress Shannen Doherty Location: Rm 2168, Rayburn House Office Bldg., Washington, DC
www.alceehastings.house.gov <https://twitter.com/RepHastingsFL>

10:00 AM House Transportation subcommittee roundtable on emerging railroad technologies – House Transportation and Infrastructure Committee Railroads, Pipelines, and Hazardous Materials Subcommittee roundtable on 'Emerging Railroad Technologies' Location: Rm 2167, Rayburn House Office Bldg, Washington, DC <http://transportation.house.gov/> <https://twitter.com/Transport>

10:15 AM House Commerce subcommittee hearing on fentanyl – Oversight and Investigations Subcommittee hearing on 'Fentanyl: The Next Wave of the

Opioid Crisis', with testimony from Immigration and Customs Enforcement Homeland Security Investigations Assistant Director of Homeland Security Investigative Programs Matthew Allen; Assistant Secretary of State for International Narcotics and Law Enforcement Affairs William Brownfield; Office of National Drug Control Policy Acting Deputy Director Kemp Chester; NIH National Institute on Drug Abuse Deputy Director Dr Wilson Compton; CDC National Center for Injury Prevention and Control Director Dr Debra Houry; and Drug Enforcement Administration Assistant Administrator for Diversion Control Louis Milione Location: Rm 2123, Rayburn House Office Bldg, Washington, DC <http://energycommerce.house.gov/> <https://twitter.com/HouseCommerce>

1:00 PM Tom Lantos Human Rights Commission hearing on 'Threats to Civil Society around the World' – Tom Lantos Human Rights Commission hearing on 'Threats to Civil Society around the World', discussing the range of threats to civil society world-wide, analyzing their impact on human rights and democracy globally, and offering policy recommendations for the Congress and the U.S. Govt. Witnesses are United Nations special rapporteur on the rights to freedom of peaceful assembly and of association Maina Kiai, Freedom House Vice President for Analysis Vanessa Tucker, Amnesty International USA Executive Director Margaret Huang, International Center for Not-for-Profit Law President and CEO Douglas Rutzen, and U.S. Institute of Peace Senior Policy Fellow Maria Stephan Location: Rm 2255, Rayburn House Office Bldg, Washington, DC <http://tlhrc.house.gov/> <https://twitter.com/TLHRCCommission>

1:00 PM House Judiciary Committee hearing on DoJ management and fiscal challenges – Hearing on 'Examining Systemic Management and Fiscal Challenges within the Department of Justice', with testimony from DoJ Inspector General Michael Horowitz; and Government Accountability Office Director of Homeland Security and Justice Issues Diana Maurer Location: Rm 2141, Rayburn House Office Bldg, Washington, DC <http://judiciary.house.gov/> <https://twitter.com/HouseJudiciary>

2:00 PM House Financial Services subcommittee hearing on 'Ending the De Novo Drought' – Financial Institutions and Consumer Credit Subcommittee hearing on 'Ending the De Novo Drought: Examining the Application Process for De Novo Financial Institutions', with testimony from FirstCapital Bank of Texas Chairman Ken Burgess (on behalf of American Bankers Association); Lutheran Federal Credit Union CEO Ken Krueger (on behalf of National Association of Federally-Insured Credit Unions); Kennedy Sutherland Managing Partner Patrick Kennedy (on behalf of Subchapter S Bank Association); and Center for American Progress Director of Housing Policy Sarah Edelman Location: Rm 2128, Rayburn House Office Bldg, Washington, DC <http://financialservices.house.gov> <https://twitter.com/FinancialCmte>

2:00 PM House Foreign Affairs subcommittee hearing on North Korea – Asia and the Pacific Subcommittee hearing on 'Pressuring North Korea: Evaluating Options', with testimony from Heritage Foundation Senior Research Fellow for Northeast Asia Bruce Klingner; and Tufts University Fletcher School of Law and Diplomacy Professor in Korean Studies Dr Sung-Yoon Lee Location: Rm 2172, Rayburn House Office Bldg, Washington, DC <http://www.hcfa.house.gov>

<https://twitter.com/HFACrepublicans>

2:00 PM Livestock and Foreign Agriculture Subcommittee hearing on 'The Next Farm Bill: Livestock Producer Perspectives' Location: Rm 1300, Longworth House Office Bldg, Washington, DC <http://agriculture.house.gov/>

2:00 PM House Veterans' Affairs subcommittee legislative hearing – Economic Opportunity Subcommittee legislative hearing on 'H.R. 1461, Veterans, Employees, and Taxpayers Protection Act of 2017' Location: Rm 334, Cannon House Office Bldg, Washington, DC <http://veterans.house.gov/>
<https://twitter.com/HouseVetAffairs>

2:00 PM House Oversight subcommittee hearing on the Bureau of Safety and Environmental Enforcement – Interior, Energy, and Environment Subcommittee hearing on 'Examining GAO Findings on Deficiencies at the Bureau of Safety and Environmental Enforcement' Location: Rm 2154, Rayburn House Office Bldg, Washington, DC <http://oversight.house.gov/>
<https://twitter.com/GOPoversight>

2:30 PM Bipartisan, bicameral Members of Congress mark atrocities in Syria – Senate Committee on Foreign Relations Chairman Bob Corker and Ranking Member Ben Cardin and House Committee on Foreign Affairs Chairman Ed Royce and Ranking Member Eliot Engel host 'Inside Syria's Torture Machine' commemorative event, with the U.S. Holocaust Memorial Museum, to 'recognize the atrocities and crimes against humanity suffered by Syrian civilians'. Other participants include USHMM Simon-Skjodt Center for the Prevention of Genocide Director Cameron Hudson, a Syrian torture survivor, and a Holocaust survivor Location: Rm 419, Dirksen Senate Office Bldg, Washington, DC
<http://foreign.senate.gov/>

3:00 PM Tom Lantos Human Rights Commission briefing on ending violence against women in politics – Tom Lantos Human Rights Commission briefing on 'Ending Violence Against Women in Politics' – co-hosted by bipartisan Reps. Jan Schakowsky, Ann Wagner, Suzanne Bonamici, and Salud Carbajal – explaining 'the surprising prevalence and destructive impact of this little-known issue' and exploring ways the U.S. can contribute to preventing and mitigating violence against women in politics. Panelists are UN Women Leadership and Governance section chief (and former Spanish Member of Parliament) Begona Lasagabaster, former Malawian President Dr Joyce Banda, and Inter-Parliamentary Union Permanent Observer to the United Nations (and former Canadian Member of Parliament) Paddy Torsney * Reps. Schakowsky, Bonamici, and Carbajal deliver opening remarks Location: SVC-215, U.S. Capitol, Washington, DC
<http://tlhrc.house.gov/> <https://twitter.com/TLHRCcommission>

3:30 PM Military Personnel Subcommittee hearing on 'Social Media Policies of the Military Services' Location: Rm 2118, Rayburn House Office Bldg, Washington, DC www.armedservices.house.gov
<https://twitter.com/HASCRpublicans>

Other: 10:00 AM Dem Rep. Adam Schiff speaks on 'protecting liberal democracy' at Brookings – Democratic Rep. Adam Schiff speaks on 'The role of Congress in protecting liberal democracy' at the Brookings Institution, discussing what can be done to protect liberal democracy domestically and internationally,

the role Congress can play in repelling illiberalism – whether it come from Moscow or Fifth Avenue – and engaging civil society in that effort, and how Congress should think about discharging their constitutional duties during this period of ‘uncertainty’ Location: Brookings Institution, 1775 Massachusetts Ave NW, Washington, DC www.brookings.edu <https://twitter.com/BrookingsChina>

7:00 AM American Bankers Association Government Relations Summit continues – American Bankers Association Government Relations Summit continues, including briefings on legislative issues and working sessions with key regulatory officials. Day two speakers include Democratic Sen. Sherrod Brown, Republican Sen. Mike Rounds, Assistant to the Vice President and Chief Economist Mark Calabria, Fox News Sunday host Chris Wallace, American Bankers Association President and CEO Rob Nichols, and ABA Chairman Dorothy Savarese Location: Washington Marriott Marquis, Washington, DC <http://www.aba.com> <https://twitter.com/ABABankers>

8:00 AM VA Secretary Shulkin speaks at POLITICO ‘Outside In – Digital Health Pioneer’ event – POLITICO hosts ‘Outside In – Digital Health Pioneer: Lessons from the VA’, a conversation with Secretary of Veterans Affairs David Shulkin on the future of the VA and how the political debate over the department has ‘overshadowed ways in which it has been an innovator in patient care coordination and health technology’ Location: The Newseum, 555 Pennsylvania Ave, Washington, DC www.politico.com <https://twitter.com/POLITICOEvents> #OutsideIn

8:30 AM New America / Arizona State University annual Future of War Conference – New America / Arizona State University third Future of War Conference. Speakers include U.S. Air Force Chief of Staff Gen. David Goldfein, U.S. Army Chief of Staff Gen. Mark Milley, former Iraq Ambassador to the U.S. Lukman Faily, former Deputy Assistant Secretary of Defense for Russia/Ukraine/Eurasia Dr Evelyn Parkas, Colombia Ambassador to the U.S. Amb. Juan Carlos Pinzon, and New America President and CEO Anne-Marie Slaughter Location: Ronald Reagan Bldg & International Trade Center, 1300 Pennsylvania Ave NW, Washington, DC <http://www.newamerica.org/> <https://twitter.com/NatSecNAF> #FutureofWar

1:30 PM CSIS discussion on Australian and Indonesian energy, security and diplomatic issues – ‘Australia and Indonesia: Energy, Resources, and Security at the Fulcrum of the Indo-Pacific’ Center for Strategic and International Studies discussion on the energy, resource, security and diplomatic issues they will face in the coming years. Speakers include Deputy Chief of Staff to Indonesian President Joko Widodo, Darmawan Prasodjo, Foreign Policy Community of Indonesia Founder Dino Patti Djalal, Perth USAsia Centre Energy Security Program Director Andrew Pickford, University of Western Australia Energy and Minerals Institute Director Mark Stickells, Perth USAsia Centre CEO Gordon Flake, and Embassy of Australia Political Counselor Paul Griffiths Location: CSIS, 1616 Rhode Island Ave., Washington, DC <http://www.csis.org> <https://twitter.com/CSIS>

Last Laughs

Late Night Political Humor.

Jimmy Fallon: "You guys, today is the first day of spring...I have to say, it's nice waking up to the birds tweeting instead of the President tweeting. It's nice."

Jimmy Fallon: "A man claims that this weekend, he snuck past Secret Service at Mar-a-Lago to take a selfie in President Trump's private study. But Trump is denying this, saying there's no way he'd ever have a study."

Jimmy Fallon: "This weekend was actually Trump's fifth visit to Mar-a-Lago in the eight weeks he's been President. And this is weird. Each night at dinner, he makes the staff dress up as a clock, a teapot, and candlestick to sing 'Be Our Guest.'"

Jimmy Fallon: "And I didn't know this, but this is true. Every time Trump goes to Florida, he leaves a little note on the door to the Oval Office saying that he's gone. Like, for instance, one note said, 'Be back in five days.' Another one said, 'Please water my plants and take Paul Ryan for a walk twice a day.'"

Jimmy Kimmel: "This morning, President Trump woke up, tweeted from the toilet, which means we get six more weeks of spring."

Jimmy Kimmel: "Director Comey also weighed in on Trump's claim that Obama wiretapped him at his office. That didn't go Trump's way either...Imagine working at Department of Justice, having the boss tell you, 'I have some tweets I need you to look into.' The FBI and Justice Department have no evidence to support Trump's story. That means Donald Trump really did just see something on Fox News, assumed it was true, and ran with it."

Jimmy Kimmel: "Trump's approval rating down to 37 percent. Bill Clinton had to do weird stuff with cigars to get it to 37 percent. Trump has the highest low approval rating of any President ever."

Jimmy Kimmel: "[Trump] met with Bill Gates today. It was an historic meeting. America's two worst haircuts in the Oval Office together for the first time. They reportedly talked about their shared commitment to finding and stopping disease outbreaks around the world. You know, that's great. But if Bill Gates wanted to do some good, he should have grabbed Trump's phone and locked him out of his Twitter account."

Stephen Colbert: "Trump is also eliminating the National Endowment for the Arts and the National Endowment for the Humanities. I'm not surprised. He's jealous of people who are well-endowed."

Stephen Colbert: "Plus, Trump's slashing the EPA's budget by 31 percent, and 'the Great Lakes Restoration Initiative,' which fights invasive species like the sea lamprey, could see its funding slashed by 97 percent. If you're not familiar with the sea lamprey, you might know it as the vicious, flesh-eating hell beast from your worst nightmares...Or as Steve Bannon calls it, 'my mentor.'"

James Corden: "Meanwhile, plans for the border wall continue. On Sunday, Fox News reported several requirements that the White House has issued for the wall. Now this is real. They said it must be 30 feet high, good-looking from the US side, and difficult to break through. Basically, the wall should be tall, but not fat or ugly. It's pretty much like Trump just updated the Miss Universe regulations and just made them about the wall, isn't it?"

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Christina Summers, FAC P/PM
Program Analyst

On detail to the Office of the Assistant Secretary/Policy, Management & Budget
202 208 4030 (Work)

Office of the Director
Interior Business Center
202-802-6174 (Cell) christina_summers@ibc.doi.gov
US Department of the Interior
Office of the Secretary
www.ibc.doi.gov

Your Focus: Your Mission
Our Focus: You

To: Magallanes, Downey[downey_magallanes@ios.doi.gov]
Cc: Casey Hammond[casey_hammond@ios.doi.gov]
From: Carrie Domnitch
Sent: 2017-03-21T09:55:17-04:00
Importance: Normal
Subject: RE: Bee
Received: 2017-03-21T09:55:24-04:00

Thank you Downey, and great to see your name over there Casey! It's been a while but look forward to working with you on these issues.

The coalition is considering next steps perhaps the best thing would be for Casey to share your contact info (phone number, obviously have your email now) and I can share that with the coalition and we can be in touch.

Thank you both.

Carrie

Carrie M. Domnitch
API

From: Magallanes, Downey [mailto:downey_magallanes@ios.doi.gov]
Sent: Tuesday, March 21, 2017 9:19 AM
To: Carrie Domnitch
Cc: Casey Hammond
Subject: Bee

Carrie,

I know you are slammed with the venting and flaring rule, but wanted to follow up on the bee. Wanted to make sure I connected you with Casey who is in the FWA hallway. Please let us know if we should be engaging in outreach with the other petitioners on this and if you all want to set up a meeting.

Thanks, Downey

--

Downey Magallanes
Office of the Secretary
downey_magallanes@ios.doi.gov
202-501-0654 (desk)
202-706-9199 (cell)

To: Hammond, Casey[casey_hammond@ios.doi.gov]
Cc: Magallanes, Downey[downey_magallanes@ios.doi.gov]
From: Carrie Domnitch
Sent: 2017-03-21T13:33:51-04:00
Importance: Normal
Subject: RE: Bee
Received: 2017-03-21T13:34:21-04:00

YES!! Did you go to her? I don't remember that at all. (b) (6)

Will be back in touch.

Carrie M. Domnitch
API

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, March 21, 2017 1:28 PM
To: Carrie Domnitch
Cc: Magallanes, Downey
Subject: Re: Bee

Hi Carrie,

It has been a long time. I hope things are going well. My number here is 208-4070. Looking forward to speaking with you. Was/Is your mother in law an (b) (6)?

Casey

On Tue, Mar 21, 2017 at 9:55 AM, Carrie Domnitch <domnitchc@api.org> wrote:
Thank you Downey, and great to see your name over there Casey! It's been a while but look forward to working with you on these issues.
The coalition is considering next steps perhaps the best thing would be for Casey to share your contact info (phone number, obviously have your email now) and I can share that with the coalition and we can be in touch.

Thank you both.
Carrie

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To: Carrie Domnitch
Cc: Casey Hammond
Subject: Bee

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Thanks, Downey

--

Downey Magallanes
Office of the Secretary
downey_magallanes@ios.doi.gov
202-501-0654 (desk)
202-706-9199 (cell)

To: Hammond, Casey[casey_hammond@ios.doi.gov]
From: Carrie Domnitch
Sent: 2017-03-21T14:20:23-04:00
Importance: Normal
Subject: RE: Bee
Received: 2017-03-21T14:20:41-04:00

It's probably a haul but here's her new practice. <http://www.gheye.com/>

Carrie M. Domnitch
API

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, March 21, 2017 2:14 PM
To: Carrie Domnitch
Subject: Re: Bee

I went to her years ago and I always remembered the connection. I wish she was still there because I just went back to that location a couple months ago and my rx needs more work. Maybe I need to get out to gainseville.

On Tue, Mar 21, 2017 at 1:33 PM, Carrie Domnitch <domnitchc@api.org> wrote:
YES!! Did you go to her? I don't remember that at all. She actually "retired" and they moved down to N Myrtle Beach and then my husband and I started having kids so she made them move back up here and she actually started her own practice in Gainesville which is where she and my father-in-law settled.

Will be back in touch.

Carrie M. Domnitch
API

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, March 21, 2017 1:28 PM
To: Carrie Domnitch
Cc: Magallanes, Downey
Subject: Re: Bee

Hi Carrie,

It has been a long time. I hope things are going well. My number here is (b) (6). Looking forward to speaking with you. Was/Is your mother in law an optometrist in Burke?

Casey

On Tue, Mar 21, 2017 at 9:55 AM, Carrie Domnitch <domnitchc@api.org> wrote:

Thank you Downey, and great to see your name over there Casey! It's been a while but look forward to working with you on these issues.

The coalition is considering next steps perhaps the best thing would be for Casey to share your contact info (phone number, obviously have your email now) and I can share that with the coalition and we can be in touch.

Thank you both.

Carrie

Carrie M. Domnitch
API

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Sent: Tuesday, March 21, 2017 9:19 AM
To: Carrie Domnitch
Cc: Casey Hammond
Subject: Bee

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Thanks, Downey

--

Downey Magallanes
Office of the Secretary
downey_magallanes@ios.doi.gov
202-501-0654 (desk)
202-706-9199 (cell)

To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: Alan Olson
Sent: 2017-03-21T16:19:56-04:00
Importance: Normal
Subject: venting and flaring
Received: 2017-03-21T16:20:06-04:00
BLM venting flaring 1 - Petition for Review.pdf

Amanda,

I have attached Montana's petition for review on the BLM's venting and flaring rule to the Federal court in Wyoming. I think it gets to our point well.

Another I idea I would like to float by you on this issue as well as a potential budget consideration is the removal of BLM regulatory programs including permitting on production and drilling units that contain less than 51% Federal minerals. This can easily be done at the state level with existing programs.

Great Talking to you yesterday!

Thanks,
Alan

Alan Olson, Executive Director
Montana Petroleum Association
PO Box 1186
Helena, Montana 59624

Telephone;
Office 406.442.7582
Cell 406.320.1385

Email alan@montanapetroleum.org
Website www.montanapetroleum.org



To: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Gruman, Mark
Sent: 2017-03-21T17:03:13-04:00
Importance: Normal
Received: 2017-03-21T17:04:10-04:00
1703 - BisMan Chamber letter to HH on BLM Rule.pdf
ATT00001.txt

To: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov];
amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov];
'katharine_macgregor@ios.doi.gov'[katharine_macgregor@ios.doi.gov]
Cc: Roberson, Kelly[Kelly.Roberson@mail.house.gov]
From: Small, Jeff
Sent: 2017-03-22T17:55:25-04:00
Importance: Normal
Subject: Timely Appropriations Questions
Received: 2017-03-22T18:05:28-04:00
[Actual language from fiscal year 2017 Interior bill on key policy matters.docx](#)
[FY18 Interior and Environment Approps Ideas.docx](#)

Micah, Amanda and Kate,

We wanted to reach out as House Interior Appropriations requests are due on March 30th. There haven't been a lot of requests circulated by our members to date or Republicans in general so we are trying to get them going. We sent the below email this morning along with the second attachment that includes a bunch of ideas.

We held a briefing with Interior Appropriations staff last week. In the meeting staff made the comment that because of all the executive actions you all are taking, their negotiations and bills are going to be a lot easier, implying they are going to take a lot of our riders out of last year's bill.

My boss and several of our members have concerns with this approach. We are thrilled with all the actions the Administration is taking. However, our members believe we still need to submit a lot of these big ticket requests as litigation and/or future administrations could undermine these executive actions.

For instance, the WOTUS review could take a while to resolve. Further, while we know something is likely coming, there has been no action yet on the Social Cost of Carbon, Clean Power Plan, Coal Moratorium, ONRR Valuation rule etc.

Accordingly, many of our members believe we should seek to include these requests in the base appropriations bill, especially if they were in the bill last year.

Having said that, we wanted to coordinate with you all to ensure that by putting in/retaining some of these riders we don't mess things up on your end and prevent you from being able to do a rulemaking or rescind a bad Obama rule.

Anyway, the first attachment has most of the actual language that was in last year's Interior bill. Can you all review and let us know if the agency would recommend any tweaks to any of these provisions or if we should definitely not submit any of these again this year.

Your timely review and general feedback would be appreciated as we need to get the rest of these circulating so we can gather signatures and submit by the Appropriations deadline next Thursday.

Sincerely,

Jeff Small

Executive Director | Congressional Western Caucus

Senior Advisor | Congressman Paul A. Gosar, D.D.S.

Western Caucus Staff —

Attached are lots of member request ideas for the fiscal year 2018 Interior and Environment Appropriations bill.

The deadline for submissions for this bill is **3/30/17 COB**. Western Caucus recommends that you email your boss's final signed letters for this bill to other cosigning offices no later than **3/29/17 COB** to ensure all these offices submit them.

If your boss would like to lead any of the member request ideas, let Kelly or me know. We are happy to help write letters and short dear colleagues (See third attachment for a good example from last year). Please give deference to members that have led on issues previously. Members are encouraged to have any language requests drafted by leg. counsel. This is not necessary for programmatic requests.

Thank you to all of you that attended our Appropriations meeting last week with Darren Benjamin from the Interior Subcommittee Appropriations Staff. Darren referenced a CRS report which has a lot of good info about the Appropriations process (See second attachment). Darren's big take away was that if you are working on a member request or amendment and have questions, please call or email Appropriations staff. Please also call or email us if you have questions or if we can be helpful. Instructions for submitting these requests can be found [HERE](#).

Please also send us any Interior and Environment or Energy and Water member request letters your boss is circulating so we can help get cosigners. We will have several appropriations items blasts going out over the next couple weeks.

We will be sending a similar Energy and Water Member Request Ideas email in the near future.

Jeff Small

Executive Director | Congressional Western Caucus
(202) 225-2315 main

To: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Gruman, Mark
Sent: 2017-03-23T07:46:07-04:00
Importance: Normal
Subject: Fwd: Morning Energy, presented by the American Fuel & Petrochemical Manufacturers: Cramer weighs in on 'risky' executive order delays — Budget talks delayed without executive nominees — Bishop irked at Senate over confirmation process
Received: 2017-03-23T07:46:35-04:00

ICYMI - discussion below about the Congressman, Senator Heitkamp, and the BLM V and F CRA

Sent from my iPhone

Begin forwarded message:

From: POLITICO Pro Energy <politicoemail@politicopro.com>
Date: March 23, 2017 at 5:48:53 AM EDT
To: <mark.gruman@mail.house.gov>
Subject: Morning Energy, presented by the American Fuel & Petrochemical Manufacturers: Cramer weighs in on 'risky' executive order delays — Budget talks delayed without executive nominees — Bishop irked at Senate over confirmation process
Reply-To: POLITICO subscriptions <reply-fe8c12747361057b72-630326_HTML-637925207-1376319-0@politicoemail.com>

By Anthony Adragna | 03/23/2017 05:44 AM EDT

With help from Darius Dixon, Ben Wermund and Catherine Boudreau

TRUMP ENERGY ALLY SPEAKS: Most of Washington's attention today will be on the House healthcare vote, but ME caught up with Rep. [Kevin Cramer](#), one of President Donald Trump's key energy advisers during the campaign, on everything from the forthcoming energy executive order to his 2018 plans.

Where's the energy order?: The North Dakota Republican said he wasn't sure why the executive order unwinding Obama-era energy regulations had been pushed back multiple times. But he said he hopes the White House puts it out before the D.C. Circuit rules on the Clean Power Plan, or it risks having its task made more difficult if the court upholds that marquee rule. "There's some discussion about how much to throw into it, how comprehensive it'll be, but, to be honest, I don't have any intel right now that helps," Cramer said of the pending order. "Extract the damn thing from the courts and get some part of it back to the EPA for fixing."

Why he's open to staying in Paris: Cramer said he was "impressed" with early signals from the Trump administration on the Paris climate agreement and thought the U.S. could stay in it by moderating what it was expected to achieve. "I can imagine that the State Department likes the diplomacy of us being in it," he told reporters. "I can imagine that just as Americans want the issue of emissions to be dealt with, so does the world. But I also think the world is relieved that they don't have a climate worshipper in the White House setting impossible goals."

On basic climate science: Attempting to undo the EPA's endangerment finding that carbon dioxide endangers human health and the environment would be a "noble cause," Cramer said, before adding the immediate urgency lay in addressing the Clean Power Plan. He added he thought EPA Administrator Scott Pruitt "might" go after that finding.

Confidence on methane: Cramer then told reporters there was "momentum" for a Congressional Review Act resolution nullifying a BLM rule aimed at curbing methane emissions on public lands but expressed incredulity that his home state colleague, Sen. Heidi Heitkamp, remained publicly undecided. "I want to be respectful of Sen. Heitkamp's independence but it's hard for me to imagine a North Dakota senator voting against a CRA that overturns a rule that's aimed right at our state," he said. That comes as 17 Hispanic groups, led by the Hispanic Access Foundation, sent a letter to senators Wednesday urging them to oppose a Congressional Review Act. Cramer predicted the ultimate vote would be close, pointing to Sen. Johnny Isakson's absence due to back surgery as "somewhat problematic."

What about 2018? Asked about whether he'd challenge Heitkamp next year, Cramer demurred: "I've not ruled it out, but I will be honest I'm not thinking about it either."

IT'S THURSDAY! I'm your host Anthony Adragna, and Van Ness Feldman's R. Scott Nuzum was the first to identify Reps. John Dingell and Ralph Hall as the last World War II veterans in Congress. For today: What is the only state bordered entirely on its East and West by rivers? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter [@AnthonyAdragna](https://twitter.com/AnthonyAdragna), [@Morning_Energy](https://twitter.com/Morning_Energy) and [@POLITICOPro](https://twitter.com/POLITICOPro).

EXXON CAN'T FIND 'TRACKER' EMAILS: A year of emails from then-Exxon Mobil CEO Rex Tillerson's alias account cannot be found due to a technical glitch, the company disclosed in a court filing. "As a result of this unique issue, emails that might otherwise have been in the Wayne Tracker account between September 5, 2014, and September 16, 2015 were not available for review," the document said. A federal judge earlier Wednesday ordered the fossil fuel giant to attempt and recover any of the potentially lost emails by March 31 and report back to the court.

YOU'RE UP, PERDUE! Sonny Perdue finally has a chance today to try and convince

the Senate Agriculture Committee that he's the right guy to lead USDA today at 10 a.m. in Russell 325. In a 2014 National Review [article](#), Perdue criticized the mainstream media and "some on the left" for connecting climate change to weather events and said their arguments are "so obviously disconnected from reality." In 2007, Perdue also famously held a prayer service for rain amid a severe drought. These actions have raised questions about what Perdue would do with the work former Agriculture Secretary Tom Vilsack did to cut greenhouse gas emissions and help farmers and landowners prepare for and adapt to climate change. ME will also be on the lookout for chatter about biofuels and conservation matters.

RICK PERRY WEIGHS IN ON ... A STUDENT GOVERNMENT ELECTION:

Trump's energy secretary is calling into question the election of Texas A&M University's first openly gay student body president. In an [op-ed](#) in the Houston Chronicle, Perry, one of A&M's most notable graduates, writes that he was first proud of his alma mater when he read the students had selected a gay president. "Unfortunately, a closer review appears to prove the opposite; and the Aggie administration and SGA (Student Government Association) owe us answers," Perry writes.

The energy secretary claims that the winner of the election actually finished second .

But hours after the polls closed, anonymous complaints rolled in accusing the student who actually got the most votes in the election of voter intimidation. He was "immediately disqualified" without an investigation into whether the allegations were legitimate, Perry claims. The election "is being treated as a victory for 'diversity,'" Perry writes. "It is difficult to escape the perception that this quest for 'diversity' is the real reason the election outcome was overturned." The student who Perry has come out swinging for appears to be the son of Texas GOP fundraiser Alison McIntosh, the Texas Tribune's Patrick Svitek [points out](#).

COAL MINER HEALTHCARE TACKLED: Rep. [David McKinley](#) said Wednesday he "felt pretty good walking out" of a meeting with Trump that the president had already made a call to Republican leadership on securing health benefits for coal miners, Pro Labor's Mel Leonor [reports](#). McKinley's current approach shores up the United Mine Workers' health insurance fund, but skirts for the moment the issue of the UMW's multiemployer pension, which is tottering toward insolvency.

**** A message from the American Fuel & Petrochemical Manufacturers:** More than 98 percent of U.S. consumer goods are transported to market by America's trucking fleet, with help from diesel fuel produced by American Fuel & Petrochemical Manufacturers. Learn how AFPM members are making our lives easier, healthier, safer and more productive at www.afpm.org. At AFPM, we make progress. **

THE LONG APPROPRIATIONS WINDUP: We're heading deeper into what would normally be fiscal 2018 appropriations territory, but lawmakers on Capitol Hill are finding themselves without dance partners from the executive branch. Rep.

Mike Simpson said he's getting a vibe of hesitation from the Energy Department and other agencies under his Appropriations subpanel's jurisdiction. Simpson said does not expect to hear from DOE until its full budget is out in May, after the White House asked agency heads to limit what they tell Congress before then. (Earlier this week, another Appropriations subcommittee abruptly cancelled hearings on the FY18 budget for health and education agencies.)

Simpson said he considered inviting DOE personnel to discuss their "vision" for the agency, but "I don't even think they want to be doing that until they have their budget." Like at other agencies, Perry is working with an empty bench at DOE. No one has been nominated for deputy secretary, and the same goes for two undersecretary posts and a raft of assistant secretaries. "I've spoken with Secretary Perry, [but] they can't really comment on the budget because they didn't really put the budget together," the energy and water subcommittee chairman told reporters Wednesday.

BISHOP CHEESED OVER UNFILLED VACANCIES: House Natural Resources Chairman Rob Bishop told ME he's irritated at how slowly the Senate has processed Trump's nominees, saying the backlog has delayed other White House picks. "If they would get through the ones that are still in the queue, I think the White House could actually come up with the new names faster," he said. It's worth noting that while other names have been floated for a number of Interior slots, none have been formally named. ENR Chairman Lisa Murkowski has also expressed desire for more nominees to consider.

Budget hearing on hold: Zinke's lack of political staff has delayed plans for a Natural Resources hearing on the president's budget request for Interior. "I would love to have a hearing," he said. "Who do I call up for a hearing?" Ranking member Raul Grijalva sent Bishop a letter Wednesday asking him to call Zinke to Capitol Hill for a hearing on the administration's proposed 12 percent Interior budget cut and other issues.

EPA ALUMS BLAST BUDGET CUTS: The Environmental Protection Network, a newly formed group of some 75 bipartisan former EPA staff, said in a report it understood the new administration would have different priorities for the agency but said the proposed 31 percent budget cut does not appear to be "based on any real analysis of changing needs," Pro's Alex Guillén reports. "The unavoidable consequences of the cuts would be more pollution that causes illness, death and dangerous changes to the earth's climate and ecosystems on which Americans and people around the world depend," it concludes.

ENERGY SPENDING CHIEF RAILS ON TRANSMISSION FIRM: Clean Line Energy Partners is clearly rubbing Sen. Lamar Alexander the wrong way. As chairman of the Senate HELP amid Obamacare repeal drama, and chair of the chamber's energy appropriations subpanel, the Tennessee Republican has plenty on his plate. But he made time late Wednesday afternoon for a floor speech to dissuade the Tennessee Valley Authority from signing a power purchase

agreement for wind power that would be carried on Clean Line's long-haul Oklahoma-to-Tennessee Plains & Eastern transmission project. "Congress has a responsibility to conduct oversight of TVA's decisions and also ensure that TVA is fulfilling its mission as defined by the TVA Act," Alexander said. "I don't know why either a board with three vacancies or a complete board with all of its members confirmed would even consider approving such a deal."

CLIMATE SKEPTICS GATHER: With an administration more open to their positions, the Heartland Institute kicks off its [annual climate change conference](#) today in Washington. The schedule touts an unannounced "special additional keynote" for breakfast. House Science Chairman [Lamar Smith](#) delivers his own keynote around 12:15 p.m., and ME hears "The Greatest Hoax" author Sen. [Jim Inhofe](#) has recorded a video message for attendees.

JUMPING THE GUN? Not waiting for the Trump administration's much-anticipated and delayed executive order, the governors of Washington, Oregon and California, along with the mayors of Seattle, Portland, San Francisco, Oakland and Los Angeles, issued a joint statement Wednesday defending EPA's Clean Power Plan. "Any attacks on the Clean Power Plan would move our nation in the wrong direction and put American prosperity at risk," they said. "We will assert our own 21st century leadership and chart a different course."

BEES! BEES! BEES! As bees around the world struggle with steep population declines, a legal loophole in a European Union moratorium on pesticides leaves the continent's honeybees facing a new threat, POLITICO Europe's Giulia Paravicini and Simon Marks [report](#). Documents granting countries permission to use the banned substances examined by POLITICO show that beating the ban is relatively easy, and green groups are accusing governments and big chemical companies of making a mockery of Europe's attempts to save its beleaguered pollinators.

TAKE A GLANCE! RESETTING U.S. FOREST POLICY: The Center for American Progress is out today with [a report](#) on how to "reboot" U.S. forest policy. "Put simply: Americans are getting fleeced by our current U.S. forest policy. It is time for policymakers to change their thinking," it says. Among the ideas mentioned would be shifting the responsibility for forest management to the Interior Department, an approach Zinke has previously floated.

LET'S GO! The Environmental Council of the States released [a compilation](#) of some \$14.7 billion in "ready to go" water and wastewater projects scattered across all 50 states and D.C. in 2017. Projects include everything from installing drinking water in some Alaskan homes for the first time to addressing sewer overflows in several coastal New York towns.

WALL COVER: Zinke tweeted pictures Wednesday of two new additions to his ever-expanding office: an [elk head](#) named Ron from his old House office and [Rosie the bison](#).

LCV OPPOSES GORSUCH: Count the League of Conservation Voters as among those formally opposing Neil Gorsuch's appointment to the Supreme Court. In [a letter](#) released Wednesday, the green group cited his stance on the Chevron doctrine and "demonstrated hostility" toward the regulatory power of federal agencies as particularly concerning.

HAPPY ANNIVERSARY! It's a big day today Business Council for Sustainable Energy today, as the group celebrates its 25th anniversary amid its annual Clean Energy Forum. Murkowski offers remarks at a congressional reception at 5:30 p.m. in Dirksen G-50.

YOU'RE HIRED: Two big ethanol companies Growth Energy and Poet LLC have hired Heather Podesta + Partners, LLC as Congress prepares to tackle possible changes to the Renewable Fuel Standard (h/t [POLITICO Influence](#)).

QUICK HITS

Climate change is killing this remnant of the Ice Age. [CBS News](#).

Trump Won't Save Us From Climate Change. Maybe Surfers Will. [The Huffington Post](#).

Arctic's Winter Sea Ice Drops to Its Lowest Recorded Level. [The New York Times](#).

Oil drops to lowest since November as U.S. inventories swell. [Reuters](#).

South Portland asks pipeline company for data to back up tax abatement request. [Portland Press Herald](#).

In Coal Country, States Feel Emboldened to Cut Energy Efficiency. [Bloomberg](#).

HAPPENING THURSDAY

9:00 a.m. [12th International Conference on Climate Change](#), Heartland Institute, Grand Hyatt Washington, 1000 H St NW, Washington

2:00 p.m. ["Expanding the Benefits of North American Energy Trade,"](#) Bipartisan Policy Center, 1225 I Street NW, Suite 1000

6:00 p.m. The Economic Club of Washington, D.C., holds a discussion with John Watson, CEO of the Chevron Corporation, JW Marriott Washington, D.C. Hotel, 1331 Pennsylvania Ave. NW, Grand Ballroom

THAT'S ALL FOR ME!

**** A message from the American Fuel & Petrochemical Manufacturers:** Providing the fuels used to transport almost 25 million children to school on nearly half-a-million buses each day and helping 85 percent of Americans commute to work by

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To view online:

<https://www.politicopro.com/tipsheets/morning-energy/2017/03/cramer-weighs-in-on-risky-executive-order-delays-021985>

Stories from POLITICO Pro

Trump advisers want concessions for coal if U.S. stays in climate pact [Back](#)

By Andrew Restuccia | 03/17/2017 06:00 PM EDT

Trump administration officials have told lobbyists and European diplomats that the U.S. won't stay in the nearly 200-nation Paris climate change agreement unless it can secure wins for the fossil fuel industry, according to three people familiar with the discussions.

In a series of recent conversations with industry groups and European officials, Trump advisers have said the White House decision on the Paris deal could hinge on international willingness to come up with a strategy to commercialize and deploy technologies that will reduce emissions from fossil fuels.

That may not sit well with Democrats and environmental groups, who have long argued against spending billions of dollars to reduce emissions from coal-fired power plants when the same money could help speed the transition to wind and solar power. But such a deal could avoid the enormous disruption that would result if the United States, the world's second-largest greenhouse gas emitter, walked away from the most comprehensive international agreement ever crafted on global warming.

Administration officials who want to stay in the 2015 Paris agreement believe that creating a future pathway for fuels like coal is the only way to win support from conservative and industry groups that want the U.S. to withdraw from the accord. And some fossil fuel supporters are beginning to come around, despite their overall skepticism toward the climate pact.

"If the world can't go on without us in the Paris accord that's a bit of an overstatement, but to illustrate my point then perhaps we ought to be in it," said Rep. [Kevin Cramer](#) (R-N.D.), a pro-oil lawmaker who advised the Trump campaign on

energy issues. "And if we have that much influence, perhaps we have enough influence to moderate it."

In recent weeks, administration officials have met with many of the country's major energy companies and trade groups. Those who have talked to the administration include representatives from the American Petroleum Institute, as well as the Independent Petroleum Association of America, ConocoPhillips and coal company Peabody Energy, among others, according to people familiar with the meetings.

A White House spokeswoman declined to comment, saying the administration did not yet have any announcements to make regarding the Paris agreement.

Whether the United States will pull out of the Paris agreement remains an open question in the White House, despite Trump's campaign pledge to pull out of the deal.

White House senior adviser Jared Kushner and Trump's daughter Ivanka are said to advocate staying in the agreement, and several Trump administration officials are pushing a plan that would have the U.S. remain in the pact while weakening former President Barack Obama's targets for reducing the nation's greenhouse gas emissions. Secretary of State Rex Tillerson is also said to support staying in the agreement, though much of the internal discussion about the issue has so far been among midlevel aides at the White House.

White House strategist Steve Bannon is seen as Trump World's biggest opponent of the Paris deal, but officials said he has not yet engaged on the issue at a granular level. Bannon and other opponents of the agreement could kill the simmering effort to stay in the Paris deal, making the ongoing conversations with diplomats and lobbyists moot.

Republicans and some Democrats have long advocated policies to support developing technology to capture carbon emissions from coal and other fossil fuels. And Cramer said the U.S. has leverage to "moderate" the Paris agreement by winning greater support for technology to slash emissions from coal.

"If you don't remove fuels, if you don't dismiss certain technologies, if you let the innovators work in a more open environment and we set realistic standards, they'll meet them," he said in an interview.

But so far, those methods to capture carbon from coal have proved to be expensive and difficult to commercialize on a wide scale.

Environmental activists are also likely to view the administration's discussions about Paris with deep suspicion, pointing to the president's vocal skepticism of climate science and his proposal to gut funding for climate programs at the Environmental Protection Agency and the State Department.

European officials say they are keeping an open mind about the administration's desire to

boost technology to reduce emissions from fossil fuels in part because they're eager to keep the United States in the Paris agreement. The European Commission favors carbon-capture technology, but, as in the United States, the technology has so far struggled to take off in Europe.

But Trump's efforts to undo Obama's climate policies, such as an executive order expected next week to begin the process of rewriting landmark regulations for power plants, worry many international officials.

Some foreign officials are already questioning the value of negotiating with United States to stay in Paris if Trump isn't committed to addressing climate change at home.

Maros Sefcovic, the European Commission's vice president for energy, met earlier this month in Washington with several Trump administration officials, including National Economic Council Director Gary Cohn; Kenneth Juster, an international economic affairs adviser to the president; and George David Banks, a White House adviser on international energy and environmental issues.

"They are looking at ways to bring the business aspects to the assessment of climate change policies, with an accent on technological advancement," Sefcovic told reporters after returning to Brussels, adding that technology to catch and store or use carbon emissions will probably be a priority for the U.S.

Nick Juliano and Sara Stefanini contributed to this report.

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POLITICO New York: Judge orders Exxon to comply with Schneiderman subpoena by March 31 [Back](#)

By David Giambusso | 03/22/2017 03:14 PM EDT

A New York State Supreme Court judge has ordered ExxonMobil to respond to a subpoena from Attorney General Eric Schneiderman's office by March 31, after accusations from Schneiderman that Exxon had not been forthcoming in producing documents as part of a continuing investigation.

Schneiderman is investigating whether ExxonMobil committed fraud in relation to its knowledge of climate change and public reporting of its reserves.

Lawyers for the Schneiderman have accused Exxon of not preserving and producing numerous documents ordered under the subpoena, including emails written under the name "Wayne Tracker" an apparent alias for former Exxon CEO Rex Tillerson, who is now the U.S. Secretary of State.

Lawyers for Exxon, who have handed over troves of documents, insisted they have been and will continue to be forthcoming with documents as the discovery process

continues.

Judge Barry Ostrager set a March 31 deadline for a series of Exxon documents to be turned over to the AG. Schneiderman's office said it also wants sworn affidavits from records custodians that all of the pertinent documents have been disclosed. The judge set an April 10 deadline for the affidavits.

"If you can't come to some accommodation on a consensual basis, you'll come back here," Ostrager said.

This whiteboard originally appeared on [POLITICO New York](#) on March 22, 2017.

[Back](#)

McKinley says miner health care bill has Trump's backing [Back](#)

By Mel Leonor | 03/22/2017 06:05 PM EDT

Rep. [David McKinley](#) said today he believes "a call has already been made" by President Donald Trump to Republican leadership on securing health benefits for coal miners.

The West Virginia Republican told reporters that he spoke to Trump about the issue this morning and "felt pretty good walking out."

McKinley filed a bill Friday to shore up the United Mine Workers' health insurance fund for retired miners and their families, who risk losing coverage when a stop-gap measure expires in just over a month. The issue caught a snag last year over whether to shore up the UMW's multiemployer pension, which is tottering toward insolvency, as well.

McKinley's most recent bill skirts the pension problem, aligning with a proposal by Senate Majority Leader [Mitch McConnell](#). An earlier proposal from McKinley proposed shoring up pension funds as well, an approach favored by Sen. [Joe Manchin](#), a Democrat from West Virginia.

"Unfortunately we had to separate that. I'd rather it be combined," McKinley said. "But we'll take care of the first fight, and that's health care. People don't want to lose their health care."

After a meeting with McKinley Wednesday afternoon, United Mine Workers of America President Cecil Roberts said he accepted the piecemeal approach.

"We are addressing the most pressing issue. We have a little bit more time before we get to the other one," Robert said.

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EPA alumni group slams proposed agency budget cuts [Back](#)

By Alex Guillén | 03/22/2017 04:05 PM EDT

A newly formed group of former EPA employees today released a [report](#) criticizing the Trump administration's proposed cuts to the environmental agency in its "skinny budget."

The Environmental Protection Network, which describes itself as a bipartisan group with 75 members, said it understands different administrations have different priorities, but that the proposed 31 percent slashing of EPA's budget does not appear to be "based on any real analysis of changing needs."

Trump's EPA budget proposal "appears to be nothing less than a full-throttle attack on the principle underlying all U.S. environmental laws that protecting the health and environment of all Americans is a national priority," the report says.

It criticizes the administration for cutting funding to state environmental agencies while shifting more regulatory and enforcement responsibilities to them, as well as for cutting climate programs, scientific research, regional clean-up programs, environmental justice initiatives and other programs.

"The unavoidable consequences of the cuts would be more pollution that causes illness, death and dangerous changes to the earth's climate and ecosystems on which Americans and people around the world depend," the report concludes.

It was written by George Wyeth, a former EPA senior counsel now at the George Washington University Law School, and Nancy Ketcham-Colwill, a former adviser in the Office of General Counsel. Both were among the signers of an EPA alumni [letter](#) opposing EPA Administrator Scott Pruitt's nomination.

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To: downey_magallanes@ios.doi.gov[downey_magallanes@ios.doi.gov]
From: Eckman, Adam
Sent: 2017-03-23T18:43:08-04:00
Importance: Normal
Subject: NMA Comments on OSM Stream Protection Rule Final.pdf
Received: 2017-03-23T18:43:31-04:00
[NMA Comments on OSM Stream Protection Rule Final.pdf](#)
[ATT00001.txt](#)

Downey,

Thanks again for making time to discuss the 2016 biop. I've attached NMA's comments in response to the proposed SPR which includes a discussion regarding the limitations of FWS authority as it relates to SMCRA permits. As we discussed, these comments pertain to the proposed rule and the final did not directly include permit veto authority for FWS, but rather moved it to the 2016 biop. The pertinent section is on pages 52-58. Please let me know if you have any additional questions.

Adam

To: Mashburn, Lori[lori_mashburn@ios.doi.gov]
From: Tim Doyle
Sent: 2017-03-24T09:42:54-04:00
Importance: Normal
Subject: RE: Tim Doyle's Resume per David Bernhardt
Received: 2017-03-24T09:43:04-04:00

Hi Lori,

I am practicing the lost art of using a tickler file to circle back with you on our conversation. I hope all is going well.

In case you didn't see it, the hyper link below is a project I have been working on regarding BLM's Methane Rule and the Congressional Review Act.

[ACCF launches campaign against BLM's Methane Rule](#)

Let me know if there is anything else I can provide for you.

Have a good weekend!

Regards,

Tim

From: Mashburn, Lori [mailto:lori_mashburn@ios.doi.gov]
Sent: Friday, March 10, 2017 3:14 PM
To: Tim Doyle <TDoyle@accf.org>
Subject: Re: Tim Doyle's Resume per David Bernhardt

Running a few behind. Does 3:30 work?

Lori K. Mashburn
White House Liaison
Department of the Interior

(b) (6)

On Mon, Feb 6, 2017 at 8:28 AM, Tim Doyle <TDoyle@accf.org> wrote:
Hi Lori,

I am forwarding you a copy of my resume per David Bernhardt. He suggested that you would be the best person to send it to. I'd be happy to discuss, but realize you are likely getting inundated with resumes.

Let me know when you get a minute.

Regards,

Tim

Tim Doyle

Vice President of Policy & General Counsel

American Council for Capital Formation (ACCF)

ACCF Center for Policy Research

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To: scott_hommel@ios.doi.gov[scott_hommel@ios.doi.gov]
Cc: douglas.s.chin@hawaii.gov[douglas.s.chin@hawaii.gov]; Karen White (Karen.white@cwagweb.org)[Karen.white@cwagweb.org]; Chris Coppin (ccoppin@cwagweb.org)[ccoppin@cwagweb.org]
From: Fox, Tim
Sent: 2017-03-24T13:44:05-04:00
Importance: Normal
Subject: FW: CWAG Transition Paper
Received: 2017-03-24T13:46:21-04:00
[Final CWAG 2017 Transition Paper.docx](#)

Scott

The Conference of Western Attorneys General (CWAG) asked that I forward the attached transition paper to you for Secretary Zinke and his administration. CWAG is one of four regional sections of the National Association of Attorneys General (NAAG). Like NAAG, CWAG is made up of both Democrat and Republican attorneys general.

Due to the geographical location of our states in the west, CWAG attorneys general work frequently with the Department of the Interior and its various divisions and bureaus. In addition, as you know, all of the western states have significant federal lands and property within their borders. As a consequence, CWAG has historically had very good communications with the Secretary of the Interior.

Each time there has been a new President, and consequently a new Secretary of the Interior, CWAG has prepared a transition paper to inform the Secretary of the Interior and the new Administration in the White House about current issues, projects, and topics of importance or concern to our states. The transition papers are a collective effort that reflect the bi-partisan nature of CWAG. Individual state attorneys general may independently reach out to the Department of the Interior from time to time to express additional or slightly difference issues, or to express differing opinions. However, the attached transition paper reflects a general consensus among a majority of the CWAG attorneys general.

CWAG asks that Secretary Zinke receive a copy of the attached transition paper. In addition, feel free to distribute copies to anyone else at DOI that should receive a copy.

On a related note, if Secretary Zinke accepts the invitation to attend the NAAG summer meeting at Big Sky on June 20-22, I believe that CWAG will be requesting a 30 to 60 minute audience with him while he is there. (FYI- CWAG will also be hosting golfing at the Yellowstone Club on Sunday, June 18th, a guided fly fishing trip on the Madison River on Monday, June 19th, and a dinner at Moonlight Basin Lodge on Monday evening, June 19th).

CWAG attorneys general typically meet with the Secretary at their February meeting each year in Washington, DC, but that was not possible this year because the Senate had yet to confirm Secretary Zinke. I believe that the current CWAG chairman, Hawaii Attorney General Doug Chin, will be sending a formal request for a meeting with Secretary Zinke at Big Sky sometime soon, and I expect that he will also invite Secretary Zinke to participate in the June 18th golfing, and the June 19th fly fishing trip and dinner.

Thank you for your assistance. Please let me know if you have any questions.

Tim

Cc: Karen White (CWAG Executive Director); Attorney General Doug Chin (CWAG Chair); Chris Coppin (CWAG Legal Director)

Tim Fox
Attorney General
State of Montana
215 N. Sanders Street | Helena, MT 59601
Tel.: 406-444-2026 | Fax: 406-444-3549
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From: Chris Coppin [mailto:ccoppin@cwagweb.org]
Sent: Friday, March 24, 2017 10:36 AM
To: Fox, Tim <TimFox@mt.gov>; James, Julie <JulieJames@mt.gov>
Cc: Karen White <karen.white@cwagweb.org>; douglas.s.chin@hawaii.gov; Wisch, Joshua A <Joshua.A.Wisch@hawaii.gov>
Subject: CWAG Transition Paper

Dear General Fox:

A sufficient number of CWAG states have approved the final CWAG transition paper to have it placed on CWAG letterhead. See attached. Since 90% of the concerns apply to the Department of the Interior, would you mind sending this to your Interior contacts to bring to the Secretary's attention? The non Interior item concerns the Waters of the United States rule, which is an EPA related issue. We will transmit the paper to EPA separately.

Thank you for your assistance with this request.

Respectfully,

Chris Coppin
Legal Director CWAG
1300 I Street Suite 1340
Sacramento, CA 95814
505 589 5101 (cell)
817 615 9335 (fax)
Ccoppin@cwagweb.org

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Bernstein, Ryan (Hoeven)
Sent: 2017-03-28T10:21:34-04:00
Importance: Normal
Subject: RE: Wednesday Morning Secretarial Orders
Received: 2017-03-28T10:21:42-04:00

Micah,

You can confirm us attending. Also, do you know if methane will be included in the orders? Are we giving up on a CRA for it?

Ryan Bernstein
U.S. Senator John Hoeven
202-224-2551

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 27, 2017 6:27 PM
To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

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U.S. Senator John Hoeven
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To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
Subject: Fwd: Wednesday Morning Secretarial Orders

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If he can attend, we'd appreciate it. We'd ask for the Senator and two staff max.

--

Micah Chambers
Special Assistant / Acting Director

Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Bernstein, Ryan (Hoeven)
Sent: 2017-03-28T10:25:59-04:00
Importance: Normal
Subject: RE: Wednesday Morning Secretarial Orders
Received: 2017-03-28T10:26:18-04:00

Thanks.

Ryan Bernstein
U.S. Senator John Hoeven
202-224-2551

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 28, 2017 10:24 AM
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Office of Congressional & Legislative Affairs
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Office of the Secretary of the Interior

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Pearce, Sarah (Portman)[Sarah_Pearce@portman.senate.gov]
From: Orth, Patrick (Portman)
Sent: 2017-03-28T10:28:28-04:00
Importance: Normal
Subject: RE: Venting and Flaring ideas
Received: 2017-03-28T10:28:37-04:00

Hey Micah you have time for a quick call this morning? My direct is (b) (6)

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 21, 2017 4:44 PM
To: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Subject: Re: Venting and Flaring ideas

Thanks for sending this over.

On Mon, Mar 20, 2017 at 5:32 PM, Orth, Patrick (Portman) <patrick_orth@portman.senate.gov> wrote:
Micah - see below for the ideas I mentioned. Let us know if you have any questions.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Patrick Orth <(b) (6)>
Date: 3/20/17 5:29 PM (GMT-05:00)
To: "Orth, Patrick (Portman)" <patrick_orth@portman.senate.gov>
Subject: Venting and Flaring ideas

Micah - thanks for taking the time today.

Below is a matrix of some of the ideas I offered this afternoon. I've been told that these changes could be made quickly by means of a "Notice to Lessees" that supersedes the 1974 era NTL 4A.

Here is a link to the EIA blog post on how North Dakota's flaring rules using flaring targets. EIA describes how flaring rules have helped to sharply curtail the practice of flaring gas in North Dakota: <https://www.eia.gov/todayinenergy/detail.php?id=26632>

Here's an article about Colorado that has EDF praising their regulations as a standard for the country: <https://www.scientificamerican.com/article/colorado-first-state-to-limit-methane-pollution-from-oil-and-gas-wells/>

Here's a factsheet about the regulation: https://www.colorado.gov/pacific/sites/default/files/AP_Regulation-3-6-7-

[FactSheet.pdf](#) Page 3 has a table that shows the tiered inspection schedules for existing marginal wells that I was talking about. As you'll see LDAR surveys are only required for the first inspection and then depending on the leakage they are not required to do LDAR surveys again. If BLM is willing to keep any of the rule on existing wells I think this would be a change that industry and EDF could support.

Finally, attached is slide deck that the BLM used in their initial public outreach on Venting & Flaring back in May 2014. As you will see, their initial proposals are basically what I suggested as 'rational middle ground' solutions.

Let me know if you have any questions and thanks again.

Pat

Well Development Phase	Current Practice under NTL-4a	Practice Under November 2016 BLM Rule	Middle Ground
Venting & Flaring during Well Completion (Casing & Cementing, Perforation, Fracturing usually 7-10 days)	Venting & Flaring is royalty-free with BLM approval.	If there is no pipeline in place, flared volumes are subject caps stated below.	Royalty could be charged in order to incentivize waste-reduction.
Venting & Flaring during Initial Production Test (1 st 30 days or 1 st 50,000 mcf of production)	Vented/flared gas is royalty-free for 1st 30 days or 1st 50 MMCF of production whichever comes first.	If there is no pipeline in place, flared volumes are subject caps stated below.	Require operator to be on site during all tests; limit performance tests to the time needed to validate performance. Charge royalty to incentivize waste-reduction.

<p>Flaring with Gas Conservation Plan (BLM allowed operators to flare gas for up to 1 year if they had a Gas Conservation Plan typically a plan to build a gas pipeline that would be active after 1 year.</p>	<p>BLM required permit applications to explain the specific economic and technical reasons for the flaring, including estimates of total flared volumes and ultimate production expected from wells</p>	<p>Total “flaring allowable” volumes are imposed. These phase down from 2018-2025 from 5,400 Mcf/per well to 750 Mcf/per well, on average across operations in a state.</p>	<p>Flaring is authorized only during the time it takes to construct a pipeline. Restrict number of extensions allowed for approval of flaring.</p>
<p>Flaring during “Force Majeure” Events (Pipeline maintenance, pressure relief, safety)</p>	<p>Royalty is not charged for vented/flared volumes during Force Majeure events.</p>	<p>Royalty is charged during Force Majeure events BLM deems should have been predictable. Also certain flared volumes contribute to the cap above.</p>	<p>Royalty may be charged for flared volumes associated with maintenance events, but these events would not contribute to a ‘cap’ on flared volumes.</p>

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: heather_swift@ios.doi.gov[heather_swift@ios.doi.gov]
From: Chris Knight
Sent: 2017-03-28T10:42:35-04:00
Importance: Normal
Subject: Zinke comments today
Received: 2017-03-28T10:42:47-04:00

Heather,

Secretary Zinke today on Morning Joe said it was his position that it is a “waste to vent methane” and then goes on to say it should be easier to get pipelines built to transport natural gas (to avoid venting). That to me suggests that Zinke might support the BLM methane rule, but he’s kind of giving mixed signals. Can you say at this point whether Zinke supports the existing methane rule, or does he want to change it?

ZINKE: Well, we're going to do it right. Again, it is better to produce energy here under reasonable regulations. As an example, the methane rule. Everyone should realize that my position on methane is this is a waste to vent methane, but we also have to have the collection systems in place to make sure we can either inject it or use that methane. But when you can't build a pipeline, you can't build collection systems, then what you do is end up isolating assets. So we as a country -- all the above energy policy is prudent. We can do it right. We need to hold industry accountable but also jobs matter and there's a social cost of not having jobs in this country.

Thanks,
Chris

Chris Knight
Reporter
202-349-2876



[Argus Media](http://www.argusmedia.com), 1667 K Street NW, Suite 1150 | Washington, DC 20006

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No: 1642534 VAT Registration No: GB 229 7149 41

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To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Newman, Jennifer (Hoeven)[Jennifer_Newman@hoeven.senate.gov]
From: Bernstein, Ryan (Hoeven)
Sent: 2017-03-28T11:13:29-04:00
Importance: Normal
Subject: RE: Wednesday Morning Secretarial Orders
Received: 2017-03-28T11:13:37-04:00

Looping in Jen. She can provide you the names and then she can get the logistical details from you.

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U.S. Senator John Hoeven
202-224-2551

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Sent: Tuesday, March 28, 2017 11:08 AM
To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

Ryan. If you can send the names of the staff that will be coming with the Senator by 3 pm it'd be appreciated. Thanks again.

Micah

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From: Newman, Jennifer (Hoeven)
Sent: 2017-03-28T11:22:17-04:00
Importance: Normal
Subject: RE: Wednesday Morning Secretarial Orders
Received: 2017-03-28T11:22:38-04:00

Micah,

Shawn Affolter and the Senator will attend tomorrow morning. Will there be parking?

Thanks,

Jen Newman

Senator John Hoeven (R-ND)

338 Russell Senate Office Building | (202) 224-2551 | www.hoeven.senate.gov



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Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov];
micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Small, Jeff
Sent: 2017-03-28T14:34:31-04:00
Importance: Normal
Subject: RE: DOI Secretarial Order Wednesday 10am
Received: 2017-03-28T14:40:05-04:00
[Congressional Western Caucus Membership 115th with new membership asterisk.docx](#)

Amanda,

Thank you for the call yesterday. Rep. Gosar would love to attend tomorrow and we have on his schedule.

Can you send us updated details when you have it?

Also, can he bring one or two other Caucus Members?

We are open to anyone from the attached list but would be great if my boss or I could extend an invite to one or two other folks.

Sincerely,

Jeff Small

*Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov*



From: Foti, Leslie
Sent: Tuesday, March 28, 2017 2:21 PM
To: Small, Jeff
Cc: Pearson, Trevor; Van Flein, Tom; Roberson, Kelly
Subject: RE: DOI Secretarial Order Wednesday 10am

I will add it please send me more details when you have them.

Leslie Rath Foti
Director of Scheduling & Administration

From: Small, Jeff
Sent: Monday, March 27, 2017 5:25 PM
To: Foti, Leslie
Cc: Pearson, Trevor; Van Flein, Tom; Roberson, Kelly
Subject: DOI Secretarial Order Wednesday 10am

Leslie,

DOI just called and wanted to see if the boss could attend a Secretarial Order Wednesday at 10am at the Department of Interior.

They will have more details soon but will be a follow-up to the below executive order we are expecting from the Trump administration tomorrow.

Would highly recommend he attend and skip OGR.

Jeff Small

Executive Director | Congressional Western Caucus

Senior Advisor | Congressman Paul A. Gosar, D.D.S.

2057 Rayburn HOB | Washington, DC 20515

(202) 225-2315 main

jeff.small@mail.house.gov



1) We expect an Executive Order from the White House on Tuesday, March 28, regarding:

- Rescinding the Social Cost of Carbon Directives
- Rescinding the CEQ guidance on factoring climate into NEPA reviews
- Review and Rescind the Clean Power Plan
- Review and Rescind the EPA and BLMs methane rules
- Rescinding the Coal Lease Moratorium
- Rescinding other climate change executive orders from the Obama Administration

To: Interior_Press@ios.doi.gov[Interior_Press@ios.doi.gov]
Cc: Megan Bloomgren (megan_bloomgren@ios.doi.gov)[megan_bloomgren@ios.doi.gov]
From: Day, Jim
Sent: 2017-03-28T15:07:39-04:00
Importance: Normal
Subject: Media request on executive orders
Received: 2017-03-28T15:08:41-04:00

Hello,

I don't see the executive orders affecting Interior on the White House or your website yet could you pass them along, please? (Coal moratorium, methane, fracking, any others...).

Thanks for your help as I race against my deadline, 4:30 pm EDT.

Jim

Jim Day
Oil and gas reporter
IHS The Energy Daily
Jim.Day@ihs.com
202-572-0516

To: Interior_Press@ios.doi.gov[Interior_Press@ios.doi.gov]
Cc: Megan Bloomgren (megan_bloomgren@ios.doi.gov)[megan_bloomgren@ios.doi.gov]
From: Day, Jim
Sent: 2017-03-28T15:59:56-04:00
Importance: Normal
Subject: RE: Media request on executive orders
Received: 2017-03-28T16:01:37-04:00

Hello again,

Haven't heard back from you on the request to see the executive orders yet. If for whatever reason you can't release them, could Interior at least tell me which finalized rules the orders direct you to review, please? (As referenced in you press release here moratorium and three other rules). I understand it covers venting and flaring, fracking rule, not sure which other...?

Thanks, hope to hear from you. Deadline 4:30 pm EDT, getting tight.

Jim

<https://www.doi.gov/pressreleases/secretary-zinke-statement-support-president-trumps-american-energy-executive-order>

Jim Day
Oil and gas reporter
IHS The Energy Daily
Jim.Day@ihs.com
202-572-0516

From: Day, Jim
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Cc: Megan Bloomgren (megan_bloomgren@ios.doi.gov)
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To: Interior_Press@ios.doi.gov[Interior_Press@ios.doi.gov]
Cc: Megan Bloomgren (megan_bloomgren@ios.doi.gov)[megan_bloomgren@ios.doi.gov]
From: Day, Jim
Sent: 2017-03-28T16:04:51-04:00
Importance: Normal
Subject: Just got it RE: Media request on executive orders
Received: 2017-03-28T16:05:50-04:00

All right, I just got the orders, don't need to track them down.

Jim Day
Oil and gas reporter
IHS The Energy Daily
Jim.Day@ihs.com
202-572-0516

From: Day, Jim
Sent: Tuesday, March 28, 2017 4:00 PM
To: 'Interior_Press@ios.doi.gov'
Cc: Megan Bloomgren (megan_bloomgren@ios.doi.gov)
Subject: RE: Media request on executive orders

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To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
From: Newman, Jennifer (Hoeven)
Sent: 2017-03-28T16:07:48-04:00
Importance: Normal
Subject: RE: Wednesday Morning Secretarial Orders
Received: 2017-03-28T16:07:52-04:00

If he could park there, it would be much appreciated. He drives himself, which could cause him to be late if he can't find a spot.

Thank you!

Jen Newman

Senator John Hoeven (R-ND)

338 Russell Senate Office Building | (202) 224-2551 | www.hoeven.senate.gov



From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 28, 2017 3:32 PM
To: Newman, Jennifer (Hoeven) <Jennifer_Newman@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

Jen. I'm sorry, I thought I sent this to you.

Parking will be an issue. Half our garage is under construction right now and it requires extra coordination to get it through security. If it's a necessity to being on time though, let us know and we'll try to sort it out.

Location: 1849 C St, NW

Timing

Arrive NLT 9:45AM Members/Senators arrive at the C Street Entrance

Greeted by: Wadi, Caroline (TBD), Micah or Amanda

10:00AM Hard Start Signing Ceremony Begins

Garage parking isn't available except under certain circumstances.

On Tue, Mar 28, 2017 at 11:22 AM, Newman, Jennifer (Hoeven)

<Jennifer_Newman@hoeven.senate.gov> wrote:

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Cc: Newman, Jennifer (Hoeven) <Jennifer_Newman@hoeven.senate.gov>
Subject: RE: Wednesday Morning Secretarial Orders

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Ryan Bernstein
U.S. Senator John Hoeven
202-224-2551

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Sent: Tuesday, March 28, 2017 11:08 AM
To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
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Sent: Tuesday, March 28, 2017 10:24 AM
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To: Swift, Heather[heather_swift@ios.doi.gov]
From: Ryan Ullman
Sent: 2017-03-28T16:13:18-04:00
Importance: Normal
Subject: RE: Today: Conference call on POTUS energy executive order
Received: 2017-03-28T16:16:02-04:00
[Energy Independence EO.PDF](#)

Here you go.

From: Swift, Heather [mailto:heather_swift@ios.doi.gov]
Sent: Tuesday, March 28, 2017 3:32 PM
To: Ryan Ullman <rullman@ipaa.org>
Subject: Re: Today: Conference call on POTUS energy executive order

waiting with baited breath

-

Heather Swift
Department of the Interior
@DOIPressSec
Heather_Swift@ios.doi.gov | Interior_Press@ios.doi.gov

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Do you have a copy of the EO you can share?

Thanks.

