# Industry Lobbying AMID COVID-19

During the 2020 COVID-19 pandemic, various interest groups including the oil and gas industry, lobbied the Trump Administration for aid including suspended enforcement of environmental laws, royalty relief, lease suspension, and access to financing and loan programs.

Key findings:

**EPA Considered Reducing Civil Penalties and Relaxing Fine Payment Requirements.** According to E&E News, “EPA yesterday issued an internal memo that could reduce civil penalties already assessed in administrative cases, according to two sources familiar with the matter. The policy, issued by EPA's Office of Enforcement and Compliance Assurance Director Rosemarie Kelley, would also give violators an additional 60 days to pay a fine or up to three years to pay in installments — should the companies demonstrate the coronavirus pandemic caused them to lose 25% of their profits. That's on top of the time EPA originally granted the companies in the administrative settlement, the sources explained.”

**API CEO Mike Sommers: “We Expect That When We’re Through The Pandemic, That We’re Going To Go Back To The Same Regulatory Regime That We Had Before, And We Would Actually Advocate For That.”** According to The Hill, “[API CEO Mike Sommers] stated on Wednesday that some of the issues the agency advocated for were ‘mainly paperwork issues’ and said that they were ‘similar to the IRS changing Tax Day from April 15 to July 15.’ ‘These weren’t major issues that would have significant detrimental effects on the environment,’ he said. ‘We expect that when we’re through the pandemic, that we’re going to go back to the same regulatory regime that we had before, and we would actually advocate for that.’ Sommers also reiterated that the industry is not looking for a ‘bailout.’ The industry president's comments came on the same day that major oil companies like Exxon and Chevron held shareholder meetings.”

**American Loggers Council Called for Greater Access to COVID Loans.** In a May 28, 2020 press release, American Loggers Council wrote, “In order to provide assistance to both timber harvesting and timber hauling businesses, we believe that an amount of no less than $2.5 Billion should be made available to these businesses as they weather the economic and market disruptions over the next 12 months that are attributable to the Covid-19 pandemic.”

**Trump Issued Order to Ease Environmental rules on the Commercial Fishing Industry in the Midst of the Pandemic…Fishery Councils Pushed to also Lift Fishing Restrictions in Marine Monuments.** On May 22, 2020, the Honolulu Civil Beat reported that “on the heels” of Trump’s May 7 executive order to ease environmental burdens for American aquaculture and and commercial fishing industries, the Western Pacific Regional Fishery Management Council pressed for the administration to lift fishing restrictions in national marine monuments. Wespac Executive Director Kitty Simonds said, “We should take advantage of this opportunity because I don’t think it’s ever going to come again.” On June 5, the Trump Administration opened up the Northeast Canyons and Seamounts Marine National Monument to commercial fishing, a move predicted to devastate the area’s fragile and endangered marine life. According to HuffPost, experts have said opening the monument to fishing will do little to improve the lot of fishermen. HuffPost also wrote, “The Administration is using COVID-19 as cover to pursue a full-fledged assault on environmental protections.” U.S. Senator Lisa Murkowski (R-AK) also called for more fisheries funding in next round of pandemic relief package.

**Bipartisan Bill Would Lease Up to 200 Million Barrels of Unused Space in Strategic Petroleum Reserve.** According to E&E News, “A bipartisan group of Gulf Coast lawmakers introduced legislation this week to lease up to 200 million barrels of unused space in the Strategic Petroleum Reserve. The ‘Strategic Petroleum Reserve Reform Act’ — H.R. 7019 and S. 3816 — follows a push to use the nation's crude storage facilities to help the ailing oil industry… ‘As the world's largest oil and gas producer, the U.S. should continue to maximize its spare capacity at the Strategic Petroleum Reserve,’ said sponsor Sen. Bill Cassidy (R-La.).”

**Offshore and Onshore Industries Found Reasons to be Disappointed With Trump Administration COVID Response.** The offshore industry continued to be disappointed with the Trump Administration’s perceived unwillingness to issue broad royalty relief. One industry source stated, “It is clear that this administration has no interest in helping the oil and gas industry, despite President Trump's occasional tweet or kind word.” Western Energy Alliance President Kathleen Sgamma stated that onshore advocates were “very disappointed with the piecemeal, short-term approach that BLM has taken during this crisis. Times of crisis are exactly the time for a coordinated response, not a 60-day bureaucratic process that is putting the federal onshore system in jeopardy.”

## Background

**POLITICO: Oil and Gas Industry, Among Others “Looking to Hitch a Ride on the Federal Government’s Coronavirus Response.”** “Lobbyists for drone makers and hog farmers — not to mention the oil and gas industry, among others — are looking to hitch a ride on the federal government’s coronavirus response. The deluge of ‘asks,’ as K Street refers to such pleas, include policies that might help address the crisis and revive the economy. But other proposals are similar to ones the same industries have pushed for years and have only a tenuous connection to the pandemic. Even some in the influence industry are calling foul. ‘Some of the requests for aid appear opportunistic on their face while others seem truly desperate,’ the lobbyist Dave Oxner wrote in a recent note to clients.” [POLITICO, [3/16/20](https://www.politico.com/news/2020/03/16/lobbyists-coronavirus-relief-efforts-131541)]

**Energy Executive Dan Eberhart: Oil and Gas Industry Pushed the Administration for Strategic Petroleum Purchases, Faster Drilling Permits on Federal Lands, Royalty Relief and Increased Deductions for Drilling Expenses.** “Other examples abound. ‘The oil and gas industry is pushing the administration for [Strategic Petroleum Reserves] purchases, faster drilling permits on federal lands, royalty relief and increased deductions for drilling expenses,’ said Dan Eberhart, an energy executive and major Republican donor. Aside from the suggestion that the administration buy oil for the petroleum reserve as a way to help oil producers — which Trump announced he would do on Friday — the other measures have been part of the industry’s wish list for years.” [POLITICO, [3/16/20](https://www.politico.com/news/2020/03/16/lobbyists-coronavirus-relief-efforts-131541)]

* **Eberhart: “Typically, Cheaper Gasoline Prices At The Pump Is Better For Consumers, The Oil Industry Can Take A Back Seat. But Trump Now Believes That This Is Going To Cause Economic Disruption In The Red States And The Middle Of The Country, And This Is A Huge Problem.”** “Dan Eberhart, a GOP donor and CEO of Colorado-based Canary LLC, one of the largest private oil field service companies in the nation, said there has been a ‘frenzy’ of calls between industry leaders, congressional lawmakers and White House officials with the industry facing an unprecedented situation. ‘The White House very much gets it,’ said Eberhart. ‘Typically, cheaper gasoline prices at the pump is better for consumers, the oil industry can take a back seat. But Trump now believes that this is going to cause economic disruption in the red states and the middle of the country, and this is a huge problem.’” [E&E News, [4/2/20](https://www.eenews.net/energywire/2020/04/02/stories/1062763805)]

**President Trump: “Our Great Oil & Gas Industry in Under Seige…”** On March 26, 2020, Donald Trump tweeted, “Our Great Oil & Gas Industry Is Under Under Seige After Having One Of The Best Years In Recorded History. It Will Get Better Than Ever As Soon As Our Country Starts Up Again. Vital That It Does For Our National Security!” [Twitter, [3/26/20](https://twitter.com/realDonaldTrump/status/1243313399284498434)]

* **President Trump: “We Have A Tremendously Powerful Energy Industry In This Country Now. No. 1 In The World. I Don't Want Those Jobs Being Lost.”** [E&E News, [4/9/20](https://www.eenews.net/stories/1062824757)]

### White House Had Meetings and Calls with Fossil Fuel Interests Seeking Federal Aid

**Oil and Gas CEOs Expected to Attend Meeting at White House on April 3, 2020.** “President Trump is set to meet Friday with the heads of some of the largest U.S. oil companies to discuss government measures to help the industry weather an unprecedented oil crash, people familiar with the matter said. The meeting is to take place at the White House and will include Exxon Mobil Corp. Chief Executive Darren Woods, Chevron Corp. Chief Executive Mike Wirth, Occidental Petroleum Corp. Chief Executive Vicki Hollub and Harold Hamm, executive chairman of Continental Resources Inc., the people said.” [Wall Street Journal, [4/1/20](https://www.wsj.com/articles/trump-to-meet-with-oil-ceos-about-helping-industry-11585763413)]

* **Industry Executives Expected to Discuss Potential Relief Including Oil Import Tariffs and Jones Act Waiver.** “Mr. Trump and the executives are set to discuss potential aid to the industry, including tariffs on oil imports into the U.S. from Saudi Arabia, and a waiver of a law that requires American vessels be used to transport goods, including oil, between U.S. ports, according to two of the people.” [Wall Street Journal, [4/1/20](https://www.wsj.com/articles/trump-to-meet-with-oil-ceos-about-helping-industry-11585763413)]
* **Industry Executives Hoped Trump Would Understand Gravity of Situation.** “The goal is to convince Trump of the gravity of the situation in the oil industry and to encourage him to push Saudi Arabia to back off increased oil production, according to a source. The price war between top oil producers Russia and Saudi Arabia has sent prices plunging, but Trump suggested yesterday there’s an easy fix: ‘I think that they will work it out over the next few days,’ he said of the two countries. ‘It’s too simple not to be able to.’” [E&E News, [4/2/20](https://www.eenews.net/energywire/2020/04/02/stories/1062763805)]
* **Small Oil Companies Likely to Push for Aggressive Federal Action.** “Smaller U.S. shale companies, many of which are deeply in debt, are asking for aggressive federal action to halt the flow of foreign crude into the United States that is making their reserves uneconomic to tap. The outbreak of the novel coronavirus has set off a fierce price war between Saudi Arabia and Russia that has flooded the global market with oil and sent the price per barrel into free fall, down by more than 60 percent since the start of the year.” [Washington Post, [4/2/20](https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2020/04/02/the-energy-202-oil-executives-to-meet-with-trump-to-discuss-price-crash-during-coronavirus-pandemic/5e84c860602ff10d49ada596/)]
* **Large Companies May “Weather the Economic Head Winds.”** “But a larger group of more diversified oil companies, most of which can better weather the economic head winds, say they do not want the federal government to try to save their industry by constraining supply. In particular, refineries along the Gulf of Mexico do not want to lose access to the heavy foreign crude they are best suited for turning into gasoline and other fuels. ‘That is an example of a policy that can make an already bad situation worse,’ said Chet Thompson, head of the American Fuel and Petrochemical Manufacturers, which represents the U.S. refining sector. AFPM and the American Petroleum Institute penned a letter to Trump on Wednesday emphasizing that the fall in prices has more to do with downturn in demand for gasoline and other finished fuels than an oversupply of crude.” [Washington Post, [4/2/20](https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2020/04/02/the-energy-202-oil-executives-to-meet-with-trump-to-discuss-price-crash-during-coronavirus-pandemic/5e84c860602ff10d49ada596/)]
* **Oil And Gas Trade Group Source: “We Have A Massive Relief Package. We Need To Be In The Sandbox.”** “‘We have a massive relief package. We need to be in the sandbox,’ said a source at an oil and gas trade group. This may particularly be the case given the differences of opinion on various policy initiatives to assist oil and gas. The White House push to buy oil for the Strategic Petroleum Reserve, for example, may be reprised, along with requests for royalty relief (E&E Daily, March 26). The industry likely won’t present a united front. The push and pull could get ‘messy,’ the source said.” [E&E News, [4/1/20](https://www.eenews.net/energywire/2020/04/01/stories/1062754849)]

**Washington Post: “White House is Strongly Considering Pushing Federal Assistance For Oil And Natural Gas Producers Hit By Plummeting Oil Prices Amid The Coronavirus Outbreak”.**  “The White House is strongly considering pushing federal assistance for oil and natural gas producers hit by plummeting oil prices amid the coronavirus outbreak, as industry officials close to the administration clamor for help, according to four people familiar with internal deliberations. President Trump has touted the growth of oil and natural gas production under his administration, celebrating their rise in politically crucial swing states such as Pennsylvania. But many oil and gas firms were hammered Monday by the price war that broke out between Saudi Arabia and Russia, driving oil prices down in their steepest one-day drop in almost 30 years.”[The Washington Post, [3/10/20](https://www.washingtonpost.com/business/2020/03/10/trump-oil-bailout/)]

**“Trump and Advisers Have Been Taking Calls Since Monday From Concerned Energy Sector Allies…”** “Trump and advisers have been taking calls since Monday from concerned energy sector allies, who have voiced concern and at times exasperation not only about oil prices, but also privately warning against the administration supporting any sweeping paid sick leave policy, according to a major GOP donor and a White House official familiar with the discussions. These people spoke on the condition of anonymity to candidly discuss private conversations.” [The Washington Post, [3/10/20](https://www.washingtonpost.com/business/2020/03/10/trump-oil-bailout/)]

**March 11: “Lobbyists Representing the Oil and Gas Industry Met with White House Policy Staffers to Discuss Coronavirus.** “Lobbyists representing the oil and gas industry met with White House policy staffers Wednesday morning to discuss coronavirus, the state of the economy and the market, a representative for the American Petroleum Institute told CNBC. The meeting comes as the market has been roiled by fears of coronavirus and deteriorating OPEC talks. After negotiations between OPEC and Russia fell apart on Friday, OPEC’s de facto leader, Saudi Arabia, on Saturday slashed its oil prices and announced plans to increase production. This led to a selloff in oil markets and pressure on U.S. energy producers.” [CNBC, [3/11/20](https://www.cnbc.com/2020/03/11/oil-lobbyists-met-with-white-house-staffers-amid-opec-price-war-coronavirus.html)]

* **American Petroleum Institute, Which Participated in the Meeting Claimed They Lobbied Against Helping Companies Suffering from a Collapse in Crude Prices.** “The largest U.S. oil and gas trade group participated in a meeting at the White House Wednesday and lobbied against intervention by the federal government to help companies suffering from a collapse in crude prices. ‘We are not advocating for any form of policy relief at this time,’ said Bethany Aronhalt, a spokeswoman for the American Petroleum Institute, who confirmed the meeting to the Washington Examiner. ‘Our focus is on ensuring the free market works.’ Aronhalt said several member company representatives also attended the meeting with White House policy staff, but she did not disclose which ones.” [Washington Examiner, [3/11/20](https://www.washingtonexaminer.com/policy/energy/largest-oil-trade-group-lobbies-in-white-house-meeting-against-policy-relief-for-price-crash)]

### Trump Ally Harold Hamm, Chair of Shale-Driller Continental Resources, Personally Lobbied the White House and Members of Congress

