



**White House Energy Plan Recommendations
Benefit Campaign Contributors**

Prepared for Rep. Henry A. Waxman

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U.S. House of Representatives
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March 22, 2002

I. EXECUTIVE SUMMARY

Recent news reports have revealed the identities of many top energy industry donors that had secret meetings with the White House energy task force headed by Vice President Cheney.¹ This report examines the final White House energy plan to determine how many provisions in the plan benefit these donors. The report identifies 65 provisions in the White House energy plan that benefit donors who met in secret with the White House energy task force.

The White House has stated that representatives of 158 energy companies and corporate trade associations met with Vice President Cheney or members or staff of the White House energy task force during the development of the White House energy plan.² The White House has refused to reveal the identity of these companies, but 22 companies and corporate trade associations have been identified in the press.³ All of these companies contributed to the Republican party, and 19 of them were among the top 25 energy industry financial contributors to the Republican party. These contributors represent major oil and natural gas companies, utilities and merchant power generators, coal mining and coal-fired power interests, and the nuclear industry.

Table 1 shows a list of the companies that have been reported as meeting with the White House energy task force, along with their campaign contributions to the Bush campaign and other Republican candidates or parties. Collectively, these 22 contributors have given \$19,523,010 to President Bush or other Republicans since 1999. They have also given \$5,752,127 to Democrats during the same period.

¹*Top G.O.P. Donors in Energy Industry Met Cheney Panel*, New York Times (Mar. 1, 2002); *Energy Firms Were Heard on Air Rules, a Critic Says*, New York Times (March 2, 2002). See also *Oil Executives Lobbied on Drilling; Two Went to Cheney Task Force to Push for Gulf of Mexico Sale*, Washington Post (Feb. 27, 2002).

²*Top G.O.P. Donors in Energy Industry Met Cheney Panel*, New York Times (Mar. 1, 2002).

³*Top G.O.P. Donors in Energy Industry Met Cheney Panel*, New York Times (Mar. 1, 2002); *Energy Firms Were Heard on Air Rules, a Critic Says*, New York Times (Mar. 2, 2002); *Oil Executives Lobbied on Drilling; Two Went to Cheney Task Force to Push for Gulf of Mexico Sale*, Washington Post (Feb. 27, 2002); *Cheney Gets Coal Fired*, Time Magazine (May 7, 2001). Two of these companies, Marathon Oil and Chevron, did not meet directly with the task force but were represented by the American Petroleum Institute. *Top G.O.P. Donors in Energy Industry Met Cheney Panel*, New York Times (Mar. 1, 2002).

The final White House energy plan was issued on May 16, 2001.⁴ The interests of the companies that contributed heavily to Republican campaigns and met secretly with the White House energy task force are reflected in the White House energy plan. Specifically, the plan includes 65 provisions that benefit these campaign contributors. For example:

- ExxonMobil, BP Amoco, Anadarko Petroleum, Shell Oil, Chevron, and Marathon Oil, are engaged in oil and gas exploration and production.⁵ They benefit from the energy plan's numerous recommendations to encourage oil and gas drilling by providing financial subsidies and opening public lands. For example, the plan directs the Secretary of Interior to review and modify existing provisions in public lands drilling leases, which were included to protect values such as wildlife and water quality.⁶ The White House energy plan also recommends reduction of royalties and other economic incentives for offshore oil and gas development.
- The Edison Electric Institute (EEI) is a trade association representing large electric utilities, and the Southern Company is one of the nation's largest electric utilities. They benefit from recommendations in the White House energy plan aimed at easing Clean Air Act regulations, especially the "new source review" requirements. At the time the meetings occurred, Southern Company subsidiaries were already subject to continuing federal enforcement actions alleging that they have violated the new source review requirements by upgrading their facilities and increasing their air emissions without installing modern pollution control technology.⁷
- Peabody Coal⁸ is the world's largest coal company, AEI Resources is the second largest coal producer in Central Appalachia, and TXU Corp. owns one of the nation's largest lignite surface-mining operations.⁹ They benefit from recommendations in the White House energy

⁴National Energy Policy Development Group, *National Energy Policy* (May 2001).

⁵According to the *New York Times*, Chevron and Marathon Oil reported that they were represented by the American Petroleum Institute in meetings with the White House energy task force. *Top G.O.P. Donors in Energy Industry Met Cheney Panel*, *New York Times* (Mar. 1, 2002).

⁶National Energy Policy Development Group, *National Energy Policy* (May 2001) at 5-7.

⁷See U.S. Department of Justice, *New Source Review: An Analysis of the Consistency of Enforcement Actions with the Clean Air Act and Implementing Regulations*, 41 (January 2002).

⁸Until May 2001, Peabody Coal was owned by Lehman Brothers, which is the entity referenced here for purposes of calculating campaign contributions.

⁹See Peabody Energy website (available online at: <http://www.peabodyenergy.com/index-nn.html>); AEI Resources website (available online at:

plan that encourage coal mining and use. For example, the plan recommends providing \$2 billion over 10 years to fund research in “clean coal” technologies, which would reduce the cost for coal-fired power plants to comply with emissions control requirements. Additionally, the energy plan’s recommendations to expedite federal permitting would promote coal mining on public lands.

- The Nuclear Energy Institute is a trade association representing nuclear power companies, and Exelon, Southern Company, FirstEnergy, and TXU Corp. own and operate large nuclear power plants. They benefit from the White House energy plan’s comprehensive set of recommendations to “support the expansion of nuclear power in the United States as a major component of our national energy policy.”¹⁰ For example, the plan endorses the highly controversial practice of reprocessing nuclear fuel, reversing decades of U.S. policy opposing reprocessing because it produces weapons-usable plutonium that could be obtained by terrorists and rogue nations.¹¹
- Enron markets natural gas and electricity. Enron executives had seven meetings with the White House energy task force, including one with Vice President Cheney and one with Treasury Secretary Paul O’Neill.¹² Enron benefits from multiple recommendations in the White House energy plan, including recommendations for deregulation of the electric utility industry, a recommendation to support legislation to use federal eminent domain authority to site transmission facilities, and a recommendation supporting energy projects in India where Enron had a troubled \$3 billion project.¹³

<http://www.aeiresources.com/default.cfm>); TXU website (available online at: <http://www.txu.com/us/ourbus/elecgen/default.asp>).

¹⁰National Energy Policy Development Group, *National Energy Policy* (May 2001) at 5-17.

¹¹See National Energy Policy Development Group, *National Energy Policy* (May 2001) at 5-17; *Nuclear Reprocessing Sets Off Alarms Again*, Washington Post (July 2, 2001). See also, e.g., President Gerald Ford, *Statement on Nuclear Policy* (Oct. 28, 1976); President Jimmy Carter, *Presidential Directive/NSC-8* (Mar. 24, 1977).

¹²See Letter from David S. Addington, Counsel to the Vice President, to Rep. Henry A. Waxman (Jan. 3, 2002); *Questioning the Books: Skilling, O’Neill Met During Tenure on Energy Panel*, Wall Street Journal (Mar. 11, 2002).

¹³For a detailed discussion of the specific recommendations and broader policies in the White House energy plan that benefit Enron, see *How the White House Energy Plan Benefitted Enron*, a report prepared for Rep. Henry A. Waxman (Jan. 16, 2002).