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Sent: Tuesday, March 28, 2017 9:23 AM
To: Megan Bloomgren <megan_bloomgren@ios.doi.gov>
Subject: Today: Conference call on POTUS energy executive order

Happy Tuesday! Heather Swift here from Secretary Zinke's press shop. Today White House Communications and Cabinet Communications will host an **off-the-record** briefing call in regards to today's American energy executive order at **11:30 AM EST**.

If you plan on calling in, please use the link below to RSVP and you will be sent an individual dial-in. We look forward to speaking to you then!

<http://ems6.intellor.com?do=register&t=2&p=601557>

If you have a couple minutes, check out Secretary Zinke's segment on Mornings with Maria <http://video.foxbusiness.com/v/5375929609001/?#sp=show-clips>

-

Heather Swift

Department of the Interior

@DOIPressSec

Heather_Swift@ios.doi.gov | Interior_Press@ios.doi.gov

To: Swift, Heather[heather_swift@ios.doi.gov]; Megan Bloomgren (megan_bloomgren@ios.doi.gov)[megan_bloomgren@ios.doi.gov]
Cc: Interior press office (interior_press@ios.doi.gov)[interior_press@ios.doi.gov]
From: Day, Jim
Sent: 2017-03-28T16:13:56-04:00
Importance: Normal
Subject: Here it is, just got it.W: Presidential Executive Order on Promoting Energy Independence and Economic Growth
Received: 2017-03-28T16:15:47-04:00

Here you go, folks, it just came across to our office... If there's anything else, please pass along.

Jim

Jim Day
Oil and gas reporter
IHS The Energy Daily
Jim.Day@ihs.com
202-572-0516

From: White House Press Office [<mailto:whitehouse-noreply@messages.whitehouse.gov>]
Sent: Tuesday, March 28, 2017 4:02 PM
To: Holly, Chris
Subject: Presidential Executive Order on Promoting Energy Independence and Economic Growth

THE WHITE HOUSE
Office of the Press Secretary
FOR IMMEDIATE RELEASE
March 28, 2017

EXECUTIVE ORDER

PROMOTING ENERGY INDEPENDENCE AND ECONOMIC GROWTH

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. (a) It is in the national interest to promote clean and safe development of our Nation's vast energy resources, while at the same time avoiding regulatory burdens that unnecessarily encumber energy production, constrain economic growth, and prevent job creation. Moreover, the prudent development of these natural resources is essential to ensuring the Nation's geopolitical security.

(b) It is further in the national interest to ensure that the Nation's

electricity is affordable, reliable, safe, secure, and clean, and that it can be produced from coal, natural gas, nuclear material, flowing water, and other domestic sources, including renewable sources.

(c) Accordingly, it is the policy of the United States that executive departments and agencies (agencies) immediately review existing regulations that potentially burden the development or use of domestically produced energy resources and appropriately suspend, revise, or rescind those that unduly burden the development of domestic energy resources beyond the degree necessary to protect the public interest or otherwise comply with the law.

(d) It further is the policy of the United States that, to the extent permitted by law, all agencies should take appropriate actions to promote clean air and clean water for the American people, while also respecting the proper roles of the Congress and the States concerning these matters in our constitutional republic.

(e) It is also the policy of the United States that necessary and appropriate environmental regulations comply with the law, are of greater benefit than cost, when permissible, achieve environmental improvements for the American people, and are developed through transparent processes that employ the best available peer reviewed science and economics.

Sec. 2. Immediate Review of All Agency Actions that Potentially Burden the Safe, Efficient Development of Domestic Energy Resources. (a) The heads of agencies shall review all existing regulations, orders, guidance documents, policies, and any other similar agency actions (collectively, agency actions) that potentially burden the development or use of domestically produced energy resources, with particular attention to oil, natural gas, coal, and nuclear energy resources. Such review shall not include agency actions that are mandated by law, necessary for the public interest, and consistent with the policy set forth in section 1 of this order.

(b) For purposes of this order, "burden" means to unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources.

(c) Within 45 days of the date of this order, the head of each agency with agency actions described in subsection (a) of this section shall develop and submit to the Director of the Office of Management and Budget (OMB Director) a plan to carry out the review required by subsection (a) of this section. The plans shall also be sent to the Vice President, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chair of the Council on Environmental Quality. The head of any agency who determines that such agency does not have agency actions described in subsection (a) of this section shall submit to the OMB Director a written statement to that effect and, absent a determination by the OMB Director that such agency does have agency actions described in subsection (a) of this section, shall have no further responsibilities under this section.

(d) Within 120 days of the date of this order, the head of each agency

shall submit a draft final report detailing the agency actions described in subsection (a) of this section to the Vice President, the OMB Director, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chair of the Council on Environmental Quality.

The report shall include specific recommendations that, to the extent permitted by law, could alleviate or eliminate aspects of agency actions that burden domestic energy production.

(e) The report shall be finalized within 180 days of the date of this order, unless the OMB Director, in consultation with the other officials who receive the draft final reports, extends that deadline.

(f) The OMB Director, in consultation with the Assistant to the President for Economic Policy, shall be responsible for coordinating the recommended actions included in the agency final reports within the Executive Office of the President.

(g) With respect to any agency action for which specific recommendations are made in a final report pursuant to subsection (e) of this section, the head of the relevant agency shall, as soon as practicable, suspend, revise, or rescind, or publish for notice and comment proposed rules suspending, revising, or rescinding, those actions, as appropriate and consistent with law. Agencies shall endeavor to coordinate such regulatory reforms with their activities undertaken in compliance with Executive Order 13771 of January 30, 2017 (Reducing Regulation and Controlling Regulatory Costs).

Sec. 3. Rescission of Certain Energy and Climate Related Presidential and Regulatory Actions.

(a) The following Presidential actions are hereby revoked:

- (i) Executive Order 13653 of November 1, 2013 (Preparing the United States for the Impacts of Climate Change);
- (ii) The Presidential Memorandum of June 25, 2013 (Power Sector Carbon Pollution Standards);
- (iii) The Presidential Memorandum of November 3, 2015 (Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment); and
- (iv) The Presidential Memorandum of September 21, 2016 (Climate Change and National Security).

(b) The following reports shall be rescinded:

- (i) The Report of the Executive Office of the President of June 2013 (The President's Climate Action Plan); and
- (ii) The Report of the Executive Office of the President of March 2014 (Climate Action Plan Strategy to Reduce Methane Emissions).

(c) The Council on Environmental Quality shall rescind its final

guidance entitled "Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews," which is referred to in "Notice of Availability," 81 *Fed. Reg.* 51866 (August 5, 2016).

(d) The heads of all agencies shall identify existing agency actions related to or arising from the Presidential actions listed in subsection (a) of this section, the reports listed in subsection (b) of this section, or the final guidance listed in subsection (c) of this section. Each agency shall, as soon as practicable, suspend, revise, or rescind, or publish for notice and comment proposed rules suspending, revising, or rescinding any such actions, as appropriate and consistent with law and with the policies set forth in section 1 of this order.

Sec. 4. Review of the Environmental Protection Agency's "Clean Power Plan" and Related Rules and Agency Actions. (a) The Administrator of the Environmental Protection Agency (Administrator) shall immediately take all steps necessary to review the final rules set forth in subsections (b)(i) and (b)(ii) of this section, and any rules and guidance issued pursuant to them, for consistency with the policy set forth in section 1 of this order and, if appropriate, shall, as soon as practicable, suspend, revise, or rescind the guidance, or publish for notice and comment proposed rules suspending, revising, or rescinding those rules. In addition, the Administrator shall immediately take all steps necessary to review the proposed rule set forth in subsection (b)(iii) of this section, and, if appropriate, shall, as soon as practicable, determine whether to revise or withdraw the proposed rule.

(b) This section applies to the following final or proposed rules:

(i) The final rule entitled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units," 80 *Fed. Reg.* 64661 (October 23, 2015) (Clean Power Plan);

(ii) The final rule entitled "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units," 80 *Fed. Reg.* 64509 (October 23, 2015); and

(iii) The proposed rule entitled "Federal Plan Requirements for Greenhouse Gas Emissions From Electric Utility Generating Units Constructed on or Before January 8, 2014; Model Trading Rules; Amendments to Framework Regulations; Proposed Rule," 80 *Fed. Reg.* 64966 (October 23, 2015).

(c) The Administrator shall review and, if appropriate, as soon as practicable, take lawful action to suspend, revise, or rescind, as appropriate and consistent with law, the "Legal Memorandum Accompanying Clean Power Plan for Certain Issues," which was published in conjunction with the Clean Power Plan.

(d) The Administrator shall promptly notify the Attorney General of any actions taken by the Administrator pursuant to this order related to the rules identified in subsection (b) of this section so that the Attorney General may, as appropriate, provide notice of this order and any such action to any court with jurisdiction over pending litigation related to those rules, and may, in his discretion, request that the court stay the litigation or otherwise delay further litigation, or seek other appropriate relief consistent with this order, pending the completion of the administrative actions described in subsection (a) of this section.

Sec. 5. Review of Estimates of the Social Cost of Carbon, Nitrous Oxide, and Methane for Regulatory Impact Analysis. (a) In order to ensure sound regulatory decision making, it is essential that agencies use estimates of costs and benefits in their regulatory analyses that are based on the best available science and economics.

(b) The Interagency Working Group on Social Cost of Greenhouse Gases (IWG), which was convened by the Council of Economic Advisers and the OMB Director, shall be disbanded, and the following documents issued by the IWG shall be withdrawn as no longer representative of governmental policy:

- (i) Technical Support Document: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866 (February 2010);
- (ii) Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis (May 2013);
- (iii) Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis (November 2013);
- (iv) Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis (July 2015);
- (v) Addendum to the Technical Support Document for Social Cost of Carbon: Application of the Methodology to Estimate the Social Cost of Methane and the Social Cost of Nitrous Oxide (August 2016);
and
- (vi) Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis (August 2016).

(c) Effective immediately, when monetizing the value of changes in greenhouse gas emissions resulting from regulations, including with respect to the consideration of domestic versus international impacts and the consideration of appropriate discount rates, agencies shall ensure, to the extent permitted by law, that any such estimates are consistent with the guidance contained in OMB Circular A 4 of September 17, 2003 (Regulatory Analysis), which was issued after peer review and public comment and has been widely accepted for more than a decade as embodying the best practices for conducting regulatory cost benefit analysis.

Sec. 6. Federal Land Coal Leasing Moratorium. The Secretary of the Interior shall take all steps necessary and appropriate to amend or withdraw Secretary's Order 3338 dated January 15, 2016 (Discretionary Programmatic Environmental Impact Statement (PEIS) to Modernize the Federal Coal Program), and to lift any and all moratoria on Federal land coal leasing activities related to Order 3338. The Secretary shall commence Federal coal leasing activities consistent with all applicable laws and regulations.

Sec. 7. Review of Regulations Related to United States Oil and Gas Development. (a) The Administrator shall review the final rule entitled "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources," 81 *Fed. Reg.* 35824 (June 3, 2016), and any rules and guidance issued pursuant to it, for consistency with the policy set forth in section 1 of this order and, if appropriate, shall, as soon as practicable, suspend, revise, or rescind the guidance, or publish for notice and comment proposed rules suspending, revising, or rescinding those rules.

(b) The Secretary of the Interior shall review the following final rules, and any rules and guidance issued pursuant to them, for consistency with the policy set forth in section 1 of this order and, if appropriate, shall, as soon as practicable, suspend, revise, or rescind the guidance, or publish for notice and comment proposed rules suspending, revising, or rescinding those rules:

(i) The final rule entitled "Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands," 80 *Fed. Reg.* 16128 (March 26, 2015);

(ii) The final rule entitled "General Provisions and Non Federal Oil and Gas Rights," 81 *Fed. Reg.* 77972 (November 4, 2016);

(iii) The final rule entitled "Management of Non-Federal Oil and Gas Rights," 81 *Fed. Reg.* 79948 (November 14, 2016); and

(iv) The final rule entitled "Waste Prevention, Production Subject to Royalties, and Resource Conservation," 81 *Fed. Reg.* 83008 (November 18, 2016).

(c) The Administrator or the Secretary of the Interior, as applicable, shall promptly notify the Attorney General of any actions taken by them related to the rules identified in subsections (a) and (b) of this section so that the Attorney General may, as appropriate, provide notice of this order and any such action to any court with jurisdiction over pending litigation related to those rules, and may, in his discretion, request that the court stay the litigation or otherwise delay further litigation, or seek other appropriate relief consistent with this order, until the completion of the administrative actions described in subsections (a) and (b) of this section.

Sec. 8. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or

agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
March 28, 2017.

#

[Unsubscribe](#)

The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202 456 1111

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
From: Newman, Jennifer (Hoeven)
Sent: 2017-03-28T16:28:43-04:00
Importance: Normal
Subject: RE: Wednesday Morning Secretarial Orders
Received: 2017-03-28T16:28:52-04:00

(b) (6)

Thanks!

Jen Newman

Senator John Hoeven (R-ND)

338 Russell Senate Office Building | (202) 224-2551 | www.hoeven.senate.gov



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Sent: 2017-03-28T16:29:24-04:00
Importance: Normal
Subject: RE: Wednesday Morning Secretarial Orders
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Sent: Tuesday, March 28, 2017 10:24 AM
To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

My understanding is that CRA is still in play. It was just mentioned in the call that venting/flaring was on the table in the EO. That would be new as of this morning, so we certainly still prefer a CRA and it's not in our list of Secretarial orders for tomorrow.

On Tue, Mar 28, 2017 at 10:21 AM, Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov> wrote:
Micah,
You can confirm us attending. Also, do you know if methane will be included in the orders? Are we giving up on a CRA for it?

Ryan Bernstein
U.S. Senator John Hoeven
202-224-2551

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 27, 2017 6:27 PM
To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

Thank you. Hopefully we'll have more specifics for attendees tomorrow than the blurb I just sent you. Appreciate you working with us last minute. If you'll be at the signing tomorrow, I might see you there.

On Mon, Mar 27, 2017 at 6:25 PM, Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov> wrote:

We will likely make this work.

Ryan Bernstein
U.S. Senator John Hoeven
202-224-2551

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 27, 2017 6:04 PM
To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
Subject: Fwd: Wednesday Morning Secretarial Orders

Ryan. Thanks for chatting. We'd be looking at a Sec. Orders Signing Wednesday morning at 10-1030 am. We're focusing on reestablishing the Royalty Policy Committee, Federal Coal Moratorium, Fracking rule and other Oil/Gas on Federal Land issues along with Compensatory Mitigation for pipelines.

If he can attend, we'd appreciate it. We'd ask for the Senator and two staff max.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: 'Kaster, Amanda'[amanda_kaster@ios.doi.gov]
From: Small, Jeff
Sent: 2017-03-28T16:52:58-04:00
Importance: Normal
Subject: RE: DOI Secretarial Order Wednesday 10am
Received: 2017-03-28T16:53:16-04:00

You bet. 6-8272.

From: Kaster, Amanda [mailto:amanda_kaster@ios.doi.gov]
Sent: Tuesday, March 28, 2017 4:52 PM
To: Small, Jeff
Subject: Re: DOI Secretarial Order Wednesday 10am

Do you have a minute to chat?

On Tue, Mar 28, 2017 at 2:34 PM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:
Amanda,

Thank you for the call yesterday. Rep. Gosar would love to attend tomorrow and we have on his schedule.

Can you send us updated details when you have it?

Also, can he bring one or two other Caucus Members?

We are open to anyone from the attached list but would be great if my boss or I could extend an invite to one or two other folks.

Sincerely,

Jeff Small

*Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov*



From: Foti, Leslie
Sent: Tuesday, March 28, 2017 2:21 PM
To: Small, Jeff
Cc: Pearson, Trevor; Van Flein, Tom; Roberson, Kelly
Subject: RE: DOI Secretarial Order Wednesday 10am

I will add it please send me more details when you have them.

Leslie Rath Foti
Director of Scheduling & Administration

From: Small, Jeff
Sent: Monday, March 27, 2017 5:25 PM
To: Foti, Leslie
Cc: Pearson, Trevor; Van Flein, Tom; Roberson, Kelly
Subject: DOI Secretarial Order Wednesday 10am

Leslie,

DOI just called and wanted to see if the boss could attend a Secretarial Order Wednesday at 10am at the Department of Interior.

They will have more details soon but will be a follow-up to the below executive order we are expecting from the Trump administration tomorrow.

Would highly recommend he attend and skip OGR.

Jeff Small

Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov



1) We expect an Executive Order from the White House on Tuesday, March 28, regarding:

- Rescinding the Social Cost of Carbon Directives
- Rescinding the CEQ guidance on factoring climate into NEPA reviews
- Review and Rescind the Clean Power Plan
- Review and Rescind the EPA and BLMs methane rules
- Rescinding the Coal Lease Moratorium
- Rescinding other climate change executive orders from the Obama Administration

--

Amanda Kaster Averill
Special Assistant

Office of Congressional and Legislative Affairs
U.S. Department of the Interior
(202) 208 3337
amanda_kaster@ios.doi.gov

To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
From: Newman, Jennifer (Hoeven)
Sent: 2017-03-28T17:14:03-04:00
Importance: Normal
Subject: RE: Wednesday Morning Secretarial Orders
Received: 2017-03-28T17:14:12-04:00

Wonderful, thanks!

Jen Newman

Senator John Hoeven (R-ND)
338 Russell Senate Office Building | (202) 224-2551 | www.hoeven.senate.gov



From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 28, 2017 4:32 PM
To: Newman, Jennifer (Hoeven) <Jennifer_Newman@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

I've forwarded it on. I will confirm bf the end of the night if parking is set up. along with the directions.

On Tue, Mar 28, 2017 at 4:29 PM, Newman, Jennifer (Hoeven)

<Jennifer_Newman@hoeven.senate.gov> wrote:
Also, the plates are from North Dakota.

Jen Newman

Senator John Hoeven (R-ND)
338 Russell Senate Office Building | (202) 224-2551 | www.hoeven.senate.gov



From: Newman, Jennifer (Hoeven)
Sent: Tuesday, March 28, 2017 4:29 PM
To: 'Chambers, Micah' <micah_chambers@ios.doi.gov>
Subject: RE: Wednesday Morning Secretarial Orders

(b) (6)
[Redacted]

Thanks!

Jen Newman

Senator John Hoeven (R-ND)
338 Russell Senate Office Building | (202) 224-2551 | www.hoeven.senate.gov



From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 28, 2017 4:26 PM
To: Newman, Jennifer (Hoeven) <Jennifer_Newman@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

Let me see what we can do. I know I will need the Make, Model, Year, Color, Plates and Driver's info asap, cause it has to be submitted to security before COB.

On Tue, Mar 28, 2017 at 4:07 PM, Newman, Jennifer (Hoeven) <Jennifer_Newman@hoeven.senate.gov> wrote:

If he could park there, it would be much appreciated. He drives himself, which could cause him to be late if he can't find a spot.

Thank you!

Jen Newman

Senator John Hoeven (R-ND)

338 Russell Senate Office Building | (202) 224-2551 | www.hoeven.senate.gov



From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 28, 2017 3:32 PM
To: Newman, Jennifer (Hoeven) <Jennifer_Newman@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

Jen. I'm sorry, I thought I sent this to you.

Parking will be an issue. Half our garage is under construction right now and it requires extra coordination to get it through security. If it's a necessity to being on time though, let us know and we'll try to sort it out.

Location: 1849 C St, NW

Timing

Arrive NLT 9:45AM Members/Senators arrive at the C Street Entrance

Greeted by: Wadi, Caroline (TBD), Micah or Amanda

10:00AM Hard Start Signing Ceremony Begins

Garage parking isn't available except under certain circumstances.

On Tue, Mar 28, 2017 at 11:22 AM, Newman, Jennifer (Hoeven) <Jennifer_Newman@hoeven.senate.gov> wrote:

Micah,

Shawn Affolter and the Senator will attend tomorrow morning. Will there be parking?

Thanks,

Jen Newman

Senator John Hoeven (R-ND)
338 Russell Senate Office Building | (202) 224-2551 | www.hoeven.senate.gov



From: Bernstein, Ryan (Hoeven)
Sent: Tuesday, March 28, 2017 11:13 AM
To: Chambers, Micah <micah_chambers@ios.doi.gov>
Cc: Newman, Jennifer (Hoeven) <Jennifer_Newman@hoeven.senate.gov>
Subject: RE: Wednesday Morning Secretarial Orders

Looping in Jen. She can provide you the names and then she can get the logistical details from you.

Ryan Bernstein
U.S. Senator John Hoeven
202-224-2551

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 28, 2017 11:08 AM
To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

Ryan. If you can send the names of the staff that will be coming with the Senator by 3 pm it'd be appreciated. Thanks again.

Micah

On Tue, Mar 28, 2017 at 10:25 AM, Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov> wrote:
Thanks.

Ryan Bernstein
U.S. Senator John Hoeven
202-224-2551

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 28, 2017 10:24 AM
To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
Subject: Re: Wednesday Morning Secretarial Orders

My understanding is that CRA is still in play. It was just mentioned in the call that venting/flaring was on the table in the EO. That would be new as of this morning, so we certainly still prefer a CRA and it's not in our list of Secretarial orders for tomorrow.

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Ryan Bernstein
U.S. Senator John Hoeven
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We will likely make this work.

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U.S. Senator John Hoeven
202-224-2551

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Sent: Monday, March 27, 2017 6:04 PM
To: Bernstein, Ryan (Hoeven) <Ryan_Bernstein@hoeven.senate.gov>
Subject: Fwd: Wednesday Morning Secretarial Orders

Ryan. Thanks for chatting. We'd be looking at a Sec. Orders Signing Wednesday morning at 10-1030 am. We're focusing on reestablishing the Royalty Policy Committee, Federal Coal Moratorium, Fracking rule and other Oil/Gas on Federal Land issues along with Compensatory Mitigation for pipelines.

If he can attend, we'd appreciate it. We'd ask for the Senator and two staff max.

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Micah Chambers

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Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: downey_magallanes@ios.doi.gov[downey_magallanes@ios.doi.gov]
From: Matt Wise
Sent: 2017-03-28T20:42:11-04:00
Importance: Normal
Subject: BLM Methane Rule?
Received: 2017-03-28T20:42:19-04:00

Are you working this issue?

Matthew Wise
Crossroads Strategies, LLC
800 North Capitol Street NW
Suite 800
Washington, DC 20002
Cell: (202) 360-9857
mwise@crshq.com

To: Downey Magallanes[downey_magallanes@ios.doi.gov]
From: Matt Wise
Sent: 2017-03-28T21:00:52-04:00
Importance: Normal
Subject: Re: BLM Methane Rule?
Received: 2017-03-28T21:01:00-04:00

Nothing of substance yet. That said, I have a client that did polling on the issue. Can I send that to you?

Matthew Wise
Crossroads Strategies, LLC
800 North Capitol Street NW
Suite 800
Washington, DC 20002
Cell: [\(202\) 360-9857](tel:(202)360-9857)
mwise@crshq.com

On Mar 28, 2017, at 8:53 PM, Downey Magallanes <downey_magallanes@ios.doi.gov> wrote:

Sort of. Happy to talk

Sent from my iPhone

On Mar 28, 2017, at 8:42 PM, Matt Wise <mwise@crshq.com> wrote:

Are you working this issue?

Matthew Wise
Crossroads Strategies, LLC
800 North Capitol Street NW
Suite 800
Washington, DC 20002
Cell: [\(202\) 360-9857](tel:(202)360-9857)
mwise@crshq.com

To: Amanda Kaster (amanda_kaster@ios.doi.gov)[amanda_kaster@ios.doi.gov]; Micah Chambers (micah_chambers@ios.doi.gov)[micah_chambers@ios.doi.gov]
From: Marino Thacker, Meghan (Daines)
Sent: 2017-03-29T07:57:01-04:00
Importance: Normal
Subject: FW: Bloomberg: U.S. Review to Weigh Higher Royalties for Energy on Federal Land
Received: 2017-03-29T07:57:05-04:00

What is this 2 year review?

Subject: Bloomberg: U.S. Review to Weigh Higher Royalties for Energy on Federal Land

NOTE: *Zinke pushed a similar idea while serving in the House of Representatives alongside Senator Steve Daines, a fellow Republican from Montana.*

U.S. Review to Weigh Higher Royalties for Energy on Federal Land

Bloomberg

<https://www.bloomberg.com/politics/articles/2017-03-29/u-s-review-to-weigh-higher-royalties-for-energy-on-federal-land>

U.S. Interior Secretary Ryan Zinke is kick starting a process that could lead to companies paying higher royalties for oil, gas and other energy resources they extract from federal land.

The two year review, to be formally authorized Wednesday, is designed to determine whether Americans are getting a fair return for those natural resources, he said in an interview.

"We're going to re evaluate royalty rates across the board," Zinke said, stressing that the analysis will touch on the price developers pay for generating renewable power as well as unearthing fossil fuels. His approach is rooted in the idea that "what we do on public lands is in the best interest of the taxpayer. I want to make sure the taxpayer gets value out of it," Zinke said.

The move will coincide with action by Zinke to resume selling new leases to mine coal from federal land, following a directive issued by President Donald Trump on Tuesday. Zinke will revoke an order from his predecessor that halted those sales in January 2015 and end a broad environmental review of the coal leasing program that the Obama administration launched at the same time.

That environmental assessment was designed to evaluate ways to modernize how the U.S. sells coal on federal land including whether it should happen in the first place. The Obama administration issued a blueprint for possible changes in January, such as tacking a carbon fee onto coal leases to account for climate change and requiring payments into a fund that could help out of work miners.

Years of Analysis

Zinke said that with at least two more years of analysis to go, that process would take too long and be too costly and is an unnecessary formality for making any potential improvements to the coal leasing program. Proposed coal leases already go through separate tailored environmental reviews, he said.

Conservationists have argued those discrete assessments of individual sales aren't sufficient to solve various problems with the current coal program, including how to guarantee the reclamation of old sites, boost competition and ensure taxpayers get a fair return.

The new advisory committee, focused on just one of those concerns, could recommend a suite of changes. Zinke said he would not prejudge the outcome, which could include recommendations for lower or higher royalty rates as well as other modifications.

Previous Effort

When former Interior Secretary Ken Salazar raised the prospect of higher royalty rates for onshore oil and gas development, energy companies cried foul. Industry trade groups said a hike in rates would discourage developers from drilling on federal land. Across the board changes were never adopted, though a Bureau of Land Management regulation imposed last year gives the agency the discretion to boost rates in some cases. That measure, which chiefly aims to reduce the venting and flaring of natural gas on federal land, is the target of repeal legislation in Congress.

In the long run, Zinke said, energy companies will be more interested in bidding on territory and maybe pay a higher price if they have better chances of development, as the Interior Department reviews Obama era regulations, including mandates on the hydraulic fracturing process used to stimulate the production of oil and gas.

"We think that by reducing some of this uncertainty, at least on the regulatory environment, that we will be able to get a better price point for that," Zinke said. "The taxpayer wins, and the industry will win by having a clearer choice based on market conditions whether they should go forward and invest or not."

Committee Membership

The group Zinke is set to authorize Wednesday will have as many as 28 members representing Indian tribes, states that contain federal lands with significant energy development, public interest groups, academia and other stakeholders. Zinke said it will exclude members who have dealings with the Interior Department to avoid potential ethical conflicts.

Zinke pushed a similar idea while serving in the House of Representatives alongside Senator Steve Daines, a fellow Republican from Montana.

While Zinke emphasized that he isn't prejudging the outcome of the committee's review, it follows a series of reports suggesting the U.S. isn't getting a fair return for oil and gas extracted from its public lands. The Government Accountability Office has blamed Interior Department regulations that fix the royalty rate at 12.5 percent of the value of oil and gas pulled from onshore federal territory generally lower than the amount charged by Wyoming, New Mexico, Colorado, Utah and other Western states.

That 12.5 percent rate for onshore production hasn't been updated in nearly a century, though the administration of former President George W. Bush boosted the royalty charged for offshore oil and gas development to 18.75 percent.

'Studied to Death'

The nonpartisan Congressional Budget Office estimated last year that the federal government would net an extra \$200 million in income if onshore oil and gas royalties also were increased to 18.75 percent.

"This is an area that has already been studied to death and could be fixed immediately by bringing royalty rates more in line with what states and private landowners charge," said Matt Lee Ashley, a senior fellow with the Center for American Progress. "There is hardly a need for yet another committee, but hopefully Secretary Zinke is serious about being fair to taxpayers, doesn't just stack the deck with oil industry allies and takes some action within months not years."

The Interior Department generally would have to propose and adopt new rules to revise royalties for wind and solar production as well as oil, gas and coal development. Zinke said he would follow up on the committee's eventual recommendations "and put rules forth that are appropriate."

Zinke stressed safeguards are necessary.

"As a lifetime conservationist, and one who loves Teddy Roosevelt, industry does not regulate themselves," he said. "And our public land is for the benefit and enjoyment of the people with a big emphasis on benefit."

To: 'katharine_macgregor@ios.doi.gov'[katharine_macgregor@ios.doi.gov];
kathleen_benedetto@ios.doi.gov[kathleen_benedetto@ios.doi.gov]
From: Small, Jeff
Sent: 2017-03-29T09:16:15-04:00
Importance: Normal
Subject: Timely Sage Grouse Approps Language Request
Received: 2017-03-29T09:18:29-04:00
[Sage Grouse Dear Colleague and Letter.docx](#)
[CRS Sage Grouse Report.pdf](#)

Hi Kate and Kathy,

Hope you are doing well.

No one was leading a Sage Grouse Appropriations request this year. Chairman Gosar thought we really need to do one and since no one else would, he decided to take the lead.

Here is our current short summary:

FY18 Approps: Western Caucus Chairman Gosar seeks signers for language request to reverse overly restrictive Resource Management Plan Amendments (RMPs) and Land and Resource Management Plan (LRMPs) amendments under the guise of protecting Sage Grouse. DEADLINE NOON WEDNESDAY, MARCH 29.

Current Signers: Rob Bishop, Gosar, Pearce, Tipton, Yoho

The Department of Interior under the Obama Administration found in 2015 that a listing of the Sage Grouse under the Endangered Species Act (ESA) was not warranted. However, the agency unilaterally chose to implement a de facto listing through overly restrictive Resource Management Plan (RMPs) Amendments and Land and Resource Management Plan (LRMPs) Amendments. These RMPs and LRMPs are in many cases as restrictive as a critical habitat designation would be under an ESA listing. These amendments were not warranted and sought to prevent responsible mineral production and other activities across 11 Western states. The Obama Administration also sought to withdraw 10 million acres of the bird's habitat from future mining activity. Congress must act to prevent severe economic losses to the U.S. economy and to ensure military readiness on affected military ranges is not compromised.

Please contact Jeff Small at Jeff.Small@mail.house.gov to sign.

Draft letter and longer dear colleague are attached.

Here is the actual language that was included in last fiscal year's engrossed Interior Approps bill as a result of Mr. Amodei's amendment. We have been working with Amodei and Chairman Bishop's staff on this request this year. We have this language from last fiscal year in the draft letter currently. However, Jason in Amodei's office correctly pointed out that we needed to update this language since the ROD's were issued as well as the RMPs and LRMPs after last year's language.

(a) None of the funds made available by this or any other Act may be used

(1) to review the status of or determine whether the greater sage-grouse is an endangered species or a threatened species pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), or to issue a regulation with respect thereto that applies to any State with a State management plan;

(2) to make or extend any withdrawal pursuant to section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714) within any Sagebrush Focal Area published in the Federal Register on September 24, 2015 (80 Fed. Reg. 57635 et seq.), in a manner inconsistent with a State management plan; or

(3) to implement, amend, or otherwise modify any Federal resource management plan applicable to Federal land in a State with a State management plan, in a manner inconsistent with such State management plan.

(b) For the purposes of this section

(1) the term “Federal resource management plan” means

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for National Forest System lands pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604);

*(2) the term “greater sage-grouse” means the species *Centrocercus urophasianus* or the Columbia Basin distinct population segment of greater sage-grouse; and*

(3) the term “State management plan” means a State-wide plan for the protection and recovery of greater sage-grouse that has been approved by the Governor of such State.

We are under as tight timeframe as this letter needs to be submitted to the Approps Committee tomorrow.

Can you all possibly help update the actual language request that we are trying to get into the base bill to reflect the ROD's that were issued as well as the RMPs and LRMPs after last year's language? Also open to doing something about the mineral withdraw.

My direct is 202-226-8272 if you have questions.

Let me know if you would.

Sincerely,

Jeff Small

*Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.*

2057 Rayburn HOB | Washington, DC 20515

(202) 225-2315 main

jeff.small@mail.house.gov



To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Amanda Kaster[amanda_kaster@ios.doi.gov]; Caroline Boulton[caroline_boulton@ios.doi.gov]; Small, Jeff[Jeff.Small@mail.house.gov]
From: Roberson, Kelly
Sent: 2017-03-29T09:34:04-04:00
Importance: Normal
Subject: Re: Zinke Signing Ceremony - 3.28.17
Received: 2017-03-29T09:34:14-04:00

Hi guys-

We're en route to you. You might have heard there was an altercation with Capitol police. We were right in the middle of it and are headed your way now.

Apologies for our delay,
Kelly

Please excuse any typos - Siri has a mind of her own

On Mar 29, 2017, at 9:30 AM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Talking Points for Today's Signing. This is meant to craft your individual office press releases, please do not share. Draft Press Release to follow shortly. See you all soon.

Note: We will not have order numbers until AFTER the orders are signed and processed by exec sec.

SO #TBD: Repealing the 2016 Coal Moratorium - Ending the PEIS

Rescind SO 3338 signed by Sally Jewell and direct BLM to process lease applications

Federal coal leasing is important to the U.S. economy and roughly 40% of U.S. coal is produced on federal lands.

The Department determined the public interest not served by halting leases for several years and that the PEIS is not needed to improve the program.

Note: In 2013, both the OIG and the GAO audited BLM's coal leasing program. Between The OIG and GAO there were 21 recommendations made to improve transparency in the leasing program to ensure that the American taxpayer was receiving a fair return from the coal program. BLM has addressed all 21 recommendations and works closely with the Office of Valuation Services to ensure that bonus bids are calculated appropriately. In addition, the Federal Royalty Policy Committee has been reestablished.

Mining companies are held accountable and expected to comply with strict environmental standards and present reclamation plans. Every year the "best of" reclaimed mine lands are highlighted by the Office of Surface Mining and Reclamation and Enforcement.

Charter Signed: Establish Royalty Policy Committee

Secretary Zinke is committed to ensuring state, local and tribal governments have a say in energy development within their borders and that taxpayers are getting a fair return on investment. To that end, he is establishing a new Royalty Policy Committee to include renewable energy in addition to mineral resources.

The primary goal is to ensure public continues to receive the full value of all energy produced on federal lands. The Secretary will seek their input on how we determine fair market value, collect revenues and how future policies could impact revenue collection.

Membership

- The charter would establish a 28 member committee to provide the Secretary with advice
- No member may have financial interest/business with us
- Members will be both federal and non federal partners. They will hail from energy producing states, tribes, the energy industry, academia/interest groups
- Each member will serve a two year term

Signed SO #TBD: American Energy Independence

Following the bold executive order signed by President Trump yesterday, Secretarial Order XXXX, "American Energy Independence," takes numerous steps to unleash the power of American energy on public lands.

- Revokes Secretarial Order 3330 regarding Compensatory Mitigation and launches a review of the program
- Launches a review of all climate change policies within the department
- Launches a review of the National Parks Service and Fish and Wildlife Service oil and gas regulations
- Launches a review of Bureau of Land Management's venting & flaring (methane) rule
- Confirms that Bureau of Land Management is withdrawing the hydraulic fracking rule

On Tue, Mar 28, 2017 at 6:32 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

All.

Thank you for being willing to attend tomorrow's ceremony, especially with such short notice. Details are all below. A press release/top line summary will be released tomorrow morning prior to the event.

Time: Arrive NLT 945 (preferably closer to 930) for a hard start time of 10 am. Some members have to leave by 1020 so we need to start on time.

Location: Dept. of Interior / 1849 C. St. NW / DOI has two entrances, come to C Street Entrance

Arrival: Members and RSVP'd staff will be on Security list at C Street entrance. You will be greeted in lobby by DOI Staff and escorted up to the Secretary's office for the ceremony

You will need photo ID

Topline Issues: the Secretary will sign several Secretarial Orders to reflect POTUS action on energy. These include:

- Lifting the Federal Coal Leasing Moratorium.
- Withdrawing previous Secretary's Orders on Mitigation and oil & gas prohibitions.
- Announcing the reestablishing of the Royal Policy Committee.

Press: YES

Industry: YES

POC: Caroline Boulton (b) (6) / Micah Chambers (b) (6) / Amanda Kaster
Averill (b) (6)

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
Cc: Hayes, Colin (Energy)[Colin_Hayes@energy.senate.gov]; Hughes, Brian (Energy)[Brian_Hughes@energy.senate.gov]
From: Daimler-Nothdurft, Kristen (Murkowski)
Sent: 2017-03-29T09:34:29-04:00
Importance: Normal
Subject: RE: Zinke Signing Ceremony - 3.28.17
Received: 2017-03-29T09:34:48-04:00

Murkowski on the way

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
Washington, DC 20510
202-224-6665 phone
202-224-4349 scheduling fax

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 29, 2017 9:29 AM
To: Micah Chambers <micah_chambers@ios.doi.gov>
Cc: Amanda Kaster <amanda_kaster@ios.doi.gov>; Caroline Boulton <caroline_boulton@ios.doi.gov>
Subject: Re: Zinke Signing Ceremony - 3.28.17

Talking Points for Today's Signing. This is meant to craft your individual office press releases, please do not share. Draft Press Release to follow shortly. See you all soon.

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SO #TBD: Repealing the 2016 Coal Moratorium - Ending the PEIS

Rescind SO 3338 signed by Sally Jewell and direct BLM to process lease applications

Federal coal leasing is important to the U.S. economy and roughly 40% of U.S. coal is produced on federal lands.

The Department determined the public interest not served by halting leases for several years and that the PEIS is not needed to improve the program.

Note: In 2013, both the OIG and the GAO audited BLM's coal leasing program. Between The OIG and GAO there were 21 recommendations made to improve transparency in the leasing program to ensure that the American taxpayer was receiving a fair return from the coal program. BLM has addressed all 21 recommendations and works closely with the Office of Valuation Services to ensure that bonus bids are calculated appropriately. In

addition, the Federal Royalty Policy Committee has been reestablished.

Mining companies are held accountable and expected to comply with strict environmental standards and present reclamation plans. Every year the "best of" reclaimed mine lands are highlighted by the Office of Surface Mining and Reclamation and Enforcement.

Charter Signed: Establish Royalty Policy Committee

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The primary goal is to ensure public continues to receive the full value of all energy produced on federal lands. The Secretary will seek their input on how we determine fair market value, collect revenues and how future policies could impact revenue collection.

Membership

- The charter would establish a 28 member committee to provide the Secretary with advice
- No member may have financial interest/business with us
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Signed SO #TBD: American Energy Independence

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- Revokes Secretarial Order 3330 regarding Compensatory Mitigation and launches a review of the program
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- Launches a review of the National Parks Service and Fish and Wildlife Service oil and gas regulations
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- Confirms that Bureau of Land Management is withdrawing the hydraulic fracking rule

On Tue, Mar 28, 2017 at 6:32 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:
All.

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You will need photo ID

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- Withdrawing previous Secretary's Orders on Mitigation and oil & gas prohibitions.
- Announcing the reestablishing of the Royal Policy Committee.

Press: YES

Industry: YES

POC: Caroline Boulton (b) (6) / Micah Chambers (b) (6) / Amanda Kaster Averill (b) (6)

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Ahern, Kara
Sent: 2017-03-29T09:36:50-04:00
Importance: Normal
Subject: Re: Zinke Signing Ceremony - 3.28.17
Received: 2017-03-29T09:36:58-04:00

Just leaving hill now. Won't get there until 950.

Sent from my iPhone

On Mar 29, 2017, at 9:30 AM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

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Press: YES

Industry: YES

POC: Caroline Boulton (b) (6) / Micah Chambers (b) (6) / Amanda Kaster
Averill (b) (6)

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Downey Magallanes[downey_magallanes@ios.doi.gov]
From: Tanner, John (Hatch)
Sent: 2017-03-29T09:45:17-04:00
Importance: Normal
Subject: FW: CRS Follow-Up on National Monument Request
Received: 2017-03-29T09:45:30-04:00
[AZ Gov Hull - news articles.PDF](#)
[ATT00001.htm](#)
[Canyons of the Ancients.pdf](#)
[ATT00002.htm](#)
[Upper Missouri River Breaks.pdf](#)
[ATT00003.htm](#)
[Grand Staircase-Escalante - 1.pdf](#)
[ATT00004.htm](#)
[Grand Staircase-Escalante - 2.pdf](#)
[ATT00005.htm](#)

From: Ed Cox <Ed_Cox@hatch.senate.gov>
Date: Tuesday, March 28, 2017 at 7:41 PM
To: John Tanner <John_Tanner@hatch.senate.gov>
Subject: Fwd: CRS Follow Up on National Monument Request

Sent from my iPhone

Begin forwarded message:

From: "Hanson, Laura" <LHANSON@crs.loc.gov>
Date: March 28, 2017 at 6:12:19 PM EDT
To: "'ed_cox@hatch.senate.gov'" <ed_cox@hatch.senate.gov>
Cc: "Hardy-Vincent, Carol" <CHVINCENT@crs.loc.gov>, "Gomez, Lena" <LAGOMEZ@crs.loc.gov>
Subject: FW: CRS Follow-Up on National Monument Request

Hi Ed,

This email responds to your request for statements made by governors about national monument designations with areas over 100k acres. Please see the table below and the accompanying attachments for the statements that we were able to identify. We searched subscription news databases, including Nexis and Factiva, as well as state and general websites.

Note that we couldn't find a statement for every monument designation. For those statements that we did identify, some statements appear to support the designation, while others appear to oppose the designation. We didn't identify any statements by CA governors on designations, but did find some statements made by the CA Secretary of Natural Resources. Some of the attached PDFs include more than one monument (relevant portions have been highlighted).

Statements Made by Governors or Other State Officials on Selected National Monument Designations

State	Monument	Date	Acres	Governor / Time in Office	Notes
Arizona	Grand Canyon-Parashant	01/11/2000	1,014,000	Hull, Jane Dee (Sept 5, 1997-Jan 6, 2003)	See attached PDF.
	Ironwood Forest	06/09/2000	128,917		
	Sonoran Desert	01/17/2001	486,149		
	Vermilion Cliffs	11/09/2000	293,000		
California	Carrizo Plain	01/17/2001	204,107	Davis, Gray (Jan 4, 1999-Nov 17, 2003)	No statements identified.
	Giant Sequoia	04/15/2000	327,769		
	Berryessa Snow Mountain	07/10/2015	330,780	Brown, Jerry (Jan 3, 2011-)	CA Sec. Laird statement on Berryessa CA Sec. Laird statement on Mojave Trails and Sand to Snow No San Gabriel Mountains statements identified
	Mojave Trails	02/12/2016	1,600,000		
	San Gabriel Mountains	10/10/2014	346,177		
	Sand to Snow	02/12/2016	154,000		
Colorado	Canyons of the Ancients	06/09/2000	164,000	Owens, Bill (Jan 12, 1999-Jan 9, 2007)	See attached PDF.
Hawaii - Alaska - California	World War II Valor in the Pacific	12/05/2008	4,038,400	HI - Lingle, Linda (Dec 2, 2002-Dec 6, 2010)	No statements identified.

				AK - Palin, Sarah (Dec 4, 2006-Jul 26, 2009) CA - Schwarzenegger, Arnold (Nov 17, 2003-Jan 3, 2011)	
Montana	Upper Missouri River Breaks	01/17/2001	377,346	Martz, Judy (Jan 1, 2001-Jan 3, 2005)	See attached PDF.
Nevada	Basin and Range	07/10/2015	704,000	Sandoval, Brian (Jan 3, 2011-)	Governor statement on Basin and Range Governor
	Gold Butte	12/28/2016	296,937		
New Mexico	Organ Mountains-Desert Peaks	05/21/2014	496,330	Martinez, Susana (Jan 1, 2011-)	News article: Governor did not respond to request for comment on OMDP; No Rio Grande del
	Rio Grande del Norte	03/25/2013	242,555		
Utah	Grand Staircase-Escalante	09/18/1996	1,700,000	Leavitt, Mike (Jan 4, 1993-Nov 5, 2003)	State attachments identified.
	Bears Ears	12/28/2016	1,350,000	Herbert, Gary (Aug 11, 2009-)	Governor statement on Bears Ears
Washington	Hanford Reach	06/09/2000	195,000	Locke, Gary (Jan 15, 1997-Jan 12, 2005)	News article: Governor position on Hanford Reach.

Please let us know if you have any questions or if you need further assistance.

Thanks,
Laura

Laura Hanson
Senior Research Librarian
Congressional Research Service
Library of Congress
(202) 707-7072 | lhanson@crs.loc.gov

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From: Cox, Ed (Hatch) [mailto:Ed_Cox@hatch.senate.gov]
Sent: Tuesday, March 28, 2017 9:28 AM
To: Hardy-Vincent, Carol
Cc: Mages, Lisa
Subject: Re: CRS Follow-Up on National Monument Request

Over 100k acres is just fine. Keep me posted! I think this is a great plan.

From: Carol Hardy-Vincent <CHVINCENT@crs.loc.gov>
Date: Monday, March 27, 2017 at 7:50 PM
To: "Cox, Ed (Hatch)" <Ed_Cox@hatch.senate.gov>
Cc: "Mages, Lisa" <LMAGES@crs.loc.gov>
Subject: CRS Follow-Up on National Monument Request

Hello Ed. This email is a follow-up to our phone conversation this morning on your request for information on state support of presidentially proclaimed national monuments since 1995. It conveys additional information on the CRS approach to researching this question, following consultation with CRS colleagues. First, we are researching post-1995 monuments that exceed 100,000 acres, a size larger than we discussed (10,000 acres). The larger size was chosen to reduce the number of eligible monuments in the interest of expediting this research. We have identified 20 monuments in excess of 100,000 acres, listed below by state. Second, this list excludes marine national monuments, as generally not affiliated with a particular state. Third, we are seeking expressions of support/opposition by state governors at the time of monument designation, and in a short period thereafter. We may undertake research on support/opposition by state legislatures if possible under your deadline. You had stated a preference for information by COB today, but we were not able to complete the research by this deadline. This is because the information is not aggregated in one place, thus requiring 19 separate searches. You had also stated that it would

nevertheless be helpful to receive information by COB Tuesday, and we are endeavoring to provide information by that time. In the meantime, please do not hesitate to let us know if you have questions. I am copying Lisa Mages, manager of the librarian section that is conducting the research to respond to your question.

Arizona

Grand Canyon-Parashant; 01/11/2000; 1,014,000 acres

Ironwood Forest; 06/09/2000; 128,917 acres

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Washington

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With Best Regards,

Carol Hardy Vincent

Congressional Research Service

7-8651

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To: 'Chambers, Micah'[micah_chambers@ios.doi.gov]
From: MacGregor, Robert
Sent: 2017-03-29T11:50:20-04:00
Importance: Normal
Subject: RE: Zinke Signing Ceremony - 3.28.17
Received: 2017-03-29T11:50:38-04:00

Thanks for this Micah just wanted to confirm that venting and flaring and the hf rule were in the final order that was signed. Just wanted to clarify before we send out our release.

Thanks again,

Rob

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 29, 2017 9:29 AM
To: Micah Chambers
Cc: Amanda Kaster; Caroline Boulton
Subject: Re: Zinke Signing Ceremony - 3.28.17

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Press: YES

Industry: YES

POC: Caroline Boulton (b) (6) / Micah Chambers (b) (6) / Amanda Kaster Averill (b) (6)

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: heather_swift@ios.doi.gov[heather_swift@ios.doi.gov]
From: The White House
Sent: 2017-03-29T13:02:07-04:00
Importance: Normal
Subject: Your 1600 Daily
Received: 2017-03-29T13:02:14-04:00

Everything White House for 3/29/2017. |

WHITE HOUSE MEMO

President Donald J. Trump is taking action to address the opioid epidemic that is decimating families and communities around our nation. In keeping with the President's campaign promises, the Trump administration is stopping the drugs from flowing across the border, and today the President is hosting a listening session on drug and opioid abuse.

MORNING:

- **11:00AM:** President Trump hosts an Opioid and Drug Abuse Listening Session

AFTERNOON:

- **3:45PM:** President Trump visits the Women's Empowerment Panel

FROM PRESIDENT TRUMP

Retweet

Retweet

OVAL OFFICE HIGHLIGHTS

President Trump signs an Executive Order Promoting Energy Independence and Economic Growth.

[Read the Executive Order](#)

[Read Remarks](#)

[President Trump's Energy Independence Policy.](#)

[Read More](#)

[President Trump leads a listening session with the Fraternal Order of Police.](#)

[Read Remarks](#)

[Watch Video](#)

[Readout of the President's Call with the Chancellor of Germany.](#)

[Read More](#)

[Readout of the President's Call with the Prime Minister of India.](#)

[Read More](#)

WHITE HOUSE UPDATES

Photo of the Day:

[President Donald J. Trump signs an Executive Order Promoting Energy Independence at the Environmental Protection Agency Headquarters. \(Official White House Photo by Jonathan Gallegos\).](#)

[View Photo](#)

PRESS ROOM

[Watch yesterday's press briefing with Sean Spicer:](#)

[Read Transcript](#)

NEWS REPORTS

- *CNBC*: "Americans haven't been this confident about job market since 2001"

[Read More](#)

- *Daily Caller*: "Trump Signs Sweeping Order To Dismantle Obama Climate Policies, Promote 'Energy Independence'"

[Read More](#)

- *The Washington Times*: "White House declares 'the war on coal is over' as Trump begins unraveling Obama's climate agenda"

[Read More](#)

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To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Orth, Patrick (Portman)
Sent: 2017-03-29T13:49:50-04:00
Importance: Normal
Subject: RE: Venting and Flaring ideas
Received: 2017-03-29T13:50:10-04:00

You have another second to talk this afternoon?

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 28, 2017 10:46 AM
To: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Subject: Re: Venting and Flaring ideas

Just called your direct. Got voicemail

On Tue, Mar 28, 2017 at 10:28 AM, Orth, Patrick (Portman)
<patrick_orth@portman.senate.gov> wrote:

Hey Micah you have time for a quick call this morning? My direct is (b) (6)

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 21, 2017 4:44 PM
To: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Subject: Re: Venting and Flaring ideas

Thanks for sending this over.

On Mon, Mar 20, 2017 at 5:32 PM, Orth, Patrick (Portman)
<patrick_orth@portman.senate.gov> wrote:

Micah - see below for the ideas I mentioned. Let us know if you have any questions.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Patrick Orth <(b) (6)>
Date: 3/20/17 5:29 PM (GMT-05:00)
To: "Orth, Patrick (Portman)" <patrick_orth@portman.senate.gov>
Subject: Venting and Flaring ideas

Micah - thanks for taking the time today.

Below is a matrix of some of the ideas I offered this afternoon. I've been told that these changes could be made quickly by means of a "Notice to Lessees" that supersedes the 1974 era NTL 4A.

Here is a link to the EIA blog post on how North Dakota's flaring rules using flaring targets. EIA describes how flaring rules have helped to sharply curtail the practice of flaring gas in North

Dakota: <https://www.eia.gov/todayinenergy/detail.php?id=26632>

Here's an article about Colorado that has EDF praising their regulations as a standard for the country: <https://www.scientificamerican.com/article/colorado-first-state-to-limit-methane-pollution-from-oil-and-gas-wells/>

Here's a factsheet about the regulation: https://www.colorado.gov/pacific/sites/default/files/AP_Regulation-3-6-7-FactSheet.pdf Page 3 has a table that shows the tiered inspection schedules for existing marginal wells that I was talking about. As you'll see LDAR surveys are only required for the first inspection and then depending on the leakage they are not required to do LDAR surveys again. If BLM is willing to keep any of the rule on existing wells I think this would be a change that industry and EDF could support.

Finally, attached is slide deck that the BLM used in their initial public outreach on Venting & Flaring back in May 2014. As you will see, their initial proposals are basically what I suggested as 'rational middle ground' solutions.

Let me know if you have any questions and thanks again.

Pat

Well Development Phase	Current Practice under NTL-4a	Practice Under November 2016 BLM Rule	Middle Ground
Venting & Flaring during Well Completion (Casing & Cementing, Perforation, Fracturing usually 7-10 days)	Venting & Flaring is royalty-free with BLM approval.	If there is no pipeline in place, flared volumes are subject caps stated below.	Royalty could be charged in order to incentivize waste-reduction.
Venting & Flaring during Initial Production Test (1 st)	Vented/flared gas is royalty-	If there is no pipeline in place, flared	Require operator to be on site

30 days or 1 st 50,000 mcf of production)	free for 1st 30 days or 1st 50 MMCF of production whichever comes first.	volumes are subject caps stated below.	during all tests; limit performance tests to the time needed to validate performance. Charge royalty to incentivize waste-reduction.
Flaring with Gas Conservation Plan (BLM allowed operators to flare gas for up to 1 year if they had a Gas Conservation Plan typically a plan to build a gas pipeline that would be active after 1 year.	BLM required permit applications to explain the specific economic and technical reasons for the flaring, including estimates of total flared volumes and ultimate production expected from wells	Total “flaring allowable” volumes are imposed. These phase down from 2018-2025 from 5,400 Mcf/per well to 750 Mcf/per well, on average across operations in a state.	Flaring is authorized only during the time it takes to construct a pipeline. Restrict number of extensions allowed for approval of flaring.
Flaring during “Force Majeure” Events (Pipeline maintenance, pressure relief, safety)	Royalty is not charged for vented/flared volumes during Force Majeure events.	Royalty is charged during Force Majeure events BLM deems should have been predictable. Also certain flared volumes contribute to the cap above.	Royalty may be charged for flared volumes associated with maintenance events, but these events would not contribute to a ‘cap’ on flared volumes.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Swift, Heather[heather_swift@ios.doi.gov]
Cc: interior_press@ios.doi.gov[interior_press@ios.doi.gov]
From: Learn, Josh
Sent: 2017-03-29T14:01:28-04:00
Importance: Normal
Subject: Re: Two year review process
Received: 2017-03-29T14:02:02-04:00

Thanks Heather! Can I get on your press release list for future releases? Seems I'm not getting them currently.

Best,

--

Joshua Learn
Reporter, Coal
S&P Global Market Intelligence
S&P Global
[703 373 0660](tel:7033730660)
Josh.Learn@spglobal.com

From: Swift, Heather <heather_swift@ios.doi.gov>
Sent: Wednesday, March 29, 2017 1:14:58 PM
To: Learn, Josh
Cc: interior_press@ios.doi.gov
Subject: Re: Two year review process

Here you go --- we are about to send the press release

Interior Secretary Zinke Takes Immediate Action to Advance American Energy Independence

(WASHINGTON) March 29, 2017 Today, Department of the Interior (Department) Secretary Ryan Zinke signed two secretarial orders to advance American energy independence. The Secretary's orders foster responsible development of coal, oil, gas, and renewable energy on federal and Tribal lands and initiate review of agency actions directed by President Trump's executive order entitled "Promoting Energy Independence and Economic Growth." Secretary Zinke also signed a charter establishing a Royalty Policy Committee to ensure the public receives the full value of natural resources produced from federal lands. In signing the historic actions on energy independence, Secretary Zinke was joined by Members of Congress from western states and other stakeholders.

"Today I took action to sign a series of directives that put America on track to achieve the President's vision for energy independence and bringing jobs back to communities across the country" said Secretary Zinke. "American energy powers our national and local economies. But for too many local communities, energy on public lands has been more of a missed opportunity and has failed to include local consultation and partnership. Today's orders allow for Americans to benefit from safe and environmentally responsible development on federal lands and put America on track for energy

independence."

[Secretarial Order 3348](#) overturns the 2016 moratorium on all new coal leases on federal land and ends the programmatic environmental impacts statement that was set to be completed no sooner than 2019. Based upon the Department's review of Secretary's Order 3338, the order notes that, "the public interest is not served by halting the federal coal program for an extended time, nor is a PEIS required to consider potential improvements to the program." The order notes that the federal coal leasing program supplies approximately 40 percent of the coal produced in the United States that is of critical importance to the U.S. economy.

[Secretarial Order 3349](#) implements review of agency actions directed by the President's Executive Order signed yesterday on energy independence. It also directs a reexamination of the mitigation and climate change policies and guidance across the Department of the Interior in order to better balance conservation strategies and policies with the equally legitimate need of creating jobs for hardworking American families. In particular, the order sets a timetable for review of agency actions that may hamper responsible energy development and reconsideration of regulations related to U.S. oil and natural gas development.

In an effort to ensure the public continues to receive the full value of natural resources produced on federal lands, Secretary Zinke also signed a charter establishing a [Royalty Policy Committee](#) to provide regular advice to the Secretary on the fair market value of and collection of revenues from Federal and Indian mineral and energy leases, include renewable energy sources. The Committee may also advise on the potential impacts of proposed policies and regulations related to revenue collection from such development, including whether a need exists for regulatory reform. The group will be made up of up to 28 local, Tribal, state and other stakeholders and will serve as an advisory role only. Secretary Zinke added that, "It's important that taxpayers get the full value of traditional and renewable energy produced on public lands and that we ensure companies conduct environmental reviews under NEPA and have reclamation plans."

Secretary Zinke issued the following statement regarding the President's executive order on energy independence:

"American energy production benefits the economy, the environment, and national security. First, it's better for the environment that the U.S. produces energy. Thanks to advancements in drilling and mining technology, we can responsibly develop our energy resources and return the land to equal or better quality than it was before. I've spent a lot of time in the Middle East, and I can tell you with 100 percent certainty it is better to develop our energy here under reasonable regulations and export it to our allies, rather than have it produced overseas under little or no regulations. Second, energy production is an absolute boon to the economy, supporting more than 6.4 million jobs and supplying affordable power for manufacturing, home heating, and transportation needs. In many communities coal jobs are the only jobs. Former Chairman Old Coyote of the Crow Tribe in my home state of Montana said it best, 'there are no jobs like coal jobs.' I hope to return those jobs to the Crow people. And lastly, achieving American energy independence will strengthen our national security by reducing our reliance on foreign oil and allowing us to assist our allies with their energy needs. As a military commander, I saw how the power of the American economy and American energy defeated our adversaries around the world. We can do it again to keep Americans safe."

-

Heather Swift

Department of the Interior

[@DOIPressSec](#)

Heather_Swift@ios.doi.gov | Interior_Press@ios.doi.gov

On Wed, Mar 29, 2017 at 1:14 PM, Learn, Josh <Josh.Learn@spglobal.com> wrote:

Also, do you have an actual copy of Zinke's order to lift the moratorium on federal coal leases?

Thanks!

--

Joshua Learn
Reporter, Coal
S&P Global Market Intelligence
S&P Global
703 373 0660
Josh.Learn@spglobal.com

From: Learn, Josh
Sent: Wednesday, March 29, 2017 1:12:41 PM
To: interior_press@ios.doi.gov
Subject: Two year review process

Hello,

I'm writing a piece on Sec. Zinke's recent call and noticed he didn't mention the two year review of royalties on leases mentioned in Bloomberg:

<https://www.bloomberg.com/politics/articles/2017-03-29/u-s-review-to-weigh-higher-royalties-for-energy-on-federal-land>

Is there a press release, or any other details on this review around? I can't find anything in the press releases of the DOI.

Thanks and best,

--

Joshua Learn
Reporter, Coal
S&P Global Market Intelligence
S&P Global
703 373 0660
Josh.Learn@spglobal.com

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To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Orth, Patrick (Portman)
Sent: 2017-03-29T14:03:57-04:00
Importance: Normal
Subject: RE: Venting and Flaring ideas
Received: 2017-03-29T14:04:25-04:00

I am, thank you. My direct is best (b) (6)

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 29, 2017 1:55 PM
To: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Subject: Re: Venting and Flaring ideas

Sure. You free at 3?

On Wed, Mar 29, 2017 at 1:49 PM, Orth, Patrick (Portman) <patrick_orth@portman.senate.gov> wrote:
You have another second to talk this afternoon?

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 28, 2017 10:46 AM
To: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Subject: Re: Venting and Flaring ideas

Just called your direct. Got voicemail

On Tue, Mar 28, 2017 at 10:28 AM, Orth, Patrick (Portman) <patrick_orth@portman.senate.gov> wrote:
Hey Micah you have time for a quick call this morning? My direct is (b) (6)

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, March 21, 2017 4:44 PM
To: Orth, Patrick (Portman) <patrick_orth@portman.senate.gov>
Cc: Pearce, Sarah (Portman) <Sarah_Pearce@portman.senate.gov>
Subject: Re: Venting and Flaring ideas

Thanks for sending this over.

On Mon, Mar 20, 2017 at 5:32 PM, Orth, Patrick (Portman) <patrick_orth@portman.senate.gov> wrote:
Micah - see below for the ideas I mentioned. Let us know if you have any questions.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Patrick Orth <(b) (6)>
Date: 3/20/17 5:29 PM (GMT-05:00)
To: "Orth, Patrick (Portman)" <patrick_orth@portman.senate.gov>
Subject: Venting and Flaring ideas

Micah - thanks for taking the time today.

Below is a matrix of some of the ideas I offered this afternoon. I've been told that these changes could be made quickly by means of a "Notice to Lessees" that supersedes the 1974 era NTL 4A.

Here is a link to the EIA blog post on how North Dakota's flaring rules using flaring targets. EIA describes how flaring rules have helped to sharply curtail the practice of flaring gas in North

Dakota: <https://www.eia.gov/todayinenergy/detail.php?id=26632>

Here's an article about Colorado that has EDF praising their regulations as a standard for the country: <https://www.scientificamerican.com/article/colorado-first-state-to-limit-methane-pollution-from-oil-and-gas-wells/>

Here's a factsheet about the regulation: https://www.colorado.gov/pacific/sites/default/files/AP_Regulation-3-6-7-FactSheet.pdf Page 3 has a table that shows the tiered inspection schedules for existing marginal wells that I was talking about. As you'll see LDAR surveys are only required for the first inspection and then depending on the leakage they are not required to do LDAR surveys again. If BLM is willing to keep any of the rule on existing wells I think this would be a change that industry and EDF could support.

Finally, attached is slide deck that the BLM used in their initial public outreach on Venting & Flaring back in May 2014. As you will see, their initial proposals are basically what I suggested as 'rational middle ground' solutions.

Let me know if you have any questions and thanks again.

Pat

Well Development Phase	Current Practice under NTL-4a	Practice Under November 2016 BLM	Middle Ground
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		Rule	
Venting & Flaring during Well Completion (Casing & Cementing, Perforation, Fracturing usually 7-10 days)	Venting & Flaring is royalty-free with BLM approval.	If there is no pipeline in place, flared volumes are subject caps stated below.	Royalty could be charged in order to incentivize waste-reduction.
Venting & Flaring during Initial Production Test (1 st 30 days or 1 st 50,000 mcf of production)	Vented/flared gas is royalty-free for 1st 30 days or 1st 50 MMCF of production whichever comes first.	If there is no pipeline in place, flared volumes are subject caps stated below.	Require operator to be on site during all tests; limit performance tests to the time needed to validate performance. Charge royalty to incentivize waste-reduction.
Flaring with Gas Conservation Plan (BLM allowed operators to flare gas for up to 1 year if they had a Gas Conservation Plan typically a plan to build a gas pipeline that would be active after 1 year.	BLM required permit applications to explain the specific economic and technical reasons for the flaring, including estimates of total flared volumes and ultimate production expected from wells	Total “flaring allowable” volumes are imposed. These phase down from 2018-2025 from 5,400 Mcf/per well to 750 Mcf/per well, on average across operations in a state.	Flaring is authorized only during the time it takes to construct a pipeline. Restrict number of extensions allowed for approval of flaring.
Flaring during “Force Majeure” Events (Pipeline maintenance, pressure relief, safety)	Royalty is not charged for vented/flared volumes during Force Majeure events.	Royalty is charged during Force Majeure events BLM deems should have been predictable. Also certain flared volumes contribute to	Royalty may be charged for flared volumes associated with maintenance events, but these events would not

		the cap above.	contribute to a 'cap' on flared volumes.
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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Macgregor, Katharine[katharine_macgregor@ios.doi.gov]
From: Robert Moran
Sent: 2017-03-29T16:20:07-04:00
Importance: Normal
Subject: RE: [EXTERNAL] Re: Hey
Received: 2017-03-29T16:20:24-04:00
[NaturalGasFinal.pdf](#)

I know you are running non-stop, but wanted to share this with you. It is a 2004 report that the DOE Argonne National Lab prepared. Figure you have seen it but in case not --

“This report identifies and describes more than 30 environmental policy and regulatory impediments to domestic natural gas production. For each constraint, the source and type of impact are presented, and when the data exist, the amount of gas affected is also presented. This information can help decision makers develop and support policies that eliminate or reduce the impacts of such constraints, help set priorities for regulatory reviews, and target research and development efforts to help the nation meet its natural gas demands.”

This admin document never really got the play it deserved due to other issues driving the public’s attention at the time – also interesting to see that many of the challenges then are the same ones now.

Hope all is good

Bob

From: Macgregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Thursday, March 09, 2017 7:24 PM
To: Robert Moran
Subject: [EXTERNAL] Re: Hey

External Sender: Use caution with links/attachments.

Hey! Great to hear from you. Let's definitely catch up - how about sometime the week of the 19th?

On Mon, Mar 6, 2017 at 12:38 PM, Robert Moran <Bob.Moran@halliburton.com> wrote:
Let me know when you might be free for a visit or a lunch. It's too cold to be rowing but figured you might not be on the road yet.

Bob

Bob Moran

Vice President, Government and External Affairs

801 17th Street, NW 10th Fl
Washington, DC 20006

Email: bob.moran@halliburton.com

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--

Kate MacGregor
1849 C ST NW
Room 6625
Washington DC 20240

202 208 3671 (Direct)

To: Chambers, Micah (micah_chambers@ios.doi.gov)[micah_chambers@ios.doi.gov]
From: Memmott, Justin (EPW)
Sent: 2017-03-30T09:11:55-04:00
Importance: Normal
Subject: BLM methane rule
Received: 2017-03-30T09:12:04-04:00

Take a look at the Earthjustice attorney's quote. Highlighted below.