**Trump Supporter and Continental Resources Founder Harold Hamm, Who is an Adviser to the President, Said He Reached Out to Administration Officials But Had Not Made “Direct” Contact.** “One of the companies hardest hit was Continental Resources, founded by Harold Hamm, a Trump supporter and an adviser to the president on energy issues. It lost more than half of its market value Monday, though it recovered about 8 percent by midday Tuesday. Hamm’s 77 percent personal stake in the company lost $2 billion of its value Monday. Hamm said in an interview Tuesday he had reached out to the administration but had not made ‘direct’ contact. He said that the administration should consider using laws on illegal dumping to prevent Russia and Saudi Arabia from slashing prices of oil sold in the United States. Hamm said the administration should consider ‘any action that the administration might take to protect and preserve American interests at this time from being unfairly disadvantaged by whatever government — and we’re talking governments here, whether it be Russia or Saudi Arabia.’” [The Washington Post, [3/10/20](https://www.washingtonpost.com/business/2020/03/10/trump-oil-bailout/)]

* **The Wall Street Journal: Hamm “Among Those Who Personally Lobbied Administration Officials and Members of Congress for the Diplomatic Push” in the Saudi-Russia Oil Price War.** “Harold Hamm, the executive chairman of shale-driller Continental Resources Inc. and the leader of the Domestic Energy Producers Alliance, was among those who personally lobbied administration officials and members of Congress for a diplomatic push, these people said. A spokeswoman for Mr. Hamm said he didn’t seek cooperation with the Saudis and didn’t know about the administration’s outreach strategy.” [The Wall Street Journal, [3/19/20](https://www.wsj.com/articles/u-s-considers-intervention-in-saudi-russia-oil-standoff-11584636054?emailToken=2a44ba5d29832b30fe16041dfc0c2b1fb28svZ8Vkc1GaP2ko+C6N+PG2H++t6pgxeG%2F1szaOPCwPjR%2F8YaQo7a2WS+rEQQMIANOGTQ1MPROFdcaXmE7KlCsMmq5qZHSCYLMnJ1rHOuFktqn3DKL8F8CApv6ELO0&reflink=article_imessage_share)]
* **Forbes: “Hamm, Having Lost Billions In The Downturn, Has Been Lobbying For A Federal Investigation Into Russian And Saudi Illegal Dumping.”** “Hamm, having lost billions in the downturn, has been lobbying for a federal investigation into Russian and Saudi illegal dumping. Treasury Secretary Steven Mnuchin suggested today that Congress should appropriate $20 billion to essentially buy 1 billion barrels of cheap oil and save it for a rainy day.” [Forbes, [3/19/20](https://www.forbes.com/sites/christopherhelman/2020/03/19/just-six-months-to-tank-tops-in-race-to-store-up-cheap-oil/#66e335947730)]

## Industry-Wide Lobbying and Handouts

### Offshore and Onshore Industry’s Grew Frustrated With Trump Administration’s Response

**Industry Source: “It Is Clear That This Administration Has No Interest In Helping The Oil And Gas Industry, Despite President Trump's Occasional Tweet Or Kind Word.”** “The lack of broad action from the administration left some in the industry embittered. "It is clear that this administration has no interest in helping the oil and gas industry, despite President Trump's occasional tweet or kind word," one industry source familiar with the push for offshore royalties said.” [E&E News, [6/2/20](https://www.eenews.net/energywire/2020/06/02/stories/1063295323?utm_medium=email&utm_source=eenews%3Aenergywire&utm_campaign=edition%2BiZ%2B%2FftFV%2B2LxUfHtN5bxJQ%3D%3D)]

**WEA President Kathleen Sgamma: “We Have Been Very Disappointed With The Piecemeal, Short-Term Approach That BLM Has Taken During This Crisis. Times Of Crisis Are Exactly The Time For A Coordinated Response, Not A 60-Day Bureaucratic Process That Is Putting The Federal Onshore System In Jeopardy.”** [E&E News, [6/2/20](https://www.eenews.net/energywire/2020/06/02/stories/1063295323?utm_medium=email&utm_source=eenews%3Aenergywire&utm_campaign=edition%2BiZ%2B%2FftFV%2B2LxUfHtN5bxJQ%3D%3D)]

### Large Oil and Gas Trade Association Hoped for Business as Usual After COVID

**API CEO Mike Sommers: “We Expect That When We’re Through The Pandemic, That We’re Going To Go Back To The Same Regulatory Regime That We Had Before, And We Would Actually Advocate For That.”** According to The Hill, “[API CEO Mike Sommers] stated on Wednesday that some of the issues the agency advocated for were “mainly paperwork issues” and said that they were “similar to the IRS changing Tax Day from April 15 to July 15.” “These weren’t major issues that would have significant detrimental effects on the environment,” he said. “We expect that when we’re through the pandemic, that we’re going to go back to the same regulatory regime that we had before, and we would actually advocate for that.” Sommers also reiterated that the industry is not looking for a “bailout.” The industry president's comments came on the same day that major oil companies like Exxon and Chevron held shareholder meetings.” [The Hill, [5/27/20](https://thehill.com/policy/energy-environment/499794-oil-lobby-says-low-prices-still-hurting-industry)]

### Industry Benefited from Money Meant for Small Businesses

**At Least $113 Million in Taxpayer Money Meant for Small Businesses Went to Fossil Fuel Industry.** “Oil and gas companies – even large ones – are not breaking any rules by taking the loans. But government oversight and environmental advocates, as well as Democratic lawmakers, are warning the payments are bad investments that will only prolong the lives of already-troubled companies, contribute to the climate crisis and eat into government assistance meant for mom-and-pop businesses and individuals. A recent review by the Guardian and the investigative research group Documented, found that at least $50m in taxpayer-backed coronavirus loans meant for small businesses have gone to the fossil fuel industry. That figure has since grown to at least $113m.” [Guardian, [5/14/20](https://www.theguardian.com/business/2020/may/14/us-oil-gas-companies-coronavirus-relief-loan-ppp)]

**Only Four of Twelve Listed Oil and Gas Companies Returned Aid Meant for Small Businesses.** “U.S. securities filings show that only four of 12 listed oil and gas companies that received emergency government aid made available for small businesses said they would return it ahead of a deadline for firms that do not need the funds to do so. The U.S. Treasury Department offered amnesty to public companies that return money they borrowed by May 18, saying it would deem they made the application in good faith due to economic uncertainty fueled by the coronavirus outbreak, before guidelines were clarified.” [Reuters, [5/19/20](https://www.reuters.com/article/us-health-coronavirus-energy-ppp/few-u-s-oil-and-gas-firms-return-small-business-covid-19-loans-idUSKBN22V1IG?il=0)]

**Oil and Mining Had Most Success Getting Paycheck Protection Program Loans.** “Almost 75% of small businesses in a survey applied for help from a federal loan program designed to keep workers employed during the coronavirus pandemic, but only 38% of small businesses received any money, according to survey results the U.S. Census Bureau released Thursday. Oil extraction and mining businesses had the best success in getting loans from the Paycheck Protection Program with more than half of businesses surveyed in that sector reporting getting some help, according to the Census Bureau’s Small Business Pulse Survey.” [Associated Press, [5/14/20](https://apnews.com/0cc2a005e3137e380c24f284cc6c9013?utm_campaign=Hot%20News&utm_source=hs_email&utm_medium=email&utm_content=88076686&_hsenc=p2ANqtz--Ql7gKkcKqNl_o2RWJfxK0x2cz0Z-2VZre2dwNoL2dgw5AG1GVZerLT0cfcXjs2jtNAuRog0YxbYI9xNUXFidvkfCBpU36Pl1t8FmUwVf7U9RZEmk&_hsmi=88076686)]

**Oil Services Company Under Investigation by SEC Received $6.8 Million Loan Meant for Small Businesses.** “An oil services firm under investigation as of this month by two federal agencies and the state of Alaska received a $6.8 million loan meant for small businesses hammered by the coronavirus pandemic. SAExploration Holdings, Inc., a Houston-based company that specializes in mapping underground pockets of oil and gas in Alaska and elsewhere, received the injection of money earlier this month from the Paycheck Protection Program, according to a filing with the Securities and Exchange Commission. It's been under investigation since last year by the SEC and Justice Department for alleged financial wrongdoing.” [Washington Post, [5/20/20](https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2020/05/20/the-energy-202-oil-services-firm-under-federal-investigation-receives-6-8-million-in-coronavirus-stimulus-funds/5ec3e028602ff165d3e3af2b/?gsBNFDNDN=undefined&utm_campaign=wp_the_energy_202&utm_campaign=c47823472a-EMAIL_CAMPAIGN_2020_05_19_08_04&utm_medium=email&utm_medium=email&utm_source=newsletter&utm_source=1500%20CWP%20List%20Daily%20Clips%20and%20Updates&wpisrc=nl_energy202)]

### Industry Stood to Benefit from Federal Reserve Programs

**At Least 90 Fossil Fuel Companies Stood to Benefit from Federal Reserve Bond Buyback Program.** “At least 90 fossil fuel companies, many of them established giants such as ExxonMobil, Chevron and Koch Industries, stand to gain from the Federal Reserve’s coronavirus bond buyback programme, alongside more than 150 utilities including coal-heavy firms such as American Electric Power and Duke Energy, according to a new analysis. The bond buyback scheme is expected to be worth at least $750bn (£605bn) altogether and to benefit thousands of companies by the end of September, and the size of the payout that could go to fossil fuels and utilities is as yet unknown. The scheme is to be discussed in the US Senate on Tuesday.” [Guardian, [5/12/20](https://www.theguardian.com/environment/2020/may/12/us-fossil-fuel-companies-coronavirus-bailout-oil-coal-fracking-giants-bond-scheme)]

**Federal Reserve Planned to Launch Main Street Lending Program by June 1.** “Federal Reserve Chair Jerome Powell said Tuesday that the Fed’s lending programs for medium-sized businesses and state and local governments would begin operating by the end of this month….The Fed’s Main Street Lending program, announced in March, will extend up to $600 billion in loans to companies with up to 15,000 employees. The Treasury has provided $75 billion to offset any losses from the loans, drawn from $454 billion that Congress provided Treasury to support Fed loans in the relief package.” [Associated Press, [5/19/20](https://apnews.com/24a64c450bc65b7aecb0d47b1f76eb6d)]

### Industry Found Trump Administration’s Response to Covid “Baffling”

**Some Oil and Gas Industry Representatives Found Interior’s Response to Covid “Baffling.”** “Louisiana's congressional delegation and other oil-friendly senators went to bat for the idea early on (E&E Daily, May 8). But while cuts have been a tool for previous administrations and support for the oil sector is a signature of President Trump's political brand, the topic has proved dead on arrival (Energywire, April 13). ‘It's baffling,’ one oilman familiar with the talks with Interior said Friday. ‘It's absolutely baffling.’” [E&E News, [5/11/20](https://www.eenews.net/energywire/2020/05/11/stories/1063101799)]

**Administration Less Willing to Grant Royalty Relief Than Past Hurricane Emergencies.** “Following Hurricane Katrina's pummeling of the Gulf Coast in August 2005 and Hurricane Rita weeks later, the Minerals Management Service — the predecessor to the Bureau of Safety and Environmental Enforcement — quickly cut the two-step application process for royalty relief down to one and delayed due dates for payment. The offshore industry has asked for something similar due to COVID-19. But experts and former officials say the Trump administration is likely reluctant to boost production due to the global glut of crude and the political tightrope of the recent price war between Saudi Arabia and Russia.” [E&E News, [5/11/20](https://www.eenews.net/energywire/2020/05/11/stories/1063101799)]

**Former BSEE Regulator: “Royalty Relief Is Typically Used To Maintain Or Increase Production. It Doesn't Appear To Be The Right Tool To Use In A Period Of Excessive Surplus — Especially When Other Countries Are Being Asked To Reduce Production.”** [E&E News, [5/11/20](https://www.eenews.net/energywire/2020/05/11/stories/1063101799)]

**No Companies Had Applied for Special Case Royalty Relief.** “BSEE has set a "high evidentiary bar" for "potentially limited relief," according to Clearview Energy Partners, a research firm in Washington that published a review paper on the guidance last week. As of Friday, no company had applied for special case royalty relief — the type identified for these circumstances — according to BSEE. The last time the agency granted a special case royalty relief request was last year, one of just two since BSEE was formed in 2011. "Not worth it," said one oil and gas operator on the condition of anonymity.” [E&E News, [5/11/20](https://www.eenews.net/energywire/2020/05/11/stories/1063101799)]

**U.S. Senator Bill Cassidy (R-LA): “At Some Point You Got To Go With The Cards You're Dealt, And If That's The Cards That Have Been Dealt To This Situation, We Just Have To Go With What He Says.”** [E&E News, [5/11/20](https://www.eenews.net/energywire/2020/05/11/stories/1063101799)]

**U.S. Senator Bill Cassidy (R-LA): “[It's] TBD In The Sense That Bernhardt Tells Me He's Doing Everything He Can.”** “He said it's too early to assess the effectiveness of BSEE's guidance intended to expedite the application process for companies seeking relief. ‘[It's] TBD in the sense that Bernhardt tells me he's doing everything he can,’ Cassidy said. ‘Industry says that they don't think it's going to be fast enough. Bernhardt says, 'Well, nobody's filed an application, but if they do I promise you I will make sure it gets through as quickly as possible.' And now, industry has begun to file applications for royalty relief. So, let's have the conversation again in four weeks.’” [E&E News, [5/11/20](https://www.eenews.net/energywire/2020/05/11/stories/1063101799)]

**Source: “If His Administration Doesn't Come To Its Senses And Grant The Broad Royalty Relief It Is Empowered To Grant, This President's Legacy Will Be This: He Sat Idly By While The Independent Oil And Gas Industry Was Irrevocably Destroyed.”** [E&E News, [5/11/20](https://www.eenews.net/energywire/2020/05/11/stories/1063101799)]

**Trump Administration Content to Let Covid Response Be Led by States.** “The Trump administration's plans to offer aid to oil companies at risk of collapsing appear to be waning now that free-fall in crude prices has stopped, according to industry officials. Instead, the administration appears to be content to let states address the fallout of the oil market meltdown that saw oil futures prices briefly sink into negative territory last month amid a glut of supply caused by the coronavirus pandemic and the market share fight between Saudi Arabia and Russia.” [Politico Pro, [5/8/20](https://subscriber.politicopro.com/article/2020/05/white-house-takes-foot-off-gas-on-oil-industry-aid-1933685)]

