

EXHIBIT 1

Eubanks & Associates, PLLC

LAW FOR THE PUBLIC INTEREST

1629 K STREET NW
SUITE 300
WASHINGTON, DC 20006
(970) 703-6060

EXPEDITED PROCESSING REQUESTED

May 12 2022

FOIA Officer
U.S. Department of State
Office of Information Programs and Services
2201 C Street NW, Ste B266
Washington, DC 20520

**Re: Request Under The Freedom Of Information Act For Records Concerning
The United States' Response To The Energy Crisis Precipitated By The
Russo-Ukrainian War**

This is a request on behalf of Friends of the Earth pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, for information concerning the Department of State’s (“DOS”) actions in connection with the recently-formed joint Task Force on Energy Security (“Task Force”) and, in particular, information concerning Amos Hochstein, Senior Advisor for Energy Security and a leading member of the Task Force, to address the impacts from the Russo-Ukrainian War and the ensuing energy crisis. This request first provides background that illustrates the importance of the information at issue and then specifically identifies the information being requested. This request also demonstrates that Friends of the Earth is entitled to expedited processing of its request. Finally, this request demonstrates that Friends of the Earth is entitled to a fee waiver.

I. BRIEF FACTUAL BACKGROUND

On February 24, 2022, Russia invaded Ukraine, marking a steep escalation of hostilities between the two nations. Western nations, including the United States, have responded to the ensuing crisis by escalating arms shipments to Ukraine and imposing increasingly severe economic sanctions on Russia, as well as on its political leaders and oligarchs. In turn, Russia has retaliated with economic measures of its own. In particular, Russia has threatened to sharply curtail—or even halt—its shipment of natural gas to European nations. *See* Jake Horton et al, *How Reliant is the World on Russia for Oil and Gas?*, BBC NEWS (May 4, 2022).¹ European officials have described Russia’s threat as “blackmail.” *Matina Stevis-Gridneff et al., Ukraine War Impact Widens: Russia Cuts Gas Flow and Vows More Reprisals*, NY TIMES (Apr. 27,

¹ In response to Western sanctions, President Putin announced that “unfriendly” nations would have to purchase Russian gas using Russian currency. *See* Jake Horton et al, *How Reliant is the World on Russia for Oil and Gas?*, BBC NEWS (May 4, 2022). The Russian-state-owned energy company Gazprom cut off supplies to Poland and Bulgaria and says it will not restart these until payments are made in rubles. *Id.* Many other European Union member states will face the same issue in mid-May, when their payments are due. *Id.*

2022) (Attach. A). Natural gas currently represents around a quarter of the European Union’s overall energy consumption. *See* European Commission, *Liquefied Natural Gas*, https://energy.ec.europa.eu/topics/oil-gas-and-coal/liquefied-natural-gas_en (last visited May 11, 2022). Currently, over 40% of the European Union’s natural gas come from Russia. Jarrett Renshaw & Timothy Gardner, *U.S. Push to Export LNG Amid Ukraine Crisis Slowed by Climate Concerns, Sources Say*, REUTERS (Mar. 11, 2022) (Attach. B). Accordingly, the disruption in Russian energy supplies threatens the European Union’s energy security and economy, and has also complicated the global gas market. *See, e.g.*, Clifford Krauss, *Europe’s Quest to Replace Russian Gas Faces Plenty of Hurdles*, NY TIMES (May 5, 2022) (Attach. C).

Russia’s use of its natural-gas supplies as leverage in the Russo-Ukrainian War has thrown the dangers of relying on Russian energy imports into sharp relief. The European Union has moved to reduce Russian imports, leaving gas producers in other regions to make up the shortfall. *See* Attach. C.² In particular, the European Union has turned to the United States, the world’s largest producer and exporter of liquefied natural gas (“LNG”). *Id.*

The impacts of the Russo-Ukrainian War and ensuing energy crisis have reverberated across borders and oceans. Russia’s unprovoked invasion of Ukraine “has roiled the markets and geopolitics of energy, driving oil and gas prices to their highest levels in nearly a decade and forcing many countries to reconsider their energy supplies.” Jeff Tollefson, *What the War in Ukraine Means for Energy, Climate and Food*, NATURE (Apr. 5, 2022) (Attach. D). To address the resulting energy crisis, on March 25, 2022, President Biden and European Commission President von der Leyen announced a joint Task Force on Energy Security. Press Release, White House, *Fact Sheet: United States and European Commission Announce Task Force to Reduce Europe’s Dependence on Russian Fossil Fuels* (March 25, 2022) (Attach. E). The Task Force is to be co-chaired by representatives from the United States and the European Union, and has two primary goals: (1) to diversify LNG supplies in alignment with climate objectives; and (2) to reduce demand for natural gas. *Id.* Amos Hochstein, DOS’s Senior Advisor for Energy Security, is playing a leading role, including chairing a meeting of the Task Force in April. *See* Press Release, *Joint Statement Between The United States And The European Commission On European Energy Security* (Apr. 29, 2022) (Attach. F).³ A businessman and veteran diplomat with experience in Eastern European policy and natural gas extraction and exports, Mr. Hochstein has assumed a leading role in the United States’ foreign policy response to the Russo-Ukrainian War.⁴

² European Union member states have been banned from buying Russian crude oil after the end of 2022, with limited exceptions for Hungary and Slovakia (permitted to purchase Russian crude through 2023). Jake Horton et al., *supra*, note 1.

³ Mr. Hochstein was appointed to serve as DOS’s Senior Advisor for Energy Security on August 10, 2021. Press Statement, Dep’t of State, *Senior Advisor for Energy Security* (Aug. 10, 2021).

⁴ During the Obama Administration, Mr. Hochstein served in several positions in the State Department, including Special Envoy and Coordinator for International Energy Affairs. In 2017, Mr. Hochstein left the public sector and joined Tellurian, a LNG company, as the Senior Vice

As part of the Task Force’s plan to achieve its goals, the Biden Administration pledged to increase domestic LNG exports to the European Union by at least 15 billion cubic meters, with “expected increases going forward.” Attach. E. The Biden Administration has also pledged to “maintain[] an enabling regulatory environment with procedures to review and expeditiously act upon applications to permit any additional export LNG capacities.” *Id.* However, the logistics of how the United States will meet its commitments to increase LNG exports are unclear. Both the export and import of LNG requires specialized facilities. There are 37 LNG terminals in European Union member states. Although more are planned, they will not be completed for several years, and therefore will not alleviate the immediate energy crisis. *See* Rebecca Leber, *Europe Can Lead The Way Through An Energy Crisis Without More Fossil Fuels*, VOX (Mar. 26, 2022) (Attach. G).

Until recently, low prices for U.S. natural gas have dissuaded new drillers from investing in new wells or infrastructure. *Id.* Currently, 10 export facilities await permits, long-term buyers, and investors. *Id.* Now, with the Russo-Ukrainian War driving new demand for natural gas, United States energy companies are pushing the Biden Administration to increase natural gas extraction and infrastructure even more. The “unleashing LNG” effort, spearheaded by the largest gas producer in the country EQT, aims to quadruple US export capacity in the next decade. *See* Attach. C; Paul J. Gough, *EQT Unveils Nationwide Plan to ‘Unleash LNG’ to Solve Energy Crisis, Reduce Emissions*, PITTSBURGH BUS. TIMES (Mar. 9, 2022) (Attach. H). At the same time, the Task Force is actively exploring ways to bolster LNG exports from the United States to Europe. *See* Atl. Council, *Senior US Energy Official Amos Hochstein on the West’s Response to Russia and ‘Critical Need’ to Diversify its Energy Supply* (Mar. 28, 2022) (Attach. I).

Although the Task Force has held several meetings with government officials and industry participants, the Biden Administration has not disclosed the United States’ members or their interests. *See* Attach. F.⁵ The lack of transparency has raised serious concerns that the Task Force may be subject to undue influence and pressure from fossil fuel industry representatives who, according to various news media sources, are pushing for a dangerous expansion of natural gas extraction and LNG infrastructure that threatens to lock in decades of production, causing irreversible environmental and socio-economic destruction. *See, e.g.*, Collin Rees, *Groups Call Out U.S.-EU ‘Joint Task Force for Energy Security’ For Lack Of Transparency And Climate Criteria*, OILCHANGE INT’L (Apr. 14, 2022) (Attach. J); Attach. Q; Attach. P. The Task Force’s next meeting is set for June 2022. Attach. F.

President for Marketing. He also served as a member of the Supervisory Board for Naftogaz, a Ukrainian gas company.

⁵ Cheniere, the largest LNG exporter in the US, admitted to shareholders during its Q1 earnings call on May 4, 2022 that it had been an active participant. *See* Cheniere Energy, Inc., *Cheniere Energy’s (LNG) CEO Jack Fusco on Q1 2022 Results - Earnings Call Transcript*, SEEKING ALPHA (May 4, 2022), available at <https://seekingalpha.com/article/4506931-cheniere-energy-lng-ceo-jack-fusco-on-q1-2022-results-earnings-call-transcript>.

The potential expansion of natural gas extraction and new LNG infrastructure comes at a time that is critical to determining the course of the planet’s future. As the International Panel on Climate Change (“IPCC”) warned with “extremely high confidence, “[t]he cumulative scientific evidence is unequivocal: Climate change is a threat to human well-being and planetary health. Any further delay in concerted anticipatory global action on adaptation and mitigation will miss a brief and rapidly closing window of opportunity to secure a livable and sustainable future for all.” IPCC, *Climate Change 2022: Impacts, Adaptation and Vulnerability, Summary for Policymakers* 35 (2022). Indeed, projected greenhouse gas emissions over the lifetime of existing and currently planned fossil fuel infrastructure will push global warming past 1.5 degrees Celsius, the generally accepted threshold that will avoid the worst impacts of climate change. IPCC, *Climate Change 2022: Mitigation of Climate Change* SPM-19 (2022). The IPCC warned that averting climate disaster requires immediate and deep reductions across all sectors; it “cannot be achieved through incremental change.” *Id.* at TS-32.

The International Energy Agency (“IEA”) has likewise concluded that to limit the long-term increase in global temperatures to 1.5 degrees Celsius, there must be “a complete transformation of how we produce, transport and consume energy.” IEA, *Net Zero by 2050: A Roadmap for the Global Energy Sector* 2 (May 2021). The IEA determined that to achieve climate goals, there can be no new investments in fossil fuel supplies beyond those committed as of 2021. *Id.* at 11. Instead, the United States (and other nations) must move to reduce emissions to *zero as soon as possible*.⁶ Accordingly, all fossil fuels—including natural gas—must be phased out to meet global emissions targets.⁷ Despite the fossil fuel industry’s protestations, multiple reports have outlined how Europe could get off Russian gas and meet its energy needs without fossil fuels. *See, e.g.,* Attach. G; Agora Energiewende, *Regaining Europe’s Energy Sovereignty: 15 Priority Actions for RePowerEU* (Mar. 2022) (report suggesting pathways to cutting the European Union’s overall gas usage by 32% by 2027) (Attach. X); Bellona Europa et al., *EU Can Stop Russian Gas Imports by 2025: Accelerating Clean Energy Avoids Fossil Lock-in* (2022) (concluding that combining a clean energy expansion with accelerated energy efficiency efforts would replace about two-thirds of the demand for Russian gas as soon as 2025) (Attach. Y).

⁶ *See, e.g.,* David Roberts, *More Natural Gas Isn’t A “Middle Ground”—It’s A Climate Disaster*, VOX (Mar. 30, 2019), available at <https://www.vox.com/energy-and-environment/2019/5/30/18643819/climate-change-natural-gas-middle-ground>.

⁷ Because natural gas is less carbon-intensive than coal, it has been heralded as a “cleaner” energy source. However, this is a false perception. There is simply too much carbon in the natural gas we have discovered to meet climate targets; in other words, the carbon content of the “developed reserves” of fossil fuels around the world, i.e., “already-operating or under-construction fields and mines,” far exceeds the emissions targets that will limit global warming to 1.5 degrees Celsius. *See* David Roberts, *supra* note 6. Additionally, the production and transportation of natural gas emits methane, a greenhouse gas that is more than 25 times as potent as carbon dioxide at trapping heat in the atmosphere. *See* U.S. EPA, *Importance of Methane*, <https://tinyurl.com/mrz8vv2p> (last visited May 10, 2022).

II. REQUESTED RECORDS

Pursuant to FOIA, 5 U.S.C. § 552(a)(3), Friends of the Earth requests information concerning Amos Hochstein's actions in his official capacity as DOS's Senior Advisor for Energy Security. Specifically, Friends of the Earth requests the following:

- Any and all ethics forms, agreements, or documentation for Amos Hochstein, Senior Advisor for Energy Security, including but not limited to: ethics agreements; recusal agreements, lists, or other documentation; written waivers; regulatory exemptions; conflict of interest disclosures or other documentation; and disclosures of investments in and/or divestments from fossil fuel companies from August 10, 2021 through the date the records search is made for this request;
- Communications between Mr. Hochstein and the DOS's Office of the Assistant Legal Advisor for Ethics and Financial Disclosure from August 10, 2021 through the date the records search is made for this request;
- Communications between Mr. Hochstein and members of and participants in the Task Force from March 25, 2022 through the date the records search is made for this request;
- All calendar entries from Mr. Hochstein's official calendar from August 10, 2021 through the date the records search is made for this request, including but not limited to: calendar entry titles; dates; times; meeting locations; meeting attendees; and the meeting descriptions from the electronic calendar entries; and
- Any communications generated or received by Mr. Hochstein concerning the encouragement or facilitation of the expansion of domestic natural gas production and infrastructure from August 10, 2021 through the date the records search is made for this request.

III. REQUEST FOR EXPEDITED PROCESSING

FOIA requires that "each agency shall promulgate regulations . . . providing for expedited processing of requests for records in cases in which the person requesting the records demonstrates a compelling need." 5 U.S.C. § 552(a)(6)(E)(i). The statute specifies that "compelling need" means, "with respect to a request made by a person primarily engaged in disseminating information, urgency to inform the public concerning actual or alleged Federal Government activity." *Id.* § 552(a)(6)(E)(v)(II). DOS regulations implementing FOIA require that FOIA requests be processed on an expedited basis when the requester "demonstrates that a 'compelling need' for the information exists." 22 C.F.R. § 171.11(f). The regulations provide that "[a] 'compelling need' is deemed to exist where the requester can demonstrate" that, *inter alia*, "[t]he information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal government activity." *Id.* § 171.11(f)(2).

