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ML Strategies Energy & Environment Update: Week of 9/15/2014

September 16, 2014 | Blog | By David Leiter

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ENERGY AND CLIMATE DEBATE

Congress is in Washington this week for an intense few days before recessing until after the November elections.

The House will vote September 17 on the continuing resolution (**H.J. Res. 124**). Currently, the measure continues a policy provision that overrides Administration guidance limiting the Export-Import Bank from financing overseas coal-fired power projects. The continuing resolution, which would fund the government through December 11, extends the bank's charter, which expires September 30, until the end of next June. The House had planned to pass the continuing resolution last week, but postponed the vote after President Obama requested approval of authority for aid to Syrian rebels. The chamber is still weighing whether to attach the president's request to the continuing resolution or to take it up separately. The measure also includes funds to address the Ebola virus and would extend to December 11 a moratorium on taxing Internet access that is scheduled to expire November 1. The Senate will take up the measure shortly thereafter.

In addition to the continuing resolution, the House is scheduled to bring up an energy package comprised of 13 already-passed measures, including legislation approving the Keystone XL pipeline (**H.R. 3**, **H.R. 3301**), limiting environmental regulations (**H.R. 1582**, **H.R. 3826**), and opening federal lands to energy extraction (**H.R. 4899**). Representative Lee Terry (R-NE) unveiled the **American Energy Solutions for Lower Costs and More American Jobs Act** September 12.The Senate will not act on the measure, but the package affords a preview of the issues the upper chamber would consider if Republicans assume control of the Senate in 2015.

The House may also consider a jobs measure that draws from a list of 40 previously passed House bills (the **Jobs for America Act**) and a healthcare bill (**H.R. 3522**). The Senate may debate its own line up of messaging bills: legislation to raise the minimum wage (**S. 2223**), address pay equity issues (**S. 2199**), and student loan rates (**S. 2432**), and guarantee access to contraception (**S. 2578**).

Senate Finance Committee Chair Ron Wyden (D-OR) and retiring House Ways and Means Committee Chair Dave Camp (R-MI) confirmed September 9 that they are considering a possible post-election agreement on a one-year extension of expired tax breaks, in lieu of the stalled $85 billion two-year Senate extension package (**S. 2260**). The Senate Finance Committee-approved package was designed to allow more time for Congress to negotiate broader tax reform during 2015, but the measure was halted during a procedural fight over floor amendments. A one-year patch would resemble the tax extenders language in the 2012 fiscal cliff agreement. The Joint Committee on Taxation estimated earlier this year that a one-year extension package would cost roughly $47 billion. Meanwhile, House Republicans are pushing for the permanent extension of several popular tax breaks as part of a larger strategy to frame a tax overhaul. The House will vote this week on a package of economic priorities that includes several House-passed tax measures (including **H.R. 4718** and **H.R. 4453**).

CONGRESS

States Disagree On CPP Impacts
The House Energy and Commerce Subcommittee on Energy and Power held a hearing September 9 during which state officials disagreed, essentially along party lines, over the feasibility of the Environmental Protection Agency's Clean Power Plan, including the proposal's impact on the economy and electricity grid reliability.

RFS Increase Sought
Senator Dick Durbin (D-IL) sent a **letter** to the White House Office of Management and Budget September 10 asking the office to increase renewable fuel requirements before it finalizes the Environmental Protection Agency's Renewable Fuel Standard for 2014.

CPP Comment Extension Sought
A bipartisan group of 53 senators sent a **letter** to Environmental Protection Agency Administrator Gina

McCarthy September 11 asking the agency to extend the public comment period on the proposed Clean Power Plan another 60 days. The 120-day comment period is scheduled to expire October 16.

Legislation Introduced
Representative Patrick Murphy (D-FL) introduced the Fueling America's Future Act of 2014 (**H.R. 5457**) September 11 to provide incentives for zero carbon emissions refueling property.

Upcoming Hearings
The House Rules Committee will consider the American Energy Solutions for Lower Costs and More American Jobs Act September 16.

The Senate Finance Committee will hold a hearing September 17 to consider long-term energy tax reform. Former Senator Don Nickles (R-OK), retired Lockheed Martin CEO Norman Augustine, Tufts University economics professor Gilbert Metcalf, Bloomberg New Energy Finance's Ethan Zindler, and Heritage Foundation Center for Data Analysis energy and climate change research fellow David Kreutzer will testify.

ADMINISTRATION

Governor CPP Opposition
Fifteen Republican governors sent a **letter** to President Obama September 9 arguing that the Environmental Protection Agency exceeded its authority under the Clean Air Act when it released the Clean Power Plan. The group argued that the plan creates substantial obstacles to state compliance.

The weekly *Energy & Environment Update* from ML Strategies provides an overview of what's happening on and off Capitol Hill and around the world that may impact energy and environmental policies and industry players. **Read the update here**.

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