

Climate Policy Update

July 18, 2023

Good afternoon!

This is Akin's newsletter on climate change policy and regulatory developments, providing information on major climate policy headlines from the past week and forthcoming climate-related events and hearings:

National

- **Mountain Valley Pipeline Turns to Supreme Court** (*E&E News*)
Last week, the Mountain Valley Pipeline developer “filed an emergency application asking the [Supreme Court] justices to undo orders from a lower court that froze the construction of the project.”
- **EPA Says Carbon Capture Is Within Reach. Utilities Aren't Biting** (*E&E News*)
Despite the Biden administration's efforts to “[boost] tax credits for companies that store carbon dioxide, [launch a] large-scale pilot, and [propose] pollution standards that would allow utilities to avoid closing some fossil fuel plants if they employ carbon capture,” utilities have yet to deploy carbon capture technology.
- **Agriculture Department to Invest \$300 Million to Measure Greenhouse Emissions** (*New York Times*)
The U.S. Department of Agriculture (USDA) is anticipated to “establish a monitoring and data collection network to measure greenhouse gas emissions and determine how much carbon can be captured using certain farming practices.”
- **Remember the Climate Solutions Caucus? It's Back** (*E&E News*)
Reps. Andrew Garbarino (R-NY) and Chrissy Houlahan (D-PA) relaunched the “House Climate Solutions Caucus under new leadership, seeking to revitalize the group first established in 2016 that has largely languished since 2018.”
- **House Republicans Propose Deep Cuts for Interior, EPA** (*E&E News*)
House GOP lawmakers rolled out their Interior-Environmental budget bill that would “approve \$25.4 billion in nondefense discretionary spending for fiscal year 2024, a significant drop of \$13.4 billion or 35 percent from enacted funding.”
- **U.S. Lawmakers Seek to Lower Biofuel Blending Compliance Costs** (*Reuters*)
A bipartisan group of lawmakers—including Sens. Chris Coons (D-DE) and Bob Casey (D-PA), as well as Reps. Brian Fitzpatrick (R-PA), Donald Norcross (D-NJ), Mary Gay Scanlon (D-PA) and Brenden Boyle (D-PA)—introduced a bill “directing the Biden administration to allow oil refiners to purchase compliance credits for U.S. biofuel blending at a lower, fixed cost compared to the open market.”

- **Leaks Can Make Natural Gas as Bad for the Climate as Coal, a Study Says** (*New York Times*)
A study slated to be published in *Environmental Research Letters* found that “natural gas, long seen as a cleaner alternative to coal and an important tool in the fight to slow global warming, can be just as harmful to the climate [...] unless companies can all but eliminate the leaks that plague its use.”

State & Local

- **Vermont Floods Show Limits of America’s Efforts to Adapt to Climate Change** (*New York Times*)
In the wake of major flooding in Vermont, climate scientists are warning that “catastrophic flooding can increasingly happen anywhere.” Moreover, heavy flood regions could “easily consume the government’s entire budget for climate resilience without solving the problem for any of them.”
- **NYC Grid Shortfall as Fossil Fuel Peakers Plan to Retire** (*Politico*)
With the independent grid operator’s anticipation of an electricity generation shortfall, New York’s “highly polluting power plants” may be prevented from retiring.

International

- **China Should Be Pressured on Climate Issues, Jake Sullivan Says** (*Politico*)
National Security Advisor Jake Sullivan argued that China “should be pressured to ‘take significant, substantial action’ in reducing emissions and fighting climate change.”
- **Kerry Vows Cooperation, Not Concessions in Climate Talks with China** (*Politico*)
Ahead of his trip to China, Special Climate Envoy John Kerry affirmed that “he will not be ‘conceding anything.’” However, Kerry noted that climate is one of many topics he is hoping to address during the visit.
- **John Kerry Hails China’s ‘Incredible Job’ on Renewables, Warns on Coal** (*Washington Post*)
On Monday, John Kerry complimented China’s ‘incredible job’ on deploying green energy, although the Special Climate Envoy urged “the world’s largest greenhouse gas emitter to stop building coal-fired power plants.”
- **EU May Update Climate Pledge to Show Faster Progress on CO2 Goals** (*Reuters*)
The European Union (EU) countries are determining “whether to update their climate pledge ahead of this year’s [Conference of Parties 28 (COP 28)] summit to show they expect to exceed their current goal for CO2 emission cuts.”

