Message

From: Events [events@cei.org]
Sent: 6/7/2018 3:32:43 PM
To: Yamada, Richard (Yujiro) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4c34a1e0345e4d26b361b5031430639d-Yamada, Yuj]
Subject: You're Invited: CEI Annual Dinner & Reception

COMPETITIVE ENTERPRISE INSTITUTE

1 COMPLIMENTARY TICKET

JUNE 28, 2018

FREEDOM:
THE GREATEST SHOW ON EARTH

Dear Richard,

As a supporter and ally of the Competitive Enterprise Institute, we are delighted to offer you a complimentary ticket

to our 2018 Annual Dinner and Reception, *Freedom: The Greatest Show on Earth*.

Details:

Thursday, June 28, 2018
6:00 p.m. Reception
7:15 p.m. Dinner
After-party to follow

Business Attire

Marriott Marquis
901 Massachusetts Ave NW
Washington, D.C. 20001

Kindly RSVP by Friday, June 15. Seating is limited.

This ticket offer is non-transferable.

If you would like to purchase additional tickets, you can do so at the registration link below.

Questions: please contact events@cei.org or call (202) 331-1010.

TO CLAIM YOUR COMPLIMENTARY TICKET:

To manage your reservation, please create a user account by registering at the link below with the email address mailed here. Once you've created an account, scroll down to select the complimentary ticket option.

REGISTER

Featuring:

Master of Ceremonies:
Jonah Goldberg
National Review

Julian Simon Memorial Award Winner:
Hernando de Soto
Institute for Liberty and Democracy

Keynote:
Mick Mulvaney
Director, White House Office of Management and Budget

Often cited as one of Washington's most enjoyable events, the CEI Annual Dinner and Reception brings together an audience of policy professionals, distinguished scholars, congressional staff, and supporters to celebrate CEI's effective advocacy for freedom.

For purposes of congressional ethics rules, this is a widely attended event.

Competitive Enterprise Institute
1310 L Street NW, 7th Floor
Washington, DC 20005
www.cei.org

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Message

From: Harper Lanier [Harper.Lanier@cei.org]
Sent: 6/18/2018 7:43:44 PM
To: Yamada, Richard (Yujiro) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4c34a1e0345e4d26b361b5031430639d-Yamada, Yuj]
CC: Annie Dwyer [Annie.Dwyer@cei.org]
Subject: CEI annual dinner

Good afternoon,

I wanted to make sure that you received the Competitive Enterprise Institute's invitation to our Annual Dinner and Reception on Thursday, June 28, 2018. We hope that you can join us as a complimentary guest.

The program for the evening includes White House Budget Director Mick Mulvaney as the keynote speaker, National Review's Jonah Goldberg as our Master of Ceremonies, and the 2018 Julian L. Simon Memorial Award will be presented to acclaimed property rights activist Hernando de Soto. More details below.

To claim your complimentary ticket please RSVP as soon as possible using your email address at www.cei.org/dinner. Seating is limited and complimentary tickets are only available while space allows.

2018 CEI Annual Dinner & Reception
Date: Thursday, June 28, 2018
Time: Reception is at 6pm; Dinner is at 7:15pm (after-party to follow)
Location: Marriott Marquis, 901 Massachusetts Avenue NW, Washington, DC
Details: Visit www.cei.org/dinner

Please let me know if you have any questions!

Harper Lanier
Government Affairs Coordinator
Competitive Enterprise Institute

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 5/31/2018 3:05:05 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition next meeting 11th June and please celebrate tomorrow's Paris anniversary
Attachments: ATT00001.txt

The Cooler Heads Coalition will hold its next monthly strategy meeting on Monday, 11th June, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at **Ex. 6** with agenda items or questions.

CAFE

The CAFÉ notice of proposed rulemaking is likely to happen soon, perhaps tomorrow. It still includes DOT pre-emption of state regulation of fuel economy under the Energy Policy and Conservation Act of 1975, thereby making EPA's California waiver inoperative. The opposition is going to be huge, and the automakers are not going to help and may be part of the opposition. Please be prepared to support the administration's CAFÉ rollback, particularly DOT's pre-emption of California. I'll send around the announcement and talking points as soon as it happens.

Paris Anniversary!

On June 1st 2017, President Trump announced that he would keep his campaign promise to withdraw the United States from the Paris climate treaty. The wisdom of his decision is even more evident one year later. Getting out of Paris is a major pushback against creeping international environmental governance and much more consequential than an earlier pushback—not ratifying the Law of the Sea Treaty. I hope you will celebrate the first anniversary of our liberation from Paris in an appropriate way by raising a glass or two. I think French champagne and American sparkling wine are both appropriate. I have pasted below CEI's press release and an article published yesterday in Standpoint magazine. The Standpoint article is aimed at a London chattering class audience, but makes most of the points that I think should be made.

News Releases

CEI on Paris Climate Decision Anniversary: Trump Should Tell the Senate to Vote It Down

May 31, 2018

This Friday marks the one-year anniversary of President Trump withdrawing the United States from the Paris climate treaty. The Competitive Enterprise Institute strongly supported Trump's decision to end U.S. commitment to this harmful and unconstitutional energy-rationing scheme that would impoverish Americans.

Despite the strong language of Trump's statement, CEI is concerned that the president has not solidified his decision, given his choice of a slow withdrawal. CEI experts argue President Trump should submit the treaty to the Senate for ratification—which President Obama should have done in the first place—and recommend it be voted down.

CEI's energy and environmental policy experts released the following statements ahead of the anniversary:

Director of CEI's Center for Energy and Environment Myron Ebell:

> It's more evident today than ever before why Trump's decision to withdraw the United States from the Paris climate treaty was a great decision. It removed a permanent obstacle to economic growth and stopped the war on affordable energy. That is something to celebrate because we know higher electric rates hurt American consumers and businesses alike. Just look at the manufacturing sector: Under President Obama, we lost one million manufacturing jobs in eight years; while under President Trump, we've gained 183,000 manufacturing jobs.

CEI Senior Fellow Marlo Lewis:

> The Paris Agreement aimed at 'deep de-carbonization,' while President Trump aims at 'American energy dominance.' Those are polar opposites, and Trump should be congratulated for recognizing the incompatibility of those two paths and choosing the right one. The Paris climate treaty would have endangered America's economic future and political independence. A thriving U.S. energy sector increases job creation and ensures our allies don't have to depend on Russia or OPEC for their oil and gas, in addition to lowering energy costs.

CEI Senior Fellow Chris Horner:

> We hope President Trump will consummate the announced withdrawal, preferably more durably than the continued pen-and-phone tit for tat—each such unilateral act being subject to a unilateral reversal. He should resolve this attempted end-run around our Constitution by doing what the French, Germans, Italians, and others did: send it to the elected body that has the express, constitutional role for approving these types of commitments. Otherwise, all of the administration's regulatory gains could be for nothing, and American taxpayers will be left on the hook.

Trump prefers energy dominance to Paris

MYRON EBELL

June 2018

Photo: Emmanuel Macron and Donald Trump in April (©Cheriss May/NurPhoto via Getty Images)

Donald J. Trump has made many decisions since becoming President of the United States that have offended the permanent political establishment in Washington; and in foreign policy, he has also shocked political elites in Britain and Europe by doing things that are simply not done. To take a recent notable example, in May Trump stopped pretending that payoffs to Iran would slow the ayatollahs from developing nuclear weapons. Before that, he angered pro-Arabists by moving the American embassy to Israel's capital, Jerusalem. But perhaps the foreign policy decision most upsetting to politically correct sensibilities everywhere occurred on June 1, 2017 when the President announced that the US would withdraw from the Paris climate treaty.

In the months leading up to the announcement, intense pressure was put on Trump to stay in Paris from every direction — environmental pressure groups, Democrats in Congress, mainstream media, Hollywood celebrities, countless CEOs of international corporations, and several members of his own administration, including Secretary of State Rex Tillerson. The push by world leaders peaked at the G7 summit meeting in May 2017 in Sicily, but in the end all the cajoling and coaxing from Prime Minister May, Chancellor Merkel, President Macron, and EU Commission President Juncker did not convince Trump to break his campaign promise.

Although Trump made clear in his Rose Garden speech why undertaking international commitments to reduce greenhouse gas emissions is not in America's national interest, he created confusion when he added: "I'm

willing to immediately work with Democratic leaders to either negotiate our way back into Paris, under terms that are fair to the United States and its workers, or to negotiate a new deal that protects our country and its taxpayers . . . And we'll make it good, and we won't be closing up our factories, and we won't be losing our jobs." He added to the confusion in January when, as the BBC reported, he said, "we could conceivably get back in".

Perhaps these comments were made to show, not least to his daughter and son-in-law Ivanka and Jared Kushner, that he was not unreasonable. Or perhaps Trump is deliberately creating confusion because he thinks it is in his political interest.

Whatever the motive, his comments have led many political leaders and informed observers in London and other European capitals to a serious misunderstanding. Here is just one example: the French President Emmanuel Macron said in his address to Congress in April, "I'm sure, one day, the United States will come back and join the Paris agreement."

It's not going to happen. It's not going to happen in the first Trump administration or in a possible second Trump administration. And it will be very difficult for a future president — Democrat or Republican — to get the US back into Paris or any other UN agreement to reduce greenhouse gas emissions from burning coal, oil, and gas.

To understand why the US is not going to be lured or dragged back into Paris, it's necessary to take seriously President Trump's energy agenda and the critical role it plays in his programme to revive economic growth to its historic rate of 3 per cent per year — a level never approached during President Obama's eight years in office. There are two parts to the administration's energy agenda: increasing energy production; and using America's energy price advantage to unleash a manufacturing renaissance.

First, Trump is focused on establishing American global "energy dominance". Progress toward this goal has been under way for the past decade and has nothing to do with government policy. In fact, it has been happening at an increasing pace despite efforts by the Obama administration to put on the brakes. It has happened because of the shale oil and gas revolution.

US oil production peaked in 1970 (as M. King Hubbert had predicted in 1956) at just over 10 million barrels per day and declined to a low of under 4 million barrels per day in 2008. That's when exploiting unconventional resources in shale rock formations by combining hydraulic fracturing, used over a million times in conventional oil drilling since 1949, and more recent advances in horizontal drilling became commercially viable.

The results of technological innovation by people working in a free market have been as dramatic as they were unpredicted or undirected by government. In November 2017, US oil production surpassed 10 million barrels a day for the first time since 1970. America has passed Saudi Arabia and Russia as the top oil producer and has now passed Russia as the top gas producer.

The US still uses more oil than it produces, but within a decade is likely to become a net oil exporter. The effects of this stunning turnaround are already being seen in the US trade deficit. Petroleum products accounted for over 30 per cent of the trade deficit in 2008, but less than 10 per cent last year — or a swing of $233 billion.

The effects will also increasingly become apparent in world politics, especially now that Mike Pompeo has replaced Rex Tillerson as Secretary of State. As the energy superpower, America's geopolitical position becomes much stronger as the position of Russia, Saudi Arabia, and the other petro-states wanes. As for China, it is now the world's largest energy user. Although China mines and burns more coal than the US (which is second in both categories), it produces roughly only one-third as much oil and one sixth as much gas as the US. Energy imports are likely to be a growing drag on the Chinese economy at least for several decades.

What should the US do with its immense reserves of coal, oil, and gas? President Obama and his allies in the climate industrial complex thought we should keep as much of it in the ground as possible. After failing in his first term to get legislation through Congress to restrict the use of fossil fuels, in 2013 Obama turned to using the Clean Air Act to promulgate new regulations that would force the closure of many existing coal-fired electric plants and ban the construction of new coal plants.

Obama's domestic energy-rationing agenda made the Paris climate treaty possible. Since the Obama agenda was not set in law, but merely implemented through regulation, the Trump administration can undo that agenda without going to Congress. And that is exactly what the Environmental Protection Agency under Administrator Scott Pruitt is doing. The several rules designed to reduce the use of fossil fuels and thereby raise energy prices are being undone using the same rule-making process by which they were done.

The effects of Trump's energy deregulatory agenda are likely to be huge. Lower energy prices will obviously benefit consumers. Electric rates for households in many American states are below 10 cents per kilowatt hour, while in Britain the rate is 22 cents and in Germany 35 cents. True, Californians and New Yorkers are paying 19 cents, but they and several other states controlled by Democrats are pursuing the European Union's energy-rationing policies and indeed have promised to keep their share of America's Paris commitments to reduce emissions.

Keeping electricity rates down is also going to give manufacturers a large energy price advantage over competitors in other countries. Energy-intensive manufacturing is already coming back. The number of jobs in manufacturing is a defective measure because manufacturing output can increase while employment drops due to productivity gains from automation. Nonetheless, it is significant that manufacturing lost over one million jobs in Obama's eight years, but gained 183,000 in Trump's first year.

If the Trump deregulatory strategy is successful in reviving manufacturing, then it's going to benefit many of the states that elected Trump. With high electricity prices that are going higher, companies are not going to be building new factories in California and New York. They are instead going to build in the heartland states that will continue to rely overwhelmingly on low-cost coal and gas for their electricity. China gets it. During his visit last fall, President Trump signed a memorandum of understanding with Chinese companies to invest $83 billion in the state of West Virginia.

When negotiations were concluded in Paris in December 2015, the agreement was hailed as historic, a landmark, and a turning point for the planet. The *Guardian* headline called it "the world's greatest diplomatic success", and the *New York Times* headline proclaimed it a "Big, Big Deal". When President Obama ignored the Senate's constitutional role in ratifying treaties (or not ratifying treaties, as would have been the case with Paris) and officially joined up in September 2016 by merely sending a letter to the United Nations signed by him, he called it "an enduring framework that enables countries to ratchet down their carbon emissions over time, and to set more ambitious targets" (which are required every five years).

Yet when the promoters of the climate industrial complex were trying to convince Trump to stay in Paris, they toned down their rhetoric — way down: it's really merely a voluntary agreement of little significance. If the US stays in, President Trump can ignore the US's commitment to reduce emissions or replace it with a much less ambitious one. No one will mind. The important thing is just to stay in the club and pretend that you're doing something to save the world.

Ha! is the only response to such bunkum. As the European Commission states in the first sentence on its Climate Action website and in bold type: "At the Paris climate conference in December 2015, 195 countries adopted the first-ever universal, legally binding climate deal."

The fact is that the Paris climate treaty is a document expressing good intentions — what is currently called virtue signalling — for every country in the world but one. When the United States makes an international

commitment, it stands by its commitment. If it doesn't, then private parties, which in this case would be that environmental pressure groups, Democratic state governors, and perhaps multinational oil corporations, file suit to force the federal government to keep its commitment.

Thus staying in Paris would threaten to stymie President Trump's ambitious plan to revive the American economy through deregulation and on the foundation of immense energy resources. If that plan succeeds, then US greenhouse gas emissions are going to stop declining, as they have done for the past decade, and start increasing again. The Paris treaty's self-imposed economic straitjacket would make that impossible.

There are, of course, those who think that global warming is a serious problem that must be addressed and that Paris is a start. Although it looks increasingly doubtful that global warming is an imminent problem as rates of actual measured warming continue to lag far behind predictions of rapid warming made by computer models, they could be right. But it is nonetheless the case that even if global warming turns out to be a problem, then the Paris climate treaty cannot possibly be the way to solve it.

To begin with, it's already failing. The treaty went into force in October 2016. In 2017, the European Union's carbon dioxide emissions increased by 1.8 per cent. Global CO2 emissions went up 1.4 per cent, according to the International Energy Agency. (By the way, US emissions continued to go down in 2017 as a result of replacing coal with gas, which is less carbon intensive.)

Two weeks of UN negotiations in Bonn in May designed to agree on a "roadmap" to implement Paris were so unsuccessful that another week of talks were scheduled for Bangkok in September. The main sticking point in Bonn was, as it always has been, that nasty little question asked by delegates from developing countries: where's the money? Then-Secretary of State Hilary Clinton and then-President Barack Obama had a wonderful idea in 2009 to push this question far into the future by proposing the creation of a Green Climate Fund. The developed countries would put in $100 billion a year to help developing countries deal with climate change.

The Green Climate Fund was created and over ten billion dollars has been deposited, but it's supposed to start full operations in 2020. $100 billion a year suddenly looks an impossible goal. President Trump made it clear a year ago when he pulled out of Paris that he would never ask Congress for a penny to fund the Green Climate Fund. The funny thing is that even if Hilary Clinton had been elected president, Congress would never have agreed to fund the Green Climate Fund.

By making what still seems a stunning U-turn on climate and energy policies, President Trump has every prospect of leading the United States to a more prosperous and brighter future. Britain, the EU, and the rest of the world would do well to consider following his lead.

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Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 6/5/2018 8:12:42 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: next meeting Monday, 11th June, and action item
Attachments: ATT00001.txt

The Cooler Heads Coalition will hold its June strategy meeting beginning at 12 noon on Monday, 11th June, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with questions or agenda items.

ACTION ITEM:

CEI's Sam Kazman has filed a petition with the Department of Energy that gets around the energy efficiency standards required by DOE for new dishwashers that make them slow and not very good at getting dishes clean. We have asked DOE to create a new class of "fast dishwashers" that can complete a cycle in an hour or less. This will require more electricity and more water and so DOE will have to relax the efficiency standards for this new class.

DOE has opened a public comment period, which ends on 25th June. We encourage other organizations to file comments and to encourage their members to file comments at www.dishwasherchoice.com. Comments do not need to be long, but they should be personal and not form letters. Over twelve hundred comments have already been filed with the help of FreedomWorks and several other groups.

→ File comments at www.dishwasherchoice.com. Deadline is June 25. ←

The Department of Energy notice and CEI's petition can be found at https://www.regulations.gov/document?D=EERE-2018-BT-STD-0005-0001. At that link, use the "Comment Now!" button in the upper right to file your own comments, or use www.dishwasherchoice.com.

Energy Department Petitioned To Stop Making Dishwashers Even Crappier

TIM PEARCE, Energy Reporter, *The Daily Caller*
1:45 PM 03/22/2018

A conservative think tank is petitioning the Department of Energy (DOE) to adopt a new energy efficiency standard for dishwashers that can cycle in an hour or less.

The Competitive Enterprise Institute (CEI) sent a petition to the DOE Wednesday, pointing out an unintended consequence of increasingly strict standards on energy and water standards: dishwasher cycle time.

"It used to take you only an hour to get a full load of dishes washed and dried in your dishwasher. Today, thanks to federal energy efficiency standards, the average time is nearly 2.5 hours," CEI General Counsel **Sam Kazman** said in a statement. "That's not progress; it's bureaucracy. And for many consumers, it's a royal pain. We hope the Department of Energy will change course."

Dishwasher cycle times have not averaged an hour or less since 1983, before the DOE began regulating dishwashers. A lengthy wash cycle time is one of four major sources of dissatisfaction Americans have with dishwashers.

In 1987, Congress passed the National Appliance Energy Conservation Act (NAECA), establishing minimum efficiency standards for many appliances, including dishwashers. Subsequent regulations increased standards and mandated the DOE keep to a schedule to review efficiency standards and update them as necessary.

Congress did not intend to sacrifice other features for an ever-increasing energy efficiency standard when passing NAECA and other regulations, and it passed a provision to "preclude DOE from promulgating a standard that manufacturers are only able to meet by adopting engineering changes that eliminate performance characteristics," the provision states, according to CEI.

The National Energy Conservation Act of 1978 gave the Secretary of Energy authority to create an entirely new class of appliance and set of standards within a type of product. Under this power, Energy Secretary Rick Perry could create a class of dishwasher that is able to complete a cycle in an hour without discarding the rules adopted so far.

The move would give manufacturers more flexibility in dishwasher design and as lines of one hour cycle dishwashers come to market, give consumers a choice of product no longer in existence due to government regulation, CEI argued.

"Dishwasher speed is an important factor for huge numbers of consumers," the CEI petition states. "Manufacturers clearly have the ability to satisfy these consumers, and the DOE has the discretion under the law to accommodate them. It should do so."

Contact: Christine.Hall@cei.org or Myron.Ebell@cei.org.

Myron Ebell
Director, Center for Energy and Environment
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From: Harper Lanier [Harper.Lanier@cei.org]
Sent: 6/21/2018 8:29:27 PM
To: Yamada, Richard (Yujiro) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4c34a1e0345e4d26b361b5031430639d-Yamada, Yuj]
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More details below. Please let me know if you can make it!

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Location: Marriott Marquis, 901 Massachusetts Avenue NW, Washington, DC
Details: Visit www.cei.org/dinner

Harper Lanier
Government Affairs Coordinator
Competitive Enterprise Institute

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 6/20/2018 8:51:48 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition action alerts and next meeting
Attachments: ATT00001.txt

Next Meeting 16th July
The Cooler Heads Coalition will hold its July monthly strategy meeting on Monday, 16th July, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with questions or agenda items.