METHANE

What Trump's order means for CRA, litigation on BLM rule

[Pamela King](#) and [Ellen M. Gilmer](#), E&E News reporters

Published: Thursday, March 30, 2017

Efforts to repeal the Bureau of Land Management's methane rule under the **Congressional Review Act** are not dead following President Trump's "energy independence" executive order, the American Council for Capital Formation said yesterday.

As the CRA resolution stalled in the Senate, ACCF this month launched a campaign to strike from the books BLM's regulation curbing natural gas venting, flaring and leakage from production sites on public lands. If the upper chamber were to vote in support of the CRA resolution, the Methane and Waste Prevention Rule would quickly disappear, along with any possibility that BLM would reintroduce a substantially similar regulation.

Trump's direction to the Interior Department to suspend, revise or rescind four rules, including the methane rule, is a much lengthier process, ACCF said.

"Unraveling the methane rule at the agency level would require months of staff work and would undoubtedly face vigorous legal challenges from environmental groups, which could delay its repeal for up to two years," ACCF wrote in a statement yesterday. "On the other hand, Senate passage of a disapproval resolution under the CRA — something the House has already accomplished — would be quick and efficient, saving the agency both time and resources."

In a legal sense, rescinding a rule under the CRA is a far cleaner process, said Mark Barron, a partner at the law firm BakerHostetler.

"If they get 51 votes to repeal the regulation, then the regulation goes away, and that's the end of it," he said.

The order did little to move the needle, particularly with respect to the methane rule's future, Barron said.

"It was already widely known that the Trump Administration did not support the venting and flaring rule and I think most folks anticipated that, if the CRA did not pass, BLM would move to rescind the rule through the regulatory process," he wrote in an email to E&E News. "The debate since the election has never been whether the rule would be discarded, but whether it would be discarded quickly and easily in Congress or through the time consuming and expensive process of administrative rulemaking (and subsequent litigation). The Executive Order doesn't do anything to change that analysis."

Hogan Lovells attorney Hilary Tompkins, the former solicitor for President Obama's Interior, read the executive order as a change in strategy.

"It does provide an alternative approach, and I think they were reading the tea leaves in Congress and the Senate on that CRA, and they've kicked it back to the executive branch to find an alternative approach," she said.

A revised rule could keep the elements of the regulation that strengthen BLM's royalty collection process, said Ryan Alexander, president of Taxpayers for Common Sense.

"That's much more productive than CRA," she said.

Environmental lawyers saw a silver lining in the White House's direction. Groups that opposed CRA repeal have asked BLM to tweak the rule, rather than allowing Congress to eliminate it.

"The fact that this executive order shows that President Trump himself wants the Bureau of Land Management to use a scalpel to change the methane waste prevention rule is yet another sign that the oil and gas lobbyists who are asking Congress to use a sledgehammer to get rid of the rule using the Congressional Review Act are just too extreme," said Joel Minor, an Earthjustice attorney representing environmental intervenors in litigation over the methane rule.

The regulation went through years of comment and technical review and is therefore deserving of a more thorough examination before it is killed, said Erik Schlenker-Goodrich, executive director of the Western Environmental Law Center.

"The current administration might not like it, but it does have the authority to go through a new rulemaking process," he said.

A window of opportunity to pass the CRA resolution through the Senate could open up after the chamber votes on Supreme Court justice nominee Neil Gorsuch, ACCF said.

The Senate has until the week of May 8 to nullify the rule with a simple majority vote, the group said.

In the courtroom

This week's executive order creates a wave of uncertainty for litigation over the methane rule.

Industry groups and states challenged the regulation immediately after BLM finalized it last year. The U.S. District Court for the District of Wyoming declined their request to freeze the rule, and it took effect in January, gradually phasing in compliance requirements.

Environmental defenders of the rule are now monitoring the court docket to see if the Justice Department seeks to pause the case. DOJ lawyers have already asked courts to pause proceedings in litigation over U.S. EPA's Clean Power Plan and BLM's hydraulic fracturing rule, which were also targeted by the executive order. As in those cases, environmental lawyers have vowed to oppose any attempt to halt the methane litigation.

"We don't see any reason to put the litigation on hold until there is a firm and final decision revoking the rule from the Bureau of Land Management, and that will require notice-and-comment rulemaking, and that's a process that is likely to take far longer than resolving the litigation in court," Minor said.

Earthjustice and other environmental groups will argue that the issues in the litigation must be resolved to inform Interior's reconsideration of the rule, as challengers contend that the methane rule is essentially an air quality regulation that falls on EPA's and states' turf. Minor noted that

BLM "at least in theory needs to know what it has legal authority to do before it takes action."

Tompkins, the former Interior solicitor, said it's "a big question mark" whether the district court would agree with environmental groups and allow litigation to move forward in either the methane case or the fracking case.

"I think the court will want to know: Is this an issue that could likely be capable of repetition and recur?" she said. "Or are we truly mooted out all the issues in these cases? It's really going to depend on the vantage point of those judges."

Courts have previously allowed environmental intervenors to continue pressing litigation after the federal government has retreated in some cases, including litigation over the Clinton administration's "roadless rule" and an enforcement case against Duke Energy Corp. initiated by the Clinton administration just before George W. Bush took office.

Another wrinkle from Trump's executive order is its erasure of the Obama administration's metric for weighing the "social cost" of greenhouse gases. The social cost of methane was incorporated into the cost-benefit analysis for the methane rule and faced deep skepticism from the federal judge handling the case (*Energywire*, Jan. 17).

Minor said the new administration's rejection of the metric should not affect legal arguments surrounding the rule.

"The fact that the executive order effectively rescinds the use of the social cost of methane in the future doesn't retroactively change the use of the social cost of methane in the past," he said. "An agency's regulation has to stand based on the record and the decision that the agency made when it issued the rule, not post hoc developments that perhaps the agency changed its mind about something."

Legal briefs in the case are due in April and May.

And as Interior moves forward with a rulemaking process to reconsider the rule, supporters of increased regulation are also preparing for new opportunities to hold the agency accountable along the way and challenge a final decision if needed. Minor noted that any attempt to weaken the Obama administration's effort to prevent methane waste "could well be grounds for litigation over that choice."

"They are going to have to provide a robust rebuttal of all the vast administrative record that exists for [the methane and fracking rules]," Tompkins said. "There was extensive public comment, analysis and research, and if the new administration is going to rescind or significantly change those Interior regulations and policies, they're going to have to provide a counterpoint to why and address all those issues in the records that support the prior administration's actions."

Justin J. Memmott
Majority Senior Counsel
Senate Environment and Public Works Committee
(d) 202-224-6389

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Prandoni, Chris (Lee)
Sent: 2017-03-30T13:34:04-04:00
Importance: Normal
Subject: Re: Event 3/29: Can President Trump Revoke or Reduce National Monument Designations?
Received: 2017-03-30T13:34:15-04:00
Presidential Authority to Revoke or Reduce National Monument Designations.pdf

Hey Micah,

Thanks for checking in! The event was awesome; standing room only. We had to turn people away. Very interesting discussion since we found a speaker to oppose Yoo and Gaziano.

Here's a link: https://www.youtube.com/watch?v=Ic_voqhS2ho&feature=youtu.be.

I also attached the report if you find yourself with a few min to spare ha!

Chris

From: "Chambers, Micah" <micah_chambers@ios.doi.gov>
Date: Thursday, March 30, 2017 at 12:14 PM
To: Chris Prandoni <chris_prandoni@lee.senate.gov>
Subject: Re: FW: Event 3/29: Can President Trump Revoke or Reduce National Monument Designations?

Chris. Just wanted to see how this event went. We ended up having a secretarial order ceremony here yesterday and I couldn't leave, but am still interested in the results of this. Thanks

On Fri, Mar 24, 2017 at 11:36 AM, Prandoni, Chris (Lee) <Chris_Prandoni@lee.senate.gov> wrote:

Hey Micah,

Here is info for the event. Thanks for your interest!

From: Chris Prandoni <chris_prandoni@lee.senate.gov>
Date: Thursday, March 23, 2017 at 1:38 PM
To: Chris Prandoni <chris_prandoni@lee.senate.gov>
Subject: Event 3/29: Can President Trump Revoke or Reduce National Monument Designations?

Friends,

Hope to see you all next week. It should be fun!

Senator Mike Lee Cordially Invites You to Attend a Program on

Presidential Authority to Revoke or Reduce National Monument Designations

Wednesday, March 29, 2017

4:00 – 5:00 p.m.

Dirksen Senate Office Building, Room 366

Reception to follow sponsored by the Pacific Legal Foundation
and American Enterprise Institute with Honorary Co-host Sen. Lee

This is a widely attended event

Opening Remarks:

U.S. Senator Mike Lee (R-UT)

House Natural Resources Committee Chair Rob Bishop (R-UT)

Panel Discussion on the Release of their New AEI Paper:

John Yoo

Emanuel S. Heller Professor, University of California Berkeley School of Law

Visiting Scholar, American Enterprise Institute

Todd Gaziano

Senior Fellow in Constitutional Law & Executive Director of Pacific Legal Foundation's DC Center

President Obama set the record for the number of national monument proclamations he issued and the millions of acres of public lands he designated for such monuments. A few weeks before he left office, President Obama used the Antiquities Act of 1906 again to proclaim 1.35 million acres in Utah and 300,000 acres in Nevada to be new national monuments. White House officials claimed that both actions were “permanent” because there was no express authority to reverse them. In a new AEI paper to be released on March 29, Yoo and Gaziano argue that such claims of permanence get the constitutional principles and legal presumptions exactly backwards. The text, history, and executive practice under the Antiquities Act, as well as foundational constitutional principles, provides for presidential discretion in the creation and revocation of national monuments. Moreover, his discretion to significantly change monument boundaries, including substantial reductions in a monument’s size, is strongly supported by the text of the Act, its legislative history and purposes, and unbroken presidential practice going back to the early years of the act’s history. In support of these conclusions, the new AEI paper makes news by questioning a 1938 Attorney General opinion with new insights into an 1862 AG opinion and by revealing new historical research not covered in prior scholarship on the Antiquities Act. Please join us to ask your questions.

RSVP to Collin Callahan at CBC@pacificlegal.org or call (703) 647-2112.

Following the event, please join us for a reception to continue the conversation.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Aii.org
Sent: 2017-03-30T16:30:08-04:00
Importance: Normal
Subject: The Alliance for Innovation and Infrastructure's Weekly Wire
Received: 2017-03-30T16:30:28-04:00

[View this email in your browser](#)

[View this email in your browser](#)

[Economic Growth Through Infrastructure Investment](#) • [Improving Our Dig Laws at the State Level](#) • [Arctic Promise](#)

Trump to unveil \$1 trillion infrastructure plan this year, says transportation Secretary Chao

By Reuters: U.S. Transportation Secretary Elaine Chao said the Trump administration would unveil a \$1 trillion infrastructure plan later this year, but she did not offer details of funding for projects.

Chao said at an event at the department's headquarters that the infrastructure initiative would include "a strategic, targeted program of investment valued at \$1 trillion over 10 years. The proposal will cover more than transportation infrastructure, it will include energy, water and potentially broadband and veterans hospitals as well."

Chao's comments were the most detailed timetable from the administration about its plans to unveil a plan to modernize U.S. roads, bridges, airports, electrical grid and water systems. Chao said the administration plans to offer incentives for public-private partnerships rather than simply fund improvements ...

Infrastructure special report: \$1 trillion up for grabs

By Kyle Feldscher: It's one of the most popular pieces of legislation in Washington despite, or perhaps because of, the fact that it does not exist.

President Trump's \$1 trillion infrastructure proposal piqued the interest of opponents and allies alike last month during his joint address to Congress, just as it did following his election win in November. But it's been more than four months since Trump won the presidency and more than two months since he took the oath of office, and despite the potential popularity of an infrastructure bill, no one seems to know what the White House

plans to do.

Analysts, lobbyists and congressional aides told the Washington Examiner that any massive infrastructure bill won't happen right away. While the defeat of the GOP's healthcare bill on Friday could allow the infrastructure package to be developed sooner than previously thought, it's widely believed that tax reform is next up on the docket for Trump and Congress. Infrastructure, meanwhile, is considered a possible olive branch between warring faction in Congress, but as of yet no specifics have been developed ...

Arctic drilling ban is antithesis of respecting market forces

By Oliver Williams: A recent opinion in these pages, Market Argues Against Arctic Ocean Oil Development, claims that "it is curious that some Republicans are pushing to develop natural resources that the market does not need". The gist of the piece is that in a \$50-a-barrel price environment, the Trump Administration should respect market forces and not overturn President Obama's moratorium on offshore Arctic energy.

That argument, of course, relies on a piece of linguistic sleight of hand to support its central premise. The crucial point is that Alaska's Congressional delegation and other Republicans are not pushing to develop resources, they are arguing for the option to develop them; in other words to let the market - and not Presidential fiat - decide whether Arctic waters have the potential to be developed ...

The potential of self-driving cars

By U.S. Rep. Bob Latta: Every year on our nation's roadways, more than 35,000 people tragically lose their lives due to traffic accidents—a large number of them caused by distracted driving.

With so many traffic fatalities resulting from human error, we have to ask ourselves if there is a better way. American innovation may have the answer to this problem — in the form of self-driving cars.

While it may seem like science fiction, the reality is that technological breakthroughs have allowed for deployment of these cars to be right around the corner.

Recently, I chaired a hearing of the Digital Commerce and Consumer Protection Subcommittee where my colleagues and I listened to industry leaders testify about the possibilities of their self-driving vehicles. The takeaway was clear: the heavy hand of government can't obstruct the development of such vital, life-saving technology. While there is no doubt that safety parameters will be needed, we should be leaving the innovating to the innovators ...

Proceed with the pipelines. They're a better way to transport oil.

By Chicago Tribune Editorial Board: The Keystone XL pipeline, which would stretch over 1,200 miles and cost \$8 billion, is a big project that has faced many hurdles. One of those was removed Friday when President Donald Trump gave the go-ahead for its construction.

Unfortunately, it's also a big symbol for those who want to phase out the use of fossil fuels as soon as possible. That's a shame, because the pipeline will make little if any difference in the amount of greenhouse gases going into the atmosphere. Environmental groups would do better to save their ammunition to fight more consequential changes the administration is expected to pursue, such as rolling back federal regulations to limit coal burning and methane emissions.

President Barack Obama blocked construction of Keystone in 2015, claiming it would aggravate global warming and undercut American leadership on the issue. But a State Department review in 2013 found the effects would be minimal ...

Keep up with us on social media!

The Alliance for Innovation and Infrastructure consists of two non-profit organizations, The National Infrastructure Safety Foundation (NISF) a 501(c)(4), and the Public Institute for Facility Safety (PIFS) a 501(c)(3). The Foundation and the Institute focus on non-partisan policy issues and are governed by separate volunteer boards working in conjunction with the Alliance's own volunteer Advisory Council.

Alliance for Innovation and Infrastructure
211 North Union Street | Suite 100
Alexandria, VA | 22314
(703) 574-7376

Aii.org

To: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov];
amanda_kaster@ios.doi.gov[amanda_kaster@ios.doi.gov]
From: Small, Jeff
Sent: 2017-03-31T11:31:17-04:00
Importance: Normal
Subject: FW: Western Caucus Members Celebrate Action Toward American Energy Independence
Received: 2017-03-31T11:31:26-04:00

Would appreciate anything you all might be able to share to respond to the below questions?

Thanks,

Jeff

From: kellynorton@azmining.org [mailto:kellynorton@azmining.org]
Sent: Wednesday, March 29, 2017 2:52 PM
To: Small, Jeff
Subject: FW: Western Caucus Members Celebrate Action Toward American Energy Independence

Jeff,

Question for you. In the information below it mentions an energy royalty policy committee and mentions minerals and solar. When I sent it out several of my guys called asking what the role of this committee will be ? Anything you can share on that?

Regards,



Kelly Shaw Norton
President
Arizona Mining Association



ARIZONA
MINING ASSOCIATION

916 West Adams Street, Ste. 2
Phoenix, AZ 85007
Main: (602) 266-4416
Direct: (602) 296-5512
Cell: (602) 692-6013

KellyNorton@azmining.org

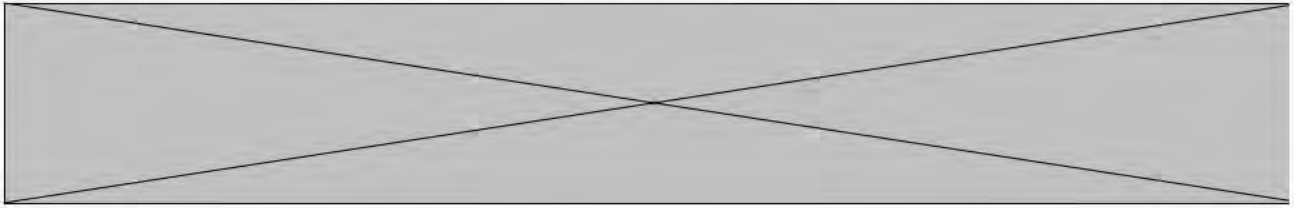
www.azmining.org

From: Roberson, Kelly [mailto:Kelly.Roberson@mail.house.gov]

Sent: Wednesday, March 29, 2017 11:27 AM

To: Roberson, Kelly <Kelly.Roberson@mail.house.gov>

Subject: Western Caucus Members Celebrate Action Toward American Energy Independence



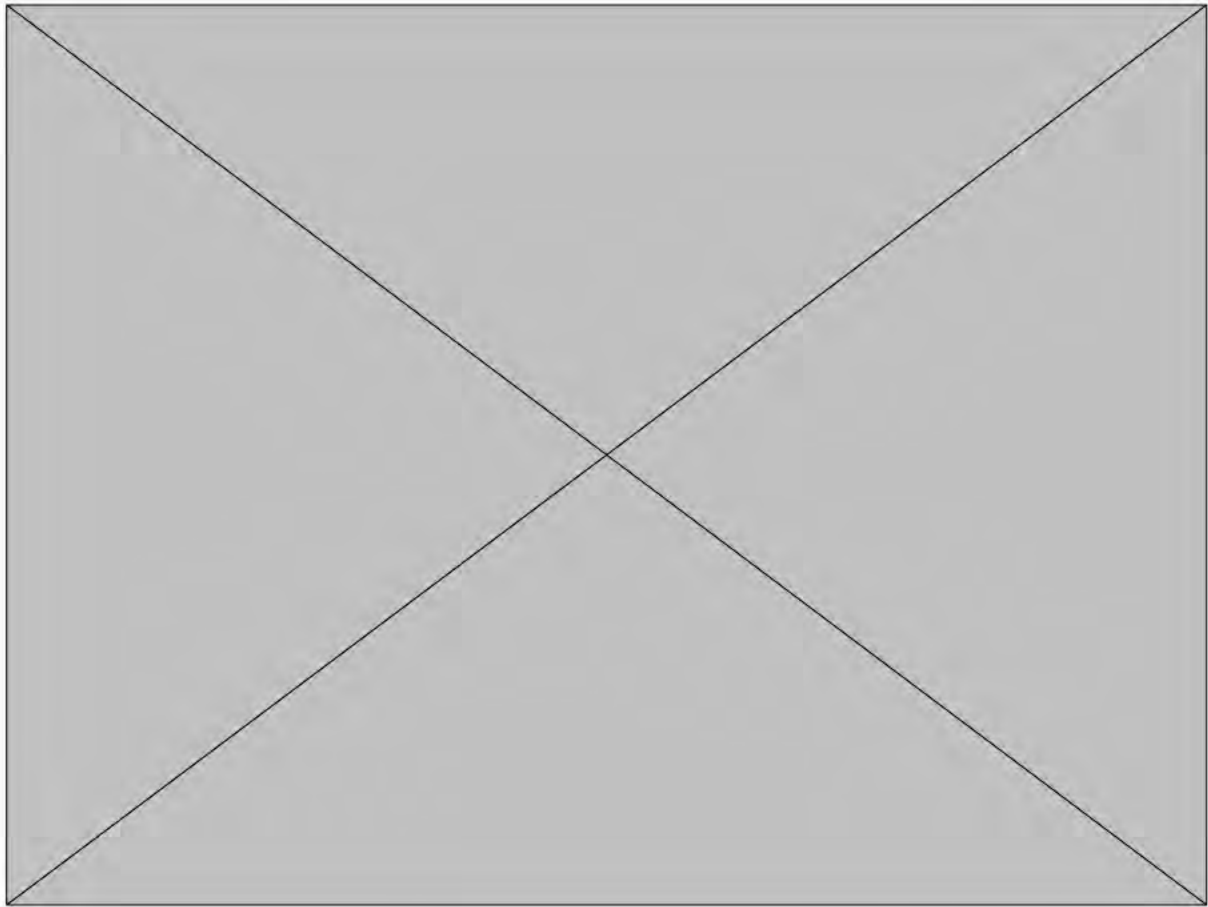
For Immediate Release

Date: March 29, 2017

Contact: Kelly Roberson

Kelly.Roberson@mail.house.gov

Western Caucus Members Celebrate Action Toward American Energy Independence



WASHINGTON, D.C. Today, Congressional Western Caucus **Chairman Paul A. Gosar D.D.S. (AZ-04)**, **Executive Vice-Chairman Rep. Scott Tipton (CO-03)**, **Chairman Emeritus Rep. Rob Bishop (UT-01)**, **Chairman Emeritus Rep. Steve Pearce (NM-02)** and Western Caucus member **Rep. Doug Lamborn (CO-05)** issued the following statements after Secretary of the Interior Ryan Zinke signed several secretarial orders in response to President Trump’s American Energy Independence Executive Order:

“It is a great thing when Congress and the Administration can work together to effect meaningful change. Revoking two more job-killing policies from the Obama Administration in the form of the federal coal lease moratorium and the unlawful Compensatory Mitigation Order is common sense. Reestablishing the Royalty Policy Committee will ensure the American people have a voice on federal policies that impact their livelihoods. During his confirmation hearings, Secretary Zinke reiterated his commitment to restoring trust with local communities. With today’s secretarial orders, he is doing precisely that,” said **Chairman Gosar**. “I was honored to stand alongside friends, fellow Westerners and Secretary Zinke as the Secretary acted quickly on several directives laid out in President Trump’s American Energy Independence Executive Order.”

“It was an honor to stand alongside several of my Congressional colleagues from western states to

witness Secretary Zinke sign orders that will repeal the Obama Administration's 2016 Coal Moratorium, support U.S. energy independence, and establish an energy royalty policy committee that ensures state, local, and tribal governments have a seat at the table when it comes to setting royalties for energy development within their borders. This is the type of support the West needs from Washington," said **Congressman Tipton**.

Congressman Bishop remarked, "This moratorium was a hallmark policy of the prior administration to stomp out coal with absolutely no plan to replace our most abundant domestic energy source. In the House, we've worked hard to empower states and tribes and promote a diverse energy portfolio. It's reassuring to now have partners at Interior and the White House working to advance these shared goals."

"I was happy to join some of my colleagues in the Congressional Western Caucus at today's signing ceremony with Secretary Zinke, confirming a joint effort as we pave the way forward in responsible energy policy. Revenues from energy production contribute greatly to our local economies in New Mexico," stated **Congressman Pearce**. "The orders signed today will allow for the responsible development of these resources on federal lands. We can start focusing on expanding an 'all of the above' energy strategy in New Mexico without choking and duplicative regulations, creating greater opportunities and putting people back to work."

"Just yesterday, the President signed an Executive Order that helps create American jobs and increase energy production. Today, the Department of the Interior took this Executive Order one step further by reviewing Obama-era environmental policies and lifting the Federal Coal Moratorium on our public lands," said **Congressman Lamborn**. "Around 40% of coal production occurs on public lands. We don't need stifling restrictions we need more responsible and efficient coal production to help get people back to work and our economy back on track. I was pleased to join Secretary Zinke on this historic occasion, and I look forward to working with the Department of the Interior in the future."

Background:

Secretarial Order 3348: Repealing the 2016 Coal Moratorium and Ending the PEIS

On March 28, 2017, President Donald Trump signed the American Energy Independence Executive Order, which directed Secretary of the Interior Ryan Zinke to lift the federal coal lease moratorium issued by former Obama Administration Secretary of the Interior Sally Jewell. Federal coal leasing is important to the U.S. economy and roughly 40% of U.S. coal is produced on federal lands. By their own admission, Obama's Bureau of Land Management (BLM) estimated that nearly 1.9 billion tons of coal reserves were placed off limits in nine states as a result of the Secretarial Order.

On January 15, 2016, Interior Secretary Sally Jewell issued this Secretarial Order, imposing an unprecedented moratorium on further coal lease sales pending the completion of a Programmatic Environmental Impact Statement (PEIS) and review of the Federal Coal Leasing Program. The coal industry was already facing an onslaught of destructive government regulations from the

Obama Administration, but the moratorium was yet another crushing blow to producers across the South and West.

The moratorium not only undermined the integrity of present production potential, but more importantly threatened the very future of coal development on federal lands by signaling to investors that resources will be kept “in the ground” at whatever cost. Most troubling is the impact this decision had on families that rely on jobs tied to the industry. The moratorium and PEIS put nearly 65,000 direct and in-direct mining jobs at risk as well as negatively impacted billions of dollars in revenues to states used to pay for schools, reclamation, construction, and other critical infrastructure projects.

Text of Secretarial Order 3348, Concerning the Federal Coal Moratorium can be found [HERE](#).

Charter Signed to Establish the Royalty Policy Committee

Secretary Zinke is committed to ensuring state, local and tribal governments have a say in energy development within their borders and that taxpayers are getting a fair return on investment. To that end, this charter establishes a new Royalty Policy Committee to include renewable energy in addition to mineral resources.

On April 2, 2014, Secretary Jewell terminated the charter of the Royalty Policy Committee, effectively stripping state, local and tribal governments of their say and input regarding energy development within their respective jurisdictions.

The primary goal of this committee is to ensure the public continues to receive the full value of all energy produced on federal lands.

The composition of the charter is further detailed as follows:

- The charter establishes a 28 member committee to provide the Secretary with advice
 - No member may have financial interest/business with the Department of the
- Members will be both federal and non-federal partners. They will hail from energy producing states, tribes, the energy industry, academia/interest
 - Each member will serve a two year term

Text of the Royalty Policy Committee Charter can be found [HERE](#).

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Following the bold executive order signed by President Trump on March 28, 2017, Secretarial Order 3349, "American Energy Independence," takes numerous steps to unleash the power of American energy on public lands including the following items:

- Revokes Secretarial Order 3330 regarding Compensatory Mitigation and launches a review of the program
 - Launches a review of all climate change policies within the department
- Launches a review of the National Park Service and Fish and Wildlife Service oil and gas

regulations

- Launches a review of Bureau of Land Management's venting & flaring (methane) rule
- Confirms that Bureau of Land Management is withdrawing the hydraulic fracking rule

Text of the Secretarial Order 3349, American Energy Independence can be found [HERE](#).

###



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To: 'Kaster, Amanda'[amanda_kaster@ios.doi.gov]
Cc: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Small, Jeff
Sent: 2017-03-31T14:19:33-04:00
Importance: Normal
Subject: RE: FW: Western Caucus Members Celebrate Action Toward American Energy Independence
Received: 2017-03-31T14:19:42-04:00

Thanks!

Jeff Small

Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov



From: Kaster, Amanda [mailto:amanda_kaster@ios.doi.gov]
Sent: Friday, March 31, 2017 11:56 AM
To: Small, Jeff
Cc: micah_chambers@ios.doi.gov
Subject: Re: FW: Western Caucus Members Celebrate Action Toward American Energy Independence

Hi Jeff, our talking points below touch on what the RPC's role will be.

Please let me know if you need anything else - thanks!

Charter Signed: Establish Royalty Policy Committee

Secretary Zinke is committed to ensuring state, local and tribal governments have a say in energy development within their borders and that taxpayers are getting a fair return on investment. To that end, he is establishing a new Royalty Policy Committee to include renewable energy in addition to mineral resources.

The primary goal is to ensure public continues to receive the full value of all energy produced on federal lands. The Secretary will seek their input on how we determine fair market value, collect revenues and how future policies could impact revenue collection.

Membership

The charter would establish a 28 member committee to provide the Secretary with advice;
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On Fri, Mar 31, 2017 at 11:31 AM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:
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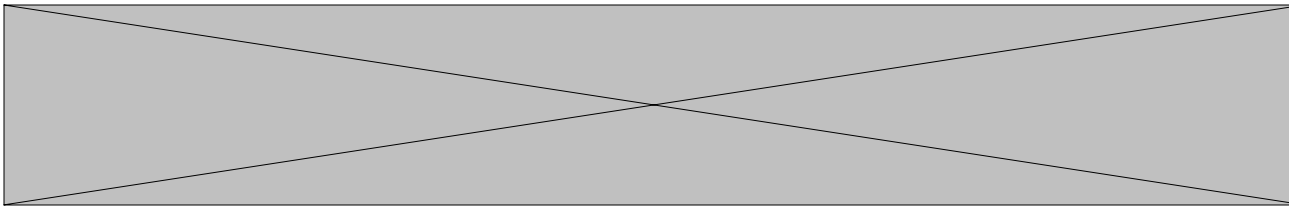
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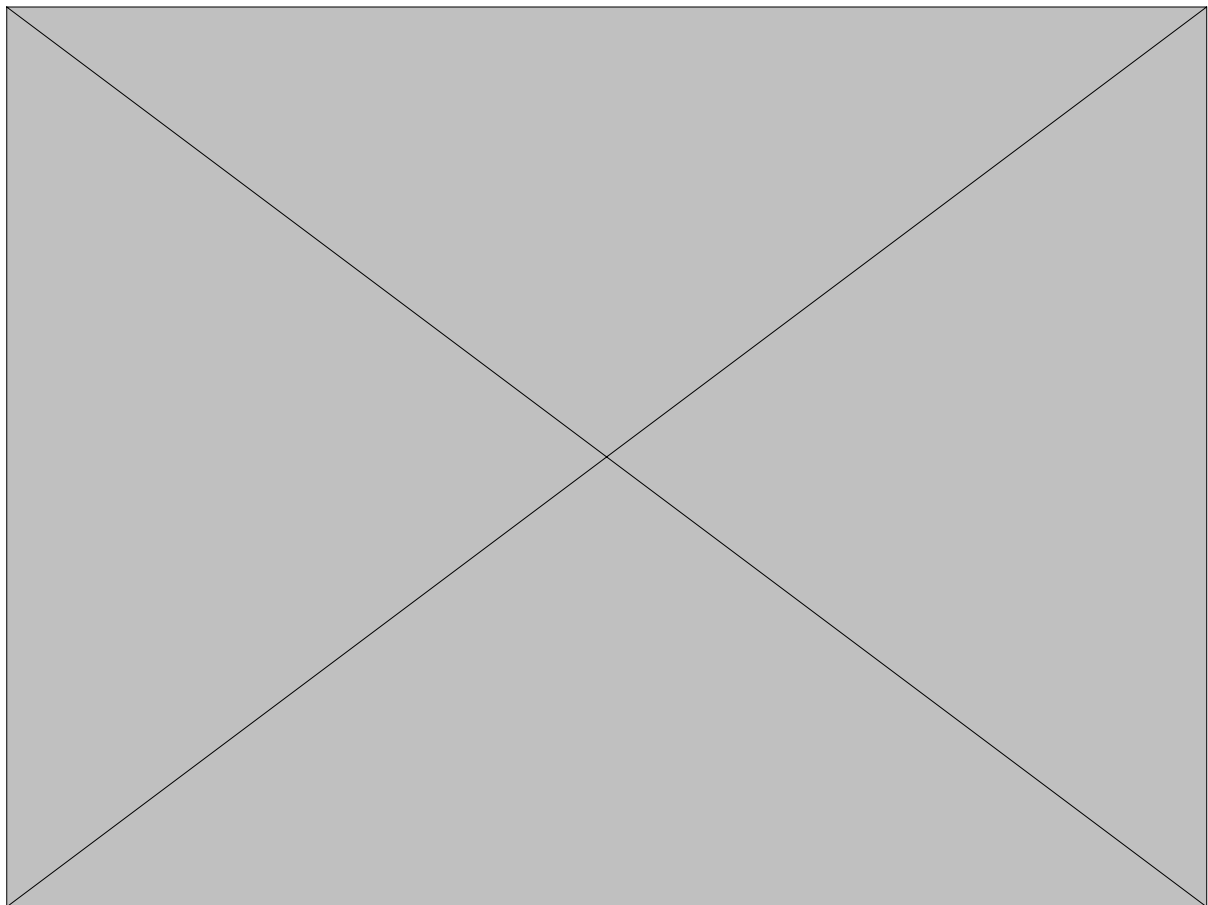
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###



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Amanda Kaster Averill
Special Assistant
Office of Congressional and Legislative Affairs
U.S. Department of the Interior
(202) 208 3337
amanda_kaster@ios.doi.gov

To: Hammond, Casey[casey_hammond@ios.doi.gov]
From: Shepherd, Ray
Sent: 2017-03-31T17:11:17-04:00
Importance: Normal
Subject: Seven Hills
Received: 2017-03-31T17:11:38-04:00

Casey

Hope this email finds you well. I know you have been busy over there at Interior this week...

As you know, on March 28, 2017, President Trump issued an Executive Order “Promoting Energy Independence and Economic Growth.” Among other things, the new EO requires each agency head (in the case of the FWS, the Secretary of the Interior) to “**review all existing** regulations, orders, guidance documents, **policies**, and any other similar actions ... **that potentially burden the development or use of domestically produced** energy resources, with particular attention to oil, natural gas, **coal**, and nuclear energy resources.” (Section 2(a)) (Emphasis added)

The term “**burden**” means “**to unnecessarily** obstruct, delay, curtail, or otherwise **impose significant costs on the** siting, **permitting**, production, utilization, transmission, or delivery **of energy resources.**” (Section 2(b)) (Emphasis added)

Within 45 days (by May 12th), the Secretary is directed to submit to OMB a plan for carrying out this review. Within 120 days (by July 26th), the Secretary must submit a draft final report including specific recommendations that “could alleviate or eliminate aspects of agency actions that burden domestic energy production.” (Section 2(d)) The report is to be finalized within 180 days (by September 24th).

Clearly, demanding rarely used procedures or conditions to the section 404 permitting process (remember no coal mine in the Illinois Basin has been required to get an EIS) can be viewed as policies that unnecessarily burden the development of domestically produced coal resources, and recommendations to alleviate or eliminate such procedures or conditions could appropriately be considered in the report to be developed by the Secretary. While this will fall beyond the deadline arbitrarily imposed by Colonel Beck, perhaps it could provide momentum to find an amicable solution short of an EIS.

Interestingly, EPA has proposed a potential path forward that might address the concerns raised by your folks. It objectively assesses the potential impact of the mine with our proposed mitigation. Can we discuss on Monday? Many thanks. Have a great weekend.

Ray Shepherd

Vice President & Senior Counsel, Federal Government Affairs

Peabody Energy Corporation

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rayshepherd@peabodyenergy.com

E mail Disclaimer:

The information contained in this e mail, and in any accompanying documents, may constitute confidential and/or legally privileged information. The information is intended only for use by the designated recipient. If you are not the intended recipient (or responsible for the delivery of the message to the intended recipient), you are hereby notified that any dissemination, distribution, copying, or other use of, or taking of any action in reliance on this e mail is strictly prohibited. If you have received this email communication in error, please notify the sender immediately and delete the message from your system.

To: Caroline Boulton[caroline_boulton@ios.doi.gov]; 'Scheduling SIO'[scheduling@ios.doi.gov]
Cc: 'Jamie Whitefield'[jwhitefield@depauasa.org]; Pete Regan[pregan@depauasa.org]
From: rrobertson@depauasa.org
Sent: 2017-03-31T18:38:03-04:00
Importance: Normal
Subject: FW: DEPA/Harold Hamm Meeting Request, April 3/4
Received: 2017-03-31T18:38:25-04:00
[Comments on the Bureau of Land Management Waste Prevention.pdf](#)

Attached is a one pager from DEPA in regards to the BLM matter as a reference for meeting with Secretary Zinke.

Please do not hesitate to contact me at any time via e-mail or on my cell (b) (6) if I can be of further assistance. I hope you have a wonderful weekend.

Respectfully,
Regan

Regan Robertson
DEPA
Domestic Energy Producers Alliance
4124 S Rockford Ave. Ste 201
Tulsa, OK 74105
Telephone: 918-293-3921
rrobertson@depauasa.org
www.depauasa.org

From: rrobertson@depauasa.org [mailto:rrobertson@depauasa.org]
Sent: Friday, March 31, 2017 3:10 PM
To: 'SIO, Scheduling' <scheduling_sio@ios.doi.gov>
Cc: 'Scheduling SIO' <scheduling@ios.doi.gov>; 'Pete Regan' <pregan@depauasa.org>; 'Jamie Whitefield' <jwhitefield@depauasa.org>
Subject: RE: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Caroline,
Thank you for following up.

Topics of discussion we request are:
Bureau of Land Management (BLM) -Methane
Fish and Wildlife

Regan Robertson
DEPA
Domestic Energy Producers Alliance
4124 S Rockford Ave. Ste 201
Tulsa, OK 74105
Telephone: 918-293-3921
rrobertson@depauasa.org
www.depauasa.org

From: caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO, Scheduling
Sent: Friday, March 31, 2017 3:04 PM
To: rrobertson@depausa.org
Cc: Scheduling SIO <scheduling@ios.doi.gov>; Pete Regan <pregan@depausa.org>; Jamie Whitefield <jwhitefield@depausa.org>
Subject: Re: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Regan,

Checking in on topics of discussion for the meeting next week.

Best,
Caroline

On Wed, Mar 29, 2017 at 3:05 PM, <rrobertson@depausa.org> wrote:
That is wonderful. thank you.
I will get you an answer shortly regarding topics of discussion.

Your assistance is most appreciated.
Respectfully,
Regan

Regan Robertson
DEPA
Domestic Energy Producers Alliance
4124 S Rockford Ave. Ste 201
Tulsa, OK 74105
Telephone: 918-293-3921
rrobertson@depausa.org
www.depausa.org

From: caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO, Scheduling
Sent: Wednesday, March 29, 2017 1:59 PM
To: rrobertson@depausa.org
Cc: Scheduling SIO <scheduling@ios.doi.gov>; Pete Regan <pregan@depausa.org>; Jamie Whitefield <jwhitefield@depausa.org>
Subject: Re: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Regan,

We can certainly do 3:00-4:00PM on 4/4.

We currently have the following participants scheduled to attend:

- Harold Hamm, Continental Resources
- Mike McDonald, Triad Energy
- Peter Regan, DEPA
- Tim Charters, National Stripper Well Association
- Ed Cross, Kansas Independent Oil & Gas Association
- Jerry Simmons, National Association of Royalty Owners
- Blu Hulse, Continental Resources
- Darlene Wallace, Columbus Oil
- Berry Mullennix, Panther Energy Company, LLC
- Tim Wigley, Oklahoma Independent Petroleum Association
- Greg Schnacke, Denbery Resource, Inc.
- Shane Matson, Osage Producers Association
- Charles Wickstrom, Iron Hawk Energy

The meeting will take place at the following address:

1849 C Street NW
Washington, DC 20240

Please provide any topics the group plans to discuss at the meeting. The meeting will not be confirmed until we have topic(s) of discussion or topics the group wishes to ask questions about.

Someone from our office will plan to greet you at our C Street lobby and escort the group to the Secretary's office.

Please let me know if you have any questions or concerns regarding this appointment.

Best,
Caroline

On Wed, Mar 29, 2017 at 1:51 PM, <rrobertson@depausa.org> wrote:
Thank you, Caroline.

Is there any chance the Secretary could meet at either
3:30pm on April 3
Tues. April 4 in the 9am-12pm OR 2:30-4pm window(s)?

If not, we will absolutely take the 4pm meeting. We are extremely grateful for his time.

Respectfully,
Regan

Regan Robertson
DEPA

Domestic Energy Producers Alliance
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From: caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO,
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To: rrobertson@depausa.org
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<jwhitefield@depausa.org>
Subject: Re: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Regan,

Would the group be able to do a late afternoon meeting instead of a dinner? The Secretary is available from 4:00-5:00PM to meet in his office.

Please let me know if that would work, and I can follow up with additional details.

Best,
Caroline

On Tue, Mar 28, 2017 at 10:58 AM, <rrobertson@depausa.org> wrote:
Good morning, I am reaching out to confirm you received the meeting request form yesterday. I have attached for your convenience.
Do you have an idea of when we may have a response?

Thanks!
Regan

Regan Robertson
DEPA
Domestic Energy Producers Alliance
4124 S Rockford Ave. Ste 201
Tulsa, OK 74105
Telephone: 918-293-3921
rrobertson@depausa.org
www.depausa.org

From: rrobertson@depausa.org [mailto:rrobertson@depausa.org]
Sent: Monday, March 27, 2017 12:27 PM

To: 'SIO, Scheduling' <scheduling_sio@ios.doi.gov>
Cc: 'Scheduling SIO' <scheduling@ios.doi.gov>; 'Pete Regan' <pregan@depausa.org>; 'Jamie Whitefield' (<jwhitefield@depausa.org>)' <jwhitefield@depausa.org>
Subject: RE: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Caroline!

Please see attached request from Domestic Energy Producers Alliance (DEPA). I have copied Jamie Whitefield of DEPA, as well as our executive director, Pete Regan. Please 'reply all' if you have any questions/concerns.

Thank you for your assistance and please feel free to reach out via e-mail or phone at any time.

Respectfully,

Regan Robertson

Regan Robertson
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rrobertson@depausa.org
www.depausa.org

From: rrobertson@depausa.org [<mailto:rrobertson@depausa.org>]
Sent: Friday, March 24, 2017 1:29 PM
To: 'SIO, Scheduling' <scheduling_sio@ios.doi.gov>
Cc: 'Scheduling SIO' <scheduling@ios.doi.gov>; 'Pete Regan' <pregan@depausa.org>
Subject: RE: DEPA/Harold Hamm Meeting Request, April 3/4

Thank you, Caroline.

I was on the road yesterday but will get back to you as soon as possible with this information.

Appreciate it!

Regan

From: caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO, Scheduling
Sent: Thursday, March 23, 2017 1:53 PM
To: rrobertson@depausa.org
Cc: Scheduling SIO <scheduling@ios.doi.gov>; Pete Regan <pregan@depausa.org>
Subject: Re: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Regan,

I apologize for the delay. Your email was the first our office had heard of the request. I have attached both our meeting request and event request forms--I cannot tell from your

email if you are looking to set a meeting with the Secretary or to a reception/luncheon event. Please fill out whichever best matches your request and return it to our office for processing!

We appreciate your help. Please let me know if you have any questions or concerns.

Best,
Caroline

On Wed, Mar 15, 2017 at 5:32 PM, <rrobertson@depausa.org> wrote:
Good afternoon,

I am following up on behalf of Domestic Energy Producers Alliance (DEPA) and our Chairman, Harold Hamm, to request to meet with Secretary Zinke next month. Chairman Hamm and DEPA members are flying into DC April 3-4.

Is Secretary Zinke available either after **3pm on Monday, April 3 or morning or afternoon of Tuesday, April 4**? We will set around the Secretary's schedule if he has time within that window, whether it be a breakfast, reception, luncheon etc.

Thank you for your consideration and I look forward to hearing from you.

Respectfully,
Regan Robertson

Copied: Pete Regan, Executive Director, DEPA

Regan Robertson
DEPA
Domestic Energy Producers Alliance
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Tulsa, OK 74105
Telephone: 918-293-3921
rrobertson@depausa.org
www.depausa.org

To: Benedetto, Kathleen[kathleen_benedetto@ios.doi.gov]
Cc: Macgregor, Katharine[katharine_macgregor@ios.doi.gov]; Mallori Miller[MMiller@ipaa.org]
From: Dan Naatz
Sent: 2017-04-03T08:06:04-04:00
Importance: Normal
Subject: Re: Compliance Dates for the BLM Venting & Flaring Rule
Received: 2017-04-03T08:06:16-04:00

Kathy:

Thanks for your help.

Dan

Sent from my iPhone

On Apr 1, 2017, at 1:10 PM, Benedetto, Kathleen <kathleen_benedetto@ios.doi.gov> wrote:

Hi Dan,
I'm going to be out of town for a couple of days - so I'm forwarding this email to Kate. She will get in touch with you. KB

On Fri, Mar 31, 2017 at 3:33 PM, Dan Naatz <dnaatz@ipaa.org> wrote:

Kathy:

I hope all is well and congratulations on your new job.

The purpose of this email is to inquire about the status of the BLM venting and flaring rule. We are starting to hear from a number of our member companies that are spending significant amounts of capital to comply with the rule. In light of President Trump's Executive Order (EO) this week regarding energy independence and since the V/F rule was specifically mentioned in the EO, are there plans by BLM to put the rule on hold and delay the compliance date of the rule? I do not even know if a hold or delay of the compliance date is possible, but wanted to inquire about this matter.

Thanks for your help.

Dan Naatz

IPAA

(202) 857-4722

--

Kathleen Benedetto

Special Assistant to the Secretary

Department of the Interior

Bureau of Land Management

(202) 208-5934

To: downey_magallanes@ios.doi.gov[downey_magallanes@ios.doi.gov]
From: Allen Freemyer
Sent: 2017-04-04T08:59:43-04:00
Importance: Normal
Subject: Meeting today with Kathy Benedetto
Received: 2017-04-04T09:01:26-04:00
[show temp.pl \(2\).pdf](#)

Downey,

Western Exploration had a meeting scheduled with Kathy today at 1:00 pm but we were informed late last night that she would not be back from her travel. Western is the lead plaintiff in the Nevada sage grouse litigation that Judge Du just remanded the Land Use Plan Amendment to the BLM for a SEIS. Opinion attached. Is there any chance you can sit in on our meeting at 1:00 today to discuss?

The meeting is currently set for room 5653 at 1:00 pm. We can also be flexible with time if that helps. Thank you and sorry for the late notice. Allen

Allen D. Freemyer
Freemyer & Associates
3333 K Street NW, Suite 115
Washington DC 20007
202-293-6496

To: 'Micah Chambers'[micah_chambers@ios.doi.gov]
From: Sterne, Kate (Cornyn)
Sent: 2017-04-04T09:25:48-04:00
Importance: Normal
Subject: RE: DOI - BLM Methane CRA
Received: 2017-04-04T09:25:56-04:00

Hi Micah- Do you have a few moments today to catch up?

Kate

From: Micah Chambers [mailto:micah_chambers@ios.doi.gov]
Sent: Friday, March 10, 2017 4:22 PM
To: Sterne, Kate (Cornyn) <Kate_Sterne@cornyn.senate.gov>
Subject: Re: DOI - BLM Methane CRA

(b) (6) if there's any way you're free closer to 445 it'd be appreciated. If not I can do 430 still.

Sent from my iPhone

On Mar 10, 2017, at 4:04 PM, Sterne, Kate (Cornyn) <Kate_Sterne@cornyn.senate.gov> wrote:

Hi Micah-- Let me know a good number to call you at - 4:30? Thanks!

Kate

Sent from my iPhone

On Mar 10, 2017, at 3:27 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Thanks Monica. I'm free at 430 if either of you are. Just let me know. Appreciate the time.

Micah

On Fri, Mar 10, 2017 at 3:22 PM, Popp, Monica (Cornyn)

<Monica_Popp@cornyn.senate.gov> wrote:

Hi Micah Thank you for your note. Happy to meet and have also copied Kate Sterne in our office who leads on this issue. I have a 3:30 and 4 pm, but otherwise around. Kate may be able to give you an update sooner than I can get to you.

Monica H.Popp

Chief of Staff

Office of the Senate Majority Whip John Cornyn

Direct: (b) (6)

From: "Chambers, Micah" <micah_chambers@ios.doi.gov>

Date: Friday, March 10, 2017 at 3:02 PM

To: Monica Popp <Monica_Popp@cornyn.senate.gov>

Subject: DOI BLM Methane CRA

Hi Monica.

I hope you're doing well and nice to "meet" you. I was wondering if you'd have a minute to chat about the BLM Methane CRA. This is an issue the Secretary cares a lot about, both personally (MT) and professionally (DOI). He's been making calls to Senators on the issue, but I wanted to catch up with you to get your sense of where things stand. If there's a time that works better for you, just let me know. Otherwise, my work cell number is (b) (6) but I have a 4 pm meeting.

Thank you

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Kate MacGregor[katharine_macgregor@ios.doi.gov]
From: Washington, Gregory J (GWashington)
Sent: 2017-04-04T10:16:35-04:00
Importance: Normal
Subject: Fwd: FW: CBP Notice/Economic report released this morning
Received: 2017-04-04T10:17:05-04:00
[Economic Impact Analysis CBP Rulings Final Report.pdf](#)
[ATT00001.htm](#)
[Final Letter to CBP Economic Analysis 04032017.pdf](#)
[ATT00002.htm](#)

Kate
Thanks for your time yesterday.
FYI only

Sent from my iPhone

Begin forwarded message:

From: "Carrie Domnitch" <domnitchc@api.org>
To: "CBPRulingsLobbyistWorkgroup@listserve.api.org"
<CBPRulingsLobbyistWorkgroup@listserve.api.org>
Subject: [****EXTERNAL****] **FW: CBP Notice/Economic report released this morning**

To: CBP Lobbyist Group

The below email was sent to the broad group of offices that we've met with or I have requested meetings with on the CBP issue.

Carrie M. Domnitch
API

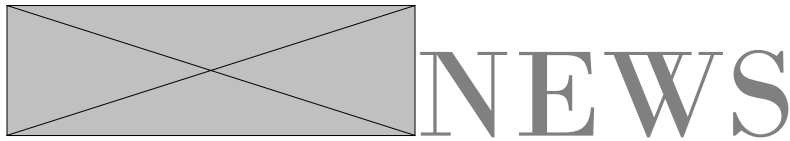
From: Carrie Domnitch
Sent: Tuesday, April 04, 2017 10:04 AM
Subject: CBP Notice/Economic report released this morning

In response to the January 18, 2017 (two days before the change in administration) Notice by CBP in its *Customs Bulletin* proposing to modify and/or revoke Jones Act ruling letters, which would overturn over 40 years of precedent used by the oil and natural gas industry to safely produce oil and gas in the Gulf of Mexico, API commissioned an independent evaluation of the potential impacts of this action. The report titled "Economic Impacts of Proposed Modification and Revocation of Jones Act Ruling Letters Related to Offshore Oil and Natural Gas Activities" is attached. In short, according to the report, the impacts of this Notice may include:

- ★ Losses in the range of 30,000 industry supported jobs in 2017 with as many as 125,000 jobs lost by 2030. The Gulf of Mexico states are projected to be the most impacted by these job losses;
- ★ Decrease in U.S. oil and natural gas production in the range of 23% from 2017-2030;
- ★ Decrease in government revenue more than \$1.9 billion per year from 2017-2030;
- ★ Decrease of offshore oil and natural gas spending in the range of \$5.4 billion per year and;
- ★ Cumulative lost GDP of \$91.5 billion from 2017-2030.

API has provided the attached study to the CBP ahead of the close of the comment period which ends on April 18th and pointed out that given President Trump's recent Executive Order on March 28, 2017, titled "Promoting Energy Independence and Economic Growth," the Notice should be withdrawn in order to comply with the EO's direction that regulatory burdens unduly hindering oil and natural gas production must be avoided. That transmittal letter is attached. We will be providing more robust comments by the end of the comment period.

Please also see API's press release below.



FOR IMMEDIATE RELEASE

Brooke Sammon | 202.682.8114 | SammonB@api.org

API: New report forecasts damage to American economy, jobs, and energy production from new Jones Act rulings

WASHINGTON, April 4, 2017 – API released a new report today projecting significant and damaging impacts from the Customs and Border Protection Agency's (CBP) proposed modifications to its rulings related to the use of Jones Act vessels in offshore oil and natural gas activity, including the potential for significant loss of American jobs, reduced U.S. oil and natural gas production, and diminished revenues for federal and state government.

“This report projects that the proposed changes to these long-standing rulings would have widespread negative impacts on American jobs and the national economy, as well as a damaging effect on our national energy security,” said API Upstream and Industry Operations Group Director Erik Milito. “The study also concludes that these changes would have an abrupt negative impact on oil and natural gas development and investment in the Gulf of Mexico, further impacting consumers and businesses and substantially decreasing government revenue.”

According to the Calash economic report, the impacts of CBP’s proposal may include:

- Losses in the range of 30,000 industry supported jobs in 2017 with as many as 125,000 jobs lost by 2030. The Gulf of Mexico states are projected to be the most impacted by these job losses;
- Decrease in U.S. oil and natural gas production in the range of 23% from 2017-2030;
- Decrease in government revenue more than \$1.9 billion per year from 2017-2030;
- Decrease of offshore oil and natural gas spending in the range of \$5.4 billion per year and;
- Cumulative lost GDP of \$91.5 billion from 2017-2030.

“President Trump’s recent executive order on energy independence was an important step toward increasing American competitiveness, and these proposed changes completely undermine the order’s purpose by placing unnecessary and harmful burdens on domestic energy production,” said Milito. “These proposed changes to the rulings should be immediately withdrawn in order to protect U.S. energy security and allow for consumers and businesses to continue benefitting from America’s energy renaissance.”

The report by Calash is available on [API’s website](#).

API is the only national trade association representing all facets of the oil and natural gas industry, which supports 9.8 million U.S. jobs and 8 percent of the U.S. economy. API’s more than 625 members include large integrated companies, as well as exploration and production, refining, marketing, pipeline, and marine businesses, and service and supply firms. They provide most of the nation’s energy and are backed by a growing grassroots movement of more than 30 million Americans.

###

Carrie M. Domnitch
Director, Federal Relations
American Petroleum Institute
202-682-8424

To: Caroline Boulton[caroline_boulton@ios.doi.gov]
Cc: Pete Regan[pregan@depaua.org]
From: rrobertson@depaua.org
Sent: 2017-04-04T10:40:23-04:00
Importance: Normal
Subject: RE: DEPA/Harold Hamm Meeting Request, April 3/4
Received: 2017-04-04T10:41:30-04:00

Good morning, Caroline!

I am sharing contact info for Pete Regan in case there is anything you need prior to meeting at 3pm this afternoon. He will be in attendance.

Pete Regan cell: (b) (6)

Also, below is revised list of attendees, with additions in bold. Please confirm your office is able to accommodate.

1. Harold Hamm, Continental Resources
2. Mike McDonald, Triad Energy
3. Peter Regan, DEPA
4. Tim Charters, National Stripper Well Association
5. Ed Cross, Kansas Independent Oil & Gas Association
6. Jerry Simmons, National Association of Royalty Owners
7. Blu Hulsey, Continental Resources
8. Berry Mullennix, Panther Energy Company, LLC
9. Tim Wigley, Oklahoma Independent Petroleum Association
10. Greg Schnacke, Denbery Resource, Inc.
11. Shane Matson, Osage Producers Association
12. Charles Wickstrom, Iron Hawk Energy
13. **Shawn Bennett, Ohio Oil & Gas Association**
14. **James Sicking, Osage Producers Association**
15. **Jeff Wilson, WPX Energy**
16. **Rock Zierman, California Independent Petroleum Association**
17. **Melissa Mejias, International Association of Drilling Contractors**

Thank you,

Regan

Regan Robertson

DEPA

Domestic Energy Producers Alliance

4124 S Rockford Ave. Ste 201

Tulsa, OK 74105

Telephone: 918-293-3921

rrobertson@depaua.org

www.depaua.org

From: rrobertson@depaua.org [mailto:rrobertson@depaua.org]
Sent: Friday, March 31, 2017 5:38 PM
To: Caroline Boulton (caroline_boulton@ios.doi.gov) <caroline_boulton@ios.doi.gov>; 'Scheduling SIO' <scheduling@ios.doi.gov>
Cc: 'Jamie Whitefield (jwhitefield@depaua.org)' <jwhitefield@depaua.org>; Pete Regan

(pregan@depausa.org) <pregan@depausa.org>

Subject: FW: DEPA/Harold Hamm Meeting Request, April 3/4

Attached is a one pager from DEPA in regards to the BLM matter as a reference for meeting with Secretary Zinke.

Please do not hesitate to contact me at any time via e-mail or on my cell (b) (6) if I can be of further assistance. I hope you have a wonderful weekend.

Respectfully,
Regan

Regan Robertson
DEPA
Domestic Energy Producers Alliance
4124 S Rockford Ave. Ste 201
Tulsa, OK 74105
Telephone: 918-293-3921
rrobertson@depausa.org
www.depausa.org

From: rrobertson@depausa.org [mailto:rrobertson@depausa.org]

Sent: Friday, March 31, 2017 3:10 PM

To: 'SIO, Scheduling' <scheduling_sio@ios.doi.gov>

Cc: 'Scheduling SIO' <scheduling@ios.doi.gov>; 'Pete Regan' <pregan@depausa.org>; 'Jamie Whitefield' <jwhitefield@depausa.org>

Subject: RE: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Caroline,
Thank you for following up.

Topics of discussion we request are:
Bureau of Land Management (BLM) -Methane
Fish and Wildlife

Regan Robertson
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rrobertson@depausa.org
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From: caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO,
Scheduling

Sent: Friday, March 31, 2017 3:04 PM

To: rrobertson@depausa.org

Cc: Scheduling SIO <scheduling@ios.doi.gov>; Pete Regan <pregan@depausa.org>; Jamie Whitefield <jwhitefield@depausa.org>

Subject: Re: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Regan,

Checking in on topics of discussion for the meeting next week.

Best,
Caroline

On Wed, Mar 29, 2017 at 3:05 PM, <rrobertson@depausa.org> wrote:
That is wonderful. thank you.
I will get you an answer shortly regarding topics of discussion.

Your assistance is most appreciated.
Respectfully,
Regan

Regan Robertson
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Telephone: 918-293-3921
rrobertson@depausa.org
www.depausa.org

From: caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO, Scheduling

Sent: Wednesday, March 29, 2017 1:59 PM

To: rrobertson@depausa.org

Cc: Scheduling SIO <scheduling@ios.doi.gov>; Pete Regan <pregan@depausa.org>; Jamie Whitefield <jwhitefield@depausa.org>

Subject: Re: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Regan,

We can certainly do 3:00-4:00PM on 4/4.

We currently have the following participants scheduled to attend:

18. Harold Hamm, Continental Resources
19. Mike McDonald, Triad Energy
20. Peter Regan, DEPA
21. Tim Charters, National Stripper Well Association

22. Ed Cross, Kansas Independent Oil & Gas Association
23. Jerry Simmons, National Association of Royalty Owners
24. Blu Hulsey, Continental Resources
25. Darlene Wallace, Columbus Oil
26. Berry Mullennix, Panther Energy Company, LLC
27. Tim Wigley, Oklahoma Independent Petroleum Association
28. Greg Schnacke, Denbery Resource, Inc.
29. Shane Matson, Osage Producers Association
30. Charles Wickstrom, Iron Hawk Energy

The meeting will take place at the following address:

1849 C Street NW
Washington, DC 20240

Please provide any topics the group plans to discuss at the meeting. The meeting will not be confirmed until we have topic(s) of discussion or topics the group wishes to ask questions about.

Someone from our office will plan to greet you at our C Street lobby and escort the group to the Secretary's office.

Please let me know if you have any questions or concerns regarding this appointment.

Best,
Caroline

On Wed, Mar 29, 2017 at 1:51 PM, <rrobertson@depausa.org> wrote:
Thank you, Caroline.

Is there any chance the Secretary could meet at either
3:30pm on April 3
Tues. April 4 in the 9am-12pm OR 2:30-4pm window(s)?

If not, we will absolutely take the 4pm meeting. We are extremely grateful for his time.

Respectfully,
Regan

Regan Robertson
DEPA
Domestic Energy Producers Alliance
4124 S Rockford Ave. Ste 201
Tulsa, OK 74105
Telephone: 918-293-3921
rrobertson@depausa.org

www.depausa.org

From: caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO, Scheduling
Sent: Wednesday, March 29, 2017 7:26 AM
To: rrobertson@depausa.org
Cc: Scheduling SIO <scheduling@ios.doi.gov>; Pete Regan <pregan@depausa.org>; Jamie Whitefield <jwhitefield@depausa.org>
Subject: Re: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Regan,

Would the group be able to do a late afternoon meeting instead of a dinner? The Secretary is available from 4:00-5:00PM to meet in his office.

Please let me know if that would work, and I can follow up with additional details.

Best,
Caroline

On Tue, Mar 28, 2017 at 10:58 AM, <rrobertson@depausa.org> wrote:
Good morning, I am reaching out to confirm you received the meeting request form yesterday. I have attached for your convenience.
Do you have an idea of when we may have a response?

Thanks!
Regan

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rrobertson@depausa.org
www.depausa.org

From: rrobertson@depausa.org [mailto:rrobertson@depausa.org]
Sent: Monday, March 27, 2017 12:27 PM
To: 'SIO, Scheduling' <scheduling_sio@ios.doi.gov>
Cc: 'Scheduling SIO' <scheduling@ios.doi.gov>; 'Pete Regan' <pregan@depausa.org>; 'Jamie Whitefield (jwhitefield@depausa.org)' <jwhitefield@depausa.org>
Subject: RE: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Caroline!

Please see attached request from Domestic Energy Producers Alliance (DEPA). I have copied Jamie Whitefield of DEPA, as well as our executive director, Pete Regan. Please 'reply all' if you have any questions/concerns.

Thank you for your assistance and please feel free to reach out via e-mail or phone at any time.

Respectfully,

Regan Robertson

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rrobertson@depausa.org
www.depausa.org

From: rrobertson@depausa.org [mailto:rrobertson@depausa.org]

Sent: Friday, March 24, 2017 1:29 PM

To: 'SIO, Scheduling' <scheduling_sio@ios.doi.gov>

Cc: 'Scheduling SIO' <scheduling@ios.doi.gov>; 'Pete Regan' <pregan@depausa.org>

Subject: RE: DEPA/Harold Hamm Meeting Request, April 3/4

Thank you, Caroline.

I was on the road yesterday but will get back to you as soon as possible with this information.

Appreciate it!

Regan

From: caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO, Scheduling

Sent: Thursday, March 23, 2017 1:53 PM

To: rrobertson@depausa.org

Cc: Scheduling SIO <scheduling@ios.doi.gov>; Pete Regan <pregan@depausa.org>

Subject: Re: DEPA/Harold Hamm Meeting Request, April 3/4

Hi Regan,

I apologize for the delay. Your email was the first our office had heard of the request. I have attached both our meeting request and event request forms--I cannot tell from your email if you are looking to set a meeting with the Secretary or to a reception/luncheon event. Please fill out whichever best matches your request and return it to our office for processing!

We appreciate your help. Please let me know if you have any questions or concerns.

Best,
Caroline

On Wed, Mar 15, 2017 at 5:32 PM, <rrobertson@depausa.org> wrote:
Good afternoon,

I am following up on behalf of Domestic Energy Producers Alliance (DEPA) and our Chairman, Harold Hamm, to request to meet with Secretary Zinke next month. Chairman Hamm and DEPA members are flying into DC April 3-4.

Is Secretary Zinke available either after **3pm on Monday, April 3** **or morning or afternoon of Tuesday, April 4**? We will set around the Secretary's schedule if he has time within that window, whether it be a breakfast, reception, luncheon etc.

Thank you for your consideration and I look forward to hearing from you.

Respectfully,
Regan Robertson

Copied: Pete Regan, Executive Director, DEPA

Regan Robertson
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Telephone: 918-293-3921
rrobertson@depausa.org
www.depausa.org

To: Kate MacGregor (katharine_macgregor@ios.doi.gov)[katharine_macgregor@ios.doi.gov];
Kathy Benedetto (kathleen_benedetto@ios.doi.gov)[kathleen_benedetto@ios.doi.gov]
Cc: Mike Nedd (Mike_Nedd@blm.gov)[Mike_Nedd@blm.gov]
From: Kathleen Sgamma
Sent: 2017-04-04T10:40:25-04:00
Importance: Normal
Subject: Western Energy Alliance Letter on the EO and the BLM Methane Rule
Received: 2017-04-04T10:40:42-04:00
[Western Energy Alliance Letter on Executive Order and Methane Rule.pdf](#)

Hello Kathy and Kate,

Attached please find a letter thanking the Secretary for the Executive and Secretarial Orders regarding energy, and recommending next steps regarding the BLM methane rule in light of the litigation and the fact that companies are incurring implementation costs.

Please advise if there's a particular staff member that I should be communicating with on these matters. Thank you.

Kathleen Sgamma
President
Western Energy Alliance
1775 Sherman St., Suite 2700
Denver, CO 80203
(303) 501-1059 direct
(303) 623-0987 main
ksgamma@westernenergyalliance.org
westernenergyalliance.org
[@KathleenSgamma](#)

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To: katharine_macgregor@ios.doi.gov[katharine_macgregor@ios.doi.gov]; richard_cardinale@ios.doi.gov[richard_cardinale@ios.doi.gov]
Cc: Washington, Gregory J (GWashington)[GWashington@chevron.com]; Mark Hanley[Mark.hanley@anadarko.com]; 'Panelo, Marcelo' (marcelo.panelo@bp.com)[marcelo.panelo@bp.com]; Jacob Roche[Jacob_Roche@murphyoilcorp.com]; Melissa Shute (mshut@statoil.com)[mshut@statoil.com]; Bondareff, Joan (Bondareff@BlankRome.com)[Bondareff@BlankRome.com]
From: Carrie Domnitch
Sent: 2017-04-04T12:37:49-04:00
Importance: Normal
Subject: Thanks/CBP Notice/Economic report released this morning
Received: 2017-04-04T12:38:43-04:00
[Economic Impact Analysis CBP Rulings Final Report.pdf](#)
[Final Letter to CBP Economic Analysis 04032017.pdf](#)
[FINAL Proposed CBP Changes 3.23.17.pdf](#)
[Vol 43 No 40 title.pdf](#)
[100426 Federal Register Notice on CBP Rulemaking.pdf](#)

Kate and Richard,

Thanks for sitting down with industry yesterday to discuss the CBP Notice, the potential impacts of the action and given the use of the *Customs Bulletin*, the lack of interagency input as a result. As promised, in response to the January 18, 2017 (two days before the change in administration) Notice by CBP in its *Customs Bulletin* proposing to modify and/or revoke Jones Act ruling letters, which would overturn over 40 years of precedent used by the oil and natural gas industry to safely produce oil and gas in the Gulf of Mexico, API commissioned an independent evaluation of the potential impacts of this action. The report titled "Economic Impacts of Proposed Modification and Revocation of Jones Act Ruling Letters Related to Offshore Oil and Natural Gas Activities" is attached. In short, according to the report, the impacts of this Notice may include:

- ★ Losses in the range of 30,000 industry supported jobs in 2017 with as many as 125,000 jobs lost by 2030. The Gulf of Mexico states are projected to be the most impacted by these job losses;
- ★ Decrease in U.S. oil and natural gas production in the range of 23% from 2017-2030;
- ★ Decrease in government revenue more than \$1.9 billion per year from 2017-2030;
- ★ Decrease of offshore oil and natural gas spending in the range of \$5.4 billion per year and;
- ★ Cumulative lost GDP of \$91.5 billion from 2017-2030.

