

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

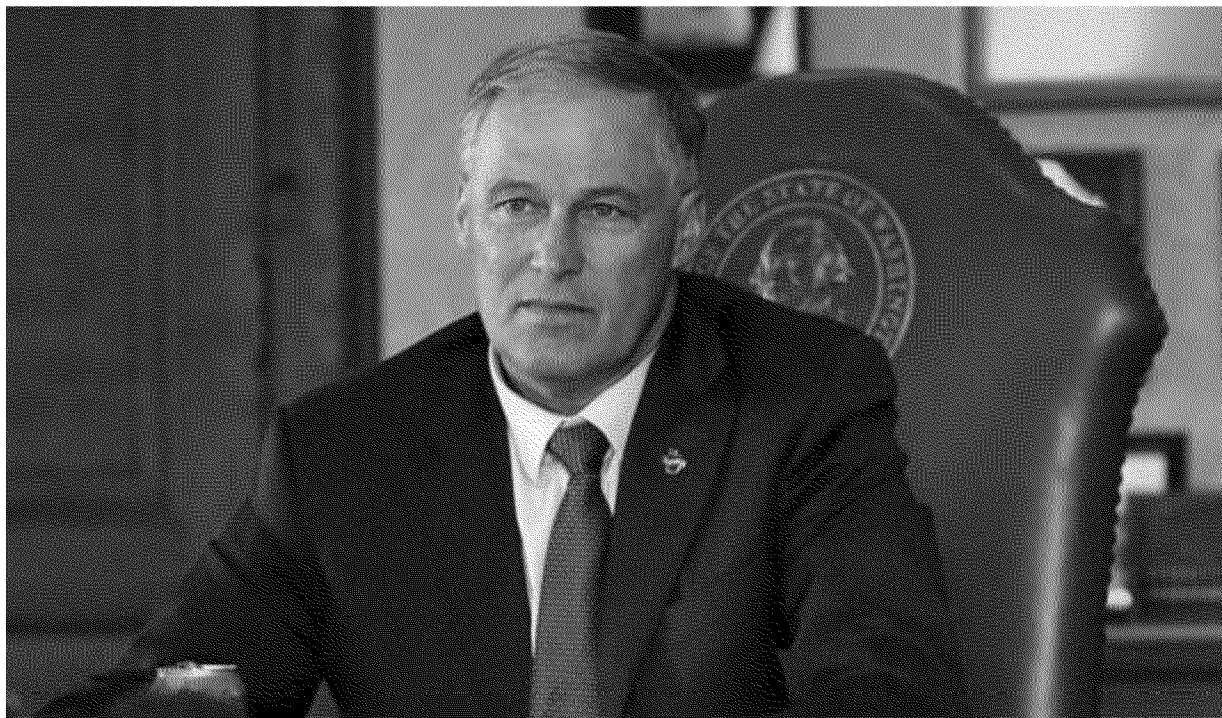
<https://www.texaspolicy.com/events/detail/at-the-crossroads-iv-energy-and-climate-policy-summit>. Agenda at <https://www.crossroads-summit.com/agenda/>.

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 their 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.

Myron Ebell

Director, Center for Energy and Environment

Competitive Enterprise Institute

1310 L Street, N. W., Seventh Floor

Washington, DC 20005, USA

Tel direct: (202) 331-2256

Tel mobile: (202) 320-6685

E-mail: Myron.Ebell@cei.org

Stop continental drift!