Requesters seeking expedited processing on this basis “must demonstrate that their primary activity involves publishing or otherwise disseminating information to the public in general, not just to a particular segment or group.” *Id.* Agencies must respond to expedited requests within 10 days. 5 U.S.C. § 552(a)(6)(E)(ii)(I); *accord* 22 C.F.R. § 171.11(f)(4).

A. Friends Of The Earth Is Primarily Engaged In Information Dissemination

As suggested by FOIA’s plain meaning and legislative history, the term “primarily engaged in disseminating information” means that “information dissemination be the main [and not merely an incidental] activity of the requestor.” *Allied Progress v. CFPB*, No. 17-686 (CKK), 2017 WL 1750263, at *3 (D.D.C. May 4, 2017) (quoting *Landmark Legal Found. v. EPA*, 910 F. Supp. 2d 270, 276 (D.D.C. 2012)). Publishing information “need not be [the organization’s] sole occupation,” *id.*, but must be a primary activity in furtherance of the organization’s mission, *see Leadership Conference on Civil Rights v. Gonzales*, 404 F. Supp. 2d 246, 260 (D.D.C. 2005) (finding that the plaintiff was “primarily engaged in disseminating information” where the “plaintiff disseminates information regarding civil rights and voting rights to educate the public, promote effective civil rights laws, and ensure their enforcement by the Department of Justice”).

As explained in the attached declaration, “Friends of the Earth’s primary objective” is “disseminating information relevant to environmental concerns.” Decl. Lukas Ross ¶ 3. Indeed, one of Friends of the Earth’s primary missions is “to change the perception of the public, media, and policymakers—and effect policy change—with hard-hitting, well-reasoned policy analysis and advocacy campaigns that describe what needs to be done.” Friends of the Earth, *What We Do*, <https://foe.org/about-us/> (last visited May 10, 2022). To that end, a key aspect of Friends of the Earth’s recent work is investigation and publication of how the fossil fuel industry continues to benefit from the fossil fuel export boom that threatens our climate and puts our oceans at risk. *See* Friends of the Earth, *Fossil Fuels*, <https://foe.org/projects/fossil-fuels/?issue=5> (last visited May 10, 2022). In particular, oil and gas companies have taken advantage of federal and state subsidies and a lax regulatory environment to reach record profits, even as gas prices continue to soar. *See generally* Friends of the Earth et al., *Big Oil’s Wartime Bonus* (Apr. 5, 2022) (Attach. K). Prior to the Russo-Ukrainian War, Friends of the Earth was a prominent opponent of federal subsidies for the expansion of LNG exports, and worked to compile and disseminate information to the general public, Congress, and policymakers highlighting the risk to the climate, communities, and investors of allowing export facilities to qualify for tax incentives. *See, e.g.*, Alleen Brown, *Biden Subsidies for Liquid Natural Gas Could Doom International Climate Goals*, THE INTERCEPT (June 21, 2021) (Attach. L) (citing Friends of the Earth’s research); Decl. Lukas Ross ¶ 4.

Particularly relevant here, Friends of the Earth has been at the forefront of efforts to ensure that the humanitarian and energy crises in Ukraine and Europe at large must not be used by self-serving opportunists in the fossil fuel industry to roll back climate commitments or delay efforts to move beyond fossil fuels. When the Biden Administration announced the joint Task Force and United States’ commitments to “maintaining an enabling regulatory environment with procedures to review and expeditiously act upon applications to permit any additional export LNG capacities,” Friends of the Earth was ready with a rapid response analysis highlighting how

an increase in fossil fuel exports was both dangerous for the climate and a false solution to the geopolitical challenge posed by Russian aggression. *See* Friends of the Earth, *Biden Sides With Big Oil Barons and Wall Street In EU Gas Deal* (Mar. 25, 2022) (Attach. M); *accord* Decl. Lukas Ross ¶ 4. This analysis subsequently informed the reporting of outlets like Yahoo News. *See* Ben Adler, *Biden Pledges To Help Europe Kick Its Dependence On Russian Energy*, YAHOO! NEWS (Mar. 25, 2022) (Attach. N). Friends of the Earth has continued to compile, synthesize, and disseminate information relevant to the fossil fuel industry’s efforts to exploit the Russo-Ukrainian War and resulting energy crisis to garner short-term profits and/or long-term policy concessions. *See* Decl. Lukas Ross ¶¶ 5-7. Friends of the Earth has risen to the task by compiling several expert analyses designed to inform members of media, Congress, the Biden administration, and the general public. *See* Attach M; Friends of the Earth et al., *All-American Oligarchs: The Big Oil CEOs Profiting From War In Ukraine* (Mar. 10, 2022) (Attach. O). These analyses have received national media coverage and have been explicitly referenced by members of Congress in various fora. *See* Decl. Lukas Ross ¶ 6; Attachs. T-W. Friends of the Earth’s request will further those efforts by providing information relevant to DOS’s engagement with the European Union and the fossil fuel industry regarding the ongoing energy crisis, and the fossil fuel industry’s efforts to influence the development and implementation of the United States’ responses. Decl. Lukas Ross ¶¶ 9-11.

Thus, Friends of the Earth has easily demonstrated that it “intend[s] to disseminate the information obtained,” *see* Decl. Lukas Ross ¶ 10; that its “core mission . . . is to inform public understanding on operations and activities of government,” including by “gather[ing] and disseminat[ing] information that is likely to contribute significantly to the public understanding of executive branch operations and activities,” *see id.* ¶¶ 5-10; and that it “intend[s] to give the public access to documents transmitted via FOIA,” *see id.* ¶¶ 3, 10. *Prot. Democracy Proj. v. U.S. Dep’t of Def.*, 263 F. Supp. 3d 293, 298 (D.D.C. 2017). These representations establish that Friends of the Earth is “primarily engaged in disseminating information.” *Id.*

B. The Request Involves An Urgency To Inform The Public About Actual And Alleged Federal Government Activity

Three factors are pertinent to assessing whether there is an urgency to inform: “(1) whether the request concerns a matter of current exigency to the American public; (2) whether the consequences of delaying a response would compromise a significant recognized interest; and (3) whether the request concerns federal government activity.” *Al-Fayed v. CIA*, 254 F.3d 300, 310 (D.C. Cir. 2001). Because Friends of the Earth’s request seeks information concerning Mr. Hochstein’s actions and activities undertaken in his official capacity as DOS’s Senior Advisor for Energy Security, there can be no debate that Friends of the Earth’s request concerns federal government activity and thus satisfies the third element. As demonstrated below, Friends of the Earth’s request likewise satisfies the first two elements and thus qualifies for expedited processing.

1. *Friends Of The Earth Has Demonstrated That Its Request Concerns A Matter Of Current Exigency*

It is beyond legitimate dispute that the records requested “pertain to a matter of current exigency to the public.” This factor is satisfied where the requested records implicate matters that are “currently unfolding.” *Al-Fayed*, 254 F.3d at 310. Here, the records requested pertain to DOS’s engagement with the European Union and the fossil fuel industry to, *inter alia*, discuss, facilitate, and/or promote the expansion of domestic natural gas extraction and infrastructure development in response to the energy crisis precipitated by the Russo-Ukrainian War, despite the impending climate crisis and the existence of viable sustainable alternatives—e.g., justly sourced renewables and increased energy efficiency—to meeting energy demands. As of the date of this letter, the Russo-Ukrainian War is ongoing, and Russia continues to threaten the European Union’s energy supplies. The impacts of Russia’s actions and threats continue to reverberate through the global economy; in the United States, utility and gas prices are soaring while fossil fuel companies report windfall profits. *See* Attach. K (Friends of the Earth report discussing the fossil fuel industry’s efforts to direct windfall profits into the hands of their shareholders); Attach. T (Washington Post article discussing same). The European Union has released its initial plan to get Europe through the immediate crisis, and continues work with the United States through the Task Force, in which Mr. Hochstein plays a prominent role, to refine and implement that plan and develop long-term solutions to ensuring Western nation’s energy security. The Task Force’s next meeting is planned for June 2022. Accordingly, the records Friends of the Earth requested clearly pertain to matters that are “the subject of a currently unfolding story.” *Al-Fayed*, 254 F.3d at 310.

That the records requested relate to matters that are of urgent interest to the American public—if not the global public—is further evidenced by the numerous newspaper articles concerning the European Union’s dependence on Russian natural gas, the United States’ efforts to reduce that dependence, the participation of a former industry executive in policy deliberations that could imminently benefit his former colleagues, and concerns over the expansion of fossil fuels at this critical point in the fight against climate change. *See, e.g.*, Attachs. A-D; Attach. G; Attach. N; Attachs. T-W.⁸ The intense media interest in the United States’ response to the energy crisis corroborates the public’s concerns over the federal government’s role in the expansion of the fossil fuel industry, as well as the undue influence that the fossil fuel industry may exercise over policymakers. Indeed, as widely reported by the media, the fossil fuel industry is currently seizing on the war’s impacts to push its long-term interests, including by pressuring Congress and federal courts to endorse the construction of new natural gas infrastructure. *See, e.g.*, Lee Fang, *Fossil Fuel Lobbyists Continue To Seize On Russia’s War In Ukraine To Push Long-Term Interests*, THE INTERCEPT (Apr. 25, 2022) (Attach. P). However, investments in new gas fields that will take years—or even decades—to come into production will have little impact on the current crisis but will vastly increase greenhouse gas emissions and fossil fuel use for decades to come. *See id.*; Fiona Harvey, *Oil And Gas Companies Are Looking At A Bonanza From The Ukraine War*, THE GUARDIAN (Mar. 10 2022) (Attach. Q). Accordingly, DOS’s decision to develop and implement plans to increase domestic natural gas extraction and expand existing

⁸ Notably, many of these news articles expressly reference Friends of the Earth’s reports on these issues, *see* Attach. K; Attach. O. *See, e.g.*, Attachs. T-W.

infrastructure would not only do little to alleviate the current energy crisis, but would also amount to a significant roll-back of the Biden Administration’s oft-repeated campaign goal of ending the United States’ dependence on fossil fuels and aggressively addressing climate change. Because the records Friends of the Earth seeks relate to this pressing issue, there is unquestionably a “compelling need” to process Friends of the Earth’s request expeditiously. *See Wadelton v. Dep’t of State*, 941 F. Supp. 2d 120, 123 (D.D.C. 2013) (reporting that courts have found a “compelling need” to exist when the subject matter of the request was “central to a pressing issue of the day”).

Accordingly, the records Friends of the Earth requests clearly pertain to matters that are “the subject of a currently unfolding story.” *Al-Fayed*, 254 F.3d at 310.

2. *Friends Of The Earth Has Demonstrated That The Consequences Of Delaying Its Request Severely Compromise The Public’s Significant Interest In Participating In The Ongoing Debate Surrounding The United States’ Response To The Energy Crisis*

Because Friends of the Earth’s request implicates matters that are currently being debated and acted upon, the consequences of delaying any response are severe and prejudicial. As explained above, the federal government’s response to the energy crisis is a matter of significant public interest. If production of the requested records is unduly delayed, Friends of the Earth, the public at large, and Congress will be precluded from exercising meaningful oversight of DOS’s actions and activities responding to the crisis—and the extent to which those actions are influenced by special-interest groups—before the agency commits to a course of action that cannot easily be undone. For example, as Mr. Hochstein has explained, to increase domestic LNG production, new export terminals must be constructed. *See* Attach. I. Although several terminals have gone through all or part of the permitting process, they have not been constructed because of a lack of financing, which requires long-term contracts. *Id.* Through the Task Force and other DOS offices, the United States is working to facilitate long-term contractual arrangements between domestic gas infrastructure and European Union member states to allow those facilities to be financed. *Id.* Once those contracts are signed and the facilities permitted and approved, the expansion of natural gas production is essentially a *fait accompli*. *Accord* Decl. Lukas Ross ¶¶ 7, 11.

Additionally, mounting Congressional and public pressure on the Biden Administration to address rising energy prices has conferred a sense of urgency on federal officials, underscoring the importance of monitoring DOS’s actions. *See* Evan Halper et al., *Gas Prices Reach Record Highs As Biden Calls Inflation Top Priority*, WASH. POST (May 10, 2022) (Attach. R). Without countervailing input from Friends of the Earth or the public, the fossil fuel industry’s lobbying efforts could persuade DOS that it is in the public interest to act quickly to promote public and private investment in the expansion of natural gas exports, clearing the way for the construction of infrastructure that will have little impact on short-term energy prices even as they deepen the peril the world faces due to climate change. The fact that the Task Force is headed by a prominent former industry executive only heightens these concerns. Accordingly, it is essential that information concerning DOS’s activities in this space—including information about influence from special interests—is available to the public and to Congress while there is

time for meaningful course correction. *See Payne Enters., Inc. v. United States*, 837 F.2d 486, 494 (D.C. Cir. 1988) (“[S]tale information is of little value.”).

More broadly, delay of Friends of the Earth’s request will also preclude Friends of the Earth, the public at large, and Congress “from obtaining in a timely fashion information vital to the current and ongoing debate surrounding” the propriety of high-profile government action—i.e., the use of federal influence and authority to encourage and facilitate public and private investment in an industry that is financially risky and environmentally destructive. Being closed off from such a debate is itself a harm in an open democracy. *See Elec. Frontier Found. v. Off. of Dir. of Nat’l Intelligence*, 2007 WL 4208311, at *7 (N.D. Cal. Nov. 27, 2007) (“[O]ngoing public and congressional debates about issues of vital national importance cannot be restarted or wound back.”). Indeed, to ensure that the United States’ response to the energy crisis will not delay or reverse the global energy sector’s movement away from fossil fuels, Congress and the public must have a complete understanding of DOS’s actions in connection with the Task Force and how the Task Force may be influenced by special-interest groups. To that end, as set forth in the attached declaration, Friends of the Earth has met with numerous congressional offices to discuss and provide information concerning the fossil fuel industry’s efforts use to war to lobby agencies within the federal government—including DOS—to expand natural gas production and infrastructure, benefiting fossil fuel companies in the short-term while pushing the long-term costs of climate change onto society. *See Decl. Lukas Ross* ¶ 6.