API has provided the attached study to the CBP ahead of the close of the comment period which ends on April 18th and pointed out that given President Trump's recent Executive Order on March 28, 2017, titled "Promoting Energy Independence and Economic Growth," the Notice should be withdrawn in order to comply with the EO's direction that regulatory burdens unduly hindering oil and natural gas production must be avoided. That transmittal letter is attached. We will be providing more robust comments by the end of the comment period.

Please also see API's press release below. I've also attached our white paper provided yesterday as

well as the CBP's withdrawal in 2009 and the DHS's recognition in 2010 that this process should be done through a rulemaking process when it added a rulemaking to its unified agenda. Please let me know if you have any further questions.



FOR IMMEDIATE RELEASE

Brooke Sammon | 202.682.8114 | SammonB@api.org

API: New report forecasts damage to American economy, jobs, and energy production from new Jones Act rulings

WASHINGTON, April 4, 2017 – API released a new report today projecting significant and damaging impacts from the Customs and Border Protection Agency's (CBP) proposed modifications to its rulings related to the use of Jones Act vessels in offshore oil and natural gas activity, including the potential for significant loss of American jobs, reduced U.S. oil and natural gas production, and diminished revenues for federal and state government.

“This report projects that the proposed changes to these long-standing rulings would have widespread negative impacts on American jobs and the national economy, as well as a damaging effect on our national energy security,” said API Upstream and Industry Operations Group Director Erik Milito. “The study also concludes that these changes would have an abrupt negative impact on oil and natural gas development and investment in the Gulf of Mexico, further impacting consumers and businesses and substantially decreasing government revenue.”

According to the Calash economic report, the impacts of CBP's proposal may include:

- Losses in the range of 30,000 industry supported jobs in 2017 with as many as 125,000 jobs lost by 2030. The Gulf of Mexico states are projected to be the most impacted by these job losses;
- Decrease in U.S. oil and natural gas production in the range of 23% from 2017-2030;
- Decrease in government revenue more than \$1.9 billion per year from 2017-2030;
- Decrease of offshore oil and natural gas spending in the range of \$5.4 billion per year and;
- Cumulative lost GDP of \$91.5 billion from 2017-2030.

“President Trump's recent executive order on energy independence was an important step toward increasing American competitiveness, and these proposed changes completely undermine the order's purpose by placing unnecessary and harmful burdens on domestic energy production,” said Milito. “These proposed changes to the rulings should be immediately withdrawn in order to protect U.S. energy security and allow for consumers and businesses to continue benefitting from America's energy renaissance.”

The report by Calash is available on [API's website](#).

API is the only national trade association representing all facets of the oil and natural gas industry, which supports 9.8 million U.S. jobs and 8 percent of the U.S. economy. API's more than 625 members include large integrated companies, as well as exploration and production, refining, marketing, pipeline, and marine businesses, and service and supply firms. They provide most of the nation's energy and are backed by a growing grassroots movement of more than 30 million Americans.

###

Carrie M. Domnitch
Director, Federal Relations
American Petroleum Institute
202-682-8424

To: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Ryan Ullman
Sent: 2017-04-04T15:33:35-04:00
Importance: Normal
Subject: Venting and Flaring Letter
Received: 2017-04-04T15:33:49-04:00
[April 4 Zinke Venting and Flaring Letter.pdf](#)

Micah,

Please find attached a letter we'll be formally submitting via snail mail to the Secretary regarding the venting and flaring rule. We are requesting that the department suspend the rule immediately while the parties involved work towards a mutually beneficial solution.

As it stands, our member companies impacted by the rule currently have to abide by the regulatory requirements for capturing vented or flared methane. As you know, the cost outlays to comply with the regulation are considerable and immediate.

Let me know if you have questions or if we can be helpful in any way.

Thanks,
Ryan



Ryan Ullman
Director of Government Relations & Political Affairs
Independent Petroleum Association of America
Office: 202-857-4722
rullman@ipaa.org

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
Cc: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]; Youngen, Angie (Portman)[Angie_Youngen@portman.senate.gov]
From: Youngen, Angie (Portman)
Sent: 2017-04-04T19:24:29-04:00
Importance: Normal
Subject: Call with Senator Portman
Received: 2017-04-04T19:24:42-04:00

Caroline-

Good evening. Senator Portman has asked that I outreach to check on the possibility of a call with Secretary Zinke later this week. The topic of the call would be a follow up from the March conversation on methane.

I have included a few possible times below and look forward to working with you to secure a convenient time.

April 6 4:40/5:30

April 7 11:00/11:30/12:00/4:00/4:30



Angie Youngen

U.S. Senator Rob Portman (OH)
448 Russell Senate Office Building
Washington, DC 20510
Angie_Youngen@Portman.Senate.Gov

To: Macgregor, Katharine[katharine_macgregor@ios.doi.gov]
From: Willens, Todd
Sent: 2017-04-04T19:45:31-04:00
Importance: Normal
Subject: Re: Interior meetings request
Received: 2017-04-04T19:45:43-04:00

Senior leadership.

Todd Willens
Chief of Staff
United States Congressman Steve Pearce
New Mexico's Second Congressional District

On Apr 4, 2017, at 7:18 PM, Macgregor, Katharine <katharine_macgregor@ios.doi.gov> wrote:

Hey is the Congressman's request that the Secretary meet with these folks or senior leadership?

----- Forwarded message -----

From: Willens, Todd <Todd.Willens@mail.house.gov>
Date: Tue, Apr 4, 2017 at 5:34 PM
Subject: FW: Interior meetings request
To: "kate_macgregor@ios.doi.gov" <kate_macgregor@ios.doi.gov>

Kate, can you help me with this. Below is my chain with Melissa, but it bounced back. I assume she has moved on. Can you redirect me to help our folks?

Todd D. Willens

From: Willens, Todd
Sent: Monday, April 03, 2017 10:55 AM
To: 'Melissa Simpson'
Subject: RE: Interior meetings request

I haven't heard from anyone on this.

Todd D. Willens

From: Melissa Simpson [mailto:melissa_simpson@ios.doi.gov]
Sent: Monday, March 27, 2017 7:56 AM
To: Willens, Todd
Subject: Re: Interior meetings request

You should hear from Linda or Yolando in Kathy's office today.

Melissa

Melissa Simpson
Intergovernmental and External Affairs
Department of the Interior
1849 C Street, NW Room 6211
Washington, DC 20240
(202) 706 4983 cell
melissa_simpson@ios.doi.gov

Sent from my iPhone

On Mar 21, 2017, at 9:59 AM, Melissa Simpson
<melissa_simpson@ios.doi.gov> wrote:

Thanks. I will check on the status. Stay tuned.

Melissa

Melissa Simpson
Intergovernmental and External Affairs
Department of the Interior
1849 C Street, NW Room 6211

Washington, DC 20240

(202) 706 4983 cell

melissa_simpson@ios.doi.gov

Sent from my iPhone

On Mar 21, 2017, at 9:41 AM, Willens, Todd
<Todd.Willens@mail.house.gov> wrote:

Melissa,

I have not heard from anyone at MIB in response to this request.

Todd D. Willens

Sent: Monday, March 13, 2017 10:40 AM
To: 'Melissa Simpson'
Subject: RE: Interior meetings request

From: Willens, Todd

On second thought, to avoid the extra forms, lets keep it at staff level. Secretary not critical at this point. His staff is though. Can you get someone from his wing to do that then?

Todd D. Willens

From: Melissa Simpson
[mailto:melissa_simpson@ios.doi.gov]

Sent: Monday, March 13, 2017 9:29 AM

To: Willens, Todd

Subject: Re: Interior meetings request

Thanks Todd. There is a meeting request form that the Secretary's scheduler requires. I will send that to you. I'm the next email. Please cc me when you send it to her.

Meanwhile, I will tee this up with Kathy.

Melissa

Melissa Simpson

Intergovernmental and
External Affairs

Department of the
Interior

1849 C Street, NW
Room 6211

Washington, DC 20240

(202) 706 4983 cell

melissa_simpson@ios.doi.gov

Sent from my iPhone

On Mar 13, 2017, at 8:43 AM, Willens, Todd
<Todd.Willens@mail.house.gov> wrote:

Melissa,

Congressman Pearce has a fly-in group from Roswell/Artesia, NM region coming to DC on May 1st. They have been able to get in the last few years with FWS and BLM. Unfortunately, those meetings have not been very successful.

For this year's visit, the Congressman seeks the Secretary's assistance in confirming this year's group to meet with FWS, BLM and Department leadership, preferably the Secretary, on May 1st. Below is the request from their coordinator and attached is the attendee list.

We appreciate the Secretary and the Department's consideration of this request.

***Todd D.
Willens***

Sent: Monday, March 13, 2017 3:07 AM
To: Willens, Todd
Subject: Interior meetings request

From: Hayley
Snow Klein
[mailto:hklein@
artesiachamber.
com]

Good
morning,
Todd,

As you know,
Artesia and
Roswell are
planning our
annual
Washington
Fly-in.
Usually, we
meet with
FWS and
BLM in
separate
meetings, but
have had some
difficulties in
the last two
years with
BLM. This
year, I am
asking for
assistance in
setting up
meetings that
would be
appropriate for
the following
issues, which
are primarily
focused on
BLM and
FWS, but may

include others:

APD
process
ing and
permitt
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oil &
gas
produc
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the
new
compu
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system
was
not
ready
for roll-
out,
which
is
causin
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confusi
on and
delays;
moreo
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we
would
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discuss
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unpred
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timelin
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APDs
which
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delays
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produc

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and tie
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see the
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to
quarter
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which
is
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Mussel
and the
associa
ted
CCAs

Other
ESA
listings
that
may be
in the
works

We will be in
Washington
May 1-3. We
respectfully
request a
meeting or
meetings at
Interior on
Monday, May
1. I have
attached a list
of our

attendees.
Please let me
know if you
have questions
or need
additional
information.

Thank you for
your
assistance and
direction,

Hayley

Hayley
Klein

Executive
Director

Artesia
Chamber of
Commerce

107 North
First Street

Artesia, NM
88210

O:
575.746.274
4

www.artesiachamber.com

<Artesia-Roswell Fly-
in 2017
Attendees.pdf>

--

Kate MacGregor
1849 C ST NW
Room 6625
Washington DC 20240

202 208 3671 (Direct)

To: 'Micah Chambers'[micah_chambers@ios.doi.gov]
From: Sterne, Kate (Cornyn)
Sent: 2017-04-05T09:17:56-04:00
Importance: Normal
Subject: RE: DOI - BLM Methane CRA
Received: 2017-04-05T09:18:03-04:00

Hi Micah-- For some reason, your message didn't hit my inbox until after 6 last night. I'm pretty flexible today for a phone call, let me know what works for you. Thanks!

(My direct is (b) (6).)

From: Micah Chambers [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, April 4, 2017 9:37 AM
To: Sterne, Kate (Cornyn) <Kate_Sterne@cornyn.senate.gov>
Subject: Re: DOI - BLM Methane CRA

Yes. I can call or I will be on hill this afternoon

Sent from my iPhone

On Apr 4, 2017, at 9:25 AM, Sterne, Kate (Cornyn) <Kate_Sterne@cornyn.senate.gov> wrote:

Hi Micah- Do you have a few moments today to catch up?

Kate

From: Micah Chambers [mailto:micah_chambers@ios.doi.gov]
Sent: Friday, March 10, 2017 4:22 PM
To: Sterne, Kate (Cornyn) <Kate_Sterne@cornyn.senate.gov>
Subject: Re: DOI - BLM Methane CRA

(b) (6) if there's any way you're free closer to 445 it'd be appreciated. If not I can do 430 still.

Sent from my iPhone

On Mar 10, 2017, at 4:04 PM, Sterne, Kate (Cornyn) <Kate_Sterne@cornyn.senate.gov> wrote:

Hi Micah-- Let me know a good number to call you at - 4:30?
Thanks!

Kate

Sent from my iPhone

On Mar 10, 2017, at 3:27 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

Thanks Monica. I'm free at 430 if either of you are. Just let me know. Appreciate the time.

Micah

On Fri, Mar 10, 2017 at 3:22 PM, Popp, Monica
(Cornyn) <Monica_Popp@cornyn.senate.gov> wrote:

Hi Micah Thank you for your note. Happy to meet and have also copied Kate Sterne in our office who leads on this issue. I have a 3:30 and 4 pm, but otherwise around. Kate may be able to give you an update sooner than I can get to you.

Monica H.Popp
Chief of Staff
Office of the Senate Majority Whip John Cornyn
Direct: (b) (6)

From: "Chambers, Micah"
<micah_chambers@ios.doi.gov>

Date: Friday, March 10, 2017 at 3:02 PM
To: Monica Popp <Monica_Popp@cornyn.senate.gov>
Subject: DOI BLM Methane CRA

Hi Monica.

I hope you're doing well and nice to "meet" you. I was wondering if you'd have a minute to chat about the BLM Methane CRA. This is an issue the Secretary cares a lot about, both personally (MT) and professionally (DOI). He's been making calls to Senators on the issue, but I wanted to catch up with you to get your sense of where things stand. If there's a time that works better for you, just let me know. Otherwise, my work cell number is (b) (6) but I have a 4 pm meeting.

Thank you

--
Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Christianson, Andrew
Sent: 2017-04-05T11:16:58-04:00
Importance: Normal
Subject: RE: Secretary Zinke Takes Immediate Action to Advance American Energy Independence: TEST
Received: 2017-04-05T11:17:07-04:00

Hey Micah,

I took over as chief last week so I've just been trying to keep my head above water. Though it probably doesn't hold a candle to what you guys are doing getting Secretary Zinke set up!

Wanted to say thanks again for the invitation to have Kristi attend the signing ceremony last week. Was a great event.

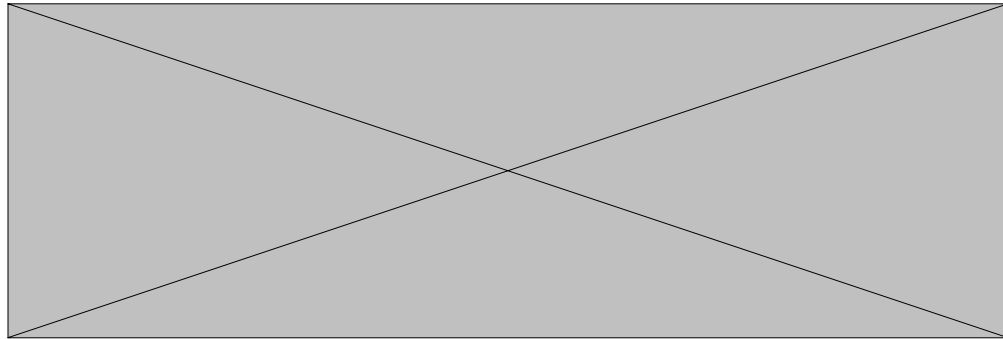
Andrew Christianson
Chief of Staff
Congresswoman Kristi Noem (SD AL)
2457 Rayburn House Office Building
Washington, DC 20515
202 225 2801
[Connect with Congresswoman Noem](#)

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Wednesday, March 29, 2017 1:50 PM
To: MacGregor, Robert; Christensen, Keeley; Thomas, James; Small, Jeff; Roberson, Kelly; Marino Thacker, Meghan (Daines); jason_thielman@daines.senate.gov; Sherer, Dustin; Green, Josh; Hayes, Colin (Energy); Hughes, Brian (Energy); Daimler-Nothdurft, Kristen (Murkowski); shawn_affolter@hoeven.senate.gov; Newman, Jennifer (Hoeven); Jorde, Adam; Marohl, Chris; Gruman, Mark; Christianson, Andrew; Fisher, Andrew; Ahern, Kara; Ward, Jimmy
Cc: Amanda Kaster; Swift, Heather
Subject: Fwd: Secretary Zinke Takes Immediate Action to Advance American Energy Independence: TEST

All. Please see the press release from DOI.

----- Forwarded message -----

From: **Swift, Heather** <heather_swift@ios.doi.gov>
Date: Wed, Mar 29, 2017 at 1:39 PM
Subject: Fwd: Secretary Zinke Takes Immediate Action to Advance American Energy Independence: TEST
To: Micah Chambers <micah_chambers@ios.doi.gov>, Amanda Kaster <amanda_kaster@ios.doi.gov>, Timothy Williams <timothy_williams@ios.doi.gov>



Date: March 29, 2017

Contact: Interior_Press@ios.doi.gov

Secretary Zinke Takes Immediate Action to Advance American Energy Independence

WASHINGTON Today, U.S. Secretary of the Interior Ryan Zinke signed two secretarial orders to advance American energy independence. The Secretary's orders foster responsible development of coal, oil, gas, and renewable energy on federal and Tribal lands and initiate review of agency actions directed by President Trump's executive order entitled "Promoting Energy Independence and Economic Growth." Secretary Zinke also signed a charter establishing a Royalty Policy Committee to ensure the public receives the full value of natural resources produced from federal lands. In signing the historic actions on energy independence, Secretary Zinke was joined by Members of Congress from western states and other stakeholders.

"Today I took action to sign a series of directives that put America on track to achieve the President's vision for energy independence and bringing jobs back to communities across the country" said Secretary Zinke. "American energy powers our national and local economies. But for too many local communities, energy on public lands has been more of a missed opportunity and has failed to include local consultation and partnership. Today's orders allow for Americans to benefit from safe and environmentally responsible development on federal lands and put America on track for energy independence."

Secretarial Order 3348 overturns the 2016 moratorium on all new coal leases on federal land and ends the programmatic environmental impacts statement that was set to be completed no sooner than 2019. Based upon the Department's review of Secretarial Order 3338, the order notes that, "the public interest is not served by halting the federal coal program for an extended time, nor is a PEIS required to consider potential improvements to the program." The order notes that the federal coal leasing program supplies approximately 40 percent of the coal produced in the United States that is of critical importance to the U.S. economy.

Secretarial Order 3349 implements review of agency actions directed by the President's Executive Order signed yesterday on energy independence. It also directs a reexamination of

the mitigation and climate change policies and guidance across the Department of the Interior in order to better balance conservation strategies and policies with the equally legitimate need of creating jobs for hardworking American families. In particular, the order sets a timetable for review of agency actions that may hamper responsible energy development and reconsideration of regulations related to U.S. oil and natural gas development.

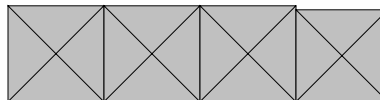
In an effort to ensure the public continues to receive the full value of natural resources produced on federal lands, Secretary Zinke also signed a charter establishing a Royalty Policy Committee to provide regular advice to the Secretary on the fair market value of and collection of revenues from Federal and Indian mineral and energy leases, include renewable energy sources. The Committee may also advise on the potential impacts of proposed policies and regulations related to revenue collection from such development, including whether a need exists for regulatory reform. The group will be made up of up to 28 local, Tribal, state, and other stakeholders and will serve as an advisory role only.

Secretary Zinke added that, "It's important that taxpayers get the full value of traditional and renewable energy produced on public lands and that we ensure companies conduct environmental reviews under NEPA and have reclamation plans."

Secretary Zinke issued the following statement regarding the President's executive order on energy independence:

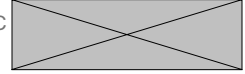
"American energy production benefits the economy, the environment, and national security. First, it's better for the environment that the U.S. produces energy. Thanks to advancements in drilling and mining technology, we can responsibly develop our energy resources and return the land to equal or better quality than it was before. I've spent a lot of time in the Middle East, and I can tell you with 100 percent certainty it is better to develop our energy here under reasonable regulations and export it to our allies, rather than have it produced overseas under little or no regulations. Second, energy production is an absolute boon to the economy, supporting more than 6.4 million jobs and supplying affordable power for manufacturing, home heating, and transportation needs. In many communities coal jobs are the only jobs. Former Chairman Old Coyote of the Crow Tribe in my home state of Montana said it best, 'there are no jobs like coal jobs.' I hope to return those jobs to the Crow people. And lastly, achieving American energy independence will strengthen our national security by reducing our reliance on foreign oil and allowing us to assist our allies with their energy needs. As a military commander, I saw how the power of the American economy and American energy defeated our adversaries around the world. We can do it again to keep Americans safe."

###



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20240 · 202 208 3100



--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Orth, Patrick (Portman)
Sent: 2017-04-05T13:53:17-04:00
Importance: Normal
Subject: proposals
Received: 2017-04-05T13:55:26-04:00
Methane proposals.docx

Micah see attached for 3 different proposals.

Patrick Orth
Legislative Assistant
Office of Senator Rob Portman
Phone: 202-224-3353
Email: Patrick_orth@portman.senate.gov

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
Cc: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Youngen, Angie (Portman)
Sent: 2017-04-05T17:53:47-04:00
Importance: Normal
Subject: RE: Call with Senator Portman
Received: 2017-04-05T17:53:56-04:00

Thanks Caroline. I have confirmed the call with Senator Portman and Secretary Zinke for Friday April 7 at 12:00.

Senator Portman will be available at (b) (6)

Thanks again!

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Wednesday, April 05, 2017 5:47 PM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov
Subject: Re: Call with Senator Portman

Hi Angie,

The Secretary would be available on Friday at 12:00PM.

Please let us know the best number that the Secretary should call.

Best,
Caroline

On Tue, Apr 4, 2017 at 7:24 PM, Youngen, Angie (Portman)

<Angie_Youngen@portman.senate.gov> wrote:

Caroline-

Good evening. Senator Portman has asked that I outreach to check on the possibility of a call with Secretary Zinke later this week. The topic of the call would be a follow up from the March conversation on methane.

I have included a few possible times below and look forward to working with you to secure a convenient time.

April 6 4:40/5:30

April 7 11:00/11:30/12:00/4:00/4:30



Angie Youngen

U.S. Senator Rob Portman (OH)
448 Russell Senate Office Building
Washington, DC 20510
Angie_Youngen@Portman.Senate.Gov

--

Caroline Boulton

Department of the Interior

Scheduling & Advance

Caroline_Boulton@ios.doi.gov | Scheduling@ios.doi.gov

To: ryan_zinke@ios.doi.gov[ryan_zinke@ios.doi.gov]
Cc: Scott_Hommel@ios.doi.gov[Scott_Hommel@ios.doi.gov];
timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov];
nancy_guiden@ios.doi.gov[nancy_guiden@ios.doi.gov];
megan_bloomgren@ios.doi.gov[megan_bloomgren@ios.doi.gov]
From: amy_gilbert@protectnps.org
Sent: 2017-04-06T20:34:39-04:00
Importance: Normal
Subject: CPANP Letter re: Secretarial Order #3349 American Energy Independence
Received: 2017-04-06T20:37:54-04:00
[2017_0406_CPANP_Ltr_to_Sec_Zinke_ref_9B_regs.pdf](#)

Dear Secretary Zinke,

I am writing to you on behalf of the Coalition to Protect America's National Parks (Coalition), whose 1,200 members collectively represent more than 30,000 years of national park management experience. The Coalition studies, educates, and advocates for the preservation of America's National Park System. For some time we have actively engaged in air quality and water quality issues affecting parks and we are writing today to express our concerns that provisions of Secretarial Order # 3349 American Energy Independence, if fully implemented, will cause serious harm to the resources and values for which many of the parks were established. Please see our attached letter regarding the Secretarial Order.

If you have any questions or would like to discuss further, please let me know.

Best,

Amy Gilbert

Executive Director

Coalition to Protect America's National Parks

703-731-4268

amy_gilbert@protectnps.org

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
Cc: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]
From: Youngen, Angie (Portman)
Sent: 2017-04-07T09:38:57-04:00
Importance: Normal
Subject: RE: Call with Senator Portman
Received: 2017-04-07T09:39:22-04:00

Caroline-

Is there any possibility to move the call to 11:00 today? If not, we will keep the 12:00 time.

Thanks again!

Angie

From: Youngen, Angie (Portman)
Sent: Wednesday, April 05, 2017 5:54 PM
To: 'Boulton, Caroline'
Cc: micah_chambers@ios.doi.gov
Subject: RE: Call with Senator Portman

Thanks Caroline. I have confirmed the call with Senator Portman and Secretary Zinke for Friday April 7 at 12:00.

Senator Portman will be available at (b) (6)

Thanks again!

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On Tue, Apr 4, 2017 at 7:24 PM, Youngen, Angie (Portman)
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April 6 4:40/5:30

April 7 11:00/11:30/12:00/4:00/4:30



Angie Youngen

U.S. Senator Rob Portman (OH)
448 Russell Senate Office Building
Washington, DC 20510
Angie_Youngen@Portman.Senate.Gov

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Caroline Boulton

Department of the Interior

Scheduling & Advance

Caroline_Boulton@ios.doi.gov | Scheduling@ios.doi.gov

To: Boulton, Caroline[caroline_boulton@ios.doi.gov]
Cc: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]; Kaster, Amanda[amanda_kaster@ios.doi.gov]
From: Youngen, Angie (Portman)
Sent: 2017-04-07T09:51:46-04:00
Importance: Normal
Subject: RE: Call with Senator Portman
Received: 2017-04-07T09:52:01-04:00

Thanks Caroline. If 12:30 would work that would be great as there is some uncertainty surrounding the vote sequence. If it works for the Secretary, could we make the move to that time?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
Sent: Friday, April 07, 2017 9:48 AM
To: Youngen, Angie (Portman)
Cc: micah_chambers@ios.doi.gov; Kaster, Amanda
Subject: Re: Call with Senator Portman

Hi Angie,

Unfortunately he does have meetings until 11:30AM, which I understand to be the vote time! We are able to push the call back a half hour if that's better.

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On Fri, Apr 7, 2017 at 9:38 AM, Youngen, Angie (Portman)
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Department of the Interior

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[Caroline Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | Scheduling@ios.doi.gov

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Cc: micah_chambers@ios.doi.gov[micah_chambers@ios.doi.gov]; Kaster, Amanda[amanda_kaster@ios.doi.gov]
From: Youngen, Angie (Portman)
Sent: 2017-04-07T09:58:58-04:00
Importance: Normal
Subject: RE: Call with Senator Portman
Received: 2017-04-07T09:59:18-04:00

Thanks Caroline. Yes, confirming 12:30 pm call. The Secretary can reach Senator Portman at (b) (6)

In case of any delays, what is the best number to reach you?

From: Boulton, Caroline [mailto:caroline_boulton@ios.doi.gov]
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Would the same (b) (6) number work for the Secretary to call?

On Fri, Apr 7, 2017 at 9:54 AM, Boulton, Caroline <caroline_boulton@ios.doi.gov> wrote:
Not a problem! I'll change it on the calendar!

On Fri, Apr 7, 2017 at 9:51 AM, Youngen, Angie (Portman) <Angie_Youngen@portman.senate.gov> wrote:
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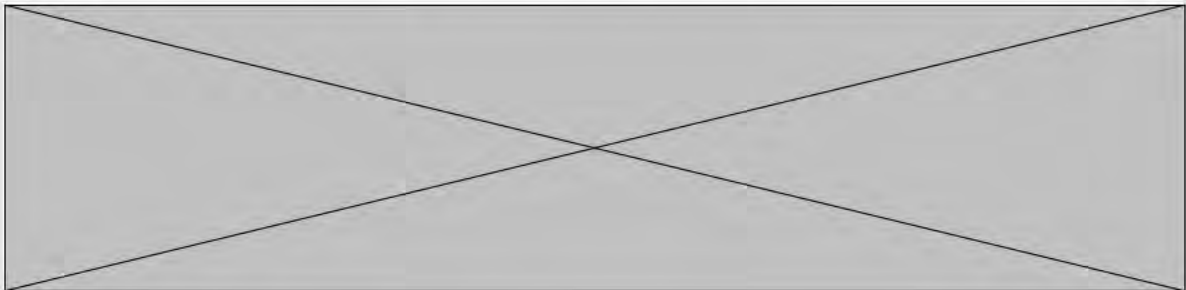
--

Caroline Boulton

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Caroline_Boulton@ios.doi.gov | Scheduling@ios.doi.gov

To: downey_magallanes@ios.doi.gov[downey_magallanes@ios.doi.gov]
From: Science and Environmental Policy Project
Sent: 2017-04-09T20:19:00-04:00
Importance: Normal
Subject: TWTW Apr 8, 2017
Received: 2017-04-09T20:19:06-04:00

The Week That Was: 2017-04-08 (April 8, 2017) Brought to You by SEPP www.sepp.org The Science and Environmental Policy Project (SEPP) PLEASE NOTE:



The Week That Was: 2017-04-08 (April 8, 2017)
Brought to You by SEPP www.sepp.org
The Science and Environmental Policy Project (SEPP)

PLEASE NOTE: The complete TWTW can be downloaded in an easily printable form at this web site: <http://www.sepp.org/the-week-that-was.cfm>...

Please forward this Newsletter to those interested in Science and Environmental Policy. Thank you. Forward.

Quote of the Week.

"The greatest deception men suffer is from their own opinions." — Leonardo da Vinci

Number of the Week: The year 1942

THIS WEEK:

By Ken Haapala, President, Science and Environmental Policy Project (SEPP)

Upper Bound for 21st Century Warming: The Right Climate Stuff Team (TRCS) is a group of retired and highly experienced engineers and scientists from the Apollo, Skylab, Space Shuttle and International Space Station eras. They have volunteered their time and effort to conduct an objective, independent assessment of the carbon dioxide (CO₂)-caused global warming to assess the reality of the actual threat, and separate that from unnecessary alarm. They have applied the techniques they learned for space missions to this task. A rough engineering analogy is how can they be confident that an astronaut will not cook or freeze in a space station or a space suit.

To do this, the TRCS created an energy flow model (energy balance or energy conservation model) that accurately correlates with empirical global surface temperature data, using HadCRUT surface temperature data since 1850. HadCRUT is a dataset of monthly instrumental temperature records formed by combining the sea surface temperature records compiled by the Hadley Centre of the UK Met Office and the land surface air temperature records compiled by the Climatic Research Unit (CRU) of the University of East Anglia. (Note: atmospheric temperature data from satellites only dates to 1979.)

The TRCS model even includes the heat flow from the molten core of the earth. It shows that global temperature is not significantly affected by increases in atmospheric CO₂. An increase of CO₂ to 570 parts per million (ppm) will result in a maximum increase in global temperatures of about 1.8K far less than the general estimates by the UN Intergovernmental Panel on Climate Change (IPCC) and its followers in the US Global Change Research Program (USGCRP), NOAA, EPA, etc. From ice cores, the estimated concentration of CO₂ in 1850 was 285 ppm. So, the upper bound estimate in the TRCS model is at the low end of the 1979 estimate in the Charney Report of 1.5C with a doubling of CO₂. The TRCS estimate is a maximum, and the actual result may be far less.

In a video, Harold Doiron, a principle modeler of the lunar lander, presents the TRCS team's simple, rigorous earth surface model using principles established in Conservation of Energy. He shows how the model is validated using 165 years of atmospheric greenhouse gas data and HadCRUT surface temperature data.

As Doiron points out, at the last ice age maximum about 20,000 years ago, the CO₂

concentration was about 180 ppm, near the 150 ppm level that would result in the death of many green plants. Further, the safe limits for US submarines is 8,000 ppm.. (There are reports that concentrations in WW I & WW II submarines approached 40,000 ppm.)

Doiron discusses the widely accepted Kiehl Trenberth general model stating that following it requires understanding of complex fluid dynamics and complex simulations of processes, which may or may not be correct. However, the estimates of the unknowns must be accurate within 2.5% to provide a useful result, an accuracy that is not attainable at this time. In his view as an Apollo engineer, Doiron states the approach is futile, and may never solve the problem. (As discussed in last week's TWTW, there has been no progress made by this approach since 1979.)

Another problem with the IPCC approach is that it uses basically untestable concepts, such as equilibrium climate sensitivity (ECS), which may take hundreds of years to be tested, and demonstrated to be false. Another problem with the IPCC approach is the free use of aerosols, previously discussed in TWTW, where the values (usually a cooling effect) may be adjusted to produce an acceptable result in the climate models, tuning them to past observations.

To avoid these issues, Doiron introduces the concept of Transient Climate Sensitivity (TCS) which is an empirically verifiable measurement for all greenhouse gases, as well as CO₂ alone. TCS can be defined as the sum of CO₂ and other greenhouse gases, feedbacks (water vapor and other positive and negative feedbacks) and aerosols. Doiron recognizes that his TCS may be too high, but it sets an upper bound. This upper bound is not scary.

The Right Climate Stuff Team has written to President Trump, the EPA, and others stating that models need to be validated by data, and the entire issue of the influence of CO₂ on temperatures needs independent, objective review. In the past, such as after the Challenger disaster, NASA conducted such reviews, called non-advocacy reviews. No doubt, many entrenched alarmist government entities will bitterly oppose such a review. See links under Challenging the Orthodoxy.

Fat Tails Lead to Tall Tales: In his presentation, Doiron shows a graph of an EPA presentation with the possible distribution of increase in temperatures from use of

fossil fuels of up to 10 degrees C.

Judith Curry has called such possible distributions fat tails. It is possible from these fat tails (no matter how unlikely). It is from these fat tails, we get tall tales of dire consequences of increased use of fossil fuels, such as:

- melting of the Himalaya Mountains by the 2040s (IPCC Fourth Assessment Report (AR4) 2007),
- dire sea level rise of up to 8 feet by the end of the century (NOAA, January 2017),
- James Hansen's skyrocketing sea level rise at the end of the century (NASA-GISS), etc.

A proper upper bound analysis will do away with these fat tails. Perhaps that is why no US government entity has done one, even though the US government has spent over \$40 billion on what government reports classify as Climate Science since 1993. We will await to see what the new administration will do. See links under Defending the Orthodoxy.

Late 20th Century Warming An Artifact? In his presentation at Heartland's Twelfth International Congress on Climate Change (ICCC-12), Fred Singer presented data supporting his assertion that late 20th Century surface warming is largely a result of poor placement of instruments, and improper analysis not an actual warming of the globe. The poor placement of instruments is largely from a shift to airports, which have undergone growth in air traffic; and in urbanization of surrounding areas.

Singer reports that the surface warming between 1910 and 1940 was genuine, and natural in origin. However, the reported warming between 1975 and 2000 as caused by CO emissions is not supported by 8 other datasets. These datasets include one from of the record high temperatures in the US from 1895 for 229 USHCN stations. The hottest years were clearly in the 1930s. The US had the most comprehensive coverage of surface temperatures of any country.

Another dataset is sea surface temperatures by Gouretski et al., which shows warming of the 30s, 40s, and 1950s was comparable to that of the late 20th century. A tree ring dataset by Jacoby, et al. (AAAS, 1996) shows a sharp increase in temperatures from about 1880 to 1940 but little or no increase since then. Further, data from Avam-

Taimr, the Southern Colorado Plateau, and Mongolia show little or no unusual warming in the late 20th century.

Most compelling are the datasets from satellites and weather balloons which show that climate models, based on surface data, greatly overestimate the warming of the atmosphere. The satellite and balloon datasets are the only comprehensive temperature data existing.

From these Singer concludes there is no evidence for significant human-caused global warming, climate models and observations disagree, and that the human contribution to greenhouse warming is not significant. Thus, CO2 is not a pollutant. See link under Challenging the Orthodoxy ICC-12.

Hearing of House Committee on Science, Space and Technology: In his written testimony at the Committee hearing, Roger Pielke Jr. reported on the professional abuse he has suffered from members of Congress and from President Obama's Science Advisor, John Holdren, who have chosen to politicize science and attack those who disagree. For Pielke, this attack included Rep. Grijalva (D-AZ) writing his university's president demanding an investigation of possible funding of his work by Exxon-Mobil and the Koch Foundation, that Pielke may have failed to disclose.

Pielke stated that he has called for a carbon tax. Also, he has stated that CO2 influences the climate system, the climate system is subject to multiple human influence, our ability to see the future is limited, certainty is not forthcoming, and stabilizing atmospheric concentrations of CO2 does not stop climate change. For these practical views, Pielke was branded as a "Climate Heretic." Such is the sense of climate science in Washington. Pielke is no longer involved in climate research.

In her written testimony, Judith Curry reiterates that Climategate prompted her to take a more skeptical view about climate science. She makes several important points including:

- *"Scientific progress is driven by the creative tension spurred by disagreement, uncertainty and ignorance.*
- *Progress in understanding the climate system is being hampered by an institutionalized effort to stifle this creative tension, in the name of a 'consensus' that*

humans have caused recent climate change.

- *Motivated by the mandate from the UN Framework Convention on Climate Change (UNFCCC), the climate community has prematurely elevated a scientific hypothesis on human-caused climate change to a ruling theory through claims of a consensus.*

- *Premature theories enforced by an explicit consensus building process harm scientific progress because of the questions that don't get asked and the investigations that aren't undertaken. As a result, we lack the kinds of information to more broadly understand climate variability and societal vulnerabilities.*

- *Challenges to climate research have been exacerbated by:*

- o *Unreasonable expectations from policy makers*

- o *Scientists who are playing power politics with their expertise and trying to silence scientific disagreement through denigrating scientist who do not agree with them*

- o *Professional societies that oversee peer review in professional journals are writing policy statements endorsing the consensus and advocating for specific policies*

- *Policymakers bear the responsibility of the mandate that they give to panels of scientific experts. The UNFCCC framed the climate change problem too narrowly and demanded of the IPCC too much precision where complexity, chaos, disagreement and the level of current understanding resists such precision.*

- *A more disciplined logic is needed in the climate change assessment process that identifies the most important uncertainties and introduces a more objective assessment of confidence levels.*

- *Expert panels with diverse perspectives can handle controversies and uncertainties by assessing what we know, what we don't know, and where the major areas of disagreement and uncertainties lie.”*

See links under Seeking a Common Ground.

After the Science Hearing: In remarks following the hearing, Judith Curry expressed disappointment and how Mr. Mann appeared to dominate the hearing. To Tim Ball this was not surprising.

“Mann took it [the House hearing] very seriously, was well prepared and exploited it for every political opportunity he dominated the entire proceedings. He had the advantage of not caring or having to care about the truth. His performance was designed for most of the public who have no idea about what is true. He knows this works because that assumption has driven the juggernaut from the start.”

Tim Ball was sued in Canada by Mr. Mann, and forced Mann to withdraw the suit. He understands that showmanship and bluster frequently dominate in such venues, as do many members of Congress. For these reasons, when reporting on such hearings, TWTW emphasizes the written testimony, not the oral part too often dominated by showmanship and bluster. See links under Seeking a Common Ground, and Oh Mann.

Number of the Week: The year 1942: Retired EPA scientist Alan Carlin listed seven examples of how environmentalists are making humans and the environment worse off under the guise of protecting the environment. One example was the EPA banning the use of DDT, which resulted in the efforts to ban it world-wide and the preventable deaths of millions of humans from malaria, particularly in less prosperous countries.

A critic falsely asserted the US was not a malarial nation. With the arrival of Europeans, then enslaved Africans, malaria became endemic in the US. According to the web site of the Centers for Disease Control and Prevention (CDC), “Malaria Control in War Areas (MCWA), the predecessor to CDC, was established **in 1942 to control malaria around military training bases in the United States.**” In the 1950s malaria was eradicated in the US, with the use of DDT and other measures. [Boldface added.]

In 1972, under Republican President Richard Nixon, the EPA banned DDT as a possible human carcinogen, without substantial physical evidence. In 2009, under Democratic President Obama, the EPA declared greenhouse gases, mainly carbon dioxide, endanger human health and welfare, without substantial physical evidence. The endangerment finding is used to justify efforts to curtail CO2 emissions, regardless of hardships it may place on humans, particularly in less prosperous countries.

Any government entity that proclaims a chemical or a process that is beneficial to humanity as a threat to human health, without substantial physical evidence, is not to be trusted, regardless of political affiliation of the administration. See links under Environmental Industry.

**SEPP'S APRIL FOOLS AWARD
THE JACKSON**

SEPP is conducting its annual vote for the recipient of the coveted trophy, The Jackson, a lump of coal. Readers are asked to nominate and vote for who they think is most deserving, following these criteria:

- The nominee has advanced, or proposes to advance, significant expansion of governmental power, regulation, or control over the public or significant sections of the general economy.
- The nominee does so by declaring such measures are necessary to protect public health, welfare, or the environment.
- The nominee declares that physical science supports such measures.
- The physical science supporting the measures is flimsy at best, and possibly non-existent.

The five past recipients, Lisa Jackson, Barack Obama, John Kerry, Ernest Moniz and John Holdren are not eligible. Generally, the committee that makes the selection prefers a candidate with a national or international presence. The voting will close on July 30. Please send your nominee and a brief reason why the person is qualified for the honor to Ken@SEPP.org. Thank you. The award will be presented at the annual meeting of the Doctors for Disaster Preparedness in August.

ARTICLES:

1. The Climate Yawns

Donald Trump is no more a planet wrecker than Barack Obama (as measured to the third decimal).

By Holman Jenkins, Jr. WSJ, Mar 31, 2017

<https://www.wsj.com/articles/the-cl...>

SUMMARY: The Business Columnist writes:

“The oddest criticism of Donald Trump’s climate action this week was the claim, mentioned almost triumphantly by every news source, that it would save few coal jobs. The economic and technological forces, especially the flood of low-carbon natural gas from fracking, are just too powerful.

“Then why, if you’re a Democrat, put yourself in that position in the first place to take blame for killing coal jobs? Why enact a costly regulation to do what the market was

doing for free? When everybody else wanted to blame the Florida recount for his 2000 defeat, Al Gore was smart enough privately to blame gun control. When you lose your home state as presidential candidate, something is wrong. The same blundering ineptitude explains how the Obama alliance with the greens threw away first Congress and then a presidency.”

“Gina McCarthy, Mr. Obama’s EPA administrator, admitted as much when confronted, during a 2015 House hearing, with the fact that, by the agency’s own climate models, the effect would be only 1/100th of a degree Celsius. Instead, she said success should be measured in terms of “positioning the U.S. for leadership in an international discussion.” [Boldface added]

“Even so, many climate activists felt the need to walk back Ms. McCarthy’s concession by insisting Obama policies would have a measurable effect on the amount of CO 2 released. Yes, the relative decrease would be tiny but measurable, though the climate effect would be zip. This is akin to medical researchers claiming a drug a success because it’s detectable in the bloodstream, not because it improves health.

“And don’t get us started on the ‘social cost of carbon,’ a mechanism of policy justification created by the Obama EPA to assign a dollar-value benefit to carbon abatement rules that, in total, will produce zero impact on climate.

“Pile up all the government policies enacted or seriously on the table, and their net effect is zilch. A new McKinsey study, that would be hilarious if it weren’t so sad, points out that Germany’s switch to renewables has been a success by almost every metric except CO 2 output which is up instead of down.

After discussing rising electricity prices in Germany, the columnist continues:

“No rational consideration, however, will abate the torrent of priestly imprecations hurled by green activists this week at Mr. Trump. The New York Times insists that Trumpian action “risks the planet” plainly false since nothing either Mr. Trump or Mr. Obama did will make a difference to the planet.

“Literally no amount of money dissipated on climate policy is excessive to such people, because their shamanistic status is directly proportional to the social waste they can conjure....”

NEWS YOU CAN USE:

Commentary: Is the Sun Rising?

The next Carrington Event

By Roger Andrews, Energy Matters, Apr 7, 2017

<http://euanmearns.com/the-next-carr...>

Censorship

Climate Change Irony

By Sam Kazman, CNS News, Apr 6, 2017

<http://www.cnsnews.com/commentary/s...>

Challenging the Orthodoxy -- NIPCC

Nature, Not Human Activity, Rules the Climate

S. Fred Singer, Editor, NIPCC, 2008

<http://www.sepp.org/publications/ni...>

Overcoming Chaotic Behavior of Climate Models

By S. Fred Singer, SEPP, July 2010

http://www.sepp.org/science_papers/...

Climate Change Reconsidered II: Physical Science

Idso, Carter, and Singer, Lead Authors/Editors, 2013

<https://www.heartland.org/media-lib...>

Summary:

<http://www.nipccreport.org/reports/...>

Climate Change Reconsidered II: Biological Impacts

Idso, Idso, Carter, and Singer, Lead Authors/Editors, 2014

<http://www.nipccreport.org/reports/...>

Summary:

<https://www.heartland.org/media-lib...>

Why Scientists Disagree About Global Warming

The NIPCC Report on the Scientific Consensus

By Craig D. Idso, Robert M. Carter, and S. Fred Singer, NIPCC, Nov 23, 2015
<http://climatechangereconsidered.or...>

Download with no charge

<https://www.heartland.org/policy-do...>

Challenging the Orthodoxy

The TRCS Climate Model

Video, Harold Doiron, The Right Climate Stuff Team, Jan 18, 2017

https://www.youtube.com/watch?v_bj-...

Scientists Reveal How Man-Made Global Warming Is Created Via Data Manipulation, Dismissing The Sun

By Kenneth Richard, No Tricks Zone, Apr 6, 2017

<http://notrickszone.com/2017/04/06/...>

[SEPP Comment: Review of paper by Soon, Connolly and Connolly.]

More Fun with Not-so-Dumb Organisms and the U.S. National Assessment of Climate Change

By Patrick Michaels and Craig Idso, CATO, Apr 5, 2017

<https://www.cato.org/blog/more-fun-...>

“If one of the best-studied model species can be found surviving far beyond its predicted environmental envelope, then our use [of] laboratory-based experimental results may underestimate the ability of polar organisms to cope with environmental change.”

[SEPP Comment: Phenotypic plasticity is poorly understood and studied by those predicting species extinction from climate change.]

Winters not Summers increase Mortality and Stress the Economy – Updated

By Joseph D'Aleo and Allan MacRae, ICECAP, Apr 5, 2017

<http://icecap.us/index.php/go/new-a...>

Petition to the EPA

For Rulemaking on the Subject of Greenhouse Gases and Their Impact on Public Health and Welfare

By The Competitive Enterprise Institute and The Science and Environmental Policy Project, Feb 23, 2017

<https://cei.org/sites/default/files...>

Challenging the Orthodoxy – ICC-12

“Absence of GHG Warming in 20th Century Destroys IPCC Proof for AGW”

By Fred Singer, Founder, SEPP, ICC-12, Mar 23, 2017

https://www.youtube.com/watch?v_gGp...

Video

Defending the Orthodoxy

Twelve economic facts on energy and climate change

A joint report from The Hamilton Project and the Energy Policy Institute at the University of Chicago

By Staff Writers, Brookings, Mar 27, 2017 [H/t Timothy Wise]

<https://www.brookings.edu/research/...>

“Fact 3: Global temperatures would likely rise by another 14.5°F (8°C) if all remaining global fossil fuel resources were used.”

[SEPP Comment: Contradicted by the analysis by The Right Climate Staff Research Team.]

What happens if the EPA is stripped of its power to fight climate change?

If Congress passes a law banning the EPA from regulating carbon dioxide, climate action will go to the courts.

By Natasha Geiling, Think Progress, Apr 3, 2017

<https://thinkprogress.org/congress-...>

Earth's Annual Global Mean Energy Budget

By Kiehl, J. T. and Trenberth, K. E., Bulletin of the American Meteorological Society, 1997

<http://www.cgd.ucar.edu/cas/abstrac...>

“Because the net surface heat budget must balance, the radiative fluxes constrain the sum of the sensible and latent heat fluxes which can also be estimated independently.”

Questioning the Orthodoxy

Disingenuous Climate Science Debunked

By Dale Leuck, American Thinker, Mar 27, 2017 [H/t Timothy Wise]
<http://www.americanthinker.com/arti...>

You Ought to Have a Look: The Catastrophe of Climate Catastrophizing and Fun at the House Science Committee

By Patrick Michaels, Cato, Apr 3, 2017
<https://www.cato.org/blog/you-ought...>

Did the Obama White House Collude with a Politically Motivated Scientist?

By Julie Kelly, National Review, Apr 6, 2017
<http://www.nationalreview.com/artic...>

[SEPP Comment: Seeking correspondence between science advisor John Holdren and Tom Karl of NOAA who produced a controversial report on surface temperatures in time for Paris.]

Growing Skepticism: Already 150 New (2017) Scientific Papers Support A Skeptical Position On Climate Alarm

By Kenneth Richard, No Tricks Zone, Apr 3, 2017
<http://notrickszone.com/2017/04/03/...>

Got a theory that breaks a consensus? Expect aggressive silence. Snickering. Wait decades

By Jo Nova, Her Blog, Apr 3, 2017
<http://joannenova.com.au/2017/04/go...>

Link to paper: Earliest Human Presence in North America Dated to the Last Glacial Maximum: New Radiocarbon Dates from Bluefish Caves, Canada

By Lauriane Bourgeon , Ariane Burke, and Thomas Higham, PLOS One, Jan 6, 2017
<http://journals.plos.org/plosone/ar...>

After Paris!

Trump cuts show Paris treaty is a paper tiger:

By Bjorn Lomborg, USA Today, Mar 29, 2017
<https://www.usatoday.com/story/opin...>

Change in US Administrations

Delingpole: EPA's Scott Pruitt Gets Eaten Alive by Fox

By James Delingpole, Breitbart, Apr 2, 2017

<http://www.breitbart.com/big-govern...>

EPA: 'It is a mess' — downsizing won't be easy

By Kevin Bogardus, E&E News, Apr 5, 2017

<http://www.eenews.net/stories/10600...>

EPA chief says Paris climate agreement 'bad deal' for U.S.

By Valerie Volcovici, Reuters, Apr 2, 2017 [H/t Cooler Heads]

<http://www.reuters.com/article/us-u...>

New EPA documents reveal even deeper proposed cuts to staff and programs

By Juliet Eilperin, Chris Mooney and Steven Mufson, Washington Post, Mar 31, 2017

[H/t Timothy Wise]

<https://www.washingtonpost.com/news...>

The changing world of climate change

With its rollback of climate rules, the Trump administration taps the brakes on the unsettled 'settled science'

By Anthony J. Sadar and Susan Z. Forney, Washington Times, Apr 6, 2017

<http://www.washingtontimes.com/news...>

Trump Eyes Politicized Climate, Energy Budgets

By Larry Bell, Newsmax, Mar 27, 2017

<http://www.newsmax.com/LarryBell/ep...>

Social Benefits of Carbon

A beneficial climate change hypothesis

By Rud Istvan, Climate Etc. Apr 7, 2017

<https://judithcurry.com/2017/04/07/...>

Seeking a Common Ground

Statement to the House Committee on Science, Space and Technology

Climate Science: Assumptions, Policy Implications and the Scientific Method

By Judith Curry, Mar 29, 2017
<https://science.house.gov/sites/rep...>

Statement of Dr. Roger Pielke, Jr

U, S. House Committee on Science, Space and Technology, March 29, 2016
<https://science.house.gov/sites/rep...>

We Won Climate Battles, but Are Not Winning the Climate War: Here's Why.

Guest Opinion: Dr. Tim Ball, WUWT, Apr 3, 2017
<https://wattsupwiththat.com/2017/04...>

Science needs reason to be trusted

By Judith Curry, Climate Etc. Apr 5, 2016
<https://judithcurry.com/2017/04/05/...>

[SEPP Comment: Trust is the issue. Scientific institutions, government entities will not retain credibility if trust is lost.]

Why John Christy's Missing Hotspot Matters

Guest essay by Eric Worrall, WUWT, Apr 2, 2017
<https://wattsupwiththat.com/2017/04...>

Review of Recent Scientific Articles by CO2 Science

The Unsuspecting Thermotolerance of an Antarctic Bivalve

Waller, C.L., Overall, A., Fitzcharles, E.M. and Griffiths, H. 2017. First report of *Laternula elliptica* in the Antarctic intertidal zone. *Polar Biology* 40: 227-230. Apr 7, 2017

<http://www.co2science.org/articles/...>

Elevated CO2 Ameliorates the Negative Impact of Ozone Damage in Wheat

Abdelhaliem, E. and Al-Huqail, A.A. 2016. Detection of protein and DNA damage induced by elevated carbon dioxide and ozone in *Triticum aestivum* L. using biomarker and comet assay. *Genetics and Molecular Research* 15: DOI
<http://dx.doi.org/10.4238/gmr.15028736>. Apr 4, 2017

<http://www.co2science.org/articles/...>

Double Broodedness of Important Bird Species of Central Poland

Gladalski, M., Banbura, M., Kalinski, A., Markowski, M., Skwarska, J., Wawrzyniak, J., Zielinski, P. and Banbura, J. 2016. Effects of extreme thermal conditions on plasticity in breeding phenology and double-broodedness of Great Tits and Blue Tits in central Poland in 2013 and 2014. *International Journal of Biometeorology* 60: 1795-1800. Apr 3, 2017

<http://www.co2science.org/articles/...>

"such a buffer of plasticity may be sufficient for Blue Tits and Great Tits to adjust the timing of breeding to the upcoming climate changes."

Measurement Issues -- Surface

March Air and Sea Temps

By Ron Clutz, Science Matters, Apr 4, 2017

<https://rclutz.wordpress.com/2017/0...>

Measurement Issues -- Atmosphere

UAH Global Temperature Update for March, 2017: +0.19 deg. C

By Roy Spencer, His Blog, Apr 3, 2017

<http://www.drroyspencer.com/2017/04...>

March 2017 Global Temperature Report

By Staff Writers, Earth Systems Science Center, UAH

<http://www.nsstc.uah.edu/climate/in...>

Study reveals the atmospheric footprint of global warming hiatus

By Staff Writers, Phys.org, Mar 3, 2017

<https://phys.org/news/2017-03-revea...>

Atmospheric footprint of the recent warming slowdown

By Bo Liu & Tianjun Zhou, Scientific Reports, Jan 13, 2017

<http://www.nature.com/articles/srep...>

"Growing body of literature has developed to detect the role of ocean heat uptake and transport in the recent warming slowdown between 1998 2013; however, the atmospheric footprint of the slowdown in dynamical and physical processes remains unclear."

[SEPP Comment: Growing speculative literature is not evidence of existence.]

Changing Weather

April can see some Southern Hemisphere hurricane activity -- but so far, 2016-17 season is quietest on record, by far. ACE 1970-2017:

By Ryan Maue, Via GWPF, Apr 3, 2016

<http://www.thegwpf.com/quietest-hur...>

Changing Seas

Partisan prosecutions: How state attorneys general dove into politics

By Walter Olson, New York Post, March 30, 2017

<http://nypost.com/2017/03/30/partis...>

Changing Cryosphere – Land / Sea Ice

The WMO's Dubious Omissions...Arctic Of The 1930s And 1940s Just As Warm As Today!

Learning from the climate's history: the Arctic heat waves of the 1930s and 40s By Dr. Sebastian Lüning and Prof. Fritz Vahrenholt [German text translated/edited by P Gosselin], No Tricks Zone, Apr 4, 2017

<http://notrickszone.com/2017/04/04/...>

Inconvenient finding: Melting sea ice may lead to more life in the sea

By Anthony Watts, WUWT, Mar 30, 2017

<https://wattsupwiththat.com/2017/03...>

Changing Earth

Methane Hydrate: Killer cause of Earth's greatest mass extinction

By Uwe Brand, et al., Palaeoworld, Dec 2016 [H/t Stephen Shipman]

<http://www.sciencedirect.com/scienc...>

[SEPP Comment: Others suggest the extinction was caused by sulfuric acid released from the Siberian trap volcanism. Calculations from laboratory results show that today nearly the entire absorption band for methane is taken by water vapor.]

Agriculture Issues & Fear of Famine

Norm Borlaug Created The Green Revolution - And A Whole Lot Of Pro-Science Thinking

By Hank Campbell, ACSH, Mar 23, 2017

<http://acsh.org/news/2017/03/23/nor...>

[SEPP Comment: A thank you to Norm Borlaug, who ignored the predictions of Paul Ehrlich, John Holdren, et al.]

Un-Science or Non-Science?

Changing jet stream, extreme weather linked to humans: study

New study finds strong link between humans and increased droughts and floods

By Johanna Wagstaffe, CBC News, Mar 28, 2017

<http://www.cbc.ca/news/technology/c...>

Link to paper: Influence of Anthropogenic Climate Change on Planetary Wave Resonance and Extreme Weather Events

By Michael E. Mann, Stefan Rahmstorf, Kai Kornhuber, Byron A. Steinman, Sonya K. Miller & Dim Coumou, Scientific Reports, Mar 27, 2017

<http://www.nature.com/articles/srep...>

State-of-the-art (“CMIP5”) historical climate model simulations subject to anthropogenic forcing display an increase in the projection of this fingerprint that is mirrored in multiple observational surface temperature datasets. Both the models and observations suggest this signal has only recently emerged from the background noise of natural variability.

[SEPP Comment: The models fail to track atmospheric temperatures, but the study states they mirror surface temperatures? In the summer only?]

Extreme weather events linked to climate change impact on the jet stream

By Staff Writers, University Park PA (SPX), Mar 30, 2017

<http://www.spacedaily.com/reports/E...>

Lowering Standards

RFF’s Climate Anger (intellectual pollution hazardous too)

By Robert Bradley Jr. Master Resource, Apr 4, 2017

<https://www.masterresource.org/reso...>

Communicating Better to the Public – Use Propaganda on Children

U.S. climate site for kids fails test

By James Barrante, ICECAP, Apr 5, 2017

<http://icecap.us/index.php/go/icing...>

Questioning European Green

The Rising Trend of UK Industrial Electricity Prices

By John Constable, GWPF, April 4, 2017

<http://www.thegwpf.com/the-rising-t...>

In other words, in 2007 the UK government estimated that the UK alone would bear between 25% and 40% of the total EU-wide cost of the Renewables Directive targets, a share disproportionate to its population and the size of its economy.

U.K. Said to Seek End for Clean Energy Goal That May Sour Brexit

By Jess Shankleman, Bloomberg, Apr 5, 2017 [H/t GWPF]

<https://www.bloomberg.com/news/arti...>

[SEPP Comment: Or the clean energy goals may have been a driving motivation for Brexit.]

Powerful Headwinds For Wind Energy...”If Milk Were Subsidized As Much”, It Would Cost \$50/Gallon! [Germany]

By P Gosselin, No Tricks Zone, April 5, 2017

<http://notrickszone.com/2017/04/05/...>

Questioning Green Elsewhere

‘Sustainability Standards’ Open A Pandora’s Box Of Politically Correct Accounting

By Howard Husock and James Copland, IBD, Mar 24, 2017 [H/t Timothy Wise]

<http://www.investors.com/politics/c...>

Non-Green Jobs

What NPR Misses About Energy Jobs In America

Guest post by David Middleton, WUWT, Mar 30, 2017

<https://wattsupwiththat.com/2017/03...>

[SEPP Comment: Harnessed energy greatly expands productivity compared with muscle power from animals and humans.]

Funding Issues

Testimony on Federal Support for Developing, Producing, and Using Fuels and Energy Technologies

By Terry Dinan, CBO, Testimony, Mar 29, 2017 [H/t Timothy Wise]

<https://www.cbo.gov/publication/525...>

“In fiscal year 2016, tax preferences provided the bulk of federal support for energy development, production, and use. Whereas tax preferences are estimated to have resulted in \$18.4 billion in forgone revenues, lawmakers appropriated funds equal to about one-third of that amount \$5.9 billion for DOE to fund the relevant spending programs.”

Litigation Issues

Partisan prosecutions: How state attorneys general dove into politics

By Walter Olson, New York Post, March 30, 2017

<http://nypost.com/2017/03/30/partis...>

New York, other states challenge Trump over climate change regulation

By Richard Valdmanis, Reuters, Apr 5, 2017

<http://www.reuters.com/article/us-u...>

Cap-and-Trade and Carbon Taxes

Carbon Tax Foolishness

By Donn Dears, Master Resource, Apr 6, 2017

<https://www.masterresource.org/dear...>

Don't Be Fooled: Carbon Dividend Means Higher Taxes

By Richard Sigman, Real Clear Policy, April 03, 2017

<http://www.realclearpolicy.com/arti...>

EPA and other Regulators on the March

EPA scientific integrity office reviewing Pruitt's comments on carbon

By Emily Flitter, Reuters, Mar 31, 2017

<http://www.reuters.com/article/us-u...>

[SEPP Comment: Interesting, will the office include a review of the physical evidence for the endangerment finding?]

Energy Issues – Non-US

Gas Giants Share OPEC's Shale Pain as U.S. Supply Flows East

By Dan Martauagh, Bloomberg, Apr 3, 2017

<https://www.bloomberg.com/news/arti...>

Three Charts Show Power Glut Holding Fast in Biggest U.S. Market

By Jonathan Crawford and Naureen Malik, Bloomberg, Apr 6, 2017

<https://www.bloomberg.com/news/arti...>

Energy Issues – Australia

South Australia to get \$1bn solar farm and world's biggest battery

System will include 3.4m solar panels and 1.1m batteries, with operations set to begin by end of 2017

By Staff Writers, The Guardian, UK, Mar 30, 2017

<https://www.theguardian.com/enviro...>

Lyon Solar \$1b solar-battery farm for SA by Christmas

By Ben Potter, AFR Times, Mar 30, 2017

<http://www.afr.com/business/energy/...>

Energy Issues -- US

A Pillar Of The Anti-Fracking Movement Takes A Hit. The Implications?

By Ken Silverstein, Forbes, Apr 3, 2017

<https://www.forbes.com/sites/kensil...>

[SEPP Comment: Setting aside a jury award based on deceit.]

Don't Divest, Invest In Fossil-Fuel America

By Robert Bradley Jr. Forbes, Mar 30, 2017

<https://www.forbes.com/sites/robert...>

New York skyscrapers adapt to climate change

By Catherine Triophe, New York (AFP) March 26, 2017

<http://www.energy-daily.com/reports...>

[SEPP Comment: Some architects have designed high-rises with integrated wind turbines. But, it appears gas turbines were preferred for electricity black-outs.]

Oil and Natural Gas – the Future or the Past?

Shale Transforms the Global Gas Market

By Staff Writers, The American Interest, Apr 5, 2017

<https://www.the-american-interest.c...>

“Or perhaps more accurately, American shale gas is helping to create a global gas market.”

Shale Is Helping America’s Trade Balance with China

By Staff Writers, The American Interest, Apr 6, 2017

<https://www.the-american-interest.c...>

India keen to explore shale gas resources

By Pramod Thomas, The New India Express, Apr 3, 2017

<http://www.newindianexpress.com/bus...>

Return of King Coal?

As West Goes Green, China Dominates Global Energy Infrastructure Finance

By James Kyngge, Financial Times, Apr 4, 2017

<http://www.thegwpf.com/as-west-goes...>

Chinese workers dig in Pakistan desert for coal

By Faseeh Mangi, Blomberg, Salt Lake Tribune, Apr 1, 2017 [H/t GWPF]

<http://www.sltrib.com/home/5125912-...>

Nuclear Energy and Fears

Westinghouse's Bankruptcy Could be the End of Nuclear Hopes in US

By Diane Cardwell and Jonathan Soble, NYT, Via GWPF, April 3, 2017

<http://www.thegwpf.com/westinghouse...>

Alternative, Green ("Clean") Energy -- Other

'Climate Protecting' Palm Oil Backfires ...Deforestation May Be Leading To Drought!

Climate Damaging Palm Oil: Rain Deficit in Amazon Due To Deforestation

By Dr. Sebastian Lüning And Prof. Fritz Vahrenholt [German text translated/edited by P Gosselin], No Tricks Zone, Apr 7, 2017

<http://notrickszone.com/2017/04/07/...>

Alternative, Green ("Clean") Vehicles

Diesel drivers pay the price of green zealotry

Editorial, Daily Mail, UK, Apr 4, 2017

<http://www.dailymail.co.uk/debate/a...>

How we were hoodwinked by a green zealot: Ideologist behind the dash for diesel called CO2 'worse than terror'

By Victoria Allen, Daily Mail, UK, Apr 5, 2017

<http://www.dailymail.co.uk/news/art...>

"In 2004 he wrote in the journal Science: 'In my view, climate change is the most severe problem that we are facing today more serious even than the threat of terrorism.'"

"Just over a decade ago the chemist warned that temperatures will rise to dangerous levels within decades, leaving large sections of Britain's coastline under water, while 400 million people could go hungry."

New in Urban Transportation

By Donn Dears, Power For USA, Apr 4, 2017

<https://dddusmma.wordpress.com/2017...>

California Dreaming

California doubles down on stupid – Court upholds cap and trade program, new fuel tax coming

By Anthony Watts, WUWT, Apr 7, 2017

<https://wattsupwiththat.com/2017/04...>

Divided Senate approves gas tax and vehicle fee increases to raise \$5.2 billion annually for road repairs

By Patrick McGreevy, LA Times, Apr 6, 2017

<http://www.latimes.com/politics/ess...>

New taxes not needed to repair California roads

Editorial, ChicoER, Apr 2, 2017 [H/t WUWT]

<http://www.chicoer.com/opinion/2017...>

“The fact is, there’s already a gas tax and car registration fees. If the state would use those existing taxes for roads, the problem would be solved.”

“Gallagher makes a very good point when he says: ‘Over the last six years, state spending has increased by \$36 billion, yet not a dime of this new revenue was spent to fix our roads. Over this same time period, billions of dollars specifically earmarked for transportation has been raided.’”

Health, Energy, and Climate

Amazing Progress

By Donn Dears, Power For USA, Apr 7, 2017

<https://dddusmma.wordpress.com/2017...>

Oh Mann!