Table 1: Campaign Contributions to Republican Candidates or Organizations from Energy Companies and Trade Associations That Met with the White House Energy Task Force¹⁴

Company or Organization that Met with the White House Energy Task Force	Contributions to Republicans, 1999-2000	Contributions, 2001-2002	Total Contributions, 1999-2002
Enron Corp.	\$1,746,244	\$358,374	\$2,104,618
ExxonMobil Corp.	\$1,228,550	\$371,069	\$1,599,619
Southern Company	\$1,033,340	\$568,220	\$1,601,560
Koch Industries	\$954,206	\$368,320	\$1,322,526
Lehman Brothers (owned Peabody Coal)	\$808,100	\$136,455 ¹⁵	\$944,555
Chevron Corp.	\$783,677	\$403,685 ¹⁶	\$1,187,362
FPL Group	\$682,821	\$279,288	\$961,866
BP Amoco Corp.	\$667,892	\$197,830	\$865,722
USX Corp. (owns Marathon Oil)	\$665,090	\$70,412 ¹⁷	\$736,261
TXU Corp.	\$655,849	\$279,288	\$935,137
Anadarko Petroleum	\$653,709	\$113,352	\$767,061
FirstEnergy Corp.	\$649,435	\$250,707	\$900,142
AEI Resources	\$616,496	\$135,073	\$751,569
Exelon Corp.	\$564,661	\$347,514	\$912,175

¹⁴Center for Responsive Politics (information available online at: <http://www.opensecrets.org/industries/index.asp>).

¹⁵This number includes contributions from Lehman Brothers after it sold Peabody Coal in May 2001.

¹⁶This number includes contributions from ChevronTexaco as of October 2001.

¹⁷This number may not include complete information on donations from subsidiaries.

National Rural Electric Cooperative Assn.	\$559,470	\$271,417	\$830,887
Edison International	\$512,339	\$64,320 ¹⁸	\$576,659
Ashland Inc.	\$507,542	\$214,179	\$721,721
Edison Electric Institute	\$446,514	\$149,319	\$595,833
National Mining Assn.	\$420,660	\$146,443	\$567,103
Nuclear Energy Institute	\$227,267	\$210,546	\$437,831
Shell Oil	\$125,400	\$49,302 ¹⁹	\$174,702
American Petroleum Institute	\$ 20,601	\$7,500	\$28,101
Totals	\$14,530,622	\$4,992,388	\$19,523,010

¹⁸This number may not include complete information on donations from subsidiaries.

¹⁹This number may not include complete information on donations from subsidiaries.

II. ENERGY PLAN RECOMMENDATIONS AND BENEFICIARIES

1. **The NEPD Group recommends that the President direct the Secretaries of Energy and the Interior to promote enhanced oil and gas recovery from existing wells through new technology.**²⁰

Beneficiaries: This recommendation benefits oil and gas production companies, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Anadarko Petroleum, Shell Oil, Marathon Oil, and Chevron.²¹

2. **The NEPD Group recommends that the President direct the Secretary of Energy to improve oil and gas exploration technology through continued partnership with public and private entities.**²²

Beneficiaries: This recommendation benefits oil and gas companies that enter into technology development partnerships with the federal government, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Shell Oil, Chevron, and Marathon Oil. Each of these companies has entered into cost-share technology development partnerships with the Department of Energy.²³

3. **The NEPD Group recommends that the President direct the Secretary of the Interior to examine land status and lease stipulation impediments to federal oil and gas leasing, and review and modify those where opportunities exist (consistent with the law, good environmental practice, and balanced use of other resources).**
 - Expedite the ongoing Energy Policy and Conservation Act study of impediments to federal oil and gas exploration and development.
4. • Review public lands withdrawals and lease stipulations, with full public consultation,

²⁰National Energy Policy Development Group, *National Energy Policy*, 5-6 (May 2001).

²¹According to the *New York Times*, Chevron and Marathon Oil reported that they were represented by the American Petroleum Institute in meetings with the White House energy task force. *Top G.O.P. Donors in Energy Industry Met Cheney Panel*, *New York Times* (Mar. 1, 2002).

²²National Energy Policy Development Group, *National Energy Policy*, 5-7 (May 2001).

²³See, e.g., DOE, *Project Fact Sheet: Resource Characterization and Quantification of Natural Gas-Hydrate and Associated Free-GA* (undated) (available on line at: <http://dominoweb.fossil.energy.gov/domino/apps/fred/fred.nsf/1d35ffd44e8b0219852567380050496b/90db61c509de0fe285256b2e004ccc53!OpenDocument>) (cooperative agreement with BP Exploration, with DOE cost share of \$13,269,704 and non-DOE cost share of \$8,051,889).

especially with the people in the region, to consider modifications where appropriate.²⁴

Beneficiaries: These recommendations benefit oil and gas companies engaged in exploration and production on public lands, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Anadarko Petroleum, Shell Oil, Chevron, and Marathon Oil.

- 5. The NEPD Group recommends that the President direct the Secretary of the Interior to consider economic incentives for environmentally sound offshore oil and gas development where warranted by specific circumstances: explore opportunities for royalty reductions, consistent with ensuring a fair return to the public where warranted for enhanced oil and gas recovery; for reduction of risk associated with production in frontier areas or deep gas formations; and for development of small fields that would otherwise be uneconomic.²⁵**

Beneficiaries: This recommendation benefits oil and gas companies with offshore operations, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Anadarko Petroleum, Shell Oil, Marathon Oil, and Chevron.

- 6. The NEPD Group recommends that the President direct the Secretaries of Commerce and Interior to re-examine the current federal legal and policy regime (statutes, regulations, and Executive Orders) to determine if changes are needed regarding energy-related activities and the siting of energy facilities in the coastal zone and on the Outer Continental Shelf (OCS).²⁶**

Beneficiaries: This recommendation benefits oil and gas companies with offshore operations, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Anadarko Petroleum, Shell Oil, Marathon Oil, and Chevron. In the case of Anadarko Petroleum and Shell Oil, top executives met with Vice President Cheney for an hour on February 8, 2001, to push for drilling access in the eastern Gulf of Mexico, despite the opposition of Florida Governor Jeb Bush.²⁷ In July 2001, the Bush Administration approved the plan to open a portion of the eastern Gulf to drilling, and in December 2001, both Anadarko and Shell won rights to develop

²⁴National Energy Policy Development Group, *National Energy Policy*, 5-7 (May 2001).

²⁵National Energy Policy Development Group, *National Energy Policy*, 5-7 (May 2001).

²⁶National Energy Policy Development Group, *National Energy Policy*, 5-8 (May 2001).

²⁷*Oil Executives Lobbied on Drilling; Two Went to Cheney Task Force to Push for Gulf of Mexico Sale*, Washington Post (Feb. 27, 2002).

several prime sites.²⁸ BP Amoco and ExxonMobil also have substantial lease holdings in the Gulf of Mexico.²⁹

- 7. The NEPD Group recommends that the President direct the Secretary of the Interior continue OCS oil and gas leasing and approval of exploration and development plans on predictable schedules.³⁰**

Beneficiaries: This recommendation benefits oil and gas companies with offshore operations, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Anadarko Petroleum, Shell Oil, Marathon Oil, and Chevron. As discussed above, Anadarko Petroleum and Shell Oil met with Vice President Cheney specifically to discuss OCS leasing issues.³¹

- 8. The NEPD Group recommends that the President direct the Secretary of the Interior to consider additional environmentally responsible oil and gas development, based on sound science and the best available technology, through further lease sales in the National Petroleum Reserve-Alaska. Such consideration should include areas not currently leased within the Northeast corner of the Reserve.³²**

Beneficiaries: This recommendation benefits oil and gas companies that have substantial operations in Alaska, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Chevron, and Anadarko Petroleum.³³

- 9. The NEPD Group recommends that the President direct the Secretary of the Interior to work with Congress to authorize exploration and, if resources are discovered, development of the 1002 Area of ANWR. Congress should require the use of the best**

²⁸*Id.*

²⁹ See ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP website (available online at: <http://www.bp.com>).

³⁰National Energy Policy Development Group, *National Energy Policy*, 5-8 (May 2001).

³¹*Oil Executives Lobbied on Drilling; Two Went to Cheney Task Force to Push for Gulf of Mexico Sale*, Washington Post (Feb. 27, 2002).

³²National Energy Policy Development Group, *National Energy Policy*, 5-8 (May 2001).

