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Energy & Sustainability Washington Updates — November 2019

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November opens on Capitol Hill with the Senate in session the first week while the House is in a district work period. Both chambers are in session the weeks of November 11 and November 18, before breaking for the week of Thanksgiving. There are only 16 remaining legislative days in the year where both the House and Senate will be in session at the same time.

Secretary of Energy Resigns – New Nominee Announced

Secretary of Energy Rick Perry informed President Trump on October 17 that he intends to resign from the cabinet. While his departure date is not yet determined, the White House has announced that the president will nominate Deputy Secretary of Energy Dan Brouillette to be the new Secretary of Energy. Mr. Brouillette also serves on the National Security Council Deputies Committee. Prior to joining the administration, Mr. Brouillette served various roles at the United Services Automobile Association, the Louisiana State Mineral and Energy Board, the Ford Motor Company, the Alliance of Automobile Manufacturers, and at the House Energy and Commerce Committee. He also served in the George W. Bush Administration in the Department of Energy Office of Congressional and Intergovernmental Affairs, and before that as Legislative Director for then-congressman Billy Tauzin (R-LA).

DOE & USDA to Cooperate on Rural Energy

The Department of Energy and Department of Agriculture have entered into a Memorandum of Understanding to promote rural energy and the development of technologies to support and advance rural and agricultural communities and domestic manufacturing. A requirement of the 2018 Farm Bill, the MOU covers facilitating energy-related investments in rural communities; streamlining, leveraging and optimizing program resources; encouraging innovation; offering technical assistance to rural communities; strengthening energy-related infrastructure; ensuring affordable and reliable power; and helping rural businesses export energy products and manufactured goods. USDA and DOE have convened interagency working groups. The working groups will focus on five major areas: (1) Develop and expand energy- and manufacturing-related businesses, industries and technologies in rural America; (2) Encourage investments in new or improved rural energy infrastructure; (3) Enhance capital access for energy-related businesses and industries in Rural America; (4) Support rural community investments that anticipate growth associated with rural energy investment and development; and (5) Encourage, support and invest in cyber security initiatives and grid improvement. The working groups will be co-chaired by representatives of USDA and DOE. They will meet on at least a quarterly basis and prepare a report to each Secretary within a year of its first meeting and each year thereafter on actions and projects on which the departments will collaborate.

Top Republican on House Energy & Commerce Committee Announces Retirement

Rep. Greg Walden (R-OR), the Ranking Member of the House Energy & Commerce Committee, announced on October 28 that he will not seek reelection next year. The Congressman has served in the House of Representatives for 20 years.

AGILE Act Promotes Geothermal R&D

Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-AK) and Ranking Member Joe Manchin (D-WV) on October 22 introduced bipartisan legislation aimed at accelerating geothermal energy development in the United States. **The Advanced Geothermal Innovation Leadership (AGILE) Act**:

- Directs the U.S. Geological Survey to update its geothermal resource assessment with more modern techniques and with a focus on areas suitable for new technologies such as critical materials and long-duration energy storage, with specific instructions to focus on Alaska, Hawaii, and Puerto Rico;
- Creates a new Department of Energy initiative between the Office of Fossil Energy and Geothermal Energy to transfer and adapt key technologies from the oil and gas sector that are relevant to geothermal development;
- Adds geothermal energy (including heat pumps) and waste heat to qualify as renewable under the federal renewable energy purchase requirement in the Energy Policy Act of 2005;
- Authorizes up to two Frontier Research Observatories for Geothermal Energy;
- Reauthorizes DOE's geothermal R&D program at $150 million per year for the next five years;

- Reauthorizes a grant program for development in places where utility prices are 150 percent higher than the national average at $5 million per year for five years; and
- Directs the Bureau of Land Management to coordinate with the Forest Service, Department of Defense, and the Environmental Protection Agency to operate specialized permitting program offices that can speed up the processing of permits for geothermal energy production on federal land.

