

## **Energy & Sustainability Washington Updates – February 2019**

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With the longest government shutdown in U.S. history now behind us, the next hurdle for Congress and the administration is to find a way to find a compromise that both sides can accept by February 15 when the current Continuing Resolution expires. That CR is funding the various federal departments and agencies that have not yet had their full funding approved for the current fiscal year, which is already four months underway. Negotiations on a long-term spending package have begun with the Trump administration and congressional Democrats making their opening offers to resolve differences on how to address border security.

### **First Climate Change Hearings of New Congress**

As we shared in last month's update, new Democratic leadership of the House Energy & Commerce(E&C)Committee intends to focus on climate change in the new Congress, with Chairman Frank Pallone (D-NJ) planning a series of hearings. The first of those hearings is scheduled for February 6 at the Subcommittee on Environment & Climate Change and is titled "Time for Action: Addressing the Environmental and Economic Effects of Climate Change." The witness list has not yet been announced.

Also scheduled for February 6 is a hearing at the House Natural Resources Committee titled "Climate Change: Impacts and the Need to Act" with testimony from North Carolina governor Roy Cooper, Massachusetts governor Charlie Baker, Dr. Kim Cobb of the Georgia Institute of Technology, Ms. Nadia Nazir with the Youth Climate March, Ms. Elizabeth Yeampierre with the Climate Justice Alliance, and Rev. Lennox Yearwood, Jr. with The Climate Mobilization, and Paula DiPerna with CDP North America.

### **Subcommittee Leaders Named**

Chairman Pallone has also recently announced the chairs and members for the E&C subcommittees with jurisdiction over energy-related issues with Rep. Bobby Rush (D-IL) leading the Subcommittee on Energy, Rep. Paul Tonko (D-NY) leading the Subcommittee on Environment and Climate Change, and Rep. Diana DeGette (D-CO) leading the Subcommittee on Oversight and Investigations.

At the Senate Environment & Public Works Committee, Chairman John Barrasso (R-WY) has named the chairs of the subcommittees with jurisdiction over energy-related issues with Sen. Shelley Moore Capito (R-WV) leading the Subcommittee on Transportation and Oversight; Sen. Mike Braun (R-IN) leading the Subcommittee on Clean Air and Nuclear Safety; and Sen. Mike Rounds (R-SD) leading the Subcommittee on Superfund, Waste Management, and Regulatory Oversight.

## **Senate Hearing on Energy & Minerals Markets**

On February 5, the Senate Energy & Natural Resources Committee will hold a hearing to examine the outlook for energy and minerals markets. The committee will hear testimony from Dr. Linda Capuano, Administrator, U.S. Energy Information Administration; Mr. Kevin Book, Managing Director, ClearView Energy Partners, LLC; Mr. Travis Kavulla, Director of Energy and Environmental Policy, R Street Institute; Mr. Simon Moores, Managing Director, Benchmark Mineral Intelligence; and Mr. Ethan Zinder, Head of Americas, Bloomberg New Energy Finance.

## **Tax Extenders**

As the 2018 tax filing season gets underway, Congress is still considering whether to retroactively renew some of the 28 temporary tax provisions that expired at the end of 2017. This includes 13 temporary energy tax provisions that had expired at the end of 2016 and were retroactively extended in the Bipartisan Budget Act of 2018 for the 2017 tax year. Expired provisions include the credit for construction of energy-efficient new homes, the energy-efficient commercial building deduction, the credit for nonbusiness energy property, the special depreciation allowance for second-generation cellulosic biofuel plant property, the second general biofuels producer credit, the credit for alternative fuel vehicle refueling property, incentives for biodiesel and renewable diesel, the production tax credit for non-wind facilities, the alternative motor vehicle credit for qualified fuel cell vehicles, and the credit for two-wheeled plug-in electric vehicles. While a year-end tax extenders package is the most likely outcome, there is some possibility that tax extenders will be included in the Fiscal Year 2019 appropriations package that is due by February 15 in order to avoid another partial government shutdown. Should they make it into that package, it will likely be as a straight extension, while year-end action would potentially allow lawmakers to make changes to the provisions.

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