³³See ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP website (available online at: <http://www.bp.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>); Anadarko website (available online at: <http://www.anadarko.com/>).

available technology and should require that activities will result in no significant adverse impact to the surrounding environment.³⁴

Beneficiaries: This recommendation benefits oil companies that have substantial operations in Alaska, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Chevron, and Anadarko Petroleum.³⁵

10. The NEPD Group recommends that the President direct the Secretary of Energy to propose comprehensive electricity legislation that promotes competition, protects consumers, enhances reliability, promotes renewable energy, improves efficiency, repeals the Public Utility Holding Company Act, and reforms the Public Utility Regulatory Policies Act.³⁶

Beneficiaries: This recommendation benefits power generators and marketers that support deregulation of the electric industry, including the following companies that met with the White House energy task force: Enron, which was widely viewed as the strongest advocate for deregulation, Mirant, a subsidiary of Southern Company until April 2001, and Edison Mission Energy, a subsidiary of Edison International. Enron had multiple meetings with staff or members of the White House energy task force, including one meeting with Vice President Cheney.³⁷

Repeal of the Public Utility Holding Company Act and reform of the Public Utility Regulatory Policies Act are generally supported by the utility industry as well as power generators and marketers. These portions of the recommendation also benefit the following companies that met with the White House energy task force: Southern Company, Exelon, TXU Corp., and FPL Group.³⁸

³⁴National Energy Policy Development Group, *National Energy Policy*, 5-10 (May 2001).

³⁵See ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP website (available online at: <http://www.bp.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>); Anadarko website (available online at: <http://www.anadarko.com/>).

³⁶National Energy Policy Development Group, *National Energy Policy*, 5-12 (May 2001).

³⁷*Top G.O.P. Donors in Energy Industry Met Cheney Panel*, New York Times (Mar. 1, 2002).

³⁸These companies are all members of the Repeal PUHCA Now! Coalition. Testimony of Mr. David M. Sparby, Vice President, Xcell Energy, *Hearing on S. 206 – “The Public Utilities Holding Company Act of 2001,”* 107th Cong. (Mar. 29, 2001) (available online at: http://banking.senate.gov/01_03hr/032901/sparby.htm).

11. **The NEPD Group recommends that the President encourage FERC to use its existing statutory authority to promote competition and encourage investment in transmission facilities.³⁹**

Beneficiaries: This recommendation benefits power generators and marketers, as well as utilities that support incentives for investment in transmission facilities. Beneficiaries include the following companies that met with the White House energy task force: Enron, Southern Company, Exelon, TXU Corp., FirstEnergy, FPL Group, Edison International, and companies represented by EEI.⁴⁰

12. **The NEPD Group recognizes the importance of looking to technology to help us meet the goals of increasing electricity generation while protecting our environment. To that end, the NEPD Group recommends that the President direct the Department of Energy to continue to develop advanced clean coal technology by:**
 - Investing \$2 billion over 10 years to fund research in clean coal technologies.
13. **• Supporting a permanent extension of the existing research and development tax credit.**
14. **• Directing federal agencies to explore regulatory approaches that will encourage advancements in environmental technology.⁴¹**

Beneficiaries: These recommendations benefit coal companies, including the following companies that met with the White House energy task force: Peabody Energy, AEI Resources, TXU Corp., and companies represented by the National Mining Association.⁴² Peabody Energy's chief executive and

³⁹National Energy Policy Development Group, *National Energy Policy*, 5-12 (May 2001).

⁴⁰See, e.g., Testimony of Stanley F. Szwed, Vice President, FirstEnergy, *Hearing on Electricity Transmission Policy*, 107th Cong. (Oct. 10, 2001) (available online at: <http://energycommerce.house.gov/107/hearings/10102001Hearing387/hearing.htm>) (testifying on behalf of EEI in favor of policies to increase transmission investment); Testimony of Allen H. Franklin, President and CEO, Southern Company, *Hearing on Electricity Transmission Policy*, 107th Cong. (Oct. 10, 2001) (available online at: <http://energycommerce.house.gov/107/hearings/10102001Hearing387/hearing.htm>); Testimony of John W. Rowe, President and Co-Chief Executive Officer, Exelon Corp. 107th Cong. (July 25, 2001) (available online at: http://www.eei.org/issues/news/pdf/010725_rowe.PDF) (testifying on behalf of EEI).

⁴¹National Energy Policy Development Group, *National Energy Policy*, 5-15 (May 2001).

⁴²See *Cheney Gets Coal Fired*, Time Magazine (May 7, 2001); *Getting the Ear of Dick Cheney*, Time Magazine (Feb. 3, 2002); *Bush's Energy Plan Bares Industry Clout*, Los Angeles Times (Aug. 26, 2001); *Top G.O.P. Donors in Energy Industry Met Cheney Panel*, New York

vice president met with Vice President Cheney on March 1, 2001.⁴³

These recommendations also benefit utilities with large coal-fired power plants, which are eligible for subsidies for pollution control equipment, including the following companies that met with the White House energy task force: Southern Company, FirstEnergy, TXU Corp., Edison International, and companies represented by EEI.⁴⁴

15. The NEPD Group recommends that the President direct federal agencies to provide greater regulatory certainty relating to coal electricity generation through clear policies that are easily applied to business decisions.⁴⁵

Beneficiaries: This recommendation benefits utilities that own coal-fired generation. These utilities oppose the Clean Air Act “new source review” requirements on the grounds that they are too uncertain and discourage investment. Beneficiaries include the following companies that met with the White House energy task force: Southern Company, FirstEnergy, TXU Corp., Edison International, and companies represented by EEI. Southern Company has been a leading foe of the new source review requirements, and it is one of the founding members of a new lobbying group formed to oppose these regulations, the National Electric Reliability Coordinating Council.⁴⁶ FirstEnergy is also a member of this lobbying group.⁴⁷ The National Electric Reliability Coordinating Council hired as its lobbyist former

Times (Mar. 1, 2002)

⁴³*Bush’s Energy Plan Bares Industry Clout*, Los Angeles Times (Aug. 26, 2001).

⁴⁴*See Bush’s Energy Plan Bares Industry Clout*, Los Angeles Times (Aug. 26, 2001); *Cheney Gets Coal Fired*, Time Magazine (May 7, 2001); *Top G.O.P. Donors in Energy Industry Met Cheney Panel*, New York Times (Mar. 1, 2002). *See also, e.g., DOE, Project Fact Sheet: Project Systems Development Facility* (undated) (available on line at: <http://dominoweb.fossil.energy.gov/domino/apps/fred/fred.nsf/E69A9FD7313FAE4F852564E9006CECB4/0D6A209656A8429085256B2E004CCB47?OpenDocument>) (cooperative agreement with Southern Company Services as project lead with a DOE cost share of \$234,974,033 and a non-DOE cost share of \$43,903,445).

⁴⁵National Energy Policy Development Group, *National Energy Policy*, 5-15 (May 2001).

⁴⁶*See Utilities Hire GOP’s Haley Barbour to Lobby New Source Review Issues*, Electric Utility Week (June 11, 2001); *TVA Withdraws Funds from Lobbying Effort Against Clean Air Act*, Associated Press (Jan. 31, 2002); *Southern’s PAC Spending Cited – PIRG Eyes Firm’s Pro-Coal Agenda*, Natural Gas Week (Dec. 10, 2001).