Joint Letter on the Kigali Amendment
We have started circulating for signature by non-profit groups a joint letter to President Trump urging that he reject the Kigali Amendment to the Montreal Protocol. It has been sent to a number of groups, but if you didn't get it and are interested in signing on or you would just like to see the text before we send it, please e-mail me with Kigali in the subject line and I'll send it to you. Kigali turns an ozone treaty into a global warming treaty for the purpose of providing massive corporate welfare to two major corporations. If you would like more information on why the Kigali Amendment is a bad thing, our experts are Dave Stevenson of the Caesar Rodney Institute in Delaware and my CEI colleague Ben Lieberman. I'll be happy to put you in touch with both of them.

Comment Period on Dishwasher Petition Ends on 25th June
It's not too late to file a comment on CEI's petition to DOE to establish a new class of dishwashers that actually get dishes clean and do it in an hour or less. Comments don't need to be long or expert. Sharing personal experience with today's super-energy-efficient dishwashers is perfect, but please try to restrain use of obscene or profane language. I have pasted the details below. The easiest way to file comments is to go to www.dishwasherchoice.com.

CEI has filed a petition with the Department of Energy that gets around the energy efficiency standards required by DOE for new dishwashers that make them slow and not very good at getting dishes clean. We have asked DOE to create a new class of "fast dishwashers" that can complete a cycle in an hour or less. This will require more electricity and more water and so DOE will have to relax the efficiency standards for this new class.

DOE has opened a public comment period. We encourage other organizations to file comments and to encourage their members to file comments at www.dishwasherchoice.com. Comments do not need to be long, but they should be personal and not form letters. Over twelve hundred comments have already been filed with the help of FreedomWorks and several other groups.

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Subject: Reminder - You're Invited: CEI Annual Dinner & Reception

COMPETITIVE ENTERPRISE INSTITUTE

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JUNE 28, 2018

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THE GREATEST SHOW ON EARTH

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to our 2018 Annual Dinner and Reception, *Freedom: The Greatest Show on Earth*.

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REGISTER

Featuring:

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Jonah Goldberg
National Review

Julian Simon Memorial Award Winner:
Hernando de Soto
Institute for Liberty and Democracy

Keynote:
Mick Mulvaney
Director, White House Office of Management and Budget

Often cited as one of Washington's most enjoyable events, the CEI Annual Dinner and Reception brings together an audience of policy professionals, distinguished scholars, congressional staff, and supporters to celebrate CEI's effective advocacy for freedom.

For purposes of congressional ethics rules, this is a widely attended event.

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Message

From: Events [events@cei.org]
Sent: 6/12/2018 3:52:52 PM
To: Yamada, Richard (Yujiro) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4c34a1e0345e4d26b361b5031430639d-Yamada, Yuj]
Subject: Reminder - You're Invited: CEI Annual Dinner & Reception

COMPETITIVE ENTERPRISE INSTITUTE

1 COMPLIMENTARY TICKET

JUNE 28, 2018

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 8/2/2018 1:54:57 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition alert: Trump administration releases proposed CAFE Rule

Reminder: the Cooler Heads Coalition will not hold its monthly strategy meeting in August. Our next meeting will be on Monday, 10th September, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor.

Proposed CAFÉ Rule:
The proposed CAFÉ rule has finally been released. Everything is posted here: www.nhtsa.gov/safe I have pasted several items below.

It's going to need a lot of support because the environmental pressure groups and much of the mainstream media are going to go all out to turn public opinion against it. And the automakers are going to try to stay out of trouble.

U.S. EPA and DOT Propose Fuel Economy Standards for MY 2021-2026 Vehicles

WASHINGTON (August 2, 2018) — Today, the U.S. Environmental Protection Agency (EPA) and U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) released a notice of proposed rulemaking, the *Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks* (SAFE Vehicles Rule), to correct the national automobile fuel economy and greenhouse gas emissions standards to give the American people greater access to safer, more affordable vehicles that are cleaner for the environment.

The SAFE Vehicles Rule is the next generation of the Congressionally mandated Corporate Average Fuel Economy (CAFE) and Light-Duty Vehicle Greenhouse Gas Emissions Standards. This Notice of Proposed Rulemaking (NPRM) is the first formal step in setting the 2021-2026 Model Year (MY) standards that must be achieved by each automaker for its car and light-duty truck fleet.

In today's proposal, EPA and NHTSA are seeking public comment on a wide range of regulatory options, including a preferred alternative that locks in MY 2020 standards through 2026, providing a much-needed time-out from further, costly increases. The agencies' preferred alternative reflects a balance of safety, economics, technology, fuel conservation, and pollution reduction. It is anticipated to prevent thousands of on-road fatalities and injuries as compared to the standards set forth in the 2012 final rule. The joint proposal initiates a process to establish a new 50-state fuel economy and tailpipe carbon dioxide emissions standard for passenger cars and light trucks covering MY 2021 through 2026.

"We are delivering on President Trump's promise to the American public that his administration would address and fix the current fuel economy and greenhouse gas emissions standards," **said EPA Acting Administrator Andrew Wheeler**. "Our proposal aims to strike the right regulatory balance based on the most recent information and create a 50-state solution that will enable more Americans to afford newer, safer vehicles that pollute less. More realistic standards can save lives while continuing to improve the environment. We value the public's input as we engage in this process in an open, transparent manner."

"There are compelling reasons for a new rulemaking on fuel economy standards for 2021-2026," **said Secretary Elaine L. Chao**. "More realistic standards will promote a healthy economy by bringing newer, safer, cleaner and more fuel-efficient vehicles to U.S. roads and we look forward to receiving input from the public."

The current standards have been a factor in the rising cost of new automobiles to an average of $35,000 or more—out of reach for many American families. Indeed, compared to the preferred alternative in the proposal, keeping in place the standards finalized in 2012 would add $2,340 to the cost of owning a new car, and impose more than $500 billion in societal costs on the U.S. economy over the next 50 years.

Additionally, a 2018 government study by NHTSA shows new model year vehicles are safer, resulting in fewer deaths and injuries when involved in accidents, as compared to older models. Therefore, the Administration is focused on correcting the current standards that restrict the American people from being able to afford newer vehicles with more advanced safety features, better fuel economy, and associated environmental benefits.

On April 2, 2018, EPA issued the Mid-Term Evaluation Final Determination which found that the MY 2022-2025 GHG standards are not appropriate and should be revised. For more than a year, the agencies worked together to extensively analyze current automotive and fuel technologies, reviewed economic conditions and projections, and consulted with other federal agency partners to ensure the most reliable and accurate analysis possible.

EPA and NHTSA are seeking public feedback to ensure that all potential impacts concerning today's proposal are fully considered and hope to issue a final rule this winter.

The public will have 60 days to provide feedback once published at the Federal Register. Details can be found at NHTSA's website here and EPA's website here.

Visit The EPA's Newsroom

Los Angeles Times http://www.latimes.com/politics/la-na-pol-trump-fuel-economy-20180802-story.html

Trump's EPA formally launches attack on California's fuel-economy rules

By Evan Halper , Tony Barboza and David Lauter

Aug 02, 2018 | 6:25 AM
| Washington

Morning commuters face very heavy traffic on Southern California freeways. Vehicle use remains the largest single source of emissions blamed for warming the world's climate. (Irfan Khan / Los Angeles Times)

The Trump administration Thursday pushed ahead with plans to unravel the federal government's most effective action to fight climate change — aggressive fuel economy standards aimed at getting the nation's cars and trucks to average more than 50 miles per gallon by 2025.

After months of discussion and drafts, the Environmental Protection Agency and the National Highway Traffic Safety Administration formally unveiled their plan to rewrite those rules and replace them with ones so lax even automakers are wary.

The administration's proposal would freeze miles-per-gallon targets in 2020. It would also move to end California's current power to set its own, higher standards.

The administration's proposal asserts that "attempting to solve climate change, even in part" is "fundamentally different" from the Clean Air Act's "original purpose of addressing smog-related air quality problems."

The administration's proposal could set off a high-stakes legal battle with California and the 13 other states that follow its more stringent rules. Those states argue the Clean Air Act empowers them to keep the Obama-era fuel economy standards in place in their markets.

The states following California's lead account for more than a third of the vehicles sold nationwide.

The Trump administration proposal could also invalidate California's mandate that automakers sell a certain number of electric vehicles.

The rollback would undermine efforts by California and several other states to meet commitments the U.S. made in the Paris agreement on climate change. It would also worsen air quality problems in Southern California and other areas where officials are already struggling to clean smog and ease rates of asthma and other illnesses.

The release of the administration's proposal was repeatedly delayed in recent weeks as officials debated how aggressively to push. In the end, the White House approved taking a hard line, despite fears of some administration officials that their plan is based on weak evidence that will not hold up under court challenge.

The prospect of an extended legal fight has discomfited automakers, who had asked the administration to relax the Obama-era rules but don't want to see the U.S. market split in two, with different models of cars required in blue and red states.

Their unease was reflected in a statement released by Gloria Bergquist, vice president of the Alliance of Automobile Manufacturers, which urged negotiations between California and the federal government "to find a common sense solution that sets continued increases in vehicle efficiency standards while also meeting the needs of America's drivers."

The administration argues its proposal will reduce traffic fatalities by keeping the cost of vehicles down compared with the current emissions standards, which it claims are a safety hazard that "restrict the American people from being able to afford newer vehicles with more advanced safety features, better fuel economy, and associated environmental benefits."

"More realistic standards can save lives while continuing to improve the environment," said EPA Acting Administrator Andrew Wheeler.

Vehicles are the single largest cause of emissions in the U.S. that cause global warming, recently surpassing the electricity sector. The plunge in natural gas prices and other market forces have steadily lowered the climate impact of utilities, but transportation is proving more stubborn. Electric cars and trucks still account for a tiny fraction of those sold, and driver preference for SUVs, along with relatively low gas prices, have inhibited progress there.

The existing federal fuel economy targets, which were championed by California, ensure automakers keep moving toward higher efficiency vehicles, as other nations also require. The impact of freezing those targets for six years, as the administration favors, would be enormous.

The Bay Area firm Energy Innovation, which models the environmental impact of energy policies, projects the proposal would increase U.S. fuel use 20% by 2035. The firm projects the policy would cost the U.S. economy $457 billion and cause 13,000 deaths by 2050, as air quality suffers.

But the Trump administration is arguing its plan, which it dubbed Safer and Affordable Fuel Efficient Vehicles Rule, or SAFE, would save lives, replacing current standards that officials claim drive up the cost of vehicles too much and create a safety hazard for motorists.

Those assertions are refuted by thousands of pages of data the Obama administration used in developing the regulation. In scrapping it, the administration is relying on disputed modeling that projects vehicles that get more miles to the gallon would lead motorists to drive more frequently, thus increasing the number of traffic fatalities.

The administration also projects the efficiency rules would drive up the price of cars enough to push some buyers out of the market, leaving them to remain in older vehicles lacking life-saving new technologies like assisted braking and blind spot warning.

The argument may prove a tough sell in court, where attorneys for states and environmental groups will come armed with a wealth of data undermining it.

"The fleet of new vehicles today is the most fuel efficient ever, and they have gotten safer every year," said Luke Tonachel, director of clean vehicles and fuels at the Natural Resources Defense Council. "These arguments are not new. They have failed before."

Federal data show the increased cost consumers would pay for the more efficient vehicles is dwarfed by the amount of money they would save at the pump, undermining the argument that drivers will stay in older, unsafe vehicles, advocates for the tougher rules say.

At a May meeting in the White House, auto firms appealed to Trump to tap the brakes on the administration's aggressive rollback plan. He assured them he would, ordering his EPA chief and Transportation secretary to try to broker a deal with California.

Those negotiations have gone nowhere. California is confident the administration has no legal authority to revoke the waiver it has been granted under the Clean Air Act allowing it to keep the Obama-era rules in place. In May, California and 16 other states filed a preemptive lawsuit arguing the rollback would be illegal.

"There is no precedent for revoking California's waiver," said Dan Becker, director of the Safe Climate Campaign of the Center for Auto Safety, an advocacy group in Washington. "There is no provision in the Clean Air Act for revoking a waiver… The world is looking to California to hold its ground."

CEI: Proposed Changes to CAFE Standards are Good News for Consumers

Today, the Department of Transportation and the Environmental Protection Agency released proposed revisions to future fuel economy standards set under the Obama Administration.

Director of CEI's Center for Energy and Environment Myron Ebell said:

"The administration's announcement that it will relax future fuel economy (CAFE) standards is good news for consumers. It means that the federal government will have slightly less control over the kinds of cars and trucks people can buy. It might even cause car prices to stop increasing so rapidly. Even better news is the decision to take California out of the driver's seat for setting CAFE standards for the entire country. Letting one state make decisions for people in other states makes a bad program even worse, especially since the state is California, which has been pursuing an anti-car agenda for decades."

CEI General Counsel Sam Kazman said:

"CAFE was recognized long ago as a threat to highway safety. That recognition came from analysts, consumer advocates, and even a federal court. With today's announcement, the federal government is finally acting to reduce that threat. It's doing so despite feverish claims by environmentalists and Sacramento bureaucrats, who apparently think that the US is seceding from California. They need to get real."

CEI Senior Fellow Marlo Lewis said:

"Since California started to determine the stringency of fuel economy standards, new car prices have increased $6,800 above the pre-2009 baseline trend, according to estimates in a Heritage Foundation study. The National Auto Dealers Association estimates the federal standards demanded by California will add $3,000 to the cost of new motor vehicles by 2025, potentially pricing millions of low-income households out of the market for new cars. Kicking California bullies out of the fuel economy playground will expand consumer choice while making new cars more affordable."

- Marlo Lewis: Will Trump Auto Rule End California's Regulation of Fuel Economy?
- Sam Kazman in WSJ: Coffee Won't Kill You, But CAFE Might

- Myron Ebell in Sacramento Bee: More Realistic Fuel Economy Rule Will Cut Fatalities and Lower Car Prices

The headline inexplicably reads "… and lower gas prices". I've changed it below.

Sacramento Bee

PRO: More realistic fuel economy rule would cut traffic fatalities and lower car prices

By MYRON EBELL
Tribune News Service

August 02, 2018 01:00 AM

Updated 4 hours 38 minutes ago

WASHINGTON – The Trump Administration has proposed to halt the steady increases in auto fuel economy standards that were part of backroom deals made by the Obama administration with California and automakers in 2009-12.

In doing so, the administration has struck a blow for consumer choice that will be good news for drivers planning or hoping to buy a new car in the next decade. That's because the mileage mandate is one of the main causes of rapidly rising vehicle prices.

Corporate Average Fuel Economy standards were first enacted in 1975 as a response to the 1973 OPEC oil embargo. The idea was that reducing American dependence on foreign oil was a national interest more important than other factors that people consider in buying a new car, such as safety, size, performance and cost. The federal government was therefore justified in imposing a mandate that overrode consumer choice.

Even with CAFE, American dependence on foreign oil increased as more people drove many more miles and domestic oil production declined. But by 2012 it was clear that the shale oil and gas revolution was rapidly increasing domestic production and was therefore going to solve the very problem that CAFE was designed to address.

Although Congress refused to enact global warming legislation, a 2007 Supreme Court decision allowed Obama's Environmental Protection Agency to repurpose CAFE as a program to reduce greenhouse gas emissions.

The average mileage requirements were set to increase rapidly from the existing standard of 35 mpg by 2020 for passenger cars, pickup trucks and SUVs to 54.5 mpg by 2025.

After reviewing the impacts of the new standards, the Department of Transportation and EPA have now decided to scale back the rate of annual increases, and then flatline CAFE at 37 mpg from 2020 to 2026.

Meeting ever more stringent fuel economy standards is driving up new vehicle prices. Sticker shock is thereby causing a lot of people to hang on to their current cars. The average age of all cars on the road is now at an all-time high of over 111/2 years.

The Transportation Department's analysis shows that having so many 15- to 25 year-old cars on the road is a major safety concern. Not only are newer cars safer, but systems such as braking and airbags become less reliable as cars get older.

Freezing CAFE standards will make new cars more affordable for millions of Americans and also allow many of them to buy bigger and hence even safer new models.

How much safer will be hotly debated. The Transportation Department concludes that the proposed changes will prevent about 1,000 traffic fatalities a year. If that number is anywhere close to reality, then it is going to be hard to argue against making those changes.

Supporters of CAFE respond by pointing to polls showing strong public support for higher fuel economy standards. The polls are no doubt accurate on that one question, but they fail to ask whether you would support higher fuel economy standards if it meant that the vehicles you could buy were smaller, less safe and more expensive.

That there are trade-offs between price, safety, fuel economy, size, and performance is the key point. Federal CAFE standards have limited consumer choice and forced consumers either to buy models that they would not otherwise buy or to put off buying new cars altogether.

For many people, fuel economy will still be the most important factor in choosing a new car. The good news for them is that the Trump administration's action will in no way prevent them from buying a model that gets great gas mileage. The good news for everyone else is that the choice of models will be much wider than if the CAFE standard remained 54.5 mpg.

(Myron Ebell is director of the Center for Energy and Environment at the Competitive Enterprise Institute in Washington. He was the EPA team leader for the Trump presidential transition in 2016.)

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https://www.sacbee.com/news/news-services/article215964715.html Also at: https://www.bellinghamherald.com/news/news-services/article215964690.html#storylink=cpy

CON: Slashing current mpg rules would adversely affect all Americans

By MICHAEL E. KRAFT
Tribune News Service

https://www.sacbee.com/news/news-services/article215964715.html

Will Trump Auto Rule End California's Regulation of Fuel Economy?

Marlo Lewis, Jr. • August 1, 2018

The Trump administration is expected tomorrow to release its proposed revisions of the Obama administration's Corporate Average Fuel Economy (CAFE) and motor vehicle greenhouse gas emission standards for model years 2021 and later. On Saturday, July 28, The New York Times posted a leaked draft that the National Highway Traffic Safety Administration (NHTSA) sent in May to the White House for review. The question of the hour is whether the final draft released tomorrow will retain or retreat from the May draft's bold initiatives.

Bold Initiatives

The leaked draft is the perfect complement to the Environmental Protection Agency's (EPA) proposal to repeal the Clean Power Plan and President Trump's decision to withdraw from the Paris climate treaty. The proposal NHTSA sent to the White House in May would topple the third pillar of President Obama's so-called climate policy legacy. It's not just that CAFE standards for passenger cars would plateau in 2020 at 43 miles per gallon rather than rise to 54.5 mpg in 2025, as contemplated in the Obama administration's 2012 rulemaking. More importantly, the leaked draft would permanently change the institutional framework and political dynamics of fuel economy policy. Specifically, it would eliminate California's power to establish carbon dioxide tailpipe standards and mandate sales of zero-emission vehicles—policies that effectively regulate fuel economy.

In other words, the leaked draft is a plan for regime change. That is bold, but also conservative because the proposal would restore the statutory system Congress enacted. Congress never authorized California to regulate fuel economy. Indeed, when Congress created the CAFE program in 1975, it expressly prohibited states from adopting or enforcing laws or regulations "related to" fuel economy.

Case for Preemption

Laws made pursuant to the Constitution "shall be the supreme law of the land . . . anything in the laws or constitution of any state to the contrary notwithstanding" (Article VI). Congress in 1975 enacted the Environmental Policy and Conservation Act (EPCA), which created the national fuel economy program. EPCA's express preemption of state laws or regulations relating to fuel economy is, as the leaked draft says, "broad and clear":

> When an average fuel economy standard prescribed under this chapter is in effect, a State or a political subdivision of a State may not adopt or enforce a law or regulation related to fuel economy standards or average fuel economy standards for automobiles covered by an average fuel economy standard under this chapter [49 U.S.C. 32919].

The draft goes on to point out that unlike section 209(b) of the Clean Air Act, which allows EPA to waive federal preemption of state automobile emission standards, "EPCA does not allow for a waiver of preemption." It continues:

> Nor does EPCA allow for states to establish or enforce an identical or equivalent regulation. In a further indication of Congress' intent to ensure that state regulatory schemes do not impinge upon EPCA's goals, the statute preempts state laws merely *related to* fuel economy standards or average fuel economy standards.

The leaked draft cites three Supreme Court cases establishing that the phrase "related to" in preemption statutes is broad. As in common speech, it signifies that one thing stands in some relation to another thing, has some bearing on it, refers or pertains to it, etc.

As it happens, the functional relationship between greenhouse gas tailpipe standards and fuel economy standards is so close that "greenhouse gas emissions, and particularly carbon dioxide emissions, are mathematically linked to fuel economy and therefore regulations limiting tailpipe carbon dioxide emissions are directly related to fuel economy."

