

November 6, 2015

TO: NRECA Board of Directors
Distribution CEOs
Statewide Managers
G&T Managers



WORKFORCE FACT: Men and women from rural America make up a disproportionate share of military service members. About a third (31.9 percent) of veterans who served in Operation Enduring Freedom, Operation Iraqi Freedom and Operation New Dawn between 2001 and 2010 live in rural areas. As the military significantly draws down troops, many soldiers are returning to their rural communities and seeking employment.

Senate Votes to Block WOTUS Rule on Second Try

The Senate passed (53-44 [vote](#)) a Congressional Review Act (CRA) disapproval resolution (S.J. Res. 22) to block the Waters of the U.S. final rule. The measure now goes to the House, where Republican leaders plan to bring it up within several weeks. As with similar resolutions, the Senate lacks the 67 votes to override a likely veto and the House likely doesn't have the 290 for an override. The CRA resolution passed shortly after a bill (S. 1140) directing EPA and the Army Corps of Engineers to withdraw the rule and develop a new rule after better consulting with stakeholders fell three short of the 60 votes needed to go to final votes on passage.

President Rejects Keystone XL Pipeline Plan

We're disappointed that the President rejected the Keystone XL pipeline permit application today after several years of debate. The pipe would have brought oil from Canada to the U.S., largely through electric co-op territories. NRECA supported the pipeline due to the job and energy security benefits. Congressional leaders have not said if they will pursue another legislative push to authorize the pipeline. Earlier this year, the President vetoed legislation that would have authorized the pipeline.

House Appropriators Plan to Move FY16 Appropriations

We're keeping electric co-op priorities and concerns in front of congressional appropriators now developing the FY16 spending bills. House Appropriations Chairman Rogers (R-KY) said he expects the committee to clear a spending package after Thanksgiving. He spoke in support of Appropriations subcommittee chairmen holding listening sessions on members' spending requests. The Senate is aiming to get committee work done by Thanksgiving. Early discussions indicate Rural Utilities Service electric loan levels are listed at last year's levels as the starting point for negotiations.

House and Senate Republican leaders said the appropriations effort is likely to include policy riders addressing concerns with Administration initiatives. Democrats say they'll oppose policy riders, which will also likely draw White House veto threats. House and Senate leaders say they're aiming to have a package completed before the current continuing resolution expires.

December 11. The President said he will not sign another short-term funding extension.

Energy Provisions Among Highway Bill Amendments

We welcome the House passing (363-64 [vote](#)) a highway bill (H.R. 22) with energy provisions that electric co-ops and other utilities support. Before the final vote, an amendment by Rep. Mullin (R-OK) on behalf of House Energy Chairman Upton (R-MI) was approved with language that protects utilities from potential Clean Air Act penalties and private citizen lawsuits for voluntary compliance with DOE emergency orders to maintain grid reliability. The amendment also provides for exemptions from FOIA for critical electric infrastructure information, a plan for a strategic transformer reserve, and clear authorities for the Secretary of Energy to address grid security emergencies. These provisions are also in a broader energy bill (H.R. 8) that cleared committee review, but were added to the highway bill to get them passed this year.

House Panel Clears Resolutions to Block EPA GHG Rules

The House moved forward with Congressional Review Act (CRA) disapproval resolutions aimed at the EPA Clean Power Plan final rules. Along strict party-line votes, a key House Energy and Commerce subcommittee approved H.R. Res. 71 and 72, which would block the GHG rules for existing and new power plants. The resolutions now go to full committee review. A similar Senate resolution waits for action. However, it's unlikely Congress can override the certain White House veto. The CRA disapproval process has been successfully used just once.

With the CRA resolutions on deck during November, we're asking electric co-op advocates to use [Action.coop](#) to send their congressional delegations messages supporting the CRA resolutions. NRECA and several G&Ts will emphasize this message at a series of four EPA [public hearings](#) on its [proposed rule](#) on a Federal Plan component of the Clean Power Plan. Attached are a sample op-ed column and talking points we sent to co-op communicators to use during the upcoming public hearings.

NRECA Seeks Changes to FEMA Disaster Recovery Proposal

We filed comments asking the Federal Emergency Management Agency (FEMA) to further clarify its proposed policy on disaster response and recovery program closeout procedures on "deobligation" of power restoration grant funds. The draft policy would put a time limit on when deobligation could occur. Currently, there's no time limit. While NRECA supports limiting the time frame, we seek clarification that the policy applies to both applicants and sub-applicants such as electric cooperatives. We look forward to continue working with FEMA as it clarifies policies so that we have consistent application and interpretation.

Attached: Op-ed for EPA listening sessions, EPA listening sessions talking points.