⁴⁷*Id.*

Republican chairman Haley Barbour, who is also a lobbyist for Southern Company and other utilities.⁴⁸ According to news reports, Mr. Barbour met with Vice President Cheney and the task force on May 3, 2001.⁴⁹

16. **The NEPD Group recommends that the President support the expansion of nuclear energy in the United States as a major component of our national energy policy. Following are specific components of the recommendation:**
 - **Encourage the Nuclear Regulatory Commission (NRC) to ensure that safety and environmental protection are high priorities as they prepare to evaluate and expedite applications for licensing new advanced-technology nuclear reactors.**
17. • **Encourage the NRC to facilitate efforts by utilities to expand nuclear energy generation in the United States by uprating existing nuclear plants safely.**
18. • **Encourage the NRC to relicense existing nuclear plants that meet or exceed safety standards.**
19. • **Direct the Secretary of Energy and the Administrator of the Environmental Protection Agency to assess the potential of nuclear energy to improve air quality.**
* * *
20. • **Use the best science to provide a deep geologic repository for nuclear waste.**
21. • **Support legislation clarifying that qualified funds set aside by plant owners for eventual decommissioning will not be taxed as part of the transaction.**
22. • **Support legislation to extend the Price –Anderson Act.**⁵⁰

Beneficiaries: These recommendations benefit utilities and power generators that own nuclear power plants, including the following companies that met with the White House energy task force: Exelon, which owns the largest fleet of nuclear plants in the United States, Southern Company, FirstEnergy, TXU Corp., Edison International, FPL Group, and companies represented by the Nuclear Energy Institute.⁵¹ Exelon's top officers met with Vice President Cheney in March 2001. An Exelon CEO and

⁴⁸*Utilities Hire GOP's Haley Barbour to Lobby New Source Review Issues*, Electric Utility Week (June 11, 2001); *Fierce Industry Lobbying and Clever Lawyering Was Behind an Order to Review Existing Justice Department Lawsuits Against Polluters*, Sources Say, Newsweek (May 26, 2001); *Getting the Ear of Dick Cheney*, Time Magazine (Feb. 3, 2002).

⁴⁹See *Getting the Ear of Dick Cheney*, Time Magazine (Feb. 3, 2002); *Fierce Industry Lobbying and Clever Lawyering Was Behind an Order to Review Existing Justice Department Lawsuits Against Polluters*, Sources Say, Newsweek (May 26, 2001).

⁵⁰National Energy Policy Development Group, *National Energy Policy*, 5-17 (May 2001).

⁵¹See Exelon website (available online at: <http://www.exeloncorp.com/generation/pg-nuclear-main.html>); Southern Company website (available

other Nuclear Energy Institute members also met later in March with presidential advisor Karl Rove and Lawrence B. Lindsey, the Assistant to the President for Economic Policy and a member of the energy task force.⁵²

23. **The NEPD Group recommends that, in the context of developing advanced nuclear fuel cycles and next generation technologies for nuclear energy, the United States should reexamine its policies to allow for research, development and deployment of fuel conditioning methods (such as pyroprocessing) that reduce waste streams and enhance proliferation resistance. In doing so, the United States will continue to discourage the accumulation of separated plutonium, worldwide.**⁵³

Beneficiaries: By encouraging the development of new nuclear power-related technologies, these recommendations benefit utilities and power generators that own nuclear power plants, including the following companies that met with the White House energy task force: Exelon, Southern Company, FirstEnergy, TXU Corp., Edison International, FPL Group, and companies represented by the Nuclear Energy Institute.⁵⁴

24. **The United States should also consider technologies (in collaboration with international partners with highly developed fuel cycles and a record of close cooperation) to develop reprocessing and fuel treatment technologies that are cleaner, more efficient, less waste-intensive, and more proliferation-resistant.**⁵⁵

Beneficiaries: By encouraging the development of new nuclear power-related technologies, these recommendations benefit utilities and power generators that own nuclear power plants, including the

online at: <http://www.southerncompany.com/>); FirstEnergy website (available online at: <http://www.firstenergycorp.com:80/ir/engine;jsessionid=XNRZBR1J3CIHGYS1JS4GEHQ?s=com.firs> tenergycorp.investor.www.Home&o=12997477&q=2&p=%2FCorporate+Information%2FCompany+Overview); TXU Corp. website (available online at: <http://www.txu.com/us/ourbus/elegen/default.asp>); Edison International website (available online at: http://www.edison.com/investors/edison_comp.asp); FPL Group website (available online at: <http://www.fplenergy.com/aboutfpl/index.htm>).

⁵²*Top G.O.P. Donors in Energy Industry Met Cheney Panel*, New York Times (Mar. 1, 2002).

⁵³National Energy Policy Development Group, *National Energy Policy*, 5-17 (May 2001).

⁵⁴*See supra* at note 50.

⁵⁵National Energy Policy Development Group, *National Energy Policy*, 5-17 (May 2001).

following companies that met with the White House energy task force: Exelon, Southern Company, FirstEnergy, TXU Corp., Edison International, FPL Group, and companies represented by the Nuclear Energy Institute.⁵⁶

25. **The NEPD Group recognizes there is a need to reduce the time and cost of the hydropower licensing process. The NEPD Group recommends that the President encourage the Federal Energy Regulatory Commission (FERC) and direct federal resource agencies to make the licensing process more clear and efficient, while preserving environmental goals. In addition, the NEPD Group recognizes the importance of optimizing the efficiency and reliability of existing hydropower facilities and will encourage the Administration to adopt efforts toward that end.**
 - Support administrative and legislative reform of the hydropower licensing process.
26. **• Direct federal resource agencies to reach interagency agreement on conflicting mandatory license conditions before they submit their conditions to FERC for inclusion in a license.**
27. **• Encourage FERC to adopt appropriate deadlines for its own actions during the licensing process.**⁵⁷

Beneficiaries: These recommendations benefit utilities and power generators that own hydroelectric power plants, including the following companies that met with the White House energy task force: Enron, Southern Company, Edison International, Exelon, and FPL Group.⁵⁸

⁵⁶See *supra* at note 50.

⁵⁷National Energy Policy Development Group, *National Energy Policy*, 5-18 (May 2001).

⁵⁸Through its wholly owned subsidiary, Portland General, Enron owns four hydroelectric plants subject to federal licenses that expire in the next five years. The projects and dates are: North Fork 8/31/2006; Willamette Falls 12/31/2004; Oak Grove 8/31/2006; Bull Run 11/16/2004. FERC, Hydroelectric Projects Under Commission License (Feb. 2001) (available on line at: www.ferc.fed.us/hydro/hydro2.htm). Southern Company's largest subsidiary, Georgia Power Company, owns 19 hydroelectric facilities producing approximately 1,078 megawatts, including three facilities currently in the process of relicensing (information available online at: <http://www.southerncompany.com/gapower/about/plants.asp?mnuOpco=gpc&mnuType=sub&mnuItem=ni>). Another Southern Company subsidiary, Alabama Power, owns 14 hydroelectric plants, of which nine are subject to federal licenses that expire in the next 5 years (information available online at: <http://www.southerncompany.com/alpower/about/plants.asp?mnuOpco=apc&mnuType=sub&mnuItem=ni>; www.ferc.fed.us/hydro/hydro2.htm). See also Southern California Edison (subsidiary of Edison International) website (available online at: http://www.sce.com/sc3/006_about_sce/006b_generation/default.htm); Exelon website (available online at: <http://www.exeloncorp.com/generation/pg-fhr-main.html>); FPL Group website (available

28. **The NEPD Group recommends that the President direct the Secretary of the Treasury to work with Congress on legislation to extend and expand tax credits for electricity produced using renewable technology, such as wind and biomass. The President's budget request . . . allows a credit for electricity produced from biomass co-fired with coal.**⁵⁹

Beneficiaries: This recommendation benefits power generators and utilities that co-fire biomass in their coal-fired power plants, including Southern Company, which met with the White House energy task force.⁶⁰ This recommendation also benefits power generators and utilities that own windpower facilities, including the following companies that met with the White House energy task force: Enron, Exelon, and FPL Group.⁶¹

29. **The NEPD Group recommends that the President direct the Secretary of Energy to work with the Federal Energy Regulatory Commission (FERC) to improve the reliability of the interstate transmission system and to develop legislation providing for enforcement by a self-regulatory organization subject to FERC oversight.**⁶²

Beneficiaries: This recommendation benefits power generators and utilities, including the following companies that met with the White House energy task force: Southern Company, FirstEnergy, Exelon, companies represented by EEI, and companies represented by the National Rural Electric Cooperative Association.⁶³

online at: <http://www.fplenergy.com/aboutfpl/index.htm>).