**Industry Official: “Why This Administration Can Stand Idly By While Entire Sections Of The Oil And Gas Industry Are Cratering Is Mystifying. I'm Glad The President Has Such A Good Relationship With The Saudis Because In A Few Years He Is Going To Be Buying A Lot Of Oil From Saudi Arabia. So Much For American Energy Dominance.”** [Politico Pro, [5/8/20](https://subscriber.politicopro.com/article/2020/05/white-house-takes-foot-off-gas-on-oil-industry-aid-1933685)]

**IPAA VP Lee Fuller: “I Don’t Know If They Haven’t Gotten Anywhere Or If They Just Haven't Gotten Far Enough. They're Working On It. I Don't Know What The Barriers Are.”** “While the industry is hopeful, it’s not yet clear whether tweaks to the Fed’s Main Street lending program will provide much help to mid-size oil and gas companies, said Lee Fuller, executive vice president of government relations with the Independent Petroleum Association of America. Gauging those results will be key for determining whether more aid is needed, he said, but there's no data since the program hasn’t yet begun. “I don’t know if they haven’t gotten anywhere or if they just haven't gotten far enough,” Fuller said. “They're working on it. I don't know what the barriers are.’” [Politico Pro, [5/8/20](https://subscriber.politicopro.com/article/2020/05/white-house-takes-foot-off-gas-on-oil-industry-aid-1933685)]

**Canary LLC CEO Dan Eberhart: “What Congress needs to do is set aside its biases and help all of America's energy companies, whether they produce oil and gas or electricity from solar and wind. These are all American jobs that are on the cutting block.”** “"Helping the oil industry preserve jobs has become a hyperpartisan issue," said Dan Eberhart, CEO of Colorado-based Canary LLC, one of the largest private oil field service companies in the nation and a Republican donor who has urged Trump to aid the industry by lifting tariffs on steel and other manufactured products that the industry uses. "What Congress needs to do is set aside its biases and help all of America's energy companies, whether they produce oil and gas or electricity from solar and wind. These are all American jobs that are on the cutting block.’” [E&E News, [5/6/20](https://www.eenews.net/eedaily/2020/05/06/stories/1063059553)]

### Federal Reserve Made Changes to Lending Program That Gave Small and Mid-Size Oil and Gas Groups Access to Financing

**Federal Reserve Lending Program Changes Would Allow Small and Mid-Size Oil Companies to Get Financing.** “Changes to a new lending program from the Federal Reserve have paved the way for the oil and gas industry to get government financing amid the pandemic. The expanded criteria to qualify for the soon-to-be Main Street Lending Program follows requests from Sen. Ted Cruz (R-Texas) and an industry group for small and mid-sized oil producers who said financing was needed to save the industry from bankruptcy. The guidelines released Thursday eased restrictions on borrowing for heavily indebted companies and also allows them to use the loans to refinance existing debts — a departure from the first set of criteria released by the board.” [The Hill, [4/30/20](https://thehill.com/policy/energy-environment/495549-feds-expanded-lending-program-opens-funding-to-oil-and-gas-industry)]

**Oil and Gas Associations Asked Federal Reserve for Lending Program Flexibility.** “Oil associations, meanwhile, have already asked the Federal Reserve for flexibility under a lending program created earlier this month to assist small and medium-size businesses affected by the pandemic. Brouillette said Mnuchin and Federal Reserve Chairman Jerome Powell have talked about the loan proposals for Treasury and Federal Reserve funds and that "Mnuchin seems supportive of both approaches." Brouillette said Mnuchin had not made a final decision, "but that's where I think he's leaning, and that's where I think he's going to go." Brouillette said he'd lend his personal and his department's support to both programs, "because I think they're both desperately needed.’” [E&E News, [4/30/20](https://www.eenews.net/energywire/2020/04/30/stories/1063007983)]

**Sen. Ted Cruz (R-TX): “Because Of These Restrictions, Small- And Medium-Sized Oil And Gas Companies, Who Desperately Need Liquidity Because Of Massive Demand Disruption Caused By COVID-19 And Foreign Oil Aggressive Overproduction And Price Discounts, Are Unable To Access The Short-Term Liquidity They Need To Avoid Bankruptcy.”** [The Hill, [4/30/20](https://thehill.com/policy/energy-environment/495549-feds-expanded-lending-program-opens-funding-to-oil-and-gas-industry)]

**IPAA: “The Federal Reserve’s Announcement Today Sends A Clear Signal To IPAA Members That The Administration Is Willing To Address Some Of Our Recommendations For Assuring That Producers Have Access To The Main Street Lending Program.”** [The Hill, [4/30/20](https://thehill.com/policy/energy-environment/495549-feds-expanded-lending-program-opens-funding-to-oil-and-gas-industry)]

**Sen. Dan Sullivan (R-AK): “Whether It’s The President Or Mnuchin Or His Team, There’s A Clear Recognition That This Sector Of The U.S. Economy Is Not Just Important For Alaska Or Oklahoma Or North Dakota Or Texas.”** “Sen. Dan Sullivan (R-Alaska) told POLITICO that the changes were “clearly a reflection on what we’ve been advocating for” to help the energy industry. “Whether it’s the president or Mnuchin or his team, there’s a clear recognition that this sector of the U.S. economy is not just important for Alaska or Oklahoma or North Dakota or Texas,” he said. “This was unequivocally the sector of the U.S. economy that drove us out of our last recession.’” [Politico, [4/30/20](https://www.politico.com/news/2020/04/30/feds-expansion-of-lending-program-sparks-oil-bailout-worries-227545)]

**Employee Cap Benefitted ConocoPhillips and Occidental Petroleum.** “Under the emergency program, the Fed will buy the majority of a four-year loan made by a bank to a business, and any losses for the government will be covered by Treasury. Thanks to the changes, companies with up to 15,000 employees or up to $5 billion in annual revenue can now qualify for those loans — up from 10,000 employees and $2.5 billion in revenue. The employee cap is most beneficial to companies like Occidental, which has more than 14,000 on its payroll, and ConocoPhillips, which employed 10,400 people, according to its annual securities filing. While not commenting directly on the program, ConocoPhillips spokesperson John Roper said in an email that the company is ‘in a pretty advantaged position compared to most of our industry peers’ having ended the first quarter ‘with about $14 billion of liquidity, including $6 billion of available revolving credit facility.’” [Politico, [4/30/20](https://www.politico.com/news/2020/04/30/feds-expansion-of-lending-program-sparks-oil-bailout-worries-227545)]

### Trump Administration Considered Loans to Oil and Gas Industry

**Trump Administration Considered Offering Two Lines of Credit to Oil and Gas Industry.** “The Trump administration is looking at offering two lines of credit to help the beleaguered oil and gas industry as it reels from historically low prices sparked by the global coronavirus pandemic. Energy Secretary Dan Brouillette outlined the plan in a call Tuesday with the North Dakota Petroleum Council (NDPC), telling producers that the administration is considering lending facilities with the Treasury Department and the Federal Reserve for loans to ‘help the industry through this pandemic.’” [E&E News, [4/30/20](https://www.eenews.net/energywire/2020/04/30/stories/1063007983)]

**Loans May Require Federal Government to Take Partial Ownership.** “No final decisions have been made, but Brouillette said he hopes for a launch "within a day or two," and President Trump said yesterday said he expects assistance to the industry "shortly." The loans would possibly require the government to take partial ownership of companies that seek a loan — as it did when it bailed out U.S. automakers in 2008 — a complication that some oil companies may not want. "We're not going to let anything happen to them," Trump said during a White House meeting. "We're working on that very hard, protecting energy and energy independence." Trump pledged that the industry was "one of the top of the list" for government assistance.” [E&E News, [4/30/20](https://www.eenews.net/energywire/2020/04/30/stories/1063007983)]

* **Trump: “Energy Has Really Helped Me Turn This Country Into The Economic Power That It's Been, And We're Not Going To Let That Go.”** [E&E News, [4/30/20](https://www.eenews.net/energywire/2020/04/30/stories/1063007983)]

**Treasury Secretary Steve Mnuchin Believed it Was a “National Security Issue” Rather Than a Bailout.** “Mnuchin, who joined Trump at yesterday's meeting with hotel, resort and restaurant executives to talk about reopening the United States, insisted that the administration is not seeking a "bailout of shareholders" but is looking to support "the national security issue." He noted that the administration is also exploring the possibility of storing additional oil. "We're in touch with lots of people around the world, and the president is determined that we protect the national security interest and the jobs," Mnuchin said. Brouillette, who said he has been talking with Mnuchin almost daily, said they had narrowed down the aid options to "what we feel are the most acute needs.’” [E&E News, [4/30/20](https://www.eenews.net/energywire/2020/04/30/stories/1063007983)]

* **Dan Brouillette: “There Are Some In The Industry Who Are More Needy, Or More In Need Of These Types Of Resources Than Others, That’s A Polite Way To Say That There's A Bunch Of Big Players That Don't Need Access To Government Capital, Because They Have Access To Other Resources.”** [E&E News, [4/30/20](https://www.eenews.net/energywire/2020/04/30/stories/1063007983)]

**Steve Mnuchin: Trump Administration Was Considering Loans to Oil and Gas Companies.** “Appearing on "Fox News Sunday," Mnuchin was pressed on whether the Trump administration would "bail out" oil companies despite critics who say that many of the problems facing the industry are of their own making. "Let me be very clear, the president has said no bailouts to any companies, whether that was airlines or oil companies. We will consider again loans to companies in a proper scenario with strategic importance, but no bailouts. No shareholder bailouts," Mnuchin said. When asked specifically whether loans to oil companies were under consideration by the Trump administration, Mnuchin added that they were. "The secretary of Energy and I are studying it, and we're looking at it," he said.” [E&E News, [4/27/20](https://www.eenews.net/energywire/2020/04/27/stories/1062981433)]

**Trump Administration Didn’t Want Regulators to Pressure Regional Banks Into Calling in Loans to Oil and Gas Industry.** “Brouillette said he's also asked Mnuchin to work with the Office of the Comptroller of the Currency to ensure that regulators do not impose "undue" pressure on smaller, regional banks to call in oil and gas industry loans. "Now is not the time to be asking the borrowers in the energy industry for additional equity, with prices being what they are," he said.” [E&E News, [4/30/20](https://www.eenews.net/energywire/2020/04/30/stories/1063007983)]

## Public Lands and DOI

### Bureau of Land Management Encouraged Drilling Through Lease Suspensions and Royalty Relief

**Bureau of Land Management Encouraged Drilling Despite Struggling Market.** “The day after oil futures went negative, Nicholas Douglas, a top-ranking national BLM official, emailed the agency’s Western state directors. This email thread, obtained by High Country News, shows the agency encouraging public-land drilling, despite the continued glut in the global market. The new policies instruct state offices to let companies apply for lease suspensions and avoid royalty payments, which are the legally mandated taxes on the revenue from resources drilled or mined on public lands. Several BLM state offices confirmed to High Country News that they are carrying out these policies.” [High Country News, [5/21/20](https://www.hcn.org/articles/south-bureau-of-land-management-ailing-oil-companies-get-a-pass-on-royalties)]

**Guidance Was Written Without BLM Experts.** “Guidance documents of this sort often go through something called the “Instructional Memorandum” process, which, according to the agency website, exists for “new policy or procedures that must reach BLM employees quickly, interpret existing policies or provide one-time instructions.” The process includes reviews from agency experts — lawyers, engineers and regulatory officials — who are consulted to make sure the documents track with federal law and agency regulations. According to the employee, this process was only partially followed for the lease suspension guidance and was skipped altogether for the royalty tax policy. “The guidance was written at the highest levels of the BLM Washington Office (or DOI) without consultation from the usual BLM experts,” the employee wrote to High Country News. “The guidance was not reviewed internally by BLM personnel who would be implementing it and was definitely not checked to make sure it conforms to regulation. This is highly unusual.”” [High Country News, [5/21/20](https://www.hcn.org/articles/south-bureau-of-land-management-ailing-oil-companies-get-a-pass-on-royalties)]

**Internal Memo Provided Legal Justification of Lease Suspensions; National BLM Suggested That Diller Set Their Own Royalty Rates.** “An internal memo drafted by agency lawyers and obtained by High Country News, was sent to acting BLM Deputy Assistant Director Mitch Leverette on April 16. The document provided legal backing for the lease suspensions, stating that the pandemic justifies the suspension of drilling operations or production under the lease. “Operators are shutting in producing wells because they cannot travel to well sites or work together at close quarters due to the public health risks and government constraints associated with the coronavirus pandemic or that personnel or service contractors are not available,” the memo read. But no equivalent memo was produced for the royalty rate relief or shared with agency staff, according to the BLM employee. In the document emailed to state directors, the national BLM directs state offices to let oil and gas operators set their own royalty rates, suggesting 0.5% rather than the standard rate of 12.5%. Federal royalty rates are calculated based on the price of the commodity, meaning that, since oil prices are low, active drillers on public land are already getting a reduction.” [High Country News, [5/21/20](https://www.hcn.org/articles/south-bureau-of-land-management-ailing-oil-companies-get-a-pass-on-royalties)]

### Interior Department Sent Proposal to White House Aimed At Reducing Uncertainty Around Royalty Payments

**Interior Department Sent Proposal to White House Aimed At Reducing Uncertainty Around Royalty Payments.** “The Interior Department's Office of Natural Resources Revenue may soon release a rule the oil industry hopes will ease uncertainties surrounding royalty payments amid the coronavirus pandemic. The regulation — "ONRR Reporting and Royalty Payment Delay Related to Coronavirus Disease 2019 (COVID-19)" — was filed with the White House regulatory office a day after President Trump directed his agency chiefs to look for rules and regulations that impede the economy, and suspend or waive them during the pandemic (Greenwire, May 20).” [E&E News, [5/22/20](https://www.eenews.net/greenwire/2020/05/22/stories/1063205187)]

**Natural Resources Office Refused to Comment.** “It's unclear whether the rulemaking is directly related to the executive order. The White House Office of Information and Regulatory Affairs declined to comment on matters under review. According to the office's online database, the Interior plan is in the final rule stage and there have been no stakeholder meetings on it. The rule does not appear on ONRR's website, and the office declined to comment.” [E&E News, [5/22/20](https://www.eenews.net/greenwire/2020/05/22/stories/1063205187)]