What is the ‘Hockey Stick’ Debate About?

By Ross McKittrick, Via Climate Audit, Apr 4, 2005

<http://www.uoguelph.ca/~rmckitri/re...>

[SEPP Comment: A reminder, an effort to suppress temperature variability, depicting stable temperatures for 900 years followed by skyrocketing temperatures.]

Another Manntastic claim: Extreme weather events linked to climate change impact on the jet stream

By Anthony Watts, WUWT, Mar 27, 2017

<https://wattsupwiththat.com/2017/03...>

Reflections on Mark Steyn's 'A Disgrace to the Profession' about Dr. Michael Mann

Guest essay by Rick Wallace, WUWT, Mar 29, 2017

<https://wattsupwiththat.com/2017/03...>

Environmental Industry

Why "Environmental" Groups Have Gone Mad

By Alan Carlin, Carlin Economics and Science, Apr 6, 2017

<http://www.carlineconomics.com/arch...>

Our History – Our Story

By Staff Writers, Centers for Disease Control and Prevention, Accessed April 7, 2017

<https://www.cdc.gov/about/history/o...>

Other Scientific News

Book review: 'Rigor Mortis' reveals rampant sloppiness in science

By Erika Check Hayden, Spectrum News, Apr 4, 2017 [H/t GWPF]

<https://spectrumnews.org/opinion/vi...>

[SEPP Comment: Focus on biomedical science.]

How do plants make oxygen? Ask cyanobacteria

By Staff Writers, Pasadena CA (SPX), Mar 31, 2017

<http://www.terraily.com/reports/H...>

Link to paper: On the origins of oxygenic photosynthesis and aerobic respiration in Cyanobacteria

By Rochelle M. Soo, et al. Science, Mar 31, 2017

<http://science.sciencemag.org/conte...>

Other News that May Be of Interest

Mixed Reality Changes How Engineers Work

By John Kosowatz, ASME.org, Mar 2017 [H/t Toshio Fujita]

<https://www.asme.org/engineering-to...>

Which Is Worse: Postmodernism Or Anti-Intellectualism?

By Alex Berezow, ACSH, Mar 23, 2017

<http://acsh.org/news/2017/03/23/whi...>

“Of course, that's true, because nobody knows what postmodernism is. Even the Stanford Encyclopedia of Philosophy agrees². As the ultimate manifestation of intellectual and cultural relativism, postmodernism means whatever its adherents want it to mean.”

BELOW THE BOTTOM LINE:

April Fools!

By Paul Homewood, Not a Lot of People Know That, Apr 1, 2017

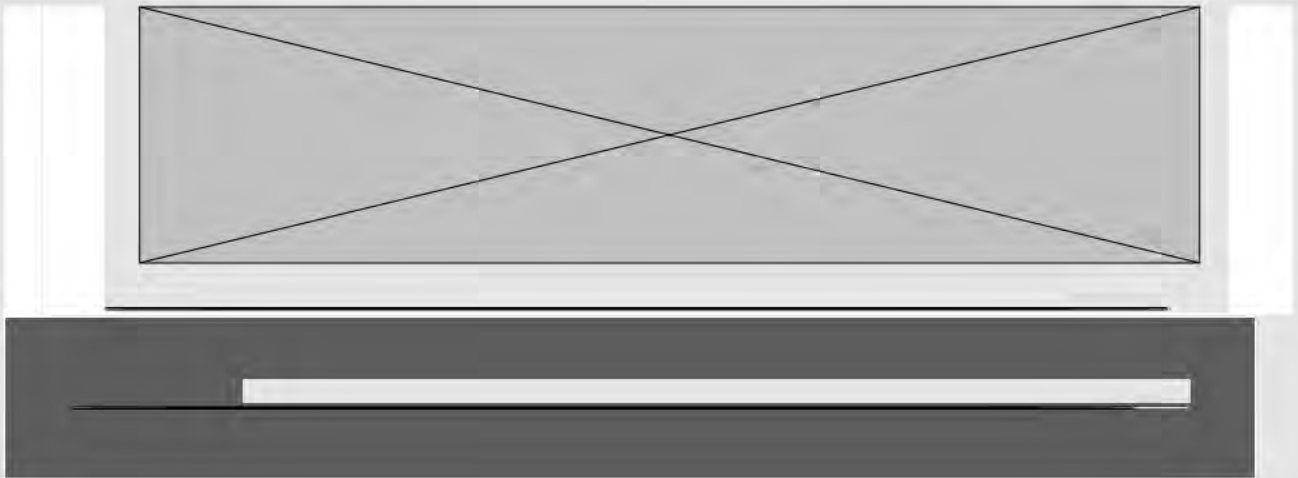
<https://notalotofpeopleknowthat.wor...>

“In January 1970, Life reported, ‘Scientists have solid experimental and theoretical evidence to support...the following predictions: In a decade, urban dwellers will have to wear gas masks to survive air pollution...by 1985 air pollution will have reduced the amount of sunlight reaching earth by one half....’”

[SEPP Comment: More predictions that failed.]

PLEASE NOTE: The complete TWTW can be downloaded in an easily printable form at this web site: <http://www.sepp.org/the-week-that-was.cfm...>

Please forward this Newsletter to those interested in Science and Environmental Policy. Thank you. Forward.



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To: 'Katharine Macgregor'[katharine_macgregor@ios.doi.gov]
From: Hayley Snow Klein
Sent: 2017-04-10T14:03:06-04:00
Importance: Normal
Subject: RE: Meeting Request
Received: 2017-04-10T14:03:13-04:00

Hi Kate,

Sorry for my delayed response. I am bringing a group of elected officials and business leaders to DC. We will be there May 1-May 3. Right now, I have us scheduled to meet with Kathy Benedetto and Casey Hammond at Interior at 2:00 on Monday, May 1. Are you thinking about a separate meeting in addition to this one? Or, am I confused, which is possible!

Thank you for your help. Please let me know if you need more information from me.

Best,
Hayley

Hayley Klein
Artesia Chamber of Commerce
Office: 575.746.2744
www.artesiachamber.com

-----Original Message-----

From: Katharine Macgregor [mailto:katharine_macgregor@ios.doi.gov]
Sent: Tuesday, April 04, 2017 6:42 PM
To: hklein@artesiachamber.com
Cc: casey_hammond@ios.doi.gov; kathleen_Benedetto@ios.doi.gov; mnedd@blm.gov
Subject: Meeting Request

Hey Hayley - I understand folks are coming out from the Artesia Chamber of Commerce and would like to meet with key DOI officials regarding predominantly BLM and FWS issues - specifically RMPs, venting and flaring, permitting backlogs at BLM, and issues related to ESA listings, specifically the Texas horned shell mussel. I've CC'd my counterparts at FWS as well as BLM to work with you to set up a meeting. Can you share the dates your group was available to meet so we can work on setting something up?

Thanks so much.
- Kate MacGregor

To: 'Macgregor, Katharine'[katharine_macgregor@ios.doi.gov]
From: Hayley Snow Klein
Sent: 2017-04-10T14:38:59-04:00
Importance: Normal
Subject: RE: Meeting Request
Received: 2017-04-10T14:39:07-04:00

Ok, just checking. Thank you!

Hayley Klein

Artesia Chamber of Commerce
Office: 575.746.2744
www.artesiachamber.com

From: Macgregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Monday, April 10, 2017 12:34 PM
To: Hayley Snow Klein
Subject: Re: Meeting Request

Nope - I believe we have since taken care of everything. I'm sorry to miss your group but you will be in good hands.

-Kate

On Mon, Apr 10, 2017 at 2:03 PM, Hayley Snow Klein <hklein@artesiachamber.com> wrote:
Hi Kate,

Sorry for my delayed response. I am bringing a group of elected officials and business leaders to DC. We will be there May 1-May 3. Right now, I have us scheduled to meet with Kathy Benedetto and Casey Hammond at Interior at 2:00 on Monday, May 1. Are you thinking about a separate meeting in addition to this one? Or, am I confused, which is possible!

Thank you for your help. Please let me know if you need more information from me.

Best,
Hayley

Hayley Klein
Artesia Chamber of Commerce
Office: 575.746.2744
www.artesiachamber.com

-----Original Message-----

From: Katharine Macgregor [mailto:katharine_macgregor@ios.doi.gov]
Sent: Tuesday, April 04, 2017 6:42 PM
To: hklein@artesiachamber.com
Cc: casey_hammond@ios.doi.gov; kathleen_Benedetto@ios.doi.gov; mnedd@blm.gov
Subject: Meeting Request

Hey Hayley - I understand folks are coming out from the Artesia Chamber of Commerce and would like to meet with key DOI officials regarding predominantly BLM and FWS issues -

specifically RMPs, venting and flaring, permitting backlogs at BLM, and issues related to ESA listings, specifically the Texas horned shell mussel. I've CC'd my counterparts at FWS as well as BLM to work with you to set up a meeting. Can you share the dates your group was available to meet so we can work on setting something up?

Thanks so much.
- Kate MacGregor

--

Kate MacGregor
1849 C ST NW
Room 6625
Washington DC 20240

202 208 3671 (Direct)

To: James_Cason@ios.doi.gov[James_Cason@ios.doi.gov]; Appel, Elizabeth[elizabeth.appel@bia.gov]
Cc: Jacqueline Pata[jpata@ncai.org]
From: John Dossett
Sent: 2017-04-10T15:42:06-04:00
Importance: Normal
Subject: NCAI Comments on Trader Regulations ANPRM
Received: 2017-04-10T15:42:18-04:00
[NCAI Comments Trader Regulations ANPRM.pdf](#)

Hello Jim and Liz attached please find a copy of NCAI's comments on the Advance Notice of Proposed Rulemaking on 25 CFR Part 140.

When we met in February, Jim asked for some material on this topic, so here is our most updated set of comments.

During the consultations there were questions about the source of federal statutory authority. Our comments include a detailed legal analysis that rests on plain meaning statutory analysis. The newest Supreme Court Justice is a big supporter of literal construction and we feel like we are on solid footing with the Supreme Court. NCAI and NARF supported Justice Gorsuch's confirmation because of his strong record on other federal Indian law legal issues.

Thanks so much for considering our comments.

John Dossett
General Counsel
Cell (b) (6)

To: Mashburn, Lori[lori_mashburn@ios.doi.gov]
From: Tim Doyle
Sent: 2017-04-10T16:18:29-04:00
Importance: Normal
Subject: Follow-up to March 10 Tx call with Tim Doyle.
Received: 2017-04-10T16:18:34-04:00

Hi Lori,

I am following-up again as we discussed at our March 10 meeting. I hope all is well. Please let me know how things are developing.

Regards,

Tim

From: Tim Doyle
Sent: Friday, March 24, 2017 9:43 AM
To: 'Mashburn, Lori' <lori_mashburn@ios.doi.gov>
Subject: RE: Tim Doyle's Resume per David Bernhardt

Hi Lori,

I am practicing the lost art of using a tickler file to circle back with you on our conversation. I hope all is going well.

In case you didn't see it, the hyper link below is a project I have been working on regarding BLM's Methane Rule and the Congressional Review Act.

[ACCF launches campaign against BLM's Methane Rule](#)

Let me know if there is anything else I can provide for you.

Have a good weekend!

Regards,

Tim

From: Mashburn, Lori [mailto:lori_mashburn@ios.doi.gov]
Sent: Friday, March 10, 2017 3:14 PM
To: Tim Doyle <TDoyle@accf.org>
Subject: Re: Tim Doyle's Resume per David Bernhardt

Running a few behind. Does 3:30 work?

Lori K. Mashburn
White House Liaison
Department of the Interior

202.208.1694

On Mon, Feb 6, 2017 at 8:28 AM, Tim Doyle <TDoyle@accf.org> wrote:

Hi Lori,

I am forwarding you a copy of my resume per David Bernhardt. He suggested that you would be the best person to send it to. I'd be happy to discuss, but realize you are likely getting inundated with resumes.

Let me know when you get a minute.

Regards,

Tim

Tim Doyle

Vice President of Policy & General Counsel

American Council for Capital Formation (ACCF)

ACCF Center for Policy Research

tdoyle@accf.org | www.accf.org

1001 Connecticut Avenue, NW | Suite 620 | Washington, DC 20036

202.580.5098 (C) | 202.293.5811 (W)

To: Kate Sinclair MacGregor[katharine_macgregor@ios.doi.gov]
Cc: Carrie Domnitch[domnitchc@api.org]
From: Holly Hopkins
Sent: 2017-04-11T06:23:44-04:00
Importance: Normal
Subject: Fwd: Proposed Modification and Revocation of Ruling Letters Related to Customs Application of the Jones Act to the Transportation of Certain Merchandise and Equipment between Coastwise Points; Request for withdrawal of the proposal
Received: 2017-04-11T06:24:03-04:00
Final Letter to CBP Transmitting Economic Analysis 04032017.pdf

Kate,

I know you met with Carrie and others last week on this issue and assume they provided you this letter, but in the off chance that we all thought someone else sent it to you, here it is.

Additionally, API has placed all of the CBP / Jones Act documents in one easy to find location at the following link. Please let us know if you need any additional information. Thanks!

<http://www.api.org/oil-and-natural-gas/wells-to-consumer/exploration-and-production/offshore/impacts-of-proposed-cbp-changes-to-jones>

Holly

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Holly Hopkins <hopkinsh@api.org>

Date: 4/3/17 11:35 AM (GMT-05:00)

To: KEVIN.K.MCALEENAN@cbp.dhs.gov

Cc: b6 Reince Priebus, mmulvaney@omb.eop.gov, b6 Stephen Miller, b6 Andrew Bremburg, b6 Peter Navarro, b6 Mike Cantanzaro, dmancini@omb.eop.gov, "Christa Brzozowski (christa.brzozowski@hq.dhs.gov)" <christa.brzozowski@hq.dhs.gov>, sean.moon@dhs.gov, brenda.smith@cbp.dhs.gov, "Lisa Burley (lisa.burley@dhs.gov)" <lisa.burley@dhs.gov>, Glen Vereb <glen.vereb@dhs.gov>, "Joyce, Shannon M. EOP/OMB" <Shannon_M_Joyce@omb.eop.gov>, Erik Milito <militoe@api.org>, Khary Cauthen <cauthenk@api.org>, "Carrie Domnitch (domnitchc@api.org)" <domnitchc@api.org>, Matt Haynie <HaynieM@api.org>

Subject: Proposed Modification and Revocation of Ruling Letters Related to Customs Application of the Jones Act to the Transportation of Certain Merchandise and Equipment between Coastwise Points; Request for withdrawal of the proposal

Attached please find a letter from API providing you with a report entitled "Economic Impacts of Proposed Modification and Revocation of Jones Act Ruling Letters Related to Offshore Oil and Natural Gas Activities." API commissioned this independent evaluation of the potential impacts on offshore oil and natural gas project development and spending associated with U.S. Customs and Border Protection's (CBP) proposed modification and revocation of Jones Act ruling letters, published in the

Customs Bulletin on January 18, 2017.

While API intends to submit this report with a forthcoming joint trade coalition letter providing detailed comments on CBP's January 18 proposal. We are providing you with the report now in light of the President's March 28, 2017 Executive Order entitled "Promoting Energy Independence and Economic Growth" (the Energy Independence Order). The Energy Independence Order states that "[i]t is in the national interest to . . . avoid[] regulatory burdens that unnecessarily encumber energy production, constrain economic growth, and prevent job creation." The Energy Independence Order further states that the policy of the United States includes suspension, revision, or rescission of regulatory actions "that unduly burden the development of domestic energy resources." CBP must withdraw the January 18 proposal in order to comply with the Energy Independence Order. The enclosed report demonstrates that the proposal would directly contradict the Energy Independence Order.

We intend to provide a detailed explanation of these concerns in our forthcoming comment letter, but we are providing this information for your immediate consideration to ensure that you are aware of the direct conflict between the January 18 proposal and the new Energy Independence Order. API appreciates your consideration of this request, if you have any questions, please feel free to contact us.

Sincerely,

Holly A. Hopkins
Sr. Policy Advisor, Upstream
American Petroleum Institute
1220 L Street, NW
Washington, DC 20005
202-682-8439 Tel
hopkinsh@api.org



This transmission contains information that is privileged and confidential and is intended solely for use of the individual(s) listed above. If you received the communication in error, please notify me immediately. Any dissemination or copying of this communication by anyone other than the individual(s) listed above is prohibited.

To: Chambers, Micah[micah_chambers@ios.doi.gov]
From: Orth, Patrick (Portman)
Sent: 2017-04-11T14:19:41-04:00
Importance: Normal
Subject: Draft letter
Received: 2017-04-11T14:19:49-04:00

Dear Secretary Zinke,

Over the last decade, advancement in technology and engineering has enabled an unprecedented opportunity for the production of oil and natural gas from underground shale formations. As a result of this increased production, the United States has become more energy secure and states like Ohio have seen an increase in direct and indirect oil and gas investments.

The Department of the Interior, through the Bureau of Land Management (BLM), plays an integral role in the responsible development of the vast energy resources owned and managed by the federal government. The BLM, through the Mineral Leasing Act, is responsible for preventing the waste of methane emitted during the oil and natural gas production process. It is important that the Department minimize the waste of methane through a pragmatic approach that prevents waste but does not discourage investment. I have been encouraged by your comments during your confirmation process and in your time as Secretary that you have made public comments about your desire to reduce methane waste in a similar approach.

As you know, a Congressional Review Act (CRA) resolution currently sits before the Senate that would repeal the previous Administration's Methane and Waste Prevention Rule. I have concerns with the rule as it was written but also believe that there are actions that you can take to reduce methane waste than the previous status quo. As I consider whether or not I will vote for the CRA resolution it would be helpful to know what actions you can commit to taking should the CRA pass.

I look forward to working with you to reduce the waste of our natural resources.

Sincerely,
RP

Patrick Orth
Legislative Assistant
Office of Senator Rob Portman
Phone: 202-224-3353
Email: Patrick_orth@portman.senate.gov

To: James_cason@ios.doi.gov[James_cason@ios.doi.gov]
From: Jamie Williams
Sent: 2017-04-13T09:08:19-04:00
Importance: Normal
Subject: Letter to Secretary Zinke concerning Sec. Order on Energy
Received: 2017-04-13T09:09:57-04:00
Secretary Zinke Letter 4.12.17.pdf

Dear Jim,

On behalf of 16 national conservation and environmental organizations, I have attached a letter for Secretary Ryan Zinke on the recent Secretarial Order (SO 3349) concerning oil and gas development and other management issues on our public lands.

We would appreciate it if you could transmit this letter to the Secretary.

Please let me know if you have any questions.

Thank you.

Jamie

Jamie Williams
President
The Wilderness Society
Ph: 202.429.2604
Cell: 202.450.9228
www.wilderness.org

Facebook: www.facebook.com/TheWildernessSociety
Twitter: twitter.com/Wilderness



We protect wilderness and inspire Americans to care for our wild places

To: Heather_Swift@ios.doi.gov[Heather_Swift@ios.doi.gov]
From: Aaron Johnson
Sent: 2017-04-13T12:47:33-04:00
Importance: Normal
Subject: Western Wire - Meeting Request
Received: 2017-04-13T12:48:01-04:00

Hi Heather,

Are you available for a brief meeting on Tues or Wed, April 25-26? I'll be in DC and want to tell you about *Western Wire*, a news service launched by Western Energy Alliance that focuses on how federal policies impact resource industries and communities in the West.

As you know, there's a lot of energy and environmental news that goes un-reported due to shrinking news rooms in major outlets and because small papers just don't have the expertise on these issues. *Western Wire* is there to fill in the gaps, and we provide a pro-development, pro-industry perspective. Some of our recent stories include:

- [Media Coverage Of BLM Coal Photo Leaves Westerners Shaking Their Heads, April 7th](#)
- [White House Calls For Senate Action On CRA Motions, Including Repeal Of Obama Methane Rule, April 6th](#)
- [Trump Energy Adviser: New Executive Order May Deal With Antiquities Act, April 5th](#)
- [Infrastructure Group: Critical Projects 'Stalled Or Prohibited' Due To Outdated Endangered Species Act, March 31st](#)
- [New Executive Order Targets Clean Power Plan And 'Job-Killing' Restrictions On Western Energy Producers, March 28th](#)

You and I corresponded when you were on the Hill, though we were not able to meet during my visit last fall. As a refresher on [Western Energy Alliance](#) we are a non-profit trade association based in Denver that represents more than 300 companies engaged in all aspects of exploration and production of oil and natural gas in the West.

Thank you.
Aaron Johnson

Aaron M. Johnson
Vice President of Public Affairs
Western Energy Alliance
ajohnson@westernenergyalliance.org
(303) 501 1062



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To: 'Macgregor, Katharine'[katharine_macgregor@ios.doi.gov]
From: Willens, Todd
Sent: 2017-04-13T14:39:00-04:00
Importance: Normal
Subject: RE: Meeting Request
Received: 2017-04-13T14:39:15-04:00

Awesome. Thank you!

Todd D. Willens

From: Macgregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Thursday, April 13, 2017 2:37 PM
To: Willens, Todd
Subject: Fwd: Meeting Request

Todd - According to Hayley, the Artesia folks are currently scheduled to meet with political leadership in FWS and BLM. See email below. I would love to meet with them but I will be out of the office that day. Let me know if this is not what they wanted?
-Kate

----- Forwarded message -----

From: **Hayley Snow Klein** <hklein@artesiachamber.com>
Date: Mon, Apr 10, 2017 at 2:38 PM
Subject: RE: Meeting Request
To: "Macgregor, Katharine" <katharine_macgregor@ios.doi.gov>

Ok, just checking. Thank you!

Hayley Klein
Artesia Chamber of Commerce
Office: 575.746.2744
www.artesiachamber.com

From: Macgregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Monday, April 10, 2017 12:34 PM
To: Hayley Snow Klein
Subject: Re: Meeting Request

Nope - I believe we have since taken care of everything. I'm sorry to miss your group but you will be in good hands.
-Kate

On Mon, Apr 10, 2017 at 2:03 PM, Hayley Snow Klein
<hklein@artesiachamber.com> wrote:
Hi Kate,

Sorry for my delayed response. I am bringing a group of elected officials and business leaders to DC. We will be there May 1-May 3. Right now, I have us scheduled to meet with Kathy Benedetto and Casey Hammond at Interior at 2:00 on Monday, May 1. Are you thinking about a separate meeting in addition to this one? Or, am I confused, which is possible!

Thank you for your help. Please let me know if you need more information from me.

Best,
Hayley

Hayley Klein
Artesia Chamber of Commerce
Office: 575.746.2744
www.artesiachamber.com

-----Original Message-----

From: Katharine Macgregor [mailto:katharine_macgregor@ios.doi.gov]

Sent: Tuesday, April 04, 2017 6:42 PM

To: hklein@artesiachamber.com

Cc: casey_hammond@ios.doi.gov; kathleen_Benedetto@ios.doi.gov; mnedd@blm.gov

Subject: Meeting Request

Hey Hayley - I understand folks are coming out from the Artesia Chamber of Commerce and would like to meet with key DOI officials regarding predominantly BLM and FWS issues - specifically RMPs, venting and flaring, permitting backlogs at BLM, and issues related to ESA listings, specifically the Texas horned shell mussel. I've CC'd my counterparts at FWS as well as BLM to work with you to set up a meeting. Can you share the dates your group was available to meet so we can work on setting something up?

Thanks so much.
- Kate MacGregor

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Kate MacGregor
1849 C ST NW
Room 6625
Washington DC 20240

202 208 3671 (Direct)

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Kate MacGregor
1849 C ST NW
Room 6625
Washington DC 20240

202 208 3671 (Direct)

ENERGY POLICY PRIORITIES

Executive agencies should implement policies that:

1. Promote access to domestic oil and gas resources;
2. Ensure the development of energy infrastructure;
3. Ensure streamlined, timely planning, permitting and project review;

Executive agencies should ensure that regulations:

1. Actually serve the regulatory purpose ;
2. Are cost effective (costs do not outweigh the benefits);
3. Feasible;
4. Are well defined and predictable;
5. Are scientifically supported;
6. Are consistent with statute;
7. Are not arbitrary;
8. Promote streamlined permitting;
9. Promote, rather than stifle, innovation;
10. Defer to industry standards and best practices where applicable;
11. Encourage investment in U.S. projects.

Executive agencies should defer to state agencies to oversee the regulation of drilling, completion and production of oil and natural gas. State agencies have a long history of regulating these activities, and they are best able to tailor the regulations to the unique geology, topography, hydrology and general social conditions that exist within the state.

Executive agencies should review the abuse of the Endangered Species Act (ESA) to ensure that it is not arbitrarily used to restrict economic opportunities. State governments have successfully worked with private industry to preserve species and habitat. Executive agencies should work with and defer to state governments as it relates to the ESA.

ISSUE NUMBER	RULE OR POLICY OF CONCERN	DEPARTMENT OR AGENCY	ISSUES/PROBLEMS WITH RULE OR POLICY (INCLUDING DESIRED OUTCOMES)	OPTIONS FOR REDRESS
	Priorities for Immediate Action			
1.	BLM Waste Prevention, Production Subject to Royalties, and Resource Conservation (Nov. 18, 2016, 81 Fed. Reg. 83008)	BLM	Rulemaking goes above and beyond BLM regulatory authority to propose air quality related requirements unrelated to that authority, and impermissibly redefines long standing principles of resource conservation that threaten to undermine existing lease rights and orderly development of oil and gas on BLM managed lands. Efforts will be undertaken to repeal the rule.	Priority target for repeal.
2.	Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources (NSPS OOOOa rule) (June 3, 81 Fed. Reg. 35824)	EPA	Final rulemaking directly regulates "methane" as a pollutant. Under the Clean Air Act, this triggers the development of a regulation to address <i>existing</i> sources across the segments. Regulation of existing sources should be avoided.	Judicial review ongoing. Potential revisiting of process EPA undertook that failed to demonstrate that the source category represents a "significant contribution" to endangering public health and welfare. Continue to work technical issues through administrative reconsideration process.
3.	BOEM Air Quality Control, Reporting and Compliance Rule <u>Final Rule has not been published yet.</u>	BOEM	Proposed rule was issued prematurely in advance of the completion of ongoing BOEM air quality studies. BOEM has not demonstrated to date that OCS sources significantly affect onshore air quality as required by OCSLA. BOEM needs to finish its ongoing air quality studies to	If final rule published before Obama Administration leaves office it should be repealed or withdrawn prior to implementation.

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			<p>determine appropriate level of regulation.</p> <p>The costs of the rule have been significantly underestimated.</p> <p>The proposed rule established an evaluation process that would increase the need for operators to perform costly stack testing and air quality modelling and could require retrofit of existing infrastructure or installation of new equipment which may not always be technically or economically. The proposed definition of “facility” was unworkable in that it lumped proximate sources together and treated them as one source. The rule also attempted to regulate emissions of mobile support craft (service boats) which is outside BOEM jurisdiction.</p>	<p>If final rule not published, the new administration should complete air quality studies prior to any further action.</p>
4.	<p>ONRR Amendments to Civil Penalty Regulations (August 1, 81 Fed. Reg. 50306)</p>	<p>Office of Natural Resources Revenue (ONRR)</p>	<p>In a variety of ways, this rule improperly and significantly increases liability on federal oil and gas lessees for minor and inadvertent reporting and recordkeeping errors. These changes not only are highly problematic for industry but also conflict with the will of Congress as expressed through the text and structure of the federal oil and gas royalty law. The desired outcome for this rule would be repeal and return to the status quo prior to its issuance.</p>	<p>The new administration can conduct a rulemaking that would repeal the rule.</p>
5.	<p>ONRR Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform (July 1, 2016 81 Fed. Reg.</p>	<p>ONRR</p>	<p>This rule creates uncertainty and imposes unsupported limits regarding the valuation of oil and gas production</p>	<p>The new administration can conduct a rulemaking</p>

ISSUE NUMBER	RULE OR POLICY OF CONCERN	DEPARTMENT OR AGENCY	ISSUES/PROBLEMS WITH RULE OR POLICY (INCLUDING DESIRED OUTCOMES)	OPTIONS FOR REDRESS
	43338)		for royalty purposes. Most significantly, it allows ONRR to second guess payors' calculation of value and deductions. It also establishes inappropriate limits on deductions, including the elimination of a significant deduction for subsea transportation of production. The rule is positive in that it allows lessors to elect a simplified "index price" valuation in certain cases, but the implementation of that option is highly flawed. The desired outcome for this rule would be an improved "index price" option and elimination of other aspects of the rule.	that would repeal or amend the rule.
6.	BOEM/BSEE Oil and Gas and Sulfur Operations on the Outer Continental Shelf Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf (July 15, 2016 81 Fed. Reg. 46477)	BSEE BOEM	Overall these rules favor prescriptive requirement when performance based requirements would better serve. Chief among these, the rule requires a standby relief rig for exploration drilling projects and does not consider other barrier technologies. The rules impose a requirement for a redundant planning document – the Integrated Operations Plan or IOP.	New Administration can repropose rule, or can pursue through new rulemaking the removal of the standby rig, IOP, cuttings discharge, and other problematic sections.
7.	Effluent Limitations Guidelines and Standards for the Oil and Gas Extraction Point Source Category , 81 Fed. Reg. 124, 41845 (June 28, 2016) – published December 7, 2016.	EPA	The rule was problematic in several ways: 1) It offered no environmental benefits and possible environmental and consequences (POTWs are already prohibited from accepting waters outside their permitted discharge limitations but this would it would cause environmental harm by permanently removing one of the few discharge options by which industry can return	Candidate for repeal.

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			<p>water to the hydrologic cycle and deprive POTWs of the economic benefits of accepting discharge related flows within their permit limits merely because of the origin of the water); 2) relies on a definition of unconventional previously used at the federal level only for statistical purposes which conflicts with state definitions (causing unintended consequences); 3) was based on a limited and largely regional data set (ironically from one of the regions where the rule conflicts with the applicable state definitions); 4) relied upon insufficient analysis and procedure (with EPA failing to conduct the statutorily required analysis to support their circular logic); and 5) lacked internal coordination within EPA (EPA handled the issue separately from the larger ongoing study on the use of centralized waste treatment facilities, contrary to the holistic approach recommended in the hydraulic fracturing drinking water study).</p>	
8.	<p>BLM Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; <u>Site Security</u></p>	BLM	<p>Even with a new provision in the final rule to allow grandfathering of some very low production wells, this rule imposes significant costs on existing production, with the likelihood of expanding many site footprints, and with negligible federal revenue benefits. Retroactive application of the Proposed Rule will have profound effects both</p>	<p>Candidate for repeal. Alternatively, New Administration could repropose rule, providing for grandfathering existing facilities, or by setting higher production threshold</p>

ISSUE NUMBER	RULE OR POLICY OF CONCERN	DEPARTMENT OR AGENCY	ISSUES/PROBLEMS WITH RULE OR POLICY (INCLUDING DESIRED OUTCOMES)	OPTIONS FOR REDRESS
			legally and practically for thousands of existing well sites currently in operation. Retroactive application of the Proposed Rule may result in termination of many existing approvals potentially leading to premature cessation of existing production and raising breach of contract, due process, and takings issues.	for compliance.
9.	BLM Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Measurement of <u>Oil</u>	BLM	The prescriptive nature of the proposal’s requirements, which repeats the error of the original Onshore Order No. 4 and will preclude implementation of newly developed measurement practices and technologies as they become available; the removal of critical standard setting and adjudicatory functions from the notice and comment rulemaking process, placing them instead in the hands of a BLM appointed “Production Measurement Team” (“PMT”) or leaving standard setting to future BLM discretion. Timelines that ignore the practical difficulties – both for industry and the agency –associated with compliance. Removal of the enforcement regime from the regulations and placing it in as yet unseen “guidance documents”.	Candidate for repeal. Alternatively, New Administration could repropose rule, providing for grandfathering existing wells, extending compliance timeline, shifting to a performance standard rather than prescriptive approach, or by setting higher production threshold for compliance.
10.	BLM Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Measurement of <u>Gas</u>	BLM	BLM’s misapprehension of current industry standards, resulting in a proposal that requires adherence to a set of prescriptive standards that does	Candidate for repeal. Alternatively, New Administration could repropose rule,

ISSUE NUMBER	RULE OR POLICY OF CONCERN	DEPARTMENT OR AGENCY	ISSUES/PROBLEMS WITH RULE OR POLICY (INCLUDING DESIRED OUTCOMES)	OPTIONS FOR REDRESS
			not accommodate current or future practices and technologies. BLM's gross underestimation of the costs associated with implementation of the Proposed Rule, and imposition of compliance timelines that will be impossible to meet. Removal of critical standard setting and adjudicatory functions from the notice and comment rulemaking process, placing them instead in the hands of a BLM-appointed "Production Measurement Team" ("PMT") or leaving standard setting to future BLM discretion.	providing for grandfathering existing wells, extending compliance timeline, shifting to a performance standard rather than prescriptive approach, or by setting higher production threshold for compliance.
11.	Information Collection Effort for Oil and Gas Facilities (Methane and VOCs for existing sources) (September 29, 81 Fed. Reg. 66962)	EPA	EPA sent extensive information collection request to be conducted in two parts. Significant burden associated with ICR to complete within deadlines (60 days for Part 1 and 180 days for Part 2).	Continue to work with EPA to secure additional time for members to respond, secure clarifications as needed, and work with agency on data analysis and use.
12.	BLM Resource Management Planning (February 25, 2016, 81 Fed. Reg. 9674)	BLM	Planning 2.0—as a whole—changes the BLM's resource management planning process, and introduces significant uncertainty into the process by numerous provisions that create ambiguous standards or otherwise expand agency discretion. A piecemeal approach to Planning 2.0 that precludes the public from being able to review, analyze, and comment on all the various components of the agency's new	Candidate for repeal.

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			planning approach that will modify or replace BLM's current land use planning practices. A process redesigned by the Proposed Planning Rule would likely disfavor multiple use interests, including the development of oil and natural gas resources on public lands, by potentially subjecting each step in the process to a new round of objections by parties committed to opposition of resource development.	
13.	Final guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews , White House, Council on Environmental Quality, signed August 1, 2016.	CEQ	Greatly expands NEPA expanding GHG consideration for reviews of new and modified operations, and review could include very detached upstream and downstream GHG impacts. This goes well beyond the intended scope of NEPA, could be used as a tool to deny oil and gas development opportunities, and has been used as such a tool by industry opponents.	Rescission
14.	BOEM Financial Assurance NTL No. 2016 N01 , 81 Fed. Reg. 46599 (July 18, 2016).	BOEM	BOEM's financial assurance NTL introduced a new methodology to evaluate the financial strength of a company that is flawed. The new policy also severely limits the ability of companies to self insure to cover decommissioning liabilities and the agency has essentially placed the overwhelming burden of fixing a perceived problem on the industry. These problems are exacerbated by potentially flawed decommissioning	Publish a revised NTL with a new implementation plan. Consider need for rulemaking as appropriate.

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			<p>cost data being used to calculate liabilities.</p> <p>BOEM has recognized that there are problems with the NTL and is working to correct them. However, the implementation schedule currently in place will not allow sufficient time to adequately address all the issues.</p> <p>BOEM must establish a reasonable timeline for implementation that will allow the flaws to be corrected.</p>	
15.	<p>Presidential Memorandum “Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment”, the Presidential proclamation that set “no net loss” as a shorthand objective, and states that environmental goals (not simply positive environmental effects) are to be a criterion of future economic and national security actions. November 3, 2015 (80 FR 68743).</p>	White House	<p>Introduces criterion for federal permitting and project approval decisions that will be subject to widely varying interpretations, and that in many cases will countermand the direction of statute.</p>	Seek revocation.
16.	<p>FWS Revisions to the U.S. Fish and Wildlife Service Mitigation Policy (broad policy), originally published 81 Fed. Reg. 12,380 (Mar. 8, 2016). Final Policy published November 21, 2016 at 81 Fed. Reg. 83440. FWS HQ ES 2015 0126.</p>	FWS NMFS	<p>The Policy applies to both listed and unlisted species, even though states are charged with the management of unlisted species.</p> <p>The Policy establishes a uniform mitigation goal that applies to all actions without distinguishing statutory limits and therefore may be applied inconsistently with statutory authority.</p> <p>The Policy’s preference for advance mitigation may delay project</p>	Seek revocation.

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			<p>authorizations if mitigation is unavailable at the time of impacts. The Policy does not clearly address how to reconcile its mitigation goal and elements with mitigation requirements of other agencies, such as those associated with permits under section 404 of the Clean Water Act. The Policy's direction to avoid all "high value" habitats may cause the FWS or other federal agencies to "veto" projects. Moreover, because the Policy does not clearly define what habitats are considered high value, the Policy may cause agencies to conservatively avoid more habitat than necessary.</p>	
17.	<p>FWS Draft Endangered Species Act Compensatory Mitigation Policy (specific to ESA impacts), originally published at 81 Fed. Reg. 61.032 (September 2, 2016). FWS HQ ES 2015 0165.</p>	FWS	<p>The Draft Compensatory Mitigation Policy violates the ESA. The Service's decision to significantly expand the list of threatened and endangered species does not justify this expansive rewriting of the Service's mitigation framework. The Draft Policy's "no net loss/net gain" requirements, additionality requirements and mitigation ratios, advance mitigation requirements, and definition of "at risk species" are inconsistent with and violate a number of federal environmental and wildlife statutes and policies. The Draft Policy is impermissible because it cannot be credibly construed as a mere policy statement or simply guidance to Service personnel. It is a proposed rule that, if</p>	Seek revocation.

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			finalized, would fundamentally change the Service’s compensatory mitigation requirements, create substantive new obligations, and expand the jurisdiction of FWS through interpretations of numerous statutes.	
18.	NOAA/NMFS Acoustic Criteria Technical Guidance , 81 Fed. Reg. 51694 (August 4, 2016).	NMFS	Guidance is difficult and costly to implement and unable to produce realistic metrics of impact and mitigation threshold ranges or exclusion zones. Significant changes to the thresholds applicable to low frequency (LF) cetaceans that is not consistent with the best available science. Many other technical problems that need to be addressed.	Retract and revise Guidance.
19.	2010 Congressionally directed Study on the Relationship Between Hydraulic Fracturing and Drinking Water.	EPA	A draft Assessment report was released on June 4, 2015 with the key finding, <i>“the Assessment shows hydraulic fracturing activities have not led to widespread, systemic impacts to drinking water resources.”</i> The SAB Panel provided its recommendation report to the Administrator on August 10, 2016 and a Final assessment was released on December 13 with a revised final conclusion that hydraulic fracturing activities <u>can</u> impact drinking water resources and EPA identifies factors that influence these impacts.	Recognition that extensive scientific data <u>does</u> exist to support EPA’s original topline conclusion and that no additional scientific work was undertaken by the Agency, following the SAB peer review, leading to the final revised conclusion.
20.	BSEE Oil and Gas and Sulfur Operations in the Outer Continental Shelf—	BSEE	There are still provisions of the final WCR that are problematic for industry.	New Administration can revise rule or issue

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	Blowout Preventer Systems and Well Control ; Final Rule 81 Fed. Reg. 25888 (April 29, 2016)		We look forward to working with the new Administration to address those provisions of the rule that are still unworkable. Whether through interpretations, clarifications or revisions to the rule.	guidance to ensure consistent and workable compliance.
21.	Clean Water Rule: Definition of "Waters of the United States," 80 Fed. Reg. 37,054, (June 29, 2015).	EPA and the U.S. Army Corps of Engineers	Problems with the final Waters of the U.S. Rule include: 1) the Rule is vague in describing features that are purportedly waters of the U.S. (e.g., "tributary," "adjacent waters," and "significant nexus"), leaving uncertainty which makes informed decisions impossible without case by case determinations; 2) the Rule is overly broad, including many land and water features not within the scope of reasonable interpretation under the Clean Water Act (CWA) and exceeding the Agencies' Authority under the Commerce Clause; 3) the Rule relied upon EPA's Connectivity Report, which was still under review by EPA's Science Advisory period during the entire comment period for the Rule and after the comment period closed, EPA made meaningful changes to the Connectivity Report, depriving the public of an opportunity to comment on or view the final scientific conclusions in the Connectivity Report during the comment period for the Rule and refusing to extend the comment period to allow for public comment period on this critical aspect of the Rule; 5) EPA	Seek revocation.

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			<p>used federal funds to engage in a substantial advocacy campaign for the Proposed Rule to influence Members of Congress, state government officials, and the general public through aggressive social media tactics that generated superficial support for the Rule through Twitter and Thunderclap, soliciting non specific statements on clean water and treating these “comments” as support for the Proposed Rule; 6) EPA made substantial changes to the Rule between publication of the Proposed Rule and promulgation of the Final Rule without inviting additional comments from the public; and 7) EPA conducted a flawed cost benefit analysis that dramatically underestimated and omitted certain key costs from the Rule and overestimated certain benefits of the Rule.</p>	
22.	<p>DOI/BOEM 2017 2022 Proposed Final 5 Year OCS Leasing Program, 81 Fed. Reg. 84612 (November 23, 2016).</p> <p>Presidential Withdrawal of Areas in Alaska and Atlantic pursuant to section 12(a) of the OCSLA. Announced on December 20, 2016.</p>	BOEM and White House	<p>No lease sales scheduled in Alaska or Atlantic OCS.</p> <p>Very questionable rationale for not including; record actually supports inclusion.</p> <p>Need to preserve 2017 2022 Program while we work to establish a new program that would include additional areas for leasing.</p> <p>New Administration should confirm that 600,000 plus comments supportive of an expansive program were submitted versus a great deal less in opposition.</p>	<p><u>Administration</u> – Begin development of new 5 year Program. Need to determine how far back in process we would need to go to add Atlantic and/or Alaska. Any other areas would likely need to begin at Step 1 of process (Call for Information).</p> <p><u>Congress</u> – Pass</p>

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			Section 12(a) decision removes prospective oil and gas region from consideration for future leasing programs.	legislation that directs additional sales to be held under the 2017-2022 Program. President should issue a Memorandum on Modification of the Withdrawal of Areas of the United States Outer Continental Shelf From Leasing Disposition, reversing the decision to withdraw the Alaska and Atlantic areas.
23.	NMFS, Proposed Incidental Harassment Authorization (IHA) Regulations for GOM Geological and Geophysical Activities	NMFS BOEM	Litigation settlement agreement allowing ongoing G&G activities in GOM expires on September 30, 2017. Regulations must be finalized by this date, and industry fully supports finalization of a reasonable final rule. However, recent BOEM document's (Draft PEIS and Rulemaking Petition) make the probability of a favorable regulatory outcome less likely. In addition, NMFS lack of progress on drafting the proposed rule makes it unlikely that the September 230, 2017 deadline will be met.	Need to assess legal options before an appropriate strategy recommendation can be made.
24.	Hydraulic Fracturing on Federal and Indian Lands , 78 Fed. Reg. 31,635 (March 26, 2015)	BLM	Duplicative with state regulatory requirements. Adds requirements that are not reflective of actual operations, geology or the science. Among other	Rule has been struck down in litigation; case is on appeal by the government. Rule

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			things, problematic issues include definition of usable water, integrity testing requirements, limitations on obtaining a variance for state regulations.	should be rescinded, or rule should be revised greatly to address technical issues and allow for variances for state regulations.
	Priorities for Action in Near and Long Term			
25.	OSHA Revisions to Process Safety Management Regulations	OSHA	OSHA is considering the expansion of its Process Safety Management regulations to drilling and completion activities, and it is also considering the removal of enforcement discretion over upstream production activities. OSHA's PSM regulations are not fully transferable and fit for purpose with upstream activities. Furthermore, various standards and regulations are in place to prevent safety incidents in the upstream area. Efforts are ongoing to review the safety data, determine if there are gaps, and work with OSHA to find the best, fit for purpose solution to fill any gaps.	New Administration should focus on the best safety approach for upstream activities.
26.	BSEE Oil and Gas and Sulfur Operations on the Outer Continental Shelf—Oil and Gas Production Safety Systems; Final Rule 81 Fed. Reg. 61834 (September 7, 2016)	BSEE	There are still provisions of the final Production Safety System rule that are problematic for industry. We look forward to working with the new Administration to address those provisions of the rule that are still unworkable. Whether through interpretations, clarifications or revisions to the rule.	New Administration can revise rule or issue guidance to ensure consistent and workable compliance.

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27.	Joint U.S. Fish and Wildlife Service and National Marine Fisheries Service Habitat Conservation Planning Handbook	FWS NMFS	FWS and NOAA jointly published a proposed revision to the agencies' 'Conservation Planning Handbook' in June of 2016. API, joined by several other industry trades, submitted comments in July 2016. These comments requested that the Services withdraw the proposed Handbook because it prescribes an overly rigid framework that will stymie voluntary conservation efforts and stifle responsible development. The services should create an appropriate guide for streamlining the developing and processing of HCPs that incentivizes voluntary conservation, including efficient collaboration and participation in the HCP process, and that provides regulated entities with reasonable and rational means to achieving approval for incidental take programs within the Services' statutory and regulatory authority.	Seek withdrawal and reproposal
28.	FWS Draft Policy on Interpretation of the Phrase "Significant Portion of its Range" in the Endangered Species Act's Definitions of "Endangered Species" and "Threatened Species," originally published at 76 Fed. Reg. 76987 (Dec. 9, 2011). Final Policy published July 1, 2014. FWS R9 ES 2011 0031.	FWS	Additional clarification is required in some instances. These include rigorous administration of the "high threshold" standard, if the standard is not to result in overprotection of species in areas where they are not under threat. The Services should modify the Draft Policy to create a strong presumption that critical habitat will be designated <i>only</i> within the SPR, if conditions within the SPR represent the basis for listing; and	Seek reproposal to address problematic issues.

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			to allow under certain conditions for the listing, as threatened, of a species that qualifies as threatened based on its status in all of its range, but is endangered in an SPR.	
29.	Arctic National Wildlife Refuge, Alaska; Revised Comprehensive Conservation Plan and Final Environmental Impact Statement , published 80 Fed. Reg. 4303 (January 27, 2015). FWS–R7–R–2012–N207.	FWS	ANILCA restricts executive authority to consider additional conservation units (including new wilderness areas) in Alaska except as authorized by ANILCA itself or further acts of Congress. With specific reference to the coastal plain of the Arctic NWR, where Congress has not at this time authorized oil and natural gas development to take place, experience in other areas demonstrates that the missions of the USFWS for wildlife conservation and ecosystem management, and oversight of recreational and subsistence uses can be achieved without designation of the coastal plain as wilderness.	Seek revocation
30.	NOAA Arctic Vision and Strategy (February 2011), now integrated into NOAA Arctic Research Program and Arctic Action Plan. RIN 0648 XT64.	NOAA	Arctic policy decisions should avoid subjecting management of the region to new layers of government bureaucracy, or additional laws, regulations, or the creation of new advisory groups with unclear mandates that could lead to inter agency disputes over interpretation and jurisdiction. Arctic policy should recognize that in addition to the obvious living resources, the region also contains significant mineral resources that support many industries that are crucial to maintaining a healthy	Support modification or revocation as called for by State of Alaska and Alaska delegation.

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			economy for the nation and the world. Properly regulated and managed, development of this strategically important energy resource can take place, and the vast majority of the U.S. Arctic region can remain available to the American people for multiple uses – subsistence, recreational and commercial.	
31.	FWS Proposed Policy to Incentivize Voluntary Pre listing Conservation Actions , originally published at 79 Fed. Reg. 42,525 (July 22, 2014). FWS–R9–ES–2011–0099.	FWS	FWS needs to decrease the administrative burdens inherent in implementing conservation programs and credit marketplaces by allowing these programs to be developed and implemented by the States and other qualified entities in a robust, transparent, and collaborative process. The Service’s role should be limited to overseeing the States to ensure consistency, transparency, and efficiency. FWS can, and should, do so through funding, technical assistance, clear criteria for approval of plans, program models and templates, effective lines of communication, an easily accessible database of approved plans, and adherence to mandatory deadlines for approvals. The FWS should also take steps to make its proposed policy flexible, by providing landowners the ability to choose whether their conservation actions will be used to generate credits per the proposed policy or count as enrollment in a CCAA.	Support modification of policy consistent with comments submitted.

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32.	<p>Secretarial Order 3330 “Improving Mitigation Policies and Practices of the Department of the Interior,” called for the development of a DOI wide mitigation strategy, which would use a landscape scale approach to identify and facilitate investments in key conservation priorities in a region. October 31, 2013.</p>	DOI	<p>This order called for the development of a DOI wide mitigation strategy, which would use a landscape scale approach to identify and facilitate investments in key conservation priorities in a region. This order should be withdrawn, and its call for “landscape scale” carefully evaluated with respect to possible conflicts with other laws that direct the actions of DOI agencies. It should only be republished if any such conflicts are addressed in favor of the existing statutory mandates.</p>	Seek revocation
33.	<p>“The Department of the Interior Climate Change Adaptation Plan for 2014” (Climate Change Adaptation Plan), provides guidance for implementing 523 DM 1 and “Executive Order No. 13653 – Preparing the United States for the Impacts of Climate Change”, (78 FR 66819). January 2014 (not published in the Federal Register).</p>	DOI	<p>This plan provides guidance for implementing 523 DM 1 and “Executive Order No. 13653 – Preparing the United States for the Impacts of Climate Change”. It should be withdrawn and any subsequent climate change plan should be carefully examined so as not to conflict with existing statutory and regulatory mandates.</p>	Seek revocation
34.	<p>“Interior Policy Document: Implementing Mitigation at the Landscape Scale”, directs agency officials (all bureaus and agencies) to use compensatory mitigation to offset impacts to public lands and to tailor mitigation actions to anticipate and address the impacts of climate change. October 23, 2015, 600 DM 6.</p>	DOI	<p>This document should be withdrawn and any successor document should only be put forward if it is determined that such a document does not conflict with any existing statutory and regulatory mandates.</p>	Seek revocation
35.	<p>Memorandum for Executive Departments and Agencies</p>	DOI	<p>This memorandum directs agencies to develop and to institutionalize policies</p>	Seek revocation, review and

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	<p>"Incorporating Ecosystem Services into Federal Decision Making", October 7, 2015, M 16 01.</p>		<p>to promote ecosystem services (defined as benefits flowing from nature to people) where appropriate and practicable, in planning, investment, and regulatory contexts. What is not made clear is the priority to be given this directive in the context of the statutory direction given those same DOI agencies by their governing statutes.</p>	<p>republication</p>
36.	<p>Proposed Special Rule for the Polar Bear Pursuant to Section 4(d) of the Endangered Species Act, originally published at 77 Fed. Reg. 23432 (April 19, 2012). Final Rule published 78 Fed. Reg. 11766 (February 20, 2013 FWS R7 ES 2012 0009.</p>	FWS	<p>The polar bear has been managed for years under the synchronized ESA, MMPA and CITES regime. The protections afforded by the MMPA, CITES, and the ESA are more than sufficient to conserve, recover, and manage the polar bear. A revised final Rule should restate the FWS's well founded position that the Rule does not require consultation simply on the basis of facilities' GHG emissions. And, based upon this same reasoning, any final Rule should likewise make clear that Section 9 take cannot be triggered by GHG emissions. The critical habitat for the species should be limited to those identifiable areas that "contain features essential to the conservation of the polar bear and that may require special management and protection" – <i>NOT</i> the species entire marine range.</p>	<p>Seek reproposal with critical habitat toed to discrete areas actually frequented by polar bears.</p>
37.	<p>Resource Management Plans and Final Environmental Impact Statements for various BLM Planning Areas (Greater</p>	BLM	<p>The land use plan amendments (LUPAs) do not balance conservation of the GSG and elevate conservation of the GSG</p>	<p>Evaluate for revocation or revision through new</p>

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	<p>Sage Grouse land Use Plan Amendments), originally published at 80 Fed. Reg. 30,709 (May 29, 2015) (BLM Notice of Availability); 80 Fed. Reg. 30,676 (May 29, 2015) (EPA Notice of Availability).</p>		<p>above all other land uses in a manner wholly inconsistent with multiple use management. The LUPAs will severely restrict oil and natural gas development on many existing federal leases across GSG habitat. The LUPAs violate FLPMA and (where applicable) the National Forest Management Act because the Agencies have not afforded the public a meaningful opportunity to comment on the new components of the Proposed LUPAs. Also, in certain plans, the requirement that mitigation achieve a “net conservation gain” is inconsistent with FLPMA. The LUPAs inappropriately attempt to modify existing oil and gas leases, to unilaterally modify existing contract rights, to impose restrictions on existing leases that deny development or render development uneconomic, and to impose uniform conditions on existing leases that are not based on site specific development. The LUPAs are inconsistent with the Energy Policy Act of 2005 and, in certain plans, improperly cede authority over oil and gas operations on federal leases to the FWS.</p>	<p>rulemaking action in the context of the importance the LUPAs have to the FWS no list decision.</p>
38.	<p>Release of Final Control Technique Guidelines for the Oil and Natural Gas Industry (October 27, 81 Fed. Reg. 74798)</p>	EPA	<p>Initiates states to incorporate control requirements for existing oil and gas sources within ozone implementation plans where non attainment is moderate or above (or in OTR).</p>	<p>Work with EPA to determine whether final CTGs were prematurely finalized before adequate information on</p>

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				existing sources was collected.
39.	Environmental Integrity Project Petition to add Upstream Oil and Gas Operations to Toxic Release Inventory (TRI) under EPCRA.	EPA	Petition filed by industry on October 24, 2012. EPA did not formally respond but did separately included TRI review of upstream sector in its 2013 regulatory agenda. On January 3, 2014 EPA published a notice of receipt of this petition and established a formal docket number to be used to view the petition and related documents. On January 7, 2015, EIP filed suit to compel EPA to make a decision on the petition. After almost a year of legal activity, on October 22, 2015 EPA denied all aspects of the original petition except with respect to natural gas processing facilities. EPA plans to move forward with a rulemaking process to add natural gas processing plants to the TRI program in 2017.	Support modification of rulemaking based on comments submitted
40.	Hydraulic Fracturing Chemicals and Mixtures ANPRM originally published at 79 Fed. Reg. 28664 on May 19, 2014 with a comment period extension published at 79 Fed. Reg. 40703 on July 14, 2014.	EPA	Agency requested information that should be reported or disclosed for hydraulic fracturing chemical substances and mixtures and the mechanism for obtaining this information under TSCA 8(a) or 8(d) or both. The information that would be collected under a TSCA section 8(a) and/or 8(d) rule for chemicals and mixtures used in hydraulic fracturing is already available to EPA. The Agency has more toxicity and exposure information on the additives used in	Support modification of rulemaking based on comments submitted.

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			hydraulic fracturing than it has on many other existing chemicals, and available information is more detailed and extensive than information typically collected under TSCA.	
41.	Proposed Data Collection Submitted for Public Comment and Recommendations of a Proposed Information Collection Plan on “Health Risks for Using Private Water Wells for Drinking Water , originally published at 81 Federal Register 12902 on and released as an ICR on March 11, 2016 and Submitted an Information Collection Request to OMB on the same topic on June 22, 2016 (81 Federal Register 40703).	CDC	In the notice, the plan includes a serious lack of detail regarding a tremendous number of variables which are sure to affect the outcome of the investigation – including the unintended consequence of attributing water contamination to operations simply due to a very poor survey tool.	Support modification of Plan based on extensive comments submitted.
42.	Greenhouse Gas Reporting Rule (GHGRP): Leak Detection Methodology Revisions for Petroleum and Natural Gas Systems (Subpart W)	EPA	Finalized three new reporting requirements and added two new monitoring methods for detecting leaks from oil and gas equipment for facilities conducting equipment leak surveys in all of the segments subject to reporting under Subpart W. EPA needs to preserve consistency of measurements and emission estimation methodology among sites, basins and nationwide as well as with NSPS Subpart OOOOa.	Petition to Reconsider being considered.
43.	Updates to Floodplain Management and Protection of Wetlands Regulations to Implement Executive Order 13690 and the Federal Flood Risk Management Standard FEMA Policy 078 3 81 Fed. Reg. 57,402 (Aug.	FEMA	With discretion left to individual governmental agencies, there is a potential for an assortment of floodplain definitions as each of these jurisdictional entities attempt to apply the new risk based approaches. Also,	Consider placing on hold or revoking the guidance (if finalized prior to the new administration).

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	22, 2016); FEMA Policy: Guidance for Implementing the Federal Flood Risk Management Standard, 81 Fed. Reg. 56,558 (Aug. 22, 2016).		the Regulatory Evaluation associated with the Proposed Rule uses data that is limited to coastal residential communities, greatly underestimates costs associated with this Proposed Rule and Supplementary Policy, and does not quantify benefits. The Guidance is needless current FEMA rules, policy and maps already consider varying meteorological, land development, erosion and other causes; and maps are constantly being updated to reflect current conditions and technological advances. Limiting language in EO 13690 which states “to the extent permitted by law,” FEMA’s seeming obligation to amend existing regulations under the order is not absolute.	Also possibly consider revoking the underlying Executive Order 13690.
44.	NOAA/ONMS Flower Garden Banks National Marine Sanctuary Expansion DEIS, 81 Fed. Reg. 37576 (June 10, 2016).	ONMS	Proposed expansion well beyond recommendation of Sanctuary Advisory Committee. Agency needs to reengage with SAC/stakeholders to establish common ground, explain why additional areas are warranted.	Halt work on expansion.
45.	NOAA Ocean Noise Strategy Roadmap , http://cetsound.noaa.gov/road map , (June 1, 2016).	NOAA	There is a need for more baseline data and scientific study of potential acoustic effects and impacts, and a need to better coordinate, collaborate and share information within agencies and among all stakeholders. However, much of the ONS Roadmap is premised upon unwarranted policy assumptions that the desired goal is a return to pre	Retract and revise Framework.

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			human conditions instead of balanced use of ocean resources; existing statutory mandates; regulatory measures are inadequate despite ongoing successes, and that an unmandated comprehensive ocean noise regulatory regime may somehow be cobbled together and scaled up through unilateral actions of NOAA to address assumed chronic and cumulative potential acoustic impacts for which there is little to no scientific evidence. Need to have a Framework to promote an approach that has a better balance between precautionary environmental policy and multiple ocean users.	
46.	National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes (July 19, 2010). Executive Order 13547.	CEQ	Established the National Ocean Policy, including creation of Regional Planning Bodies (so far only present in Northeast and Mid Atlantic. West Coast beginning to form. Framework for development of ocean policy already exists under current statues and regulations. No understanding of how federal actions will be influenced by regional ocean plans. Lack of Congressional oversight.	Revoke Executive Order
47.	NOAA Marine Sanctuary Nomination Process , 79 Fed. Reg. 33851 (June 13, 2014). RIN 0648 BD20.	ONMS	Controlled Sanctuary Evaluation List (SEL) process and selection criteria discontinued and replaced with a "...more grassroots, 'bottom up' approach..." Purpose of NMSA is to establish high	Eliminate current program. Reinstate SEL process.

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			quality sites of national significance, not to generate multiple nominations that fail to meet NMSA standards and consume valuable and limited agency resources.	
48.	NOAA Framework for the National System of Marine Protected Areas , 80 Fed. Reg. 16626 (March 30, 2015).	ONMS	There appears to be greater weight toward promoting the creation of new MPAs over enhancing the effectiveness of existing MPAs. There is more of an emphasis on ecological networks (i.e., on species rather than enhancing efficiencies). There is limited guidance on how to address the lack of monitoring and evaluation of the current program.	Retract and Revise Framework.
49.	Critical Habitat Designation for Loggerhead Sea Turtle , originally published at 79 Fed. Reg. 39755 (FWS coastal areas) and 79 Fed. Reg. 39855 (NMFS – marine areas) on July 10, 2014. RIN 0648 BD27 and RIN 1018 AY71.	NMFS FWS	Loggerheads in the DPS are meaningfully protected through a wide variety of overlapping multi jurisdictional, multi industry restrictions, prohibitions, and conservation measures that have led to historic levels of loggerhead nesting and abundance. Designation of the sargassum habitat cause the proposed critical habitat designation to be the largest in the history of the ESA, it would be based on physical and biological features that are poorly understood, ephemeral, and largely disconnected from the post hatchling populations it is intended to protect.	Need legal analysis to determine full range of possibilities.
50.	Notice to List the Gulf of Mexico Bryde’s Whale as Endangered , 81 Fed.	NMFS	Comments under development.	Need legal analysis to determine full range

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	Reg. 88639 (December 8, 2016). RIN 0648 XD669.			of possibilities.
51.	FWS Revised Candidate Conservation Agreements with Assurances Policy , originally published, 81 Fed. Reg. 26,817 (May 4, 2016). Policy has not been finalized to date. FWS HQ ES 2015 0177	FWS, NMFS	Any changes to the Policy must further the overarching goal of CCAAs: to encourage early and voluntary conservation. The Services should not incorporate a “net conservation benefit” standard into the CCAA policy, which is ambiguous and which undermines assurances provided in CCAAs and their associated permits. The draft revised policy makes so many significant changes to existing policy that it fails to comply with the requirements of the Administrative Procedure Act.	Seek revocation.
52.	FWS Eagle Permits; Revisions to Regulations for Eagle Incidental Take and Take of Eagle Nests , originally published at 81 Fed. Reg. 27933 (May 6, 2016). Final rule published December 16, 2016. FWS–R9–MB–2011–0094.	FWS	Where possible, FWS should encourage and expand the use of BMPs appropriate to protection of eagles under Avian Protection Plans. FWS should devote its resources to develop flexible but effective APP guidelines for the oil and gas industry operations located in the vicinity of eagle roosts or nests similar to the guidelines developed for the electric utility industry.	Seek modification of the rule to address major issues.
53.	Various Other ESA Species of Concern	FWS	Including, but not limited to: Greater Sage Grouse Lesser Prairie Chicken Dunes Sagebrush Lizard Northern Long Eared Bat, and candidate species among pollinators,	Species specific, but will include engagement with the agencies, litigation, and science based advocacy. Consider

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			fresh water mollusks, and marine mammals.	research and gathering data on threats to species and habitats commonly alleged in important O&G areas, and on threats commonly attributed to O&G operations to be in a position to refute common and inaccurate assumptions in order to best assure license to operate.



United States Department of the Interior

OFFICE OF THE SOLICITOR
Washington, D.C. 20240

IN REPLY REFER TO:

M-37040

DEC 22 2016

Memorandum

To: Secretary

From: Solicitor

Subject: Reconsideration of the Lumbee Act of 1956

Since the 1970s, the Department of the Interior (“Department”) has vacillated over whether *An Act Relating to the Lumbee Indians of North Carolina* (“Lumbee Act” or “Act”)¹ precludes the Department from considering a petition from the Lumbee Indians as an Indian tribe under the Department’s *Procedures for Federal Acknowledgment of Indian Tribes*, set forth in 25 C.F.R. Part 83 (“Part 83”).² Since 1989, however, the position of the Department has been that the Act is “legislation terminating or forbidding the Federal relationship”³ and, therefore, prohibits the Department from considering such a petition from the Lumbee Indians.⁴

Upon further review of the Act’s text, its legislative history, the case law concerning the Act, the Department’s varying interpretations of the Act, and decisions made pursuant to the relevant provisions of Part 83, I conclude that the Lumbee Act does not terminate or forbid the Federal relationship and, therefore, does not bar the Department from recognizing the Lumbee Indians by application of the Part 83 acknowledgment process. Accordingly, I withdraw and reverse

¹ 70 Stat. 254 (1956).

² The procedures for federal acknowledgment of an Indian tribe were first published in 1978 at 25 C.F.R. Part 54. 43 Fed. Reg. 39361 (Sept. 5, 1978). These procedures were revised and recodified at 25 C.F.R. Part 83 in 1994, 59 Fed. Reg. 9280 (Feb. 25, 1994), and were revised again in 2015. 80 Fed. Reg. 37862 (July 1, 2015).

³ Memorandum from William G. Lavell, Associate Solicitor, Indian Affairs, to the Deputy to the Assistant Secretary - Indian Affairs (Tribal Services), at 5 (Oct. 23, 1989) (“1989 Assoc. Solic. Mem.”). The version of Part 83 that was in effect in 1989 addresses “legislation terminating or forbidding the Federal relationship” in two places: first, in the context of the Department’s authority in Section 83.3, which defines the scope of the regulations, 25 C.F.R. § 83.3(e) (1989) (“this part does not apply to groups which are, or the members of which are, subject to congressional legislation terminating or forbidding the Federal relationship”); and second, in the context of criteria for acknowledgment in Section 83.7, which sets forth the criteria a group must meet in order for tribal existence to be acknowledged, 25 C.F.R. § 83.7(g) (1989) (“The petitioner is not, nor are its members, the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship.”). Unless otherwise indicated, all citations in this Memorandum are to the regulations as they existed in 1989.

The most recent revision of Part 83 maintains those two provisions in, respectively, 25 C.F.R. § 83.4(c) (2016) (“The Department will not acknowledge: . . . (c) Any entity that is, or any entity whose members are, subject to congressional legislation terminating or forbidding the government-to-government relationship.”); and 25 C.F.R. § 83.11(g) (2016) (“*Congressional termination.* Neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship.”).

⁴ Letter from Manuel Lujan, Jr., Secretary of the Interior, to Representative Morris K. Udall, Chairman, U.S. House Committee on Interior and Insular Affairs (Dec. 1, 1989) (“1989 Sec’y Letter”).

whether the bill might allow the Lumbee Indians to “come before Congress asking for the benefits that naturally go to recognized tribes,” the bill’s sponsor, Rep. F. Ertel Carlyle of North Carolina answered: “No one has ever mentioned to me any interest . . . in becoming a part of a reservation or asking the Federal Government for anything. Their purpose in this legislation is to have a name that they think is appropriate to their group.”¹⁷ When Representative Aspinall asked a similar question of the Rev. D.F. Lowery, who testified on behalf of the Lumbee Indians at the 1955 Hearing, Rev. Lowery answered that the Lumbee Indians had no interest in seeking services or benefits provided to Indians.¹⁸

Nonetheless the Department, in expressing its opposition to the bill, opined that “[i]f your committee should recommend the enactment of the bill, it should be amended to indicate clearly *that it does not make these persons eligible* for services provided through the Bureau of Indian Affairs to other Indians.”¹⁹ Adopting the Department’s suggestion, the House Committee on Interior and Insular Affairs amended the bill by adding the final sentence of Section 1.²⁰ Thus, the legislative history is clear that the Lumbee Act was amended, and the final sentence of Section 1 was added, in response to concerns raised by Reps. Aspinall and Ford and by the Department, merely to ensure that the Act did not confer upon the Lumbee Indians eligibility for services or benefits for which they were not otherwise eligible, and did not extend the reach of federal Indian statutes that did not already apply to the Lumbee Indians.