⁵⁹National Energy Policy Development Group, *National Energy Policy*, 6-7 (May 2001).

⁶⁰DOE, *Biopower: Projects: Southern Co. (Alabama Power), Gadsden Station, Gadsden, AL* (undated) (available online at: http://www.eren.doe.gov/biopower/projects/ia_pr_co_AL.htm).

⁶¹See Enron website (available online at: <http://www.enron.com/corp/pressroom/factsheets/egs/>); Exelon website (available online at: <http://www.exeloncorp.com/generation/pg-fhr-main.html>); FPL Group website (available online at: <http://www.fplenergy.com/aboutfpl/index.htm>).

⁶²National Energy Policy Development Group, *National Energy Policy*, 7-6 (May 2001).

⁶³See, e.g., Testimony of Allen H. Franklin, President and CEO, Southern Company, *Hearing on Electricity Transmission Policy*, 107th Cong. (Oct. 10, 2001) (available online at: <http://energycommerce.house.gov/107/hearings/10102001Hearing387/hearing.htm>); Testimony of Stanley F. Szwed, Vice President, FirstEnergy, *Hearing on Electricity Transmission Policy*, 107th Cong. (Oct. 10, 2001) (available online at:

30. **The NEPD Group recommends that the President direct the Secretary of Energy to expand the Department's research and development on transmission reliability and superconductivity.**⁶⁴

Beneficiaries: This recommendation benefits power generators and utilities, including the following companies that met with the White House energy task force: Enron, Southern Company, TXU Corp., FirstEnergy, Exelon, FPL Group, Edison International, companies represented by EEI, and members of the National Rural Electric Cooperative Association.

31. **The NEPD Group recommends that the President direct the appropriate federal agencies to take actions to remove constraints on the interstate transmission grid and allow our nation's electricity supply to meet the growing needs of our economy.**
- **Direct the Secretary of Energy, by December 31, 2001, to examine the benefits of establishing a national grid, identify transmission bottlenecks, and identify measures to remove transmission bottlenecks.**
32. • **Direct the Secretary of Energy to work with FERC to relieve transmission constraints by encouraging the use of incentive rate-making proposals.**
33. • **Direct the federal utilities to determine whether transmission expansions are necessary to remove constraints. The Administration should review the Bonneville Power Administration's (BPA's) capital and financing requirements in the context of its membership in a regional RTO, and if additional Treasury financing appears warranted or necessary in the future, the Administration should seek an increase in BPA's borrowing authority at that time.**
34. • **Direct the Secretary of Energy, in consultation with appropriate federal agencies and state and local government officials, to develop legislation to grant authority to obtain rights-of-way for electricity transmission lines, with the goal of creating a reliable national transmission grid. Similar authority already exists for natural gas pipelines in recognition of their role in interstate commerce.**⁶⁵

Beneficiaries: These recommendations to expand federal authority over transmission facilities, and

<http://energycommerce.house.gov/107/hearings/10102001Hearing387/hearing.htm>) (testifying on behalf of EEI); Testimony of John W. Rowe, President and Co-Chief Executive Officer, Exelon Corp. 107th Cong. (July 25, 2001) (available online at: http://www.eei.org/issues/news/pdf/010725_rowe.PDF) (testifying on behalf of EEI); Testimony of Glenn English, National Rural Electric Cooperative Association, *Hearing on Electricity Transmission Policy*, 107th Cong. (Oct. 10, 2001) (available online at: <http://energycommerce.house.gov/107/hearings/10102001Hearing387/hearing.htm>).

⁶⁴National Energy Policy Development Group, *National Energy Policy*, 7-6 (May 2001).

⁶⁵National Energy Policy Development Group, *National Energy Policy*, 7-7, 8 (May 2001).

especially over siting of transmission facilities, benefit power generators and utilities, including the following companies that met with the White House energy task force: Enron, Southern Company, FirstEnergy, Exelon, and members of EEI.⁶⁶

- 35. The NEPD Group recommends that the President direct the Secretary of the Interior to work with Congress and the State of Alaska to put in place the most expeditious process for renewal of the Trans-Alaskan Pipeline System rights-of-way to ensure that Alaskan oil continues to flow uninterrupted to the West Coast of the United States.⁶⁷**

Beneficiaries: This recommendation benefits companies with ownership interests in the Trans-Alaska Pipe System, including the following companies that met with the White House energy task force: BP and ExxonMobil, which respectively own 47% and 20% of the Trans-Alaska Pipeline System.⁶⁸

- 36. The NEPD Group recommends that the President direct the Secretaries of Energy and State, coordinating with the Secretary of the Interior and the Federal Energy Regulatory Commission, to work closely with Canada, the State of Alaska, and all other interested parties to expedite the construction of a pipeline to deliver natural gas to the lower 48 states. This should include proposing to Congress any changes or waivers of law pursuant to the Alaska Natural Gas Transportation Act of 1976 that may be required.⁶⁹**

Beneficiaries: This recommendation benefits oil and gas companies that have substantial operations in Alaska, including the following companies that met with the White House energy task force:

⁶⁶See, e.g., Testimony of Stanley F. Szwed, Vice President, FirstEnergy, *Hearing on Electricity Transmission Policy*, 107th Cong. (Oct. 10, 2001) (available online at: <http://energycommerce.house.gov/107/hearings/10102001Hearing387/hearing.htm>) (testifying on behalf of EEI in favor of federal authority over transmission siting and transmission rate reform); Testimony of John W. Rowe, President and Co-Chief Executive Officer, Exelon Corp. 107th Cong. (July 25, 2001) (available online at: http://www.eei.org/issues/news/pdf/010725_rowe.PDF) (testifying on behalf of EEI); Southern Company, *Southern Company releases reports on nation's transmission system* (Nov. 1, 2001) (available online at: <http://newsinfo.southernco.com/article.asp?mnuType=sub&mnuItem=ni&id=1103&mnuOpco=soco&category=000>) (press release) (endorsing incentive-based rates).

⁶⁷National Energy Policy Development Group, *National Energy Policy*, 7-10 (May 2001).

⁶⁸Alyeska pipeline, *About Us* (available online at: <http://www.alyeska-pipe.com/about.html>).

⁶⁹National Energy Policy Development Group, *National Energy Policy*, 7-11 (May 2001).

ExxonMobil, BP Amoco, Chevron, Anadarko Petroleum, and Marathon Oil.⁷⁰

- 37. The NEPD Group recommends that the President direct agencies to continue their interagency efforts to improve safety and expedite pipeline permitting in an environmentally sound manner and encourage FERC to consider improvements in the regulatory process governing approval of interstate natural gas pipeline projects.⁷¹**

Beneficiaries: This recommendation benefits companies with interests in natural gas pipelines, including the following companies that met with the White House energy task force: Enron, BP Amoco, TXU Corp., Koch Industries, Chevron, FirstEnergy, and Anadarko Petroleum.⁷²

- 38. The NEPD Group recommends that the President direct the Administrator of the EPA to study opportunities to maintain or improve the environmental benefits of state and local “boutique” clean fuel programs while exploring ways to increase the flexibility of the fuels distribution infrastructure, improve fungibility, and provide added gasoline market liquidity. In concluding this study, the Administrator shall consult with the Departments of Energy and Agriculture, and other agencies as needed.⁷³**

Beneficiaries: This recommendation benefits oil refiners and gasoline distributors, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco,

⁷⁰See ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP Amoco website (available online at: <http://www.bp.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>); Anadarko Petroleum website (available online at: <http://www.anadarko.com/>); Marathon website (available online at: <http://www.marathon.com/business.html>).