**Former BLM Staffer Believed Proposal Would Delay Royalty Payments.** “Kit Muller, a former Bureau of Land Management staffer, thought the proposal was a move toward delaying royalty payments, though he noted the operator would still have to pay the full amount in the future. "It's my impression that some of the states are allowing operators to temporarily shut-in wells on state trust lands, thereby permitting them to delay both production and royalty payments to the states," he wrote via email.” [E&E News, [5/22/20](https://www.eenews.net/greenwire/2020/05/22/stories/1063205187)]

**WEA President Kathleen Sgamma Hoped It Removed “Some Of The Needless Complexities And Uncertainties Of Interpretation [From A 2016 Rule].”** [E&E News, [5/22/20](https://www.eenews.net/greenwire/2020/05/22/stories/1063205187)]

**Heritage Foundation Energy Expert Nick Loris: “On One Hand, You Don't Want To Help Out The Least Economically Viable Wells As The Expense Of Their Competitors. But There's Also A Case To Be Made That If Prices Continue To Rebound In The Next 60 Days, And The Rate Reduction Saves Certain Producers From Shutting In Wells, BLM's Action Will Actually Generate More Revenue For The Federal And State Governments Because The Well Will Be Operating For A Much Longer Period Of Time.”** [E&E News, [5/22/20](https://www.eenews.net/greenwire/2020/05/22/stories/1063205187)]

### Offshore Industry Unsatisfied With Administration’s Royalty Relief Process

**Offshore Industry Unsatisfied With Royalty Relief Process.** “The lobbying effort comes after the White House declined last month to offer blanket royalty relief to all offshore oil producers. Instead, the Trump administration said it would consider granting relief on a case-by-case basis and encouraged companies for apply for a break through existing royalty relief programs. But offshore drillers say there are too many hoops they need to jump through to secure a much-needed pause on payments. Companies producing oil and gas on federal lands, by contrast, are having an easier time getting royalty relief, they say.” [Washington Post, [5/22/20](https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2020/05/22/the-energy-202-offshore-oil-producers-say-trump-administration-s-coronavirus-response-falls-flat/5ec6d24b88e0fa67270029d7/)]

**Louisiana Mid-Continent Oil And Gas Association President: “I Do Think That There Is A Lack Of Satisfaction [With Relief Efforts].”** ““I do think that there is a lack of satisfaction” with relief efforts, said Tyler Gray, president and general counsel of the Louisiana Mid-Continent Oil and Gas Association, a trade group for the oil and gas industry in Louisiana and the Gulf of Mexico. Given the hurdles, only four offshore producers have begun the process of applying for royalty relief, according to the Interior Department, which manages both on- and offshore oil and gas leasing. None have yet received it.” [Washington Post, [5/22/20](https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2020/05/22/the-energy-202-offshore-oil-producers-say-trump-administration-s-coronavirus-response-falls-flat/5ec6d24b88e0fa67270029d7/)]

**NOIA Lobbyist Believed Guidance on Which Wells Qualified for Relief Was Too Narrow.** “Only money-losing wells that would turn a profit if they got a break on payments can qualify for relief, according to guidance from the Bureau of Safety and Environmental Enforcement, an Interior Department agency that manages offshore drilling. But the agency is too restrictive in what counts as a cost for a particular well, lobbyist Erik Milito wrote in a letter sent Monday to the agency. Milito heads the National Ocean Industries Association, which represents offshore energy producers. Income taxes, certain capital costs and payroll for most corporate support staff, for example, cannot be included in the revenue-minus-cost equation that determines whether a well is running at a loss.” [Washington Post, [5/22/20](https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2020/05/22/the-energy-202-offshore-oil-producers-say-trump-administration-s-coronavirus-response-falls-flat/5ec6d24b88e0fa67270029d7/)]

**NOIA Lobbyist Erik Milito: “[Relief Program] Will Fail Along With Many Of The Leases Operated By Offshore Oil And Gas Companies, Stranding Oil And Gas — Likely Forever [Without Modifications].”** [Washington Post, [5/22/20](https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2020/05/22/the-energy-202-offshore-oil-producers-say-trump-administration-s-coronavirus-response-falls-flat/5ec6d24b88e0fa67270029d7/)]

### Bureau of Land Management “Deluged” by Oil and Gas Industry Requests to Reduce Royalty Payments or Suspend Oil Leases

**Bureau of Land Management “Deluged” by More Than 1,000 Oil and Gas Industry Requests to Reduce Royalty Payments or Suspend Oil Leases.”** “The Bureau of Land Management has been deluged by oil and gas industry requests for cutting royalty payments or suspending oil leases, according to interviews with industry sources, Interior Department documents reviewed by E&E News and advocacy groups tracking applications for coronavirus-related relief. The few dozen requests visible in BLM's public database don't account for hundreds more that have been made in recent weeks, as oil and gas operators warn they may have to shut in wells due to historically low oil prices. In all, more than 1,000 applications for royalty relief or lease suspensions have flooded Western BLM state offices following Interior guidance last month that promised rapid processing during the COVID-19 pandemic, according to the documents.” [E&E News, [5/20/20](https://www.eenews.net/energywire/2020/05/20/stories/1063185335)]

* **Western Energy Alliance President Kathleen Sgamma: “Restarting A Shut-In Well Takes Several Hundreds Of Thousands Of Dollars On Average, And Royalty Relief Can Provide A Temporary Solution For Those Lower Producing Wells That Would Be Uneconomic To Bring Back Online. Wells Usually Last For Decades, So Abandoning A Well And The Millions Of Dollars Of Investment That Went Into It Because Of Temporary Economic Conditions Would Be Simply Wasteful.”** [E&E News, [5/20/20](https://www.eenews.net/energywire/2020/05/20/stories/1063185335)]

**Bureau of Land Management Approved All 76 Petitions to Cut Royalty Rates in Utah.** “The Trump administration has granted at least 76 petitions to cut royalty payments for oil and natural gas produced on public land in Utah -- a move condemned by critics as encouraging production the market doesn’t need. The Bureau of Land Management approved all 76 petitions it received for leases in Utah since May 1, according to an online government database. The approvals temporarily lower royalty rates so that oil companies can pay the federal government as little as 2.5% the value of oil and natural gas extracted from the tracts, instead of the usual 12.5% rate.” [Bloomberg, [5/19/20](https://www.bloomberg.com/news/articles/2020-05-20/u-s-cuts-royalty-payments-for-drillers-on-federal-land-in-utah?utm_source=1500+CWP+List+Daily+Clips+and+Updates&utm_campaign=c47823472a-EMAIL_CAMPAIGN_2020_05_19_08_04&utm_medium=email&utm_term=0_4369a4e737-c47823472a-84231621)]

### Bureau of Land Management Made Hundreds of Thousands of Acres Available for Lease Sales in the West

**Bureau of Land Management Made Hundreds of Thousands of Acres Available for Lease Sales in the West.** “The Trump administration is staying the course on leasing out massive swathes of the West to oil and gas companies despite the coronavirus pandemic’s devastating blow to the sector. This week, the Bureau of Land Management is putting more than 45,000 acres up for grabs in New Mexico and Texas. And in the coming weeks, the White House is leasing out nearly 200,000 more acres across Utah, Nevada, Wyoming, and Colorado. The lease sales are one front in the administration’s alliance with oil and gas companies.” [National Journal, [5/18/18](https://www.nationaljournal.com/s/706884/trump-tees-up-oil-and-gas-leasing-despite-industry-turmoil)]

* **Western Energy Alliance President Kathleen Sgamma: “There’s No Reason That These Can’t Go Forward. Will The Revenue From The Lease Sales Be Less Than It Would In Normal Times? Probably.”** [National Journal, [5/18/18](https://www.nationaljournal.com/s/706884/trump-tees-up-oil-and-gas-leasing-despite-industry-turmoil)]

### Industry Was Frustrated with Interior Department’s Unwillingness to Issue Broad Royalty Relief

**Industry Saw Little Clarity in Trump Administration Royalty Relief Program.** “The Trump administration's guidance for how offshore oil and gas operators can seek royalty relief during the pandemic adds little clarity to a thorny political topic, industry sources say. The Interior Department's offshore regulatory agency, the Bureau of Safety and Environmental Enforcement, ‘anticipates approving’ oil and gas operators' requests for coronavirus-related royalty relief if they meet certain criteria, according to guidance documents released yesterday and obtained by E&E News. But those criteria largely exist already, and the underlying authority is spelled out in federal law.” [E&E News, [5/1/20](https://www.eenews.net/greenwire/2020/05/01/stories/1063021927)]

**Industry Hoped Interior Secretary Bernhardt Would Directly Intervene to Speed Relief.** “Industry advocates had hoped for more details on how the process would be expedited. Royalty relief mechanisms for offshore operators can take months to years to complete, according to industry. The guidance has frustrated expectations that Interior Secretary David Bernhardt would directly intervene and provide relief. ‘Ultimately, you've got a political problem,’ one source close to the industry discussion said.” [E&E News, [5/1/20](https://www.eenews.net/greenwire/2020/05/01/stories/1063021927)]

**Democratic Senators Wrote Letter to Interior Opposing Royalty Relief.** “But the issue is a non-starter across the aisle, where royalty relief is seen as a bailout to fossil fuels. ‘We adamantly oppose any plans to eliminate oil and gas operators' royalty obligations,’ a suite of senators led by Sen. Tom Udall (D-N.M.) wrote in a letter to Interior today. The letter — to be signed by Democratic Sens. Ed Markey of Massachusetts and Cory Booker of New Jersey, among others — said royalty relief would siphon important funding from states and, if granted, should coincide with a production moratorium ‘to counteract the oversupply of oil and gas reserves.’” [E&E News, [5/1/20](https://www.eenews.net/greenwire/2020/05/01/stories/1063021927)]

**Bernhardt Has Reportedly Been Unwilling to Operate Outside Standard Royalty Relief Mechanisms.** “Senate staffers following the issue declined to comment on the BSEE guidance, which they are currently reviewing. Sources say Bernhardt has not been favorable to blanket royalty cuts and has repeatedly encouraged operators to use existing mechanisms for royalty relief, promising to expedite requests.” [E&E News, [5/1/20](https://www.eenews.net/greenwire/2020/05/01/stories/1063021927)]

* **API Believed Interior Had “Broad Authority” to Cut Royalties.** “Lem Smith, vice president of upstream policy and industry operations at the American Petroleum Institute, said in an email that Interior had ‘broad authority’ to cut royalties under certain criteria.” [E&E News, [5/1/20](https://www.eenews.net/greenwire/2020/05/01/stories/1063021927)]
* **API VP Lem Smith: “Their Authority Has Traditionally Been Pursued By Operators On A Case-By-Case Basis, Which Appears To Remain The Current Preference Of The Department Of Interior. API Has Long Favored That Any Regulatory Process — Including One For Royalty Relief — Be Equitable, Transparent And Easily Understood.”** [E&E News, [5/1/20](https://www.eenews.net/greenwire/2020/05/01/stories/1063021927)]
* **Industry Source: “The Sense Of Urgency With The Administration On Assisting The Oil And Gas Industry Is Nonexistent. This Administration Stands Idly By While Large Swaths Of The Industry Are On The Brink Of Failure.”** [E&E News, [5/1/20](https://www.eenews.net/greenwire/2020/05/01/stories/1063021927)]
* **Industry Source: “We Don't Need Democrats On This Given Existing Authority. We Need President Trump. This Is An Essential Part Of His Coalition, People Up And Down The Gulf Coast That Support This Industry.”** [E&E News, [5/1/20](https://www.eenews.net/greenwire/2020/05/01/stories/1063021927)]

**BLM Guidance Laid Out Method for Applying for Royalty Relief.** “The BLM guidance, obtained by E&E News and circulated among operators last week, encourages producers to apply for either a suspension of federal leases or a reduced royalty rate from the existing 12.5% of fair market value. Not dissimilar to existing protocols for relief, the guidance lays out instructions for how to apply for relief and what data to include to prove well economics are impaired by the COVID-19 oil crisis. The guidance backs up the Interior Department's stance in recent weeks that operators must apply on a case-by-case basis for reductions in royalties owed to the U.S. government.” [E&E News, [4/27/20](https://www.eenews.net/eenewspm/2020/04/27/stories/1062988129)]

**BLM Had Five Days to Review Applications.** “BLM has five days to review and make decisions on each application, according to the guidance. The tight time frame is a sticking point for Don Simpson, vice president of the Public Lands Foundation and the BLM state director for Wyoming from 2009 to 2014. The guidance is a "reasonable attempt" to aid industry and keep oil and gas resources from being stranded, he said. But it's going to be difficult for staff to pull off. Simpson said that BLM offices could face a flood of applications — potentially in the thousands for a state like Wyoming — and that it would be unlikely applications would receive more than a cursory review in just five days.” [E&E News, [4/27/20](https://www.eenews.net/eenewspm/2020/04/27/stories/1062988129)]

**WEA President Kathleen Sgamma: “This Is Not What We've Been Looking For. BLM Is Going To Be Inundated With Case-By-Case Requests.”** “Kathleen Sgamma, executive director of the Western Energy Alliance, said in an email the guidance was more of a reminder of how to apply for aid rather than comprehensive assistance to industry. "This is not what we've been looking for," she said. "BLM is going to be inundated with case-by-case requests." The oil and gas sector needs "comprehensive policy" change right now rather than the "disjointed" approach currently espoused by Interior, she said.” [E&E News, [4/27/20](https://www.eenews.net/eenewspm/2020/04/27/stories/1062988129)]

## Commercial Fishing and Marine Monuments

### Trump Issued May 7 Order to Ease Environmental rules on the Commercial Fishing Industry in the Midst of the Pandemic…Fishery Councils then Pressed the Administration to also Lift Fishing Restrictions in Marine Monuments

**The Western Pacific Regional Fishery Management Council Pressed the Trump Administration to Lift Fishing Restrictions in Marine Monuments as Part of Environmental Rules Eased Due to the Pandemic.** “The Western Pacific Regional Fishery Management Council is once again pressing the Trump administration to lift fishing restrictions in national marine monuments, including Papahanaumokuakea, which was expanded in 2016 by President Barack Obama. The council’s latest push comes on the heels of an executive order President Donald Trump signed on May 7 that’s meant to slash federal regulations and ease environmental burdens on American aquaculture and commercial fishing industries in the midst of the global coronavirus pandemic. In an opinion piece for the Wall Street Journal, two of Trump’s top advisors, Joe Grogan and Peter Navarro, said the president’s new order would ‘help reduce pain in the grocery checkout line — and also strengthen U.S. food production against foreign competition.’” [Honolulu Civil Beat, [5/22/20](https://www.civilbeat.org/2020/05/hawaii-fish-council-urges-trump-to-open-marine-monuments-to-fishing/)]

