

United States Senate

November 17, 2021

COMMITTEES
APPROPRIATIONS
BANKING, HOUSING, AND
URBAN AFFAIRS
BUDGET
JUDICIARY
SMALL BUSINESS AND
ENTREPRENEURSHIP

The Honorable Jennifer M. Granholm
Secretary
U.S. Department of Energy
1000 Independence Ave., SW
Washington, D.C. 20585

Dear Secretary Granholm,

I write to you today in my capacity as Ranking Member of the Energy and Water Subcommittee on Appropriations to relay my grave concern with the confirmation of Mr. Brad Crabtree, nominee to be your Assistant Secretary for Fossil Energy and Carbon Management, absent significant progress by the Biden Administration to reopen American energy assets that have been illegally shut by Mexican militarized police. This is a developing situation that requires a major sense of urgency from the Biden Administration. It is vital to America's economic, environmental, and national security interests that these facilities, which are American-owned assets, are immediately allowed to reopen. As Secretary, you bear responsibility on these issues, and I am looking to you for action.

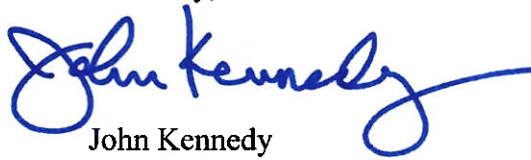
Recently, I was made aware of allegations involving serious international trade law violations by President Andrés Manuel López Obrador (AMLO) of Mexico. While AMLO's strategy to deal with Mexican drug cartels is using "hugs, not bullets" his strategy to deal with American energy companies is quite different. Recent reports indicate that AMLO is using a militarized police force to prevent the operation of U.S. businesses. The Wall Street Journal reported on October 17, 2021 that the Mexican National Guard was deployed to shut fuel storage assets owned by Texas-based, Monterra Energy. Additional American companies such as Sempra and Bulkmatic, along with others, face similar operational threats. Despite the companies' continued efforts to work with ALMO's regulators, multiple facilities remain closed and under supervision of the militarized police force. Not to be deterred, AMLO's strategy includes undermining other privately-owned, American renewable energy facilities. These companies could be the next to be seized, and it is unacceptable. It is obvious what is going on here—AMLO's shutting down all foreign competition for his state-owned company, Pemex, and so far he's getting zero resistance from U.S. officials in the Biden Administration.

Last week, the White House announced plans to host the North American Leaders' Summit in Washington. AMLO will be in attendance tomorrow and will reportedly meet in a bilateral meeting with President Biden. At this juncture, to protect energy investments in the region from AMLO's nationalistic actions, I implore you to begin aggressive engagement with the AMLO Administration and urge the White House to immediately initiate a dialogue on this specific issue between our countries.

Absent action by the White House to address this alarming targeting of American energy companies, I fear that several Department of Energy nominees awaiting confirmation before the Senate will be blocked, including: Ms. Asmeret Asefaw Berhe, Director of the Office of Science; Ms. Maria Duaine Robinson, Assistant Secretary for Office of Electricity; Mr. Joseph F. DeCarolis, Administrator for the Energy Information Administration; Ms. Shalanda H. Baker, Director of the Office of Minority Economic Impact.

America's issues with Mexico go far beyond the crisis at the border. I hope the Biden Administration understands that American workers will feel the consequences of inaction. Thank you for your prompt attention regarding this matter of critical importance to America.

Sincerely,

A handwritten signature in blue ink that reads "John Kennedy". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John Kennedy
U.S. Senate