Although Obama administration officials would later deny under oath that fuel economy standards and greenhouse gas tailpipe standards are "related," the Obama EPA and NHTSA's first joint motor vehicle standards rulemaking in 2010 described the relationship as "very direct and close." That's because carbon dioxide constitutes 94 percent of all motor vehicle greenhouse gas emissions, and "there is a single pool of technologies . . . that reduce fuel consumption and thereby reduce CO2 emissions as well" (75 FR 25326-25327).

The leaked draft concludes:

> Since there is but one pool of technologies for reducing tailpipe CO2 emissions and increasing fuel economy available now and for the foreseeable future, regulation of CO2 emissions and fuel consumption are inextricably linked. Such state regulations [as California's greenhouse gas motor vehicle standards] are therefore unquestionably "related" and expressly preempted under 49 U.S.C. 32919.

Nor is that all. Other state standards that "have the effect of regulating CO2 emissions or fuel economy are likewise related to fuel economy standards, and likewise preempted." That means EPCA also preempts California's Zero Emission Vehicle (ZEV) mandates:

> Likewise, a state law prohibiting all tailpipe emissions, carbon or otherwise, from some or all vehicles sold in the state, would relate to fuel economy standards and be preempted by EPCA, since the majority of tailpipe emissions consist of CO2. We recognize that this preempts state programs, such as California's ZEV mandate, that establish requirements that a portion of a vehicle's fleet sold or purchased consist of vehicles that produce no tailpipe emissions.

Breaking New Ground

Most of the foregoing points have been made before, but the leaked draft also breaks new ground. It rebuts in detail *Green Mountain Chrysler v. Crombie* (2007) and *Central Valley Chrysler-Jeep, Inc. v. Goldstene* (2008)—cases in which district courts in Vermont and California ruled that EPCA does not preempt state motor vehicle greenhouse gas standards. Citing Green Mountain, the Obama EPA subsequently granted a waiver authorizing California to implement AB 1493, the state's motor vehicle greenhouse gas emissions law.

For brevity's sake, I will summarize (and modestly embellish) a few key points in the leaked draft's rebuttal, focusing on the *Central Valley* decision, which purports to be the more definitive ruling.

In *Central Valley*, the California district court argued that because Congress wants to respect states' "historic police powers," express preemption statutory provisions "should be given a narrow interpretation." It then concluded that the "narrowest interpretation consistent with the plain language of EPCA's preemptive provision is that it encompasses only those state regulations that are explicitly aimed at the establishment of fuel economy standards, or that are the de facto equivalent of mileage regulation . . ." Since AB 1493 explicitly aims at controlling greenhouse gases, not fuel economy, and also regulates motor vehicle refrigerants, which are not related to fuel economy, EPCA does not preempt AB 1493, the court reasoned.

There are several problems here. Labels do not determine the nature of things. The direct functional relationship between fuel economy and greenhouse gas motor vehicle standards is not affected by the "explicit" language used to describe their purposes.

As it happens, because the functional relationship between the two types of standards is close and inherent, proponents routinely tout greenhouse gas standards as a means to boost fuel economy and CAFE standards as a means to reduce greenhouse gas emissions. Moreover, "the explicit purpose of the ZEV program is to affect fuel economy."

While California's motor vehicle greenhouse gas standards also apply to air conditioner refrigerants based on their global warming potential, such refrigerant emissions represent a small fraction of total motor vehicle greenhouse gas emissions—5.1 percent according to EPA and NHTSA's 2010 joint rule (75 FR 25424). Nearly all the rest, as noted above, is carbon dioxide from motor fuel combustion, and regulating carbon dioxide emissions inextricably regulates fuel economy. Thus AB 1493 cannot escape preemption by commingling refrigerant standards with tailpipe carbon dioxide standards.

By the same token, because greenhouse gas emissions from air conditioner refrigerants "have no relation to fuel economy," they are "outside the scope of EPCA preemption." Accordingly, the leaked draft concludes that "states can pass laws specifically regulating or even prohibiting such vehicular refrigerant leakage" and "EPCA would not preempt such laws, if narrowly drafted so as not to include tailpipe CO2 emissions."

The *Central Valley* court's argument that EPCA's preemption language must be interpreted narrowly ignores the plain fact that the EPCA preemption, covering anything "related to" fuel economy standards, is very broad. It is not possible to interpret a broad preemption narrowly without interpreting it loosely.

The court's key argument is that once EPA grants California a Clean Air Act waiver to adopt its own motor vehicle emission standards, those standards become "other standards of the [federal] government," hence are not subject to EPCA preemption, which applies only to state and local laws or regulations. But if that opinion were correct, it wouldn't matter if AB 1493 explicitly establishes fuel economy standards or is just mileage regulation by another name. EPA could still make the California standards "federal" and immune to EPCA preemption just by pronouncing the magic words: "Waiver granted!" In short, the court's legal theory would give states free rein to openly and unequivocally regulate fuel economy—clearly not what Congress intended.

The foregoing *reductio ad absurdum* refutation is not in the leaked draft but it complements the document's case law argument, which may be summarized as follows. Before California could request a waiver for AB 1493, it first had to enact the statute, and the California Air Resources Board (CARB) had to develop the implementing regulations. EPA can grant a waiver only for lawful statutes and regulations. However, AB 1493 and the associated rules were invalid under federal law from the get-go. As the leaked draft puts it, "When a state establishes a standard related to fuel economy, it does so in violation of EPCA's preemption statute and the standard is therefore void *ab initio* [from the beginning]."

The draft continues:

> Federal preemption is rooted in the Supremacy Clause of the U.S. Constitution. Courts have long recognized that the Supremacy Clause of the Constitution gives Congress the power to specifically preempt State law. Broadly speaking, the United States Supreme Court has long held that "an act done in violation of a statutory prohibition is void," and has specifically noted that such acts are not merely "voidable at the instance of the government," but void from the outset. The Ninth Circuit stated it more plainly: "Under federal law, an act occurring in violation of a statutory mandate is void *ab initio*." Discussing the Supremacy Clause, the Supreme Court explicitly explained that, "[i]t is basic to this constitutional command that all conflicting state provisions be without effect." And at least one Federal Court of Appeals explicitly stated that the Supremacy Clause means "state laws that 'interfere with, or are contrary to the laws of Congress' are void *ab initio*."

Here I would also note that the *Central Valley* court repeatedly acknowledges that the "touchstone" in preemption cases is "what Congress intended." Congress clearly intended to preempt state regulation of fuel economy. When the Obama EPA granted California a waiver to implement AB 1493, it did not merely authorize California to participate in fuel economy regulation. It set the stage for CARB to be the lead agency in determining fuel economy standards.

How so? Again, California's motor vehicle greenhouse gas standards primarily regulate fuel economy. That positions California to propose *de facto* fuel economy standards more aggressive than the explicit fuel economy standards NHTSA proposes. The auto industry desperately wants to avoid being subject to conflicting fuel economy requirements, but AB 1493 imposes no obligation on CARB to "harmonize" its standards with NHTSA's. Moreover, California has no incentive to adjust its standards to match NHTSA's because most auto companies and auto workers reside outside the state. Consequently, California's political elites face no blowback at the polls from indulging in fuel economy zealotry.

Accordingly, in negotiations over the so-called One National Vehicle Program, California always has the whip hand. CARB can imperil businesses and jobs beyond its borders just by hinting that it will "de-couple" from the federal agencies should any future administration dare to relax the Obama administration standards. That is exactly the situation we have today.

CARB filed a preemptive lawsuit months before EPA and NHTSA proposed any specific revisions to the Obama rules, and months before that threatened to enforce its own separate standards. CARB has thus exposed for all to see that the "one national program" was never more than an uneasy truce wired to fall apart whenever California does not get its way. "Harmony" exists only as long as the feds dance to CARB's tune.

The enormity of California's intrusion into fuel economy regulation has become painfully obvious. A California-led fuel economy regime upends Congress's clear and manifest purpose.

Myron Ebell
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Competitive Enterprise Institute
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Stop continental drift!

Message

From: Angela Logomasini [Angela.Logomasini@cei.org]
Sent: 2/23/2018 5:09:42 PM
Subject: Reminder Invitation: Advancing Scientific Integrity in the Federal Government

Space is limited, so please confirm your RSVP is you would like to come!

You are invited to a roundtable and luncheon discussion on:

Advancing Scientific Integrity in the Federal Government
Existing Tools and Potential Improvements

Featuring Dr. Anne LeHuray

With a Ph.D. in geochemistry from Florida State University, Dr. LeHuray has received National Science Foundation grants for academic research at Columbia University, as a contractor to EPA and NASA, and as an environmental consultant to the Department of Energy. For the past two decades she has served as a trade association scientist and executive, interfacing with regulatory and non-regulatory government agencies to translate science into policy. She is currently the executive director of two small 501(c)(6) associations: the Naphthalene Council and the Pavement Coatings Technology Council. She is an appointed member of the Great Lakes Water Quality Agreement Annex 10 (Science) Extended Subcommittee and is active in the Science Integrity Subcommittee of the Society of Environmental Toxicology and Chemistry. She is also part of an effort to revitalize the Institute for Regulatory Science.

Date: March 1, 2017
Location: 1310 L Street, NW, #700, Washington DC 20005
Time: 12:00 PM to 1:30 PM
Lunch to be provided.

Please note that this is an invitation-only event and ..RSVPs are required.

RSVP to: Angela.logomasini@cei.org

Angela Logomasini, Ph.D.
Senior Fellow
Competitive Enterprise Institute
1310 L Street NW, 7th Floor
Washington, DC 20005
Direct ph: Ex. 6
Websites: CEI.org and SafeChemicalPolicy.org

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 10/4/2017 6:19:16 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition meeting 16th October, noon at CEI

The Cooler Heads Coalition will hold its monthly strategy meeting on Monday, 16th October, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with questions or agenda items.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
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Tel direct: (
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Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 10/10/2017 9:47:22 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: information on "Clean Power" Plan repeal

Reminder: the Cooler Heads Coalition will hold its next strategy meeting on Monday, 16th October, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with agenda items or questions.

Here is the EPA press release on the CPP repeal, followed by links to useful background information, followed by my statement, followed by Marlo Lewis's blog.

CONTACT: press@epa.gov

EPA Takes Another Step To Advance President Trump's America First Strategy, Proposes Repeal Of "Clean Power Plan"

WASHINGTON (October 10, 2017) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt issued a Notice of Proposed Rulemaking (NPRM), proposing to repeal the so-called "Clean Power Plan (CPP)." After reviewing the CPP, EPA has proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority. Repealing the CPP will also facilitate the development of U.S. energy resources and reduce unnecessary regulatory burdens associated with the development of those resources, in keeping with the principles established in President Trump's Executive Order on Energy Independence.

"The Obama administration pushed the bounds of their authority so far with the CPP that the Supreme Court issued a historic stay of the rule, preventing its devastating effects to be imposed on the American people while the rule is being challenged in court," **said EPA Administrator Scott Pruitt**. "We are committed to righting the wrongs of the Obama administration by cleaning the regulatory slate. Any replacement rule will be done carefully, properly, and with humility, by listening to all those affected by the rule."

CPP Appears to be Inconsistent with the Clean Air Act

The CPP, issued by the Obama administration, was premised on a novel and expansive view of Agency authority that the Trump administration now proposes to determine is inconsistent with the Clean Air Act. In fact, the CPP was put on hold in February 2016, when the U.S. Supreme Court issued an unprecedented, historic stay of the rule.

"EPA will respect the limits of statutory authority. The CPP ignored states' concerns and eroded longstanding and important partnerships that are a necessary part of achieving positive environmental outcomes. We can now

assess whether further regulatory action is warranted; and, if so, what is the most appropriate path forward, consistent with the Clean Air Act and principles of cooperative federalism," **said Administrator Pruitt**.

The CPP was issued pursuant to a novel and expansive view of authority under Section 111 of the Clean Air Act (CAA). The CPP required regulated entities to take actions "outside the fence line." Traditionally, EPA Section 111 rules were based on measures that could be applied to, for, and at a particular facility, also referred to as "inside the fence line" measures. Prior to the CPP being issued, every single Section 111 rule on the books, including a handful of existing source rules and around 100 new-source rules, obeyed this limit. As the CPP departed from this traditional limit on EPA's authority under an "inside the fence line" interpretation, EPA is proposing to repeal it.

EPA has now sent the NPRM to the Federal Register for publication. Upon publication, the public will have 60 days to submit comments.

The repeal package includes:

1. The "preamble," which lays out the proposed legal interpretation, policy implications, and a summary of the cost-benefits analysis of the proposed repeal; and
2. The "Regulatory Impact Analysis (RIA)," an in-depth cost-benefit technical analysis.

CPP Repeal Saves up to $33 Billion in Avoided Costs in 2030

The proposed repeal both examines the Obama administration's cost-benefit analysis, as well as provides insights to support an updated analysis of the environmental, health, and economic effects of the proposed repeal. The Trump administration estimates the proposed repeal could provide up to $33 billion in avoided compliance costs in 2030.

The previous administration's estimates and analysis of these costs and benefits was, in multiple areas, highly uncertain and/or controversial. Specific areas of controversy and/or uncertainty in the Obama administration's analysis of CPP include:

- **Domestic versus global climate benefits**: The previous administration compared U.S. costs to an estimate of supposed global benefits, and failed to follow well-established economic procedures in estimating those benefits.

- **"Co-benefits" from non-greenhouse-gas pollutants**: The Obama administration relied heavily on reductions in other pollutants emitted by power plants, essentially hiding the true net cost of the CPP by claiming benefits from reducing pollutants that had nothing to do with the rule's stated purpose.

- **Energy cost and savings accounting**: The Obama administration counted "energy efficiency" results of their rule as an avoided cost, resulting in a cost estimate being considerably lower than it would have been if they used the appropriate practice of considering these effects as benefits, rather than subtracting them from costs. Had the Obama administration used the Office of Management and Budget's longstanding requirements and accounted cost and savings accordingly, it would have presented a more accurate accounting of the total cost of the CPP.

In this proposed repeal and its accompanying technical documents, this administration is, in a robust, open, and transparent way, presenting a wide range of analysis scenarios to the public.

As part of the notice-and-comment process for this proposed repeal, EPA will continue this analysis and inform the public, as necessary, to get feedback on new modeling and other information. The final action on this proposed repeal will address the results of this ongoing work.

Forthcoming is an Advanced Notice of Proposed Rulemaking (ANPRM) that will be reflective of a thoughtful and responsible approach to regulatory action grounded within the authority provided by the statute.

"With this action, the Trump administration is respecting states' role and reinstating transparency into how we protect our environment," **said Administrator Pruitt**.

Background:

On March 28, President Trump signed an Executive Order on Energy Independence, establishing a national policy in favor of energy independence, economic growth, and the rule of law. The purpose of the Executive Order (EO) is to facilitate the development of U.S. energy resources and to reduce unnecessary regulatory burdens associated with the development of those resources. That same day, EPA Administrator Scott Pruitt signed four Federal Register notices in response to the EO, including a formal announcement of review of the Clean Power Plan. After substantial review, the Agency has proposed to determine that the Clean Power Plan (CPP) must be repealed.

Visit The EPA's Newsroom

Here are some official EPA online resources promoting today's action on CPP. Feel free to repost and share.

EPA Homepage: https://www.epa.gov/

EPA Twitter: https://twitter.com/EPA/status/917806465062260738

EPA Air Office Twitter: https://twitter.com/EPAair/status/917809327599181825

Administrator Pruitt Twitter: https://twitter.com/EPAScottPruitt/status/917802478845988864

EPA Facebook: https://www.facebook.com/EPA/?hc_ref=ARSr6RzCgQ0tB23ZzO-5z0iW-mlKLlZMzissW0s3FCtjh3ilDw2wkvU_0MkV3DUb3Kc&fref=nf

Administrator Pruitt Facebook: https://www.facebook.com/ajax/sharer?appid=586254444758776&s=100&u=https%3A%2F%2Fwww.epa.gov%2Fnewsreleases%2Fepa-takes-another-step-advance-president-trumps-america-first-strategy-proposes-repeal

EPA YouTube: https://www.youtube.com/watch?v=OplAkmEWEYg&sns=tw

EPA Instagram: https://instagram.com/p/BaE8Q4QFvLs/

CEI Applauds Repeal of So-Called Clean Power Plan

October 10, 2017

The Competitive Enterprise Institute's Myron Ebell responded to the announcement that the Environmental Protection Agency would repeal the Clean Power Plan, an Obama administration rule that has been challenged in court for being an unlawful change to the nation's coal industry.

"CEI applauds EPA Administrator Scott Pruitt's move to repeal the so-called Clean Power Plan. This is a huge step toward dismantling the Obama Administration's war on affordable energy. Repealing the CPP will spur new investment and create new jobs in energy-intensive manufacturing and resource industries. States will now not be forced to close coal-fired power plants or replace them with more expensive and less reliable types of energy.

"While states like California and New York can continue down their chosen path of higher energy prices for consumers, repealing the "Clean Power" Plan means that other states will not have to close down coal-fired power plants and thereby destroy jobs and impoverish consumers with higher electric rates.

"Besides the huge economic benefits from repealing the rule, we congratulate the Trump Administration for restoring legality to the regulatory process. The document released today notes that the rule must be repealed simply because it is illegal. That's why the Supreme Court stayed implementation of the rule in February, 2016, on the grounds that it was likely to be overturned by the court. Especially welcome is the replacement of the legally flawed cost-benefit analysis of the rule with a new analysis."

EPA Proposes Clean Power Plan Repeal Rule

Marlo Lewis, Jr. • October 9, 2017

On Tuesday, October 10, Environmental Protection Agency Administrator Scott Pruitt is expected to release the agency's proposed rule to repeal the Clean Power Plan (CCP). The CPP, which aims to reduce U.S. electric power sector carbon dioxide (CO2) emissions by 32 percent below 2005 levels by 2030, was the Obama administration's marquee domestic climate policy and principal regulatory component of the U.S. emission-reduction pledge under the Paris Climate Accord. On Friday, October 6, someone leaked the repeal rule a few days before its official debut. In this post, I provide excerpts and offer commentary on the leaked document.

Although there are no shortage of policy arguments against the CPP, the repeal proposal is based solely on a legal argument. The CPP is to be repealed because it exceeds the agency's statutory authority. As the proposal states:

> Specifically, the EPA proposes a change in the legal interpretation as applied to section 111(d) of the Clean Air Act (CAA), on which the CPP was based, to an interpretation that the Agency proposes is consistent with the Act's text, context, structure, purpose, and legislative history, as well as with the Agency's historical understanding and exercise of its statutory authority. Under the interpretation

> proposed in this notice, the CPP exceeds the EPA's statutory authority and would be repealed. The EPA welcomes comment on the legal interpretation addressed in this proposed rulemaking.

What is that interpretation? In brief, CAA section 111(d) authorizes the EPA to adopt emission-reduction guidelines individual sources can meet via modifications to or at those facilities. In contrast, the CPP requires emission-rate reductions that no individual coal power plant or natural gas power plant can achieve via changes in the facility's technology or operation. To comply, owners and operators must shift generation from coal to gas, and from fossil fuels to renewables, either by investing in new renewable generation or purchasing emission credits from renewable facilities.

Thus, putting it now in my own words, the CPP is a plan to transfer wealth from politically disfavored to favored power generators and restructure the nation's electricity marketplace. Neither the text of 111(d), nor the handful of previous 111(d) rules, nor legislative history provides any support for such grandiose ambitions.

Here's how the EPA summarizes its argument:

> CAA section 111(d) requires the EPA to promulgate emission guidelines for existing sources that reflect the "best system of emission reduction" (BSER) under certain circumstances. Notwithstanding the CPP, all of the EPA's other CAA section 111 regulations are based on a BSER consisting of technological or operational measures that can be applied to or at a single source. The CPP departed from this practice by instead setting carbon dioxide (CO2) emission guidelines for existing power plants that can only realistically be effected by measures that cannot be employed to, for, or at a particular source. Instead, the CPP encompassed measures that would generally require power generators to change their energy portfolios through generation-shifting (rather than better equipping or operating their existing plants), including through the creation or subsidization of significant amounts of generation from power sources entirely outside the regulated source categories, such as solar and wind energy. This raised substantial concerns that the CPP would necessitate changes to a State's energy policy, such as a grid-wide shift from coal-fired to natural gas-fired generation, and from fossil fuel-fired generation to renewable generation.

Let's dig into that a bit deeper. In the CPP, the "best system of emission reduction" consists of three "building blocks": (1) Improve the heat rate (thermal efficiency) of coal power plants, (2) shift baseload generation from coal to gas, and (3) replace generation from fossil-fuel power plants with generation from new renewable facilities. "While building block 1 constituted measures that could be applied directly to a source—that is, integrated into its design or operation—building blocks 2 and 3 were expressly designed to shift the balance of coal-, gas-, and renewable-generated power at the grid-wide level."