There is no evidence whatsoever in the legislative history that would suggest an intent by the 84th Congress to preclude the Lumbee Indians from *ever* receiving federal services and benefits or falling within the ambit of federal Indian statutes. Rather, the evidence points inexorably to the conclusion that the final sentence of Section 1 was added merely to ensure that the Act, itself, was not interpreted as making Lumbee Indians eligible for such services and benefits and did not, itself, bring the Lumbee Indians within the ambit of such statutes.

¹⁷ *Id.* at 7. See also *id.* at 8 (“As to any ulterior motive that might be suggested – that[is], that they would come in and ask for benefits now or later – that is not in this picture at all.”). A similar colloquy occurred between Representative Gerald Ford of Michigan and Representative Carlyle on the House floor:

Mr. FORD. Mr. Speaker, reserving the right to object, I should like to ask the author of the bill, the gentleman from North Carolina, whether or not this bill, if enacted, would in any way whatsoever commit the Federal Government in the future to the furnishing of services or monetary sums?

Mr. CARLYLE. Mr. Speaker, I am happy to say that the bill does not provide for that nor is it expected that it will cost the Government one penny.

Mr. FORD. There is no obligation involved, as far as the Federal Government is concerned, if this proposed legislation is approved?

Mr. CARLYLE. None whatsoever.

Mr. FORD. It simply provides for the change of the name?

Mr. CARLYLE. That is all.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

102 Cong. Rec. 2900 (Feb. 20, 1956).

¹⁸ 1955 Hearing Report at 16-18.

¹⁹ Letter from Orme Lewis, Assistant Secretary, to Representative Clair Engle, Chairman, House Committee on Interior and Insular Affairs (Aug. 3, 1955) (emphasis added), *printed in* H. Rep. No. 84-1654, at 2 (1956).

²⁰ S. Rep. No. 84-2012, at 2 (1956) (“The Committee has amended the bill to clearly indicate that the Lumbee Indians will not be eligible for any services provided through the Bureau of Indian Affairs to other Indians.”).

2. *Judicial and executive interpretations of the Lumbee Act*

This interpretation of the Lumbee Act is consistent with the only U.S. Circuit Court case interpreting the Act, *Maynor v. Morton*,²¹ and with a subsequent opinion of the U.S. Comptroller General.²²

In 1972, after certain individual Lumbee Indians sought to organize as an Indian tribe under the IRA, the Department concluded that the final clause of the Lumbee Act had extinguished any eligibility for federal services or benefits for the Lumbee Indians, including those 22 Lumbee Indians who were entitled to certain privileges as half-blood Indians under the IRA.²³ One of those 22 half-blood Indians, Lawrence Maynor, sued for declaratory judgment that he was still entitled to IRA benefits, notwithstanding the final sentence of Section 1 of the Lumbee Act.²⁴ The U.S. Circuit Court of Appeals for the District of Columbia, interpreting the final clause of Section 1 of the Act, rejected the Department's 1972 Memorandum. The court held that the final clause of Section 1 was not intended to divest Indians of benefits for which they were otherwise eligible under the IRA, but rather "to leave the rights of the 'Lumbee Indians' unchanged."²⁵ "The whole purpose of the clause," the court wrote, ". . . was simply to make sure that a simple statute granting the name 'Lumbee Indian' to a group of Indians, which hitherto had not had such designation legally, was not used in and of itself to acquire benefits from the United States Government."²⁶

Similarly, in 1979 the Comptroller General, relying in part on *Maynor*, opined that the purpose of the final clause of Section 1 of the Lumbee Act was "to assure that the Act was not used in and of itself to acquire Federal benefits," but it "does not deny to Lumbees benefits accorded Indians if they are otherwise entitled under the requirements of another Act."²⁷

The Interior Board of Indian Appeals ("IBIA") embraced a seemingly contrary interpretation of the Act last year in *Nakai v. Eastern Regional Director, Bureau of Indian Affairs*,²⁸ holding that the Act barred the plaintiff, a Lumbee Indian, from receiving Indian preference under the IRA and the Department's regulations.²⁹ For the reasons articulated below, I find the IBIA's rationale to be inconsistent both with *Maynor* and with the legislative history of the Act, and therefore I am not persuaded by the IBIA's decision.

²¹ 510 F.2d 1254 (D.C. Cir. 1975).

²² 58 Comp. Gen. 699 (1979) ("1979 Comp. Gen. Op.")

²³ Memorandum from William A. Gershuny, Associate Solicitor, Indian Affairs, to Commissioner, Indian Affairs (Nov. 28, 1972) ("1972 Memorandum") ("it is our conclusion that . . . the final clause reflects a clear congressional intent to terminate, from the date of its enactment, all Federal services that would normally be made available to the Lumbee Indians including the 22 individual Lumbees, because of their status as Indians.").

²⁴ *Maynor*, 510 F.2d at 1255.

²⁵ *Id.* at 1258.

²⁶ *Id.* at 1259; *see also id.* at 1258 ("Congress was very careful not to confer *by this legislation* any special benefits on these people so designated as Lumbee Indians" (emphasis in original)).

²⁷ 1979 Comp. Gen. Op. at 1.

²⁸ 60 IBIA 64 (2015).

²⁹ *Id.* at 71. Nakai claimed Indian preference under 25 C.F.R. § 5.1(c) as a person of one-half or more Indian blood of tribes indigenous to the United States, not as a tribal member.

3. Summary

The final sentence of Section 1 of the Lumbee Act is ambiguous as to whether it merely was intended to preserve the status quo *ante* concerning the eligibility of Lumbee Indians for federal services and the application of federal Indian statutes, or whether it was intended to affirmatively prohibit the Lumbee Indians from receiving such services or falling within the ambit of such statutes for all time. However, only the first interpretation is consistent with the evidence in the legislative history and with the subsequent interpretation of the Act by the Circuit Court in *Maynor*. Consequently, I interpret the final sentence of Section 1 of the Lumbee Act as merely providing that the Act did not, itself, confer upon the Lumbee Indians eligibility for services for which they were not otherwise eligible, and did not, itself, extend the reach of federal Indian statutes that did not already reach the Lumbee Indians. In light of that interpretation, I conclude that the Lumbee Act does not prohibit the Department from considering a petition from the Lumbee Indians under the federal acknowledgment process set forth in Part 83 and, if acknowledged, from availing themselves of the programs and services available to Indians because of their status as Indians.

III. The Department's Prior Interpretations of the Lumbee Act

In the years since the Lumbee Act was enacted, the Department has vacillated in its interpretation of the Act and, after the promulgation of the Part 83 regulations in 1978, whether the Act would serve as a bar to administrative acknowledgment of the Lumbee Indians as an Indian tribe.

A. 1956-1988

Before 1988, the question of the effect of the final sentence of Section 1 of the Lumbee Act appears to have received little attention in the Department. As previously noted, the Department opined in the 1972 Memorandum that the Act had extinguished eligibility for any services or benefits, including the right to organize as an Indian tribe, available to even those 22 individual Lumbee Indians who previously had been found to be eligible for IRA benefits as half-blood Indians.³⁰ The *Maynor* Court rejected this interpretation.³¹

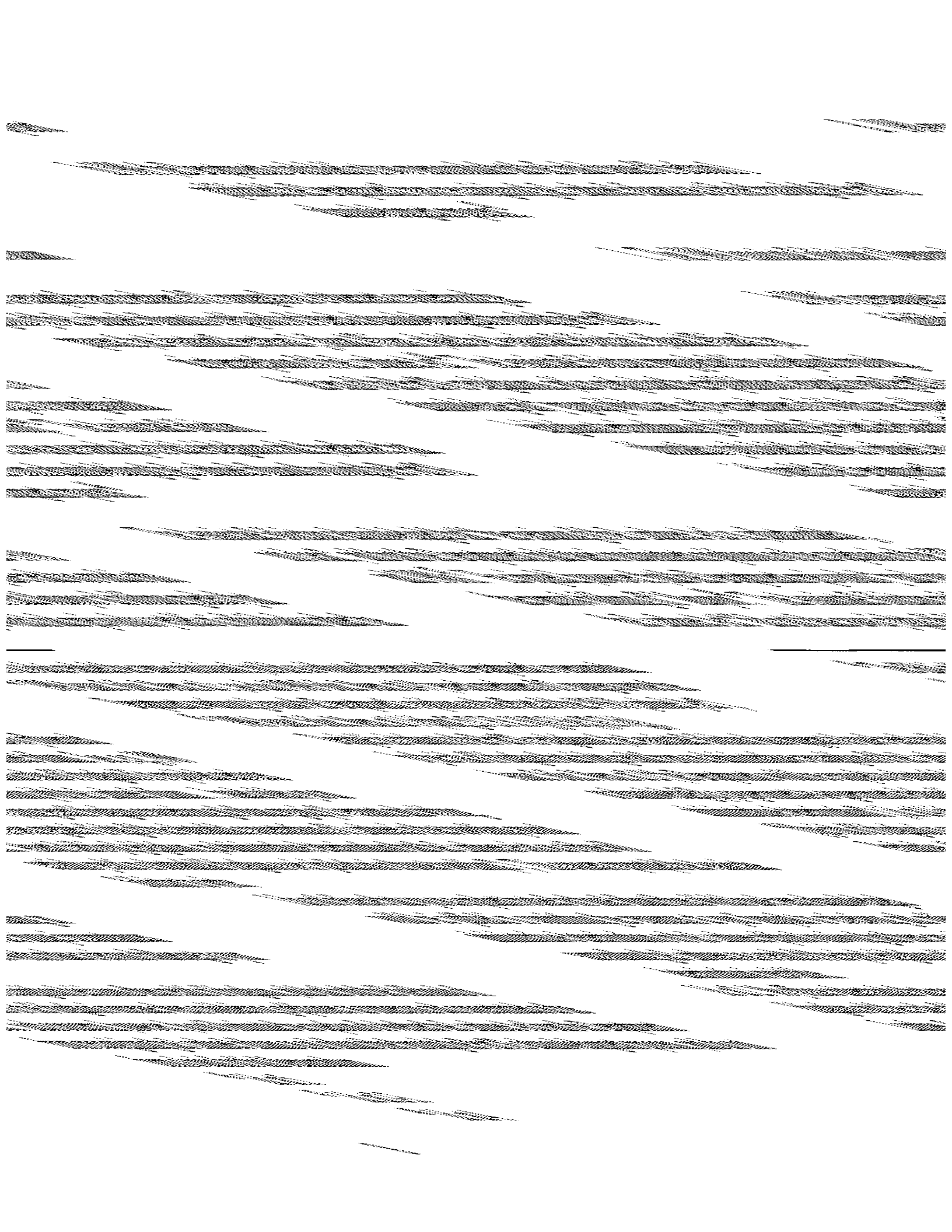
From the mid-1970s into the 1980s, the Department's approach to the Lumbee Indians' requests was inconsistent. Beginning in the 1970s, several groups of Lumbee Indians sought various services and benefits available to Indian tribes.³² The Undersecretary advised the Hatteras Tuscaroras in 1976 that the Department could not recognize them as an Indian tribe unless the Lumbee Act was amended, although his letter provided no substantive legal analysis of the issue.³³ At this time, the Department was in the process of developing procedures for the

³⁰ *Maynor*, 510 F.2d at 1257; 1972 Memorandum.

³¹ *Maynor*, 510 F.2d at 1258-59.

³² See, e.g., Memorandum from Harry Rainbolt, Eastern Area Director, to the Commissioner of Indian Affairs (Sept. 26, 1975) (describing a meeting with the "Hatteras Tuscarora Indians of North Carolina," who were seeking federal recognition as an Indian tribe, as well as other services and benefits).

³³ Letter from Kent Frizzell, Undersecretary of the Interior, to Vernon Locklear (Jan. 20, 1978) (concluding that "Congress must modify the 1956 [Lumbee] Act before any federal recognition and services can be extended generally to a group such as the Hatteras Tuscaroras, as you request").



IRA.”⁴⁹ He concluded that interpreting the Act in any manner other than a prohibition on any future services or benefits to Lumbee Indians who were not already eligible for such services as half-blood Indians under the IRA would render the final sentence of Section 1 “a nullity.”⁵⁰

In addition, the Associate Solicitor compared the Lumbee Indians with two other groups, the Pascua Yaqui Indians of Arizona,⁵¹ and the Ysleta del Sur or Tiwa Indians of Texas.⁵² In each case, the Indian group at issue had been subject to earlier legislation containing substantially the same language as the final sentence of Section 1 of the Lumbee Act.⁵³ Both the Pascua Yaqui and the Tiwa ultimately were recognized not through the Part 83 acknowledgment process, but rather by an act of Congress.⁵⁴

Ultimately, the Associate Solicitor concluded that the Lumbee Act was “legislation terminating or forbidding the Federal relationship within the meaning of 25 C.F.R. §§ 83.3(e) and 83.7(g) and that, therefore, [the Assistant Secretary was] precluded from considering the application of the Lumbees for recognition.”⁵⁵

2. *The 1989 Solicitor’s Memorandum*

Shortly after the Associate Solicitor conveyed his Memorandum to the Assistant Secretary, Indian Affairs, the Solicitor followed up with his own Memorandum to Secretary Lujan “to provide [the Secretary] with background on how the Department, and the Solicitor’s Office in particular, has interpreted” the Lumbee Act.⁵⁶ The Solicitor summarized the materials described above,⁵⁷ but did not contain a detailed legal analysis of the issue. Rather, it merely “explain[ed]

⁴⁹ *Id.* (emphasis added).

⁵⁰ *Id.*

⁵¹ *Id.* at 2-3 n.2 (the Department’s “informal position” that the Lumbee Act barred any federal relationship with the Lumbee Indians not already provided in the IRA “was similar to the position taken with regard to the 1964 Pascua Yaqui Act”).

⁵² *Id.* at 4 (“The position the Department took on the 1987 act to restore a Federal relationship with the Ysleta del Sur Pueblo (the Tiwas) is consistent with our present interpretation of the Lumbee Act.”).

⁵³ An Act to provide for the conveyance of certain land of the United States to the Pascua Yaqui Association, Inc., 78 Stat 1196, 1197 (Oct. 8, 1964) (“1964 Pascua Yaqui Act”) (“Nothing in this Act shall make such Yaqui Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Yaqui Indians.”); An Act Relating to the Tiwa Indians of Texas, 82 Stat 93 (Apr. 12, 1968) (“1968 Tiwa Act”) (“Nothing in this Act shall make such tribe or its members eligible for any services performed by the United States for Indians because of their status as Indians nor subject the United States to any responsibility, liability, claim, or demand of any nature to or by such tribe or its members arising out of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Tiwa Indians of Ysleta del Sur.”).

⁵⁴ An Act to provide for the extension of certain Federal benefits, services, and assistance to the Pascua Yaqui Indians of Arizona, and for other purposes, 92 Stat 712 (Sept. 18, 1978) (“1978 Pascua Yaqui Recognition Act”); An Act to provide for the restoration of the Federal trust relationship and Federal services and assistance to the Ysleta del Sur Pueblo and the Alabama and Coushatta Indian Tribes of Texas, and for other purposes, 101 Stat. 666 (Aug. 18, 1987) (“1987 Restoration Act”).

⁵⁵ 1989 Assoc. Solic. Mem. at 5.

⁵⁶ 1989 Solic. Mem. at 1.

⁵⁷ The Solicitor’s Memorandum provided a recap of the 1972 Memorandum, and resulting *Maynor v. Morton* litigation; a petition for federal acknowledgment by Lumbee Indians, and Federal assistance provided to their petitions; the attempt to recognize the Lumbee Indian by an act of Congress in 1988, including Assistant Secretary

Indians did not receive federal Indian services and most federal Indian statutes did not reach the Lumbee Indians. This more plausible interpretation does not render the final sentence of Section 1 a nullity. On the contrary, it infuses that sentence with a specific meaning that is consistent with Congress's regular usage of the phrase "nothing in this act." Congress typically uses phrases such as "nothing in this act" or "nothing in this section" to preserve pre-legislation status quo.⁶⁴ Consistent with that approach, this Memorandum interprets the final sentence of Section 1 as an attempt to preserve the status quo *ante* by ensuring that the Act, itself, is not construed as making the Lumbee Indians eligible for federal services or benefits.

In addition, the interpretation of the Lumbee Act set forth in this Memorandum is the only interpretation that is consistent with the Act's legislative history. Despite his conclusion that the Lumbee Act was "legislation terminating or forbidding the Federal relationship within the meaning of 25 C.F.R. §§ 83.3(e) and 83.7(g),"⁶⁵ the Associate Solicitor offered no evidence whatsoever from the legislative history that Congress intended to foreclose the Lumbee Indians from ever having the opportunity to determine whether there exists a federal relationship – and certainly offered no evidence that Congress intended to foreclose the application of regulations that would not be promulgated until 22 years later. In fact, as demonstrated above, all of the evidence in the legislative history demonstrates that the 84th Congress was concerned that the Lumbee Act as originally introduced would be construed as recognition of the Lumbee Indians as an Indian tribe, and that the Act was amended and the final sentence of Section 1 added for the sole purpose of clarifying that the Act itself did not confer federal recognition of the Lumbee by virtue of a mere name designation.⁶⁶ If Congress had intended to take such a drastic measure of forever foreclosing a trust relationship with the Lumbee Indians, it could have expressly stated such intent.⁶⁷

B. *The Maynor v. Morton opinion*

Moreover, the Associate Solicitor's interpretation of the Lumbee Act is entirely inconsistent with the D.C. Circuit's opinion in *Maynor v. Morton*. The Associate Solicitor is correct that the *holding* in *Maynor* is narrow⁶⁸ – the Plaintiff sought declaratory judgment that the Lumbee Act had not extinguished his eligibility for IRA benefits as a half-blood Indian, and the Circuit Court reversed and remanded for just such an entry of judgment.⁶⁹ In reaching that holding, however, the *Maynor* court found that the sole purpose of the final sentence of Section 1 was to prevent the Act from being construed as recognizing the Lumbee Indians as an Indian tribe.⁷⁰ The Associate Solicitor's interpretation of the Lumbee Act embraces *Maynor*'s holding, but rejects *Maynor*'s reasoning without offering any analysis or reason for doing so.

⁶⁴ See, e.g., *Commonwealth Edison Co. v. Montana*, 453 U.S. 69, 631-33 (1981) (holding that savings clause beginning with "[n]othing in this chapter" preserved the status quo concerning State and local authority to levy taxes on coal producers mining for coal on federal lands pursuant to the Mineral Lands Leasing Act of 1920); *Wyoming v. United States*, 279 F.3d at 1231 (evaluating savings clause beginning with "Nothing in this Act" as preserving the status quo except as it was in conflict with the clause or any other portion of the overall statute at issue).

⁶⁵ 1989 Assoc. Solic. Mem. at 5.

⁶⁶ See Part II.B.1, *supra*.

⁶⁷ See Part IV.B.2, *infra*.

⁶⁸ 1989 Assoc. Solic. Mem. at 4.

⁶⁹ 510 F.2d at 1255, 1259.

⁷⁰ See Part II.B.2, *supra*.

C. *The Pascua Yaqui and Tiwa analogies*

In addition, the Associate Solicitor's analogies to legislation involving the Pascua Yaqui and Tiwa Indians are inapt. The Associate Solicitor observed that both the 1964 Pascua Yaqui Land Act and the 1968 Tiwa Act contained language that was substantially similar to the final sentence of Section 1 of the Lumbee Act, and that the Pascua Yaqui and the Tiwa subsequently achieved federal recognition as Indian tribes by acts of Congress, not by the Part 83 acknowledgment process.⁷¹ This simple and surface-level comparison disregards significant differences in the circumstances surrounding these Indian groups and their legislation.

1. *Pascua Yaqui*

The 1978 Yaqui Recognition Act was necessary to effect federal recognition of the Pascua Yaqui Indians as an Indian tribe *not* because the language in the 1964 Pascua Yaqui Act mirrored the final sentence of Section 1 of the Lumbee Act, but because the Pascua Yaqui were not indigenous to the continental United States and, therefore, were ineligible for Part 83 acknowledgment.

The Pascua Yaqui Indians came to the United States as political refugees from Mexico in the late 1800s and early 1900s.⁷² By the 1960s, most of the Pascua Yaqui Indians were United States citizens, either having completed the naturalization process or having been born in the United States, and most were squatting on land near Tucson, Arizona.⁷³ The 1964 Pascua Yaqui Act was enacted to facilitate the removal of the Pascua Yaqui Indians from the land upon which they were squatting, and to relocate them to a separate parcel nearby.⁷⁴ As he did during consideration of the Lumbee Act, Representative Aspinall expressed concern that the 1964 Pascua Yaqui Act would ultimately lead to the provision of federal services and benefits to the Pascua Yaqui Indians.⁷⁵ Assistant Commissioner of Indian Affairs Graham E. Holmes testified that the Department did not intend to provide services to the Pascua Yaqui Indians, "and we do not anticipate that they will request any."⁷⁶ The 1964 Pascua Yaqui Act subsequently was amended to include language mirroring the final sentence of Section 1 of the Lumbee Act.⁷⁷

⁷¹ See fn. 51-52, *supra*, and accompanying text.

⁷² S. Rep. No. 95-719, at 3 (1978) ("1978 Senate Report"); Letter from Ferne Nevitt Lees, M.A., to House Committee on Interior and Insular Affairs 1 (Aug. 24, 1963) ("Lees Letter"), *pub'd in To Provide for the Conveyance of Certain Land of the United States to the Pascua Yaqui Association, Inc.: Hearing before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, 90th Cong. (1964)* ("1964 Hearing").

⁷³ Lees Letter at 1; 1964 Hearing at 10 (statement of Graham E. Holmes, Assistant Commissioner for Legislation, Bureau of Indian Affairs).

⁷⁴ 1964 Hearing at 10 (statement of Graham E. Holmes, Assistant Commissioner for Legislation, Bureau of Indian Affairs).

⁷⁵ *Id.* at 14 (Representative Aspinall suggested that it would be "naïve" to believe that the Bureau of Indian Affairs would not eventually be asked to provide services to the Pascua Yaqui Indians).

⁷⁶ *Id.*

⁷⁷ See fn.53, *supra*.

The 1978 Pascua Yaqui Recognition Act was introduced at roughly the same time that the Department published the proposed regulations that would become Part 83.⁷⁸ At that time, the Department believed that the final sentence of Section 1 of the Lumbee Act would prevent the Department from recognizing the Lumbee Indians as an Indian tribe.⁷⁹ Consistent with that position, the Solicitor's Office advised Congress "in an informal opinion" that Section 4 of the 1964 Pascua Yaqui Act would prevent the Department from recognizing the Pascua Yaqui Indians as an Indian tribe through the Part 83 acknowledgment process.⁸⁰ Nevertheless, the Department opposed the 1978 Pascua Yaqui Recognition Act, and suggested instead that the 1964 Pascua Yaqui Act simply be amended to delete the Section 4 language that mirrored the last sentence of the Lumbee Act.⁸¹

However, the real impediment to administrative acknowledgment of the Pascua Yaqui was not the language in Section 4 of the 1964 Pascua Yaqui Act; rather, it was the fact that the Part 83 regulations limit their application to "those American Indian groups *indigenous to the continental United States*."⁸² Those same regulations define "indigenous" as "native to the continental United States in that at least part of the tribe's aboriginal range extended into what is now the continental United States."⁸³ The Pascua Yaqui Indians were indigenous to Mexico, not the United States,⁸⁴ which made them ineligible for Part 83 acknowledgment.⁸⁵ Thus, the Pascua Yaqui Indians needed Congressional recognition.

2. *Tiwa*

Similarly, the 1987 Restoration Act was necessary to effect federal recognition of the Tiwa Indians as an Indian tribe *not* because of the language in the 1968 Tiwa Act that mirrored the final sentence of Section 1 of the Lumbee Act, but because of other provisions of the 1968 Tiwa Act.

⁷⁸ 1978 Senate Report at 3 ("The introduction of S. 1633 coincided with the Secretary of the Interior's publication of proposed new federal regulations that would establish procedures for governing the determination that an Indian group is a federally recognized tribe" (citation to Fed. Reg. omitted)). Ultimately, the Part 83 regulations were promulgated on September 5, 1978. 43 Fed. Reg. 39362. The 1978 Pascua Yaqui Recognition Act was enacted on September 18, 1978, less than two weeks later. 92 Stat. 712.

⁷⁹ 1978 Ass't Solic. Letter at 3.

⁸⁰ 1978 Senate Report at 3; *see also id.* at 7 (statement of Forest J. Gerard, Assistant Secretary).

⁸¹ *Id.* at 7.

⁸² 25 C.F.R. § 83.3(a) (emphasis added).

⁸³ 25 C.F.R. § 83.1(n).

⁸⁴ 1978 Senate Report at 3; Lees Letter at 1.

⁸⁵ The 1978 Senate Report was published several months before the final Part 83 regulations were published, which might explain why the 1978 Senate Report does not contain a discussion of whether the Pascua Yaqui's origins outside the continental United States would bar them from administrative acknowledgment.

However, ten years later, when it was considering legislation that would have recognized the Lumbee Indians, Congress recognized that the Pascua Yaqui would not have been eligible for administrative acknowledgment because they were not indigenous to the continental United States. S. Rep. No. 100-579, at 5 (1988) (stating that Congress enacted the Pascua Yaqui Recognition Act because the Pascua Yaqui Indians, "having migrated from Mexico, [were] not indigenous to the United States and therefore [were] ineligible to file a petition" for Part 83 acknowledgment).

The Tiwa Indians were descendants of Indians who fled the Pueblo of Isleta during the Pueblo Revolt, eventually settling in what is now El Paso County, Texas.⁸⁶ The Tiwa Indians never entered a treaty or other agreement with the United States, and at the time of the 1968 Tiwa Act no land was held in trust for the Tiwa Indians.⁸⁷ In 1967, the Texas Legislature enacted legislation assuming a trust responsibility for the Tiwa Indians; however, there was a belief that in order for Texas to have the authority to exercise such a trust responsibility, an act of Congress was required.⁸⁸ By enactment of the 1968 Tiwa Act, “[r]esponsibility, if any, for the Tiwa Indians of Ysleta del Sur [was thereby] transferred [from the United States] to the State of Texas.”⁸⁹

The legislative history of the 1968 Tiwa Act demonstrates that it, like the Lumbee Act, was drafted so as to prevent it from being construed as an act recognizing the Tiwa Indians as an Indian tribe eligible for federal services and benefits. The Tiwa Act contained language that, in substance, mirrored the language of the Lumbee Act.⁹⁰ In fact, the Senate Report accompanying the Tiwa Act expressly states that the relevant language was “modeled after” the Lumbee Act.⁹¹ The Senate Report accompanying the Tiwa Act repeatedly states that the purpose of that language was to ensure that “its enactment will not *create* any trust responsibility” for the United States.⁹² By expressly stating that its purpose in adding the “nothing in this act” language to the 1968 Tiwa Act was to prevent that statute from being construed as creating a trust responsibility, and by expressly stating that this provision was “modeled after” the Lumbee Act, Congress implicitly acknowledged that the final sentence of Section 1 of the Lumbee Act merely ensured that that Act would not be read as creating a trust responsibility to the Lumbee Indians.

Moreover, the legislative history of the 1987 Restoration Act demonstrates that Congress rejected the idea that the 1968 Tiwa Act was the equivalent of a termination act. Congress made specific note of the language in the 1968 Tiwa Act that mirrored the final sentence of Section 1 of the Lumbee Act, and concluded “that the 1968 Tiwa Act *was not a ‘termination’ act.*”⁹³ Instead, Congress concluded that that language “did not, as a practical matter, alter the relationship between the United States and the Tiwa Tribe. The Tribe had not been subject to federal supervision and had received no federal Indian services before the 1968 Act, and that status continue[d] after its enactment.”⁹⁴ Because Congress expressly modeled the 1968 Tiwa Act after the Lumbee Act, and because Congress expressly found that the 1968 Tiwa Act was not a termination act, it follows that the Lumbee Act also was not a “termination act” for the Lumbee Indians.

⁸⁶ S. Rep. No. 90-1070, at 1 (1968) (“1968 Senate Report”).

⁸⁷ *Id.* at 5 (statement of Stanley S. Surrey, Assistant Secretary of the Treasury).

⁸⁸ *Id.* at 1.

⁸⁹ 82 Stat. 93.

⁹⁰ *Id.*; see also fn.53, *supra*.

⁹¹ 1968 Senate Report at 2.

⁹² *Id.* at 2 (emphasis added); *id.* at 3 (“The United States does not have any responsibility, and the bill clearly provides that its enactment will not create any responsibility” (emphasis added)).

⁹³ S. Rep. 100-90, at 7 (1987) (“1987 Senate Report”) (emphasis added). In contrast, the Alabama and Coushatta Tribes, which were also restored by the same Restoration Act, *were* expressly terminated by Congress. An Act to provide for the termination of federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof, and for other purposes, 68 Stat. 768 (1954).

⁹⁴ *Id.*

1. Comparing the League of Nations to the League of Nations

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language.¹⁰² However, no such language appears in the Lumbee Act. To the extent that the Associate Solicitor’s opinion can be read as concluding that the Lumbee Act was legislation “terminating” a Federal relationship, I find that the differences between the Lumbee Act and contemporaneous termination acts undermines such a conclusion.

2. Statutes “forbidding” the Federal relationship

The Associate Solicitor engaged in no textual analysis to determine whether the Lumbee Act served to “forbid” any Federal relationship with the Lumbee Indians. When compared to other statutes found to include language “forbidding” the relationship, the Lumbee Act includes no such language.

For example, in 1839 Congress enacted An Act for the relief of the Brothertown Indians, in the Territory of Wisconsin (“1839 Brothertown Act”),¹⁰³ which, *inter alia*, provided for the partitioning of the reservation of the “Brotherton or Brothertown Indians”¹⁰⁴ and the division of those lands among the tribe’s individual members.¹⁰⁵ The 1839 Brothertown Act further provided that, upon the division of the Tribe’s lands and the completion of various administrative requirements, “the Brothertown Indians . . . shall then be deemed to be . . . citizens of the United States, . . . and their rights as a tribe or nation, and their power of making or executing their own laws, usages, or customs, as such tribe, *shall cease and determine.*”¹⁰⁶

Following the publication of the Part 83 procedures, persons descended from the Brothertown Indians sought acknowledgment under Part 83.¹⁰⁷ In 2009, in its Proposed Finding Against Acknowledgment of the Brothertown Indian Nation (“Brothertown Proposed Finding”), the Department engaged in a lengthy analysis of the statutory language, finding that the word “‘determine’ added a meaning beyond a mere cessation of activity. . . . The phrase ‘cease and determine’ thus stated that Federal recognition of tribal rights and powers not only would be discontinued, but also would be *brought to a permanent end.*”¹⁰⁸ The Department concluded that “[b]y denying the Brothertown Indians of Wisconsin a federally recognized right to act in the future as a tribal political entity with powers of self-government, Congress *has forbidden a Federal relationship* with a Brothertown political tribal entity.”¹⁰⁹

¹⁰² For two examples enacted the same year as the Lumbee Act, *see* An Act to provide for the termination of Federal supervision over the property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for other purposes, 70 Stat. 893 (1956); An Act to provide for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes, 70 Stat. 937 (1956).

¹⁰³ 5 Stat. 349 (Mar. 3, 1839).

¹⁰⁴ The statute recognized that both names were used. *Id.*

¹⁰⁵ *Id.* at 349-51.

¹⁰⁶ *Id.* at 351.

¹⁰⁷ Proposed Finding Against Acknowledgment of the Brothertown Indian Nation (Aug. 17, 2009), *available at* <http://www.bia.gov/cs/groups/xofa/documents/text/idc-001523.pdf>. The group, which initially used the name “Brotherton Indians of Wisconsin” before changing its name to “Brothertown Indian Nation,” filed a letter of intent in 1980, and provided materials in support of its application as late as 2008. *Id.* at 2-3.

¹⁰⁸ *Id.* at 135-36 (emphasis added).

¹⁰⁹ *Id.* at 136 (emphasis added). This finding was upheld in the Department’s Final Determination, at 2, *available at* <http://www.bia.gov/cs/groups/xofa/documents/text/idc-021391.pdf>.

The Associate Solicitor in 1989 did not have the benefit of this analysis of congressional legislation “forbidding” the Federal relationship. Nevertheless, in contrast to the 1839 Brothertown Act, the Lumbee Act contains no such forward-looking language. To the extent that the 1989 Associate Solicitor’s Memorandum can be read as concluding that the Lumbee Act was legislation “forbidding” a Federal relationship, I find that the lack of any such forward-looking language undermines that conclusion.

E. The Department’s § 83.7(g) decisions

Finally, with regard to statutes “terminating” the federal relationship, a close review of the Department’s one existing decision at the time under 25 C.F.C. § 83.7(g) demonstrates that that decision was based on evidence far more concrete than the evidence that led the Associate Solicitor to conclude that the final clause of Section 1 of the Lumbee Act was language “terminating or forbidding” a Federal relationship.

At the time of the Associate Solicitor’s Memorandum, the Department had published decisions granting seven acknowledgment petitions and denying eleven. Of those 18 published decisions, only one discussed § 83.7(g) in depth: the decision denying federal acknowledgment to the Tchinouk Indians of Oregon. In its Proposed Finding against Federal Acknowledgment, the Department concluded that, even though the Tchinouk Indians had not been specifically identified for termination in the Western Oregon Termination Act,¹¹⁰ they nonetheless fell within its purview:

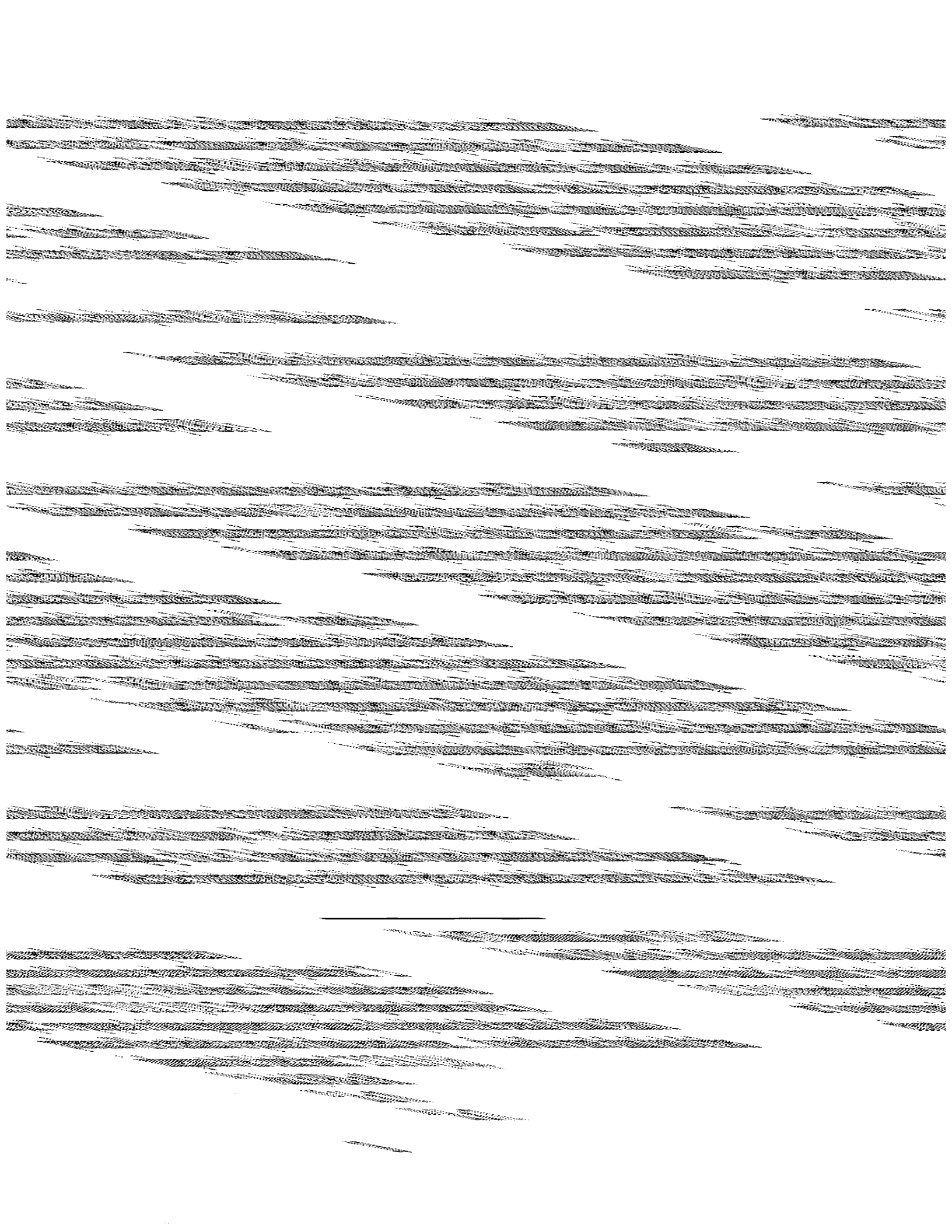
Many of the petitioning group’s members were given termination services under Section 13 of the termination act, although many had not received services previously and many if not most do not appear on the available rolls of Southwestern Oregon Indians. . . . It is clear the act was viewed by the BIA as applying to these individuals even though they were not part of a distinct recognized tribe. . . .

Based on the inclusive language of the [Western Oregon Termination A]ct and BIA policies and legislative records concerning the act, we conclude that the Western Oregon Termination Act applies to the Tchinouk even though they were not previously recognized as a distinct tribe. The Tchinouk are the subject of legislation forbidding the Federal relationship and therefore do not meet the requirements of the criterion in 25 C.F.R. 83.7(g).¹¹¹

The evidence presented as to the Lumbee Indians contrasts with that concerning the Tchinook, indicating that the Lumbee Act was not a termination act and that the Associate Solicitor’s conclusion that the Lumbee Act was “legislation terminating or forbidding the Federal relationship” should not be read as a conclusion as to “termination.” There is no evidence in the

¹¹⁰ 68 Stat. 724 (1954).

¹¹¹ Evidence for Proposed Finding against Federal Acknowledgment of the Tchinouk Indians of Oregon at 12 (May 30, 1985); after notice of the Proposed Finding was published, 50 Fed. Reg. 24709 (June 12, 1985), and comments received, the Final Determination That the Tchinouk Indians of Oregon Do Not Exist as an Indian Tribe was published on January 16, 1986. 51 Fed. Reg. 2437.



not construed as extending to Lumbee Indians benefits for which they were not already eligible. In addition, the Regional Director's action and the IBIA's decision, both of which turn on the idea that the Lumbee Act altered the legal status of the Lumbee Indians, are inconsistent with *Maynor*, in which the D.C. Circuit stated: "The whole purpose of this final clause of the one paragraph operative portion of the Lumbee Act was simply *to leave the rights of the 'Lumbee Indians' unchanged.*"¹¹⁷

For these reasons, I am not persuaded by the IBIA's decision in *Nakai*, which did not concern Part 83 acknowledgment, and which is inconsistent both with the text and with judicial interpretations of the Lumbee Act.

VI. Conclusion

Over the past four decades, the Department has vacillated in its interpretations of the Lumbee Act. Solicitor's Office memoranda in 1989 concluded that the Act barred the Department from acknowledging the Lumbee Indians as an Indian tribe through the Part 83 process. Because I find that neither the text of the Lumbee Act nor its legislative history precludes the Lumbee Indians from petitioning for Federal acknowledgment under the Department's regulations, I conclude that they may avail themselves of the acknowledgment process in 25 C.F.R. Part 83. If their application is successful, they may then be eligible for the programs, services, and benefits available to Indians because of their status as Indians.

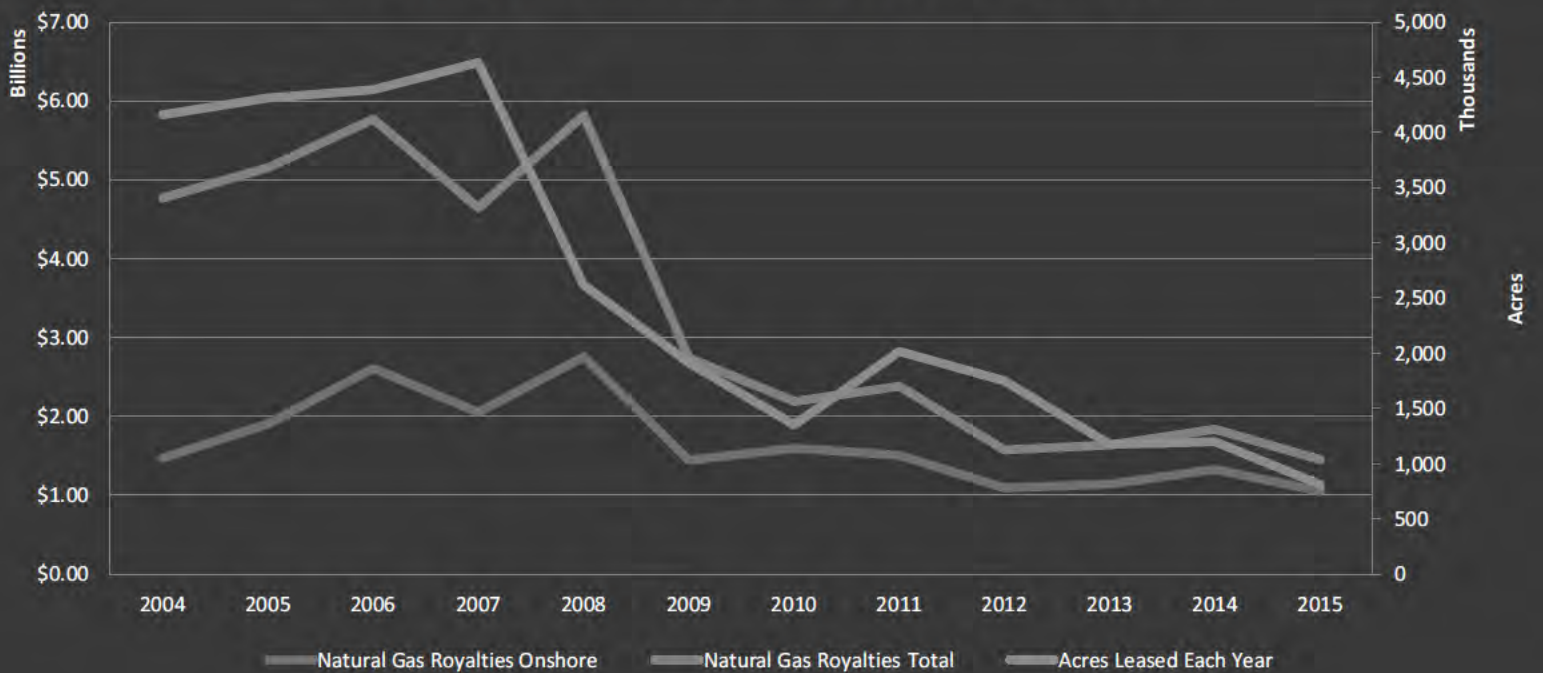
A handwritten signature in cursive script, reading "Hilary C. Tompkins", enclosed within a hand-drawn oval.

Hilary C. Tompkins

¹¹⁷ *Maynor*, 510 F.2d at 1258 (emphasis added).



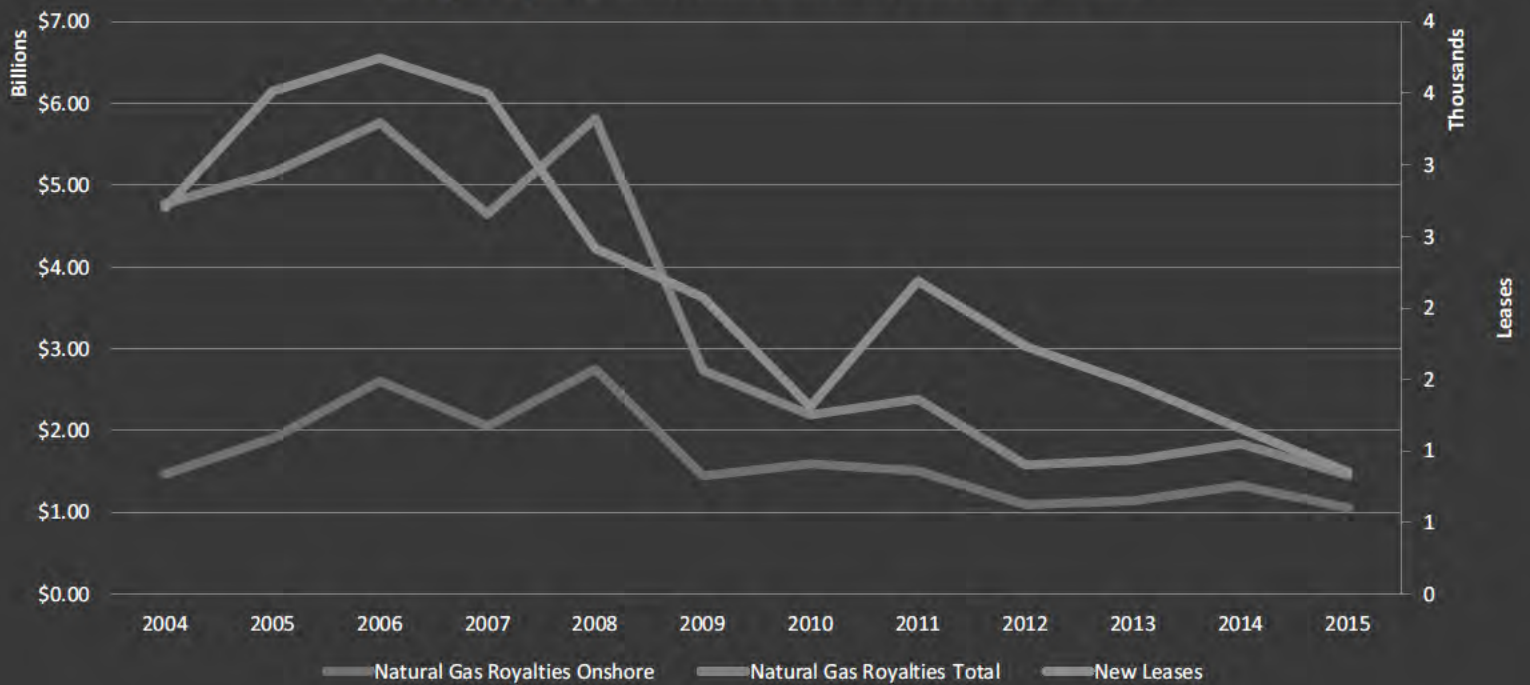
Natural Gas Royalty Revenues and Acres Leased



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



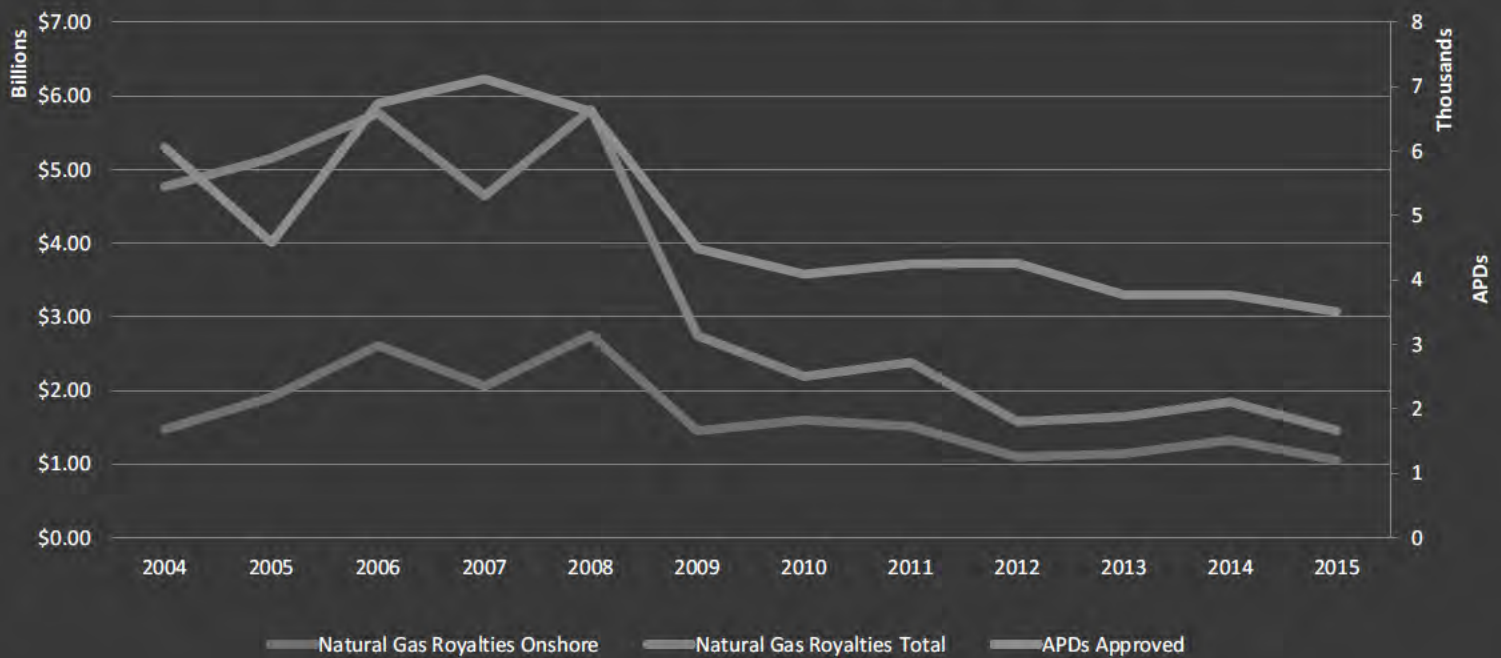
Natural Gas Royalty Revenues and New Leases



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



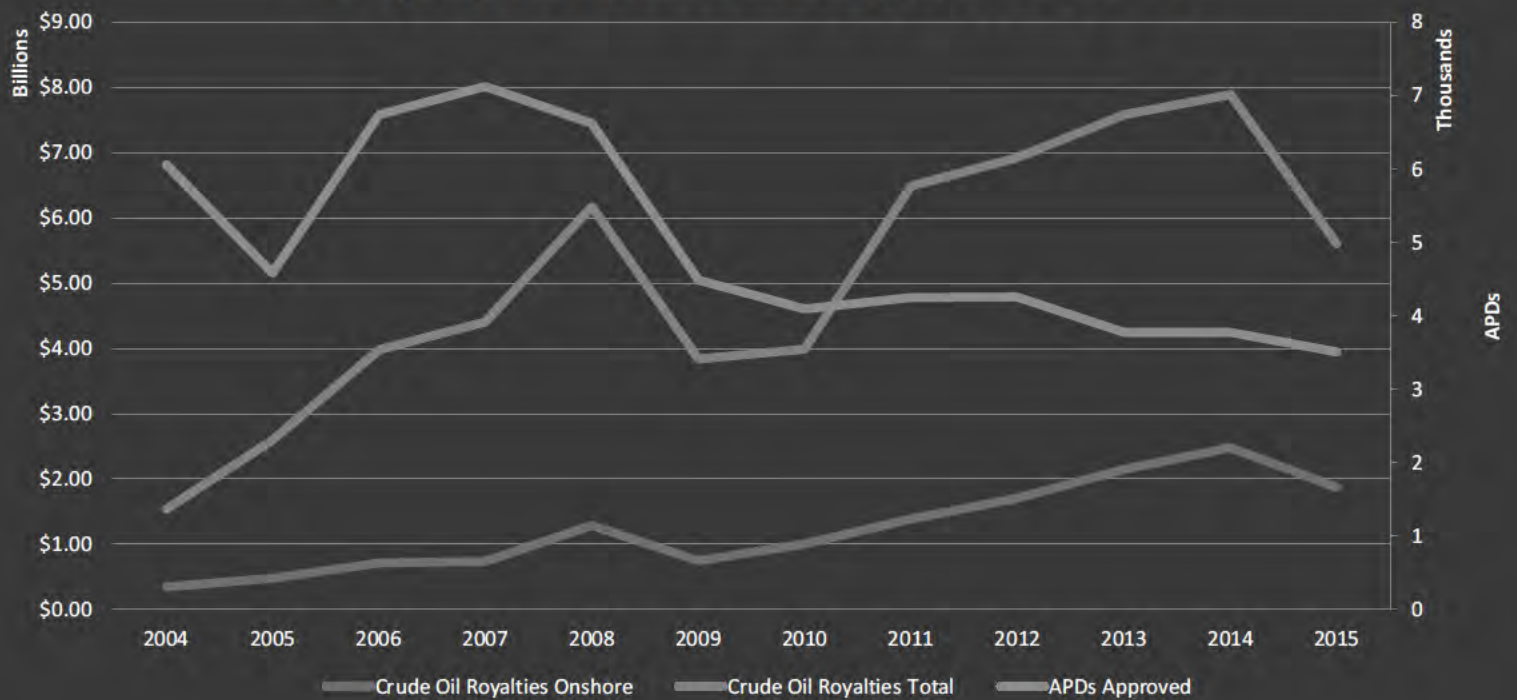
Natural Gas Royalty Revenues and Approved APDs



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



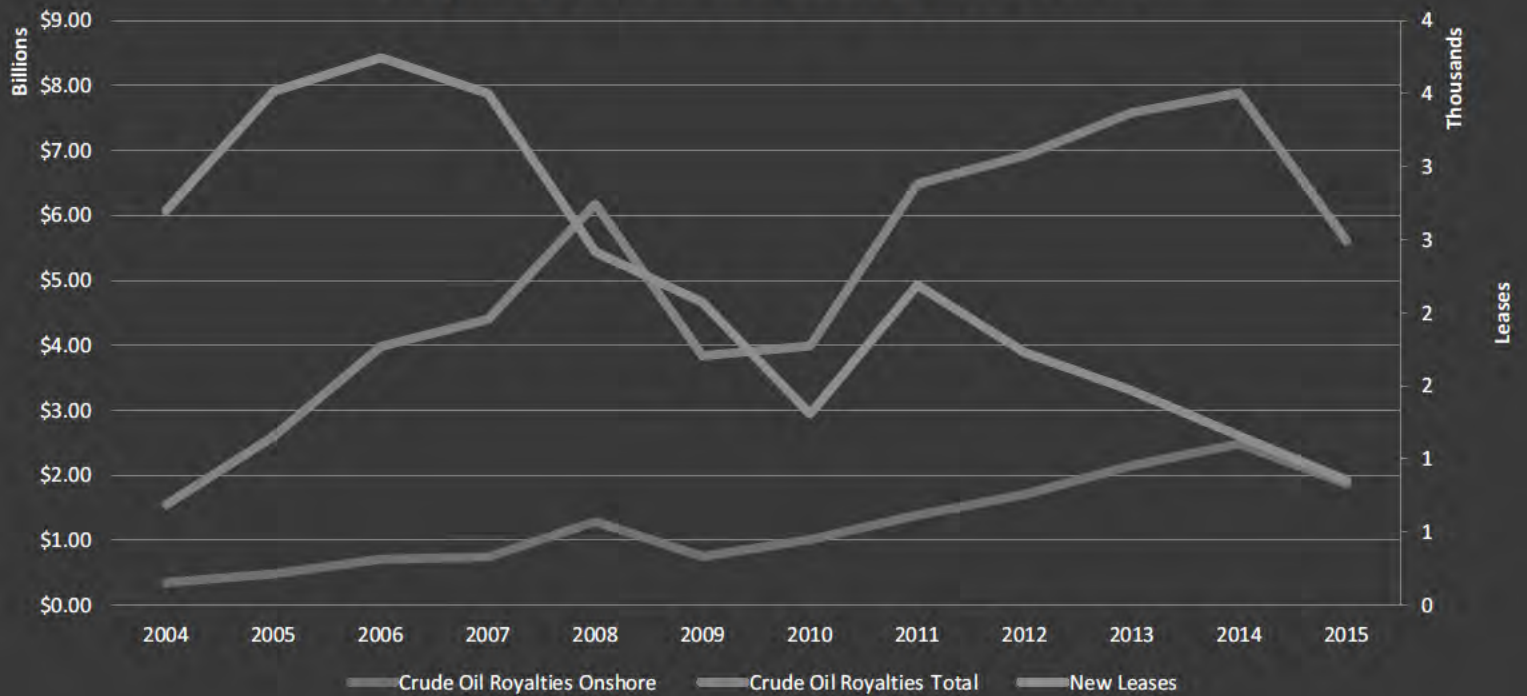
Crude Oil Royalty Revenues and Approved APDs



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



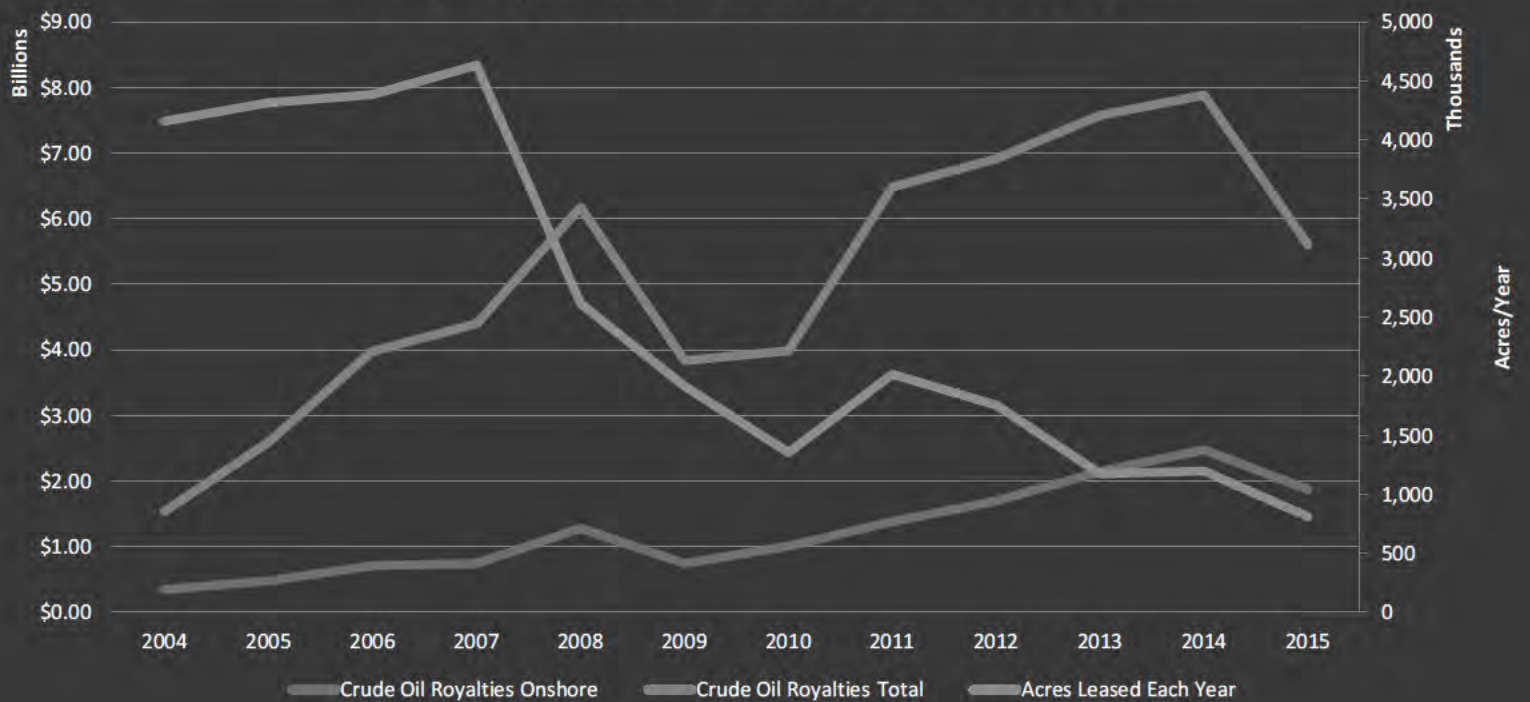
Crude Oil Royalty Revenues and New Leases



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



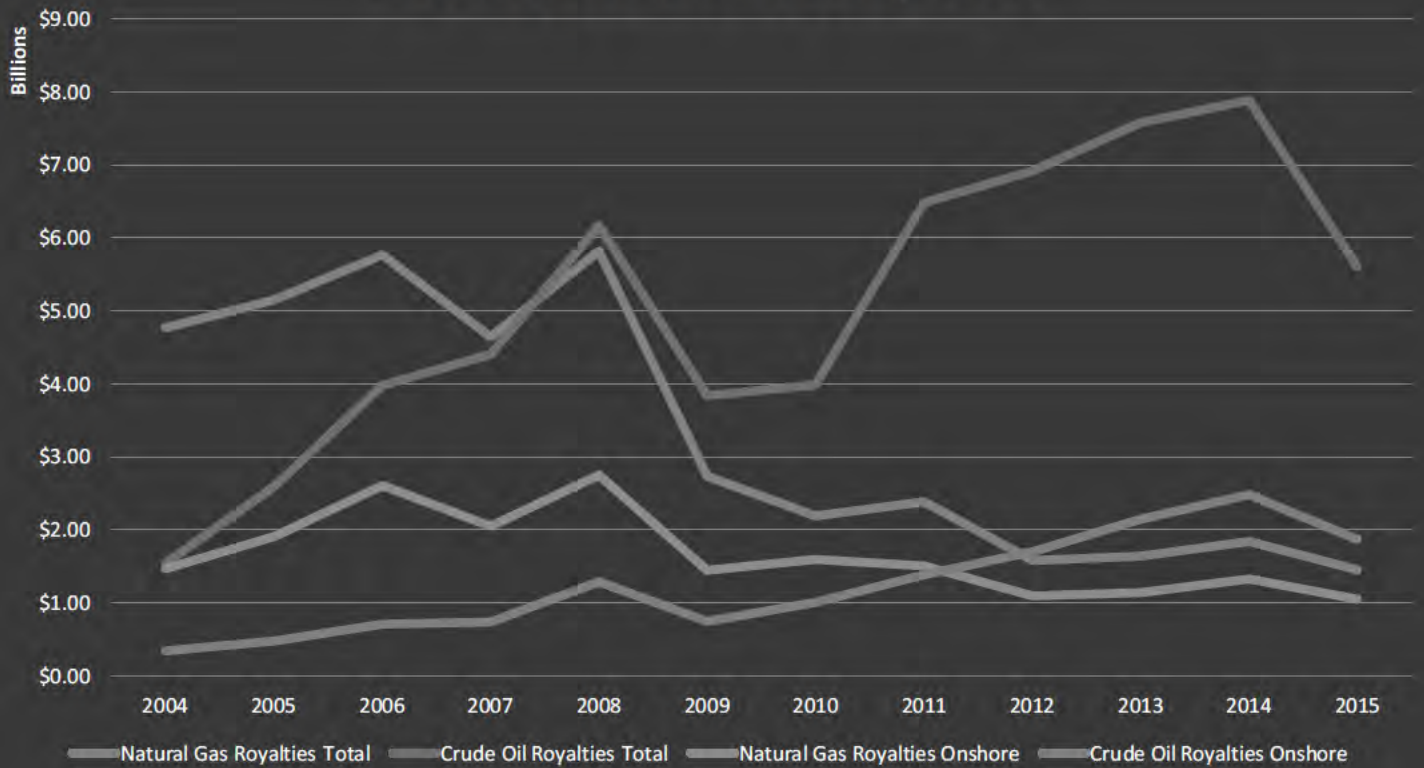
Crude Oil Royalty Revenues and Acres Leased