Congressional staff and members have affirmed the value of Friends of the Earth’s fact sheets and reports to the public and to Congress. *Id.* However, to have any meaningful impact on the debate, information about how DOS has used the Task Force or other offices (or plans to use the Task Force or other offices) to respond to the energy crisis—information implicated by the records Friends of the Earth seeks—must be released and disseminated quickly; any delay in processing Friends of the Earth’s request only diminishes the value of the information to Friends of the Earth, the public, and Congress. *Id.* ¶¶ 6, 10-11; *see also Elec. Frontier Found.*, 2007 WL 4208311, at *7; *Prot. Democracy Proj.*, 263 F. Supp. 3d at 299 (finding that a delay in processing FOIA request would compromise a significant recognized interest where the information sought was highly relevant to ongoing debates regarding “high profile government action”).

For all these reasons, Friends of the Earth has demonstrated that any delay in processing its request will compromise significant recognized interests in facilitating meaningful public debate regarding high-profile government action.

C. Friends Of The Earth Has Demonstrated That The Information Is Urgently Needed

Although DOS regulations implementing FOIA explain that information is “urgently needed” where “[t]he information has a particular value that will be lost if not disseminated quickly,” 22 C.F.R. § 171.11(b)(2), FOIA “does not authorize an agency to offer its own definition of ‘compelling need,’” *Al-Fayed*, 254 F.3d at 307. As the D.C. Circuit explained in *Al-Fayed*, the term “compelling need” “is defined by FOIA itself, and because the definition applies across the government,” individual agency interpretations or elaborations of that definition—

“whether through case-specific determinations or through regulations”—are afforded no deference. *Id.*

We need not delve into the thorny subject of deference here, as it is clear that under the circumstances of this request, the two inquiries essentially merge. As explained, this request concerns a matter of current exigency—i.e., is the subject of a currently unfolding story. Likewise, this request implicates matters that are of significant public interest and that are currently being debated and acted upon by federal officials *now*. The unfolding energy crisis will reach a head this winter, when European energy demand peaks. Hence, solutions must be developed and implemented quickly. Delaying any response to this request risks precluding the public from exercising meaningful oversight of the potential expansion of natural gas extraction and production, a matter of significant public concern. Under these circumstances, Friends of the Earth has thus also demonstrated that the “information has a particular value that will be lost if not disseminated quickly.” Accordingly, it is clear that the requested information is also “urgently needed,” as that term is defined by DOS. *See* 22 C.F.R. § 171.11(b)(2).

IV. REQUEST FOR A FEE WAIVER

Regarding fee waivers, FOIA provides that “[d]ocuments shall be furnished without any charge or at a charge reduced below the [regular fee schedule] if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii). DOS’s regulations specify that it will provide a full or partial fee waiver if the requester demonstrates “that disclosure is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 22 C.F.R. § 171.16(a). DOS’s regulations implementing FOIA further explain that to demonstrate that disclosure is in the public interest, the requestor must demonstrate that:

- (i) The subject of the request . . . concern[s] identifiable operations or activities of the Federal Government . . .
- (ii) Disclosure of the requested records . . . [is] meaningfully informative about government operations or activities in order to be ‘likely to contribute’ to an increased public understanding of those operations or activities . . .
- (iii) The disclosure . . . contribute[s] to the understanding of a reasonably broad audience of persons interested in the subject, as opposed to the individual understanding of the requester . . . [and]
- (iv) The public's understanding of the subject in question . . . [will] be enhanced by the disclosure to a significant extent.

Id. To demonstrate that the requested disclosure is not primarily in the commercial interest of the requester, the Department will consider “[t]he existence and magnitude of [any] commercial interest, i.e., whether the requester has a commercial interest that would be furthered by the

requested disclosure; and, if so, [t]he primary interest in disclosure, i.e., whether disclosure is primarily in the commercial interest of the requester.” *Id.* Significantly, “[r]equests for purposes of writing a book, an article, or other publication will not be considered a commercial purpose.” *Id.*

A. The FOIA Request Directly Concerns The Activities Or Operations Of The Federal Government.

It is beyond legitimate dispute that this request directly concerns the activities or operations of the federal government. 22 C.F.R. § 171.16(a)(1)(i). The request involves records relating to the actions, communications, and activities of federal officials in their official capacity, and thus clearly relates to the activities or operations of the federal government. Indeed, Mr. Hochstein’s decisions and efforts to further the United States’ policy goals with respect to global energy markets and security are taken at the direction of the Biden Administration, and thus are direct actions taken by the DOS or its representatives. As such, this request directly concerns the activities or operations of the federal government

B. The FOIA Request Is Likely To Contribute To The Public Understanding Of Those Activities and Operations

This FOIA request is likely to contribute to the public understanding of the activities and operations of the Federal Government in several distinct ways. The requested information has not been publicly disclosed, despite requests from interested parties and news media. *See* 22 C.F.R. § 171.16(a)(1)(ii) (providing that “[t]he disclosure of information that already is in the public domain, in either the same or a substantially identical form, would not contribute to such understanding”). Therefore, the requested information is both new and will help to confirm or clarify information that has been made public, in particular, information regarding the federal government’s efforts to encourage or facilitate the expansion of domestic natural gas production and investments in fossil fuel infrastructure. Indeed, the FOIA request will help clarify, for the first time, DOS’s efforts to develop and implement a plan to reduce European dependence on Russian natural gas exports; the role of renewable energy (if any) in DOS’s solution to the energy crisis; DOS’s efforts to secure financing for domestic LNG facilities; the influence of special interest groups on DOS’s decisions and actions; and DOS’s and the European Union’s consideration of climate change. These crucial pieces of information will contribute to the public’s understanding of the federal government’s decision-making process regarding the energy crisis, particularly as it relates to the unprecedented climate crisis. Specifically, the records requested will be meaningfully informative as to the types of communications between DOS officials, their European Union counterparts, and the fossil fuel industry; the types of policy decisions that are being made; and whether/how those decisions are being considered. The records may also shed light on DOS’s support of ongoing and expanded fossil fuel extraction in the U.S., as well as what—if any—processes the federal government has undertaken to protect communities and the stability of our financial system from this industry.

Scientists’ warnings regarding the impacts of climate change have become increasingly dire, and the need to immediately reduce greenhouse gas emissions to zero has never been clearer. The question of whether to address the short-term energy crisis by increasing fossil fuel

production despite the long-term risks is fraught and is of increasing importance in light of global events. Hence, there has been considerable public interest in the various efforts by federal agencies—including DOS—to support (or curtail) domestic fossil fuel production. To that end, through these records, Friends of the Earth expects to significantly increase the public’s understanding of the development and implementation of the United States response to the energy crisis, whether and to what extent the fossil fuel sector will receive public funds to invest in infrastructure, and whether and to what extent the fossil fuel industry is influencing the United States’ policy goals. A broad sector of the public is concerned that the federal government is legitimizing and supporting ongoing and expanded fossil fuel extraction despite the array of harms that this industry poses on the ecosystem, public health, and even the financial system. Additionally, as demonstrated by various news articles, *see, e.g.*, Attach. F, the public is deeply concerned about the effects of increasing natural gas extraction on climate change, as well as the undue influence the fossil fuel industry may exercise over the development and implementation of United States energy policy. Accordingly, information concerning the federal government’s consideration of the long-term risks to public health and the environment posed by fossil fuel is essential to the public’s understanding of the federal government’s response to the energy crisis. The contents of the request are therefore meaningfully informative, and will contribute to the understanding of a reasonably broad audience because they relate to information about the actions of a federal agency on matters that directly affect the everyday lives of Americans and have a nexus to environmental, energy, geopolitical, and economic impacts.

The public is always well-served when it knows how the government conducts its activities, particularly matters touching on important questions about how agencies are implementing their statutory duties or about how Congress should enact further legislation to ensure that agencies are complying with congressional intent. The records produced from this FOIA request will produce the most reliable information available to the public on these important matters ongoing within the agency, and, indeed, in most cases this is the only way that the public has to gain insight. Hence, there can be no dispute that disclosure of the requested records to the public will significantly contribute to educating the public about DOS operations, activities, and decisionmaking. We will utilize the released records and our organizational expertise to help our members, lawmakers, activists, the general public, and the media to increase their understanding of these important issues.

C. Disclosure Will Contribute To The Understanding Of A Reasonably Broad Audience Of Interested Persons

Pursuant to DOS regulations implementing FOIA, when considering whether the requested disclosure will contribute to the understanding of a reasonably broad audience of persons interested in the subject, the agency will consider the “requester’s expertise in the subject area as well as the requester’s ability and intention to effectively convey information to the public.” 22 C.F.R. § 171.16(a)(1)(iii). “It shall be presumed that a representative of the news media will satisfy this consideration.” *Id.*

Friends of the Earth qualifies as a representative of the news media and thus, presumptively satisfies this factor. As explained above, Friends of the Earth is primarily engaged in information dissemination and has a demonstrated “expertise in the subject area [of fossil fuel

extraction].” 22 C.F.R. § 171.16(a)(1)(iii). Friends of the Earth “gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw material into a distinct work, and distributes that work to an audience.” *See* 5 U.S.C. § 552(a)(4)(A)(ii); *Nat’l Sec. Archive v. U.S. Dep’t of Def.*, 800 F.2d 1381, 1387 (D.C. Cir. 1989). Friends of the Earth has extensive and well-exercised means to keep the public informed on the operations and activities of the federal government. Friends of the Earth does not merely obtain information and then contact members of the press to relate that information; rather, we independently analyze the information, draft our own reports and articles on the issues, and disseminate the information broadly through our own publications to our members and other interested persons. *See, e.g.*, Attach. K; Attach. O. Accordingly, Friends of the Earth has met this criterion for a fee waiver.

In any event, even if not considered a member of the news media, disclosure of the requested information to Friends of the Earth will undoubtedly “contribute to the understanding of a reasonably broad audience of persons interested in the subject.” 22 C.F.R. § 171.16(a)(1)(iii). As extensively explained above, the disclosure of the information requested will contribute to the understanding of a reasonably broad audience because it concerns issues that are controversial and highly impactful to Americans’ daily lives, including on decisions to encourage and facilitate the expansion of natural gas extraction, production, and transportation despite the risks of climate change. The public will benefit from the broad disclosure of the requested information by better understanding the federal government’s assessment of the risks presented by various responses to the energy crisis, policy choices, and decisionmaking processes.

Moreover, Friends of the Earth has the intent and ability to disseminate this information broadly as it has a large member base of individuals with a strong interest in matters that concern the environmental and energy policy of the United States. Friends of the Earth has a demonstrated “expertise in the subject area [of fossil fuel extraction] as well as the . . . ability and intention to effectively convey information to the public.” 22 C.F.R. § 171.16(a)(1)(iii). Friends of the Earth has over 1.7 million members and activists across the United States who place a priority on ensuring that the federal government takes proper considerations for the impacts of its actions on the environment and public health. This starts with knowing what the government is doing, who they are in communications with, and what is being asked of policymakers.

To that end, Friends of the Earth utilizes various means of communication to update our members and activists, as well as the media and general public, on government activities that may impact human health and the environment. These methods include, but certainly are not limited to, providing essential information in easy-to-read reports, a quarterly news magazine, fact sheets, press statements, public hearings and events, phone calls, letters to the editor, blogs, email alerts, and webpage updates. *See, e.g.*, Attach. K; Attach. M; Attach. O; Decl. Lukas Ross ¶ 3. Specifically for this request, Friends of the Earth plans to alert the public, members of Congress, policymakers, and activists as to recent government meetings and activities undertaken as part of federal programs that legitimize and support fossil fuel extraction, especially amid the Russo-Ukrainian War and ensuing energy crisis and its impacts on the global climate crisis. As a result of its partnerships with other non-profit organizations and journalists, and its respected role in public education, Friends of the Earth is well-positioned to disseminate

the requested information to its partners and the media, who will in turn disseminate the information across their networks of members and supporters, amplifying the organization's reach.

In summary, as a well-known non-profit organization with a large following, experience in news dissemination, and multiple partnerships with other non-profit groups, the news media, and Congressional offices, Friends of the Earth will most certainly have the ability to disseminate this information to a reasonably broad audience. As Friends of the Earth is a non-profit committed “to chang[ing] the perception of the public, media, and policymakers—and effect[ing] policy change—with hard-hitting, well-reasoned policy analysis and advocacy campaigns that describe what needs to be done,”⁹ including through the investigation and publication of how the fossil fuel industry continues to benefit from the fossil fuel export boom that threatens our climate and puts our oceans at risk,¹⁰ actions taken by a federal agency to encourage and facilitate the expansion of the fossil fuel industry are directly correlated both with the expertise of Friends of the Earth and with the interests of its supporters and partners.

D. The Disclosure Will Enhance The Public's Understanding Of The Subject To A Significant Extent

As exhaustively detailed above, the information requested is of high importance to all American people and certainly Friends of the Earth's large member base, who have interests in environmental and energy policy. The information requested is new and would help clarify the government's decisionmaking process and rationale with respect to highly consequential decisions and actions related to the United States' responses to the current energy crisis and how that response will impact global climate change. The contents of the request are therefore meaningfully informative, and Friends of the Earth intends to take the information disclosed and compile, distill, and disseminate policy analyses, news alerts, reports, and articles to inform the public, members of Congress, policymakers, and activists as to recent government meetings and activities undertaken as part of federal programs and activities that legitimize and support fossil fuel extraction, especially amid the Russo-Ukrainian War and ensuing energy crisis. In light of Friends of the Earth's established record of significantly contributing to the public's understanding of and discourse on closely related subjects, there is no reason to doubt similar a outcome will occur here. Accordingly, considering the foregoing, Friends of the Earth has more than adequately demonstrated that disclosure will significantly enhance the public's understanding of the United States' responses to the Russo-Ukrainian War and ensuing energy and climate crises. *See* 22 C.F.R. § 171.16(a)(1)(iv).