Building blocks 2 and 3 make the CPP unprecedented in two obvious ways. First, unlike previous 111(d) rules, the CPP establishes emission performance standards "well below that which could be met by existing units through any retrofit technology of reasonable cost available at the time." Consequently (though the repeal rule does not put it so bluntly), CPP "performance" standards are actually *non-performance mandates*. Owners and operators of fossil-fuel power plants can comply only by producing *less power* from their facilities (including, for example, by shutting them down).

Second, the CPP imposes tougher emission performance standards on existing sources than the corresponding and prerequisite new source rule imposes on new sources. For example, for natural gas combined cycle power (NGCC) plants, the new source rule sets a performance standard of 1000 lbs. CO2/MWh. The CPP standard for NGCC plants is 700 lbs. CO2/MWh. That flouts statutory logic and common sense, "because the costs of controlling existing facilities will ordinarily be greater than those for control of new sources."

One might wonder why the EPA proposes to repeal the CPP "in its entirety." Why not leave the building block 1 thermal efficiency requirements in place? The agency explains:

> The EPA proposes to take this action because it proposes to determine that the rule exceeds its authority under the statute, that those portions of the rule which arguably do not exceed its authority are not severable and separately implementable, and that it is not appropriate for a rule that exceeds statutory authority—especially a rule of this magnitude and with this level of impact on areas of traditional state regulatory authority—to remain in existence pending a potential, successive rulemaking process.

Although the EPA has no current plan to replace the CPP with an alternative scheme for regulating CO2 emissions, the agency "is considering whether it is appropriate to propose such a rule and is intending to issue an Advance Notice of Proposed Rulemaking (ANPRM) in the near future." The ANPRM will solicit information on "systems of emission reduction that are in accord with the legal interpretation proposed in this notice." However, the EPA is not soliciting such information at this time.

A 60-day comment period on the proposed repeal rule will begin on the date of publication in the Federal Register. The EPA will also hold a public hearing during the comment period.

Turning to the big picture, the CPP repeal rule is a key part of President Trump's broader commitment to "suspend, revise, or rescind those [regulations] that unduly burden the development of domestic energy resources beyond the degree necessary to protect the public interest or otherwise comply with the law." Mr. Trump approved the Keystone XL and Dakota Access pipelines, repealed all of President Obama's climate policy executive orders, signed 14 Congressional Review Act resolutions of disapproval overturning Obama administration regulations, challenged the Obama EPA's Waters of the United States rule, initiated repeal of Obama's Arctic offshore drilling ban, disbanded the Interagency Working Group on the Social Cost of Carbon, and announced his intention to withdraw from the Paris Agreement.

Conservatives and free marketers should be grateful. It's not just that Hillary Clinton would have pushed America farther down the progressive rabbit hole had she won the 2016 elections. No GOP establishment candidate would have dared and done anywhere near as much as President Trump to repeal Obama's climate "legacy" policies—the CPP and Paris Agreement—and roll back federal regulatory burdens on U.S. energy producers.

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Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 11/15/2017 4:59:56 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition

Four items of interest pasted below:

1. TPPF-THF energy and climate conference 30th November;

2. Washington Times story on undisclosed private support for Governors' climate grandstanding as revealed by Chris Horner's freedom of information requests;

3. Climate Wire and Bloomberg BNA stories about the ongoing takeover of ALEC by the green energy subsidies crowd; and

4. E & E PM story on OSTP political appointee confirming that (after the debacle of the release of the National Climate Assessment draft) the Trump administration will keep climate research reports moving ahead on auto-pilot.

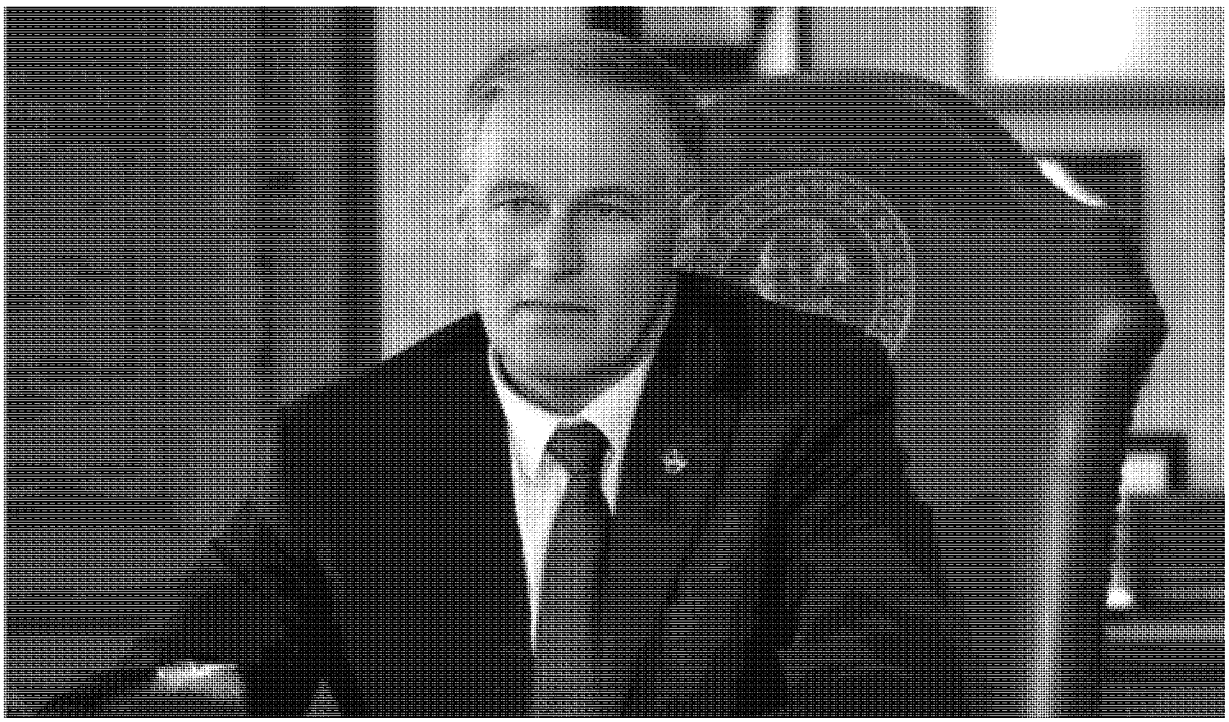
1. The Texas Public Policy Foundation and the Heritage Foundation are holding their At the Crossroads energy and climate conference all day on Thursday, 30th November at the Heritage Foundation. Registration at https://www.texaspolicy.com/events/detail/at-the-crossroads-iv-energy-and-climate-policy-summit. Agenda at https://www.crossroads-summit.com/agenda/.

2. https://www.washingtontimes.com/news/2017/nov/14/governors-outsource-climate-campaigns-to-advocacy-/

Washington Times, 15th November 2017

Democratic governors outsource climate campaigns to activist groups, emails reveal

By Valerie Richardson



Washington Gov. Jay Inslee, who is helping lead a coalition of 14 states and Puerto Rico at the Bonn climate summit, is one of the Democratic governors with a kind of shadow staff supplied by advocacy groups. (Associated Press/File)

It may look as if Democratic governors — not climate change activists — are driving the campaign to "fill the void" left by President Trump's exit from the Paris agreement, but that's not necessarily the impression left by behind-the-scenes emails.

Shortly after the June 1 launch of the U.S. Climate Alliance, a senior aide to Washington Gov. Jay Inslee warned Climate Nexus Executive Director Jeff Nesbit that some governors were considering withdrawing from the multistate coalition aimed at meeting the targets of the global warming accord.

"Can you call me asap?" Sam Ricketts, director of Mr. Inslee's Washington, D.C., office, asked in a June 5 email. "Sounds like we states have some particular, and substantively very valid, concerns about how this coalition is messaged. If not met I think states will pull out."

"OMG, come on. I've been dealing with this all weekend," Mr. Nesbit responded. "We're not messaging it incorrectly at this point. But yes, I'll call you."

It turns out that the governors who descended this week on the Bonn climate summit had plenty of help — not just from state aides, but also from a kind of shadow staff supplied by climate change advocacy groups and funded by liberal foundations in support of the ambitious foreign policy effort.

A cache of emails obtained via open records requests by Competitive Enterprise Institute senior fellow Chris Horner shows state employees relying on activists for organizational and communications work in what he described as "outsourcing government off the books."

The relationship raises questions about whether the governors have crossed an ethical line by bringing in privately funded advocacy groups to help staff a multistate operation — apparently at no charge — and whether their time and resources constituted a gift that would need to be disclosed to the public.

"It is inarguable. They are being given very expensive staff time and services," said Mr. Horner. "These governors should immediately release all details about the collusion with these groups, who themselves have a lot to answer for."

The alliance of 14 states and Puerto Rico is led by Mr. Inslee, California Gov. Jerry Brown and New York Gov. Andrew Cuomo. Their offices did not respond immediately Tuesday to requests for comment.

"In all three of those states, a gift is anything of value," Mr. Horner said in an email. "The gifts here include a report, and PR services yielding, for example, a New York Times story promoting their 'leadership.' We see they met to discuss private offers to hire staffers to be at politicians' disposal."

Who's in charge? Who's paying?

It's not uncommon for governors to seek out the expertise of think tanks, universities, corporations and advocacy groups when preparing policy initiatives on matters such as energy, education and the economy.

But the email traffic from Mr. Inslee's office indicates that activists play an outsize role in not merely advising but also running the day-to-day operations of the "bipartisan coalition of states," which includes one Republican: Massachusetts Gov. Charlie Baker.

The U.S. Climate Alliance website is operated by climate activists, not state staff, judging from another email exchange between Mr. Ricketts and Mr. Nesbit.

"How come governors aren't even listed on the website?" Mr. Ricketts asked in a June 5 email.

Mr. Nesbit replied: "They will be! I promise. It's controlled by WWF [apparently referring to the World Wildlife Fund]. They're melting down over there. I'll make sure the 9 governors are listed ASAP."

Mr. Nesbit also wore the hat of press secretary, saying he needed to send a joint statement from Mr. Inslee, Mr. Brown and Mr. Cuomo to The New York Times.

"Do you have it? Is it approved? Is Inslee available to talk to the NYT and others today before Trump does his Rose Garden ceremony at the WH?" Mr. Nesbit asked in the June 1 email.

According to Mr. Nesbit, Climate Nexus, a sponsored project of the Rockefeller Philanthropy Advisors, provided its services free of charge and without a contract.

"We worked with them at no cost just as we work with a wide range of groups," Mr. Nesbit said in an email to The Washington Times.

In September, the alliance issued a 12-page report that included extensive data from the Rhodium Group on the economic output and net greenhouse gas emissions of the 14 member states compared with the rest of the states.

Who compiled and paid for the report? Not Rhodium, according to a spokeswoman, although The New York Times described it at the time as "a new study by the research firm Rhodium Group."

"U.S. Climate Alliance state staff put together the report using data that the Rhodium Group produced as part of previous projects which were funded by private philanthropy," Rhodium spokeswoman Hannah Hess said in an email to The Washington Times.

The Rhodium Group is headed by former Hillary Clinton campaign climate and energy adviser Trevor Houser, who also co-directs the Climate Impact Lab.

'A tsunami of Pulitzers'

Even before Mr. Trump announced his intention in June to exit the 2015 Paris climate accord, state employees in California, New York and Washington had discussed enlisting the help of outside advocacy groups.

Aimee Barnes, senior adviser to Mr. Brown, proposed reaching out to the Georgetown Climate Center, Under2 Coalition and others, saying that "it can't always be us staff running around trying to corral each other for sign on."

"We are fortunate that at the moment there are many resources keen to be at our disposal to support us further, but in order to make the best use of them, we need to tell them what we need," Ms. Barnes said in a May 5 email.

Mr. Ricketts responded in a May 9 email by noting, "Theres of course a plethora of advocate and funder interest," adding, "we can approach the different groups (G-town, Rhodium, UNF, whomever) about which of them will play a roll."

A week later, Georgetown Climate Center Deputy Director Kathryn Zyla provided an update in an email sent to state staffers and climate change advocates.

"We also wanted to let you know that we are working with the Georgetown IT department to develop a platform that can assist this group with communications and shared resources, and will keep you posted. (Please let us know if you have any thoughts on key features for that platform.)," Ms. Zyla said in a May 16 email.

GCC spokesman Chris Coil said the group had no contract with the states. "We support state engagement on climate change (as we have done on a bipartisan basis for many years) free of charge," he said.

Inslee senior adviser Chris Davis put in a plug for Ann McCabe and her team at the Climate Registry, calling them in a June 5 email "great partners who've covered our costs for COPs and provided extraordinary on site services and support."

The Bonn climate summit, which runs through Friday, is officially known as COP23, or the 23rd session of the Conference of the Parties, an annual event sponsored by the U.N. Framework Convention on Climate Change.

The 2015 Paris Agreement, a nonbinding accord calling for signatory nations to lower emissions in order to hold temperature increases below 2 degrees Celsius this century, was hammered out at COP21.

Those attending COP23 included Mr. Brown and Mr. Inslee, as well as fellow alliance members Oregon Gov. Kate Brown and Virginia Gov. Terry McAuliffe, who participated in a Monday panel on "U.S. state-driven climate leadership."

"The U.S. Climate Alliance has a message for the world: We are here. We are your allies on climate change," the alliance said in a Nov. 6 press release, which listed a Climate Nexus staffer as the contact.

Mr. Trump said he would withdraw from the Paris agreement unless the conditions were changed, saying it puts the U.S. economy at a "very, very big economic disadvantage."

Is enlisting climate activists to assist state staff a problem if they are both acting at the direction of the governor? Mr. Horner asked how the media would react if, for example, the Koch brothers provide staffing on behalf of a Republican governor.

"This would unleash a tsunami of Pulitzers and hysteria if the political parties or priorities were changed," said Mr. Horner. "Here is a real test for 'good government' activists — is this all right if the 'right' politicians and donors pushing the approved agenda outsource government?"

3. https://www.eenews.net/climatewire/2017/11/15/stories/1060066527

ClimateWire

ADVOCACY

Climate civil war brewing at ALEC

Zack Colman, E&E News reporter

Published: Wednesday, November 15, 2017

Members of the American Legislative Exchange Council, a heavyweight conservative policy organization, are feuding about their approach to climate change.

ALEC's conservative wing says the organization — which convenes corporations, think tanks and legislators — is capitulating to left-of-center interests to regain funders after an exodus of corporate titans like Google LLC and Royal Dutch Shell PLC over the organization's climate change positions. Others, however, contend that the conversation on climate has shifted away from hard-liners, with a growing number of Republicans and conservatives embracing clean technology and climate science, according to several of the group's members.

"I think the attention they got on energy and environmental issues was so intense that that's where they focused on their outreach with the center-left," said Paul Blair, director of strategic initiatives with Americans for Tax Reform and a member of ALEC. "You can't pass the laugh test with going center-left on tax issues. To me, you can't pass the laugh test with me by going center-left on energy and environment issues. But they apparently think they can."

It's a fight that reflects the broader conservative debate over climate change and the direction of the Republican Party during the Trump administration.

And it will soon come to a head, as ALEC members prepare to vote on a measure that takes aim at U.S. EPA's endangerment finding on greenhouse gases. The Obama-era finding is a compilation of scientific evidence that forms the legal basis for EPA greenhouse gas regulations. It's despised by many conservatives.

ALEC's Energy, Environment and Agriculture Task Force is slated to vote on a draft resolution at a meeting in Nashville, Tenn., next month that calls "upon the Environmental Protection Agency to withdraw the 2009 endangerment finding for carbon dioxide and other greenhouse gases and conduct a new rulemaking on this issue."

If ALEC ultimately adopts the resolution, it will serve as a model resolution for state and federal lawmakers to express their disdain for the EPA finding. The vote will put big businesses and trade groups that sit on the ALEC task force on the spot regarding whether the endangerment finding is worth investigating.

"Robust debate comes from stakeholders engaging from a variety of perspectives. And that is precisely what's happening here," said ALEC spokesman Bill Meierling. He noted that the draft resolution could be amended or changed when the task force meets in Nashville.

The tug of war at ALEC mirrors the fight between voices skeptical of mainstream climate science — like the nonprofit Heartland Institute — and groups that are more moderate on climate change, like the U.S. Chamber of Commerce.

Heartland is rumored to be behind the endangerment resolution, with former North Dakota state Rep. Bette Grande (R) — who now freelances for Heartland and participates in ALEC matters — thought to have drafted it and handed off the language to a state lawmaker and ALEC member.

Heartland did not respond to a request for comment.

Heartland and its allies have pushed EPA Administrator Scott Pruitt to take on the endangerment finding, which the EPA chief has been reluctant to pursue. Corporate America, meanwhile, largely supported staying in the Paris climate agreement and retaining the Clean Power Plan — an Obama administration rule to curb power plant emissions — but ultimately lost those battles to far-right groups, though some hope Trump will ultimately remain in the global climate pact.

Bellwether moment?

The endangerment finding vote may serve as a bellwether for where ALEC stands on climate change.

Is ALEC part and parcel of a conservative movement that has questioned climate change and the policy responses to it? Or does it operate among the wider atmosphere of reputation-conscious corporations and even some moderates who have opposed the Trump administration on climate change?

But that calculation also belies a more fundamental point about ALEC — while it has a reputation as a far-right group advancing industry interests, it's also a member-driven organization. If ALEC is shifting on climate and energy, it's largely because its members have, too.

"If there were some grand conspiracy, I'd know about it, and there isn't," said Eli Lehrer, president of the free-market think tank R Street Institute, which supports a carbon tax. "To the extent things have changed, it's because opinions have changed."

At its core, ALEC is an organization about free markets and limited government. Thus, its members also have railed against and helped craft bills to roll back President Obama's climate and environmental measures, many of which were federal regulations, and local incentives for clean energy. At the same time, though, the group has come under fire for taking cash from fossil fuel companies threatened by the advance of clean energy while often neglecting to mention subsidies and incentives that legacy energy sources enjoy.

Longtime ALEC watchdogs view the endangerment finding draft resolution as an attempt by its conservative members to reorient the organization to its roots after several rudderless years on energy and environment matters. Part of that is a response to the Trump administration, said Nick Surgey, director of Documented, an organization that tracks the influence of corporations on public policy.

"This is a reflection of an organization that has shifted itself more into the mainstream of climate change in terms of rhetoric in the last three to four years," Surgey said. "Now they've got almost everything they want from Scott Pruitt and the EPA, and they have to justify their existence to their funders. And it seems like they're allying themselves with the more radical of the funders."

The cohesion between ALEC and the Trump administration is evident to ALEC CEO Lisa Nelson. She sent a congratulatory email to its members on Jan. 30 to celebrate the new administration, saying, "This administration does have the potential to be an ALEC administration. It is full of the people and ideas we've advanced since 1973."

But conservatives familiar with ALEC said they're concerned that the organization has gravitated to satisfying interests that aren't committed to the free-market principles upon which the group was created. They said that dynamic is most apparent in the energy and environment space.

"When it comes to the policies of the organization, ALEC does have strong positions on issues that are consistent with the free market," Blair said. "The issue is if they are planning to upend those principles to fundraise in the future."

They worry that ALEC is trying to plug a funding gap following the high-profile exits of Google, BP PLC, Enterprise Rent-A-Car, Royal Dutch Shell PLC and others, all of which blamed the organization's stance on climate change for their departure. Those companies left largely over pressure from shareholders who were spurred into action after activist groups harped on ALEC funding streams. The conservative billionaire industrialist Koch brothers are big donors; Exxon Mobil Corp., a member of the Energy, Environment and Agriculture Task Force, is also a major funder.

Conservatives revolt

ALEC's conservative members saw warning signs recently when feathers were ruffled over what they said in the past would have been a fairly easy decision.

The energy task force couldn't agree to move on a resolution that opposed property assessed clean energy, or PACE — a financing mechanism to fund clean energy or energy efficiency upgrades. Conservatives were worried about exposing taxpayers to losses, since municipal bonds underwrote many of the projects.

But many of ALEC's members also have PACE interests. One conservative source said those groups backing PACE angled to kill the resolution and criticized ALEC for trying to appease such funders. Rockwood Group CEO Scott Zajac, whose investment firm operates in the PACE world, was particularly vocal in opposing the resolution within ALEC, the source said.

Others, though, noted that's just how the energy space is these days — corporations are on board with clean energy. Rejecting mainstream climate science or trying to stymie growth of energy sources that compete with ALEC's old guard of coal, natural gas and oil companies doesn't fly anymore.

The PACE resolution foundered over much acrimony in ALEC's July meeting and was forbidden to ever return as a discussion point. That result has generated revolt from some of the more dogmatic conservatives.

"I'm concerned that there has been an effort more recently to try and table what in the past would have been considered straightforward proposals based on free-market principles," said Tom Pyle, president of the conservative energy think tank Institute for Energy Research. "That's what ALEC is supposed to be advancing."

That effort, though, is minor compared with the endangerment finding, which is a lightning rod in climate policy circles.