Solar Energy Research and Development Act

Sen. Kirsten Sinema (D-AZ) has introduced the **Solar Energy Research and Development Act** (S. 2668). The legislation would establish a program for research, development, and demonstration of solar energy technologies. The program would award grants on a competitive, merit-reviewed basis to eligible entities to conduct research, development, testing, and evaluation of solar energy technologies. The purpose of the program is to: (1) improve the energy efficiency, reliability, resilience, security, and capacity of solar energy generation; (2) optimize the design and adaptability of solar energy systems to the broadest practical range of geographic and atmospheric conditions; (3) reduce the cost of manufacturing, installation, operation and maintenance of solar energy systems; and (4) create and improve conversion of solar energy to useful forms. The bill identifies 20 grant subject areas: (1) photovoltaic devices and related electronic components; (2) concentrated solar power; (3) low cost, high-quality energy systems; (4) solar heating and cooling systems; (5) low cost, thin-film solar technologies; (6) solar technology products that can be easily integrated into new buildings, existing buildings, agricultural and aquatic environments, and other infrastructure; (7) solar technology that is resilient to extreme weather events; (8) solar technology products integrated into transportation applications in coordination with vehicle technologies research and development activities supported by the Department of Energy; (9) storage technologies that address the transience and intermittency of solar energy resources; (10) microgrids using solar technology; (11) solar technologies enabling safe grid operating conditions; (12) distributed solar energy technologies; (13) technologies and designs that enable a broad range of scales for solar power production; (14) advanced solar manufacturing technologies and best practices; (15) advanced analytic and computing capabilities for better modeling and simulations of solar energy systems; (16) electrical grid integration; (17) non-hardware and information-based advances in solar energy system design installation, and operation; (18) solar energy technologies relating to behind-the-meter strategies; (19) next generation demonstration facilities; and (20) any other subject area determined by the Secretary of Energy.

Rep. Ben McAdams (D-UT) introduced the legislation in the House of Representatives in June, along with Rep. Jeff Fortenberry (R-NE) and Rep. Charlie Crist (D-FL). The Committee on Science, Space, and Technology Committee approved the House version in July.

Senate Hearing on Efforts to Increase Energy Efficiency

On October 22, the Senate Energy and Natural Resources held a hearing on energy efficiency efforts in the United States and internationally. The committee heard testimony from Mr. Daniel Bresette, Executive Director of the Environmental and Energy Study Institute; Ms. Jennifer Layke, Global Director for Energy at the World Resources Institute; Dr. Brian Motherway, Head of Energy Efficiency at the International Energy Agency; and Mr. W. Scott Tew, Executive Director at Ingersoll Rand's Center for Energy Efficiency and Sustainability.

In her opening remarks, Chairwoman Murkowski said," By reducing energy use, we reduce energy costs, which matters to every family and business. We can improve reliability through technologies that reduce load when demand is high, lessening the likelihood of brownouts or blackouts. Efficiency can also play a major role in reducing greenhouse gas emissions by reducing energy consumption." In his opening remarks, Ranking Member Manchin said, "energy efficiency really is the low hanging fruit. I think we've all acknowledged that. Multiple studies have shown that energy efficiency is cheaper than investing in any other type of new generation – it is truly the cheapest kilowatt out there. It's also readily available – there are lots of opportunities to improve efficiency in buildings, industry, and transportation."

House Hearing on Building a 100 Percent Clean Economy

On October 23, the House Energy & Commerce Subcommittee on Environment and Climate Change held the fourth hearing in a series on building a 100 percent clean economy. The hearing examined the challenges and opportunities associated with decarbonizing the U.S. transportation sector, with an emphasis on medium- and heavy-duty trucks, buses, ships, aircraft, and rail. Titled "Building a 100 Percent Clean Economy: Solutions for Planes, Trains and Everything Beyond Automobiles" the hearing is part of an initiative to develop legislation to decarbonize the American economy by 2050. Solutions for achieving this goal identified by the committee include fuel-switching to low- and zero-carbon fuels and improving energy efficiency. According to Energy & Commerce Chairman Frank Pallone (D-NJ), "Any suggestion that public policy plays no role in spurring American industry to innovate new technologies willfully ignores the last half century of American progress. For decades, under laws such as the Clean Air Act, the federal government and State leaders have set ambitious standards that spur industry to develop solutions that protect public health and the environment while growing our economy. That same formula will work for many aspects of addressing the climate crisis, including in the transportation sector."

Authors



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Neal Martin brings more than two decades of experience in government and federal relations to his work, helping clients navigate a wide range of issues. He provides strategic guidance to organizations seeking to advance their legislative priorities and enhance their visibility before Congress and federal agencies.