⁹ Friends of the Earth, *What We Do*, <https://foe.org/about-us/> (last visited May 10, 2022).

¹⁰ Friends of the Earth, *Fossil Fuels*, <https://foe.org/projects/fossil-fuels/?issue=5> (last visited May 10, 2022).

E. Friends Of The Earth Does Not Have A Commercial Interest That Would be Furthered By The Requested Disclosure

Friends of the Earth is a not-for-profit charitable organization with no commercial interest in or use for the information requested. 22 C.F.R. § 171.16(a)(2). There is no “existence” or “magnitude” to any commercial interest associated with this request, and Friends of the Earth’s “primary interest in disclosure” is simply to benefit the public interest by informing the public and other members of the media as to government activities. *Id.* § 171.16(a)(2)(i). The organization’s main purpose in requesting the documents is to increase public knowledge and participation in the government process so fundamental to the effective working of a democracy.¹¹ The requested information will be broadly disseminated to the public, and will be used to educate and inform the public regarding the federal government’s decisionmaking processes and actions responding to the energy crisis. Thus, Friends of the Earth’s request is not rooted in a purpose that furthers its commercial, trade or profit interests. *See* Off. Mgmt. & Budget, *Uniform Freedom of Information Act Fee Schedule and Guidelines*, 52 Fed. Reg. 10,012, 10,017-18 (Mar. 27, 1987); 22 C.F.R. § 171.16(a)(2). Accordingly, Friends of the Earth does not have a commercial interest in the disclosure of the requested information.

For the reasons outlined above, Friends of the Earth is entitled to a fee waiver for this request. As a non-profit, public interest organization, Friends of the Earth has extremely limited financial resources with which to cover the copying and search expenses of this request. If the request for a fee waiver is denied and any expenses associated with this request are in excess of \$25.00, please obtain Friends of the Earth’s approval before any such charges are incurred.

CONCLUSION

We look forward to receiving the agency’s final, expedited response within 10 working days. Thank you for your prompt attention to this matter. Please email me at lizzie@eubankslegal.com with any questions about this FOIA request. Please also include Lukas Ross at lross@foe.org on all correspondence.

Respectfully submitted,

/s/Elizabeth L. Lewis
Elizabeth L. Lewis
Associate Attorney

Enclosures: Attachments A-Y

¹¹ As explained above, *supra* at 13-14, Friends of the Earth also qualifies as a “representative of the news media,” and is further entitled to document search and review without charge (as well as the first 100 pages of paper copies free of charge). *See* 22 C.F.R. § 171.14 (b)(5)(ii)(C) (“representative of the news media is any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.”).

DECLARATION OF LUKAS ROSS

I, Lukas Ross, declare as follows:

1. I have personal knowledge of the matters asserted in this declaration, and if called upon to testify, I would state the same.

2. I am submitting this declaration in support of Friends of the Earth's May 12, 2022 Freedom of Information Act ("FOIA") request to the Department of State ("DOS") for certain records concerning the recently-formed Task Force on Energy Security ("Task Force") and Amos Hochstein, Senior Advisor for Energy Security and a leading member of the Task Force, to address the impacts from the Russo-Ukrainian War and the ensuing energy crisis. I hereby incorporate the FOIA request by reference.

3. I am Program Manager for the Climate and Energy Justice Program at Friends of the Earth. In that role, my primary responsibility is to scrutinize government activity that may impact human health and the environment, and to disseminate information on those activities to the public. To that end, I compile information obtained both from public sources and through FOIA requests, and use my expertise and editorial skills to quickly synthesize the information, develop meaningful alerts, reports, fact sheets, infographics, editorials, press releases, and articles, and disseminate those products to Friends of the Earth's members and supporters, journalists and other members of the news media, policymakers, congressional offices, and the public at large. In this way, I help facilitate and promote Friends of the Earth's primary objective of disseminating information relevant to environmental concerns.

4. A key aspect of our recent work has been the investigation and publication of how the fossil fuel industry continues to benefit from state and federal subsidies. Accordingly, Friends of the Earth has been at the forefront of ensuring that the oil and gas industry does not

exploit the crisis in Ukraine for either short term profits or long-term policy concessions. We have risen to this task by developing expert analysis designed to inform members of media, Congress, the Biden Administration, and the general public. Even before the war in Ukraine, Friends of the Earth was a prominent opponent of federal subsidies for the expansion of liquefied natural gas (“LNG”) exports, highlighting the risk to the climate, communities, and investors of allowing export facilities to qualify for tax incentives. Friends of the Earth’s work in this area was widely cited by national news media outlets. *See, e.g.*, Attach. L. In March 2022, following Russia’s unprovoked invasion of Ukraine, National Security Advisor Jake Sullivan suggested that increasing domestic LNG exports to Europe would be part of the United States’ response to the crisis. *See* Press Release, White House, *Press Gaggle by Principal Deputy Press Secretary Karine Jean-Pierre and National Security Advisor Jake Sullivan* (Mar. 23, 2022), available at <https://www.whitehouse.gov/briefing-room/press-briefings/2022/03/23/press-gaggle-by-principal-deputy-press-secretary-karine-jean-pierre-and-national-security-advisor-jake-sullivan/>. Only two days later, in Brussels, President Biden issued a joint statement with the President of the European Commission, President von der Leyen, announcing the creation of the Task Force. Attach. E. The Task Force co-chaired by representatives from the United States and the European Union, and has two primary goals: (1) to diversify LNG supplies in alignment with climate objectives; and (2) to reduce demand for natural gas. *Id.* Amos Hochstein, a former LNG executive and DOS’s Senior Advisor for Energy Security, is a leading member of the Task Force and reportedly chaired a Task Force meeting held on April 28, 2022.. Attach. F. As part of the Task Force’s plan to achieve its goals, the United States pledged to increase exports to Europe by 15 billion cubic meters, “with expected increases going forward.” Attach. E. The United States also committed “to maintaining an enabling regulatory environment with procedures to review

and expeditiously act upon applications to permit any additional export LNG capacities.” *Id.* In response to Presidents Biden and von der Leyen’s announcement, Friends of the Earth was ready with a rapid response analysis highlighting how an increase in fossil fuel exports is both dangerous for the climate and a false solution to the geopolitical challenge posed by Russian aggression. Attach. M. This analysis was cited in news media reports, such as reporting from Yahoo! News. *See, e.g.,* Attach. N.

5. Since the Biden Administration’s announcement and creation of the Task Force, Friends of the Earth has continued to cover this important issue. In particular, Friends of the Earth remains concerned about Mr. Hochstein’s role as a driver of the United States’ policy response to the energy crisis in light of his close ties to the fossil fuel industry. The fossil fuel industry is calling unapologetically for a quadrupling of domestic LNG exports by 2030 as part of its “unleashing LNG” initiative. *See* Attach. C; Attach. H. The fossil fuel industry is currently exploring ways to subsidize the expansion of natural gas production and transportation. For example, Friends of the Earth has repeatedly sounded the alarm over proposed policy changes that would allow the use of the United States’ Export-Import Bank to finance new LNG facilities. *See, e.g.,* Carlos Anchondo, *Export-Import Bank Plan May Affect U.S. LNG, Renewables*, E&E NEWS (Apr. 15, 2022) (Attach. S). While the fossil fuel industry continues to press the Biden Administration, Congress, and even federal courts to endorse the construction of new LNG facilities, Attach. P, Mr. Hochstein is engaging in private meetings with members of the Task Force, his European Union counterparts, and representatives from the fossil fuel industry to develop and implement the United States’ response to the energy crisis. *See* Attach. F (reporting that the Task Force, including senior United States and European Commission officials, representatives of European Union member states, and fossil fuel industry participants,

met in April 2022 and “reviewed progress on diversifying natural gas supplies to Europe”); *cf.* Attach. J (raising concerns with the lack of transparency surrounding the Task Force). It is particularly concerning that the industry participants in the Task Force have not been publicly disclosed.¹

6. The role of a former executive of an LNG company acting on behalf of the United States to increase LNG exports to Europe is unquestionably a matter of significant and immediate public concern. Indeed, the significant and compelling public interest in the shameless co-opting of the humanitarian crisis in Ukraine to benefit the fossil fuel industry is demonstrated by the numerous news articles on the topic, *see, e.g.*, Attachs. A-D; Attach. G; Attach. N; Attachs. T-W (news articles from mainstream media and news organizations). I have personally co-authored fact sheets and reports highlighting the risks presented by the fossil fuel industry’s short-sighted attempts to use the current energy crisis to increase our dependence on natural gas precisely at the time it is imperative to stop using fossil fuels. *See* Attach. K; Attach. O. I have shared these reports with members of Congress and their staff, Friends of the Earth’s members and supporters, and journalists, as well as with the general public by posting them on Friends of the Earth’s website. Moreover, my analyses have been cited by major news sources and members of Congress in various fora. *See, e.g.*, Maxine Joselow, *Big Oil Companies Are Using Wartime Profits to Enrich Investors*, WASH. POST (Apr. 5, 2022) (Attach. T); Shant Shahrigian, *Big Oil’s Gushing Profits Call for Government Crackdown, Says Sen. Shumer*, NY DAILY NEWS (Apr. 24,

¹ Cheniere, the premiere U.S. LNG exporter, disclosed to its investors that it was an “active participant.” Cheniere Energy, Inc., *Cheniere Energy’s (LNG) CEO Jack Fusco on Q1 2022 Results - Earnings Call Transcript*, Seeking Alpha (May 4, 2022), available at <https://seekingalpha.com/article/4506931-cheniere-energys-lng-ceo-jack-fusco-on-q1-2022-results-earnings-call-transcript>. However, neither the Biden Administration, nor any agency of the federal government have published a list of the Task Force’s membership.

2022) (Attach. U); Emily Barone, *Oil Companies Posted Huge Profits. Here's Where The Cash Will Go (Hint: Not Climate)*, TIME (May 11, 2022) (Attach. V); Virginie Montet, *Biden Walks Tightrope Between Need For Oil And Push To Go Green*, AFP NEWS (Mar. 10, 2022); Mack DeGeurin, *5 Oil Execs Cashed Out \$99 Million in Stock During Ukraine Invasion*, GIZMODO (Mar. 11, 2022) (Attach. W); *Gouged at the Gas Station: Big Oil and America's Pain at the Pump: Hearing Before the H. Subcomm. On Oversight & Investigations, Comm. on Energy & Commerce*, 117th Cong. 128-29 (2022) (statement of Rep. Lori Trahan) (referencing Friends of the Earth's report).

7. As part of my efforts to monitor the relationship between federal regulators and the fossil fuel industry, I monitor the relationships and communications between federal officials and lobbyists and executives for the fossil fuel industry. I discovered that Mr. Hochstein's position in DOS and the Task Force leave him uniquely positioned to have significant influence over the United States' policy responses to the energy crisis brought on by the Russo-Ukrainian war. As described in Friends of the Earth's FOIA request, Mr. Hochstein is working to encourage and facilitate the expansion of natural gas extraction and infrastructure. At the same time, the fossil fuel industry continues to pressure the Biden Administration and federal agencies to explore ways to subsidize new LNG facilities and infrastructure. However, expanding domestic natural gas production and exports is short-sighted and makes little sense. Addressing the energy crisis is a matter of urgency; utility and gas prices have soared to record highs, and solutions to avoiding energy shortages must be found before European energy demand peaks in the upcoming winter. Yet, new LNG facilities will not come online for years—if not decades—and thus, will not have any impact on the immediate energy crisis. Worse, the construction of new LNG facilities will increase greenhouse gas emissions, making it harder to stay below the

1.5 degree Celsius threshold scientists agree will avoid the worst climate impacts. In other words, responding to the energy crisis by increasing fossil fuel dependence will not only do nothing to actually address the current crisis, but will deepen the climate crisis and increase the long-term risks posed by global warming. This result is particularly untenable because several reports have outlined how Europe could get off Russian gas and meet its energy needs without fossil fuels. *See, e.g., Attach. G.*

8. DOS's development and implementation of its policy responses to the energy crisis are occurring behind closed doors without any participation from the public or non-governmental organizations. Without public input, DOS risks basing its determination of whether to encourage and/or facilitate the expansion of domestic natural gas extraction and infrastructure solely on the fossil fuel industry's interests and self-serving representations. The public has a significant interest in ensuring that public funds are not redirected towards propping up an industry that is environmentally destructive, particularly where sustainable pathways forward exist.

9. Friends of the Earth has disseminated the fact sheets and reports that I co-authored regarding the fossil fuel industry's efforts to exploit the crisis in Ukraine to members of the news media as well as the public in general. I am proud that these reports have received significant and widespread coverage in several national and international publications, which demonstrates both the significant public interest in the topic, and Friends of the Earth's recognized expertise in the subject. Friends of the Earth is proud to be a leading voice and source of information and analysis for the public regarding the debate over the use of public programs and funds to subsidize the fossil fuel industry.

10. Friends of the Earth's FOIA request will provide information directly relevant to the ongoing public debate regarding the appropriate use of public programs and funds to benefit the fossil fuel industry, and will allow Friends of the Earth to quickly respond to the fossil fuel industry's lobbying efforts by disseminating information to its members, Congress, and the public at large to ensure that DOS and the Task Force receives input from all stakeholders. The future of the energy sector concerns us all, and we must ensure that DOS's response to the current crisis appropriately considers the long-term impacts of continuing to support and expand the use of natural gas over more sustainable energy sources.