Publicly traded companies on the Energy, Environment and Agriculture Task Force are getting calls about the upcoming vote on the draft endangerment finding resolution, according to a source familiar with the situation. Companies on that task force include Exxon Mobil, Pfizer Inc. and United Parcel Service Inc.

"We have not received calls on it to my knowledge, but either way it is not an issue we would support," UPS spokeswoman Kara Ross said in an email. "As one of the leaders in sustainable and transparent logistics, our position on climate change is clear."

Aside from Exxon Mobil, Pfizer and UPS, the task force also includes lobby group heavyweights such as the Edison Electric Institute, American Fuel & Petrochemical Manufacturers, National Rural Electric Cooperative Association and American Gas Association.

E&E News contacted all those members. EEI, AGA, AFPM, Pfizer and Exxon Mobil did not respond to requests for comment. NRECA said it didn't want to challenge the endangerment finding because it supports "inside the fence" carbon emissions regulations on power plants to replace the Clean Power Plan, which Pruitt formally moved to repeal last month.

"Challenging the endangerment finding would lead to a different result, which we think would be unwise," spokesman Dan Riedinger said in an email.

https://www.bloomberg.com/news/articles/2017-11-15/coal-funded-alec-prods-trump-to-say-climate-change-not-a-risk

Bloomberg

Koch-Funded Group Prods Trump's EPA to Say Climate Change Not a Risk

By Ari Natter
November 15, 2017, 10:40 AM EST

- Model bill aims to prod Trump to rescind endangerment finding
- ALEC has faced defections over its criticisms of climate rules

A lobbying group funded by Koch Industries Inc. and coal giant Peabody Energy Corp. is moving to prod the Environmental Protection Agency to rescind its earlier determination that climate change is a risk to human health and welfare.

The American Legislative Exchange Council will consider a resolution that would be offered to state legislatures to adopt as a way of pressuring the Trump administration to uproot his predecessor's efforts to address climate change, attacking the very science that shows temperatures rising and storms increasing.

The EPA's 2009 endangerment finding established that climate change warrants regulation.

"So long as the endangerment finding remains in place, efforts to roll back climate regulations will likely fail," according to the draft document, which is on the group's website and may be voted on in an ALEC meeting next month. "Research has shown that recent changes in temperatures, sea level rise, and the frequency of extreme weather events are far from unusual in the historic and geophysical record."

That position risks opening a new rift in the group, which has faced defections from corporate titans such as Ford Motor Co. and BP Plc. for its efforts against renewable energy and carbon regulation. ALEC is a group of free-market organizations, corporate representatives and state lawmakers that adopts model bills which lawmakers then introduce in state legislatures nationwide. ALEC has denied that it rejects mainstream climate science, but it has downplayed the risks.

"At this early stage in our process it's merely a proposal for discussion," said Bill Meierling, an ALEC spokesman.

Companies such as Exxon Mobil Corp., which says it accounts for climate change in its investment decisions, have also sponsored the organization, according to the Center for Media and Democracy.

"I think it will receive overwhelming support from the state legislators on the task force, but the private members will be divided," Myron Ebell, the director of the Competitive Enterprise Institute's Center for Energy and Environment and a skeptic of global warming. "That is because the private members now include a number of renewable energy companies that depend on subsidies and mandates and oppose free markets."

The resolution may be voted on at the group's policy summit in Nashville, Tennessee next month. It's part of an effort by groups such as the Heartland Institute and the Competitive Enterprise Institute to prod President Donald Trump's EPA into erasing the basis for any climate regulations. So far, EPA has steered clear of trying to deny the basic science and crafted its moves to rollback President Barack Obama's regulations as necessary because of legal constraints.

"This is not a fight that Exxon or the utilities would want," David Pomerantz, executive director of the Energy and Policy Institute, a San Francisco group that supports renewable energy. "This is not there first foray into denial but since then they have been pretty quiet on this stuff."

4. https://www.eenews.net/eenewspm/2017/11/14/stories/1060066515

E & E News PM

WHITE HOUSE

Trump deputy vows admin will keep working on climate

Christa Marshall, E&E News reporter

Published: Tuesday, November 14, 2017

White House officials will continue to "play our part" on climate change and work on related science reports, presidential adviser Michael Kratsios said this week.

Currently deputy assistant to the president and the deputy U.S. chief technology officer, Kratsios was asked about the Trump administration's climate stance during a half-hour public interview at the Internet Association conference that was posted online today.

"The climate science issue is one that is covered by a whole host of agencies and offices throughout the federal government," Kratsios said.

Michael Kratsios. Kratsios/LinkedIn

"We continue to do that work and play our part among the 13 agencies, which are part of the [U.S. Global Change Research Program]," he added, referring to the release this month of the latest version of the National Climate Assessment.

That report found that humans are having an unprecedented impact on the climate by burning fossil fuels (*E&E News PM*, Nov. 3).

One focus of the Office of Science and Technology Policy is creating an environment "where the next great technologies for the energy sector can be developed here in the U.S.," including for renewables, said Kratsios, a former top aide to White House adviser Peter Thiel.

He said "yes" when he asked if he personally believed that humans are driving warming.

"The administration has been very clear. The climate is changing. There's definitely no denying that," he said.

OSTP, where Kratsios works, historically has played a coordinating role in the national climate assessment and other federal climate research, but it's been unclear since the election how much the office would focus on the issue, or energy in general. In August, records obtained by a Freedom of Information Act request showed that OSTP eliminated many of its former climate positions (*Greenwire*, Aug. 4).

Last month, Trump set a record for going longer than any modern president without an OSTP director in place.

Asked about that, Kratsios said that "we're very excited to have someone nominated very soon" but did not provide a timeline. Currently, OSTP general counsel Rachael Leonard is serving as acting director, according to an administration official.

Eventually, Kratsios said OSTP likely would have about 60 to 70 staffers, which is about half the level at the end of the Obama administration but in line with historical numbers.

"I don't see head count as a proxy for commitment to particular policy initiatives," he said.

Kratsios also said OSTP is leading a White House review of the U.S. nuclear fleet, along with the National Economic Council and National Security Council.

"We should be seeing some results of that in coming months," he said.

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 10/30/2017 2:34:37 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition invitation to Carbon Tax Follies, Thursday, 2nd November, 2:30 PM, 2322 Rayburn

I hope you can join us for this timely discussion.

Competitive Enterprise Institute
Institute for Energy Research
and
The Cooler Heads Coalition

invite you to

Carbon Tax Follies

with opening remarks by

Representative Bill Flores (R-Texas)

and a panel discussion with

Marlo Lewis, Ph. D.
Senior Fellow, Competitive Enterprise Institute

James Lucier
Managing Director, Capital Alpha

Robert Murphy, Ph. D.
Senior Economist, Institute for Energy Research

2:30 – 3:30 PM
Thursday, November 2, 2017
Room 2322, Rayburn House Office Building

(refreshments provided)

Promoters of taxes on carbon dioxide emissions are trying to attract support from conservatives by claiming that such taxes are a free market response to global warming. Promoters claim that CO2 taxes can be revenue neutral, can be a huge new source of additional government revenues, and that the revenues can be returned as a dividend to consumers. It is also claimed that taxing emissions is a cost-effective way to lower those emissions, will create more jobs than are lost, and will even provide a boost to the economy.

After opening remarks by Rep. Bill Flores, three experts will debunk these claims and discuss the real economic and political effects of CO2 taxes. Jim Lucier will also discuss a just-published economic analysis of recent carbon tax proposals. There will be time for Q&A with the panelists.

RSVP Here

For purposes of congressional ethics rules, this is a widely attended event.

Questions? Please contact Taylor Barkley at taylor.barkley@cei.org

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 11/7/2017 2:56:32 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition next meeting Monday, 13th November, noon at CEI

The Cooler Heads Coalition will hold its next regular monthly strategy meeting beginning at 12 noon on Monday, 13th November, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail me with agenda items or questions.

Two items on the agenda are summarized briefly in the two articles pasted below from last Friday's Cooler Heads Digest. I have added links to some other items of interest below that.

Pruitt Reforms EPA's Scientific Advisory Boards

Environmental Protection Agency Administrator Scott Pruitt accomplished major changes to the conflict-of-interest standards for members of the EPA's scientific advisory boards in a directive issued 31st October. In addition, he appointed a number of new members to three of the most important of the agency's boards.

The directive seeks "to ensure that any advisors serving on an EPA Federal Advisory Committee (FAC) are independent and free from any real, apparent, or potential interference with their ability to objectively serve as a committee member." The biggest change requires that "that no member of any of EPA's federal advisory committees be currently in receipt of EPA grants, either as principal investigator or co-investigator, or in a position that otherwise would reap substantial direct benefit from an EPA grant."

It seems obvious that advisers can hardly be expected to give objective advice if they are financially beholden to the institution they are advising, but EPA's advisory boards have been stacked with university scientists whose research programs receive millions of dollars of EPA grants. Is it a surprise that they give the advice EPA wants to hear?

As my CEI colleague William Yeatman notes, Senator James M. Inhofe (R-Okla.), then chairman of the Senate Environment and Public Works Committee, sent a letter to the EPA in 2016 that complained about the fact that six of the seven members appointed to the highly influential Clean Air Scientific Advisory Committee (CASAC) during the Obama Administration had received over $119 million in EPA grants.

William also references a letter from Representative Lamar Smith (R-Tex.), chairman of the House Science, Space, and Technology Committee, that noted that the "CASAC review panel for the Obama-era ozone standard was asked to review EPA science that had cited CASAC panel members more than 700 times."

The new chairman of CASAC is Tony Cox, a top statistician and editor of Risk Analysis. The new chairman of the Science Advisory Board (SAB) is Michael Honeycutt, chief toxicologist of the Texas Commission on Environmental Quality. Administrator Pruitt made a number of other sound appointments to the SAB, including Donald van der Vaart, former North Carolina secretary of environmental protection, with whom I was privileged to work on the Trump Transition.

See also:
EPA Chief Pruitt Bars Government-Funded Science Advisors from Panels
Kevin Mooney, The Daily Signal, 31 October 2017

EPA's New Science Advisor Will Bolster Objectivity and Transparency
Susan Dudley, The Hill, 1 November 2017

Trump Administration Releases Junk Science Reports

The Trump Administration on 3rd November released three climate reports—the final version of the Climate Change Special Report (volume 1 of the National Climate Assessment), the third-order draft of the fourth National Climate Assessment: Climate Change Impacts, Risks, and Adaptation (or volume two), and the second draft of the State of the Carbon Cycle Report. The two draft reports are open for public comment.

The reports were made public in an open letter posted on the web site of the U. S. Global Change Research Program signed by Virginia Burkett, acting chair of the USGCRP's subcommittee on global change research, and Michael Kuperberg, the USGCRP's executive director.

All three reports were essentially prepared by the Obama Administration to support President Obama's climate agenda. They are full of junk science. Here is what CEI sent out as my brief comment on this sad state of affairs:

"It is unfortunate that the Trump Administration has released these Obama-era climate reports, without attempting to remove the junk science—and the reports are full of junk science. That career civil servants were allowed to go ahead and finish reports designed to support President Obama's radical climate agenda show how much work still needs to be done to drain the swamp. It is yet another instance of the damage caused by the White House's failure to nominate people for top positions in a timely way. After over nine months in office, the President has not yet nominated a chief scientific adviser and head of the Office of Science and Technology Policy, the official who is supposed to be in charge of producing the National Climate Assessment."

There is a lot more to be said about these reports in the coming months. The fourth National Climate Assessment (now called volume 2) is due to be released in final form in 2018.

See also:
A Deceptive New Report on Climate
Judith Curry, Climate Etc., 3 November 2017

Other items:

Carbon Tax: Political Poison for the Conservative Movement
Marlo Lewis, Open Market, 2 November 2017

DuPont Closes Iowa Cellulosic Ethanol Plant, Despite Cellulosic Production Quota
Jessie Scott, Successful Farming, 2 November 2017

Climate Scientist Sues Journal for $10 Million over Hurt Feelings
Alex Berezow, ACSH, 2 November 2017

Steyer-Money Greens Sow Confusion in Vancouver

Seton Motley, Red State, 2 November 2017

Trump Administration Stays on Track on Big Energy Picture
Robert Bradley, Jr., Master Resource, 1 November 2017

The Green Mob Targets Scott Pruitt
Julie Kelly, National Review, 1 November 2017

Green Groups "Shocked" by the Depth of Regulatory Overhaul
Pamela King, Energywire, 30 October 2017

Al Gore: "Zero Chance" of Changing Trump's Mind on Climate
Michael Dudek, Chicago Sun-Times, 29 October 2017

"Drain the Swamp?" Trump Opts for Politics as Usual When It Comes to Ethanol
Sofie Miller & Susan Dudley, Forbes, 27 October 2017

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 10/16/2017 2:23:19 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: Milloy op-ed, Darwall book, PBS, and meeting reminder

Reminder: the Cooler Heads Coalition will meet today, Monday, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor.

Green Tyranny: Exposing the Totalitarian Roots of the Climate-Industrial Complex by Rupert Darwall has been published by Encounter Books. It may be purchased here and here.

Frontline on PBS last week broadcast an inspiring documentary on the ***War on the EPA***. It may be viewed online here.

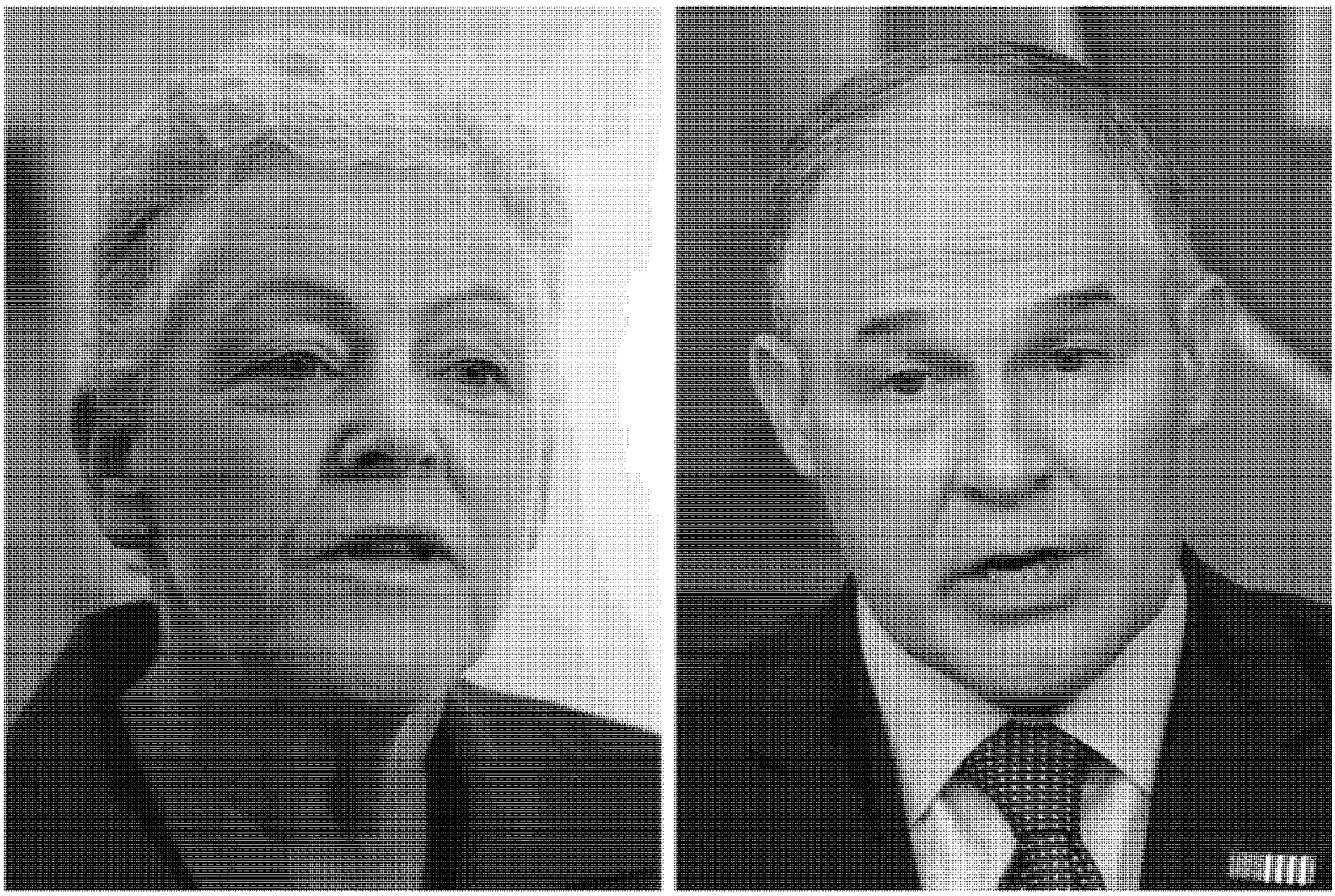
And here is Steve Milloy's op-ed in the Wall Street Journal:

https://www.wsj.com/articles/the-clean-power-plans-counterfeit-benefits-1508104504

- Opinion
- Commentary

The Clean Power Plan's Counterfeit Benefits

The Obama EPA claimed its regulation would have a $55 billion payoff. You'll never believe how.



Former EPA Administrator Gina McCarthy in 2015; current EPA Administrator Scott Pruitt in June. Photo: Christophe Ena/Associated Press;SHAWN THEW/European Pressphoto Agency

By Steve Milloy

Oct. 15, 2017 5:55 p.m. ET
56 COMMENTS

The Environmental Protection Agency's proposed repeal of the Obama administration's Clean Power Plan is a milestone. No Republican administration has ever mustered the courage to roll back a major EPA regulation. In a clever twist, the Trump administration has done so by directly challenging the plan's purported health benefits.

Although the Clean Power Plan was pitched as a way to reduce emissions of greenhouse gases from coal-fired power plants, averting climate change was not how the Obama EPA justified the rule. In 2015 House Science Committee Chairman Lamar Smith forced Obama's EPA administrator, Gina McCarthy, to acknowledge that the plan would produce no change to global temperatures. Instead, the EPA justified the net benefit of the rule based on collateral reductions in power plants' emissions of fine particulate matter. In regulatory parlance, this soot is called PM2.5.

While the compliance costs to industry of the Clean Power Plan could be as high as $33 billion a year, the Obama EPA claimed that the economic benefits from reducing PM2.5 emissions would be even larger—as much as $55 billion a year.

What are the supposed $55 billion in economic benefits? That sum is intended to represent the value of thousands of premature deaths allegedly prevented every year by the Clean Power Plan via the co-benefit of reduced PM2.5 emissions. The EPA values lives "saved" at around $9 million each. Thousands times millions equal billions.

EPA staff invented this calculus in 1996 to justify the agency's first effort to regulate PM2.5, although there's no scientific evidence, then or now, to support the notion that particulates in outdoor air kill people. The EPA regulated them anyway, stiff-arming not only the Republican-controlled Congress's demands for proof of the danger of PM2.5 emissions but the objections of then-Vice President Al Gore, who thought the rule too costly.

The Clean Air Act requires air-quality standards for pollutants such as PM2.5 be set at a "safe" level. The EPA has long claimed that there is no safe level of exposure to PM2.5 and that inhalation can cause death within hours. But the EPA could never lower the PM2.5 standard to zero because such a standard could not be attained even if the economy was entirely shut down.

The Trump EPA has now largely jettisoned the notion that PM2.5 is a killer by slashing the supposed economic benefits of reduced emissions by $29 billion per year. That nets out favorably against the rule's anticipated annual costs of as much as $33 billion.

A robust body of scientific literature—from large epidemiologic studies to clinical research to historical air-quality data—supports the EPA's reversal. Standing against it are a few decades of dubious agency-funded studies, the underlying data for which the agency has kept well hidden in order to prevent independent analyses. The Obama EPA even defied a congressional subpoena in order to keep its PM2.5 epidemiologic secret.

EPA chief Scott Pruitt has hailed repeal of the Clean Power Plan as the end of the Obama administration's "war on coal." It's more like the beginning of the end. New York's Democratic Attorney General Eric Schneiderman and green groups have already announced they will sue. Good luck. When the Supreme Court voted to stay the Clean Power Plan in February 2016, it was a clear signal that the coal industry and red-state plaintiffs would prevail on the merits in any future legal challenge. The EPA's acknowledgment that the Clean Power Plan has no economic or climate benefits is the final nail in the regulation's coffin.

Mr. Milloy served on the Trump EPA transition team and is the author of "Scare Pollution: Why and How to Fix the EPA" (Bench Press 2016).

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From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 9/5/2017 4:27:06 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Reminder: next Cooler Heads Coalition meeting, Monday, 11th September, noon, CEI

The Cooler Heads Coalition will hold its monthly strategy meeting beginning at 12 noon on Monday, 11th September, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with agenda items or questions.