* **A Provision in Trump’s Order Called on the U.S.’s Eight Regional Fishery Management Councils to Submit a List of Recommended Actions to Reduce Burdens on Domestic Fishing.** “A provision in Trump’s order calls on the nation’s eight regional fishery management councils to submit ‘a prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries.’ The management councils, which were created by Congress in 1976, govern the fishing seasons and quotas of some of the U.S.’ most lucrative fisheries, from crabs, scallops and lobster to salmon, shrimp and tuna.” [Honolulu Civil Beat, [5/22/20](https://www.civilbeat.org/2020/05/hawaii-fish-council-urges-trump-to-open-marine-monuments-to-fishing/)]
* **Less Than 24 Hours After Trump’s May 7 Order, Wespac Made Its First Pitch to Trump to Open Up Commercial Fishing in the Pacific Marine Monuments.** “Trump’s order gave each council 180 days to submit recommendations to the Secretary of Commerce. In less than 24 hours Wespac made its first pitch to the president to open up commercial fishing in the Pacific marine monuments, which provide critical habitat to a number of sensitive species, including coral, Hawaiian monk seals and at least two species of endangered sea turtles.” [Honolulu Civil Beat, [5/22/20](https://www.civilbeat.org/2020/05/hawaii-fish-council-urges-trump-to-open-marine-monuments-to-fishing/)]
* **Wespac Executive Director Kitty Simonds: “We should take advantage of this opportunity because I don’t think it’s ever going to come again.”** “‘We should take advantage of this opportunity because I don’t think it’s ever going to come again,’ Wespac Executive Director Kitty Simonds said in an interview with Civil Beat. ‘This is where we’re coming from and this is what we support. We’re the sustainable fisheries people. We have a lot of knowledge and we believe that our fishing doesn’t harm the critters up there.’ In a May 8 letter, Simonds and Wespac Chairman Archie Taotasi Soliai applauded Trump’s May 7 executive order and urged him to remove barriers to commercial fishing in the marine monuments. They said the restrictions were “unnecessary as they have not proven conservation benefit” and particularly harmful to Pacific tuna fishermen and a StarKist tuna cannery in American Samoa.” [Honolulu Civil Beat, [5/22/20](https://www.civilbeat.org/2020/05/hawaii-fish-council-urges-trump-to-open-marine-monuments-to-fishing/)]

**Assistant Administrator for NOAA Fisheries Chris Oliver Pointed to the CARES Act as an Opportunity to Regain Some of the Economic Losses Caused by the Pandemic.** “Chris Oliver, the Trump administration’s assistant administrator for NOAA Fisheries, pointed to the CARES Act and a May 7 presidential executive order seeking to slash regulations and reduce environmental burdens on commercial fishermen and aquaculture as an opportunity to regain some of the economic drive that’s been lost to the coronavirus. He also noted that the pandemic has cut down on scientific research and fishery surveys. ‘I think our immediate priorities have largely been determined for us,’ Oliver said. ‘We’re starting to think more about how we come out of this in terms of regaining the economics of our fisheries and supporting a new normal where seafood plays an even bigger role in our economy.’”

**Honolulu Civil Beat: The Pandemic Has Heightened Fishery Councils’ Desire for the Seafood Industry to be Placed on a Similar Plane as Agriculture, as the Outbreak Has Exposed Supply Chain Vulnerabilities.** “The pandemic has heightened the fishery councils’ desire for the seafood industry to be placed on a similar plane as agriculture, especially as the outbreak exposes serious vulnerabilities in the global supply chain.” [Honolulu Civil Beat, [5/29/20](https://www.civilbeat.org/2020/05/fish-councils-look-for-ways-to-bounce-back-from-pandemic/)]

### U.S. Senator Lisa Murkowski (R-AK) Wanted More Fisheries Funding in Next Round of Pandemic Relief Legislation

**U.S. Senator Lisa Murkowski (R-AK) Wanted More Fisheries Funding in Next Round of Pandemic Relief Legislation.** “Additional money could be on the way for the fishing industry. Senator Lisa Murkowski said that she is working to add more fisheries funding in the next round of pandemic relief legislation. ‘As we think about the impact to our fisheries, $50 million is not going to be sufficient to address the need,’ she said. ‘I have been working with colleagues to urge us in this next round of relief to include $1 billion in fishery assistance funds.’ Murkowski also wants to change language in the second rollout of funding to help individual fishermen access the Paycheck Protection Program. She says the original PPP did not accommodate fishing wages and crew payroll expenses.” [Alaska Public Media, [6/2/20](https://www.alaskapublic.org/2020/06/02/sen-murkowski-pushes-for-an-additional-1-billion-in-federal-fisheries-relief-funds/)]

* **U.S. Senator Lisa Murkowski (R-AK): “The PPP Really Didn’t Account For The Fact That So Many Of Our Businesses In Alaska Are Seasonal. When You Think About The Fisheries In Bristol Bay That’s Certainly A Seasonal Business. It’s The Very Definition Of It. And So We’ve Been Successful In Changing The Definition, But Now We’re Working With Treasury To Allow For When Those Funds Need To Be Paid Out.”** [Alaska Public Media, [6/2/20](https://www.alaskapublic.org/2020/06/02/sen-murkowski-pushes-for-an-additional-1-billion-in-federal-fisheries-relief-funds/)]

### On June 5, the Trump Administration Opened up a New England Marine Monument to Commercial Fishing, a move Predicted to Devastate the Area’s Fragile and Endangered Marine Life

**June 5, 2020: Trump Signed Order Opening up Northeast Canyons and Seamounts Marine National Monument to Commercial Fishing… the Monument is Critical for Fragile Marine Life.** “President Donald Trump rolled back protections Friday at a marine conservation area off the New England coast, signing an order to allow commercial fishing in a stretch of water environmentalists say is critical for endangered right whales and other fragile marine life. ‘We are reopening the Northeast Canyons to commercial fishing,’ Trump told a roundtable meeting with fishing industry representatives and Maine officials. ‘We’re opening it today.’ The Northeast Canyons and Seamounts Marine National Monument off the New England coast, created by former President Barack Obama, was the first national marine monument in the Atlantic Ocean, and one of just five marine monuments nationwide.” [Associated Press, [6/05/20](https://www.washingtonpost.com/business/trump-moves-to-allow-commercial-fishing-in-conservation-area/2020/06/05/91a488ca-a75b-11ea-898e-b21b9a83f792_story.html)]

* **Associated Press: The Conservation Area Contains Vulnerable Marine Species.** “The conservation area comprises 5,000 square miles (8,000 square kilometers) east of Cape Cod, which contains vulnerable species of marine, such as fragile deep sea corals and endangered right whales, which number only about 400. The whales are susceptible to ship strikes and entanglements in fishing gear.” [Associated Press, [6/05/20](https://www.washingtonpost.com/business/trump-moves-to-allow-commercial-fishing-in-conservation-area/2020/06/05/91a488ca-a75b-11ea-898e-b21b9a83f792_story.html)]
* **Center for Biological Diversity’s Kristen Monsell: Trump’s Decision Will Devastate Protections for the Underwater World Along that Conservation Area, Threatening the End for Right Whales and Other Endangered Marine Life.** “Trump’s decision will devastate protections for the underwater world along that stretch of New England, and threatens the end for right whales and other endangered marine animals, said Kristen Monsell, a senior attorney for the Center for Biological Diversity environmental group. ‘Gutting these safeguards attacks the very idea of marine monuments,’ she said.” [Associated Press, [6/05/20](https://www.washingtonpost.com/business/trump-moves-to-allow-commercial-fishing-in-conservation-area/2020/06/05/91a488ca-a75b-11ea-898e-b21b9a83f792_story.html)]
* **Huffington Post: Experts Say Opening the Monument to Fishing Will Do Little to Improve the Lot of Fishermen.** “Experts say opening the Northeast Canyons and Seamounts monument to fishing will do little to improve the lot of fishermen, whose industry has contracted over the past few decades as the Gulf of Maine ― which stretches 36,000 square miles from Massachusetts to Nova Scotia, Canada ― is warming faster than almost any other body of water on Earth. At an average increase of 0.11 degrees Fahrenheit per year over the past three decades, Gulf of Maine temperatures are surging more rapidly than those in 99% of global oceans.” [Huffington Post, [6/05/20](https://www.huffpost.com/entry/marine-monument-commercial-fishing-trump_n_5eda67f7c5b6ff96049fb0b5)]

**Huffington Post: “The Administration is Using COVID-19 as Cover to Pursue a Full-Fledged Assault on Environmental Protections.”** [Huffington Post, [6/05/20](https://www.huffpost.com/entry/marine-monument-commercial-fishing-trump_n_5eda67f7c5b6ff96049fb0b5)]

* **Huffington Post: “[T]he Administration Has Had Its Eye on Northeast Canyons and Seamounts and Other Marine Protected Sites Since Trump Took Office.”** “Amid the COVID-19 pandemic, the Trump administration has engaged in a frenzy of environmental rollbacks that it says are meant to jumpstart the struggling U.S. economy. But the administration has had its eyes on Northeast Canyons and Seamounts and other marine protected sites since Trump took office, part of its broader review of more than two dozen national monument designations and expansions made under the Antiquities Act of 1906.” [Huffington Post, [6/05/20](https://www.huffpost.com/entry/marine-monument-commercial-fishing-trump_n_5eda67f7c5b6ff96049fb0b5)]

## Enforcement Suspension

### GOP Senators Sent a Letter Urging Trump to “Sunset all” of the Federal Rules Waived During the Pandemic…One Day Later Trump Issued Order Waiving Requirements under a Suite of Environmental Laws

**June 3, 2020: GOP Senators Sent Letter Urging the Trump Administration to “Sunset All” Federal Rules Waived During the Coronavirus Pandemic.** “Five Republican senators urged the Trump administration to ‘sunset all’ federal rules waived during the coronavirus pandemic and bump them back to the beginning of the federal rulemaking process. In a two-page letter to sent Wednesday to Russell Vought, the acting head of the White House budget office, the GOP senators criticize regulations broadly as ‘burdens,’ arguing that the pandemic has made clear the financial damage of federal rules. Sens. Mike Lee, R-Utah; David Perdue, R-Ga.; Kelly Loeffler, R-Ga.; Thom Tillis, R-N.C.; and Marsha Blackburn, R-Tenn., signed the letter. The members’ appeal comes weeks after President Donald Trump issued a sweeping executive order that directed federal agencies to find regulations that ‘may inhibit economic recovery’ and cut, waive or change them. Both Trump and the senators seized on the idea of cutting or weakening regulations to boost the economy.” [Roll Call, [6/04/20](https://www.rollcall.com/2020/06/04/gop-senators-sunset-all-rules-waived-during-the-pandemic/)]

**June 4, 2020: Trump Signed Executive Order Waiving Requirements for a Suite of Environmental Laws, Claiming the Move Would Boost the Economy Amid the Coronavirus Pandemic.** “President Trump signed an executive order Thursday evening that would waive requirements under a suite of environmental laws, a move the administration says will boost the economy amid the coronavirus pandemic. The new order expedites the permitting of construction projects and energy projects overseen by several federal agencies, using emergency authorities to skirt environmental regulations with little public notice. ‘From the beginning of my Administration, I have focused on reforming and streamlining an outdated regulatory system that has held back our economy with needless paperwork and costly delays,’ Trump wrote in the order.” [The Hill, [6/04/20](https://thehill.com/policy/energy-environment/501258-trump-signs-order-removing-environmental-review-for-major-projects)]

* **Trump’s Executive Order Would Slash the Requirements in Landmark Environmental Laws, Including the Endangered Species Act, the Clean Water Act, and the National Environmental Policy Act (NEPA).** “The order would slash the requirements in a number of landmark environmental laws, including the Endangered Species Act, the Clean Water Act and National Environmental Policy Act (NEPA), which requires rigorous environmental review before building new infrastructure like highways or pipelines.” [The Hill, [6/04/20](https://thehill.com/policy/energy-environment/501258-trump-signs-order-removing-environmental-review-for-major-projects)]
* **NYT: Trumps Order, Coupled with EPA’s New Proposal to Restrict Air Pollution Controls, Signaled Trump’s Intent to “Speed up His Efforts to Dismantle Environmental Regulations” as the Nation Battles the Coronavirus.** “The Trump administration, in twin actions to curb environmental regulations, moved on Thursday to temporarily speed the construction of energy projects and to permanently weaken federal authority to issue stringent clean air and climate change rules. President Trump signed an executive order that calls on agencies to waive required environmental reviews of infrastructure projects to be built during the pandemic-driven economic crisis. At the same time, the Environmental Protection Agency has proposed a new rule that changes the way the agency uses cost-benefit analyses to enact Clean Air Act regulations, effectively limiting the strength of future air pollution controls. Together, the actions signal that Mr. Trump intends to speed up his efforts to dismantle environmental regulations as the nation battles the coronavirus and a wave of unrest protesting the deaths of black Americans in Georgia, Minnesota and Kentucky.” [The New York Times, [6/04/20](https://www.nytimes.com/2020/06/04/climate/trump-environment-coronavirus.html)]
* **Trump Claimed Regulatory Delays Would Continue to Keep Millions Out of Work.** “Citing more than 41 million people out of work because of Covid-19, Mr. Trump said ‘Without intervention, the United States faces the likelihood of a potentially protracted economic recovery with persistent high unemployment.’ He said the need for his administration’s deregulatory agenda was ‘all the more acute now’ and claimed regulatory delays would continue to keep millions of Americans out of work. The order calls on the secretaries of the Transportation Department, the Department of Agriculture, the Department of the Interior, the Defense Department and the head of the Army Corps of Engineers, to ‘use all relevant emergency and other authorities’ to expedite infrastructure projects.” [The New York Times, [6/04/20](https://www.nytimes.com/2020/06/04/climate/trump-environment-coronavirus.html)]

### Trump’s June 4 Order, which Specifically Targeted NEPA and the Endangered Species Act was Praised by Industry Groups Though Some Industry Representatives are Reportedly Wary of the Order.