11. Any delay in processing Friends of the Earth's request will seriously compromise Friends of the Earth's and the public's interests in meaningfully participating in debates over such important and pressing issues as the appropriate use of federal programs and funds to facilitate the expansion of natural gas extraction and infrastructure, the government's support of an industry that has brought the world to the brink of climate catastrophe, and the outsized influence that industry lobbyists exercise over policymakers. Additionally, any delay in the processing of Friends of the Earth's request risks delivering information that is ultimately of limited utility. For example, as Mr. Hochstein has explained, to increase domestic LNG production, new export terminals must be constructed; however, many of these proposed facilities lack the necessary financing for construction. *See* Attach. I. Once financing is secured and the long-term contracts are signed, there will be little the government or public can do to prevent the dangerous expansion of natural gas production. Additionally, mounting Congressional and public pressure on the Biden Administration to address rising energy prices has conferred a sense of urgency on federal officials to solve the crisis quickly (or at least, appear to be working to solve the crisis quickly), underscoring the importance of monitoring DOS's

actions. *See* Attach. R. The need to develop viable solutions to the energy crises before European energy demand peaks this winter confers an added sense of urgency. In light of all these factors, it is of paramount importance that Friends of the Earth, the public, and Congress understand how DOS and Mr. Hochstein plan to exercise the United States' authority and influence to address the energy crisis while there is still time for meaningful course correction. Finally, any delay in the processing of Friends of the Earth's request would preclude Friends of the Earth, the public, and Congress's access to information directly relevant to legislative proposals and negotiations regarding the fossil fuel industry's exploitation of the Russo-Ukrainian War to its own benefit. *See, e.g.*, Attach U (discussing Sen. Schumer's call for government action to address the high gas prices observed during the energy crisis). If DOS does not make the requested information available expeditiously, Congress may move forward with legislative proposals without the benefit of all of the relevant information, which hinders the development and implementation of meaningful and effective solutions to these matters of national importance.

12. For all these reasons, and for the reasons stated in Friends of the Earth's FOIA request, Friends of the Earth more than satisfies the requirements necessary to qualify for expedited processing.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Dated: _____

Lukas Ross

Attachment A

Ukraine War Impact Widens: Russia Cuts Gas Flow and Vows More Reprisals



April 27, 2022

Matina Stevis-Gridneff, Neil MacFarquhar, Shashank Bengali and Megan Specia

BRUSSELS — Reverberations from the Ukraine war widened on Wednesday, jolting energy markets and spilling across borders, as Russia responded to the West’s escalating arms shipments and economic penalties by halting gas supplies to two European nations and threatening further unspecified retaliation.

The European Union’s top official described as “blackmail” the announcement that Russia was suspending shipments of natural gas to Poland and Bulgaria. Though the immediate impact was likely to be limited, the cutoff was the Kremlin’s toughest retaliation yet against a U.S.-led alliance that President Vladimir V. Putin has accused of waging a proxy war aimed at weakening Russia.

Even as news of a U.S.-Russia prisoner exchange offered a glimmer of hope for diplomatic engagement, Mr. Putin warned that he would order more “counterstrikes” against any adversaries that “create threats of a strategic nature unacceptable to Russia.”

At the same time, a series of explosions across Ukraine’s borders stoked fears that the war, now in its third month, might spread. Blasts were reported in three Russian districts on Wednesday morning, and suspicion fell on Ukrainian forces, which are benefiting from increasingly sophisticated weapons and intelligence from the United States and its allies.

Those blasts came a day after explosions shook Transnistria, a pro-Russian breakaway region of Moldova, on Ukraine’s southwestern flank. Some analysts — and Ukrainian and Moldovan officials — said it was likely that Russia, which has thousands of troops in Transnistria, had orchestrated the explosions to create a pretext to invade Ukraine from that direction.

Taken together, the developments raised the risk of worse to come.

“What’s the ‘so what’ of this escalatory cycle? Further escalation becomes more likely as animosity builds,” said Cliff Kupchan, chairman of the Eurasia Group, a political risk consulting organization. “The chance that Russia hits a staging facility in Poland goes up. The risk that NATO supplies aircraft to Ukraine goes up. Ukraine could strike bigger targets in Russia. Moscow could cut gas to more European nations.”

Economists warned that Europe could face a sharp slowdown of growth if the cutoff of sales by Gazprom, Russia’s state-owned gas company, spreads — or if Europe imposes an embargo on Russian gas. European natural gas prices surged as much as 28 percent on Wednesday and the euro’s value fell below \$1.06 for the first time in five years on rising concerns about energy security and a slowdown in European growth. The currency has fallen nearly 4 percent against the U.S. dollar in April alone.

Gazprom’s stated reason for halting gas deliveries was the refusal by Poland and Bulgaria to pay in rubles, a new requirement Russia announced last month, despite the fact that its foreign contracts generally call for payment in dollars or euros. Most European buyers have not complied, which would subvert European Union financial

sanctions imposed on Russia after the Ukraine invasion and help prop up the battered ruble.

The European Union had been preparing for the possibility that Russia might halt natural gas deliveries, said Ursula von der Leyen, the European Commission president. Nonetheless, she told a news conference, the Russian move was an attempt “to use gas as an instrument of blackmail.”

Poland and Bulgaria will quickly receive gas supplies from neighboring E.U. countries to compensate for the loss of Russian gas, she said, declaring that “the era of Russian fossil fuels in Europe is coming to an end.”

Both Poland and Bulgaria said the Russian cutoff would have little impact. In Poland, where electricity is largely generated with coal, not gas, the government sought to assuage any public fears. Prime Minister Mateusz Morawiecki assured Poles that gas storage tanks were three-quarters full — much higher than in other countries.

And if the Kremlin’s plan was to intimidate Poland and Bulgaria with a future of unheated homes and cold meals in the hope of fracturing Western unity to aid Ukraine, it may have miscalculated. On a sunny spring day in Warsaw, the Polish capital, many people reacted with shrugs to the news — mixed with disbelief that anyone would ever view Russia as a trustworthy supplier.

“We have nothing to worry about if the weather stays like this,” said Joanna Gres, a ballet dancer with a troupe attached to the Polish military.

Bulgaria, too, has sufficient gas supplies for the next month, Alexander Nikolov, the energy minister, told Bulgarian news media, vowing that the country would “not negotiate under pressure and with its head bowed.”

A top German official said the flow of Russian gas to Germany, Russia’s biggest energy customer, remained steady, while adding that the country could live off existing reserves until at least next winter.

Russia announced the cutoff a day after 40 U.S.-led allies met at the Ramstein Air Base in Germany and pledged to provide Ukraine with long-term military aid, following a weekend visit to the country by top Biden administration officials who said they want to see Russia not only defeated but degraded militarily.

That toughened American message is viewed by Mr. Putin and his subordinates as validation of their argument that the Ukraine war is really about the American desire to weaken Russia, and they are indirectly at war with NATO.

Despite fears of a broadened war, there was also a small measure of cooperation on Wednesday between Russia and the United States, which announced a prisoner swap.

They confirmed that Trevor R. Reed, a former Marine convicted on charges that his family said were bogus, had been freed, an unexpected diplomatic success. Mr. Reed, first detained in 2019, was released in exchange for Konstantin Yaroshenko, a Russian pilot sentenced to a lengthy term in the United States on cocaine-trafficking charges.



Trevor R. Reed before a hearing in Moscow in 2020. Tatyana Makeyeva/Reuters

Other Americans remain in detention in Russia, including Paul Whelan, who was sentenced in 2020 to 16 years in prison on espionage charges during a trial that was closed to the public; and Brittney Griner, a basketball star arrested in mid-February on drug charges that could carry a sentence of up to 10 years.

Neither the American nor Russian sides gave any indication that the exchange signaled a broader diplomatic effort to de-escalate the Ukraine crisis.



Sehii Schevchuuk with some of the abandoned dogs he cares for as water boils in front of his bombed-out apartment block in the Kyiv suburb of Horenka on Wednesday. David Guttenfelder for The New York Times

Ukraine appeared to have attempted to strike deeper into Russian territory overnight, although officials on both sides were vague about the details. Three local governors described drone flights and explosions as attacks.

Mykhailo Podolyak, a close adviser to President Volodymyr Zelensky of Ukraine, also described the explosions inside Russia as attacks on sites that Russia had used to launch the invasion, but he attributed them to “karma” — not the Ukrainian military.

As described by the three Russian governors and Russian media, an ammunition depot was set afire near Belgorod, a city less than 20 miles from the border, two explosions were reported in Voronezh, nearly 200 miles from the border, and a Ukrainian drone was shot down over Kursk, about 70 miles from the border. If Ukraine was responsible, the attacks in Kursk and Voronezh would be the deepest inside Russia since the Feb. 24 invasion.

In Moscow, Nikolai Patrushev, the secretary for Mr. Putin’s security council, urged Russian officials across a wide swath of the southwestern region near Ukraine to ensure emergency alerts and civil defense facilities were “working reliably.”

Ukraine’s Defense Ministry has generally declined to discuss reports of attacks on Russian soil. Ukrainian officials have, for example, declined to comment on Russia’s claim that two Ukrainian helicopters fired on an oil depot in Belgorod in early April. In more than two months of war, the fighting has largely been contained within Ukraine’s borders.

Over the past few weeks Russian forces have concentrated on a full-scale assault in eastern Ukraine's Donbas region, where analysts say Russia is making slow and measured advances on the ground as it confronts entrenched Ukrainian troops.

The pace of Russia's ground assault appears more planned and deliberate than the initial invasion in February, which aimed at seizing more Ukrainian territory and depended on swift advances of tanks — a strategy that failed, at great cost to Russian forces.



Ukrainian soldiers in the eastern Luhansk region in February, before the Russian invasion. Tyler Hicks/The New York Times

Military analysts with the Institute for the Study of War, a Washington research group, said in their Tuesday assessment that Russian forces had “adopted a sounder pattern of operational movement in eastern Ukraine,” which is allowing them to “bring more combat power to bear” in their narrower goal of capturing just the eastern region.

Ukrainian troops have been defending positions in Donbas region since 2014, when secessionists there, backed by Russia, declared themselves the Donetsk People's Republic and Luhansk People's Republic.

Matina Stevis-Gridneff reported from Brussels, Neil MacFarquhar from Istanbul, and Shashank Bengali and Megan Specia from London. Reporting was contributed by Andrew Higgins from Warsaw, Ivan Nechepurenko from Tbilisi, Georgia, Cora Engelbrecht from Krakow, Poland, Liz Alderman from Paris, Jane Arraf from Lviv, Ukraine, Matthew Mpoke Bigg from London and Rick Gladstone from New York.

Matina Stevis-Gridneff is the Brussels bureau chief for The New York Times, covering the European Union. She joined The Times after covering East Africa and previously Europe for The Wall Street Journal. @MatinaStevis

Neil MacFarquhar is a national correspondent. Previously, as Moscow bureau chief, he was on the team awarded the 2017 Pulitzer Prize in International Reporting. He spent more than 15 years reporting from around the Mideast, including five as Cairo bureau chief, and wrote two books about the region. @NeilMacFarquhar

Shashank Bengali is a senior editor in London focused on live news coverage. He joined The Times in 2021 after nearly two decades as a foreign correspondent, Washington correspondent and editor at The Los Angeles Times and McClatchy Newspapers. @SBengali

Megan Specia is a correspondent on the International Desk in London, covering the United Kingdom and Ireland. She has been with The Times since 2016. @meganspecia

A version of this article appears in print on , Section A, Page 1 of the New York edition with the headline: Russia Threatens More Retaliation Over Ukraine Aid

Russian Invasion of Ukraine >

[A group of Ukrainian musicians are uniting for a world tour.](#)

[U.N. Security Council meeting discusses efforts to examine possible war crimes by Russia.](#)

[Fears are mounting that the war in Ukraine will spill across its borders.](#)

[In a warehouse bomb shelter, children perform a play about family separation.](#)

[The House passes a mostly symbolic bill urging Biden to sell seized Russian yachts to fund more Ukraine aid.](#)

Attachment B

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Energy

U.S. push to export LNG amid Ukraine crisis slowed by climate concerns, sources say

By Jarrett Renshaw and Timothy Gardner

4 minute read



Feedback

1/3

A liquefied natural gas (LNG) tanker is tugged towards a thermal power station in Futtsu, east of Tokyo, Japan November 13, 2017. REUTERS/Issei Kato



WASHINGTON, March 10 (Reuters) - White House efforts to boost U.S. liquefied natural gas exports and cut Europe's reliance on Russian gas after the invasion of Ukraine are proceeding slowly, because of concerns about the impact on climate change, government and industry sources said.

The Ukraine crisis has underscored Europe's energy dependence on Russia, which supplies about 40% of the natural gas used to heat its homes and generate electricity, and the Biden administration has vowed to help its allies break that chain.



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The White House was weighing the announcement of an interagency review of ways to boost LNG exports to Europe alongside Tuesday's decision to ban U.S. imports of Russian oil products, people briefed on government decision-making told Reuters.

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However, the interagency review has been shelved, at least for now, after some in the White House argued it would counter the administration's efforts to wean the U.S. off fossil fuels consumption and production and tackle climate change, the sources said.





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Natural gas burns with much lower carbon emissions than coal or oil, but its drilling and extraction and transportation in pipelines results in the leakage of methane, the second biggest cause of climate change after carbon dioxide. The U.S. LNG industry has long claimed its fuel has less climate impact than Russian gas sent by leaky pipelines to Europe, but there's little hard data comparing the two.

