



Top Stories

4/20/2016—The U.S. Senate passed the Energy Policy Modernization Act, S. 2012, a broad energy bill that includes provisions on everything from energy efficiency and electric utilities to renewable energy programs. If enacted, this bill would be the first energy package to pass Congress since 2007. While the House passed its own energy bill in November, the fate of a final energy package is unclear as the president issues a veto threat for the House bill and voiced concerns with the Senate bill. See [NCSL's Info Alert](#) for more details.

4/19/2016—The U.S. Supreme Court unanimously ruled in the case of [Hughes v. Talen Energy Marketing](#), that Maryland's rate payment plan for power generators, established to encourage development of power-plants in the state, is preempted by the Federal Power Act. NCSL signed on to an [amicus brief](#) with the National Governors Association and the Council of State Governments in support of Maryland. In its decision, the Court emphasized that its opinion was narrow and did not address the permissibility of other measures states use to encourage development of power plants.

4/14/2016—The Department of Interior [released](#) the final well control regulations for offshore oil and gas drilling with the aim of preventing equipment failures, such as that which caused the Deepwater Horizon oil spill in 2010. The regulations address all dimensions of well control, including more stringent design requirements and operational procedures with a focus on blowout preventers, well control casing, cementing, real-time monitoring and subsea containment.



From Congress

4/19/2016—The U.S. House of Representatives Committee on Appropriations [approved](#) its Fiscal Year 2017 Energy and Water Appropriations bill, which contains a total of \$37.4 billion for various programs under the Department of Energy (DOE) and infrastructure projects. The bill contains language to block EPA's Clean Water Rule, a recently enacted regulation that determines which water bodies are to be regulated under the Clean Water Act. The bill also included money to fund Yucca Mountain, the federal nuclear waste storage site in Nevada.

The U.S. Senate Energy and Water appropriations bill does not include language to revive Yucca nor does it contain language blocking the Clean Water Rule. The bill is currently [stalled](#) on the Senate floor due to disagreement over an amendment that would prevent the administration from purchasing heavy water from Iran.

4/14/2016—The Senate Agriculture [committee](#) approved a bill to reauthorize the Commodity Future Trading Commission (CFTC) for the next five years. The CFTC has operated on a year-by-year funding basis since its authorization lapsed in 2013. The CFTC is controversial in the Senate with some members feeling it allows farmers and ranchers to use derivatives for hedging operational costs without being tied up in financial regulations, while others feel it would help Wall Street traders and large energy companies with little oversight.

From the Administration

4/29/2016—The U.S. Department of Agriculture (USDA) [announced](#) a new resource to help food hubs improve their financial performance. Food hubs, which are businesses or organizations that manage the aggregation, distribution, and marketing of locally-produced food, play a key role in creating opportunities for small and mid-sized producers while also satisfying growing consumer demand for local products.

4/28/2016—USDA unveiled the [Urban Agriculture Toolkit](#), a new resource created by USDA and community leaders to help create jobs and increase access to food through urban agriculture. Industry estimates show U.S. local food sales totaled at least \$12 billion in 2014, up from \$5 billion in 2008, and experts anticipate that value to hit \$20 billion by 2019.

4/13/2016—EPA [issued](#) a new round of attainment designations for its ozone standards, in which the agency upgraded 17 cities that were previously out of compliance with the standards. Other areas, including Atlanta and New York City, were downgraded to nonattainment status.

4/11/2016—The Bureau of Land Management [released](#) data showing that oil development from federal lands increased by 10 percent from last fiscal year and has more than doubled since President Obama took office. However, the data also showed that total acreage leased by the industry has decreased and is at its lowest level since 1988.

4/8/2016—USDA Agricultural Marketing Service [announced](#) a proposed rule that would amend the organic livestock and poultry production requirements. The proposal is intended to create greater consistency in organic livestock practices.

4/1/2016—The Department of Health and Human Services [released](#) Fiscal Year 2016 payments for its Low Income Home Energy Assistance Program (LIHEAP), totaling \$335.5 million. States received an additional \$3.018 billion in LIHEAP funding in October, bringing the total amount released to states to \$3.353 billion. There is an additional 1 percent left in the

account that HHS is not releasing pending future budget decisions.

3/31/2016 - USDA [announced](#) it is investing up to \$103 million in post-disaster recovery funding and the rehabilitation of aging dams in 19 States through the Emergency Watershed Protection program to help carry out much needed recovery projects that address damage caused by floods, hurricanes, wildfires and other natural disasters.

3/31/2016—The National Agricultural Statistics Service [reported](#) that U.S. corn growers expect to plant 93.6 million acres of corn this year, the first increase in corn planted acreage since 2012 and, if realized, will be the third largest corn acreage since 1944.

Additional Resources and Reports of Interest

4/13/2016—Peabody Energy Corp., the largest private-sector coal producer in the world, [filed for bankruptcy](#). Similar coal producers such as Arch Coal, Alpha Natural Resources, Patriot Coal and Walter Energy have all filed bankruptcy in the past year.

4/13/2016—The U.S. Energy Information Administration (EIA) [released](#) data projecting that U.S. oil production will continue to decline through 2017. According to EIA's data, production in 2016 will average 8.6 million barrels a day and 8 million barrels a day in 2017.

NCSL Resources

Registration is open for [NCSL's 2016 Legislative Summit](#) taking place in Chicago, Aug. 8-11. Register before May 23 to receive the early bird rate. The NRI Committee is pleased to present its [2016 Spring Webinar Series](#) with topics ranging from rural broadband to water infrastructure to GMO labeling. Webinars will be occurring every other Thursday from April 14-June 23. Check our [website](#) for more information and to register.