**Trump’s Executive Order Specifically Waived Requirements Under the Endangered Species Act and the National Environmental Policy Act.** “President Trump signed an executive order Thursday instructing agencies to waive long-standing environmental laws to speed up federal approval for new mines, highways, pipelines and other projects given the current economic ‘emergency.’ Declaring an economic emergency lets the president invoke a section of federal law allowing ‘action with significant environmental impact’ without observing normal requirements imposed by laws such as the Endangered Species Act and the National Environmental Policy Act. These laws require agencies to solicit public input on proposed projects and analyze in detail how federal decisions could harm the environment. In the order, the president said setting aside these requirements would help the nation recover from the economic losses it has suffered since the outbreak of the coronavirus: ‘Unnecessary regulatory delays will deny our citizens opportunities for jobs and economic security, keeping millions of Americans out of work and hindering our economic recovery from the national emergency.’” [The Washington Post, [6/04/20](https://www.washingtonpost.com/climate-environment/2020/06/04/trump-sign-order-waive-environmental-reviews-key-projects/#:~:text=President%20Trump%20signed%20an%20executive,the%20current%20economic%20%E2%80%9Cemergency.%E2%80%9D)]

**Inside EPA: Industry Representatives Said They Were Wary of Trump’s Order “as Any Project Approved Under the Emergency Exemption is Virtually Guaranteed to Face Litigation from Environmental Groups.”** “Industry representatives say they are wary of President Donald Trump’s new executive order (EO) directing federal agencies to waive certain environmental reviews to speed infrastructure permits, as any project approved under the emergency exemption is virtually guaranteed to face litigation from environmental groups. Fred Wagner, an attorney at Venable and former chief counsel for the Federal Highway Administration, tells Inside EPA, ‘It’s going to take a bit of gumption’ for any project applicant that could potentially take advantage of a waiver ‘to say yes, knowing they are guaranteeing challenges to application of the executive order in the context of any project.’ As a result, he anticipates the EO being used only for projects that are lower profile than pipelines or highways. For example, he says agencies may take a more aggressive approach to allowing National Environmental Policy Act (NEPA) categorical exemptions for projects that otherwise would have required an environmental assessment. ‘That’s the reality of it,’ he says.” [Inside EPA, [6/05/20](https://insideepa.com/daily-news/litigation-fears-dampen-industry-response-trump-infrastructure-order)]

**A Handful of Industry Groups Offered Cautious Statements in Support of the EO, Including the American Petroleum Institute.** “However, a handful of industry groups are offering cautious statements in support of the EO. For example, the American Petroleum Institute says, ‘Maintenance of our ports and waterways and moving forward on shovel-ready projects will be key in getting people back to work and revitalizing local economies. An efficient permitting process is critical to making new job opportunities a reality and advancing infrastructure development for industries across the economy. We are in an unprecedented time, and getting energy infrastructure projects approved and moving will go a long way in re-starting our economy while creating well-paying, middle-class sustaining jobs.’” [Inside EPA, [6/05/20](https://insideepa.com/daily-news/litigation-fears-dampen-industry-response-trump-infrastructure-order)]

* **American Gas Association President Karen Harbert Said the Order “rebalances the permitting process to consider environmental impacts and the need for infrastructure, jobs and affordable energy.”** “American Gas Association President Karen Harbert said the directive ‘rebalances the permitting process to consider environmental impacts and the need for infrastructure, jobs and affordable energy.’ But Thomas Jensen, a partner at the firm Perkins Coie, said in an email that any decisions made in response to the executive order could be challenged in court. He noted that the National Environmental Policy Act was enacted 50 years ago partly to prevent arbitrary federal decisions such as building highways through parks and communities of color and that the current administration cannot simply set aside laws aimed at protecting vulnerable Americans or the environment.” [The Washington Post, [6/04/20](https://www.washingtonpost.com/climate-environment/2020/06/04/trump-sign-order-waive-environmental-reviews-key-projects/)]
* **Club for Growth Praised Trump’s Order, Calling it “Bold Action” to “Get Our Country Back to Work Faster.”** “The Trump administration aimed to dismantle parts of the National Environmental Policy Act long before the coronavirus pandemic hit the United States. In January Mr. Trump released a plan to weaken the law. That measure, which is expected to be finalized this month, would no longer take climate change into account when federal agencies weigh the environmental consequences of infrastructure projects. The Club for Growth, a free-market group, applauded the move and called it ‘bold action’ to ‘get our country back to work faster.’” [The New York Times, [6/04/20](https://www.nytimes.com/2020/06/04/climate/trump-environment-coronavirus.html)]
* **David McIntosh, president of the Club for Growth: “This is a huge win for pro-growth policies.”** [The Washington Post, [6/05/20](https://www.washingtonpost.com/climate-environment/citing-an-economic-emergency-trump-directs-agencies-across-government-to-waive-federal-regulations/2020/06/05/6a23546c-a0fc-11ea-b5c9-570a91917d8d_story.html)]
* **National Mining Association Called the Order “An Opportunity to Jumpstart Our Economic Recovery”…** “Industry groups, however, welcomed the order. ‘Today’s executive order provides an opportunity to jumpstart our economic recovery by ensuring that we are rebuilding and modernizing with American-made materials, equipment and jobs,’ the National Mining Association said in a statement. ‘Smart permitting reforms will support increased use of the vast domestic mineral reserves we have right here at home, reversing the alarming mineral import reliance that has more than doubled in the last 25 years. Now is the time to rebuild the supply chains essential to our infrastructure, national security and the future health of our economy.’” [Inside EPA, 6/05/20]
* **The U.S. Chamber of Commerce Did Not Issue a Statement on the Order But Touted Changes They Were Focused on Including Finalizing the CEQ’s NEPA Modernization Rule.** “The U.S. Chamber of Commerce did not issue a statement but a spokesman tells Inside EPA, ‘While we are still reviewing the Administration’s latest [EO] and how it will be implemented, we remain focused on reforms we’ve been promoting, like finalization of CEQ’s NEPA Modernization rule, that will allow critical infrastructure projects to move forward while continuing to protect the environment.’ Other groups such as the National Manufacturers Association and the American Fuel & Petrochemical Manufacturers did not respond to requests for comment.” [Inside EPA, [6/05/20](https://insideepa.com/daily-news/litigation-fears-dampen-industry-response-trump-infrastructure-order)]

### EPA Considered Reducing Civil Penalties

**EPA Considered Reducing Civil Penalties and Relaxing Fine Payment Requirements.** According to E&E News, “EPA yesterday issued an internal memo that could reduce civil penalties already assessed in administrative cases, according to two sources familiar with the matter. The policy, issued by EPA's Office of Enforcement and Compliance Assurance Director Rosemarie Kelley, would also give violators an additional 60 days to pay a fine or up to three years to pay in installments — should the companies demonstrate the coronavirus pandemic caused them to lose 25% of their profits. That's on top of the time EPA originally granted the companies in the administrative settlement, the sources explained.” [E&E News, [5/27/20](https://www.eenews.net/eenewspm/2020/05/27/stories/1063249811)]

### EPA Suspended Enforcement of Environmental Laws During COVID-19 Pandemic, Leaving the Fossil Fuel Industry to Police Itself during a Historic Public Health Crisis

**EPA Suspended Enforcement of Environmental Laws During the COVID-19 Outbreak, “Signaling to Companies They Will Not Face Any Sanction for Polluting the Air or Water of Americans.”** “The US Environmental Protection Agency (EPA) has suspended its enforcement of environmental laws during the ongoing coronavirus outbreak, signaling to companies they will not face any sanction for polluting the air or water of Americans. In an extraordinary move that has stunned former EPA officials, the Trump administration said it will not expect compliance with the routine monitoring and reporting of pollution and won’t pursue penalties for breaking these rules. Polluters will be able to ignore environmental laws as long as they can claim in some way these violations were caused by the Covid-19 pandemic. In the event of an imminent threat to public health, the EPA will defer to the states and ‘consider the circumstances’ over whether it should intervene.” [The Guardian, [3/27/20](https://www.theguardian.com/environment/2020/mar/27/trump-pollution-laws-epa-allows-companies-pollute-without-penalty-during-coronavirus)]

* **Wall Street Journal: EPA Had an “Onslaught of Requests from Businesses and State Regulators Seeking Help.”** “The EPA is preparing to act following an onslaught of requests from businesses and state regulators seeking help, according to the administration officials, who expect the decision to be announced this week. Any action is expected to be scrutinized by environmental groups concerned that the EPA and business groups will take advantage of the situation to skirt environmental regulations. Under President Trump, the EPA has moved to amend environmental policies that the White House views as overly harmful to business.” [The Wall Street Journal, [3/24/20](https://www.wsj.com/articles/epa-plans-to-waive-some-compliance-requirements-amid-coronavirus-crisis-11585072822)]
* **American Petroleum Institute Sent a Letter to EPA Administrator Andrew Wheeler Asking for Blanket, “Temporary Relief” Through Enforcement Discretion, Waivers, and Delayed Deadlines.** “The oil industry’s largest trade group, the American Petroleum Institute, sent a letter to EPA Administrator Andrew Wheeler on Monday asking for blanket, ‘temporary relief’ for the whole industry through enforcement discretion, waivers and delayed deadlines. The uncertainty of the pandemic has limited what API members can do, the organization said at the start of a seven-page list of tasks those companies may have trouble completing while employees work from home, including lab testing, wastewater monitoring, and cleaning up contaminated soil and groundwater. ‘Individual company requests for relief would be burdensome to file and track and a more holistic approach may be necessary in an unprecedented situation such as the one we are facing,’ wrote Frank Macchiarola, the group’s senior vice president of policy, economics and regulatory affairs. ‘Nonetheless, industry will make efforts to comply with requirements, but obviously the situation may limit some activities.’ ” [The Wall Street Journal, [3/24/20](https://www.wsj.com/articles/epa-plans-to-waive-some-compliance-requirements-amid-coronavirus-crisis-11585072822)]
* **EPA Suggested They Had Not Issued Any Waivers Yet.** “EPA has not issued any waivers for "essential critical infrastructure" that cannot comply with environmental enforcement during the novel coronavirus pandemic. Critics have charged that EPA gave industry a free pass to pollute and have called on the agency to be more transparent about its recent enforcement policy changes. As of Friday afternoon, EPA says it has not issued any waivers of noncompliance to industry.” [E&E News, [4/6/20](https://www.eenews.net/greenwire/2020/04/06/stories/1062803929)]

**The Hill: EPA Facing Lawsuits from Both States and Environmental Groups Over Suspended Enforcement.** “A March memo from the Environmental Protection Agency (EPA) alerted industry it would suspend enforcement of environmental laws that require companies to monitor their pollution. EPA Administrator Andrew Wheeler said the agency issued the policy as ‘COVID-19 may directly impact the ability of regulated facilities to meet all federal regulatory requirements.’ The agency is now facing lawsuits from both states and environmental groups over the change, but said it would review other regulations as requested by the president. ‘EPA is continuing to do its part to address COVID-19 while moving forward with a regulatory reform agenda. We will review the final EO and work to assess which EPA regulations might be available to streamline in order to achieve the goals outlined in the EO,’ an agency spokesperson told The Hill in an email, using the abbreviation for executive order.” [The Hill, [5/19/20](https://thehill.com/homenews/administration/498614-trump-orders-agencies-to-cut-regulations-that-inhibit-economic)]

**Wall Street Journal: “The Agency May Delay Many Deadlines At Cleanup Sites It Oversees Across The Country, According To Administration Officials And A Lobbyist.”** “The agency may delay many deadlines at cleanup sites it oversees across the country, according to administration officials and a lobbyist. How far the EPA will go isn’t clear; according to one of the officials, the EPA is working to determine whether that would include sites in the Superfund program, which manages places highly contaminated by lead, asbestos, radiation and other pollutants that can cause cancer, birth defects and other health and environmental harm.” [The Wall Street Journal, [3/24/20](https://www.wsj.com/articles/epa-plans-to-waive-some-compliance-requirements-amid-coronavirus-crisis-11585072822)]

**Wall Street Journal: EPA “Also Considering Whether To Give More Discretion To State Regulators Enforcing the Clean Water Act”.** “The agency is also considering whether to give more discretion to state regulators enforcing the Clean Water Act, that official said. Several states are looking to the EPA for specifics of how to deal with water utilities and wastewater plants, said Julia Anastasio, executive director of The Association of Clean Water Administrators, which represents the state agencies that oversee sewage treatment plants and industrial facilities that discharge wastewater. States are having those facilities report to them on what they can’t do, and have seen virus preparations make it difficult for facilities to hand-deliver lab samples, monitor water intakes and do other tasks required by clean-water rules, she said.” [The Wall Street Journal, [3/24/20](https://www.wsj.com/articles/epa-plans-to-waive-some-compliance-requirements-amid-coronavirus-crisis-11585072822)]

**The “Enforcement Discretion” Decision Was Announced on March 26th by EPA Assistant Administrator Susan Bodine.** “EPA's top enforcement official today released the agency’s plan for exercising ‘enforcement discretion’ for situations caused by the novel coronavirus pandemic. The policy is retroactive to March 13, the date President Trump declared the pandemic a national emergency. The memo by Assistant Administrator Susan Bodine says the agency understands social distancing and other measures could make it difficult to comply with some deadlines and requirements. ‘The agency must take these important considerations into account as we all continue our work to protect human health and the environment,’ Bodine wrote.” [E&E News, [3/26/20](https://www.eenews.net/eenewspm/stories/1062709381/search?keyword=epa+enforcement)]

**The Guardian: “There is No End Date Set for This Dropping of Enforcement.”** “There is no end date set for this dropping of enforcement. Andrew Wheeler, administrator of the EPA, said that coronavirus had made it difficult for businesses to protect workers and the public while adhering to clean air and water rules. ‘This temporary policy is designed to provide enforcement discretion under the current, extraordinary conditions, while ensuring facility operations continue to protect human health and the environment,’ Wheeler said.” [The Guardian, [3/27/20](https://www.theguardian.com/environment/2020/mar/27/trump-pollution-laws-epa-allows-companies-pollute-without-penalty-during-coronavirus)]

**HuffPost: EPA “[L]eaving the Fossil Fuel, Chemical And Agribusiness Industries To Police Themselves Amid A Historic Public Health Crisis.”** “On Thursday afternoon, the Environmental Protection Agency announced it would suspend enforcement of bedrock clean air and water laws, leaving the fossil fuel, chemical and agribusiness industries to police themselves amid a historic public health crisis. Hours later, the U.S. Department of Agriculture confirmed a waiver allowing a private company to take over inspection duties at a Tyson Foods beef slaughterhouse.” [HuffPost, [3/27/20](https://www.huffpost.com/entry/trump-epa-coronavirus-environment-deregulation_n_5e7e3227c5b6cb9dc19f6728)]