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



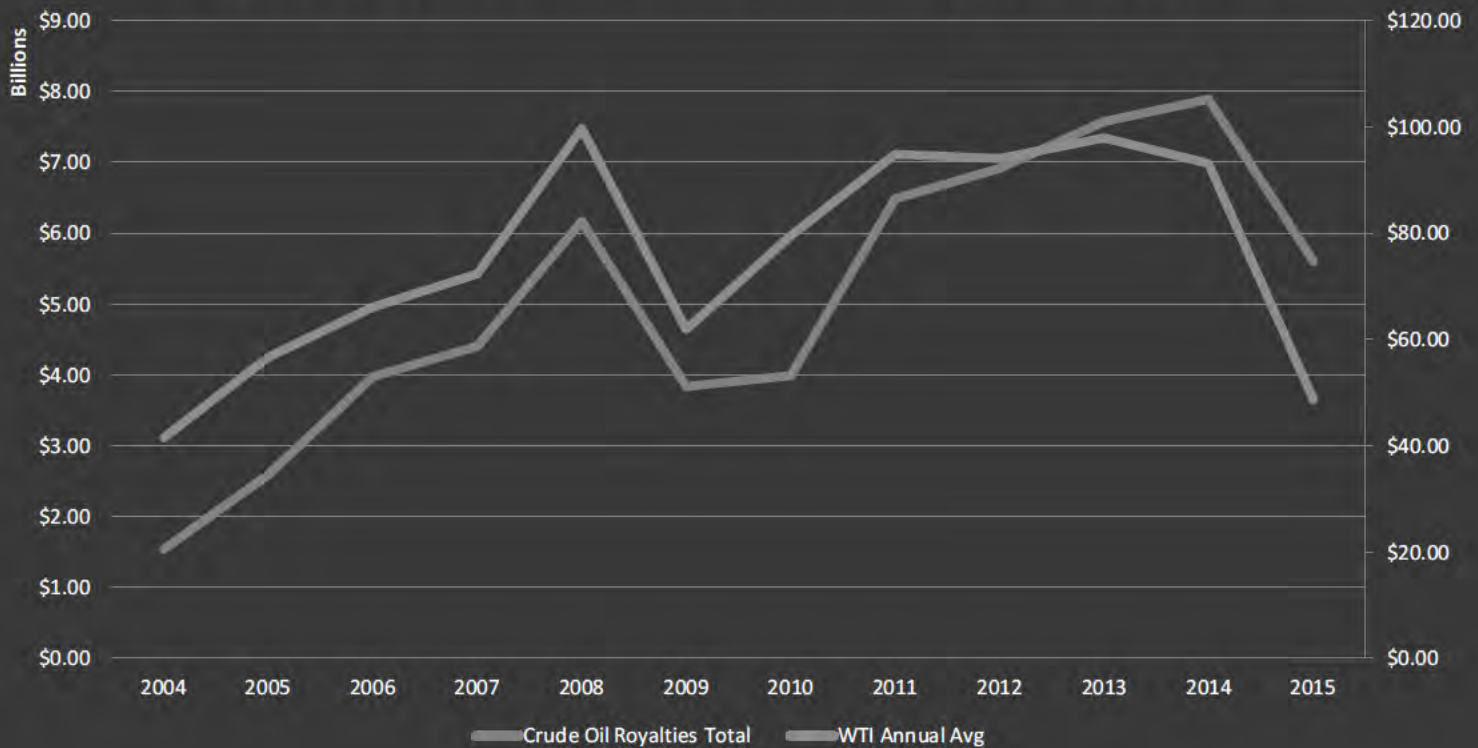
Oil and Natural Gas Royalties



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



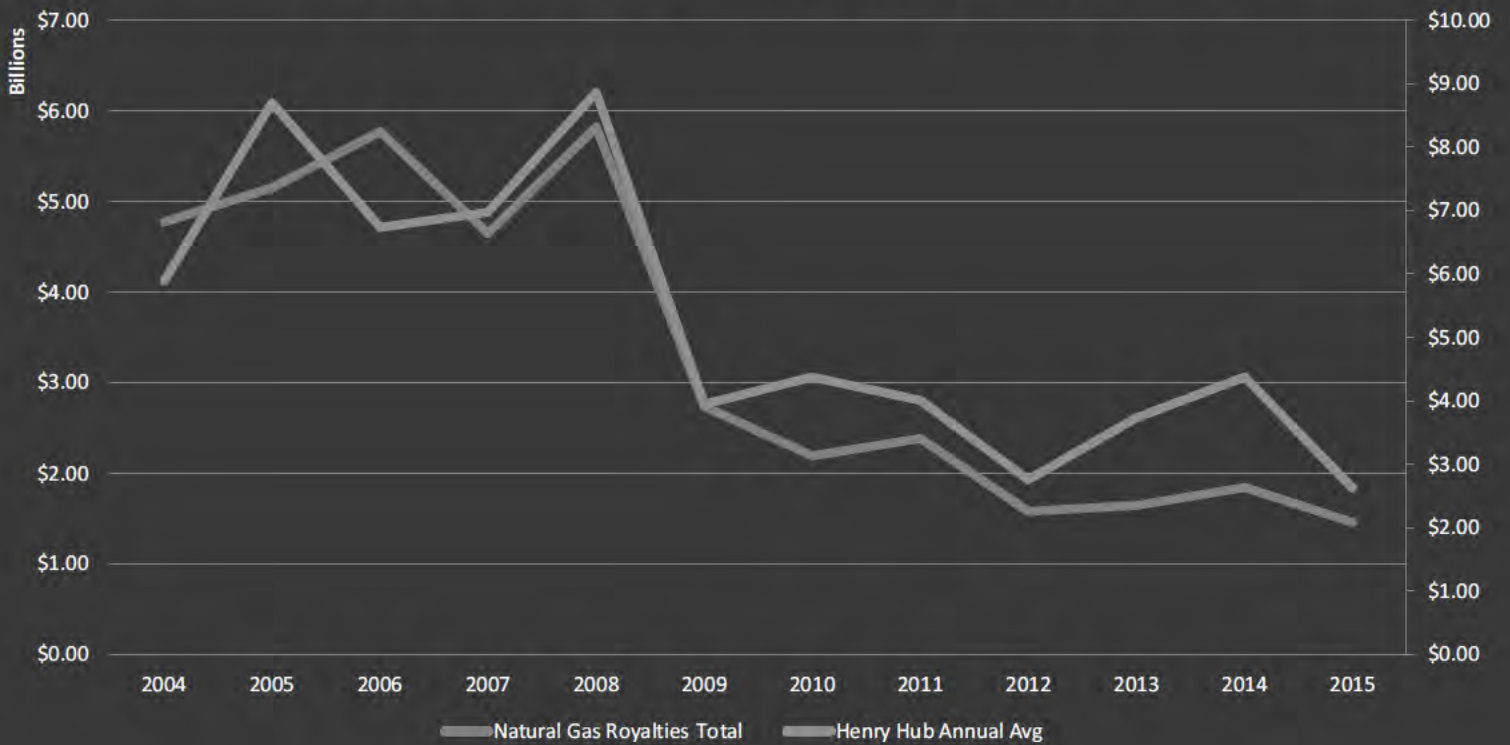
Crude Oil Revenues and Annual WTI Crude Price



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



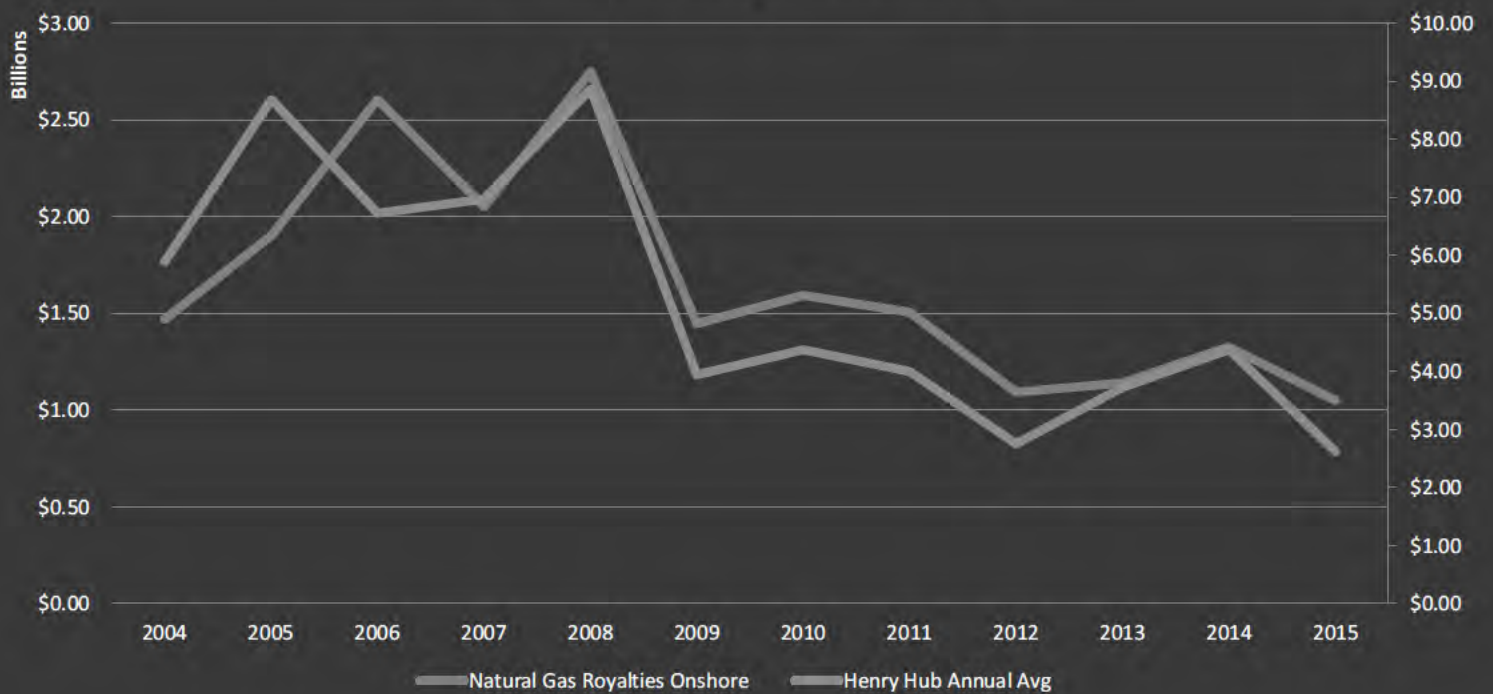
Natural Gas Revenues and Annual Henry Hub Price



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



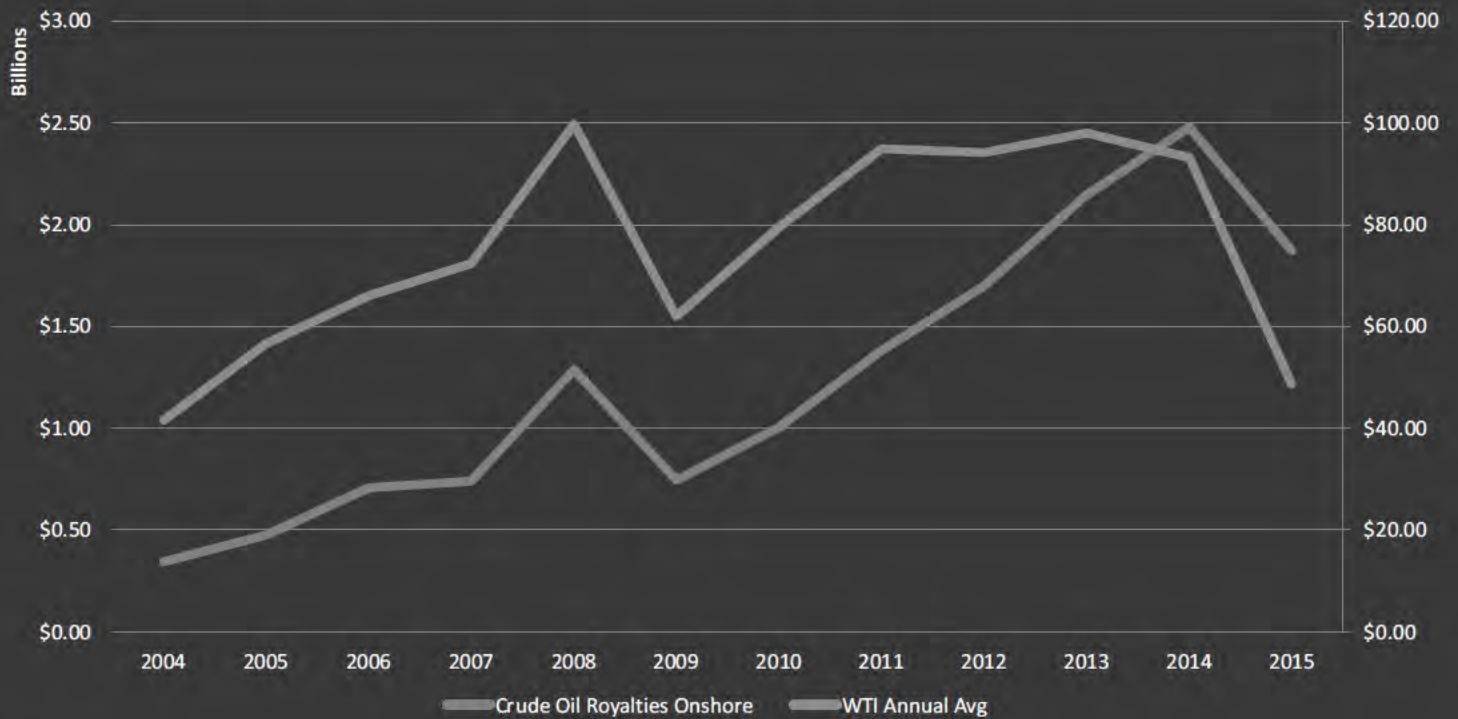
Onshore Natural Gas Revenues and Annual Henry Hub Price



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT



Onshore Crude Oil Revenues and Annual WTI Price



SOURCE: DEPARTMENT OF INTERIOR, OFFICE OF NATURAL RESOURCES REVENUE
BUREAU OF LAND MANAGEMENT

Notes Summary:

No speaker notes are contained in this presentation.



The BLM Methane Venting and Flaring Rule Myth vs. Fact

Last week the House of Representatives passed a resolution to overturn the Bureau of Land Management's (BLM) duplicative and burdensome methane flaring rule by a vote of 221-191. With the Senate set to take up the measure in the coming weeks, opposition groups have been on a mission to perpetrate a number of myths about what would happen if the rule were to be repealed.

As usual, the facts paint a very different picture. Let's take a closer look:

Myth: BLM's methane rules are needed because large quantities of methane are emitted during oil and gas production

FACT: Reducing methane emissions is in the best interest of every oil and natural gas producer. Methane is the product companies sell, so they have every incentive to capture and sell as much of their product as possible to American consumers, rather than letting it escape into the atmosphere.

This claim is just not in line with the science. Nearly every reputable study — including those by the Environmental Defense Fund, show leakage rates during oil and gas production are extremely low, ranging from just 1.2 percent to 1.6 percent of production. It's also why data from the U.S. Energy Information Administration (EIA) show that **"Flaring rates and volumes have significantly decreased as North Dakota's total natural gas production has continued to grow."**

Producers have made great strides in reducing emissions, but there is also a lack of infrastructure and gathering lines to collect gas at the wellhead and bring all of the product to market. This is largely due to the current backlog of right-of-way applications to build pipelines and other infrastructure that would allow drilling operations to greatly reduce flaring. More on that below.

Myth: BLM methane rules will ensure "a fair return to U.S. taxpayers"

FACT: BLM claims taxpayers are losing royalty revenues due to methane not being captured. Aside from the fact that methane emissions are low and continuing to plummet, BLM does not consider the fact that its rules will actually have a negative effect of reducing production on federal lands even further.

It's well known that production on federal lands has significantly declined in recent years, primarily due to added regulations and costly red tape. This rule would further drive down production, meaning the government will miss out on considerable royalty payments when operators are forced to reduce production in order to meet the rule's new limitations — or stop production all together.

An editorial from the *Farmington Daily-Times* rightly explains the impact of these regulations on taxpayers this way:

"Once a low producing well is abandoned, it is unlikely it will be restarted. That means no royalties and no profits from wells producing on BLM land, which would mean no royalties for the government. These new rules could cost the government millions in lost royalties." (emphasis added)

To put it in plain terms, BLM claims that the rule would lead to an addition \$23 million in royalties by capturing vented or flared gas. But according to an analysis from economist John Dunham, the rule would actually shut down the production of about 112.4 million barrels of oil, which is worth \$6.1 billion. That means that, even in the best-case scenario, **taxpayers would actually miss out on about \$114 million in federal and state taxes.**

At worst, the rule could cost a staggering \$1.26 billion to implement, according to the [Dunham economic study](#).

Myth: BLM rules are necessary to regulate an unregulated industry

FACT: States are already regulating oil and gas production on federal lands effectively. They've been doing it for over 60 years. Every state and energy play has different needs and requirements. What might work for North Dakota's public lands may be impossible to recreate on Alaska's public lands. The States understand their geology, hydrology, and local geographies the best and they have a proven record of experience. That is why this top-down, Washington-knows-best regulation is duplicative, burdensome and unnecessary. Further, regulating the country's air quality is not in BLM's Congressionally-given authority – that jurisdiction has been mandated by Congress to the Environmental Protection Agency (EPA). Therefore, BLM has exceeded its authority by issuing this rule.

Myth: The BLM rule will eliminate venting and flaring

FACT: There are several reasons that venting and flaring have been occurring on federal lands. The first is **safety**: Venting is sometimes necessary to release pressure and ensure that workers are operating in a safe environment. The second reason is **capacity**: BLM has consistently delayed issuing permits for pipelines that are necessary to capture the gas and reduce flaring.

In fact, if the proper infrastructure were in place, we would not even be having a conversation about a venting or flaring rule. The agency would do better to spend its time permitting the necessary infrastructure to reduce venting and flaring (which would lead to a boon in tax revenue), rather than focusing on perpetrating rule that will take a hundreds of millions in revenue off the table.

Myth: Energy producers can easily afford these rules

FACT: The economic justification provided by BLM for the rule is outdated: its cost estimates come from a 2014 carbon limits study, which assumes that natural gas will be sold at \$4 million cubic feet (mcf) – that estimate is 25 percent higher than current natural gas prices, which have been hovering around \$3/mcf. This means producers profit about \$2.25 for their product after paying taxes and royalties on it. ICF International has since released [a report](#) looking at what the projections would be at \$2.25/mcf gas and found they would be **five times greater** than if gas were at the \$4/mcf price.

Myth: Repealing BLM's methane rule will be a “present for Big Oil”

FACT: By mandating that EVERY WELL (exploratory and low-production wells included) install new and incredibly expensive technology, BLM is essentially ensuring a shutdown of low-production marginal wells. Operators of marginal wells — wells that produce 15 barrels or less per day, or 90 mcf or less of natural gas per day – simply won't be able to afford to operate under these conditions. However, operators of marginal wells only average about 2.7 barrels per day of oil and 22 mcf per day of gas.

The blow to good American jobs and paychecks would be significant. The Interstate Oil and Gas Compact Commission's (IOGCC) released a report last year, which finds the loss of small oil and gas wells developed in 2015 would trigger an estimated direct loss of 57,560 jobs in the oil and gas sector and \$4.4 billion in direct earnings within the survey's 29 states. Yet this report actually only looks at “stripper wells,” which are wells producing 10 barrels or less per day and 60 mcf or less of natural gas per day. So, if you were to evaluate job and GDP losses from eliminating *all marginal wells*, the impact would be even greater.

Far from a “present for Big Oil,” as activists groups like Friends of the Earth [claim](#), eliminating the BLM rule will be a lifeline for [marginal producers](#).

Making America Great Again...

...Starts With Making Alaska Great Again



1. Alaska Could Be—and Should Be—a Resource Superpower

- 36.9 billion barrels of oil enough to produce one million barrels a day for over 100 years.
- 278.4 trillion cubic feet of natural gas enough to meet demand in California for 120 years.
- 32,000 trillion cubic feet of methane hydrates could meet domestic demand for 1,000+ years.
- Up to 5 trillion tons of coal resources nearly 40% more than the Lower 48 states combined.
- Hundreds of deposits of hardrock minerals, from rare earths to graphite and copper.

2. The Problem? Two-Thirds of Alaska is Owned by the Federal Government.

- Alaska encompasses 365 million acres roughly 20 percent of the entire United States.
- Some 223 million of those acres are under federal control.
- Bureau of Land Management: 72 million acres (14x Massachusetts)
- Fish and Wildlife Service: 76 million acres (16x New Jersey)
- Alaska has more federal wilderness than all other states combined.

3. Federal Restrictions Have Dramatically Limited Resource Production in Alaska

- Alaskans have lost access to their lands and waters at an unprecedented rate.
- Despite all that nearby oil, the Trans-Alaska Pipeline System is just one-quarter full.
- For the past eight years, President Obama did everything he could to block Alaska production.

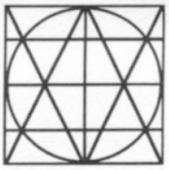
4. Federal Access Restrictions are Taking a Tremendous Toll on Alaska

- We are in a deep recession that is projected to last for years, with no real end or recovery.
- We currently have the highest unemployment rate (6.7%) of any state.
- Thousands of Alaskans have already lost their jobs. We could lose six percent of our jobs base.
- Alaska also faces a major fiscal crisis current revenues cover less than half the state's budget.

5. Alaska Needs Your Help

- Refill the Trans-Alaska Pipeline
 - Reopen much of the National Petroleum Reserve-Alaska to energy development.
 - Expedite permitting for GMT-2, Liberty, Donlin, and other projects.
 - Reverse the sweeping Arctic OCS 12(a) withdrawals.
 - Issue a supplemental OCS Five-Year Program with Arctic lease sales.
 - Revise Arctic OCS rules to provide a stable, attractive regulatory environment.
 - Authorize energy production in the non-wilderness 1002 Area of ANWR.
- Restore Access to All of Alaska's Federal Areas
 - Lift decades-old Public Land Orders that are stifling development.
 - Build an 11-mile, one-lane, gravel, non-commercial, life-saving road for King Cove.
 - Withdraw, revise, and re-issue BLM's Eastern Interior Resource Management Plan.
 - Complete ANCSA land exchanges mandated in the 1970s.
 - Complete cleanup of legacy wells and contaminated lands.
 - Increase timber harvesting in the Tongass National Forest.

6. Jobs and Revenues for Alaska Will Mean Security and Prosperity for America.



THE NATIONAL RELIGIOUS PARTNERSHIP FOR THE ENVIRONMENT

U.S. CONFERENCE OF CATHOLIC BISHOPS NATIONAL COUNCIL OF CHURCHES OF CHRIST
JEWISH COUNCIL FOR PUBLIC AFFAIRS EVANGELICAL ENVIRONMENTAL NETWORK

March 8, 2017

The Honorable Ryan Zinke
Secretary of the Interior
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Zinke:

As you take on the mantle of leadership at the Department of Interior, I speak for many in the faith community that we will be praying for you as you work to protect and manage the nation's natural resources and cultural heritage and honor our special commitments and responsibilities to native peoples in the United States.

The National Religious Partnership for the Environment (NRPE), founded more than two decades ago, represents evangelical, protestant, Catholic and Jewish national religious organizations that care deeply about caring for God's creation. I write on behalf of senior leaders in the NRPE faith community to request a meeting with you to discuss our shared commitments and concerns on behalf of creation.

As you are probably aware from your own faith tradition, the religious community takes seriously its call to care for God's creation. Over the years the National Religious Partnership for the Environment and the broader faith community has valued working with the Department of Interior to help protect lands and wildlife placed in its care. Most recently, we have engaged our communities on the National Park Centennial celebration, advocated for protecting public lands from methane pollution, highlighted the importance of protecting Endangered Species through special events such as Blessing of the Animals on Capitol Hill, and worked on key monument designations such as the recent Civil Rights Monuments in Alabama and South Carolina.

In our nation's majestic national parks, forests, and monuments we find God's presence, inspiration and peace in nature. National parks such as the Grand Canyon, Yosemite, and Yellowstone are such places. Truly, our public lands part of God's grand creation are places where we pray and play.

When you were sworn in as the 52nd Secretary of the Interior, you promised that you would "faithfully uphold Teddy Roosevelt's belief that our treasured public lands are 'for the benefit and enjoyment of the people' and will work tirelessly to ensure our public lands are managed and preserved in a way that benefits all Americans for generations to come."

Stewardship of our national parks, monuments and other public lands and preservation of our historic and cultural heritage is an important part of our moral responsibility as caretakers of God's creation and for the next generation. Our responsibility to care for creation is coupled with our duty to preserve and honor the story of all Americans, and ensure all of our children have equitable access to healthy recreation and the opportunity to find their own story in our park system.

We look forward to meeting with you to discuss how we can fulfill our stewardship responsibilities to our system of national parks, monuments and other public lands.

Sincerely,

A handwritten signature in black ink, appearing to read "Cassandra Carmichael". The signature is fluid and cursive, with the first name "Cassandra" and last name "Carmichael" clearly distinguishable.

Cassandra Carmichael
Executive Director

National Religious Partnership for the Environment
110 Maryland Avenue, NE, Suite 203
Washington, DC 20002
443-822-3720
Cassandra@nrpe.org

BLM - FISCAL YEAR 2016 INSTRUCTION MEMORANDA

Record Category	Number	Date Issued	Subject Code	Subject
P	IM 2017-037	January 20, 2017	3400	<u>Waste Mine Methane Policy</u>
P	IM 2017-036	January 19, 2017	1610, 1110, 1120, 8320	<u>Considering Backcountry Conservation Management in Land Use Planning Efforts</u>
I	IM 2017-035	January 19, 2017	3410, 3425, 3432, and 3485	<u>Publicly Accessible Bureau of Land Management Websites for Information Regarding Federal Coal Program Leasing, Exploration Licensing, and Royalty Rate Reductions</u>
P	IM 2017-034	January 19, 2017	3436, 2200	<u>Information and Consent Considerations When a Qualified Exchange Proponent Selects Federal Coal in a Split Estate Tract for Exchange</u>
P	IM 2017-033	January 18, 2017	4100, 4180, 4400, 6500, 6600, 7100, 7200	<u>National Rangeland Inventory, Monitoring, and Evaluation Report; DD: 02/28/2017</u>
P	IM 2017-032	January 17, 2017	3160	<u>Partial Delayed Implementation of 43 CFR 3170 Regulations</u>
P	IM 2017-030	January 4, 2017	1106	<u>Principles and Practices of Integrating Science into Land Management</u>
I	IM 2017-029	December 23, 2016	1703	<u>Fiscal Year 2016 Reporting on Solid Waste and Chemicals Management; DD: 02/7/2017</u>
I	IM 2017-028	December 22, 2016	1400-335	<u>Human Resources Modernization - Bureau-wide Standard Position Descriptions</u>
I	IM 2017-027	December 28, 2016	2800	<u>Oversight and Implementation Plan Renewable Energy Coordination Office; DD: 12/31/2016</u>

I	IM 2017-026	December 22, 2016	1400-990	<u>Mandatory Use of the Workforce Transformation and Tracking System - Entrance on Duty System</u>
I	IM 2017-025	December 19, 2016	1400-575	<u>Change to Group-based Recruitment and Relocation Incentives for GS-881, Petroleum Engineers and GS-802, Petroleum Engineering Technicians</u>
I	IM 2017-024	December 15, 2016	9260	<u>Authorized Law Enforcement Handguns and Qualification Scorekeeping Requirements</u>
I	IM 2017-023	December 15, 2016	9260	<u>Handbook Chapter Update and Revised Law Enforcement Vehicle Markings</u>
I	IM 2017-022	December 15, 2016	1114, 1115	<u>2017 Data Collection on Volunteer Contributions and Partner-Supported Work and Training Opportunities; DD: 01/09/2017, DD: 04/07/2017, DD: 07/07/2017, DD: 10/06/2017</u>
P	IM 2017-021	December 22, 2016	1794	<u>Identification of State Mitigation Leads; DD: 01/30/17</u>
I	IM 2017-020	December 2, 2016	9112	<u>National Bridge Inspection Standards (NBIS) and Bureau of Land Management Program Responsibilities</u>
P	IM 2017-019	December 5, 2016	2800/2880/ 2920	<u>Calendar Year 2017 Right-of-Way Cost Recovery Fee Schedule and Strict Liability Amount</u>
I	IM 2017-018	December 5, 2016	9600	<u>Cadastral Survey Records</u>
I	IM 2017-017	December 1, 2016	9260	<u>Calendar Year 2017 Law Enforcement In-Service Training Guidance</u>
I	IM 2017-016	November 30, 2016	1270	<u>Bureau of Land Management's (BLM) Updated Records Schedules</u>
P	IM 2017-015	November 18, 2016	1511	<u>Updates and changes to Bureau of Land Management (BLM) Manual 1511 Assistance Agreements</u>

I	IM 2017-014	November 17, 2016	1112	<u>Transporting Utility Terrain Vehicles (UTVs) in Pick-up Trucks</u>
P	IM 2017-013	November 18, 2016	6220	<u>Bureau of Land Management (BLM) Fiscal Year (FY) 2017 Bureau-wide National Conservation Lands Scientific Studies Support Program</u>
I	IM 2017-012	November 22, 2016	1265	<u>Print Services and Multi-Functional Printers; DD: 01/30/2017</u>
I	IM 2017-011	November 22, 2016	1265	<u>Information Technology Asset Management (ITAM) - Property Disposal</u>
I	IM 2017-010	November 22, 2016	1265	<u>Acquisition of Personal Printers</u>
I	IM 2017-009	November 4, 2016	1874	<u>Review of Litigation Recommendations</u>
P	IM 2017-008	November 4, 2016	1240	<u>Bureau of Land Management (BLM) Fiscal Year (FY) Annual Enterprise Risk Management and Internal Control Program Guidance</u>
I	IM 2017-007	October 27, 2016	1400-271, 1400-990	<u>FY 2017 Project Proposals for Bureau of Land Management Direct Hire Authority for Resource Assistant Internship Programs; DD: 01/13/2017</u>
P	IM 2017-006	October 19, 2016	8342	<u>Travel and Transportation Management Planning Schedules and Travel and Transportation Management 5-Year Strategy; DD: 12/02/2016</u>
I	IM 2017-005	October 24, 2016	1270	<u>Required Approval for Removing Official Records from Bureau of Land Management (BLM) Offices</u>
I	IM 2017-004	October 19, 2016	1115	<u>BLM Junior Ranger Program Implementation; Policy and Guidelines</u>
I	IM 2017-003	October 14, 2016	1114,1115	<u>Fiscal Year (FY) 2016 Education, Interpretation, and Youth Engagement Accomplishments Reporting</u>

I	IM 2017-002	October 4, 2016	1400-550	<u>Expiration of Temporary Special Pay Rate for Petroleum Engineers and Petroleum Engineering Technicians</u>
I	IM 2017-001	October 4, 2016	1382	<u>Blanket Travel Authorizations for Daily Travel Greater than 50 Miles</u>

FISCAL YEAR 2017 PERMANENT INSTRUCTION MEMORANDA

(No Expiration Date)

Record Category	Number	Date Issued	Subject Code	Subject
I	PIM 2017-006	January 19, 2017	1400-630	<u>Bureau of Land Management Ethics Program</u>
I	PIM 2017-005	January 4, 2017	9260	<u>Process for Approval of Widely Attended Gatherings and Speaking Engagements</u>
I	PIM 2017-001	November 1, 2016	1400-990	<u>Process for Approval of Widely Attended Gatherings and Speaking Engagements</u>

**BLM Policies and Manuals Issued from
November 6, 2016 to January 20, 2017**

Policies Issued

Instruction Memorandum (IM) 2017-013, BLM Fiscal Year 2017 Bureau-wide National Conservation Lands Scientific Studies Support Program, Issued: November 18, 2016

Purpose: Outlines the FY 2017 Bureau-wide National Conservation Lands Scientific Studies support program process for project approval.

IM 2017-015, Updates and changes to BLM Manual 1511 Assistance Agreements, Issued: November 18, 2016

Purpose: Updates the agreements process to include clearer roles for the Grants Management Officers and ensure oversight of agreements especially those that are more complex and involve higher levels of funding.

PIM 2017-002, Policy Guidance for Processing Right-of-Way Applications for High-Voltage Electric Transmission Lines, Issued: November 30, 2016

Purpose: Updates guidance on the review of right-of-way applications for high-voltage electric transmission line projects. For purposes of this policy, high-voltage electric transmission lines are those that are 100 kV or larger.

IM 2017-019, Calendar Year 2017 Right-of-Way Cost Recovery Fee Schedule and Strict Liability Amount, Issued: December 05, 2016

Purpose: Transmits the BLM's Calendar Year (CY) 2017 Cost Recovery Processing and Monitoring Fee Schedule and updates the strict liability amounts for CY 2017. The BLM updates the cost recovery fees annually in accordance with the right-of-way (ROW) regulations. All field offices must use the new cost recovery fees for the processing of applications and monitoring of grants and land use authorizations pursuant to the Federal Land Policy and Management Act (FLPMA) and Mineral Leasing Act (MLA). Separate decisions are necessary to determine the appropriate cost recovery category for processing actions and the appropriate category for monitoring actions. The BLM also updates strict liability amounts annually in accordance with the ROW regulations.

IM 2017-024, Authorized Law Enforcement Handguns and Qualification Scorekeeping Requirements, Issued: December 15, 2016

Purpose: Serves to update General Order (G.O.) 15 (Firearms) regarding authorized weapons for BLM Law Enforcement Officers (LEOs) and describes revised procedures to record firearms qualification and scorekeeping requirements.

IM 2017-025, Change to the Group-based Recruitment and Relocation Incentives for GS-881, Petroleum Engineers and GS-802 Petroleum Engineering Technicians, Issued: December 19, 2016

Purpose: Provides States with some flexibility in offering Recruitment and relocation incentives for key positions in the Oil/Gas program.

IM 2017-021, Identification of State Mitigation Leads, Issued: December 22, 2016

Purpose: Supports the release of Manual Section (MS) 1794 and Handbook (H) 1794-1 that provide policy guidance on implementing mitigation to address impacts to resources from public land uses. Replaces the Draft Regional Mitigation Manual Section 1794 (IM 2013-142, June 13, 2013). Requests State Directors to identify State Office Mitigation Leads within 30 days to facilitate the implementation of these policies.

IM 2017-027, Oversight and Implementation Plan – Renewable Energy Coordination Office, Issued: December 28, 2016

Purpose: Provides a template letter for field personnel to use for implementation of the final solar and wind energy leasing rule titled Competitive processes, Terms, and Conditions for Leasing Public Lands for Solar and Wind Energy Development and Technical Changes and Corrections for 43 CFR Parts 2800 and 2880

IM 2017-030, Principles and Practices of Integrating Science into Land Management, Issued: January 4, 2017

Purpose: Provides a systematic and consistent framework for considering science and documenting its use in land management decisions. Updates and builds on the BLM's 2015 "Advancing Science Strategy" and improves transparency in how science is applied and enhances stakeholder support.

PIM 2017-003, The Council on Environmental Quality Guidance on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews, Issued: January 12, 2017

Purpose: Transmits recent Council on Environmental Quality (CEQ) guidance, specifically guidance related to the National Environmental Policy Act (NEPA) and climate change.

IM 2017-032, Partial Delayed Implementation of 43 CFR 3170 Regulations, Issued: January 17, 2017

Purpose: Outlines BLM's policy and procedures for delaying full implementation of 43 Code of Federal Regulations (CFR) 3173 as it relates to electronic filing requirements for Facility Measurement Points (FMP) and site facility diagrams, and 43 CFR 3174 as it relates to permanent oil measurement facilities installed before January 17, 2017.

IM 2017-033, National Rangeland Inventory, Monitoring, and Evaluation Report, Issued: January 18, 2017

Purpose: Outlines responsibilities for the states in providing annual data for rangeland inventory, range condition and monitoring. The information is used for reporting range condition in the Public Land Statistics.

IM 2017-034, Information and Consent Considerations When a Qualified Exchange Proponent Selects Federal Coal in a Split Estate Tract for Exchange, Issued: January 19, 2017

Purpose: Provides the BLM Authorized Officer (AO) with guidance for identifying Federal coal tracts in split estate lands that are suitable for consideration for disposition through exchange for privately owned coal deposits. Specifically, this IM provides the BLM AO with guidance about how best to take into consideration the information and consent from a private surface owner that the qualified exchange proponent [1] may provide to the BLM when the BLM is determining if the Federal coal estate in a split estate [2] tract is appropriate for exchange.

IM 2017-036, Considering Backcountry Conservation Management in Land Use Planning Efforts, Issued: January 19, 2017

Purpose: Based on public proposals in multiple land use planning efforts and consistent with multiple use and sustained yield, the BLM recognizes the value of protecting certain backcountry areas in order to preserve generally intact, undeveloped public lands that contain priority habitats for recreationally-important fish and wildlife species and that provide high-quality wildlife-dependent recreation opportunities afforded by those species. This policy summarizes the criteria and process for considering management of these habitats and recreational opportunities through the application of land use planning components, including establishing backcountry conservation areas (BCAs), during the land use planning.

PIM 2017-006, Ethics Oversight and Management, Issued January 19, 2017

Purpose: Clarifies the delegation of authority for BLM's Ethics Program and to strengthen the ethics guidance provided to BLM employees by establishing a centralized approach to reviewing and assessing ethics matters rather than having the ethics program administered by each State.

IM 2017-037, Waste Mine Methane Policy, Issued: January 20, 2017

Purpose: Establishes national policies and processes to foster voluntary activities by operators to capture waste mine methane from underground coal or other solid mineral mines. These policies will allow waste mine methane to be put to productive use, where economical, and reduce environmental impacts, while ensuring continued safe underground mining operations on Federal lands.

Manuals/Handbooks

BLM Manual 1780, Tribal Relations (Public, 240), Issued: December 15, 2017

Purpose: This release transmits the new MS 1780, Tribal Relations, which replaces MS 8120, Tribal Consultation under Cultural Resources. MS 1780 implements new administration and Departmental policies to provide comprehensive policy direction for all BLM managers and programs.

BLM Manual 1794, Mitigation (Public, 201), Issued: December 22, 2017

Purpose: This Manual Section is the foundational policy guidance for the BLM when considering mitigation in advance of anticipated public land uses and applying mitigation to address impacts to resources from public land uses.

BLM Handbook H-1794-1, Mitigation (Public, 210), Issued: December 22, 2016

Purpose: This Handbook reiterates and expands upon the policy guidance in MS 1794 for the BLM when considering mitigation in advance of anticipated public land uses and applying mitigation to address impacts to resources from public land uses.

BOEM Policy/Regulatory Items

- **Decision Memorandum on Implementing the Financial Assurance Notice to Lessees:** This memorandum recommended that the risk management program issue orders related to sole liability properties (i.e., leases and grants for which there is only a single company that can be held liable), and delay other orders until the third party guarantee policy is issued. The BOEM Director concurred with the recommendation on December 5, 2016. The sole-liability orders were issued in December 2016. The recommended delay in other orders has been superseded by a further extension announced on January 6, 2017 (see below).
- **Notice of Availability for Final Environmental Impact Statement (FEIS) for Cook Inlet Lease Sale 244.** This *Federal Register* Notice announced the public availability of the FEIS for the Cook Inlet (AK) Outer Continental Shelf (OCS) Oil and Gas Lease Sale 244 in Alaska. This sale under the 2012-2017 Five-Year Program is tentatively scheduled for June 2017. The *Federal Register* Notice of Availability published on December 23, 2016.
- **Gulf of Mexico Central Planning Area (CPA) Lease Sale 247:**
 - **Final Notice of Sale:** This *Federal Register* Notice announced the terms and conditions for CPA Lease Sale 247, the fifth and final CPA lease sale in the 2012-2017 Five-Year Program. This lease sale is scheduled for March 22, 2017. The CPA is located offshore the States of Louisiana, Mississippi, and Alabama. The *Federal Register* Notice published on December 27, 2016.
 - **Record of Decision (ROD) and Notice of Availability:** This *Federal Register* Notice announced the public availability of the ROD for the proposed oil and gas CPA Lease Sale 247. The *Federal Register* Notice published on December 27, 2016.
- **Memorandum on Airgun Seismic Survey Permit Applications (Atlantic):** This memorandum from the BOEM Director directed the BOEM Gulf of Mexico Regional Director to deny the pending industry applications to conduct airgun seismic surveys in the Mid- and South Atlantic Planning Areas. The memorandum was signed by the BOEM Director on January 5, 2017. The six pending permit applications that were covered by this memorandum were denied on January 6, 2017.
- **Decision Memorandum for Decisions on Third-Party Guarantees:** This memorandum described recommended quantitative and qualitative criteria for BOEM to consider when evaluating third-party guarantors for required offshore oil and gas decommissioning financial assurance. The BOEM Director concurred with the proposed Third-Party Guarantee Policy

described in the memorandum on January 5, 2017. Absent this policy, there would be no guidance in place for approving third-party guarantors.

- **Memorandum on Use of Categorical Exclusions Related to OCS Oil and Gas Exploration and Development:** This memo directed BOEM to immediately discontinue use of certain NEPA Categorical Exclusions (CEs) related to approvals of OCS oil and gas exploration and development plans, as well as lease-term pipelines. The directive applies to initial, revised, or supplemental plan approvals. The memo was signed by the BOEM Director and effective on January 6, 2017.
- **Announcement on Delay of Implementation of Risk Management Notice to Lessees (NTL):** On January 6, 2017, BOEM announced that it will extend the implementation timeline for NTL 2016-01 (relating to new risk management and financial assurance requirements) by an additional six months as to leases, rights-of-way and rights of use and easement for which there are co-lessees and/or predecessors in interest, except in circumstances in which BOEM determines there is a substantial risk of nonperformance of the interest holder's decommissioning liabilities.
- **US-Mexico Transboundary Agreement – Joint Commission Rules of Procedure (signed by Deputy Secretary):** The *Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico* (Agreement) established a Joint Commission to address conflicts in interpretation of the Agreement. Representatives to the Joint Commission must adopt Rules of Procedure as part of the implementation of the Agreement. The Department of State drafted flexible Rules of Procedure that include confidentiality provisions, specify how meetings can be called, and state that decisions by the Joint Commission must be approved by both Commissioners, among other things. On January 12, 2017, DOI Deputy Secretary Connor signed a Memorandum of Decision regarding the Rules in his capacity as the U.S. representative to the Joint Commission. Mexico has agreed to the Rules, but it still needs to sign a corresponding Memorandum of Decision.
- **NC Offshore Wind Final Sale Notice:** This *Federal Register* Notice is the Final Sale Notice for the sale of one commercial wind energy lease on the OCS offshore Kitty Hawk, North Carolina. The auction will be held online on March 16, 2017. The *Federal Register* Notice published on January 18, 2017.
- **Record of Decision and Approval Memo for the 2017-2022 Outer Continental Shelf (OCS) Oil and Gas Leasing Program; Notice of Availability:** This memorandum served as both the ROD and the Secretarial approval for the lease sale schedule described in the 2017-2022 OCS Oil and Gas Leasing Proposed Final Program that was published on November 18, 2016. It also served as the ROD and Secretarial approval for the Final Programmatic EIS that published on November 25, 2016. The Secretary signed the decision on January 17, 2017, and the *Federal Register* Notice of Availability published on January 19, 2017.

January 30, 2017

**Bureau of Reclamation
Reclamation Manual and other Guidance Issued Since November 6, 2016**

Topic	Date	Description	Scope
Bureau of Reclamation Dam Safety Program (<u>FAC 06 01</u>)	11/8/2016	Minor revisions to 2/20/2004 release to update authority and provide clarity and reduce restatement of requirements established in other documents. Describes Reclamation Dam Safety Program activities and the allocation of costs to Safety Evaluation of Existing Dams and Safety of Dams funding authorities for Reclamation Dam Safety activities to ensure consistent decision making actions for dam safety issues.	Rec wide
Security Program (<u>SLE P01</u>)	11/29/2016	Minor revisions to 9/29/2010 release to clarify the applicability and responsibilities of the Chief Security Officer, Regional Directors, managers, and the National Critical Infrastructure Security Officers. Establishes the components of and responsibilities for the Bureau of Reclamation's Security Program for the protection of the public, employees, and water and power delivery at Bureau of Reclamation facilities.	Rec wide
Basin Studies (<u>WTR 13 01</u>)	12/16/2016	Conversion from a Temporary Reclamation Manual Release ¹ issued in 1/21/2015. Establishes requirements for reviewing, conducting, and approving basin studies under the WaterSMART (Sustain and Manage America's Resources for Tomorrow) Program to promote consistency and efficiency in the Basin Study Program.	Rec wide
Reclamation Standard Water Related Contract Articles (<u>PEC P10</u>)	12/20/2016	Minor revisions to 12/5/2006 release to enhance its applicability to the Bureau of Reclamation's current water related contracting activities. Establishes requirements for the use of the Bureau of Reclamation's Standard Water Related Contract Articles to promote efficiency and consistency in the contracting process and in contract administration.	Rec wide

¹A Temporary Reclamation Manual Release also establishes mandatory requirements; however, the release will expire within 1 year of issuance unless the release is converted to a permanent release or the expiration date is extended.

Topic	Date	Description	Scope
Lease of Power Privilege (LOPP) Processes, Responsibilities, Timelines, and Charges (<u>FAC 04 08</u>)	12/20/2016	Minor revisions to 9/17/2014 release to clarify LOPP development timeframes; cyber security requirements; and annual LOPP charge methodology. Establishes the process requirements and charges associated with development of hydropower at a Bureau of Reclamation facility where Reclamation has the authority for power development to improve internal and external communication, efficiency, and transparency of LOPP requirements.	Rec wide
Labor Management Negotiations (<u>HRM 07 02</u>)	12/20/2016	New release to establish processes, procedures, and responsibilities for effectively accomplishing labor management negotiations within the Bureau of Reclamation and ensure proper and consistent administration of labor management negotiations throughout Reclamation.	Rec wide
Storage Battery Maintenance and Principles (<u>FIST 3 6</u>)	1/6/2017	Supersedes 12/31/1997 release. Establishes Bureau of Reclamation practices for operating, maintaining, and testing storage batteries and associated equipment. The Institute of Electrical and Electronics Engineers and Reclamation practices are the basis of these practices. Included in this document are standards, practices, procedures, and advice on day to day operation, maintenance, and testing of existing storage battery systems.	Rec wide
Maintenance Scheduling for Electrical Equipment (<u>FIST TRMR 101</u>) (4 1B)	1/6/2017	Temporary Reclamation Manual Release. Establishes existing tasks and frequencies for periodic maintenance of electrical equipment in Bureau of Reclamation hydroelectric power and large pumping plants.	Rec wide
News Releases and Media Relations (<u>AMD 03 01</u>)	1/17/2017	Minor revision to 4/29/2004 release to reflect current organizational structure and comply with Reclamation Manual requirements. Prescribes requirements for the Bureau of Reclamation's news releases and media relations for consistent and transparent interaction with the media.	Rec wide

Topic	Date	Description	Scope
Employee Exit Surveys (<u>HRM 03 01</u>)	1/23/2017	Minor revision to 9/20/2000 release to update the link provided for the survey. Establishes procedures concerning exit surveys for employees voluntarily leaving employment with the Bureau of Reclamation and used to improve work environment, increase employee retention, and offer a valuable resource for workforce planning efforts.	Rec wide
Secretarial Order 3344	1/18/2017	Actions to Address Effects of Historic Drought on Colorado River Water Supplies. Directs continued work on Colorado River Basin Water Agreements.	DOI wide
International Affairs Directives and Standards (D&S NIA 01 01)	12/15/2016	The D&S NIA 01 01 was updated February 12, 2016. A memo was issued April 2016 outlining the process. Additional clarification on the DI 1175 (Departmental Foreign Travel Certification Form) submission process was required, resulting in a memo released December 15, 2016. The D&S will be updated accordingly during 2017 to reflect the clarifications made in the December 15th memo.	Rec wide
Secretarial Order No. 3343	1/03/2017	Actions to address effects of drought and climate change on California's water supply and listed species.	DOI wide
Temporary Design Guidance for Corrosion Protection of Buried Ductile Iron Pipe Technical Memorandum No. 8140 CC 2004 1, <i>Corrosion Considerations for Buried Metallic Water Pipe</i>	1/19/2017	The temporary design guidance is needed to collect pipeline data and make necessary updates to the Technical Memorandum and will terminate 1 year after the pipeline data collection project underway, but not later than December 31, 2019, unless extended in writing by Reclamation.	Rec wide
Weapons Qualifications Memo	11/7/2016	Clarified interpretation of Department Manual for requirements associated with qualifications for carrying duty weapons.	Rec wide

Topic	Date	Description	Scope
California WaterFix Final EIR/EIS	12/22/16	The Final Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) describe environmental impacts that could arise from modernizing California's infrastructure and includes measures to avoid or minimize those impacts. The document analyzed 18 project alternatives, including the status quo, and ultimately concluded that WaterFix, known as Alternative 4A, was the best option for both increasing water supply reliability and addressing current Delta ecosystem concerns while minimizing environmental impact.	MP Region
Revision to Criteria for Evaluating Water Management Plans in the CVP	12/13/2016	The Bureau of Reclamation has updated the Standard Criteria for evaluating its Water Management Plans in response to the Central Valley Project Improvement Act of 1992 and in accordance with the Reclamation Reform Act of 1982. The purpose of the Standard Criteria are to promote the highest efficiency of water delivery. The updated criteria will become effective Feb.1 following public review	MP Region
Upper San Joaquin River Basin Storage Investigation (Temperance Flat)	1/19/2017	The Investigation is one of four feasibility studies identified in the 2000 CALFED Record of Decision, signed by the Secretary of the Interior. The Department's final feasibility report and accompanying EIS was transmitted to the Office of Management and Budget for review.	MP Region
Final Response to 2015 Strawberry Valley Project Stakeholders' Appeals	1/18/2017	The Commissioner's transmittal letter and report constitute Reclamation's final response to appeals submitted by the Strawberry Water Users' Association and other Strawberry Valley Project (SVP) stakeholders. The stakeholders submitted a letter to the Interior Department's Office of Inspector General (OIG) on October 23, 2013, asking the OIG to audit the Association based on several stated concerns. The OIG referred the 2013 Letter to Reclamation for determination regarding the associated contractual and legal authorities and requirements.	UC Region

Topic	Date	Description	Scope
Record of Decision for Continued Implementation of the 2008 Operating Agreement for the Rio Grande Project, New Mexico and Texas	1/4/2017	The Upper Colorado Regional Director signed a Record of Decision (ROD) for Continued Implementation of the 2008 Operating Agreement for the Rio Grande Project through 2050. The Operating Agreement describes how Reclamation allocates, releases from storage and delivers Rio Grande Project water to the Elephant Butte Irrigation District in New Mexico, the El Paso County Water Improvement District No. 1 in Texas and to Mexico.	UC Region
Record of Decision for the Glen Canyon Dam Long Term Experimental and Management Plan Final Environmental Impact Statement	12/15/2016	The LTEMP ROD, signed by Secretary Jewell on December 15, 2016, lays out the management of the Glen Canyon Dam over the next 20 years. The ROD follows a comprehensive Environmental Impact Statement process involving the Bureau of Reclamation and the National Park Service, along with 15 cooperating agencies, including six American Indian Tribes and the Colorado River Basin States.	UC Region
FY 2019 Budget Review Committee Commissioner's General Policy Guidance and Budget Targets	11/8/16	The annual policy memo on budget priorities for the Budget Review Committee (BRC) regional notebook submissions	Rec wide
FY 2019 Budget Review Committee Work Group Guidance	12/6/16	The annual policy memo to BRC work group chairs and members on how to review BRC regional notebooks and topic specific data.	BRC Workgroup
FY 2019 Budget Review Committee Regional Presentation Guidance	12/20/16	The annual policy memo to Regional Directors on presentation format, schedule, and topics.	Rec wide
Participating Agency Service Agreement between United States Agency for International Development and Bureau of Reclamation Modification 3	12/22/16	Reclamation provides USAID with technical assistance under this agreement (originally signed in 2013); modification 3 is a no cost, time extension. The assistance focuses on a humanitarian challenge/prize and contracting out preparation of a panel of experts meeting.	Technical Services Center

Actions taken by BSEE Nov. 6, 2016 through Jan. 19, 2017

(Includes guidance, memos, Notice to Lessees, MOUs, etc.)

- Nov. 10, 2016 **Panel Investigation Report – West Delta 105** posted on bsee.gov The incident involved an explosion which resulted in a fatality. Recommendations from the investigation focused on ensuring that Job Safety Analyses are performed in accordance with approved procedures, documenting recommended monitoring for heater treater functionality, and providing for site-specific training and assessments.
- Nov. 16, 2016 **Pipeline Decommissioning Cost Rule** was issued, effective date of Dec. 16, 2016. The final “Oil and Gas and Sulphur Operations on the Outer Continental Shelf Decommissioning Costs for Pipelines” rule amends existing BSEE regulations to require lessees, owners of operating rights, and right-of-way holders to submit summaries of actual expenditures incurred for pipeline decommissioning activities
- Nov. 17, 2016 **proposed Cost Recovery Fee Rule** published in Federal Register. BSEE currently charges a fee for 31 different services it provides to non-Federal recipients. The proposed rule would revise and clarify the existing fees; add new fees for certain services; revise and codify the existing conditions for refunding fees; and clarify the acceptable methods of fee payment. Comment period closed Jan. 17, 2017.
- Nov. 29, 2016 **Well Records Submittal, Notice to Lessees No.2016-N07**, effective date of November 29, 2016. The guidance clarifies and provides more detail about how to submit well records required by the Records and Reporting regulations.
- Nov. 29, 2016 Comment period closed for **Notice of Advanced Rulemaking for BSEE-1, Investigations Case Management System**. The advanced rulemaking notice and system of records notice were published in the Federal Register on Sept. 29, 2016. The case management system went live as of Oct. 31, 2016. Any information in the system is not exempt until the Final Rule is published, anticipated mid-Feb. 2017.
- Jan. 5, 2017 BSEE issued statement concerning BSEE’s response to platform fire in the Gulf of Mexico. No personnel were harmed and no pollution was reported.

Actions taken by BSEE Nov. 6, 2016 through Jan. 19, 2017, continued

- Jan. 10, 2017 **Memorandum of Agreement OCS-2 Civil Penalties** between BSEE and USCG was signed. This MOA also outlines each agency's process for documenting deficiencies and referring violations for civil penalty action. This MOA replaces the September 2006 version.
- Jan. 10, 2017 **Memorandum of Agreement OCS-7 Safety Environmental Management System (SEMS) and Safety Management System** between BSEE and USCG was signed. This agreement refines a process to determine areas relevant to the SEMS program where joint policy or guidance is needed. This MOA replaces the April 2013 version.
- Jan. 18, 2017 **Memorandum of Agreement OCS-3 Oil Discharge Planning, Preparedness and Response** between BSEE and USCG was signed. This agreement clarifies agency roles and responsibilities for oil discharge research, planning, preparedness, response, and source control activities for offshore facilities and certain vessels that may be used for the purpose of responding to discharges or substantial threats of discharges. This MOA replaces the April 2012 version.
- Jan. 18, 2017 **Memorandum of Agreement OCS-5 Incident Notification and Investigation** between BSEE and USCG was signed. This agreement clarifies agency roles for investigating incidents on the OCS and sharing information. This MOA replaces the March 2009 version.

**ASSISTANT SECRETARY – INDIAN AFFAIRS (AS-IA)
BUREAU OF INDIAN AFFAIRS (BIA)
BUREAU OF INDIAN EDUCATION (BIE)**

**Documents with Nationwide Effect
Issued or Approved Between
November 9, 2016 and January 19, 2017**

- **Rescission of the Memorandum Requiring AS-IA Review of Certain Fee-to-Trust Appeals**
 - Issued January 18, 2017.
 - This memorandum rescinds the November 12, 2013 memorandum stating that the Assistant Secretary-Indian Affairs (AS-IA) will assume jurisdiction over all appeals to the Interior Board of Indian Appeals (IBIA) challenging a decision by the BIA to acquire land in trust for parcels of land that cumulatively total 200 acres or more. Regulations at 25 C.F.R. § 2.20 authorize AS-IA to assume jurisdiction over appeals filed with the IBIA, including those appeals challenging fee-to-trust acquisition decisions made by Regional Directors. The November 12th memorandum was rescinded due to the current limited capacity in the AS-IA to work on the appeals.

- **Report: Improving Tribal Consultation and Tribal Involvement in Federal Infrastructure Decisions**
 - Finalized on January 17, 2016.
 - In Fall 2016, the Department of the Army, Department of Justice, and Department of the Interior undertook several government-to-government consultations to hear from Tribes on how the Federal government could better ensure meaningful consultation with Tribes. Additionally, Tribes were asked how the existing legal framework might be changed to remove barriers to meaningful consultation. Tribes informed the Departments that they are not altogether opposed to infrastructure projects, but that Tribes are in a unique position to determine whether a given project will affect them. By proactively involving Tribes in the Federal decision-making process whenever Tribal interests may be affected, Federal agencies will often improve the quality of their decision-making, improve outcomes for affected communities, protect Tribal interests, and reduce project delays and litigation risk. The Report serves several functions, including an initial Federal response to Tribal comments and recommendations along with a set of principles that should inform Tribal consultation. Last, the Report highlights best practices gleaned from what Tribes identified as successful Tribal consultations and makes recommendations for further research, administrative, regulatory, or legislative action.

- **Contract Support Costs Policy**
 - Issued January 10, 2017.

- This policy, which is recorded in the Indian Affairs Manual (IAM), provides guidance for the full payment of contract support costs and ensures the payment is accurate, timely, and meets 100% of the Tribes' need, as calculated under the policy. The policy includes calculations for both direct contract support costs and indirect contract support costs. Tribes are entitled to receive contract support costs under the Indian Self-Determination and Education Assistance Act (ISDEAA), 25 U.S.C. § 5326.
- **Indian Child Welfare Act Guidelines.**
 - Published and effective on December 12, 2016. Notice of Availability published in the Federal Register on December 30, 2016.
 - These guidelines assist those involved in child custody proceedings in understanding and uniformly applying the Indian Child Welfare Act (ICWA) and Interior regulations. While not imposing binding requirements, these guidelines provide a reference and resource for all parties involved in child custody proceedings involving Indian children. These guidelines explain the statute and regulations and also provide examples of best practices for the implementation of the statute, with the goal of encouraging greater uniformity in the application of ICWA. These guidelines replace the 1979 and 2015 versions of the Department's guidelines.
- **ANPRM on Indian Traders.**
 - Published December 9, 2016.
 - This advanced notice of proposed rulemaking (ANPRM) announces BIA is considering whether to propose an administrative rule that would comprehensively update 25 CFR part 140 (Licensed Indian Traders) in an effort to modernize the implementation of the Indian Trader statutes consistent with the Federal policies of Tribal self-determination and self-governance. The current regulations were promulgated in 1957.
 - Tribal consultations have been scheduled for February 23 through March 16, but *a Federal Register notice providing details on locations is in surname.*
- **Guidance on legal authority of sworn BIA and Tribal law enforcement officers to arrest and detail offenders in Indian Country**
 - Issued December 2, 2016
 - This guidance clarifies the arrest and detention authorities of sworn BIA and Tribal law enforcement officers in Indian Country. The guidance notes that the BIA OJS handbook has recently been revised to clarify that BIA or Tribal officers may stop or detain anyone within Indian Country, regardless of Tribal status, for a violation of Federal, Tribal, or state law. This update was to ensure that BIA policies were in accord with Federal law and the practical concerns of Indian Country law enforcement.

National Park Service

Internal Guidance & Instruction Memoranda

November 7, 2016

Temporary Less than 1040 Appointments

Interim guidance to NPS managers regarding use of the non-competitive appointing authority and rehire eligibility for temporary employees pending further guidance from the Office of Personal Management.

November 10, 2016

Implementation of New NPS Regulation for Gathering of Certain Plants or Plant Parts by Federally Recognized Indian Tribes for Traditional Purposes

Guidance to NPS managers regarding the changes to the rule (36 CFR Part 2.6) and the processes that parks will need to follow in order to react to requests from tribes with traditional associations with parks that predate the establishment of the park in order to allow tribal members from those tribes to collect plants and plant parts for traditional uses.

November 16, 2016

Acquisition Policy & Procedures (AP&P) - Solicitation and Contract Clearance Review

In order to assess risk prior to solicitation issuance and contract award, this Acquisition Policy and Procedures Memorandum (AP&P) outlines the requirement and process for solicitation and contract clearance reviews. In addition, these clearance reviews will help achieve the objectives of the Office of Management and Budget Circular A-123.

November 22, 2016

NPS Natural Resource Stewardship and Science Framework

This document is not prescriptive, but rather provides an organizational framework for natural resource priorities and investments, and provides a basis for current and future strategic direction.

November 23, 2016

Conducting Reference Checks during Hiring Process

Quality control guidance to NPS managers conducting reference checks to ensure vetting of applicants who may have a history of inappropriate workplace behavior, and related recommendations from the Office of Personnel Management.

December 7, 2016

Reporting and Tracking Misuse on a Government Charge Card

The purpose of this Charge Card Policy and Procedures Memorandum (CCP&P) is to provide guidance for reporting and tracking misuse on the government charge card to the National Program Office. This guidance is not intended to be an all-inclusive authority on reporting misuse, but rather provide specific guidance on the reporting requirement and the National Program Office tracking.

December 7, 2016

Annual Charge Card Program Review Plan

The purpose of this Charge Card Policy and Procedures Memorandum (CCP&P) is to provide guidance on conducting regular charge card program reviews to ensure proper use of the government charge card in accordance with Departmental and Bureau policy, to determine whether any misuse or abuse is

occurring and to put in place sound internal controls for the National Park Service (NPS) Charge Card Program. The NPS Annual Charge Card Program Review Plan requires that all charge card holders and fleet accounts be reviewed at least once every three (3) years.

December 29, 2016

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings

The Treatment Guidelines have been updated, revised and fully illustrated to reflect best practices in historic preservation, apply to 20th-century building types, materials, and systems now considered historic, and incorporate modern methods and technologies.

January 18, 2017

Special Approvals for Kitchen Appliances Purchased on Government Charge Card

The purpose of this Charge Card Policy and Procedures Memorandum (CCP&P) is to provide guidance for obtaining special approval for the purchase of kitchen appliances on a government charge card. This memorandum will detail the responsibilities for the cardholder, Charge Card Bureau Lead, NPS Bureau Facility Manager, and NPS Charge Card Program Office for reporting and tracking these purchases to ensure compliance with Department of the Interior (DOI) Integrated Charge Card Program Policy.

January 30, 2017

Guidelines for Implementing the Federal Lands Planning Program

The memo provides guidance to NPS transportation program managers on implementing the Federal Lands Planning Program (FLPP), defining goals, purpose, eligibility and prioritization criteria, and program mechanics. The most recent transportation law (the FAST Act, effective October 1, 2015) established the FLPP to develop and maintain a performance-based transportation system.

Nationwide Policy Documents

December 20, 2016

Director's Order #100: Resource Stewardship for the 21st Century

The new NPS policy document establishes an internal framework for decision-making given the impacts of demographic shifts in park visitors and program recipients, climate change, and participation in large land- and seascape initiatives. This document stemmed from recommendations in the National Parks Second Century Commission Report (2009) and by the National Park System Advisory Board.

December 28, 2016

Director's Order #21: Donations and Philanthropic Partnerships

This updated policy provides NPS managers and employees the needed framework and flexibility to work with a diverse range of philanthropic partners. It has been revised to align NPS policies for partnerships and philanthropy with best practices in the philanthropic sector.

January 6, 2017

Cultural Resources Climate Change Strategy

This strategy expands on topics and approaches developed in the 2014 Director's Policy Memo 14-02, *Climate Change and the Stewardship of Cultural Resources*. It will stand as a companion document to the 2010 NPS *Climate Change Response Strategy*, providing a broad vision of management of cultural resources in the areas of climate change science, adaptation, mitigation, and communication. It

is designed principally for NPS but also addresses roles and needs of NPS governmental and non-governmental partners.

Notices to Lessees

No National Notifications

OSMRE - Guidance/Policy Documents with Nationwide Implications Executed between November 6, 2016 and January 19, 2017.

ESA Coordination MOU between USFWS and OSMRE – signed December 16, 2016

The purpose of this MOU is to improve interagency coordination and cooperation under the Fish and Wildlife Service's programmatic Biological and Conference Opinion (2016 programmatic Biological Opinion) to ensure that proposed, threatened, and endangered species and proposed and designated critical habitat are adequately protected for all surface coal mining and reclamation operations and coal exploration activities conducted under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), including initial permit issuance, permit renewals, and significant permit revisions.

Migratory Bird Conservation MOU between USFWS and OSMRE – signed December 7, 2016

The purpose of this MOU is to strengthen migratory bird conservation through enhanced collaboration between OSMRE and the USFWS. This MOU focuses on identifying areas of cooperation and avoiding or minimizing avian stressors on migratory birds with an emphasis on species of concern and their habitats. This MOU establishes how the OSMRE and the USFWS will continue to jointly promote the conservation of migratory birds by incorporating bird conservation measures into agency actions and planning processes.

U.S. Geological Survey
USGS Survey Manual Chapters and other Guidance
Issued November 6, 2016 – January 19, 2017

USGS Survey Manual Chapters (9)

SM 502.3 Fundamental Science Practices: Peer Review - November 3, 2016 (posting date was after Nov 6, 2016)

Purpose and Scope. This replaces Survey Manual (SM) chapter SM 502.3 - Fundamental Science Practices: Peer Review, dated December 16, 2011. Peer review, as a cornerstone of scientific practice, validates and ensures the quality of published U.S. Geological Survey (USGS) science. The Fundamental Science Practices (FSP) requirements for peer review of USGS information products apply to all USGS scientific information, whether published by the USGS or an outside entity.

SM 502.4 Fundamental Science Practices: Review, Approval, and Release of Information Products - November 3, 2016 (posting date was after Nov 6)

Purpose and Scope. This replaces Survey Manual (SM) chapter 502.4 – Fundamental Science Practices: Review, Approval, and Release of Information Products, dated December 11, 2011.

A. As a public agency, the U.S. Geological Survey (USGS) has a responsibility to make the results of its scientific investigations widely available and at no cost to the public in the form of timely, technically sound, and professionally presented information products. USGS scientists are encouraged to publish their data and findings in ways that contribute to the most effective release of USGS science and best enhance the Bureau’s reputation for reliable science. This chapter provides the requirements and responsibilities for the appropriate review, approval, and release of science information products (including data, publications, and software).

B. This policy applies to Bureau science information products (SM 1100.1), whether they are published by the USGS or an outside entity. Information products that are generally excluded from this policy include news releases, letters to the editor, and opinion pieces or op-eds (unless stated otherwise in SM 500.5); poster session and presentation materials communicated as single-use representation of USGS work at scientific meetings, briefings, conferences, and hearing testimony; provisional (preliminary) data and emergency data (such as real-time or time-sensitive hazards data, information, and alerts); and satellite data.

SM 308.64 Occupational Safety and Health Committee - November 15, 2016

Purpose and Scope. Changes to this chapter were made to address changes in the name, role, and membership of the former Occupational Safety and Health Council. This Survey Manual chapter provides the U.S. Geological Survey (USGS) policy and purpose and scope, membership, roles, responsibilities, and operations of the Occupational Safety and Health (OSH) Committee. The OSH Committee serves as a technical and operational forum to (1) assure appropriate compliance with and implementation of Federal mandates, and (2) fostering best occupational safety and health practices, meant to preserve and promote the Science Mission of the USGS. The OSH Committee operates in cooperation to develop initiatives for and enhancements to the OSH Program. The OSH Committee operates under the guidance of the Occupational Safety and Health Program Manager, and reports through the Designated Agency Safety and Health Official (DASHO) Council to the DASHO, who has final approval authority for the OSH Committee actions and recommendations.

