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Energy & Sustainability Washington Updates - October 2021

October 13, 2021 | Blog | By **R. Neal Martin**

VIEWPOINT TOPICS

- Energy & Sustainability
- Energy & Sustainability Washington Update

SERVICE AREAS

- Energy & Sustainability

Negotiations Continue on Budget Reconciliation & Infrastructure Bills

Although the Infrastructure Investment and Jobs Act – also referred to as the Bipartisan Infrastructure Framework (BIF) – was approved by the Senate in August with a bipartisan vote of 69-30, it has stalled in the House of Representatives as moderates and progressives use it for leverage on the Build Back Better (BBB) Act – the proposed $3.5 trillion budget reconciliation bill. Sens. Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ) have taken issue with the size and scope of the BBB, with Sen. Manchin stating he will not support a bill larger than $1.5 trillion, while Sen. Sinema has not indicated what her threshold is for support. Speaker Nancy Pelosi (D-CA), with the support of Senate Majority Leader Chuck Schumer (D-NY) and President Biden, had sought to link passage of the BBB with passage of the BIF. The new deadline for action on both bills is October 31, with the House, Senate, and White House negotiating for what will be included in a scaled back BBB. President Biden has stated the smaller bill will fall somewhere between $1.9 trillion and $2.3 trillion. As the BBB will pass on an entirely partisan basis, negotiations among Democrats are now about whether to aim for all of their BBB goals on a smaller scale or to focus on a smaller number of policy goals at the full price tag. How climate change and clean energy will fare in this effort remains unseen, but House progressives continue to insist that any reconciliation bill must forcefully address the climate crisis.

National Clean Energy Action Month

President Biden has declared October 2021 as National Clean Energy Action Month in a presidential proclamation issued on September 30. In the proclamation the president says that as a nation “we recommit to acting on the climate crisis with urgency and moving quickly toward 100 percent clean energy, so we can create a safer, healthier, more prosperous future for all Americans.”

Read the president’s proclamation by clicking **HERE**.

Secretary of Energy Advisory Board

Secretary of Energy Jennifer Granholm has announced the members of the Secretary of Energy Advisory Board (SEAB). The members of the SEAB are appointed for a two-year term and represent academic institutions, nuclear security experts, labor unions, utility companies, energy equipment manufacturers, low-income consumers, and non-governmental organizations. The SEAB meets quarterly to advise the Secretary on how best to achieve the priorities of the Department, help identify emerging issues related to the DOE’s activities, and offer suggestions for improvements to its operation. For the first time ever, the SEAB is majority women. The new members will serve terms that expire on August 30, 2023.

See the full list of SEAB members by clicking **HERE**.

Clean Energy Cybersecurity Accelerator Launches

The Department of Energy (DOE) and the National Renewable Energy Lab (NREL) recently announced the launch of the Clean Energy Cybersecurity Accelerator, a technology partnership of federal experts, industry partners in the energy sector, and innovators to accelerate the development of new cybersecurity solutions for the nation’s evolving grid. The program will support efforts to modernize the grid, address cybersecurity vulnerabilities, and create a grid that will withstand the transition to a clean energy economy in the effort to reach net-zero emissions by 2050.

Click **HERE** to read more.

Administration Proposes NEPA Rule

As part of the Biden Administration’s efforts to address the climate crisis and address environmental injustice, the White House Council on Environmental Quality (CEQ) has proposed a federal rulemaking that would restore three core procedural provisions of the National Environmental Policy Act (NEPA) regulations to provide communities and decision makers with more complete information about proposed projects, their environmental and public health impacts, and their alternatives. Specifically, the proposed

rule would (1) restore the requirement that federal agencies evaluate all the relevant environmental impacts of decisions; (2) restore the full authority of agencies to work with communities to develop and analyze alternative approaches that could minimize environmental and public health costs; and (3) establish CEQ's NEPA regulations as a floor, rather than a ceiling, for the environmental review standards that federal agencies should be meeting. CEQ is inviting public comment on these proposed revisions. Two public meetings on the proposed rule will be held online on October 19, 2021 from 1:00-4:00 pm EDT and October 21 from 5:00-8:00 pm EDT.

For additional information click **HERE**.

Greening Government Initiative

On September 27 Federal Chief Sustainability Officer (FCSO) Andrew Mayock from the White House Council on Environmental Quality (CEQ) and Executive Director for Treasury Board Secretariat of Canada, Nick Xenos co-hosted the inaugural meeting for the Greening Government Initiative (GGI). According to CEQ, "more than 55 countries from Asia, Africa, the Americas, and Europe participated to learn more about GGI and hear how countries are transitioning national fleets to zero emission vehicles, electrifying and enhancing the resilience of government buildings, and establishing sustainable procurement policies." Launched by the United States and Canada in April 2021, the GGI is intended to help countries to exchange information, promote innovation and share best practices in order to green government operations and help meet Paris Agreement commitments.

Read more about the GGI by clicking **HERE**.

EPA Finalizes HFC Rule

Implementing the American Innovation and Manufacturing (AIM Act) that was enacted last year, the EPA has issued a final rule establishing a comprehensive program to cap and phase down the production and consumption of climate-damaging hydrofluorocarbons (HFCs). The final rule will phase down the U.S. production and consumption of HFCs by 85% over the next 15 years. A global HFC phasedown is expected to avoid up to 0.5° Celsius of global warming by 2100. According to EPA, the final rule sets the HFC production and consumption baseline levels from which reductions will be made, establishes an initial methodology for allocating and trading HFC allowances for 2022 and 2023, and creates a robust, agile, and innovative compliance and enforcement system.

For more on the final rule click **HERE**.

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.