**“The Relaxation Of Environmental Laws Follows Lobbying from the American Petroleum Institute” But EPA’s Move “Goes Even Further Than” API’s Request.** “The relaxation of environmental laws follows lobbying from the American Petroleum Institute, an oil and gas industry group, which sent the EPA a letter this week calling for the suspension of rules requiring repair of leaky equipment as well as monitoring of pollution. The EPA’s move goes even further than this request, although the regulator said it expects businesses will comply with laws ‘where reasonably practicable’ and that it will not tolerate flagrant, intentional breaches of the law. However, Michael Brune, executive director of Sierra Club, indicated that the move may be challenged in the courts. ‘While there may be no limit to the lengths Trump and Wheeler are willing to go for corporate polluters, there is a limit to what the public will allow,’ Brune said.” [The Guardian, [3/27/20](https://www.theguardian.com/environment/2020/mar/27/trump-pollution-laws-epa-allows-companies-pollute-without-penalty-during-coronavirus)]

**The Guardian: Air Pollution, Which Plants Will Not Have to Monitor Damages the Respiratory System, is Especially Dangerous for At-Risk Populations Who May Become Infected with COVID-19, Which Attacked the Lungs.** “There is particular concern over air pollution emitted by industrial facilities, which are predominantly located in communities with large numbers of low-income people and people of color. Covid-19 attacks the respiratory system, with its spread causing states to scramble for more ventilators to prevent thousands of infected people from dying. The air pollution that industrial plants will not have to monitor damages the respiratory system, which is especially dangerous for already at-risk populations who may also become infected with Covid-19, which attacks the lungs.” [The Guardian, [3/27/20](https://www.theguardian.com/environment/2020/mar/27/trump-pollution-laws-epa-allows-companies-pollute-without-penalty-during-coronavirus)]

**Former EPA Administrator Gina McCarthy Said the Decision Amounted to “an Open License to Pollute. Plain and Simple.”** “The EPA’s order drew swift condemnation. The Center for Biological Integrity called it an ‘unconscionable’ priority as the administration refuses to ‘push utilities to help ordinary people struggling to keep their lights and water on.’ Gina McCarthy, who served as EPA administrator during President Barack Obama’s second term, said the decision amounted to ‘an open license to pollute. Plain and simple.’ ‘The administration should be giving its all toward making our country healthier right now,’ McCarthy, who now leads the Natural Resources Defense Council, said in a statement.” [HuffPost, [3/27/20](https://www.huffpost.com/entry/trump-epa-coronavirus-environment-deregulation_n_5e7e3227c5b6cb9dc19f6728)]

* **McCarthy: “This Policy, It Didn't Miraculously Happen. It Came About Because This Administration Is Spending More Time Concerned About The Fossil Fuel Industry Than It Is About People And Their Health.”** “‘This policy, it didn’t miraculously happen. It came about because this administration is spending more time concerned about the fossil fuel industry than it is about people and their health,’ Obama-era EPA chief Gina McCarthy said. ‘All I know is that API wrote a letter. And then, not a very long time, and this came out.’” [E&E News, [4/1/20](https://www.eenews.net/greenwire/2020/04/01/stories/1062760565)]

**Former Head of EPA Enforcement Cynthia Giles: The Decision is, “An Abdication of EPA’s Responsibility to Protect the Public.”** “The new stance has caused uproar among former EPA officials and environmental groups who warn that the sweeping will pose a further risk to public health amid the pandemic. ‘EPA should never relinquish its right and its obligation to act immediately and decisively when there is threat to public health, no matter what the reason is,’ said Cynthia Giles, who was head of EPA enforcement during the Obama administration. ‘I am not aware of any instance when EPA ever relinquished this fundamental authority as it does in this memo. This memo amounts to a nationwide moratorium on enforcing the nation’s environmental laws and is an abdication of EPA’s responsibility to protect the public.’ A letter sent to the EPA by Giles and a number of other environmental advocates states that while it may be ‘reasonable in limited circumstances’ to relax certain enforcement during the crisis, the blanket waiver of environmental requirements poses a danger to the American public.” [The Guardian, [3/27/20](https://www.theguardian.com/environment/2020/mar/27/trump-pollution-laws-epa-allows-companies-pollute-without-penalty-during-coronavirus)]

**E&E News: Oil Companies are Likely to be Happy with the New Guidance After Urging the Trump Administration to Waive Certain Environmental Testing and Reporting Requirements.** “Oil companies are likely to be happy with the new guidance. The American Fuel and Petrochemical Manufacturers and American Petroleum Institute have both urged the Trump administration to waive certain environmental testing and reporting requirements (Greenwire, March 24). Environmental groups have been suspicious, having repeatedly accused the Trump administration of looking for excuses to soften its response to pollution.” [E&E News, [3/26/20](https://www.eenews.net/eenewspm/stories/1062709381/search?keyword=epa+enforcement)]

### “EPA Gave 17 Examples of Enforcement Requirements They May Not be Able to Reach; 16 Where Pulled from API Letter”

**EPA Gave 17 Examples of Enforcement Requirements They May Not be Able to Reach; 16 Where Pulled from API Letter.** “Specifically, the EPA policy gave 17 examples of categories of compliance obligations that industry might not be able to meet amid COVID-19. Those include reporting and monitoring of air pollution, greenhouse gas emissions, wastewater, leaks, sewage, lab tests and others. All but one of the examples was pulled from API's March 23 letter where the oil lobby asked for relief related to "non-essential compliance discretion." The API letter included 28 examples of "physical challenges" with on-site testing, monitoring and reporting requirements.” [E&E News, [4/1/20](https://www.eenews.net/greenwire/2020/04/01/stories/1062760565)]

**Letter Used “Critical Infrastructure” Language from API Letter.** “The policy also said the agency could issue "No Action Assurances" for "critical infrastructure" on a case-by-case basis. API President Mike Sommers specifically called the oil and gas industry "critical infrastructure" in his recent letter (E&E News PM, March 26).” [E&E News, [4/1/20](https://www.eenews.net/greenwire/2020/04/01/stories/1062760565)]

**API Senior Vice President Frank Macchiarola: API “Pleased EPA Responded To The Concerns Of Several Other Industries — And Our Letter — In A Timely Fashion.”** “API Senior Vice President Frank Macchiarola said in an email that API was "pleased EPA responded to the concerns of several other industries — and our letter — in a timely fashion. There is a national crisis that includes the need to protect our workers while they are providing the nation's fuels.’” [E&E News, [4/1/20](https://www.eenews.net/greenwire/2020/04/01/stories/1062760565)]

**API: Policy Suggestions Intended to Help CDC Compliance.** “Macchiarola maintained that the policy was intended to help industry comply with Centers for Disease Control and Prevention social distancing guidance during the pandemic. "A considerable amount of monitoring involves actual physical measurements in facilities," Macchiarola said. "For example, leak detection contract technicians sign in and out of process units and as they complete their traverses, they come into contact with operators, engineers, and others by necessity." He added that pollution control equipment continues to operate "as our industries [continue] to follow requirements by federal and state programs."” [E&E News, [4/1/20](https://www.eenews.net/greenwire/2020/04/01/stories/1062760565)]

### Interests That Lobbied for the Relief

**E&E News: American Fuel & Petrochemical Manufacturers (AFPM) Was “Engaging With Regulators To Proactively Identify Rules That Could Benefit From Flexibility...”** “The American Fuel and Petrochemical Manufacturers (AFPM), a refinery trade group, ‘is engaging with regulators to proactively identify rules that could benefit from flexibility, including reporting deadline extensions,’ a spokesperson said today. ‘In many instances, employees responsible for reporting are now working remotely and auditors are restricted from travel.’ Like the American Petroleum Institute (API), another oil industry trade group, AFPM is also asking EPA to consider waiving summertime limits on gasoline volatility, which are intended to reduce smog.” [E&E News, [3/24/20](https://www.eenews.net/greenwire/stories/1062690723)]

**E&E News: National Mining Association Pitched a Coal Industry Aid Package to Trump, Members of Congress; NMA Wanted to Cut Black Lung Benefit Taxes, Abandoned Mine Land Fee and Federal Royalty Payments.** “The National Mining Association last week pitched a coal industry aid package to Trump, House Speaker Nancy Pelosi (D-Calif.) and Senate Majority Leader Mitch McConnell (R-Ky.). NMA wants federal help fixing a cash flow problem that the group says threatens 81,000 coal mining jobs. The group also urged Congress to slash rates of the tax covering black lung benefits for sick miners whose former companies have gone bankrupt, to temporarily halve the Abandoned Mine Land fee, and suspend or reduce federal royalty payments. ‘In a perilous time, the essential work of our coal miners to produce the fuel to keep the lights on and homes warm and the certainty and security provided by coal power is just what we need to keep the country moving forward,’ NMA President and CEO Rich Nolan wrote (Energywire, March 20).” [E&E News, [3/24/20](https://www.eenews.net/greenwire/stories/1062690723)]

**E&E News: American Chemistry Council Asked Trump and 50 Governors to Allow Them to Continue Working During the Crisis.** “Chemical and fertilizer makers’ main request so far has been to keep working during the crisis. The White House has advised no gatherings larger than 10 people, and the Centers for Disease Control and Prevention is encouraging people to engage in social distancing, among other measures. ‘While many of these limitations are currently in the best interest of public health, it is essential that key industries and sectors, including the chemical manufacturing sector, are able to maintain operations throughout this challenging time,’ American Chemistry Council CEO Chris Jahn wrote last week in a letter to Trump and 50 governors (E&E News PM, March 18).” [E&E News, [3/24/20](https://www.eenews.net/greenwire/stories/1062690723)]

## Logging Industry and Forest Service

### Logging Industry Wanted Greater Access to COVID Loans

**American Loggers Council Called for Greater Access to COVIDLoans.** In a May 28, 2020 press release, American Loggers Council wrote, “In order to provide assistance to both timber harvesting and timber hauling businesses, we believe that an amount of no less than $2.5 Billion should be made available to these businesses as they weather the economic and market disruptions over the next 12 months that are attributable to the Covid-19 pandemic.” [ALC Press Release, [5/28/20](https://www.amloggers.com/news/support-the-logger-relief-package)]

### Scientists Urged Lawmakers Not to Allow Pro-Logging Measures Intro Forestry Legislation

**U.S. Senator Ron Wyden (D-OR) Introduced Forestry Bill.** “The long-running debate about how best to care for national forests — and what to do with timber that's taken from them — is quietly brewing again as lawmakers look for ways to promote a more intensive approach to forest management. A spending package for the pandemic offers one opportunity. Leading the latest effort is Sen. Ron Wyden (D-Ore.), who introduced a broad package he said would give forest communities an economic boost while providing wildfire crews protection from the spreading virus (E&E Daily, May 12).” [E&E News, [5/19/20](https://www.eenews.net/eedaily/2020/05/19/stories/1063172567)]

**Scientists Urged Lawmakers Not to Allow Pro-Logging Measures Into Legislation.** “Sensing that a big appropriations bill could give logging advocates an opportunity, a group of scientists skeptical of the industry wrote to key federal lawmakers last week, urging them to refrain from putting pro-logging measures into any upcoming legislation, including on climate change. "We are hopeful that a new and more scientifically sound direction will be considered by Members that emphasizes increased forest protections, and a shift away from consumption of wood products and forest biomass energy, to help mitigate the climate crisis," the group wrote in a letter with more than 200 signatures.” [E&E News, [5/19/20](https://www.eenews.net/eedaily/2020/05/19/stories/1063172567)]

### Trump Administration Allowed Loggers to Extend Their Contracts in National Forests by up to 3 Years to Support the Timber Industry During the Pandemic

**Trump Administration Allowed Loggers to Extend Contracts in National Forests to Support the Timber Industry During the COVID-19 Pandemic.** “The Trump administration is allowing loggers to extend their tree-cutting contracts in national forests to support the timber industry during the coronavirus pandemic and to help national forests create jobs after the crisis ends. ‘Having numerous economically viable timber purchasers is also essential as employment and the national economy recovers following the COVID-19 pandemic,’ the U.S. Forest Service said in a Federal Register notice to be published Wednesday.” [Bloomberg Law, [4/14/20](https://news.bloomberglaw.com/environment-and-energy/national-forest-logging-extended-to-support-industry-in-pandemic)]

* **The U.S. Forest Service Extended Timber Harvesting Contracts by Up to Two Years for Contracts Issued Prior to April 1 and Loggers in Alaska’s Tongass National Forest Who Have Seen Their Market “Exceptionally Disrupted” Can Extend Contracts for 3 Years.** “The agency is extending timber harvesting contracts by up to two years for contracts issued prior to April 1 in national forests in the Lower 48 states. Loggers in Alaska’s Tongass National Forest, who have seen their market ‘exceptionally disrupted,’ can have their contracts extended for three years.” [Bloomberg Law, [4/14/20](https://news.bloomberglaw.com/environment-and-energy/national-forest-logging-extended-to-support-industry-in-pandemic)]
* **Bloomberg Law: The Agency’s Order “May Double The Time Loggers Have To Cut Trees In Some Cases”.** “The average contract length is two years, so the agency’s order may double the time loggers have to cut trees in some cases, according to the notice. ‘A unique combination of world market conditions, the COVID-19 pandemic and a massive bark beetle epidemic in central Europe has created an unprecedented worldwide instability in timber industries and associated markets,’ according to the notice. ‘Mill closures and curtailment of timber harvests under Forest Service contracts appear to be a reflection of market declines over the last 24 months. Due to the complex factors involved, recovery is expected to be a protracted process,’ the notice stated.” [Bloomberg Law, [4/14/20](https://news.bloomberglaw.com/environment-and-energy/national-forest-logging-extended-to-support-industry-in-pandemic)]
* **Forest Service Deputy Director Chad Douglas Said the Trump Administration Did Not Consider Timber Harvesting in National Forests as Park of a Post-Pandemic Jobs Program “At This Time.”** “The timber sale contract extensions are in the public’s best interest and ‘support the long-term viability of the timber industry,’ said Chad Douglas, acting deputy director of the U.S. Forest Service’s office of communications. ‘This is not an increase in harvest levels. It’s a way to keep sales viable in an economic downturn, such as what we are currently experiencing,’ he said. When asked whether the Trump administration sees timber harvesting in national forests as part of a post-pandemic jobs program, Douglas said, ‘Not at this time.’ ‘Our focus is to keep a viable forest products industry because it is an economics driver for forest-dependent communities and an important tool for our active management efforts to increase the health and resiliency of national forests,’ Douglas said.” [Bloomberg Law, [4/14/20](https://news.bloomberglaw.com/environment-and-energy/national-forest-logging-extended-to-support-industry-in-pandemic)]
* **Bloomberg Law: The Contract Extensions “Come as the Trump Administration is Seeking to Drop All Protections for Alaska’s Tongass National Forest”.** “The timber sale contract extensions come as the Trump administration is seeking to drop all protections for Alaska’s Tongass National Forest under a rule that blocked road-building and timber harvesting in much of the forest. The administration is cutting the number of projects in national forests that would require environmental impact reviews under the National Environmental Policy Act. ‘It’s a very difficult time,’ said Nick Smith, spokesman for the American Forest Resource Council, a forest products industry trade group. ‘The market for lumber is incredibly challenging. That affects the entire supply chain of the forest products industry.’ The group’s members include companies such as Sierra Pacific Industries and Siskiyou Cascade Resources. The Forest Service’s contract extensions will ‘provide some flexibility to allow timber purchasers, including some manufacturers, some flexibility to weather the storm,’ Smith said.” [Bloomberg Law, [4/14/20](https://news.bloomberglaw.com/environment-and-energy/national-forest-logging-extended-to-support-industry-in-pandemic)]

### Environmental Groups called the Contract Extensions for Loggers a “Back-Door Approach” to Propping Up the Timber Industry Which was Hurt by a Trade War with China.