⁷¹National Energy Policy Development Group, *National Energy Policy*, 7-12 (May 2001).

⁷²See Enron website (available online at: <http://www.enron.com/corp/pressroom/factsheets/egs/>); BP Amoco website (available online at: <http://www.bp.com>); TXU Corp. website (available online at: <http://www.txu.com/us/ourbus/elecgen/default.asp>); Koch Industries website (available online at: <http://www.kochind.com/business/pipelines.asp>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>); FirstEnergy website (available online at: <http://www.firstenergycorp.com:80/ir/engine;jsessionid=XNRZBR1J3CIHGYS1JS4GEHQ?s=com.firs> tenergycorp.investor.www.Home&o=12997477&q=2&p=%2FCorporate+Information%2FCompany+Overview); and Anadarko Petroleum website (available online at: <http://www.anadarko.com/>).

⁷³National Energy Policy Development Group, *National Energy Policy*, 7-14 (May 2001).

Chevron, Koch Industries, Shell Oil, Marathon Oil, and Ashland Inc.⁷⁴ The chairman of Ashland met with Energy Secretary Spencer Abraham, a key member of the task force.⁷⁵

39. **The NEPD Group recommends that the President direct the Administrator of the Environmental Protection Agency and the Secretary of Energy to take steps to ensure America has adequate refining capacity to meet the needs of consumers.**
- **Provide more regulatory certainty to refinery owners and streamline the permitting process where possible to ensure that regulatory overlap is limited.**
40. • **Adopt comprehensive regulations (covering more than one pollutant and requirement) and consider the rules' cumulative impacts and benefits.**⁷⁶

Beneficiaries: This recommendation to reconsider environmental permitting benefits oil refiners, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Chevron, Koch Industries, Shell Oil, Marathon Oil, and Ashland Inc.

41. **The NEPD Group recommends that the President direct the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Energy and other relevant agencies, to review New Source Review regulations, including administrative interpretation and implementation, and report to the President within 90 days on the impact of the regulations on investment in new utility and refinery generation capacity, energy efficiency, and environmental protection.**⁷⁷

Beneficiaries: This recommendation benefits utilities and refineries, which are required under the new source review regulations to install modern pollution control equipment when they upgrade their facilities and increase their emissions of air pollution. Beneficiaries include the following companies that met with the White House energy task force: Southern Company, FirstEnergy, TXU Corp., Edison

⁷⁴ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP Amoco website (available online at: <http://www.bp.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>); Koch Industries website (available online at: <http://www.kochind.com/business/pipelines.asp>); Shell Oil website (available online at: <http://www.shellus.com>); Marathon Oil website (available online at: <http://www.marathon.com/business.html>); Ashland Inc. website (available online at: <http://www.ashland.com/businesses/map.html>).

⁷⁵*Top G.O.P. Donors in Energy Industry Met Cheney Panel*, New York Times (Mar. 1, 2002).

⁷⁶National Energy Policy Development Group, *National Energy Policy*, 7-14 (May 2001).

⁷⁷*Id.*

International, companies represented by EEI, ExxonMobil, BP Amoco, Ashland Petroleum, Chevron Corp., Shell Oil, Koch Industries, and Marathon Oil.

- 42. The NEPD Group recommends that the President direct the Attorney General to review existing enforcement actions regarding New Source Review to ensure that the enforcement actions are consistent with the Clean Air Act and its regulations.⁷⁸**

Beneficiaries: This recommendation benefits the utility and refining entities that oppose the new source review regulations. Beneficiaries include the following companies that met with the White House energy task force: Southern Company, FirstEnergy, TXU Corp., Edison International, companies represented by EEI, ExxonMobil, BP Amoco, Ashland Inc. Chevron, Shell Oil, Koch Industries, and Marathon Oil. This recommendation especially benefits Southern Company, which has several subsidiaries that have been subject to ongoing new source review enforcement actions by the Department of Justice since November 1999.⁷⁹ BP Amoco, Koch Industries, Shell Oil, and Marathon Ashland Petroleum LLC, or in some cases their subsidiaries, have already entered into settlement agreements with EPA over alleged new source review violations.⁸⁰

- 43. The NEPD Group recommends that the President direct the Administrator of the Environmental Protection Agency (EPA) to propose multi-pollutant legislation. The NEPD Group recommends that the President direct the EPA Administrator to work with Congress to propose legislation that would establish a flexible, market-based program to significantly reduce and cap emissions of sulfur dioxide, nitrogen oxides, and mercury from electric power generation . . . [and] [p]rovide regulatory certainty to allow utilities to make modifications to their plants without fear of new litigation.⁸¹**

Beneficiaries: This recommendation benefits utilities owning coal-fired generation, which oppose the the Clean Air Act “new source review” requirements. Beneficiaries include the following companies that met with the White House energy task force: Southern Company, FirstEnergy, TXU Corp., Edison International, and companies represented by EEI.⁸²

⁷⁸*Id.*

⁷⁹U.S. Department of Justice, *New Source Review: An Analysis of the Consistency of Enforcement Actions with the Clean Air Act and Implementing Regulations*, 14 (January 2002).

⁸⁰*Id.* at 17.

⁸¹National Energy Policy Development Group, *National Energy Policy*, 3-3 (May 2001).

⁸²*See* Southern Company website (available online at: <http://www.southerncompany.com/>); FirstEnergy website (available online at:

44. **The NEPD Group recommends the President support initiatives by Saudi Arabia, Kuwait, Algeria, Qatar, the UAE, and other suppliers to open up areas of their energy sectors to foreign investment.**⁸³

Beneficiaries: This recommendation benefits oil and gas companies with operations or interests in the Middle East, including the following companies that met with the White House energy task force: Enron, BP Amoco, ExxonMobil, Shell Oil, and Chevron.⁸⁴

45. **The NEPD Group recommends that the President direct the Secretaries of State, Commerce, and Energy to continue supporting American energy firms competing in markets abroad and use our membership in multilateral organizations, such as the Asia-Pacific Economic Cooperation (APEC) forum, the Organization for Economic Cooperation and Development (OECD), the World Trade Organization (WTO) Energy Services Negotiations, the Free Trade Area of the Americas (FTAA), and our bilateral relationships to implement a system of clear, open, and transparent rules and procedures governing foreign investment; to level the playing field for U.S. companies overseas; and to reduce barriers to trade and investment.**⁸⁵

Beneficiaries: This recommendation benefits numerous energy companies with international operations or interests, including the following companies that met with the White House energy task force: Enron, BP Amoco, ExxonMobil, Shell Oil, Chevron, Marathon Oil, TXU Corp., and Exelon.

46. **The NEPD Group recommends that the President direct the Secretaries of Commerce**

<http://www.firstenergycorp.com:80/ir/engine;jsessionid=XNRZBR1J3CIHGYS1JS4GEHQ?s=com.firs>
[tenenergycorp.investor.www.Home&o=12997477&q=2&p=%2FCorporate+Information%2FCompany](http://www.firstenergycorp.com:80/ir/engine;jsessionid=XNRZBR1J3CIHGYS1JS4GEHQ?s=com.firs)
[+Overview](http://www.firstenergycorp.com:80/ir/engine;jsessionid=XNRZBR1J3CIHGYS1JS4GEHQ?s=com.firs)); TXU Corp. website (available online at:
<http://www.txu.com/us/ourbus/elecgen/default.asp>); Edison International website (available online at:
http://www.edison.com/investors/edison_comp.asp).

⁸³National Energy Policy Development Group, *National Energy Policy*, 8-5 (May 2001).

⁸⁴See See Enron website (available online at:
<http://www.enron.com/corp/pressroom/factsheets/egs/>); BP Amoco website (available online at:
<http://www.bp.com>); ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP
Amoco website (available online at: <http://www.bp.com>); Shell Oil website (available online at:
<http://www.shellus.com>); ChevronTexaco website (available online at:
<http://www.chevrontexaco.com/>).