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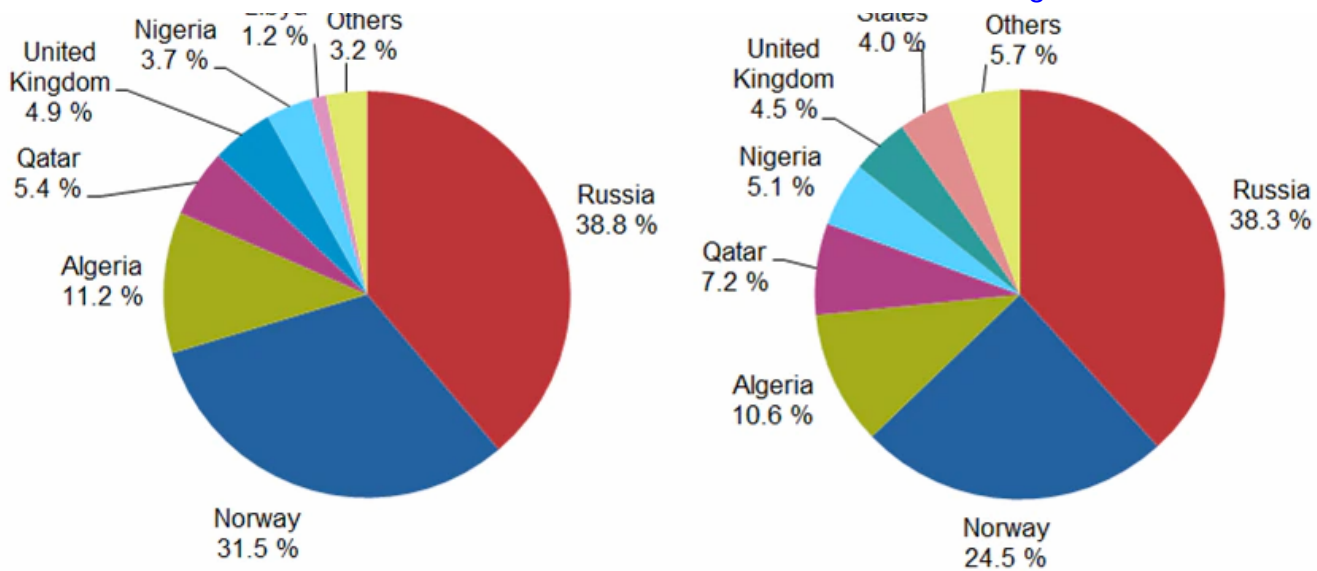
The White House did not respond to inquiries about the change of plans. The U.S. State Department and the U.S. Department of Energy referred questions to the White House.

The European Commission published plans on Tuesday to cut EU dependency on Russian gas by two-thirds this year and end its reliance on Russian supplies of the fuel "well before 2030." [read more](#)

Feedback

Extra EU-27 imports of natural gas from main trading partners, 2018 and 2019 (share (%) of trade in value)

	2018		2019
Libya	~	United States	



Source: Eurostat database (Comext) and Eurostat estimates

EU gas imports

Some Biden officials hoped a more detailed U.S. commitment to boost LNG exports would help convince European allies to join in the ban of Russian oil imports, the sources said.



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"It was a no-brainer to send a market signal and they easily could have combined it with a push for more exports of heat pumps, renewables, advanced nuclear, etc., to reduce natural gas demand," said one of the sources. The effort was reeled back amid "concerns from the climate team" in the Biden administration, the source said.

TWENTY-YEAR CONTRACTS

Trying to balance fighting climate change with other concerns, like keeping energy prices and inflation low and supporting union jobs, has been a dilemma for the Biden administration. Russia's Feb. 24 invasion of Ukraine has thrown the issue into high relief. Moscow calls the action a "special military operation."



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In recent weeks, officials from the White House, the State Department, the Energy Department and other agencies have held discussions on whether the Federal Energy Regulatory Commission could expedite approval of new pipelines and approve requests to increase capacity at existing export terminals to help get natural gas to Europe, several sources said.

They also discussed whether the United States and the European Union could help guarantee portions of 20-year supply contracts necessary to finance the construction of new terminals and ports, and ways to get banks to finance some new projects amid efforts by U.S. climate envoy John Kerry to coax them to stay away from fossil fuel investments, the sources said.



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"Perhaps, there could be some waiver or some other mechanism to help banks finance (LNG) infrastructure projects," said one source.

The State Department has previously said financial institutions make their own decisions and that Kerry has not pressured financial institutions into making commitments. [read more](#) The United States has enough natural gas to produce at its 2020 rate for nearly 100 years, according to the latest government estimates, but tapping the nation's ample supply is constrained by lack of pipelines and export terminals, and the time it takes to build this infrastructure.



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By the end of this year, the United States will have the world's largest LNG export capacity, with seven export terminals, enough to ship 11.5 billion cubic feet per day. [read more](#)

Exports are complicated: LNG needs to be pumped from underground to an export terminal, super-cooled and put onto a ship. When it reaches its destination, it is warmed and put into pipelines.

The total number of U.S. cargoes shipped to Europe and Turkey in the first two months of 2022 reached a record of 164, according to data intelligence firm ICIS. The previous record was 125 cargoes in the first quarter of 2020. [read more](#)



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(The story is refiled to correct the image from gasoline prices to an LNG tanker)

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Reporting by Jarrett Renshaw and Timothy Gardner; Editing by Heather Timmons, David Gregorio and Paul Simao

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Russia's Gazprom says Ukrainian proposal to switch gas flow entry is impossible

Energy · May 10, 2022 · 1:30 PM EDT



Russian energy giant Gazprom said on Tuesday it was not technologically possible to switch gas transfers to Ukraine to a new entry point, as Ukraine's gas system operator GTSOU was proposing.

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Canada's Suncor says operations improving, will talk with activist firm

1:44 PM EDT

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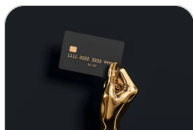


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Attachment C

Europe's Quest to Replace Russian Gas Faces Plenty of Hurdles

Climate concerns, investor reticence and political disputes complicate a shift to supplies from the United States, North Africa and the Mediterranean.



By Clifford Krauss

Published May 5, 2022 Updated May 6, 2022

Sign up for the Russia-Ukraine War Briefing. Every evening, we'll send you a summary of the day's biggest news. [Get it sent to your inbox.](#)

HOUSTON — Russia's natural-gas supplies have become a tool of leverage in its conflict with Europe over the Russian invasion of Ukraine. And the stakes are high for Europe, which relies on Russia for 40 percent of the gas that warms and lights its homes and businesses.

The confrontation also poses a challenge for the world gas market, which has generally endured less price volatility and political manipulation than oil in times of crisis.

Europe is turning to the United States to make up part of the shortfall, but fossil fuel expansion faces resistance over climate concerns and investor reluctance. Gas producers in North Africa are contending with regional political turbulence. And hopes for new gas from the eastern Mediterranean have been complicated by regional disputes and competition from Asia.

"Russia's invasion of Ukraine has hastened the globalization of gas markets and has complicated them significantly," said Paul Bledsoe, a climate adviser under President Bill Clinton.

Europe and Russia are already dueling over energy, with Europe moving to slash imports of Russian coal and oil. But the trade linkage is tighter for natural gas, which is harder and more expensive to ship than oil. Russia cut off gas sales to Poland and Bulgaria when they balked at demands to make payments in rubles.

Germany, Russia's biggest European gas customer, is still buying but quickly shelved an additional Russian gas pipeline, Nord Stream 2, after the February invasion.

Gas supplies had been relatively stable since Russia briefly curtailed shipments through Ukraine in 2006. The United States, which has become the world's largest producer and exporter, had so much gas after a boom in shale drilling that it flared off excess output, much like Iraq and other oil-rich countries that often treat gas as a waste product.

Global gas prices were rising in the months before the invasion for a variety of reasons, including diminishing hydroelectric power in Latin America because of drought and insufficient wind in Europe to propel renewables. Now, the disruption in Russian supplies has further raised prices in much of the world and increased the burning of coal.

Europe produces only one-fifth of its gas needs, and its fields are in decline. The rest of its gas is imported, nearly half of which usually comes from Russia. In recent weeks, imports from Russia have declined, while Norwegian production and imports of liquefied natural gas, better known as L.N.G., have increased to take their place. Germany, the primary engine of the European economy, is scrambling to build expensive terminals to receive giant tankers filled with gas chilled to a liquid.

“What the invasion of Ukraine has done is take one of the three major producers of natural gas on a global basis out of the picture for future planning,” said Charif Souki, executive chairman of Tellurian, a gas company building an export terminal in Louisiana. “No one will rely on Russia in the future. Now the U.S. has the opportunity to become by far the powerhouse of natural gas.”

European countries have expressed an intention to phase out their dependence on over 150 billion cubic meters of annual imported Russian gas, partly by importing an additional 50 billion cubic meters of L.N.G., roughly 50 percent more than they currently import.

That will not be easy, since the global L.N.G. market is only 523 billion cubic meters a year, nearly 20 percent of which already goes to Europe. New L.N.G. export terminals are coming online in the United States and Qatar, but demand is increasing even faster, especially in Asian countries trying to ease air pollution from coal burning.

That leaves the United States, even though several of its gas fields have insufficient pipeline capacity and have attracted few major drillers because prices have been so low until recently.

Since the Russian invasion, the Biden administration has pledged to increase L.N.G. exports to the European Union by 15 billion cubic meters, or roughly 40 percent. That is only about one-tenth of Russian shipments to Europe, but American energy experts say American companies could produce and ship much more gas with more pipelines and export terminals.

Export operations are being expanded in the United States, with three new terminals expected to be completed by 2026. Another 10 await permits, long-term buyers and investors. EQT, a leading gas producer, has called for the country to quadruple L.N.G. capacity by 2030, a proposal that has received broad industry support.

“We have the resources in the ground,” said David Braziel, chief executive of RBN Energy, an analytics firm. “And we could develop them if you had an indication from the administration that they want to develop natural-gas resources.”

But environmentalists point out that natural-gas production releases methane, a powerful greenhouse gas, and warn that building a multibillion-dollar infrastructure will perpetuate carbon emissions for decades. The Biden administration has voiced support for both renewables and natural gas, fully satisfying neither environmentalists nor the oil and gas industry.



Germany is reviving plans to build a liquefied natural gas terminal at the port in Wilhelmshaven. Nanna Heitmann for The New York Times

“The administration is trying to have it both ways,” said Dan Becker, a lawyer at the Center for Biological Diversity. “The solution is not a short-term fix of more gas from the U.S. or somewhere else. The solution is to switch to clean renewables.”

Aside from Russia, the Mediterranean region has become a leading gas source for much of Europe. But even as Mediterranean gas exploration has advanced, particularly in deeper waters, sales to Europe have run into nettlesome problems.

Italy has long depended on Libya for energy, even when Col. Muammar el-Qaddafi ruled with ruthlessness and anti-Western rhetoric. But today oil and gas fields and export terminals are often blocked by competing armed groups, including one aided by Russia.

Spain receives much of its gas by pipeline from Algeria, and Algeria would be happy to pump more gas to Spain and Portugal with a pipeline through Morocco, but a payments issue between Algeria and Morocco and worsening relations in general led to a stalemate in contract renewal talks in October.

Egypt has re-established operations in two L.N.G. terminals, exporting its own gas as well as Israel’s from their expanding offshore gas fields. China has offered such lucrative long-term contracts, however, that European buyers are finding it hard to compete.

North Africa’s gas exports to Europe fell 5 percent in the first quarter of 2022 from the year before, according to Middle East Petroleum and Economic Publications, based in Cyprus.

With relations between Israel and Turkey gradually improving, energy experts say there are growing prospects for an underwater pipeline between Israeli gas fields and Turkey to tie Israeli production to European markets. But festering territorial issues between Turkey and Cyprus could slow any projects, since a pipeline would have to go through Cypriot waters. A new Cypriot gas field, called Aphrodite, looks promising, but its limited reserves will probably not flow for more than a few years.

The opportunity for gas-producing countries and states like Texas and Pennsylvania may also ultimately be limited by the environmental concerns.

Leslie Palti-Guzman, president of Gas Vista, a market intelligence company, said the fundamental shifts in the gas trade could last as long as gas prices in Europe remained high. But even though more L.N.G. terminals will be built, she said, the future of natural gas is limited.

“Right now the U.S. and Europe are swallowing the L.N.G. pill, but it’s not going to last forever,” Ms. Palti-Guzman said. “Carbon neutrality is not going to go away even if currently the priority is national security.”

Attachment D

Visit [Nature news](#) for the latest coverage and read [Springer Nature's statement on the Ukraine conflict](#)

nature

NEWS FEATURE | 05 April 2022

What the war in Ukraine means for energy, climate and food

Russia's invasion has caused a short-term spike in prices, but could prompt a long-term shift towards sustainability.

Jeff Tollefson



The Russian end of the Nord Stream 2 gas pipeline to Europe. Germany halted its approval of the pipeline after Russia's invasion of Ukraine.

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across Europe have announced they will scale back production, and 31 countries around the world have agreed to release oil from their strategic reserves.

Russia's [unprovoked invasion of Ukraine](#) has roiled the markets and geopolitics of energy, driving oil and gas prices to their highest levels in nearly a decade and forcing many countries to reconsider [their energy supplies](#). According to the International Energy Agency, Russia is the world's largest oil exporter to global markets, and its natural gas fuels the European economy. The United States, the European Union and others have imposed economic sanctions on Russia, and have announced plans to wean themselves off that country's fossil fuels. But even as Russia's bombs rain down on Ukraine, [its oil and gas continues to flow to Western nations that have condemned the invasion](#) (see 'Where Europe gets its gas').