SM 308.65 Occupational Safety and Health Council - November 10, 2016

Purpose and Scope. This is a new chapter based on establishment of a Designated Agency Safety and Health Official Council (DASHO). This chapter provides the U.S. Geological Survey (USGS) policy on the purpose and scope, membership, roles, responsibilities, and operations of DASHO Council. The DASHO Council provides executive level involvement in the formulation of policy, management of the OSH Program, and fostering OSH best practices in order to preserve and enhance the Science Mission of the USGS. The DASHO OSH Council serves as the approval authority for OSH Committee recommendations and provides direction for implementation of OSH Program initiatives and enhancements. The DASHO Council determines collective action to achieve program objectives and goals in concert with the Department of the Interior (DOI)/USGS OSH Strategic Plan. The DASHO Council operates under the guidance of the Associate Director, Office of Administration, who is the Director's Designated Agency Safety and Health Official appointee for the USGS. As the executive lead, the DASHO has the authority whether or not to implement DASHO Council recommendations.

SM 445-2-Chapter 27 Aviation Safety - December 5, 2016

Purpose and Scope. Changes to this chapter were made to reflect Department of the Interior (DOI) and U.S. Geological Survey (USGS) organizational changes and policy. This chapter specifies the minimum aviation safety program requirements that protects personnel from accidental injury and/or illness and minimizes property damage. This policy applies to: USGS employees, contractors, volunteers and cooperators, who are involved in aviation activities and flight services other than airline travel (those acquired on a seat-fare basis from air carriers) per 350 Departmental Manual (DM)1.1; all aircraft operated by, or under the operational control of the USGS (included are those aircraft contracted, leased, or operated under the provisions of an Aircraft Rental Agreement, as well as aircraft owned by DOI or USGS personnel when operated on official business). Persons employed by or whose work is directed solely by cooperators or contractors (End Product Contracts) are exempt from provisions of these documents except when their duties include use of flight services which are under operational control of the USGS or present a serious safety hazard to USGS personnel or property. Parts

350 354 of the DM do not apply to international DOI operations (except for Fleet operations). USGS employees are expected to follow DOI and USGS aviation policies to the extent practical when working overseas per 350 DM 1.2 C., and in the National Aviation Management Plan (NAMP). The definitions used in this chapter are in the NAMP and 350 DM 1 Appendix 2. These definitions are in addition to those found in 14 CFR 1.1. Abbreviations are listed in the NAMP, 350 DM 1 Appendix 1 and in 14 CFR 1.2. This chapter provides minimal guidance for use of Unmanned Aircraft Systems (UAS), e.g., drones or unmanned aircraft) operated by the USGS. In addition, this chapter provides minimal notification and marking requirements for obstructions to air navigation (e.g., cableways and/or antennas) with FAA regulations (14 CFR part 77 and 101).

SM 445-2-Chapter 35 Public Safety and Health - December 5, 2016

Purpose and Scope. This chapter is revised to address organizational changes and add bloodborne pathogens requirements for Automatic External Defibrillators (AED) teams. This chapter specifies the minimum Occupational Safety and Health (OSH) Program requirements for protecting the visiting public from recognized facility or operational hazards. The U.S. Geological Survey (USGS) will establish a public safety program that minimizes the potential for injury, illness, death, and/or property damage to the public while visiting USGS facilities or in the proximity of USGS operations.

SM 445-2-Chapter 34 Off-the-Job Safety and Health - December 2, 2016

Purpose. This chapter is revised to address organizational changes and update guidance. This chapter specifies the minimum Occupational Safety and Health (OSH) Program requirements for minimizing the occurrence of employee off-the-job injuries and illnesses. The U.S. Geological Survey (USGS) requires on-the-job safety and health awareness to encourage employees to be safe off-the-job.

SM 445-2-Chapter 17 Work Zone Safety - December 2, 2016

Purpose and Scope. This chapter is revised to update organizational changes, resources and references and to add an example traffic control plan. To specify the minimum Occupational Safety and Health (OSH) Program requirements for employees or contractors working along roadways and/or on bridges. The chapter provides instructions on the development of site-specific Traffic Control Plans (TCPs) for field operations conducted from bridges and along roadways. Working from bridges and roadways can disturb vehicle and pedestrian traffic flow and poses a serious safety hazard to employees, contractors, and the public. This chapter applies to: All cost centers that conduct official business along roadways and/or on bridges, as well as any employee, contractor, or volunteer working along roadways and/or on bridges.

SM 422.1 Deferred Maintenance - November 18, 2016

Purpose. This replaces SM 422.1 dated June 19, 2001. This chapter establishes policy governing deferred maintenance at the U.S. Geological Survey (USGS) and describes the

deferred maintenance responsibilities of USGS officials. The provisions of this chapter apply to USGS-owned real property assets and certain equipment assets that qualify for bureau-level funding of deferred maintenance. Deferred maintenance is defined as maintenance that was not performed when it should have been or when it was scheduled and which was, therefore, put off or delayed for a future period. Real property assets (buildings, structures, and roads), facility support equipment (machinery, lawnmowers, and snowplows, for example), specified mission infrastructure systems and components (hazard-monitoring networks, river cableways, and gaging stations, for example), and specified large vessels with onboard crew quarters supporting multi-day field research are qualifying assets. Additionally, specified facilities programs (such as the Comprehensive Condition Assessments, Sustainability and the Facilities Maintenance Management System) are also eligible for deferred maintenance funding. Real property assets that the USGS does not own (General Services Administration, leased, or cooperator space, for example) and most personal property, including motor vehicles, small watercraft, office supplies/equipment, telecommunications and laboratory equipment, do not qualify for deferred maintenance funding. Attachment G of the Annual Department of the Interior (DOI) budget guidance specifies the categories of assets that qualify for deferred maintenance funding.

Other Bureau Guidance

Bureau Continuity of Operations Plan, signed by Suzette M. Kimball, December 20, 2016

Memorandum of Agreements

- (1) Memorandum of Understanding between the Federal Emergency Management Agency of the Department of Homeland Security and the U.S. Geological Survey of the Department of the Interior** *Signed by Suzette M. Kimball, Director, USGS (December 8, 2016) and W. Craig Fugate, Administrator, FEMA (December 15, 2016)*

The purpose of this Memorandum of Understanding is to continue a formal working relationship between the U.S. Geological Survey and the Federal Emergency Management Agency. This MOU replaces the MOU between the USGS and FEMA establishing the framework for the pursuit of activities of mutual interest dated September 10, 2011.

- (2) Cooperation Arrangement between the U.S. Geological Survey of the Department of the Interior of the United States of America and the International Research Institute of Disaster Science, Tohoku University of Japan Concerning Earth Sciences for Cooperation in the Field of Earth Sciences.** *Signed by Suzette M. Kimball, Director, USGS (January 6, 2017) and Fumihiko Imamura, Director, Institute of Disaster Science, TU (December 6, 2016)*

The purpose of this Cooperation is to provide a framework for the exchange of scientific and technical knowledge and the augmentation of scientific and technical capabilities of the USGS and the Tohoku University with respect to Earth sciences.

DOI Documents (with regard to the USGS)

- (1) USGS Response for the 2016 Annual Tribal Consultation Report. Memorandum from Suzette M. Kimball, Director, USGS (signed December 29, 2016), through Thomas Iseman, PDASWS (signed December 30, 2016), to Elizabeth Klein, DOI Tribal Governance Officer.**

In compliance with Section 7 of Secretarial Order 3317 *Department of the Interior Policy on Consultation with Indian Tribes* (December 1, 2011), requiring bureaus to report annually on the results of their efforts to promote consultation with Indian Tribes, the USGS provided the following response:

The USGS did not engage in any government-to-government consultations in fiscal year 2016. However, the USGS conducted two aerial surveys in the Upper Great Lakes region in April 2016 that should have triggered prior offers to consult with Tribes. The mistake was realized in May and the USGS immediately began reaching out to the involved Tribes to address the oversight. Subsequently, consultations (albeit retroactive) with four Tribes were held in October and November, and consultations with two additional Tribes are being scheduled. The attached Information Memorandum describes the nature and status of those consultations, should it be appropriate to reference them in the Department's 2016 Annual Report.

- (2) Civil Applications Committee Charter (CAC). Signed by Sally Jewell, Secretary of the Interior (December 20, 2017) and James R. Clapper, Director, National Intelligence (January 19, 2017). The CAC was established on October 3, 1975 pursuant to References 1 and 2 (as listed in Appendix 1). This Charter replaces the Charter signed on October 2, 2000; it will be updated as required, and is valid for 10 years, by which time it will be either extended or revised.**

This Charter reaffirms the responsibilities and functions of the CAC, as well as the composition and organization of the CAC under the direction of the Secretary of the Interior. The U.S. Geological Survey (USGS), on behalf of the Secretary of the Interior, will provide support, including facilities and administration, required to conduct the activities and operations of the CAC and its Secretariat. The CAC Chair is the USGS Director. The mission of the CAC is to facilitate the appropriate civil uses of overhead remote sensing technologies and data collected by military and intelligence overhead capabilities, including commercial, and provided to CAC member organizations (as defined in Paragraph F Part 3 and Appendix 2, and pursuant to References 3, 4, 6 and 7).

Guidance: "...a list of all guidance memoranda, instruction memoranda, notices to lessees, or other policy documents with nationwide effect that were issued or approved between November 6, 2016, and January 19, 2017."

Subject	DTS	Program	Status (Final Date)	Publication and effective dates, if applicable	Summary
50 CFR 84 Update for Nat. Coastal Wetlands Grant Program Criterion 11	FR00002842	WSFR	Draft in surname		Requests approval for a proposed rule update at 50 CFR 84, National Coastal Wetlands Conservation Grant Program, to clarify and simplify a criterion for grant selection, for publication in the Federal Register.
50 CFR 80 Update FA: Wildlife Rest., Sport Fish Rest., and Hunter Ed Programs	FR00002841	WSFR	Draft in surname		Requests approval for proposed rule updates 50 CFR 80 to replace Subpart C License Certification, add definitions, and address other topics, for publication in the Federal Register.
Notification of Approval of Information Collection Requirements for Eagle Permits	FR00002831	MB	Completed	Published 1/23/17 (Federal Register); OMB approved 1/6/17	Notification of Approval of Information Collection Requirements for Eagle Permits: Revision to Regulations for Eagle Incidental Take and Take of Eagle Nests Participation in a Survey.
Civil Penalties; 2017 Inflation Adjustments for Civil Monetary Penalties	FR00002827	OLE	Completed	Published and effective 1/19/2017 (Federal Register)	Final rule to update the civil procedure regulations in 50 CFR 11, for inflation in the statutory civil monetary penalties that may be assessed for violations of Service administered statutes and their implementing regulations.
Migratory Bird Hunting; Proposed Frameworks for Migratory Bird Hunting Regulations	FR00002810	MB	In surname: new signature and clearance required		Proposal to establish the 2017 18 hunting regulations for certain migratory game birds.
Final ESA Compensatory Mitigation Policy (CMP)	FR00002789	ES	Completed	Published and effective 12/27/2016 (Federal Register)	Update to 2001 Conservation Banking Guidance and expanded to address all forms of compensatory mitigation considered within the context of the ESA. Establishes consistent standards for all forms of

					mitigation, thereby facilitating private sector investment in mitigation vehicles (e.g., conservation banks).
FWS Mitigation Policy	FR00002768	ES	Completed	Published and effective 11/21/2016 (Federal Register)	Update to 1981 Mitigation Policy, incorporating modern mitigation science and practice, improving consistency in application, and broadening scope to apply to all FWS program areas.
CCAA Policy and Regulation Revisions	FR00002767	ES	Completed	Published 12/27/16 (Federal Register); original effective date of 1/26/17 was delayed to 3/21/17 in accordance with WH memo	Revision to policy and regulations concerning Candidate Conservation Agreements with Assurances, which are voluntary conservation agreements with non Federal landowners to facilitate early conservation of at risk species. Revision simplifies the issuance standard, making it consistent with that for Safe Harbor Agreements, for the purpose of facilitating more landowner agreements being developed with less effort.
Final Rule for National Wildlife Refuge System Non Federal Oil and Gas Activities	FR00002766	NWRS	Completed	Published 11/14/16; effective 12/14/16 (Federal Register)	National Wildlife Refuge System Revision of Regulations Governing Non Federal Oil and Gas Activities.
Eagle Rule	FR00002753	MB	Completed	Published 12/16/16; effective 1/17/17 (Federal Register)	Revisions to the 2009 eagle permit regulations for incidental take of eagles and take of eagle nests.
Letter to AFWA regarding 2017 Multistate Conservation Grants	64931	WSFR	Draft		Informs AFWA that 4 of 17 projects recommended for funding under the 2017 Multistate Conservation Grant Program will not be approved.
Reimbursement for Use of Privately Owned Vehicles (Effective Jan 1, 2017)	64925	BMO	Draft	1/1/2017	Guidance on privately owned vehicle (POV) mileage reimbursement rates that aligns with the calendar year 2017 rates published by the General Services Administration (GSA) on 12/28/2016.

Director's Order to establish procedures and a timeline for expanding the use of nontoxic ammunition and fishing tackle on Service lands, etc	64923	D	Completed	Published 1/19/2017 (FWS website)	Establishes procedures and a timeline for expanding the use of nontoxic ammunition and fishing tackle on Service lands.
Director's Order 218, Policy Regarding Voluntary Prelisting Conservation Actions	64920	ES	Completed	Published 1/18/2017 (FWS website)	New policy, developed in partnership with State fish and wildlife agencies through the State Federal Joint Task Force on ESA, to provide the States with a different type of incentive to encourage landowners to engage in early conservation efforts for at risk species. Establishes that benefits of qualifying state led conservation programs for at risk species can be credited as mitigation if the species is ultimately listed. Strong support from States.
052 FW 1 Strategic Habitat Conservation (SHC) Final	64890	Science	Completed	Published and effective 1/23/17 (FWS website)	Manual Chapter on Strategic Habitat Conservation
720 FW 3 Incidental Take Prohibited Under the Migratory Bird Act	64889	MB	Completed	Published 1/11/2017 (FWS website)	Manual Chapter on Incidental Take Prohibited Under the MBTA
Interim Guidance on Implementing the Final Endangered Species Act Compensatory Mitigation Policy	64884	ES	1/17/2017	Issued and effective 1/17/2017	Interim stepdown guidance for implementing the ESA Compensatory Mitigation Policy.
FY 2017 Migratory Bird Conservation Fund Annual Work Plan	64872	Refuges	1/19/2017		Proposed Fiscal Year 2017 Migratory Bird Conservation Fund (MBCF) Annual Work Plan (AWP)
Revisions to the US Fish & Wildlife Manual Chapter 561 FW 10, Comprehensive and Liability Act (CERCLA)	64867	BMO	1/19/2017		Routine, periodic review and update of the Service Manual regarding responsibilities for administering the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) program.
Obligations, Payments, or Redistributions Using Expired Accounts	64786	BMO	Draft		Updates the Service's policy on obligations, payments, and redistributions using expired accounts. Leverages technology to improve submission and status tracking of

					requests; delegates authority to Regional Budget and Finance Officers for requests below \$5,000; and provides guidance for completing the Service's expired funds form (FWS Form 3 2242) and the procedures to process an expired funds request.
USFWS USAF National Interagency Agreement	64760	FAC	1/3/2017		Revised Interagency Agreement Between USAF and FWS on Sikes Act
Revised 612 FW 1 Minerals Management Policy	64700	NWRS	Completed	Published and effective 12/27/16 (FWS website)	New FWS Manual Chapter implementing policy for managing the development of minerals that exist beneath Service NWRSlands.
241 FW 9 Wildlife Inspection and Handling	64696	OLE	Completed	Effective 1/23/17; published 1/25/17 (FWS website)	Update to FWS Manual on Wildlife Inspection and Handling Safety
USFWS Habitat Conservation Plan Spatial Data Specifications and Designation	64694	IRTM	12/8/2016		Adoption of Habitat Conservation Plan Spatial Data Specifications Standard AND Designation of Data Steward
Directorate Review of Revised Manual Chapter 225 FW 8, AUO	64628	BPHC	12/8/2016		Revised FWS Manual Chapter on Administratively Uncontrollable Overtime
Record of Decision for the Programmatic Environmental Impact Statement for the Eagle Rule Revision	64621	MB	12/13/2016	signed 12/13/16, effective 12/13/16	ROD for Eagle Rule revisions
Wounded Warriors Federal Leave Act Addition of New Leave Category	64588	ABHC	11/22/2016		Final regulations to implement the Wounded Warriors Federal Leave Act of 2015 which establishes a separate new leave category called "Disabled Veteran Leave."
Director Memo to Directorate on Secretarial Order 3342	64526	D	12/16/2016		Memo provides information about implementing the new Secretarial Order (SO) 3342 (Identifying Opportunities for Cooperative and Collaborative Partnerships with Federally Recognized Indian Tribes

					in the Management of Federal Lands and Resources)
Service Manual 612 FW 1 3 Rescission	64507	NWRS	11/16/2016		Memo announces the rescission of FWS Manual chapters 612 FW 1 3, Minerals Management, and the corresponding Management of Oil and Gas on National Wildlife Refuge System Lands Handbook
Streamlining Endangered Species Act Consultations for Certain Restoration and Recovery Projects	64441	ES	11/16/2016	Issued and effective 11/16/2016	Agency guidance on an approved method for streamlining ESA section 7 consultations for certain projects for which the primary purpose is the conservation of listed species.
Revised Habitat Conservation Plan Handbook		ES	Completed	Effective date 12/8/2016 (signature date). Published Federal Register notice of availability 12/21/16.	Joint FWS/NMFS update to the 1996 HCP Handbook, incorporating lessons learned, best practices, and streamlining techniques. Strongly supported by HCP beneficiaries.
Propossed Rule Migratory Bird Susistence harvest in Alsaka		MB	In surname: new signature and clearance required		Proposed Rule Harvest Regulations for Migratory Birds in Alaska During the 2017 Season
Final Rule for Use of inedible bird parts in Authentic Alaska Native Handicrafts for Sale		MB	In surname: new signature and clearance required		Final Rule for Alaska Subsistence Harvest to use inedible bird parts in native handicrafts for sale
Notification of Approval of Information Collection Request Sent to the Office of Management and Budget (OMB) for Approval; Approval Procedures for Nontoxic Shot and Shot Coatings		MB	1/31/2017	Will Published 1/31/17 (Federal Register)	This is a 30 day Notice required to be published as part of the renewal process for information collection under the Paperwork Reduction Act. The Notice directs the public to send comments regarding OMB Control No. 1018 0067 (expiring January 31, 2017) directly to OIRA, with a copy to the Service's Information Collection Clearance Officer

Bureau of Land Management

Venting & Flaring

Public Outreach

May 15, 2014



Bureau of Land Management

Venting & Flaring

Public Outreach

Tim Spisak
Senior Advisor – Conventional Energy
BLM – Washington Office
May 15, 2014



Venting & Flaring Public Outreach

Reasons for Considering the Various Options

- NTL-4A doesn't reflect current best management practices.
- Recent OIG/GAO Reports suggest progress can be made to minimize waste and promote conservation of produced gas through better management of venting and flaring.
- EPA New Source Performance Standards (NSPS) require new actions to minimize venting and flaring.



Venting & Flaring Public Outreach

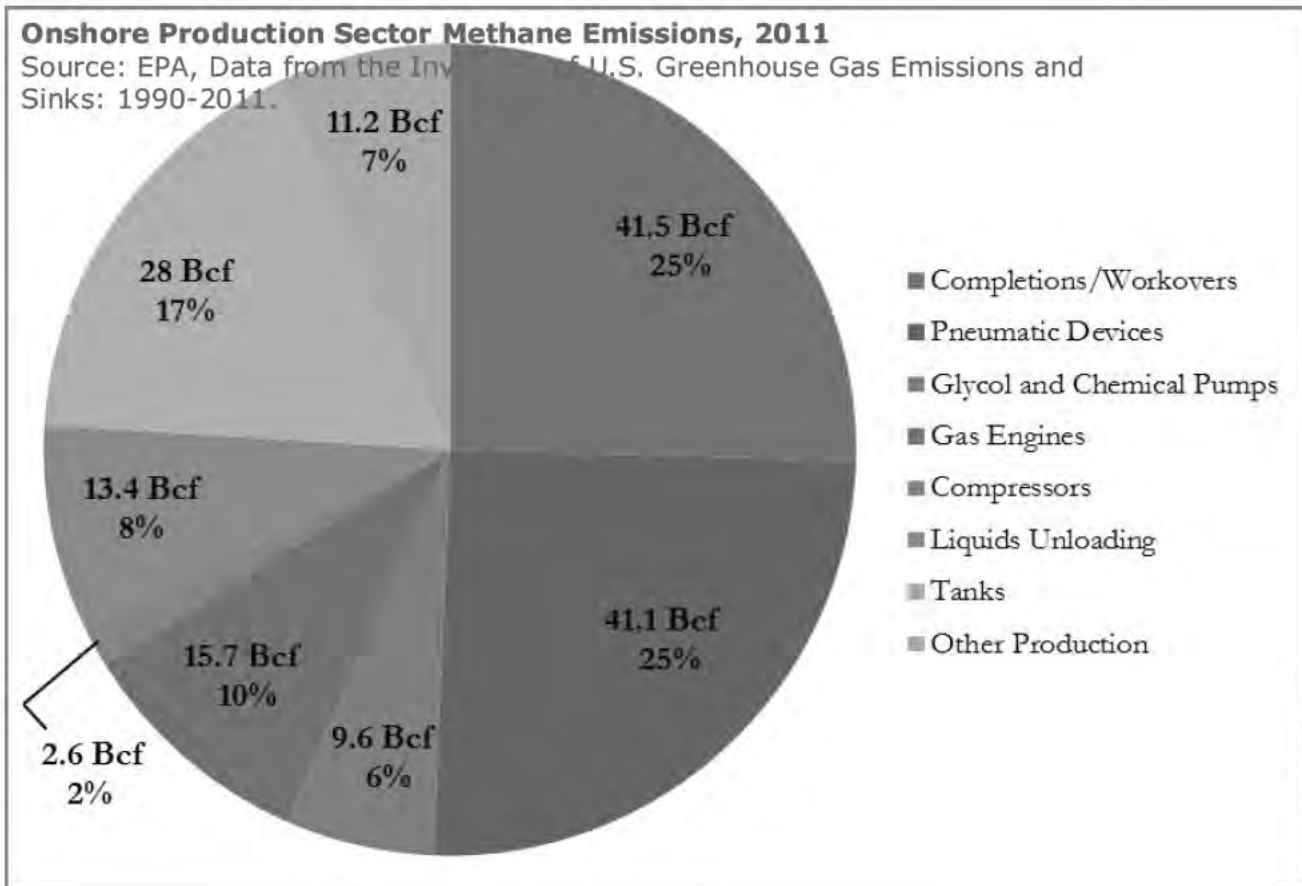
Process and Application

1. Public Outreach designed to begin the dialog with interested parties.
2. More public sessions planned for this month in North Dakota, New Mexico and Washington, DC.
3. The BLM will consider existing Federal, tribal, and state rules and industry best practices.



Venting & Flaring Public Outreach

EPA Analysis of Emissions (from all onshore production--not limited to Federal leases)



Venting & Flaring Public Outreach

Major Topics

- Well completions
- Production tests
- Liquids unloading – Well Purging
- Casing head and associated gases
- Gas conservation plans
- Storage vessel/tank emissions
- Pneumatic devices
- Leak detection and repair



Venting & Flaring Tribal Outreach

Ground Rules

- Purpose of the Outreach
 - Solicit views on how to address major topics
 - Not intended to be complete list
 - Keep in mind:
 - Are there others that should be considered?
 - Are some of these unrealistic?
 - We welcome your input
(comment period)



Venting & Flaring Public Outreach

Well Completions

- Defined as:
 - The process to establish production from a well after the production-casing string has been set, cemented, and pressure-tested until the permanent wellhead is installed for production.
- Current BLM policy:
 - “No royalty obligation shall accrue on any produced gas which . . . is vented or flared with the [Area Oil and Gas] Supervisor’s prior authorization or approval during drilling, completing, or producing operations . . .”



Venting & Flaring Public Outreach

Well Completions

- Potential options:
 - Place no new requirements on well completions.
 - In certain situations in addition to HF gas wells, consider requirement to:
 - Capture
 - Inject
 - Use
 - Combust
 - Flare



Venting & Flaring Public Outreach

Production Tests

- Defined as:
 - Tests on an oil or gas well to determine its flow capacity at specific conditions of reservoir and flowing pressures.
- Current BLM policy:
 - Initial Production Test: Venting & flaring authorized up to 30 days or 50 million cubic feet (MMcf) of gas.
 - Evaluation test: Not to exceed 24 hours.



Venting & Flaring Public Outreach

Production Tests

- Potential options:
 - Extend well completion requirements to production tests.
 - Gas wells: Limit initial well evaluation tests to XX (30) days or XX (20) MMcf of gas and require the use of Best Available Control Technology (BACT).
 - Oil wells: Limit initial well evaluation tests to XX (30) days or XX (10) MMcf of gas.
 - Require operator to be on site during all tests; limit performance tests to the time needed to validate performance.



Venting & Flaring Public Outreach

Liquids Unloading – Well Purging

- Defined as:
 - Process of opening the well bore to the atmosphere and allowing the reservoir pressure to push the accumulated liquids out of the well bore.
- Current BLM policy:
 - Limits events to 24 hours but does not set cumulative duration limits, i.e., monthly.



Venting & Flaring Public Outreach

Liquids Unloading – Well Purging

- Potential options:
 - Operator must first attempt to unload liquids without venting.
 - Requiring operator to be on site during the treatment.
 - Must record cause, date, time and duration of the event.
 - Opening well bore to atmosphere as a last resort.
 - For new wells, if and when liquids unloading is necessary, a method other than well purging must be employed.
 - Establish lower cumulative duration limits.



Venting & Flaring Public Outreach

Casinghead and Associated Gases

- Defined as:
 - The natural gas that is produced from an oil well and is either sold, re-injected, used for production purposes, vented (rarely), or flared, depending on whether the well is connected to a gathering line.
- Current BLM policy:
 - Require operators to receive approval to flare casinghead gas.
 - The BLM considers the total leasehold production (including both oil and gas) as well as the economics of the field-wide plan.



Venting & Flaring Public Outreach

Casinghead and Associated Gases (1 of 2)

- Potential options:
 - Establish a clear and rigorous economic test that *may* include:
 - Specific rate of return and/or discount rate;
 - Define specific pay-out criteria;
 - Field-wide economics for gas capture and transportation regardless of operator;
 - Consider gas combustion efficiency standard.



Venting & Flaring Public Outreach

Casinghead and Associated Gases (2 of 2)

- Potential options:
 - If gas conservation is not economic:
 - An operator may only flare with an approved Application to Flare
 - Consider whether the approvals should be valid for a fixed time period and/or consider limitations to the approval term.
 - If valid for a fixed time, subsequent Applications to Flare must have a revised economic analysis that reflects any changes in conditions.
 - When new wells are added to a field that the economics are re-evaluated.



Venting & Flaring Public Outreach *Gas Conservation Plan*

- Defined as:
 - An action plan that eliminates or minimizes venting or flaring of the gas from oil wells.
- Current BLM policy:
 - An action plan that will eliminate venting or flaring of the gas within one year from the date of application.
 - Royalty free during implementation of plan



Venting & Flaring Public Outreach

Gas Conservation Plan (1 of 2)

- Potential options:
 - With an operator's commitment to install gas gathering infrastructure, then flaring is authorized during the construction time.
 - Restrict number of extensions allowed for approval of flaring.
 - If gas conservation is economic and the infrastructure is not in place, an operator may only flare under an approved Gas Conservation Plan.



Venting & Flaring Public Outreach

Gas Conservation Plan (2 of 2)

- Potential options:
 - In cases where gas recovery is clearly economic, refine definition of unavoidably lost gas to a fixed time period (causing gas to become royalty bearing thereafter).
 - Conditionally approve APDs if it is clear there will be gas, but infrastructure will be ready ‘soon’ (i.e. 90 days, 180 days, one year).



Venting & Flaring Public Outreach

Storage Vessel/Tank Emissions

- Defined as:
 - Gas vapors lost from storage tanks on lease.
- Current BLM policy:
 - Gas vapors released from storage tanks to be unavoidably lost and not royalty-bearing unless the Authorized Officer requires recovery.



Venting & Flaring Public Outreach

Storage Vessel/Tank Emissions

- Potential options:
 - New wells: Require the capture or combustion of gas vapors from certain tanks.
 - Existing wells: Install combustors or equivalent device for storage vessels with emissions potential greater than X(?) tons per year of volatile organic compounds.
 - Is there another threshold or throughput equivalent that might work better? Safety-related threshold?



Venting & Flaring Public Outreach

Pneumatic Devices

- Defined as:
 - Devices powered by pressurized natural gas as liquid level controllers, pressure regulators, and valve controllers and other similar devices.
- Current BLM policy:
 - Gas used to power pneumatic devices (regardless of bleed rate) is considered used on lease and not royalty-bearing.



Venting & Flaring Public Outreach

Pneumatic Devices

- Potential options:
 - New (or replacement) devices: NSPS controls.
 - Existing devices: Requiring replacement of existing pneumatic devices if the cost of replacement, when considering the following, is consistent with economic operation:
 - (a) the reduction in bleed rate,
 - (b) cost of replacement equipment/installation
 - (c) the price of natural gas and
 - (d) the rate and extent of recovery of cost through additional gas capture.
 - How would this be administered?



Venting & Flaring Public Outreach

Leak Detection and Repair

- Defined as:
 - Programs to identify and repair leaks to reduce gas loss from lease operations.
- Current BLM policy:
 - Does not have a leak detection/monitoring standard.



Venting & Flaring Public Outreach

Leak Detection and Repair

- Potential options:
 - Operators' periodic inspection of facilities to identify and repair leaks.
 - What threshold might be used to determine which leaks require repair?



Venting & Flaring Public Outreach

Next Steps

- Comments from Session accepted until May 30
 - Email comments to: BLM_WO_OG_Comments@blm.gov
- Additional Outreach Sessions
 - Three planned
 - Albuquerque, NM on May 7 (complete)
 - Dickinson, ND on May 9 (complete)
 - Washington, DC on May 15 (Live streamed)
- See website: *Public Events on Oil and Gas*
 - Under the **Energy** or **Oil & Gas** tabs
 - www.blm.gov/wo/st/en/prog/energy/public_events_on_oil.html



Venting & Flaring Public Outreach



Questions?

Email comments to:

BLM_WO_OG_Comments@blm.gov

tspisak@blm.gov – 202-912-7311



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**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF WYOMING**

STATE OF WYOMING and STATE OF
 MONTANA)

Petitioners,)

v.)

UNITED STATES DEPARTMENT OF)
 THE INTERIOR; SALLY JEWELL, in her)
 official capacity as Secretary of the Interior;)
 UNITED STATES BUREAU OF LAND)
 MANAGEMENT; and NEIL KORNZE, in)
 his official capacity as Director of the)
 Bureau of Land Management)

Respondents.)

Civil No. 16-CV-285-8

PETITION FOR REVIEW OF FINAL AGENCY ACTION

The State of Wyoming and the State of Montana petition the Court for review of the final agency action of the United States Department of the Interior, Interior Secretary Sally Jewell, the Bureau of Land Management, and Bureau Director Neil Kornze (collectively the Bureau) in promulgating the methane rule published in the Federal Register on November 18, 2016. *See Waste Prevention, Production Subject to Royalties, and Resource Conservation*. 81 Fed. Reg. 83008. (Nov. 18, 2016). The Bureau's rule is a blatant attempt by a land management agency to impose air quality regulations on existing oil and gas operations under the guise of waste prevention. Congress specifically delegated authority to regulate air pollution to the United States Environmental Protection Agency (EPA) and the states because they are in the best position to regulate air quality matters. The Bureau's rule conflicts with the Clean Air Act and unlawfully interferes with Wyoming and Montana air quality regulations. The Bureau does not have the authority, much less the agency expertise, to impose the air quality control requirements promulgated in the final rule.

1. This Court has jurisdiction over this Petition under 28 U.S.C. § 1331 because the claims presented arise under federal law.

2. Venue is proper in this Court under 28 U.S.C. § 1391(e)(1)(C) because Petitioner State of Wyoming resides within the District of Wyoming.

3. The promulgation of the methane rule is a final agency action subject to appellate review in this Court. 5 U.S.C. § 702; *see also Olenhouse v. Commodity Credit Corp.*, 42 F.3d 1560, 1580 (10th Cir. 1994); U.S.D.C.L.R. 83.6(a)(1).

4. The Administrative Procedure Act requires courts to hold unlawful and set aside agency action that is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. 5 U.S.C. § 706(2)(A). Additionally, the Administrative Procedure Act requires courts to

hold unlawful and set aside agency action found to be in excess of statutory jurisdiction, authority, or limitation, or short of statutory right. *Id.* § 706(2)(C).

5. “A federal agency is a creature of statute and derives its existence, authority and power from Congress alone. It has no constitutional or common law existence or authority outside that expressly conveyed to it by Congress. In the absence of authority, then, an administrative agency has none.” *Wyoming v. Dep’t. of the Interior*, No. 15-cv-043, 2016 WL 3509415, *12 (D. Wyo. June 21, 2016) (citations omitted). The Bureau claims authority for the methane rule from general language found in the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. §§ 1701-1787 the Federal Oil and Gas Royalty Management Act (FOGRMA), 30 U.S.C. §§ 1701-1759, and the Mineral Leasing Act (MLA), 30 U.S.C. §§ 188-287. 81 Fed. Reg. at 83019. However, those statutes do not evidence any Congressional intent that the Bureau should develop and implement air quality regulations like those issued in the methane rule. Rather, the MLA and FOGRMA authorize the Bureau to oversee mineral leasing on federal land, including by assessing royalties and preventing the waste of federal mineral resources. 43 U.S.C. §§ 1701-1787; 30 U.S.C. §§ 1701-1759.

7. The Bureau’s rule assumes that every oil and gas operation on a federal lease emits nothing but federal minerals, as opposed to a mix of constituents that may or may not include federal minerals. It is arbitrary and capricious for the Bureau to categorize its total control of all emissions under the guise of “waste minimization.” Congress has not delegated authority to the Bureau to regulate emissions, much less emissions that are not federal minerals.

8. Even if some emissions do contain federal minerals, there is no difference between wasting the federal minerals through flaring and wasting them through venting. A distinction between flaring the federal minerals and venting the federal minerals, as described in this rule,

matters only for air quality regulation. MLA and FOGRMA do not authorize the Bureau to regulate air quality. The Bureau's attempt in the final rule to develop a complex flaring averaging system does not transform the act of burning air emissions into a "waste minimization" mechanism. 81 Fed. Reg. at 83037.

9. FLPMA authorizes the Bureau to ensure there is no undue degradation of public lands. 43 U.S.C. § 1732(b). In order to avoid undue degradation of the public lands from air pollution, the Bureau's surface management regulations require owners and operators to comply with state and federal air quality laws and regulations. 43 C.F.R. § 3809.420(b)(4).

10. State and federal air quality laws and regulations are developed under the Clean Air Act through a cooperative federalism system in which states and the EPA work together to control air pollution. 42 U.S.C. § 7401. The Clean Air Act does not give the Bureau authority to participate in this process.

11. The Bureau's final rule does not comport with the Administrative Procedure Act because it extends into jurisdictional territory Congress specifically carved out for the EPA and the states. 5 U.S.C. § 706(2)(C). In the Clean Air Act, Congress specifically delegated to the EPA the authority to control emissions from new and existing oil and gas production facilities. 42 U.S.C. § 7411. Thus, the EPA already regulates emissions of volatile organic compounds, sulfur dioxide, and methane from new and modified oil and gas production facilities. 40 C.F.R. §§ 60.5360-60.5430 and 60.5360a-60.5432a The Bureau's final rule attempts to step into the EPA's shoes to regulate existing facilities, even though the EPA is currently working on a rule to regulate existing facilities. Oil and Natural Gas Sector: Request for Information, Emerging Technologies. 81 Fed. Reg. 46670 (July 18, 2016).

12. The Bureau's final rule is arbitrary, capricious, and exceeds the Bureau's authority under FLPMA because the rules establish air quality control methods that conflict with those already established by the EPA and the states under the Clean Air Act. In doing so, the Bureau's final rule unlawfully interferes with Wyoming and Montana's air quality pollution control regimes and also unlawfully conflicts with Wyoming and Montana's state implementation plans. Both Wyoming and Montana regulate venting and flaring. *Rules Wyo. Oil and Gas Conserv. Comm'n*, ch. 3, § 39; *Rules Mont. Dep't Natural Res. and Conserv.*, ch. 36.22 §§ 1216-1221. Both Wyoming and Montana regulate air emissions from oil and gas production facilities through robust permitting processes that are incorporated into each state's federally enforceable State Implementation Plan. *Rules Wyo. Dep't of Envtl. Quality, Air Quality*, ch. 6, § 2; 40 C.F.R. § 52.2620, subpart ZZ; *Rules Mont. Dep't of Envtl. Quality, Air Quality*, ch. 17.8, §§ 1601-1606 and 1710-1713; 40 C.F.R. § 52.1370, subpart BB.

14. Finally, the Bureau's rule unlawfully attempts to take over regulation of state leases when state and federal tracts are combined through communitization agreements. 43 C.F.R. § 3217.11. This directly conflicts with the States' right to be the primary authority over state minerals. Whatever limited statutory authority Congress gave to the Bureau to regulate federal minerals, it did not authorize the Bureau to take over the regulation of state mineral leases from the states.

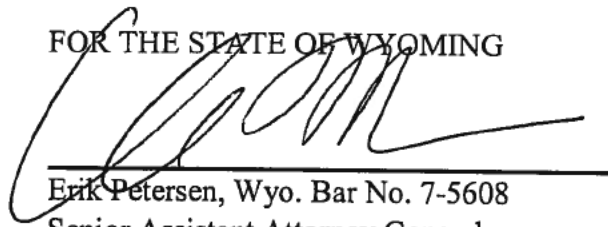
15. For these and other reasons that will be more fully detailed in the States' merits briefs, the Bureau's methane rule must be set aside.

Petitioners request that this Court:

- A. Declare that the Respondents, in promulgating the Bureau's methane rule, acted in excess of their statutory authority, 5 U.S.C. § 706(2)(A), 43 U.S.C. §§ 1701-87, 30 U.S.C. §§ 1701-1759, 30 U.S.C. §§ 188-287;
- B. Set aside and vacate the Bureau's methane rule;
- C. Enter other temporary, preliminary, or permanent injunctive relief as the Petitioners may hereafter specifically seek; and
- D. Grant Petitioners such additional relief as the Court deems just and proper to remedy Respondents' violations of law and protect Petitioners' interests.

Submitted this 18th day of November, 2016.

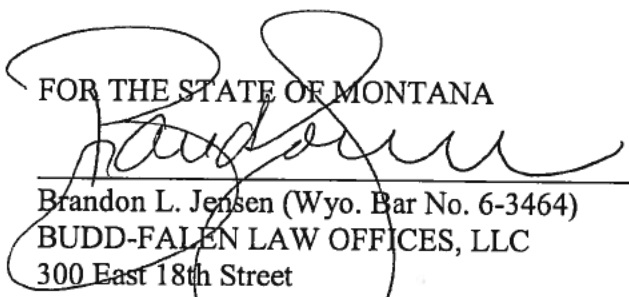
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March 21, 2017

Dear Senators Hoeven and Heitkamp:

On behalf of the Bismarck-Mandan Chamber of Commerce, I am writing to ask that you vote in support of the Congressional Review Act that will repeal the Obama administration's BLM Venting and Flaring Rule.

The development of the Bakken resource has benefited all businesses in our State, not just those directly associated with oil and gas development. The industry is consistently ranked across all data sources as the top employer in North Dakota, the most recently release numbers showing that the industry employs 73,000 North Dakotans, a figure representing 20 percent of private sector jobs and 30 percent of private sector wages.

The impact of these jobs flows throughout our communities and rules negatively affecting the oil and gas industry will cause a continuation of the impact of the industry's slowdown, just as a recovery has begun. Likewise, the tax base created by the industry has benefited the State of North Dakota, and its people and small businesses. Despite the downturn, the industry will pay \$3.2 billion in severance taxes in the 2017-2019 biennium:

- More than \$500 million and nearly \$240 million will be shared with local and tribal governments, respectively. These funds are vital for these entities; for instance, the taxes paid to the MHA nation total nearly \$44,000 per resident in the biennium
- \$300 million will be used in the state's general fund for current priorities
- \$2.1 billion will be saved to the state's many long-term funds, including nearly \$900 million in the Legacy Fund and \$132 million to each the Foundation Aid Stabilization Fund and the Common Schools Trust Fund, ensuring education funding for education through any future economic climate

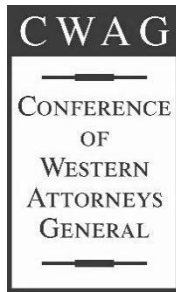
As the voice of more than 1,400 local businesses, we continue to support the primary sector industries that funnel dollars into our community, and contribute to the success of our other residents such as main street businesses, builders, and other local entrepreneurs. We want a healthy environment and support reasonable regulations that protect it. However, this rule answers a problem already solved by the state government, does not create any meaningful benefit to the environment, and hinders energy development.

Thus, we strongly urge you to support the North Dakota energy industry, its workers, and our local businesses with a vote to repeal the Obama administration's BLM Venting and Flaring Rule.

Sincerely,



Scott Meske, President
Bismarck Mandan Chamber of Commerce



**BRIEFING PAPER FOR THE ADMINISTRATION OF
PRESIDENT DONALD J. TRUMP**

BY THE CONFERENCE OF WESTERN ATTORNEYS GENERAL

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I. INTRODUCTION: OVERARCHING PRINCIPLES OF FEDERALISM

The Conference of Western Attorneys General (CWAG) is a bipartisan group comprised of the chief legal officers of 15 western states and the three Pacific Island jurisdictions. CWAG focuses on areas of common concern: public lands, minerals, water, wildlife, environmental protection and Indian law. In each of these policy areas, the overlapping responsibilities shared by state and federal regulators give rise to tensions. As a conference, we believe these tensions can be alleviated by a federal administration that commits to upholding the principles of federalism.

Federalism is one of the cornerstones of our constitutional system of government. The Founding Fathers established a Constitution that delegated limited powers to the national government, while all other sovereign powers were reserved to the states. This arrangement is explicitly articulated in the Tenth Amendment, which states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." The result is a federal system of dual sovereignty; state governments were not mere administrative departments of the central government, but sovereigns who retained great dignity.

Federalism restrains governmental excess by establishing rival sovereigns that compete against each other, with each sovereign jealous to prevent the undue aggrandizement and concentration of power by the other. This rivalry preserves liberty. In *The Federalist*, No. 51, James Madison describes how these checks and balances function:

In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the right of the people. The different governments will control each other, at the same time that each will be controlled by itself.

The tremendous wisdom of Madison's insight is that the principle of federalism preserves liberty both ways. Whether tyrannical impulses emanate from state governments or the national government, the American system of federalism ensures that a sovereign will be incentivized to intervene on behalf of the people.

In this federal system of dual sovereignty, state governments are better equipped to make many decisions by the simple fact that they are closer to the ground. This superiority is no reflection of

any failure of virtue in federal decision makers, but merely a consequence of distance. Compared to the national government, states are more accountable and responsive to their constituents and are better able to make public policy tailored to their unique circumstances.

The western states believe that further efforts are needed to ensure that the national government respects the sovereign powers and responsibilities of the states. The federal government's vast land holdings and water claims in the western states and its trust responsibility for Indian tribes raise special federalism concerns. CWAG trusts that the administration will recognize the western states' need to regulate state resources for the maximum benefit of their citizens. This need is especially evident in the areas of water, public lands, minerals, and environmental protection. A brief discussion of specific issues and recommended actions is included below.

When the many federal and state interests in public resources coincide or collide, the western states encourage the administration to consult and cooperate with state and local governments. This can be accomplished through negotiations, agreements and understandings that reflect a genuine understanding and respect for the states' important and sovereign interests. A brief discussion of specific issues and recommended actions relative to tribal-state relations is also included below.

We note that a number of these issues do not directly affect some CWAG members, such as, Hawaii, Guam, American Samoa, or the Northern Mariana Islands. In addition, the State of Washington does not join in this document.

II. DISCUSSION AND RECOMMENDATIONS

A. FEDERALISM

1. Support State-Federal Collaborative Law Enforcement Efforts

The CWAG Alliance Partnership is an international rule of law program supported by the state Attorneys General's Offices (AGOs) of 42 U.S. states and jurisdictions. The CWAG Alliance Partnership promotes collaboration among state Attorneys General from participating countries; supports greater efficiency and transparency in criminal, civil and commercial judicial systems; and provides training programs that promote the effective investigation and prosecution of transnational criminal activity.

During the past decade of fostering institutional relationships with state AGOs in Mexico, the CWAG Alliance Partnership has generated robust support from every state-level jurisdiction in Mexico, as well as the federal AGO. This collaborative partnership, funded by the State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL), encourages successful prosecutions of trans-border crime and enhanced communication and collaboration with our counterparts in Mexico. Activities include programs to combat transnational crime at the state level, regular communications to strengthen information exchanges among involved AGOs, and

training and consulting programs to support Mexican AGOs in their transition to an oral, adversarial criminal justice system.

CWAG Alliance Partnership programs have also brought together public and private sector partners together to promote the rule of law, combat corruption and support uniform enforcement of laws in various countries, including El Salvador, Cuba, Rwanda and South Africa.

Recommendation: Continue to support collaborative law enforcement efforts by states and the federal government, such as the CWAG Alliance Partnership.

2. Commit to a Continuing Dialogue With CWAG

The CWAG members have traditionally met with the Secretary of the Department of the Interior at the conclusion of the winter meeting of the National Association of Attorneys General in Washington, DC. This meeting is invaluable because of Interior's work in the areas of great importance to the western states, such as water, public lands, Native Americans and fish and wildlife.

Recommendation: That the Secretary of the Department of the Interior meet with CWAG members in the offices of the Secretary of the Department of the Interior to discuss important federal-state issues of common interest.

B. ENDANGERED SPECIES ACT

Many of the most difficult and intractable environmental conflicts in the western states involve those species listed as threatened or endangered under the auspices of the Endangered Species Act ("ESA"). The ESA, like other federal environmental programs, envisioned an active partnership between the federal agencies and states.

Recommendation: Ensure federal agencies value and foster a cooperative state-federal approach to species protection.

C. PUBLIC LANDS

The western states urge the administration to adopt and implement cooperative policies that incorporate reasonable administrative measures to facilitate the recognition of valid, existing R.S. 2477 rights-of-way for roads across federal land. States have adopted and codified such policies to protect and preserve R.S. 2477 rights-of-way and have sought for years to obtain recognition of these rights-of-way from the agencies that manage federal land, primarily the Department of the Interior (DOI) and Bureau of Land Management (BLM). It is important to understand that states seek only to preserve existing rights-of-way that were created prior to the 1976 repeal of R.S. 2477, over 40 years ago. In *Southern Utah Wilderness Alliance v. Bureau of Land Management*, 425 F.3d 735 (10th Cir. 2005), the Tenth Circuit Court of Appeals issued a landmark opinion regarding R.S. 2477 rights-of-way. The opinion confirms long-standing legal precedent establishing that

R.S. 2477 grants were self-executing and do not require judicial recognition to be valid. The relevant federal agencies should establish guidelines to be followed nationwide and noting that state and local offices of the BLM should apply long established principles of state law governing the creation of rights of way.¹

Recommendation: Ensure that state and local offices of federal land management agencies fully implement this policy and work cooperatively with western states and counties to employ reasonable administrative measures to recognize valid, existing R.S. 2477 rights-of-way, where needed.

D. WATER LAW

1. Respect for State Sovereignty Over Water

Federal agencies should recognize Congress' policy of deference to state regulation of water.

Recommendation: That any regulations, policies, or laws adopted by federal agencies should respect state sovereignty over water. Since Congress has the authority to reserve water, federal agencies should be reticent to pursue federal reserved water rights in the absence of an express reservation of water by Congress. Instead, federal agencies should be directed to pursue water rights in accordance with state law.

2. Waters of the United States

On June 29, 2015, the Environmental Protection Agency and the United States Corps of Engineers published a final rule that provides a new definition of “waters of the United States” as this term is used in the Clean Water Act (CWA). The definition of waters of the United States (WOTUS) determines the scope of the regulatory programs under the CWA, and for several reasons has a significant impact on states, particularly arid western states. First, the definition of WOTUS affects the Clean Water Act programs that states implement. Most states have been authorized to implement the permitting program under the CWA in lieu of the Environmental Protection Agency. This program requires permits for any point sources that discharge pollutants to WOTUS. 33 U.S.C. §1342. In addition, states are directed under the CWA to develop water quality standards that define the uses to be made of WOTUS within a particular state, and criteria to protect those uses. States are required to identify those waters that fail to meet water quality standards and for such waters, develop plans to ensure their restoration. 33 U.S.C. §1313. Thus, the definition of WOTUS directly affects the scope of the water quality programs implemented by states under the CWA.

¹ “North Dakota concurs but separately states that the North Dakota Supreme Court has recognized for over 100 years that R.S.2477 rights-of-way or section lines are, as a matter of law, public highways in North Dakota.”

Second, the definition of WOTUS impacts the scope of water resources that states regulate under independent state authority. The new definition, to the extent it broadens the scope of WOTUS, allows regulation under the CWA of water resources that have traditionally been within the scope of state, rather than federal, jurisdiction.

The new rule was challenged in a number of lawsuits, and was stayed by the 6th Circuit Court of Appeals on August 27, 2015.

Recommendation: The western states are split on whether the new definition of WOTUS is valid under the CWA. The States of California, Hawaii, Oregon and Washington support the new definition. The remaining eleven western states oppose the new definition and would request that the administration withdraw the new WOTUS definition, and direct the EPA to work with the states to develop a more workable definition of the WOTUS.

E. INDIAN LAW

General Areas of Concern

1. Communication and Information Sharing

The unique relationship between tribes, the federal government and the states makes open communication among all three governments essential. Shutting out states eliminates opportunities to craft approaches and solutions workable for all, damages relationships that states have spent decades fostering with tribes, and forces states into a defensive, conflict-oriented posture.

Recommendation: The CWAG states strongly urge the incoming administration to involve states at the earliest possible time and to the maximum extent practicable when considering issues that affect states and their relationships with Indian tribes.

2. Definition and Clarity of Federal Responsibilities to Tribes

When a federal agency cites the “trust responsibility” as the basis for a federal action that affects the interests of others, it is essential that the authority under which the federal agency purports to act be made clear.

A generalized trust responsibility to Indian tribes is not, by itself, authority to act. Any specific obligations the federal government may owe to Indian tribes are “governed by statute.” *United States v. Jicarilla Apache Nation*, 564 U.S. 162, 165 (2011) (“The trust obligations of the United States to the Indian tribes are established and governed by statute rather than the common law, and in fulfilling its statutory duties, the Government acts not as a private trustee but pursuant to its sovereign interest in the execution of federal law.”) The actions and decisions of federal agencies

and officials should be grounded in statute, not individualized perceptions of what may be in a tribe's interest.

The ambiguities in federal laws enacted for the benefit of Indians are construed based on a presumed federal intent to benefit Indians. But that canon of construction should not override statutory language and other evidence of legislative intent. *Chickasaw Nation v. United States*, 534 U.S. 84, 94 (2001). The trust responsibility does not necessarily permit a reading of an unambiguous enactment or the insertion of words or language which Congress did not enact. *Dep't of the Interior v. Klamath Water Users Protective Ass'n*, 532 U.S. 1, 15-16 (2001).

Recommendation: Federal agencies acting under what they perceive to be their trust responsibility ought to identify the federal statute they are implementing or interpreting. When adopting a position adverse to and potentially damaging to the interests of the states, federal agencies should clearly identify the authority under which they act.

3. Supporting all Government-To-Government Relationships

Western states work hard to build government-to-government relationships with tribes in those states. Building and maintaining those relationships requires time, effort, trust, and communication. The CWAG states support the federal executive's efforts to strengthen and maintain governmental relationships with tribes, through Tribal Nations Conferences and other federal/tribal forums. We are all in this together, and federal agencies should respect and support state/tribal relationships.

Recommendation: In establishing the federal/tribal relationship, the federal government must encourage the relationships that tribes have with the states and the local governments with whom they live and interact on a daily basis.

Specific Areas of Concern

1. Indian Reserved Water Rights

"[T]he history of the relationship between the Federal Government and the States in the reclamation of the arid lands of the Western States is both long and involved, but through it runs the consistent thread of purposeful and continued deference to state water law by Congress." *California v. United States*, 438 U.S. 645, 653 (1978). Deference to state regulation of water does not mean Congress lacks the power to preempt state law, but, rather, it illustrates the limited scope of federal regulation of water. The implied reserved water rights doctrine is a narrow exception to the federal policy of deference to state water law. Under this rule of statutory construction, in instances where Congress does not consider whether to reserve water, a court may find that it reserved, by implication, enough water to fulfill the primary purposes of land withdrawn from the public domain. Essential to such a finding is evidence of congressional or executive intent to reserve water for the reserved lands. The constitutional power to create a federal reserved water right rests with Congress, not with executive agencies or the judiciary.

Assertions of Congressionally implied water rights for Native American Tribes have had a dramatic and widespread impact, particularly on the western states. And unfortunately such assertions have been made by federal agencies, seemingly without regard for the role that Congress and these agencies must play in resolving the disputes they create. The settlement of Indian reserved water rights litigation remains a top priority for many western states and tribes. Currently, legislation is pending before Congress to approve three settlements, and nineteen settlement teams are working to resolve other pending claims.

Recommendation: That the relevant federal agencies: (1) support settlement of tribal claims through negotiation, and (2) lobby for the necessary resources and funds to implement settlement of Indian reserved water rights.

2. Law Enforcement in Indian Country

In many western states, Indian country areas are high crime areas with the least amount of law enforcement resources. Adequate law enforcement services can only be provided if the several jurisdictions with criminal jurisdiction in Indian Country can work together and if the United States provides adequate funding, training, and support for federal and tribal law enforcement and court systems. Federal agencies should encourage efforts of state and tribal governments to work together to provide adequate law enforcement.

Cross-jurisdictional and cross-deputization agreements among state, tribal, federal, and local governments can and should supplement the jurisdiction that each sovereign exercises. Under 28 U.S.C. §2804, state and local law enforcement officials may receive special law enforcement commissions to enforce federal law within Indian country under certain conditions. Some states have laws that permit Indian tribal law enforcement officials to enforce state law within Indian country under certain conditions. Some tribes have entered into cross-deputization agreements with local or state law enforcement agencies.

Recommendation: That the Administration commit to support cross-jurisdictional agreements and federal programs must be funded to empower the federal government and Indian tribes to provide meaningful due process in criminal procedures and adequate law enforcement services.

3. Fee-to-Trust Process under Section 5 of the Indian Reorganization Act (25 U.S.C. § 465)

Section 5 of the Indian Reorganization Act of 1934 (IRA), 25 U.S.C. § 465, authorizes the Secretary of the Interior to acquire land and take title to the land in trust for an Indian tribe. Section 5 contains no limits, standards, or guidelines on the exercise of the Secretary's power which essentially leaves states and local governments without a forum to raise concerns. Today, a common scenario is that a tribe buys land and conveys it to the United States to be held in trust. Such conveyances significantly alter the jurisdictional landscape including criminal, civil regulatory, and taxing authority of state, local, and tribal governments.

In recent years, more than 500,000 acres of land into trust for the benefit of tribes. CWAG members do not necessarily oppose that objective but CWAG members often do not receive notice of pending fee-to-trust applications. At one time, the BIA notified state Attorneys General in accordance with 25 C.F.R. §§ 151.10 and 151.11, but many CWAG members no longer receive such notices, though local governments may receive them.

Recommendation: State Attorneys General need to know about fee-to-trust applications so that they can respond when contacted by local government. The BIA should resume consistently sending notices of fee-to-trust applications to state Attorneys General.

4. The Compact Negotiation Process Under the Indian Gaming Regulatory Act

The Indian Gaming Regulatory Act (IGRA) recognizes states' legitimate efforts to address "the public interest, public safety, criminality, [and] financial integrity" in negotiating gaming compacts with tribes (see, e.g., 25 U.S.C. § 2710(d)(7)(B)(iii)(I)).

The U.S. Supreme Court held in 1996 that Congress lacked the authority to abrogate states' sovereign immunity in IGRA. *Seminole Tribe of Fla. v. Florida*, 517 U.S. 44 (1996). Most states have not waived sovereign immunity to suits under IGRA. The prior administration implemented a regulation that allowed the federal government to determine whether a state has negotiated in bad faith and determined that, where it makes such a finding, it may impose class III gaming upon a state through such procedures as the Secretary may adopt. 25 C.F.R. Part 291. Although in *Texas v. United States*, 497 F.3d 491 (5th Cir. 2007), the court found the Secretary lacked authority to do that, the Secretary has continued to pursue that authority. The Secretary's position is also at issue in *New Mexico v. Department of the Interior*, 10th Circuit Court of Appeals, No. 14 2222.

Recommendation: At this time, the Fifth Circuit is the only circuit to rule on this issue. Several CWAG states believe the Fifth Circuit's rationale in the majority and concurring opinions in *Texas v. United States*, 497 F.3d 491 (5th Cir. 2007), which invalidated the class III gaming procedures in 25 C.F.R. Part 291, correctly state the law. Rather than attempt to continue enforcement of 25 C.F.R. Part 291 in other circuits, the administration is encouraged to instead work with the tribes and states to amend the IGRA to resolve any disputes.

5. Taxation in Indian Country

Whether a state can impose a tax in Indian country depends on where the tax is imposed and on whom (tribal member or non-member). State taxes directed at activities or property of tribes or tribal members within Indian country are generally preempted. Conversely, state taxes directed at transactions or property of non-Indians within Indian country are presumptively valid. Determining which government(s) have taxing authority in Indian country requires careful attention to: where the taxable transaction occurs, the nature of the tax what is being taxed and who bears the legal incidence of the tax; whether the on-reservation activity is centered in a direct commercial relationship between the taxpayer and the tribe or tribal member; the nature of any applicable federal statutes; and the governmental services provided to the taxpayer by the

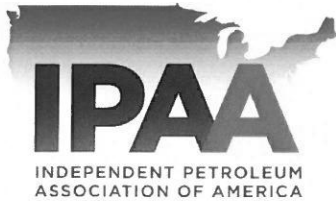
respective governments. These inquiries are designed to help align the taxing authority with the government most closely associated with the generation of the value being taxed and with the governmental services being provided to the taxpayer.

Recommendation: That the administration adhere to the case law adopted by the United States Supreme Court regarding state taxation of non-Indians in Indian country. See *Cotton Petroleum Corp. v. New Mexico*, 490 U.S. 163 (1989).

Comments on the Bureau of Land Management Waste Prevention, Production Subject to Royalties and Resource Conservation Rule

- 3162.3-1 (j) Waste Minimization Plans.
Requirement is duplicative, forces disclosure of anticipated production data that decreases our competitive advantage, and creates uncertainty in the APD approval process.

Management of the development of oil and gas fields can be very specific to each field and should be left to the respective state(s) to determine requirements and best practices.
- 3179.6 Flaring and Venting Prohibitions, 3179.7 Alternative Limits on Venting and Flaring, & 3179.101-3179.204 Venting and Flaring Requirements for Drilling, Production, and well maintenance operations.
The BLM does not have jurisdiction to regulate air quality, which venting and flaring may impact, and therefore cannot authorize when venting or flaring can occur.
- 3179.11 Other Waste Prevention Measures
This is one of the most dangerous provisions in the rule to operators. In most cases, the BLM does not have the information, expertise or other technical data based information to make this determination. This is a very broad power that allows a BLM employee to limit/eliminate production from a well, a pad or even multiple wells on a lower pressure gathering system if they “feel” like it may cause other wells to go to flare due to capacity issues or line pressure.
- 3179.301-3179.305 Leak Detection and Repair (LDAR) Programs
As previously state BLM does not have standing to regulate air quality. At most this section should simply refer to EPA’s Quad Oa requirements.



April 4, 2017

The Honorable Ryan Zinke
Secretary
Department of Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary Zinke,

On behalf of the Independent Petroleum Association of America (IPAA) and our 9,000 members who develop over 90 percent of the nation's oil and natural gas wells, I write to express our appreciation for President Trump's Executive Order (EO) on Promoting Energy Independence and Economic Growth. We support the President's efforts to roll back many of the overbearing and unnecessary federal regulations that were promulgated during the Obama Administration. This excessive federal regulatory structure poses a serious impediment to our industry and many others.

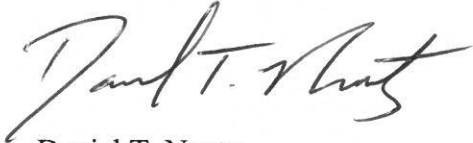
IPAA has been working diligently with members of Congress to support use of the Congressional Review Act (CRA) to overturn the Bureau of Land Management's (BLM) regulation entitled Waste Prevention, Production Subject to Royalties, and Resource Conservation Rule, which is commonly referred to as the venting and flaring rule. While our preferred method is repeal through the CRA as it would quickly overturn the overreaching regulation, we are pleased to see the Presidential EO includes language to rescind the order. IPAA supports any and all efforts to overturn this harmful regulation that was finalized in the eleventh hour of the Obama Administration.

Since the venting and flaring regulation became final on January 17, 2017, our member companies have already begun to grapple with the complexities of implementing the new regulation. With looming deadlines to order and install expensive equipment for well compliance, swift action from the Administration is needed to provide certainty on how these companies should proceed with respect to the final rule and operating on federal lands. We are requesting the Department of the Interior to publish a notice in the Federal Register to suspend the rule immediately as unwinding the regulation currently in place will take time and resources from your agency.

IPAA joined Western Energy Alliance to file a legal challenge when the final rule was published. Unfortunately, the judge found that the high bar to attain a legal stay for the rule as it is being litigated was not met. This could mean months of legal battle before the court makes their decision on our case. Meanwhile, the final rule remains in place and our companies are legally bound to comply. A suspension of the rule published in the Federal Register will give our companies clarity and will also send a strong message to the courts about the change in the Administration's position.

IPAA always stands ready to engage in any effort that will help us meet our mutual goal of safe and responsible oil and natural gas development. We look forward to working with you and your agency in the coming weeks to resolve this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel T. Naatz". The signature is fluid and cursive, with the first name "Daniel" being the most prominent.

Daniel T. Naatz
Senior Vice President, Government Relations and Political Affairs
Independent Petroleum Association of America

April 12, 2017

The Honorable Ryan Zinke
Secretary
U.S. Department of the Interior
1849 C Street NW,
Washington, DC 20240

Dear Secretary Zinke:

We, the undersigned conservation and environmental groups, on behalf of our millions of members and supporters write with concern about the process set forth in the recent Secretarial Order to review or rescind commonsense memoranda, orders and regulations (“agency actions”) concerning oil and gas development and other management issues on our public lands.

These commonsense agency actions were taken following significant public input, comment, meetings and directed outreach processes that ensured the American people had a say in how their lands and resources were to be managed. The original policies in place took many years to develop. They were crafted out in the open, with comment periods, public forums and multi-agency reviews. It is vital that any policies that affect lands owned by all Americans give everyone the ability to weigh in and voice suggestions or concerns.

We have grave concerns that, under the processes outlined in Secretarial Order 3349 (SO 3349), significant decisions shaping development and management strategies for our public lands will be made behind closed doors with little to no public involvement. These decisions will effectively scrap decades of work by public servants furthering the public interest as required under law.

The 12 actions enumerated in SO 3349 as subject to review were the product of approximately 35 years of agency staff time invested over the past 7 years. However, SO 3349 could wipe this investment away in just three weeks of political deliberations behind closed doors.

These actions include implementing memoranda on climate mitigation, incorporating executive orders on climate change preparedness and resiliency for public land management, four different regulations concerning responsible and safe oil and gas development, integrating climate change impacts in environmental analysis under the National Environmental Policy Act and ensuring that climate change was considered in national security doctrine, of which the Department of the Interior was part of the interagency working group. For example, the Bureau of Land Management’s Waste Prevention, Production Subject to Royalty and Resource Conservation rule took more than two and a half years to complete. Those years included 8 public forums across the country and over 300,000 comments, not to mention multiple reviews by the Office of Intergovernmental Regulatory Affairs. And yet, through SO 3349, a report on this regulation is expected to be completed in three weeks. And SO 3349 does not limit the scope of the Departmental review to just these policies.

A Department of the Interior that works in darkness to change management policies will not maintain the trust of the American people. These decisions will have a significant effect on public land access and conservation outcomes, and appear designed to satisfy policy objectives to promote energy

development notwithstanding legal requirements to ensure balanced multiple use. Decades of conflict and controversy have shown the public expects, and our public land laws require, more from these lands than extractive uses.

We urge you to ensure that any decisions made about public land management decisions are done out in the open with the full involvement of the American people including stakeholder engagement, public forums and extensive comment periods. These policies were crafted with significant public support and we oppose any attempts to overturn or repeal them. Should you choose to review previous regulations, orders and policies, we strongly ask that it is done with clear respect for the many legal responsibilities the Department shoulders, the broad range of constituencies it represents, and the time and public engagement that the employees of the department put into crafting them in the first place.

Sincerely,

Wm. Robert Irvin, President and CEO
American Rivers

Gene Karpinski, President
League of Conservation Voters

Robert Wendelgass, President and CEO
Clean Water Action

David Yarnold, President and CEO
National Audubon Society

Jamie Rappaport Clark, President and CEO
Defenders of Wildlife

Theresa Pierno, President & CEO
National Parks Conservation Association

Trip Van Noppen, President
Earthjustice

Rhea Suh, President
Natural Resources Defense Council

Fred Krupp, President
Environmental Defense Fund

Andrew Sharpless, Chief Executive Officer
Oceana

Erich Pica, President
Friends of the Earth

Jeff Carter, Executive Director
Physicians for Social Responsibility

Mark Magaña, President and CEO
GreenLatinos

Michael Brune, Executive Director
The Sierra Club

Annie Leonard, Executive Director
Greenpeace USA

Jamie Williams, President
The Wilderness Society

Cc Acting Director of Bureau of Land Management Michael Nedd
 Acting Director of Fish and Wildlife Service Jim Kurth
 Acting Director of Bureau of Ocean Energy Management Walter Cruickshank
 Acting Director of Office of Surface Mining, Reclamation and Enforcement Glenda H. Owens
 Acting Director of Office of Natural Resource Revenue Gregory Gould

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