⁸⁵National Energy Policy Development Group, *National Energy Policy*, 8-6 (May 2001).

and Energy, and the U.S. Trade Representative, to support a sectoral trade initiative to expand investment and trade in energy-related goods and services that will enhance exploration, production, and refining, as well as the development of new technologies.⁸⁶

Beneficiaries: This recommendation benefits numerous energy companies with international operations or interests in exploration, production, or refining, including the following companies that met with the White House energy task force: Enron, BP Amoco, ExxonMobil, Shell Oil, Chevron, and Marathon Oil.

47. The NEPD Group recommends that the President direct the Secretaries of State, Treasury, and Commerce to initiate a comprehensive review of sanctions. Energy security should be one of the factors considered in such a review.⁸⁷

Beneficiaries: This recommendation benefits numerous energy companies with international operations or interests, including the following companies that met with the White House energy task force: Enron, BP Amoco, ExxonMobil, Shell Oil, Chevron, Marathon Oil, TXU Corp., and Exelon. For example, Enron lost part of its financing for its Dabhol power project in India when India tested nuclear weapons in 1998 and the U.S. imposed sanctions, barring certain U.S. Export-Import Bank loans for the project.⁸⁸

48. The NEPD Group recommends that the President direct the Secretaries of Energy and State, in consultation with the Federal Energy Regulatory Commission, to review their respective oil, natural gas, and electricity cross-boundary “Presidential Permitting” authorities, and to propose reforms as necessary in order to make their own regulatory regimes more compatible for cross-border trade.⁸⁹

Beneficiaries: This recommendation benefits oil, gas, and electricity companies with U.S./Canada or U.S./Mexico operations, including the following companies that met with the White House energy task force: BP Amoco and Chevron.⁹⁰

⁸⁶National Energy Policy Development Group, *National Energy Policy*, 8-6 (May 2001).

⁸⁷*Id.*

⁸⁸*Power Politics: Enron’s Plant in India Was Dead; This Month, It Will Go On*, Wall Street Journal (Feb. 5, 1999).

⁸⁹National Energy Policy Development Group, *National Energy Policy*, 8-6 (May 2001).

⁹⁰See BP website (available online at: <http://www.bp.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>).

49. **The NEPD Group recommends that the President direct the Secretaries of Energy and State, coordinating with the Secretary of the Interior and the Federal Energy Regulatory Commission, to work closely with Canada, the State of Alaska, and all other interested parties to expedite the construction of a pipeline to deliver natural gas to the lower 48 states. This should include proposing to Congress any changes or waivers of law pursuant to the Alaska Natural Gas Transportation Act of 1976 that may be required.**⁹¹

Beneficiaries: This recommendation benefits oil and gas companies that have substantial operations in Alaska, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Chevron, and Anadarko Petroleum.⁹²

50. **The NEPD Group recommends that the President direct the Secretaries of State and Commerce to conclude negotiations with Venezuela on a Bilateral Investment Treaty, and propose formal energy consultations with Brazil, to improve the energy investment climate for the growing level of energy investment flows between the United States and each of these countries.**⁹³

Beneficiaries: This recommendation benefits energy companies with interests in Venezuela or Brazil, including the following companies that met with the White House energy task force: Enron, ExxonMobil, BP Amoco, Anadarko Petroleum, Shell Oil, and Chevron.⁹⁴

51. **The NEPD Group recommends that the President direct the Secretaries of Energy, Commerce, and State to work through the Summit of the Americas Hemispheric Energy Initiative to develop effective and stable regulatory frameworks and foster**

⁹¹National Energy Policy Development Group, *National Energy Policy*, 8-10 (May 2001).

⁹²See ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP website (available online at: <http://www.bp.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>); Anadarko website (available online at: <http://www.anadarko.com/>).

⁹³National Energy Policy Development Group, *National Energy Policy*, 8-11 (May 2001).

⁹⁴See *Government Aid to Enron Could Haunt Taxpayers*, Houston Chronicle (Feb. 20, 2002) (discussing Enron's Bolivia to Brazil natural gas pipeline and power plant in Brazil); ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP website (available online at: <http://www.bp.com>); Anadarko website (available online at: <http://www.anadarko.com/>); Shell Oil website (available online at: <http://www.shellus.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>).

reliable supply sources of all fuels within the region.⁹⁵

Beneficiaries: This recommendation benefits energy companies with interests in Latin America and South America, including the following companies that met with the White House energy task force: Enron, ExxonMobil, BP Amoco, Anadarko Petroleum, Shell Oil, and Chevron.⁹⁶

52. The NEPD Group recommends that the President direct the Secretaries of State, Energy, and Commerce to reinvigorate the U.S.-Africa Trade and Economic Cooperation Forum and the U.S.-African Energy Ministerial process; deepen bilateral and multilateral engagement to promote a more receptive environment for U.S. oil and gas trade, investment, and operations; and promote geographic diversification of energy supplies, addressing such issues as transparency, sanctity of contracts, and security.⁹⁷

Beneficiaries: This recommendation benefits oil and gas companies with operations in Africa, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Shell Oil, and Chevron.⁹⁸

53. The NEPD Group recommends that the President direct the Secretaries of State, Energy, and Commerce to recast the Joint Economic Partnership Committee with Nigeria to improve the climate for U.S. oil and gas trade, investment, and operations and to advance our shared energy interests.⁹⁹

⁹⁵National Energy Policy Development Group, *National Energy Policy*, 8-11 (May 2001).

⁹⁶See *Government Aid to Enron Could Haunt Taxpayers*, Houston Chronicle (Feb. 20, 2002) (discussing Enron's Bolivia to Brazil natural gas pipeline and power plant in Brazil); ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP website (available online at: <http://www.bp.com>); Anadarko website (available online at: <http://www.anadarko.com/>); Shell Oil website (available online at: <http://www.shellus.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>).

⁹⁷National Energy Policy Development Group, *National Energy Policy*, 8-11 (May 2001).

⁹⁸See ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP website (available online at: <http://www.bp.com>); Shell Oil website (available online at: <http://www.shellus.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>).

⁹⁹National Energy Policy Development Group, *National Energy Policy*, 8-11 (May 2001).

Beneficiaries: This recommendation benefits oil and gas companies with operations in Nigeria, including the following companies that met with the White House energy task force: BP Amoco, Shell Oil, ExxonMobil, and Chevron.¹⁰⁰

- 54. The NEPD Group recommends that the President direct the Secretaries of State, Commerce, and Energy to support more transparent, accountable, and responsible use of oil resources in African producer countries to enhance the stability and security of trade and investment environments.**¹⁰¹

Beneficiaries: This recommendation benefits oil and gas companies with operations in Africa, including the following companies that met with the White House energy task force: ExxonMobil, BP Amoco, Shell Oil, and Chevron.¹⁰²

- 55. The NEPD Group recommends that the President direct the Secretaries of State, Commerce, and Energy to support the BTC oil pipeline as it demonstrates its commercial viability.**¹⁰³

Beneficiaries: This benefits BP Amoco, which met with the White House energy task force and currently holds a 25% stake in the BTC pipeline.¹⁰⁴

- 56. The NEPD Group recommends that the President direct the Secretaries of Commerce, State, and Energy to continue working with relevant companies and countries to establish the commercial conditions that will allow oil companies operating in**

¹⁰⁰See BP website (available online at: <http://www.bp.com>); Shell Oil website (available online at: <http://www.shellus.com>); ExxonMobil website (available online at: <http://www2.exxonmobil.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>).

¹⁰¹National Energy Policy Development Group, *National Energy Policy*, 8-11, 12 (May 2001).