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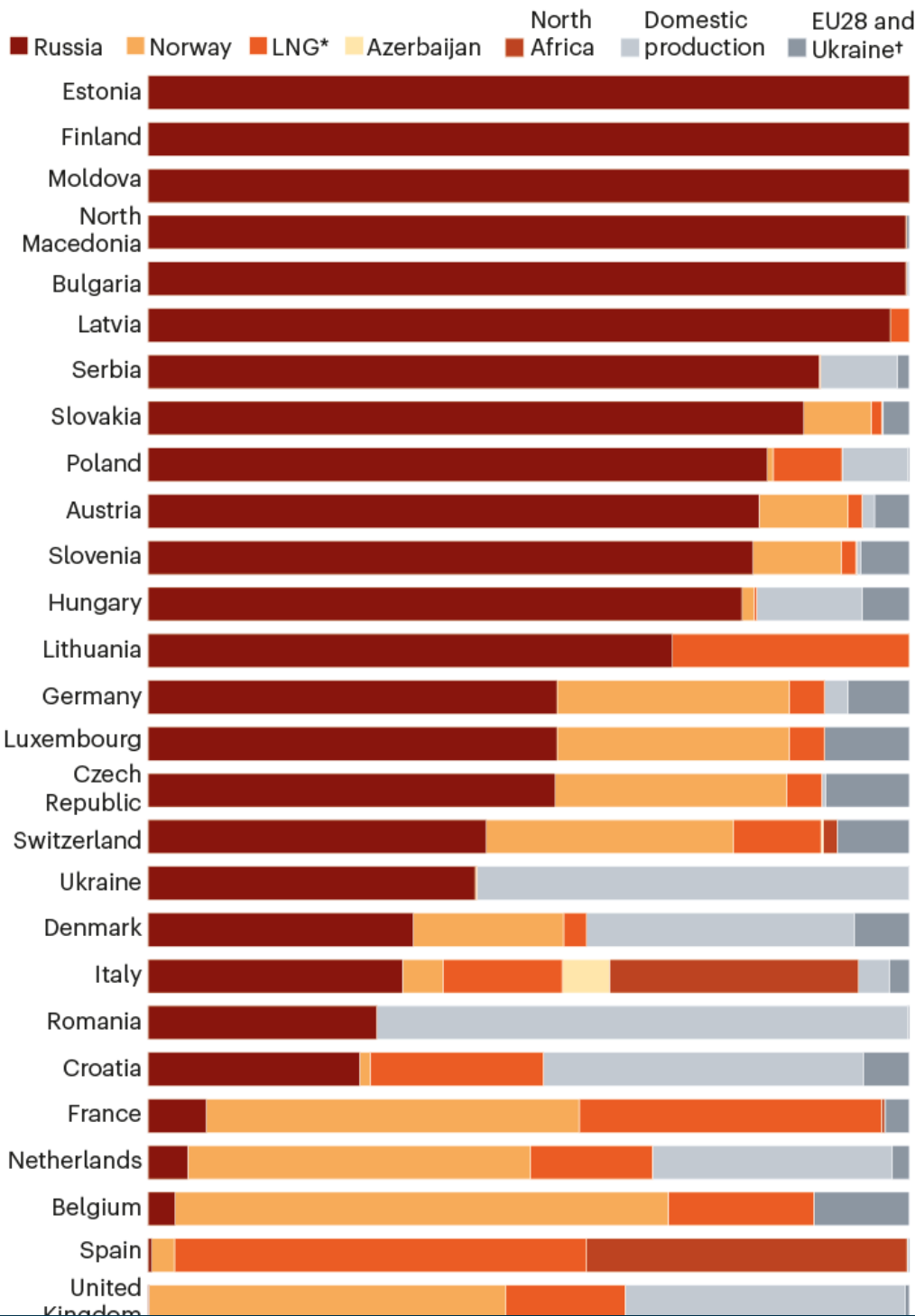
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WHERE EUROPE GETS ITS GAS

Russia supplies about 40% of the natural gas to the European Union overall, but many individual countries receive a much higher proportion.



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Sources: Bruegel/European Network of Transmission System Operators for Gas/Eurostat/UK Government/Government of Ukraine

This isn't the first time that Russian military aggression has prompted world leaders to fret about energy security. Similar concerns arose when Russia invaded Georgia in 2008, and in 2014 when it invaded and then annexed the Ukrainian territory of Crimea. The allure of cheap Russian energy proved too strong in the past, but this time might be different, says Veronika Grimm, an economist at the Friedrich Alexander University of Erlangen–Nuremberg in Erlangen, Germany. "We have a war at our back door," she says. "It's hard to avoid taking action."

The war has prompted political leaders to rethink their energy plans, which could have profound impacts on a range of issues, from a burgeoning food crisis to global efforts to [curb greenhouse-gas emissions](#). Here, *Nature* takes a look at some of the choices the world faces, as well as potential repercussions that could play out over the course of years or even decades.

Energy crunch

For now, the biggest question facing world leaders is how to sever their energy dependence on Russia. The United States and the United Kingdom were the first major countries to ban Russian oil, but neither depends heavily on these imports. Moreover, the impact of such actions is minimal because Russia can simply redirect that oil elsewhere on the global market. An embargo would only work if the EU took part, economists say, because it would be difficult for Russia to quickly find new customers for the oil and gas it sends to Europe.

 Freight wagons filled with coal line the railway tracks at the Port of Murmansk, in Murmansk, Russia.

Coal wagons await export at the Russian port of Murmansk. Credit: Andrey Rudakov/Bloomberg via Getty

The EU imported around 40% of its natural gas, more than one-quarter of its oil and about half of its coal from Russia in 2019. And despite bold promises about cutting ties with Russia, European nations have thus far opted for easy energy: the amount of Russian oil and gas entering Europe has actually increased since the war in Ukraine began. Europe sent Russia around €22 billion (US\$24 billion) for oil and gas in March alone, according to Bruegel, a think tank based in Brussels. But that could change in the coming months, as countries implement plans to diversify their energy sources and reduce the flow of Russian oil and gas. Poland, for example, has announced it will ban all imports of Russian oil, gas and coal by the end of this year, and Germany and Austria are laying the groundwork for rationing natural gas.

The European Commission has released plans to curb imports of Russian gas by around two-thirds by the end of the year. That strategy relies largely on increasing imports of natural gas from abroad, and is it not clear whether individual nations in Europe will follow this plan. On 25 March, US President Joe Biden pledged to send more liquefied natural gas to Europe, and Germany has already signed a deal to import the product from Qatar. European officials have also been in talks with Japan and South Korea about redirecting liquefied natural gas that would otherwise go to those two countries.

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increasing the use of coal-fired power plants to ensure that the lights stay on and houses remain warm next winter, he says. "And then we need to really double down on the clean energy transition."



IPCC climate report: Earth is warmer than it's been in 125,000 years

The energy crisis is particularly acute in Germany, which relies on Russia for roughly half of its natural gas and coal and for more than one-third of its oil. Germany's immediate challenge is to reduce reliance on natural gas in the power-generation sector, which is further complicated by the country's exit from nuclear power: its last three nuclear stations are scheduled to close down this year.

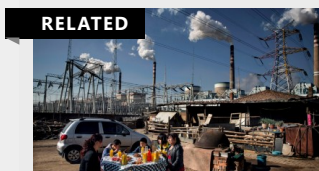
A report last month by Leopoldina, the German National Academy of Sciences, found that Germany could survive the next winter without Russian energy (see go.nature.com/3jdtel1; in German), but only with extreme efforts to replace Russian gas with imports while ramping up coal-fired power plants and promoting large-scale conservation and energy efficiency. It also depends on higher prices causing a slowdown in heavy industry in the country.

Although the next few years could be tough, the long-term impact on energy policy and greenhouse-gas emissions in Europe could be beneficial, according to Grimm, a co-author of the Leopoldina report. The power sector is covered by the European trading system, which caps cumulative carbon emissions, so a temporary increase in coal power, for instance, should drive up the price of carbon credits and force emissions reductions elsewhere.

In the longer term, Grimm says, the German government is proposing to increase the share of renewable energy sources in the power sector from around 40% today to 100% by 2035, 5 years earlier than planned. "That's quite ambitious," Grimm says. A sustained period of high energy prices could also drive significant investments in energy efficiency, an area that has enormous potential but has attracted less attention than renewables. "This will speed up a lot of work that we needed to do anyway."

Longer-term outlook

The energy picture is less clear at the global level. When prices for oil and gas have surged in the past, it has spurred a series of changes in opposite directions: consumers tended to drive vehicles less and purchase more fuel-efficient versions, whereas companies and nations invested in oil and gas infrastructure around the globe to ramp up production. But the current crisis might not trigger the same response.



On the consumer side, growing gaps between the richest and poorest people in many countries are changing patterns of car buying. Although consumption is likely to drop in the short term as drivers respond to rising prices, that doesn't mean we should expect a massive shift towards smaller or electric vehicles, says John DeCicco, an engineer at the University of

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By contrast, economists have yet to see major oil and gas companies ramp up their investments in fossil-fuel production. Global leaders have been emphasizing the need for decarbonization in the past few years, and companies are now more wary of sinking their own capital into assets that could be stranded as climate policies are ratcheted up in the future, says Ricardo Hausmann, an economist at Harvard University in Cambridge, Massachusetts.

“The market is scared,” Hausmann says, but so far, global supply and demand haven’t changed much – a dynamic that could change if prices remain high for a sustained period.



RELATED
COP26 climate summit: A scientists’ guide to a momentous meeting

Although the war in Ukraine will probably speed up Europe’s move away from fossil fuels, it could slow the clean energy transition – and boost greenhouse-gas emissions – in other parts of the world, fears Nikos Tsafos, who tracks global energy and geopolitics at the Center For Strategic and International Studies, a think tank in Washington DC. Southeast Asia, in particular, could turn back towards coal if Europe effectively corners the international market for liquefied natural gas, according to Tsafos. And then there’s Russia itself, which accounted for nearly 5% of global emissions in 2020 and is unlikely to move forward with decarbonization in the absence of international political and economic engagement.

Food prices

Another key question, some economists say, is how rising energy prices and the potential loss of grain supplies from Ukraine and Russia could reinforce inflationary effects and drive up prices for food and other commodities. “The potential reverberations on food prices and therefore on conflict and politics around the world are vast,” says Nathaniel Keohane, president of the Center For Climate and Energy Solutions, an environmental think tank in Arlington, Virginia.

In the short term, prices have increased owing to hoarding and bidding wars. But global food stocks are sufficient to cover the loss of wheat and other grains from Ukraine as a result of the war itself, and losses from Russia owing to economic sanctions, says Christopher Barrett, an economist at Cornell University in Ithaca, New York. There could be disruptions to fertilizer markets because fossil fuels are a major feed stock, but Barrett says farmers around the world should be able to negotiate these changes by using substitutes.

Still, the cost of rising petrol and electricity prices to the larger food-supply system could be substantial, says Barrett. “One of the big casualties of the Russian invasion will be people who are already teetering on the edge in other places,” he says. “It’s not just Ukrainians. It’s Yemenis, and Syrians and Nigerians.”

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The microbiologist working to understand how oceans absorb carbon dioxide

SPOTLIGHT | 05 APR 22

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Attachment E

BRIEFING ROOM

FACT SHEET: United States and European Commission Announce Task Force to Reduce Europe's Dependence on Russian Fossil Fuels

MARCH 25, 2022 • STATEMENTS AND RELEASES

Today, President Joe Biden and European Commission President Ursula von der Leyen announced a joint Task Force to reduce Europe's dependence on Russian fossil fuels and strengthen European energy security as President Putin wages his war of choice against Ukraine.

This Task Force for Energy Security will be chaired by a representative from the White House and a representative of the President of the European Commission. It will work to ensure energy security for Ukraine and the EU in preparation for next winter and the following one while supporting the EU's goal to end its dependence on Russian fossil fuels.

The Task Force will organize its efforts around two primary goals: (1) Diversifying liquefied natural gas (LNG) supplies in alignment with climate objectives; (2) Reducing demand for natural gas.

Diversifying LNG Supplies in Alignment with Climate Objectives

- The United States will work with international partners and strive to ensure additional LNG volumes for the EU market of at least 15 bcm in 2022, with expected increases going forward.
- The United States and the European Commission will undertake efforts to reduce the greenhouse gas intensity of all new LNG infrastructure and associated pipelines, including through using clean energy to power onsite operations, reducing methane leakage, and building clean and renewable hydrogen-ready infrastructure.
- The European Commission will prepare an upgraded regulatory framework for energy security of supply and

storage, as well as working with EU Member States to accelerate regulatory procedures to review and determine approvals for LNG import infrastructure. The United States will maintain its regulatory environment with an emphasis on supporting this emergency energy security objective and the REPowerEU goals.

- The European Commission will work with EU Member States toward the goal of ensuring, until at least 2030, demand for approximately 50 bcm/year of additional U.S. LNG that is consistent with our shared net-zero goals. This also will be done on the understanding that prices should reflect long-term market fundamentals and stability of supply and demand.

Reducing Demand for Natural Gas

- The United States and the European Commission will engage key stakeholders, including the private sector, and deploy immediate recommendations to reduce overall gas demand by accelerating market deployment of clean energy measures.
- Immediate reductions in gas demand can be achieved through energy efficiency solutions such as ramping up demand response devices, including smart thermostats, and deployment of heat pumps. The REPowerEU plan estimates that reductions through energy savings in homes can replace 15.5 bcm this year and that accelerating wind and solar deployment can replace 20 bcm this year, and through EU's existing plans such as "Fit for 55" contribute to the EU goal of saving 170 bcm/year by 2030.
- As global leaders in renewable energy, the United States and the European Commission will work to expedite planning and approval for renewable energy projects and strategic energy cooperation, including on technologies where we both excel such as offshore wind.
- We will continue to collaborate to advance the production and use of clean and renewable hydrogen to displace unabated fossil fuels and cut greenhouse gas emissions, which will include both technology and supporting infrastructure.

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Attachment F

BRIEFING ROOM

Joint Statement between the United States and the European Commission on European Energy Security

APRIL 29, 2022 • STATEMENTS AND RELEASES

On April 28, the U.S.-EU Task Force on Energy Security met in person in Washington to discuss implementation of the [March 25 Joint Statement](#) by Presidents Biden and von der Leyen.

The meeting, chaired by Amos Hochstein, U.S. Senior Advisor for Energy Security, and Björn Seibert, Head of Cabinet of the European Commission President, reviewed progress on diversifying natural gas supplies to Europe and reducing Europe's demand for natural gas. The discussion followed two recent Task Force convenings that included senior U.S. and European Commission officials, representatives of EU Member States, and industry participants.

The sides also discussed the EU Energy Purchase Platform and plans to establish a framework to accelerate diversification of gas supply, including additional LNG supplies. The sides also discussed options to reduce Europe's demand for natural gas, including with the deployment of heat pumps, technologies that promote energy efficiency and savings such as smart thermostats, and renewable energy.

In the coming weeks, work will continue at technical and senior officials' levels, and the Task Force decided to reconvene in person in June, to assess progress on the workplan.

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Attachment G



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Europe can lead the way through an energy crisis without more fossil fuels

Europe's plans to get more gas from the US is at odds with its climate commitments.

