



Top Stories

10/23/2015—The Environmental Protection Agency (EPA) [published](#) its Clean Power Plan final regulation in the Federal Register. Immediately upon being published, officials from 24 states, led by West Virginia, filed a petition for review and a motion for stay of the regulations in the Court of Appeals for the D.C. Circuit. Additionally, Senate Majority Leader Mitch McConnell (R-Ky.) [announced](#) he will be introducing a Congressional Review Act (CRA) resolution, along with Senator Joe Manchin (D-W.V.) to block the regulation. The CRA allows Congress to overrule a regulation by passage of a joint resolution. However, it is widely expected that President Obama will veto the joint resolution if it is approved by Congress.

10/19/2015—NCSL sent letters to both the [U.S. House](#) and [U.S. Senate](#) leadership, urging Congress to move expeditiously to modify the way wildfires are currently funded, by treating them similar to natural disasters. The current way wildfires are funded depletes resources from vital fire prevention and mitigation programs, including forest restoration and management activities to reduce future fire risk.

The letter touts legislation, such as [H.R. 167](#), the Wildfire Disaster Funding Act, as being necessary to ensure our country can quickly respond to wildfires while maintaining a sufficient budget for wildfire prevention and mitigation efforts.

10/16/2015—The Department of Interior (DOI) [canceled](#) two offshore lease sales in the Arctic Ocean that were scheduled through 2017. DOI stated the cancellation was due to “current market conditions and low industry interest.” This follows an [announcement](#) made last month by Shell Oil Co. that it would halt drilling in the Alaskan Arctic because of “disappointing” results from exploratory drilling.

10/9/2015—The 6th U.S. District Court of Appeals ordered a nationwide stay of EPA’s recently finalized Waters of the U.S. rule, which means the rule will not go into effect until further judicial action is taken by the court. No state will have to comply with the rule at this time. Oral arguments on whether the court has the authority to hear the industry’s challenge will begin on Dec. 8. The new rule updates which waterways in the U.S. are subject to the Clean Water Act permitting requirements for protection from pollutants. For more details see [NCSL’s Info Alert](#).

10/5/2015—Following five years of negotiations, an [agreement](#) was made on the Trans Pacific Partnership (TPP), a regional trade accord between the United States and 11 Pacific Rim countries. The deal, which still needs Congressional approval, would end tariffs on American exports from participating countries, including agricultural products. The U.S. Department of Agriculture (USDA) released a series of state-by-state [fact sheets](#) that show how the TPP could benefit the U.S. agriculture industry and support the rural economy.

10/1/2015—EPA announced new federal air pollution limits on ground-level ozone, also known as smog. EPA has set the final standard for allowable ozone in the air at 70 parts per billion (ppb), down from the current standard of 75 parts per billion (ppb). EPA anticipates making attainment designations for areas by late 2017, based on air quality data from 2014-2016. Depending on the severity of the problem, areas will have between 2020 and 2037 to meet the new standards. Business groups, such as the U.S. Chamber of Commerce, conclude that the new standard is unnecessary and could jeopardize jobs while environmental groups argue that the standard does not

go far enough to protect public health. See [NCSL's Info Alert](#) for more details.

From the Administration

10/22/2015—USDA [awarded](#) \$2.3 billion in loans to build and improve rural electric utility systems in 31 states. The loans include more than \$108 million for smart-grid technology and will be used for 12,000 miles of transmission and distribution lines.

10/22/2015—The Nuclear Regulatory Commission [approved](#) an operating license for the Tennessee Valley Authority to begin operating a new nuclear generation site. The Watts Bar unit is on schedule for operation in early 2016 and it will be the first new nuclear power plant of the 21st century in the United States.

10/19/2015—USDA [announced](#) \$12.5 million in loans for 39 projects to aid rural businesses and promote job creation. Most of the winning projects, spread out over 21 states and Puerto Rico, are small businesses that will use the loans for construction of offices and warehouses and for technical assistance.

10/15/2015—The White House [announced](#) new government and private sector initiatives aimed at reducing emissions of hydrofluorocarbons (HFCs), a harmful greenhouse gas. As part of the announcement, 16 private companies launched new efforts to reduce HFCs from refrigerants and replace them with safer alternatives. Also in conjunction with the White House's efforts, EPA announced it will release a new rulemaking in early 2016 that will add safe HFC alternatives to its Significant New Alternatives Policy program.

10/7/2016—USDA Secretary Tom Vilsack stated that payments under the [Price Loss Coverage and Agriculture Risk Coverage](#) programs for 2014 will be reduced by 6.8 percent, due to sequestration.

10/5/2015—USDA [awarded](#) \$113 million in grants to support fruit, vegetable, tree nuts and nursery crop farming operations,

known as "specialty crops." The grants will go to research, agricultural extension activities and programs to increase demand of specialty crops in America.

From the 114th Congress

10/9/2015—The U.S. House of Representatives passed [H.R. 702](#), a bill that would lift the 40-year ban on exporting domestic crude oil. The vote was mostly along party lines and the White House has since released a [veto threat](#). The White House stated that "legislation to remove crude export restrictions is not needed at this time," and instead Congress should be focusing on transitioning the country to a low-carbon economy.

Additional Resources and Reports of Interest

10/12/2015—Governor of Alaska Bill Walker [proposed](#) increasing oil drilling in the Arctic National Wildlife Refuge to help boost the state revenues and "pay for climate change related programs." Alaska has no sales or income tax and relies on oil and gas production revenues to operate.

10/12/2015—The Organization of Petroleum Exporting Countries (OPEC) [projected](#) that U.S. oil output will decline in 2016 for the first time in eight years. OPEC's projections are in line with those of the U.S. Energy Information Administration, which [projected](#) the week prior that U.S. crude oil production would average 8.9 million barrels a day in 2016, down from 9.2 million barrels a day in 2015.

NCSL Resources

Registration is now open for [NCSL's Capitol Forum](#), held in Washington, D.C., Dec.8-11, complete with our annual Lobby Day and professional development for legislative staff.