Check out below for key quotes, federal agency news and a look at the week ahead in congressional hearings and think tank events:

Quotes of the Week

“The world, I do believe, should step up and encourage, indeed, pressure China to take far more dramatic action to reduce emissions.”

– **Jake Sullivan** (*Politico*) – July 16)

Congressional Hearings (July 17 - July 21, 2023)

Senate

[To Receive a Closed Briefing on the Department of Energy's Capabilities for Artificial Intelligence](#)

Senate Energy and Natural Resources

Wednesday, July 19, 1:00 PM EDT

House of Representatives

[Climate-Risk: Are Financial Regulators Politically Independent?](#)

House Financial Services Financial Institutions and Monetary Policy Subcommittee

Tuesday, July 18, 10:00 AM EDT

[American Nuclear Energy Expansion: Updated Policies for Efficient, Predictable Licensing, and Deployment](#)

House Energy and Commerce Energy, Climate and Grid Security Subcommittee

Tuesday, July 18, 10:00 AM EDT

[Examining Emerging Threats to Electric Energy Infrastructure](#)

House Energy and Commerce

Tuesday, July 18, 2:00 PM EDT

[Securing Supply Chains: Access to Critical Minerals in the American Southwest](#)

House Natural Resources Oversight and Investigations Subcommittee

Friday, July 21, 10:00 AM EDT

Federal Agency Climate News

Department of Energy

[Biden-Harris Administration Announces \\$150 Million for States to Train Residential Energy Efficiency Contractors Through Investing in America](#) (July 17)

[Biden-Harris Administration Invests \\$32 Million to Strengthen Nation's Critical Minerals Supply Chain](#) (July 13)

White House

[Remarks by Vice President Harris on Combatting Climate Change and Building a Clean Energy Economy](#) (July 14)

Environmental Protection Agency

[Biden-Harris Administration Launches Historic \\$20 Billion in Grant Competitions to Create National Clean Financing Network as Part of Investing in America Agenda](#) (July 14)

[Biden-Harris Administration Launches Historic \\$20 Billion Competition to Catalyze Investment in Clean Energy Projects and Tackle the Climate Crisis](#)
(July 14)

Funding and Comment Opportunities

[Powering Affordable Clean Energy](#)

Department of Agriculture

Close Date: September 29, 2023

[Empowering Rural America](#)

Department of Agriculture

Close Date: August 31, 2023

[Clean Energy Demonstration Program on Current and Former Mine Land](#)

Department of Energy

Concept Papers: May 11, 2023

Close Date: August 31, 2023

[Additional Clean Hydrogen Programs – Regional Clean Hydrogen Hubs](#)

Department of Energy

Close Date: TBD

[Energy Efficiency and Conservation Block Grant Program](#)

Department of Energy

Pre-Award Information: April 28, 2023

Close Date: July 31, 2023

[Silicon Solar Manufacturing and Dual-Use Photovoltaics Incubator](#)

Department of Energy

Concept Paper: September 27, 2023

Close Date: November 14, 2023

[Greenhouse Gas Reduction Fund](#)

Environmental Protection Agency

Close Date: August 28, 2023

D.C. Climate Events

[26 Annual Congressional Renewable Energy and Energy Efficiency EXPO and Policy Forum](#)

Environmental and Energy Study Institute

Tuesday, July 18, 9:30 AM EDT

[Carbon Markets Convening](#)

Commodity Futures Trading Commission

Wednesday, July 19, 11:30 AM EDT

[Reimagining Energy Permitting for the 21st Century](#)

Information Technology and Innovation Foundation

Thursday, July 20, 12:00 PM EDT

[Funding Climate Action Planning: A Treasure Chest of New Support for State and Local Leaders in Climate Action Planning](#)

Government Executive Media Group

Tuesday, July 18, 2:00 PM EDT

[The Role of the Private Sector in Enabling the Energy Transition and Global Net Zero Goal](#)

Atlantic Council

Thursday, July 20, 3:00 PM EDT

[The National Clean Hydrogen Strategy and Roadmap](#)

United States Energy Association

Friday, July 21, 2:00 PM EDT

[EU CBAM: How Businesses Should Prepare and What It Means for Global Trade](#)

Akin

Thursday, July 27, 8:30 AM EDT

For more information, please contact your regular Akin lawyer or advisor, or:

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