By Rebecca Leber | @rebleber | rebecca.leber@vox.com | Mar 26, 2022, 1:02pm EDT



Europe can increase capacity for solar and wind by fast-tracking renewable permitting, but a lot of its energy progress will come from cutting demand. | Gerard Julien/AFP via Getty Images

In five years, European countries hope to **end dependence** on Russian fossil fuels, and by the end of the year, they look to slash reliance on Russian gas by two-thirds. If Europe follows through on these pledges, **Russia's invasion of Ukraine** could propel one of the swiftest energy transitions in history.

The biggest question now is whether it's a transition off oil and gas — or just off Russian oil and gas.

Right now, it seems fossil fuels are winning. Oil companies in the United States **are eager** for Europe to swap one fossil fuel for another and build out more infrastructure on both sides of the Atlantic to carry oil and gas to Europe. And despite their climate pledges, world leaders have shown early support for **ramping up fossil fuel infrastructure**.

On Friday, during President Joe Biden's trip to Europe for meetings of the G7 and NATO, the US announced a new joint agreement with Europe that promises **15 billion cubic meters** in new shipments of liquified natural gas (LNG) this year. That will be on top of the shipments already going to Europe, and will replace about a **quarter** of the gas imported from Russia.

But the United States is not in the driver's seat. European countries are the ones that face the real choice between building new fossil fuel infrastructure or speeding up their timeline on clean energy investments. And they could hasten their transition off of fossil fuels by prioritizing climate-friendly solutions, like incentivizing energy efficiency, installing heat pumps, and speeding up renewable permitting. Two new reports from independent think tanks this week outline a viable path that **doesn't replace** Russian oil and gas **with other fossil fuels**.

One month into Russia's invasion of Ukraine, the European Union's messaging has been a mixed bag. Earlier this month, the executive branch for the European Union, the European Commission, included new LNG terminals and pipelines to import other countries' fossil fuels in its options for meeting energy demand. Even so, it reaffirmed its commitment to slashing greenhouse gas pollution 55 percent over 1990 levels in just eight years.

It would be decidedly short-term thinking to fast-track LNG terminals in Europe. United Nations Secretary-General António Guterres has called it "madness" to ignore the need to reduce fossil fuel reliance when it has become abundantly clear the world needs to stop building new infrastructure. "**Addiction to fossil fuels** is mutually assured destruction," he said on March 21. "Countries could become so consumed by the immediate fossil fuel supply gap that they neglect or knee-cap policies to cut fossil fuel use."

The European Union is second only to the United States in having the largest impact on climate change since the Industrial Revolution, and the next few weeks can reshape global energy politics permanently. It's far from a given, though. EU members now have a choice: They can boost oil and gas from elsewhere, or they can undertake the most ambitious transition to renewables and energy efficiency in history.

There's a real chance Europe chooses fossil fuels

Energy prices may have been steadily climbing in the last year, but for now there aren't immediate gas shortages in Europe. **Next winter will be the true test** of whether Europe can survive without Russian gas because that's when heating for buildings drives up gas demand. No country is in for more of a roller coaster than Germany, which relies on Russia for more than half of its gas imports, followed by Italy.

The European Commission released an initial plan, dubbed RePowerEU, on how to get through the immediate crisis. One of the first steps the European Commission advised was to increase storage of gas ahead of next winter to **80 percent of capacity**. The EU's looking to other countries to stock up on that gas.

But the EU needs infrastructure to process and transport all this gas, and the existing infrastructure isn't going to cut it. According to the German newspaper **Deutsche Welle**, there are 37 LNG terminals in EU member states, and none in Germany. Countries like Germany are planning new terminals, but those already in the works won't be completed for several years. One proposed LNG terminal in northwestern German cities wouldn't be built until **2026**, and would meet up to 10 percent of the country's gas demand. Now there are talks of two new terminals planned in Germany in response to Russia's war with Ukraine, a sign that countries are increasing their investments in fossil fuels in response to this crisis.

This is hardly an energy revolution. Europe's energy supply would still look largely the same in response to the crisis; it would just come from other parts of the world, at a higher cost.

Defenders of the plan to boost LNG imports to Europe say it is the only way to make up the gap left by Russian gas. As one White House senior administration official **said** in a press call Friday, the LNG deal is needed "in the very near term to avoid

people getting cold this winter and next winter before clean energy is deployed at scale.”

That approach has its critics. “The necessary measures to permanently reduce fossil gas consumption go hand in hand with what’s needed to meet the EU’s climate targets,” Matthias Buck, director of the German think tank Agora Energiewende, said. “The EU now needs to make sure that RePowerEU accelerates energy efficiency and renewables expansion to achieve energy sovereignty by 2027.”

Natural Resources Defense Council’s international program director Jake Schmidt argues building new infrastructure for fossil fuels would be foolish. “There’s a lot of skepticism about whether or not Germany can actually build the import facilities as fast as they’re claiming,” Schmidt said. “The gas facilities will come online at a time where they won’t need that gas. And so you’re looking at a 30-year investment facility that has five to 10 years of life, max. That’s not great economics.”

Europe can get through this crisis without latching on to more fossil fuels. Seriously.

Two reports out this week from European think tanks argue that almost all of Europe’s gas needs can be met with energy efficiency and exploring underutilized clean energy options. It would require the EU to make a concerted effort to slash energy consumption. One report from **Agora Energiewende**, which advocates for Germany’s clean energy transition, suggests it’s possible to cut the EU’s overall gas usage by 32 percent by 2027.

A second **report** from environmental NGOs Bellona, Ember, E3G, and Regulatory Assistance Project concludes that combining a clean energy expansion with accelerated energy efficiency efforts would replace about two-thirds of the demand for Russian gas as soon as 2025.

Importantly, the report argues that “security of supply and reduction of Russian gas dependence do not require the construction of new EU gas import infrastructure such as LNG terminals.” The NGOs argue this can even be done without extending the life of nuclear power or increasing coal use in the next few years.

Some reforms that the report suggests require more accountability and oversight for the oil and gas industry, namely by doing more to **prevent methane leaks** throughout their operations, since that is wasted fuel could be conserved and used. Other solutions are fairly simple but do require collective action. These are relatively small changes to behavior, like consumers reducing their heating by a degree or two, installing smart thermostats, sealing drafty windows, and installing LED bulbs.

These measures sound small, but add up to a lot, according to **Agora Energiewende**. For example, the report says energy efficiency and replacing gas boilers in buildings that run on fossil fuels could slash reliance on gas by more than a third by 2027, by 480 terawatt hours. **Heat pumps** — a technology that can be used to heat or cool buildings — are one of the modern alternatives to the inefficient gas boiler. Industrial operations could also stand to become more efficient, so some similar energy-saving measures could net even greater gains.

Added up, the report claims that of the 3,800 terawatt hours of gas that the EU consumed in 2020, about a third could be displaced in five years.

Then there are the policy levers. Governments can fast-track permitting for proposed clean energy projects offshore and on land. Meanwhile, the European Commission has already announced a plan to double the rate of heat pump installations by this winter. There are other policies in the works that can ensure the EU is less reliant on fossil fuels. France, for example, announced it will **end subsidies** for new gas heaters, and ramp up subsidies instead for heat pumps.

Beyond energy efficiency, there are other policies that work to speed up a transition to clean energy. The European Union is considering a proposed regulation that places a fee on imports from countries with lagging climate policies, constituting the world’s first carbon border tax. The idea behind the tax is to discourage companies from relocating to countries with more lax climate policies.

The common thread of many of these solutions is that there needs to be more emphasis on energy efficiency. Leadership on many of these measures won’t come from the United States. The US has yet to pass any comprehensive law to tackle climate change, and Biden’s hopes for clean energy investments have stalled in Congress. The US won’t lead, but Europe still can.

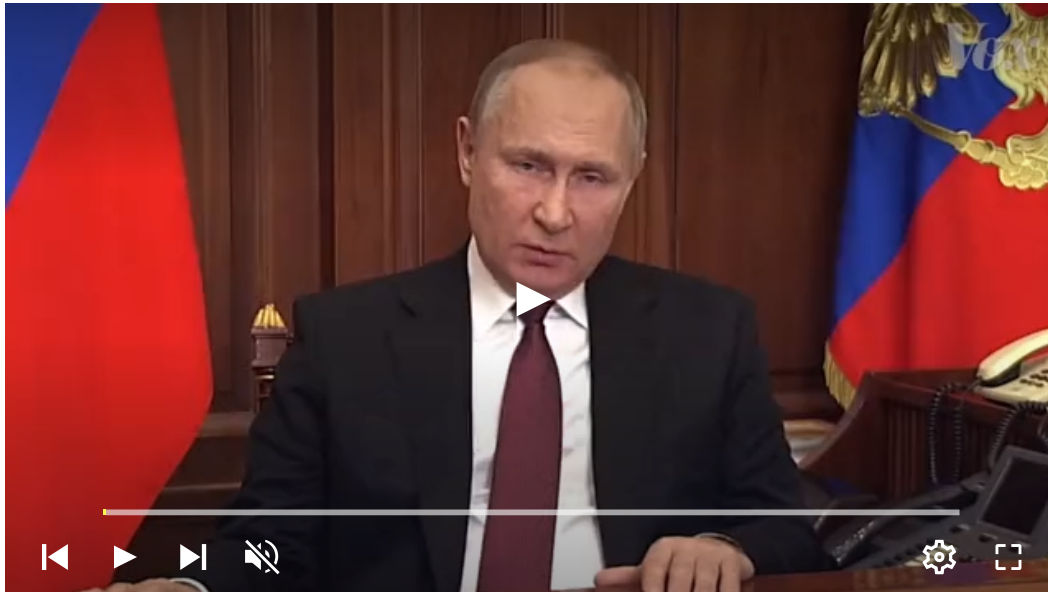
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Energy

EQT unveils nationwide plan to 'unleash LNG' to solve energy crisis, reduce emissions



Unleashing LNG is the latest step in a multipronged initiative by Toby Z. Rice, the CEO of Pittsburgh-based EQT.

JIM HARRIS/ PBT



By Paul J. Gough – Reporter, Pittsburgh Business Times
Mar 9, 2022

IN THIS ARTICLE

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EQT Corp.
Company

Toby Z. Rice
Person

EQT Corp. on Wednesday unveiled a plan centered on producing more liquified natural gas by dramatically increasing natural gas drilling in Appalachia and around the country's shale basins, as well as pipeline and export terminal capacity, which it said would not only boost United States energy security, but also help break the global reliance on coal and on countries like Russia and Iran.

Unleashing LNG is the latest step in a multipronged initiative by Toby Z. Rice, the CEO of Pittsburgh-based EQT, to show that natural gas is not only important now for the nation's and allies' energy security, but also for reducing carbon dioxide emissions around the world through the switch to natural gas and LNG. The plan from EQT (NYSE: EQT), the nation's largest natural gas producer, calls for the addition of 50 drilling rigs, which would create about 45 billion cubic

feet per day additional of natural gas, by 2030. It also calls for increasing pipelines and U.S. LNG export capacity from about 13 billion cubic feet per day now to 40 BCF/day by 2030 and 50 BCF/day by 2040. That would be about a historical record level of drilling and already achievable, Rice said.

EQT's vision would increase the industry's natural gas production in the short term, which Rice said would allow some of the LNG that is produced now to be shipped to Europe where it's needed as it weans itself off Russian gas. And, it argues, eliminating international burning of coal would go a long way toward cutting carbon dioxide: The plan cites IEA as showing that 28.9 billion metric tons of the 33.6 billion metric tons of CO₂ emissions globally came from international sources, and should be targeted.

Replacing those with LNG would, Rice said, be an important step toward reducing the impacts of climate.

"This work really quantifies the impact and how big it could be," Rice said of LNG. "The results are absolutely massive. This has the environmental impact that's equivalent to electrifying every vehicle in the United States. That's 190 million passenger vehicles. It has the equivalent of putting solar on the rooftops of every American home ... and the equivalent of doubling U.S. wind capacity. This initiative, unleashing U.S. LNG, has the environmental impact of all those three things combined."

EQT's plan said that it wouldn't take any taxpayer funding to move forward: The 50 rigs, including 35 in Appalachia, would cost about \$500 billion. The estimated 20 pipelines in the U.S., about 6,500 miles of pipeline, would cost about \$75 billion. And EQT estimates that building export terminals to ship 40 billion cubic feet per day of LNG would cost about \$245 billion. That would all be funded by industry.

Rice spoke Wednesday before this afternoon's speech outlining the plan at the Innovation & Future of Gas conference at S&P Global's CERA Week in Houston.

He said removing the barriers to constructing pipelines and LNG export terminals would have to be a part of it because drillers right now – particularly in the Marcellus

and Utica – don't have enough takeaway capacity to other markets to increase production.

"This is something we can start doing today by diverting some shipments to help the people in Europe. In the medium term, there are a significant number of projects that just need FERC clearance. Let's get those facilities built. In the meantime, let's get clearance on all the pipeline projects and get those working. So there's plenty to keep us busy right now and we can start planning the new stuff, which may take a little longer, 36 months to 48 months."

Rice said the initial response has been favorable, especially the idea that the increases could be achieved doing what the shale industry has proven in the past it can do. Drilling has, for several reasons, not been at the same level in Appalachia and elsewhere as it had in the boom days over the last decade and a half. He said he's also looking forward to speaking with Department of Energy officials about the plan.

Rice said EQT's plan is pro-green energy because LNG and natural gas produce less environmental impacts than coal. He said that should resonate with the Biden administration.

"They've embraced green solutions. I anticipate them to embrace this green solution. But the key for us is to show them how impactful this can be. Everything this administration wants to do ... our plan is equivalent to," he said. "I think this is very much in line with the administration's desires. As a byproduct, we're going to strengthen American energy independence and provide energy security to the world. Obviously, people realize how important those things are."

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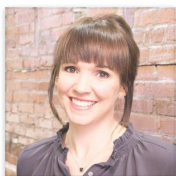
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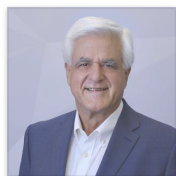
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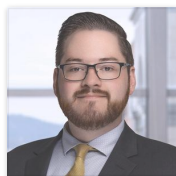
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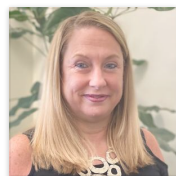
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