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 10/19/2017 6:43:01 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition polling information and next meeting date

The Cooler Heads Coalition will hold its next regular monthly strategy meeting on Monday, 13th November, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with agenda items or questions.

Pasted below are two important articles on polling results. First, Kevin Mooney's critical analysis of the poll by Clear Path Action on attitudes to "clean energy" and to candidates who support "clean energy". Second, the poll by the Institute for Energy Research and the American Conservative Union conducted by MWR Strategies on attitudes to climate change and energy taxes. At the bottom of the IER press release there are links to a slide show and a longer PDF of the questions and results plus sampling data. I encourage you to look at both these links.

http://www.washingtonexaminer.com/conservative-clean-energy-group-misleads-gop-candidates-with-skewed-survey/article/2637965

'Conservative' clean energy group misleads GOP candidates with skewed survey

by Kevin Mooney | Oct 18, 2017, 6:38 PM

Taxpayers have been footing the bill for government subsidies to pay for wind and solar energy initiatives that cannot stand on their own two feet. (AP Photo/Julie Jacobson)

Would you be more or less likely to vote for a congressional candidate in 2018 if that candidate supported expensive, inefficient, environmentally-hazardous wind farms in your community?

As a Nevada resident in a critical swing state, would you be more or less willing to vote for a congressional candidate who favors the installation of 400-foot-tall wind turbines that will block your view of the skyline, but leave the view from the candidate's private home unobstructed?

Any polling company that included such highly skewed questions in a voter survey could expect to receive responses in line with their policy preferences on energy policy. That polling company could then put out a press release that says candidates who oppose "clean energy" stand to gain politically.

These questions can also be asked from the opposite direction to produce a coerced outcome that says candidates who embrace so-called "clean energy" stand to gain politically in next year's mid-term congressional elections.

That's what an organization known as ClearPath Action, with offices in Washington, D.C., and Charlotte, did earlier this fall when it published the results of a survey that detected a significant swing toward "pro-clean energy GOP candidates," according to the release.

While it may or may not be the case that support for "clean energy" will benefit Republicans politically, the polling results are highly suspect, and if news coverage of the polling were honest, it would say so.

Jay Faison, a North Carolina businessman, founded the ClearPath Foundation and the ClearPath Action Fund in 2015 for the purpose of convincing conservatives and Republicans to embrace clean energy.

"Energy drives everything that we do and for the longest time, the left has owned that debate," ClearPath declares on its website. "It's time for us to take that back. It's time for a conservative clean energy agenda."

In the 2016 election cycle, ClearPath Action allocated more than $3 million to support 15 Republican congressional candidates, according to the Center for Responsive Politics. An investigator for the center estimates that individual donations from the Faison family came out to about $5.3 million.

With the House potentially up for grabs next year, ClearPath appears poised to burrow in where individual races are competitive. If the self-described "conservative clean energy" group can convince even a handful of Republicans in the House and Senate to embrace its agenda, ClearPath could begin to exert real influence. That's clearly the overarching purpose of the poll, which found "more than a 25-point ballot movement statewide in Nevada, Michigan and Arizona" for Republicans who embrace clean energy.

But look at how the questions are framed. Respondents are asked if they are more or less likely to vote for a candidate based on the following:

"A Republican candidate for Congress who supports accelerating the clean energy industry to bring more jobs into their district; stimulating the economy, boosting manufacturing, and expanding middle class job opportunities at home."

"A Republican candidate for Congress who is concerned about the continuing decline of middle class jobs. When thinking about the jobs of the future, they think it's critical to invest in clean energy jobs now so that the next generation will inherit a secure economy."

"A Republican candidate for Congress who believes we should do more to invest in clean energy here in America and reduce our county's dependence on foreign oil from hostile states in the Middle East. Our ability to avoid future wars will depend on our ability to be energy dominant."

And how about some rainbows and sunshine to go with that clean energy? The questions presume that so-called "clean energy" is economically feasible, financially beneficial and environmentally sound. In reality, there is a growing body of evidence with regard to wind and solar that says otherwise.

Moreover, taxpayers have been footing the bill for government subsidies to pay for wind and solar energy initiatives that cannot stand on their own two feet. The Institute for Energy Research, a Washington-based nonprofit group that favors free market solutions for energy policy, has carefully analyzed government figures that show taxpayers have shelled out tens of billions of dollars to support unworkable green energy schemes.

I sent an email to the media contact for ClearPath asking the organization if it would like to defend its survey methodology and explain why its questions failed to acknowledge the economic and environmental problems associated with not-so-clean "clean energy" sources. I received no response.

In Searchlight, Nev., citizen activists and conservation groups successfully joined forces in litigation against the federal government to block an 87-turbine, 200-megawatt wind farm in the hometown of former Sen. Harry Reid. Local residents balked when finalized plans removed turbines from anywhere near Reid's property while placing them in close proximity to their rural neighborhoods. The lesson here is that when the fallout from government-backed green energy schemes is properly understood, average citizens respond.

That's what IER and the American Conservative Union found in their just released nationwide survey.

When asked about their opinion on a proposed tax on carbon dioxide, 44 percent of respondents said they were opposed while 39 percent said they were supportive. But what's even more revealing is that 74 percent of respondents said they would not trust the government to "wisely" spend the money from the tax.

A broad cross section of Americans from "all ideological stripes and all demographic characteristics remain profoundly skeptical of the ability of government to do anything meaningfully and well," IER said in a press release.

That much is evident, but you wouldn't know it from the misleading questions that ClearPath has put into circulation.

Kevin Mooney (@KevinMooneyDC) is a contributor to the Washington Examiner's Beltway Confidential blog. He is an investigative reporter in Washington, D.C. who writes for several national publications.

https://instituteforenergyresearch.org/press/people-think-climate-change/

What Do People Think About Climate Change?

instituteforenergyresearch.org/press/people-think-climate-change/
10/12/2017

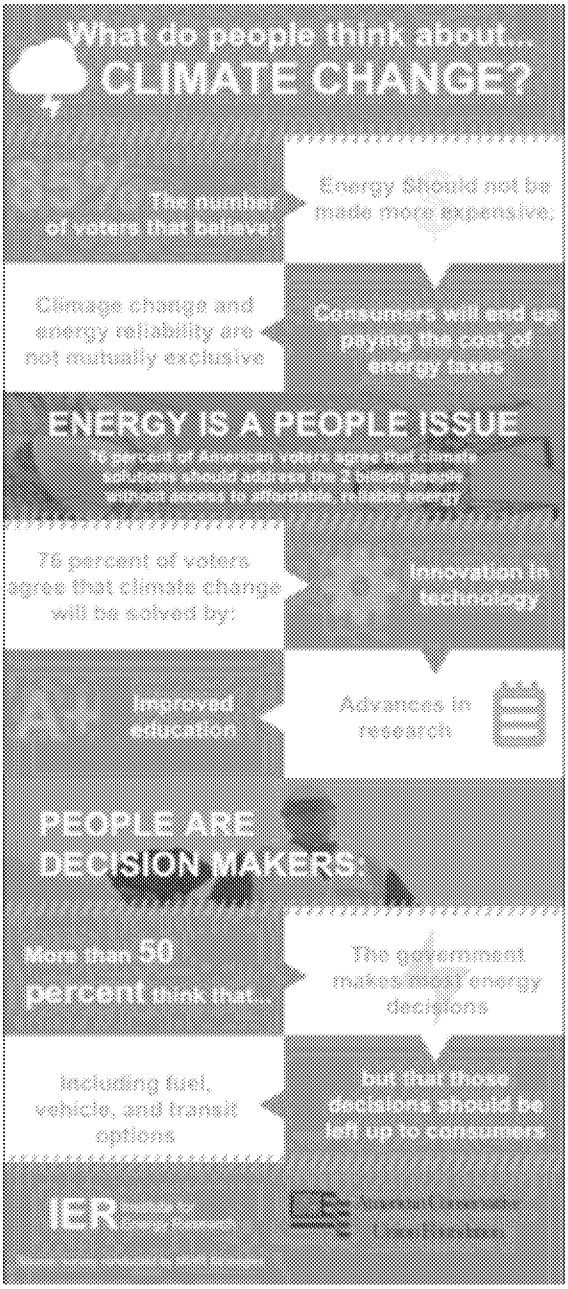
A national research project sponsored by the Institute for Energy Research and the American Conservative Union Foundation consisting of ten focus groups and a nationwide survey (1018 registered voters, margin of error 3.1%) discovered that:

There is little enthusiasm for taxing energy. When asked about a tax on carbon dioxide, 44% of respondents opposed, while 39% favored. More importantly, when asked whether they trusted the federal government to spend the money from such a tax wisely just 18% said they did, while 74% said they did not.

Even among those who ranked climate change as an important risk (identifying it as a 6 or higher on a scale of 1 to 10), just 42% indicated taxing energy was an appropriate response to climate change.

People of all ideological stripes and all demographic characteristics remain profoundly skeptical of the ability of government to do anything meaningfully and well. Consequently, they're unwilling to pay for (or really even consider) anything that looks like a government mandate. Government action is considered a last, worst resort, used only when all other ideas have failed.

Carbon dioxide not considered a pollutant. A solid majority – 55% – said that carbon dioxide is needed for plant life and humans both exhale it and consume it every day. Just 31% said it is damaging the environment.



This (and other results) suggests three things:

First, the obsessive nature of the conversation about carbon dioxide escapes most people. In other words, debates around things like the Paris agreement are more noise than signal.

Second, carbon dioxide and climate change have become decoupled in the minds of many voters. This emphasizes one of the significant findings of this project, namely that climate change has become a catch basket into which all environmental problems have been tossed.

Third, this conversation is far from over. Sentiments about climate change remain as poorly formed and unsettled as they were when this conversation began three decades ago. In other words, in spite of the time and billions of dollars spent, those who press this issue don't seem to be any further along than they were when they started.

"This survey confirms what we have known for a long time. Voters think taxes on energy or its proxy, carbon dioxide, are a bad idea, and they do not trust the government to spend the money from such taxes," said Thomas Pyle, IER President and ACU Foundation Policy Fellow.

"As the tax reform debate unfolds in Washington, lawmakers are forewarned that the voters have no appetite for energy or carbon taxes," said ACU leader Matt Schlapp.

To view the nationwide survey in the form of a graphic slideshow, click here. To view it in the form of a PDF, click here.

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From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 11/1/2017 6:12:57 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition invitation and meeting reminder

Reminder: the Cooler Heads Coalition will hold its next regular monthly strategy meeting on Monday, 13th November, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with agenda items or questions.

As tax reform legislation takes shape in the next few weeks, our carbon tax event is timely. I have pasted competing lead articles from this morning's E & E Daily and ClimateWire (also published by E & E) below the invitation. Our three panelists all have compelling arguments and data to show how economically destructive, politically destructive, and environmentally useless a carbon tax would be. I hope you can make it.

Competitive Enterprise Institute
Institute for Energy Research
and
The Cooler Heads Coalition

invite you to

Carbon Tax Follies

with opening remarks by

Representative Bill Flores (R-Texas)

and a panel discussion with

Marlo Lewis, Ph. D.
Senior Fellow, Competitive Enterprise Institute

James Lucier
Managing Director, Capital Alpha

Robert Murphy, Ph. D.
Senior Economist, Institute for Energy Research

2:30 – 3:30 PM
Thursday, November 2, 2017
Room 2322, Rayburn House Office Building
(refreshments provided)

Promoters of taxes on carbon dioxide emissions are trying to attract support from conservatives by claiming that such taxes are a free market response to global warming. Promoters claim that CO2 taxes can be revenue neutral, can be a huge new source of additional government revenues, and that the revenues can be returned as a dividend to consumers. It is also claimed that taxing emissions is a cost-effective way to lower those emissions, will create more jobs than are lost, and will even provide a boost to the economy.

After opening remarks by Rep. Bill Flores, three experts will debunk these claims and discuss the real economic and political effects of CO2 taxes. Jim Lucier will also discuss a just-published economic analysis of recent carbon tax proposals. There will be time for Q&A with the panelists.

RSVP Here

For purposes of congressional ethics rules, this is a widely attended event.

Questions? Please contact Taylor Barkley at taylor.barkley@cei.org

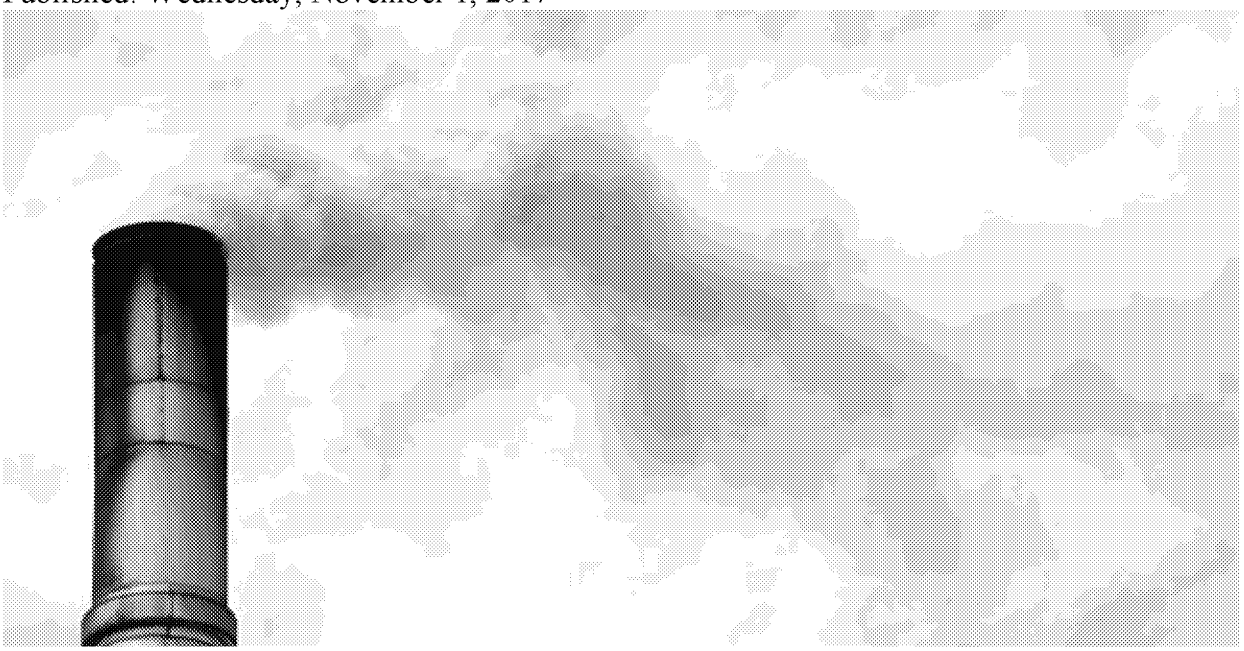
E & E Daily

CLIMATE

Meet the 'eco right' pushing for a carbon fee

Arianna Skibell, E&E News reporter

Published: Wednesday, November 1, 2017



Despite the political headwinds, some lawmakers continue working toward a carbon tax. Ian Barbour/Flickr

Over the summer, Democratic Sens. Sheldon Whitehouse of Rhode Island and Brian Schatz of Hawaii introduced legislation to instate a carbon tax to reduce greenhouse gas emissions and said they were looking for a Republican co-sponsor.

A glimmer of hope for them emerged when Republican Sen. Lindsey Graham of South Carolina publicly endorsed the plan in September.

But after a spate of hurricanes, a dozen wildfires and mass flooding, many weeks later there has been virtually no public progress on carbon legislation.

"Let's see, let's see, let's see," Whitehouse told E&E News yesterday. "Well, what I can say is what Lindsey Graham has said publicly, which is that he is working with me and looking at that bill. He has announced nothing further, and I have nothing to announce."

Jerry Taylor, a prominent libertarian in favor of a carbon fee, said the lack of movement on the Hill could mean a carbon tax window is opening.

"The main evidence for that read of the law of the land is the opponents of carbon taxation are mobilized and engaged, and they wouldn't be if this were not a live issue," he said. "When you see opponents to a proposed idea mobilized and actively engaged in the fight, it tells you the fight is farther along than you think."

For the last couple of months, grass-roots conservative groups opposed to a carbon fee — the Club for Growth and the Competitive Enterprise Institute, for example — have been on high alert, Taylor said.

Whitehouse said that indeed contrary to popular opinion, there are a growing number of Republicans, conservatives and libertarians who openly support pricing carbon. They're just not on the Hill, yet.

"There is considerable Republican support for a revenue-neutral border adjustable carbon fee outside of the political crucible of Congress, and indeed, it's really the only solution that has generated any significant Republican support," said Whitehouse.

Bob Inglis, a former Republican congressman from South Carolina who famously reversed his climate skeptic stance, agreed there is growing movement on the right to address global warming.

"This space has been dominated by folks on the environmental left," he said. "They think they have an open door to Republicans, but they really don't. So we're developing what we call the 'eco right.' It's a balance to the environmental left."

Think tanks

Niskanen Center

The Niskanen Center was founded in 2014 by Taylor and is predominantly focused on Capitol Hill outreach.

Prior to founding the center, Taylor spent 23 years to advance the Cato Institute's libertarian agenda. His job was to change hearts and minds on issues like free markets, limited government and climate change.

He worked to demonstrate that the economic toll of reducing carbon emissions would not outweigh the potential benefits. But as he spent more time with climate science and economics, his views began to shift (*Greenwire*, June 16).

Taylor, a vocal proponent of a carbon tax, said he is seeing movement on that front.

"We're meeting not only with the usual suspects, like members of [Florida Republican Rep.] Carlos Curbelo's Climate Solutions Caucus, but also with Republican members outside that coalition, and what we're finding is there is a great deal of sympathy towards action on climate change and a lot of interest in carbon taxation," he said. "But there is uncertainty about the political road from here to there."

Taylor said Republican members are not worried about the merits of the carbon fee structure but rather what is often called "safe passage" politically.

Taylor's preferred legislation would levy carbon taxes at the point of production, use proceeds to offset revenue losses from tax cuts, rebate a portion of the revenue to poor households, eliminate U.S. EPA's authority to regulate greenhouse gas emissions and eliminate green energy subsidies, among other measures.

Taylor said he believes his ideas have merit not only because they allow the market to work but also because climate change is real and imposes risk.

"And it's not conservative to act as if risk does not exist and play dice with the planet," he said.

R Street Institute

In 2012, the Heartland Institute, one of the leading groups questioning global warming science, launched a digital billboard campaign featuring Ted Kaczynski, the "Unabomber."

The ad read, "I still believe in global warming, do you?"

Following the campaign, some Heartland members working on insurance issues decided it was time to break off and start their own outfit that took climate change seriously.

"We still have a friendly relationship with [Heartland]," said Josiah Neeley, senior fellow, energy policy director and Southwest region chief for the R Street Institute. But as insurance brokers, R Street employees understood risk, he said.

"If you're dealing in insurance, you need to be able to take climate change seriously. Because it's not realistic if you're talking about sea-level rise, storms, droughts, floods, you name it," Neeley said.

R Street, founded in June 2012, is a think tank that promotes free markets and limited government. The group supports a carbon tax. Neeley said R Street applies conservative values and principles to address the warming planet.

"The most common or strongest objection that we get from folks when we talk about this stuff is the idea that it's not politically realistic in one way or another," he said.

"Being skeptical about government implementation I think is a fair point," Neeley said, "but there are a lot of things that we advocate for that would be pretty major changes to policy, and knowing politicians are flawed vessels I don't think that means that we should just give up."

Thought leaders

Climate Leadership Council

The Climate Leadership Council, founded earlier this year by Washington, D.C., think tank veteran Ted Halstead, is known around town for its high-profile members, including former New York Mayor Michael Bloomberg, scientist Stephen Hawking, famed economist Larry Summers and others.

The council also includes corporate entities like Exxon Mobil Corp., BP PLC and Royal Dutch Shell PLC, and nongovernmental organizations like the Nature Conservancy and Conservation International.

In February, the council formally launched with the publication of its manifesto: "The Conservative Case for Carbon Dividends," authored by eight GOP statesmen.

They included Republican heavyweights James Baker III, who served under both Presidents George H.W. Bush and Reagan, and George Shultz, who served under both Reagan and President Nixon.

The proposal, which they presented to the White House, includes four main policy goals: a gradually increasing carbon tax, border carbon adjustments, carbon dividends for all taxpayers and significant regulatory rollbacks (*Greenwire*, Feb. 8).

Jill Sigal, the executive vice president who served in President George W. Bush's administration as assistant secretary of Energy for congressional and intergovernmental affairs, said the plan is free market, pro-growth, pro-environment and pro-jobs.

"We think that our proposal is a conservative solution to reducing emissions, while not negatively impacting the U.S. economy," she said. "We believe that the U.S. needs to take action on a federal level to reduce climate emissions."