¹⁰²See ExxonMobil website (available online at: <http://www2.exxonmobil.com>); BP website (available online at: <http://www.bp.com>); Shell Oil website (available online at: <http://www.shellus.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>).

¹⁰³National Energy Policy Development Group, *National Energy Policy*, 8-13 (May 2001).

¹⁰⁴See *Oil Execs Increasingly Confident on Baku-Ceyhan Construction*, Eurasianet.org (Nov. 29, 2001) (available online at: <http://www.eurasianet.org/departments/business/articles/eav112901.shtml>).

Kazakhstan the option of exporting their oil via the BTC pipeline.¹⁰⁵

Beneficiaries: This benefits BP Amoco, which met with the White House energy task force and currently holds a 25% stake in the BTC pipeline.¹⁰⁶

- 57. The NEPD Group recommends that the President direct the Secretaries of State, Commerce, and Energy to support the efforts of private investors and regional governments to develop the Shah Deniz gas pipeline as a way to help Turkey and Georgia diversify their natural gas supplies and help Azerbaijan export its gas via a pipeline that will continue diversification of secure energy supply routes.¹⁰⁷**

Beneficiaries: This recommendation benefits BP Amoco, which met with the White House energy task force and currently holds a 25.5% stake in the Shah Deniz partnership.¹⁰⁸

- 58. The NEPD Group recommends that the President direct the Secretary of State to encourage Greece and Turkey to link their gas pipeline systems to allow European consumers to diversify their gas supplies by purchasing Caspian gas.¹⁰⁹**

Beneficiaries: This recommendation benefits oil and gas companies with interests in the Caspian region, including the following companies that met with the White House energy task force: BP Amoco, Chevron, Shell Oil, and ExxonMobil.¹¹⁰

- 59. The NEPD Group recommends that the President direct the Secretaries of Commerce,**

¹⁰⁵National Energy Policy Development Group, *National Energy Policy*, 8-13 (May 2001).

¹⁰⁶*See id.*

¹⁰⁷National Energy Policy Development Group, *National Energy Policy*, 8-13 (May 2001).

¹⁰⁸*See* Rashid Djevanshir, President, Shah Deniz Consortium, and Joseph Welge, Vice President, Gas and Power Marketing, BP Amoco Group, *Meeting on Azeri Gas: The Shah Deniz Project Summary (Presentation and Discussion)*, (Mar. 2, 2002) (available online at: <http://www.csis.org/turkey/event000302.htm>) (presentation at Center for Strategic and International Studies).

¹⁰⁹National Energy Policy Development Group, *National Energy Policy*, 8-13 (May 2001).

¹¹⁰*See* BP website (available online at: <http://www.bp.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>); Shell Oil website (available online at: <http://www.shellus.com>); ExxonMobil website (available online at: <http://www2.exxonmobil.com>);

Energy, and State to deepen their commercial dialogue with Kazakhstan, Azerbaijan, and other Caspian states to provide a strong, transparent, and stable business climate for energy and related infrastructure projects.¹¹¹

Beneficiaries: This recommendation benefits oil and gas companies with interests in the Caspian region, including the following companies that met with the White House energy task force: BP Amoco, Chevron, Shell Oil, and ExxonMobil.¹¹²

60. The NEPD Group recommends that the President direct the Secretaries of State, Commerce, and Energy to deepen the focus of the discussions with Russia on energy and the investment climate.¹¹³

Beneficiaries: This recommendation benefits oil and gas companies with interests in Russia, including the following companies that met with the White House energy task force: BP Amoco, ExxonMobil, Shell Oil, and Chevron.¹¹⁴

61. The NEPD Group recommends that the President direct the Secretaries of Commerce, State, and Energy to assist U.S. companies in their dialogue on the investment and trade climate with Russian officials, to encourage reform of the PSA law and other regulations and related tax provisions, as well as general improvements in the overall investment climate. This will help expand private investment opportunities in Russia and will increase the international role of Russian firms.¹¹⁵

Beneficiaries: This recommendation benefits oil and gas companies with interests in Russia, including the following companies that met with the White House energy task force: BP Amoco, ExxonMobil,

¹¹¹National Energy Policy Development Group, *National Energy Policy*, 8-13 (May 2001).

¹¹²See BP website (available online at: <http://www.bp.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>) Shell Oil website (available online at: <http://www.shellus.com>); ExxonMobil website (available online at: <http://www2.exxonmobil.com>).

¹¹³National Energy Policy Development Group, *National Energy Policy*, 8-13 (May 2001).

¹¹⁴See BP website (available online at: <http://www.bp.com>); ExxonMobil website (available online at: <http://www2.exxonmobil.com>); Shell Oil website (available online at: <http://www.shellus.com>) ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>).

¹¹⁵National Energy Policy Development Group, *National Energy Policy*, 8-13, 14 (May 2001).

Shell Oil, and Chevron.¹¹⁶

- 62. The NEPD Group recommends that the President direct the Secretaries of State and Energy to work with India's Ministry of Petroleum and Natural Gas to help India maximize its domestic oil and gas production.¹¹⁷**

Beneficiaries: This recommendation benefits Enron, which is the majority owner of the Dabhol power plant and holds several oil and gas fields in India.¹¹⁸

- 63. The NEPD Group recommends the President issue an Executive Order to rationalize permitting for energy production in an environmentally sound manner by directing federal agencies to expedite permits and other federal actions necessary for energy-related project approvals on a national basis. This order would establish an interagency task force chaired by the Council on Environmental Quality to ensure that federal agencies responsible for permitting energy-related facilities are coordinating their efforts. The task force will ensure that federal agencies set up appropriate mechanisms to coordinate federal, state, tribal, and local permitting activity in particular regions where increased activity is expected.¹¹⁹**

Beneficiaries: This recommendation benefits energy production companies by expediting federal permits for energy-related projects, such as drilling and mining operations and construction and operation of power plants, refineries, transmission lines, and other infrastructure. Beneficiaries include all of the companies that were reported to have met with the White House energy task force.

- 64. The NEPD Group recommends that the President issue an Executive Order to direct all federal agencies to include in any regulatory action that could significantly and adversely affect energy supplies, distribution, or use, a detailed statement on: (1) the energy impact of the proposed action, (2) any adverse energy effects that cannot be avoided should the proposal be implemented, and (3) alternatives to the proposed action. The agencies would be directed to include this statement in all submissions to**

¹¹⁶See BP website (available online at: <http://www.bp.com>); ExxonMobil website (available online at: <http://www2.exxonmobil.com>); Shell Oil website (available online at: <http://www.shellus.com>); ChevronTexaco website (available online at: <http://www.chevrontexaco.com/>).

¹¹⁷National Energy Policy Development Group, *National Energy Policy*, 8-14 (May 2001).

¹¹⁸See *Two Subsidiaries Close to Sale, May Bring \$3.4 Billion*, Houston Chronicle (Feb. 13, 2002).

¹¹⁹National Energy Policy Development Group, *National Energy Policy*, 3-13 (May 2001).

the Office of Management and Budget of proposed regulations covered by Executive Order 12866, as well as in all notices of proposed regulations published in the Federal Register.¹²⁰

Beneficiaries: This recommendation potentially benefits energy companies, including all of the companies that met with the White House energy task force.

- 65. The NEPD Group recommends that the President direct the Secretary of Energy to explore potential opportunities to develop educational programs related to energy development and use. This should include possible legislation to create public education awareness programs about energy. Such programs should be long-term in nature, should be funded and managed by the respective energy industries, and should include information on energy's compatibility with a clean environment.¹²¹**

Beneficiaries: This recommendation benefits energy companies, including all of the companies that met with the White House energy task force, by providing DOE assistance to promote energy development and publicize the message that energy development is compatible with environmental protection.

¹²⁰National Energy Policy Development Group, *National Energy Policy*, 1-3 (May 2001).

¹²¹National Energy Policy Development Group, *National Energy Policy*, 2-1 (May 2001).