**Bloomberg Law: Environmental Groups See the Contract Extensions for Loggers “as a Back-Door Approach To Prop Up An Industry Hurt By A Trade War With China” Started by Trump.** “The Trump administration is allowing loggers to extend their tree-cutting contracts in national forests to support the timber industry during the coronavirus pandemic and to help national forests create jobs after the crisis ends. ‘Having numerous economically viable timber purchasers is also essential as employment and the national economy recovers following the COVID-19 pandemic,’ the U.S. Forest Service said in a Federal Register notice to be published Wednesday. Environmental groups see the move as a back-door approach to prop up an industry hurt by a trade war with China started by President Donald Trump.” [Bloomberg Law, [4/14/20](https://news.bloomberglaw.com/environment-and-energy/national-forest-logging-extended-to-support-industry-in-pandemic)]

* **Center for Biological Diversity’s Randi Spivak: “Trump provoked a tariff war with China, which resulted in China slapping tariffs on U.S. timber…Now, Under the Guise of COVID, Trump is Trying to Provide Back-Door Relief for a Tariff War He Created.”** “The agency said in its notice that the way it determines timber harvest contract terms has not been able to fully account for both the Covid-19 pandemic and Chinese tariffs imposed on U.S. timber imports during the Trump administration. ‘The effects include disruptions in international trade and interruptions in domestic production, distribution of forest products as well as demand for forest products as a result of national and local COVID-19 containment measures such as ‘stay-at-home’ or ‘shelter-in-place’ orders,’ the Forest Service said in its notice. But Randi Spivak, public lands director for the Center for Biological Diversity, pointed to China. ‘Trump provoked a tariff war with China, which resulted in China slapping tariffs on U.S. timber,’ Spivak said. ‘Now, under the guise of Covid, Trump is trying to provide back-door relief for a tariff war he created.’” [Bloomberg Law, [4/14/20](https://news.bloomberglaw.com/environment-and-energy/national-forest-logging-extended-to-support-industry-in-pandemic)]
* **Former Forest Service Deputy Chief Jim Furnish Called the Contract Extensions “Very Unusual” but “Innocuous.”** “The contract extensions are ‘very unusual’ but ‘innocuous,’ said Jim Furnish, who served as Forest Service deputy chief in the Clinton and George W. Bush administrations. Timber contracts have time limits when timber must be removed from national forests, or the contractor loses the right to cut trees, Furnish said. When circumstances occur beyond a timber company’s control, it’s the Forest Service’s responsibility to provide relief, he said. ‘This is a concession to industry so as not to do further harm as related to their contractual obligations,’ Furnish said.” [Bloomberg Law, [4/14/20](https://news.bloomberglaw.com/environment-and-energy/national-forest-logging-extended-to-support-industry-in-pandemic)]
* **Wilderness Society’s Josh Hicks: The Administration is Playing Favorites, Being Generous to the Timber Industry While Doing Nothing Yet to Support Other Industries That Rely on National Forests.** “But the administration is playing favorites, being generous to the timber industry while doing nothing yet to support other industries that rely on national forests, including recreation, said Josh Hicks, assistant director for policy and planning for the Wilderness Society. ‘I would like to think that the administration would be trying to find ways to be supportive of all the different stakeholders and members of the public during the pandemic, not making sure that a single industry is being taken care of,’ Hicks said.” [Bloomberg Law, [4/14/20](https://news.bloomberglaw.com/environment-and-energy/national-forest-logging-extended-to-support-industry-in-pandemic)]

## Strategic Petroleum Reserve and DOE

### Bipartisan Bill Would Lease Up to 200 Million Barrels of Unused Space in Strategic Petroleum Reserve

**Bipartisan Bill Would Lease Up to 200 Million Barrels of Unused Space in Strategic Petroleum Reserve.** According to E&E News, “A bipartisan group of Gulf Coast lawmakers introduced legislation this week to lease up to 200 million barrels of unused space in the Strategic Petroleum Reserve. The ‘Strategic Petroleum Reserve Reform Act’ — H.R. 7019 and S. 3816 — follows a push to use the nation's crude storage facilities to help the ailing oil industry (E&E Daily, April 13). ‘As the world's largest oil and gas producer, the U.S. should continue to maximize its spare capacity at the Strategic Petroleum Reserve,’ said sponsor Sen. Bill Cassidy (R-La.).” [E&E News, [5/28/20](https://www.eenews.net/eedaily/2020/05/28/stories/1063255283)]

### Department of Energy Fielded Additional Requests for Storage in Strategic Petroleum Reserve

**Department of Energy Fielded Additional Requests for Storage in Strategic Petroleum Reserve.** “DOE announced last week it would purchase 1 million barrels for the SPR. The department has also entered into contract talks with oil companies to lease space in the reserve for some 23 million barrels. While those efforts are underway, Menezes told lawmakers yesterday, other measures to expand the SPR's capacity beyond its 700-million-plus-barrel current storage capability may not be ready in time to help the industry in its current storage predicament. "At this point, we have been receiving several requests to consider additional places for storage," Menezes said. "All of those places are being studied; they are being looked at."” [E&E News, [5/21/20](https://www.eenews.net/eedaily/2020/05/21/stories/1063190699)]

### Strategic Petroleum Reserve Space Had Potential to Be Bargaining Chip

**Department of Energy Was Allowing Producers to Lease Space in SPR.** “The Department of Energy is also allowing producers to lease space in the federal Strategic Petroleum Reserve to store excess oil, with producers paying the rent in oil. "We're filling the strategic reserve, and we're doing it at the best price available," he said. "For the taxpayer, that's a really, really good deal, because we're going to fill it up at some point in the future — not for free, but essentially for free at a very low price."” [E&E News, [5/15/20](https://www.eenews.net/energywire/2020/05/15/stories/1063138915)]

* **Donald Trump: “We're Saving Our Energy Industry Because People Didn't Need Too Much Gasoline When There Were No Cars On The Road.”** [E&E News, [5/15/20](https://www.eenews.net/energywire/2020/05/15/stories/1063138915)]

**Congress Considered Trade Off Between Strategic Petroleum Reserve Space and Renewable Tax Breaks.** “A Senate showdown could be coming over whether to approve billions of dollars to fill the nation's Strategic Petroleum Reserve in exchange for renewable tax breaks. Moderates from both parties have floated the potential deal that could emerge in the Senate. The House bill does not contain any of the $3 billion sought by the White House for buying SPR crude, nor does it specifically address the renewable energy production and investment tax credits. Environmentalists lamented the lack of any action to preserve clean energy jobs in the House legislation, circulating a new analysis yesterday.” [E&E News, [5/14/20](https://www.eenews.net/eedaily/2020/05/14/stories/1063130061)]

**House Majority Leader Steny Hoyer Supported Filling Strategic Petroleum Reserve.** “Environmentalists are criticizing House Majority Leader Steny Hoyer (D-Md.) for his call to fill the Strategic Petroleum Reserve, a move that would help oil companies suffering a supply glut. Hoyer made the call yesterday to reporters in advance of House Democrats' release of the "Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act," a $3 trillion package meant to help the country get through the COVID-19 pandemic. It does not include funding to buy more oil for the SPR (Greenwire, May 12).” [E&E News, [5/13/20](https://www.eenews.net/eedaily/2020/05/13/stories/1063119269)]

* **U.S. Rep. Steny Hoyer: “Both Parties Have Used Part Of The Strategic Petroleum Supply, Which Was Created To Make Sure That We Had Energy Available To Us At A Time Of Crisis Where Oil Supplies Were Shut Off. Now, Circumstances Change, We Are A World's Largest Producer Of Energy.”** [E&E News, [5/13/20](https://www.eenews.net/eedaily/2020/05/13/stories/1063119269)]

### Nine Companies Allowed to Store Oil in Strategic Petroleum Reserve

**Exxon and Chevron Among Companies Allowed to Store Oil in Strategic Petroleum Reserve.** “While pledging to help the smaller operators, the Department of Energy is allowing some of the biggest energy companies in the country to store excess oil in the nation's Strategic Petroleum Reserve, according to sources yesterday. The nine companies that were awarded temporary storage include Atlantic Trading LLC, Alon USA LP, Chevron USA Inc., Energy Transfer, Equinor Marketing & Trading Inc., Exxon Mobil Corp., Mercuria Energy America Inc., MVP Holdings LLC and Vitol Inc. The companies did not respond to calls and emails seeking comment late yesterday.” [E&E News, [4/30/20](https://www.eenews.net/energywire/2020/04/30/stories/1063007983)]

## Renewable Energy

### Republican Senators Requested Renewable Tax Credit Qualification Changes

**Republican Senators Asked for Renewable Tax Credit Qualification Changes.** “A trio of Republican senators called on the Treasury Department yesterday to tweak the qualifications for renewable energy tax credits to help the industry better utilize the incentives amid delays caused by the coronavirus pandemic. The request from Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska), along with Sens. Susan Collins (R-Maine) and Thom Tillis (R-N.C.), comes as the renewable energy industry has shed some 600,000 jobs over the past two months because of disruptions related to the pandemic.” [E&E News, [5/22/20](https://www.eenews.net/eedaily/2020/05/22/stories/1063198683)]

### Trump Administration Called in Retroactive Bills from Renewable Energy Industry

**Trump Administration Called in Retroactive Bills from Renewable Energy Industry.** “The Trump administration has ended a two-year rent holiday for solar and wind projects operating on federal lands, handing them whopping retroactive bills at a time the industry is struggling with the fallout of the coronavirus outbreak, according to company officials.” [Reuters, [5/18/20](https://www.reuters.com/article/us-usa-interior-renewables/trump-admin-slaps-solar-wind-operators-with-retroactive-rent-bills-idUSKBN22U0FW?mkt_tok=eyJpIjoiWWpZMllURmlOakl4TTJFeSIsInQiOiIxOU83MjYraEVUMnFKQ0IraGpFWEI4aVR6d3pCdFhRc3BzZWN5cnpYVWtOM0dJcGlYd0M0MzAzZTNYaVNmdXlvQXNsa21OUkVGdzBVS3JFaGYxK3VCelR2QW55U0NMS3FGT0N6SElRWWZnbnJDeHBTU01Kd1pzMm55bnR0bnhiUCJ9)]

### Solar Energy Industries Association and American Wind Energy Association Lobbied Congress for Assistance

**Solar Energy Industries Association (SEIA) Rallied Members to Reach Out to Federal Legislators For Help Weathering Downturn Amid Coronavirus Pandemic.** “The Solar Energy Industries Association (SEIA) rallied its members on Friday to reach out to their federal legislators in support of policy that will help the sector weather the novel coronavirus pandemic and global economic downturn. The industry supports the extension of renewable tax credits and a bill that would enable low-cost loans for small businesses, including many SEIA members. The loans component, which the House of Representatives passed on March 6, is crucial to the industry association because of its smaller members, Shaun Garrison, SEIA director of congressional affairs, said.” [Utility Dive, [3/23/20](https://www.utilitydive.com/news/solar-developers-launch-lobbying-effort-to-curb-covid-19-impacts-advance-r/574651/)]

**American Wind Energy Association (AWEA) Appealed to Congress on Federal Production or Investment Tax Credits.** “AWEA in its appeal to Congress said that developers of wind energy projects have been moving forward ‘based on what appeared the safe assumption that their projects would qualify for the federal production or investment tax credits, which reduce costs to electricity consumers.’ With those tax credits expiring, delays in completing those projects could push them past deadlines to qualify for the credits. ‘There is a record amount of wind projects under development. Delays caused by COVID-19 will make it difficult for some U.S. wind projects to come online in time to meet financial and economic obligations, putting projects at risk of cancellation,’ said AWEA Vice President of Research and Analytics John Hensley. ‘Decisive government action in the short term can do much to soften the virus’ effects and protect the over 100,000 workers that count on the U.S. wind industry for their livelihood and the consumers that count on wind power for safe, low-cost, zero-carbon electricity.’” [Power[, 3/19/20](https://www.powermag.com/wind-energy-group-says-43-billion-at-risk-from-covid-19/)]

**SEIA and AWEA Sent Joint Letter to Congress Saying That Extending Tax Credits “would allow our member companies to hire thousands of additional workers and inject billions in the U.S. economy.”** “Two trade groups, the Solar Energy Industries Association (SEIA) and American Wind Energy Association (AWEA), sent a joint letter to members of Congress last week saying that extending the credits ‘would allow our member companies to hire thousands of additional workers and inject billions in the U.S. economy.’ The share of solar and wind energy in the U.S. had been booming. But now, without help, the SEIA estimates the solar industry could see as much as 50 percent of residential solar jobs lost this year due to the pandemic. AWEA estimates $43 billion dollars of investments and payments, mostly in the rural communities where wind projects usually are built, is at risk. ‘The COVID-19 pandemic is harming the wind industry’s ability to build the wind farms envisioned by Congressional legislation and putting at risk 35,000 wind energy jobs,’ says Tom Kiernan, Chief Executive Officer of AWEA.” [NPR, [3/24/20](https://www.npr.org/2020/03/24/820268157/climate-change-push-fuels-split-on-coronavirus-stimulus)]