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Farm Bill Amendments, Presidential Nominees, and the Shaheen-Portman Energy Efficiency Bill - ML Strategies Weekly Energy and Environmental Update

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With the Memorial Day recess over and the next break a month away, Congress is firming up its summer agenda. The Senate will first consider S. 954, the Agriculture Reform, Food and Jobs Act of 2013 (the Farm Bill). More than 200 amendments have been filed, but not all will receive a vote.

Amendments to note include one by Senator Al Franken (D-MN) to increase the energy title funding to $1.3 billion, another by Senator Bob Corker (R-TN) to require the Environmental Protection Agency to reduce cellulosic biofuel requirements when it lowers ethanol requirements as part of the RFS, and one by Senator Saxby Chambliss (R-GA) to repeal the RFS. The energy title has survived, with a little over $900 million in funding. In the Senate version, renewable chemicals are defined and qualify for Section 9003, the Department of Agriculture Biorefinery Assistance Guaranteed Loan Program.

Senate Agriculture Chairman Debbie Stabenow (D-MI) has said she expects the Senate to vote on the bill by the end of the week and the House to consider the bill in mid-June. Bipartisan support for the bill and the negative publicity House leaders received after last year's failure to vote on it will probably bolster its momentum this year.

Senate Majority Leader Harry Reid (D-NV) has said that the next issue on the docket is immigration reform. Following that debate and the July 4 recess, the Senate will consider the growing list of presidential nominees. Of particular importance, the nomination of Gina McCarthy to serve as Environmental Protection Agency Administrator continues to stall. McCarthy recently met with Senator Jeff Sessions (R-AL), and the senator later said McCarthy and the agency have not been responsive to Senate Environment and Public Works Committee questions about ozone standards and agency analyses. Senator Roy Blunt (R-MO) has also retained his hold on the nomination.

Nominations expected to move quickly through the chamber include Penny Pritzker to be Secretary of Commerce, Anthony Foxx to be Secretary of Transportation, Fred Hochberg to continue to serve as Director of the Export-Import Bank, and Michael Froman to serve as U.S. Trade Representative. Another nomination on the horizon is the chairman on the Federal Energy Regulatory Commission. On Wednesday, current Chairman Jon Wellinghoff announced he would step down as soon as the Senate confirms his replacement.

Additional summer work includes progress on the Shaheen-Portman energy efficiency package and several bipartisan hydropower bills. The measures passed out of the Senate Energy and Natural Resources Committee in May, but it is unclear when the full Senate will consider them. Senators Jeanne Shaheen (D-NH) and Rob Portman (R-OH) have been circulating manager's amendments related to workforce training and electric motor rebates.

On the House side, House Majority Leader Eric Cantor (R-VA) has said the chamber will consider four appropriations bills and H.R. 1947, the Farm Bill, this month. Representative Cantor has also said the House will consider domestic energy production legislation.

At the agencies, Secretary of Energy Ernest Moniz was briefed last week on Shaheen-Portman. He has expressed interest in becoming more active in the debate and in the legislative process. The State Department, meanwhile, is working to finish the second environmental impact statement for the Keystone XL pipeline. Many are expecting the report to reach the same conclusion as the March statement, giving the project the go-ahead. The Environmental Protection Agency, waiting for the confirmation of McCarthy, is looking to climate regulations for new and existing power plants.

Internationally, climate change discussions are scheduled to begin today in Bonn, Germany.

For more on the latest energy and clean technology regulatory and legislative developments please see **ML Strategies**' most recent ***Energy and Environmental Update***.

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