At the Yale Climate Conference this year, Baker said that the proposal should appeal to people regardless of their stance on warming. He called the measure an insurance policy, saying the risk is too great to not do something.

Sigal said she senses climate engagement on a variety of Republican fronts, from the business community to the House Climate Solutions Caucus.

She said council members have frequented the Hill in recent months to take meetings with both House and Senate members about their proposal.

"We've had some interesting and great meetings these last few months," she said. "We're getting very good reception on the Hill."

Alliance for Market Solutions

The Alliance for Market Solutions is led by Alex Flint, a former member of President Trump's transition team who previously worked as senior vice president of governmental affairs at the Nuclear Energy Institute, and by fellow NEI alumnus Chris Carter.

The board of advisers for AMS brings together Republicans with experience in private equity, investment banking and energy consulting.

They include Vicky Bailey, who served as an assistant secretary at the Department of Energy under the second Bush administration and as a Republican member of the Federal Energy Regulatory Commission; John Rowe, chairman emeritus of Exelon Corp.; and former Sen. Mel Martinez (R-Fla.).

"We think there are a significant number of Republican members of Congress who agree that Republicans need to engage on climate change, and we've been quite pleased with their willingness to talk with us about what a Republican position should be," Flint said.

He stressed his group is "just" Republican. He's not interested in being bipartisan.

The alliance aims to "educate conservative policymakers on the benefits of market-oriented solutions to one of America's most pressing economic challenges: advancing clean energy and reducing carbon pollution," a mission statement said.

Unlike the Climate Leadership Council, AMS is not pushing a dividend model. "Using the proceeds of a carbon tax to pay a rebate or dividend would produce no additional economic growth or jobs," AMS states on its website.

The group advocates using the revenue to cut corporate or individual income taxes, estimating each American family would benefit by nearly $3,000 annually.

Targeting the public

RepublicEn

RepublicEn Executive Director Inglis launched the Energy and Enterprise Initiative at George Mason University in July 2012. The group works to educate conservatives, libertarians and pragmatists about climate change and a carbon fee.

"We're engaging with conservatives in the heartland and presenting broad solutions to climate change. The most immediate solution is a revenue-neutral border adjustable carbon tax," Inglis said.

"Mostly what needs to happen is conservative members of Congress need to hear from their constituents a readiness to engage in the competition of ideas of how to solve climate change," he said. "We're out gathering that constituency so elected officials will feel comfortable leading."

For six years, Inglis said he thought climate change was nonsense. "I didn't know anything about it, but I knew Al Gore was for it," he said.

When he ran for Congress again in 2004, his son approached him. "He said, 'Dad, I'll vote for you, but you're going to clean up your act on the environment,'" Inglis recounted.

Inglis said it was a three-step process, the final of which was an encounter with a scientist named Scott Heron on a trip to look at the Great Barrier Reef.

"We shared a worldview because he was worshiping God in what he was showing me. Told me about conservation changes he's making in his life," Inglis said.

When he returned to Congress, he introduced a revenue-neutral border adjustment tax as an alternative to cap and trade, both of which went nowhere.

"When I got tossed out of Congress, I started working on this effort," Inglis said in reference to RepublicEn. He said his group, made up of over 3,800 members, is finding success with young conservatives and conservatives of faith.

"It's harder with their parents, and it's really pretty hard with their grandparents," he said. "The challenge is the grandparents vote more often. The thing I'm supremely confident of is we are going to win, but will we win soon enough to head off the worst consequences of climate change?"

Citizens' Climate Lobby conservative caucus

While the Citizens' Climate Lobby is a nonpartisan group, its member are mostly left-leaning volunteers. Still, the group contains a conservative caucus, which is growing.

CCL targets Republican members of Congress and urges them to join the bipartisan House Climate Solutions Caucus (*E&E Daily*, Sept. 6).

Since the caucus's inception in 2016, CCL and others have had unprecedented success pushing GOP politicians to join. The grass-roots advocacy organization is angling for the caucus to take up a carbon fee and dividend approach to curb emissions.

While members of the House "Noah's Ark" group, which adds Republicans and Democrats in pairs, have co-sponsored a number of climate-related bills, like renewable energy tax credits, they have yet to broach a carbon tax. Still, activists are encouraged by the growing membership, which reached 60 this year.

Also notable is Citizens for Responsible Energy Solutions, which is a grass-roots campaign engaging with Republican policymakers for cleaner power.

https://www.eenews.net/eedaily/2017/11/01/stories/1060065267

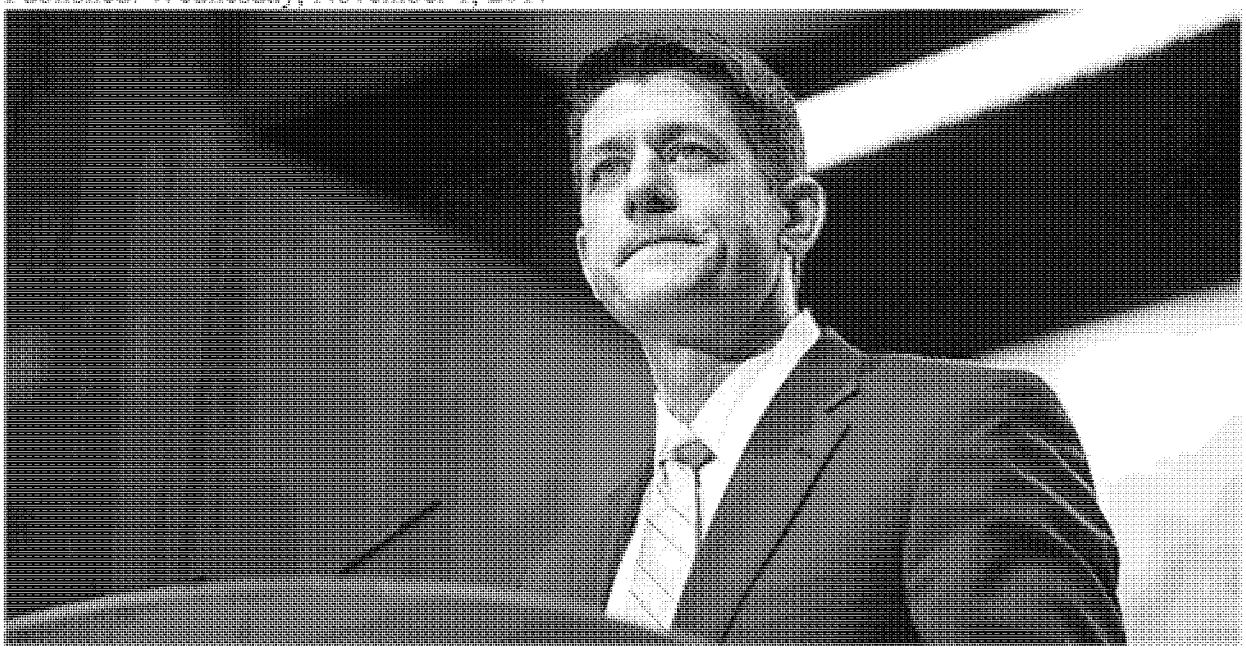
ClimateWire

POLITICS

A carbon tax would raise cash, but GOP isn't going there

Josh Kurtz, E&E News reporter

Published: Wednesday, November 1, 2017



Supporters of taxing carbon emissions say it could happen during overall tax reform. House Speaker Paul Ryan (R-Wis.) is not a fan. Gage Skidmore/Flickr

As Congress takes on the ambitious and arduous task of rewriting the U.S. tax code, it seems like prime time for advocates of a carbon tax to aggressively promote the idea.

They're not.

Carbon tax advocates — especially those in Republican-aligned groups that have been slowly building their case for a carbon tax — recognize that they've still got a major sales job to do. As they consider the politics of the moment, most carbon tax proponents concede that they'll probably be relegated to the sidelines as the big debate over tax reform commences, although advocates hope it'll enter the debate eventually.

"We are very much in the early stages of our work," said Greg Bertelsen, senior vice president of the Climate Leadership Council, the organization put together by former secretaries of State James Baker and George Shultz, both Republicans, and other former top government officials and business leaders to promote a carbon tax and other remedies to address climate change.

"This is a major policy proposal that Mr. Baker and Mr. Shultz and others have proposed," Bertelsen said. "Like any major proposal, it's going to take time to build support and educate policymakers."

There is zero evidence that Republican congressional leaders, who will be driving the debate over tax reform in tandem with the Trump administration and are anxious for their first major legislative victory of the year, have any interest in addressing a carbon tax proposal right now.

"I wouldn't see too many Republicans jumping on this," said Steve Valk, a spokesman for the Citizens' Climate Lobby, a group that has worked to push climate issues to the forefront in Congress.

GOP leaders need near-unanimity in their caucuses to get any tax reform proposal through and are seeking to avoid complications and distractions.

"You have to pick your battles," said Valk, whose organization has helped bring about the creation of the 60-member House Climate Solutions Caucus, which is equally divided between Republicans and Democrats. "The Republicans really want to pass a tax bill, and to do so, they have to all be on the same page."

But talk of a carbon tax may not be completely absent from the tax reform debate. Although House leaders are optimistically aiming to pass their version of the bill before Thanksgiving, the overall legislative process could take considerably longer, and there may be opportunities to inject the climate tax proposal into the broader discussion.

Rep. John Larson (D-Conn.), a senior member of the tax-writing House Ways and Means Committee and the lone Democrat on Ways and Means who also belongs to the Climate Solutions Caucus, told E&E News last week that he plans to introduce a "Pollution Tax Amendment" when the panel takes up the GOP reform bill in the next few weeks (*Climatewire*, Oct. 24). While by Larson's own admission the amendment is unlikely to get very far, it could make some Ways and Means Republicans uncomfortable — and it may also open the door to some discussion about the concept.

"If there's an opportunity to share our proposal with lawmakers — members of the committee or otherwise — we'll take it," Bertelsen said.

But Valk said he doesn't expect the idea to get much traction in Ways and Means unless Rep. Carlos Curbelo (R-Fla.), a member of the panel and co-chairman of the Climate Solutions Caucus, embraces it.

Curbelo's office did not respond to a request for comment this week. Neither did spokesmen for two other Ways and Means Republicans who are members of the climate caucus, Reps. Dave Reichert of Washington and Patrick Meehan of Pennsylvania. The caucus itself has not advanced any proposals to address climate change in its short life span.

Valk said Curbelo seems likely to back the Republican tax plan and isn't expected to try to attach a carbon tax amendment to it.

"I think he's going to keep his powder dry for legislation down the road," Valk predicted. "I think his plan is to be a good team player" during the tax reform debate.

Even if a Democratic proposal on the carbon tax doesn't get far in committee initially, former Rep. Bob Inglis (R-S.C.), executive director of republicEn, a group offering free-enterprise solutions to tackle climate change, sees additional opportunities for introducing the issue during the reform debate.

The House Republican tax plan, he said, features so many tax cuts that would dramatically expand the federal deficit that lawmakers may be looking for solutions to plug the budget hole. A revenue-neutral carbon tax will be one option for tax-writers to consider.

"Adding a carbon tax is a way to do tax reform and balance the budget at the same time," Inglis said yesterday. "The idea is to tax pollution, not profits. It's completely consistent with what conservatives have long advocated."

The key, the former lawmaker said, will be to persuade Republicans concerned about exploding the deficit to break with President Trump and GOP congressional leaders.

"Whether this is going to happen, I don't know," he said. "It depends on whether budget hawks balk at a revenue-negative proposal. If they do, then you have to search for revenue."

Democrats are already warning about the consequences of growing the federal deficit.

In the Democrats' weekly address released Saturday, which amounted to a "pre-buttal" of the GOP reform plan, Sen. Ben Cardin (D-Md.), a member of the tax-writing Finance Committee, said Republicans have "formulated a tax scheme that they admit will add $1.5 trillion to our deficit while putting Medicare and Medicaid at risk. And their plan hurts middle- and low-income working families while providing huge tax cuts for the wealthiest Americans."

Democratic criticism is unlikely to sway Republicans committed to cutting taxes. But an analysis by the nonpartisan Concord Coalition, which has long fought to reduce government deficits, could carry a little more political pop.

"Faced with the prospect of steep tax cuts, a number of Republicans in the House and Senate seem to have forgotten their frequently voiced concerns about deficits," Steve Winn wrote this week. "It is important to remember — as many economists across the political spectrum have noted in recent days — that tax cuts, while they can provide some short-term boost for the economy, do not 'pay for themselves.'"

Right now, there is little chatter about any senator attempting to attach a carbon tax amendment to the tax package when it hits the Finance Committee. Senate aides said the priority of Democratic leaders now is to home in on the message that the Republican plan hurts middle-class families, and Democratic lawmakers may be reluctant to advance any proposal that can be construed as a tax increase in the context of the broader reform debate.

As if to buttress the point, the Senate Democratic Policy and Communications Committee has scheduled a hearing for this afternoon titled "Who Pays for the GOP's Trillion Dollar Tax Cut? How Families, Seniors and the Middle Class Are Hit Hardest." The session will feature testimony from national policy experts and stakeholders in Kansas, where a massive tax cut in 2012 crippled government services and stifled economic growth, in the Democrats' view.

Still, the broad tax debate could ultimately open up discussions about energy taxes and incentives and their overarching policy implications (*E&E Daily*, Oct. 27). And stand-alone Democratic bills promoting a carbon tax have been introduced in the House and Senate, though with no action scheduled so far.

"We're making progress," Inglis said.

https://www.eenews.net/climatewire/2017/11/01/stories/1060065223

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 11/13/2017 9:23:48 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: invitation to sign joint letter opposing extending energy tax credits in tax bill

ACTION BY NON-PROFIT GROUPS NEEDED BY WEDNESDAY COB

Chrissy Harbin at Americans for Prosperity has prepared the joint letter pasted below for signature by non-profit groups. If your group can sign on, please let Chrissy know by close of business on Wednesday. This is a quick turnaround, but the tax bills are moving quickly and some Republican Senators are demanding subsidy extensions for their favorite forms of uncompetitive energy. You may sign on by replying to this e-mail or by e-mailing Chrissy directly or by e-mailing both of us. Chrissy's e-mail address is CHarbin@afphq.org. Please include the following information:

Name_____
Title_____
Organization_____
E-mail address_____

DRAFT JOINT LETTER
Coalition to Congress: Cut Out Green Energy Handouts To Achieve Tax Reform and Rate Reduction

November XX 2017

Dear Senators and Representatives:

On behalf of our organizations and the millions of Americans we represent, we write to express support for tax reform that repeals special exclusions that benefit certain industries and sectors.

We encourage you to oppose efforts to extend favorable tax treatment to renewable energy industries — e.g., the wind production tax credit (PTC), solar investment tax credit (ITC), and expired tax provisions pertaining to small-scale wind, fuel cell facilities, and geothermal. We note that the unified tax framework provides flexibility to the Senate Finance Committee and the House Ways and Means Committee to "decide to retain some [...] business credits to the extent budgetary limitations allow." We will stand with you in opposing the calls of special interests to preserve these tax narrow provisions.

The unified tax framework calls for reducing the corporate tax rate to 20 percent. This lower rate will benefit the overall economy, incite job growth, and make the tax code internationally competitive. Extending and expanding these tax provisions benefitting narrow special interests makes it difficult to maintain this 20 percent rate.

Over the past decades, favorable tax treatment for renewable energy has consistently failed to deliver on its promises of long-term job creation and economic viability. Americans deserve access to energy solutions that are affordable and reliable—ones that can stand on their own in the marketplace—as well as a federal tax code that is fair and simple. Closing these loopholes would reduce complexity in the tax code and create a level playing field where all energy sources and new technologies can compete.

We applaud your progress to date toward the important goal of pro-growth, comprehensive tax reform. We will stand with you in opposing extending favorable tax treatment for renewable energy industries as you process the unified tax framework into legislative text. Thank you for your consideration.

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 8/28/2017 2:23:10 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition meeting on Monday, 11th September, at noon at CEI

The Cooler Heads Coalition will hold its next meeting beginning at 12 noon on Monday, 11th September, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with questions or agenda items.

Of interest:

Roy Spencer has published a short e-book, An Inconvenient Deception, which analyzes Al Gore's sci-fi film and book. It is available at https://www.amazon.com/Inconvenient-Deception-Distorts-Climate-Science-ebook/dp/B074XG6KX1/ref=sr_1_1?s=digital-text&ie=UTF8&qid=1503928725&sr=1-1&keywords=an+inconvenient+deception. An Inconvenient Sequel has now grossed over $3 million. On the weekend of 18th-20th August, it grossed $331,007 in 514 theaters. That works out to nearly $644 per theater.

John Abbot and Jennifer Marohasy have published a new study that employs big data techniques to analyze proxy temperature records. Jennifer blogs about it at http://jennifermarohasy.com/2017/08/recent-warming-natural/, which has a link to the study.

William Yeatman has published a study titled Ending the EPA's Billion-Dollar Green Energy Rip-Off. It is available at https://cei.org/content/ending-epa-billion-dollar-rip-off.

Stalled on Health Care, President Trump Quietly Scores Wins on Energy Agenda, by Michael Collins, USA Today: https://www.usatoday.com/story/news/politics/2017/08/24/president-trump-energy-agenda/590893001/

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 11/12/2017 6:06:23 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Reminder: Cooler Heads Coalition meeting Monday, 12 noon, at CEI

Reminder: the Cooler Heads Coalition will hold its regular monthly strategy meeting beginning at 12 noon on Monday, 13th November, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail me with agenda items or questions.

I know some people will find this scientific study incredible, but it turns out that in past eras cold weather has led to crop failures and hence to famines and epidemics. If cold weather can do that, think what even more terrible things warm weather might cause.

Interestingly, the study suggests that long periods of cold, dry weather were the primary facilitators of epidemics in the past. The records suggest that cold periods in ancient and pre-modern China were associated with an increase in the frequency of droughts, as well as attacks of locusts.

https://www.eenews.net/climatewire/2017/11/07/stories/1060065835

SCIENCE

Cold climate tied to famine, locust swarms in ancient China

Chelsea Harvey, E&E News reporter

Published: Tuesday, November 7, 2017

Flooding in China has historically contributed to epidemics, and climate change could make that even worse. Paul Gonzalez/Flickr

Scientists are worried about the effects of long-term warming on human health and infectious disease, but a new study finds a link between epidemics and a cold climate.

By analyzing Chinese records throughout nearly 2,000 years of history — from between A.D. 1 and 1911 — researchers have found that climate-driven disturbances like floods, droughts and locust outbreaks were associated with disease epidemics. The findings, published yesterday in *Proceedings of the National Academy of Sciences*, particularly suggest that climate-related agricultural failures may have led to famines and declines in human health and nutrition, which made communities more susceptible to infection.

Interestingly, the study suggests that long periods of cold, dry weather were the primary facilitators of epidemics in the past. The records suggest that cold periods in ancient and pre-modern China were associated with an increase in the frequency of droughts, as well as attacks of locusts.

As a result, the scientists write, "climate cooling could have resulted in collapsed agricultural production and reduced health conditions due to famine, thereby increasing the prevalence of human epidemic events."

The new research underscores the idea that climatic changes may affect human health in a variety of ways. Present-day concerns about climate change and infection often focus on the potential of higher temperatures to facilitate the spread of disease vectors, like mosquitoes. Indeed, scientists are already finding links between climate change and vector-borne diseases like malaria or dengue fever. But the new research suggests that climate-driven failures in agriculture may have had equally significant effects on human health and susceptibility to disease in the past.

It's also not the first time ancient climate cooling events have been linked to an increase in infectious disease. Some studies — such as one examining years during the Renaissance, published in *PNAS* in 2011, and another covering a period in the Middle Ages, published in *Nature Geoscience* last year — have suggested that periods of cooling in Europe have also been associated with both social upheaval and disease outbreaks.

These studies may seem to contradict other research suggesting that hotter, wetter climate shifts contribute to increases in disease outbreaks. But the authors of the new paper point out that the links between climate conditions and disease transmission patterns may depend heavily on the time scale in question. Indeed, while long periods of cooling were associated with epidemics via agricultural failure, the researchers note that on smaller time scales, temporary spikes in temperature may have helped disease-carrying insects and other vectors to flourish — perhaps through increases in precipitation and flooding, as well as heat — causing temporary spikes in disease outbreaks.

"Future studies should pay more attention to the scale-dependent effects of temperature on human epidemic events," the researchers suggest.

Indeed, the effects of long-term warming on infectious disease among humans still remain in question, given that we only have a few centuries of human-driven climate change to examine so far. But scientists are growing ever more concerned about the effects of global warming on disease transmission.

Recent studies have suggested, for instance, that rising temperatures may help mosquitoes in the Northern Hemisphere expand their ranges into areas that were previously too cold for them. Similarly, increases in severe storms and flooding events may provide the damp conditions necessary for disease-carrying insects to breed or bacteria to proliferate.

And many scientists today have also warned that future climate change may pose a significant risk to agriculture in some parts of the world, through warming temperatures and increases in the frequency or intensity of floods, droughts, wildfires and other natural disasters.

It remains to be seen how these effects will play out over very long time scales, of the sort examined in this week's study. Yet the new study suggests that certain types of disturbances — droughts, floods and famines in particular — seem to contribute to disease transmission, regardless of the time scale or whether they were caused by warming or cooling trends. And if scientists expect an increase in these events over long periods in the future — which many studies suggest will be the case — concerns about future infectious disease may only grow more intense.

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/24/2017 3:46:06 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Correction: Cooler Heads Coalition announcements and events

Note correction in bold and underlined:
The Environmental Protection Agency is holding a public hearing on its proposed volume requirements for the Renewable Fuel Standard in Washington, DC, on Tuesday, 1st August. People who wish to testify in person must sign up **by tomorrow, 25th July**, here. Questions may be sent to macallister.julia@epa.gov. The EPA is also accepting written statements. I can send briefing points to anyone interested in testifying or submitting a statement.

From: Myron Ebell
Sent: Monday, July 24, 2017 11:36 AM
To: 'mebell@cei.org' <mebell@cei.org>
Subject: Cooler Heads Coalition announcements and events

The Cooler Heads Coalition will not meet in August.

Three items of interest:

1) Press release on a new study on surface temperature data and the Endangerment Finding—pasted below.
2) The Environmental Protection Agency is holding a public hearing on its proposed volume requirements for the Renewable Fuel Standard in Washington, DC, on 1st August. People who wish to testify in person must sign up by 25th August here. Questions may be sent to macallister.julia@epa.gov. The EPA is also accepting written statements. I can send briefing points to anyone interested in testifying or submitting a statement.
3) AEI is holding yet another event on Wednesday at 3 PM to promote the Whitehouse-Schatz carbon tax bill. I have pasted the invitation below. I'm one of the panelists, so I hope you'll be able to attend! Rsvp or watch online here.

American Enterprise Institute

Carbon taxes: A problem or a solution?
Remarks from Sen. Sheldon Whitehouse (D-RI) and Sen. Brian Schatz (D-HI)

Wednesday, July 26, 2017 | 3:00 pm - 4:30 pm

RSVP or watch online at http://www.aei.org/events/carbon-taxes-a-problem-or-a-solution-remarks-from-sen-sheldon-whitehouse-d-ri-and-sen-brian-schatz-d-hi/

The debate over whether the US should implement a carbon tax is both highly important and highly controversial. Supporters of a carbon tax argue that it would be the most efficient way of addressing climate change and implementing broader fiscal reform, while opponents suggest it would harm the economy and have almost no effect on the climate.

Please join AEI at this event assessing the merits and pitfalls of a US carbon tax. Senators Sheldon Whitehouse (D-RI) and Brian Schatz (D-HI) will unveil their own carbon tax proposal, and panelists will debate the implications of such a proposal.

Join the conversation on social media by following @AEI and @AEIecon on Twitter and Facebook.

If you are unable to attend, we welcome you to watch the event live on this page. Full video will be posted within 24 hours.

Agenda

2:45 PM
Registration

3:00 PM
Introduction:
Aparna Mathur, AEI

3:05 PM
Keynote address:
Sheldon Whitehouse, US Senate (D-RI)

3:15 PM
Keynote address:
Brian Schatz, US Senate (D-HI)

3:25 PM
Q&A

3:45 PM
Panel discussion

Participants:
Veronique de Rugy, Mercatus Center
Myron Ebell, Competitive Enterprise Institute
George Frampton, Partnership for Responsible Growth
Adele Morris, Brookings Institution

Moderator:
Aparna Mathur, AEI

4:15 PM
Q&A

4:30 PM
Adjournment

Event Contact Information

For more information, please contact Isabelle Staff at Isabelle.staff@aei.org, 202.862.5885

Media Contact Information

For media inquiries or to register a camera crew, please contact MediaServices@aei.org, 202.862.5829

PRESS RELEASE

Electricity Consumers File New Study in Their Call for EPA to Reopen its Endangerment Finding

Key Points:

1. Just Released, new research findings demonstrate that adjustments by government agencies to the global average surface temperature (GAST) record render that record totally inconsistent with published credible temperature data sets and useless for any policy purpose.
2. **The new results invalidate the claims based on GAST data of "record warming" in recent years, and thereby also invalidate the so-called "lines of evidence" on which EPA claimed to base its 2009 CO2 Endangerment Finding.**
3. **If the Endangerment Finding is not vacated, whether the current administration likes it or not, it is certain that electric utility, automotive and many other industries will face ongoing EPA CO_2 regulation.**
4. **This scientifically illiterate regulation will raise U.S. energy prices thereby reducing economic growth and jobs.**

July 24, 2017

The Concerned Household Electricity Consumers Council announces that on July 6, 2017 it filed with EPA a Second Supplement to the Council's January 20, 2017 Petition asking the Agency to reconsider the scientifically invalid Endangerment Finding on which all Obama-era greenhouse gas regulations are based. The Second Supplement to Petition may be found at: https://thsresearch.files.wordpress.com/2017/07/ef-gast-data-secondsupplementtopetitionfinal.pdf

The Council's original Petition (*see* https://thsresearch.files.wordpress.com/2017/04/ef-epa-petitionforreconsiderationof-ef-final-1.pdf) and First Supplement to Petition (*see* **https://thsresearch.files.wordpress.com/2017/05/ef-checc-suppl-pfr-of-ef-050817-final.pdf)** demonstrated that the Endangerment Finding is nothing more than assumptions that have each been disproved by the most relevant empirical evidence from the real world. The original Petition was substantially based on a major peer-reviewed 2016 scientific paper by James Wallace, John Christy and Joseph D'Aleo (Wallace 2016) that analyzed the best available temperature data sets and "failed to find that the steadily rising atmospheric CO_2 concentrations have had a statistically significant impact on any of the 13 critically important tropical and global temperature time series data sets analyzed." The full text of Wallace 2016 may be found at: https://thsresearch.files.wordpress.com/2016/09/ef-cpp-sc-2016-data-ths-paper-ex-sum-090516v2.pdf .

The First Supplement to Petition was substantially based on a new April 2017 peer reviewed scientific paper, also from the same authors (Wallace 2017A). Wallace 2017A can be found at: https://thsresearch.files.wordpress.com/2017/04/ef-data-research-report-second-editionfinal041717-1.pdf . Wallace 2017A concluded that once impacts of natural factors such as solar, volcanic and ENSO activity are accounted for, there is no "natural factor adjusted" warming remaining to be attributed to rising atmospheric CO_2 levels.

The Second Supplement to the Petition now relies on a third new major peer reviewed scientific paper from James Wallace, Joseph D'Aleo and Craig Idso, published in June 2017 (Wallace 2017B). Wallace 2017B analyzes the GAST data issued by U.S. agencies NASA and NOAA, as well as British group Hadley CRU. In this research report past changes in the previously reported historical data are quantified. It was found that each new version of GAST has nearly always exhibited a steeper warming linear trend over its entire history. And, this result was nearly always accomplished by each entity systematically removing the previously existing cyclical temperature pattern. This was true for all three entities providing GAST data measurement, NOAA, NASA and Hadley CRU.

The Second Supplement to Petition states:

> Adjustments that impart an ever-steeper upward trend in the data by removing the natural cyclical temperature patterns present in the data deprive the GAST products from NOAA, NASA and Hadley CRU of the credibility required for policymaking or climate modeling, particularly when they are relied on to drive trillions of dollars in expenditures.

The invalidation of the adjusted GAST data knocks yet another essential pillar out from under the lines of evidence that are the claimed foundation of the Endangerment Finding. As the Second Supplement to Petition states:

> It is therefore inescapable that if the official GAST data from NOAA, NASA and Hadley CRU are invalid, then both the "basic physical understanding" of climate and the climate models will also be invalid.

The scientific invalidity of the Endangerment Finding becomes more blindingly obvious and undeniable with each day's accumulation of reliable empirical data. It is time for an honest and rigorous scientific re-evaluation of this Obama-era political document. The nation has been taken down a tragically foolish path of pointless regulations and wasteful mal-investments to "solve" a problem which does not actually exist. Our leaders must summon the courage to acknowledge the truth and act accordingly.

The Council brought its Petition because the Obama-era greenhouse gas regulations threaten, as President Obama himself conceded, to make the price of electricity "skyrocket." All Americans will benefit from a new era where the cheapest sources of energy can also compete and prevail in the marketplace.

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 11/20/2017 11:10:08 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition invitation to talks by Rupert Darwall, author of Green Tyranny

Our friend Rupert Darwall will be in town next week to promote his new book, Green Tyranny: Exposing the Totalitarian Roots of the Climate Industrial Complex, which was published by Encounter in October.

Here are three events, all on Tuesday, 28th November:

1. The Cooler Heads Coalition will hold a Hill briefing on Tuesday the 28th from 4 to 5 PM in 2322 Rayburn. Complimentary copies of Rupert's book will be available for signing. Details below. Please Rsvp to me by return e-mail.

2. Heritage will hold an event at 12 noon on the 28th. Details and Rsvp here: http://www.heritage.org/environment/event/green-tyranny-exposing-the-totalitarian-roots-the-climate-industrial-complex

3. CEI will host an informal reception for Rupert from 5:30 to 7 PM on the 28th. Please e-mail me for details of that event. Complimentary copies of Rupert's book will be available for signing.

THE COOLER HEADS COALITION

invites you to

a talk

by

Rupert Darwall

Author of

Green Tyranny:
Exposing the Totalitarian Roots of the Climate Industrial Complex

(Published by Encounter Books in October)

Tuesday, November 28
4—5 PM
2322, Rayburn House Office Building

Complimentary copies of Green Tyranny will be provided by CEI.
Mr. Darwall will be available to sign copies of his book after his talk.
This Congressional staff and media briefing is a widely-attended event.

Please RSVP to Myron Ebell at mebell@cei.org.

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/11/2017 9:07:09 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: FW: Invitation to sign joint letter on climate amendment to NDAA

Last year, twenty five people/groups sent a letter (pasted below) in support of the Fleming amendment to the National Defense Authorization Act that would have prevented DOD from implementing a number of climate policies and programs required by two Executive Orders. President Trump has revoked one of the EOs. Representative Warren Davidson (R-Ohio) has drafted an amendment to this year's NDAA to block the remaining EO. The House Rules Committee will consider which amendments to make in order when they meet Wednesday at 3 PM. The House is scheduled to vote on amendments on Thursday. So time is short.

ACTION NEEDED: Please sign on to the draft letter below as soon as possible with:
Name:
Title:
Organization:

DRAFT LETTER IN SUPPORT OF DAVIDSON CLIMATE AMENDMENT TO NDAA:

Dear Representative,

The undersigned organizations write in strong support of Representative Warren Davidson's amendment #388 to H. R. 2810, the National Defense Authorization Act, that if enacted would prevent the Department of Defense from continuing to implement Executive Order 13693. This executive order requires the Department of Defense to create a number of climate change programs and policies throughout the Department.

These climate programs and policies have nothing to do with the mission of the United States' Armed Services. In fact, many of these programs and policies are likely to undermine military readiness by diverting scarce resources to such things as helping state and local governments to "go green," meeting targets for reducing carbon dioxide emissions, meeting a variety of green energy quotas, meeting fleet requirements for low and zero emissions vehicles, and incorporating climate resilience and preparedness as principal aims of land and water management.

As you know, President Trump repealed a similar Executive Order (13653), which required the Department of Defense to develop "comprehensive plans that integrate consideration of climate change into agency operations and overall mission objectives." We applaud President Trump for repealing Executive Order 13653. In our view, this was an entirely unsuitable addition to the critical mission of our men and women in uniform. Rep. Davidson's amendment would

continue President Trump's work and further curtail the Department of Defense's unnecessary and irrelevant forays into climate change policy.

For these reasons, we urge you to vote Yes on Rep. Davidson's amendment #388 to H. R. 2810. Thank you for considering our views.

Sincerely,

LAST YEAR'S LETTER:

May 16, 2016

Dear Representative,

The undersigned organizations write in strong support of Representative John Fleming's amendment #87 to H. R. 4909, the National Defense Authorization Act, that if enacted would prevent the Department of Defense from continuing to implement Executive Orders 13653 and 13693. These two executive orders require the Department of Defense to create a number of climate change programs and policies throughout the Department.

These climate programs and policies have nothing to do with the mission of the United States' Armed Services. In fact, many of these programs and policies are likely to undermine military readiness by diverting scarce resources to such things as helping state and local governments to "go green," meeting targets for reducing carbon dioxide emissions, meeting a variety of green energy quotas, meeting fleet requirements for low and zero emissions vehicles, and incorporating climate resilience and preparedness as principal aims of land and water management.

Most importantly, Rep. Fleming's amendment would prevent the Department of Defense from implementing section 5 of Executive Order 13653, which requires the Department of Defense to develop "comprehensive plans that integrate consideration of climate change into agency operations and overall mission objectives." In our view, this is an entirely unsuitable addition to the critical mission of our men and women in uniform.

For these reasons, we urge you to vote Yes on Rep. Fleming's amendment #87 to H. R. 4909. Thank you for considering our views.

Sincerely,

Myron Ebell
Director, Center for Energy & Environment Competitive Enterprise Institute

Lt. Col. (Ret.) Allen B. West
Executive Director National Center for Policy Analysis

Thomas Schatz
President Council for Citizens Against Government Waste

Brent Gardner
Vice President for Government Affairs Americans for Prosperity

Elaine Donnelly
President Center for Military Readiness

Norm Singleton
President Campaign for Liberty

Phil Kerpen
President American Commitment

Thomas J. Pyle
President American Energy Alliance

Rick Manning
President Americans for Limited Government

Jeff Gayner
Chairman Americans for Sovereignty

Richard Falknor and Susan Falknor
Publishers Blue Ridge Forum

Ron Pearson
President Council for America

Craig Richardson
Executive Director Energy and Environment Legal Institute

George Landrith
President Frontiers of Freedom

Andresen Blom
Executive Director Grassroot Hawaii Action, Inc.

Joseph Bast
President Heartland Institute

Seton Motley
President Less Government

Willes K. Lee
President National Federation of Republican Assemblies

Kenneth Haapala
President Science and Environmental Policy Project

James L. Martin
Chairman 60 Plus Association

David Williams
President Taxpayers Protection Alliance

Judson Phillips
Founder Tea Party Nation

KaLeigh Long
Executive Director The Conservative Leadership PAC

C. Preston Noell III
President Tradition, Family, Property, Inc.

Morton Blackwell
Chairman The Weyrich Lunch

Andrew C. McCarthy
Former Chief Assistant U. S. Attorney Southern District of New York

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/12/2017 9:06:55 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Reminder: Invitation to Cooler Heads Coalition briefing on Monday with Steve Milloy

Please Rsvp to Matthew.Townsend@cei.org.

THE COOLER HEADS COALITION

invites you to
A Congressional Staff and Media Briefing
(*a widely-attended event*)

SCARE POLLUTION:
WHY AND HOW TO FIX THE EPA

with

Steve Milloy
Author of *Scare Pollution* (2016)
and Publisher of JunkScience.com

Monday, July 17th
12 Noon—1:15 PM
2325, Rayburn House Office Building
Lunch and copies of the book provided

Please RSVP to Matthew.Townsend@cei.org.

For more information, call Myron Ebell at (202) 331-2256

"Scare Pollution: Why and How to Fix the EPA"

The Environmental Protection Agency's flagship scientific research and regulatory programs revolve around the claim that air pollution kills hundreds of thousands of Americans every year. Steve Milloy will discuss the shockingly fraudulent and even illegal science behind EPA's claims as detailed in his new book, *"Scare Pollution: Why and How to Fix the EPA."* These claims have been used to justify global warming rules, destroy the coal industry, and assert EPA control over our fossil fuel-dependent economy. Milloy's exposé tells the story of how he uncovered the EPA's misconduct via his investigative journalism, original scientific research, and revealing interactions with EPA, Congress, federal courts and green activists. Copies of *Scare Pollution* will be available at no charge for attendees.

Steve Milloy

Steve Milloy is the founder and publisher of JunkScience.com and a senior policy fellow at the Energy and Environmental Legal Institute. He served in 2016 on the Trump Transition's EPA team.

In addition to his most recent book, *Scare Pollution* published in 2016, Mr. Milloy is the author of *Green Hell: How Environmentalists Plan to Control Your Life and What You Can Do to Stop Them*; *Junk Science Judo: Self-defense Against Health Scares and Scams*; *Silencing Science*, with co-author Michael Gough; *Science Without Sense: The Risky Business of Public Health Research*; and *Science-Based Risk Assessment*. He has also written over 700 articles and columns published in major newspapers and web sites.

Mr. Milloy holds a B.A. in Natural Sciences and a Master of Health Sciences (Biostatistics) from Johns Hopkins University, a Juris Doctorate from the University of Baltimore, and a Master of Laws (Securities Regulation) from the Georgetown University Law Center. His work has contributed to a number of regulatory reform efforts in Congress.

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 11/28/2017 3:15:36 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: new climate science review paper by Rupert Darwall and two reminders

CEI released a paper by Rupert Darwall this morning. Our news release is pasted below.

Rupert will be speaking at a Cooler Heads Coalition briefing today, 28th November, at **4 PM in 2322 Rayburn** House Office Building. Attendees will receive copies of Rupert's new book, *Green Tyranny: Exposing the Totalitarian Roots of the Climate Industrial Complex*, compliments of CEI.

The Cooler Heads Coalition will hold its December strategy meeting next Monday, 4th December, beginning at 12 noon, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with agenda items or questions.

New CEI Paper Asks: Where is the Scientific Debate in the Climate Debate?

A Veneer of Certainty Stoking Climate Alarm by Rupert Darwall

The national discussion on climate change has escalated under the Trump administration, which makes it crucial to ensure that actual debate is happening regarding the science used to create policy and inform public opinion. A new paper from the Competitive Enterprise Institute, released today, highlights how open debate is key to improving the state of scientific knowledge and achieving sound policy outcomes.

"Open debate in science is crucial," says report author Rupert Darwall. "Climate change policy advocates habitually make claims about the strength of the science that go far beyond what is warranted by the state of current scientific knowledge on the climate system. We need more debate in order to arrive at the best science possible. The red team/blue team approach is a good model to follow."

Taking a lesson from the 2014 American Physical Society (APS) climate workshop, Darwall's paper suggests taking EPA Administrator Scott Pruitt's proposal for red/blue team assessment as a means to encourage healthy scientific debate. Open debate was on display at the APS workshop, which took place in Brooklyn and lasted just over seven hours. A unique event in the annals of the climate debate, it featured three climate scientists who support the climate change consensus and three climate scientists who do not. That format required an unusual degree of honesty about the limitations of the current understanding of the climate system. For the most part, circumspection, qualification, and candid admissions of lack of knowledge were the order of the day.

"Open debate is as crucial in science as it is in a democracy. Things are different when climate scientists are on the stand alongside their peers who know the science as well as they do, but disagree with the conclusions they draw from the same body of knowledge," explains Darwall. "The biggest winner from a red/blue team assessment will be the public. If people are to buy into policies that will drastically alter their way of life, they should be fully informed of the consequences and justifications."

Instead of debating, highlighting and, where possible, resolving disagreement, many mainstream climate scientists work in a symbiotic relationship with environmental activists and the news media to stoke fear about allegedly catastrophic climate change, providing a scientific imprimatur for an aggressive policy response while declining to air private doubts and the systematic uncertainties.

You can find the paper, **A Veneer of Certainty Stoking Climate Alarm,** here.

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/7/2017 1:42:27 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition invitation to Hill briefing and reminder of next meeting

Reminder: the Cooler Heads Coalition will hold its July strategy meeting on Monday, 10th July, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with agenda items or questions.

You may Rsvp for the event below by replying to this e-mail. Please don't change the subject line. Or you may Rsvp to matthew.townsend@cei.org.

THE COOLER HEADS COALITION

invites you to
A Congressional Staff and Media Briefing
(*a widely-attended event*)

SCARE POLLUTION:
WHY AND HOW TO FIX THE EPA

with

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Steve Milloy

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Message

From: Yamada, Richard (Yujiro) [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4C34A1E0345E4D26B361B5031430639D-YAMADA, YUJ]
Sent: 4/9/2018 6:21:28 PM
To: kevin.butt@toyota.com
Subject: hello again

Hi Kevin,

It was great to meet you last month in Cincy at the EHS Symposium. I wanted to send you a quick email – please feel free to reach out at any time, esp with any of the research activities at EPA's ORD.

Warm regards,

Richard

Richard Yamada
Deputy Assistant Administrator
Office of Research and Development
U.S. Environmental Protection Agency

Phone: 202-564-1727
yamada.richard@epa.gov